CITY OF APOPKA

Minutes of the City Council regular meeting held on February 5, 2020, 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Bryan Nelson
Commissioner Doug Bankson
Commissioner Kyle Becker
Commissioner Alexander Smith
Commissioner Alice Nolan
City Attorney Joseph Byrd
City Administrator Edward Bass

PRESS PRESENT: John Peery & Teresa Sargeant - The Apopka Chief

INVOCATION – Pastor Don Yates of the Northside Baptist Church gave the invocation.

PLEDGE – Mayor Nelson introduced SGA members Representative Leiani Thomas and Senator Jamya Davis who led in the Pledge of Allegiance and provided the fact of the day saying on this day in 1971, Apollo 14 Commander Alan B. Shepard Jr. became the fifth human to walk on the surface of the moon. In 1961, Shepard became the first American to travel into space aboard Freedom 7.

APPROVAL OF MINUTES

1. City Council regular meeting January 15, 2020
   MOTION by Commissioner Bankson, and seconded by Commissioner Nolan, to approve the minutes of January 15, 2020, regular meeting. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye. .

AGENDA REVIEW –. City Administrator Bass advised there were no changes.

PRESENTATIONS:

1. Garbage and recycling route change and sewer break update.
   Josh Robinson, Solid Waste Operations Manager, said most of the growth in Apopka is to the west. He stated they have reached a point where they have maxed out the hours for the trucks available for pickup on Mondays and Thursdays. They are proposing moving 6-7 hours of work from the Monday/Thursday schedule to the Tuesday/Friday schedule. To notify customers an ad will run in The Apopka Chief, frequent notices in February on the city's Facebook site, as well as the website. Door tags left on affected residences and garbage carts. The new schedule will begin Tuesday, March 3, 2020 for garbage and Wednesday, March 4, 202, for new recycling schedule of affected areas.

   Kevin Becotte, Director of Public Services, said mid-January there was a sewer spill in the Wekiva Crest Subdivision north of Welch Road and East of Vick Road. He advised it took a couple of days to locate and isolate that break as it was in a wooded area. This was felt to be a construction defect the way the PVC pipe was installed. He stated there was a report made and this was approximately 300,000 gallons of raw wastewater spilled. He affirmed the City met with the Department of Environmental Protection last Friday and provided them with a copy of this report. He advised the state would be issuing a warning due to the volume of the spill and a penalty. He affirmed we would be able to do an in-kind project. He advised three activities are allowed and this was our second, but because of the volume, it goes into a warning. He affirmed once this was found, within a matter of hours it was repaired.

PROCLAMATION

1. Mayor Nelson said February is Black History Month and read a proclamation recognizing Commissioner Alonzo Williams as the first African American Commissioner in Apopka, serving from 1969 through 1994 when he retired. Mayor Nelson proclaimed February 5, 2020, as Alonzo Williams Day.

   Commissioner Smith said he and Francina Boykin researched and found that the first elected African American official in Orange County was elected in 1972 so Commissioner Williams is actually the first African American elected within Orange County having been elected in 1969.

PUBLIC COMMENT

David Hoffman said Rock Springs Ridge residents recently learned that Bob Della Rosso of the Rock Springs Ridge Golf Club informed Mayor Nelson there would be submitted to Apopka City soon a fully completed application for residential building at Rock Springs Ridge. He said this October 29 iteration of residential building and development plan is a full assault against the home and family legacy of he and his wife. He declared this plan also means a mutilation of their larger community, directly affecting scores of homeowners, drastically diminishing the character, definition, beauty and value of their community against their wishes and they will fiercely resist. He referenced Orlando Sentinel’s featured editorial from last Saturday’s edition that raised the alarm of ordinary citizens trying to fend off unwanted overdevelopment. He spoke of the state and growth management laws that stack the deck in favor of builders and developers at the expense of citizens wishing to protect the integrity of their neighborhoods. He asked where the Mayor and Commissioners stand on issues important to Rock Springs Ridge citizens, as well as other Apopka citizens who are alarmed about unchecked poorly planned growth. He stated a year ago at a Council meeting, he asked two questions that were not answered; what best practices of urban suburban development are David Moon and the Planning Commissioner observing, and if David Moon and James Hitt are not elected officials, since they are exercising enormous consequential power, to whom are they accountable. He said, more compellingly; do citizens have the same opportunity to communicate with and lobby them behind closed doors as builders and developers have? He stated transparency would mean that answers would be forthcoming.

Commissioner Becker said he did not want to go unchecked on commentary questioning his performance. He stated he has been on this Council for four years and there has been no development in Rock Springs Ridge in four years. That should be indicative of his position.

Mark Wyche lives in Rock Springs Ridge said he has not been able to attend all of the Council meetings, but good services are provided on the City's website and he can hear the recordings, He stated he has heard recordings in previous meetings where people have asked for an investigation of how the PUD was changed to change the acreage in Rock Springs Ridge. He said he has not seen or heard an answer of if that is going to happen. Why is that important? He stated if we do not follow-up and do an investigation of what happened, how will we know how that discrepancy occurred. He asked who was responsible for validating this discrepancy and have we attempted to ascertain if there were any fraudulent or criminal activity that might have taken place to have these changes in the numbers. He asked if there have been any changes made to the application process to prevent that from happening again. He further asked if the City cannot do an investigation, do they need to petition the State Attorney General or perhaps go to Representative Val Demmings to request federal investigators to find out how this happened. He stated he would reiterate the request for an investigation.

Mayor Nelson asked Mr. Wyche to submit his questions in writing and he would ask the attorney to review them.

Commissioner Bankson said it appears that the golf course acreage was added twice. He stated it is not clear if this was a clerical error. He said they have to be careful on quasi-judicial matters, but they were looking into it and that appears to have been what happened at that time.

Mr. Wyche suggested these issues and what is being done be communicated in a specified matter.

Commissioner Becker said they have discussed this in a public forum, which is the preferred method to discuss official business. He stated he has done his own research and agrees with the 1141 number and he is on record as saying that in this forum.

Mayor Nelson pointed out that the Council cannot communicate collectively on their website or social media as this would violate Sunshine Law. The forum where they can discuss this is at an open public meeting.

Commissioner Becker said the Council is at a position where they agree with the 1141 number and that the 300 was recounted. They are saying this on record in this forum. He stated what the City Attorney has provided as guidance is that anytime an application is put forth, they will have to prove development rights. The attorney has opined if the City goes the route of having a survey done of this property, it may show favoritism to residents over a potential developer. At the end of the day, they all have agreed to 1141 as the number and any developer coming in will have to prove they have development rights above that 1141. He added if you believe the 1141, they are already oversubscribed in that neighborhood from a total dwelling count.

Mr. Wyche again asked for an investigation to once and for all settle this. He stated this started years ago and the city, at that time, approved this plan with the overage.

Commissioner Becker said they are all on the agreement with the 1141 number. The community wants an investigation to see why it even got to the point of 1400 instead of 1141. He said he was not opposed to that happening, but did not know the process and would rely on counsel for the process.

City Attorney Byrd said it would take a lot of time to frame the process. He stated the process in terms of the responsibilities of the City staff, the developers and surveyors who certify this. He said if Council wants him to provide that information, he will. He said if there is a desire for residents of Rock Springs Ridge to have state and federal investigators investigate this, he would suggest they consult counsel. He said he did not thing that will be a very fruitful endeavor for them because of the nature of what they are asking for. He said he would be glad to write a memorandum in terms of how the process works for Council that can be shared with everybody interested. He said in terms of an investigation, to pull witnesses in, he would need subpoena power for that.

Mayor Nelson said everybody has private property rights with the ability to come to City Council to request approval for development, whatever that development may be. Council has the right to deny development.

Francina Boykin said she wanted to bring historical recognition to Sarah Meade's Bottom, which is now the proposed City Center. She stated she has tried to reach out to Taurus, saying that some time ago discussion was held memorializing the early black settlers who settled in Meade's Bottom. She explained this is the area at the 441/436 area. Sarah Meade settled a homestead in Meade's Bottom sometime in the 1870's after the Civil War. Sarah Meade came to Apopka via Jacksonville, Florida. Her sister recommended this to be an opportunity for black people. She said Sarah Meade introduced many of the early black settlers to this location at Sarah Meade's Bottom. She had boarding homes, a commissary where persons settling in the area could purchase items needed to farm. She said she was asked by Michael Gladden, Jr. what the black man had after the Civil War to which she pondered and answered "nothing". She said Michael Gladden, Jr. stated the black man had skills and with those skills they came to Apopka, Florida to produce and have business opportunities. She declared as the area is taking shape, they still would like, from a historical standpoint, to remember those early black settlers such as Michael Gladden, Sr., and George Oden. She advised Mildred Board and Marie Gladden both documented the individual households and contributions or why they came to Apopka, most being for economic reasons. She said the slaves completed construction of the Orange Lodge in 1859 and this is documented in the United States Travel Guide. She asked the City to follow up with the developer of the City Center to make sure these early settlers are recognized.

CONSENT

1. Authorize City Support Services for 59th Annual Art and Foliage Festival
2. Approve Amendment #1 of work squad contract W1167 and #2 of work squad contract W1136 with the Florida Department of Corrections.
3. Authorize the Mayor or his designee to sign an Interlocal Agreement for the Public Safety radio tower.
4. Approve the assignment of the Bridle Path Development Agreement between BB Bridle Path, LLC and Forestar (USA) Real Estate Group, LLC.
5. Approve purchase of additional trees for Martin's pond and along 6th Street between Christiana Drive and U.S. 441 using the Tree Bank fund.
6. Reject RFP 2020-01 for the City Hall chiller replacement project.
7. Accept grant submission notification.
8. Authorize the issuance of blanket purchase orders for fiscal year 2020.

MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve eight items on Consent. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan and Smith, voting aye.

BUSINESS

1. First amendment to Amended and Restated Development Agreement / Amendment to the Major Development Plan
   Rock Springs Preserve (Formerly Known As Hamrick Estates)
   Project: Wekiva Pointe, LLC
   Location: 3220 Pittman Road
   Project Manager: David Moon

   David Moon, Planning Manager, said this case is a request to approve the First Amendment to the Amended and Restated Land Development Agreement for the Hamrick property and the amendment to the Rock Springs Preserve, formerly known as Hamrick Estates, Major Development Plan. In November 2019, Council approved a Future Land Use Amendment for the Hamrick property, which is 35 acres, approving the density from 1 DU/AC to 2 DU/AC. As part of the requirements of the City's interlocal agreement with Orange County Public Schools and the County Charter, School Capacity Enhancement Agreement addressed as part of a Development Agreement. He advised Orange County Public Schools raised concerns about that Development Agreement as it addressed school capacity enhancement. The Developer's legal counsel worked with Orange County Public Schools legal counsel and prepared a resolution between the parties regarding school capacity enhancement. He affirmed this required amendment to two items City Council had previously approved. The first being the Amended and Restated Development Agreement and the second is the Major Development Plan associated with the Hamrick property, also known as Hamrick Estates. He advised the applicant recently changed the name of the subdivision planned from Hamrick Estates to Rock Springs Preserve. He said the two primary changes to the development agreement are the deletion of two paragraphs related to capacity enhancement and school concurrency management, then additional language that breaks up the project into three phases. He explained the third phase is for eight of the lots closest to Mt. Stirling cannot develop until the school capacity enhancement agreement is established or some other resolution between OCPS and the Developer, or action taken by the state legislature. He said staff recommends two actions, one to approve the first amendment to the amended and restated development agreement and one to approve the amendment to the major development plan.

   Jason Searl, representing the applicant said they concur with Mr. Moon's presentation. He thanked Council, City Attorney and staff, as well as Orange County and the School Board for allowing the dialogue to happen resulting in where they are today.

   Mayor Nelson opened the meeting to a public hearing.

   Teresa Jacobs, Chairman of Orange County School Board, said she was glad to be back with a solution that is hopefully one Council can support. She recognized the Counsel for this project who reached out to them immediately after the meeting requesting they sit down and work through this. She said this has been a lot of work on everybody's part to find a way to come to a place where the School Board would not be challenged in this action and a way to keep things moving. She said it is not perfect, but OCPS can support it and their Board has approved this moving forward and all indications from Orange County is that they are also in agreement. She shared that OCPS is working on a very narrow glitch bill and it would be tailored specifically to the cities in Orange County and developments there. It would only provide that no impact fee credits would be given when there is a mitigation fee that covers a cost that isn't covered by impact fees.

No one else wishing to speak, Mayor Nelson closed the public hearing.

MOTION by Commissioner Nolan and seconded by Commissioner Smith to approve the First Amendment to the Amended and Restated Development Agreement to Rock Springs Preserve. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

MOTION by Commissioner Nolan and seconded by Commissioner Backer to approve the Amendment to the Major Development Plan for Rock Springs Preserve Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

2. Plat – Country Crossing Estates
   Project: Holston Properties and Development, LLC and Phillips Park XVI, LLC
   Location: North of West Lester Road, west of Vick Road (2580 Vick Road)
   Project Manager: Bobby Howell
   Bobby Howell, Senior Planner provided a brief overview of the Country Crossing Estates Plat and Final Development Plan. He reviewed the location and future land uses on a map. The proposed development is for 22 single-family units on 16.015 acres. He advised the R-1AA zoning standards apply to the subject property per the applicable PUD Ordinance. The minimum living area for a house will be 1,700 square feet. The Planning Commission and DRC recommend approval.

   Bob Holston, with Holston Properties and Development was present to answer any questions.

   Mayor Nelson opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

   MOTION by Commissioner Bankson, and seconded by Commissioner Nolan to approve the Country Crossing Estates Plat and Final Development Plan. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

3. Preliminary Development Plan - Faircloth Lakes Subdivision
   Project: Holston Properties and Development, LLC
   Location: West of SR 451, east of Marshall Lake, south of Ralph Poe Drive, north of Marshall Lake Road
   Project Manager: Bobby Howell

Mr. Howell provided an overview of the project stating this is a proposed 31 lot single family subdivision on 25.38 acres. He reviewed the location of the property on a map. The development is subject to the standards and conditions set forth in PUD Ordinance 2344, which was adopted February 5, 2014. The minimum typical lot width is 70 feet with a minimum lot size of 8,000 square feet and a minimum unit size of 1,350 square feet, which is consistent with the approved PUD ordinance. There are two tracts for stormwater retention located within the development and a 12,600 square foot park provided. The Planning Commission and DRC recommend approval.

Commissioner Bankson said he has had some residents in the area concerned about the minimum required home size of 1,350 square feet. He inquired if we could make sure those homes are of the size and nature of the surrounding area.

Mr. Howell said the PUD Ordinance stipulates the minimum unit size of 1,350 square feet and they are in compliance with this ordinance.

Commissioner Becker said to clarify, the PUD Ordinance states or as otherwise determined by City Council at review of the Master Site Plan. He said in our current LDC homes on 75 foot lots are 1600 square feet or larger.

Mr. Howell responded in the affirmative. He advised this project is being developed under the 1993 LDC.

Bob Holston, Holston Development said they would agree to raising the minimum house size to 1,600 square feet.

Mayor Nelson opened the meeting to a public hearing.
Pat McGuffin said his main concern was the 1,350 minimum house size. He stated he did see the drainage ponds. He said this lake is not spring fed and expressed concern of the lake staying low with the water maintained on property. Mayor Nelson said this is more important with a lake being there. Mr. McGuffin also asked for clarification regarding signage on a wall to which Mr. Howell explained this was the subdivision entry signage.

No one else wishing to speak, Mayor Nelson closed the public hearing.

MOTION by Commissioner Bankson and seconded by Commissioner Nolan to approve the Preliminary Development Plan for Faircloth Lakes Subdivision with amending the minimum house size to 1,600 square feet. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

4. Approve Memorandum of Agreement with St. Johns River Water Management District and other parties for distributed wastewater treatment systems.
Project: Camp Thunderbird
Presented by: Kevin Becotte

Kevin Becotte, Public Services Director said this is a project they have been working on for some time. There was an interlocal agreement with SJRWMD from September 2018 and this project is unique. He said they are working with Camp Thunderbird where they have ten septic systems which limits their growth on the property. They are working with them to provide new technology due to their distance from a public sewer system. He advised a bid in the summer only had one bid received and it was brought to Council to reject since there was only one vendor to bid on this. He advised the City is now working with this vendor, On Site, as they have the technology to replace the septic systems with the ability for the City to monitor the systems. At this time the request is to approve a Memorandum of Agreement with five parties, SJRWMD, DEP, Quest, On Site, and the City of Apopka. The City will be the owner of the infrastructure once installed. The recommendation is to approve the Memorandum of Agreement.

Mayor Nelson opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Smith and seconded by Commissioner Nolan to approve the Memorandum of Agreement with SJRWMD and other parties for distributed wastewater treatment systems. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

5. City Center Off-Site Roadway Improvements
   Project: Taurus City Center, LLC
   Project Manager: Pamela Richmond
   Pam Richmond, Planner, said there was not a contingency fee included in the contract for this project. The request is to add a contingency fee of $50,000 to cover changes to the scope and any additional contingencies until the end of the project, resulting in a new total project budget of $4,663,462.25. The recommendation is to approve an increase to the project budget adding a contingency fee of $50,000.

   MOTION by Commissioner Bankson, and seconded by Commissioner Nolan to approve the amendment to the City Center off-site Road Improvements for an additional $50,000. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2748 – First Reading - Comprehensive Plan – Small Scale – Future Land Use
   From: Residential Low & Residential High
   To: Industrial (Max. 0.6 FAR)
   Project: Marshall Lake Properties, LLC
   Location: 780 Marshall Lake Road
   Project Manager: Phil Martinez The Clerk read the title as follows:

ORDINANCE NO. 2748

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM RESIDENTIAL LOW & RESIDENTIAL HIGH TO INDUSTRIAL FOR CERTAIN REAL

PROPERTY LOCATED SOUTH OF MARSHALL LAKE ROAD AND EAST OF STATE ROUTE 451, COMPRISING 3.39 ACRES MORE OR LESS, AND OWNED BY MARSHALL LAKE PROPERTIES, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Phil Martinez, Planner, gave an overview of the Small Scale Future Land Use Amendment for Marshall Lake Properties LLC. The recommendation is to approve at first reading and hold over for a second reading.

Mayor Nelson opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve Ordinance No. 2748 at first reading and carry over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

2. Ordinance No. 2749 – First Reading - Change of Zoning
From: RSF-1B (Residential Single Family – Large Lot District) & RMF (Residential Multi-Family District)
To: I-L (Light Industrial District)
Project: Marshall Lake Properties, LLC
Location: 780 Marshall Lake Road   The Clerk read the title as follows:

ORDINANCE NO. 2749

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM RSF-1B (RESIDENTIAL SINGLE-FAMILY DISTRICT – LARGE LOT) & RMF (RESIDENTIAL MULTI-FAMILY DISTRICT) TO I-L (LIGHT INDUSTRIAL DISTCRICT) FOR CERTAIN REAL PROPERTY LOCATED SOUTH OF MARSHALL LAKE ROAD AND EAST OF STATE ROUTE 451, COMPRISING 3.39 ACRES MORE OR LESS, AND OWNED BY MARSHALL LAKE PROPERTIES, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Phil Martinez, Planner, provided an overview for the change of zoning from Residential Single Family Large Lot District and Residential Multi-Family District to Light Industrial District. He advised this is the same property, Marshall Lake Properties, LLC. The recommendation is to approve at first reading and hold over for a second reading.

Mayor Nelson opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Smith, and seconded by Commissioner Nolan, to approve Ordinance No. 2749 at first reading and carry over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

3. Ordinance No. 2750 – First Reading - Comprehensive Plan – Small Scale - Administrative – Future Land Use – Dream Lake Park
From: Residential Low (0-5 du/ac)
To: Parks & Recreation (Max. 0.2 FAR)
Project: City of Apopka
Location: South of Laurel Street, west of North Park Avenue
Project Manager: Phil Martinez The Clerk read the title as follows:

ORDINANCE NO. 2750

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM RESIDENTIAL LOW TO PARKS/RECREATION FOR CERTAIN REAL PROPERTY LOCATED SOUTH OF LAUREL STREET AND WEST OF N. PARK AVE., COMPRISING 4.34 ACRES MORE OR LESS, AND OWNED BY CITY OF APOPKA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Phil Martinez said this is a Small Scale Comprehensive Plan Administrative amendment from Residential Low to Parks & Recreation for property owned by the City of Apopka by Dream Lake Park. The recommendation is to approve at first reading and hold over for a second reading.

Mayor Nelson opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Bankson, and seconded by Commissioner Nolan, to approve Ordinance No. 2750 at first reading and carry over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

4. Ordinance No. 2751 – First Reading - Change of Zoning – Administrative – Dream Lake Park
From: RSF-1B (Residential Single Family – Large Lot District)
To: PR (Parks & Recreation District)
Project: City of Apopka
Location: South of Laurel Street, west of North Park Avenue
Project Manager: Phil Martinez The Clerk read the title as follows:

ORDINANCE NO. 2751

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM RSF-1B (RESIDENTIAL SINGLE-FAMILY DISTRICT – LARGE LOT) TO PR (PARKS & RECREATION DISTCRICT) FOR CERTAIN REAL PROPERTY LOCATED SOUTH OF LAUREL STREET AND WEST OF N. PARK AVENUE, COMPRISING 4.34 ACRES MORE OR LESS, AND OWNED BY CITY OF APOPKA;

PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Martinez said this is the same property as the prior ordinance, but requesting a change of zoning to Parks & Recreation District for the property at Dream Lake Park. The recommendation is to approve at first reading and hold over for a second reading.

Mayor Nelson opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Nolan, and seconded by Commissioner Bankson, to approve Ordinance No. 2751 at first reading and carry over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

5. Ordinance No. 2752 – First Reading - Change of Zoning
   From: T (Transitional District)
   To: AG (Agriculture District)
   Project: SMK Properties, LLC
   Location: South of West Hammon Drive, north of S.R. 414
   Project Manager: Phil Martinez The Clerk read the title as follows:

ORDINANCE NO. 2752

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM T (TRANSITIONAL DISTRICT) TO AG (AGRICULTURE DISTCRICT) FOR CERTAIN REAL PROPERTY LOCATED SOUTH OF W. HAMMON DRIVE AND NORTH OF STATE ROUTE 414, COMPRISING 48.50 ACRES MORE OR LESS, AND OWNED BY CITY OF APOPKA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Martinez said this property is is located south of West Hammon Drive and north of S.R. 414. The request is to change the zoning from Transitional District to Agriculture District. The recommendation is to approve at first reading and hold over for a second reading.

Mayor Nelson opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve Ordinance No. 2752 at first reading and carry over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

6. Ordinance No. 2753 – First Reading – Annexation
   Project: VBRO Enterprises, Inc.
   Location: 25 East Lester Road
   Project Manager: Jean Sanchez The Clerk read the title as follows:

ORDINANCE NO. 2753

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY VBRO ENTERPRISES, INC.; LOCATED AT 25 EAST LESTER ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Jean Sanchez, Planner, provided an overview of this request for annexation. She reviewed the property on a map. She advised that Orange County raised concerns of leaving an enclave. She affirmed parcels to the west and east are located within the City of Apopka, thus making the subject property contiguous to the City's jurisdictional boundary in accordance with the requirements of Florida Statute 171.044 and eligible for annexation. The recommendation is to approve at first reading and carry over for a second reading.

Mayor Nelson opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Bankson, and seconded by Commissioner Nolan, to approve Ordinance No. 2753 at first reading and carry over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

CITY COUNCIL REPORTS
Commissioner Nolan reported that Catholic Charities was in Apopka yesterday and they dropped off 24,000 pounds of food to those in need. They were able to connect zip codes to this and helped many from the 32703 zip code. This is a mobile drop where the receiver drives their car up and food is placed in the vehicle.

Commissioner Bankson reported he had a good meeting last evening at the Airport with the Board and the Developers who came together. He said this was a very positive sense to the meeting and the Board felt their views were listened to. Lot 62 came up for consideration by the City, which is the portion the City owns between the airstrip and the road. He said this serves no purpose and a desire was expressed to have this transferred to them. He recommended the City look into this matter. He encouraged extension of the airstrip.

Commissioner Becker said this Friday is "Go Red for Women" to bring awareness to the American Heart Association, specifically with women's heart disease issues.

CITY ADMINISTRATOR REPORT – No report.

CITY ATTORNEY'S REPORT
City Attorney Byrd said in the Council's decision to accept the First Amendment to the Amended and Restated Development Agreement on the Hamrick Estates pushed us off the

praeceptus of litigation. He said he was appreciative that OCPS has representation here. He stated until there is a legislative fix, this may come up again.

1. HOA Cameras

Mr. Byrd reported there are various cameras around some of the HOA entrances or subdivision entrances. He advised these cameras basically are tag readers. There has been some confusion as if these are security cameras. He affirmed that is not the purpose of those cameras and some of these cameras have not been functioning properly. The tag reading camera will spot the tab and communicate to our communications center in a case of a stolen vehicle. He suggested to Council that the city do something similar to what Orange County where they passed a resolution to either remove the cameras or give them to the HOA. This would allow the HOA, through an agreement, to establish their own cameras in the right-of-way at entrances/exits for security cameras.

MAYOR'S REPORT

1. Coca Cola Manufacturing Operations – Mayor Nelson reported Coca Cola would be shutting down their production site in Apopka. They will be sending these 55 jobs to their facility in Bartow. They will keep the flavors and the R&D lab here.

2. City's 2020 Legislative Budget Requests – Mayor Nelson said today and tomorrow we will be finalizing appropriations to the House and Senate. He stated we started out with five and we are down with $500,000 for the Fire Station in the House budget, but it is not in the Senate. For the Harmon Road extension we have $750,000 in the Senate, but not in the House. He advised the Governor plans to have all excess funds not allocated go toward teacher pay.

3. Jamie Roberson, President-Elect, Florida Government Finance Officers Association – Mayor Nelson said Jamie Roberson will become the President of the FGFOA He and Edward will see her sworn in as President in June. He congratulated Jamie for taking on this responsibility for the Statewide Association.

ADJOURNMENT – There being no further business the meeting adjourned at 3:27 p.m.

ATTEST:

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Bryan Nelson, Mayor

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Linda F. Goff, City Clerk