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**REVISED TOWN COMMISSION REGULAR MEETING  
AGENDA JULY 23, 2019 – 7:00 p.m.  
TOWN MEETING HALL, 221 N. ARRINGTON STREET**

*Persons deciding to appeal decisions of the Commission will need to ensure verbatim records of the proceeding including testimony and evidence as a basis for the appeal (§286.0105).*

**1. CALL TO ORDER:**

Pledge of Allegiance & Invocation

**2. ROLL CALL: Town Clerk**

*Has there been any ex parte communication? Mayor Stark*

**3. PUBLIC FORUM:**

You may be recognized to address matters not on the agenda. The Mayor may limit each addressee to three minutes.

**4. CONSENT AGENDA:**

- a. Minutes – July 9, 2019, Commission Regular Meeting
- b. OACS Mental Health Plan
- c. Sales Signed Agreement - Hull Island
- d. Manager’s Report

**5. ORDINANCE(S):**

a. **SECOND READING, READING, ORDINANCE 2019-12**, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, CREATING A CHAPTER OF THE CODE OF ORDINANCES, TOWN OF OAKLAND, FLORIDA TO BE ENTITLED FAIR HOUSING CODE; PROVIDING FOR A DECLARATION OF POLICY TO PROHIBIT DISCRIMINATION IN HOUSING ON THE BASIS OF RACE, COLOR, ANCESTRY, NATIONAL ORIGIN, RELIGION, SEX, MARITAL STATUS, FAMILIAL STATUS, HANDICAP OR AGE; PROVIDING DEFINITIONS; DESIGNATING AS UNLAWFUL CERTAIN DISCRIMINATORY PRACTICES IN THE SALE OR RENTAL OF HOUSING, AS WELL AS IN ADVERTISING IN CONNECTION THEREWITH, IN THE FINANCING OF HOUSING, AND IN BROKERAGE SERVICES RELATED TO EXCEPTIONS; PROVIDING FOR AN ADMINISTRATOR TO BE DESIGNATED BY THE TOWN OF OAKLAND AND PRESCRIBING THE GENERAL POWERS AND DUTIES OF SUCH ADMINISTRATOR, PRESCRIBING ACTION UPON A DETERMINATION OF PROBABLE CAUSE, AND AUTHORIZING THE PROMULGATION OF FORMS AND REGULATIONS; MAKING PROVISIONS FOR THE FILING OF COMPLAINTS AND RESPONSES THERETO, AND THE PROCESSING THEREOF BY THE ADMINISTRATOR; PROVIDING FOR ADDITIONAL REMEDIES; PROVIDING FOR PROHIBITING UNTRUTHFUL COMPLAINTS OR FALSE TESTIMONY; PROVIDING FOR PENALTIES FOR VIOLATION OF SUCH CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

b. **PUBLIC HEARING, SECOND READING, ORDINANCE 2019-03**, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, CHANGING THE TOWN’S FUTURE LAND USE PLAN MAP

DESIGNATION OF ITS COMPREHENSIVE PLAN FROM "RURAL" (ORANGE COUNTY COMPREHENSIVE PLAN) TO "MIXED USE ACTIVITY CENTER" IN THE TOWN OF OAKLAND'S COMPREHENSIVE PLAN, FOR PROPERTY GENERALLY LOCATED WEST OF THE FLORIDA TURNPIKE, SOUTH OF STATE ROAD 50/WEST COLONIAL DRIVE AND EAST OF ORANGE AVENUE WITH PARCEL IDENTIFICATION NUMBERS 30-22-27-2392-00-011 AND 30-22-27-4180-00-030, WITH AN APPROXIMATE SIZE OF 11.3 ACRES; MAKING FINDINGS, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

**Applicant has requested this item be continued to a date certain.**

- c. **PUBLIC HEARING, SECOND READING, ORDINANCE 2019-04**, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, CHANGING THE TOWN'S OFFICIAL ZONING MAP DESIGNATION FROM A-1, AGRICULTURE (ORANGE COUNTY) TO PUD, PLANNED UNIT DEVELOPMENT IN THE TOWN OF OAKLAND, FOR PROPERTY GENERALLY LOCATED WEST OF THE FLORIDA TURNPIKE, SOUTH OF STATE ROAD 50/WEST COLONIAL DRIVE AND EAST OF ORANGE AVENUE WITH PARCEL IDENTIFICATION NUMBERS 30-22-27-2392-00-011 AND 30-22-27-4180-00-030, WITH AN APPROXIMATE SIZE OF 11.3 ACRES; DESIGNATING THE DESIGN DISTRICT OF "URBAN CORRIDOR", MAKING FINDINGS, PROVIDING FOR A DEVELOPMENT AGREEMENT, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE. *This item was denied on First Reading and will not be heard at this meeting.*

**6. OTHER POLICY MATTERS:**

- a. Approval of Town Proposed Millage and Budget
- b. Approval of September 9 and September 24 as Budget Meetings

**7. MAYOR & COMMISSION REPORTS:**

**8. ADJOURNMENT**

Any persons with disabilities needing special accommodations should submit a written request to the Town Clerk's Office, Post Office Box 98, Oakland, Florida 34760; phone 407-656-1117 x 2104, at least 48 hours before the meeting time. (*§286.26*)

**MINUTES  
TOWN COMMISSION REGULAR MEETING  
TUESDAY, JULY 9, 2019  
7:00 P.M.**

**CALL TO ORDER:**

Mayor Stark called the meeting to order at 7:03 p.m.

The Pledge of Allegiance was recited, and the Invocation given.

**ROLL CALL:**

COMMISSIONERS PRESENT:                      Commissioner McMullen  
   Commissioner Polland  
   Commissioner Ramos  
   Vice Mayor Satterfield  
   Mayor Stark

COMMISSIONERS ABSENT:                      None

**EX PARTE COMMUNICATION:**

None

**PRESENTATION(S):**

**PUBLIC FORUM:**

None

**CONSENT AGENDA**

- a. Minutes – June 11, 2019 – Town Commission Regular Meeting
- b. Quit Claim Deed Hull Island
- c. Baptist Church Easement
- c. Manager's Report

**MOTION** was made by Vice Mayor Satterfield, seconded by Commissioner Ramos, to approve the Consent Agenda as presented.

AYE: McMullen, Polland, Ramos, Satterfield, Stark

NAY: None

Mayor Stark announced that Town Clerk Kim Gay was leaving Oakland for a shorter commute. She asked that everyone give Ms. Gay a big thank you for everything she has done for the Town.

**RESOLUTION(S):**

**RESOLUTION 2019-09, A RESOLUTION OF THE TOWN OF OAKLAND, FLORIDA, MAKING FINDINGS, APPROVING THE TOWN OF OAKLAND AGREEMENT WITH SHI INTERNATIONAL**

CORP. FOR THE LEASE OF LAPTOP COMPUTERS FOR THE OAKLAND AVENUE CHARTER SCHOOL, AND PROVIDING AN EFFECTIVE DATE.

The Town Clerk read the Resolution into the record.

Town Manager Koontz explained the Resolution. It is for leasing 88 laptop computers for the Charter School.

**MOTION** was made by Vice Mayor Satterfield, seconded by Commissioner Ramos, to approve **RESOLUTION 2019-09**, A RESOLUTION OF THE TOWN OF OAKLAND, FLORIDA, MAKING FINDINGS, APPROVING THE TOWN OF OAKLAND AGREEMENT WITH SHI INTERNATIONAL CORP. FOR THE LEASE OF LAPTOP COMPUTERS FOR THE OAKLAND AVENUE CHARTER SCHOOL, AND PROVIDING AN EFFECTIVE DATE.

AYE: McMullen, Polland, Ramos, Satterfield, Stark

NAY: None

**ORDINANCE(S):**

**FIRST READING, ORDINANCE 2019-12, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, CREATING A CHAPTER OF THE CODE OF ORDINANCES, TOWN OF OAKLAND, FLORIDA TO BE ENTITLED FAIR HOUSING CODE; PROVIDING FOR A DECLARATION OF POLICY TO PROHIBIT DISCRIMINATION IN HOUSING ON THE BASIS OF RACE, COLOR, ANCESTRY, NATIONAL ORIGIN, RELIGION, SEX, MARITAL STATUS, FAMILIAL STATUS, HANDICAP OR AGE; PROVIDING DEFINITIONS; DESIGNATING AS UNLAWFUL CERTAIN DISCRIMINATORY PRACTICES IN THE SALE OR RENTAL OF HOUSING, AS WELL AS IN ADVERTISING IN CONNECTION THEREWITH, IN THE FINANCING OF HOUSING, AND IN BROKERAGE SERVICES RELATED TO EXCEPTIONS; PROVIDING FOR AN ADMINISTRATOR TO BE DESIGNATED BY THE TOWN OF OAKLAND AND PRESCRIBING THE GENERAL POWERS AND DUTIES OF SUCH ADMINISTRATOR, PRESCRIBING ACTION UPON A DETERMINATION OF PROBABLE CAUSE, AND AUTHORIZING THE PROMULGATION OF FORMS AND REGULATIONS; MAKING PROVISIONS FOR THE FILING OF COMPLAINTS AND RESPONSES THERETO, AND THE PROCESSING THEREOF BY THE ADMINISTRATOR; PROVIDING FOR ADDITIONAL REMEDIES; PROVIDING FOR PROHIBITING UNTRUTHFUL COMPLAINTS OR FALSE TESTIMONY; PROVIDING FOR PENALTIES FOR VIOLATION OF SUCH CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

The Town Clerk read the Ordinance into the record.

Manager Koontz explained that this Fair Housing Ordinance is required for Community Development Block Grants. He described the grant saying that it will help offset the cost of hooking up to sewer for approximately 48 homes. The Town has been approved for \$600,000.00.

**MOTION** was made by Commissioner Ramos, seconded by Commissioner Polland, to approve **FIRST READING of ORDINANCE 2019-12**, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, CREATING A CHAPTER OF THE CODE OF ORDINANCES, TOWN OF OAKLAND, FLORIDA TO BE ENTITLED FAIR HOUSING CODE; PROVIDING FOR A DECLARATION OF POLICY TO PROHIBIT DISCRIMINATION IN HOUSING ON THE BASIS OF RACE, COLOR, ANCESTRY, NATIONAL ORIGIN, RELIGION, SEX, MARITAL STATUS, FAMILIAL STATUS, HANDICAP OR AGE; PROVIDING DEFINITIONS; DESIGNATING AS UNLAWFUL CERTAIN DISCRIMINATORY

PRACTICES IN THE SALE OR RENTAL OF HOUSING, AS WELL AS IN ADVERTISING IN CONNECTION THEREWITH, IN THE FINANCING OF HOUSING, AND IN BROKERAGE SERVICES RELATED TO EXCEPTIONS; PROVIDING FOR AN ADMINISTRATOR TO BE DESIGNATED BY THE TOWN OF OAKLAND AND PRESCRIBING THE GENERAL POWERS AND DUTIES OF SUCH ADMINISTRATOR, PRESCRIBING ACTION UPON A DETERMINATION OF PROBABLE CAUSE, AND AUTHORIZING THE PROMULGATION OF FORMS AND REGULATIONS; MAKING PROVISIONS FOR THE FILING OF COMPLAINTS AND RESPONSES THERETO, AND THE PROCESSING THEREOF BY THE ADMINISTRATOR; PROVIDING FOR ADDITIONAL REMEDIES; PROVIDING FOR PROHIBITING UNTRUTHFUL COMPLAINTS OR FALSE TESTIMONY; PROVIDING FOR PENALTIES FOR VIOLATION OF SUCH CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AYE: McMullen, Polland, Ramos, Satterfield, Stark

NAY: None

**PUBLIC HEARING, FIRST READING, ORDINANCE 2019-04, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, CHANGING THE TOWN'S OFFICIAL ZONING MAP DESIGNATION FROM A-1, AGRICULTURE (ORANGE COUNTY) TO PUD, PLANNED UNIT DEVELOPMENT IN THE TOWN OF OAKLAND, FOR PROPERTY GENERALLY LOCATED WEST OF THE FLORIDA TURNPIKE, SOUTH OF STATE ROAD 50/WEST COLONIAL DRIVE AND EAST OF ORANGE AVENUE WITH PARCEL IDENTIFICATION NUMBERS 30-22-27-2392-00-011 AND 30-22-27-4180-00-030, WITH AN APPROXIMATE SIZE OF 11.3 ACRES; DESIGNATING THE DESIGN DISTRICT OF "URBAN CORRIDOR", MAKING FINDINGS, PROVIDING FOR A DEVELOPMENT AGREEMENT, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE.**

The Town Attorney read the Ordinance into the record.

Town Planner Marder presented slides describing the property and the proposed project. The property was annexed into the Town of Oakland in 2018 and the Comprehensive Plan has been sent to the State and came back with no comments, meaning they had no problem with it. The adoption hearing for the Comprehensive Plan is anticipated for July 23, 2019. He explained where the process of this project is at this time. He spoke of the tree preservation and of the gates that are planned for the entrance area. There will be two access points to the property. There are also turn lanes planned for Highway 50 in that area. LIV Development is proposing other road improvements, as well as pedestrian safety improvements at Deer Isle and Highway 50. He spoke of the proposed roundabout for Oakland Avenue near Old Highway 50. Staff recommended approval of the Comprehensive Plan.

Mayor Stark commented that Orange County owns Oakland Avenue and the Town is working with them. She asked if the Applicant wished to speak.

Tim McKeachern with LIV introduced Matt Smith, Attorney for LIV, Brian Walker with Atkins, and Mr. Murray with LIV.

Mr. McKeachern explained this project. He stated that the company currently has 14 properties that they still hold. This property is a long-term hold. This is 11.3 acres and the English's are retaining 5 acres with a home on it. He pointed out the road improvements that they will be doing. They will also remove the large white wall in front of the property.

Mayor Stark asked who owns the wall.

Mr. McKeachern stated that LIV has executed an easement with Duke Energy. The utility poles will be moved by Duke Energy.

Mayor Stark commented that there is a rumor going around that Highway 50 is going to be lighted. That is not true at this time.

Mr. McKeachern stated that they will be putting in retaining walls because there is a steep slope to the lake.

Commissioner Ramos asked if there would be a Phase 2.

Mr. McKeachern responded that there will be no Phase 2.

Matt Smith, Attorney for LIV, stated that this project is designed to present minimal impact to the neighbors. The 2-story Carriage Homes will be a buffer. They have done a Traffic Analysis with the Town's methodology. There is sufficient school capacity according to Orange County Public Schools.

Mayor Stark stated that she spoke with a School Board Member and they confirmed that the School Board did provide that information. The Town has capacity at Oakland Avenue Charter School because it is capped and will never be overcrowded. No matter what, Oakland children will have priority in the lottery.

Mr. Smith explained the traffic signals cycles. He showed some slides on traffic on Highway 50 at certain times of the day.

Commissioner Ramos asked if Florida Department of Transportation (FDOT) would change the signal cycle at Lake Avenue.

Mr. Walker with Atkins stated that FDOT will only change the cycle if the traffic study warrants it.

Commissioner McMullen stated that it is a lot different during school season.

Mr. Smith pointed out that there are 2 egress points. He commented that they will be doing pedestrian access improvements. He went over the Town of Oakland Zoning Code for PUD's and pointed out that they are consistent with the Code. He explained the lot split issue regarding annexation. There will be recycling and valet trash pick-up. Stormwater is required to remain on-site to be treated. He stated that they have an interlocal agreement with Orange County.

Mayor Stark commented that the Town has a Joint Planning Agreement with Orange County.

Mayor Stark called a recess at 8:05 p.m.

Mayor Stark reconvened the meeting at 8:20 p.m.

Mayor Stark opened the Public Hearing.

Mike Dinkel of 410 Largovista Drive and 17615 Deer Island Circle addressed Mr. Smith regarding the tax ID number ending in 011. He stated that that ID number did not exist until March 2019. He pointed out that the notices that were posted for June and July 2018 had 2 tax ID numbers on them and one of them was 011. He gave the Town Clerk the paperwork for the record.

Mayor Stark responded that Commission is assured by their Attorney that everything is fine as it was handled.

Ernie Marsh of 17682 Deer Isle Circle handed out paperwork on some other properties in Florida. He spoke about a workshop the Town had in 2006 at the Charter School. There were only Oakland residents in attendance. He asked Commission to remember what the people wanted for Oakland at that time. He commented that there are over 1,000 new units going in right now. That will increase the population significantly. He stated that it would be nice to have some senior living in Oakland.

Victoria English of 7 Orange Avenue hopes that the project is approved. She stated that the property cannot remain Agricultural forever. She would rather have families than businesses on that property.

Nancy Bramley of 17704 Deer Isle Circle stated that the Town Commission had been given a petition with 300 names on it against this project. She asked the Oakland residents that were present at this meeting to stand up. She asked Orange County residents to stand up. She asked the Town Commission to please listen to them.

Cindy Houk of 17802 Westbay Court stated that the property is surrounded on 3 sides by Single Family Homes. Apartments are not compatible with the surrounding area. Property values will decrease, and people will have a difficult time selling their homes. She asked that the Commission keep Oakland small and quiet. She would like to see some senior living.

David Stimmell of 80 Millholland Way stated that he is a Real Estate Broker. He has been in real estate since 1988. He stated that this project is the highest and best use for this property. He would like to see the property taxes lowered in Oakland. It will also attract more businesses to the Town.

Allan Longheed of 17608 Deer Isle Circle stated that he is in construction and is very pleased with the Town's Planning and how the Town Commission is working.

David Hart of 2255 Addison Avenue in Clermont also owns 715 Regina Circle in Oakland. He stated that the Commission has said that they want Oakland to be a beautiful and that is not the direction they are going. There is a lot of traffic coming from Clermont and he stated that Oakland should not add to it.

Michael Rousch of 17733 Deer Isle Circle had concerns about the Town setting a precedent by allowing apartments. He has had people back out of buying his house due to the proposed apartment complex. There is no way to guarantee quality people will be living in those units. He begged Commission to vote against it.

Hilgardt Lamprecht of 912 Johns Pointe Drive stated that he is speaking on behalf of Johns Pointe as a Home-Owners Association Board Member. He commented that they pay more property taxes than Deer Island does. He thought Deer Island should share the burden. He is for this project. There should be diversified housing. Businesses would be better supported if there were new people in Town.

Mayor Stark asked Mr. Lamprecht if was speaking for himself or for Johns Pointe.

Mr. Lamprecht stated that he was speaking for himself but the HOA Board is in agreement.

Gary English of 7 Orange Avenue stated that Deer Island says the same thing at every meeting. The values of their properties are not going down. LIV could never build 600 units without coming to this Commission.

Mayor Stark closed the Public Hearing.

Commissioner Ramos asked about LIV elevations. He commented that they would have to be approved by Commission.

Vice Mayor Satterfield agreed that there needs to be diversified housing. He was offended by comments that he has heard where people were saying that people living in apartments are low class.

Commissioner McMullen stated that he had grown up in apartments all his life. He just wanted to be sure the Commission is making the right decisions in a smart and proper manner.

Mayor Stark stated that she is in favor of diversified housing and she is also offended by people talking down about apartment living. She stated that the Commission does not just approve something without knowing and contemplating the facts. Oakland Avenue and the Charter School will not change. We do want to lower taxes. She brought to attention that Town Center did not look like it does 3 years ago. She asked the Town Manager to describe what they are being asked to approve.

Town Manager Koontz stated that there will be a second reading of the Comprehensive Plan and second reading of the Zoning if this passes tonight.

Commissioner Ramos stated that he has four children and he wants them to have restaurants and doctors to go to in Oakland. He would like to see a well-rounded community.

**MOTION** was made by Vice Mayor Satterfield, seconded by Commissioner Polland, to reject **FIRST READING, ORDINANCE 2019-04**, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, CHANGING THE TOWN'S OFFICIAL ZONING MAP DESIGNATION FROM A-1, AGRICULTURE (ORANGE COUNTY) TO PUD, PLANNED UNIT DEVELOPMENT IN THE TOWN OF OAKLAND, FOR PROPERTY GENERALLY LOCATED WEST OF THE FLORIDA TURNPIKE, SOUTH OF STATE ROAD 50/WEST COLONIAL DRIVE AND EAST OF ORANGE AVENUE WITH PARCEL IDENTIFICATION NUMBERS 30-22-27-2392-00-011 AND 30-22-27-4180-00-030, WITH AN APPROXIMATE SIZE OF 11.3 ACRES; DESIGNATING THE DESIGN DISTRICT OF "URBAN CORRIDOR", MAKING FINDINGS, PROVIDING FOR A DEVELOPMENT AGREEMENT, AND

PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE, in accordance with #5 of the Zoning Code that states, "The proposed rezoning will allow a type or intensity of development that is premature or presently out of character in relationship to the surrounding area."

AYE: McMullen, Polland, Satterfield, Stark

NAY: Ramos

**Motion passed with a vote of 4 in favor; 1 opposed**

**MAYOR & COMMISSION REPORTS:**

Manager Koontz reported that there will be "Coffee with the Manager" on the 3<sup>rd</sup> Thursday of every month beginning on July 18 at 9:00 a.m. He also thanked Kim Gay for everything and said that he appreciated how she helped him get off to a solid start as the Manager. He said that he will miss her.

Commissioner Ramos told Kim Gay thank you and said that he appreciated the patience she has shown him and all the attention to detail she provided.

Commissioners Polland and McMullen also said thank you and that they would miss her.

Town Attorney Becky Vose stated that she has worked with a lot of city clerks over the years and Kim Gay is the best. She will miss her very much.

Mayor Stark commented that Manager Koontz's individual meetings with Commissioners has been very good.

Manager Koontz reported that he had met with the Manager's Advisory Group. It was a good meeting. He will meet with any groups, even after hours. He will do presentations or just answer questions.

Commissioner McMullen asked if he had mentioned it to the Men's Prayer Breakfast group.

Manager Koontz stated that he had not. He reported that the Town is getting ready to make improvements to Speer Park.

Mayor Stark reported that she had a lengthy meeting with a Town resident yesterday. She is also willing to meet with people and discuss things.

Commissioner Polland asked that someone make sure that Oakland Pointe knows about the Coffee with the Town Manager.

Commissioner Ramos reported that he ran in the Fourth of July Run.

Manager Koontz announced that the Tri-County Luncheon in September will be here in Oakland. He also reported that Staff will be meeting with Orange County on Right of Way's, etc.

**ADJOURNMENT**

There being no further business, Commissioner Polland adjourned the meeting at 9:19 p.m.

TOWN OF OAKLAND:

\_\_\_\_\_  
KATHY STARK, MAYOR

ATTEST:

\_\_\_\_\_  
STEPHEN KOONTZ, TOWN MANAGER

Town of Oakland  
Town Commission Agenda Item

**Date:** 7/16/19

**Meeting Date:** 7/23/19

**Item Type:** Consent Item

**Advertised Date:**

**Paper where advertised:**

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**From:** Pamela Dwyer

**Title:** Principal, OACS

**To:** Stephen Koontz

**Title:** Town Manager

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**Subject:** Approval of OACS Mental Health Plan

**Budget Impact:** \$ 13,139.00

**Background Summary:**

In accordance with the Majority Stoneman Douglas Act (SB 7026), OACS has developed a continuum of services and conditions to meet the mental, behavioral, and social emotional needs of students. Last year, OACS opted to participate with the district Mental Health Plan which required forfeiture of the funding allocation. This year the allocation would be received by OACS to ensure that identification, assessment, and intervention of mental health needs occur and align with the OACS Mental Health Plan.

**Recommended Action:**

Approve the OACS Mental Health Plan for submittal and approval to Orange County Public Schools and the Florida Department of Education.

**Attachments:** OACS Mental Health Plan  
MH Plan Allocation Checklist  
Florida DOE Memorandum



## Orange County Charter School Mental Health Plan Selection

It is the intention of \_\_\_\_\_ Charter School to be included in the OCPS Mental Health Plan.

Our school's board is aware of the decision to opt-in to the district Mental Health plan and will formally vote at the next scheduled board meeting.

Administrator Signature: \_\_\_\_\_

Governing Board Member: \_\_\_\_\_

**OR**

It is the intention of Oakland Ave Charter Charter School to **NOT** be included in the OCPS Mental Health Plan. The school will develop their own plan to be approved and submitted by July 30, 2019.

Administrator Signature: Kimberly A. Dwyer

Date: 7/15/19

**Oakland Avenue Charter School  
Mental Health Plan  
2019-2020**

In accordance with the Marjory Stoneman Douglas Act (SB 7026), Oakland Avenue Charter School has developed a continuum of services and conditions to meet the mental, behavioral, and social emotional needs of students to promote optimal student learning. The plan's focus will be on student wellness, which encompasses students' social, emotional, and mental well-being through additional dedicated resources which include personnel, training, and curriculum. In addition, the plan is developed to utilize a multi-tiered approach to meet the needs of students.

**Tier I:**

Essential Universal Supports designed to offer social/emotional, behavioral, mental health, and general assistance to all students.

- **Behavior Support Team:** OACS has a Behavior Support Team that consists of a Dean of Students (who supervises the team), one (1) Certified School Counselor, one (1) Licensed Mental Health counselor contracted as needed, five (5) MTSS/ESE team members who provide MTSS consortium wide support, one (1) Instructional Coach, one (1) School Resource Officer as needed, and the School Principal. The team works together to implement the OACS Behavior Matrix and Request for Behavior Support in the classroom, train teachers and staff on behavior management strategies, and develop Functional Behavior Assessment and Behavior Improvement Plans as needed. Additionally, they provide social skills groups utilizing research-based programs such as the Sanford Harmony SEL Program.
- **Certified School Counselor/Licensed Mental Health Counselor:** OACS currently employs a certified school counselor and will contract with a LMHC as needed. The school counselor/LMHC will provide direct support delivery model that includes individual and group counseling. Additionally, the school counselor offers counseling supports, suicide intervention, suicide prevention guidance, coordination of education, medical, social and community service providers, and coordinates the availability and implementation of school-wide social emotional learning curriculum such as the Sandford Harmony SEL Program.
- **School Health Assistants:** OACS currently ensures 3-4 school staff are properly trained as School Health Assistants for the administration of medication, Individual Health Care Plan administration, hearing and vision screenings, first aid, immunization records, specialized chronic care to fragile students, and medical support as needed. In addition, OACS is served by a designated School RN through OCPS to support ongoing school health needs.

- **School Psychologists:** OACS is currently served by a dedicated school psychologist through OCPS MTSS supports. OACS will continue consulting with the dedicated School Psychologist to promote and address behavioral, social emotional, or mental health needs of our students.
- **Certified School Social Worker:** OACS is currently served by a designated social worker through OCPS MTSS supports. The social worker supports the mental health team as needed. The school based social worker receives referrals to assist families obtain services in the school community.
- **Crisis Response Team:** OACS will coordinate with Orange County Public Schools for services related to the Crisis Response Team that is designed to respond to immediate crisis, traumatic or catastrophic events that effect students, families, and staff. The Crisis Response Team aids with events that occur on and off campus.

## Tier 2:

Strategies to support specifically identified students at risk of or with mild mental health challenges.

The below staff provide direct and indirect services to address emerging or mild mental and behavioral health problems and to prevent inappropriate behaviors.

- **Dean of Students:** Will represent the initial point of contact for school employees to address any concerns or referral needs based on student performance, affect, and behavior challenges.
- **Behavior Support Team:** The Behavior Support Team will utilize the OACS Behavior Matrix and Request for Behavior Support in the classroom, train teachers and staff on behavior management strategies, and develop Functional Behavior Assessment and Behavior Improvement Plans as needed. Services include classroom observations, assessment, collaborative intervention planning and implementation, group counseling services, and assessment of family needs. Additionally, this team will ensure that:
  - Students referred for a mental health screening are assessed within 15 days of referral;
  - School-based mental health services are initiated within 15 days of identification and assessment; and,
  - Community-based mental health services for students are initiated within 30 days of referral.
- **Certified School Counselor/Licensed Mental Health Counselor:** Certified School Counselor/LMHC address student mental health concerns through a process of referral and identification generated by school administrators, faculty and staff, self/peer, parents, guardians, or a community-based care provider. Also, as a part of the referral process, LMHC will collect quantitative data (e.g. attendance, grades, and/or number of referrals) and qualitative data (e.g. student interview or teacher and counselor observations) and will share the information with a community provider when the parent has signed permission. Services include acting as a liaison between home, school, and medical providers when mental health challenges may be emerging.

Services include facilitating skills group counseling (social skills, anger management, stress reduction, etc.), classroom observations, assessment, and consulting with school-based teams, parent contact, and mentoring of students.

- **School Psychologists:** Services include classroom observations, assessment, and consulting with school-based teams.
- **Behavior Support Team:** Services include classroom observations, specific training of research-based behavioral strategies, assessment and interpretation of behavioral data, modeling of instructional techniques, parent training on targeted behavior skills, facilitating social skills groups and consulting with school-based teams.
- **Community Mental Health Supports:** OACS is currently developing collaborative agreements with local community mental health agencies to provide school-based counseling services to include in school counseling, as well as office and home-based services. Some of these agencies also provide substance abuse services. Some of the agencies in which OACS will create or continue collaborative agreements are **(more may need to be created based on need):**

**A Better Therapy** - Corey Manuel, LMHC and founding member. Susan Aery, LMHC and Clinical Supervisor Team Lead. Claudia Lozano, Agency Manager.

**Children's Home Society** – Janet Valdez, Coordinator of Social Skills

**Kinder Konsulting** – Michele Cummins, Clinical Manager. Ushi Schueller, Director.

Tier 3: Intensive, ongoing strategies to support those with significant mental health needs.

The below staff provide direct and indirect services to address significant mental health, substance abuse, and behavioral health problems.

- **Certified School Counselor/LMHC:** provide individual counseling services, group support, assessment of service needs, parent support, and collaboration with mental health team members and outside mental health, primary health providers, substance abuse providers as needed.
- **School Psychologists:** Services include individual assessment and evaluations based on service needs.
- **Behavior Support Team:** Services include development of Functional Behavior Assessments (FBA) and individualized Behavior Intervention Plans (BIP), in-class support for high magnitude behavior, staff training for implementation of individual strategies related to the BIP, collaboration with outside mental health providers, and consultation with parents.

Beginning in September 2019, districts will be required to submit a report on the program outcomes and expenditures for the previous fiscal year based on the above three elements.

### **Mental Health Assistance Plan (s.1011.62 (16)(a) and (b), F.S.)**

Beginning in 2019-2020, all OACS school personnel will receive youth mental health awareness and assistance training to help school personnel understand the signs and symptoms of mental health disturbance, illness, and substance abuse. The plan is designed for the **Dean of Students and School Counselor** to work in conjunction with one or more of the **Behavioral Support Team Members**, to determine the best evidence-based mental health service(s) to recommend for the student. The **Dean of Students and Certified School Counselor** will be the initial point of contact through our Behavior Matrix, office referral process or when a request for services from school personnel, parents, or student has deemed that a student needs assistance. The **Dean of Student Services and/or Certified School Counselor** will contact the behavior team members, to collaborate and determine the appropriate interventions in order to ensure a recovery-based model of care.

### **Program Implementation and Outcomes (s.1001.62(16)(d), F.S.)**

The following processes known as the **OACS Mental Health Plan Matrix (Appendix A)** will be put into place to collect data regarding the number of students screened/assessed, number of students referred for internal and the number of students referred to an outside mental health provider:

- A member of the **Behavior Support Team** will complete a **Request for Support Services Form (APPENDIX B)** to refer students to school counselor, mental health professional, behavior support team member, and/or school health assistant when screening, consent, and intake are deemed necessary. A copy of the referral form will be submitted to the **Dean of Student Services and/or designee** who will maintain documentation of this information. Determination that a threat is low risk will be monitored through the **Tier I MTSS Behavior Matrix Process (Appendix E)**.
- The **School Counselor and/or Licensed Mental Health Professional** will complete the **Parental Release Information/Assessment and/or Treatment Authorization Form (APPENDIX C)** and the **Community Based Referral Form (APPENDIX D)** with parents when referring to an outside mental health agency has been deemed necessary. The **School Counselor and/or Licensed Mental Health Professional** will link student/family to services. The **School Counselor and/or Licensed Mental Health Professional** will utilize our MTSS process for documentation of data collection, progress monitoring, and reporting purposes.

All members of OACS Mental Health Plan team will expand their current roles to provide more direct services to students referred by the **Behavior Support Team**. For students exhibiting emerging or identified mental health issues, the school counselor, licensed mental health professionals, behavior support team member, and school health assistant will receive referrals from the **Behavior Support Team** for screening and intake of students. The assigned **Behavior Support Team** member will contact a parent to include their concerns and observations. They will follow the **OACS MTSS Behavior Matrix Process (Appendix E)** to provide in school support or contact the **School Counselor and/or Licensed Mental Health Professional** to complete referrals to community providers. They will communicate outcomes and progress with mental health professionals and the **Dean of Student Services, designee, and/or School Counselor**. They will support the reporting

process as outlined in SB 7026. The **Certified School Counselor and/or Licensed Mental Health Professional** will provide screening results to the **Dean of Student Services** for data tracking.

**Tier 2 and Tier 3 Mental Health Screeners**

Screen	Screening Area	Ages	Length to complete
*Revised Child Anxiety and Depression Scale (RCADS)	Anxiety Depression/mood	Grades 3-12	5-10 minutes
*Penn State Worry Questionnaire for Children	Anxiety	Ages 7- 17	5 minutes
Childhood PTSD Symptom Scale (CPSS)	Trauma	Ages 8- 18	10-20 minutes
*Generalized Anxiety Disorder-7 (GAD-7)	Anxiety Trauma	Ages 11-17	5 minutes
*Child and Adolescent Disruptive Behavior Inventory	Anxiety Depression Disruptive Behavior	Ages 3- 18	2 minutes
*Strengths and Difficulties Questionnaire (SDQ)	Anxiety, Depression/Mood, Disruptive Behavior, Global Functioning, Hyperactivity, Social Skills	Ages 4- 17	5-10 Minutes

**Expenditures (s.1011.62 (16), F.S.)**

OACS will use the Mental Health Assistance Allocation to expand mental health services to students through direct services and staff training on detecting and responding to mental health needs. The Mental Health Assistance Allocation will provide partial funding to create a dedicated **Certified School Counselor** and contract services for a **Licensed Mental Health Professional as needed**. Direct services will include:

- Mental health assessment, diagnosis, intervention, treatment and recovery services to students with mental health diagnosis or at-risk for such diagnosis
- Coordination of services with primary care and mental health providers
- Direct employment of mental health service providers and/or contract based collaborative efforts with mental health providers to provide school based mental health services

The **Certified School Counselor and/or Licensed Mental Health Professional** will provide direct mental health, substance abuse, behavior interventions, and co-occurring therapy to students at tier 2 and tier 3 when appropriate. Additionally, these positions will provide training to staff on detecting and responding to mental health needs of students with the support of the **Behavior Support Team**.

**Community Mental Health Supports:** OACS is currently establishing collaborative agreements with local community mental health/substance abuse agencies to provide school-based counseling services in school, as well as office and home-based services, and bill Medicaid and third-party providers. Some of these agencies also provide substance abuse services.

The **Certified School Counselor** will coordinate the delivery of social emotional, mental health, and substance abuse outside services at all levels across the consortium. This role will be responsible for

linking students and families to outside agencies, tracking referrals, outcomes, and follow-up care. Additionally, the **Certified School Counselor**, will coordinate services with primary care providers and evaluate policy and procedures that support the mental health services in the consortium.

Data entry and reporting related to SB 7026 will be reported by this individual to DOE beginning September of 2020.

The **Certified School Counselor** and/or Licensed Mental Health Professional in collaboration with the **Behavioral Support Team** will coordinate mental health trainings for schools, as required by SB 7026, and provide clinical and administrative supervision for consortium licensed mental health professionals. The **Certified School Social Worker** will schedule bi-annual meetings with all approved outside mental health providers, coordinate mental health, and wrap around services as well as intervention, treatment and recovery outcomes.

OACS will maintain files for tracking documentation of mental health services provided that include tracking health assessments, screening results, and progress notes. Documentation files will be maintained with consideration for confidentiality assurances required by FERPA and HIPAA.

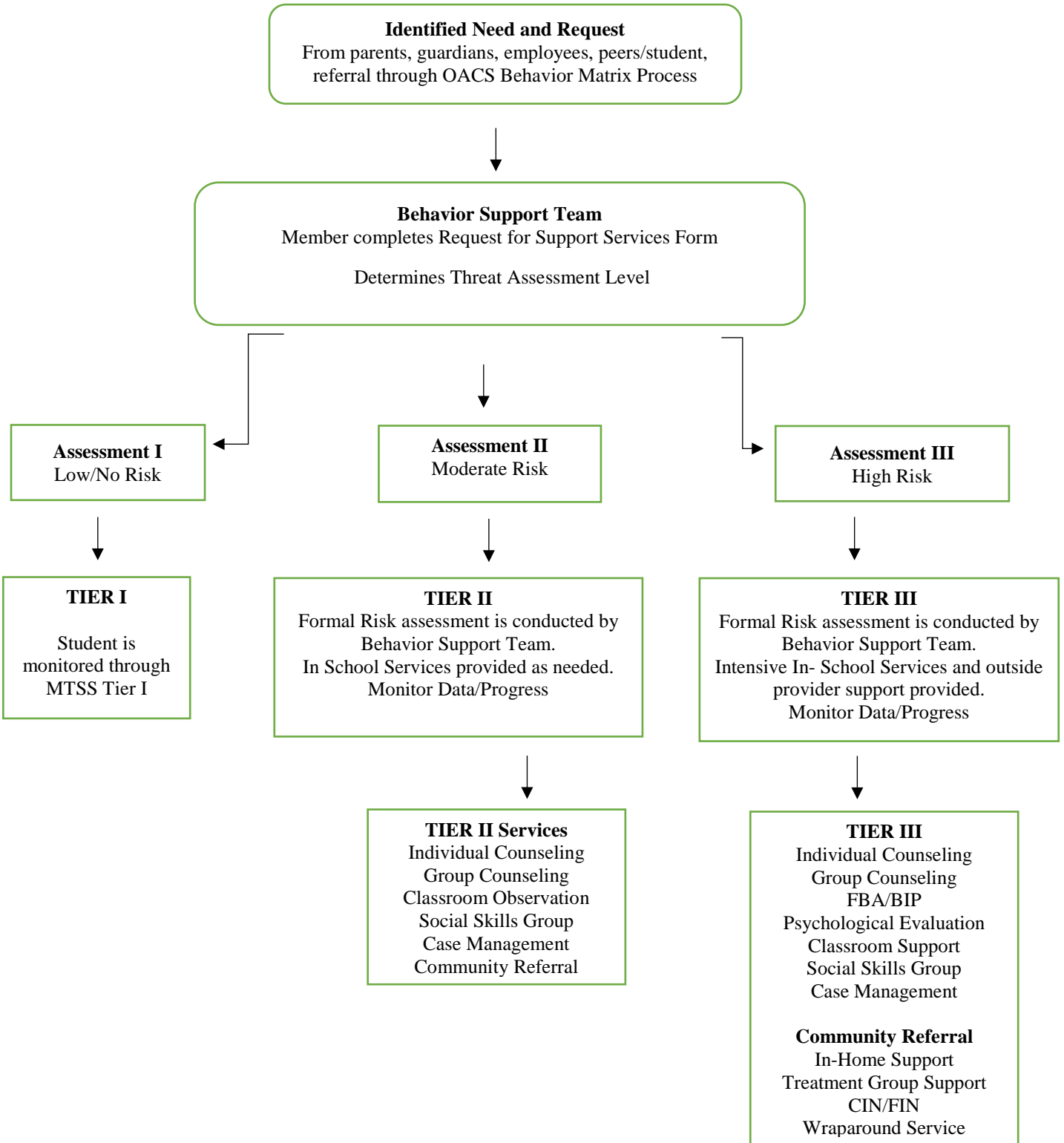
OACS will coordinate informational resources for parents in order to educate and overcome the stigma associated with mental illness. We will also provide informational resources regarding suicide, substance abuse, and bullying to parents through online resources, multimedia, and parent meetings to assist with awareness within the school community. These informational trainings and meetings will provide preventative measures and early warning indicators associated with mental illness (attendance, behavior, academics).

Expenditures:

<b>24.56/Student @ 535 = \$13139.60</b>	Direct (90%)	Indirect (10%)
Certified School Guidance Counselor/Contracted Licensed Mental Health Professional <ul style="list-style-type: none"> <li>• Mental health assessment, diagnosis, intervention, treatment and recovery services to students with mental health diagnosis or at-risk for such diagnosis</li> <li>• Coordination of services with primary care and mental health providers</li> <li>• Direct employment of mental health service providers and/or contract based collaborative efforts with mental health providers to provide school based mental health services</li> </ul>	\$11,825.64	
Behavior Support Team/OACS Administrators <ul style="list-style-type: none"> <li>• School Wide Training Preparation and Delivery</li> <li>• Mental Health Outside Funding Research</li> </ul>		\$1313.96

**APPENDIX A**

**OACS Mental Health Plan Matrix**



**APPENDIX B**

**OACS Request for Support Services Form**

<b>Student Name:</b>	
<b>Date:</b>	<b>Grade:</b>

**Referral Source:**

OACS Behavior Matrix\_\_\_ Parent\_\_\_ Teacher/Staff\_\_\_ School Counselor\_\_\_ Student\_\_\_ Other\_\_\_

**Reason for Referral:**

Affect change\_\_\_ Grades change\_\_\_ Behavior change\_\_\_ MH concerns\_\_\_

Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Determined Threat Level:**

Low- Tier I	Moderate- Tier II	High- Tier III
Parent Contact___ Behavior Support Request Form___ Meeting scheduled with Dean___	Parent Contact___ Behavior Support Team Meeting___ Formal Assessment___ In School Services Determined___ Progress Monitoring Plan___	Parent Contact___ Behavior Support Team Meeting___ Formal Assessment___ In School Services Determined___ Community Services Determined___ Progress Monitoring Plan___

Behavior Support Team Members (BST) Present:  Principal_____
Guidance Counselor_____
Administrator_____

**APPENDIX C**

**PARENTAL RELEASE OF INFORMATION/ASSESSMENT/AND/OR TREATMENT  
AUTHORIZATION FORM**

I authorize \_\_\_\_\_ to provide information regarding any assessments and/or treatment services (written and verbal) regarding my son/daughter, \_\_\_\_\_, date of birth \_\_\_\_\_ with Oakland Avenue Charter School to discuss needed services. In addition, I authorize Oakland Avenue Charter School to discuss my son/daughter’s treatment, diagnosis, and prognosis with the designated agency personnel.

This authorization includes the following areas:

- |                          |                                 |
|--------------------------|---------------------------------|
| _____ Treatment Plan     | _____ Psychoeducational Testing |
| _____ Medical Records    | _____ Psychological Testing     |
| _____ Discharge Summary  | _____ Psychological History     |
| _____ Medication Records | _____ Psychosocial History      |

Dates this authorization covers: From: \_\_\_\_\_ to \_\_\_\_\_

The confidentiality of your son/daughter is protected. Unless otherwise noted by state or federal regulations, or actions that have been taken based on authorization from parent/guardian. This consent of release of information can be terminated at any time by parent/guardian.

\_\_\_\_\_ Yes, I give permission for the sharing of information with Oakland Avenue Charter School.

\_\_\_\_\_ I rescind my authorization

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date of Consent

\_\_\_\_\_  
Signature of Authorized Personnel

\_\_\_\_\_  
Date

Copies of this form have the same significance as the original document.

**APPENDIX D**

**COMMUNITY BASED REFERRAL FORM**

**DEMOGRAPHIC INFORMATION:**

Name: \_\_\_\_\_ Social Security#: \_\_\_\_\_  
 Parents/Caregivers Names: \_\_\_\_\_ Relationship to Client: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 County: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 DOB: \_\_\_\_\_ Age: \_\_\_\_\_ Gender: \_\_\_\_\_ Ethnicity: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
 Preferred language: \_\_\_\_\_ Parent's preferred language: \_\_\_\_\_ Bilingual: \_\_\_\_\_  
 Insurance: \_\_\_\_\_ ID#: \_\_\_\_\_ Group#: \_\_\_\_\_  
 School: \_\_\_\_\_ Grade: \_\_\_\_\_

**PROBLEM DESCRIPTION:**

SERVICES REQUESTED:  Counseling  Psychiatric  Targeted Case Management  Behavioral/ABA  
 Please check if any of the below applies:

- |   |  |  |   |
|---|--|--|---|
| <input type="checkbox"/> Physical aggression      | <input type="checkbox"/> Withdrawn         | <input type="checkbox"/> Change in mood      | <input type="checkbox"/> Often sad        |
| <input type="checkbox"/> Self-injurious behavior  | <input type="checkbox"/> Rebellious        | <input type="checkbox"/> Dishonesty          | <input type="checkbox"/> Trouble Sleeping |
| <input type="checkbox"/> Change in eating habits  | <input type="checkbox"/> Recent loss       | <input type="checkbox"/> Verbal aggression   | <input type="checkbox"/> Anxious          |
| <input type="checkbox"/> Disruptive behaviors     | <input type="checkbox"/> Poor self-care    | <input type="checkbox"/> Alcohol use         | <input type="checkbox"/> Drug use         |
| <input type="checkbox"/> Suicidal thoughts        | <input type="checkbox"/> Suicide attempts  | <input type="checkbox"/> Recent trauma       | <input type="checkbox"/> Autism           |
| <input type="checkbox"/> Developmental disability | <input type="checkbox"/> Language impaired | <input type="checkbox"/> Physically impaired | <input type="checkbox"/> Hearing impaired |

**REFERRAL SOURCE:**

Person completing form: \_\_\_\_\_ Referring Agency/Provider: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_ Date of Referral: \_\_\_\_\_

**PARENT CONSENT:**

I, \_\_\_\_\_, parent of, \_\_\_\_\_, give consent for my son/daughter to receive services as stated above in and/or outside of the school setting to support their needs. I am signing this consent with the awareness that the services will be paid for through my son/daughter insurance, private pay, or funding (if available). I am also aware that I can decline services at any time and/or request services from another agency (if necessary). I furthermore understand that I may be interviewed and asked to be a part of service plan to support my son/daughter.

\_\_\_\_\_  
 Parent/Guardian Signature                      Parent/Guardian Print Name                      Date of Consent

**APPENDIX E**  
**OACS Behavior Matrix**

Observe Behavior Concern

Is the behavior administrator managed?

MINOR - NO

MAJOR - YES

Use REST steps. If a student gets to 3 RESTS in a two-day time period, fill out the A-B-C checklist to document incident(s).

Has the behavior improved within a week?

YES      NO

Fill out a **Request for Behavior Support Form** and turn in to the Dean.

The Dean will schedule a meeting with you and an MTSS Coach within a week.

As a team, determine next steps to implement for the following three weeks.

Meet to discuss whether the behavior has improved in three weeks based on data?

Acknowledge and reward improved behavior.

Determine next steps and next meeting date for check-in on progress.

Teacher Managed vs. Admin Managed	
<ul style="list-style-type: none"> <li>-Inappropriate language</li> <li>-Disruptive</li> <li>-Non-compliance</li> <li>-Disrespect</li> <li>-Minor aggression</li> <li>-Lying/Cheating</li> <li>-Writing on school property</li> </ul>	<p><b>Immediate Health Concern</b></p> <ul style="list-style-type: none"> <li>-Threatening to harm self</li> <li>-Threatening to harm others</li> <li>-Experienced trauma/violence</li> </ul> <p><b>Immediate Behavior Concern</b></p> <ul style="list-style-type: none"> <li>-Chronic minor infractions (4 circles)</li> <li>-Fighting</li> <li>-Major property destruction</li> <li>-Verbal or physical threats</li> <li>-Harassment</li> <li>-Theft</li> <li>-Major/chronic refusal to follow school rules</li> </ul>

Fill out Office Referral Form and call the Dean or Principal for support. Student will be taken to the front office to conference, call home, and decide next steps.

Fill out Office Referral Form and call the Dean or Principal for support. Student will be taken to the front office to conference and call home. Student will be returned to class and observed for 10 minutes.

Administrator provides info, feedback and follow through to teacher.

Administrator determines consequence.

Administrator follows through on consequence.

**MENTAL HEALTH ASSISTANCE ALLOCATION PLAN CHECKLIST**  
**Due August 1, 2019**

<b>Mental Health Assistance Allocation Plan (s. 1011.62(16)(a) and (b), F.S.)</b>	
	Delivers evidence-based, mental health assessment, diagnosis, intervention, treatment and recovery, through a multi-tiered system of supports.
	Focuses on evidence-based mental health services for students with one or more co-occurring mental health or substance abuse diagnoses and students at high risk of such diagnoses.
	Includes direct employment of school-based mental health services providers (i.e., school psychologists, school social workers, school counselors and other licensed mental health professionals) to reduce staff-to-student ratios and meet student mental health assistance needs.
	Identifies strategies to increase the amount of time student services personnel spend providing direct mental health services (e.g., review and revision of staffing allocations based on school or student mental health assistance needs ).
	Includes contracts or interagency agreements with local behavioral health providers or Community Action Team services to provide behavioral health services on or off the school campus (plan must specify the type of services that are provided in the agreement).
	States how the plan will establish school board policies and procedures that ensure for all schools, including charter schools, to ensure: <ol style="list-style-type: none"> <li>1. Students referred for a mental health screening are assessed within 15 days of referral;</li> <li>2. School-based mental health services are initiated within 15 days of identification and assessment; and</li> <li>3. Community-based mental health services for students are initiated within 30 days of referral.</li> </ol>
	Describes process for coordinating mental health services with a student's primary mental health care provider and other mental health providers involved in the student's care.
	Identifies strategies or programs to reduce the likelihood of at-risk students developing social, emotional or behavioral problems; depression; anxiety disorders; suicidal tendencies; or substance abuse disorders.
	Describes the process for coordinating mental health services for students at charter schools that are part of the school district's plan.
	Identifies strategies to: <ol style="list-style-type: none"> <li>1. Improve the early identification of social, emotional or behavioral problems or substance abuse disorders;</li> <li>2. Improve the provision of early intervention services; and</li> <li>3. Assist students dealing with trauma and violence.</li> </ol>
<b>Expenditures (s. 1011.62(16), F.S.)</b>	
	Number of school-based mental health providers funded by the allocation and licensure/certification for each.
	Number of community-based mental health providers funded by the allocation and licensure for each.
	School district expenditures for services provided by contract-based collaborative efforts or partnerships with community mental health program agencies or providers.
	Other expenditures (specify type and amount).
<b>Expenditure Assurances (s. 1011.62(16), F.S.)</b>	
	One hundred percent of state funds are used to expand school-based mental health care; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth and families with appropriate behavioral health services.
	Mental health assistance allocation funds do not supplant other funding sources OR increase salaries or provide staff bonuses.
	Describes how district will maximize use of other sources of funding to provide school-based mental health services (e.g., Medicaid reimbursement, third-party payments and grants).
<b>Program Implementation and Outcomes (s. 1011.62(16)(d), F.S.)</b>	
	Identifies the number and ratios of FDOE-certified or licensed, school-based mental health services providers employed by the district (i.e., school psychologists, school social workers, school counselors and other mental health services providers by licensure type).
	Includes system for tracking the number of students at high risk for mental health or co-occurring substance abuse disorders who received mental health screenings or assessments; number of students referred to school-based mental health services providers; number of students referred to community-based mental health services providers; number of students who received school-based interventions, services or assistance; and number of students who received community-based interventions, services or assistance.
<b>Plan Approval and Submission (s. 1011.62(16)(c), F.S.)</b>	
Local school board approved the district plan.	Date of Approval:
Approved plan was submitted to the Commissioner of Education by August 1, 2019 (attached).	



Marva Johnson, *Chair*  
Andy Tuck, *Vice Chair*  
*Members*  
Ben Gibson  
Tom Grady  
Michael Olenick  
Joe York

## **MEMORANDUM**

**TO:** School District Superintendents  
School District Finance Officers

**FROM:** Jacob Oliva, Chancellor  
Division of Public Schools

Suzanne Pridgeon, Deputy Commissioner  
Division of Finance and Operations

**DATE:** June 21, 2019

### **Contact Information:**

Andrew Weatherill  
850-245-7840  
[Andrew.Weatherill@fldoe.org](mailto:Andrew.Weatherill@fldoe.org)  
**DPS: 2019-78**

### **SUBJECT: Mental Health Assistance Allocation Amendments – Senate Bill 7030**

The 2019 Florida Legislature passed [Senate Bill 7030](#), Implementation of Legislative Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission, which comprehensively addresses school safety. Governor Ron DeSantis signed the bill on May 8, 2019 ([Chapter 2019-22, Laws of Florida](#)). Section 15 of SB 7030 goes into effect on July 1, 2019, and amends the Mental Health Assistance Allocation (MHAA), which provides funding to assist school districts in establishing or expanding school-based mental health care.

SB 7030 amended the MHAA, in part, to ensure that each Florida public school student has access to a mental health professional at school by the 2019-2020 school year by training educators and other school staff to detect and respond to mental health issues, and by connecting children, youth and families who experience behavioral health issues with appropriate services. The following summarizes the changes to the MHAA in SB 7030.

Each school district's Mental Health Assistance Allocation Plan (MHAA Plan) must include all district schools, including charter schools, unless a charter school submits a MHAA Plan independent of the school district. Each MHAA Plan must include:

- A focus on a multi-tiered system of supports to deliver evidence-based mental health care assessment, diagnosis, intervention, treatment and recovery services to students with one or more co-occurring substance abuse diagnoses and to students at high risk of such diagnoses. The provision of these services must be coordinated with a student's primary mental health care provider and with other mental health providers involved in the student's care.

JACOB OLIVA  
CHANCELLOR OF PUBLIC SCHOOLS

- Direct employment of school-based mental health services providers to expand and enhance school-based student services and to reduce the ratio of students to staff in order to better align with nationally recommended ratio models. These providers include, but are not limited to, certified school counselors, school psychologists, school social workers and other licensed mental health professionals.
- Strategies to increase the amount of time that school-based student services personnel spend providing direct services to students, which may include the review and revision of district staffing resource allocations based on school or student mental health assistance needs.
- Contracts or interagency agreements with one or more local community behavioral health providers or providers of Community Action Team services to provide a behavioral health staff presence and services at district schools. Services may include, but are not limited to, mental health screenings and assessments, individual counseling, family counseling, group counseling, psychiatric or psychological services, trauma-informed care, mobile crisis services and behavior modification. These behavioral health services may be provided on or off the school campus and may be supplemented by telehealth.
- Policies and procedures, including contracts with service providers, that will ensure students who are referred to a school-based or community-based mental health service provider for mental health screening for the identification of mental health concerns and ensure that the assessment of students at risk for mental health disorders occurs within 15 days of referral. School-based mental health services must be initiated within 15 days after identification and assessment, and support by community-based mental health services providers for students who are referred for community based mental health services must be initiated within 30 days after the school or district makes a referral.
- Strategies or programs to reduce the likelihood of at-risk students developing social, emotional or behavioral health problems, depression, anxiety disorders, suicidal tendencies or substance abuse disorders.
- Strategies to improve the early identification of social, emotional, or behavioral problems or substance abuse disorders to improve the provision of early intervention to assist students in dealing with trauma and violence.

In addition, Section 15:

- Specifies that charter schools that submit a MHAA Plan separate from the school district are entitled to a proportionate share of district mental health allocation funding. Each school district must work with its charter schools to ensure the school district submits all approved MHAA Plans to the Commissioner of Education by August 1.

- Amends the school district annual program outcomes and expenditures report due September 30 to include, at a minimum, the number of each of the following:
  - Students who receive screenings or assessments.
  - Students who are referred to either school-based or community-based providers for services or assistance.
  - Students who receive either school-based or community-based interventions, services or assistance.
  - School-based and community-based mental health providers, including licensure type, paid for from funds provided through the allocation.
  - Contract-based collaborative efforts or partnerships with community mental health programs, agencies or providers.

The school district annual program outcomes and expenditures report should be submitted to Andrew Weatherill via email by September 30, 2019.

The required MHAA Plan checklist, MHAA Plan certification form and MHAA Plan outcome and expenditures report checklist are available at <http://fldoe.org/safe-schools/mental-health.stml>. Additional resources to assist school districts in creating the MHAA Plan can also be found at that link.

The MHAA Plan checklist, MHAA District Plan and MHAA Plan certification form should be submitted to Andrew Weatherill via email by August 1, 2019.

For further information on best practices and to view your district's mental health assistance allocation, visit the Florida Department of Education Office of Safe Schools web page at <http://fldoe.org/safe-schools/mental-health.stml>.

If you have questions about the allocation or expenditures, please contact Mark Eggers at [Mark.Eggers@fldoe.org](mailto:Mark.Eggers@fldoe.org) or 850-245-0405. If you have questions about the mental health contents of the MHAA Plan, please contact Andrew Weatherill at [Andrew.Weatherill@fldoe.org](mailto:Andrew.Weatherill@fldoe.org) or 850-245-7840.

JO:SP/aw

cc: School District Student Services Directors  
School District School Safety Specialists  
School District Charter School Contacts

Town of Oakland  
Town Commission Agenda Item

**Date:** 7/16/19

**Meeting Date:** 7/23/19

**Item Type:** Consent Item

**Advertised Date:**

**Paper where advertised:**

---

**From:** Mike Parker

**Title:** Public Works Director

**To:** Stephen Koontz

**Title:** Town Manager

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**Subject:** Sales sign agreement - Hull Island

**Budget Impact:** \$ 0.00

**Background Summary:**

MI Homes has requested permission to erect a double sided 4 foot by 8 foot sales sign on our land located at 588 Hull Island Drive. This is the same land that the Hull Island Neighborhood entry feature is planned for in the near future. The sign will be removed once the entry feature is erected.

**Recommended Action:**

Staff recommends that the Town Commission approve the request as presented and authorize the Town Manager to sign the Lease Agreement.

**Attachments:** Lease Agreement  
Sign Exhibit



# M/I HOMES

## LAND LEASE AGREEMENT

THIS AGREEMENT made by and between **M/I Homes of Orlando, LLC** (hereinafter called "Tenant") and The Town of Oakland (hereinafter called "Owner").

1. **RENTAL PREMISES:** Owner, in consideration of the rents to be paid and covenants to be performed by Tenant hereunder, hereby rents to Tenant for the Term, the following described premises 588 Hull Island Drive (hereinafter called the "premises"): 1to erect an elevated real estate development sign.
2. **TERM:** The term of this Agreement shall be month to month. The term of this agreement may be cancelled by either the Owner or Tenant with a 30-day written notice.
3. **USE OF THE PREMISES:** Tenant covenants that he shall not commit or suffer any waste in the premises. At the end of the term of this Agreement, Tenant will be responsible for removing the signage in its entirety from the premises.
4. **REPAIRS AND MAINTENANCE:** Tenant agrees to maintain the appearance and construction of the signage through the duration of this agreement.
5. **LIABILITY:** Tenant agrees that Owner and its employees and agents or any persons shall not be liable to Tenant for injuries to persons occurring in or on the premises during the construction, during occupation or removal of the described signage. Tenant acknowledges responsibility for any fines or fees associated with described sign

**APPLICABLE LAW:** This agreement shall be interpreted according to the Laws of the State of Florida.

IN WITNESS WHEREOF, Owner and Tenant have executed this agreement on the \_\_\_ day of \_\_\_\_\_, 20\_\_.

**OWNER:**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

**TENANT:**

DocuSigned by:

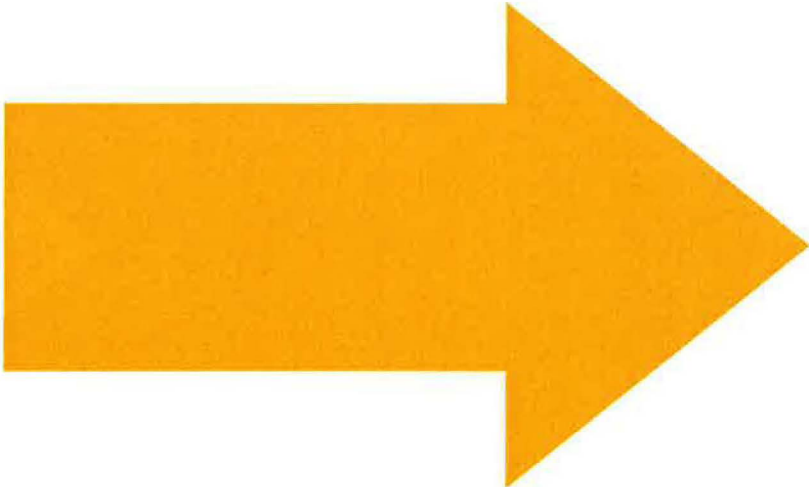
By: Jeffery Kaiser  
EABAB55BAC9741B...

Print Name: J. KAIZER



# Hull Island at Oakland

Single Family &  
Lake Front Homes



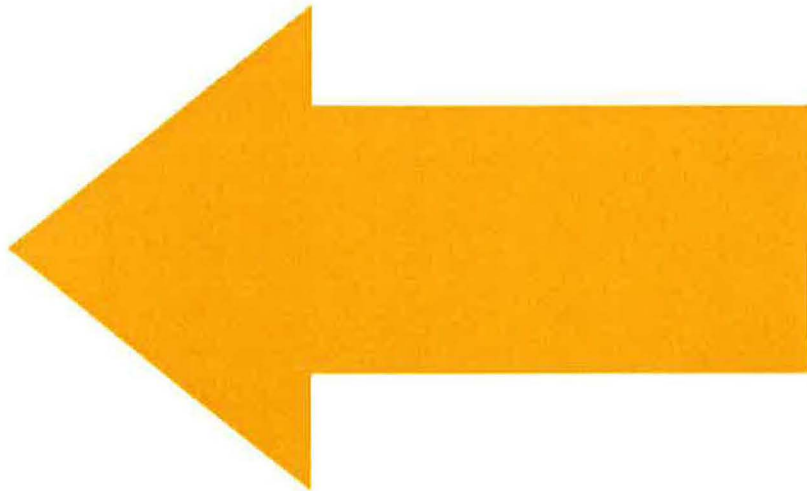


**M/I HOMES**

# Hull Island at Oakland

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Single Family &  
Lake Front Homes





Steve Koontz Town Manager  
Manager and Staff Reports

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DATE: July 23, 2019  
TO: Town Commission  
FROM: Steve Koontz, Town Manager  
SUBJECT: Town Manager Staff Report

**Principal Dwyer:**

We are four weeks away from teachers returning to campus for the launch of the 2019-2020 school year. Last week, the Florida DOE released the school grades. OACS achieved a school grade of B; missing an A by 12 points. I truly thought we had it this year, but our math gains for our lowest performing students (Lowest 25%) did not come in at our goal level this year. A link to the article on social media and the website provides wonderful information and links to helpful information can be found below. Although we missed an A again this year, I am very proud of the OACS students and faculty. We will use the information gained to adjust our practices as needed.

**Important Dates:**

August 6 5-7 p.m. Meet the Teacher  
August 7 – Back to School BBQ (All Town & OACS staff invited)  
August 12 – First Day of School  
September 2 – Labor Day Holiday

**HR Director Kulscar:**

As open enrollment approaches, we have the opportunity to review possible changes to our various plan offerings. We have chosen to remain with our current medical and dental plans but will change our vision plan from VSP to Mutual of Omaha. The plan offered by MOO offers a reduced premium and copay, while adding a large number of providers to the network.

Open enrollment will be tentatively set for the week of August 19th, but we will send out an email and instructions as the date approaches.

**Police Chief Thomas:**

**See Attached Police & Code Enforcement Reports**

**Town Manager Koontz:**

The next *Coffee with the Town Manager* events:

Thursday, August 15<sup>th</sup> 9-10 a.m., Oakland Meeting Hall, 221 N. Arrington Street

Thursday, September 19<sup>th</sup> 9-10 a.m., Historic Town Hall, 220 North Tubb Street

I will be out of the office on July 25<sup>th</sup> and 26<sup>th</sup>.

Oakland Heritage and Wildlife Festival – Saturday, October 26, 2019 (Vendor Registration is Open)

Please visit [www.Oaklandfl.gov](http://www.Oaklandfl.gov) (Town News) for more details concerning this event and the latest news about the Town.

## News from Town Hall

## August 2019

### Town Hall

#### Town Meetings:

**August 5** - Trailside HOA Meeting - 7:00 p.m. (HTH)

**August 13 & 27** - Commission Meeting - 7:00 p.m. (HTH)

**August 15** - Coffee with the Town Manager - 9:00 a.m. (OMH)

**August 19** - Deer Island HOA Meeting - 6:45 p.m. (HTH)

**August 20** - P & Z Meeting - 6:30 p.m. (HTH)

**August 25** - Johns Landing HOA Meeting - 7:00 p.m. (HTH)

HTH = Historic Town Hall      OMH = Oakland Meeting Hall

these larger vehicles with all our traffic laws. We have recently worked in conjunction with the FHP and FDOT to make sure that these vehicles are operating as they should and are all properly inspected. This combination of efforts is designed to allow for the safe operation of this type of vehicle in concert with passenger vehicles that most of our residents operate. So far, our efforts have been successful, and we will continue those efforts moving forward.

**Did you know** that texting while driving is now a **primary offense**? Please refrain from distracted driving. No matter how important you think it is, safety comes first! Just put it down. Don't text while you're driving and always remember to buckle up!

### Around Town

#### Coffee with the Town Manager



Town Manager Steve Koontz invites you to join him Thursday, August 15 at the Oakland Meeting Hall for **coffee** and **conversation** to learn more about Town services and programs. Residents will have an opportunity to ask questions and share their thoughts and ideas. **Coffee with the Town Manager** events are the third Thursday of the month from 9:00 a.m. - 10:00 a.m. and are open to the public. We hope to see you there!

#### JAZZ NIGHT



**Friday Night Jazz** is back! Our next event is Friday, August 23, from 6:00 p.m. - 8:30 p.m. This month's special guests are the Sebastian Dones Quartet. Come join us in the Town Center for a relaxing evening of live music. **Friday Night Jazz** is presented by HAPCO Music Foundation every fourth Friday through October.

### Police Department

There has been a significant increase in dump truck traffic in and around Oakland. These trucks are servicing developments in our town and others. We have increased our efforts to monitor these trucks and other construction vehicles as they travel Oakland Avenue, SR 50 and other roadways. Our objective is to ensure compliance from



### Public Works Department

#### Hurricane Season

The 2019 hurricane season has arrived!! Don't wait until a tropical storm or hurricane is imminent before you begin preparation. Timely, advance preparation can protect both you and your property from harm. Please visit the following websites for tips and valuable information on how you can protect your family, your property and yourself during times of emergency.

<http://www.orangecountyfl.net/EmergencySafety/DiasterPreparedness.aspx#.V2Py3qT2aUk>

<http://www.ocfl.net/EmergencySafety/HurricaneSafetyGuide.aspx#.XSyX9OhKiUk>

## Arts and Heritage Center

Work is steadily progressing on what will become the newest and most exciting building in the downtown area of Oakland. Among other things, the building will consist of nearly 2000 square feet of exhibit space, a wrap-around porch, a space for a future concession stand and much needed restrooms on the West Orange Trail. A “soft opening” is anticipated this Fall, with the official opening slated for some time after the first of the year.

As an added feature, a walkway is being planned which will connect the Center with Speer Park. Situated along Cross Street, it will be eight feet wide and meander among the huge oak trees that line the street. This improvement is scheduled to be ready just in time for the Oakland Heritage and Wildlife Festival to be held on October 26.



Arts and Heritage Center under construction.

## Sewer System Improvements

The Town is preparing to move forward with additional sewer system improvements! Recently a bid was approved by the Town Commission for two separate extensions of the Town’s sewer system. The improvements will include a gravity system in the area of West Oakland Avenue, which will allow for connection of the commercial businesses between the turnpike bridge and the Circle K store. A second improvement will also be constructed that will extend a force main sewer from the Longleaf at Oakland neighborhood up to Tubb Street, allowing for connection of commercial properties along SR 50.

The winning bid was submitted by Valencia Construction Group, a local firm located in Winter Garden, in the amount of \$426,578.00. It should be noted that the funding for this improvement was made possible by the Florida Legislature through a \$1,000,000.00 grant, which we will not have to pay back! The remainder will fund additional sewer system improvements in the area.

## 2018 Annual Water Quality Report

Your **2018 Annual Water Quality Report** is now available for viewing online. This report contains vital information about the source and quality of your drinking water. To view the report online, please visit <https://oaklandfl.gov/DocumentCenter/View/3865/Consumer-Confidence-Report>. If you would like to speak

with someone about the report or request a paper copy mailed to your home, please call 407-656-1117 x 2304.

## Oakland Nature Preserve

**Celebrating 20 Years of Education, Restoration, and Conservation**



### 2019 Oakland Heritage & Wildlife Festival

The Oakland Heritage & Wildlife Festival is held each fall at the Town’s Speer Park. This free festival celebrates the cultural and natural history of the Lake Apopka basin and Central Florida. Join us Saturday, October 26 for this great day of food, entertainment, merchants, live entertainment, and family fun! Sponsorship and vendor applications are available online at [www.OaklandNaturePreserve.org](http://www.OaklandNaturePreserve.org). This is the Preserve’s largest annual fundraiser. Proceeds benefit the Preserve and our environmental education programs.

## Happenings

### Education Challenge Match

Oakland Nature Preserve is delighted to announce that we have received a Challenge Match Grant for our environmental education programs! This grant will provide matching funds of \$15,000 if we are able to raise \$15,000 by **August 31!** This is extremely valuable to our environmental education programs, which serve people of all ages in both Orange and Lake counties. We are very proud of our educational accomplishments over the years, and with this opportunity we can continue to develop and expand our programs.

Your donation will be matched, dollar for dollar, so your contribution will have double the impact and will directly help fund our educational programs throughout the 2019-2020 school year.

Oakland Nature Preserve is an active 501c3 organization, and your donations may be tax deductible. You can make checks payable to Oakland Nature Preserve and mail to P.O. Box 841, Oakland, FL 34760. Please note on the memo line that your donation is for the Challenge Match Grant.

You can also visit [www.OaklandNaturePreserve.org](http://www.OaklandNaturePreserve.org) and click “donate” to have your gift matched. Thank you for your continued support of Oakland Nature Preserve!

## Upcoming Events

- August 3 - Insect Safari
- August 7 - Summertime Story Time

## Volunteer Opportunities

(Pre-register at [www.OaklandNaturePreserve.org](http://www.OaklandNaturePreserve.org))

- **Community Workdays:** Saturdays from 8:00 a.m. - 12:00 noon.
- **Restoration Projects:** Mondays from 8:00 a.m. - 12:00 noon.

**\*\*Follow us on Facebook to see everything that is happening at YOUR Nature Preserve!**

**OAKLAND POLICE DEPARTMENT**  
**Office of the Chief**

**M E M O R A N D U M**

**TO:** Mr. Stephen Koontz, Town Manager

**FROM:** Steven R. Thomas, Chief of Police

**DATE:** July 11, 2019

**SUBJECT:** June Police & Code Enforcement Activity Report

Again during the month of June we had no residential burglaries. We did however have 3 vehicles broken into. One was parked at the West Orange Trail Head and the other two were parked on Millholland in Southern Pines. In all cases the vehicles were left unlocked.

A total of 8 traffic crashes were investigated and 106 traffic citations were issued. So far this year a total of 828 tickets have been written. Our officers worked 1119 events/calls during the month, including 370 business checks and 120 vacation house checks.

Our code enforcement officer continues to become familiar with the town and stays busy patrolling the streets each day and responding to code complaints. Additionally, he is assisting with a number of duties at the police station.

Attachment

<b>OAKLAND POLICE ACTIVITY REPORT</b>		
<b>June-19</b>		
Criminal Reports		9
Arrest Reports		7
Information Reports		5
Driver Exchange Events		0
Traffic Crash Reports		8
<b>Totals</b>		<b>29</b>
<b>Offenses</b>	<b>Reports</b>	<b>Arrests</b>
Burglary - Home	0	0
Burglary - Vehicle	2	0
Burglary - Structure	0	0
Larceny	1	0
Vehicle Theft	0	0
Robbery	0	0
Simple Battery	0	2
Aggravated Battery	0	0
Sex Crimes	0	1
DUI	0	0
Narcotics	0	0
Child Neglect	0	0
Family Offense/Non Violent	0	0
Loitering/Prowling	0	0
Fraud	0	1
Property Damage	0	0
Stalking	0	0
Warrant/Writ/VOP/Cont. Of Court	0	2
Other Misc. Violations	6	0
Info Only	5	0
Hit and Run	0	0
No Valid/Expired Drivers License	0	1
D.W.L.S.	0	0
FIR	0	0
Driver Exchange	0	0
Traffic Crashes	8	0
<b>Totals</b>	<b>22</b>	<b>7</b>
<b>Citations Issued</b>		
Drivers License		8
Registration		10
Tag Violations		0
Fail to Obey Traffic Control Device		12
Seatbelt Violations		1
Ran Redlight		0
Child Restraint		1
Stop Sign		6
Insurance		7
Faulty Equipment		0
Unlawful Speeding		44
Careless Driving		3
Other Misc. Violations		14
<b>Totals</b>		<b>106</b>
<b>Warnings Issued</b>		<b>22</b>

<b>Traffic Crashes</b>	
Injuries	3
Without Injuries	5
<b>Total Crashes</b>	<b>8</b>

**Burglary - Vehicle**

5/31/2019 - 6/1/2019

Oakland Nature Preserve

Vehicle Left Unlocked

5/5/2019 - 5/12/2019

100 Millholland Way

Vehicles May Have Been Left Unlocked

**Burglary - Structure**

5/9/2019 - 5/10/2019

West Orlando Power Sports

Water Sports Equipment All

Kept Outside of Building



540 E. Oakland Avenue, PO Box 521, Oakland, Florida 34760

**MEMORANDUM**

TO: Steven R. Thomas, Chief of Police  
 FROM: Christopher R. Hooper, Code Enforcement Officer  
 DATE: July 1, 2019  
 SUBJECT: Monthly Report for June

During the month of June I continued becoming familiar with the town's ordinances. I also continued to closely monitor any watering occurring in the town. I found some more lots that were overgrown and a few other miscellaneous items such as a boat and trailer. I initiated the following cases:

Monthly Report For: June 2019		
New Cases Address:	Violation(s)	
N Starr St.	Tall grass and weeds	Closed
20 Oakland Pointe Cir	Watering Improper Day/ Time	Closed
115 W Henschen Ave	Watering Improper Day/ Time	Closed
1117 Johns Cove Ln	Watering Improper Day/ Time	Closed
418 W Gulley Ave	Boat improperly parked	Closed
404/406/408 Postell	Tall grass and weeds on lots	Closed
1191 Trailside Ct	Watering Improper Day/ Time	Closed
207 W Henschen Ave	Junkyard (Monster tire in ROW)	Open
215 W Henschen Ave	Trailer improperly parked	Open
Town Wide	16 Signs Pulled	

Thank you,  
 Christopher R. Hooper  
 Code Enforcement Officer  
 chooper@oaklandpd.com  
 (407) 656-9797 Ext. 2226

Town of Oakland  
Town Commission Agenda Item

**Date:** 7/15/19

**Meeting Date:** 7/23/19

**Item Type:** Ordinance

**Advertised Date:**

**Paper where advertised:**

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**From:** Stephen Koontz

**Title:** Town Manager

**To:** Stephen Koontz

**Title:** Town Manager

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**Subject:** Community Development Block Grant  
Fair Housing Ordinance 2019-12

**Budget Impact:**

**Background Summary:**

The Town has applied for a Community Development Block Grant. The Neighborhood Revitalization Grant is to fund community improvements for the installation of new gravity sewer lines, service laterals, and septic tank abandonment for low income residents within the incorporated areas of the Town. This ordinance provides for a declaration of policy to prohibit discrimination in housing on the basis of race, ancestry, national origin, religion, sex, marital status, handicap or age. It also designates as unlawful certain discriminatory practices and prescribes the general powers and duties of an administrator.

**Recommended Action:**

Approval of Ordinance 2019-12

**Attachments:** Ordinance 2019-12

**AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, CREATING A CHAPTER OF THE CODE OF ORDINANCES, TOWN OF OAKLAND, FLORIDA TO BE ENTITLED FAIR HOUSING CODE; PROVIDING FOR A DECLARATION OF POLICY TO PROHIBIT DISCRIMINATION IN HOUSING ON THE BASIS OF RACE, COLOR, ANCESTRY, NATIONAL ORIGIN, RELIGION, SEX, MARITAL STATUS, FAMILIAL STATUS, HANDICAP OR AGE; PROVIDING DEFINITIONS; DESIGNATING AS UNLAWFUL CERTAIN DISCRIMINATORY PRACTICES IN THE SALE OR RENTAL OF HOUSING, AS WELL AS IN ADVERTISING IN CONNECTION THEREWITH, IN THE FINANCING OF HOUSING, AND IN BROKERAGE SERVICES RELATED TO EXCEPTIONS; PROVIDING FOR AN ADMINISTRATOR TO BE DESIGNATED BY THE TOWN OF OAKLAND AND PRESCRIBING THE GENERAL POWERS AND DUTIES OF SUCH ADMINISTRATOR, PRESCRIBING ACTION UPON A DETERMINATION OF PROBABLE CAUSE, AND AUTHORIZING THE PROMULGATION OF FORMS AND REGULATIONS; MAKING PROVISIONS FOR THE FILING OF COMPLAINTS AND RESPONSES THERETO, AND THE PROCESSING THEREOF BY THE ADMINISTRATOR; PROVIDING FOR ADDITIONAL REMEDIES; PROVIDING FOR PROHIBITING UNTRUTHFUL COMPLAINTS OR FALSE TESTIMONY; PROVIDING FOR PENALTIES FOR VIOLATION OF SUCH CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE PEOPLE OF THE TOWN OF OAKLAND, FLORIDA, that:**

**SECTION 1. TITLE.**

Section \_\_\_\_\_ of the code of \_\_\_\_\_, Florida, is hereby created which shall be known as and may be cited as the "Fair Housing Code" of the Town of Oakland, Florida.

**SECTION 2. DECLARATION OF POLICY.**

It is the policy of the Town of Oakland in keeping with the laws of the United States of America and the spirit of the Constitution of the State of Florida, to promote through fair, orderly and lawful procedure the opportunity for each person so desiring to obtain housing of such person's choice in this jurisdiction without regard to race, color, ancestry, national origin, religion, sex, marital status, familial status, handicap or age, and, to that end, to prohibit discrimination in housing by any person.

**SECTION 3. DEFINITIONS.**

The terms as used herein shall be defined as follows:

- (a) Administrator: That person appointed by the Town Commission pursuant to Section 6 hereof.
- (b) Age: Unless the context clearly indicates otherwise, the work age as used herein shall refer exclusively to persons who are 18 years of age or older.
- (c) Discriminatory Housing Practice: An act that is unlawful under Section 4 hereof.
- (d) Family: One or more persons living together as a single housekeeping unit in a dwelling.
- (e) Housing or Housing Accommodation: Any building, structure, or portion thereof, mobile home or trailer, or other facility which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of

any such building, structure, or portion thereof, mobile home or trailer or other facility.

- (f) Lending Institution: Any bank, insurance company, savings and loan association or any other person or organization regularly engaged in the business of lending money, guaranteeing loans, or sources of credit information, including, but not limited to credit bureaus.
- (g) Owner: Any person, including, but not limited to a lessee, sublease, assignee, manager, or agent, and also including the Town of Oakland and its departments or other subunits, having the right of ownership or possession or the authority to sell or lease any housing accommodation.
- (h) Person: One or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mortgage companies, joint stock companies, trusts, unincorporated organizations, or public corporations, including, but not limited to the Town of Oakland or any department or subunit thereof.
- (i) Real Estate Agent: Any real estate broker, any real estate salesperson, or any other person, employee, agent, or otherwise, engaged in the management or operation of any real property,
- (j) Real Estate Broker or Salesperson: A person, whether licensed or not, who, for or with the expectation of receiving a consideration, lists, sells, purchases, exchanges, rents, or leases real property, or who negotiates or attempts to negotiate any of these activities, or who holds himself or herself out as engaged in these activities, or who negotiates or attempts to negotiate a loan secured or to be secured by mortgage or other encumbrance upon real property, or who is engaged in the business of listing real property in a publication; or a person employed by or acting on behalf of any of these.
- (k) Real Estate Transaction: Includes the sale, purchase, exchange, rental or leases of real property, and any contract pertaining thereto.
- (l) Rent: Includes leases, sublease, assignment and/or rental, including any contract to do any of the foregoing, or otherwise granting for a consideration the right to occupy premises that are not owned by the occupant.
- (m) Respondent: Any person against whom a complaint is filed pursuant to this ordinance.
- (n) Sale: Includes any contract to sell, exchange, or to convey, transfer or assign legal or equitable title to, or a beneficial interest in, real property.

#### SECTION 4. UNLAWFUL HOUSING PRACTICES.

- (1) Unlawful housing practices: Sale or rental and advertising in connection therewith.  
Except as provided in Section 5 hereof, it shall be unlawful and a discriminatory housing practice for an owner, or any other person engaging in a real estate transaction, or for a real estate broker, as defined in this ordinance, because of race, color, ancestry, national origin, religion, sex, marital status, familial status, handicap or age:
  - (a) To refuse to engage in a real estate transaction with a person or to otherwise make unavailable or deny housing to any person.
  - (b) To discriminate against a person in the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith.
  - (c) To refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person.
  - (d) To refuse to negotiate for a real estate transaction with a person.

- (e) To represent to a person that housing is not available for inspection, sale, rental or lease when, in fact, it is so available, or to fail to bring a property listing to such person's attention, or to refuse to permit him or her to inspect the housing.
- (f) To steer any person away from or to any housing.
- (g) To make, print, publish, circulate, post or mail, or cause to be made, printed, published or circulated, any notice, statement, advertisement or sign, or to use a form of application or photograph for a real estate transaction or, except in connection with a written affirmative action plan, to make a record or oral or written inquiry in connection with a prospective real estate transaction, which indicates directly or indirectly an intent to make a limitation, specification, or discrimination with respect thereto.
- (h) To offer, solicit, accept, use or retain a listing of housing with the understanding that a person may be discriminated against in a real estate transaction or in the furnishing of facilities or services in connection therewith.
- (i) To induce or attempt to induce any person to transfer an interest in any housing by representations regarding the existing or potential proximity of housing owned, used or occupied by any person protected by the terms of this ordinance.
- (j) To make any misrepresentations concerning the listing for sale or rental, or the anticipated listing for sale or rental, or the sale or rental of any housing in any area in the Town of Oakland for the purpose of inducing or attempting to induce any such listing or any of the above transactions.
- (k) To retaliate or discriminate in any manner against any person because of his or her opposing a practice declared unlawful by this ordinance, or because he or she has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding or conference under this ordinance.
- (l) To aid, abet, incite, compel or coerce any person to engage in any of the practices prohibited by the provisions of this ordinance, or to obstruct or prevent any person from complying with the provisions of this ordinance, or any conciliation agreement entered into there under.
- (m) By canvassing to compel any unlawful practices prohibited by the provisions of this ordinance.
- (n) Otherwise to deny to, or withhold, any housing accommodations from a person.
- (o) To promote, induce, influence or attempt to promote, induce or influence by the use of postal cards, letters, circulars, telephone, visitation or any other means, directly or indirectly, a property owner, occupant, or tenant to list for sale, sell, remove from, lease, assign, transfer, or otherwise dispose of any housing by referring as a part of a process or pattern of indicating neighborhood unrest, community tension, or fear of racial, color, religious, nationality or ethnic change in any street, block, neighborhood or any other area, to the race, color, religion, neighbors, tenants or other prospective buyers of any housing.
- (p) To place a sign or display any other device either purporting to offer for sale, lease, assignment, transfer or other disposition or tending to lead to the belief that a bona fide offer is being made to sell, lease, assign, transfer or otherwise dispose of any housing that is not in fact available or offered for sale, lease, assignment, transfer or other disposition.

(2) Unlawful housing practices: Financing

It shall be unlawful and a discriminatory housing practice for any lending institution, to deny a loan or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing or maintaining housing, or to discriminate against such person in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance, because of the race, color, ancestry, national

origin, religion, sex, marital status, familial status, handicap or age of such person or of any person associated with such person in connection with such loan or other assistance, or of the present or prospective owners, lessees, tenants or occupants of the housing in relation to which such loan or other financial assistance is to be made or given; provided that nothing contained in this subsection shall impair the scope or effectiveness of the exceptions contained in Section 5 of this ordinance.

(3) Unlawful housing practices: Brokerage Services

It shall be unlawful and a discriminatory housing practice to deny any person access to or membership or participation in any multiple listing service, real estate brokers organization or other service, organization, or facility related to the business of selling, or renting housing, or to discriminate against such person in the terms or conditions of such access, membership or participation because of race, color, ancestry, national origin, religion, sex, marital status, familial status or age.

SECTION 5. EXEMPTIONS AND EXCEPTIONS.

- (1) Nothing contained in Section 4 hereof shall prohibit a religious organization, association, or society, or any nonprofit charitable or educational institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting or from advertising the sale, rental or occupancy of housing which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons. Nor shall anything in this ordinance prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes, provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.
- (2) Nothing in Section 4 hereof, other than subsection (g) of subsection (1) thereof, shall apply to:
  - (a) Any single-family house sold or rented by an owner: provided, that such private individual owner does not own more than three such single family houses at any one time; provided, further, that in the case of the sale of any such single family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period; provided, further, that it does not own any interest in, nor is there owned or reserved on such owner's behalf, under any express or voluntary agreement, title to or any rights to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time; provided, further, that the owner sells or rents such housing (1) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesperson, or of such facilities or services of any person in the business of selling or renting housing, or of any employee or agency of any such broker, agent, salesperson, or person and (2) without the publication, posting, or mailing, after notice, of any advertisement or written notice in violation of subsection (g) of subsection (1) of Section 4 hereof, but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies, and other such professional assistance as necessary to perfect or transfer the title; or
  - (b) Rooms or units in housing containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as such owner's residence, provided that the owner sells or rents such rooms or units (1) without the use in any manner of the sales or rental services of any real estate broker, agent or salesperson, or of such facilities or services of any person in the business of selling or renting housing, or of any employee or agency of any such broker, agent salesperson, or person and (2) without the publication, posting or mailing, after notice in violation of subsection (g) of subsection (1) of Section 4

hereof, but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies, and other such professional assistance as necessary to perfect or transfer the title.

- (3) For the purpose of this subsection a person shall be deemed to be in the business of selling or renting housing if:
  - (a) He or she has, within the preceding twelve months, participated as principal, other than in the sale of his or her own personal residence, in providing sales or rental facilities or sales or rental services in three or more transactions involving the sale or rental of any housing or any interest therein; or
  - (b) He or she has, within the preceding twelve months, participated as agent, other than in the sale of his or her own personal residence, in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any housing or any interest therein; or
  - (c) He or she is the owner of any housing designed or intended for occupancy by, or occupied by, five or more families.
- (4) Nothing in Section 4 hereof shall be construed to:
  - (a) Bar any person from restricting sales, rentals, leases or occupancy, or from giving preference, to persons of a given age for bona fide housing intended solely for the elderly or bona fide housing intended solely for minors.
  - (b) Make it an unlawful act to require that a person have legal capacity to enter into a contract or lease.
  - (c) Bar any person from advertising or from refusing to sell or rent any housing which is planned exclusively for, and occupied exclusively by, individuals of one sex, to any individual of the opposite sex.
  - (d) Bar any person from selling, renting or advertising any housing which is planned exclusively for, and occupied exclusively by, unmarried individuals to unmarried individuals only.
  - (e) Bar any person from advertising or from refusing to sell or rent any housing which is planned exclusively for married couples without children or from segregating families with children to special units of housing.
  - (f) Bar any person from refusing a loan or other financial assistance to any person whose life expectancy, according to generally accepted mortality tables, is less than the term for which the loan is requested.

#### SECTION 6. ADMINISTRATOR AUTHORITY AND RESPONSIBILITIES.

- (1) Authority to Appoint. The authority and responsibility for administering this ordinance shall be vested in the Town Manager who shall appoint an administrator.
- (2) General Powers and Duties. The administrator shall:
  - (a) Receive written complaints as hereinafter provided in Section 7 relative to alleged unlawful acts under this ordinance when a complaint seeks the administrator's good offices to conciliate.
  - (b) Upon receiving written complaint, make such investigations as the administrator deems appropriate to ascertain facts and issues.
  - (c) Utilize methods of persuasion, conciliation, and mediation or information adjustment of grievances.
  - (d) Establish, administer or review programs at the request of the Town Commission and make reports on such programs to the Town Commission.
  - (e) Bring to the attention of the Town Commission items that may require public notice or action to resolve.
  - (f) Render to the Town Commission annual written reports of his or her activities under the provisions of this ordinance along with such comments and recommendations as he or she may choose to make.

- (g) Cooperate with and render technical assistance to federal, state, local and other public and private agencies, organizations and institutions which are formulating or carrying on programs to prevent or eliminate the unlawful discriminatory practices covered by the provisions of this ordinance.
- (3) Determination of Probable Cause. If after fully processing the complaint in the manner hereafter provided, the administrator determines that there is probable cause to believe that there has been a violation of the provisions of this ordinance, the administrator shall refer the matter, along with the facts he or she has gathered in the investigations, to the proper county, state or federal authorities for appropriate legal action.
- (4) Promulgation of Forms and Regulations. The administrator shall promulgate, publish and distribute the necessary forms, rules and regulations to implement the provisions of this ordinance.

**SECTION 7. COMPLAINTS.**

- (1) A person who claims that another person has committed a discriminatory housing practice against him or her may report that offense to the administrator by filing an informal complaint within forty-five (45) days after the date of the alleged discriminatory housing practice and not later.
- (2) The administrator shall treat a complaint referred by the Secretary of Housing and Urban Development or the Attorney General of the United States under the Fair Housing Act of 1968, Public Law 90-284, as an informal complaint filed under subsection (1).
- (3) An informal complaint must be in writing, verified or affirmed, on a form to be supplied by the administrator and shall contain the following:
  - (a) Identity and address of the respondent.
  - (b) Date of offense and date of filing the informal complaint.
  - (c) General statement of facts of the offense including the basis of the discrimination (race, color, ancestry, national origin, religion, sex, marital status, familial status, handicap or age).
  - (d) Name and signature of the complainant.
- (4) Each complaint shall be held in confidence by the administrator unless and until the complainant and the respondent(s) consent in writing that it shall be made public.
- (5) Within fifteen (15) days after the filing of the informal complaint, the administrator shall transmit a copy of the same to each respondent named therein by certified mail, return receipt requested. Thereupon, the respondent(s) may file a written, verified informal answer to the informal complaint within twenty (20) days of the date of the receipt of the informal complaint.
- (6) An informal complaint or answer may be amended at any time, and the administrator shall furnish a copy of each amended informal complaint or answer to the respondent(s) complaint, respectively, as promptly as practicable.
- (7) The administrator shall assist complainants or respondents when necessary in the preparation and filing of informal complaints or answers or any amendments thereto.
- (8) The administrator shall advise complainants of their rights and options provided in Section 760.34, Florida Statutes.

**SECTION 8. PROCESSING COMPLAINTS.**

- (1) Within thirty (30) days after the filing of an informal complaint, the administrator shall make such investigation as is deemed appropriate to ascertain facts and issues. If the administrator shall deem that

there are reasonable grounds to believe that a violation has occurred and can be resolved by conciliation, the administrator shall attempt to conciliate the matter by methods of initial conference and persuasion with all interested parties such representatives as the parties may choose to assist them. Conciliation conferences shall be informal and nothing said or done in the course of the informal conference with the individuals to resolve the dispute may be public or used as evidence in a subsequent proceeding by either party without the written consent of both the complainant and the respondent(s). The administrator or employee of the administrator who shall make public any information in violation of this provision shall be deemed guilty of a violation of a city ordinance and shall be subject to penalty as set forth in Section 12 of this ordinance.

- (2) If the parties desire to conciliate, the terms of the conciliation shall be reduced to writing in the form approved by the administrator and must be signed and verified by the complainant and respondent(s) and approved by the administrator. The conciliation agreement shall be for conciliation purposes only and shall not constitute an admission by any party that the law has been violated.
- (3) If the administrator deems that there is not probable cause to believe that the alleged discriminatory housing practice has been committed, the administrator shall take no further action with respect to the alleged offense.
- (4) If the administrator, with respect to any matter involves a contravention of this ordinance by failure to conciliate a complaint after the parties, in good faith, have attempted such conciliation; or determining that the violation alleged in the complaint cannot be resolved by conciliation, the administrator shall notify both the complainant and the respondent(s) within thirty (30) days of the failure or the determination, and then shall proceed as provided in Paragraph (3) of Section 6 herein above.

#### SECTION 9. ADDITIONAL REMEDIES.

The procedure prescribed by this ordinance does not constitute an administrative prerequisite to another action or remedy available under other law. Further, nothing in this ordinance shall be deemed to modify, impair or otherwise affect any right or remedy conferred by the Constitution or laws of the United States or the State of Florida, and the provisions of this ordinance shall be in addition to those provided by such other laws.

#### SECTION 10. EDUCATION AND PUBLIC INFORMATION.

The administrator may conduct educational and public informational activities that are designed to promote the policy of this ordinance.

#### SECTION 11. UNTRUTHFUL COMPLAINTS OR TESTIMONY.

It shall be a violation of this ordinance for any person knowingly and willfully to make false or untrue statements, accusations or allegations in a complaint filed hereunder or to give false testimony concerning violations of this ordinance.

#### SECTION 12. PENALTY.

Any person who violates any provisions of this ordinance shall be subject, upon conviction, to a fine up to but not exceeding the sum of Five Hundred and no/100 Dollars (\$500.00), or imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

#### SECTION 13. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held illegal, invalid or unconstitutional by the decision of any court or regulatory body of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The \_\_\_\_\_ hereby declares that it would have

passed this ordinance and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared illegal, invalid or unconstitutional, and all ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 14. EFFECTIVE DATE.**

This ordinance shall take effect immediately upon its passage, approval and publication as provided by law.

Passed upon first reading at a meeting of the governing body of the Town of Oakland, Florida on the 9<sup>TH</sup> day of JULY, 2019,

**PASSED AND ADOPTED** upon second and final reading at a meeting of the Town Commission governing body of the Town of Oakland, Florida, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**TOWN OF OAKLAND**

\_\_\_\_\_  
Kathy Stark, MAYOR

ATTEST:

\_\_\_\_\_  
Stephen Koontz, TOWN MANAGER

APPROVED AS TO FORM:

\_\_\_\_\_  
Gretchen R. Vose, TOWN ATTORNEY