CITY OF APOPKA

Minutes of the City Council regular meeting held on November 20, 2019, 7:00 p.m., in the City of Apopka Council Chambers.

PRESENT:	Mayor Bryan Nelson Commissioner Doug Bankson Commissioner Kyle Becker Commissioner Alexander Smith City Attorney Joseph Byrd City Administrator Edward Bass
ABSENT:	Commissioner Alice Nolan (excused)
PRESS PRESENT:	John Peery - The Apopka Chief

INVOCATION – Pastor Waldemar Serrano of Bethany World Ministries gave the invocation.

PLEDGE – Mayor Nelson introduced William Butler, Wekiva Scholar Academy Junior who led in the Pledge of Allegiance. He said on November 22, 1963, President John F. Kennedy traveled to Dallas to smooth over frictions between the fractioned Texas Democratic party, improve relations with the recently elected Texas conservative Governor, and meet with local civic and business leaders. At approximately 12:30pm, while driving in the presidential motorcade through Dealey Plaza, Kennedy was shot and killed by Lee Harvey Oswald; becoming the fourth sitting president to be assassinated while in office.

APPROVAL OF MINUTES

1. City Council regular meeting November 6, 2019

   MOTION by Commissioner Becker, and seconded by Commissioner Bankson, to approve the minutes of November 6, 2019 regular meetings. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye. .

AGENDA REVIEW –. City Administrator Bass advised that due to late communication with Orange County Public School Board late this afternoon the applicant has requested the first three items under Public Hearings be postponed to a date certain of December 4, 2019. He said there were several residents present from Rock Springs Ridge and stated these were the only items on the agenda relevant that would have an impact to Rock Springs Ridge.

MOTION by Commissioner Bankson, and seconded by Commissioner Smith to postpone Items 1, 2, and 3 under Public Hearings to December 4, 2019. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

PRESENTATIONS:

1. Apopka Youth Council
   Dr. Shakenya Harris-Jackson said she wanted to share with Council that the City has established the Youth Council with nine brilliant young people who have dedicated their time and made a commitment to learn about local government. They would like to take on a community event or some type of project to help bring youth to learn about government and be more active within the city. She introduced each member; Tariq Ballard, John Rassel, Roggy

Jacotin, John Latimer III, Devin Leath, Stacy Nozime, Robertina Clenord, Hannah Scarborough, and Witney Robinson. These students are from Apopka and Wekiva High Schools and one student from a local private school. She affirmed this group is excited to work with the city and represent the youth in Apopka.

2. Chief McKinley said that recently the Apopka Police Department had Council approve using some of their forfeiture funds to support associations in the community. One of those is AMI Kids and he said since 1991 AMI Kids Orlando has been dedicated in helping kids discover the potential within them, transform their lives and strengthen our community. He stated located in Apopka, AMI Kids Orlando empowers kids through care and guidance to reach their potential and as a result break the cycle of failure and poverty. Even kids with a troubled past have the potential to achieve a bright future. AMI Kids Orlando works every day to separate their troubled pasts from their bright future. He presented AMI Kids Orlando with a check to help their cause.

3. Farmer's Market
   Brian Forman, Parks and Recreation Director said with him was Dana Brown with RTP Productions and Bradley Gardner who has the produce at the Winter Garden Farmer’s Market. He stated RTP Productions has submitted a proposal to the City of Apopka for them to manage all aspects of a Farmer’s Market at no cost to the city. He said the City would provide space for storage and a dumpster. RTP Productions manages the Farmer’s Markets in Winter Garden, Celebration, Lake Eola, and a few other places.

   It was the consensus of Council to support RTP Productions in providing a Farmer’s Market in Apopka.

PUBLIC COMMENT

Todd Hill said he lives in Rock Springs Ridge and a great number of the residents are concerned about development and reopening of the Planned Unit Development by the current owners of the golf course. He said this has been on going now for 10 years or so. He said 1141 is the number of acres in Rock Springs Ridge and the existing PUD, and it was supposed to be at one unit per acre, but it has been inflated by an additional 179 homes. He said the residents would ask Council to do nothing and not reopen the PUD. He stated the residents might be open to a purchase of the property if ever given the opportunity to do so at a reasonable price.

Gary McSweeney lives in Rock Springs Ridge said the development of Rock Springs Ridge was received well as it was built out. He said the original proposal was with two deeds, one 913.57 acres and the other 142.48 acres. This adds up to 1,056 acres and he said this was a good size project. The City’s population was approximately 25,000 at the time and this was a large development. Mr. McSweeney said since that time there have been land area calculations made and under the 2003 PUD it is 1141 plus or minus and there are two calculations off the official Orange County map in the appraiser’s office, one for 1,136 and the other one 1009. He said this averages 1111, yet somehow, as the project got going, and after the plat plans for all phases were developed, in 1999 there were 1,320 homes built on 1,141 acres. He stated this was a 15% deviation from what the PUD agreed should happen. He said the city signed a PUD governing agreement and the city is the lead agent entitled to ensure compliance with the PUD requirements and it did not. He said as moving forward in Phase 4, someone realized there were 179 homes overbuilt in Rock Springs Ridge and something needs to be done about this. He said a 2 acre zone was created in the middle of Phase 4 of the community that was 200 acres in size and said there could be 200 acres, 1 home per acre which was the limitation times 2, or 400 homes in that area. He said the third amendment to the PUD in 2003 came about and it proposed 1442.03 acres, stating this was different from the 1111 acres (the average). He said this wraps up to hundreds of millions of dollars, the 179 homes over and the 300 homes on fraudulent land that did not exist. He said this went through applications, approved by the city and they area now having to face issues associated with this information. He requested the city validate the land area of Rock Springs Ridge and confirm that anything above what is calculated to be discarded immediately.

Hank Dunn said he had a couple of questions and one is based on what he saw, the plans for the Hamrick property still shows an empty lot where Mt. Stirling abuts to it. He stated at the last meeting with the developer's representatives that was something they talked about changing so there was no ability to ever tie to Mt. Stirling. It also says there are two access points to the development and he declared that was not correct, stating there was one access point through Pitman Road. He said there was a stub out at a place that is not Mt. Stirling, but no road there. He asked that the site plan be addressed to have a lot so there is no possibility of tying to Mt. Stirling. He also would like to make sure the 25-foot tree line barrier be kept. He said the document states the project will have no impact on public school attendance and that is not so.

Michelle Chase is a resident of Rock Springs Ridge and is requesting the total acreage for the Rock Springs Ridge community be corrected in public records from 1442 to 1142.33. She said in late 2018 Gary McSweeney provided the city and HOA with documentation to show the error in the PUD recorded in public records. On September 11, 2018, the Rock Springs Ridge HOA land use attorney emailed Cliff Shepard and that email supports the inaccuracy after reviewing the documents and notes density at .74 lots per acre, not the 1 DU/AC zoned. She continued to write the density exceeds current permitted density and no development rights remain within the PUD. It was asked this inaccuracy be addressed and corrected. She said in another email dated March 15, 2019 from Vivian to Joe Byrd asked again for the city to address inaccuracies within the PUD. She referenced the annual HOA meeting in 2019 requesting Mayor Nelson to investigate and Mayor Nelson declined to speak at that event. She said a letter was sent to City Attorney Byrd on May 22, 2019, by Cathy Watson, Property Management for the HOA requesting the city to respond to the discrepancies reported. She said on October 29, 2019, the Rock Springs Ridge HOA Board, the HOA attorney, 2 land use resident committee members, Mayor Nelson, and Edward Bass attended a private meeting with the Golf Group to hear a proposal. She said no residents were notified and there was a quorum of the HOA board, stating this may be a violation of FS Chapter 720. She asked why the Mayor and City Administrator attended this meeting and did this meeting satisfy a requirement for the Golf Group as part of an application process. She said the city has a responsibility and an obligation to the residents of Rock Springs Ridge to have accurate public records.

Commissioner Becker said as a point of order, the city's public policy allows to have the information condensed if everyone is coming forward with the same information. He said at the heart of the matter a fact is being disputed the 1141 acres based on what is publicly available. He asked how do we start the process to fix the PUD if that is indeed the number so that there is a factual number. Ultimately, that is what is trying to be accomplished by the residents.

Mayor Nelson explained that he was not able to speak at the Rock Springs Annual HOA meeting as there was a Commissioner present and it would have violated Sunshine Law had he done so. It was not noticed as a City of Apopka public meeting, so he could not speak. He affirmed the City does not have an application from the Golf Group as to a development. They made a proposal and he asked Rod Olsen to come forward to present the outcome of that meeting. He advised that he and Mr. Bass were invited to that meeting as a listening session.

Rod Olsen said he was in attendance of the meeting and he serves on the HOA Board and the Land Use Committee the Board assigned to take a look at what could be done with regard to the golf property to seek resident input as to what they could do moving forward. He said they came to the meeting where the Golf Group presented a proposal of approximately 200 homes as a means and then gift to the HOA the golf course and the rest of the property. He said it was presented with a number of amenities, but clearly, the message sent by the HOA Board members and committee members in attendance was that they were not interested in seeing any more property. In the end, after the group left, a discussion developed with the Mayor looking at some means of trying to do something and there was discussion of possibly 72 upscale homes being built on what was the old driving range, which would be buffered by trees. There was no interest of anyone to build anything on that property. No one in that meeting, other than the three representatives from the Golf Group were interested in development. He said there was no intent to hide anything from anyone. Under the new land use proposal they have to first of all verify the acreage, hold a meeting with the city land development, and then it has to go to a full meeting of the entire Rock Springs Ridge Community before it can even move forward from there.

Mayor Nelson said he asked what they wanted for the property and there was no answer. He said Mr. Olsen had their proposal and sent it out on Next Door. He said they can come back and ask and if they would lose at the City level, they could appeal to the Courts.

City Attorney Byrd said the Chevron case would be the point, stating if the applicant can show the decision of Council were to cause him to have property with no economic viability, the Chevron case says that is impermissible. It is an inverse condemnation. He said it is unknown, as Commissioner Becker stated, these are facts and issues that would be tried if everything were denied. The question would be if they city denied the applicant all economic viability. If so, it is imminent domain. He said the judge would determine how many properties could be developed on that parcel. He affirmed you cannot force a property owner to run a business on property that is financially in the red. He said his concern is, that this is a residential golf course and what would be the other economic viabilities of this property. He stated the owner would have to justify any density changes. He advised the Golf Group initiated wanting to have a meeting, it was not the City. They requested space at City Hall and at the last minute, it was asked that the Mayor and Mr. Bass attend. He advised that was nothing official and did not start the process. If they officially submit, they will be required to do a survey and prove the calculations.

Commissioner Becker said outside of any potential development, if the residents of Rock Springs Ridge came to the City wanting the number to be correct, what process would need to happen. In response, City Attorney Byrd said the request would need to come from an official source, from the HOA requesting the City to make a determination and Council would have to determine whether to move forward with that request.

David Hoffman lives in Rock Springs Ridge and said the homeowners in Rock Springs Ridge are alarmed over the Golf Course latest proposal for building and development of approximately 200 more single-family homes. He also referenced the meeting at City Hall on October 29, 2019, expressing concern of the community not being notified. He declared Mr. Delarosa did not have any building rights in Rock Springs Ridge stating the current PUD did not permit it. He said they want the dignity, value, character, and worth of their beautiful community to be sustained.

Blanche Hardy lives on Rolling Hills Lane and said she appreciates the City Attorney providing an overview of the law, but an application has to be made to open the PUD and that is up to Council. She said a golf course is a valuable commodity and asked why didn't Mr. Delarosa reopen the golf course. She stated she was sure the residents could come up with a variety of suggestions for valuable use of the land other than building more houses in an already built out development. She asked that the error be investigated and corrected and let the residents know what they needed to do.

Kristian Colon would like to request permission to work on the Bank of America Clock as his Eagle Scout Project making it so others can see part of the history behind Apopka.

Mayor Nelson said the clock is in storage and they plan on having it in the atrium of City Hall.

MOTION by Commissioner Bankson, and seconded by Commissioner Smith to approve the Eagle Scout Project as requested. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

CONSENT

1. Approve the calendar year 2020 Floating Holiday
2. Approve the municipal advisory agreement with Hilltop Securities, Inc.
3. Approve Amendment #1 of Florida Department of Corrections work squad contracts W1152 and W1164.
4. Authorize the purchase of new Police Department vehicles.
5. Authorize the issuance of blanket purchase orders for fiscal year 2020.
6. Accept the disbursement report for October 2019.

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

BUSINESS

1. Land Development Code Amendment - Section 5.10.6.A
   Project: City of Apopka

Pamela Richmond, Transportation Planner said in August, after presenting On Street Media Frames for advertising purposes, staff was directed to return with language to amend the Land Development Code that allows for this type of signage. She said Article V, Section 5.10.6.A of the Land Development Code is proposed to be amended to read:

It shall be unlawful to erect, cause to be erected, maintain, or cause to be maintained any sign not expressly authorized by this section, unless otherwise approved by City Council.

Ms. Richmond advised that "unless otherwise approved by City Council" is the proposed amended language. This proposed language will be processed with the other administrative amendments to the Land Development Code scheduled for Council's consideration on December 18, 2019, and January 15, 2020. The City Attorney is preparing an agreement with On Street Media that will be presented following the Code amendment. They felt it to be a good idea for Council to hear this in advance since it will be attached to an agreement.

MOTION by Commissioner Becker, and seconded by Commissioner Smith to approve the installation of the media frames by On Street Media on traffic signal control cabinets, contingent upon the adoption of the updated LDC, Section 5.10.6.A. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2690 – Second Reading – Comprehensive Plan – Large Scale – Future Land Use Amendment From Residential Estates TO Residential Very Low Surburban
   Project: Carrol M. and Patricia A. Hamrick
   Location: North of West Ponkan Road and west of Mount Sterline Avenue
   Project Manager: Phil Martinez The City Clerk read the title as follows:
   Postponed to December 4, 2019.

2. Major Development Plan – Hamrick Estates
   Project: Wekiva Pointe, LLC, c/o Annette L. Peck Trust
   Location: 3220 Pittman Road
   Project Manager: Bobby Howard
   Postponed to December 4, 2019.

3. Amended and Restated Development Agreement – Hamrick Estates
   Project: Wekiva Pointe, LLC, c/o Annette L. Peck Trust
   Location: 3220 Pittman Road
   Project Manager: Bobby Howard
   Postponed to December 4, 2019.

4. Ordinance No. 2736 - First Reading - Administrative Change of Zoning – Commercial
   From: T (Transitional District)
   To: C-C (Community Commercial District)
   Project: NP Properties LLC
   Location: East of N. Orange Blossom Trail, south of Victor Road
   Project Manager: Phil Martinez - The City Clerk read the title as follows:

ORDINANCE NO. 2736

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM TRANSITIONAL TO C-C (COMMUNITY COMMERCIAL DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED AT 1031 AND 1033 S. ORANGE BLOSSOM TRAIL COMPRISING 0.956 ACRES, MORE OR LESS AND OWNED BY N P PROPERTIES LLC, PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Phil Martinez, Planner gave an overview stating this was an administrative rezoning for a change in zoning from Transitional to Community Commercial District for property located at 1031 and 1033 S. Orange Blossom Trail. The recommendation is to approve at first reading and hold over for a second reading and adoption.

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 Smith, to approve Ordinance No. 2736 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

5. Ordinance No. 2737 - First Reading - Administrative Change of Zoning – Residential
From: T (Transitional District)
To: RSF-1A (Residential Single-Family Estate District)
Project: NP Properties LLC
Location: East of N. Orange Blossom Trail, south of Victor Road (Victor Heights Plat, Lots 21 and 23)
Project Manager: Phil Martinez - The City Clerk read the title as follows:

ORDINANCE NO. 2737

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM T (TRANSITIONAL) TO RSF-1A (RESIDENTIAL SINGLE FAMILY ESTATE DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED SOUTH OF VICTOR DRIVE AND EAST OF N. ORANGE BLOSSOM TRAIL COMPRISING 0.914 ACRES, MORE OR LESS AND OWNED BY N P PROPERTIES LLC, PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mr. Martinez advised this also was an administrative change of zoning from Transitional to Residential Single-Family Estate District for property located east of N. Orange Blossom Trail and south of Victor Road, lots 21 and 23, Victor Heights Plat. The recommendation is to approve at first reading and carry over for a second reading and adoption.

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 Smith, to approve Ordinance No. 2737 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

6. Ordinance No. 2738 - First Reading - Administrative Change of Zoning – Maldonado
From: T (Transitional District)
To: RSF-1A (Residential Single-Family Estate District)
Project: Yolanda Maldonado
Location: South of Victor Drive, east of North Orange Blossom Trail (Victor Heights Plat, Lot 22) Project Manager: Phil Martinez - The City Clerk read the title as follows:

ORDINANCE NO. 2738

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM TRANSITIONAL TO RSF-1A (RESIDENTIAL SINGLE-FAMILY ESTATE DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED AT 1520 VICTOR ROAD; COMPRISING 0.46 ACRES, MORE OR LESS AND OWNED BY YOLANDA MALDONADO, PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mr. Martinez presented this administrative change of zoning for property located south of Victor Drive, east of N. Orange Blossom Trail, Lot 22, Victor Heights Plat. The recommendation is to change from Transitional to Residential Single-Family Estate District, approving at first reading and carry over for a second reading and adoption.

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 Becker, to approve Ordinance No. 2738 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

7. Ordinance No. 3739 – First Reading - Administrative Comprehensive Plan - Small Scale - Future Land Use Amendment
From: "County" Commercial (Max. 3.0 FAR)
To: "City" Commercial (Max. 0.25 FAR)
Project: 355 W OBT LLC

Location: 355 West Orange Blossom Trail
Project Manager: Phil Martinez - The City Clerk read the title as follows:

ORDINANCE NO. 2739

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM "COUNTY" COMMERCIAL TO "CITY" COMMERCIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED AT 355 W. ORANGE BLOSSOM TRAIL, OWNED BY 355 W OBT LLC; COMPRISING 1.65 ACRES, MORE OR LESS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Martinez said this was an administrative comprehensive small scale future land use amendment from "County" Commercial to "City" Commercial for property located at 355 W Orange Blossom Trail, comprising of 1.65 acres, more or less. The recommendation is to approve at first reading and carry over for a second reading and adoption.

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 Smith, to approve Ordinance No. 2739 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

8. Ordnance No. 2740 – First Reading - Administrative Change of Zoning – Apopka Fire Station No. 2
From: T (Transitional District)
To: INST (Institutional District)
Project: City of Apopka
Location: South of West Welch Road, west of North Park Avenue
Project Manager: Phil Martinez - The City Clerk read the title as follows:

ORDINANCE NO. 2740

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM T (TRANSITIONAL) TO INST (INSTITUTIONAL DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED AT 302 W. WELCH ROAD; COMPRISING 2.38 ACRES, MORE OR LESS AND OWNED BY CITY OF APOPKA, PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mr. Martinez said this was another administrative change of zoning for the Apopka Fire Station No. 2. The recommended change in zoning is from Transitional to Institutional District for property located south of West Welch Road and west of North Park Avenue. The recommendation is to approve at first reading and carry over for a second reading and adoption.

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 Becker, to approve Ordinance No. 2740 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

9. Resolution 2019-20 - FY18/19 Budget Amendment
   Presented by: Jamie Roberson - The City Clerk read the title as follows:

RESOLUTION NO. 2019-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019, PROVIDING FOR A BUDGET AMENDMENT.

Jamie Roberson, Finance Director reviewed the budget amendment for FY 18-19. This amendment includes changes in the revenues and appropriations for the general fund related to our retirement plans being in compliance with the provisions of F.S. Chapters 175 and 185. We received 2018 state premium tax monies for our Fire and Police pension plans and are required to submit them to the retirement plan as an employer contribution. The recommendation is to approve Resolution No. 2019-20.

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 Becker, to approve Resolution No. 2019-20. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

10. Resolution 2019-21 - FY19/20 Budget Amendment
    Presented by: Jamie Roberson - The City Clerk read the title as follows:

RESOLUTION NO. 2019-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, PROVIDING FOR A BUDGET AMENDMENT.

Ms. Roberson said this resolution is a budget amendment for FY 19-20 and includes changes in appropriations for the purchase of two parcels from the Central Florida Expressway as approved by Council on October 16, 2019. The land purchases are being funded from the Transportation Impact Fee Reserves in a total of $340,600. The recommendation is to approve Resolution No. 2019-21.

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 Becker, to approve Resolution No. 2019-21. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

11. Resolution No. 2019-22 – Memorandum of Agreement with FDOT – Decorative Crosswalks
Project: City of Apopka
Location: Intersection of S.R. 436 and McGee Avenue
Project Manager: Pamela Richmond - The City Clerk read the title as follows:

RESOLUTION NO. 2019-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A LANDSCAPE CONSTRUCTION AND MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF APOPKA AND THE FLORIDA DEPARTMENT OF TRANSPORATION FOR THE INSTALLATION AND MAINTENANCE OF LANDSCAPING ON S.R. 436 BY THE CITY OF APOPKA AND PROVIDING FOR AN EFFECTIVE DATE.

Pam Richmond, Transportation Planner advised on November 6, 2019, Council approved a Landscape Construction and Maintenance MOA with the FDOT to allow the City to install decorative crosswalks at the intersection of S.R. 436 and McGee Avenue. FDOT requires a resolution to accompany the agreement. The recommendation is to approve Resolution No. 2019-22 for the Mayor to sign and copy to accompany the MOA and transmit to FDOT.

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 Becker, to approve Resolution No. 2019-22. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

12. Resolution No. 2019-23 – Conveyance of Right-of-Way – Peterson Road
Project: City of Apopka
Location: Peterson Road
Project Manager: Richard Earp - The City Clerk read the title as follows:

RESOLUTION NO. 2019-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, APPROVIDNG CONVEYANCE BY GENERAL WARRANTY DEED CERTAIN REAL PROPERTY COMMONLY KNOWN AS PART OF THE FORMER PETERSON ROAD TO MID-FLORIDA FREEZER WAREHOUSES, LTD., A FLORIDA LIMITED PARTNERSHIP; AND DIRECTING THE CITY CLERK OR ITS DESIGNEE TO RECORD THE EXECUTED DEED IN THE OFFICIAL RECORDS OF ORANGE COUNTY; PROVIDING SEVERABILITY AND EFFECTIVE DATE.

Richard Earp, City Engineer said when Council approved the platting of the Mid Florida Logistics property they moved the Petersen Road right-of-way to provide access from one location to another nearby location. It appears there is a legal need by the title company to clarify the fact that this parcel no longer is needed.

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 Smith, to approve Resolution No. 2019-23. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

CITY COUNCIL REPORTS –

1. Commissioner Smith gave a presentation on a Florida A&M University (FAMU), Apopka Branch Campus. He said he reviewed the Grow Apopka 2025 Vision after being elected and in this plan it outlines Apopka is missing an institution for higher education in Apopka. He stated the A&M stands for Agriculture and Mechanical University. He said Apopka would gain a great asset by having this satellite campus here. He said Apopka is rapidly growing and there are three high schools within our general area to include Apopka, Wekiva, and Ocoee High Schools. He said these three high schools are the driving force behind a satellite campus in Apopka and they believe the convenience and access to the institution of higher education will motivate students to continue their education past high school. This will contribute to a sustainable workforce and our economy meeting the needs of our growing area. The proposal is for 36-acres starting with five degrees to include Agriculture Education, Respiratory Therapy, Health Information Management and Health Science, Physical Therapy and Nursing being proposed. There are also three certificate programs to be offered: Certificate in Health Information, Privacy, and Security, Certificate in Medical Coding, and Certificate in Rehabilitation Services Management. He said the City Attorney has been requested to draft a Memorandum of Understanding for the City of Apopka to donate land adjacent to the back of the hospital to show commitment of the institution. He said 24-acres is city land and the adjoining acreage is state land.

   Mayor Nelson opened the meeting to public comment.

Isadora Dean said she and Commissioner Dean are both graduates of Florida A&M University. She said students today may not have the financial support to go off to a university and this will provide the opportunity for more students to attend college.

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

MOTION by Commissioner Smith, and seconded by Commissioner Becker to approve a Memorandum of Understanding for Florida A&M University satellite campus. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

Commissioner Bankson reported he attended MetroPlan Orlando in Mayor Nelson's absence. He said it is important that we prepare and look ahead of what is coming.

Commissioner Becker wished everyone a Happy Thanksgiving.

Commissioner Smith said he had an opportunity to spend time with the Mayor and volunteers from Forest Lake Academy working on their Community Service to clean the Billie Dean Community Garden.

Mayor Nelson said this was a great opportunity for kids to have an opportunity to obtain their community service hours required by the schools. He stated they plan to work on coming up with opportunities for the youth to be able to obtain their community service hours.

CITY ATTORNEY'S REPORT – No report

CITY ADMINISTRATOR REPORT – No report

MAYOR'S REPORT – No report.

ADJOURNMENT – There being no further business the meeting adjourned at 8:54 p.m.

ATTEST: Bryan Nelson, Mayor

Linda F. Goff, City Clerk