

Central Florida Tourism Oversight District

BOARD OF SUPERVISORS

April 19, 2023
9:30 a.m.

**Central Florida Tourism Oversight District
Board of Supervisors Meeting**

Agenda

April 19, 2023

9:30 a.m.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SAFETY MINUTE
4. PUBLIC COMMENT PERIOD
5. CONSENT AGENDA
 - 5.1 March 8, 2023 Meeting Minutes
6. INFORMATIONAL ITEMS
 - 6.1 Financial Report through March 2023
 - 6.2 District Administrator Job Description
 - 6.3 District Clerk Job Description
 - 6.4 District General Counsel Job Description
7. REPORTS
 - 7.1 Management Report
 - 7.2 Presentation by Public Resources Advisory Group (PRAG)
 - 7.3 Acting General Counsel Report
 - 7.4 Presentation by Litigation Counsel
 - 7.5 Presentation regarding State oversight
8. NEW BUSINESS
 - 8.1 Direction to District staff and PRAG to cooperate with Inspector General's investigation.
 - 8.2 Fourth Amendment to the Tide Bay Solar Facility PPA.
 - 8.3 Remove from office and terminate all Planning and Zoning Board members and appoint the Board of Supervisors to serve as the local planning agency of the Central Florida Tourism Oversight District.
 - 8.4 Discussion and potential action regarding the selection of an urban planning firm and

conducting a regional fiscal impact analysis to assist the District in the review and evaluation required by the District's enabling act.

- 8.5 Board discussion and potential action regarding direction to District staff and legal counsel and priorities of the Board for future agendas.
- 8.6 Discussion and potential action regarding District Administrator position and special advisor to the Board position.
- 8.7 Discussion regarding COVID policy proposed under Agenda Item 9.1 and additional regulation for future consideration.

9. PUBLIC HEARINGS

- 9.1 Resolution No. 638 - A RESOLUTION OF THE CENTRAL FLORIDA TOURISM OVERSIGHT DISTRICT CREATING RULES AND PROCEDURES FOR THE BOARD OF SUPERVISORS AND GOVERNING PROCEDURES, CONDUCT AND DECORUM FOR MEETINGS OF THE BOARD; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.
- 9.2 Resolution No. 639 – A RESOLUTION OF THE CENTRAL FLORIDA TOURISM OVERSIGHT DISTRICT AMENDING ARTICLE 6, CHAPTER 6-90 AND ARTICLE 7, CHAPTER 7-20 AND CHAPTER 7-30 OF THE RCID LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

10. UNFINISHED BUSINESS

No items

11. OTHER BUSINESS

- 11.1 Executive Session on Union Negotiations – Closed meeting pursuant to Section 447.605, Florida Statutes – An advertisement regarding such closed meeting and those persons in attendance was published in Orlando Sentinel on Sunday, April 9, 2023.

12. ADJOURN

APPEALS: All persons are advised that, if they decide to appeal any decision made at a Board of Supervisors hearing, they will need a verbatim transcript of the record of the proceedings. It is the responsibility of every party-in-interest to arrange for a transcript of the proceedings, which must include the verbatim testimony and evidence upon which the appeal is made.

AMERICANS WITH DISABILITIES ACT: The Central Florida Tourism Oversight District is committed to reasonably accommodating the needs of anyone with disabilities who wishes to attend or participate in public meetings. Anyone with a disability who requires a reasonable accommodation should contact the Clerk of the Board, by telephone at (407) 934-7480 or via email (currently at DistrictClerk@rcid.org), no less than one business day (i.e. Monday through Friday, excluding legal holidays) in advance of the applicable meeting to ensure that the District has sufficient time to accommodate the request.

Central Florida Tourism Oversight District

Board of Supervisors

Agenda Item 5.1

Page 1 of 1

Meeting Date	
April 19, 2023	
Agenda Item Name	
March 8, 2023 Meeting Minutes	
Requested Action	
Approval of the Meeting Minutes of the March 8, 2023 Board of Supervisors Meeting	
Staff Report	
None	
Additional Analysis	
None	
Fiscal Impact Summary	
None	
Exhibits Attached	
<ol style="list-style-type: none">1. March 8, 2023 Meeting Minutes2. March 8, 2023 Transcribed Meeting	

MINUTES OF MEETING

Board of Supervisors

Central Florida Tourism Oversight District

March 8, 2023

9:30 a.m.

Chair Garcia called the regular meeting of the Central Florida Tourism Oversight District Board of Supervisors to order on Wednesday, March 8, 2023, at the The B Resort, Majestic II Room, 1905 Hotel Plaza Boulevard, Lake Buena Vista, Florida.

Those present were Chair Martin Garcia, Vice Chair Michael A. Sasso, Bridget Ziegler, Brian Aungst, Jr. and Ron Peri, constituting a quorum of the Board of Supervisors. Others in attendance included; John Classe, District Administrator; Tina Graham, District Clerk; and Tracy Borden, Assistant Clerk.

Chair Garcia asked the attendees to please stand for the Pledge of Allegiance.

SAFETY MINUTE

Mr. Fernandez presented the safety instructions for the Majestic II meeting room. Mr. Fernandez identified the locations of each exit as well as the evacuation procedures. Mr. Fernandez announced that this month's safety tip is that daylight savings time is coming up and reminded everyone to check the batteries in their smoke detectors.

PUBLIC COMMENT PERIOD

Jeremy Kelly – RCFD – requested to defer time to Jon Shirey and announced that there are five total speakers including Mr. Shirey that would like to defer their time to Mr. Shirey.

Jon Shirey – RCFD Union President – spoke about Fire Department concerns and Lieutenant Jim Dorminy's benefit case.

Lesly Dorminy –Widow to Lieutenant Jim Dorminy – spoke about Lieutenant Jim Dorminy's benefit case.

Chris Eveland – RCFD - defer his time to Ms. Dorminy.

Stephen Cribb – Former Disney Cast Member – spoke about Disney's woke policies.

Aaron Colburn – RCFD – spoke about supporting the new Board and Ms. Dorminy, regarding Lieutenant Jim Dorminy’s benefit case.

Cree Haag – Ocoee, FL resident – spoke about supporting the First Responders.

Wendy Williams – Firefighter/Paramedic for Orange County Fire Rescue - spoke about supporting the First Responders.

CONSENT AGENDA

No agenda items

INFORMATIONAL ITEMS

Item 6.1 - Minutes from the February 22, 2023 BOS Meeting.

The District Clerk recorded proof of publication of the meeting notice.

MANAGEMENT REPORT

Mr. Classe discussed the bond debt that the District is responsible for as well and went over the various bond-rating agencies. Mr. Classe advised that the rating that the District had in 2021 went down in 2022 because of the legislation that dissolved the District. He is happy to report that our ratings have returned to pre-legislation levels. The bond market and the rating agencies have recognized the action by the Governor that reinstated the District.

Mr. Classe talked about the onboarding tour that the District is creating for the newly appointed Board Members as well as gave an overview of each department and Department Managers. Mr. Classe announced that Eryka Washington Perry; Communications Director and Mike Crikis; Environmental Sciences Director are here today to give a presentation about their departments and hopes that in the next few weeks the BOS will be able to spend time learning about each department and the many functions they provide to the District and to the Board.

Ms. Washington Perry gave a brief presentation about the Communications and Public Records Department.

Ms. Ziegler asked Mr. Classe to give an update on the rebranding of the name change. Mr. Classe responded that the District staff is working together to provide a list of District assets that need to be changed. Once completed, he will report back to the Board for direction.

Mr. Crikis gave a brief presentation about the Environmental Sciences Department.

NEW BUSINESS

Item 8.1 – 2023 Meeting Schedule

Mr. Classe reported on the process for setting the BOS yearly meeting calendar. He asked the Board if they would like to make any changes to dates/times going forward and all reply no. Mr. Classe announced that future changes can be made as long as there is enough time to post the public notice. No action was required.

Item 8.2 – Special Counsel

Mr. Classe gave an update on the Districts current General Counsel as well and the various outside sources that help the District move forward with specialty needs. To help support the Board and Staff, Mr. Classe recommended the Board retain Kurt Ardaman from Fishback Dominick. The firm was involved in writing the new legislation with the Governor's office. Chair Garcia, asked if there was a motion to accept Mr. Classe's recommendation to hire the Fishback Dominick firm as Special Legal Counsel. After a brief discussion, a motion was made by Mr. Aungst and duly seconded, the Board unanimously approved the request.

Mr. Classe requested direction from the Board on how to move forward with executing the engagement letters. The Board delegated the execution of the engagement letters to the District Administrator.

UNFINISHED BUSINESS

No agenda items

OTHER BUSINESS

Ms. Ziegler expressed her concerns regarding COVID-19 restrictions within the District and directed management to draft an ordinance that would prohibit COVID-19 restrictions within the District, including vaccine and mask mandates as allowable under law to bring back to the BOS at the next meeting. Chair Garcia directed Ms. Ziegler to work with the District's newly Special Counsel. No action was required.

There was a brief discussion regarding working with the District Administrator and Special Counsel to create Board Policies and Procedures.

The BOS thanks Ms. Dorminy and the First Responders for coming in to speak today.

Mr. Peri thanked Mr. Classe and staff for the quality and professionalism that he has seen so far and replied that it is going to make their transition as the new Board Members easier.

Chair Garcia spoke about his experience with the District's onboarding tour and highly encouraged the other Board Members to participate.

Mr. Aungst reported that one of the important elements of the legislation is that the Board now has essentially the authority of a local government over the entire District, including the cities of Lake

Buena Vista and Bay Lake. The legislation states that the cities are prohibited from enacting anything that is not more restrictive than something that was previously enacted. Mr. Aungst stated that he would like to talk to Mr. Classe and General Counsel regarding the Advisory Boards at a later date but requested that no action would be taken regarding the Advisory Boards without Board discussion.

Mr. Aungst expressed his concerns regarding the agreement that the cities have with the Orange County Sheriff's office and would like it to be a priority of the District that the contracts are going to be assigned over to the District and has requested a presentation regarding the agreements as soon as possible.

Mr. Classe thanks the Board and stated that he is looking forward to working with the Board as well as staff. Mr. Classe requested that he would like to have two closed session meetings in April. One will be on the status of the union negotiations and the collective bargaining agreement for Unit A to give the Board an update. The other is to give an overview of any litigation matters, past or current, that we can cover in those closed sessions for the BOS.

Chair Garcia then asked if there was any further business to discuss.

There being no further business to come before the Board, the meeting was adjourned at 11:24 a.m.

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ORIGINAL

1 PUBLIC MEETING BEFORE THE BOARD OF SUPERVISORS OF THE
2 REEDY CREEK IMPROVEMENT DISTRICT

3 _____ /

4 DATE: MARCH 8, 2023
5 REPORTER: SAMANTHA PALMA
6 PLACE: B RESORT
7 1905 HOTEL PLAZA BOULEVARD
8 MAJESTIC II ROOM
9 LAKE BUENA VISTA, FLORIDA 32830
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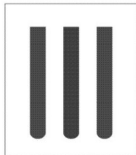
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APPEARANCES

ON BEHALF OF REEDY CREEK IMPROVEMENT DISTRICT:

Ilana S. Perras, Esquire
Milgrim Law Group
3216 Corrine Drive
Orlando, Florida 32803
Telephone No.: (407) 790-4966
Facsimile No.: (888) 802-1885
E-mail: ilanaperras@milgrimlaw.com

Also Present: Martin Garcia, Chair; Michael Sasso, Vice
Chair; John H. Classe Jr., District Administrator; Brian
Aungst Jr., Board Member; Bridget Ziegler, Board Member;
Ron Peri, Board Member; Jeremy Kelly, Speaker; Chad
Barley, Speaker; Jimmy Rozar, Speaker; Lesly Dorminy,
Speaker; Chris Eveland, Speaker; Stephen Cribb, Speaker;
Aaron Colburn, Speaker; Cree Haag, Speaker; Wendy
Williams, Speaker; Eryka Washington Perry, Speaker; Erin
O'Donnell, Speaker



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INDEX

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PROCEEDINGS

EXHIBITS
(None marked)



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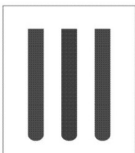
1 PROCEEDINGS

2 MR. GARCIA: Good morning. I'd like to call
3 the meeting to order. Can you-all hear me? Is this
4 mic on -- so good morning. Welcome. Thank you for
5 being here today. And we'd like to begin the
6 meeting with the Pledge of Allegiance. Would
7 everyone please rise.

8 ALL: I pledge allegiance to the flag of the
9 United States of America. And to the Republic for
10 which it stands, one nation, under God, indivisible,
11 with liberty and justice for all.

12 MR. GARCIA: Thank you. We have some safety
13 announcements at this point.

14 ME. FERNANDEZ: Good morning. Good morning.
15 Thank you, Mr. President, members of the board. And
16 to our guests and visitors here today, we do have
17 some safety announcements every meeting before the
18 board meeting, we'd like to share some safety
19 announcements about where we're meeting. If you
20 look around the room, there are clearly marked
21 exits. So in the event of an evacuation, we ask
22 that you please make your way to an exit in an
23 orderly fashion and go as far away from the building
24 as possible until emergency responders arrive and
25 can clear the building to return. We also like to



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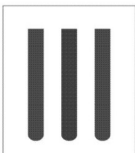
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1 give a safety tip at the beginning of every board
2 meeting. And this month's tip is daylight savings
3 time is coming up, and so it would be a good time to
4 check the batteries in your smoke detectors. Thank
5 you very much and enjoy the meeting.

6 MR. GARCIA: Thank you very much. And so at
7 this time we'll have public comments. Let me just
8 give a little bit of information about this. As you
9 came in, the clerk was at the table in back and you
10 had an opportunity to sign up to make a public
11 comment. You were given a number. I'll call your
12 number. Please come up to the podium, announce your
13 name and if you are here to represent in a capacity,
14 please tell us who you're representing. Please be
15 sensitive that we're recording this proceeding and
16 there's a court reporter, so be sensitive to her and
17 make sure you pronounce appropriately. And at this
18 time, this is an opportunity for the public to speak
19 to us. We are a public agency and we are very
20 interested in the public's comments. This is not a
21 time when the staff or the board will speak. We'll
22 be, as Mickey would say, all ears at this time. So
23 at this time I'd call up number one.

24 MR. KELLY: My name is Jeremy Kelly. I'm going
25 to defer my time.



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1 MR. GARCIA: Mr. Kelly. Okay, could you come
2 up to the podium, sir?

3 MR. KELLY: Yes, sir.

4 MR. GARCIA: Let me just -- one thing that I
5 didn't announce. We do have rules for public
6 comments that are posted on our website. And what
7 we would ask is that the speaker, please don't speak
8 more than three minutes. I believe that -- Tina,
9 where's the light of the equipment to indicate when
10 the time is run out?

11 CLERK: Over here.

12 MR. GARCIA: Okay, good. So please be
13 respectful to that. And so please for the record,
14 state your name.

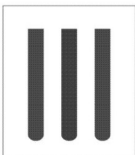
15 MR. KELLY: My name is Jeremy Kelly, and I work
16 for the Reedy Creek Fire Department. I'm actually
17 going to defer my time, my three minutes to Mr. Jon
18 Shirey.

19 MR. AUNGST: So, they're attempting to do group
20 speaker, Mr. Chair.

21 MR. GARCIA: So proceed.

22 MR. KELLY: Would you like the other speakers
23 that are numbered to defer their time altogether at
24 once?

25 MR. GARCIA: Just tell me how many speakers



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1 there are.

2 MR. KELLY: There's five total, including Mr.
3 Shirey.

4 MR. GARCIA: And will you take up all of your
5 time? 15 minutes?

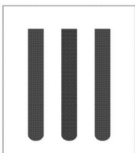
6 MR. SHIREY: It probably will not take all 15,
7 no sir.

8 MR. GARCIA: Okay, then can we adjust the clock
9 so they know when the 15 minute the time is up? And
10 as I understand it, you-all signed one form; is that
11 correct?

12 MR. SHIREY: Yes, sir. That is correct.

13 MR. GARCIA: Okay. All right, proceed.

14 MR. SHIREY: Bear with me for one moment. I'm
15 just going to get them set up here. All right.
16 First and foremost to the members of our board, just
17 want to thank you guys for the opportunity. This is
18 something that we as the firefighters feel like we
19 have never had the opportunity to do before, to have
20 a real conversation with the members of our board of
21 supervisors. In years past, we would come and bring
22 our issues to the board and very often we wouldn't
23 even be indulged with a response. We would be
24 stared at with blank faces and zero comments, and
25 when our time expired, that was it. It was time to



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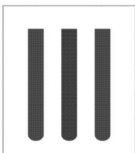
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1 move on. With this board, I'm very, very confident
2 to be able to say that we have a real opportunity
3 for a fresh start and a collaborative relationship.
4 I just wanted to start by thanking each and every
5 single one of you guys. I can't even express how
6 much this means to the firefighters here at Reedy
7 Creek. With that, my name is Jon Shirey. For those
8 that do not know me, I represent the 201st
9 responders here at the district. Wanted to just go
10 into a brief presentation about some of the issues
11 that we've been facing over the last couple years.
12 Bringing to the board attention to these matters
13 that we hold such a great importance to. The first
14 thing that I wanted to discuss was our brother, Jim
15 Dorminy, who unfortunately died as a result of a
16 line of duty situation back in May of 2017.
17 Obviously, that is six years ago, for those who
18 don't math very well, like most of the firemen. So
19 for us, the most sacred duty, the thing that we hold
20 near and dear to our hearts above any other single
21 topic is to honor the family and the life of our
22 brother, and by making sure that we take care of
23 their families. By not being able to settle this
24 federal death benefit on behalf of Jim Dorminy, it
25 has been a stain on our union, a black eye so to



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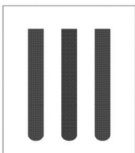
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1 speak. So we've provided some information. There's
2 on our brother Jim, there's his obituary. There is
3 a letter included in the packet that you guys have
4 just received from the CFO, Jimmy Patronis, who once
5 he was informed about the issues that we have been
6 having and how long this has been going on, he felt
7 very compelled to get involved in. So you'll see
8 that there in the binder provided for you. And
9 we're very confident that, you know, the issues that
10 we had in the past with the previous board as far as
11 getting this done, concerns over -- excuse me,
12 concerns over a worker's comp settlement surrounding
13 this whole situation that maybe were not so
14 favorable to Mrs. Dorminy. There was a concern that
15 there would be some litigation to follow that. I
16 think that we'll be able to work together to address
17 that issue. Moving on, it's -- talking about some
18 of the issues that you may or may not have already
19 heard at previous events or maybe in media is the
20 issues that we have that are ongoing with our fleet
21 of emergency vehicles. On any given day right now,
22 we operate with a minimum of eight rescues or
23 ambulances, some people may describe them. Four
24 fire engines. We have a squad truck and a tower
25 truck that are cross staffed with members that are



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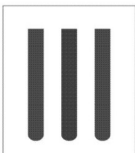
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1 riding on the engines. Over the summer last year,
2 we had such an issue with trucks breaking down that
3 on multiple days we were down to only five
4 ambulances able to respond to the entirety of Disney
5 property. We had to go and borrow equipment from
6 our neighboring departments at Orange and Osceola
7 County, and thankfully they were gracious enough to
8 do so. But in the original charter of the district,
9 it said very plainly that we would not be a burden
10 on our surrounding communities. And I would argue
11 that by taking their emergency vehicles so that we
12 could cover the bare minimum that we're obligated to
13 do here is certainly being a burden on those
14 taxpayers of those surrounding communities. It's
15 unacceptable. It just shows a blatant disregard for
16 public safety. And I'm very grateful that the
17 members of this board understand that public safety
18 needs to be number one. If we cannot provide a safe
19 environment for our guests and our employees and the
20 tourists that visit from around the world, we are
21 not going to be receiving their business. I think
22 this board very much understands that. What you'll
23 see in the packets I provided is a list of all the
24 emergency vehicles we currently have and as well as
25 their mileage. And you'll see that there are



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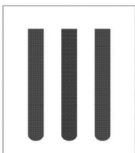
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1 vehicles that are 15, 20 years old, some with over
2 200,000 miles on a front line emergency vehicle.
3 It's unheard of in the fire service. And then the
4 second thing that you'll see in the fact that we
5 provided for you is a suggested list of the vehicles
6 and equipment that we believe that the department
7 needs to acquire to be able to provide the adequate
8 levels of protection that we believe are needed.
9 There's also some documentation in one of the later
10 tabs. It's a very thorough breakdown of what is
11 NFPA 1710. That is the National Fire Protection
12 Association, and they come up with national
13 standards for all departments to use as a very good
14 reference and a guideline on appropriate staffing
15 levels, emergency call response times, and so you'll
16 see that it's a four- page document there. And
17 again, I don't want to overdo all the details, but
18 again, if there's anything that you'd like us to go
19 into more, we're happy to do so. The next issue that
20 I wanted to talk about is just some contractual
21 issues. Obviously, we are a labor organization. We
22 represent the 201st responders here and that comes
23 in two bargaining units, all under the leadership of
24 the same core group of officers, so we have our A
25 unit, which is every member from the rank of



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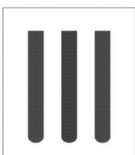
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1 lieutenant all the way down to just an EMT. So
2 everything in between. We have our communicators,
3 our fire prevention personnel. And then we have our
4 B unit, which is a supervisory unit that includes
5 our captains and battalion chiefs. And so these
6 issues are kind of universal across both units. So
7 for the sake of keeping the time down, I just want
8 to condense into one presentation. The number one
9 thing that really needs to be looked at as far as
10 the contract goes is the minimum staffing. We
11 currently have 32 firefighters on duty on any given
12 day, which is only two more firefighters than we've
13 had since 1989. We've literally only added two
14 firefighting personnel in all that span of years.
15 And I think it's safe to say that Disney has grown
16 exponentially in that time. And yet for whatever
17 the reasons were, the fire department was never
18 included in a growth plan that would keep pace with
19 the growth on Disney property. We have a very, very
20 outdated policies and procedures manual. We would
21 love to be able to collaborate with you guys as the
22 new board to bring us to the modern standards as
23 well as, you know, collaborate on what those
24 policies and procedures should look like going
25 forward. We have not been able to update that since



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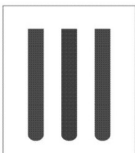
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1 2005, so we would love to be able to get that in
2 line with something that's more with the modern
3 times. I mean, in that policy manual, it's still
4 very strictly talks about how women have to shave
5 their armpits and legs and things -- crazy things
6 that we shouldn't even have in there. And so we'd
7 love to get that taken care of. We also have a lot
8 of issues with our health insurance. We were able
9 to settle some of those issues in our B Unit
10 negotiations, but we would like to have them
11 matching up so that all employees are covered under
12 the same plan and the same terms of those health
13 insurance things. And then we would also love to be
14 able to look at reinstating a set of retiree
15 healthcare options. Something that a lot of our
16 employees that were here back prior to, I believe,
17 2011 all get the benefit of. And then anyone hired
18 after that time, does not have any form of retiree
19 healthcare. So we're very open. We have a lot of
20 great ideas on how we could move forward with that,
21 and we'd love to have an opportunity to present some
22 of those to you guys for your consideration and see
23 what feedback maybe that you guys have as well.
24 Want to talk about a little bit with the employee
25 welfare. Right now we have a very out of date,



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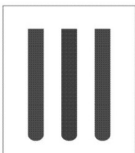
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1 inefficient annual physical evaluation for all of
2 our firefighters, and we'd love to see that brought
3 up to a more modern standard. That also would
4 include calcium scoring. That is like one of the
5 number one indicators of early cardiac issues. And
6 so early detection is a way more cost-efficient, and
7 obviously safer option for our firefighters and
8 first responders. We have a ton of work to do with
9 our special operations team as most people might
10 know as USAR team. I think that was highlighted
11 down in the Surfside building collapse. These men
12 and women really take pride in being able to handle
13 anything and everything that you throw at them. It
14 doesn't matter what the circumstance is, that's your
15 go-to group of individuals. In years past, we have
16 hamstrung that group of individuals by removing
17 technical specialties that they used to perform.
18 Some of those include water rescue, building
19 collapse, trench rescue. With all of the
20 construction going on all over Disney property,
21 those are things that are of huge importance to us
22 right now. And then I think water rescue kind of
23 speaks for itself. There is water all over Disney
24 property. Disney owns the largest private fleet of
25 boats anywhere in the world. And we have no water



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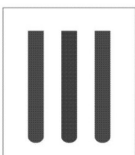
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1 rescue plan. We have no vehicle, no boat. The
2 current plan is go to the marina and hope to
3 commandeer a Disney boat to go and perform your
4 rescue. That's unacceptable. A few other minor
5 issues. There's the vacation/sick accrual that
6 you'll see in there. All we're looking to do is
7 follow the same guideline that the rest of the
8 district employees get, which is front loading their
9 time. It's in the district's policy manual that
10 they have for all other non-bargaining unit
11 employees, we just want to be treated the same. And
12 then with our compensation. We, at one time were
13 the premier or maybe one and two, you know, highest
14 paid departments in the area. And so that allowed
15 us to recruit some of the top talent all across the
16 state of Florida as well as the country. People
17 were coming here to work. Leaving their departments
18 where they had tenure and seniority, relationships
19 built with their coworkers, to come here because
20 this was the place to be. In the last seven years,
21 that has fallen so far, we're not even in the top 10
22 in compensation anymore. We're not looking for an
23 unfair advantage, but we do feel that this should be
24 the premier fire department in Central Florida. We
25 cover some of the most iconic structures and



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1 infrastructure anywhere in the state of Florida.
2 This is one of the number one places that, if there
3 was an incident, it will be not just national news,
4 this is going to be a worldwide kind of event that,
5 you know, we'll get a ton of coverage on. So we
6 want to make sure that we have the best possible
7 people in place to provide the protection that this
8 place deserves. With that, is there any questions
9 that I can answer for members of the board?

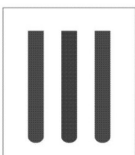
10 MR. GARCIA: As I indicated during this portion
11 of the agenda, the board or staff comments, we're
12 here to hear comments.

13 MR. SHIREY: Well Mr. Chairman, we appreciate
14 you giving us the opportunity. Brian, Bridget, Ron,
15 Mike, thank you guys so much. Again, we really do
16 look forward to working with you guys and really
17 having a fresh start and a great relationship moving
18 forward. So thank you.

19 MR. CLASSE: Thank you.

20 MR. GARCIA: Thank you for your comments and
21 thank you for your service as a first responder.
22 And next, number two is Chad Barley. Is that -- did
23 you allot your time or were you -- were you
24 interested in speaking?

25 MR. BARLEY: I deferred mine for Jon.



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1 MR. GARCIA: Got it, that's what I thought.

2 Same thing with Jimmy Rozar?

3 MR. ROZAR: Yes.

4 MR. GARCIA: Okay. Next is number four. Please
5 state your name for the record and let us know if
6 you're acting or representative the past week.

7 MS. DORMINY: I'm Lesly Dorminy.

8 MR. GARCIA: Lesly, could you come up to the
9 podium please?

10 MR. CLASSE: Mr. Chairman, if you'll indulge
11 us, the members of the Reedy Creek Fire Department
12 just want to stand with Lesly, none will be
13 commenting but just to show support for her, if that
14 would be all right with you and the board?

15 MR. GARCIA: That's fine. Thank you.

16 MR. CLASSE: Thank you, sir.

17 MS. DORMINY: Good morning.

18 MR. GARCIA: Good morning.

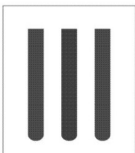
19 MS. DORMINY: How are you? I'm only here
20 because my husband's not.

21 MR. GARCIA: Please state your name for the
22 record.

23 MS. DORMINY: Lesly Dorminy.

24 MR. GARCIA: Thank you.

25 MS. DORMINY: Wife to Lieutenant Jim Dorminy.



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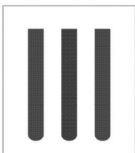
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1 MR. GARCIA: Yes, ma'am.

2 MS. DORMINY: Widow to Lieutenant Jim Dorminy.
3 I find it ironic that we started this meeting with
4 the Pledge of Allegiance, and we talked about
5 liberty of justice. And why do I have to fight for
6 justice to be served? When I gave you guys my all,
7 my everything, Lieutenant Dorminy's last bell rang
8 in 2017, and I'm still fighting for justice. And
9 why? These men and women, my family, Jim's family,
10 why do we have to fight here for justice? We're
11 asking for a benefit that doesn't cost Reedy Creek a
12 dime. A dime. When I gave you my all, everything.
13 My children gave you everything, and six years later
14 I'm still fighting for justice. They're still
15 fighting for their brother. Shame on you guys. It's
16 a benefit that people want, firefighters that know
17 the sacrifice that he gave. They want to give my
18 family this benefit, and here we are still fighting.
19 It really sucks. I just want you to know, it really
20 sucks. So do we stand and say the Pledge of
21 Allegiance of empty words? Do we? Because it sure
22 felt like it when I stood up and said it this
23 morning. I don't say them often, because who does
24 anymore? One nation under God, indivisible with
25 liberty and justice for all. That's all we are



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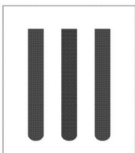
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1 asking. I guess my time is up.

2 MR. EVELAND: No, I'm speaker five, my name is
3 Chris Eveland and I defer my time to Lesly.

4 MR. GARCIA: You can proceed, ma'am.

5 MS. DORMINY: I mean, I'm just here because I'm
6 a widow of a firefighter, and I sat and listened to
7 John go over very, very big things that need to be
8 talked about, that I've heard for many, many years.
9 My husband was here for 18 years. He served Reedy
10 Creek with everything for 18 years. His last shift,
11 he went out and trained with men who wanted to
12 train. He did anything it took to make this fire
13 department amazing. He was full of integrity and
14 full of honor and loved the service. He would be
15 mortified that I'm still here fighting for justice.
16 And if they have to fight for the right equipment to
17 save your lives, you could be the one. Jim and I
18 used to talk about that all the time. Any of you
19 could be the one that they have to save. You didn't
20 know him, but he was amazing. He loved the fire
21 service. If you worked with him for a second, you
22 knew it. He never made excuses. He tried to be the
23 best he could be at everything firefighter related.
24 I mean, he just, he adored it. You don't just
25 become a firefighter, it's in you. It's who you



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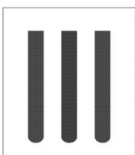
1 are. And unfortunately sometimes you give your life
2 for it, and then your widow has to stand six years
3 later in front of people she doesn't even know and
4 beg you to just be fair and just and give us what we
5 deserve. Did I not give enough to you guys? Was it
6 not enough? I will miss him every day, every second
7 for the rest of my life. But guess what? He died
8 exactly the way that he would've had it, because he
9 was a firefighter through and through. It was who
10 he was. The only thing that trumped it was our
11 family. So I'm here for my family. I'm asking you
12 to please just do the right thing. If you don't do
13 the right thing for my family, what are you saying
14 to all these people that risk their lives every day,
15 and the families they leave behind knowing that it
16 could be their day, their last bell. Thank you for
17 letting me talk today.

18 MR. GARCIA: Well, thank you for your comments
19 and know that we're deeply sorry about your loss.

20 MS. DORMINY: Thank you.

21 MR. GARCIA: Thank you. Thank you. Next is
22 number six, Stephen Cribb. Please come forward and
23 state your name for the record.

24 MR. CRIBB: Good morning. Good morning, I'm
25 Stephen Cribb. I am a former Disney cast member. I



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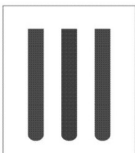
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1 spent 11 years as a cast member at Walt Disney
2 World, nine of which was in management. First of
3 all, just wanted to say thank you so much to our
4 firefighters and first responders. Those nine years
5 I was a recreation manager, and so we were very
6 reliant on your services and you-all are always very
7 professional, you always knew exactly what to do,
8 and oftentimes we were -- we were very reliant on
9 you with some, some big circumstances. And I can't
10 stress enough that you guys deserve everything you
11 need in order to do your job, so thank you. And on,
12 on top of that, one of the reasons I'm here to speak
13 is just in support of this -- of this new board.
14 Unfortunately, I, last year about this time, was
15 religiously discriminated against and ultimately
16 fired for my beliefs as -- with the -- as a -- as a
17 former employee of Walt Disney World Company. And
18 how does this -- how does this tie into Reedy Creek?
19 And that is because at the same time and before this
20 board, Disney was pledging millions of dollars to
21 fight the state of Florida on everything, you know,
22 and including some legislation that was passed to
23 protect children in schools. And so one had to look
24 around and say, you know what exactly is going on
25 here? Why don't our firefighters have what they



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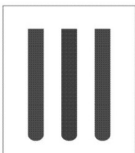
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1 need? Because they can take billions and, you know,
2 spin that to fight legislation that the people of
3 Florida clearly wanted. Why do they want to push --
4 why did they want to push these woke and crazy
5 policies and everything like that? You know, all of
6 under a Reedy Creek banner that was originally
7 designed to create jobs here in the state of
8 Florida, of which, like I said, they turn around,
9 you know, they fire me and many others like me.
10 There's six more cases on the lawsuit that we have
11 right now where we are pursuing -- claims against
12 Disney for their role and how they abuse their
13 powers with Reedy Creek during that time. So again,
14 I'm here to let you-all know I support this new
15 board and encourage you to continue to -- I'm very
16 encouraged by it and I just want to support and
17 encourage you in these redistricting efforts to make
18 sure that Disney -- or not Disney, sorry, but that
19 Reedy Creek, you know, continues to act in the tax
20 payer's interests of Osceola and Orange counties and
21 not create extra burdens on them in order to simply,
22 you know, supplement ideas that that go so against
23 us. In a final note, I do applaud the governor for
24 sending a clear message to simulate situated
25 corporations that if you do business in Florida, you



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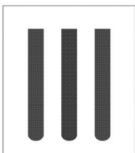
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1 better stay mindful of the best interest of
2 Floridians to promote and preserve our values.
3 Thank you.

4 MR. GARCIA: Thank you for your comments. Next,
5 number seven, Aaron Colburn. Please come forward.
6 State your name for the record.

7 MR. COLBURN: Good morning, Mr. Chair, members
8 of the board. My name's Aaron Colburn, I'm a
9 firefighter and paramedic, on the special operations
10 here, the team here at the Reedy Creek fire
11 department as well as the vice president of our
12 local labor organization, the Reedy Creek
13 Professional Firefighters. We just want to take time
14 to thank you and voice our support. As you saw
15 earlier, many of our members are here today, those
16 past and present. And if you would indulge me, I'd
17 like them to stand up. This is a small portion of
18 our members here. They wanted to come and show
19 their support for you-all and thank you guys for
20 your leadership and really just to express our
21 excitement moving forward and providing the best
22 service we can to our tourists and our customers and
23 our taxpayers here at the district. I was with
24 Lieutenant Dorminy on his last shift. He was my
25 lieutenant. On top of that, we all ask you to once



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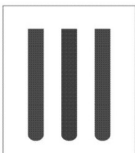
1 again consider Lesly and keep her in your thoughts
2 and prayers as she and her family continue with the
3 fight what's going on. We ask for support for that,
4 and we wanted to offer our support as the
5 firefighters here for you-all. If you ever need
6 anything from us at all, have any questions, need
7 any of our services, we're happy to help you in any
8 way we can. But thank you-all for what you're doing,
9 we look forward to working for you-all in the
10 future.

11 MR. GARCIA: Thank you for your comments and
12 thank you for your service as a first responder. I
13 will tell you-all, I spent almost all day Monday
14 here with an orientation program with our
15 administrator and I met the leadership fire
16 department here and your leaders, and I was very
17 impressed. They're very professional, very
18 articulate, and we are very fortunate as a district
19 to have who we have here in leadership for the
20 firefighters. So thank you to y'all. They're all
21 seated up here in the front.

22 MR. COLBURN: Thank you.

23 MR. GARCIA: The next is number nine, Cree
24 Haag. Ma'am, state your name for the record please?

25 MS. HAAG: Yes, I'm Cree Haag and thank you for



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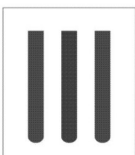
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1 the opportunity to speak. I speak from the heart,
2 because I've had the experience with first
3 responders. Our two homes burned, and it was three
4 alarm fires for each one, and I watched those men go
5 in and come out many times trying to save things.
6 And I saw them lying on the grass having to -- and I
7 know that they couldn't breathe. So I have a
8 special place in my heart for them. And also my
9 husband passed away in August, he had Parkinson's,
10 and he was very ill for a long time. And I --
11 sometimes I have to call the fire department right
12 off of our road for them to come help me, and they
13 came time and time and time again. Gentle, sweet
14 souls, I just love each one of them. And I just, I
15 speak from the heart and I urge you to please
16 consider them for safety standards, for new
17 equipment -- I appreciate so much what they do.
18 They're heroes. So thank you folks.

19 MR. GARCIA: Thank you for your comments. And
20 next is number 10, Wendy Williams. Please state
21 your name for the record.

22 MS. WILLIAMS: Wendy Williams. My name is
23 Wendy Williams. I'm a firefighter paramedic with 24
24 years of experience serving in central Florida. I
25 work for Orange County Fire Rescue and do a lot of



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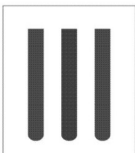
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1 mutual aid with our brothers and sisters here at
2 Reedy Creek. I just want to bring to attention that
3 I'm a native here, I'm a taxpayer and I absolutely
4 support this for my brothers over here and holding
5 this red line. I would like to bring to attention
6 what most people don't really hear from other
7 departments. I was last year working at Station 36,
8 which we do mutual aid with Reedy Creek, and I
9 worked multiple times there where we've provided
10 mutual aid, and it took us over 20 minutes to make
11 patient contact. And you want to know why? Because
12 this fire department doesn't have the resources that
13 they deserve and that they want to serve their
14 people and their public, okay? This is one of the
15 top fire departments. If you look at the top fire
16 departments to go to in central Florida, if you were
17 to ask me, it would be the city of Orlando and Reedy
18 Creek. And I can tell you right now that our
19 brothers have to sit and watch and work hard to save
20 lives while they're waiting on other departments to
21 help them because they lack resources, okay? You
22 want to talk about PTSD, you want to talk about
23 being able to sleep at night? Imagine waiting 20
24 minutes for rescue 36 to try to find them while
25 they're working a code while there's people looking



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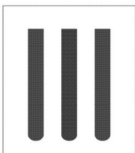
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1 out at them while they're videotaping them, the
2 pressure they have of, why don't you do something?
3 And why? Because they don't have the rescues they
4 need, they don't have the manpower they need. They
5 need resources, and that's what this board needs to
6 address is what our brothers in Reedy Creek over
7 here are going through every day to serve the people
8 that they care about and love in the community and
9 on Disney property. So this is a much needed change,
10 and I hope that you really, really speak to your
11 firemen and you listen to them, especially the union
12 presidents and other chiefs. They need the resources
13 because lives matter. 20 minutes is a ridiculous
14 amount of time to be waiting for rescue 36 Orange
15 County to try to find them on Disney property. When
16 you're working a code, minutes matter, seconds
17 matter. And these guys got to go home knowing that
18 they're waiting because they don't have resources.
19 Thank you.

20 MR. GARCIA: Thank you for your comments and
21 thank you for your service as well. I think that
22 covers all of the sign up slips that have been
23 provided to me. I want to make sure I didn't miss
24 anybody. Did I miss anybody? Okay, then we'll
25 proceed with the agenda. The next is consent items



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1 that are not on the agenda. The minutes from the
2 last meeting are there merely for informational
3 purposes. And so we'll turn to the management
4 reports, Mr. Classe.

5 MR. CLASSE: Thank you, Mr. -- thank you, Mr.
6 Chair. Thank you, Mr. Chair. I guess you don't
7 want to hear from me.

8 MR. GARCIA: We want to hear from you, we just
9 don't -- can't hear you.

10 MS. ZIEGLER: You can take -- that's the only
11 working mic.

12 MR. GARCIA: Want to try this one?

13 MR. CLASSE: I hope it's good. I don't know.
14 Testing. Houston, we have a problem.

15 MS. ZIEGLER: Right, there we go.

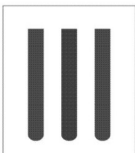
16 MR. CLASSE: There we go. Hello? Try this.
17 You know yours works.

18 MS. ZIEGLER: I got the hot mic.

19 MR. CLASSE: Hello. There we go.

20 MS. ZIEGLER: There you go.

21 MR. CLASSE: Thank you very much. So I just
22 have a few things to report on and some of it is
23 more background information and -- call it
24 orientation, because this is our very first board
25 meeting. So first thing is reporting some good



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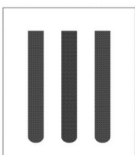
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1 news. As you know, we do have about a billion worth
2 of bond debt for the district, both on our -- side
3 and our utility side of the business. And all those
4 bonds are rated from various bond rating agencies,
5 Moody's, Fitch, and -- standards that we all viewed.
6 All governments go through the rating process and
7 evaluations annually for the district. And I want
8 to happily report that our ratings that we had, say,
9 in 2021 went down in 2022 because of the legislation
10 that dissolved the district. I'm happy to report
11 that our ratings have returned back to pre-
12 legislation levels. So the bond market and the
13 rating agencies have recognized the action by the
14 governor and stabilized and reinstated the district.
15 And so our bond ratings as they were. Happy news to
16 report to you today.

17 MS. ZIEGLER: Good.

18 MR. CLASSE: Second, I wanted to just give you
19 an overview. Mr. Chair, you talked about very
20 difficult to read, but this was in your package of
21 the district's organizational structure, and we met
22 a lot of those on our one-day visit here. And we're
23 looking for the other board members to spend a day
24 with us to visit the other leadership and learn more
25 about the district. So this is going to just high



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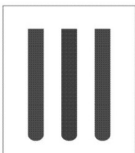
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1 level, just shows how we're organized. I have some
2 direct reports and those are certainly, Tina and
3 Tracy, our district clerk and assistant district
4 clerk. And then directly reporting to me, our chief
5 information officer, our chief financial officer who
6 is an open position right now, our fire chief, our
7 chief of public works and our chief of staff. And
8 underneath the chief of staff is where all of our HR
9 functions operate. And the chief of public works is
10 our regulatory functions, our building code,
11 planning engineering group, facilities management,
12 and as well as our environmental sciences team. I
13 do also have director of communications reports to
14 me, you've met Eryka, and she handles that team, and
15 you'll hear more about her team in a few minutes.
16 And of course, underneath the chief financial
17 officer we have our director of finance, which is
18 all of our accounting functions and risk management
19 profile. All of that as well as our procurement.
20 So that's kind of a just a high level of how we're
21 organized, just for your orientation. Just wanted
22 to share that with you today. And then as I
23 mentioned, a lot of orientation that we'd like to go
24 through. So I'd like to have -- recognize two
25 different departments and have them give you some



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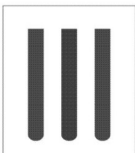
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1 short presentations today about some of the
2 functions they offer or provide to the district and
3 to you. The first and most important is our
4 communications and public records team. The
5 district has always been a public entity and
6 provides transparency and all our records are
7 public, and so we have a team that manages those
8 requests for those documents, and I thought Eryka
9 and Erin could go through and present that side of
10 our business.

11 MS. WASHINGTON PERRY: Good morning, board.

12 MS. ZIEGLER: Good morning.

13 MS. WASHINGTON PERRY: All right, so I will do
14 a brief -- hopefully a brief presentation about our
15 communications department. I'm actually going to
16 start with our records management, which is what
17 John was talking about briefly about public records.
18 So each agency that handles public records actually
19 has to designate a person to serve as their RMLO,
20 and that is the records manager liaison officer, and
21 that person reports to the state. In addition, we
22 also have a custodian of records. That custodian
23 records, per statute, required by law, information
24 is supposed to be on our website as well as
25 information is in our lobby in case anybody comes in



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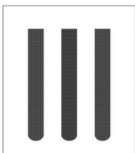
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1 asking questions about how to submit a public
2 records request. That individual is Erin O'Donnell,
3 who is standing right from beside me. She is both
4 our RMLO as well as our records custodian.

5 Now, staying with our public records and
6 records management program, there are three basic
7 components that we abide by: our inventory, our storage,
8 and our disposition. So what we have to do to make sure
9 that we are following all rules and regulations is we
10 make sure that we are always cognizant and know we're to
11 maintain and to locate our records, and then that's from
12 the point you receive them to the point of disposition -
13 - to final disposition. And then after that, you see we
14 talk about education. So the district actually does a
15 monthly training to all new hires as well as annual
16 refresher course of district wide because we know how
17 important public records is. I used to have a saying
18 when I worked at the state attorney's office, I used to
19 tell the lawyers, "If you don't want to see something on
20 the 6:00 news, don't put it in writing, that will
21 embarrass yourself." So sometimes that works, sometimes
22 that didn't. And with education, it's also education --
23 continuing education for Erin, because again, I'll go
24 back to the state attorney's office, Erin has to keep up
25 with the changes in legislature. So we had a request



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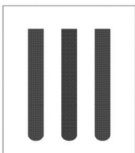
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1 for surveillance video. Well surveillance video, the
2 legislature came to pass that would be exempt under
3 statute 119.071. So we no longer could get it out
4 surveillance video, so that was a big change. And those
5 changes are what Erin has to keep up with her continuing
6 education. Florida's statute -- Florida's statute as an
7 agency, we abide by the law and we follow Florida's
8 statute. And chapter 119 is the one obviously we use
9 the most. And that ranges from dictating the agencies
10 we comply with, retention and disposition rules, all the
11 way to going to statute 119.007, saying that the right -
12 - the public does have the right to inspect records,
13 unless, of course, there is an exemption or a
14 restriction. So we abide, again, by chapter 119.
15 Requesting a public record -- so you can request public
16 record by mail, phone, fax, or in person. Just because
17 you do it in person does not mean that you're going to
18 get it any faster. We actually encourage people to go
19 online. They can submit it directly through the
20 website. It goes to our portal called Gov-QA. And once
21 that -- you submit a record, you immediately receive a
22 correspondence letting you know that we've received the
23 record. There's no -- there's no delay. Now one other
24 aspect is that people are allowed to submit anonymous.
25 So if you don't want to give your name, it still works



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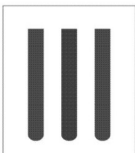
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1 the same, you can -- we'll -- we will get back to you
2 through the portal, but you do have that option to
3 submit anonymous. Response and our policy -- and
4 response policy. So we handle each public record in the
5 order that we receive them. Now, depending on what
6 information is being requested. So if you're submitting
7 a request for information when it comes to e-mails or
8 text messages, our records custodian then has to contact
9 IT, they have to retrieve that information from the
10 server. So that ideally is going to take a little bit
11 longer than if you are just requesting a document. So
12 it really depends on your request. But it is good to
13 know that under Florida statute there is no set time
14 limit that exists for getting a record. So I'm going to
15 paraphrase, but we have a reasonable time to allow the
16 custodian of records to retrieve the records, delete
17 those portions from exempt, that -- from disclosure. So
18 there is no set time, but Erin does a great job on
19 turnaround time. Public records at RCID. So these are
20 some examples of some of the public records that we get
21 most likely all the time, and that's our board of
22 supervisor meetings, personnel records. Again, Erin
23 would have to go talk to our HR to retrieve those
24 records. Building permit, patient medical records once
25 they provide -- proper authorization is given, she can

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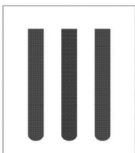
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1 release those. Payroll, she'd have to contact our
2 finance to get that information. So some of them would
3 take a little bit longer than others, but again, we try
4 to handle them in order that they're received. And
5 again, it's important to state that all RCID records are
6 considered public records and may be disclosed in
7 response to a public record request, absent of course
8 any exemptions that I was talking about. We receive
9 about a thousand record requests a year. So last year
10 we received 1,043. The most requested type of records
11 are from the fire department where you can see the three
12 top ones are the Walt Disney World Health Services,
13 that's for medical records for cast members. 30 percent
14 is Walt Disney World claims, guest claims. So that's
15 asking for -- reports, 911 audio. And then 21 percent
16 are medical records for individual guests or legal
17 offices, lawyers asking for information on the guests.
18 And then 18 percent is just other. And this is just
19 another slide breaking down by department, the number of
20 requests per department. Again, 214 medical request,
21 311 guest claim and 319 health services. This slide is
22 our best practices and this is what we utilize here. You
23 can see it says laptops and phones. Well, no one can
24 download unauthorized apps, and that's important because
25 that's -- viruses come and you get -- and attack and



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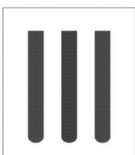
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1 cause, you know -- don't want to say cause issues with
2 your laptop, with viruses. All I know is we are not
3 allowed to do that. And IT manages the access to the
4 server for the e-mails and as far as text messages. So
5 any, again, records custodian has to contact them to get
6 that information. As I mentioned before, we also have
7 employee training for the new hires, an actual annual
8 training for our hires here, for our district wide
9 employees. And when I talked about the RMLO, the
10 records management liaison reporting to the state, this
11 is what she reports to the state. She actually reports
12 the destruction of paper file of that meet state
13 requirement. So for instance, for the fiscal year 21-
14 22, we actually reported 9,917.65 cubic feet of
15 destruction to the state of Florida. And again, this is
16 required by the RMLO. And then we also, in completion,
17 we have a scanning project here, which is really moving
18 everything from digital to our on-base, which is an
19 enterprise content manager. So we're slowly making that
20 trans -- well, we've been doing pretty good but we're
21 making that transition. It's a process. All right. And
22 as I mentioned, Erin O'Donnell is our records management
23 liaison officer as well as our records assistant
24 custodian. Communications department, this is really me
25 alone, what I oversee. And our role, my role is to



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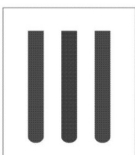
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1 strengthen brand consistency. I am also the media
2 contact. I also disseminate all information district
3 wide as well as internally/externally. I oversee our
4 social media channel, I'll talk about that in a little
5 bit; our digital signage board, I'll talk about that in
6 a little bit; and our website. So if you look around
7 the room, you can see some of our media friends.
8 Anything -- I'd like to say, anything that happens
9 within the district, it's not uncommon for us to see the
10 media, whether it's local, national -- and I did not put
11 international on there, but it is now, so international
12 as well. Everyone is a reporter. I'm going to go to
13 the story when I first actually started here. We had --
14 the Skyline had an issue, and I didn't even have my
15 district phone and I was getting phone calls from the
16 media who knew my personal number letting -- asking me,
17 "What's going on at Reedy Creek? What's going on with
18 the Skyline? What's happening?" Well, apparently, the
19 Skyline had stalled, there was some issue and that they
20 were -- people were stuck on the Skyline. So of course,
21 people that are on the Skyline have phones, right? They
22 started -- tweets were going out and news agencies are
23 getting this, they're calling their desks, like, "What's
24 happening?" So everyone knows what's happening about --
25 when anything happens, right? Because everybody has



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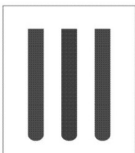
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1 phones, everybody's a reporter. And they're putting out
2 photos and video in real time. So I mean, I'm looking
3 at my phone like, "What is" -- "oh, my gosh. On my
4 first day." I'm like, "What is happening?" Welcome to
5 the district. So the -- and again, these are not
6 reporters, these are people, guests to the park. So
7 they're putting out information that could be right,
8 could be wrong, but they don't know. They're putting
9 out the information that they're stuck. So what we have
10 to do, in my department, is try to correct any
11 misinformation once this -- the -- once the issue is
12 over, once the incident is over. We can't -- I can't
13 compete with a thousand text -- a thousand tweets going
14 on and Facebook and all that. So once the incident is
15 over, I then look at what's being said and if the
16 narrative needs to be corrected, that's my job. So for
17 instance, with -- I'll go back to the Skyline. There
18 was a report that they did an interview with someone
19 that said that the Skyline had six gondolas evacuated.
20 Well, that was not true. It was six people in one
21 gondola evacuated, which makes a big difference. So
22 that next day, Erin and I had to make -- contact all the
23 local media and let them know that this was actually
24 what happened. It wasn't six gondolas, it was one
25 evacuation with six people. So it's important to get



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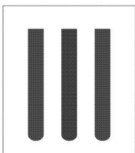
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1 out the facts and that's what we were tasked to do it.
2 And lots of times, it means contacting other departments
3 within the district to go to them to find out the facts.
4 Whether it's the fire chief, whether it's Susan in
5 finance or Bruce with procurement, my job is to find
6 out, get the information and then report it back,
7 whatever that information may be, to the reporters.
8 Media inquiries versus media requests, there is a
9 difference. So with reporters, they're going to come
10 and they want to know what time, where it happened, who
11 -- did you respond? Those are questions that I can get
12 -- that I can respond to once I get that information,
13 right? If it's a fluid situation and the chief is
14 unavailable because he's figuring out what's going on,
15 I'm not going to interrupt him because they're busy, but
16 as soon as I get that information, I will then relay it
17 and confirm, "Yes, we've responded, this is how many,
18 this is what time we left," blah blah blah. Now, if
19 there are questions about, "Well, let me get the 911
20 calls," that is something that is for later, that's what
21 Erin would handle as a public -- as a public request, as
22 a public PR request, because I don't have that
23 information. That's something they're going to get
24 after the fact. So you'll see the 911 calls maybe
25 appear in the news a day or two later. Same thing with



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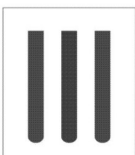
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1 the cab report. "Can I get a cab report, Eryka?" Well,
2 you will need to do a public records request, you can
3 get that information because then, again, we have to
4 make sure that nothing needs to be redacted. If it
5 needs to be redacted, that's -- Erin has to be looking
6 if there are any exceptions. And then also, with my
7 job, I also have to stay in my lane. My lane is not to
8 answer questions on why it broke down, what happened.
9 That's a Disney question. My job is to answer the
10 questions from the district perspective response and
11 anything in there. If -- I can't explain why there was
12 a delay, was there a crash, what happened? Again,
13 that's all Disney. LinkedIn. So at a time, there was a
14 time that nobody really -- nobody really knew about
15 Reedy Creek. We weren't -- back in the day. So I can
16 tell you that, you know, we want the best candidates for
17 jobs out here, right? So we wanted to -- when I came,
18 three years ago, one of our initiatives was to really
19 beef up our LinkedIn because we know that that is --
20 that is a platform, that is a professional platform and
21 we want to get -- we want to become an employer of
22 choice. We want people to want to come here and bring
23 their talents. So we started really promoting a lot of
24 the things we do. We have jobs -- we have jobs that are
25 -- that are up. We are -- we're trying to get



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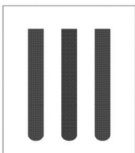
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1 candidates for jobs we post. We just had a retirement
2 from the fire department for 32 years. So if people
3 don't like it, they leave, right? Well, again, we have
4 people that loved to work here 32 years. Then, we have
5 our fun side where we volunteer. We have a softball
6 team. So we put everything on our LinkedIn to really,
7 again, try to show that we are an employer of choice and
8 we would -- and we want people to come here and work
9 here. Digital signage boards. The digital signage
10 boards. We know that everybody carries a phone around
11 like me or Bridget, we do have like three phones. But,
12 like -- so what we try to do is we try to alleviate and
13 not have everybody put messages through our e-mail. So
14 we have to have digital signage boards in every fire
15 station, in the environmental science building, in our
16 construction, out with their construction field, and
17 then also in the garages. And this is a way of having
18 content that is tailored to that department as well as
19 any district wide messages that need to -- that they
20 need to know about. So if there is a meeting today and
21 we wanted to promote it, we can put it on all of the
22 digital signage boards to let people know where they are
23 -- where -- the times they're meeting, things like that.
24 If there's a town hall, that goes on all of the digital
25 signage boards. But then also, we tailor content. So



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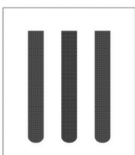
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1 for the environmental science department, if Mike has
2 something in environmental science that he wants to
3 share with his department, it's only shown on his
4 digital signage boards in that building. Because the
5 reality is, I don't need to know about it in admin, the
6 fire department doesn't need to know about it, so we do
7 tailor specific messages and content to each digital
8 signage board. Branding guidelines, well, let me know
9 if this is going to change a little, but with branding,
10 I am responsible. We're making sure that all of the
11 logos, all the documents, presentation templates, memos,
12 reports all fall under our Reedy guidelines. So we do
13 know that's -- some changes. And again, my name's Eryka
14 Washington Perry and anything with communications or
15 public records request, we are -- what do we say? We
16 maintain -- it's only two of us, but we get -- we get a
17 lot done. All right, thank you -- do you guys have any
18 questions, actually?

19 MR. GARCIA: Any questions?

20 MR. AUNGST: Mr. Chair, I just wanted to first
21 off, thank you Eryka, Erin, and John for being so
22 available to us. John, I called you last night,
23 relatively late, so I appreciate you taking the call
24 as we get up to speed. One thing I wanted to point
25 out and thank you guys for is how first off, we've



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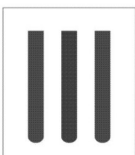
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1 accommodated this room, which is much better for
2 public access than the traditional boardroom. And
3 that was done I think at our request in the Chair's
4 request, you removed the limitation on one pool
5 camera for the media. So you're welcome. Thank
6 you-all for being here. We want to make sure you-
7 all had enough room and were able to access the
8 meeting and certainly observe and participate in the
9 meeting. And then the other thing, as a new board
10 member, it was difficult for me to get up to speed
11 because I had a hard time finding documents on the
12 website. But you-all have started to implement a
13 new process on that. So do you want to kind of tell
14 us all, you know, how we're going to be able to find
15 information in the future on the website and all
16 that, particularly stuff that the board does or is
17 about to do before the board meeting and also
18 records of past board meetings. As of a couple of
19 weeks ago, there were no records of past board
20 meetings other than agendas and minutes.

21 MR. CLASSE: That's correct. And I'm going to
22 speak loudly, hopefully everyone can hear me, rather
23 than trying to find a mic that doesn't work. So in
24 the past, right, as we were required by state law --

25 MR. AUNGST: Since I put you on the spot.



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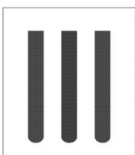
1 MR. GARCIA: I'm going to take this away from
2 you.

3 MR. CLASSE: So our requirement by law is to
4 put the agenda and the minutes up there, which we
5 have historically. We've never denied the package
6 from anybody and if they've requested through the
7 public records process, we've shared that
8 information. But at your request, our process
9 moving forward will be, we still will post the
10 agenda as required, seven days out to the meeting.
11 And then the agenda package that the board will
12 receive will be available the Monday before the
13 meeting and all that will be posted on the website.
14 So that information will be there for the public in
15 advance of the meeting rather than either at the
16 meeting or after the meeting.

17 MR. AUNGST: Thank you.

18 MR. GARCIA: Any other comments or questions
19 from the board?

20 MS. ZIEGLER: Mr. Chair -- well, thank you very
21 much Ms. Washington Perry. I wanted to ask, and I
22 know that this was mentioned in our conversation
23 before, but certainly there's a renaming process and
24 that's certainly -- so formally known as, Reedy
25 Creek will be - - but I understand that to be a



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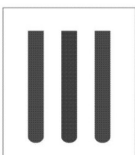
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1 relatively large undertaking. So can you speak to
2 at least preliminarily what we are looking at by way
3 of time as everybody has had a lot of questions
4 about the rebrand. So if, either one of you.

5 MR. CLASSE: Yeah. So I'll start off. So
6 we've talked about that internally. Our first step
7 is to get ourselves organized. I mean, it's one
8 thing to create a new logo that's relatively fast.
9 The challenge is going to be how to roll that out
10 across all of our district assets. And that's what
11 we're trying to categorize because there are some
12 assets that need to be changed. All of the vehicles
13 have a logo of all the fire department apparatus,
14 have a fire badge, all that will need to be changed.
15 So there's a lot to do there. So we want to get that
16 organized so we can report back to you that, "We've
17 got 123 vehicles to change. We have 300 trashcans
18 to change. We have a thousand manhole covers to
19 change." And you can then direct us on what the
20 change and what that order of priority is. So we
21 want to go ahead and get that documentation prepared
22 and then we can work with you on the timing of the
23 schedule for implementation.

24 MS. ZIEGLER: Wonderful, thank you.

25 MR. GARCIA: Any other questions from the



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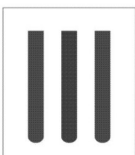
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1 board? Comments? Eryka, thank you very much for
2 that report. John, are there other management
3 reports?

4 MR. CLASSE: Yes. We do have one other one
5 that I'd like to share with you. The district -- as
6 I mentioned, the org chart has several different,
7 large organizations within this organization as a
8 whole. And you've certainly been experienced a lot
9 of the firefighters, the fire department and all
10 their operations. That is our largest operation in
11 the district. Our second largest, if I'm not
12 mistaken by number of people, is our regulatory
13 functions that we do and then the third, but
14 probably more important in some ways from a
15 regulatory perspective is the environmental sciences
16 team that we have work in the environment for 55
17 plus years to manage the environment and make sure
18 that we are very protective and we're good stewards
19 of the environment that we all work in. So I asked
20 my -- the overview of what the science team works on
21 every day.

22 MR. CRIKIS: Good morning and thanks for having
23 me here. I'd love to talk about what we do in
24 environmental sciences. We're trying to help, in
25 the middle of nowhere -- we're nowhere near the



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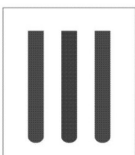
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1 district office so we don't get the chance to share
2 our story very often. Having you, I'll take
3 advantage of that. If I go too fast or saying
4 scientific terms just stop me and say, "Mike, we're
5 not scientists at this point." So as John said, I'm
6 Mike Crikis and I'm the director of environmental
7 sciences for the district. And he mentioned we've
8 been working for 55 years and 35 of those have been
9 here working in the environment -- yes, you can call
10 me old, that's okay. I have -- but that's good.
11 Oh, there we go. I was waiting for the screen to
12 change -- so he kind of broke this into, what we do,
13 and why do we do it, and then how do we do it. So
14 the first question you think of our environmental
15 department is, what are we doing and what's our
16 purpose? And primarily we monitor water, monitor
17 water quality. And in Florida water quality is a
18 big environmental issue. What's going in and what's
19 coming out the water and what is in that water. The
20 most of what we do is permit regulatory compliance.
21 We fall under the State of Florida and the EPA for
22 all their water quality rules. We've worked very
23 closely with the Florida Department of Environmental
24 Protection, reporting data to them. Our - - is
25 certified, so we're legally allowed to collect and



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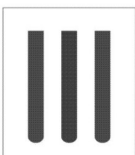
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1 report data. We're kind of almost like a partner
2 agency with FDEP -- Tallahassee a little bit more
3 than the local, but we work with both groups. So we
4 do a lot of regulatory compliance of our -- the
5 water waste within the district, the water coming in
6 and the water going out, feeding the state's
7 reservoirs for water quality. We also have permits.
8 We can't operate a wastewater plant or a water plant
9 without a permit. So we collect data for those and
10 report that as well. And we do a lot of push
11 control, that's kind of my internal program because
12 above and beyond the requirements of the states, if
13 the state has certain requirements of where they
14 want, they will tell us where to sample and how
15 often. But we go well above and beyond that because
16 we want to know everything that's affecting our
17 water so that we can determine if there's any
18 issues. That's all, that feeds into our watershed
19 management as well -- when we get it. And we put it
20 all together and say, "How are things functioning?"
21 Or, "Which way are we headed?" In addition, we also
22 do mosquito monitoring and control, which is as you
23 know, in Florida, very important that mosquitoes are
24 everywhere, and we don't want them -- location. So
25 as a little overview, the district is a part of a



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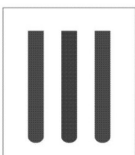
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1 much larger watershed with a little white rock setup
2 at the top, surrounded by that yellow box. And the
3 yellow boxes are immediate drainage basins. Water
4 does not know political boundaries, it won't stop at
5 a county or a city line, it will cross wherever it
6 crosses due to gravity. So we have water that
7 affects us from outside and our water affects other
8 people. So we really concentrate most heavily on
9 the district and areas within that yellow boundary
10 that are affecting us and that we're affecting water
11 quality-wise. But our water also continues to flow
12 south where the headwaters of the systemic river,
13 one of the two chain -- chains. And so Reedy Creek,
14 we still have waters and our water flows down the
15 systemic river -- so much on vacation. I want to
16 make sure that nothing we're doing here is affecting
17 that area down there. And we actually do a really
18 good job of that, as I hope to show you. So because
19 water doesn't go -- and because flows in and out,
20 that gives us a lot of folks to work with within our
21 department on water quality issues including all the
22 local bordering counties and department --
23 mentioned, Department of Health oversees our lab
24 certifications and our quality of water standpoint
25 and the Department of Agriculture and Consumer

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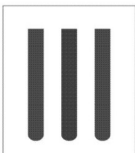
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1 Services oversees our mosquito project. We also
2 work in water management districts EPA. And I left
3 off, we also work with the Wildlife Conservation
4 Commission. We have a fisheries program and we have
5 to operate that under a permit with those folks. So
6 that's kind of what we're doing, and why we're doing
7 this, and where we'll be doing it. That map is a
8 little close-up of the district and I know it's
9 really hard to see from that distance, but we have
10 hundreds and hundreds of sample locations within the
11 district and outside. We want know what's coming
12 in, what's happening to the water as it flows
13 through our river, what's coming out of stormwater
14 systems, what's happening to the water in our
15 natural conservation areas, and what is the quality
16 of water in our -- district. We certainly don't
17 want to be sending poor quality to anybody else. So
18 how we do that is, we have 2,800 sample sites that
19 we monitor every year and from those, we collect
20 about 16,000 samples and doing between 90 and 100
21 actual analyses, that's looking for different
22 elements within the water. And then we take that
23 data, and those are just numbers at this point, they
24 don't mean anything until we compare them to the
25 standard. So this is compared to the State of



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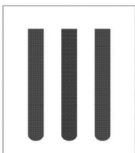
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1 Florida water quality standards, and whatever
2 agencies we fall under that have standards or permit
3 requirements. So if we get our results, we're going
4 to look at the trends and immediate results of, "How
5 are we doing?" "How are the samples coming out?"
6 And "Where do we need to be paying attention?" And
7 the way we do this is we have to be divided up into
8 several departments. We have laboratory operations
9 and within laboratory operations as part of our
10 field team, they are the ones that have the fun part
11 of the job in my opinion. They get to go all the
12 places that everybody else never gets to go when
13 they're out here and hopefully at the end of this,
14 I'll show you a little video of some of our
15 conservation areas. Because most people are in
16 these -- in tourist area, if you think of resorts
17 and development, clean parks. But we have almost 30
18 percent of our land is conservation area, and it is
19 just amazing there. So the field crew goes down to
20 all these really cool places and brings back all
21 these water samples and then our chemists take those
22 samples and they decide what's on the computer that
23 says they need to analyze. And we'll start looking
24 at that, for nitrogen and phosphate and all these
25 other chemical parameters, to make sure that they're



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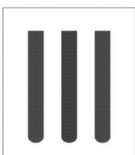
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1 all within the guidelines. We also do it for
2 microbiology. We need to know if there's any
3 bacteria going into water, and if so, is it above
4 the level? And particularly if it's drinking water,
5 it shouldn't be in it. So we also monitor drinking
6 water and even if there's a public swim meet, we do
7 monitor that. Then when all that data's done, it
8 still -- until it's gone through our quality
9 assurance program. We can't just say a number that
10 we generated, use that number. You have to prove,
11 it has to be legally defensible. So we will run
12 duplicate samples or special samples with a known
13 value. We are also a certified -- our agency.
14 Every two years, we evaluate -- we also run unknown
15 samples repeatedly throughout the year, that --
16 where we have to analyze that sample and send the
17 results back and make sure that we got the results
18 right. We don't even know what they are, until
19 after we hand them in and they say, pass or fail.
20 There is a way that we prove that the numbers we're
21 generating are in fact the actual numbers that we
22 can use for our -- then we move into the other side,
23 what does all this mean and how do we put it all
24 together? With kind of the other environmental
25 stuff, besides the last part. And we do a fisheries



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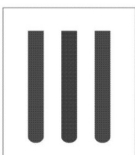
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1 management plan and product plant management plan,
2 where we are monitoring the health of the lakes and
3 the service water systems to make sure that we have
4 healthy plant communities but are not taking --
5 system. We have healthy fishing communities and
6 we've got the fishing guys. And we have our program
7 where we go out every spring and do shark surveys or
8 check the fish -- bagging them and weighing them and
9 put them back and make sure they're healthy. The
10 fish should be a certain size and a certain weight,
11 correlated. And we also do fishing calculations.
12 And what this graph shows you is a little bitty blue
13 lane -- Florida Fresh Water Fish Commission says you
14 should catch per hour and in freshwater lake. So if
15 you go fishing anywhere, they expect you to catch
16 what's on the blue. If our catch rates are what's
17 in the gold parts, so we're catching about 10 to 12
18 times higher than the state average and we -- that
19 to our management of the systems and our management
20 of the environment. And we also have microbiology,
21 it is acquired by permit and it's a really unique
22 and interesting program where we check the bugs
23 living in the water. And you might think, "Well" --
24 "the environment." And I tell you -- and the
25 interesting is -- interesting thing is these bugs



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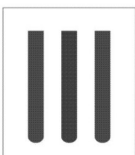
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1 have a very short lifespan, so they're constantly
2 impeding their columns. And when we go out to
3 collect those chemistry water samples, whatever we
4 scoop up in the water container at that moment is
5 what we're testing for. If something happens an
6 hour later, like a chemical spill or something bad
7 in the environment, we won't know until a month
8 later if we need to detect it at all. It could just
9 pass through. What these bugs guarantee is, if
10 something hazardous or something you don't want
11 comes through and changes your population documents,
12 we're also going, "Wow, we lost all our bugs, what
13 happened?" And that triggers us. It doesn't tell us
14 what column it is; it triggers us to go and do more
15 research, let's start sampling up the stream, let's
16 go in every direction, find out why the bug columns
17 are changing or what's happening in the environment,
18 or what can we find to explain this. So we kind of
19 -- the old adage we use is the canary in the coal
20 mine. They used to put canaries -- they bring
21 canaries into coal mines, and they breathe so fast,
22 and they could tell the gas -- and get the miners
23 out before it affected humans. And the bugs tell us
24 the same thing. They tell us -- when things are
25 going wrong in the biological system. Then we have



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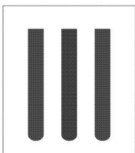
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1 to kind of put all together, this all together in
2 our pollution control department. This is the
3 department, currently of one, that takes all the
4 data that we generated and looks at it for trends.
5 What's happening? What's coming in? What's going
6 out? Are we increasing? Are we decreasing? Are we
7 stable? And this is the person that works with all
8 our federal and state agencies. So he says, "Okay.
9 Here's what we have and here's where we need to be."
10 Luckily for us, things are actually really good here
11 in the district. We know our water -- our water and
12 we keep a good -- we monitor and it helps us keep
13 good control over it. We know what's coming in and
14 what's happening. So the minute we see the trend
15 going in a direction we don't like, we can take
16 action to correct that. Then we also have our
17 mosquito biology department, because nobody wants to
18 be bitten by mosquitoes. So what they'll do is they
19 go out and set traps all over the district and
20 they'll help the mosquitoes into catching traps.
21 And they're not just looking for the numbers but
22 they're also looking for the species. Certain types
23 of mosquitoes are more known to carry viruses that
24 affect humans than other types. So want to know if
25 we're getting those in our traps. And if we are, we



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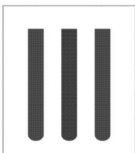
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1 want to increase our treatment of mosquitoes in
2 those areas. So it is a very targeted approach.
3 It's heavily monitored. We know when there's
4 population explosions. We know if it's biting
5 mosquitoes, not all mosquitoes bite humans. So we
6 want to know what species and what type, plus how
7 many of that will guide us in a very pinpoint
8 treatment program. So we're not just going out,
9 we're going to get spraying everywhere and hoping at
10 first we will know exactly what we've got, what
11 we're working with and how effective our treatments
12 are. In addition, as I mentioned, there are a lot
13 of viruses that mosquitoes carry that affect human
14 populations. One way we can monitor for that is --
15 and we have chicken pens set up throughout the
16 district and throughout Reedy Creek, and we get
17 blood samples from the chickens. We take those to
18 the Department of Health lab of Tampa and they'll
19 analyze those blood samples and let us know if there
20 are any viruses or pathogens that we need to be
21 aware of. Throughout Florida or here, every once in
22 a while there's been an alert put out for
23 encephalitis or something like that. And this all
24 comes from this mosquito program that people do
25 throughout the state, not just here. This helps us



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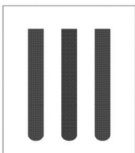
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1 get a good understanding of what viruses may be in
2 the area and then we can pinpoint treatments -- or
3 anything like that. Human health is the most
4 important part of the mosquito program. In addition
5 to the initiative, we also have got our own DNA
6 tested basically, so we can analyze these samples on
7 the spot, we bring back to the lab and we can tell
8 if there's a virus within a day instead of ten days
9 later the state gives us our data back. So that
10 gives us a good opportunity to work in advance and
11 reduce problems. Just think about the environmental
12 part as, we like to be proactive as soon as we
13 notice something is changing or there's a problem,
14 we want jump on that and fix that. And if we get
15 the video to run, I have a little video of our
16 conservation area and I'll give you a story about
17 how all this ties together. As I said, we work very
18 closely with the Department of Environmental
19 Protection and they have a program that's called the
20 -- and it's a repeating program that we have in the
21 state and we've been in the program for 20 years
22 now. For over 20 years we've gone through multiple
23 evaluations and it's always continuing. And in that
24 time, the district had never had a -- placed on it.
25 We're probably the only, or one of very few,



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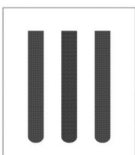
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1 agencies in Florida that doesn't have any of these
2 load limitations that you would get from -- but we
3 had a situation come up, down in our conservation
4 area, and -- shown in that video, I hope. So we're
5 at the very bottom of the property, down below all
6 of our thousands and thousands of acres of
7 conservation where there is absolutely no human
8 development at all. And we also start getting in
9 winter, these huge over the limit measurements of
10 microbiology, bacteria. So we worked with the
11 state. They said, well, we need to find out where
12 this bacteria's coming from. That's what we love to
13 do is investigate and problem solve. It's kind of
14 fun for us -- like that. So we're going down our
15 conservation area saying, why? Like why are we
16 getting bacteria? And it's only in the winter, but
17 bacteria prefer warm water. So why is bacteria
18 growing only in the winter but not in the summer?
19 Also it's the dry season and there's no flow, so
20 where is it coming from? We monitor our stream from
21 our point that -- this was at our final discharge,
22 actually where the water leaves the district and
23 we're monitoring from that point north, and further
24 north we got, within a mile, the bacteria was gone.
25 It was nowhere near any of our developed areas. But



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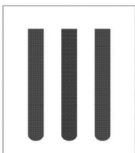
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1 we wanted to be sure it wasn't human influence,
2 because that's what the whole thing's about. Is
3 this -- is there human influence on this? So we
4 were working through DEP and talking to those folks
5 and saying, "Well, we need to prove that this is not
6 human related." We thought, "Well, there's nothing
7 around there and these are" -- "septic tank. Except
8 there are no septic tanks within the district
9 boundaries or anywhere near the boundaries of Reedy
10 Creek." And so they're thinking -- they said,
11 "Well, maybe your wastewater treatment plant has a
12 leak, which is on furthest end of the property."
13 But we went ahead and tested and we tested the water
14 for the markers that you would look for human
15 contamination, detergents and pharmaceuticals, and
16 things like that. And we just weren't finding
17 anything, nothing to indicate human involvement in
18 this. And so we said -- we viewed this video and
19 said, well look -- look here in the winter what we
20 do have is a very successful conservation area, so
21 successful that we saw huge groups of birds and
22 there are these birds everywhere down there. And I
23 don't know if you know, but birds are really poor
24 digestors. They eat and it just comes right through
25 whenever it is in the water. So after talking to



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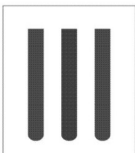
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1 DEP, they said, "Well, you know the right birds
2 could contribute." But we still want to be sure
3 it's not human effects. So then we started doing
4 something that was -- it is done more frequently
5 now, years ago, not. And we started doing DNA
6 analysis of bacteria. We wanted to know where
7 specifically the bacteria that were going into the
8 water was coming from. So we started testing the
9 bacteria with University of South Florida in Tampa,
10 we were working with some of their programs. And
11 they tested the water for us and tested the bacteria
12 for DNA and then they started comparing it to
13 different types of waste. So we sent the guy, our
14 guy -- and he retired now. His job for about a year
15 and a half or two was to go out into the woods and
16 collect animal waste. And we take it to the labs in
17 Tampa and they're going to analyze it and compare it
18 to the bacteria that we're getting in the water
19 because you have a lot of birds and a lot of other
20 animals. So we're getting alligator and bobcat and
21 coyote and even feral hogs and things like that.
22 And then we were comparing it also to bacteria from
23 our wastewater treatment plant -- and we still never
24 found any human bacteria. So after about two years
25 of intensive study and bacteria testing, the good



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1 thing that came out of this is that we agreed indeed
2 it came from a very -- this was a natural cause and
3 not a human related pollution. So this is where
4 science and data all come into play, as we want to
5 know if there's a problem and how to fix it. And
6 that's kind of what we're here doing every day.
7 That's what I have for today, is a very high-level
8 overview. We do a lot more. It would take me hours
9 to go through it. If there's any question, I'd be
10 happy to address it.

11 MR. GARCIA: Any questions or comments from the
12 board?

13 MR. CLASSE: Mike, thank you very much for that
14 interesting report.

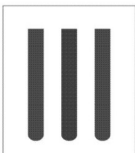
15 MR. CRIKIS: Let me know if you need an
16 official volunteer.

17 MR. GARCIA: So let's move to the -- there's --
18 is there any more management reports, Johnny?

19 MR. CLASSE: There is none, no sir.

20 MR. GARCIA: Okay. Let's move to new business.
21 And the first item on there is meeting schedule.
22 And why don't you give us a little history, John, in
23 terms of how often, how long the district has --
24 board has met in the past?

25 MR. CLASSE: Yes, sir. Thank you, Mr. Chair.



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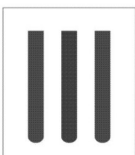
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1 So in the past and annually, what the board does in
2 December is announce a meeting schedule for the
3 following calendar year. And historically our
4 meetings have been the fourth Wednesday of the
5 month. They have all typically started at 9:30
6 except in September when we have our budget hearings
7 which have to happen at night. And we have two
8 hearings in September to comply with the budgeting
9 process and notification process for that. So those
10 are two meetings at night in September. All the
11 other meetings are usually the fourth Wednesday of
12 the month. We do adjust November and December
13 because that butts into the holiday period with
14 Thanksgiving and Christmas. So we adjust those days
15 to be a little bit sooner in the month. But our
16 meetings start at 9:30 and they typically last maybe
17 an hour, or if there's a full agenda it might last
18 an hour and a half. Combination of some management
19 report and typically authorizations for construction
20 contracts using our own proceeds, whether it's
21 utility, revenue or -- on occasion, there's other
22 administrative business that the board needs to take
23 action on. But those meetings usually are about an
24 hour or an hour and a half each month. In 2023, the
25 board decided in December to not show what was going

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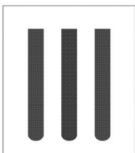
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1 to happen moving forward with the legislation and
2 the board itself. For the first part of this
3 calendar year we added another meeting. So we had a
4 meeting on the second Wednesday and the fourth
5 Wednesday, just in case there was heated business.
6 Like today is a -- one of those special meetings
7 that we had to go ahead and continue to have this
8 March brief meeting, which we usually do have. So
9 that was only in an abundance of caution. Our
10 normal course is only one meeting a month and at the
11 end of the month, I give staff time to prepare the
12 package and distribute the materials and for the
13 board to have access to it and take action
14 appropriately.

15 MR. GARCIA: So let me ask you, do you think
16 that we need to have a meeting in two weeks?

17 MR. CLASSE: Because we have one today, my
18 recommendation would be to postpone or to cancel the
19 meeting on the 22nd and have a meeting on -- the
20 next meeting will be April 12th. And that will give
21 some time for staff to gather more information for
22 the background information to share with you and
23 probably there will be a few agenda items that we
24 can take business on rather than management reports.
25 That will give us time to prepare a much fuller



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1 package for you.

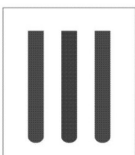
2 MR. GARCIA: Great. So I think this, the
3 cancel meeting doesn't require a motion, approval by
4 the board?

5 MR. CLASSE: If we can, what I'd like to do is
6 have you consider that recommendation and then
7 consider what is the rest of the year like for your
8 calendars. Because we want to be -- this was set up
9 for our previous board, so this was on their
10 calendars and they knew, as always, the fourth
11 Wednesday of the month you- all have
12 responsibilities and your day jobs and so forth. So
13 I wanted to get your feedback on, does the fourth
14 Wednesday of the month work for you? Do we need to
15 pick a different day? All that stuff. So I'm
16 really open for moving forward with the rest of the
17 calendar year, except for September. We need to
18 keep those dates and times, but the rest of it,
19 looking for feedback from the board.

20 MR. GARCIA: Okay. Let's dispense with the
21 meeting in two weeks. Do we have a motion and we
22 accept John's recommendation that we cancel the
23 meeting on the 22nd?

24 MS. WASHINGTON PERRY: So moved.

25 MR. GARCIA: Seconded. Any opposition? Let



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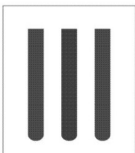
1 the record reflect as unanimously. And let's have a
2 discussion about the calendar going forward. So let
3 me hear from any member of the board, perhaps.

4 Brian?

5 MR. AUNGST: Yeah. Mr. Chair, I don't have a
6 mic but hopefully everybody can hear me. I don't
7 have a conflict with any of the proposed meetings
8 from April 12th through the rest of the year, other
9 than in August and September. But those are trial
10 conflicts, so there's going to be a five-week trial,
11 so I'm going to have conflicts, like, those entire
12 months with anything. So I'm fine with all of these,
13 all of these proposed meetings. And I do think we
14 should keep two meetings in April and two meetings
15 in May because I suspect we'll be kind of
16 articulating some form of vision in the other
17 business category and it might be able to get some
18 direction for the staff in terms of preparing some
19 things. So I -- I'd like to keep those two in April
20 and two in May, anticipating that we will have some
21 action items.

22 MR. GARCIA: Okay. Any other comments,
23 suggestions?

24 MR. SASSO: Mr. Chair, if I may, I want to
25 advise the board that I do have a conflict in



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1 September on the 13th. We don't need two meetings,
2 I'm fine with the 27th. Otherwise, I would echo
3 Brian's thought that it might useful for now, at
4 least, to keep the April. Maybe don't need them.
5 It's easier to cancel than it is to reset.
6 Otherwise, I don't have any other conflicts on the
7 proposed schedule.

8 MR. GARCIA: Okay. Thank you. Bridget?

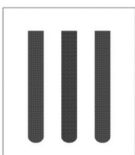
9 MS. ZIEGLER: Yeah, no, I concurred as long as
10 -- now it's not working. My biggest thing is making
11 sure we keep Wednesday meetings. Tuesdays are
12 formally committed to another position I hold as
13 board chair in Sarasota County. And now I have two
14 mics. But the only -- just so that the board know,
15 the only conflict, which I was excited to see, is
16 June 28th, just to know in advance. But I would
17 also concur that we want to leave the opportunity of
18 two additional meetings in April and May, just to
19 clear out any outstanding business that we want to
20 move forward. So as it stands, this looks good to
21 me.

22 MR. GARCIA: Thank you, Bridget.

23 MS. ZIEGLER: Anyone? Whose mic do I have?

24 MR. GARCIA: Ron?

25 MR. PERI: Yeah, I think the plan suggested by



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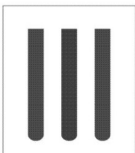
1 Brian works out well. Wednesday actually is my best
2 day by far. I've got it clear all the rest of the
3 year, so I -- absolutely.

4 MR. GARCIA: Okay. I think since these dates
5 have been set, I don't think we need any action.
6 We'll just reset twice. Any other comment or
7 questions concerning the proposed schedule?

8 MR. SASSO: Do we plan to proceed with the two
9 in September?

10 MR. CLASSE: Mr. Chair, can I add some comment
11 to that? So we do need to have two meetings in
12 September. It is required by law to process the
13 budget. There's no problem if we want to move those
14 to the 6th and the 20th. Those are still within the
15 windows. There's a window that we have to have those
16 meetings between certain dates. We can move those
17 to the 6th and 20th. We just keep it the 6th and
18 27th. It'll still work for us, but we need to have
19 two meetings. And as long as we have at least three
20 members, we have a quorum. But if we don't have
21 four or five, depends on the millage rate and how
22 much taxes go up. It drives how many board members
23 have to be present to approve the budget.

24 MR. SASSO: Do we need to have them separated
25 by a week?



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1 MR. CLASSE: Yes.

2 MR. SASSO: Okay. In that case, it's probably
3 as good as any date. We may as well keep it.

4 MR. CLASSE: Okay.

5 MR. SASSO: So --

6 MR. GARCIA: Yeah. And I assume we can make
7 adjustments as we move forward.

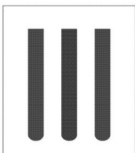
8 MR. CLASSE: Absolutely. If things become
9 clear of your calendars, as long as we have enough
10 time to put the public notice out there is all we
11 need.

12 MR. GARCIA: Any other comments?

13 MR. SASSO: No, sir.

14 MR. GARCIA: Then moving to the next item under
15 your business special counsel, John, you recommend
16 that we hire special counsel. Could you please a
17 presentation to the board as why?

18 MR. CLASSE: Yes, sir. I will. Thank you. As
19 the board knows that we have outside general
20 counsel, and we have really outside -- a number of
21 outside sources to help the district move forward
22 with specialty needs that we have. So example, Ed
23 Milgrim is our general counsel, but if we have labor
24 law matters, we either use Gordon Harrison or
25 BakerHostetler or if we have other matters, a



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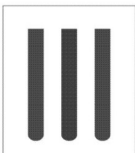
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1 workers' comp, we have a firm, Grett Hurley, whose
2 firm helps us on workers' comp. So given this is a
3 new day and a new board and we have a new bill and a
4 legislation that we all have slowly been reading and
5 rereading, 190 pages or so in that document, there's
6 a lot there. And things have changed and we
7 recognize that. And we want to be cognizant of
8 that, and we want to be -- make sure that we follow
9 all of the things that are in that new bill
10 accurately. So we thought that we would recommend
11 to you to hire Kurt Ardaman in this firm, Fishback
12 Dominick, who were part of the writing of the
13 legislation with the governor's office. So his team
14 would be obviously very intimately familiar with the
15 language and the intent of the language. And we
16 think he'd be great to advise the board and
17 management to make sure that we're complying with
18 the requirements in the middle, and make sure that
19 we continue moving forward in the appropriate right
20 manner.

21 MR. GARCIA: Okay. So the board is seeing the
22 proposed engagement letter. We'll have a
23 discussion, but before we have discussion, is there
24 a motion that we accept John's recommendation to
25 hire the Fishback firm?



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1 MR. AUNGST: I did want to have a little bit of
2 a discussion on --

3 MR. GARCIA: We -- well, let's have a motion
4 and second, and we'll have discussion.

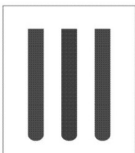
5 MR. AUNGST: I just don't want to have the
6 motion to be amended if we --

7 MR. GARCIA: Oh, okay.

8 MR. AUNGST: Is that okay?

9 MR. GARCIA: Sure, sure.

10 MR. AUNGST: So my -- John, thank you. We
11 talked about this last night a little bit after I
12 saw the engagement letter. You know, in my reading
13 of the bill, one of the things the bill says is that
14 we shall appoint a general counsel. And you know,
15 obviously we all know as lawyers that that's
16 mandatory, not permissive. And so it -- it's my
17 view that this board should and shall appoint its
18 own general counsel going forward. And so my
19 feeling, my preference, is that I would prefer to
20 engage the Fishback Dominick firm as a transitioning
21 general counsel. Have Mr. Milgrim on board for the
22 next couple of months and continue to retain him as
23 he transitions those duties over to Fishback
24 Dominick. But my preference would be instead of
25 calling them special counsel to basically engage



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1 them as a -- as the general counsel going forward
2 with that transition period.

3 MR. GARCIA: Well, we -- are there any other
4 comments or questions with regard to Brian's
5 suggestion? You know, the, we have counsel from the
6 Fishback firm here. The only question that we have,
7 Brian, is that we didn't ask them to present us with
8 an engagement letter for general counsel. That's
9 always something that we can do. I think that the
10 action item right now is to retain them as special
11 counsel, and I think that's something that we can
12 always do later. I hate to put the lawyers on the
13 spot because they didn't present us with an
14 engagement letter to be general counsel. I didn't
15 even ask them if they would be general counsel. So
16 can we --

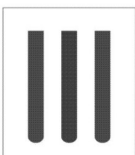
17 MR. AUNGST: Sure.

18 MR. GARCIA: Okay.

19 MR. AUNGST: Let's hear from them, yeah.

20 MR. GARCIA: Okay. So are you okay with moving
21 forward with the motion and taking that up at the
22 next meeting?

23 MR. AUNGST: Sure. I just -- I mean, one of my
24 thoughts is that it -- I'd like to be efficient.
25 And I'm not sure we need two functional general



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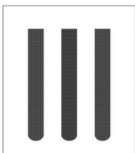
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1 counsels at the same time. So that -- that's my
2 only -- that -- that's the -- how I'm organizing
3 this in my mind. If we're going to use them as
4 essentially for what I would describe as general
5 counsel purposes, we should transition to that full-
6 time for that.

7 MR. GARCIA: And that may be the appropriate
8 thing to do. And my perspective is, and when hiring
9 people is you develop a job description and give
10 firms an opportunity to bid on it and go through an
11 RFP type process. I don't think there -- for
12 purposes of special counsel, I don't think there's
13 anybody more appropriate than the Fishback firm
14 because they were involved in the legislation and
15 crafting it. So you know, there's no need to do an
16 RFP because there's no one more qualified and more
17 imminently, you know, associated with the
18 legislation. And so you know, with your permission,
19 what I'd like to do is propose that we develop a job
20 description and put that out for firms to bid on it.
21 The other thing that I would want the board to
22 consider is whether we actually hire in -- inside
23 general counsel as opposed to an outside firm. But
24 with your permission, I'd like to move forward with
25 just this proposal that John's recommended to us.



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1 Are you okay with that?

2 MR. AUNGST: I'll go ahead and make that
3 motion.

4 MR. GARCIA: Okay, thank you.

5 MR. AUNGST: Is there second?

6 MR. PERI: Second.

7 MR. AUNGST: Okay. Any further discussion?

8 Bridget?

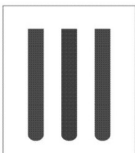
9 MS. ZIEGLER: If I may, Mr. Chair.

10 MR. AUNGST: Sure.

11 MS. ZIEGLER: Whenever this wants to work. No,
12 I -- you know, I would agree. I think that one, I'm
13 very pleased that they are willing and going to
14 assist us with this very unique endeavor in front of
15 us. And as we go forward with the general counsel
16 discussion, I do -- I do concur with looking at
17 different options, but making sure that we are in
18 compliance with appointing a general counsel for
19 this board. So I look forward to that.

20 MR. GARCIA: Mike?

21 MR. SASSO: Mr. Chairman, I'd like to comment
22 to the extent that I think it's pertinent to note
23 their qualifications. We do have two attorneys with
24 the firm that are board certified in local
25 government law. I think that would be an asset to



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1 the board and to the district. So I have a high
2 degree of confidence in their ability to be
3 competent, to give us good advice as we need it
4 during this transition term. And I think I'd be in
5 favor of it as well of go ahead and voting in favor
6 of their retention, and their office. Nothing
7 further.

8 MR. GARCIA: Yeah. Let me make myself clear. I
9 am not in any way suggesting that the Fishback firm
10 is not qualified to serve as our general counsel. I
11 mean, I looked at their resume and they do -- they
12 serve in that capacity for many other
13 municipalities. I just think we should go through a
14 process before we make that determination and we
15 will go through that process. So is there any other
16 discussion with respect to this action item at this
17 time? If not, do I hear a motion?

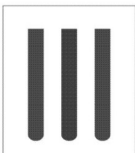
18 ME. PERI: So moved.

19 MS. ZIEGLER: Second.

20 MR. GARCIA: Second? Any opposition? If not,
21 then let the record reflect that the motion passed
22 unanimously. Next is --

23 MR. CLASSE: Mr. Chair, could I just interact
24 with that?

25 MR. GARCIA: Yes.



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1 MR. CLASSE: I'm not sure how you would like --

2 MR. GARCIA: Excuse me.

3 MR. CLASSE: -- how you would like to move
4 forward on that. So in the past, based on board
5 action, I would go ahead and sign those engagement
6 letters. Is that acceptable in this case or do you
7 want to sign --

8 MR. GARCIA: That's fine.

9 MR. CLASSE: -- as board chair?

10 MR. GARCIA: That's fine.

11 MR. CLASSE: Fine for staff to do that?

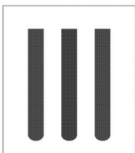
12 MR. GARCIA: You know, as I've indicated to my
13 fellow board members, I hadn't practiced law in 30
14 years. I'm only half a lawyer, so don't ask me
15 those questions. We'll figure that out. We'll ask
16 our general counsel how, you know, going forward,
17 you know -

18 -

19 MR. CLASSE: That's usually how it's worked. I
20 just want to make sure that since we haven't gone
21 through this yet together, I want to make sure that
22 our process still works for you.

23 MR. GARCIA: Yeah.

24 MR. CLASSE: Once the board delegates or
25 approve something that lacks management or me



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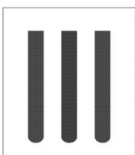
1 delegates to the district manager and go ahead and
2 signed those contracts and those agreements.

3 MR. GARCIA: Yeah, and I think, you know, John,
4 you're -- you've kind of -- has prompted me to just
5 make a brief statement that, for the public to
6 understand. We are operating under brand new
7 legislation. And the new legislation is going to
8 require this board to do things that lawfully were
9 not required to do in the past. And the reason that
10 John's recommended that we hire the Fishback firm is
11 because we need to come up to speed for all that,
12 and so there's -- and we're constrained by the law
13 and we're governed by the law and we will do that.
14 So you will see a lot of changes that are going to
15 occur. And many of those are because we have now
16 been lawfully mandated to implement those changes.
17 And the Fishback firm will guide us in that regard.
18 On that note, is there any other comments from my
19 fellow board members?

20 MS. ZIEGLER: On that item?

21 MR. GARCIA: Yes, ma'am.

22 MS. ZIEGLER: On a different item. So I just
23 wanted to make -- ask that. So I know that we have
24 a -- now an additional set of time and so perhaps
25 that would be an opportunity to raise some of the



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1 things that from a fact-finding aspect where
2 management could bring these back to present to us.
3 I know one thing that I've heard many people speak
4 about over the past, and I think we discussed this
5 and the concerns about the COVID restrictions. And
6 so if it's pertinent under -- allowable under law, I
7 wanted to have direct management to draft an
8 ordinance that would prohibit COVID-19 restrictions
9 within the district, including vaccine mandates and
10 mask mandates as allowable under law to bring back
11 to us at the next meeting. Would that -- the so
12 move that's my motion. I move. Direction.

13 MR. GARCIA: Yeah --

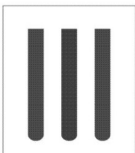
14 MR. AUNGST: I'm not sure we need a motion. I
15 think we can give them direction by consensus, Mr.
16 Chair?

17 MS. ZIEGLER: If that's acceptable.

18 MR. GARCIA: Yeah. There -- you know, I've got
19 a whole list of items for the Fishback firm.

20 MS. ZIEGLER: Okay.

21 MR. GARCIA: And I doubt everyone here wants to
22 hear them in terms of ideas that I'd like for them
23 to address in light of the new legislation. And I
24 think that -- and I plan to direct those to the --
25 our special counsel between now and the next



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1 meeting. And I hope that my fellow directors, board
2 directors, will do the same. And so I take that as
3 a suggestion that we all do that.

4 MS. ZIEGLER: Okay.

5 MR. GARCIA: Would that be appropriate?

6 MS. ZIEGLER: I didn't know if you want to
7 direct it through the chair and then publicly, you
8 know, accordingly if that's in -- if everyone's in
9 agreement versus having multiple requests at one
10 time. Whatever is acceptable to the chair.

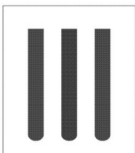
11 MR. GARCIA: Okay. I think it's perfectly fine
12 for you to contact our new special counsel --

13 MS. ZIEGLER: Okay.

14 MR. GARCIA: -- and make suggestions and make
15 sure that we can get all of those items on our next
16 agenda. Does that work for you, Bridget?

17 MS. ZIEGLER: Absolutely. So just as long as
18 they know directionally to bring that -- is that --
19 bring that direct that to you or to the chair as far
20 as adding the items to the agenda? I just want to
21 make sure we have the process in place.

22 MR. SASSO: Well, that -- that's -- listen,
23 that's a great point, Bridget. Let me address that.
24 You know, one of the things in my review and the
25 orientation is that we don't have a number of board



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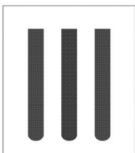
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1 policies. And one of the things that we're going to
2 ask the Fishback firm is to develop some board
3 policies. And I could go through -- that's -- by the
4 way, that's one of my things. I could go through a
5 long list, but I -- what I hope that my fellow
6 directors will do is communicate with the -- with
7 the Fishback firm in terms of issues where we need
8 board policies. And one of them is the one that you
9 just mentioned. How do my fellow board of directors
10 get items on the agenda? And I'll just give you my
11 general perspective on that is I don't think that
12 the chairman should control what gets put on the
13 agenda. I can help manage the agenda, what gets put
14 on agenda with John. But every one of my directors
15 are equally and frankly more qualified than I am.
16 And so I am going to be very interested in the items
17 that you want put on the agenda. And so please
18 don't be shy about that. And my policy will be that
19 you communicate directly with John and advise him
20 what you want on the agenda. And then he and I can
21 work through that to make sure that we get an
22 appropriate number of items on the agenda to take up
23 our time.

24 MS. ZIEGLER: Okay.

25 MR. AUNGST: Mr. Chair, might I suggest that --



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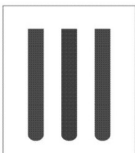
1 John, I know you're going to be in DC this weekend
2 for a very exciting event. Congratulations on that.
3 But when you get back, probably schedule maybe an
4 hour with each of us individually to talk about
5 agenda for April 12th and then the Fishback firm,
6 probably do the same. Try to get with each of us
7 individually next week sometime so that we can give
8 you our individual perspectives on policy that we'd
9 like to see developed for future agendas; is that
10 fair?

11 MS. ZIEGLER: Yeah, no, absolutely. Any other
12 comments on that?

13 MR. PERI: No, I think it's a good suggestion.
14 I like the approach.

15 MS. ZIEGLER: I think we skipped unfinished
16 business, which there is none. It's not a bad thing
17 to -- and I think we've been actually on other
18 business. And is there any other business? Brian?

19 MR. AUNGST: Mr. Chair, given that we are going
20 to give individual direction to Mr. Classe and to
21 the special counsel on future board agenda items, I
22 -- what I was planning to say would be -- yeah. I
23 just want to individually thank Mrs. Dorminy for
24 being here. I understand that your government has
25 failed you in the past at every level, not just this



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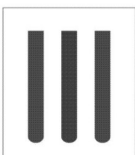
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1 issue, but the federal government. And I know that
2 CFO Patronis has now intervened and has provided
3 additional information to Department of Justice.
4 Mr. Classe has provided us with some documentation
5 that kind of gives us the opportunity to go back
6 through and learn the context of where this -- where
7 this went wrong. And it should have gone wrong, but
8 I want you to know that we've all heard you. I've
9 heard you, and we're going to fix it. Yeah. And you
10 know, Walt Disney, if he proved anything, he proved
11 where there's a will, there's a way. And so I don't
12 want to hear why it can't be done. I want to hear
13 what we're going to do to fix it. And that's what
14 I'll say on that. And for the fire department, I
15 want to thank you-all for your service and I'm
16 looking forward to getting involved personally in
17 the -- in the contract negotiations. We won't be
18 able to negotiate for the -- but I just want to make
19 sure that you understand that we're here to help you
20 fix that. So --

21 MS. DORMINY: Thank you very much.

22 MR. GARCIA: Mike, do you have any comments?

23 MR. SASSO: I do. To follow up on Brian said,
24 Ms. Dorminy, I honestly want to thank you for coming
25 and sharing with us. I think it's important that



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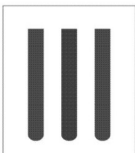
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1 the public knows what happened. And I think it'll
2 also help us get to a place where we're fixing it
3 and we're not talking about things that have to be
4 done. We're just -- we're moving on. I think
5 that's important closure for you and the family. I
6 hope we can bring that to you promptly. I do want to
7 say that since I've been here, I've been grateful
8 for the help from staff that we have in place.
9 They've been proactive and when I've asked them to
10 help on that subject, they have helped. And I hope
11 that will continue, and I'm sure it will. I think
12 everyone up here really wants to see that resolved.
13 It's -- I have no explanation for it. I'm not sure
14 what the explanation is, but we're going to get
15 there. We're going to fix it. And this will be, if
16 anything, hopefully in the background for you very
17 soon. I also want thank the firefighters who --
18 who've come out and raised -- and I think there are
19 some very important issues for the public. And
20 certainly for the board and the district. We want
21 to have the best units in the State of Florida. We
22 don't want to be in the middle. We don't want to be
23 near the top. I hope we are the best. I think
24 that's important for everyone that comes here every
25 day, every month, every year, all of our visitors.



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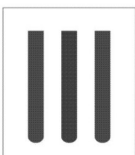
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1 I hope they all have, you know, nothing but the
2 highest degree of confidence in your abilities, in
3 your resources and in everything that you have
4 available, everything that you need to make sure
5 that safety is, in fact, the number one priority in
6 this district. And I hope we lead the way. And I
7 hope that -- I'm sure rest of the board will echo
8 that. But we're going to -- we're going to get
9 there as well. There's work to do and we look
10 forward to working with you. And I invite you to
11 continue to give us information. This was very
12 helpful, and I'm sure we're going to have more
13 questions, and I look forward to getting that worked
14 out with all of you. Thank you for showing up
15 today. Thank you for sharing with us, and I look
16 forward to our next meeting. Thank you, guys.

17 MR. GARCIA: Bridget?

18 MS. ZIEGLER: I mean, that was very well said
19 and I would say the same. I really appreciate all
20 of the outreach and just sharing information to
21 allow us to take this district to the next level. I
22 think, as was stated, all of us want to right any
23 wrongs and celebrate the first responders and the
24 hard work and really lead as a district. And also
25 as far as just the other aspects of concerns that we



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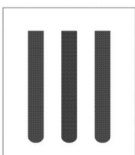
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1 have been brought forward. I just want to make sure
2 that you know that they're listened too loud and
3 clear, and that we're about business and onward we
4 go. So I'm very excited for this opportunity to
5 work together. And I do want to thank staff for
6 their just graciousness and very proactive with the
7 responses or requests that we've had. And again,
8 like I said, we look forward to moving forward.

9 MR. GARCIA: Thank you, Bridget. Brian?

10 MR. AUNGST: Yeah, I concur. Certainly. I
11 think we're incredibly blessed and fortunate to have
12 the first responders that we've got for the teams
13 that are here. If we don't have safety, well
14 everything else doesn't matter. And the fact that
15 you've been able to work with dealing with so many
16 limitations, it's amazing. And I know this board is
17 committed to helping alleviate that. I really want
18 to say I've been so pleasantly surprised at the
19 quality of and professionalism of Mr. Classe and his
20 staff. They have far exceeded. I've worked with a
21 lot of Fortune 500 companies. They -- what I've
22 seen over the years, frankly, I didn't expect it to
23 be this outstanding. So thank you very, very much.
24 It's going to make our job so much easier.

25 MR. GARCIA: Thank you for those comments. And



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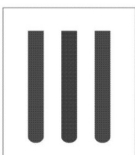
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1 I have a few comments. You know, there -- as I
2 indicated, we're operating under new legislation.
3 Legislation has amended the prior charter. I had
4 read it twice, and I still have a lot more to learn.
5 The one big, big distinction, as I see it, from the
6 way the district operated before and the way it's
7 going to operate going forward is that we are not
8 elected officials, but we were appointed by an
9 elected official. And from that perspective, I see
10 our constituency group as that -- as everybody who
11 works and plays in the district, those citizens that
12 live around the district and frankly all the
13 citizens of the State of Florida, because what goes
14 on in this district is very important to everybody
15 in this room, everybody that comes in and out of
16 this district and everybody in central Florida and
17 everybody in the State of Florida. So you know,
18 you-all didn't elect us, but the people of Florida
19 elected a governor who then appointed us. And so I
20 see that there's going to be much broader
21 representation because the way the board was
22 constituted before was not through an elected
23 official. And so we are -- we're one step away from
24 that. And you are our constituents, and we are here
25 to serve you. And up the -- I had not met any of my



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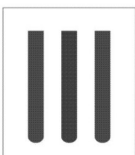
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1 fellow directors until the press conference last
2 week, and I only knew them by reputation. But you
3 know, I feel a little under qualified to be serving
4 with these fellow directors. They're all hard
5 workers. They care about their jobs, and I am
6 really looking forward to serving with all of them.
7 And then as to your staff, okay, I have been
8 drinking from a firehouse since last Monday. And
9 I'm still thirsty, because I got a lot to learn and
10 we all have a lot to learn. And so you know, I'm
11 addressing our management team now. John, please be
12 patient with us because we're low on the learning
13 curve. We will work hard to get up on that learning
14 curve. And one thing that I don't want to be
15 misinterpreted at all is this board is going to
16 institute a lot of changes, okay? And I don't want
17 anybody making the interpretation that we're making
18 changes because the management was not functioning
19 appropriately. They were merely answering to a
20 different board. And so when you see these new
21 demands from this board, that is not of any form of
22 criticism to you in management. It's our job to
23 reconstitute what we're doing, okay. And please be
24 patient with us, okay? I've been on the phone every
25 day with John since last Monday. I was here Monday



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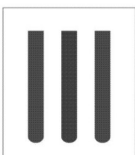
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1 starting at 8:15 in the morning and was -- left at
2 about I think 5:30. I had a wonderful lunch with
3 some the senior management team. I have to tell
4 you, I'm -- let me tell you a little more. So I met
5 with the firefighters. I got a field trip from
6 Mike, the environmentalist. And what I told Mike is
7 I never made better than a C in high school in any
8 science class. But if he'd been my science teacher,
9 I would've probably made some better grades. And
10 the surprise I'm going to ruin for my fellow board
11 directors is you're going to get -- your science
12 class with Mike is going to be a field trip on a
13 pontoon boat, and it's going to be the highlight of
14 the day. Bring sunglasses and a hat. And so I too
15 am really looking forward to working with John and
16 his leadership team. And we've got a lot of work to
17 do. And I think the -- and I am confident that the
18 outcome is going to be better for all of our
19 constituents. And is there anything further from
20 you, John, or my fellow board members?

21 MR. CLASSE: If there's more from the board,
22 I'll let you take the lead. Otherwise I do have a
23 things wrap up before we adjourn.

24 MR. GARCIA: Okay. No, go ahead, Mike.

25 MR. SASSO: I have one mechanics question. We



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1 were given some documents that I believe now are
2 probably a public record.

3 MR. CLASSE: I'm going to ask you to give me
4 those books so I can borrow it.

5 MR. SASSO: I was going to ask, can we also
6 make sure that these are also publicly available so
7 everyone who wants --

8 MR. CLASSE: Sure, absolutely.

9 MR. SASSO: -- to see them can see them?

10 MR. CLASSE: We will -- we'll go ahead and add
11 that to our agenda package that we published on
12 Monday -

13 -

14 MR. SASSO: Okay.

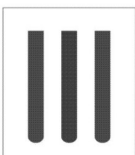
15 MR. CLASSE: -- this week for this meeting. We
16 can add that to the back of that PDF. So if I can
17 borrow one of your books, one of the locals, then I
18 can grab that and make a copy of that to you.

19 MR. SASSO: I'll volunteer to allow you to take
20 a copy.

21 MR. CLASSE: Thank you.

22 MR. SASSO: Thank you.

23 MR. AUNGST: Mr. Chair, one final thing. This
24 is kind of on the list of a bunch of stuff I wanted
25 to talk about, but I think it's really important,



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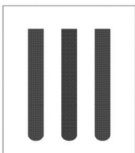
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1 and I just want to say it publicly on the record.
2 Mr. Classe and I have had this conversation. One of
3 the extremely important elements of the legislation
4 is that this board now has essentially the authority
5 of a local government over the entire district,
6 including the cities of Lake Buena Vista and Bay
7 Lake. And those cities in the legislation are
8 specifically prohibited from enacting anything that
9 is not -- at least not more restrictive than
10 something that we have previously enacted. And I
11 noticed we have some advisory boards, and I'm not
12 going to go through the whole thing, but I'm -- I do
13 want to talk to general counsel, Mr. Classe,
14 privately about that for future direction. But it
15 would be my expectation that there will not be any
16 other actions of any governmental entity under the
17 purview of this district and Mr. Classe and his
18 administration without our foreknowledge. And that
19 things of great significance would come here first,
20 at least for discussion and direction. And
21 particularly the bill does give us authority over
22 any local agreements with law enforcement. And
23 right now, those law enforcement agreements are
24 between the cities. And not that I don't think the
25 cities, you know, have great citizens and great city



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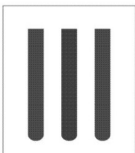
1 councils and great mayors, but the ultimate
2 authority for that law enforcement lies with us.
3 And if something happens, I don't want to say, oh
4 well I never saw that contract, it is with the city.
5 So I want to make it a priority of this district
6 that those contracts are going to be assigned over
7 to us and that we're going to get a presentation on
8 those sooner than later. I -- I'd like that to be a
9 real priority to at least get us where we're in the
10 position the bill anticipates that we would be in
11 with the oversight of the law enforcement contracts.
12 Thank you.

13 MR. SASSO: Thank you, Brian. Any other
14 comments from the fellow board members?

15 MS. ZIEGLER: I'm good.

16 MR. SASSO: John?

17 MR. CLASSE: Okay. Just to wrap some things
18 up. So you've done a great job in nine days, so
19 I've enjoyed having you come on board and enjoyed
20 our conversations and look forward to working with
21 you and all the rest of our staff, and continue to
22 work for -- look forward to working with you. In
23 the interest of expedition and jumping in with both
24 feet and getting into things that you referenced
25 here, I would like to request or announce that at



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1 the next meeting, which would be the April meeting,
2 that we'd like to have two closed sessions. One
3 will be on the status of the union negotiations and
4 the collective bargaining agreement for Unit A and
5 give you kind where we are. And the other is to
6 just give you an overview of any of our litigation
7 matters, past or current, that we can cover in those
8 closed sessions for you. So we'll -- I'd like to
9 make those announcements to the public, and then
10 we'll notice those appropriately before the meeting
11 as well.

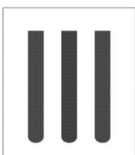
12 MR. GARCIA: Okay. Is there any other business
13 to come before the board?

14 MR. SASSO: Just an inquiry for the
15 administrator. Do we need to address any of those
16 issues more promptly? If so -- because I know we've
17 just moved -- we terminated a meeting date. We
18 moved a month out. Do you want us to address any of
19 that before late April?

20 MR. CLASSE: I do not think a couple week delay
21 is going to impact either one of those topics.

22 MR. SASSO: Okay. And if we -- if that
23 analysis changes, we need about seven to 10 days to
24 announce --

25 MR. CLASSE: Yes, correct.



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MR. SASSO: -- a court session?

MR. CLASSE: Yes.

MR. SASSO: Okay. Thank you, sir.

MR. GARCIA: Any other business before the board? Hearing none, we'll stand adjourned. Thank you all for coming.

(MEETING ADJOURNED AT 11:24 A.M.)



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C E R T I F I C A T E

STATE OF FLORIDA)
COUNTY OF ORANGE)

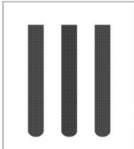
I, SAMANTHA PALMA, Court Reporter and Notary Public
for the State of Florida at Large, do hereby certify
that I was authorized to and did report the foregoing
proceeding, and that said transcript is a true record of
the said proceeding.

I FURTHER CERTIFY that I am not of counsel for,
related to, or employed by any of the parties or
attorneys involved herein, nor am I financially
interested in said action.

Submitted on: March 23, 2023.

SAMANTHA PALMA

SAMANTHA PALMA
Court Reporter, Notary Public



Central Florida Tourism Oversight District

Board of Supervisors

Agenda Item 6.1

Page 1 of 1

Meeting Date	
April 19, 2023	
Agenda Item Name	
Financial Report through March 2023	
Requested Action	
None	
Staff Report	
The attached financial report is for YTD budget vs actuals through March 2023.	
Additional Analysis	
None	
Fiscal Impact Summary	
None	
Exhibits Attached	
1. Financial Report through March 2023	

**CENTRAL FLORIDA TOURISM OVERSIGHT DISTRICT
FISCAL YEAR 2023 BUDGET TO ACTUAL
GENERAL FUND
MARCH 2023**

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	VARIANCE	YTD/BUD
REVENUES				
Ad valorem taxes	\$119,323,256	\$116,761,441	(\$2,561,815)	98%
Interest Income	135,000	251,711	116,711	186%
Permits & fees	3,250,000	2,011,385	(1,238,615)	62%
Lab fees	110,000	50,660	(59,340)	46%
Other	350,000	247,323	(102,677)	71%
Total revenues	\$123,168,256	\$119,322,520	(\$3,845,736)	97%
OPERATING EXPENDITURES				
Labor	\$56,344,751	28,624,426	\$27,720,325	51%
Other Expense	64,848,368	25,842,996	39,005,372	40%
Capital Outlay	7,929,000	1,494,807	6,434,193	19%
Total operating expenditures	\$129,122,119	\$55,962,229	\$73,159,890	43%
NET OPERATING EXCESS (DEFICIENCY)	(\$5,953,863)	\$63,360,291	\$69,314,154	
NON-OPERATING SOURCES AND USES				
Transfer in from Drainage Reserve	(\$1,900,000)	(\$546,863)	(\$1,353,137)	29%
Insurance	2,600,000	2,079,481	520,519	80%
Net non-operating sources and uses	\$700,000	\$1,532,618	(\$832,618)	219%
Total expenditures	\$129,822,119	\$57,494,848	\$72,327,271	44%
NET EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(\$6,653,863)	\$61,827,673	\$68,481,536	
BEGINNING FUND BALANCE	\$30,183,019	\$35,455,453	\$5,272,434	
ENDING FUND BALANCE	\$23,529,156	\$97,283,126	\$73,753,970	

ADMINISTRATION

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL	YTD/BUD
LABOR				
Management	871,190	406,024	465,166	47%
Clerical	79,484	38,263	41,221	48%
Departmental operating	120,827	57,377	63,450	47%
OPEB contribution	10,101	10,101	-	100%
	<hr/>	<hr/>	<hr/>	
Total labor	1,081,602	511,765	569,837	47%
OTHER EXPENDITURES				
Advertising	7,500	6,194	1,306	83%
Dues & Subscriptions	15,000	5,543	9,457	37%
Employee relations	2,570,000	733,065	1,836,935	29%
Equipment rentals	7,000	1,789	5,211	26%
Gas, oil & accessories	-	-	-	
Licenses & permits	-	-	-	
Office mat'l & supplies	5,000	635	4,365	13%
Operating supplies	12,000	9,321	2,679	78%
Outside services & fees	90,000	17,373	72,627	19%
Postage	4,000	385	3,615	10%
Professional services	1,000,000	574,739	425,261	57%
Publicity and promotion	50,000	31,250	18,750	63%
Repair & maintenance	-	-	-	
Telephone	-	-	-	
Travel & business	22,500	5,995	16,505	27%
Utilities	115,000	27,667	87,333	24%
Wardrobe	-	-	-	
	<hr/>	<hr/>	<hr/>	
Total other expenditures	3,898,000	1,413,956	2,484,044	36%
CAPITAL OUTLAY				
	<hr/>	<hr/>		
TOTAL DEPARTMENT	<u>4,979,602</u>	<u>1,925,721</u>	3,053,881	39%

PROCUREMENT

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL	YTD/BUD
LABOR				
Management	304,181	153,525	150,656	50%
Clerical	79,380	33,018	46,362	42%
Departmental operating	713,514	384,370	329,144	54%
OPEB Contribution	17,677	17,677	-	100%
	<u>1,114,752</u>	<u>588,590</u>	<u>526,162</u>	
Total labor	1,114,752	588,590	526,162	53%
OTHER EXPENDITURES				
Advertising	-	-	-	
Dues & Subscriptions	3,500	-	3,500	0%
Employee relations	6,000	-	6,000	0%
Equipment rentals	-	-	-	
Gas, oil & accessories	-	-	-	
Licenses & permits	-	-	-	
Office mat'l & supplies	2,000	184	1,816	9%
Operating supplies	5,250	125	5,125	2%
Outside services & fees	-	-	-	
Postage	600	297	303	50%
Professional services	-	-	-	
Publicity and promotion	-	-	-	
Repair & maintenance	-	-	-	
Telephone	-	-	-	
Travel & business	6,000	120	5,880	2%
Utilities	-	-	-	
Wardrobe	-	-	-	
	<u>23,350</u>	<u>726</u>	<u>22,624</u>	
Total other expenditures	23,350	726	22,624	3%
CAPITAL OUTLAY				
	<u>-</u>	<u>-</u>		
TOTAL DEPARTMENT	<u>1,138,102</u>	<u>589,316</u>	548,786	52%

FINANCE

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL YTD/BUD	
LABOR				
Management	582,711	264,598	318,113	45%
Clerical	148,582	73,112	75,470	49%
Departmental operating	504,516	233,425	271,091	46%
OPEB contribution	30,303	30,303	-	100%
	<hr/>	<hr/>	<hr/>	
Total labor	1,266,112	601,438	664,674	48%
OTHER EXPENDITURES				
Advertising	-	-	-	
Dues & Subscriptions	6,000	862	5,138	14%
Employee relations	7,000	5,840	1,160	83%
Equipment rentals	-	-	-	
Gas, oil & accessories	-	-	-	
Licenses & permits	-	-	-	
Office mat'l & supplies	1,300	1,010	290	78%
Operating supplies	8,500	666	7,834	8%
Outside services & fees	288,400	124,196	164,204	43%
Postage	500	27	473	5%
Professional services	90,250	76,594	13,656	85%
Publicity and promotion	-	-	-	
Repair & maintenance	-	-	-	
Telephone	-	-	-	
Travel & business	10,000	245	9,755	2%
Utilities	-	-	-	
Wardrobe	-	-	-	
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Total other expenditures	411,950	209,441	202,509	51%
CAPITAL OUTLAY				
	<hr/>	<hr/>		
TOTAL DEPARTMENT	<u>1,678,062</u>	<u>810,879</u>	867,183	48%

TECHNOLOGY SERVICES

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL	YTD/BUD
LABOR				
Management	338,385	160,693	177,692	47%
Clerical	-	-	-	
Departmental operating	1,597,403	721,021	876,382	45%
OPEB contribution	32,828	32,828	-	100%
	<u>1,968,616</u>	<u>914,542</u>	<u>1,054,074</u>	46%
OTHER EXPENDITURES				
Advertising	-	-	-	
Dues & Subscriptions	6,525	425	6,100	7%
Employee relations	36,700	903	35,797	2%
Equipment rentals	85,500	25,720	59,780	30%
Gas, oil & accessories	-	-	-	
Licenses & permits	-	-	-	
Office mat'l & supplies	2,500	33	2,467	1%
Operating supplies	537,500	10,905	526,595	2%
Outside services & fees	2,000	-	2,000	0%
Postage	150	-	150	0%
Professional services	1,169,299	818,923	350,376	70%
Publicity and promotion	-	-	-	
Repair & maintenance	2,587,600	1,763,655	823,945	68%
Telephone	795,800	384,144	411,656	48%
Travel & business	33,000	1,632	31,368	5%
Utilities	-	-	-	
Wardrobe	-	-	-	
	<u>5,256,574</u>	<u>3,006,339</u>	<u>2,250,235</u>	57%
CAPITAL OUTLAY	<u>1,045,500</u>	<u>427,481</u>	618,019	41%
TOTAL DEPARTMENT	<u><u>8,270,690</u></u>	<u><u>4,348,362</u></u>	3,922,328	53%

HUMAN RESOURCES

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL YTD/BUD	
LABOR				
Management	443,613	214,005	229,608	48%
Clerical	76,529	13,845	62,684	18%
Departmental operating	580,820	215,478	365,342	37%
OPEB contribution	20,202	20,202	-	100%
	<u>1,121,164</u>	<u>463,530</u>	<u>657,634</u>	
Total labor	1,121,164	463,530	657,634	41%
OTHER EXPENDITURES				
Advertising	10,000	3,940	6,060	39%
Dues & Subscriptions	8,350	3,242	5,108	39%
Employee relations	168,700	73,139	95,561	43%
Equipment rentals	-	-	-	
Gas, oil & accessories	-	-	-	
Licenses & permits	-	-	-	
Office mat'l & supplies	2,500	1,000	1,500	40%
Operating supplies	77,600	10,446	67,154	13%
Outside services & fees	90,500	3,597	86,903	4%
Postage	-	-	-	
Professional services	-	-	-	
Publicity and promotion	-	-	-	
Repair & maintenance	-	-	-	
Telephone	-	-	-	
Travel & business	21,000	3,329	17,671	16%
Utilities	-	-	-	
Wardrobe	-	-	-	
	<u>378,650</u>	<u>98,693</u>	<u>279,957</u>	
Total other expenditures	378,650	98,693	279,957	26%
CAPITAL OUTLAY				
	<u>-</u>	<u>-</u>		
TOTAL DEPARTMENT	<u><u>1,499,814</u></u>	<u><u>562,223</u></u>	937,591	37%

COMMUNICATIONS & RECORDS DEPARTMENT

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL YTD/BUD	
LABOR				
Management	204,925	111,122	93,803	54%
Clerical	-	-	-	0%
Departmental operating	165,994	65,724	100,270	40%
OPEB contribution	5,051	5,051	-	100%
	<u>375,970</u>	<u>181,897</u>	<u>194,073</u>	
Total labor	375,970	181,897	194,073	48%
OTHER EXPENDITURES				
Advertising	-	-	-	
Dues & Subscriptions	1,400	622	778	44%
Employee relations	25,000	4,657	20,343	19%
Equipment rentals	-	-	-	
Gas, oil & accessories	-	-	-	
Licenses & permits	-	-	-	
Office mat'l & supplies	-	-	-	
Operating supplies	1,000	79	921	8%
Outside services & fees	50,000	5,875	44,125	12%
Postage	-	-	-	
Professional services	-	-	-	
Publicity and promotion	45,000	13,500	31,500	30%
Repair & maintenance	-	-	-	
Telephone	-	-	-	
Travel & business	7,710	1,743	5,967	23%
Utilities	-	-	-	
Wardrobe	-	-	-	
	<u>130,110</u>	<u>26,476</u>	<u>103,634</u>	
Total other expenditures	130,110	26,476	103,634	20%
CAPITAL OUTLAY				
	<u>-</u>	<u>-</u>		
TOTAL DEPARTMENT	<u><u>506,080</u></u>	<u><u>208,373</u></u>	297,707	41%

BUILDING AND SAFETY

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL	YTD/BUD
LABOR				
Management	255,567	134,497	121,070	53%
Clerical	581,455	242,261	339,194	42%
Departmental operating	4,267,120	1,940,020	2,327,100	45%
OPEB contribution	106,061	106,061	-	100%
	<u>5,210,203</u>	<u>2,422,839</u>	<u>2,787,364</u>	
Total labor	5,210,203	2,422,839	2,787,364	47%
OTHER EXPENDITURES				
Advertising	-	-	-	
Dues & Subscriptions	15,000	8,707	6,293	58%
Employee relations	6,700	700	6,000	10%
Equipment rentals	-	-	-	
Gas, oil & accessories	-	-	-	
Licenses & permits	5,000	1,802	3,198	36%
Office mat'l & supplies	6,000	1,427	4,573	24%
Operating supplies	39,500	7,187	32,313	18%
Outside services & fees	80,000	46,601	33,399	58%
Postage	500	250	250	50%
Professional services	10,000	-	10,000	0%
Publicity and promotion	-	-	-	
Repair & maintenance	-	-	-	
Telephone	-	-	-	
Travel & business	53,550	8,662	44,888	16%
Utilities	-	-	-	
Wardrobe	-	-	-	
	<u>216,250</u>	<u>75,336</u>	<u>140,914</u>	
Total other expenditures	216,250	75,336	140,914	35%
CAPITAL OUTLAY				
	<u>-</u>	<u>-</u>		
TOTAL DEPARTMENT	<u>5,426,453</u>	<u>2,498,175</u>	2,928,278	46%

FIRE DEPARTMENT

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL	YTD/BUD
LABOR				
Management	5,786,503	2,798,868	2,987,635	48%
Clerical	79,375	40,454	38,921	51%
Departmental operating	28,455,815	15,023,937	13,431,878	53%
OPEB Contribution	580,808	580,808	-	100%
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Total labor	34,902,501	18,444,067	16,458,434	53%
OTHER EXPENDITURES				
Advertising	-	-	-	
Dues & Subscriptions	10,300	6,779	3,521	66%
Employee relations	331,500	175,038	156,462	53%
Equipment rentals	17,500	7,635	9,865	44%
Gas, oil & accessories	-	-	-	
Licenses & permits	1,500	-	1,500	0%
Office mat'l & supplies	13,000	4,130	8,870	32%
Operating supplies	1,316,000	415,151	900,849	32%
Outside services & fees	201,000	90,460	110,540	45%
Postage	1,500	285	1,215	19%
Professional services	-	-	-	
Publicity and promotion	-	-	-	
Repair & maintenance	1,058,718	883,206	175,512	83%
Telephone	-	-	-	
Travel & business	94,200	47,465	46,735	50%
Utilities	200,000	62,306	137,694	31%
Wardrobe	-	-	-	
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Total other expenditures	3,245,218	1,692,455	1,552,763	52%
CAPITAL OUTLAY	<hr/>	<hr/>	<hr/>	
	2,021,500	492,509	1,528,991	24%
TOTAL DEPARTMENT	<hr/> <hr/>	<hr/> <hr/>	<hr/>	51%
	40,169,219	20,629,031	19,540,188	

ENVIRONMENTAL SCIENCES

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL	YTD/BUD
LABOR				
Management	660,579	326,641	333,938	49%
Clerical	79,375	41,038	38,337	52%
Departmental operating	3,268,627	1,555,605	1,713,022	48%
OPEB contribution	-	-	-	
	<u>4,008,581</u>	<u>1,923,284</u>	<u>2,085,297</u>	
Total labor	4,008,581	1,923,284	2,085,297	48%
OTHER EXPENDITURES				
Advertising	-	-	-	
Dues & Subscriptions	1,600	105	1,495	7%
Employee relations	5,200	-	5,200	0%
Equipment rentals	3,700	2,585	1,115	70%
Gas, oil & accessories	-	-	-	
Licenses & permits	17,000	9,573	7,427	56%
Office mat'l & supplies	9,000	3,772	5,228	42%
Operating supplies	1,017,700	609,387	408,313	60%
Outside services & fees	836,500	31,626	804,874	4%
Postage	1,100	861	239	78%
Professional services	-	-	-	
Publicity and promotion	-	-	-	
Repair & maintenance	96,000	38,260	57,740	40%
Telephone	-	-	-	
Travel & business	16,200	806	15,394	5%
Utilities	95,000	28,180	66,820	30%
Wardrobe	-	-	-	
	<u>2,099,000</u>	<u>725,155</u>	<u>1,373,845</u>	
Total other expenditures	2,099,000	725,155	1,373,845	35%
CAPITAL OUTLAY	<u>124,000</u>	<u>7,815</u>	116,185	6%
TOTAL DEPARTMENT	<u><u>6,231,581</u></u>	<u><u>2,656,254</u></u>	3,575,327	43%

FACILITIES OPERATIONS & MAINTENANCE

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL	YTD/BUD
LABOR				
Management	737,078	375,489	361,589	51%
Clerical	67,108	34,067	33,041	51%
Departmental operating	1,905,781	843,411	1,062,370	44%
OPEB contribution	<u>73,232</u>	<u>73,232</u>	-	100%
Total labor	2,783,199	1,326,199	1,457,000	48%
OTHER EXPENDITURES				
Advertising	-	-	-	
Dues & Subscriptions	2,500	927	1,573	37%
Employee relations	14,500	3,733	10,767	26%
Equipment rentals	328,400	153,733	174,667	47%
Gas, oil & accessories	334,200	129,312	204,888	39%
Licenses & permits	-	-	-	
Office mat'l & supplies	3,500	1,526	1,974	44%
Operating supplies	843,500	309,567	533,933	37%
Outside services & fees	17,189,895	7,267,853	9,922,042	42%
Postage	-	-	-	
Professional services	-	-	-	
Publicity and promotion	-	-	-	
Repair & maintenance	5,352,500	2,147,094	3,205,406	40%
Telephone	-	-	-	
Travel & business	8,000	288	7,712	4%
Utilities	1,225,000	220,332	1,004,668	18%
Wardrobe	<u>525,000</u>	<u>116,179</u>	<u>408,821</u>	22%
Total other expenditures	25,826,995	10,350,544	15,476,451	40%
CAPITAL OUTLAY	<u>4,738,000</u>	<u>567,002</u>	4,170,998	12%
TOTAL DEPARTMENT	<u><u>33,348,194</u></u>	<u><u>12,243,745</u></u>	21,104,449	37%

DRAINAGE

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL	YTD/BUD
LABOR				
Management	-	-	-	
Clerical	-	-	-	
Departmental operating	-	-	-	
Total labor	-	-	-	
OTHER EXPENDITURES				
Advertising	-	-	-	
Dues & Subscriptions	-	-	-	
Employee relations	-	-	-	
Equipment rentals	-	-	-	
Freight	-	-	-	
Laundry and cleaning	-	-	-	
Office mat'l & supplies	-	-	-	
Operating supplies	90,000	26,350	63,650	29%
Outside services & fees	295,000	149,094	145,906	51%
Postage	-	-	-	
Professional services	-	-	-	
Publicity and promotion	-	-	-	
Rent	-	-	-	
Telephone	-	-	-	
Travel & business	-	-	-	
Utilities	-	-	-	
Wardrobe	-	-	-	
Total other expenditures	3,557,500	800,440	2,757,060	23%
CAPITAL OUTLAY				
TOTAL DEPARTMENT	3,557,500	800,440	2,757,060	23%

**PLANNING & ENGINEERING/
ROADWAYS**

	FY 2023 BUDGET	FY 2023 MARCH YTD ACTUAL	AVAIL BAL	YTD/BUD
LABOR				
Management	214,093	116,149	97,944	54%
Clerical	82,487	39,020	43,467	47%
Departmental operating	2,091,736	967,363	1,124,373	46%
OPEB Contribution	<u>123,737</u>	<u>123,737</u>	-	100%
Total labor	2,512,053	1,246,269	1,265,784	50%
OTHER EXPENDITURES				
Advertising	-	-	-	0%
Dues & Subscriptions	3,650	4,050	(400)	111%
Employee relations	6,700	274	6,426	4%
Equipment rentals	850	-	850	0%
Gas, oil & accessories	-	-	-	
Licenses & permits	5,740	5,740	-	100%
Office mat'l & supplies	2,000	431	1,569	22%
Operating supplies	8,500	3,966	4,534	47%
Outside services & fees	96,000	24,617	71,383	26%
Postage	-	-	-	
Professional services	1,182,206	186,508	995,698	16%
Publicity and promotion	-	-	-	
Repair & maintenance	18,488,625	7,216,729	11,271,896	39%
Telephone	-	-	-	
Travel & business	10,500	1,128	9,372	11%
Utilities	-	-	-	
Wardrobe	-	-	-	
Total other expenditures	<u>19,804,771</u>	<u>7,443,443</u>	12,361,328	38%
CAPITAL OUTLAY				
	<u>-</u>	<u>-</u>	0	
TOTAL DEPARTMENT	<u><u>22,316,824</u></u>	<u><u>8,689,712</u></u>	13,627,112	39%

Central Florida Tourism Oversight District

Board of Supervisors

Agenda Item 6.2

Page 1 of 1

Meeting Date	
April 19, 2023	
Agenda Item Name	
District Administrator Job Description	
Requested Action	
None	
Staff Report	
The attached is the current job description for the District Administrator position.	
Additional Analysis	
None	
Fiscal Impact Summary	
None	
Exhibits Attached	
1. District Administrator Job Description	



POSITION DESCRIPTION

Status: Exempt
Title: District Administrator
Department: Administration
Reports to: President, Board of Supervisors

Job Code: Ex-102-015

Position Summary:

Perform functions to serve as CEO of the District, providing operational and financial stewardship for taxpayers. Direct and coordinate the work of division heads in order to ensure that the District meets its fiscal and fiduciary responsibilities and objectives.

Essential Functions:

- Direct the strategic planning for overall District operations and present the Strategic Plan to the Board of Supervisors for review and authorization.
- Serve as the Executive Liaison to the primary taxpayer, Board of Supervisors, and all stakeholders of the District to build on and maintain effective working relationships.
- Serve as City Manager for either the City of Bay Lake or the City of Lake Buena Vista and Secretary of the Board of Supervisors, carrying out the fiduciary responsibilities of each entity.
- Direct Executive Leadership and the Management Team through the planning, management and controlling of their respective responsibilities. Monitor and provide guidance on recommended new or modified District policy for any operating area and for the Division as a whole. Review operations of each functional area through Executive Leadership and provide information as requested and in reporting sessions to the Board of Supervisors as to the status of operations.
- Represent the District in relationships with other government agencies and regulatory bodies, including cities, counties, state, and federal governments and related agencies working under the direction of those governments. Work with other government agencies to join in on lobbying efforts as required to communicate and forward the position of the District in the interests of its stakeholders. Oversee and protect the interest of District stakeholders in contractual arrangements with other governmental entities for services.
- Serve as a member of the RCID Audit Committee and maintain current awareness of the status of the District's continual audit readiness.
- Interview, select, recommend hire, train and assign team members. Provide direction and mentoring, develop and communicate performance metrics to assess the effectiveness of teams, both as a department and individually. Evaluate performance and provide counseling, cross training and coaching to employees. Maintain harmonious team/employer relations. Develop and implement staffing plans and related budgets as required.



POSITION DESCRIPTION

Status: Exempt
Title: District Administrator
Department: Administration
Reports to: President, Board of Supervisors

Job Code: Ex-102-015

Other Duties:

- Perform or assist with any operations, as required to maintain workflow and to meet schedules and quality requirements.
- Participate in any variety of meetings and work groups to integrate activities, communicate issues, obtain approvals, resolve problems and maintain specified level of knowledge pertaining to new developments, requirements, and policies.
- Perform other related duties as assigned.

Competency:

- Excellent leadership skills. Highly refined interpersonal skills, as well as the ability to communicate publicly.
- Financial acumen with experience managing and developing complex budgets.
- Knowledge of business and government administration.
- A well-developed sense of strategic timing and ability to accurately infer intent of subtle circumstances.
- Computer skills with knowledge of Microsoft Suite programs.

Education/Experience Requirements:

- Bachelor's degree in Business, Finance, Public Administration, Engineering, Science or closely related field.
- Sixteen to twenty years in a senior leadership capacity.
- Regular, dependable attendance required.

Other Requirements:

The following requirements are representative of those that must be met by an employee to successfully perform the essential functions of this job and is not intended to be inclusive. Reasonable accommodation(s) may be made to enable individuals with disabilities, as defined by law, to perform any essential functions.

Driving Requirements:



Since 1967
Reedy Creek
IMPROVEMENT DISTRICT

POSITION DESCRIPTION

Status: Exempt

Job Code: Ex-102-015

Title: District Administrator

Department: Administration

Reports to: President, Board of Supervisors

Must possess a valid Florida State Driver's license and maintain eligibility under the District's commercial vehicle program.

Physical Demands:

While engaging in the duties of this position the Employee performs lifting and/or carrying of up to 20 lbs. Employee sits frequently. Employee stands and walks occasionally. Employee occasionally bends/stoops/crouches, pushes/pulls and climbs. Employee uses their hand(s)/arm(s) to reach in any direction and seize, grasp, hold and turn object using hand(s). Employee uses fingers, versus whole hand, to pick, pinch and feel objects. Employee sees, talk and hear as they communicate with others in person, electronically or by phone.

Employee will operate motor vehicle(s) that involve the use of hand/foot controls.

Central Florida Tourism Oversight District

Board of Supervisors

Agenda Item 6.3

Page 1 of 1

Meeting Date	
April 19, 2023	
Agenda Item Name	
District Clerk Job Description	
Requested Action	
None	
Staff Report	
The attached is the current job description for the District Clerk position.	
Additional Analysis	
None	
Fiscal Impact Summary	
None	
Exhibits Attached	
1. Executive Assistant – District Clerk Job Description	



POSITION DESCRIPTION

Status: Nonexempt
Title: Executive Assistant – District Clerk
Department: District Administration
Reports to: District Administrator

Job Code: N-102-012

Position Summary:

Perform functions to provide administrative support to the District Administrator. Serve as District Clerk to the Board of Supervisors (BOS) for all Board related activities, working within the limits of standard or accepted practice.

Essential Functions:

- Serve as District Clerk for BOS. Prepare agendas and legal ads, and assemble meeting documents for Agenda Review and BOS meetings. Attend Agenda Review and BOS meetings, take minutes at BOS meetings, and file minutes as required. Provide BOS members with agendas and presentation materials. Prepare quarterly expense reports for BOS members' mileage reimbursement.
- Obtains signatures on all official documents and serves as custodian of all District BOS records.
- Supervises and coordinates District elections and the annual Landowner Meeting.
- Provide administrative support to the District Administrator and BOS members as required.
- Act as the first point of contact for the District Administrator. Maintain positive relationships with personnel, visitors, and contacts.
- Provide assistance as backup to Assistants in other departments located in the District Administration Building, as requested.
- Monitor the office supplies for the District Administration office and order replacements as needed.
- Serve as Assistant City Clerk for Lake Buena Vista and Bay Lake in absence of City Clerk for City Council meetings.
- Maintain the calendars for District Administration. Develop itineraries and agenda, schedule travel, book transportation, and arrange lodging and meeting accommodations for District Administration or for special guests.
- Expedite forms, related to the Board of Supervisors, to be filed with the State of Florida as required, remain aware of deadlines.
- Maintain the District Administration office electronic and hardcopy files.



POSITION DESCRIPTION

Status: Nonexempt

Job Code: N-102-012

Title: Executive Assistant – District Clerk

Department: District Administration

Reports to: District Administrator

- Manage the Boardroom and District Administration office conference room schedule for meetings.
- Coordinate the planning of Board of Supervisor holiday parties and events.

Other Duties:

- Perform or assist with any operations, as required to maintain workflow and to meet schedules and quality requirements.
- Participate in any variety of meetings and work groups to integrate activities, communicate issues, obtain approvals, resolve problems and maintain specified level of knowledge pertaining to new developments, requirements, and policies.
- Attend and participate in occasional evening meetings or events outside of regular business hours.
- Perform other related duties as assigned.

Competency:

- Computer proficient with knowledge of MS Word, Excel, PowerPoint, and Outlook.
- Ability to multi-task a variety of projects at any given time.
- Effective communication skills in both verbal and written form.
- Highly adaptable; demonstrates flexibility and a positive demeanor in the face of conflicting priorities.
- Highly effective communicator; understands the importance of listening, speaks with confidence using clear, concise sentences and is easily understood, produces well thought-out professional correspondence free of grammatical and spelling errors and projects a positive image of the business through the use of professional oral and writing skills.
- Demonstrates exceptional time and task management skills, and proficiency in Microsoft Office Suite components.
- Demonstrates the ability to foresee problems and prevent them by utilizing analytical skills and a broad understanding of the business to effectively interpret and anticipate action to be taken.



POSITION DESCRIPTION

Status: Nonexempt **Job Code:** N-102-012
Title: Executive Assistant – District Clerk
Department: District Administration
Reports to: District Administrator

- Consistently exhibits sound integrity and judgment with the ability to make reasoned decisions in the absence of direction.

Education/Experience Requirements:

- Associate's degree in a Business discipline, or equivalent preferred, with knowledge of office routines, general business, and related processes and procedures required; or two additional years of related experience to substitute education.
- Knowledge of organization, function and activities of local government. Knowledge of state and local laws and ability to interpret such. Knowledge of municipal codes and ordinance.
- Public Notary.
- Minimum of ten years of progressive experience in administrative assistance and clerical support, with at least five years of experience directly supporting executive level management.
- Experience as a Special District, County or City Clerk or similar role preferred.
- Regular, dependable attendance required.

Other Requirements:

The following requirements are representative of those that must be met by an employee to successfully perform the essential functions of this job and is not intended to be inclusive. Reasonable accommodation(s) may be made to enable individuals with disabilities, as defined by law, to perform any essential functions.

Driving Requirements:

Must possess a valid Florida State Driver's license and maintain eligibility under the District's commercial vehicle program.

Physical Demands:

While engaging in the duties of this position the Employee performs lifting and/or carrying of up to 50 lbs. occasionally and 10 lbs. frequently. Employee sits constantly. Employee stands and walks occasionally. Employee occasionally bends/stoops/crouches and pushes/pulls. Employee uses their hand(s)/arm(s) to reach in any direction and seize, grasp, hold and turn object using hand(s). Employee uses fingers, versus whole hand, to pick, pinch and feel objects. Employee sees, talk and hear as they communicate with others in person, electronically or by phone.



Since 1967
Reedy Creek
IMPROVEMENT DISTRICT

POSITION DESCRIPTION

Status: Nonexempt
Title: Executive Assistant – District Clerk
Department: District Administration
Reports to: District Administrator

Job Code: N-102-012

Employee will operate motor vehicle(s) that involve the use of hand/foot controls.

Central Florida Tourism Oversight District

Board of Supervisors

Agenda Item 6.4

Page 1 of 1

Meeting Date	
April 19, 2023	
Agenda Item Name	
General Counsel Job Description	
Requested Action	
None	
Staff Report	
The attached is a draft job description for the District General Counsel position.	
Additional Analysis	
None	
Fiscal Impact Summary	
None	
Exhibits Attached	
1. Draft General Counsel Job Description	

General Counsel Job Description

Job Title: District General Counsel

Location: Central Florida Tourism Oversight District

Salary: Commensurate with experience and qualifications

Job Description:

The District General Counsel is responsible for providing legal advice, guidance, and representation to the Central Florida Tourism Oversight District, the Board of Supervisors, District Administrator, and all District departments on various legal matters related to the District's enabling act and laws applicable to the District. The District General Counsel will be the chief legal advisor to the District and will provide legal representation for the District in litigation, administrative hearings, and other legal proceedings except as such matters may be assigned to outside counsel. The District General Counsel is hired and terminated by the Board of Supervisors.

Responsibilities:

- Provide legal advice and guidance to the Board, District Administrator, and all District departments on various legal matters related to the District, including but not limited to land use and zoning, contracts, employment law, public records, public meetings, and ethics.
- Draft and review resolutions, contracts, and other legal documents for compliance with state and federal laws and regulations.
- Represent the District in legal proceedings, including litigation, administrative hearings, and appeals.
- Attend and provide legal counsel at District Board meetings, public hearings, and other public meetings.
- Advise District staff on legal issues related to procurement, bid protests, and other contractual matters.
- Manage outside counsel when necessary and ensure quality legal representation for the District.
- Monitor legislative developments and advise the District on the impact of proposed legislation on District operations.
- Advise the District on risk management issues and develop strategies to minimize the District's exposure to legal liability.

- Perform other legal duties as assigned by the Board of Supervisors or District Administrator.

Qualifications:

- Juris Doctorate degree from an accredited law school.
- Admission to the Florida Bar and in good standing.
- At least 10 years of experience practicing local government law, municipal law or a related field and serving as the lead County Attorney, City Attorney or General Counsel for a Florida local governmental entity.
- The Florida Bar Board Certified in City, County, Local Government Law.
- Expertise and knowledge of Florida local government law, including but not limited to comprehensive planning, land use and zoning, subdivision and platting, quasi-judicial procedures, review of applications for development orders, development agreements, real estate transactions, utility easements, drainage easements and other easements, Sunshine law, public records, public meetings, ethics, contracts, public procurement, acquisition of right-of-way and other public lands, eminent domain, inverse condemnation, Bert J. Harris Private Property Rights Act and Florida Land Use and Environmental Dispute Resolution Act.
- A working knowledge and understanding the District's enabling act set forth in Chapter 2023-05, Laws of Florida, and of the charters/enabling acts creating the municipalities within the District.
- Ability to provide effective legal counsel to the Board, District Administrator, and all District departments.
- Strong legal research, writing, and analytical skills.
- Excellent communication and interpersonal skills.
- Ability to work collaboratively with District staff, outside counsel, and other stakeholders.
- Ability to manage multiple projects and prioritize workload.
- Ability to present and argue cases in court.
- Strong work ethic and attention to detail.

Central Florida Tourism Oversight District

Board of Supervisors

Agenda Item 8.2

Page 1 of 1

Meeting Date	
April 19, 2023	
Agenda Item Name	
Fourth Amendment to Power Purchase Agreement with FL Solar 10, LLC	
Requested Action	
Ratification of the April 6, 2023 Forbearance Letter and Approval for the District Administrator to execute the Fourth Amendment to Power Purchase Agreement.	
Staff Report	
Origis Energy (Origis) is the District's offtake partner in the Tide Bay Solar Facility. On February 13, 2023, Origis advised of a possible change in schedule for the Tide Bay Facility. Currently the Purchase Power Agreement (PPA) between the two parties calls for a Notice to Proceed (NTP) of March 31, 2023, and a Commercial Operations Date (COD) of December 31, 2023. Based on several communications and discussions with Origis they indicated they will not be able to meet the dates in the PPA due to continuing supply chain issues, lead time items delivery, and labor shortages. As such, Origis is proposing new NTP and COD dates. The proposed NTP and COD dates are May 31, 2023, and June 30, 2024, respectively.	
Additional Analysis	
Fiscal Impact Summary	
There is no fiscal impact to the proposed change.	
Exhibits Attached	
<ol style="list-style-type: none">1. Forbearance Letter dated April 6, 20232. Fourth Amendment to Power Purchase Agreement	

Thursday, April 6, 2023

FL Solar 10, LLC
c/o Johan Vanhee (Johan.Vanhee@origisenergy.com)
Chief Commercial and Procurement Officer
Origis Energy
800 Brickell Avenue, Suite 1000
Miami, Florida 33131

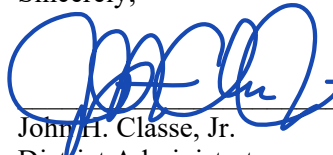
RE: Forbearance Letter regarding Power Purchase Agreement effective June 26, 2020 (“Tide Bay PPA”) by and between FL Solar 10, LLC (“**FL Solar**”) and Reedy Creek Improvement District [now called Central Florida Tourist Oversight District] (“**District**”), as Amended (the “**Tide Bay PPA**”); Capitalized terms in this Forbearance Letter have the definitions ascribed to such terms in the Tide Bay PPA unless the context clearly requires otherwise

Dear Mr. Vanhee:

You have advised District that FL Solar will not be able to issue its Notice to Proceed by the NTP Deadline of March 31, 2023 (as required pursuant to Section 3.3.1.3 of the Tide Bay PPA, as previously extended by amendments). As you know, failure to issue the Notice to Proceed by the NTP Deadline, gives District the right, starting on April 1, 2023, to terminate the Tide Bay PPA within thirty days thereafter (on or before May 1, 2023).

I previously sent you a Forbearance Letter dated March 29, 2023, which referenced the District Board of Supervisors’ meeting on April 12, 2023. However, the April 12th meeting is being rescheduled to April 19th. Thus, the District Board of Supervisors are not able to make a decision on FL Solar’s request for any amendments to the Tide Bay PPA or make any decision on whether to terminate the Tide Bay PPA for FL Solar missing the NTP Deadline until at least the District’s April 19, 2023 Board of Supervisors meeting. Therefore, District will forbear from exercising its right to terminate the Tide Bay PPA pursuant to Section 3.3.1.3 of the Tide Bay PPA until April 20, 2023. The District reserves the right to exercise such termination right after April 20, 2023 during the remainder of its termination period ending on May 1, 2023, if an amendment extending the Notice to Proceed deadline has not been fully executed by both parties.

Sincerely,



John H. Classe, Jr.
District Administrator
Central Florida Tourist Oversight District f/k/a
Reedy Creek Improvement District

**FOURTH AMENDMENT
TO
POWER PURCHASE AGREEMENT**

This Fourth Amendment to Power Purchase Agreement (“**Amendment**”) is entered into as of April 19, 2023 (the “**Amendment Effective Date**”), by and between FL Solar 10, LLC, a Delaware limited liability company (“**Seller**”) and Reedy Creek Improvement District, a political subdivision of the state of Florida (“**Buyer**”). Seller and Buyer are sometimes referred to herein individually as a “**Party**” and collectively as the “**Parties**.”

WITNESSETH:

WHEREAS, Seller and Buyer are parties to that certain Power Purchase Agreement effective as of June 26, 2020, as amended May 25, 2022 (as may be further amended from time to time, the “**PPA**”);

WHEREAS, the Parties have agreed to revise certain provisions of the PPA; and

WHEREAS, in connection with such revision to the PPA, the Parties desire to amend the PPA as set forth herein by executing and delivering this Amendment.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the sufficiency and adequacy of which are hereby acknowledged, the Parties agree as follows:

1. **Defined Terms and Phrases.** The capitalized terms and phrases used in this Amendment but not defined herein shall have the meaning stated in the PPA.
2. **Amendments to PPA.** Commencing on the Amendment Effective Date, the PPA shall be amended as follows:
 - a. **Section 1.14, Commercial Operation Date.** The definition of “Commercial Operation Date” in Section 1.14 of the PPA is amended by replacing the date “December 31, 2023” with the date “June 30, 2024.”
 - b. **Section 3.3.1.3, Notice to Proceed.** Section 3.3.1.3 of the PPA is amended by replacing the date “April 14, 2023” with the date “May 31, 2023.”
 - c. **Section 4.3, Contract Price.** Section 4.3 shall be deleted and replaced in its entirety with the following language:

Contract Price. The “Contract Price” shall be \$ [REDACTED] /MWh for each unit of Energy generated by the Facility and delivered to the Delivery Point for the Term.
 - d. **Section 7.4, Commercial Operation.** Section 7.4 of the PPA is amended by replacing every instance of the date “December 31, 2023” with the date “June 30, 2024.”

3. **General.**

- a. **Representations Regarding this Amendment.** By its execution of this Amendment, each Party represents and warrants that it is authorized to enter into this Amendment, that this Amendment does not conflict with any contract, lease, instrument, or other obligation to which it is a party or by which it is bound, which conflict could reasonably be expected to have a material adverse effect on the ability of such Party to perform its obligations hereunder, and that this Amendment represents its valid and binding obligation, enforceable against it in accordance with its terms.
- b. **No Other Amendments.** Except as specifically provided in this Amendment, no other amendments, revisions, or changes are made or have been made to the PPA. All other terms and conditions of the PPA remain in full force and effect.
- c. **Conforming References.** Upon the Amendment Effective Date, each reference in the PPA to “this Agreement,” “hereunder,” “hereto,” “herein,” or words of like import, shall mean and be a reference to the PPA as amended by this Amendment.
- d. **Counterparts.** This Amendment may be executed in one or more counterparts, each of which, when executed, shall be deemed to be an original and all of which, when taken together, shall be deemed to be one and the same instrument. Delivery of an executed counterpart of a signature page to this Amendment by facsimile or other electronic means (e.g., email or PDF) will be effective as delivery of an original counterpart to this Amendment.
- f. **Applicable Law.** This Amendment and the rights and duties of the Parties arising out of this Amendment shall be governed by, and construed and enforced in accordance with, the laws of the state of Florida, without regard to principles of conflicts of law, and, as applicable, by the Federal laws of the United States of America.

[Signatures Follow]

SELLER:

FL SOLAR 10, LLC

By: _____

Name: Samir Verstyn

Title: Secretary

BUYER:

REEDY CREEK IMPROVEMENT DISTRICT

By: _____

Name:

Title:

Central Florida Tourism Oversight District

Board of Supervisors

Agenda Item 8.2

Page 1 of 1

Meeting Date	
April 19, 2023	
Agenda Item Name	
Fourth Amendment to Power Purchase Agreement with FL Solar 10, LLC	
Requested Action	
Ratification of the April 6, 2023 Forbearance Letter and Approval for the District Administrator to execute the Fourth Amendment to Power Purchase Agreement.	
Staff Report	
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Additional Analysis	
Fiscal Impact Summary	
There is no fiscal impact to the proposed change.	
Exhibits Attached	
<ol style="list-style-type: none">1. Forbearance Letter dated April 6, 20232. Fourth Amendment to Power Purchase Agreement	

Thursday, April 6, 2023

FL Solar 10, LLC
c/o Johan Vanhee (Johan.Vanhee@origisenergy.com)
Chief Commercial and Procurement Officer
Origis Energy
800 Brickell Avenue, Suite 1000
Miami, Florida 33131

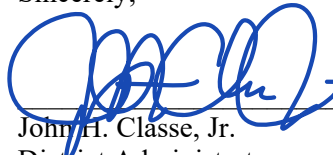
RE: Forbearance Letter regarding Power Purchase Agreement effective June 26, 2020 (“Tide Bay PPA”) by and between FL Solar 10, LLC (“**FL Solar**”) and Reedy Creek Improvement District [now called Central Florida Tourist Oversight District] (“**District**”), as Amended (the “**Tide Bay PPA**”); Capitalized terms in this Forbearance Letter have the definitions ascribed to such terms in the Tide Bay PPA unless the context clearly requires otherwise

Dear Mr. Vanhee:

You have advised District that FL Solar will not be able to issue its Notice to Proceed by the NTP Deadline of March 31, 2023 (as required pursuant to Section 3.3.1.3 of the Tide Bay PPA, as previously extended by amendments). As you know, failure to issue the Notice to Proceed by the NTP Deadline, gives District the right, starting on April 1, 2023, to terminate the Tide Bay PPA within thirty days thereafter (on or before May 1, 2023).

I previously sent you a Forbearance Letter dated March 29, 2023, which referenced the District Board of Supervisors’ meeting on April 12, 2023. However, the April 12th meeting is being rescheduled to April 19th. Thus, the District Board of Supervisors are not able to make a decision on FL Solar’s request for any amendments to the Tide Bay PPA or make any decision on whether to terminate the Tide Bay PPA for FL Solar missing the NTP Deadline until at least the District’s April 19, 2023 Board of Supervisors meeting. Therefore, District will forbear from exercising its right to terminate the Tide Bay PPA pursuant to Section 3.3.1.3 of the Tide Bay PPA until April 20, 2023. The District reserves the right to exercise such termination right after April 20, 2023 during the remainder of its termination period ending on May 1, 2023, if an amendment extending the Notice to Proceed deadline has not been fully executed by both parties.

Sincerely,



John H. Classe, Jr.
District Administrator
Central Florida Tourist Oversight District f/k/a
Reedy Creek Improvement District

**FOURTH AMENDMENT
TO
POWER PURCHASE AGREEMENT**

This Fourth Amendment to Power Purchase Agreement (“**Amendment**”) is entered into as of April 19, 2023 (the “**Amendment Effective Date**”), by and between FL Solar 10, LLC, a Delaware limited liability company (“**Seller**”) and Central Florida Tourism Oversight District f/k/a Reedy Creek Improvement District, a political subdivision of the state of Florida (“**Buyer**”). Seller and Buyer are sometimes referred to herein individually as a “**Party**” and collectively as the “**Parties.**”

WITNESSETH:

WHEREAS, Seller and Buyer are parties to that certain Power Purchase Agreement effective as of June 26, 2020, as amended May 25, 2022 (as may be further amended from time to time, the “**PPA**”);

WHEREAS, the Parties have agreed to revise certain provisions of the PPA; and

WHEREAS, in connection with such revision to the PPA, the Parties desire to amend the PPA as set forth herein by executing and delivering this Amendment.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the sufficiency and adequacy of which are hereby acknowledged, the Parties agree as follows:

1. **Defined Terms and Phrases.** The capitalized terms and phrases used in this Amendment but not defined herein shall have the meaning stated in the PPA.
2. **Amendments to PPA.** Commencing on the Amendment Effective Date, the PPA shall be amended as follows:
 - a. **Section 1.14, Commercial Operation Date.** The definition of “Commercial Operation Date” in Section 1.14 of the PPA is amended by replacing the date “December 31, 2023” with the date “June 30, 2024.”
 - b. **Section 3.3.1.3, Notice to Proceed.** Section 3.3.1.3 of the PPA is amended by replacing the date “March 31, 2023” with the date “May 31, 2023.”
 - c. **Section 4.3, Contract Price.** Section 4.3 shall be deleted and replaced in its entirety with the following language:

Contract Price. The “Contract Price” shall be \$31.00/MWh for each unit of Energy generated by the Facility and delivered to the Delivery Point for the Term.
 - d. **Section 7.4, Commercial Operation.** Section 7.4 of the PPA is amended by replacing every instance of the date “December 31, 2023” with the date “June 30, 2024.”

3. **General.**

- a. **Representations Regarding this Amendment.** By its execution of this Amendment, each Party represents and warrants that it is authorized to enter into this Amendment, that this Amendment does not conflict with any contract, lease, instrument, or other obligation to which it is a party or by which it is bound, which conflict could reasonably be expected to have a material adverse effect on the ability of such Party to perform its obligations hereunder, and that this Amendment represents its valid and binding obligation, enforceable against it in accordance with its terms.
- b. **No Other Amendments.** Except as specifically provided in this Amendment, no other amendments, revisions, or changes are made or have been made to the PPA. All other terms and conditions of the PPA remain in full force and effect.
- c. **Conforming References.** Upon the Amendment Effective Date, each reference in the PPA to “this Agreement,” “hereunder,” “hereto,” “herein,” or words of like import, shall mean and be a reference to the PPA as amended by this Amendment.
- d. **Counterparts.** This Amendment may be executed in one or more counterparts, each of which, when executed, shall be deemed to be an original and all of which, when taken together, shall be deemed to be one and the same instrument. Delivery of an executed counterpart of a signature page to this Amendment by facsimile or other electronic means (e.g., email or PDF) will be effective as delivery of an original counterpart to this Amendment.
- f. **Applicable Law.** This Amendment and the rights and duties of the Parties arising out of this Amendment shall be governed by, and construed and enforced in accordance with, the laws of the state of Florida, without regard to principles of conflicts of law, and, as applicable, by the Federal laws of the United States of America.

[Signatures Follow]

SELLER:

FL SOLAR 10, LLC

By: _____

Name: Samir Verstyn

Title: Secretary

BUYER:

**CENTRAL FLORIDA TOURISM OVERSIGHT DISTRICT f/k/a
REEDY CREEK IMPROVEMENT DISTRICT**

By: _____

Name: John Classe, Jr.

Title: District Administrator

Central Florida Tourism Oversight District

Board of Supervisors

Agenda Item 8.3

Meeting Date	
April 19, 2023	
Agenda Item Name	
Local Planning Agency/Planning and Zoning Board	
Requested Action	
Motion to remove from office and terminate all Planning and Zoning Board members and appoint the Board of Supervisors to serve as the local planning agency of the Central Florida Tourism Oversight District and to perform the functions of the Planning and Zoning Board.	
Staff Report	
In accordance with Section 163.3174, Florida Statutes, the governing body of the District (Board of Supervisors) may designate itself as the District's local planning agency. In accordance with the Act, the Board of Supervisors has the authority to remove from office and terminate members of the Planning and Zoning Board. The requested action would remove from office and terminate the existing members of the Planning and Zoning Board that were appointed by the prior Reedy Creek Improvement District Board of Supervisors. Further, the requested action would appoint the Central Florida Tourism Oversight District Board of Supervisors to serve as the District's local planning agency and to perform the functions of the Planning and Zoning Board.	
Additional Analysis	
None	
Fiscal Impact Summary	
None	
Exhibits Attached	
None	

Central Florida Tourism Oversight District

Board of Supervisors

Agenda Item 9.1

Meeting Date	
April 19, 2023	
Agenda Item Name	
Resolution No. 638 – Adoption of Rules and Procedures for Board of Supervisors and Board Meetings	
Requested Action	
Read by title, conduct public hearing and adopt Resolution No. 638.	
Staff Report	
<p>The Central Florida Tourism Oversight District exists pursuant its enabling act codified at Chapter 2023-5, Laws of Florida becoming effective on February 27, 2023 (the “Act”). The Act provides that the Board of Supervisors may adopt and enforce reasonable rules governing the procedures, order of business, rules of decorum for its meetings and rules of conduct for its members.</p> <p>If approved, Resolution No. 638 would create rules and procedures governing the procedures, order of business, rules of decorum for Board of Supervisors’ meetings and rules of conduct for its members. It is anticipated that the Board may consider for adoption additional rules of conduct and procedures in the future; however, these rules and procedures are primarily intended to address issues related to Board of Supervisors meetings. Further, the Resolution adopts a rule providing that:</p> <p>“2.8.3 No person shall be barred from a public meeting of the District due to failure to wear a face mask or obtain a vaccination. The District will not require persons to provide any documentation certifying COVID-19 vaccination or post infection recovery, impose a COVID-19 testing mandate to gain access to or entry upon any District property or as a condition of receiving any service from the District. The District will not require a person to wear a face mask, a face shield, or any other facial covering that covers the mouth and nose to gain access to or entry upon any District property or as a condition of receiving any service from the District. The District will not refuse to hire, discharge or make a negative employment decision against a person based on the knowledge or belief of a person's COVID vaccination status.”</p>	
Additional Analysis	
None	
Fiscal Impact Summary	
None	
Exhibits Attached	
1. Resolution No. 638 and proposed Rules and Procedures	

RESOLUTION NO. 638

**A RESOLUTION OF THE CENTRAL FLORIDA TOURISM
OVERSIGHT DISTRICT CREATING RULES AND
PROCEDURES FOR THE BOARD OF SUPERVISORS AND
GOVERNING PROCEDURES, CONDUCT AND DECORUM
FOR MEETINGS OF THE BOARD; PROVIDING FOR
SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

WHEREAS, the Central Florida Tourism Oversight District (“District”) exists pursuant its enabling act codified at Chapter 2023-5, Laws of Florida becoming effective on February 27, 2023 (the “Act”); and

WHEREAS, the Act provides that the Board of Supervisors may adopt and enforce reasonable rules governing the procedures, order of business, rules of decorum for its meetings and rules of conduct for its members; and

WHEREAS, the Board of Supervisors finds this Resolution to be in the best interest of the public health, safety and welfare and is consistent with the Act; and

WHEREAS, the Act requires a single reading and public hearing for a District resolution adopting rules or regulations; and

NOW, THEREFORE, BE IT RESOLVED AND ENACTED by the Board of Supervisors of the Central Florida Tourism Oversight District, as follows:

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are made a part of this Resolution.

SECTION 2. Adoption. The Board of Supervisors hereby approves and adopts the rules and procedures set forth in the attachment entitled “Central Florida Tourism Oversight District Board of Supervisors Rules and Procedures.”

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution.

SECTION 4. Conflicts. In the event of a conflict or conflicts between this Resolution and any other resolution, ordinance/resolution or provision of law, this Resolution controls to the extent of the conflict, as allowable under the law.

SECTION 5. Effective Date. This Resolution shall become effective immediately upon adoption by the Board of Supervisors of the Central Florida Tourism Oversight District.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of Supervisors of the Central Florida Tourism Oversight District, this 19th day of April 2023.

CENTRAL FLORIDA TOURISM OVERSIGHT DISTRICT

By: _____
Martin Garcia
Chair of the Board of Supervisors

Attested:

By: _____
John H. Classe, Jr.
District Administrator and
Secretary of the Board of Supervisors

CENTRAL FLORIDA TOURISM OVERSIGHT DISTRICT BOARD OF SUPERVISORS

RULES AND PROCEDURES

RULE 1 - GENERAL PRINCIPLES

Rule 1.1 PURPOSE & INTERPRETATION

1.1.1 Pursuant to the Central Florida Tourism Oversight District ("District") enabling Act set forth in Chapter 2023-5, Laws of Florida (the "Act"), the Board of Supervisors ("Board") may adopt and enforce reasonable rules governing the conduct of its members, and governing the procedures, order of business, and rules of decorum for its meetings.

1.1.2 It is the purpose of the Board in adopting these Rules and Procedures (sometimes herein called "Rules") to provide a method for conducting its affairs. Nothing herein is intended to nor shall grant any rights to third parties, including, without limitation, for enforcement of the Rules set forth herein.

1.1.3 The failure by the Board to strictly observe any of these Rules shall not affect the jurisdiction of the Board or invalidate or otherwise affect the legality of any action taken by the Board that otherwise comports with basic due process.

1.1.4 Matters of procedure not otherwise provided for herein shall, insofar as practical, be determined by reference to *Robert's Rules of Order, Newly Revised Edition (Most Recent)* as a general guideline. Robert's Rules of Order are not applicable to every procedural matter governing a public meeting in the State of Florida and such parliamentary rules shall not govern to the extent inconsistent with law or procedural rules the Board may adopt from time to time.

1.1.5 The Board is the sole judge, interpreter and enforcer of these Rules.

1.1.6 The Rules set forth herein shall supersede and replace all other prior adopted policies, rules, and resolutions governing the Board and meetings of the Board concerning the matters set forth herein.

1.1.7 If any email address, website address, telephone number or other contact information referenced in these Rules becomes outdated or incorrect, such information may be updated as needed by the District Administrator without need for a vote of the Board.

Rule 1.2 CHAIR

1.2.1 The Chair will preside at all meetings of the Board of Supervisors, if present, and in his/her absence, the Vice-Chair will preside. In the absence of both the Chair and the Vice-Chair at a particular meeting, the Board members present may select another Board member in attendance to preside over the meeting.

1.2.2 The Chair or other member of the Board serving as the presiding officer in the absence of the Chair will preserve order and decorum within the Board meeting chambers before, during, and after all regular or special meetings and workshops of the Board and shall have the authority to regulate irrelevant debate, repetitious discussion, and disruptive behavior at a public meeting.

1.2.3 The Chair will serve as the Board's designated liaison and representative for meetings and interactions with the elected and appointed representatives of the federal, state and local governments, unless the Board designates another one of its members for a specific task.

1.2.4 The term "Chair" within these Rules will include, in the appropriate context, the Vice-Chair or other member of the Board serving as the presiding officer of a Board meeting in the Chair's absence.

1.2.5 These Rules may be suspended, in part or in whole, by order of the Chair in his/her discretion, or (ii) by a majority vote of the members of the Board of Supervisors. The Board may overrule the Chair's decision to suspend these Rules in whole or in part by a majority vote.

RULE 2 – MEETINGS

Rule 2.1 PUBLIC NOTICE OF MEETINGS

2.1.1 The Clerk of the Board or designee shall provide proper notice for all meetings of the Board via the District's webpage. Further, the Clerk of the Board or designee is responsible for ensuring compliance with meeting notice and public hearing requirements of Section 189.015, Florida Statutes and the Act.

2.1.2 A public hearing concerning the proposed adoption of a Resolution will be advertised in a newspaper of general circulation at least (10) days in advance of the public hearing, unless otherwise provided in the Act.

Rule 2.2 REGULAR MEETINGS

2.2.1 The Board will meet in regular session on the dates and times the Board establishes on its schedule of Board meetings and on other days as special meetings or

workshops may be called to conduct District business. A schedule of regular Board meetings for the ensuing calendar year shall be adopted by motion prior to the end of the last Board meeting conducted in December of each year. The Board will meet no less than once per month. Except for Board meetings containing millage adoption or budget hearings, Board meetings will normally start at 9:30 a.m.

2.2.2 Whenever the regular meeting place of the Board shall appear to be inadequate for members of the public to attend, the Chair may authorize a change to a larger facility. A notice of such change shall be prominently posted on the door of the regular meeting place and other places within the District deemed appropriate by the Clerk of the Board or his/her designee. The Clerk of the Board or designee shall also post notice of such change in place of meeting on the District's website.

2.2.3 A regular meeting of Board shall be limited to four (4) hours in duration, unless extended by majority vote. In the event business on the agenda will not be completed within four hours, the Chair may change the order of items to accomplish as much business as possible within the time limitations. Any business not concluded within the time limitations will be carried forward to the next regularly scheduled Board meeting, unless a special meeting is called prior to the next regular meeting to address such items.

Rule 2.3 SPECIAL MEETINGS

2.3.1 The Chair may call a special meeting of the Board upon request delivered to the Clerk of the Board and District Administrator.

2.3.2 A notice of a special meeting called shall be given to each Board member at least ten (10) days before the special meeting. Such notice to each Board member shall be sent by electronic mail by the Clerk of the Board or a designee. The notice shall contain the day, time, place, and purpose of the meeting. The Clerk of the Board will also post on the District's website and advertise in accordance with chapter 50, Fla. Stat. the time, place, and purpose of the special meeting at least seven (7) days before the special meeting.

Rule 2.4 EMERGENCY MEETINGS

2.4.1 An emergency meeting shall be held on the call of the Chair or on the call of two or more Board members upon request delivered to the Clerk of the Board and District Administrator. An emergency meeting should only be called if a delay in addressing an issue would threaten severe and imminent danger to the health, safety, and welfare of the public or property, or cause irreparable harm to the District or its taxpayers, business owners, or residents.

2.4.2 Emergency meetings should be posted on the District's website at least twenty-four (24) hours in advance. The Clerk of the Board or designee should contact

each Board member via email and telephone as such as practicable to notify the Board members of an emergency meeting.

2.4.3 Actions taken by the Board at emergency meetings will need to be discussed and ratified at a subsequent special or regular meeting of the Board.

Rule 2.5 WORKSHOPS

2.5.1 The Board, by majority vote, may schedule workshops for such purposes as receiving background information on staff matters, briefings from staff, and discussion among Board members as to issues of concern.

2.5.2 Such workshop meetings are to be informational in nature with no public hearing. The Board will not make any final disposition of any item at a workshop meeting.

2.5.3 A Board workshop should be publicly noticed by the Clerk of the Board in the same way as a special meeting.

2.5.4 Public comment is not permitted at a workshop, unless authorized by a vote of the Board.

Rule 2.6 QUORUM

2.6.1 A quorum of the Board consists of three (3) or more Board members physically present and qualified to act. A quorum may be established by virtual presence, either via video or telephonically, if allowed by a declaration of emergency or Executive Order issued by the Governor of the State of Florida.

Rule 2.7 ADJOURNED MEETINGS

2.7.1 Any meeting may be adjourned to a time and place fixed in a motion. If a time and place is not specified in the motion, the meeting will be adjourned to the place and time fixed for the next regular meeting.

2.7.2 If at the time fixed to begin any meeting, or at any time in the course of a meeting, less than a quorum is present, the Chair, or in the Chair's absence any Board member, or if no Board members are present then the Clerk of the Board shall declare the meeting adjourned to the next regular meeting.

2.7.3 In the event a meeting is adjourned, all matters on the agenda not disposed of shall be continued to the next Board meeting.

Rule 2.8 PUBLIC ACCESS

2.8.1 All meetings of the Board are open to the public except for portions thereof that may be closed to the public as permitted by applicable law.

2.8.2 All visitors to the District's Administration Building must check-in at the lobby security desk (or at such other designated location established for alternative meeting rooms) and may be requested to comply with security screening protocols.

2.8.3 No person shall be barred from a public meeting of the District due to failure to wear a face mask or obtain a vaccination. The District will not require persons to provide any documentation certifying COVID-19 vaccination or post infection recovery, impose a COVID-19 testing mandate to gain access to or entry upon any District property or as a condition of receiving any service from the District. The District will not require a person to wear a face mask, a face shield, or any other facial covering that covers the mouth and nose to gain access to or entry upon any District property or as a condition of receiving any service from the District. The District will not refuse to hire, discharge or make a negative employment decision against a person based on the knowledge or belief of a person's COVID vaccination status.

Rule 2.9 MEETING RECORD

2.9.1 All regular and special Board meetings will be transcribed by a court reporter. The Clerk of the Board shall take and maintain minutes of each Board meeting. The Clerk of the Board shall make the minutes of each meeting available to members of the public by a public records request. The approval of the minutes will be on the consent agenda at a subsequent Board meeting. The minutes will be posted on the District's website after their approval for public view.

2.9.2 The Clerk of the Board will ensure that an audio recording of each Board meeting is taken and available by a live feed to the public as soon as practicable after the adoption of these Rules.

RULE 3 – AGENDA

Rule 3.1 FUNCTIONS OF AGENDA

3.1.1 The agenda serves to introduce items to the Board, to establish the order of business and to give notice of the District's upcoming business to the public. The notice of a special meeting and any notice of an emergency meeting is the agenda for such meeting.

Rule 3.2 NOTICE BY AGENDA

3.2.1 Unless a law requires particular notice of a particular item, the agenda is the only required notice.

3.2.2 The agenda will contain the following notice to the public:

APPEALS: All persons are advised that, if they decide to appeal any decision made at a Board of Supervisors hearing, they will need a verbatim transcript of the record of the proceedings. It is the responsibility of every party-in-interest to arrange for a transcript of the proceedings, which must include the verbatim testimony and evidence upon which the appeal is made.

3.2.3 The agenda shall contain the following notice to the public:

AMERICANS WITH DISABILITIES ACT: The Central Florida Tourist Oversight District is committed to reasonably accommodating the needs of anyone with disabilities who wishes to attend or participate in public meetings. Anyone with a disability who requires a reasonable accommodation should contact the Clerk of the Board, by telephone at (407) 934-7480, or via email (currently at DistrictClerk@rcid.org), no less than one business day (i.e. Monday through Friday, excluding legal holidays) in advance of the applicable meeting to ensure that District has sufficient time to accommodate their request.

Rule 3.3 INTRODUCTION OF ITEMS

3.3.1 Subject to compliance with agenda deadlines and Rule 3.4, items may be proposed to be placed on a regular meeting agenda at the request of any member of the Board, the District Administrator, or the General Counsel. The Chair shall have final approval of the agenda except where the Board may have previously voted to include or not include a specific agenda item. Requests to place an agenda item on the agenda will be directed to the General Counsel who will then forward to the Clerk of the Board and District Administrator to be included on the agenda unless the timing or subject matter of the requested agenda item is likely to compromise the District's position in any imminent or on-going litigation or administrative proceedings in which the District is or likely to be involved. Subject to the foregoing, any agenda item requested by a member of the Board must be placed on the agenda.

3.3.2 The agenda for every regular meeting shall be prepared by the office of the Clerk of the Board and/or the District Administrator in the manner and format prescribed herein.

Rule 3.4 AGENDA DEADLINES

3.4.1 Any Board member who wishes to place an item on the agenda shall notify the General Counsel of such item no later than 4:00 P.M., ten (10) days before the next

regularly scheduled meeting and provide the District Administrator and/or Clerk of the Board with the relevant information to be placed on the agenda. Any agenda item requested by a Board member that requires adoption by resolution, or requires a public hearing or particular public notice that cannot be met by the next regular meeting may be deferred to a future Board meeting in order to meet applicable advertising requirements and/or to provide for sufficient time to prepare a resolution.

Rule 3.5 AGENDA POSTING

3.5.1 The agenda for regular and special meetings of the Board will be posted on the District's website and distributed to the Board at least seven (7) days in advance of each regular and special meeting of the Board.

Rule 3.6 DISTRIBUTION OF AGENDA PACKET

3.6.1 No later than three calendar (3) days before the next regularly scheduled Board meeting, or as soon as possible before an emergency meeting or special meeting, the Clerk of the Board will distribute copies of the agenda together with an agenda packet to Board members, consisting of reports and other written materials that relate to the business matters coming before the Board. Generally, the goal should be to get the agenda package distributed to the Board on the Friday before each Board meeting held on a Wednesday followed by updates to the agenda package as needed made by the end of day on the Monday before the Wednesday meeting.

3.6.2 The Clerk of the Board will post the agenda packet on the District's website at least 36 hours in advance of a regular or special meeting.

RULE 4 - CONDUCT OF MEETINGS

Rule 4.1 THE CHAIR

4.1.1 The Chair, or in his or her absence or incapacity the Board member serving as Vice Chair, shall preside over meetings of the Board and cause the business of the Board to be transacted in accordance with these Rules. The Chair may yield as presiding officer to a member of his or her choice to conduct a portion of a meeting.

4.1.2 The Chair shall determine all questions of order and procedure, subject to appeal to the full Board, but shall liberally grant leave to the General Counsel, who shall serve as parliamentarian, to speak to the question. A ruling of the Chair can be appealed by a Board member by announcing an appeal of the Chair's ruling and by receiving a second from another Board member. The Chair shall then state the question in terms of upholding the ruling and may state his or her reasons for the ruling. Then the member appealing has the floor to open debate on the appeal. Once debate has ended, the Chair will then put to a vote the question, "Shall the decision of the Chair be

sustained?" A majority or tie vote will sustain the ruling of the Chair. The Chair votes on such appeals.

4.1.3 If a Board member believes the Rules are being violated, that Board member may interrupt a speaker without being recognized by stating, "Point of order." No motion is required, nor is debate allowed. The Chair shall ask the Board member to state the point, and then shall rule. The ruling is subject to appeal. The Chair, if in doubt, may put the question to an immediate vote.

4.1.4 The Chair has authority to recess without appeal any meeting when noise, disturbance, indecorum, or any other circumstances warrant a recess to enable the Board to conduct its meeting in an appropriate manner. The Chair may direct security personnel to cause any person disrupting a meeting to be removed from the meeting room or building or to otherwise eliminate a source of disruption.

4.1.5 The Chair has the authority to recess a meeting upon the request of any Board member. Recognizing that fatigue, discomfort and tedium detract from the quality of participation in deliberative processes, the Chair is encouraged to call or grant requests for recesses at such frequency as dictated by the time of day, temperature and other factors.

4.1.6 The Chair shall have the right to make motions, second motions and participate in debate and discussions, and vote on all agenda items at regular and special meetings of the Board.

4.1.7 The Chair will:

- (1) Conduct the meeting firmly and courteously while maintaining order at all times.
- (2) Ensure that a Board member is recognized before speaking and permit only one person to speak at a time.
- (3) Allow persons not on the Board to speak only at designated times and may limit immaterial or redundant presentations or requests. Apply time limits uniformly.
- (4) Reject frivolous motions and motions not permitted by the Rules. Require motions to be stated affirmatively and to the point.
- (5) Allow the maker of the motion to speak first. Restate the motion only if necessary. The Clerk of the Board or designee may also restate the motion upon request by a Board member.
- (6) Allow a Board member additional opportunities to speak on a matter only after all other Board members have had an opportunity to speak.
- (7) Allow interruption of a speaker only by consent of the speaker or for permitted reasons (e.g., "point of order").
- (8) Reject discussion of motions not debatable (e.g., motions to adjourn, recess, or table).
- (9) Recognize that all Board members have equal rights, privileges, and obligations. Remain impartial in the use of authority.

Rule 4.2 ORDER OF BUSINESS

4.2.1 The agenda of regular meetings will substantially adhere to the following order:

1. Call to Order
2. Opening Invocation
3. Pledge of Allegiance
4. Safety Minute
5. Public Comment (non-public hearing items)
6. Consent Agenda
7. Informational Items
8. Reports
9. New Business
10. Public Hearings (if any)
11. Unfinished Business
12. Discussion and direction on future agenda items
13. Adjourn

The order of business of special meetings and emergency meetings will be truncated to attend to the subject matter of the special meeting or emergency meeting.

4.2.2 The Clerk of the Board will provide a reasonable number of hard copies of the agenda (not including supporting material) for public review at the meeting.

4.2.3 By majority vote of Board, agenda items may be added or deleted at the start of a regular Board meeting. Items added should be limited to emergencies, matters affecting public safety, or time-sensitive items of major significance affecting District operations.

Rule 4.3 PUBLIC PARTICIPATION

4.3.1 Members of the public shall be given a reasonable opportunity to be heard during the Public Comment portion on items coming before the Board for official action, except for the following items:

- (i) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if devoting time to public comments would cause an unreasonable delay in the ability of the Board to act; or

- (ii) Ministerial acts, including but not limited to, approval of minutes, parliamentary motions, and ceremonial proclamations; or
- (iii) A meeting that is exempt from public participation pursuant to F.S. § 286.011; or
- (iv) A hearing during which the Board is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person-in-interest to be heard and present witnesses as provided by law; or
- (v) A workshop at which no official action is taken.

Members of the public should use the Public Comment portion of the agenda to discuss any non-public hearing item that is on the agenda as well other relevant District business that such person would like to discuss. In accordance with F.S. § 286.0114, the opportunity to be heard need not occur at the same meeting at which the Board takes official action on the matter if the opportunity occurs during the decision-making process and is within reasonable proximity in time before the meeting at which the Board takes official action, as determined by the Board.

4.3.2 Prior to the start of the Public Comment segment of a meeting, anyone wishing to address the Board shall submit a Request for Public Input to the Clerk of the Board, identifying the following information:

1. Name
2. Address
3. Telephone number
4. Specific subject matter to be discussed. All subjects must be germane to District business. Subjects will be reviewed and questions that are not germane to areas of District business under the province of the Board will be referred to the District Administrator for resolution. The subject matter shall be clear and address a specific issue.

4.3.3 The Chair will call the speaker's name and state the subject matter to be discussed. The individual speaking shall thereafter take his or her place at the podium, state their name and address, and whether he or she resides in, works in, or has a business in the District (and the name of the business, if applicable).

4.3.4 A time limit of 3 minutes shall be allotted to speak per person, unless the Chair specifies otherwise. Groups are encouraged to designate a spokesperson to whom individuals who are present may give their time to speak on their behalf, up to a total of 12 minutes, or as much time as otherwise allowed by the Chair.

4.3.5 During the Public Comment portion of the meeting, the Board will not provide a response to any questions or comments by the public. The Chair may direct any responses to public comments and questions to the District Administrator.

4.3.6 The Board will not attempt to resolve issues addressed during Public Comment but will allow such matters to be evaluated by the District Administrator and/or General Counsel.

4.3.7 The Chair may call out of order any person who fails to make germane comments or otherwise disrupts the proceedings. When a speaker has been declared out of order by the Chair, they shall be seated immediately. If the person refuses to be seated when declared out of order and/or if the person continues disrupt the meeting, the Chair may order the person removed from the Board Chambers by the Sergeant at Arms for the remainder of the meeting. Actions of the Chair are considered actions of the Board. Should any Board member disagree or disapprove of the actions of the Chair, the Board member may call a point of order and the Board shall rule on the point of order.

4.3.8 All relevant documentary evidence shall be submitted to the Clerk for the record of the proceedings.

4.3.9 Speakers shall follow all written and verbal instructions so that their remarks are electronically recorded.

4.3.10 Speakers asserting a statement of fact may be asked to document and identify the source of the fact asserted.

4.3.11 An individual who cannot attend a meeting may submit written comments and related materials at least one business day (*i.e.* Monday through Friday, excluding legal holidays) before 12 P.M. prior to the meeting. Written comments must include the writer's name, address, phone number, and clearly identify the agenda item addressed at the top of the written submission or subject line of an email. Comments are limited to a maximum of 800 words per item and must be submitted to the Clerk of the Board in one of the following ways:

email to: DistrictClerk@rcid.org

mail to: Central Florida Tourist Oversight District
Attention: Clerk of the Board
Post Office Box 10170
Lake Buena Vista, Florida
32830

hand deliver to: Central Florida Tourist Oversight District
Attention: Clerk of the Board
1900 Hotel Plaza Boulevard

Lake Buena Vista, Florida
32830

The Clerk of the Board shall provide to the Board of Supervisors written comments and related materials relevant to an agenda item and timely and appropriately submitted. Comments that are irrelevant to an agenda item, do not include the required information, or are not submitted within the prescribed timeframe will not be distributed to Board members for consideration at the meeting. All comments received by the District are public records, and will be maintained accordingly.

Rule 4.4 DECORUM

4.4.1. The Chair is empowered to and shall preserve decorum. The Chair may declare a recess or adjourn any meeting when necessary to maintain strict order and decorum.

4.4.2 Each Board member has a duty to maintain respect for each other, the District staff, and the public. Likewise, the Board will require respectful behavior from all persons who attend a Board meeting.

4.4.3. Members of the public attending Board meetings also shall observe the same rules of propriety, decorum and good conduct applicable to members of the Board and as set forth therein.

4.4.4. No person attending a Board meeting shall engage in disruptive behavior, intimidation, threats, harassment, or disorderly or boisterous conduct that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting. Disruptive conduct may include, but is not limited to, the use of profanities or vulgarities, the display of abusive behavior, engaging in personal attacks, stamping of feet, whistling, yelling, jeering, and similar demonstrations, or other interruptions that delay proceedings.

4.4.5. Signs, placards, banners, or other similar items shall not be permitted in the audience during a Board meeting if the presence of such item disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting.

4.4.5 Attendees shall turn off or silence any smart phones, cellular telephones, or other mechanical or electronic devices while the Board meeting is in session.

4.4.6 Any violation of the rules of decorum may result in the issuance of a verbal warning by the Chair, curtailment of a speaker's comments or presentation, the option to cease the interruption or leave the meeting, or involuntary removal from the meeting.

4.4.7 If any person refuses to leave a public meeting following an order from the Chair to do so, the Chair may order any law enforcement officer on duty to remove that person from the public meeting. A person removed from the meeting must vacate the building and may not return before adjournment of the meeting. In addition, anyone who

willfully interrupts or disturbs an assembled public meeting in violation of F.S. § 871.01, is subject to arrest.

4.4.8 In accordance with Florida Statutes § 838.021, it is a crime to harm or threaten to harm any public servant, his or her immediate family, or any other person with whose welfare the public servant is interested with the intent to:

- (a) Influence the performance of any act or omission that the person believes to be, or that the public servant represents as being, within the official discretion of the public servant, in violation of a public duty, or in performance of a public duty.
- (b) Cause or induce the public servant to use or exert, or procure the use or exertion of, any influence upon or with any other public servant regarding any act or omission that the person believes to be, or that the public servant represents as being, within the official discretion of the public servant, in violation of a public duty, or in performance of a public duty.

Rule 4.5 CONSENT AGENDA

4.5.1 The Consent Agenda is defined as those items on the Board Agenda, which are considered routine by the District Administrator and/or the Chair. The full Consent Agenda may be approved upon motion, second and voice vote of the Board. Any Board member may request the removal of an item from the Consent Agenda for full and separate consideration. Items pulled from the Consent Agenda will be discussed and considered after the Board votes on the items remaining on the Consent Agenda.

Rule 4.6 PUBLIC HEARINGS & QUASI-JUDICIAL MATTERS

4.6.1 Legislative Public Hearings. Public hearings on legislative matters will substantially adhere to the following order of business:

- (1) Clerk of the Board or General Counsel will read the resolution title, if applicable.
- (2) District staff shall present the agenda item (up to 10 minutes allotted);
- (3) Public comment will be taken (individuals are allowed 3 minutes each; groups are allowed up to 12 minutes per group with the appointment of a spokesperson). The District strongly recommends the appointment of a spokesperson for all groups. All those in agreement with the speaker may be asked to raise their hands so that the number of persons adhering to the speaker's viewpoint can be recorded in the minutes;
- (4) Board members may ask questions, make comments, and deliberate;
- (5) Action by the District Board.

4.6.2 Quasi-Judicial Public Hearings.

(a) Quasi-Judicial proceedings will substantially adhere to the following order of business:

- (1) The Chair shall make a statement to the public outlining the quasi-judicial process and relevant rules of conduct and decorum of proceedings;
- (2) The Clerk of the Board will swear in witnesses (attorneys making legal argument are not required to be sworn);
- (3) Board members shall disclose any *ex parte* communications related to the request;
- (4) District staff will present the application or proposal (up to 10 minutes allotted);
- (5) Applicant will present its case (15 minutes allotted; all or any portion of the 15 minutes may be reserved for rebuttal);
- (6) Supporters'/objectors/and members of the public may make comments (individuals are allowed 3 minutes each; groups are allowed up to 12 minutes per group with the appointment of a spokesperson). The District strongly recommends the appointment of a spokesperson for all groups. All those in agreement with the speaker may be asked to raise their hands so that the number of persons adhering to the speaker's viewpoint can be recorded in the minutes;
- (7) The Applicant may present any rebuttal (up to 6 minutes allotted for rebuttal plus any time reserved from Applicant's case as referenced in subparagraph (5) above);
- (8) Board members may ask questions, make comments, and deliberate;
- (9) Action by the District Board.

(b) Board members may ask questions of speakers or staff members. Cross-examination of witnesses and closing argument may be allowed by the Chair upon request of a party-in-interest before the close of the public hearing. After closing the public hearing and a motion has been made and seconded, discussion will be closed to the floor. Following any Board discussion, the Board will vote on the matter.

(c) Formal Rules of Evidence for courts in the State of Florida shall not apply; however, the Chair may exclude testimony and evidence deemed irrelevant, impertinent, and unduly repetitious.

4.6.3 The Clerk of the Board shall retain as public records any documents, photographs, drawings, and presentations shown to the Board in support of, and in opposition to an issue presenting during a public hearing.

4.6.4 *Ex parte communications and disclosures.* Ex parte communications are not presumed prejudicial provided any disclosure required in subsections (1), (2), or (3)

below is made before or during the public meeting at which a vote is taken on the matter.

- (1) The substance of any ex parte communication with a Board member that relates to quasi-judicial action pending before the official is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group or entity with whom the communication took place is disclosed and made a part of the record.
- (2) A Board member may read a written communication from any person. However, a written communication that relates to quasi-judicial action pending before a local public official shall not be presumed prejudicial to the action and such written communication shall be made a part of the record before final action on the matter.
- (3) A Board member may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activity shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.
- (4) Notwithstanding the provisions of this section above, in quasi-judicial proceedings on land use matters, a person may not be precluded from communicating directly with a member of the decision-making body by application of ex parte communications prohibitions. Disclosure of such communications by a member of the decision-making body is not required, and such nondisclosure shall not be presumed prejudicial to the decision of the decision-making body. All quasi-judicial decisions of the decision-making body must be supported by substantial, competent evidence in the record pertinent to the proceedings, irrespective of such communications.

This provision does not apply to decisions of a legislative or executive nature since ex parte communications are not required to be disclosed for such matters.

Rule 4.7 VOTING

4.7.1 A Board member must make a motion, which must be seconded by another Board member before the Board takes a vote on the proposed motion. Unless otherwise provided in the Act, all motions must receive an affirmative vote of the majority of the quorum of the Board present at a meeting to be approved. A nomination by a Board member of a person to serve on a District board or committee or other board or committee for which the Board has authority to appoint members, is not required to have a second.

4.7.2 Limited discussion by the Board on an agenda item may be permitted by the Chair prior to the introduction of a motion. If a motion fails to receive a second, discussion shall end on that motion. A Board member may either introduce a motion, followed by discussion, or discuss the issue, followed by a motion and subsequent discussion on the motion.

4.7.3 The Board member offering the motion will be given the first opportunity to speak to the motion, followed in order by other Board members wishing to be heard.

4.7.4 Any Board member may offer an amendment to a pending motion, provided that such amendment does not have the effect of undermining or circumventing the primary objective of the main motion. In all cases in which an amendment shall be offered, the motion shall be seconded and is debatable. A vote shall be taken on the amendment. If an amendment is adopted by majority vote, debate may continue on the motion as amended. If the Board member who made the main motion and the Board member making the second on the main motion agree to a proposed amendment to the main motion, the main motion can be restated to include the proposed amendment without the need to act separately on the proposed amendment.

4.7.5 Before the vote, the General Counsel, District Administrator or Clerk of the Board may ask the Chair for clarification of any pending motion. The General Counsel is permitted to make suggestions on the wording or clarifications of motions.

4.7.6 The principal purpose of parliamentary procedure is to ascertain the will of the majority and to see that this will is carried out. Board members recognize that the legislative and policy decision-making process involves interaction of competing ideas that resolve themselves in a decision by the Board. That decision may not satisfy all members, but the will of the majority shall prevail. Once a question has been voted on, the decision becomes that of the District, and each member should accept and abide by the results.

4.7.7 Voting shall be by members present with no provision for proxy or absentee, voting. Every Board member present must vote on every question except when required or allowed to abstain from voting pursuant to state law (Sec. 286.012, Fla. Stat.). The Chair has the same full voting power as any other Board member.

4.7.8 The votes on any ordinance or resolution shall be individually taken and recorded by roll call. All other votes may be conducted by a voice vote. Any time the results of a voice vote is unclear, the Clerk of the Board, Chair or a Board member may request a roll call vote. Whenever a roll call vote is ordered, the Clerk of the Board shall call the roll of Board members and record the vote of each member. For purposes herein, a roll call vote can be by voice or by electronic recording device that specifically identifies the vote of each member. As to any procedural matters, voting shall be by voice vote unless any member requests, prior to action on the next item of business, a roll call vote.

4.7.9 A motion to adjourn, to recess, or to table will always be in order and will be decided without debate. However, the Chair may rule a motion to adjourn out of order prior to receiving public comments if such comment period or a public hearing is so noted on the agenda.

Rule 4.8 MEDIA ATTENDANCE

4.8.1 The meeting room has limited space for in-person attendance. In an effort to ensure that the maximum amount of space is reserved for members of the public who wish to attend the meeting, if the District receives multiple requests by the media for video footage of a meeting, the District may permit one pool camera at that meeting and each network/affiliate seeking video footage will be granted access to that footage. Still photographs and recordings taken on personal devices (such as smart phones and cellular telephones) are permitted. The District Administrator may designate an area within the Board meeting room for media and their equipment.

Rule 4.9 PARTICIPATION AT MEETINGS VIA USE OF VIDEO-CONFERENCING

4.9.1 A Board member may attend a Board meeting via use of video-conferencing technology subject to the restrictions set forth herein. The use of video-conferencing by an individual member of the Board for attending a special or regular meeting shall be limited to not more than three times per calendar year, unless a waiver is granted to Board member by a majority vote of the Board, which permits additional attendance via use of video-conferencing technology. The previously mentioned limit on use of video-conferencing technology by a Board member does not apply to attendance at workshops of the Board where no final decisions are being made by the Board.

4.9.2 A Member participating by video-conference may vote on matters before the Board as long as a quorum is physically present at the meeting or as otherwise established under Rule 2.6.

4.9.3 It shall be the responsibility of the Member desiring to participate by video-conferencing to notify the District Administrator of such at least 48 hours prior to the scheduled meeting in order to allow staff time to be prepared to accommodate virtual participation.

4.9.4 It shall be the responsibility of the Board member participating by video-conferencing to assure they have the equipment and internet bandwidth to adequately accommodate video-conferencing on their end of the connection.

4.9.5 It shall be the responsibility of the District and District staff to ensure the District has the appropriate equipment and technology on the District's end to accommodate video-conferencing that at a minimum:

- a. Allows the public to see and hear the Board member participating virtually while the Board Member is speaking.
- b. Allows the Board Member participating virtually to see and hear the person speaking in-person at the meeting.
- c. Allows the Board Member participating virtually to see any presentation materials that are displayed for those participating in person.

4.9.6 In situations where the technology is failing to accommodate of the above, regardless of the cause, the Board member's ability to vote remotely shall be suspended until such time that the problem has been rectified. Any vote taken by the rest of the Board during such time shall stand and not be revisited unless the majority rules to allow a re-vote.

4.9.7 If the failure of the technology becomes an on-going disruption to the meeting, the Chair can ask that the connection be terminated until such time the technological failure can be remedied. The Chair's determination can be overturned by a simple majority vote of the Board members present in person at the meeting. In the event of a tie vote the Chair's determination stands.

4.9.8 A Board member participating by video-conferencing shall not have District taxpayer representatives or other members of the public present with them that cannot be seen and heard by others participating in the meeting.

Rule 4.10 OPENING INVOCATION/PLEDGE OF ALLEGIANCE

4.10.1 It is the policy of the Board of Supervisors to allow for an opening invocation, which may include: prayer; a reflective moment of silence; or a short solemnizing message; to be offered before the Board's regularly scheduled meetings for the benefit of the Board of Supervisors to accommodate the spiritual needs of such public officials.

4.10.2 The Chaplain of the District's Fire Department is the designated Chaplain for the Board of Supervisors who is to give the opening invocation at each regular meeting of the Board, if available. In the event the Chaplain is unavailable for a Board meeting, the any one of the Board members may volunteer to give an opening invocation. No one else will perform the opening invocation outside of the Chaplain and one of the Board members upon the absence of the Chaplain. If the Chaplain is unavailable and no Board member volunteers to give an invocation, the Chair may request a moment of silent meditation.

4.10.3 Consistent with U.S. Supreme Court precedent, invocation speakers are hereby advised that the invocation should not denigrate any religious faith or non-religious views of others; threaten damnation; or proselytize or preach conversion to their faith or viewpoint. Statements reflecting ideals relating to peace and security for the nation; safety of our armed forces, police, firefighters and emergency service personnel; wisdom for the Board of Supervisors; and justice for the people are encouraged.

4.10.4 No member of the Board of Supervisors, District employees or staff, or any other person in attendance at the Board meeting shall be required to participate in any opening invocation that is offered. An opportunity to exit the Board meeting room

and return upon completion of the opening invocation shall be afforded to those who do not wish to participate or witness the opening invocation.

4.10.5 Persons in attendance at the Board meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. Such invitation constitutes a general invitation that a person in attendance may stand if he/she wishes to do so for such observances.

RULE 5 - TRAVEL

5.0.1 Board members who live more than 50 miles from the District's headquarters may stay in a hotel room for one night either before or after each Board meeting at the District's expense, provided that the District reserves and directly pays for the hotel room at the Board member's reasonable advanced request. The District will negotiate the best possible room rates and avoid reserving the highest priced rooms at a hotel or reserving rooms at extravagant hotels. The District will not cover incidentals, meals or extra services while the Board member stays at the hotel.

5.0.2 Upon request, Board members may receive reimbursement from the District for tolls and mileage on their private vehicles concerning travel to and from their residences and Board meetings or for other official board business.

5.0.3 Board members will not receive reimbursement for meals they purchase relating to travels to and from their residences and Board meetings. This provision does not apply to situations in which the District may directly provide snacks or a meal to all members in attendance of a meeting.

5.0.4 Board members per diem and travel expenses relating to District business related travel other than for attendance of Board meetings may be reimbursed as provided in s. 112.061, Florida Statutes. The District Administrator or designee is charged with establishing procedures for such reimbursement requests.

Central Florida Tourism Oversight District

Board of Supervisors

Agenda Item 9.2

Meeting Date	
April 19, 2023	
Agenda Item Name	
Resolution No. 639	
Requested Action	
Read Resolution No. 639 by title, conduct a public hearing, approve Resolution No. 639 amending Article 6, Chapter 6-90 and Article 7, Chapter 7-20 and Chapter 7-30, and set April 26, 2023 as the second reading and public hearing on Resolution No. 639.	
Staff Report	
<p>The Central Florida Tourism Oversight District (“District”) exists pursuant its enabling act codified at Chapter 2023-5, Laws of Florida becoming effective on February 27, 2023 (the “Act”). Pursuant to the Act, the District has superior authority within the entire District, including within the jurisdictional limits of the City of Lake Buena Vista and the City of Bay Lake, for comprehensive planning, zoning, land development regulations, environmental protection regulations, and platting and subdivision regulations. The Act gives the District the authority to review, process, and comment on and approve, approve with conditions, or reject applications for development orders and building permits pertaining to properties within the entire District. Further, the Act requires that the District must exercise its authority set forth in the Act to adopt, amend, and enforce a comprehensive plan in accordance with the Community Planning Act, ss. 163.3161-163.3253, Florida Statutes, and adopt and enforce zoning regulations, land development regulations, environmental protection regulations, building and safety codes and regulations, platting and subdivision regulations, and fire prevention regulations governing the entire district, including within the city limits of any municipality within the District. The review and evaluation of applications for development orders and issuance of development orders is imperative for ensuring enforcement of such superior regulations adopted by the District.</p> <p>Based upon the Act, Resolution No. 639 proposes to amend the RCID Land Development Regulations to address the District’s superior authority and control, and authority to issue development orders within the District. Further, Resolution No. 639 amends the RCID Land Development Regulations to be consistent with the Board of Supervisors serving as the local planning agency and performing the duties of the Planning Board under the RCID Land Development Regulations. Further, Resolution No. 639 amends the notice procedures for amendments to the RCID Land Development Regulations consistent with the Act and establishes a process for proposed amendments to municipal land development regulations to ensure that no conflicts arise between the District’s land development regulation and the municipal land development regulations and that any proposed municipal amendments are more stringent than the District’s regulations.</p>	

Additional Analysis	
None	
Fiscal Impact Summary	
None	
Exhibits Attached	
1. Resolution No. 639	

RESOLUTION NO. 639

A RESOLUTION OF THE CENTRAL FLORIDA TOURISM OVERSIGHT DISTRICT AMENDING ARTICLE 6, CHAPTER 6-90 AND ARTICLE 7, CHAPTER 7-20 AND CHAPTER 7-30 OF THE RCID LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the Central Florida Tourism Oversight District (“District”) exists pursuant its enabling act codified at Chapter 2023-5, Laws of Florida becoming effective on February 27, 2023 (the “Act”); and

WHEREAS, pursuant to the Act, the District has superior authority within the entire District, including within the jurisdictional limits of the City of Lake Buena Vista and the City of Bay Lake, for comprehensive planning, zoning, land development regulations, environmental protection regulations, and platting and subdivision regulations; and

WHEREAS, pursuant to the Act, the District’s comprehensive planning, zoning, land development regulations, environmental protection regulations, and platting and subdivision regulations shall control within the city limits of City of Lake Buena Vista and the City of Bay Lake to the extent of any conflict between the District’s resolutions and regulations on such matters; and

WHEREAS, the Act gives the District the authority to review, process, and comment on and approve, approve with conditions, or reject applications for development orders and building permits pertaining to properties within the District; and

WHEREAS, pursuant to the Act, the District must exercise its authority set forth in the Act to adopt, amend, and enforce a comprehensive plan in accordance with the Community Planning Act, ss. 163.3161-163.3253, Florida Statutes, and adopt and enforce zoning regulations, land development regulations, environmental protection regulations, building and safety codes and regulations, platting and subdivision regulations, and fire prevention regulations governing the entire district, including within the city limits of any municipality within the District; and

WHEREAS, based on the Act, the Board of Supervisors finds it necessary to amend the RCID Land Development Regulations to address the District’s superior authority and control and authority to issue development orders within the District; and

WHEREAS, the Act gives the Board of Supervisors the authority to determine the manner in which the RCID Land Development Regulations and other codes, regulations, and restrictions shall be determined, established, and enforced, and amended, supplemented, changed, or repealed; and

WHEREAS, the Board of Supervisors desire to amend the RCID Land Development Regulations in order to provide for the District Board of Supervisors to serve as the local planning agency and perform the duties of the Planning Board under the RCID Land Development Regulations; and

WHEREAS, the Board of Supervisors finds this Resolution to be in the best interest of the public health, safety and welfare and is consistent with the Act; and

WHEREAS, the Act requires a single reading and public hearing for a District resolution adopting regulations; however, the District has elected to conduct two readings and public hearings prior to the adoption of this Resolution; and

WHEREAS, both readings and public hearings on this Resolution were advertised in the Orlando Sentinel at least ten (10) days in advance of each reading and public hearing; and

WHEREAS, the District and its employees are directed to comply with this Resolution and take actions as needed to implement the purposes and intent of this Resolution.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Board of Supervisors of the Central Florida Tourism Oversight District, as follows:

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Resolution.

SECTION 2. Amendment. Article 7, Chapter 7-20 of the RCID Land Development Regulations are hereby amended to add a new Section 7-20.13 to read as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; provisions not being included are not being amended):

Section 7-20.13 Superior Authority. Pursuant to Chapter 2023-5, Laws of Florida, the Central Florida Tourism Oversight District's authority over comprehensive planning, zoning, land development regulations, environmental protection regulations, and platting and subdivision regulations shall control within the entire District, including within the jurisdictional limits of the City of Lake Buena Vista and the City of Bay Lake. The District is responsible for reviewing, processing, evaluating, commenting on and approving, approving with conditions or denying applications for development orders throughout the District, including within the jurisdictional limits of City of Lake Buena Vista and the City of Bay Lake. Pursuant to Chapter 2023-5, Laws of Florida, the City of Lake Buena Vista and City of Bay Lake shall not adopt land development regulations that are less stringent than or in conflict with the District's Land Development Regulations. The City of Lake Buena Vista and City of Bay Lake shall not accept applications for, consider for approval or issue any development orders or development permits, or approve or execute any development agreement regarding any development projects. To the extent the City of Lake Buena Vista or City of Bay Lake adopt more stringent comprehensive plan goals, objectives or policies or land development regulations applicable to lands within their respective jurisdictions, the District will consider and evaluate such matters in the processing, review, evaluation, commenting on and issuance of development orders pertaining to proposed development within such municipalities, if applicable.

SECTION 3. Amendment. Article 7, Chapter 7-30 of the RCID Land Development Regulations are hereby amended to delete Section 7-30.5 and Section 7-30.6 and to revise Section 7-30.2 to

read as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; provisions not being included are not being amended):

Section 7-30.2 Local Planning Agency. ~~The Planning Board~~ Board of Supervisors of the District shall act as the "local planning agency" and perform those duties as set forth in Section 163.3174 Florida Statutes and the duties of the Planning Board as set forth in this Chapter. When the Board of Supervisors makes a decision pursuant to the duties of the Planning Board as set forth in these Land Development Regulations, the Board of Supervisors are the final decision-making authority for the District and no further administrative appeal is available. The Board of Supervisors may concurrently act in its role as both the local planning agency and governing body of the District when considering matters.

~~**Section 7-30.5 Appointment of Members.** The membership of the Planning Board shall be five (5) members appointed by the Board of Supervisors. At all times, at least one (1) of the members must be professionally knowledgeable in the field of land use planning and regulations.~~

~~**Section 7-30.6 Terms of Membership.** All appointments to the Planning Board are for a period of three (3) years.~~

SECTION 4. Amendment. Article 6, Chapter 6-90 of the RCID Land Development Regulations are hereby amended to revise Section 6-90.4 to read as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; provisions not being included are not being amended):

Section 6-90.4 Notice. ~~Notice shall be given in accordance with the provisions of Section 166.041 Florida Statutes and other applicable state laws.~~ (a) District. In accordance with Chapter 2023-05, Laws of Florida, a single reading and public hearing on a resolution proposing an amendment is required to amend the Land Development Regulations. A notice of intent to adopt a resolution proposing an amendment to the Land Development Regulations will be published in a newspaper of general circulation at least ten (10) days before the public hearing on such resolution. The Board of Supervisors may conduct a single public hearing on a resolution proposing amendments to the Land Development Regulations and serve in both its capacities as the local planning agency and the governing body of the District during such public hearing.

(b) City. For any proposed amendments to land development regulations within the City of Lake Buena Vista or City of Bay Lake, such cities will provide the District Board of Supervisors a copy of the proposed amendments at least sixty (60) days in advance of conducting the first reading and public hearing on an ordinance adopting such amendments along with a written summary of the purpose and intent of such proposed amendment and explaining why such amendments are more stringent than and not in conflict with the District's Land Development Regulations. As municipalities, the City of Lake Buena Vista and City of Bay Lake are required to comply with the notice and ordinance adoption procedures of Section 166.041, Florida Statutes for considering any amendments to land development regulations within their jurisdictions. Further, the City of Lake Buena Vista and City of Bay Lake are required to send to the District Board of Supervisors written notice of the time, date and place of the readings and public hearings on any

ordinance adopting changes to land development regulations at least fifteen (15) days in advance of such readings and public hearings.

SECTION 5. Codification. Sections 2, 3 and 4 of this Resolution shall be incorporated into the RCID Land Development Regulations. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this resolution or the Land Development Regulations may be freely made.

SECTION 6. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution.

SECTION 7. Conflicts. In the event of a conflict or conflicts between this Resolution and any other resolution, ordinance/resolution or provision of law, this Resolution controls to the extent of the conflict, as allowable under the law. This Resolution shall apply to and be enforced throughout the unincorporated and incorporated areas of the Central Florida Tourism Oversight District, including within the jurisdictional boundaries of the City of Lake Buena Vista and City of Bay Lake.

SECTION 8. Effective Date. This Resolution shall become effective immediately upon adoption by the Board of Supervisors of the Central Florida Tourism Oversight District.

First reading held on April 19, 2023

Second reading held on April 26, 2023

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of Supervisors of the Central Florida Tourism Oversight District, this 26th day of April 2023.

CENTRAL FLORIDA TOURISM OVERSIGHT DISTRICT

By: _____
Martin Garcia
Chair of the Board of Supervisors

Attested:

By: _____
John H. Classe, Jr.
District Administrator and
Secretary of the Board of Supervisors