



APOPKA CITY COUNCIL AGENDA

August 6, 2025 1:30 PM

Apopka City Hall Council Chambers

APOPKA CITY COUNCIL MEETING WILL BE LIVE-STREAMED ON YOUTUBE. TO WATCH, PLEASE VISIT:

<https://www.youtube.com/CityofApopkaFL>

CALL TO ORDER

INVOCATION

PLEDGE

PUBLIC COMMENT PERIOD

The Public Comment Period is for City-related matters that are not on today's Agenda as business items or public hearings. If you are here to speak for a matter that requires a public hearing, please wait for that item to come up on the agenda. The Public Comment period will be held to a total of thirty (30) minutes. Each speaker will be given three (3) minutes to speak. If you are here for the Public Comment Period, please fill out a GREEN Intent to Speak Form and provide it to the City Clerk prior to the start of the meeting. When the Mayor calls for Public Comment Period, the City Clerk will read the submitted GREEN Intent to Speak Forms in the order they were received. Should a large number of citizens submit public comment period speaker cards, the speaking time per citizen may be reduced to a minimum of two (2) minutes per speaker, to give as many citizens an opportunity to speak as possible during the Public Comment Period. Groups of citizens who wish to speak on the same item or concern may elect a spokesperson to speak on their behalf, in which case an additional one (1) minute will be given to the spokesperson's time per citizen, up to six (6) minutes total. Citizens wishing to elect a spokesperson must be present during the public comment period, indicate the spokesperson on their Intent to Speak forms, and submit their forms together to the City Clerk. If you wish to speak on one of the business items or public hearing items, please fill out a WHITE Intent to Speak Form and provide it to the City Clerk prior to the start of the meeting. Once the item has been presented, the Mayor will call for Public Comment on that specific item. At that time, the City Clerk will read the submitted WHITE Intent to Speak Forms for the current item, in the order they were received. Each speaker will be given three (3) minutes to speak. Please refer to Resolution No. 2025-19 for further information regarding Public Participation Policy & Procedures for addressing the City Council.

APPROVAL OF MINUTES

1. **Regular City Council Meeting Minutes of July 2, 2025.**
2. **Budget Workshop Meeting Minutes of July 7, 2025.**
3. **Budget Workshop Meeting Minutes of July 8, 2025.**
4. **Budget Workshop Meeting Minutes of July 9, 2025.**
5. **Special Council Meeting Minutes of July 9, 2025.**
6. **Regular City Council Meeting Minutes of July 16, 2025.**
7. **Budget Workshop Meeting Minutes of July 17, 2025.**

AGENDA REVIEW

PRESENTATION

1. **FY 2025 BUILD Grant Award for the Ocoee-Apopka Complete Streets Project**
Presented by: Jean Sanchez, Senior Planner

2. **Apopka Youth Works Summer 2025 Program Recap**
Presented by: Bryan Nelson, Mayor
3. **FY26 Roadway Repaving Program Update**
Presented by: Vladimir Simonovski, Public Works Director
4. **Commissioners Compensation Study**
Presented by: Joseph Patton, Human Resources Director

CONSENT (Action Item)

1. **Presentation of Service Weapon to Sergeant Steve Harmon**
2. **Execute Release of Code Enforcement Lien for 1550 Golfside Village Boulevard**
3. **Execute Release of Code Enforcement Lien for 1594 Stormway Court**
4. **Authorization to Dispose of Surplus Property**
5. **Authorize the execution of a contract for Rapid Systems, Inc. per the assigned terms.**
6. **Authorize the issuance of sole source memo: Florida Bullet**
7. **Authorize the Mayor to execute a traffic enforcement agreement with the Lakeside Apopka Homeowners Association. To enforce traffic laws pursuant to Florida Statutes.**
8. **Authorize the execution of piggyback contracts for the assigned terms: Cathcart Construction Company, Florida LLC, HD Supply, Inc dba USABlueBook, Challenger Teamwear, Lamphier Company dba Lamphier & Company, and Tanspremier, LLC.**

BUSINESS (Action Item)

1. **Interlocal Agreement with Orange County for Transfer of Golden Gem Road (Revised Termini)**
Consideration of revised Interlocal Agreement (ILA) with Orange County to transfer jurisdiction of a segment of Golden Gem Road—from Kelly Park Road to the southern boundary of the Parkview Preserve Subdivision—to the City of Apopka, and direction from City Council on whether to accept the amended roadway transfer.
Presented by: Jean Sanchez, Senior Planner
2. **Award contract for ITB 2025-A-199: Re-Bid Community Development Block Grant (CDBG) Housing Rehabilitation Program to: RDC Development Corporation**
Award contract for ITB 2025-A-199: Re-Bid Community Development Block Grant (CDBG) Housing Rehabilitation Program to: RDC Development Corporation
Presented by: Blanche Sherman, Finance Director
3. **Municipal Impact Fee Rate Study Results and Recommendations**
Approval and Authorization to Proceed with the Recommended Municipal Impact Study Results
Presented by: Blanche Sherman, Finance Director
4. **Proposed Mountain Bike Park Project**

Presented by: Radley Williams, Interim City Administrator

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. **Ordinance No. 3113 - Second Reading - Annexation - Paulucci Acres**
Owner(s): Paulucci Acres, LLC
Applicant(s): Daniel O'Keefe, Shutts & Bowen, LLP
Location: East side of Vick Road, approximately 1/4 mile north of the intersection of Vick Road and W. Lester Road

Project: Annexation
Acreage: 39.8
Density: N/A (only annexation of property)
Proposed Development: Single-family residential and townhome units
Project Manager: Bobby Howell, AICP
Presented by: Bobby Howell, Planning Manager

2. **Ordinance No. 3114 - Second Reading - Open Container**

Ordinance No. 3114 - Second Reading of Open Container
Presented by: Radley Williams, Interim City Administrator

3. **Resolution 2025-25 - Vacation of Right of Way - Paulucci Acres**

Owner(s): City of Apopka
Applicant(s): Daniel O'Keefe, Shutts & Bowen
Location: North of Woodside Ridge Drive and Misty Glen Circle
Project: Vacation of ROW
Density: N/A
Tract size: 1.52 ± acres
Project Manager: Bobby Howell, AICP
Presented by: Amer Hamza, Planner

4. **Resolution 2025-32 - Plat Administrative Designation**

Resolution 2025-32 - Plat Administrative Designation
Presented by: Clif Shepard, City Attorney

5. **Resolution No. 2025-33 - City Clerk's Policy for Minutes**

Review and Approve Resolution 2025-33 and accompanying Policy for the Meeting Minutes.
Presented by: Susan Bone, City Clerk

CITY COUNCIL REPORTS

CITY ADMINISTRATOR'S REPORT

CITY ATTORNEY'S REPORT

MAYOR'S REPORT

ADJOURNMENT

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

CITY OF APOPKA MINUTES

Minutes of the City Council Meeting held on July 2, 2025 at 1:30 PM, in the City of Apopka Council Chambers.

Present:

- Mayor Bryan Nelson
- Commissioner Diane Velazquez
- Commissioner Nick Nesta
- Commissioner Alexander Smith
- Commissioner Nadia Anderson
- Attorney Andrew Hand

CALL TO ORDER

MAYOR READ THE DECORUM STATEMENT

PUBLIC COMMENT

Anonymous Speaker advised that by law she did not have to provide her name and address for the record. She spoke about the long-term relief for the local lakes. She asked that it be pulled from the consent agenda items. She requested that all the lakes in the current chain be tested as they haven't been tested.

Leroy Bell, provided clarification regarding his thoughts and opinions of Mr. Love, Mina Robinson and Doug Bankson, Dan Webster, and Mayor Nelson. He was not in favor of Mr. Love's proposal and request at last meeting.

Sylvester Hall, spoke about the things that matter including principles and values. He spoke about the citizens and how they are the most powerful as they are in charge of electing the officials making the decisions for the people. He recommended people stand up and say something when things are wrong and or incorrect.

Rod Olsen, spoke about the upcoming budget meetings approaching and hopes that each department will be provided the people, supplies, and materials to do their job. He mentioned that only three department heads from last year's budget answered that they did. He spoke about budget amendments occurring twice a month and he feels this is due to poor planning. He spoke about position vacancies within the City that needs to be filled. He feels the City is being reactive not proactive and that needs to change. He recommended the City handle the infrastructure issues before they continue to approve new development.

Albert McKimmie, he echoed what Sylvester Hall and Rod Olsen said. He feels that the City doesn't know the extent of the infrastructure. He spoke about the sewage system within the City and lift stations and how many should not be in service, but should have already been replaced. He suggested the City budget to replace this outdated equipment to fix this huge problem the City has.

INVOCATION & PLEDGE OF ALLEGIANCE: Commissioner Smith provided the Invocation, led in the Pledge of Allegiance, and gave the Fact of the Day: On July 2, 1776, the Second Continental Congress, assembled in Philadelphia, formally adopts Richard Henry Lee's resolution for independence from Great Britain. The vote is unanimous, with only New York abstaining.

Two days later on July 4th, 1776, delegates from the 13 colonies adopted the Declaration of Independence, a formal statement ending the colonies' allegiance to Great Britain.

APPROVAL OF MINUTES

1. Approval of Regular City Council Meeting Minutes of June 18, 2025.
 - a. **Mayor Nelson** asked if anyone had any questions about the minutes. **Commissioner Nesta** requested the minutes be updated to reflect that he "did not" approve the June 18, 2025 minutes as the vote was taken prior to him returning to the Dais and he wasn't provided an opportunity to vote.
 - b. Hearing no additional questions or comments, **Mayor Nelson** asked for a motion to approve the June 18, 2025 minutes with the change reflecting Commissioner Nesta did not have the opportunity to vote.
 - c. **Motion by Commissioner Anderson** and seconded by **Commissioner Smith** to approve the June 18, 2025 minutes with Commissioner Nesta's changes.
 - d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

AGENDA REVIEW

Mayor Nelson asked if any changes to the agenda. **Radley Williams** Interim City Administrator said yes. There are two items he's requesting to pull. Consent item #3 and Business item #5. The Business item #5, staff is looking to continue that item to the August 6th City Council Meeting. Staff has a meeting with the County.

Commissioner Nesta requested clarification of the agenda items such that Consent item #3 is being pulled completely and Business item #5 reasoning of the continuation due to the agreement needing review.

- a. Hearing no further questions or comments, **Mayor Nelson** asked for a motion to Remove Consent Item #3 and continue Business Item # 5 to August 6th meeting.
- b. **Motion by Commissioner Smith** and seconded by **Commissioner Anderson** to Remove Consent Item #3 and continue Business Item # 5 to August 6th meeting.
- c. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

EMPLOYEE RECOGNITION

1. Service Pin Awards – City Employees

Joseph Patton, Human Resource Director presented the employees with their service pins and provided brief backgrounds of each employee that was present.

PRESENTATION

CONSENT (Action Item)

1. Golden Gem Estates Subdivision – School Concurrency Mitigation Agreement.
2. 4101 Golden Gem Residential – School Concurrency Mitigation Agreement.
3. Approve the Florida Economic Consortium, Engagement Initiative for Prevention and Intervention Mentoring Partnership Services for 2nd & 3rd Graders.
4. Authorize the execution of piggyback contracts for the assigned terms: JCO Corporation, Staples Contract and Commercial, LLC, Allied Universal Corporation, Florida Sheriff's Association, United Rentals (North America), Inc.
5. Accept the disbursement report for May 2025.

- a. **Mayor Nelson** asked if anyone from the public or the Council had any questions about any items on the Consent Agenda items or if anyone needed to pull any of the items.

Commissioner Nesta commented regarding when an item is tabled that there is a public comment opportunity given to the residents, which the Mayor agreed. Commissioner Nesta requested that tabled consent agenda item #3 have a public comment period.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a motion to approve the consent agenda items 1,2,4 and 5.
- c. **Motion by Commissioner Anderson** and seconded by **Commissioner Nesta** to approve the consent agenda items 1,2,4 and 5.
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

PUBLIC COMMENT PERIOD – CONSENT ITEM #3 - Approve the Florida Economic Consortium, Engagement Initiative for Prevention and Intervention Mentoring Partnership Services for 2nd & 3rd Graders.

Leroy Bell came up to the podium to speak on item #3 (Florida Economic Consortium Initiative), and expressed his disappointment that Commissioner Anderson had stepped out of the room when he came to address all 5 Commissioners.

Anonymous, expressed her concerns regarding grants and that the current administration at the Federal level just cut all grants to after school and summer camps in the last 24 hours. This meant that all of the parents for these children now do not have the funding for this after school care. She feels that those children are going to now end up on the streets. She is concerned that the Police action will be more present, kids will be accessible to gangs and human trafficking, and there will be more “latch- key” kids. She requested that Mr. Love and his organization needs to be vetted more specifically with his licensing etc., which all organizations receiving money should have this process. Her biggest concern was keeping kids off the streets and keeping them learning.

Albert McKimmie, 3603 Golden Gem Rd, recommended the Council use Robert’s Rules of Order for the meetings. Did not speak about item #3.

Sylvester Hall, Rock Springs Ridge, said that its always a positive when organizations want to come into the City to improve Apopka’s situation. Any organization that comes into the City, if brought before Council the City / Staff should have already vetted them for validity. He recommended to Staff Leaders to make sure they are paying attention to what works for the City and what doesn’t. He said the program that was offered shouldn’t be a program specific to just black kids, but should be for all kids. He said the City should have vetted the program offered to confirm that the organization had receipts showing that the program turned around 2nd and 3rd graders that had reading issues.

Commissioner Nesta confirmed the goal of this is to get a use agreement. **Radley Williams**, responded saying it’s a larger program with the Florida Economic Consortium. The City needs more time to review the agreement that was sent to the City. The agreement is more extensive than what was submitted last Council meeting. **Commissioner Nesta** requested an updated presentation and updated request at the next meeting and asked where and why there were changes. **Mayor Nelson** said he spoke with the Department of Juvenile Justice and they were to provide the City with the agreement. The City expected the agreement to be one page and simple, but once received it’s actually fifteen to twenty pages long therefore needing to be reviewed thoroughly. **Commissioner Nesta** requested the Commissioners get a copy of the agreement from the DJJ.

Commissioner Nesta questioned the Mayor regarding the Decorum Statement and why it’s not being followed across the board. Mayor Nelson responded requesting that Commissioner Nesta control his supporters as they’re the ones being disruptive to the meetings and to the Council.

BUSINESS (ACTION ITEMS)

1. Department Director Confirmation - Economic Development Director - Antranette Forbes
Presented by: Radley Williams, Interim City Administrator

ICA Radley Williams said this item is the confirmation of the City’s new Economic Development Director. Her name is Antranette Forbes, whom was present at this meeting. The City conducted a recruitment process to identify quality candidates to lead the Economic Development Department. This role is critical in advancing the City of Apopka’s strategic goals around business retention, attraction, work force development and

community revitalization. Ms. Forbes was selected following a competitive selection process amongst 34 applicants. There were 8 interviews conducted over two different sessions and she was selected out of them all. Radley provided a brief background and allow Ms. Forbes to come up and speak. Radley's recommended motion was to approve Antranette Forbes as the City's new Economic Development Director.

Commissioner Nesta spoke about his conversation with Ms. Forbes regarding retail leakage and how important it is to focus on the businesses that the City has now as well as new business. He asked Ms. Forbes to speak a little more on that topic and tell the Council and residents some ideas that she has found to be successful that she would bring to the City of Apopka. She provided a brief explanation on ideas that she has and provided examples of ideas that have worked in the past for Economic Developmental growth. Commissioner Nesta asked Ms. Forbes if she was "Pro Business Tax Receipt?" as it generates revenue and she responded that she is "Pro data". She is for the data piece of it, not necessarily for the fee. The biggest thing to find out when you first enter into a City is knowing who your business community are and what are their business needs are. The business tax receipt helps so that she is able to identify the businesses and then reach out and get demographic information and sales data. If there's no registration or some way for a business to alert of their existence, then it makes it that much more difficult.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Albert McKimmie, 3603 Golden Gem Rd, said it was awesome that the City filled this position and he welcomed Ms. Forbes to the City of Apopka. He spoke about concerns with development in the City and was hopeful that she can bring manufacturing to the City to increase all the facilities that are required by the manufactures.

Sylvester Hall welcomed Ms. Forbes to the City of Apopka.

Anonymous, welcomed Ms. Forbes to the City and hopes that she has an exciting and productive career with the City. She stated that the City has a lot of room for growth of businesses. She hopes that a lot of people get a lot of production out of the CRA, what's left and get that money used and she feels that Ms. Forbes can do that with her education and background.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to Approve Economic Development Director - Antranette Forbes.
 - c. **Motion by Commissioner Velazquez** and seconded by **Commissioner Smith** to Approve Economic Development Director - Antranette Forbes.
 - d. **Motion carried unanimously,** with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
2. Public Services Departments Reorganization and Director Confirmations
Confirm Public Works Department Director - Vladimir Simonovski

3. Confirm Utilities Operations Department Director - Glen Brooks
Presented by: Radley Williams, Interim City Administrator

Radley Williams said administration conducted a full operational view of the public services departments and divisions and their review included assessment of staffing operations and management and resulted in a reorganization of public services into two separate departments. These departments are public works department and the utilities operations department. The public works department responsibilities will include City engineering, development review of engineering, utilities engineering, transportation and stormwater engineering, construction management, GIS and assets management, streets & stormwater maintenance. Utilities operations department will oversee water plant operations, wastewater plant operations, plant maintenance operations and utilities maintenance to include water, wastewater and lift stations. He recommended approval of Vladimir Simonovski as the Public Works Department Director and Glen Brooks as the Utilities Operations Department Director.

Commissioner Nesta questioned what happened to the City's previously Public Services Director that was employed for two weeks? **Radley** responded that the previous Public Services Director was hired and when he got started he realized the job really wasn't something that he wanted to do. Commissioner Nesta asked if the City has a Transportation Coordinator on staff? **Radley** responded that there's a Transportation Coordinator starting on July 7th.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Rod Olsen expressed his concerns he had regarding information provided to him from records request. He said about thirty percent of the City assets are past their normal lifespan. He spoke about preventative maintenance which no information was able to be provided to him when he made a request. He requested a preventative maintenance plan be put in place and a metered plan for all the equipment in the City that is past its normal lifespan.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to Approve the Public Works Department Director - Vladimir Simonovski.
- c. **Motion by Commissioner Anderson** and seconded by **Commissioner Velazquez** to Approve the Public Works Department Director - Vladimir Simonovski.
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
- e. **Mayor Nelson** asked for a Motion to Approve the Utilities Operations Department Director - Glen Brooks.
- f. **Motion by Commissioner Smith** and seconded by **Commissioner Velazquez** to Approve the Utilities Operations Department Director - Glen Brooks.
- g. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

4. Crossroads at Kelly Park, Phase 2B – Plat
Owner(s): Kelly Park Land Investments, LLC
Applicant(s): Poulos & Bennett, LLC c/o Genevieve LaBuda
Location: East of Round Lake Road, south of Ondich Road and west of Zepher Lily Avenue
Tract Size: 18.75 +/- acres
Project: 90 single family lots
Project Manager: Jean Sanchez
Presented by: Jean Sanchez, Senior Planner

Bobby Howell said this is a plat for Phase 2B- Crossroads at Kelly Park. This plat serves to establish portions of Scrub Hickory Avenue, Zepher Lily Avenue, Nickerbean Street and Marshelder Street rights of ways to support the expansion of and connectivity with the Crossroads at Kelly Park Development. This plat is to create 90 single-family lots. The recommendation is approval of the Crossroads at Kelly Park, Phase 2B – Plat.

Attorney Hand was present to advise the Council of changes to the platting statute that the Governor signed on yesterday's date. Attorney Hand recommended that as part of the Motion to include a directive to the City Administrator to be able to sign the plats until such time the City can bring forward a Resolution that will revise the plat process to conform to the requirements and updated permitting requirements in the State of Florida.

Commissioner Velazquez asked that since the plat approvals are going to the City Administrator for execution, is there some way that if a plat is approved, for informational purposes the Council be notified through an email that a plat was approved. **Attorney Hand** said yes, that's something the City can work out to make sure the Commission is notified of approvals.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Albert McKimmie, 3603 Golden Gem Rd, expressed his concerns regarding whether this change to platting will speed the process up or slow the process down. He wants to see consistency and feels that this process may help with that.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve Crossroads at Kelly Park, Phase 2B – Plat and direction for the City Administrator to execute this plat.
- c. **Motion by Commissioner Anderson** and seconded by **Commissioner Velazquez** to Crossroads at Kelly Park, Phase 2B – Plat and direction for the City Administrator to execute this plat.
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

5. Invitation Cove - Major Development Plan

Owner(s): A&R Meridian Apopka Development LLC

Applicant(s): Kim Fischer

Location: West of Sheeler Avenue and East of S Christina Street

Project: 43 Townhomes

Density: 7.6 Units/Acre (Mixed-Use Future Land Use permits maximum of 15 du/ac)

Project Manager: Amer Hamza

Presented by: Amer Hamza, Planner

Amer Hamza said the applicant has submitted a major development plan for property located at 730 Monroe Avenue. The major development plan is called Invitation Cove which is a proposed subdivision that consists of a total of 43 townhome units. The recommended motion is to approve the Invitation Cove Major Development Plan.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Commissioner Nesta asked if this subdivision is going to be gated. **Amer** responded to his knowledge no it will not be. Commissioner Nesta asked if there will be any alleyways? **Amer** responded yes, because the townhomes are below fifty feet of frontage it will be required to have alleyways. He provided clarification that the alleyways will be maintained by the HOA and the streets will be City streets.

Mayor Nelson spoke about the possibility of putting in a four way stop at Christiana

dead ends into Monroe Ave. **Kim Fischer, Applicant**, advised that Tract B, they have provided cross access which will go to the property in between the property and Winn Dixie.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve Invitation Cove - Major Development Plan.
- c. **Motion by Commissioner Smith** and seconded by **Commissioner Velazquez** to approve Invitation Cove - Major Development Plan.
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
6. Interlocal Agreement with Orange County: Golden Gem Road transfer from Orange County to the City of Apopka
*This item will be Continued to a date certain of August 6, 2025.
Project: Acquisition of Golden Gem Road segment, from Capital Reef Way to Kelly Park Road, from Orange County.
Presented by: Jean Sanchez, Senior Planner

Mayor Nelson asked if anyone was present for this item even though its being continued to August 6, 2025.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Albert McKimmie, 3603 Golden Gem Rd, requested separating Golden Gem Road into two sections. One of the sections administered by Orange County but it's actually the entrance to the Golden Gem retention pond. There will be an area that is not going to have anything done to it and it affects both the City and the himself. He spoke about his property being voted into the KPI but his part of the road is going to be left untouched. He recommended that when this item is voted on for the Commission to be aware that there's inconsistencies on Golden Gem Road created by the City that in the future will have to be remedied by the City.

Commissioner Nesta confirmed that Staff will be meeting with Orange County regarding this item next week. **Radley** confirmed, yes. Commissioner Nesta asked what the goals are for the phase of the roadway that are in limbo? Will the meeting next week address this issue? **Radley** said there's a couple options to discuss and they will decide what path the City should take after the meeting with Orange County.

- 7. Designate an official voting delegate for the Florida League of Cities Annual Conference
Presented by: Bryan Nelson, Mayor

Mayor Nelson said does anyone want to take on the role of the office voting delegate?
Commissioner Smith said that he would take on the role.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted
 - b. to speak about this item.
 - c. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve Commissioner Smith as the official voting delegate for the Florida League of Cities Annual Conference.
 - d. **Motion by Commissioner Anderson** and seconded by **Commissioner Nesta** to approve Commissioner Smith as the official voting delegate for the Florida League of Cities Annual Conference.
 - e. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
- 8. City of Apopka Non- Profit Grant Program Adoption
Presented by: Radley Williams, Interim City Administrator

Radley Williams said back on June 18, 2025 this item was brought before Council and they requested to review the proposal and provided feedback. In response to the Council's direction, Staff made the recommended updates and finalized the Non-Profit Grant Program. Radley reviewed and advised all the revisions that were made per Council's request. He recommended Council's review and adoption.

Commissioner Smith said that he received questions regarding the scoring criteria. They

asked what score is required in order to receive the grant? **Radley** responded that they did not put a minimum score. It is something that can be added in if the Council would like. **Commissioner Smith** said the other question was if the applicants are going to be ranked by their score? **Radley** said since it's going to be a hundred percent match based on the scoring the criteria needs to change. He asked the Council if they wanted to completely disqualify the applicant if they don't have the hundred percent match? Or do you want to have a minimum fifty percent match?

Commissioner Anderson recommended having it at the fifty percent match to be able to help the newer businesses be able to qualify for the grant. **Radley** responded okay, that a minimum fifty percent will be required and that will get you fifteen points and if you have a hundred percent match that will get you the full thirty points. Or resort back to the original and require a hundred percent match and remove that criteria and rescore the points.

Discussion ensued regarding the match criteria, scoring of points and ranking. Radley explained the process from the start to finish to provide clarification to the Commission.

There's \$100,000 dollars budgeted for this program. The applicant window will open. The non-profit organizations would apply during that window. The window would close. Staff will complete a technical review of those base minimum requirements. This will make sure there's a review of all the documents required, turned in a proposal and completed the form. Those that qualify will then be given to the selection committee members which will be five members. Those members will score each application based off of the scoring criteria. They'll each determine their own

scores. A meeting will be held. The scores will be given from the committee members, average them and rank them out. Then it's up to the committee to provide a recommendation to Council.

Commissioner Smith recommended two corrections. Under project criteria, applicants must ensure dollar for dollar match. It needs to be updated to a minimum of fifty percent. Under grant match where it says total match must equal up to not exceed the amount being awarded. That needs to be changed to fifty percent there as well.

Commissioner Nesta asked questions regarding the financial oversight section. It says it says the City reserves the right to request a financial audit to ensure proper use of grant funds which will be conducted according to the terms specified in the award agreement. What would the City be looking for in that and what would be requested to be provided by the awardee in the event of an audit? **Radley** said that would be if there was concern brought forth about the use of the funds. The City has the right to then go to that non-profit and conduct an audit in the area we see fit. That would be spelled out in the agreement they sign.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Anonymous , mentioned that an audit would cost the City a lot of money in the event they wanted to conduct an audit. She recommended again that the City be vetting very heavily.

Rogers Beckett, questioned a better understanding of the objective of this grant. He asked if it was more so for social programs or is it for any non-profit organization as a whole. He questioned if it was specific areas of Apopka that they are trying to target non-profits to use these funds.

Mayor Nelson read the purpose of the grant which is “It provides financial assistance to schools and non-profit organizations committed to supporting youth and senior focused initiatives”.

Sylvester Hall, said the issues that Dr. O spoke about are also his concerns. He said that when it comes to making the selection criteria, who was involved in making the criteria.

Mayor Nelson said the Council was responsible for creating the criteria. Sylvester Hall feels that the criteria for this grant makes it hard for the smaller non-profits to obtain this grant yet they’re the organizations getting out there working hard to make a difference yet will not be able to receive this funding.

Albert McKimmie requested that with this grant if the City is setting a precedence today they need to look at what it might look like tomorrow. He requested that when the City provides a grant to apply for that they present it with terms and conditions that keep the money within the City. There’s no point in giving money to a young organization if that organization were to travel all that money goes out of the City, the City doesn’t benefit.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve and adopt the amended City of Apopka Non- Profit Grant Program.
 - c. **Motion by Commissioner Anderson** and seconded by **Commissioner Smith** to approve and adopt the amended City of Apopka Non- Profit Grant Program.
 - d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
9. City of Apopka Non-Profit Grant Program Selection Committee Appointees
Presented by: Radley Williams, Interim City Administrator

Radley Williams said they received the appointees from the Mayor and Commissioners and those were presented on the screen. The time commitment for this selection committee would be a maximum of two grant periods. There will be two award recommendation

meetings. The appointees are Lorena Potter, Maribel Brinkle, Martha McCray, Sylvester Hall, and Greg Jackson.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Anonymous, said that when someone on a Commission or Committee has a financial relationship with a situation they have to abstain. She expressed her concerns regarding several of the appointees might be in charities that would want some of these funds and they would need to abstain from many decisions. They should not be able to look at the applicants.

Commissioner Nesta asked Attorney Hand if the appointed committee has to go through ethics training? **Attorney Hand** responded yes, committees are still covered by the typical ethics statutes by the State. **Commissioner Nesta** asked if they would still have to take the four hours ethics class? **Attorney Hand** responded yes, they would. There are differences in rules that apply to appointed members versus elected members. There are variations.

Commissioner Nesta requested that Radley come back with what the requirement expectations are for the appointed committee members.

Sylvester Hall provided clarification stating that he is not Commissioner Nesta's people. He said he is the City of Apopka's people and when he comes to the meetings he represents the City of Apopka. He represents all the residents.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve the City of Apopka Non-Profit Grant Program Committee Appointees.
- c. **Motion by Commissioner Smith** and seconded by **Commissioner Anderson** to
- d. approve the City of Apopka Non-Profit Grant Program Committee Appointees.
- e. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

10. City of Apopka Brownfield Advisory Committee Appointees
Presented by: Radley Williams, Interim City Administrator

Radley Williams said as part of the City's participation with East Central Florida Regional Planning Council, the City may send five members of the public to participate as part of the Brownfield Advisory Committee. The Commission was able to appoint one member each to participate on the Brownfield Advisory Committee for a two-year term. The following members of the public were selected: Bob Elmquist, Modesto Lopez, Roger Beckett, Leroy Bell, and Loretta Forlaw. The term will begin on August 1, 2025 and end on July 31, 2027.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Leroy Bell gave thanks to Commissioner Nesta for the appointment.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve the City of Apopka Brownfield Advisory Committee Appointees.
- c. **Motion** by **Commissioner Velazquez** and seconded by **Commissioner Nesta** to approve the City of Apopka Brownfield Advisory Committee Appointees.
- d. **Motion carried 4 to 1**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith voting aye and Commissioner Anderson voting nay.

11. Joint Planning Area Agreement (JPA) Upcoming Expiration
Presented by: Bobby Howell, Planning Manager

Bobby Howell said at the June 18th meeting Council received the presentation about the terms of the JPA. Staff is back today as to whether or not the Council wishes to terminate the agreement, file a notice of extension, or renegotiate. He provided a brief background regarding the agreement. He stated that it would be in the best interest of the City to renegotiate into a two-year extension to cover some issues such as ISBAs and some other things that were talked about at the last Council Meeting. Misty Mills was present from Orange County Planning for questions.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.
- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to provide direction to City Staff as to one of the following options: to deliver notice of non-renewal to Orange County, negotiate an extension, or enter into a similar agreement with the County.
- c. **Motion** by **Commissioner Velazquez** and seconded by **Commissioner Smith** to provide direction to City Staff as to one of the following options: to deliver notice of non-renewal to Orange County, negotiate an extension, or enter into a similar agreement with the County.
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

PUBLIC HEARINGS/ ORDINANCES/ RESOLUTIONS (ACTION ITEMS)

1. Ordinance No. 3103 - Second Reading - Small Scale Future Land Use Amendment - 438 North Park Avenue
Owner(s): Nicholas Diangelis and Stephanie Diangelis
Applicant(s): Nicholas Diangelis
Location: 438 N Park Avenue
Project: Small Scale Future Land Use Amendment - 438 N Park Avenue
Density: 0.25 Maximum FAR (Maximum 7,147.4 square feet)
Project Manager: Amer Hamza

Presented by: Amer Hamza,

Planner **Amer Hamza** said no changes.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Commissioner Velazquez expressed her concerns regarding the condition of the property at this current time. **Nicholas Diangelis, applicant** advised that the house on the property is going to be demolished either by him or the developer. This property is going to be marketed to a developer if its annexed.

Commissioner Anderson said it seems like he is trying to sell everything and find a developer.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve and adopt Ordinance No. 3103.
- c. **Motion by Commissioner Smith** and seconded by **Commissioner Anderson** to approve and adopt Ordinance No. 3103.
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

MAYOR NELSON OPENED PUBLIC COMMENT PERIOD FOR LINCOLN HAYNES.

Lincoln Haynes, 1030 E Sandpiper Street, spoke about a zoning issue that is currently preventing him from building an ADU to care for his elderly parents. He stated that his lot was annexed into the City limits in 2016 at the request of the previous owners. Under Ordinance No. 2514, Section 3 indicated that the City Council would designate the land use classification and zoning in order to comply with State Law. However, the City assigned a temporary designation called transitional which inadvertently downzoned the property from A-1 zoning with Orange County, taking away previously held entitlements that allowed them to have additional uses for land. He asked the Staff to administratively fix the designation to very low suburban and residential country estate.

- 2. Ordinance No. 3104 - Second Reading - Change of Zoning - 438 North Park Avenue
Owner(s): Nicholas Diangelis and Stephanie Diangelis
Applicant(s): Nicholas Diangelis
Location: 438 N Park Avenue
Project: Change of Zoning - 438 N Park Avenue
Density: 0.25 Maximum FAR (Maximum 7,147.4 square feet)
Project Manager: Amer Hamza
Presented by: Amer Hamza, Planner

Amer Hamza said no changes.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.
 - b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve and adopt Ordinance No. 3104.
 - c. **Motion by Commissioner Velazquez** and seconded by **Commissioner Anderson** to approve and adopt Ordinance No. 3104.
 - d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
3. Ordinance No. 3107 - Second Reading - Annexation – Ondich North
Owner(s): PM S-1 REO, LLC; HMF, LLC; Charles P. Stallings; Kim L. Stallings; Euell E. Stallings, Jr.; and Crystal Denise Stallings
Applicant(s): Appian Engineering, Inc. c/o Luke Classon, P.E.
Location: Northwest corner of Ondich Road and SR 453/SR 429
Project: 196.83 +/- acre(s)
Density: N/A
Project Manager: Jean Sanchez
Presented by: Jean Sanchez, Senior Planner

Bobby Howell said no changes.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Rogers Beckett asked to be able to see on the screen the property being annexed as only the public can see the Ordinance reading. **Bobby Howell**, provided viewing of the parcel requesting annexation. Rogers continued to ask if utilities have already been ran to the location and Vladimir advised that once annexed utilities will be ran to this property.

Sylvester Hall asked if the information that was just stated is public record and if so he would like to get a copy of it. The information regarding how annexations are justified.

Radley Williams, ICA advised that the letters were provided with the Agenda packet from last meeting at first reading of the Ordinance.

Albert McKimmie expressed his concerns regarding the location of this annexation. He stated that it's at the end of Effie Drive and Effie Drive is going to have huge amounts of developments. He stated that this particular annexation is a benefit to the City because the City will already be installing sewer and infrastructure along that road. The amount of impact fees the City will receive will be immense. The City will not have to spend a lot of money to receive the benefits of the impact fees.

Discussion ensued regarding appearance of creating an enclave and the applicant provided clarification again at this meeting that because of the City's GIS map only the top portion of this parcel is being proposed to part of this project and annexed in. There

is a portion of the parcel that was shown that will remain in the County. There is no connection and they are not creating any sort of enclave.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve and adopt Ordinance No. 3107.
 - c. **Motion by Commissioner Anderson** and seconded by **Commissioner Smith** to approve and adopt Ordinance No. 3107.
 - d. **Motion carried 4 to 1**, with Mayor Nelson, and Commissioners Velazquez, Smith & Anderson voting aye and Commissioner Nesta voting nay.
4. Ordinance No. 3101 - First Reading - Rewrite of the Comprehensive Plan
Project Manager: Bobby Howell, AICP, Jun Sohn, PhD

Bobby Howell said this is the rewrite of the Comprehensive Plan with the exception of the Transportation Element. He provided a brief summary and overview of what the rewrite of the Comprehensive Plan included. The Recommended motion was to accept the first reading of Ordinance No. 3101 and authorize staff to transmit it to the Florida Department of Commerce. Attorney Hand was present to address questions pertaining to requirements to Senate Bill 180 and for technical questions, Michelle Morrison with the Regional Planning Council was available.

Attorney Hand briefly went of the applicable portions of the Senate Bill 180. It was just approved by the Governor on June 26th and has become a law now. Where it affects the rewrite is in the last section. Essentially, what local governments are prohibited from doing are enacting moratoriums on construction and reconstruction, developing procedural regulations and developing or proposing or adopting any more restrictive or burdensome regulations within the Comprehensive Plan and the Land Development Code. It is retroactive up to October 1, 2024, it encompasses everything from last fall and it runs until October 1, 2027.

Commissioner Nesta had questions regarding data obtained being current to make sure that the Comprehensive Plan rewrite is based off current data for future planning. **Bobby Howell** provided clarification that once current data becomes available they obtain that data for the future planning. The Main purpose of the Comprehensive Plan is to provide a main policy document that provides policy foundation for local planning and land use decisions.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Albert McKimmie provided clarification to the viewers online that the Comprehensive Plan is going to put limits in place on what the City can and cannot do. It becomes more important that when someone requests a property to be annexed into the City that once annexed into the City their choices are going to be severely restricted due to this policy and being affected by Senate Bill 180.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a motion to
 - c. approve Ordinance No. 3101 at first reading and carry over for second reading and adoption on July 16, 2025.
 - d. **Motion by Commissioner Velazquez** and seconded by **Commissioner Anderson** to approve Ordinance No. 3101 at first reading and carry over for second reading and adoption on July 16, 2025.
 - e. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
5. Ordinance No. 3112 - First Reading - Annexation -1920 Sheeler Avenue
Owner(s): Reid Marvin Wayne and Reid Susan Thomas
Applicant(s): Jonathan Huels
Location: 1920 Sheeler Avenue
Project: Annexation
Density: N/A
Proposed Development: 115 single-family residential units
Project Manager: Jun Sohn, Ph.D.
Presented by: Jun Sohn, Planner

Jun Sohn said the applicant has requested annexation of the property located at 1920 Sheeler Avenue. The purposed development is 115 single family residential units. Staff and applicant were available for questions.

Commissioner Velazquez questioned where was the gun range in relation to these properties. **Jun Sohn** responded that it's approximately 1000 feet from the properties.

Commissioner Nesta confirmed that this is already an enclave. **Jun Sohn** confirmed and said that this annexation will decrease the enclave.

Jonathan Huels, Applicant, said we are here for the first step. There are three pending applications for development with the City at this time. This is the annexation. This is to annex the property into the City and to follow would be the comprehensive plan and the rezoning. He advised that the County does not have an issue with this annexation specifically because it reduces an already existing enclave.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Commissioner Nesta asked for the gun range to be pointed out on the map. **Jonathan** responded and pointed it out on the map. He advised that its over 1000 feet away and is divided by an existing subdivision. This gun range has existed for a very long time operating near residences with no hazards or issues.

Albert McKimmie expressed his concerns regarding the annexations and looking ahead for future annexations with an existing enclave.

Rogers Beckett advised with this annexation it's an example of a clean annexation. He feels this because the City is not extending itself beyond its means and it's reducing an enclave.

Rod Olsen spoke about with increased development brings more students to already overcrowded schools.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a motion to approve Ordinance No. 3112 at first reading and carry over for second reading and adoption on July 16, 2025.
 - c. **Motion** by **Commissioner Smith** and seconded by **Commissioner Velazquez** to approve Ordinance No. 3112 at first reading and carry over for second reading and adoption on July 16, 2025.
 - d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
6. Ordinance No. 3114 - First Reading Open Container
Presented by: Radley Williams, Interim City Administrator

Radley Williams said Ordinance No. 3114 proposes to establish a standardized permitting process for open container consumption in designated public spaces. This provides a form and function for a group to come with their special event request to request an open container permit with their event. He advised that there are areas that the City Attorney will be going through to clean up where there's repetitive language. He advised that between now and second reading he would like the City Attorney to go back in the areas to clarify the information.

Commissioner Velazquez asked to table this item however Radley stated it's an Ordinance so there's a first and second reading scenario so if there's any changes, it will be changed and brought back to the second reading for final adoption.

Commissioner Nesta recommended tabling the item and it will also allow for more public input as the next meeting will be a 7 pm meeting.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Albert McKimmie expressed his concerns regarding open carry containers when there's already a large amount of homelessness in the area. He is not in favor of this and believes this will cause a lot of problems. He recommended the City look to see that changing this Ordinance is valid as there are churches and schools in the vicinity where they are looking to permit open carry containers.

Commissioner Nesta questioned if the Police Department was involved with conversations regarding this item. He asked if there's already a process in place, how does this differ? Does it add more on the Officers by enforcing a new rule or law?

Chief McKinley said it places more onus on the event coordinator. The Ordinance is requiring them to establish the perimeter and post where the perimeter is. It provides

our officers with a restricted area that we know where the open containers have been approved to be carried. Which the restricted area and perimeter has to be approved by City Council. This is a permitting process for an event which places the onus on the event coordinator.

Discussion ensued regarding liability insurance, acts resulting from the alcohol being served in that event etc.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a motion to continue Ordinance No. 3114 at first reading on July 16, 2025.
 - c. **Motion by Commissioner Velazquez** and seconded by **Commissioner Nesta** to continue Ordinance No. 3114 at first reading on July 16, 2025.
 - d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
7. Ordinance No. 3115 - First Reading - Sunseting of Article V. - Local Business Taxes (Business Tax Receipt)
Presented by: Bryan Nelson, Mayor

Mayor Nelson said we have some overlapping regulations. The Fire Department every year goes to all the businesses in the City to make sure they meet all the fire regulations etc. He said why not just eliminate the Business Tax Receipt to get rid of the redundancy of permitting. He said by eliminating the BTR you eliminate the redundancy.

Commissioner Velazquez said three years ago there was a necessity to hire a vendor to come in and look for the small businesses in 2023 for the Business Tax Receipts and she questioned what changed from then to now? The Fire Department has always been checking fire inspections.

Mayor Nelson said correct but the amount of effort put in to get the Business Tax Receipts in compliance is a lot. It's a huge process and its costly to business owners. The small business owners see value in the fire inspections not the business tax receipts as its just to collect money.

Radley Williams said if the Ordinance is adopted the program would sunset.

Commissioner Velazquez said if we consider this today, then we should be shutting down the department today. It's not fair to the business owners to come in and pay for a BTR if the City is considering to sunset it at end of fiscal year. **Radley** responded if it's the pleasure of the Council to end the program immediately upon adoption at the second reading then we can do that.

Attorney Hand said as the Ordinance is set up currently to be effective October 1st and not affect any Business Tax Receipt issued up until September 30th.

Commissioner Nesta said with sunseting this, yes, the Fire Department does inspections

but they don't do home inspections of home businesses and that's one of our biggest emerging industries. We will not know what businesses then are operating within our City at that point and our Economic Development Director that we just stated said there's such a value of having that list, the Fire Department is not going to be able to fill that void of that list and there's no incentive for anybody to come in to provide that.

Commissioner Anderson asked if the City invested in a system that would allow the businesses to register with the City? **Commissioner Nesta** said even if the City had one there's no incentive for them to register.

Blanche Sherman, Finance Director, responded to Commissioner Nesta's question regarding where are we going to get the money from if the Business Tax Receipts are sunset? **Blanche** said they are looking to increase the fire inspection fee to offset it and make it revenue neutral.

Commissioner Nesta expressed his concerns still that even if we increase the fee for the fire inspections for the Brick and Mortar businesses we will not be charging the home businesses and will have none of their information that they exist. He didn't see how this makes sense nor is it beneficial for the new Economic Development Director. The BTR data is very important and not having it is an injustice.

Discussion ensued regarding how the data will be obtained for the Fire Department for fire inspections as in the past this information was provided by the BTRs. The concern still being that only fire inspections will be conducted for Brick and Mortar not E Commerce businesses or home businesses so they are going to be completely overlooked. Also, that how will the data be collected from the businesses that do not have to have fire inspections. Where are those resources coming from if they take the BTR away? Sunbiz will only provide the businesses that have registered.

Commissioner Nesta asked what can the City do to be able to still capture and create a successful plan for Ms. Forbes. He mentioned some type of reimbursement plan for the BTRs that Ms. Forbes had brought forward in a meeting but she wasn't present at this meeting item discussion.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Albert McKimmie, 3603 Golden Gem Rd, said that he still sees benefits in the Business Tax Receipts. It's a form of taxation, but so were the red-light cameras until the Mayor rescinded them. He is in favor of the BTRs because it allows another level of security in the operation of businesses. He recommended possibly reducing the cost of the BTRs but do not sunset them because the information that comes from the BTRs is an excellent source.

Rogers Beckett feels that there is a need for the Business Tax Receipts because if you open a business you have to go to the zoning department to first get the approval to

have the business in that specific location. Without the BTR you have no way to govern if a business should be where it is. Secondly, the Economic Development Director explained to the Council how she greatly benefits from using the data from the BTRs to help the businesses communicate with one another. Taking the BTR away would take away that component. He recommended possibly just reducing the cost of the BTR. Maybe there's just a registration fee only that is minimal.

Rod Olsen said that the City should be retaining that cost if not the cost will go to the current tax payers as opposed to the new businesses. He wants to have new businesses come into the City. He wants to hear what the new Economic Development Director has to say about them sunsetting this program.

Sylvester Hall, Rock Springs Ridge, spoke about the purpose of the having the BTRs in the purpose. Originally when the City brought in the vendor and the contract for initiating BTRs in the first place what was the reasoning of importance for them and why are they now not important. He wanted to know if when they started BTRs was it for the City to generate revenue or was it to help the businesses? He feels like now it's a 360 degree turn and then City doesn't need the program. He agrees with Commissioner Anderson's view that the BTRs are important, the City just needs to reduce the fees. Keep it in place. He questioned if there's a hidden problem that the residents are not aware of.

Mayor Nelson stated that if the fee is reduced it defeats the purpose as businesses would find no reason to even apply or complete the form for the BTR.

Commissioner Smith feels that the BTRs information is very important but he feels there is a different way to be able to collect the same information the BTRs have provide and sunset the BTR program.

Commissioner Velazquez mentioned that there was no discussion about sunsetting the BTRs and that this agenda item was the first discussion she's had regarding it. She recommended tabling this item.

- b. **Commissioner Nesta** asked for a motion to continue Ordinance No. 3115 at first reading on August 20, 2025.
 - c. **Motion by Commissioner Nesta** and seconded by **Commissioner Smith** to continue Ordinance No. 3115 at first reading on August 20, 2025.
 - d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
8. Ordinance No. 3116 - First Reading – Amending Chapter 54 Retirement Systems for the Police Chief
Presented by: Mike McKinley, Police Chief

Chief McKinley said back in April the Police retirement was amended to allow the Police Chief to opt out of the retirement system if they so choose to go into an investment plan.

What wasn't thought about at that time was that if they come from internally they are contributing to the retirement system and the way the language is currently written is they have to sever their ties with the City to get that money that they're currently contributing to the retirement system back. This allows the Police Chief, if they choose, and make the determination within thirty days of becoming the Chief to go into the investment plan to get their contribution back immediately so they can either invest it in the investment plan or they can take it or split it however they want, but it gives them the opportunity to immediately get their money that they are currently contributing. This gives the future Police Chiefs an option.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.
 - b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve Ordinance No. 3116 at first reading and carry over for second reading and adoption on July 16, 2025.
 - c. **Motion by Commissioner Smith** and seconded by **Commissioner Velazquez** to approve Ordinance No. 3116 at first reading and carry over for second reading and adoption on July 16, 2025.
 - d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
9. Resolution No. 2025-24 - Amending the budget for the fiscal year beginning October 1, 2024, and ending September 30, 2025.
Presented by: Blanche Sherman, Finance Director

Blanche Sherman said Resolution 2025-24, amendment number 11 in the amount of \$2.5 Million dollars. This is pertaining to the Florida Department of Environmental Protection Grant that was brought before Council and approved at the June 18, 2025 meeting. The City now has a fully executed agreement in the amount of \$2.5 Million dollars with no match requirement. This is pertaining to Border Lake, Lake Cortez, Piedmont Lake, Lake Page, the flooding and the impact on the roadways, businesses and residences during severe storms. The grant includes constructing a pump station, intake pipes and discharge lines at each lake within the project area.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Commissioner Nesta said last week he requested the application of this grant and he was told this wasn't an application it was apportionment. He asked that when we applied for the grant was it specific to this project or could it be applied to anything in the Wekiva Springs Region? Or anything in that area? **Blanche** responded that we can do anything within the scope of the grant which is as she understands it, the grant says to design and construct pump stations, intake pipes and discharge lines at each of the

lakes. It has to pertain to the lakes. Commissioner Nesta asked that if we applied for this grant in 2023 and this project came about in 2024 how did they know the plan was going to be this when this came about in 2024? **Blanche** responded that there has been issues with Border Lake for a very long time even before 2023.

Mayor Nelson said this is for the long-term solution plan. What Commissioner Nesta was talking about was the short-term solution.

Blanche Sherman said the City just received this executed agreement that was approved last Council meeting. She is incorporating the money in the budget now so that this long-term solution process can be started. She said this is going to take about 18 months. The scope for the design has to be developed.

Radley Williams provided the timeline from the Kickoff Meeting saying the design and permitting will take estimated 3 to 6 months, construction bid awarding 2 to 3 additional months, and construction 6 to 9 months, with an 18-month total estimate.

Albert McKimmie spoke about the Commissioners and residents having limited knowledge about where this water is going to be going that the City is pumping. He expressed his concerns regarding the pumping of the water and how much it is actually going to cost the City.

Sylvester Hall spoke about the amount of money the City is spending and yet there's no concrete plan to solve this problem that has been occurring since 2019. He requested transparency on this whole project so that residents can know if this plan will actually work and understand why all this money is being spent.

Commissioner Nesta asked Vladimir Simonovski (City Engineer) if we creating a stormwater treatment plant. **Vladimir** responded it is going to be a pump station that will pump the stormwater into water pipeline that goes to the wastewater treatment plant on Cleveland. It will not be connected to the wastewater system, it will go directly into the ground storage tank that stores the water for the reclaimed water. From there it will be further pumped into the public access. **Commissioner Nesta** asked if we have the capacity to take on that water now. **Vladimir** responded yes into the ground storage tanks. He confirmed that the water will be filtered at the pumping station before its stored in the ground storage tank.

Mayor Nelson said they have a meeting a week from tomorrow with DOT to talk about their support with this project. He said regarding the question everyone is asking about why has nothing been done before now and he said that in 2019, 2020, 2021 and 2022 he went to Tallahassee to try to get money for this project. He finally got money in 2023. It's taken him that long to get the funding from the State under a local appropriation.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve Resolution No. 2025-24.

- c. **Motion by Commissioner Anderson** and seconded by **Commissioner Smith** to approve Resolution No. 2025-24.
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

CITY COUNCIL REPORTS

Commissioner Smith gave his condolences to City employee Tim Ford as his mother passed away this week. He said in reference to the schools, regarding the overcrowding. He has been keeping up with it and Orange County has hired a consultant to go out to recruit students to come back to the schools because school enrollment is at an all-time low. They're going to laying off teachers and other personnel as a result of that. The schools are not going to be overcrowded. Principals have been asked to reduce their budgets for this upcoming school year as a result of that. The main reason for this is because the parents have been able to receive grants to allow them to go to private schools or to home school them. School enrollment is dropping drastically.

Commissioner Nesta said he needs to postpone his office hours for tomorrow due to City Hall being closed. He will resume his office hours next week July 10th from 11 am to 1 pm. He's happy to meet anywhere. He spoke about his item not being placed on the agenda regarding a policy specific to the minutes. He said the Mayor told him it would be and he didn't understand why it was not. Mayor replied that it will be put on the July 16, 2025 agenda.

Commissioner Velazquez said we have the 4th of July event going on this weekend at the amphitheater. She said recently she went to a meeting that she was invited to and Commissioner Nesta also attended and that was with the Farmworkers. Her understanding was that they invited all of the Commission, which Council members replied not everyone was invited because some were not. The farmworkers wanted them to be there so they could hear some of the challenges they are facing. There was a lot of uncertainty. The Police Department's Deputy Chief, Captain and Lieutenant were present to give them some assurance of what they were looking for. She said she would like to see the City support the City's Spanish community. She questioned the Mayor regarding how he was able to convince the Spanish Chamber of Commerce to want to come and do business in our City, which he replied and said they contacted him and asked him to attend a ribbon cutting and he welcomed them to set up shop here in Apopka. Commissioner Velazquez continued to say based on the feedback from the Farmworkers they do not feel like the City leaders are doing enough to embrace them and make them feel welcome in this City.

Commissioner Anderson said that she wasn't invited to the Farmworkers meeting. She said she supports the Hispanic community and if they have any other events, to show her support she will gladly attend if she receives an invite.

CITY ADMINISTRATOR'S REPORT

Radley Williams said we have our new Transportation Coordinator here today, his name

Bill Wharton. Bill Wharton came up and provided a brief background of himself and introduced himself to the Commission and public. **Radley** continued and said regarding the mountain bike park proposal that was spoken about in the beginning of the year, at next week's budget workshops Council will see as part of the recreation impact fee budget some funding requested for the mountain bike park development. Along with that at the

prior discussion there was talk about The Ridge Self Storage LLC property, approximately 12.25 acres, a potential land swap, the City does have a property very close by 8.03 acres and he wanted to know if he has the Council's direction to go ahead and get some appraisals done to get the values and begin the process. They are interested in the land swap. They are also open to further discussions about how they could participate in the development of this park whether it be through assisting with a parking connection or possibly some impact fee credits to do some work for the City. He asked for the Council's approval to get proposals done and then bring it back before the Council for a potential land swap.

Commissioner Nesta asked to be provided to the Council the future land use designation for both of the properties and the density? He also requested to know what type of appraisals Radley would be ordering? He asked because he wants to make sure the City is getting the most accurate form of appraisals done so it's not under market value.

Discussion ensued regarding the budgeted amount where Radley advised he will provide the budget numbers in the approaching budget workshop meetings.

Radley continued to say regarding the Emerson Park project the sidewalk repair would be completed by the July 18th and an asphalt repairs are beginning July 28th.

CITY ATTORNEY'S REPORT

Attorney Hand said regarding the appointed committee members the ethics training would not be applicable to appointed members under these circumstances and looking at these board members responsibilities.

MAYOR'S REPORT

Mayor Nelson said he has post cards that are going to be handed out on the 4th of July that shows the City of Apopka's Vision. They will be handed out at the amphitheater and around town. He said the City received \$1,057,500 dollars for the Apopka replacement of the asbestos cement drinking water pipes. Regarding the Border Lake Pumping update, everyone received a sheet which has the lake levels. We have removed 6.8 million gallons of water out of those five lakes. The pumps will be shut down tomorrow and will revisit on Monday morning to restart pumping. Budget workshop reminder, they are on July 7, 8, and 9th. They will be held at 5:00 pm in the Council Chambers. At 7:00 pm on July 9th we will set the Millage Rate.

ADJOURNMENT

The meeting adjourned at 6:02 PM

All video recordings of City Council Meetings are always posted on the City of Apopka's YouTube page, for viewing.

Bryan Nelson, Mayor

Attest: _____
Susan M. Bone, City Clerk

Transcribed By: _____
Jodi Wrigley, Deputy City Clerk

CITY OF APOPKA MINUTES

Minutes of the City Council Budget Workshop Meeting held on July 7, 2025 at 5:00 PM, in the City of Apopka Council Chambers.

Present:

- Mayor Bryan Nelson
- Commissioner Diane Velazquez
- Commissioner Nick Nesta
- Commissioner Alexander Smith
- Commissioner Nadia Anderson
- Interim City Administrator, Radley Mr. Williams

CALL TO ORDER

BUDGET MEETING

1. FY2026 Administration, Legal Services, City Clerk, Human Resources, Community and Economic Development Budget Requests
Presented by: Radley Mr. Williams, Interim City Administrator

Radley Williams started with an overview of the FY25-26 budget highlights (figure 1), where he demonstrated the change in percentage between FY25 and the FY26. He then broke down the key changes in each over the year. The mayor's office had the continuance of the Apopka Youth Works and Apopka. The City Administrator's Office is moving City Commissioner's travel and training into the City Administrator's budget. The City Clerk's office needs to fund a stand-alone election on Tuesday, March 10, 2026. Legal and Risk included a 10% increase to legal fees and insurance costs based on the current FY25 trend and the FY26 estimate. Human resources accounted for the increased cost of health benefits due to high claims in FY25 and placed a contingency line for police salary adjustments and compression, fire union salary increase prices, and general employee pay plan adjustments.

Budget	FY25	FY26 Proposed	% Change
Mayor's Office	\$692,967	\$679,788	-1.9%
City Administrator's Office	\$492,000	\$582,771	+18.5%
City Clerk Office	\$391,269	\$424,761	+8.6%
Human Resources	\$2,932,598	\$2,307,101	-21.3%
Legal/Risk	\$3,249,927	\$3,346,948	+3%
Economic Development	\$261,511	\$324,436	+24.1%
TOTAL	\$8,020,272	\$7,665,805	-4.4%

Figure 1

Mr. Williams then goes on to discuss new initiatives and programs. The City Clerk's office is looking to implement an online cemetery search/map for Edgewood/Greenwood Cemetery to allow families, residents, and guests to go online and search the gravesites. Human Resources has an increase funding request for team dynamics and leadership training programs, an online employee development training application, lock-out/tag-out training program, Fire Department union negotiations, and electronic personnel records and

backgrounds. Legal/Risk is working on digitizing safety and risk policies for improved communication, compliance, and accessibility. He also announced that the new Economic Development Director will begin August 4th.

Mayor Nelson asked if anyone had questions. **Commissioner Nesta** thanked Mr. Williams for the presentation and asked why this setup for the presentation is different than years past. **Ms. Sherman** responded that the reason they only have FY25 and FY26 in the presentation is because, in prior years, there was expressed concern that the columns were too small and the information couldn't be read. They still looked at the increase in the city throughout the years and some of those details will be discussed as they go through the budget process. Ms. Sherman explained the information regarding previous years was shared among the departments in departmental meetings and she can provide that information if they would like. **Commissioner Nesta** then questioned the \$40,000 needed for the City Clerk's office to fund the stand-alone election. He stated when they got a special election quote it was \$15,000 for what he believes was the annexation referendum. **Susan Bone** responded the difference in numbers comes from the quotes received for various election services and contracts including stand-alone early voting so the \$40,000 includes all the contracts combined needed to run the election. **Commissioner Nesta** then asked how much they have spent in the past on legal fees to understand the trajectory they are on now. **Ms. Sherman** responded they have spent about \$400,000 and are projected to spend about \$500,000, leading to about a 10% increase. **Commissioner Nesta** then asked if it would be better to bring back an inhouse council. **Mr. Williams** responded they can open the position back up if that's what they wish to do.

Discussion ensued on whether the position should be opened up with the result being they are going to look into the market and do the research needed to post and open the position.

Commissioner Nesta asked for clarification on the difference between salary adjustment and compression and union salary increases, in reference to contingency line 1700. **Mr. Williams** explained salary adjustment and compression is for the police department staff and the union salary is a number that'll be determined during the union negotiation. **Ms. Sherman** clarified that it's actually what's in their second-year contract. What is reflected in the budget is a flat 5% like they did for everyone else. However, what their contract requires is a three in a three in a \$1,000 payment out that represents the differential between that 5% and the three, three, and \$1,000. **Commissioner Nesta** confirmed that it's based on 1% plus 1,000 per person.

Commissioner Smith then asked for clarification on what a PD Advisor is. **Mr. Williams** clarified that is the legal advisor for the PD. **Commissioner Smith** then asked what the salary was that they paid the in-house attorney before. **Ms. Sherman** responded it was around \$265,000 with benefits. She was unsure what the exact number was but said she could obtain it and stated that the cost benefit analysis would reflect those numbers. **Commissioner Smith** then asked if the decrease in the mayor's budget was only because they took travel away from the mayor's budget and moved it into the administration budget. **Ms. Sherman** clarified that they haven't done that yet but it is something they are talking about doing. **Mayor Nelson** also mentioned that they moved the receptionist to the HR

budget. **Commissioner Smith** then asked, in reference to the cemetery, if it was possible to get directional signs. **Mr. Williams** responded that he and Clerk Bone had recently discussed this topic and she is working on some permanent signage for the cemetery that they should be able to get out of this year's budget.

Commissioner Velazquez stated that she didn't feel that they had any preview of the agenda since they received it on Wednesday night and they received the adjusted book the day of the meeting. She has a print out of the original, which is what she's working off of. **Ms. Sherman** clarified that the only change between the original and the updated book is that they added the presentations. The sheets are the same, they are just attached to the appropriate presentation. **Commissioner Velazquez** stated they need a policy regarding the discretionary accounts and the funding they provide to different organizations that are considered legacy organizations and asked if they are showing those expenses in the book. **Ms. Sherman** replied yes and that Radley is going to go into the details of it. **Commissioner Velazquez** asked what neighborhood restoration is and what it is used for. **Ms. Sherman** replied it's a new program the mayor wanted to implement. **Mayor Nelson** gave the example that someone could use it to dress up the entrance to their neighborhood (number 8 under operating supplies). **Commissioner Nesta** stated that Orange County already has a program. He believes if the city has the program they have to apply to Apopka's program and get denied before they can apply for Orange County's program and suggested it be done away with. **Commissioner Anderson** asked that the facts be checked before coming to any final decision about doing away with the program in Apopka. **Commissioner Velazquez** then asked about the funding for the travel and training being moved from 1010 to 1020. **Ms. Sherman** confirmed that's something they're looking into doing. **Commissioner Velazquez** then inquired about the consulting services for the rescue act funding opportunities. **Mayor Nelson** explained that as the federal contract with Grey Robinson contract, the lobbyist for federal opportunities for grant funding. They send a newsletter every month about what opportunities are out there. **Commissioner Nesta** asked if they can come to the city and present what they do and if the commissioners can be included in the newsletter. **Mayor Nelson** replied okay. **Commissioner Velazquez** brought up that she received an email from a resident regarding the Tiger Bay membership being a private club and should not be paid for by tax payers.

Discussion ensued on whether the fees for that club should be paid for by the city and whether other cities cover it in their budgets. Ms. Sherman is going to do more research on it and get back to them.

Commissioner Nesta asked what is going on with the Bay Ridge cemetery. **Mr. Williams** responded the plan is to treat the area twice a year for weeds and roundup. It is up to the council on whether they want to take the cemetery over. **Commissioner Nesta** stated the commissioners voted years ago to take it over and asked what has been done to continue those steps. **Mr. Williams** responded that they still don't have any documents from the caretaker or point of contact from that current cemetery. The cemetery would also need to be annexed into the city, a process the owner would have to do. Once that is done the city can take ownership of it. **Commissioner Nesta** recommended going through Orange County and partnering with them. **Commissioner Anderson** raised concern over the legality of that since the city doesn't own the property.

Commissioner Velazquez asked if the new Economic Development Director will have staff to support her. **Mr. Williams** responded she is the only staff person in the Economic Development budget. They are looking at working with her to establish an internship program with local colleges in the area. There are also opportunities internally to reorganize some of the staff to give her additional help. **Commissioner Nesta** asked what the reason for the 24% increase in Economic Development was. **Mr. Williams** replied that some of that was in health insurance, OEP partnership, and benefits. **Commissioner Velazquez** then asked what the “other contractual services” for \$50,000 under economic development were. **Mr. Williams** responded that includes the continuing contractual service where they did the retail strategies. Although it was originally a one-year contract, this allows them a budget to continue that program if we choose to do so. **Commissioner Anderson** asked if there were any tangible benefits to that. **Mr. Williams** replied that the new economic development director is going to look at that when she gets in. He stated they left most of the budget as is to give her some tools to see what contractual services, publications and memberships would be beneficial. **Commissioner Nesta** asked how they came to the \$17,000 and if that is how much they spent last year. **Ms. Sherman** responded that she doesn’t know if that’s how much was spent that year to date because Michelle left in February. When Michelle came into office she did budget transfers to move things around for memberships and contractual services for things she wanted to do. She is not sure if the money was spent because Michelle left but she can obtain the year to date and provide that. **Commissioner Anderson** stated she believes it is important to keep that in there as a place holder so the new director can move things around as needed. **Commissioner Velazquez** asked if they worked on the retail contract at all this year. **Ms. Sherman** responded that her understanding was that they did get the information requested and it is available for their use as needed. **Mayor Nelson** stated he thinks they will be here in August for ICSC (International Council of Shopping Centers) and they will try to get them to come to city council.

Commissioner Velazquez asked how many staff/employees are under the mayor’s office. **Mr. Williams** replied they have the mayor, his assistant, Stacy, plus the four commissioners. **Commissioner Velazquez** asked where former employee, Stephen Cribb’s, salary was budgeted. **Ms. Sherman** responded he was under Public Services. **Commissioner Nesta** asked what is the difference between regular salaries and wages and other salaries and wages. **Ms. Sherman** replied regular salaries and wages are regular time while other salaries and wages could be other time such as jury duty. **Commissioner Velazquez** asked what changed to account for the decrease in budget. **Mayor Nelson** replied that was the move they mentioned earlier when they moved the receptionist to HR’s budget and the other changes were minor. **Commissioner Anderson** asked how commissioner salaries are set. **Mayor Nelson** replied there was a flat rate and every time the city hits another 1,000 people in the city there is a bump in their salary. **Ms. Sherman** interjected that when they looked into this last year, they calculated, they were exceeding that amount, if she recalled correctly. **Commissioner Nesta** then asked what they’re based off. **Ms. Sherman** replied she didn’t do the analysis, she is just aware of the results, so she would have to get that information. From what she recalls, what the commissioners are getting paid is higher than that calculation. She will find the information and provide it. **Commissioner Velazquez** stated she would like to have a policy in place regarding the

Mayor's budget regarding the expenditure of tax payers' funds to organizations and discretionary funds. **Commissioner Nesta** stated for other salaries and wages on the mayor's office it's \$73,395, on administrative services it's \$35,000, and on city clerk there is none. **Ms. Sherman** responded that the other types of pay, such as jury duty may be rolling there. **Commissioner Nesta** asked if they know how much they spent on that last year. **Ms. Sherman** asked for clarification if he's asking how much he was paid last year. **Commissioner Nesta** clarified that he was asking how much was allocated last year. **Ms. Sherman** responded she would have to get that information. She reminded them we are still in last year so the only thing she can provide is a projection. **Commissioner Nesta** then asked if contingency for human resources for police and fire should come out of their budget. **Ms. Sherman** replied that it is going to come out of their budget. What they do is put it where it is now and then once they get the actual amount they transfer it so they know what their final impact is. **Commissioner Nesta** asked why they would just allocate it now. **Ms. Sherman** replied it's something that they can do but if they do it this way it generates a savings in the general funds. **Commissioner Nesta** asked if HR is doing an employee survey again. **Joseph Patton** replied that they are aiming to do one every year. The last time they did one was 2022. Last time it was done was in house and on paper, which took a bit longer. This time would be through a third party to avoid questions of integrity. Since it will be online the turnaround time will be quicker.

Commissioner Smith asked if the \$275,000 for the city-wide janitorial services in the facilities management budget 10-22, includes the fire department. **Mr. Williams** replied it does and he will present that budget in a little bit. **Commissioner Velazquez** asked if the \$100,000 nonprofit sponsorship under 10-20 administrative services is from last year or if they're adding another \$100,000. **Mr. Williams** explained they are getting ready to roll the program out and will be using this fiscal year's money and then this would be a re-budget to run it again in FY26. They were aiming to use the FY2025 money first and then put it back in for FY26 since they don't know what to carry over because it hasn't rolled out yet. All this does is put money back into the program. **Ms. Sherman** asked to recap the changes requested. As she understands thus far, they are moving the commissioners travel and training from 10-10 to 10-20; \$9,000 for travel, \$4,992 for training, and \$1,000 for ethics. **Mr. Williams** stated he thinks they're adjusting training to \$5,000.

Discussion ensued on the budget for training and travel on whether it should be adjusted and what would happen with any left-over funds. The end result was that commissioners would identify the trainings they would like to go to and present them during the budget workshops.

Ms. Sherman continued her recap by confirming they're going to hold on getting additional information for the \$25,000 for the neighborhood restoration. She is going to look for the old research on Tiger Bay and get more information on that. Finally, they are moving the ethics to 10-20 and the commissioners are going to provide her a list of additional travel and training they would like to incorporate in the budget. **Mayor Nelson** confirmed he would be providing Mr. Williams the Grey Robinson monthly newsletter and Ms. Sherman is going to look into the miscalculated raises for the commissioners. He also confirmed they will look into creating a policy for the discretionary fund.

MAYOR NELSON OPENED THE FLOOR FOR PUBLIC COMMENT.

Resident self-identified as Minnie mouse, Cinderella's Castle, stated the commissioners should have had access to the budget earlier than it was currently provided so they could thoroughly review it for discussion. It needs to be reviewed and proofed before it's approved, making it a legal document. She also mentioned the Tiger Bay Club and stated that she sent documents last year showing it is a public club. It states on their front page that any resident of any age can join. This means it is not an exclusive political club. When she spoke last year, the Mayor agreed to getting rid of political clubs.

Anonymous resident stated in his opinion they are presenting another flawed budget. He stated he raised concerns last year. He mentioned the issues with staff, leading to work not getting done and indicative of job dissatisfaction, rate of pay issues, benefits issues, or supervision and leadership issues. He asked for a preventative maintenance schedule and stated the next preventative maintenance was scheduled for '22,'23, and '24, meaning there is no preventative maintenance happening. He also mentioned that Ms. Sherman should not have to go back and find more information, she should already have that information available to present. He concluded by asking the following questions; does this budget presented represent everything needed regarding people, supplies, materials, and equipment to allow staff to be successful; is every piece of equipment on a preventative maintenance schedule; is the schedule followed; do you spot check to make sure the work is done.

Mr. Williams provided an update on the situational staffing issues stating they currently have 62 full-time positions that are currently open. The majority are in fire and police. Of the 26 positions in police five of which are seasonal. Parks and Rec has 29 listed, of those 24 are seasonal. Overall, out of the 91 vacancies 62 are full-time and 29 are part-time seasonal. The city is also actively hiring. **Mr. Patton** explained the fire department promotes from within first, therefore the empty positions have not been filled internally yet. **Mayor Nelson** then explained there are 6 dispatch positions that will likely not be filled due to losing the contract with Maitland.

Discussion ensued on when the contract was lost and whether those numbers were reported. Ms. Sherman explained all of this is in the millage presentation and will be presented during the special council meeting held on July 9th.

Bobby Howell presented the budget for Community Development by providing a brief overview of the department and key stats. He then provided the highlights (figure 2). He explained that the budget increase cost for the planning division primarily comes from salary and benefits cost while the decrease in the planning division was due to reduced capital needs.

Community Development: \$3,739,765			
Division	FY25	FY26 Proposed	% Change
Planning	\$2,171,922	\$2,360,458	+8.7%
Building	\$1,379,719	\$1,379,307	-0.03%

Figure 2

Mr. Howell then discussed new initiatives and programs. The planning department's new initiative is to rewrite the Land Development Code to ensure it's consistent with the newly adopted rewrite of the Comprehensive Plan. The project is expected to be completed in about 2 years and is budgeted at \$500,000. This amount was chosen to account for inflation.

John Hanson presented the needs for the Building Division and explained they currently don't require additional capital in FY26 as two high mileage vehicles are being replaced in FY25. His department was also able to transfer two vacant positions to other departments in FY25, namely Human Resources and Fleet Maintenance. **Commissioner Velazquez** asked how many inspectors they had. **Mr. Hanson** replied 5 full-time 1 part-time. They average about 20 inspections per inspector per day, with most inspections held in the same area. **Commissioner Nesta** asked what time frame the stats provided were from. **Mr. Hanson** replied July 1, 2024 to July 1, 2025. **Commissioner Velazquez** asked who does the change orders and how many were issued. **Mr. Hanson** replied both him and Captain Jeremy Holderfield, Fire Inspector, depending on whether the fire department is involved in it. As for the number of change orders, he currently doesn't have that number but could provide it to her as well as a yearly list showing how many residents they have.

Commissioner Nesta asked why they are budgeting \$100,000 for Bike Walk Central Florida. **Mr. Howell** replied it was for the active transportation master plan that is going to be worked on with Bike Walk Central Florida. **Commissioner Nesta** then asked about the BTR (Business Tax Receipt) postage, envelopes, membership, and conference registration and whether his department wanted BTRs or not. **Mr. Howell** replied that was put in prior to the ordinance presented and is contingent on BTRs staying in place. **Ms. Sherman** explained it was kept in this budget but can be adjusted based on the decision of council. **Commissioner Nesta** asked what the timeline was for when they have to transmit the budget to the state and if there was a way to publish all of this to the public. **Ms. Sherman** replied the Department of Revenue Property Appraisers Office needs the millage sent by the end of the month and submitted to them by August 1st. They can have additional workshops if necessary. They haven't published the numbers yet because they are having trouble with the system reconciling the numbers but she would see what she could do. **Commissioner Nesta** asked why they're using a program that is giving issues. **Ms. Sherman** explained they are in the process of trying to transition to a new one. **Commissioner Velazquez** then asked if the fees charged for permits and to review plans were increased. **Mr. Hanson** replied they did last October. **Commissioner Velazquez** then asked if he has everything he needs for his department to provide quality services to the residents. **Mr. Hanson** replied if he gets the two new vehicles budgeted for this year, yes, he does. **Commissioner Smith** asked Mr. Howell if they have enough planners or if they still have vacancies. **Mr. Howell** replied they are fully staffed.

MAYOR NELSON OPENED THE FLOOR FOR PUBLIC COMMENT.

Anonymous Resident stated she agreed that the incoming Community Development Director needs to have a say but doesn't understand where all the numbers came from without a community development director at this time and hopes they are reliable and reasonable. She expressed concerns about the shuffling that goes on (regarding moving personnel to different sections and/or departments). She stated she has seen many people post viewable spreadsheets where they can adjust columns. She recommended it would be great for the council and citizens.

Rod Olsen wanted to clarify and request that Susan Bone forward the council his public record request and the response to prove the 88 was a number provided by the city on May 14th. He then thanked Commissioner Velazquez for asking Mr. Hanson the question and continued to ask about preventative maintenance. **Mr. Hanson** replied yes, the equipment is on a preventative maintenance schedule, yes, the schedule is followed, and they probably don't spot check it as often as they should. **Mr. Olsen** addressed Mr. Howell and asked him the same questions. **Mr. Howell's responses weren't audible.** **Mr. Olsen** addressed Mr. Williams and asked him the same questions. **Mr. Williams** replied his department has everything he needs; their equipment is on a preventative maintenance schedule which is followed and spot checked.

Commissioner Nesta under what line item commissioners fall under in other municipalities. **Ms. Sherman** replied she doesn't know but based on where she's been they can be in a separate cost center. **Commissioner Anderson** stated she knows is that it's easier to communicate with their City Administrator in regards to the funds because they can't directly talk to the mayor. **Commissioner Nesta** then asked if separate funds are needed for the city charter and the ballot, how that's budgeted and what's the update on that. **Ms. Sherman** responded the council added \$10,000 to this year's budget for the special ballot election. **Mayor Nelson** stated that we had the first reading and need to have the second before proceeding. That can be held whenever they are ready to add it to the agenda, which will likely be in August.

2. FY2026 Parks, Recreation, Facilities, and Cemetery Budget Request
Presented by: Radley Mr. Williams, Interim City Administrator

Radley Williams presented a brief overview of the department and key stats. The budget highlights showed the percentage change among different divisions within the department (figure 3). Parks Maintenance was able to reduce their contracted mowing services based on need and had operating increases for Athletic Field Turf Replacement in 5200 and Quad 1 redesign in 3100. The Athletics, Recreation, and Events division removed the athletic field light repair and two amphitheater events.

Discussion ensued on what bands should play at the amphitheater concerts to bring in more attendance. They also discussed keeping the symphony instead of taking the money and use it towards Saturday Sounds or possibly adding the orchestra to it. Questions were asked on whether they should do away with the line item titled "New Amphitheater Options" and use that towards the orchestra. No clear answer was

given.

Commissioner Nesta asked Mr. Williams to specify what Parks Beautification Projects meant in the budget. **Mr. Williams** replied it referred to projects like the ones done at the Alonso Mr. Williams Park when they renovated the field. They are still looking into what they are going to use the funds for whether it be landscaping or something else. **Commissioner Nesta** then asked what they were doing with the Parks Tree Bank expenditure. **Mr. Williams** replied that is funded through the tree bank process. They are planning tree installations along the median of Vic Road and Jason Dwelley. This money would live in the parks budget and can only be used for new projects. They provided the example that they can use the funds to purchase new trees but not to remove the old trees. **Commissioner Velazquez** asked what billboards they are using. **Mr. Williams** replied there are two digital billboards located on 441 which are

Parks & Recreation: \$14,272,278			
Division	FY25	FY26 Proposed	% Change
Parks Maintenance	\$5,047,861	\$4,477,161	-11.3%
Athletics, Recreation, Events	\$4,949,815	\$4,394,511	-11.2%
Camp Wewa	\$867,961	\$1,034,019	+19.1%
Cemetery	\$673,324	\$196,991	-70.7%
Facilities Maintenance	\$4,340,909	\$4,169,596	-4%

Figure 3

used to post city events and messages from the city. **Commissioner Nesta** asked where the replacement for the tractor pull barn was. **Mr. Williams** replied it is in the Northwest Recreation Complex. They are also planning to add fencing there to create delineation between the parking areas and the fields. **Commissioner Nesta** then asked about the fund for holiday decoration and whether that would be used at all parks or just one. **Mr. Williams** replied it is currently projected for Kit Land Nelson Park but agreed they could use it for other parks as well but they would need additional funds. The board agreed to add \$25,000 for Alonso Williams Park.

Discussion ensued regarding the details pertaining to overtime, the tennis pickleball office, parking, courts, the amphitheater washout on the east side and restrooms. Among this was also discussion about the Community Event Grants Program where **Mr. Williams** explained what it was for. Commissioners Anderson and Nesta voiced they still want to ensure events they want are funded. **Mr. Williams** will provide a list of partnered vs historical events to review with the board.

Commissioner Velazquez asked when they were going to have the fencing and gazebo replaced and a walkway added to the columbaria. **Mr. Williams** replied all of that falls under this year's budget and the fencing and gazebo have been ordered. They expect to start the tear down and rebuild in mid-August. Once the gazebo has been installed they will start the sidewalks.

Commissioner Anderson asked if there were any updates regarding naming rights for the amphitheater and whether a package has been worked out. **Mr. Williams** replied he would have to follow up with the city attorney this week and get that from him.

Camp Wewa needs additional seasonal staffing hours to help with rental retreat operations year-round. They also need operating supplies for the general park operation and upkeep.

Discussion ensued on how profitable the camp has been. There was mentioned the camp has not yet broken even and how to make it at least get to that point. They discussed the condition of the building and the improvements that have been done and will be done in the future but overall it is in good condition. The topic of restrictions on what the park could be used for based on the grant received to purchase it was mentioned with Mr. Williams clarifying it needs to remain an open use park. During private weekend retreats, a public area is kept open to comply with the restrictions. The discussion resulted with them deciding to reconvene and discuss a number the board is willing to spend on the camp.

The Cemetery had no increase due to there being no capital needs. **Commissioner Velazquez** asked if they weren't improving the entrance into the cemetery. **Mr. Williams** replied there is some landscaping that comes out of the operating budget and the gates are on order. As for the older pillars they are planning on relocating them.

Mr. Williams continued his presentation by breaking down new initiatives and programs. After some discussion it was decided they need more parking in the Alonso Williams park and would revisit the plans they had before and bring them back to next council. He then moved on to the proposed mountain bike park in Apopka-Ocoee. There was some back and forth over the details of the land acquisition and development and concern over the flooding where Mr. Williams explained they intentionally chose it for that reason because mountain bikers prefer different types of terrain.

Commissioner Velazquez asked about the Public Service building to which **Ms. Sherman** replied that would be covered in another workshop.

Mr. Williams presented the highlights for Facilities Maintenance. He presented the overall projects planned for FY26 followed by a breakdown for each. There was some discussion on the repairs needed at the community center and what is going on with the Veterans of Foreign Wars (VFW). Mr. Williams said the goal would be to replace all the equipment in the kitchen, making it a city kitchen they could then use for their events. As it stands, their agreement is for event use. The kitchen, table, and chairs belong to them. They then went into detail on the changes made to general facilities maintenance buildings. The goal is to get all the changed on a P.O. for this fiscal year. If it doesn't it'll be carried over to the next fiscal year.

MAYOR NELSON OPENED THE FLOOR FOR PUBLIC COMMENT.

Anonymous Resident expressed concerns regarding the Northwest Recreational Complex. He mentioned the cost to rent a field and that there is always loud music coming from the Pop Warner building. He stated a better job needs to be done in regards to parking. He recommended better advertising for the amphitheater, especially concerning vendors. He went on to provide other recommendations for more things that can be fixed around the city.

Anonymous Resident mentioned Camp Wewa would be a great place for conservation education and presented a few recommendations of activities and programs that could be held to do that. She expressed a concern for getting Florida friendly trees out there since we have lost so many. She recommended they use Florida friendly ground covers instead of sod in the play areas.

Rogers Beckett had questions regarding the tree bank and whether it could be an option to replant the trees in the city. He asked what mechanism would be used to ensure the money is adequately used. He recommended giving trees to homeowners. **Mayor Nelson** interjected and clarified they can't give homeowners trees because they are for easements and right of ways. **Ms. Sherman** stated there is a policy of how the money comes in and how it goes out and she will share that on Wednesday. **Mr. Beckett** also mentioned most of the projects are in development before being designed and asked if it was possible to use an in-house designer. He then touched on city abandoned properties, such as the ones near Dream Lake Elementary School or Apopka Middle School and what they plan on doing with them. **Commissioner Velazquez** clarified that it's the Connelly house and she had heard it was on the list for demolition. **Mr. Williams** confirmed it is.

3. FY2026 Finance Department Budget Request
Presented by: Blanche Ms. Sherman, Finance Director

Blanche Sherman started her presentation by stating they are requesting three new positions and providing a brief overview of her department and a breakdown of the finances (figure 4). There was some discussion on the new meters for utility billing and the issues going on with residents receiving bills over \$1,000. Ms. Sherman explained those numbers come from back billing to when the meters weren't working and the implementation of FlexNet. The amount depends on what the final read the meter gives.

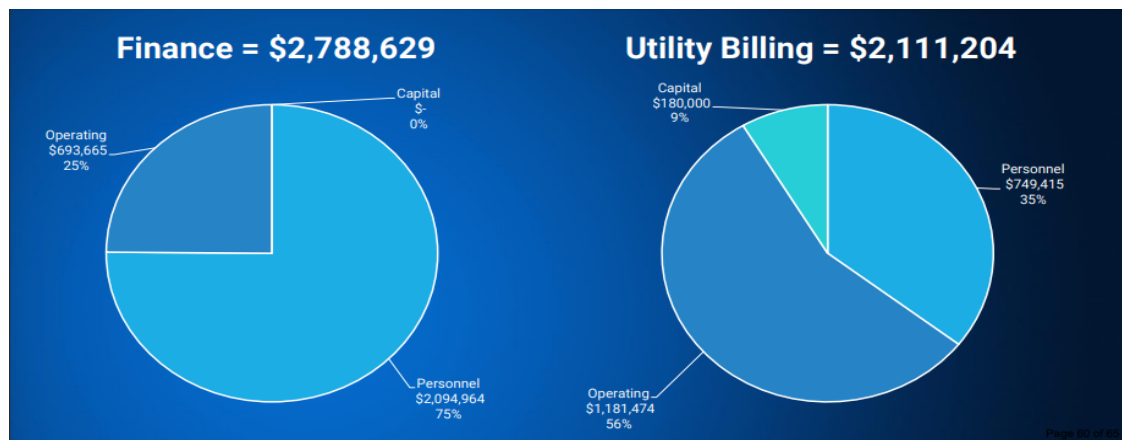


Figure 4

Discussion ensued on how the meters work and how the back billing is determined. There was some back and forth on the difference between no reads and estimated reads. Ms. Sherman stated they are working on fixing everything up and that she would look into their questions and come back with more information.

Ms. Sherman asked to go back to her presentation to further explain how the new positions will assist with what they are currently discussing. She broke down what each new position would do and how it would ease some of the help needed in finance and utility billing. After her presentation **Mayor Nelson** asked if there were any other questions. **Commissioner Nesta** questions on whether there were discounts for paperless billing and if people get charged to have their meters checked. **Ms. Sherman** replied there are no discounts and to her knowledge, no one has been charged that fee but she will look into it. She then explained the process they use to track and find grants that have been applied for or would benefit the city. She welcomed the commissioners to send her any grants they may hear of and they will look into it. **Commissioner Velazquez** asked if there was any money in the budget for the museum. **Mr. Williams** replied they have money in the FY25 budget for it but not the FY26 budget. In regards to questions about the Lust Rd property, the quotes to make repairs on the roof were too expensive and it was not a priority at the moment. It was asked if there was anything that could be done to make it look a little better and Mr. Williams replied they could look into painting the part that faces 429.

MAYOR NELSON OPENED THE FLOOR FOR PUBLIC COMMENT.

Anonymous Resident thanked Ms. Sherman for her work and presentation. He stated this process is lengthy and needs more time to be completed. He then asked Ms. Sherman if her department has everything they need in their budget, if their equipment is on a maintenance schedule, if it's being followed and spot checked. Ms. Sherman replied yes. He also asked Mr. Williams, to which he replied yes.

Rogers Beckett asked if the meters that don't provide reads mean there is no bill generated how do they know which part isn't being billed since they include water reclaim and trash in those statements. **Ms. Sherman** replied but the final part of her statement was inaudible. **Mr. Beckett** recommended using AI technology for some of the redundant activities a person is doing that could instead be done by a machine, not just in finance but other departments. **Mayor Nelson** explained they are currently working on a policy to ensure we use AI safely. **Mr. Beckett** touched on the topic of the building on Lust Rd. He recommended possibly using it as a shooting range for the police department. **Mayor Nelson** replied that they hadn't considered that but would look into it.

ADJOURNMENT

The meeting adjourned at 9:29 PM

All video recordings of City Council Meetings are always posted on the City of Apopka's YouTube page, for viewing.

Bryan Nelson, Mayor

Attest: _____
Susan M. Bone, City Clerk

Transcribed By: _____
Carolina Baez, Administrative Specialist

CITY OF APOPKA MINUTES

Minutes of the City Council Budget Workshop Meeting - held on July 8, 2025 at 5:00 PM, in the City of Apopka Council Chambers.

Present:

- Mayor Bryan Nelson
- Commissioner Diane Velazquez
- Commissioner Nick Nesta
- Commissioner Alexander Smith
- Commissioner Nadia Anderson
- Interim City Administrator, Radley Williams

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

MAYOR READ THE DECORUM STATEMENT

BUDGET MEETING

1. FY2026 Information Technology Budget Request
Presented by: Robert Hippler, Information Technology Director

Robert Hippler presented FY06 Information Technology Budget. He provided a department overview, key department stats and department accomplishments. The previous FY25 budget amount was \$4,993,694 and the proposed FY26 budget amount is \$5,632,139 which is a 12.8% increase. The changes included the following below:

FY25	FY26 Proposed	% Change
\$4,993,694	\$5,632,139	+12.8%
4100 – Communication Services		
• Motorola APX NEXT Radio Features: \$185K		
4600 – Repair & Maintenance		
• ESRI – GIS Software Maintenance: \$23K		
• Motorola MDR Maintenance: \$29K		
• Motorola P25 Maintenance: \$128K		
• Motorola SUAll Agreement: \$105K		
• Ransomware Defense Maintenance: \$57K		
• Cybersecurity SIEM Maintenance: \$68K		
6400 – Machinery & Equipment		
• Motorola Comparator Partial Replacement: \$375K		

He advised new initiatives and programs include: Wireless ring radio upgrades, Backup hardware upgrade, Security system expansion, Code Enforcement software replacement, and Assisting/ Testing ERP implementation. He discussed each individual budget line item for his department's operating and capital requests. He was available for questions.

- a. **Mayor Nelson** asked if anyone had any questions for Rob or if the public wanted to speak on this item.

Commissioner Nesta requested explanation of budget item under equipment & Machinery – Motorola Comparator Replacement. He asked if that item was a flex capacitor. **Rob** responded that it's similar however it doesn't go as fast. The comparator looks at the channels coming in so that we someone keys up the radio it will look for the best channel to provide them with the highest signal coming in. He stated that previously it was a physical piece of machinery running a virtual instance of the comparator itself. **Commissioner Nesta** requested to know if his department has looked into AI implementations to help out departments. **Rob** responded yes, they have looked into it and to see where it can be used responsibly and where the City should stay away from it. If they can increase productivity, it needs to be done. **Commissioner Nesta** asked what the new software for Code Enforcement going to do for that department. **Rob** responded that this new software program will replace the existing Edmunds system. The new platform will provide enhanced functionality, improved interface, and better support for case tracking, reporting, and compliance management, ultimately increasing efficiency and service delivery. The ultimate goal is to have this software communicate with Tyler (the new platform the other departments are transitioning to). Currently, there's a closed system, nothing talks to it. It's all manual import / export that they have to do.

Commissioner Smith asked if like last year did the IT Department request any additional personnel. **Rob** responded no, he's not in need of any more personnel.

Commissioner Velazquez requested explanation on the budget line for Edmunds Agreement for \$50,000 and asked if that was going away? **Rob** responded that the City hasn't left Edmunds and transitioned to Tyler Software yet, therefore they will continue to pay the Edmunds maintenance agreement until the City leave the Edmunds platform and switches to Tyler. **Commissioner Velazquez** asked questions regarding the towers that are in place by the fire stations. **Rob** responded that the towers are radio towers and there's a total of 5. The towers are purely an internal communication and they do not have cellular carriers on them. Additionally, the City depending on the location where the radios are pinging are connecting to Orange County's towers too to transmit.

Discussion ensued between Commissioner Velazquez and Robert Hippler regarding modifications to the audio in the Council Chambers and what the cost would be. Rob responded that speakers alone in the rear of the chamber would cost around \$17,000 to \$18,000 dollars. The current system was installed 4 years ago and is out of China and the integrator advised that if anything goes down they are unable to get parts anymore. Rob said if there's funding and something the Council wants to do then he can get quotes. He will need to find a solution that works but to change the system out it would cost an estimated \$70,000 dollars.

Robert Hippler said regarding the \$12,000 for the Camp Wewa Data Circuit this will be to increase the bandwidth for WiFi Access in Park.

Commissioner Nesta asked if the press desk as the ability to have the press connect to audio and plug in as needed? **Rob** responded yes, they can hook up audio and receive an audio feed from us as well. There's a line in place.

Rod Olsen requested to see side by side number comparisons to see the budget from the previous year or years to see the trends. He questioned if IT has been tasked with tying into the water meter. **Rob** responded that he has been asked to look at some of the coverage to see if there's a coverage issue with the water meters not transmitting etc. There is a tower in Zellwood and they are working on an interlocal agreement to hopefully get some transmitting issues in that area taken care of, but there are a lot of other variables. Unfortunately, there are many variables as to why the water meters are not communicating properly. **Rod Olsen** asked if this budget that Rob presented represents everything that him, his department, his staff's needs in the way of people, supplies, materials, and equipment to allow the staff to be successful in meeting the needs of the citizens of Apopka. **Rob** responded yes. **Rod Olsen** asked if every piece of equipment in his department on a preventative maintenance plan? **Rob** responded yes with explanation.

2. FY2026 Sanitation & Fleet Maintenance Budget Request

Presented by: Josh Robinson, Public Services

Josh Robinson provided a department overview of the Sanitation & Fleet Maintenance Department. He advised there is currently one vacant position. He advised that the department has the following divisions: Sanitation and Fleet. The previous FY25 budget amounts for divisions : Sanitation and fleet maintenance were presented and the proposed FY26 budget amounts. Sanitation budget increased attributed to increases in Orange County tipping fees (15% of the budget increase), rentals and leases, vehicle maintenance, temporary labor, and the purchase of a new shed for storage. Fleet budget decreased due to no new capital needed this fiscal year. They have requested two new positions: Mechanic and Maintenance Worker II. He continued to provide the statistics for the Sanitation Department including the amounts of waste disposed of and recycling statistics. Additionally, the Fleet statistics were provided regarding heavy equipment maintained, rolling stock maintained and small equipment maintained. The Fleet Department completed 2,486 work orders and 38 vehicles were surplus. The sanitation division budget increased 22.9 percent and Fleet Maintenance decreased 12.9 percent. Josh reviewed over each budget line item with Council and was open for questions for Council and the public.

City Services

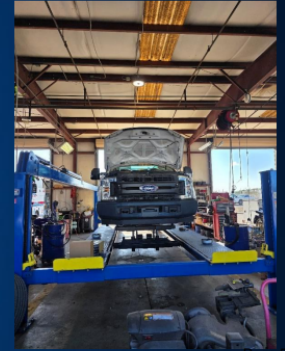
Division	FY25	FY26 Proposed	% Change
Sanitation	\$7,629,965	\$9,380,448	+22.9%
Fleet Maintenance	\$2,209,106	\$1,924,645	-12.9%

Sanitation

- Increases in Orange County tipping fees (15% of the budget increase), rentals and leases, vehicle maintenance, temporary labor, and the purchase of a new shed for storage.

Fleet

- Decrease due to no new capital needed this fiscal year.
- Two new positions requested:
 - Mechanic
 - Maintenance Worker II



- a. **Mayor Nelson** asked if anyone had any questions for Josh or if the public wanted to speak on this item.

Commissioner Velazquez asked how many homes are being serviced currently? **Josh** responded approximately 21,000 homes. There's a total of 27 trucks. That includes spares, frontline and support vehicles. Regarding temporary labor, this is through the temporary labor agency, but they are practically permanent. The budget lines items for this annually is \$257,500 dollars, \$15,000 dollars, and \$96,500 dollars. On a typically day there's two temps on each of the two trucks. In the spring time there's two temps on three trucks. There're sixteen routes a day. **Commissioner Velazquez** questioned the bad debt category of \$5,000 dollars and this was explained by **Ms. Sherman, Finance Director**, to be any fees that are not paid in receivable that have to be written off at the end of the year. It's debt that has been outstanding for a long period of time and is uncollectable. After so many years it has to be written off. That is considered bad debt.

Commissioner Nesta asked about the fees increasing based on use that was discussed last year. He asked if that was still a plan or did that go away. **Josh** responded that they are doing an increase based on what the consultant suggested and that it's already built in the Code of Ordinances the department just needs to bill accordingly. The large and excessive bulk pick ups will be billed per the code then just hadn't been prior due to rate increases overall. **Ms. Sherman** said there is a 15% increase factored into this budget to support the expenses that they Council is looking at. Additionally, with Sanitation, they are trying to build the reserves. That's why there's a contingency requested in the budget.

Commissioner Smith questioned if Sanitation needs any additional positions filled or is it just the Fleet department asking for two more? **Josh** replied that Sanitation is looking for one. An additional operator. **Ms. Sherman** added that is factored into this budget.

Albert McKimmie, 3603 Golden Gem Rd, spoke about the multi-story buildings within the City and asked if the method of collection changes when you have a multi-story building.

Rod Olsen spoke about the vehicles in these departments that have been sitting for months and or years that haven't been used. He questioned if the vehicles that have had service and maintenance and have the vehicles been worked on by certified technicians? **Charles Stephenson, Fleet Superintendent** responded that there's an EVT and ASE Master Certified Mechanic on staff for equipment and emergency vehicles. **Rod** asked Josh Robinson if the budget he presented represent everything he needs for his department, his staff's needs, by the way of people, supplies, materials, and equipment to allow his staff to be successful in meeting the needs of the Citizens of Apopka. **Josh** responded yes and all his equipment is on a preventative maintenance plan and are adhered to.

Ms. Sherman said in regards to the fleet, incorporated into this budget is the fleet facility building. This will be a loan for approximately \$6 million dollars. Based on the discussion with the financial advisor she estimated the rate as 5% at 15 years. It's unknown what the actual cost will be yet, but it'll be an annual payment of approximately \$569,371 dollars. (This information is located under General Fund, page 73). This loan will not be obtained for this project until January 2026 due to the Emerson Park Project.

Discussion ensued regarding the timeline of the building construction. What it would provide to fleet services and property location etc.

3. FY2026 Public Works and Utility Operations Budget Request
Presented by: Glen Brooks

Glen Brooks, Utilities Operations Director, presented the proposed 2025-2026 budget for the Utilities Operations Department which consists of the following divisions: Water Plants, Wastewater Plant, Plants Maintenance, and Utilities Maintenance (water, wastewater, reclaimed). He presented the FY25 accomplishments and the amounts of water that were treated and distributed. The previous FY25 budget amounts for the divisions : utilities administration, water plans, wastewater plant, plants maintenance, water maintenance, and wastewater maintenance were presented and the proposed FY26 budget amounts which all divisions increased. The Utility Administration increase was attributed to asset management software being moved under 3010's budget (Dude Solutions) and requesting a forklift to replace an aging piece of equipment. The Water Plants increase was attributed to new additions including a Ford Maverick, mixers, generator at Plymouth Regional, and bleach tank and skid replacements. The Wastewater Plant increase was attributed to increased lab analysis costs, capital funding for Golden Gem repairs, and the North Shore pump station repairs. The \$2 million dollars in budget line item 4600 is for the Golden Gem Pond liner repair. The Plants Maintenance increase was attributed to adding HVAC annual maintenance contract, Antero asset software, and adding maintenance shop

supplies and specialized tools for motor and generator repairs. The Water Maintenance increased was attributed to additional restoration repairs, fire hydrant maintenance, meter and backflow supplies, asbestos and galvanized watermain replacements, a Ford F-550 4x4 and several replacement vehicles (2 – Ford F-150 trucks and 1- Ford Transit Van). Lastly the Wastewater Maintenance increase was attributed to SCADA/ RTU cellular conversion, Vac-Con rental, miscellaneous reclaim and rehab replacement projects, the Apopka Terrace lateral rehab, SCADA/ RTU cabinets, a replacement F-350, and the renovation of Master Lift Station #17. He said regarding capital and impact fee budgets, these are the Funds: Fund 401 – water, wastewater, and reclaimed capital projects; Fund 403 – water, wastewater, and reclaimed impact fee fund; and Fund 102 – transportation impact fee fund.

Utilities Operations Department = \$40,027,563			
Division	FY25	FY26 Proposed	% Change
Utilities Administration	\$7,258,115	\$7,433,661	+2.4%
Water Plants	\$3,181,669	\$3,164,473	-0.5%
Wastewater Plant	\$6,504,781	\$8,095,672	+24.5%
Plants Maintenance	\$1,964,998	\$2,093,741	+6.6%
Water Maintenance	\$4,950,467	\$6,685,010	+35%
Wastewater Maintenance	\$5,746,561	\$12,555,006*	+118.5%
*Large Capital increase for Master Lift Station #17 construction			

Commissioner Velazquez asked for the overall cost for Golden Gem pond? Since the liner repair is the only cost presented in this budget. **Mr. Brooks** responded that Mr. Simonovski will explain in depth that project.

- a. **Mayor Nelson** asked if anyone had any questions for Mr. Brooks or if the public wanted to speak on this item.

Commissioner Nesta questioned the small decrease in the overtime and asked if that was adequate. **Mr. Brooks** responded that there has been some restructuring and the way they are staffing the on-call water maintenance and the rotation to cut down on the overtime. Where the overtime typically occurs is because of the sewer maintenance, water maintenance and lift stations. **Commissioner Nesta** requested to know as of today the balance in the Fund 401. **Ms. Sherman** responded that she can take the balance as of 09/30/2024 and provide a projected balance. As of 09/30/2025, they're projecting \$3.5 million dollars, and estimated amount. **Commissioner Nesta** then asked the balance for Fund 403. **Ms. Sherman** responded an estimated amount as of 09/30/2025 is \$26 million dollars. The only time funds from Fund 403 is used is for expansion. Impact fees for expansion.

Albert McKimmie, 3603 Golden Gem Rd, said the budget should be based on facts. He stated that he has given the Council documentation that states that March 2024, the City applied to St. Johns for an extension to Golden Gem Road. That extension requested that St. Johns would allow the continuation of the

project until September 2027. He requested to know what happened to the \$950,000 dollars that was allotted for Golden Gem in last year's budget. He feels that the issue now at the Golden Gem pond is that there's huge amounts of drainage that needs to be done now, there's a timeframe to be met by DEP, and the City has filed three extensions.

4. FY2026 **Public Works** and Utility Operations Budget Request

Presented by: Vladimir Simonovski

Vladimir Simonovski, City Engineer & Public Works Director, presented the purposed 2025-2026 budget for the Public Works Department which consists of the following divisions: City Engineer, Development Review Engineering, Utilities Engineering, Transportation & Stormwater Engineering, Construction Management, GIS & Assets Management, and Streets & Stormwater Maintenance. He stated that there are no new positions requested in this year's budget due to them taking a strategic approach and restructured. They focused on realigning and reclassifying existing roles to better match the operational needs and service demands of the community. Their goal was to maximize efficiency and productivity by putting the correct people in the correct roles and eliminating redundancy. Additionally, they redefined division responsibilities to reduce overlaps. Over the next fiscal year, they will be closely monitoring performance metrics, service delivery times, and community satisfaction to see how well the changes are working. He stated that three positions are currently funded by the Community Development Department. Those positions are the City Engineer, Transportation Coordinator, and the Administrative Assistant. The funding for these three positions will be adjusted before the first budget hearing and adoption in September. He presented the FY25 Accomplishments, including the Asbestos cement water main replacement phase II and many others. The previous FY25 budget amounts for the divisions : design engineering, streets and stormwater were presented and the proposed FY26 budget amounts which all divisions increased. The design engineering budget increase was attributed to include additional miscellaneous engineering services, several additional engineering software's/ programs (ICPR, Civil 3D Autodesk and BlueBeam), a Ford F-150 to replace an aging vehicle and GPS units to collect data points. Additionally, two Senior Engineers were hired in FY25. The streets budget increase was attributed due to the addition of more ROW maintenance, rising costs of street materials, additional funding for street paving program, a new Ford F-550 bucket truck and a replacement Ford F-150 to replace an aging vehicle. The stormwater budget increase was attributed to City-wide underdrain rehab program and weather stations to be installed to better monitor weather events.

Public Works Department			
Division	FY25	FY26 Proposed	% Change
Design Engineering	\$1,076,126	\$1,412,755	+31.3%
Streets	\$7,581,317	\$8,373,496	+10.5%
Stormwater	\$2,144,646	\$2,666,932	+24.4%

Mr. Simonovski explained the funds: Fund 401, Fund 403 and Fund 102. He then explained each fund and listed new initiatives and programs for each. See below slides for each fund project highlights. He explained each project and answered questions the Council had. He said recently the City applied for a grant which is a supplement of appropriations for Hurricane Helene and Milton. It's part of the Clean Water State Revolving Fund. The amount applied for was \$12 million dollars to replace all the clay gravity pipes that the City has in the wastewater system. They are expecting to receive some positive outcome from that. **Commissioner Nesta** asked if this would cover all the clay piping the City has. **Mr. Simonovski** responded that this area is in the most central section of the City. It has to be in a specific area within the City. He provided clarification on what SCADA RTU Upgrades are which he explained is a radio system which is almost obsolete so they need to upgrade to cellular. They would need to dedicate \$200,000 dollars a year to upgrade approximately 15 a year since there's 120 remaining SCADA systems to upgrade.

Commissioner Nesta asked what the average age expectancy for a lift station. He asked if there's a database of the ages and components that need to be replaced at a certain time. Also, he questioned if the lift stations are on a maintenance plan. **Mr. Simonovski** responded yes, all the lift stations are accounted for, records are kept on them, and their rehabs are tracked and conducted as they meet their lifespan. There are currently 173 life stations that the City owns and maintains.

Fund 401 - Water, Wastewater, & Reclaimed Capital Projects

FY26 Budget Request = \$9,881,500

Projects Highlight:

- Asbestos and Galvanized Watermain Replacement = \$1 million
- Miscellaneous Watermain Upgrades = \$100k
- Wastewater Collection System Pipeline Rehab Program= \$500K
- Master Lift Station #17 Replacement Program = \$4.6 million*
- Apopka Terrace Lateral Rehab Program = \$865K
- Generator/Bypass Pump Replacement Program = \$230k
- SCADA RTU Upgrades = \$200k

*** remainder of Lift Station #17 project is funded in the 403 Impact Fee budget to account for growth**

Commissioner Nesta said regarding the Fund 403 is there a total amount that was provided to developers in impact fee credits last year. **Ms. Sherman** responded that she did not have that total at this time. She would have to look back at DA's to research that amount to provide a total. **Commissioner Nesta** asked about backflow preventers and asked how many does the City have outstanding? **Gabby Carter, Utility Program Supervisor** responded that the City does not own the backflows in the City of Apopka. There is a program that will start in July. They will be using BMP, best management program. There will be a database that will show how many backflows there are within the City and the City will be maintaining that program. The backflow testing data has been turned in with DEP so currently they are complying. There will be a kick off meeting on July 24th.

Fund 403 - Water, Wastewater, & Reclaimed Impact Fee Fund

FY26 Budget Request = \$31,122,616

Projects Highlight:

- Grossenbacher WTP
 - OZONE Treatment = \$1.5 million
 - High Service Pump = \$1 million
- NWRC Reclaim Water Storage Pond Pump Station Phase 2 = \$4.8 million
- Golden Gem Reclaim Water Plant Expansion = \$12.5 million
- Master Lift Station #17 Upsizing Program = \$2.5 million*

Mr. Simonovski provided explanation for all the projects highlighted above in the Fund 403. These are Capital improvements funded from the utility impact fees. He said the Grossenbacher Water Treatment Plant, the requested Ozone Treatment request for \$1.5 million dollars was for the design only. **Commissioner Nesta** requested to know what the total cost for everything will be since that is only the design. **Mr. Simonovski** advised that the construction of the water treatment plant will be around \$20 million dollars. This cost will be around incurred in about a year. They have applied for the drinking water grant for the Grossenbacher Plant expansion and they requested \$20 million dollars. They are hoping to get that funding towards the expansion otherwise that money will come out of the Fund 401.

Discussion ensued between Council and Ms. Sherman regarding having a Capital Expenditure Plan to outline the details of the capital expenditures for the future. Ms. Sherman advised they have a five-year Capex Plan that has been revised. Commissioner Nesta requested seeing the finance side of that plan. Ms. Sherman recommended having a workshop with Raftilis to discuss the results from the various studies that Raftilis worked on including the wastewater, water, sanitation as well as the impact fees. They were able to help a little with stormwater. A workshop was discussed scheduling tentatively for July 17th. This will have to be finalized before the rates are set August 1st.

Mr. Simonovski continued the discussion regarding Fund 403. He advised that the well construction project at Grossenbacher will be completed at the end of 2025. **Mayor Nelson** advised that St. Johns requested that all the wells be moved to the lower level of the aquifer. The City has to drill a deeper well even for the wells that are currently fine but now an Ozone treatment will have to added due to the water quality being poorer the lower the level you go. The City has been changing the wells out to meet the request of St. Johns. The City will receive credits for this as well.

Commissioner Smith requested to know how long the City has to wait before they can increase the impact fees again. His concern was that due to material costs increasing and the impact rate is the same, then there's a deficit. **Ms. Sherman** said this can be discussed with Raftilis comes and presents the update. There're new State regulations to be discussed regarding the impact fee increases.

Commissioner Nesta asked the status of the OnSyte systems in Wekiva Mr. Brooks. He wanted to know how the process is going. **Ms. Carter** responded that there're 61 units installed. The grant was for 90 units. There're a couple more to complete. Regarding the maintenance and the \$64,000 dollars in the budget and what the residents are required to pay is \$44 dollars per month, and the City pays OnSyte \$35 dollars per unit.

Commission Velazquez asked for clarification regarding OnSyte and it being funded by a grant. **Ms. Carter** responded it was money from FDEP and St. Johns. The deadline is March 2026. 61 units have been installed and we have a total of 90 units. If they are not completed then St. Johns will take back their money. It's been extended five times already. It was just extended this past March. She stated that if the residents are not having issues with their septic system currently they haven't been interested in upgrading to an OnSyte system and paying a cost monthly and their drain field which can average \$4,000 to \$5,000 dollars. If they do not do the upgrade now, then they would be looking at \$20,000 dollars to upgrade their septic system because that grant will not longer be available.

Mr. Simonovski provided explanation regarding the Golden Gem Reclaim Water Plant Expansion - \$12.5 million dollars. This project is the same concept of the Northwest Recreation Complex reclaim water storage. The two ponds were built first and the next phase is to build a pumping system to be able to remove the water and send it over to public access. The \$12.5 million dollars will cover specifically that. The \$2 million dollars presented by Mr. Brooks regarding the liner only applies to the smaller pond which is the 50-million-gallon storage pond. That pond is the west pond. The reason to address the smaller pond is so we have the facility for the operation. The fix of the larger pond will require more time and logistics and be more expensive.

Commissioner Velazquez asked what the consent order is for? **Mr. Brooks** responded that the consent order was for a pond at the wastewater plant on Cleveland Street. Which the obligation was met now and the consent order was met.

Mr. Simonovski advised they are currently working with St. Johns on an extension for the Memorandum of Agreement for Golden Gem Pond. This will be the fifth extension.

Commissioner Velazquez asked what it would cost if the City decided not to fix Golden Gem Pond and give the land back. **Mr. Simonovski** responded it was \$4.5 million for the purchase of the land plus included some interest yearly over the period of time since 2009. He didn't know the exact amount. The \$12.5 budgeted is to build the reclaim water plant. Everything that will complete the facility as 100 percent operational which at that point by repairing the smaller pond, pumping it, filtrating it and sending it back to public access. **Commissioner Velazquez** asked what the purpose of Devo Engineering coming in was for. **Mr. Simonovski** stated to conduct the evaluation of the failure. He wasn't able to confirm as he wasn't employed with the City during that timeframe. Once this pond is fully operational it will generate revenue. This plant has never been fully operational and it was given to us in 2009 by St. Johns.

Discussion ensued whether its worth the City paying \$12.5 million dollars to only repair the small pond versus the City paying \$4.5 million dollars to give the property back to St. Johns and it not be the City's responsibility. Mayor Nelson stated that if the City doesn't have this reclaimed water facility they will need to have another facility elsewhere to be able to store the water. There is only a certain amount of

water that can be pumped from the aquifer for irrigation. There are agreements that the City has entered into and are bound to. To conclude, the plan for the plant will ultimately have to be submitted to St. Johns for them to submit for approval by their board.

- a. Mayor Nelson** asked if anyone had any questions for Mr. Brooks or if the public wanted to speak on this item.

Albert McKimmie suggested going all in on Golden Gem Road. He recommended increasing the capacity at Golden Gem. He feels the only issue with Golden Gem Pond is going to be the time restraints put in place by St. Johns. He suggested having above ground storage tanks because he feels that the liners will fail again if replaced and the condition of the large pond is scrap at this time due to its failing condition as it stands today. He expressed his concerns about the sink hole not being repaired properly and that it will open up or collapse again.

Rod Olsen said it was indicated that thirty percent of the City's operating equipment for pump stations etc. was past its normal life expectancy. He wanted to know if that has been address in this budget? **Mr. Simonovski** advised that there's a program in place that monitors and tracks repairs on the lift stations that are owned by the City. They are addressing the lift stations as they approach their life expectancy. He asked if everyone was compliant with the backflow preventers. **Ms. Carter** responded the City doesn't own the backflows. The only job of the City is to provide education and make sure that the residents are keeping up with the backflows. Program wise, communication, education, sending letters, one on one instruction is occurring, but because the City does not own the backflows the only option the City has is to force the conversion if they do not reply back to the City. **Rod Olsen** recommended that the City take over the backflow preventers. The backflow preventers ultimately can impact other residents other than the residents in that specific home. The City should take it over and do it themselves that way the City makes sure it is done, when it's done and it goes on a schedule. He suggested the City budget for the water meter replacements. He doesn't understand how this hasn't been completed already. It's been a long-time problem that continues to be delayed. He expressed his concerns of the City's water utilization being extremely high and a lower income for water which indicates to him that the City is giving water away for free. The rates for water and sewer increased last year and he suggested the City look into offsetting that with operational funds. He asked his four questions to the department supervisors if the budget presented represented everything they need and their staff needs to perform and meet the needs of the citizens of Apopka etc.? They responded yes.

Mr. Simonovski continued to present the Fund 102 – Transportation Impact Fee Fund. He stated that this fund is being used for funding the transportation capital improvement program. He discussed some of the projects highlights and provided brief explanation. The Sandpiper Street and Park Avenue intersection improvements and signal will be adding a traffic signal at that location. The Golden Gem Road reconstruction item will be brought back before City Council and provide an update from the discussions with Orange County at the August 6th Council meeting. The Rock

Springs Road at Welch Road intersection improvements design will be a cost share with Orange County and some funding will be provided by Metro Plan to help this project. The new sidewalks design and construction will be looking and repairing the sidewalks in certain areas, school areas and safety zones. Where they can improve the sidewalks, they will to make it in compliance.

Commissioner Anderson asked if any type of study has been conducted to see where the repairs and needs are for the sidewalks? **Mike Ortiz, Streets and Storm Superintendent** said there was a PCI score on roads and they determined the level and condition of them. That's how they accessed and determined which roads are done. For sidewalks, they go off of work orders. When residents call in and report issues, they pull up the GIS which tracks the work orders and they are able to view the hot spot areas. They will then go in and access the whole subdivision and repair all in one instead of areas here and there. Critical issues are addressed with staff internally. An example is Piedmont Lakes. The City went in with contractors and started fixing everything.

Fund 102 – Transportation Impact Fee Fund

FY26 Budget Request = \$15,354,300

Projects Highlight:

- Lust and Binion Roundabout Design = \$500k
- Sandpiper and Park Intersection Improvements and Signal = \$1.4 million
- Golden Gem Road Reconstruction = \$5 million
- Rock Springs Road at Welch Road Intersection Improvements Design = \$1 million
- New Sidewalks Design and Constuction = \$300k

- a. **Mayor Nelson** asked if anyone had any questions for Mr. Brooks or if the public wanted to speak on this item.

Albert McKimmie spoke about inconsistencies of past employees and how they valued and estimated projects in comparison to the current employees are doing today. He spoke about past discussions regarding Golden Gem Road by the City's previous transportation coordinator. In the past he thought the cost for the road would've been \$30 million dollars and now the reconstruction in the budget is only \$5 million dollars so he questioned why the significant difference. He recommended that the City be realistic with the figures being put in the budgets. He doesn't feel like \$5 million dollars for Golden Gem Road isn't realistic. **Mr. Simonovski** responded that the Golden Gem Road project is actually \$10 million dollars, it's just divided into two consecutive years. That's why it is only listed as \$5 million dollars as that is for one year. This is for the portion of Golden Gem Road up to Coral Reef Way. The additional roadway beyond that will cost \$14 to \$15 million dollars.

Rod Olsen spoke about sidewalks and that they should be decided before developments should take place. The same for the roadways. Road widening needs to be planned immediately before the additional neighborhoods get

developed. Several roadways are failing and haven't been address yet new developments continue to get approved.

Rogers Beckett asked if the budgets are accounting for the bike paths and trails being put in throughout the City? He spoke about sidewalks being repaired but when the developments are being approved the trees are being placed where over time will damage the sidewalks like Piedmont Wekiva Subdivision. He feels like the City is working backwards, if the tree was placed in the correct area on the plat then the sidewalks would never get damaged. **Ms. Sherman** stated that she doesn't see anything in the current budget regarding bike paths and trails. **Mayor Nelson** said regarding the trees, the City removed the Oak trees and are replacing with a Dutch Elm trees so it shouldn't damage the sidewalks again.

ADJOURNMENT

The meeting adjourned at 8:36 PM

All video recordings of City Council Meetings are always posted on the City of Apopka's YouTube page, for viewing.

Bryan Nelson, Mayor

Attest: _____
Susan M. Bone, City Clerk

Transcribed By: _____
Jodi Wrigley, Deputy City Clerk

CITY OF APOPKA MINUTES

Minutes of the City Council Budget Workshop Meeting held on July 9, 2025 at 5:00 PM, in the City of Apopka Council Chambers.

Present:

- Mayor Bryan Nelson
- Commissioner Diane Velazquez
- Commissioner Nick Nesta
- Commissioner Alexander Smith
- Commissioner Nadia Anderson
- Interim City Administrator, Radley Williams

CALL TO ORDER

BUDGET MEETING

1. FY2026 Fire Department Budget Request
Presented by: Wilfredo Rivera-Sanchez, Fire Chief

Chief Sanchez started his presentation by providing an overview of his department as well as statistics explaining how many budgeted positions and fire stations they have as well as their jurisdiction and the services provided within it (figure 1). He mentioned they have an increase in costs associated with third-party compliance testing and certifications. There is also an increase in machinery and equipment due to the cost of replacing fire trucks and specialized equipment for the new tower truck. Chief Sanchez went on to break down each line item and the need for it.

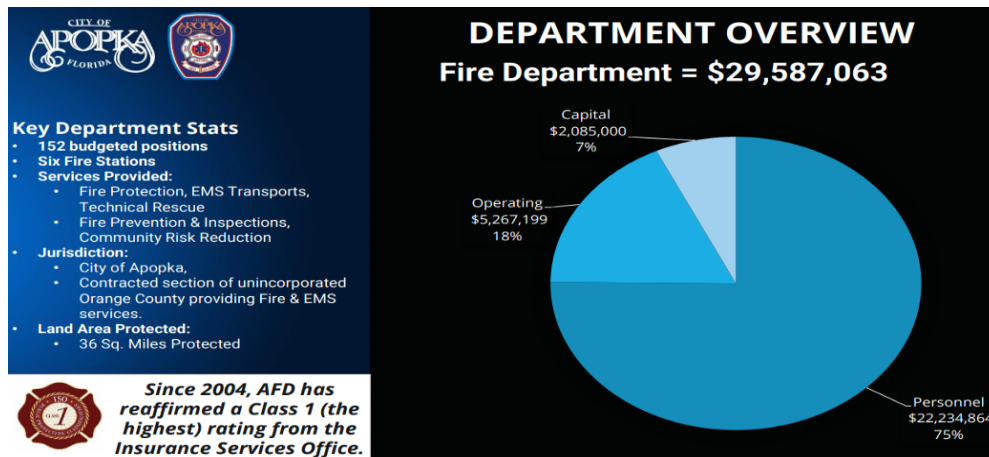


Figure 1

Mayor Nelson asked if anyone had any questions for Chief Sanchez. **Commissioner Nesta** didn't have a question for Chief Sanchez but asked **Ms. Sherman** about a spreadsheet he had requested earlier that morning showing what the entire budget is based off of with all the years included and stated he had not yet received it. **Ms. Sherman** explained she provided a PDF that included 2024, 2025, and 2026. She would need more time to compile

it. The information is not gathered from a single spreadsheet but instead gathered from several. **Commissioner Nesta** then asked if the city is paying cash for the new vehicles or if they're bonding or getting into debt. **Ms. Sherman** replied they have adequate funds set aside for capital in their reserves that can support purchases like those. **Commissioner Nesta** then asked Chief Sanchez what the total increase in the budget was between all three. **Chief Sanchez** replied about 15% (\$3,860,000) between all three budgets. Questions were then asked by Commissioners Smith and Nesta about Stations 7 and 8 to which Chief Sanchez replied, in regard to station 7, they are waiting for the impact meeting to get more information there. They are open to opening a station 8 and can look into it.

Commissioner Anderson asked how the budget would improve or maintain the current emergency response time. **Chief Sanchez** replied the increase of personnel would increase the span of control over their members to make sure they are staying on top of their responses. The tower truck would show a direct impact by allowing them to cut the response time shorter is having to respond to Kelly Park for instance. **Commissioner Anderson** asked if there were any investments in the budget towards prevention and community education. **Chief Sanchez** replied yes. They want to ensure they revamp their programs and do further outreach in the community and kid's programs. **Commissioner Anderson** asked if there are any underserved areas that this budget aims to serve. **Chief Sanchez** replied he would correlate it to the north part of the city. The new truck and manpower would alleviate that. **Commissioner Anderson** asked if there was anything else they needed that wasn't in the budget. **Chief Sanchez** replied no, as long as they are able to obtain everything requested in this budget it would help. **Commissioner Velazquez** asked where Station 7 would be located. **Chief Sanchez** replied if the budget is approved, they would be conducting a survey to determine what area needs it most. **Commissioner Velazquez** asked to go back to the topic of EMS billing and inquired how it would work now that Medicaid has been cut completely. **Chief Sanchez** responded it is something they are currently still working through and monitoring. Since they have their own EMS, and are not a private, they can render the same level of care to everyone, whether insured or not, and worry about it later on the administrative side.

MAYOR NELSON OPENED THE FLOOR FOR PUBLIC COMMENT.

Rod Olsen, 3153 Rolling Hills Ln, asked about vehicle maintenance and why it said temporary. **Chief Sanchez** responded they do have a step program to ensure all fleet personnel obtain an EVT certification to provide that service. This is just another avenue. **Olson** then asked if the budget represented everything he needs in his department, if every piece of equipment was on a preventative maintenance schedule, if that was adhered to, and if he personally spot checked it. **Chief Sanchez** replied yes to all.

Jeff Tyre praised the police and fire department for their work on the fire in Rock Springs Ridge and stated that was a good example of why they needed the aerial truck. He then asked about the public safety building downtown and whether it was going to be a bond issue and does it have to go out to a public referendum. He concluded by bringing up contracts and pay and stated if we wanted to hire the best we had to have competitive wages.

Anonymous Resident stated it is important for the community for different departments to be helpful in working with commercial people and residents. She provided examples like handing out fire detectors and informing the public when there are grants available. She also mentioned vendors and the city need to work on making sure the grass doesn't cover fire hydrants.

2. FY2026 Police Department Budget Request

Presented by: Mike McKinley, Police Chief

Chief McKinley started his presentation by emphasizing their goal of maintaining meaningful partnerships within the community while delivering effective and efficient law enforcement services. He briefly mentioned what they've worked on this year and stated the budget submitted reflects the organizational changes they've made and how they were made based off the performance metrics used to monitor effectiveness. Chief McKinley explained the increase in population requires an increase in staffing to keep pace with the evolving public safety needs. He then moves on to a breakdown of the budget, including the percentage allocated for each division (figure 2).

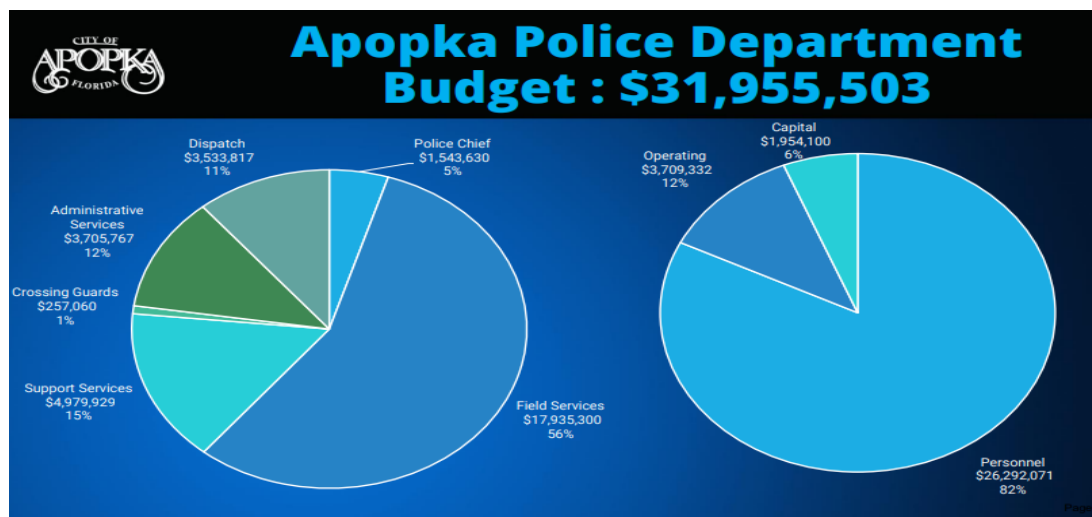


Figure 2

One of the big challenges is keeping a competitive salary with other cities. Apopka has currently fallen from 3rd to 7th in starting pay among the agencies he presented. It's important to maintain a competitive salary to ensure they keep new officers to manage the growing population. Most are young and not yet vetted in the retirement program, making them more susceptible to leaving to other agencies. **Chief McKinley** addressed the vacancies in the department and explained because they had a significant increase in hiring communications personnel and recruits they were required to temporarily pause hiring due to Field Training Officers (FTO) and Communication Training Officers (CTO) being assigned recruits. Without available FTO's and CTO's they had no choice but to delay bringing on additional personnel. He believes if they hadn't had the temporary hiring freeze they would have filled those 14 vacancies. **Chief McKinley** then went into a breakdown of the different positions they need to fill and the equipment needed to ensure they can affectively maintain their current level of service while preparing to meet the growing needs of the community.

Mayor Nelson asked if anyone had questions for Chief McKinley. **Commissioner Nesta** asked if the tuition reimbursement program was being used. **Chief McKinley** replied it is and he continues to encourage his staff to take advantage of it so they can advance their careers. **Commissioner Nesta** then asked if the off-duty fees were comparable to other municipalities. **Chief McKinley** stated they are comparable to other municipalities of our size. Through the mutual aid agreement with the city of Orlando, their officers are able to pick up off-duty details in Orlando. When they do, they are paid the same matching rate as the rest of the officers working the detail at the time. **Commissioner Nesta** asked if the entire department is switching from 45 caliber to 9-millimeter. **Chief McKinley** replied yes. Their firearms are 10 years old with wear and tear. They have done research and it has shown the 9mm is now performing the same as the 45 caliber. **Commissioner Nesta** inquired why they're switching vehicles from the Ford Explorer to the Chevy Tahoe. **Chief McKinley** explained it's to provide the K-9s more room and they are converting the back of the watch commanders' vehicles into mobile command posts. In response to a comment made about how overtime is calculated not being understood he stated they are switching over to the 86-hour rule so it will match with the fire department.

Commissioner Smith asked if 6 new officers would be enough and if they would be able to fill the positions in communications? **Chief McKinley** replied that for now it would be but he foresees looking into at least 10 to 15 officers a year in the next coming years. He also stated they would be able to fill the positions in communications. **Commissioner Velazquez** asked what the daytime population is. **Chief McKinley** replied he has asked but hasn't received an answer and is not sure but most calls for service come from residential areas. **Commissioner Velazquez** asked, concerning the public safety building, how they plan on training? **Chief McKinley** responded he hopes the training facility and the public safety building are done at the same time. He is concerned about the noise complaints it will bring from the range. As for training, they qualify every year and do specialized training within that year. Holly, the Crime Analyst, does an amazing job of providing an intelligence report every week which they use to view crime trends and patterns occurring within the city. **Commissioner Anderson** asked, concerning the \$18,000 for the outreach programs, if there was any type of measurable impact they will have on building public trust. **Chief McKinley** replied that those \$18,000 include programs such as Shop with a Cop. A lot of the programs like Burgers with Badges and Cones with a Cop have helped build a relationship with business and residents. **Commissioner Anderson** then stated one of the complaints about National Night Out was they hold it on the North Side of Apopka and not so much the South Side. She wanted him to address it on the record. **Chief McKinley** replied they move it around. He stated the event is best held in a neighborhood. They tried outside of a neighborhood once but it failed. He would love to host it at Kit Land Nelson park and have everyone come out for it but has found people are more likely to walk to their community park rather than drive to Kit Land Nelson or Alonzo Williams park. They need something like a subdivision that has a big area where they can take a lot of assets to show and display. **Commissioner Anderson** then asked if they have plans for new programs that can help build trust within the community. **Chief McKinley** replied they are always looking for new things to do and luckily the businesses have been more than happy to help. **Commissioner Nesta** then asked if the 5% raise would be across the board or just for new starting salaries and whether they had a location in mind for the training facility. **Chief**

McKinley replied the 5% raises would be across the board and he wishes to work with the fire department to create a public safety training facility down at the Gillum Training Center.

MAYOR NELSON OPENED THE FLOOR FOR PUBLIC COMMENT.

Anonymous Resident commented that he was still concerned with the number of officers they have and he believes adding two or four more would help bring them to the square mileage number. He also asked if they had adequate funds for officers to continue their education. **Chief McKinley** reiterated what he mentioned earlier in his presentation on how they came up with the number of officers needed and emphasized they will need more in the future to keep up with the growing population. He also repeated they have the tuition reimbursement program to help officers further their education.

Anonymous Resident asked if there was any cross training, if not, will there be? She expressed concern on jobs not being fulfilled when certain positions are out on vacation or away at conferences.

Anonymous Resident stated he thinks this is the time to expand into the training facility, not just for police but also fire, so they can get ahead of the game.

Commissioner Smith asked if they still have a person that can be called in reference to mental health to assist officers. **Chief McKinley** replied his officers are required to go through crisis intervention training, which teaches them how to identify and deal with people who are dealing with mental health crisis and provide resources.

ADJOURNMENT

The meeting adjourned at 6:42 PM

All video recordings of City Council Meetings are always posted on the City of Apopka's YouTube page, for viewing.

Bryan Nelson, Mayor

Attest: _____
Susan M. Bone, City Clerk

Transcribed By: _____
Carolina Baez, Administrative Specialist

CITY OF APOPKA MINUTES

Minutes of the Special City Council Meeting held on July 9, 2025 at 7:00 PM, in the City of Apopka Council Chambers.

Present:

- Mayor Bryan Nelson
- Commissioner Diane Velazquez
- Commissioner Nick Nesta
- Commissioner Alexander Smith
- Commissioner Nadia Anderson
- Attorney Cliff Shepard

CALL TO ORDER

PUBLIC HEARINGS/ ORDINANCES/ RESOLUTIONS (ACTION ITEMS)

1. Approve and set the Proposed Fiscal Year 2025-26 Millage Rate.
Presented by: Blanche Sherman, Finance Director

Blanche Sherman said in accordance with Truth in Millage (“TRIM”) compliance requirements as set forth in Chapter 200 of Florida Statutes, the City must set the proposed millage rate and advise the property appraiser of the proposed millage rate, rolled back rate, date, time and place of the tentative budget hearing. The tentative budget hearing is scheduled for Wednesday, September 3, 2025, at 5:15pm in the City Council Chambers. The statutes require separate motions. The operating millage rate used in preparation of the budget draft of 4.6876 is 6.18% higher than the rolled back rate of 4.4146. A mill is the tax rate for each \$1,000 of taxable property value. There was a QR Code that was provided that anyone present and viewing the meeting can scan and would be provided a link. This link will provide all the budgets and the document that was provided to the Mayor and Commissioners in PDF version.

As an overview, on July 7th, 8th, and 9th 2025, the City Council held budget workshops for the Fiscal Year 25-26. Each of the departments presented an overview of their FY 25-26 general fund expenditure requests. The building permits and tax revenue dollars combined are projected to increase by \$3,541,325 dollars or approximately 22.72% for FY 25-26. The total FY 25-26 general fund revenues are projected to generate approximately \$103,041,608 dollars. The City’s general fund service levels, personnel and capital needs reflect a total operating and capital budget of approximately \$108,611,697. In FY2025, the City set-aside sufficient reserves to support future operating and capital needs. In addition, the City is currently exceeding the 25% policy reserve requirement. As a result, the FY 25-26 proposed general fund budget is balanced, using \$5,570,089 from capital and excess operating reserves to support additional capital needs. In addition, the City has sufficient reserves to cover the 25% reserve policy requirement. State revenue estimates have not been finalized and staff continues to review revenue projections and expenditure estimates.

Ms Sherman reviewed over the FY2026 Proposed Preliminary Budget by Fund. This included 001- General Fund, 101- Street Improvement Fund, 102- Transportation Impact Fee Fund, 103- Law Enforcement Trust Fund- Federal, 104- Recreation Impact Fee Fund, 105- Law Enforcement Trust Fund-State, 106- Police Discretionary Fund, 110- Fire Impact Fee Fund, 115- Police Impact Fee Fund, 115- Police Impact Fee Fund, 120- Stormwater Fund, 401- Utility Operating Fund, 402- Sanitation Fund, and 403- Utility Impact Fee Fund. This excludes the Special Assessment Funds and CRA Fund. The Special Assessment Funds will be included in the Tentative Budget to be presented on September 3, 2025. The FY2026 CRA Proposed Budget will be presented to the CRA Board on July 16, 2025.

Some of the Key Revenues in the General Fund are the following:

FY2025-26 Proposed General Fund - Key Revenues		
Key Revenue Increases:	Estimated Increase	Estimated Percentage Increase
Ad Valorem Taxes	\$ 4,538,130	13.22%
Building Permits	2,382,291	39.22%
Taxes	1,159,034	12.18%
Ambulance Fees - EMS	1,079,360	70.23%
Code Enforcement Fines	200,000	66.67%
Interest Earnings	897,913	34.89%
Total Estimated Key Revenue Increases	\$ 10,256,728	

Additionally, Ms Sherman provided a summary of General Fund Expenditures for all the divisions. Each department presented a presentation and overview previously to Council. Regarding overtime, an analysis was conducted for the FY26 budget. An annual projection was looked at compared to the FY25 budget and the 2024 actuals. Whichever number was the highest of those comparisons, that number was taken and 4% was added to that total for the proposed FY26 budget. The highlighted lines were adjusted due to added personnel or restructuring of the departments resulting in the budgeted numbers actually being lower. Fire Suppression is an example of this. The Fire Chief has added more firefighter positions therefore the amount of overtime was decreased significantly. The purposed number listed for Fire Suppression \$608,814 has decreased to \$226,000 because of the new positions.

Commissioner Nesta asked requested clarification for the highlighted lines. **Ms Sherman** responded all the numbers for the proposed overtime budgets will be used except for the highlighted lines as adjustments have been made and the projected numbers have since decreased. Chart listed below:

FY2025-26 Proposed Budget Summary of Overtime Estimates

FY2026 Proposed Overtime Budget									
Fund	Department	Account Id	Account Description	Annual Projection	FY2025 Budget	FY2024 Actual	FY2026 Proposed 4% over higher of Projection (FY2025) or Actuals (FY2024)		
001	1015	001 1015 514 1400	Legal and Risk	OVERTIME PAY			73		
	1022	001 1022 519 1400	Facilities Maintenance	OVERTIME PAY	25,026	28,115	29,084		30,247
	1030	001 1030 512 1400	City Clerk	OVERTIME PAY	1,074	1,200	1,213		1,261
	1120	001 1120 513 1400	Finance	OVERTIME PAY	10,441	11,061	11,266		11,716
	1170	001 1170 513 1400	Human Resources	OVERTIME PAY	1,837	5,000	1,615		1,910
	2110	001 2110 522 1400	Fire Chief	OVERTIME PAY		14,157			
	2120	001 2120 522 1400	Fire Suppression	OVERTIME PAY	436,073	425,083	585,398		608,814
	2130	001 2130 526 1400	Fire EMS	OVERTIME PAY	958,226	890,212	985,211		1,024,619
	2210	001 2210 521 1400	Police Chief	OVERTIME PAY	9,431	12,000	14,141		14,707
	2220	001 2220 521 1400	Police Field Services	OVERTIME PAY	395,196	380,494	389,230		411,003
	2230	001 2230 521 1400	Police Support Services	OVERTIME PAY	199,195	173,758	308,513		320,854
	2240	001 2240 521 1400	Police Administrative Services	OVERTIME PAY	37,871	79,410			39,386
	2250	001 2250 519 1400	Dispatch	OVERTIME PAY	352,430	303,796	361,241		375,691
	3310	001 3310 519 1400	Fleet Maintenance	OVERTIME PAY	47,613	38,342	34,490		49,518
	3512	001 3512 539 1400	Cemetery	OVERTIME PAY	912	2,127	39		948
	3514	001 3514 572 1400	Athletic Complexes	OVERTIME PAY	48,374	68,572	28,189		50,309
	3612	001 3612 572 1400	Recreation Athletics	OVERTIME PAY	8,537	14,069	14,986		15,586
	3614	001 3614 572 1400	Camp Wewa	OVERTIME PAY	1,086	6,250	13,522		14,063
	4020	001 4020 515 1400	Community Development	OVERTIME PAY	710	1,000	1,016		1,056
	4021	001 4021 524 1400	Building Services	OVERTIME PAY	450	4,000	2,782		2,894
	5110	001 5110 519 1400	Information Technology	OVERTIME PAY	3,278	7,900	3,706		3,854
001 Total				2,537,760	2,466,146	2,785,715			2,978,486
101	3412	101 3412 541 1400	Street Maintenance	OVERTIME PAY	75,833	37,532	45,591		78,867
101 Total				75,833	37,532	45,591			78,867
120	3151	120 3151 538 1400	Stormwater	OVERTIME PAY	9,066	15,173	4,196		9,428
120 Total				9,066	15,173	4,196			9,428
401	3010	401 3010 539 1400	Utility Administration	OVERTIME PAY	2,313	3,400	2,478		2,577
	3111	401 3111 533 1400	Utility Services - Water Plant	OVERTIME PAY	6,888	9,956	4,605		7,164
	3121	401 3121 535 1400	Utility Services - Wastewater Plant	OVERTIME PAY	22,741	22,149	18,745		23,651
	3141	401 3141 533 1400	Water Maintenance	OVERTIME PAY	264,714	253,026	202,574		275,303
	3161	401 3161 533 1400	Utility Billing	OVERTIME PAY	12,167	14,418	10,656		12,654
	3171	401 3171 535 1400	Wastewater Maintenance	OVERTIME PAY	247,842	52,594	208,067		257,755
	3191	401 3191 535 1400	Utility Maintenance	OVERTIME PAY	14,613	24,200	2,749		15,197
	3410	401 3410 539 1400	Design Engineering	OVERTIME PAY	669	5,000	3,570		3,745
401 Total				571,947	384,683	448,440			598,089
402	3210	402 3210 534 1400	Sanitation	OVERTIME PAY	239,778	243,349	189,883		249,369
402 Total				239,778	243,349	189,883			249,369
Grand Total				\$ 3,434,383	\$ 3,146,783	\$ 3,473,828			\$ 3,914,150
									\$ 767,367

Ms Sherman continued to discuss the Use of General Fund assigned Capital Reserves and excess operating reserves.

City of Apopka Assigned and Unassigned General Fund - Fund Balance Estimates					
	Audited FY2024 General Fund Fund Balance	FY2025 Budget Planned Reserves	FY2025 Budget Amendments	FY2026 Capital/Other Purchases	FY2026 Estimated Fund Balance
Committed	\$ 2,791,109	\$ (500,000)	\$ -	\$ (500,000)	\$ 1,791,109
Assigned					
Culture & Recreation	\$ 555,809	\$ -	\$ -	\$ -	\$ 555,809
Capital Projects	12,274,168	(4,116,985)	(4,157,183)	(4,000,000)	-
Duke Settlement	250,000	-	-	-	250,000
Insurance	500,000	-	-	-	500,000
Assigned	\$ 13,579,977	\$ (4,116,985)	\$ (4,157,183)	\$ (4,000,000)	\$ 1,305,809
Nonspendable & Restricted	\$ 1,793,135	\$ -	\$ -	\$ -	\$ 1,793,135
Unassigned	\$ 42,051,600	\$ (2,543,509)	\$ (6,400,463)	\$ (1,070,089)	\$ 32,037,539
Total	\$ 60,215,821	\$ (7,160,494)	\$ (10,557,646)	\$ (5,570,089)	\$ 36,927,592
## \$ 27,152,924 25% Policy Requirement					

The next items discussed were the pending items to be considered in the tentative budget. These items were discussed in the budget workshops held prior. The list still needs to be provided by the Commissioners regarding increasing the amount for travel and training. The Commissioners salary adjustment is still being researched. There was an Ordinance that was provided to Ms Sherman and she is working with Attorney Shepard to see about the salary adjustment to be increased. They are trying to find documentation stating how the Commissioner's salary was calculated as of today. Ms Sherman advised she will get back with the Commissioner's with more information regarding such. Ms Sherman stated that she does not have the additional costs for the additional parking at Alonzo Williams Park item and additional lighting in the chamber parking lot.

Commissioner Nesta asked for clarification on the public services reorganization if it was just moving people around or also money? **Ms Sherman** advised that people are being moved and positions have been changed therefore it may impact some of those percentage increases in the cost centers and decreases in others and will balance out.

The other requests included Federal Lobbyist Report from Gray Robinson P.A. **Radley Williams** advised that the report was sent out earlier that week and all the Commissioners were added on that monthly distribution list.



FY2025-26 Proposed Budget

Pending Items to be considered in Tentative Budget

- **In-house Cost Benefit Analysis** – City Attorney
- **BTR Program** – Sunsetting Proposal Pending Council Approval
- **Commissioners Travel \$9,000 & Training \$5,792** – Move to 1020 or New Cost Center increasing the amount and adding any additional travel & training requests from Commissioners. (Need the list)
- **Commissioners Salary Adjustment** – researching to determine basis per ordinance and methodology
- **Neighborhood Restoration Program** - \$25,000 – on hold, pending additional information regarding Orange County's Program Impact.
- **Tiger Bay Membership** - \$600 – Pending verification of membership eligibility and benefit to the City.
- **Park Holiday Decorations for Alonzo Williams Park** – Add \$25,000
- **Spring Orchestra Concert** - Add \$30,000
- **Community Events \$75,000 and Partner Events \$14,000** – Breakout by Event
- **Camp Wewa** - Total cost related to the Grant Requirements; provide a Revenue/Cost Comparison; consider performing a Marketing Plan
- **Additional Parking at Alonzo Williams Park**
- **Additional Lighting in the Chamber Parking Lot**
- **Upgrade to Council Chambers** - \$70,000 with additional speakers and mics
- **Public Services Re-Organization** – Public Works, Utility Operations, and Sanitation and Fleet Maintenance

Ms Sherman continued the last item request was Commissioner’s Discretionary Spending Policy. The next steps. Today they are to set the proposed roll-back rate and millage rate. On July 17th, a budget workshop will be held for the proposed rate increases. The TRIM information needs to be submitted by August 1st. On same date, August 1st, notification of rate increases needs to be sent to customers. The first budget hearing needs to be set for September 3rd.

Discussion ensued regarding the Millage & Rollback Calculations. Ms Sherman advised that the FY25 Millage Rate was 4.6876 and the purposed FY26 Millage Rate is going to be kept the same at 4.6876.

**CITY OF APOPKA
MILLAGE & ROLLBACK CALCULATIONS**

	Tax Base	millage	Taxes Generated	Amount Budgeted
FY25	7,203,568,089	4.6876	\$ 33,767,446	\$ 32,079,073
FY26	8,222,635,164	4.6876	\$ 38,544,425	\$ 36,617,203
Difference in dollars	\$ 1,019,067,075		\$ 4,776,979	\$ 4,538,131
Difference as %age	14.1%		14.1%	14.1%

FY26 options:

FY26 options:						Addl Revenue		
Rollback Rate	\$	8,222,635,164	4.4146	\$	36,299,645	\$	(2,132,540)	7.5%
Maintain Current Rate	\$	8,222,635,164	4.6876	\$	38,544,425	\$	-	14.1%

Commissioner Nesta requested to see the options if the Millage Rate were to be increased to see the difference of how much revenue would be generated to fix the streets and apply to infrastructure.

Commissioner Anderson requested to understand what the goal is right now since all the department heads presented what their needs were and requested their budgets.

Commissioner Nesta expressed his concerns regarding each department not having what they actually need. He questioned if they have the tools to grow with the City and be successful in the services that are being provided to the residents. In the past budget amendments had to be made because departments didn’t have the funding accounted for in their budgets. **Ms Sherman** explained that the 4.8 provides a buffer. She said there has been no discussion or appetite to change the Millage Rate therefore it was presented at this meeting as the same. No change was recommended due to the City operating within the budget, within a reasonable reserve level, and with excess reserves.

Commissioner Nesta requested increasing the Millage Rate the City would be able to fund some of the enterprise funds, the reserves, and help to keep rates lower.

Commissioner Anderson & Mayor Nelson didn't understand how increasing the resident's property taxes and lowering utility rates will be beneficial as its just swapping the taxing.

Commissioner Nesta requested to have all the information available to make an educated decision for the residents and the residents can provide feedback with that same information.

Discussion ensued regarding whether to raise the Millage Rate or not and information being provided to make an informed decision prior to this meeting. Commissioner Nesta didn't feel that he had enough information and requested more. Ms Sherman advised there was no indication from the Council to increase the Millage Rate.

Mayor Nelson said he'd rather a department be tight on their budget and come back before the Council for a budget amendment rather than us having a slush fund within those accounts that the department heads can spend on whatever they want. This gives the Council full authority over any additional spending that hasn't been budgeted.

Commissioner Velazquez asked for clarification. She confirmed that there's \$4.8 million dollars over in the reserves. **Ms Sherman** confirmed yes, its excess over the required reserve amount. She added that every budget amendment doesn't mean that they are using reserves. Sometimes there's additional revenue such as grants.

Ms Sherman made note that she will need a 2/3 vote from the Council at the end of this meeting.

PUBLIC COMMENT

Rod Olsen, 3156 Rolling Hills Ln, said there's not enough money in the budget for streets and sidewalks. He feels the challenges that the City has lies within the leadership. He suggested that the budget workshops begin at an earlier date so that they are not rushed like he feels they have been. He feels like the data put before the Council is limited and more should be provided with comparisons of previous years so that informed decisions can be made. He stated that the City has 62 open positions, which means we are 12 to 18% short and that's why the jobs are not getting done. The developers should be responsible for the roadways, sidewalks, utilities and infrastructure to their own developments, not fall on the tax payers.

Blanche Sherman spoke about the Public Safety building and the bonding. They are waiting on the design to be able to provide a cost estimate. For the bond, if the City does a G.O. Bond that will require a referendum. If the City does a General Revenue Bond, it will not be required. Either way, with the Bond, after consulting with the City's Financial

Advisor, the Millage Rate will likely have to be increased. G.O. stands for General Obligation Bond.

Commissioner Smith asked if the training center can be included in this same process to get them both done at the same time. **Ms Sherman** responded that is being considered.

Ms Sherman said depending on where these buildings are in the design process next year we will have a Millage Rate increase. **Attorney Shepard** said if there's a G.O. Bond there's no decision to make because it's voted debt Millage. Once the voters prove it you have no discretion, it goes to the budget. It has nothing to do with the General Fund. It becomes a part of the budget automatically if the bonds pass. The G.O. Bond is paid back by property taxes.

Mayor Nelson read in accordance with Truth in Millage ("TRIM") compliance requirements as set forth in Chapter 200 of Florida Statutes, the City must set the proposed millage rate and advise the property appraiser of the proposed millage rate, rolled back rate, date, time and place of the tentative budget hearing. The tentative budget hearing is scheduled for Wednesday, September 3, 2025, at 5:15pm in the City Council Chambers. The statutes require separate motions. The operating millage rate used in preparation of the budget draft of 4.6876 is 6.18% higher than the rolled back rate of 4.4146. A mill is the tax rate for each \$1,000 of taxable property value.

- a. **Mayor Nelson** asked for a Motion to approve and set the rolled back millage rate for the 2025 tax year as 4.4146.
- b. **Motion by Commissioner Anderson** and seconded by **Commissioner Smith** to approve and set the rolled back millage rate for the 2025 tax year as 4.4146.
- c. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta , Smith & Anderson voting aye.
- d. **Mayor Nelson** asked for a Motion to approve and set the proposed operating millage rate for the 2025 tax year at 4.6876 mills.
- e. **Motion by Commissioner Velazquez** and seconded by **Commissioner Anderson** to approve and set the proposed operating millage rate for the 2025 tax year at 4.6876 mills.
- f. **Motion carried 4 to 1**, with Mayor Nelson, and Commissioners Velazquez, Smith & Anderson voting aye and Commissioner Nesta voting nay.
- g. **Mayor Nelson** asked for a Motion to set the date, time and place for the public hearing on the tentative budget for fiscal year 2025-2026 as Wednesday, September 3, 2025, 5:15pm, in the City Hall Council Chamber.

- h. Motion by Commissioner Velazquez** and seconded by **Commissioner Smith** to approve and set the date, time and place for the public hearing on the tentative budget for fiscal year 2025-2026 as Wednesday, September 3, 2025, 5:15pm, in the City Hall Council Chamber.
- i. Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta , Smith & Anderson voting aye.

ADJOURNMENT

The meeting adjourned at 8:14 PM

All video recordings of City Council Meetings are always posted on the City of Apopka's YouTube page, for viewing.

Bryan Nelson, Mayor

Attest: _____
Susan M. Bone, City Clerk

Transcribed By: _____
Jodi Wrigley, Deputy City Clerk

CITY OF APOPKA MINUTES

Minutes of the City Council Meeting held on July 16, 2025 at 7:00 PM, in the City of Apopka Council Chambers.

Present:

- Mayor Bryan Nelson
- Commissioner Diane Velazquez
- Commissioner Nick Nesta
- Commissioner Alexander Smith
- Commissioner Nadia Anderson
- Attorney Andrew Hand

CALL TO ORDER

MAYOR READ THE DECORUM STATEMENT

PUBLIC COMMENT

Nikki McGuire, NAOMI Kids, thanked those in the community who have shown support for Naomi Kids and said as many of you know, Naomi Kids has been in the community going on 11 years. She said this year they have reached out to raise funds for July 26, 2025 for a Back to School clothes shopping event at Ross so that the kids can go and pick out the clothes they need for back to school. She said they're still reaching out to the community for gift cards for Ross and to date, they've raised funds for 10 kids, however the goal was 25 kids. Please call Naomi Kids at (407)883-5585 or stop by 743 S. Central Avenue for more information

Leroy Bell, said the minutes were changed before this meeting to reflect his comments and thoughts and his comments reflect his opinion and thoughts. They are not for verbatim but that is fine and quoted Dr. King. He spoke about the CRA meeting that just wrapped up and said the Chair mentioned a program for rental properties where homeowners or renters to get their properties fixed up. He stated that the Chair had a problem, prompting Mayor Nelson to advise that he needed to address the whole Council. Mr. Bell stated that this is his public comment.

Jack Douglas, 2149 Eagles Rest Drive, Apopka, said the item he wanted to talk about is not on the agenda tonight and hasn't been on the agenda for the last 90 days and that's the Charter. He said as far as he knows, the City Attorney has completed everything he needed to do on this. He said his question is why is this not on the agenda. The Mayor said this will be on the agenda in 2 weeks. Mr. Douglas asked if it was too late to make it on the September ballot to which the Mayor advised that he would have that information at the next meeting.

Rod Olsen, 3156 Rolling Hills Lane, Apopka, said red is his unhappy color & he's unhappy. He said Public Comment was brought back to the beginning after 9 months of

having it at the end, and wonders if it's due to the election. He said reducing it from 4-3 minutes and having it before the prayer and pledge is a slap in the face and said the prayer and pledge belongs at the front of the agenda. He spoke about preventative maintenance and said the City presented him with over 1,000 items with no completion date. & about the budget and a document that puts 5 years in a row and said it should be laid out this way rather than one book after another and said we're better than that.

Seb Styx, Apopka, said she loves the energy that people in the community are bringing here today. She said at a meeting with the County yesterday, a Commissioner filmed a video of a group of workers lined up waiting for ICE to take them away. She said we can't say we didn't know that citizens are being detained and said voters are being abused and shipped across the country, losing their jobs and homes and it isn't just the undocumented. She urged the Council to do something and said we can't sit back and watch this happen. She suggested that we fund informational material to educate people on their rights.

Sylvester Hall said hello to everyone who can hear his voice & challenged everyone's moral conscious. He said the City of Apopka, the State of Florida, and our Country is in a National Crisis. He reiterated that too many good people are witnessing bad things happen and said it's time to say no to hate and stand against corruption and racism. He said we need to understand what's going on today. He said everything starts at the local level.

Albert McKimmie, 3603 Golden Gem Rd, said at our last meeting we discussed if it was viable to shut down Golden Gem Retention Pond. He said it's not an option and said its part of the Comprehensive Plan. He said what we need to do is double the capacity of Golden Gem Road and by doing that, we can reduce the overall cost as we can use the fill that's currently there to help solve the problems we already have. He said Golden Gem Road came to the City in 2009 from St. Johns and at the time was valued at \$4.5 million dollars. He stated there was a contractual obligation that if the City breached the contract the City would have to pay it back. He said we've already spent approximately \$2 million on liners for that facility and said we had a grant of \$1.5 million from the County and said it's not viable to shut it down..

Valerie Sparkman, Just Like Mammias, thanked the City for all they've done to help with their 1-year anniversary celebration and for helping us to try and make this car and jeep show a success. She said we did attempt to charge for this event but it's not possible so there will not be any charge for this.

Venus Griffith said she lives in the Clear Lake Estates subdivision and almost three years ago, she had a flooding issue at her house. She said when Milton came in last year, it took almost all of the trees in my yard, due to the flooding. She said she was not notified of this meeting and said no one else from Clear Lake Estates were notified of this meeting and the residents should not have to pay for this fix as it was the City that approved all of the development that caused this. This is Hurricane Season and we need to fix this problem.

INVOCATION & PLEDGE OF ALLEGIANCE:

Commissioner Smith provided the Invocation, led in the Pledge of Allegiance, and gave the Fact of the Day: On July 16, 1945, at 5:29:45 a.m., the first atom bomb is successfully tested in Alamogordo, New Mexico as part of the Manhattan Project. The Manhattan Project, so-called because of where the research began, would wind its way through many locations during the early period of theoretical exploration but the Project took final form in the desert of New Mexico, where, in 1943, J. Robert Oppenheimer began directing Project Y at a laboratory at Los Alamos, along with such minds as Hans Bethe, Edward Teller, and Enrico Fermi. Here, theory and practice came together, as the problems of achieving critical mass—a nuclear explosion—and the construction of a deliverable bomb were worked out. Two days later on July 4th, 1776, delegates from the 13 colonies adopted the Declaration of Independence, a formal statement ending the colonies' allegiance to Great Britain.

APPROVAL OF MINUTES

1. Approval of Regular City Council Meeting Minutes of July 2, 2025.
 - a. **Mayor Nelson** asked if anyone had any questions about the minutes.
Commissioner Nesta stated that the minutes need a lot of changes and said he'll be presenting during his Council report regarding edits that need to be made and will be requesting a policy for the minutes so until then, these need to be tabled. **Mayor Nelson** said if you want to make those changes, if not, looking for a motion to approve. **Commissioner Nesta** stated this needs to be tabled until there's proper policy to record minutes.
 - b. **Mayor Nelson** then asked for a motion to table the minutes.
 - c. **Motion** by **Commissioner Nesta** and seconded by **Commissioner Velazquez** to table the minutes.
 - d. **Motion carried 3 to 2 to table** with Commissioners Velazquez, Nesta, Smith voting aye and Mayor Nelson and Commissioner Anderson voting nay.

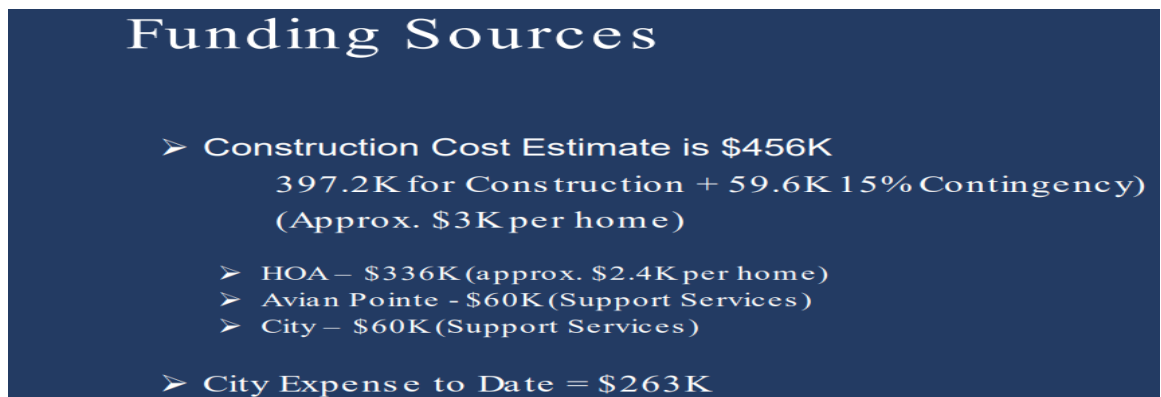
AGENDA REVIEW

Mayor Nelson asked if any changes to the agenda. **Radley Williams** Interim City Administrator said yes. Public Hearing item #5 – Resolution 2025-25. The applicant is requesting to continue this item to the August 6, 2025 meeting.

PRESENTATION

1. Clear Water Lake Update
Presented by: Vladimir Simonovski, Public Works Director

Vladimir Simonovski stated this is an update to the irrigation system design for Clear Water Lake. He provided historic information stating that Clear Water Lake is a closed basin system, irrigation water inflow has caused the water level to rise therefor causing adverse impacts to the neighborhoods. In February 2023, the City began the emergency pumping which finished in April 2023. The lake level was reduced by 3.4 feet and this cost was \$194,150 dollars. He advised that there were long-term alternative solutions considered such as: Option 1 – recycle surface water as irrigation source, Option 2 – pump surface water to Northshore Reclaim Water Treatment Plant, or Option 3 – repeat temporary pumping whenever needed. The option chosen was the best alternative and that was Option 1 – recycling the surface water as an irrigation source. This will create less stress on the City’s reclaimed water system, the Clear Lake Landing Homeowner’s Association owns this system, and SJRWMD and FDEP approved of this solution. Regarding the project status, the design began in April 2024, but Balmoral Group which cost was \$68,900 dollars. The design was completed and permitted with SJRWMD as a consumptive use permit in January 2025. The normal water level is at elevation 65 feet. This permit allows surface water withdrawal for irrigation down to elevation 63 feet. The current level of Clear Water Lake is 69.3 feet. The funding sources for this is listed below:



Funding Sources

- Construction Cost Estimate is \$456K
397.2K for Construction + 59.6K 15% Contingency)
(Approx. \$3K per home)
- HOA – \$336K (approx. \$2.4K per home)
- Avian Pointe - \$60K (Support Services)
- City – \$60K (Support Services)
- City Expense to Date = \$263K

a. **Mayor Nelson** asked if anyone had any questions for Vladimir.

Commissioner Nesta asked for clarification on the lake level at this time as the graph provided in the presentation is older. **Vladimir** advised the permit approves to pump down to 63 feet and the lake is currently 69.75 feet as of noon on today’s date. He also answered Commissioner Nesta’s question regarding if there’s a drought and they cannot pump lower than what the lake currently is. **Vladimir** stated that the permit has lots of “conditions” and this was considered. If drought happens there will have to be a modification of the permit because the HOA is the applicant on the permit. In order to bring them back onto the City’s system, they will have to be reconnected which should not affect our permit. The water management district and the engineer worked closely on this and considered all the options based on the demand and based on how much water is available in the lake. **Commissioner**

Nesta questioned the cost per home and asked for clarification and was the homeowner consent received for this project. **Vlad** responded the cost presented is for construction only, not ongoing maintenance etc. and he did not have the answer regarding the homeowner's consent as that was handled by the HOA. The HOA most likely received consent before they applied for the pumping permit.

Commissioner Nesta said the cost per home is just for construction and not maintenance, correct. **Vladimir** confirmed that's correct. **Commissioner Nesta** then asked if we know what the HOA has in reference to their approvals from their members and **Vladimir** stated that he would assume that before pulling the permit with the WMD, they discussed this.

Discussion ensued regarding this issue related to the costs and the funding of this project including the option to support a Bond issue or some other vehicle that has the City as the facilitator.

Commissioner Smith said it was his understanding that the HOA would have to go out and get their own funding because this is a private pond and asked if the HOA decided this is not what they want to do, what is the alternative. **Blanche** said Cliff is saying that we can basically facilitate the loan but we can't be a guarantor on the loan.

Attorney Shepard said this would be a question for our Bond Counsel. **Blanche** said this would come in the additional discussions that we have with the HOA.

Vladimir said the option is we already have the design and said we've invested almost \$70 in the design. **Mayor Nelson** said that was with the intention that we would take the system on without having to treat the water to our standards. When they came back and said we can't do this, it became an HOA private system.

Vladimir stated correct, as we can't mix the water with the other reclaimed water that goes to public access. He said this is why we need to disconnect them from the system and by them doing their own system, they're not sending anything to public access. **Commissioner Nesta** asked if this was the same as what we're doing with Border Lake. **Mayor Nelson** said this is not the same as Border Lake is a public lake and we're talking about 5 lakes that we're taking the water levels down. He said this concept still saves them money. **Commissioner Anderson** asked if there was any negligence on behalf of the City to which **Vladimir** confirmed no.

James "Brian" Mater, said he's the HOA Board President at Clear Lake Landings. He said he's been involved with this since they started the pumping and was there when St. John's personally wanted to have a conversation to let him know how important this issue was regarding the pulling away from the reclaimed water. He said he's discussed the issues with St. John's and Greg Sidell, the City's Consultant. He stated that this issue is not Clear Lake Estate's fault but is a result of the overgrowth of the community and said when you take away trees and dirt and put rooftops and black pavement in, the water has to run somewhere. He said 4 years ago, he moved here from Colorado, and at that time Boy Scout Road and Binion Road did not flood. He said now you have to

be very careful as it's flooding and there are more houses and apartments are coming. He said this is only a short-term solution and he said with more houses, pavement and traffic, all we're doing is pushing water and it needs to be re-routed and they need a long-term solution. He said he's irritated that this is being presented as an asset and that the HOA needs to get a loan on this. He said he didn't know why Clear Lake Estates, Clear Lake Landings or anyone should have any financial burden from this. In addition, the maintenance is also our responsibility and said that's an added expense. He said he understands this is a private lake but he feels that the City should step up on this as they didn't cause the issue. Discussion continued regarding this and Mr. Mater asked the Mayor to come back to the drawing board and we can work this out for everybody, including Avian Point who paid the \$80,000 and reiterated that this is a joint issue.

Commissioner Anderson asked Mr. Mater what he's asking the City to do. Mr. Mater said he understands we own the lake but doesn't feel that they should have to pay for this since it's not something they caused. **Commissioner Velazquez** asked Mr. Mater about the documents he showed and asked if it was an email and what did it say. Mr. Mater replied that they were emails between he, the Mayor and Richard Earp where we were negotiating and trying to work this out. He said we sat down twice with the Mayor and Richard Earp to discuss the issues. Commissioner Velazquez said she would like a copy of the emails, to which Mr. Mater stated he would forward them.. She said when this came to us a few years ago, it already came to us with solutions and said it's now coming to fruition. Mr. Mater stated that they have the permit and it's been approved but it still feels like a temporary solution.

Gregory Griffith, Clear Lake Estates, said a concerned citizen gave him a heads up that there was a presentation being given tonight on Clear Lake. He said he called some of his neighbors and no one in his subdivision knew anything about it. He said it sounds like you have an idea that you want to put forward but it's ad hoc and should have been discussed and hammered out in an office somewhere rather than in a public forum. He said we've been on this topic now for 45 minutes and there are a lot of questions here. He said you're coming here with a temporary solution and said what happens if we have a flood and the water comes up the hill from the lake and I lose another 70' tree? He said he and his wife moved into Clear Lake Estates in February 2007 and we had no flooding issues until 2018 & 2019. He said this is due to the development across the lake where it used to be a forest. He said I think you need to go back to the drawing board and hammer this out.

Albert McKimmie, said at the beginning of this presentation, there were 3 options proposed and said he noticed that the one chosen had the least impact on the City and said it's just a temporary solution. He said the second option, where you were looking at North Lake Shore pumping water has potential and it'll take longer than 3 minutes to explain this. He said he doesn't understand what's going on in Apopka and said when

you look it up on Google, it shows that the City is approximately 34-36 square miles and said roughly 4% of that is water. He said what we've done by cutting down all of the trees and foliage is effectively allowed water to run everywhere. He said we have a problem with our infrastructure and offered a solution to manage the issues.

Richard Withers, Clear Lake Estates said that he is one of 42 homes in that subdivision. He stated that you heard the number 142 a little while ago and said that sounds pretty accurate based upon his observations and said there are a number of homes that have been put in across the lake from us. He stated that the water went up proportionally to the number of homes that were thrown in there. He said this is not something that Clear Lake Estate's residents approved or asked for. He said they have approximately 30 trees that are dead and still standing behind our property and he's afraid to let anyone, including his grandchildren go back there as it's too dangerous. He said option number 2 seems to make sense and said the idea of transferring the water from Clearwater Lake over to Lake Apopka or even to Mud Lake would make more sense.

CONSENT (Action Item)

1. Authorize the issuance of an Evaluated Source Memo: Ecological Consulting Solutions.
2. Approve the annual funding agreement between the City of Apopka and Metroplan Orlando for FY 2025/2026 in the amount of \$30,910.00
3. Authorize the execution of piggyback contracts for the assigned terms: Safety Shoe Distributor, LLP, and BSN Sports, LLC.
4. City of Apopka FY2025 Budget-to-Actual for the Nine-Months Ending June 30, 2025.
5. Accept the disbursement report for June 2025.
 - a. **Mayor Nelson** asked if anyone from the public or the Council had any questions about any items on the Consent Agenda items or if anyone needed to pull any of the items.
 - b. Hearing no further questions or comments, **Mayor Nelson** asked for a motion to approve the five (5) consent agenda items.
 - c. **Motion by Commissioner Anderson** and seconded by **Commissioner Nesta** to approve the five (5) consent agenda items.
 - d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

BUSINESS (ACTION ITEMS)

1. Authorize Street Closure for 1 Year Anniversary of Just Like Momma's Car and Jeep Show
Presented by: Cynthia Edwards, Interim Parks & Recreation Director

Cindy Edwards said she's here tonight to request the authorization for street closure for the one (1) year anniversary of Just Like Momma's. She said they're celebrating with a car and jeep show. She said the street closures are requested in the special event permit application for this event. She said the event date requested is August 2nd, 2025 and said the requested street closure is on 5th Street from Park to Central Avenue with access to the 5th Street parking lot and the Community Center. She said road closure to begin at 12:00 p.m. on August 2nd, 2025 and will re-open at 8:00 p.m. She said the permit has been reviewed by staff, including the Police and Fire Dept. and are recommended for approval. She said the DRC recommended approval of the Special Event Permit Application, along with the provided street closures at the July 9th, 2025, DRC meeting, with the contingency that they will make changes to the map showing the ingress and egress, which they did. She said the map and the COI have been received and we had final approval this morning at DRC. She said staff recommends that City Council approves the requested street closure as part of the one (1) year anniversary of Just Like Mommas.

Commissioner Nesta congratulated Ms. Sparkman on 1 year and said he had a couple of questions. He said to confirm, we have received insurance to which Ms. Edwards confirmed. He said the other thing was similar to what we do for the 5th Street Market, we provide off-duty officers out there at no charge for the marker and asked if this is something we can do for this event. **Mr. Williams** stated that the Market in 5th event has a Special Event license agreement in place and explained how that worked. Commissioner Nesta suggested that this is a very similar event with similar vendors and said to confirm, there's no charge for this event other than the vehicles to be there. **Ms. Sparkman** confirmed this and said this is a car show. **Commissioner Nesta** said this is activating a downtown space and said we want to promote that and make it a vibrant downtown and help businesses. **Ms. Sparkman** agreed and said she's thankful to her neighbors, Propagate, Three Odd Guys, the Smoke Shop and the other neighbors for their support of this event. **Mayor Nelson** asked if on Main Street, if we charged them for off-duty. **Mr. Williams** stated that the only event currently on 5th Street that has the off-duty officers included is the Market on 5th, with the Special Event License permit.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.
- b. **Motion by Commissioner Nesta** and seconded by **Commissioner Anderson** to approve the road closure for Just Like Mommas.
- c. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

2. **Border Lake Pumping Project**
Presented by: Vladimir Simonovski, Public Works Director

Vladimir Simonovski said this request is to approve staff to continue the pumping for the Border Lake Project. **Mayor Nelson** asked if anyone had any questions for Vlad on this? **Commissioner Nesta** said we have right of entry forms that were forwarded to us and said there are some that were presented in March and new ones that were signed in June. He asked who got the signatures for these right of entry forms? **Vladimir** said he understands that the June forms had previously been signed by renters and not the original owners of the property and that was a question that came back from the Water Management District and they wanted the owners to actually sign the right of entry. **Commissioner Nesta** asked who went out and got these signatures? **Vladimir** stated he believes that Da went out and got them. **Mayor Nelson** stated that it was Da and himself that went. **Commissioner Nesta** said you went out to get both the March and the June forms? **Mayor Nelson** said he only went for the March ones. **Commissioner Nesta** stated the June ones are not as complete as the ones we have for March and they don't have the driver's license on them and was concerned that the forms aren't complete.

Commissioner Anderson asked the City Attorney if these forms are still considered valid without the driver's license. **Mayor Nelson** said the forms were requested and accepted by St. Johns. **Vladimir** confirmed and said the Permit was issued based upon the updated forms. **Commissioner Velazquez** asked if the residents are aware of the extension? **Mayor Nelson** stated that St. John's is aware of this and is who asked for the forms. **Vladimir** stated that the Lumen right of entry is good for 365 days, which will come to June 19th of next year.

Albert McKimmie expressed his concern about the forms not matching and asked if we may have operated in someone's yard without permission.

Sylvester Hall said when we normalize the abnormal, we desensitize the truth and thought it was strange that the Mayor would need to go out and get signatures.

- a. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve the Border Lake Pumping Project.
- b. **Commissioner Nesta** stated that he'll Motion with the understanding that the forms are accurate and true.
- c. **Motion by Commissioner Nesta** and seconded by **Commissioner Smith** to
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

PUBLIC HEARINGS/ ORDINANCES/ RESOLUTIONS (ACTION ITEMS)

1. Ordinance No. 3112 - Second Reading - Annexation - 1920 Sheeler Avenue
Owner(s): Reid Marvin Wayne and Reid Susan Thomas
Applicant(s): Jonathan Huels
Location: 1920 Sheeler Avenue
Project: Annexation
Density: N/A
Proposed Development: 115 single-family residential units
Project Manager: Jun Sohn, Ph.D.
Presented by: Bobby Howell, Planning Manager

Mayor Nelson asked Bobby if there are any changes to which Bobby advised there were none..

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Rod Olsen said this represents 115 units and 41 students and said 5 of 15 schools in Apopka are over capacity. He said the School Board will not say no as long as they can put a trailer on the property. He said this is an issue but the bigger issue is the infrastructure and said will there be flooding. He said we have to look at slowing this process down and do better.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to adopt Ordinance No. 3112.
 - c. **Motion by Commissioner Smith** and seconded by **Commissioner Anderson** to approve and adopt Ordinance No. 3112.
 - d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.
2. Ordinance No. 3116 Second Reading of Amending Chapter 54 Retirement Systems for the Police Chief
Presented by: Mike McKinley, Police Chief

Chief McKinley said there are no changes.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.
- b. Hearing no further questions or comments, **Mayor Nelson** asked for a Motion to approve and adopt Ordinance No. 3116.
- c. **Motion by Commissioner Anderson** and seconded by **Commissioner Smith** to approve and adopt Ordinance No. 3116.
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

3. Ordinance No. 3113 - First Reading - Annexation -Paulucci Acres
Owner(s): Paulucci Acres, LLC
Applicant(s): Daniel O'Keefe, Shutts & Bowen, LLP
Location: East side of Vick Road, approximately 1/4 mile north of the intersection of Vick Road and W. Lester Road
Project: Annexation
Acreage: 39.8
Density: N/A (only annexation of property)
Proposed Development: Single-family residential and townhome units
Project Manager: Bobby Howell, AICP
Presented by: Bobby Howell, Planning Manager

Bobby Howell said this is a request is to annex two parcels totaling 39.85 acres into the City of Apopka.. He said the properties are generally located on east side of Vic Road, approximately a quarter mile north of the intersection of Vic and West Lester Roads. The parcels are contiguous to the city limits and are eligible for annexation pursuant to Florida statute 171.044. The applicant intends to amend the future land use to residential low suburban and change of change of zoning to plan development at a later date. And this will be actions that would be taken through the city council. The development review committee recommends approval. He said this is the aerial photograph of the property and said the future land use and zoning maps show the surrounding zoning and future land uses. He stated the development review committee recommends approval and said the recommended motion this evening is to accept first reading of ordinance number 3113 and hold it over for second reading of adoption. The applicant is here and I & has a brief presentation. The Commissioners disclosed they met with the applicant prior to this meeting.

Elesa Sowell, Shutts and Bowen 300 South Orange Avenue, Orlando, FL thanked the Council and Staff for their help thus far and said we've been working consistently with them on this project. She said the proposed annexation meets all of the requirements and said they've worked with the County and have received written confirmation from them that they do not have any objections.. She said we've also worked with the City Attorney and he's confirmed he does not have any objections as to the legality of the proposed annexation. She highlighted the fact that the property is in the JPA and that the City will be providing utilities to this property regardless of whether the property is annexed into the City of Apopka or if it remains within the County. She said the annexation allows for the City to have full control and input over the entirety of the 618-acre project. She said she and the applicant are available for questions. **Commissioner Nesta** asked about the 10' strip to connect Alexandria Place to that flag lot that you were discussing, and confirmed that we won't see that once the developments there. **Ms. Sowell** confirmed that's correct as the HOA of the project will own and maintain that piece and it will essentially be an extended buffer area..

Commissioner Nesta said the Nursery that's to the South of the SW section there had concerns of due to the proximity of the development, that once homes are built, that there may be noise complaints from the new properties. **Ms. Sowell** stated there will be a 25' perimeter buffer and also the driveway, which is 15' so essentially a 40' buffer and confirmed that this will be developed as a PD. **Commissioner Nesta** stated that you guys are developing all of this either way so either it stays in Orange County or goes into Apopka. **Ms. Sowell** confirmed that is correct and mentioned that they've also proposed a 30' ROW dedication along Ponkan on both sides of the roadway, which the Paulucci's own and added they'll be doing ROW dedications along Vick Road in accordance with the City's intended design and expansion of Vick Road. **Commissioner Smith** asked what objection the Nursery had. **Ms. Sowell** stated she didn't believe there was an objection, rather more of a concern but because of the 40' buffer, we don't feel this will be an issue.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item

Albert McKimmie said he had nothing negative to say about this normally speaks against annexations but in this case he has nothing negative to say about this project but said the only issue he sees with this annexation is that we're already short on city staff.

Rod Olsen expressed his concern and said other communities have put a halt on or a slow down on new development and said Orange County has created hurdles for developers slowing their process down. He said we need to look at that and said this is 618 acres and stated this will generate approximately 776 students dumping into our schools.

Sylvester Hall said if he didn't know any better, at some point, this becomes laughable. He thanked Ms. Sowell for her presentation and said it's good to see someone come up and answer the questions asked. He said he's all for the development. He said we need to have a plan of action with these new developments, as we heard as mentioned earlier, with Clear Lake, we keep developing but not putting things in place. Everything that comes in with new development, such as roads, schools, etc., needs to be addressed at that time.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a motion to approve Ordinance No. 3113 at first reading and carry over for second reading and adoption.
- c. **Motion by Commissioner Anderson and** seconded by **Commissioner Velazquez** to approve Ordinance No. 3113 at first reading and carry over for second reading and adoption.

d. Motion carried unanimously, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

4. Ordinance No. 3114 - First Reading Open Container
Presented by: Radley Williams, Interim City Administrator

Radley Williams said this is the first reading of the open container ordinance. He said the aim of this ordinance is to establish a process in an ordinance on how a special event or an entity could obtain an open container permit. He said we took this back to the City Attorney after the last meeting to clarify and look at the end section of the original ordinance draft to make it a little more concise and remove any duplications that were present. He said I did share that information with you all during your agenda prep meeting and said he's available for questions.

- a. Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Commissioner Nesta asked to confirm that this is for the entirety of the City, and not just the CRA or Downtown. **Radley** confirmed that's correct and the current Ordinance does allow the City Council to authorize an open container but there was no process established in the Ordinance on how someone would do that. **Radley** went on to say the goal of this was to add that process and said this will go hand in hand with our special event permit process and through the DRC reviews and ultimately come to Council for final adoption and approval or disapproval.

Albert McKimmie said he's not familiar with exactly what it says in the ordinance but it's City wide and asked if we'll have a City Ordinance to prevent open containers in our City Parks?

Rod Olsen said he didn't have anything else to add other than what Abbey just said but what about our Church's and our Schools and the Parks. He said we have enough challenges in this City without having people walking around with alcohol on the sidelines. He said we already had a shooting at Pop-Warner.

Sylvester Hall said the question he has is when someone is walking around with an open container, how do we know they're legal to walk around with that open container? He said this can create a public issue and said these questions need to be taken into consideration.

Virginia Street said this is just the process of how to get an open container and said if someone wants to have an event, this is the process on how to go about it. She said she can't help but to think that this is coming up for certain businesses. She said this process is something that the Community is ready for right now.

Commissioner Nesta asked about the setbacks for Churches, Schools and said similar to 5th Street, there are some Church's within the surrounding businesses and asked what the setbacks are and what's required. **Attorney Shepard** said this Ordinance does not address this as what it does, is create the process by which you apply for a permit and the permit is guided by what you will or won't allow, based on the guidelines in the Ordinance, which do not override things like setbacks in the Code. He said what is true, in places where you couldn't ordinarily have an open container, if you're at a special event and you have a permit, this allows the process. He said we had this process before and what we did do is combine them into one ordinance and that's why it appeared that there was a duplication of provisions within the ordinance.

Commissioner Nesta said the vendor would be the responsible party if the provisions are not followed to the Code and asked what the process would be if someone is found to not follow the provisions in the Code? **Attorney Shepard** stated that would be a violation of a permit and at that point, the Police would either ask them to fix the violation or shut the event down. **Chief McKinley** responded and said in our Ordinance, years ago, the provision in our Ordinance was amended to allow that the CRA area and the Church's have an exemption for alcohol establishments in the distance. He said the setbacks do apply to everyone outside of the CRA area. He said this does not affect the Open Container Ordinance under Florida Statutes and said you cannot go outside of this area and said this puts the onus on the applicant to have a map of the distinct areas where the event is being held and when we have events in the City, our policy is that if alcohol is being served, they have to hire 2 police officers.

Commissioner Velazquez asked to confirm that this was just for special events. **Radley** confirmed and said if the permit was approved, it would only be valid for the time listed on the permit application.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a motion to approve Ordinance No. 3114 at first reading and carry over for second reading and adoption on August 6, 2025.
- c. **Motion by Commissioner Velazquez** and seconded by **Commissioner Smith** to approve Ordinance No. 3114 at first reading and carry over for second reading and adoption on August 6, 2025.
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

5. Resolution 2025-25- Vacation of Right of Way - Paulucci Acres
Owner(s): City of Apopka
Applicant(s): Daniel O'Keefe, Shutts & Bowen
Location: North of Woodside Ridge Drive and Misty Glen Circle
Project: Vacation of ROW
Density: N/A
Tract size: 1.52 ± acres
Project Manager: Bobby Howell, AICP
Presented by: Amer Hamza, Planner

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.
- b. Hearing no further questions or comments, **Mayor Nelson** asked for a **motion to table** Resolution No. 2025-25 to the August 6, 2025 meeting..
- c. **Motion by Commissioner Velazquez** and seconded by **Commissioner Smith** to approve Resolution No. 2025-25.
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

6. Resolution No. 2025-26 Amending the budget for the fiscal year beginning October 1, 2024, and ending September 30, 2025.
Presented by: Blanche Sherman, Finance Director

Blanche Sherman said this is for Street Lights located in the East Park – Kelly Park Road MSBU Special Assessment. She said this includes Bridal Path, Laurel Oaks and Wind Rose Subdivisions. She said we had additional street lights that were implemented and said we have the revenue to support payment of these. **Commissioner Nesta** said to confirm, we've already realized this revenue to which Blanche confirmed.

- a. **Mayor Nelson** asked if anyone had any questions or if anyone from the public wanted to speak about this item.

Rod Olsen said last year, the first meeting in the new budget year, we had budget amendments and we had a budget amendment and just about every meeting we've had a budget amendment. He said we need to have a side by side comparison and need to be proactive in our development.

Sylvester Hall said we're paying \$50,000 for Street Lights and asked how many street lights we're purchasing and said what type are they and does it include the maintenance?

Albert McKimmie said \$50,000 has to be a deal as it'll be \$70,000 for the speakers in here.

Commissioner Nesta said to confirm, this is an MSBU funding and asked Blanche to walk us through that. **Blanche** stated that basically, we assess the subdivision and they pay the fee and we then pay Duke. **Commissioner Velazquez** confirmed that these are for the lights inside these subdivisions.

- b. Hearing no further questions or comments, **Mayor Nelson** asked for a motion to approve Resolution No. 2025-25.
- c. **Motion by Commissioner Anderson** and seconded by **Commissioner Smith** to approve Resolution No. 2025-25.
- d. **Motion carried unanimously**, with Mayor Nelson, and Commissioners Velazquez, Nesta, Smith & Anderson voting aye.

CITY COUNCIL REPORTS

Commissioner Nesta stated his office hours are every Thursday, here at City Hall from 11:00 a.m. to 1:00 p.m.. He Spoke about the invocation and pledge and the inconsistency of where it's placed on the agenda. Commissioner Nesta requests that the invocation and pledge be placed at the beginning of the meeting and before public comment. He provided a brief presentation regarding the meeting minutes and recommended a policy be created. In his presentation he stated there's discrepancies with the minutes. He played audio clips from the meetings and read from the minutes and explained how what was said was not reflected in the minutes. He recommended a minute taking policy be put in place and be drafted by the City Attorney Shepard. He implied the minutes be verbatim. **City Clerk Bone** advised that she would create a meeting minutes policy. **Commissioner Nesta asked for a motion to allow the City Clerk to create a policy. Seconded by Commissioner Velazquez.**

Motion carried 3 to 2, with Commissioners Velazquez and Nesta voting aye and Mayor Nelson and Commissioners Smith and Anderson voting nay.

Commissioner Smith said he attended a public forum on traditional public education that was held at the Orange County Teacher's Union Association Headquarters. They talked about the bills that have been passed that affect traditional public education and taking funding away from traditional schools. He recommended that all elected officials in the municipalities need to get behind and support traditional public education during this time. The traditional public education needs that funding and support.

Commissioner Velazquez spoke about decorum in the meetings. She requested that the invocation and pledge be placed before public comment. She spoke about Errol Estates and 5th Hole offering to sell the City their land. She also mentioned an HOA Meeting for Rock Springs Ridge that was held and the HOA President had met with Mayor Nelson to discuss selling that property, but it was said that the Mayor didn't provide a clear answer whether he would entertain the City purchasing either of those properties (Errol Estates property or the Rock Springs Ridge property). **Mayor Nelson** responded that until they have something to look at the City cannot entertain anything. The City wants to help Rock Springs Ridge and Errol Estates but he will not risk the financial stability of the City to do it. Commissioner Velazquez requested that the City help those communities as the City helped Emerson Park.

Blanche stated that when the Emerson Park loan was filed it was filed where the City didn't have to track arbitrage. There's a limit of how much debt you can issue that would be exempt from that requirement and that's the \$5 million dollars. The City can still continue to borrow money. It's just that limit. If the City borrows more money in this calendar year that may change that position for Emerson Park and she would have to track the arbitrage situation if one exists, but she doesn't foresee it.

Commissioner Anderson spoke about the policy regarding the Council's compensation be updated as it was last updated in 1993. She requested that the City look at updating the policy for expenses for the Council. She stated that when she asked for how the Council's salaries were determined, there was no document or anything that could be provided. She feels it's important to update that Ordinance. **Joseph Patton, HR Director**, responded that himself and the Interim City Administrator Williams are looking into updating that. When they looked at neighboring municipalities they all vary. Commissioner Anderson also recommended that the PRR – Policies, Rules and Regulations be updated as the last update was in 2011. **Joseph** advised that they are being updated and rewritten and will be brought before Council for the first time once finished.

CITY ADMINISTRATOR'S REPORT

Radley Williams said they are still working on the Commissioner's salary review and he will bring back an item at next meeting.

CITY ATTORNEY'S REPORT

Attorney Shepard spoke about Senate Bill 180. He stated that the Council was provided a summary prepared by the Florida League of Cities and its titled Emergency Preparedness and Response SB 180. It's legislative speak about emergency preparedness and for cities what they cannot do anymore. The impacts on development and the City's ability to control development are monumental. He spoke about restrictions in counties where a disaster was declared, they're retroactive restrictions etc. He also stated the City is prohibited from

proposing or adopting a moratorium on construction, reconstruction or redevelopment of any property damaged by such hurricanes listed in the Bill. A more restrictive or burdensome amendment to its Comprehensive Plan or Land Use Development Regulations and or a more restrictive or burdensome procedure concerning review, approval, or issuance of a site plan, development permit, or development order. What that means is that if you do anything to make it take longer than it ordinarily does, to slow the process, to prohibit the permits, because of a moratorium while you study an issue, all of things which would have be legal to do previously to this Bill, you're in violation of this Bill.

MAYOR'S REPORT

Mayor Nelson had a YouTube played regarding meeting minutes and what should be included and what should not be included. Minutes should be a record of what was "done" in the meeting not what was "said" in the meeting. He stated that thirteen new firefighters were sworn into the Fire Department. He provided updates to the Council with documentation for the Border Lake Project and gave thanks to the Staff for putting it together. He reported that the City of Apopka has been awarded \$17.3 million dollars through the US Department of Transportation's Better Utilizing Investments to Leverage Development (BUILD Grant Program) for the Ocoee- Apopka Road improvements. The awarded funds will support the Ocoee-Apopka complete streets and trail project in the Southwest quadrant of Apopka. He gave thanks to everyone that had a part in this.

ADJOURNMENT

The meeting adjourned at 11:18 PM

All video recordings of City Council Meetings are always posted on the City of Apopka's YouTube page, for viewing.

Bryan Nelson, Mayor

Attest: _____
Susan M. Bone, City Clerk

CITY OF APOPKA MINUTES

Minutes of the City Council Budget Workshop Meeting held on July 17, 2025 at 5:01 PM, in the City of Apopka Council Chambers.

Present:

- Mayor Bryan Nelson
- Commissioner Diane Velazquez
- Commissioner Nick Nesta
- Commissioner Alexander Smith
- Commissioner Nadia Anderson (Tardy)
- Interim City Administrator, Radley Williams

CALL TO ORDER

BUDGET MEETING

1. Water, Wastewater, Reclaimed Water, and Sanitation Utility Rate Study Results

Presented by: Blanche Ms. Sherman, Finance Director, Henry Thomas and Shawn Ocasio with Raftelis

Henry Thomas, Sr. Vice President with Raftelis Financial Consultants, explained their goal today is to provide an update on where they stand before any rates are adopted. They have completed two out of three reports, which they will provide after the workshop, assuming the council is comfortable with the direction they are heading. He explained sanitation operations and wastewater enterprise are separate but share the same approach. Mr. Thomas broke down how they came up with the rates they recommend. Their goal is to use existing cash reserves as appropriate to phase in rate adjustments, achieve and maintain positive cashflow for utility systems and targeted cash reserves and maintain compliance with debt service covenants. Their major funding strategies include the expansion of related projects funded by impact fees with long-term projects bring funded by future debt. Mr. Thomas concluded his presentation by expanding the proposed rate increases to sustain operations as 15.5% in 2026 and 2027, followed by a 3.5% annual increase and then provided some observations and recommendations.

Mayor Nelson asked if anyone had questions for Mr. Thomas. **Commissioner Nesta** asked if it was possible to get a list of the original capital improvement plan (CIP) and what was taken out. **Mr. Thomas** explained they have the original plan and could provide it.

Mr. Thomas continued with a presentation on sanitation and explained the sanitation fund is financially strained due to high operating expenses and low reserves. It is less capital intensive but more vulnerable to inflation and external cost pressures like tipping fees and fleet maintenance. The CIP has a focus on vehicle replacement and expansion and looks to have sanitation fully rate funded, with no borrowing or impact fee support by adopting the proposed rate adjustment plan. Mr. Thomas goes into detail on how the rate increases are essential to keep the system viable and protect against future disruptions. He ensured the new rate would keep Apopka very competitive with other municipalities in Central Florida. Mr. Thomas asked if there were any questions before moving on to impact fees.

Commissioner Velazquez wanted to confirm that the recommended resident rate would be 15%. **Mr. Thomas** confirmed and stated it would be a \$3.47 increase per month. **Mayor Nelson** asked Josh Robinson how many of the cities listed in the Residential bill Comparison (figure 1) are two pickups per week and how many are one per week. **Josh** replied he believes of the ones listed only Winter Garden is twice a week and the rest are once a week. The only one he wasn't sure of was county.

Residential Bill Comparison

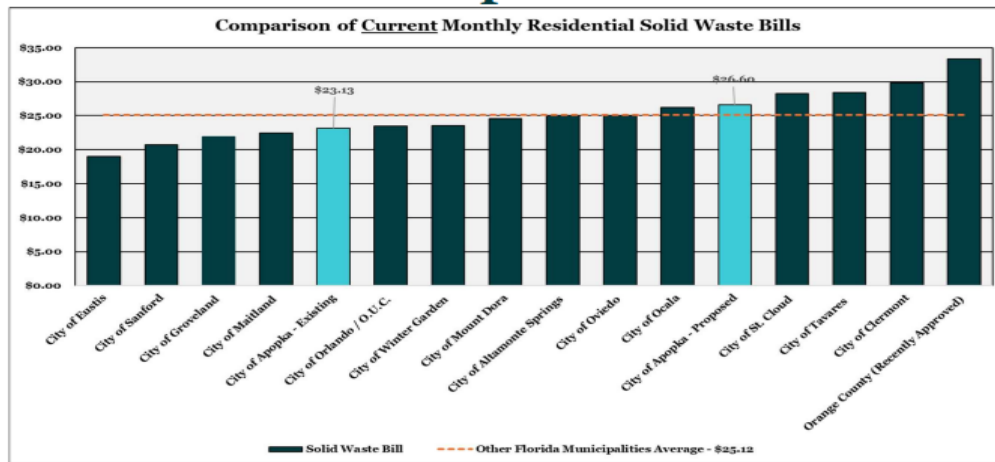


Figure 1

Commissioner Nesta then asked for confirmation that there are no reserves in the 447. **Mr. Thomas** confirmed this. That's the way they're reading it. **Commissioner Nesta** then asked to confirm if they didn't do the increase, they wouldn't catch up and be able to fund reserves and new trucks. **Mr. Thomas** replied yes, by the third year they'd have to start reducing their operating expenses to make it work.

2. Impact Fee Fund Study Results

Presented by: Blanche Sherman, Finance Director, Mr. Henry Thomas and Shawn Ocasio with Raftelis

Mr. Thomas began his presentation on the impact fee fund by providing the basics about them. He explained how they're paid by new development, what they are used for, how they avoid growth-related costs from burdening existing residents, what they can be used for and how they are adopted by ordinance. Mr. Thomas also touched on some of the legal considerations and explained the methods and criteria to charge impact fees are becoming harder. He broke down the Florida Impact Fee Act and discussed the new limitations on increasing impact fees. He stressed the importance of speaking to the city attorney regarding the impacts of Senate Bill (SB)1080 and SB 180. **Mr. Thomas** explained the fee is calculated by identifying the residential population, dwelling units, and developed nonresidential square footage. They then review the level of service criteria and identify any existing and future planned investments in capital facilities. The cost is then allocated to be recovered among residential and non-residential customer classes (where applicable). **Mr. Thomas** then went into the comparison between existing and calculated impact fees in police, fire, parks and recreation, as well as all three departments combined (figure 2).

Combined Current Impact Fee Comparison Single Family

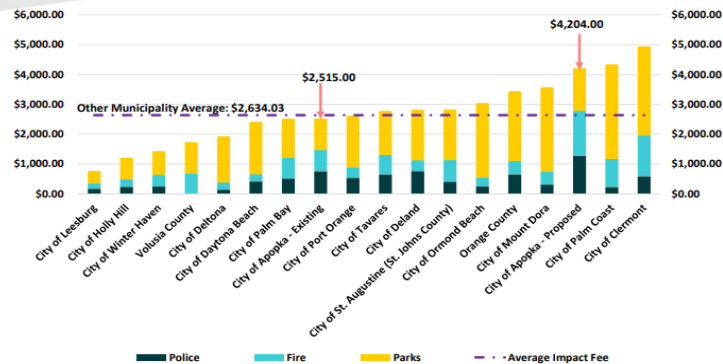


Figure 2

He explains some of the implementation considerations would be the amount of increase in the residential and non-residential fees and that the maximum estimate of impact fee levels surpasses the standard statutory increase limit of 50%. They recommend phasing the increase in evenly over 4 years or pursue a full one time increase through extraordinary circumstances provisions. **Mr. Thomas** concluded reminding council to work with the City Attorney regarding the impacts of SB 1080 and 180, and requesting direction from Council on how to proceed with the fee implementation. **Mayor Nelson** asked if the slide about additional implementation considerations should state “if fees have been updated...” instead of “if fees have **not** been updated...” and whether the work “not” should be removed. **Mr. Thomas** clarified the slide is correct and if the fees have **not** been updated in more than 5 years than fees can’t be passed via extraordinary circumstance provisions. This is just an example of how they are making it harder.

Discussion ensued on when the last time fees were updated was and whether it falls within the 5 years. Mr. Thomas said he would go back in his records and check.

Commissioner Nesta asked Mr. Thomas what his recommendation given the circumstances. **Mr. Thomas** replied they would come back and present some alternatives along with the legal background to help them make the right decision. **Mayor Nelson** asked what the timeline looks like. **Mr. Thomas** replied they want to adopt the fees for water, wastewater, and sanitation with the October budget. **Ms. Sherman** stated that we do that in September but she needs a consensus today on whether they want to proceed with the rate increase because she needs to have notices out by August 1st. She explained she will be sending out a letter on August 1st which will include the proposed rate increase for water, wastewater, and sanitation. The storm water rate increase notice goes through a trim process, just like millillage. She is trying to get a consensus on whether the council would like her to proceed or not.

Discussion ensued on whether Ms. Sherman was requesting an action be taken and if this meeting was the place to do that. It was asked when she would take action to put

it on the trend notice for August. She replied that's what she's trying to do now. Commissioner Nesta and Ms. Sherman had some back and forth on presentations and workshops and whether a consensus should be taken during a workshop or not however nothing was decided and they moved on to Stormwater.

3. Proposed Stormwater Rate Increase
Presented by: Blanche Sherman

Ms. Sherman started her presentation by stating they are proposing a 20% increase in the stormwater. **Mr. Thomas** took over the presentation and showed the comparison of current monthly residential stormwater bills, which shows the cost of providing storm water services is now in the \$9.00 to \$12.00 range (figure 3). This is an assessment so it will go on the tax bill as an annual fee. He explains that although the percentage sounds high this would put it at \$12.00 a year. They need to raise enough funds to do assessments and know where the money needs to be spent.

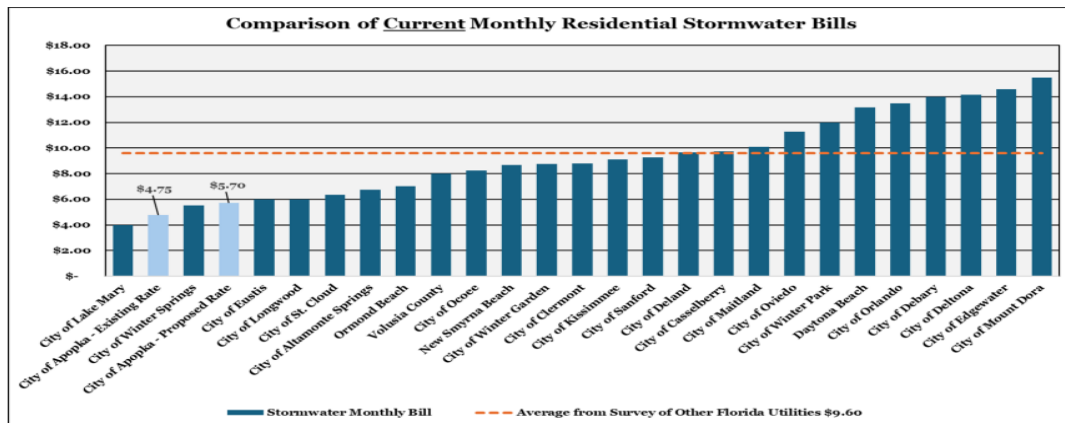


Figure 3

Ms. Sherman approached the podium and stated, in regard to following the ordinance, they have to send out the notices and then do the public hearing where the action would take place. She is asking for consensus on the rates (utility, water, wastewater, sanitation, and stormwater) that are reflected in the 2026 budget.

Mayor Nelson asked if anyone had questions for **Ms. Sherman**.

Commissioner Velazquez asked to confirm they're all in the 15%. **Ms. Sherman** replied yes. **Commissioner Smith** asked what the increase for wastewater in dollar amount per resident. **Mr. Thomas** replied it would be an \$11.08 per month increase from \$71.38 to \$82.46 for 6,000 gallons of water and wastewater. **Mayor Nelson** asked Mr. Thomas if he could provide updated comparison charts. **Mr. Thomas** replied he would try to provide it before they adopt the fees.

Ms. Sherman asked for a consensus to proceed with the notice to which the council replied yes.

Commissioner Smith asked when they would be able to meet to address the impact increase. It was agreed they would add it to the first meeting in August along with the history of when fees were updated.

ADJOURNMENT

The meeting adjourned at 6:17 PM

All video recordings of City Council Meetings are always posted on the City of Apopka's YouTube page, for viewing.

Bryan Nelson, Mayor

Attest: _____
Susan M. Bone, City Clerk

Transcribed By: _____
Carolina Baez, Administrative Specialist

CITY OF APOPKA

OCCOEE-APOPKA COMPLETE STREETS PROJECT

Better Utilizing Investments to Leverage Development (BUILD)

JANUARY 30, 2025

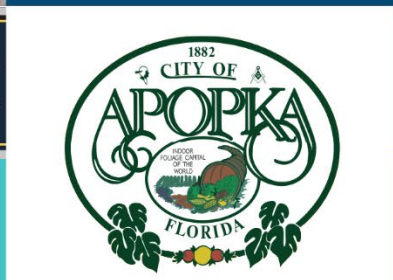
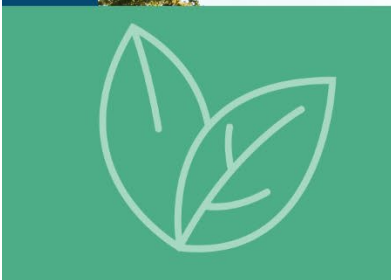
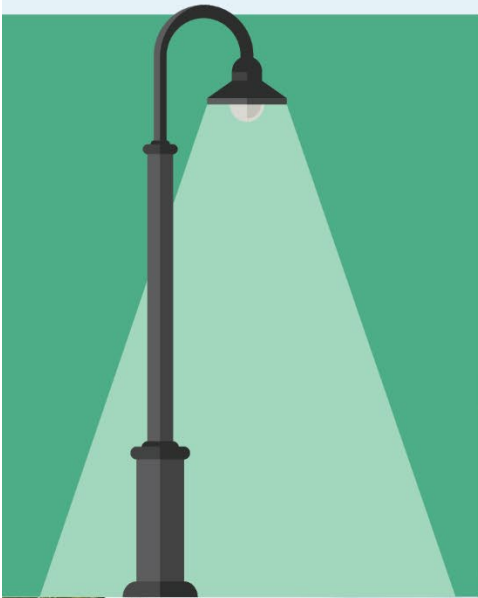


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Project Description/Statement of Work

The City of Apopka, with support from Centerline Capital Advisors and Orange County, is pursuing a Capital Projects grant with the U.S. Department of Transportation's (USDOT) FY 2025 Better Utilizing Investments to Leverage Development (BUILD) program to develop Ocoee-Apopka Road (CR) 437A, from Harmon Road to South Hawthorne Avenue, into a proposed Complete Streets Alignment.

The project is a Capital Project and will include widening the Ocoee-Apopka Road from two to four lanes to provide additional roadway capacity for the needs of existing and future users of this congested and navigably challenged corridor. The project is within one Census Tract qualifying as an Area of Persistent Poverty.

Ocoee-Apopka Road is a major urban collector serving local, regional, and national trips. It is one of the two main roads providing access to Downtown Apopka from the Cities of Ocoee and Winter Garden, and unincorporated areas of Orange County.

Ocoee-Apopka Road is the only access to and from jobs for many residents residing in Ocoee, Winter Garden, and unincorporated areas of Orange County. When accidents occur, the road is completely shut down and workarounds are all but non-existent. The widening and addition of the proposed Complete Streets elements will allow for additional ingress and egress when accidents do occur.

The project focus is to improve safety and access management, increase roadway capacity for auto vehicles, accommodate future development, provide a proposed Complete Streets for the existing and future users (including bicyclists/pedestrians), and identify right-of-way needs while minimizing acquisition, where possible. Three schools are located within the project area.

Current Design Status

The Project's design status is not yet started at the time of this application. The final design is set to be completed by August 2026.

Transportation Challenges and Solutions

The current carrying capacity of the Ocoee-Apopka Road is not enough to accommodate the traffic traveling through. This is causing extensive wear and tear on the road infrastructure as well as damage to the surrounding environment and local air quality. By facilitating the construction of a proposed "Complete Street", with the roadway lane expansion as part of it, to promote greater utilization of non-motorized and multi-modal travel, the road will be less strained by car traffic and therefore more capable of handling the moving traffic. The current transportation challenges of Ocoee-Apopka being an overly congested vehicle-centric road will be addressed through the proposed roadway changes.

Project Location

The project is located in two Census Tracts, 175.01 and 176, with tract 176 qualifying as an Area of Persistent Poverty. The project location is part of Orlando, Florida which is an Urban Area.

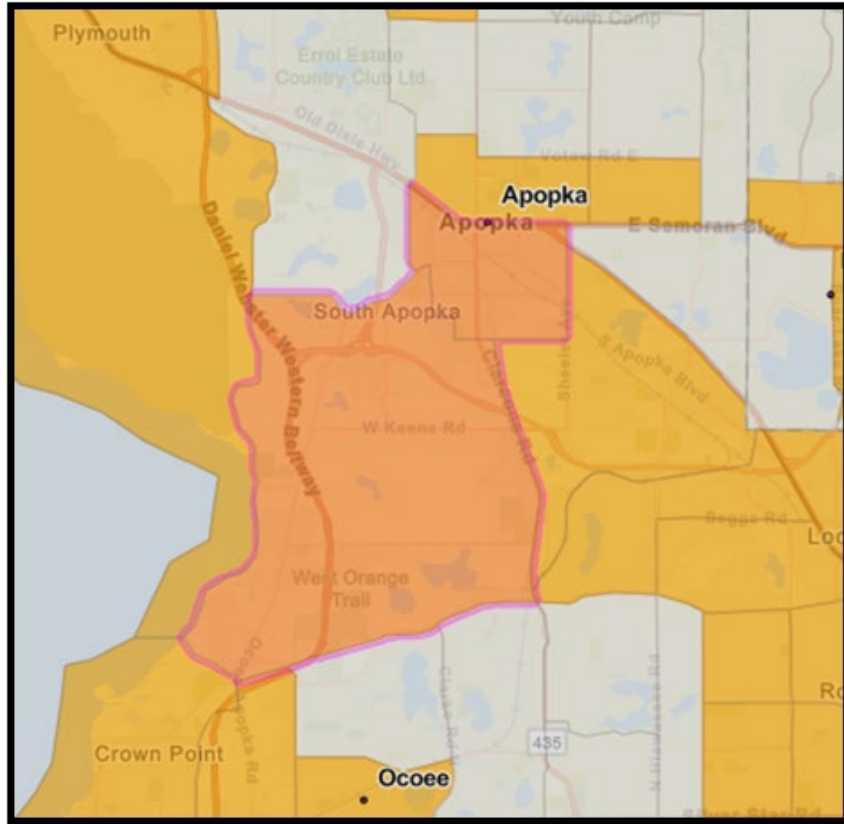


Map 1: **Project Site Location**

Area of Persistent Poverty

Table 1: **Census Tracts – Area of Persistent Poverty**

Census Tract Description	Census Tract 175.01 , Orange County, Florida	Census Tract Description	Census Tract 176.00 , Orange County, Florida
Area of Persistent Poverty (no, 0; yes, 1)	0	Area of Persistent Poverty (no, 0; yes, 1)	1



Map 2: **Census Tracts 175.01 and 176**

According to the U.S. Census, and utilizing the My Community Explorer 2.2 tool:

In Census Tract 175.01, Orange County, Florida,

- **18.3%** (+/-8.0%) of the population had an **income below the poverty level**, in the past 12 months,

In Census Tract 176, Orange County, Florida,

- **30.6%** (+/-10.1%) of the population had an **income below the poverty level**, in the past 12 months,

Census Tract 176 is listed as a Persistent Poverty Tract using the Grant Project Location Verification DOT tool.

Census Tract 176 is a Low-Income Community designated **Qualified Opportunity Zone** located in Apopka, Florida. This 2.1 square mile census tract has a population of approximately 5,100.

This Opportunity Zone has a median household income of approximately \$38,000, which is **36%** lower than the median household income for the state of Florida of \$59,000.

Location	Median household income
Census Tract 176	\$38,000
Apopka	\$66,000
Orange County	\$96,000
Florida	\$59,000
U.S. average	\$66,000

The percentage of households below the poverty line in this Opportunity Zone is **31%**, which is 18% higher than the rate for the state of Florida of 13%.

Location	Poverty rate
Census Tract 176	31%
Apopka	9%
Orange County	9%
Florida	13%
U.S. average	12%

This Opportunity Zone has a median home value of approximately \$89,000, which is **64%** lower than the median home value for the state of Florida of \$250,000.

Location	Median home value
Census Tract 176	\$89,000
Apopka	\$230,000
Orange County	\$730,000
Florida	\$250,000
U.S. average	\$240,000

This Opportunity Zone has a percentage of population with high school diploma of approximately **75%**, which is 13% lower than the rate for the state of Florida of 88%.

Location	Education
Census Tract 176	75%
Apopka	86%
Orange County	86%
Florida	88%
U.S. average	89%

This Opportunity Zone has a median age of approximately **31**, which is 26% lower than the median age for the state of Florida of 42.

Location	Median age
Census Tract 176	31
Apopka	37
Orange County	39
Florida	42
U.S. average	39

Urban/Rural

This project is located in two urban census tracts.

Project Location File

[Project Location File.kmz](#)

Also being uploaded separately.



Project Budget

Sources, Uses, and Availability

The total estimated cost of the project is \$21,700,000 with a BUILD (Formerly Known As RAISE) Grant funding request of \$17,360,000 or 80% of the total project cost. The City of Apopka will provide a 20% match in the amount of \$4,340,000

Table 2: **Budget Funding by Census Tract**

Census Tract(s)	Project Costs per		City Match Funds
	Census Tract	Grant Funds	
175.01	\$ 16,275,000	\$ 13,020,000	\$ 3,255,000
176.00	\$ 5,425,000	\$ 4,340,000	\$ 1,085,000
Total Project Cost:	\$ 21,700,000	\$ 17,360,000	\$ 4,340,000

Census Tract 175.01 is not listed as an Area of Persistent Poverty.

Census Tract 176.00 is listed as an Area of Persistent Poverty.

The City of Apopka's non-federal funding commitment letter is included in the Attachments section of this application. The total amount is \$4,340,000.

The preliminary engineering will be programmed in fiscal year 2025 and construction in fiscal year 2027. Funding programmed for construction will not be utilized until all preliminary engineering activities are complete. Full funding details that align with the Statement of Work are identified in Table 3.

Table 3: **Project Full Funding Details**

Project Funding Table			
Task #	Task name/project component	Cost	Percentage of total cost
1	Detailed Project Work Plan, Budget, and Schedule	\$868,000	4%
2	Design Plans and Detailed Cost Estimate for the following project components: - Civil - Right-of-Way - Permitting - Utility Coordination		
3	Construction	\$19,530,000	90%
4	Final Performance Report	\$868,000	4%
5	Grant Administration	\$217,000	1%
Unallocated Contingency:		\$217,000	1%
Total Project Cost:		\$21,700,000	100%
Grant Funding Requested Amount:		\$17,360,000	80%
Matching Funds Amount:		\$4,340,000	20%
Federal Funds Received from Previous Grant:		\$0	N/A
Non-Federal Funding/Match:	State Matching Funds:	\$0	N/A
	In-Kind:	\$0	N/A
	Preliminary Engineering/Inspection costs:	\$4,340,000	20%
Portion of Non-Federal Funding from the Private Sector:		\$0	N/A
Source:	Amount	N/A	N/A
Portion of Total Project Costs Spent in a Rural Area:		\$0	N/A
Pending Federal Funding Requests:		\$0	N/A

Contingency Amount and Plan

A one percent (1%) contingency amount of \$217,000 is built into the current budget to cover unexpected potential costs or overruns. Potential cost overruns will be covered by the City of Apopka.

Level of Design

No design has been completed.

Cost Estimates

Cost estimates were first estimated by Mike Woodward, PE with Kimley-Horn and Associates, Inc., with Jason Halliburton, BCC Engineering and FDOT District 5 – Local Program In-House Consultant. Updates to the cost estimate are reflected in the Benefit-Cost Analysis.

Cost Share

The Grant requires a minimum 20% cost-share, and the City will provide a matching amount of 20% (or \$4,340,000) of the total Project costs. Funds have been appropriated for Fiscal Year 25-26 for this project.

Funding Commitment Documentation



120 E. Main Street, Apopka, Florida 32703-5346
Phone: 407-703-1700
www.apopka.gov

January 30, 2025

The Honorable Sean Duffy
Secretary of the United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: City of Apopka BUILD (Previous known as RAISE) Grant Funding Commitment Letter

Honorable Secretary Duffy,

We appreciate the opportunity to submit our application for funding under the FY 2025 Better Utilizing to Leverage Development (BUILD) for the City of Apopka's Ocoee-Apopka Complete Streets Alignment Project (OACSP).

The project is located in two Census Tracts, one of which is an Area of Persistent Poverty. This project will provide for a Complete Streets Approach including elements of safety, pedestrian and bicycle paths, lighting, sensors, and widening of the road from two lanes to four lanes. While the Guidance regarding funding in Areas of Persistent Poverty indicates that grant funding may be higher than 80%, we are proposing a grant amount of \$17,360,000 (80%) with a City match amount of \$4,340,000 or 20%.

The City of Apopka has allocated the City's match amount of \$4,340,000 for this project.

I, along with the Citizens of the City of Apopka, thank you in advance for your consideration in funding our project. Should additional information be needed, please do not hesitate to call me at 407-703-1700.

Sincere Regards,

Bryan Nelson
City Mayor

Mayor: BRYAN NELSON Commissioners: ALEXANDER H. SMITH DIANE VELAZQUEZ NADIA L. ANDERSON NICK NESTA

Merit Criteria

Safety

The City of Apopka (the City) recognizes the need to develop the Ocoee-Apopka Road into a proposed Complete Street to improve the safety of this major urban collector and to provide additional capacity for existing and future roadway users. Safety is a primary project purpose for the proposed Ocoee-Apopka Road Complete Streets Project (OACSP) and is planned to protect non-motorized travelers and communities from safety risks and to reduce fatalities and serious injuries. The OACSP aligns with USDOT's National Roadway Safety Strategy Plan in several ways, as outlined below.

Existing Project Conditions

The City is one of the top 25 cities for pedestrian fatalities for cities of its size, and the National Complete Streets Coalition and Smart Growth America's Dangerous by Design ranks the Orlando-Kissimmee-Sanford, Florida MSA first for the number of pedestrian deaths and most dangerous metropolitan areas for people walking.

Ocoee-Apopka Road currently serves many travelers including emergency responders from AdventHealth Apopka and Fire Station #6, as well as residential users from the nearby Emerson Park. Phillis Wheatley Elementary School, Central Florida Preparatory School, and John Bridges Community Center (Head Start Program and childcare) are all located within the Project Area.

The current condition of the road is dangerous for motorists, pedestrians, and bicyclists, of all ages and abilities. As the area continues to grow the need to provide safe roadways to accommodate all users is integral to the surrounding community.

Table 4: Existing AADT's of Road Segments

Roadway Segment	Count Date	Source/Type	ADT	Axle Adj.	Seasonal Adj.	Adjusted AADT
South of Harmon Rd	01/18/2022 to 1/19/2022	48-hour volume count	10,994	0.99	1.05	11,500
Harmon Rd to Boy Scout Rd	01/18/2022 to 1/20/2022	72-hour volume count	10,617	1.00	1.05	11,000
Boy Scout Rd to Marden Rd	01/18/2022 to 1/20/2022	72-hour volume count	10,256	1.00	1.05	11,000
Marden Rd to South Bradshaw Rd	9/14/2021 to 9/15/2021	72-hour volume count	12,178	0.99	1.01	12,000
South Bradshaw Rd to South Hawthorn Ave	10/19/2021 to 10/21/2021	72-hour volume count	7,405	0.99	1.05	7,700

East of South Hawthorne Ave	03/02/2022to 03/03/2022	48-hour volume count	7,737	0.99	0.98	7,500
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The Annual Average Daily Traffic (AADT) for all roadway segments was estimated using the roadway classification volume counts along with the applicable seasonal and axle adjustment factors obtained from the 2019 Florida Traffic Online (FTO) database and are summarized in Table 4. The average Adjusted AADT for the Ocoee-Apopka Road when combining all six road segments is 10,117.

Crash data was obtained utilizing Signal4 Analytics for a five-year period (January 1, 2017 – December 31, 2021) along Ocoee-Apopka Road. The collected data was checked for any duplicates. Along the analyzed segment of Ocoee-Apopka Road, 138 crashes occurred, with 56 of those resulting in injuries and one resulting in a fatality.

Table 5: **Crash Data Summary by Year**

Year	Total Number of Crashes	Number of Injury Crashes	Total Number of Injuries	Number of Fatal Crashes	Total Number of Fatalities	Number of Wet Condition Crashes
2017	20	7	9	0	0	1
2018	30	12	20	0	0	3
2019	31	17	25	1	1	6
2020	19	2	3	0	0	2
2021	38	18	25	0	0	5
Total	138	56	82	1	1	17

Table 6 below summarizes the number of crashes by harmful events along the proposed project corridor. The two most predominant crash types were Angle (49.3%) and Rear End (27.5%).

Table 6: **Crash Summary by Harmful Event**

Crash Type	2017	2018	2019	2020	2021	2017-2021	Average Per Year	Percent
Pedestrian	1	0	0	0	0	1	0	0.7%
Bicycle	0	0	0	0	1	1	0	0.7%
Left Turn	1	2	1	0	4	8	2	5.8%
Off Road	1	4	6	4	2	17	3	12.3%
Rear End	6	11	10	2	9	38	8	27.5%
Angle	10	12	14	12	20	68	14	49.3%
Other	1	1	0	1	2	5	1	3.6%
Total	20	30	31	19	38	138	28	100%

Segment crash rates in crashes per million vehicle miles traveled for 2017-2021 were calculated for the Ocoee-Apopka Road to compare the actual crash rate to the statewide average crash rate for similar facilities. Each transition in the crash rate category or AADT requires a break in the

segment crash rate calculation, resulting in two segments for the project corridor. The first segment extends from the southern end of the project corridor at Harmon Road to Boy Scout Road and the second from Boy Scout Road to the northern end at South Hawthorne Avenue. The statewide average crash rate was extracted from the Florida DOT CAR system. Table 7 below provides a summary of crash rates along the corridor.

Table 7: Crash Rate Analysis Summary from 2017-2021

From/To	Number of Crashes	Length (miles)	AADT	ACR	Crash Rate Category	AVG	High Crash Segment?
Harmon Rd to Boy Scout Rd	30	0.677	6,000	4.047	Urban 2-3 lane 2-way Undivided	2.908	Yes
Boy Scout Rd to South Hawthorne Ave	108	1.076	10,400	5.288	Urban 2-3 lane 2-way Undivided	2.908	Yes

Project Impact on Safety

The OACSP aligns with USDOT's National Roadway Safety Strategy Plan in several ways. First, the OACSP will protect non-motorized travelers and communities from safety risks and reduce fatalities and serious injuries.

To accomplish the City's safety goals, the OACSP is proposing to use a "Complete Streets" approach. According to USDOT, Complete Streets are streets designed and operated to enable safe use and support mobility for all users. Those include people of all ages and abilities, regardless of their chosen mode of transport. The City will incorporate the following:

- Widening the Ocoee-Apopka Road to increase safety and capacity for current/future users.
- Improving weak areas of corridor sidewalks to improve pedestrian safety.
- Adding median islands with landscaping to encourage slower speeds.
- Including a multi-use trail along the project corridor to connect residents with points of interest throughout the community.
- Improving the paved side lanes currently used for biking. A shared use path next to the roadway that could accommodate various multi-modal or active transportation.
- Improving lighting along the project corridor for both vehicles and pedestrians.
- Adding more signage and signals throughout the corridor to encourage slower speeds and increase pedestrian awareness.
- Installing a traffic signal at the intersection of Harmon Road, Marden Road, Boy Scout Road, and Ocoee-Apopka Road.
- Improving corridor drainage and water handling capability to prevent ponding and dangerous conditions.

Safety for all users is one of the City's and Orange County's priorities, as identified in the County's 2030 Long Range Transportation Plan. Incorporating Complete Streets policies into the OACSP planning and design will improve roads and paths to better accommodate a wider range of users, increase awareness that different users are present and sharing the road, and create design elements and use assets to reduce vehicle speeds.

Safer people, safer roads, and safer speeds are part of USDOT's, "Safe System Approach" and align with the City's project goals. Safer people mean encouraging safe, responsible driving habits for road users. Driving at safer speeds is a part of the safer people approach. Safer roads mean designing roads to mitigate human mistakes and make roads safer for all users. Using Proven Safety Countermeasures such as those being planned here including median islands, bicycle lanes, lights, and visibility enhancements are all a part of making roads safer. Finally, safer speeds are realized through thoughtful roadway design, education, and enforcement.

Environmental Sustainability

The City is committed to constructing the proposed OACSP while prioritizing Environmental Sustainability. Specifically, the City has studied the corridor to improve the resilience of the Ocoee-Apopka Road and related infrastructure to withstand extreme weather events and natural disasters. Further, the City is mindful of endangered species that may be in or near the project area and has prioritized avoiding any adverse impacts on these animals, fish, and birds.

Project Environmental Survey Overview



Image 1: Area Floodplain

Contamination concerns within the project area include citrus groves (herbicides/ pesticides/ heating oil), commercial, industrial, and healthcare facilities. Therefore, an evaluation of the FDEP Map Direct GIS application and Florida Geographic Data Library for hazardous, contamination, and above or below storage tanks sites was conducted on February 14, 2021, to identify hazards and contamination sites. The results are summarized below:

- The project area is in a rapidly developing urbanized area with agricultural, residential, commercial, and industrial land use types. The project area includes limited access to interstate systems (SR 414, SR 451, and SR 429).

- Five wetland types and two surface water types have been identified with the project area.
- 16 National Pollutant Discharge Elimination System permits were issued for construction or industrial activities. These facilities are throughout the project area. Six remain active.
- Six Resource Conservation and Recovery Act (RCRA) sites are documented in and adjacent to the project area. These sites house healthcare and industrial businesses.
- One biomedical waste site was identified within the project area. This site is associated with a funeral home at the northern end of the project area.
- There are four compliance and enforcement hazardous sites within the project area, affecting healthcare and industrial facilities, at the project's northern and southern ends.
- One petroleum contamination monitoring site was identified within the project area. This site is at the southern end of the project area. According to the FDEP data, the site has been closed, and remediation has been completed.
- There are five storage tank contamination sites within the project area. These sites are closely related to facilities that have bulk fuel storage for emergency generators and gas stations. These facilities are at the northern and southern ends of the project area.
- One Brownfield area was identified at the project's north end. The City established it as a community redevelopment area to reduce public health and environmental hazards on existing abandoned or underused commercial and industrial sites.

Project Environmental Survey Specific to Environmental Sustainability

There are four locations within the project area that are in the 100-Year Floodplain (Zone A and AE). These zones are approximately 217.72 acres in size and area estimated to have 1% or greater chance of being flooded during any given year.

Concluding its environmental survey of the project and surrounding area, the City identified two findings to focus on for the OACSP, as they could be the most impacted and impactful to successful completion. The City has identified an opportunity to improve existing drainage conditions around the project area. Creating stormwater ponds with appropriate stormwater conveyance is being planned. Further, being mindful of species and their habitats is a priority.



Image 2: Existing Stormwater Conveyance

The City, along with Orange County, has long considered making drainage improvements from West 13th Street to South Hawthorne Avenue along the Ocoee- Apopka Road. Ocoee-Apopka Road between Harmon Road and Hawthorne Avenue is maintained by the Orange County Roads and Drainage Division, even though most of the surrounding property has been annexed by the City. The properties along the project corridor consist of a mix of single-family homes and commercial facilities. The stormwater system that serves this study corridor of the Ocoee-Apopka Road consists

of a mix of curb and gutter conveyance and roadside swales and side drains. The road system receives runoff from the surrounding properties. Many of the commercial facilities that line the corridor have stormwater systems that discharge to the road's drainage system.

In 2004, a study was conducted that recommended purchasing property within the area to provide offsite stormwater capacity. In 2021 another study was prompted by homeowners in the area. The 2021 study recommendation was to construct curbs, gutters, and inlets along the south side of Ocoee-Apopka Road. This design would capture run-off within the County-owned right of way and convey the water southwest within the existing County drainage infrastructure. These recommendations were based on the current design of the two-lane Ocoee-Apopka Road.

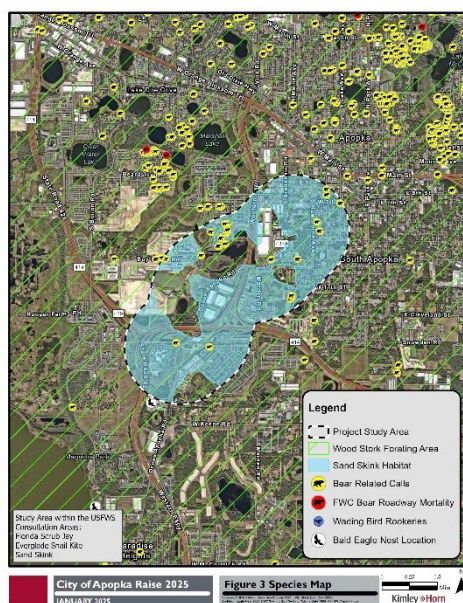


Image 3: Species Near the Project Area

Improvements to the project corridor will be performed according to specifications from the St. John's River Water Management District (SJRWMD), Orange County, and the City. For example, the SJRWMD specifies that drainage systems shall meet applicable discharge criteria for 10-year and 25-year frequency storms. On-site storage and outlet capacity should be designed for a 25-year storm. The outlet capacity design should be checked and further refined, if necessary, for a 10-year storm. Orange County specifies improvements shall conform with respect to type of curb, curb inlet type, runoff determination, stormwater that is spread into traveled lanes, storm sewer designs including pipe size and length, and culvert design. The City will require additional specifications on runoff and discharge rates.

Improving stormwater management for the area in an environmentally sustainable way also means considering endangered species that live in the project area. The City is mindful of species that frequent the area and that could be impacted by stormwater drainage solutions, including the creation of large stormwater retention ponds.

Based on a review of published information from the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission, there could be multiple environmentally sensitive species in the general project area. Species include various wading birds, wood storks, skinks, Bald Eagle nests, and the Florida black bear.

Quality of Life

The proposed OACSP prioritizes the improvement of Quality of Life by increasing affordable transportation choices and reducing vehicle dependence by improving access to other forms of transportation, including active transportation, in this underserved community. The OACSP will improve public health by adding new facilities and improving existing facilities to promote walking,

biking, and other forms of active transportation which will facilitate an important mode shift in the type of transportation favored by travelers. The City's Trails Master Plan connects to the major trail network in Central Florida. The result significantly benefits accessibility, affordability, and health for the residents and travelers within Apopka.

Demographic information presented here was gathered from both the 2020 US Census and the 2020 American Community Survey (ACS) 5-Year Estimate. As presented in the project area demographics below, the majority race within the project area is Black or African American (55.67%), followed by White (30.05%), and Asian (3.35%). 11.49% of the population in the project area identify as Hispanic and identified as a Historically Underdeveloped Community. These varied populations will all be accommodated and benefit from the proposed Project that aims to remove transportation burdens such as cost, accessibility, and safety concerns to make travel more affordable and environmentally friendly. This project will later improve the health, well-being, and quality of life for more users.

Project Impact

The OACSP will increase affordable transportation choices and reduce vehicle dependence by improving safe access to other transportation modes, including active transportation. Another benefit of this is mitigating urban heat islands through promoting a modal shift away from motorized transportation, a leading cause of local air, water, and environmental pollution.

New points of interest, commercial and retail opportunities including a natural grocer, and businesses are planned for the project area. There are three schools and four community centers within one mile of the project corridor. In addition, AdventHealth Apopka is a large multi-service hospital located in the southwest corner of the Ocoee-Apopka Road and Harmon Road intersection. A quarter mile south of the hospital is the Apopka Health and Rehabilitation Center. This project will enhance access to these daily destinations, meeting the travel need requirements of nearby residents, especially those who previously were inhibited from reaching these destinations due to economic barriers to travel via car,

The OACSP will ensure safety and improved capacity for current and future users by restoring and improving sidewalks, building paved bicycle lanes, and constructing a multi-use trail. The planned multi-use trail will be designed to connect with the Countywide trail system, and the project corridor ends within two blocks of the Apopka Lynx Superstop and connects via the City Trail Network. Providing easier access to the trail system and public transit are two additional ways that the OACSP will further reduce vehicle dependence and encourage the use of more affordable rail travel options. This adds to the available multimodal travel options facilitated by the Complete Streets Project that diminish transportation burdens and encourage more transit-oriented development and city planning within the City.

The facilitation of more affordable, diverse, and importantly safe, transportation options will improve the health of Apopka residents, create a connected community, and realize the City's goal of prioritizing Quality of Life for this community.

Table 8: **City of Apopka Demographics**

Category	Measure
Population	
Total Population	61,820
Population Density (Persons per Acre)	2.68
Households	
Total Households	20,470
Average Household Size	3.02
Household Density (Households per Acre)	0.888
Age	
Median Age	38.7 years
Population over 65	14.3%
Sex	
Male	48.3%
Female	51.7%
Race/Ethnicity	
White	43.5%
Hispanic or Latino	27.1%
Not Hispanic or Latino	37.4%
Black or African American	26.9%
Asian	3.6%
Two or More Races	18.2%
Other	11.7%
Income	
Median Household Income	\$95,703
Persons Below Poverty	8.4%
Housing	
Total Housing Units	19,425
Owner-Occupied	62.8%
Renter-Occupied	37.2%
Vacant	5.4%
Limited English Proficiency (LEP)	
Block groups with >5% Spanish LEP surrounding study area	1 (10.91%)
Vehicle Ownership	
Households with No Vehicles	3.0%

Mobility and Community Connectivity

The OACSP's proposed Complete Streets Approach includes several features that make Mobility and Community Connectivity a primary project purpose. The OACSP plans to address current

gaps, improve system-wide connectivity, and include features that increase accessibility for non-motorized travelers in this underserved community. Non-mobility, or the lack of safe and accessible non-motorized travel options, will be significantly diminished to instead replace primarily car-centric streets with universal design options, such as crosswalks, bike lanes, clear signage, lit pathways, that design streets to be accessible and safe for all users regardless of ability, age, or chosen mode of transportation.

Ocoee-Apopka Road is a key roadway for the City and its residents, providing connection to State Road (SR) 429 and Keene Road to the south, and Hawthorne Avenue, Park Avenue, and the Apopka Downtown District to the north. As the area continues to grow and new development enters, the need to provide adequate facilities for more users is integral to the safety and travel service for the surrounding community. The current two-lane configuration will not be able to handle future truck and passenger vehicle capacity needs. There are currently no multi-use trails near the project corridor. There are sidewalks, but the system is not complete. Shoulders are paved for bicyclists; however, current traffic volumes, speeds, and lane widths discourage the regular use of bicycles along the corridor. Though there are two bus stops located within a quarter of a mile of the project corridor, there are no bus stops located directly on the corridor. As such, the current infrastructure does not lend itself to promoting mobility and connectivity. The proposed Project will address these needs and promote increased transportation choices by developing safe connection routes within the City.

The new draft of the Orange County Master Trails Plan includes a proposed Lake Apopka Connector Trail that runs along Ocoee-Apopka Road. The inclusion of a multi-use trail along the project corridor is consistent with the City's Trail Master Plan and Active Network Transportation Study and provides the community with connections to the Lake Apopka Loop Trail, the Lake Apopka Connector Trail, the West Orange Trail, which then leads to other regional and countywide trails. Once on the City's system of trails, residents will connect with parks, community centers, conservation areas, the airport, a Lynx Apopka Superstop bus terminal, and more via the rest of the Orange County trail system. The Ocoee-Apopka Connector Trail itself will bridge into key intersections such as Harmon Road, Marden Road, and South Hawthorne Avenue where the trail will continue. This trail will connect the project corridor to 16 out of the 25 centers and services listed in the City's Trail Master Plan map within a two-mile radius.

Sidewalk systems along Ocoee-Apopka Road are present in many locations but are inconsistent and in need of repair. The OACSP will complete the sidewalk system and provide an alternate form of active transportation for users traveling in the project corridor. A complete sidewalk system will also afford residents access to the Apopka Superstop, a LYNX transit transfer terminal, which is located one mile from the West 13th Street and Ocoee-Apopka Road intersection and blocks from one of the ends of the OACSP project corridor. Residents will also have more ability to travel to any of the ten bus stops within a one-mile radius from the West 13th Street and Ocoee-Apopka Road intersection. As evidenced, the Project will lead to increased mobility of a wider variety of commuters by expanding the availability of safe route connections for multimodal travelers.

Crucial destinations ranging from recreational opportunities like parks and conservation centers as well as essential facilities, like airports, bus stops, and trail systems are more integrated into a bigger system of overall connectivity in a City where streets and travel have been historically vehicle-centric.

Economic Competitiveness and Opportunity

The OACSP, as part of improving the capacity of this major urban collector, is designed primarily to improve intermodal freight mobility and promote long-term economic growth and fiscal benefits for Orange County and the City. Secondary benefits include improving the movement of goods to and from the area. Additionally, the Project will act as a crucial connecting link for non-motorized multi-modal travelers to additional modes of transportation such as trail, bus, and plane that allow them to access economic areas and opportunities that were previously inaccessible without a vehicle. This encourages more inclusive opportunities for economic stimulation and participation for Apopka residents within a wider economic community.

The four projects connected to the OACSP and listed as part of the 2050 Metropolitan Transportation Plan (MetroPlan) Orlando Prioritized Project List, are listed below.

Table 9: 2050 Metroplan Multimodal Projects List (Draft)

Project Name	Project ID	Location	Length (miles)	Detailed Project Description
Complete Streets	MTP_2045.0528	Rock Springs Road from Welch Road to Lester Road	0.536	Complete Streets – Design Phase
Complete Streets	MTP_2045.0559	Ocoee Apopka Road from West Road to Binion Road	1.984	Complete Streets
TSMO/ITS	MTP_2045.0563	Ocoee Apopka Road at Keene Road	0.25	Safety Improvements
TSMO/ITS	MTP_2045.0564	Ocoee Apopka Road at Marden Road	0.25	Safety Improvements

Several of these projects relate to the OACSP project or the movement of freight and goods in and around the project area. The OACSP is defined as a Freight Distribution Route within the Regional Freight Network by MetroPlan Orlando's MTP Technical Series #4 Existing Conditions & Area Profile. South Bradshaw Road which intersects Ocoee-Apopka Road within the project limits, is defined as a Freight Activity Center Street in the same report.

Table 10: **Current Land Use**

General Land Use	Acres (within 500 feet)	Percent Total
Vacant Nonresidential	68.96	38.49%
Industrial	51.81	28.92%
Agricultural	23.55	13.14%
Residential	15.63	8.72%
Utilities, Right of Way, Other	7.50	4.18%
Governmental	5.66	3.16%
Institutional	3.69	2.06%
Vacant Residential	1.07	0.60%
Recreational	0.598	0.33%
Commercial	0.71	0.40%

Just south of the project area is the AdventHealth Apopka Hospital and the Apopka Health and Rehabilitation Center. Between SR 414 and SR 451, there are approximately 6,800 square feet of warehouses. Between West 13th Street and South Bradshaw Road, there are about 13 businesses along both sides of Ocoee-Apopka Road. A nationally recognized grocery store and other retail facilities will soon be built on the northeast side of the West Keene Road and Ocoee-Apopka Road intersection.

Comparing existing land use with future land use, the City expects that many of the agricultural and vacant lands will be converted to industrial properties.

Image 4: Future Land Use Map for the City of Apopka

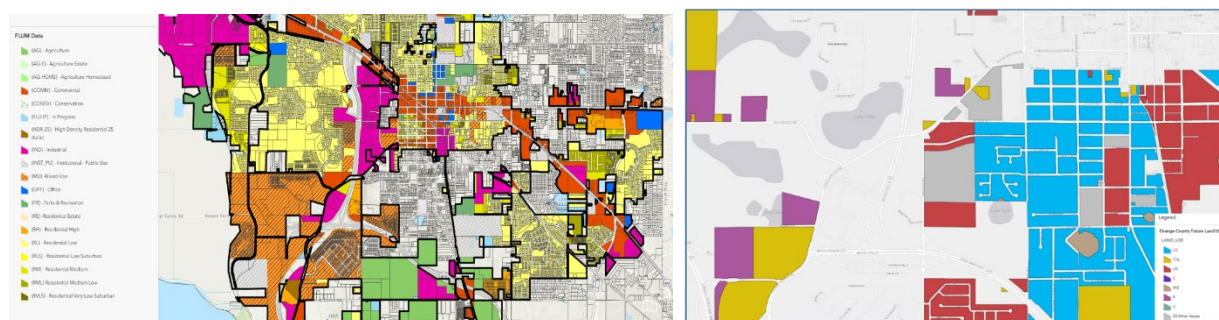


Image 5: Orange County Future Land Use Map

Industrial lands are expected to expand from their current locations with considerable consolidation occurring in the north, while the more rural undeveloped lands in the middle and south become habitable and income-generating mixed-use commercial and residential properties. The future land use shows an expected mixed-use property along the north side of Ocoee- Apopka Road between South Bradshaw Road and South Hawthorne Avenue and on either side of Ocoee-

Apopka after crossing Hawthorne Avenue, commercial developments fronting the corridor just outside of the study area.

The OACSP, as part of improving the capacity of this major urban collector, is being planned to improve intermodal freight mobility and promote long-term economic growth and fiscal benefits for Orange County and the City. The movement of goods down and through the Ocoee-Apopka Road is vital to this area.

The Orange County Future Land Use map (see above) includes the City and the project area. Future developments can be found in the Appendix.

State of Good Repair

State of Good Repair will be realized as a primary project purpose by restoring and modernizing the existing core infrastructure of the Ocoee-Apopka corridor. Part of restoring this infrastructure will be the proposed “Complete Streets” approach the City is taking toward the design and planning process. The City will also prioritize a State of Good Repair by addressing current and projected system vulnerabilities for this underserved community. Upon completion of the project, the Road will revert over to the City to maintain.

Existing Roadway Characteristics

Ocoee-Apopka Road is a two-lane urban major collector. Existing characteristics of the Ocoee-Apopka Road corridor are listed in Table 11. (Condition characteristics listed in Appendix D).

Table 11: Existing Roadway Characteristics

Characteristic	Observation
Roadway Maintaining Agency	Orange County
Functional Classification	Urban Major Collector
Level of Service (LOS) Target	E
Posted Speed Limit	35-45 mph
Major Intersections from south to north	Harmon Rd, Boy Scout Rd, Marden Rd 13th St, South Bradshaw Rd, South Hawthorne Ave
Land Uses	Public, Agricultural, Vacant Nonresidential, Industrial, Institutional, Residential
Lane Width	12 feet from Harmon Rd to Distribution Center 11 feet from Distribution Center to West 13th St 10 feet from West 13th St to South Hawthorne Ave
Median	None
Sidewalks	7-foot-wide concrete sidewalk at the Harmon Rd intersection, 5-foot-wide sidewalk adjacent to the Oakmont Distribution Center, and a 4-foot-wide sidewalk from South Bradshaw Rd Intersection to South Hawthorne Ave
Shared Use Path and Bike Lanes	None
Access Management Type	Non-Restrictive

Seven-foot-wide concrete sidewalks are present on both sides of Ocoee-Apopka Road at the intersection of Harmon Road and extend south of the project corridor. A 5-foot-wide concrete sidewalk is present along the east side of Ocoee-Apopka Road from just north of the SR 414 overpass to Boy Scout Road where it extends another 100 feet to the north. The sidewalk is separated from the roadway by a 7-foot-wide utility strip. Lastly, a four-foot-wide concrete sidewalk is present on the west side of Ocoee-Apopka Road beginning at the intersection with Bradshaw Road and extending north to South Hawthorne Avenue, separated from the roadway by a utility strip and drainage swales.

There are currently no multi-use trails and no designated bicycle lanes on either side of Ocoee-Apopka Road along the corridor. Paved shoulders for bicycling are present along both sides of Ocoee-Apopka Road from Harmon Road to just north of SR 414, and from 900 feet north of Boy Scout Road to West of 13th Street.

The current road traffic volumes are reaching high levels as seen in Table 4: Existing AADT's of Road Segments as shown on Page 11. The table supports the idea that the road is reaching its traffic capacity soon and there is a need for safe road infrastructure that supports the increased use of non-motorized travel to persuade people to steer away from vehicular travel. This will increase safety of multi-modal travelers and vehicular travelers, as there will be less drivers on the road, leading to less congestion and less chance of fatal and non-fatal collisions. With the roads being used at less capacity through the construction of this Project, the maintenance costs and frequency of needed repairs decrease. Multi-modal roads for non-motorized travel require less maintenance and erode at a slower rate than standard roads meant for vehicles. Therefore, the construction of this Project will be kept in a State of Good Repair as it is constructed to be more efficient in preventing maintenance burdens by requiring less frequent attention.

Current and/or Planned Projects

A list of current and/or planned projects can be found in the Appendix section.

Project Impact on State of Good Repair

This project is a road widening project to accommodate the safety and capacity needs of the community. The City is committed to transforming this vital corridor using a proposed Complete Streets approach to modernize the existing infrastructure assets that have met their useful life. Lighting, signage, drainage systems, side paths, traffic signals, and sidewalks will all be improved and modernized to ensure all users feel safe and are safe using the improved corridor. The City will maintain these assets in a State of Good Repair moving forward.

State of Good Repair will be realized by addressing current and projected system vulnerabilities for this underserved community. These vulnerabilities include the lack of capacity of the current two-lane corridor, the partial sidewalk system, the lack of a multi-use or multi-modal trail system, decreased access to transit, and other assets that need to be updated including lighting, signage, and traffic signals. The OACSP will first expand the corridor to accommodate various types of users

and future capacity. Next, this project will repair and complete the sidewalk system along the corridor and improve the paved bicycle/multi-use side lanes to encourage more active transportation. A multi-use trail is planned to run along the project corridor and will link with other planned trails in the County and community. Repairing the sidewalk system and installing a multi-use trail will additionally provide increased access to the County's Lynx Superstop transit center, which sits two blocks from one end of the project corridor. Finally, core assets will be updated and replaced with modern systems.

Partnership and Collaboration

The City has previously collaborated with several partners in the design and planning phase of the proposed OACSP). City officials have coordinated with other projects and developments and both public and private entities directly impacted by the OACSP project to collaborate and make Partnership and Collaboration a primary project purpose.

There have been three Project and Public Input sessions to date, plus the previous virtual public meetings. An in-person meeting was held on October 19, 2022, which discussed the study processes and began the process of finalizing recommended improvement concepts, while garnering public input.

A second meeting was held on December 9, 2024, from 5:30 PM to 7:00 PM the City presented an Informative and Public Input meeting that educated viewers on the project description, proposed Complete Streets approach, location, traffic conditions, safety measures, proposed enhancements, the project schedule, and funding considerations. The purpose of the presentation was to understand Resident concerns, communicate potential changes, and announce other public engagement opportunities via virtual outreach to everyone who signs up for it and targeted outreach to workers.

The most recent in-person Informative and Public Input Session was held on Monday, January 13, 2025, from 5:30 PM to 7:00 PM.

The City has engaged Orange County to implement many of the planned developments coming to the area, as the Ocoee-Apopka Road significantly factors in the access to these new industrial, commercial, and residential projects. The County will also be responsible for maintaining the Ocoee-Apopka Road in a State of Good Repair. The OASWP will connect into Orange County's trail system, so coordinating with the County on future plans and connections was key. City officials will coordinate with both the County and the St. John's River Water Management District the OACSP to implement significant stormwater drainage improvements for the project area.

Several local businesses and community service providers were engaged as well. AdventHealth Apopka Hospital sits at the end of the project area and could be impacted. Their needs and concerns are important to City officials. Schools, community centers, and a fire station that will be relocated to the project corridor were all studied.

The Ocoee-Apopka Road is one of two main roads providing access to Downtown Apopka from Ocoee. This road serves several types of users including emergency responders, industrial and commercial businesses in the area, and residents who live on or near the corridor. Partnership and Collaboration with these users is vital to this project's success and is a primary purpose.

Innovation

The proposed “Complete Streets” approach for the design, planning, and construction of the OACSP is new and innovative additions for this community. The city previously had no incorporation of the following elements used to enhance the project environment and safety:

- Smart Lighting – Providing enhanced lighting at night to improve safety and reduce power consumption.
- Bicycle and Pedestrian Sensors – Automated (passive) pedestrian and bicycle detection at intersections and mid-block crossings to warn vehicular traffic of vulnerable road users. This element fulfills the Merit Criteria’s requirement of monitoring real-time crosswalk conditions to increase safety and efficiency. These remove the responsibility away from the pedestrian to have to press the crosswalk sign in order to safely cross the roadway and reduce the likelihood of jaywalkers given that the crosswalk signal will automatically detect the presence of a pedestrian.
- Street allows for multiple modes of transit, including buses, cars, and non-motorists. This mitigates roadway congestion by offering more choices for safe transport.
- Creative landscaping
- Increased mobility options for the elderly, children, and those with disabilities. This increases the inclusivity of who the transportation route caters to.

Project Readiness

Planning and Constructability

STIP/TIP/TTIP/TAM Plan

The Project is not currently listed in Florida’s Department of Transportation’s (FDOT) STIP; however, it is listed as an unfunded project under the Orange County Metropolitan Planning Organization’s (MetroPlan) TIP.

Consistency with Other Plans

The project is listed as part of the FDOT Long-Range Project List; however, no funding has been appropriated from the District.

Property Acquisition / Right-of-Way

Right-of-Way Acquisition is scheduled to be completed in March 2026 during the first month of the grant funding period as shown in the proposed schedule included below.

Construction Techniques and Phasing

The proposed Ocoee-Apopka Complete Streets Project will not require unique construction techniques aside from the roadway expansion from two lanes to four lanes and the construction of multi-use paths and non-motorized transportation facilities. The Project will follow a phasing delivery method.

Proposed Schedule

To achieve project implementation, a schedule has been developed to deploy the necessary resources and begin implementation in November 2025. The project is scheduled for completion in December 2028.

- Project Development and Environment (PD&E): The Project Development and Environmental (PD&E) process will begin at the start of the funding period. The estimated start is in November 2025.
- Right-of-Way (ROW) Acquisition: ROW acquisition will begin during the first month of the grant funding period. December 2025.
- Final design, work plan, and budget complete: August 2026
- Construction: September 2026-December 2028

Table 12: **Proposed Schedule**

Milestone	Timeline
Preliminary Design	2 months
NEPA Process	N/A due to Categorical Exclusion
Permits/Approvals	2 Months
Project listed in STIP/TIP	No/Yes, on MetroPlan Orlando
Final Design	9 Months
ROW Acquisition	6 Months
Anticipated Obligation of Funds	36 Months
Construction	24 Months

NEPA and Permitting

NEPA Class of Action

The Project team anticipates the Project National Environmental Policy Act (NEPA) action will be a categorical exclusion, as it will not have significant adverse effects on the human environment and therefore will not require an environmental assessment nor an environmental impact statement.

NEPA Status and Milestones

This project is reasonably expected to begin construction in a timely manner consistent with all applicable local, State, and Federal requirements.

Reevaluation and Post Approval Changes

As mentioned above, the Project is anticipated to be a categorical exclusion with no significant adverse effects on the environment or humans. Therefore, the Project is not expected to require an environmental assessment or environmental impact statement, and no reevaluation before the beginning of construction is expected.

Permits and Approvals

Proposed improvements to Ocoee-Apopka Road are subject to the St. John's River Water Management District (SJRWMD), Orange County and City of Apopka criteria that are current at the time of the improvements.

Coordination with DOT

The project will align with the Florida Department of Transportation's Project Development and Environment Manual.

Project Support

Public and Agency Involvement Process

Public Engagement

The PD&E Study Process for this project incorporated the Public Involvement from Local Governments, Non-Governmental Organizations, Community Leaders, and Business Leaders into the development of this Project.

The following public meeting events took place in terms of community project involvement:

- 1) In February of 2022, the City conducted meetings with key stakeholders.
- 2) April of 2022, the City held a virtual public meeting to receive feedback from the local community. At this stage, the project was in the first step process of analyzing existing and future conditions.
- 3) The City of Apopka also held a City Council Meeting on October 19, 2022, which discussed the study processes and began the process of finalizing recommended improvement concepts, while garnering public input.
- 4) On December 9, 2024, from 5:30 PM to 7:00 PM the City of Apopka presented an Informative and Public Input meeting that educated viewers on the project description, proposed Complete Streets approach, location, traffic conditions, safety measures, proposed enhancements, the

Apoka Road

Posted on December 18, 2024

Input Survey: Occee Apopka Road Complete Streets Project

The City of Apopka is seeking residents' **input** for upcoming improvements to Occee Apopka Road through a **public survey**. This **feedback** is key to the future of this roadway. Your opinions are important in ensuring that the proposed enhancements meet the needs of the community.

This public input tool will be open **December 13, 2024, to January 15, 2025**.

The project is a Construction Project and will address several safety and widening elements of the Occee-Apopka Road to include widening the road from two to four lanes to provide additional roadway capacity for the needs of existing and future users of this congested and navigable-challenging corridor. Occee-Apopka Road is a major urban collector serving local, regional, and national trips. It is one of the two main roads providing access to Downtown Apopka from the Cities of Occee and Winter Garden, as well as unincorporated areas of Orange County. The widening and addition of the Complete Streets elements will allow for additional ingress and egress when accidents occur. The project focus is to improve safety, access management, increase roadway capacity for auto vehicles, accommodate future development, provide a Complete Street for the existing and future users (including bicyclists/pedestrians), and identify right-of-way needs while minimizing acquisition, where possible.

Occee-Apopka Road Complete Streets Project Survey

Vicinity Map and Public Input Tool

The City of Apopka appreciates you taking the time to **provide valuable input** related to the project. Please visit the **Public Consultation** to provide your input and view the Apopka Occee Road Project Presentation.

Upcoming Meeting

Our next in-person Informative and Public Input Session will be held on Monday, January 13, 2025 from 5:30 PM to 7 PM in Apopka City Hall Council Chambers.

Share your input on [Occee Apopka Road](#)

Tools

- Kiss
- Next.Mat
- View Archived

Categories

- All Categories
- Apopka News
- Public Notices & Press Release
- ADA Compliance
- Apopka Police News
- Apopka Fire News
- Camp Mena News
- Economic Development
- Apopka Ambulance

Select Language

Another means of obtaining public input was in the form of an online live survey tool called PublicCoordinate™. The survey was open from December 13, 2024, to January 15, 2025.

The Project Partners shall perform all project tasks required through a coordinated process, involving the following:

- All construction-related work is proposed to be carried out by third-party contractors and will conform with the Federal requirements. Construction, engineering, inspection, and project management services are proposed to be administered by private engineering consulting firms.

There are opportunities for the creation of construction-related jobs, which contribute to the region's economic vitality. The City of Apopka will maintain the project post-completion.

The Project also has written Letters of Support, (see Appendix), from the following entities:

Apopka Christian Ministerial Alliance	Bike/Walk Central Florida	Cadence Partners	Centerline Capital Advisors
Central Florida Preparatory School	MetroPlan Orlando	Orange County Mayor Jerry L. Demings	U.S Representative Daniel Webster

Public and Agency Involvement Results

The results from the February and April 2022 meetings relay both the key stakeholders as well as the locals are in support of the proposed Complete Streets Alignment of the Ocoee-Apopka Road.

The results from the December 9th, 2024, Informative and Public Input Session received in-person comments as well as virtual ones on the Project website that went live on December 13, 2024.

Public input expressed interest in the modifications to the road as well as concerns over the current safety and environmental state of the existing roadway infrastructure. Seen below are the comments organized using PublicCoordinate™ technology. Red circles signify an individual feeling unsafe driving or walking in that specific area. The yellow circles are suggestions or ideas for roadway improvements.

Image 8: PublicCoordinate™ Comments

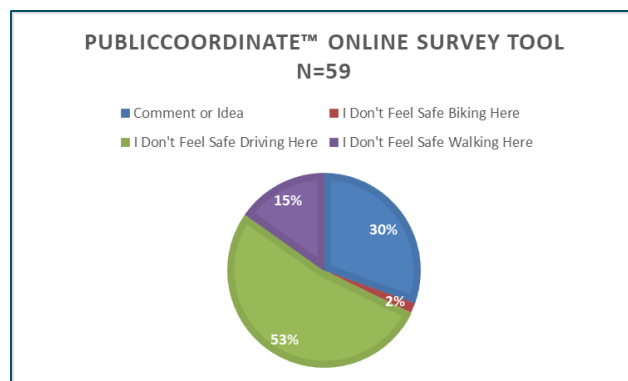
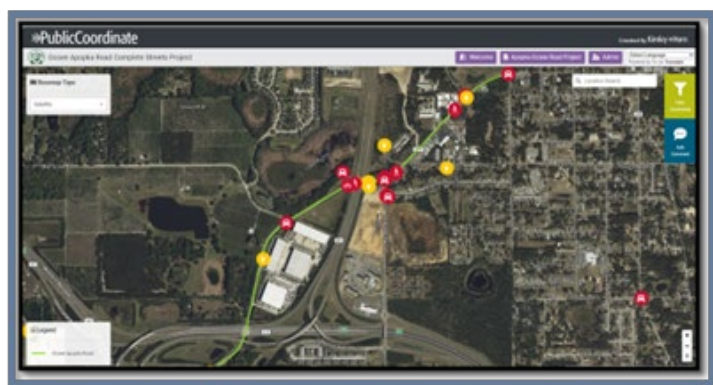


Image 9: Pie Chart Breakdown of Public Opinion via PublicCoordinate

Risks and Mitigation

The City will address project risks for procurement delays, environmental uncertainties, and issues with deliverable goods proactively while communicating with USDOT throughout the process.

Table 13: **Risk and Mitigation Strategies**

Risk	Mitigation Strategy
Funding Shortage	The City is prepared to cover any additional costs that may arise during the Project that are not covered by BUILD funding.
Construction Delays	The Project schedule includes adequate time allotted for potential weather-related delays and reasonable unforeseen circumstances that may impact construction.
Traffic Impacts	Traffic Impacts will be minimized through the establishment of well-defined detours, which will always be in place when construction is active.

Technical Capacity

Federal Funding

The City of Apopka uses the terms Intergovernmental revenues, which refers to revenues received or used from grants for governmental fund types, and non-operating revenues, which describe unrestricted grants used for revenues, to express federal grants awarded within their annual comprehensive financial reports. The City of Apopka has been awarded at least \$3.3 million every year since 2023. The highest amount of federal funds awarded was in 2023 in the amount of \$20,304,296. This is an indicator of the federal government's continued trust in the City of Apopka to utilize federal monies in an appropriate and timely manner. These numbers also prove the City's experience in managing and administering several millions of dollars in federal funding for a variety of projects including transportation projects such as the one being proposed. In 2023, of the more than \$20 million awarded in intergovernmental revenues, \$7,874,486 of those funds were specifically spent on transportation expenses. The total amount of federal funding awarded in 2024 was \$3,828,932.

Federal Regulations

The applicant is aware of the federal contract and procurement requirements such as Build America Buy America, Americans with Disabilities Act, Uniform Relocation Assistance and Real Property Acquisition Act, Davis-Bacon Act, and all other necessary requirements. The Project will be constructed in compliance with all the necessary local, state, and Federal requirements.

Project Planning

The Project has been successfully added to the Florida Department of Transportation (FDOT) long-range project list.

Project Delivery

The City of Apopka has extensive history and experience in planning and executing transportation. Although they are smaller in size and complexity, the principal scope and purpose of the roadway improvement align with the current project purpose. An example of this is the Simpson Road widening project from two lanes to four lanes stretching from Myers Road to Simpson Road. This Project can be found in the same Metroplan Orlando Project List that the proposed Project is listed on as mentioned in the Merit Criteria on Page 20. An example of this is the design and construction of the resurfacing and upgrading of pedestrian curb ramps along Semoran Boulevard from U.S. 441 to the Seminole County line. The Project length is 2.274 miles and had a design cost of \$835,000 and an additional construction cost of \$8 million.

Benefit-Cost Analysis Narrative

This technical memorandum serves as a supplement to the Benefit-Cost Analysis (BCA) Spreadsheet submitted as part of the proposed Ocoee-Apopka Complete Streets Alignment Project (the “Project”) 2025 BUILD Grant Application being submitted by the City of Apopka (the “City”). The Grant application has been prepared to request funds in support of the development of the Ocoee-Apopka Road (CR) 437A, running from Harmon Road to South Hawthorne Avenue. The City has analyzed the costs and benefits of the Project; these benefits will improve the safety and mobility of vehicular, multi-modal, and non-motorized travel.

Project Description



Map 3: **Project Location**

The City of Apopka, with support from Centerline Capital Advisors and Orange County, is pursuing a Capital Projects grant with the U.S. Department of Transportation’s (USDOT) FY 2025 Better Utilizing Investments to Leverage Development (BUILD) program to develop Ocoee-Apopka Road (CR) 437A, from Harmon Road to South Hawthorne Avenue, into a proposed Complete Streets Alignment. The project is a Capital Project and will include widening the Ocoee-Apopka Road from two to four lanes to provide additional roadway capacity for the needs of existing and future users of this congested and navigably-challenged corridor. The project is located in one Area of Persistent Poverty.

Ocoee-Apopka Road is a major urban collector serving local, regional, and national trips. It is one of the two main

roads providing access to Downtown Apopka from the Cities of Ocoee and Winter Garden, and unincorporated areas of Orange County.

Ocoee-Apopka Road is the only access to and from jobs for many residents residing in Ocoee, Winter Garden, and unincorporated areas of Orange County. When accidents occur, the road is completely shut down and workarounds are all but non-existent. The widening and addition of the proposed Complete Streets elements will allow for additional ingress and egress when accidents do occur.

The project focus is to improve safety, access management, increase roadway capacity for auto vehicles, accommodate future development, provide a proposed Complete Street for the existing and future users (including bicyclists/pedestrians [bi-ped]), and identify right-of-way needs while minimizing acquisition, where possible. Three schools are located within the project area.

Budget Summary

The design, construction, and post-award budget for the Project encompasses several key components. Design costs include the following components: Detailed Project Work Plan, Budget, and Schedule, Civil, Right-of-Way, Permitting, and Utility Coordination. Material costs for the Project construction include items such as asphalt, concrete, curbs, gutters, signage, lighting, bi/ped sensors, and landscaping. Additionally, labor costs, covering construction workers, supervisors, and project managers are also included in the budget costs. Considerations were also given for traffic control measures, such as signage, barriers, flaggers, and costs for coordination with utility companies and relocation efforts. Environmental control measures, such as erosion control and stormwater, also contribute to the total project budget cost.

Lastly, the Final Performance Report, Grant Administration, and unallocated contingency are included in budget costs.

Overall, the Project planning budget is 4% of the total budget amounting to a sum of \$868,000. The Project Construction budget is \$19,530,000 which is 90% of the total budget. The Final Performance Report is 4% of the budget amounting to \$868,000 and Grant Administration is 1% of the budget in the amount of \$217,000. The Unallocated contingency for unexpected budget overrun is also 1% of the budget and totals \$217,000.

The Budget Total is \$21,700,000 with the City requesting \$17,360,000 in grant funding which is 80% of the future eligible project cost. The City will provide the required 20% match in the amount of \$4,340,000.

Benefit-Cost Analysis

Summary

The Benefit-Cost Analysis (BCA) conducted for this grant application meticulously compares the costs linked to the proposed investment with the project's anticipated benefits. To enhance clarity, efforts have been made to monetize benefits conservatively. In cases where assigning a specific dollar value proves challenging, earnest attempts have been undertaken to quantify the benefit. Furthermore, a qualitative discussion is included when a benefit is expected to arise but presents difficulties in easy monetization or quantification. This comprehensive approach ensures a thorough assessment of the project's economic viability and potential impact.

Once the proposed Ocoee-Apopka Complete Streets Alignment is fully constructed, it is anticipated to have significant beneficial impacts, including but not limited to the following:

- Travel Delay Savings

- Emissions Benefit
- Recreational Benefits
- Fuel Cost Savings
- Crash Reduction Benefits

These improvements will benefit the Apopka residents and visitors. This includes all types of travel modes ranging from vehicular to non-motorized to multi-modal.

The table below summarizes the changes expected from the project and the associated benefits.

Table 14: Project Issues Addressed, Impacts, and Benefits

Problems to Be Addressed	Changes to Baseline	Type of Impact	Economics Benefit	Summary of Results* (Discounted at a 3.1% rate)
Current roadway capacity is maxed out	Travel efficiency is increased	Travel delay savings	Passenger Time Value	\$13,330,246
		Decreased emissions	Air quality improvement	\$1,857,868
		Reduction in fuel usage	Decreased fuel usage	\$655,919
Non-vehicular users are not accommodated/not safe	Proposed Complete Streets Alignment	Safety Improvement/Crash Reduction	Accident-Avoidance Savings	\$15,445,534
		Recreational Benefits	Overall health and maintenance costs lowered	\$12,124
Total Project Cost				\$21,700,000
Total Project Benefits				\$31,301,693
Benefit Cost Ratio (BCR)				1.600
Net Present Value (NPV)				\$11,373,725

*Represented as 2023 dollars

**2.0% for carbon emissions discounting

BCA Spreadsheet

The BCA spreadsheet that is provided as part of the application submission has been developed to align closely with the specifications outlined by the Department, reflecting a commitment to transparency and thoroughness. Additionally, a BCA technical memorandum is provided to describe the benefits calculations, methodologies used, and assumptions made. Based on the project we are seeking funding for; our tool has been tailored to capture the details specific to our proposed improvements while providing conservative assumptions and methodologies to not overstate the impact of the project.

By integrating the latest BCA Guidance provided by the USDOT in 2025, our spreadsheet ensures adherence to current best practices and standards. This guidance serves as the basis for our calculations, providing a framework that enables us to accurately evaluate the costs and benefits of our project. Furthermore, our approach emphasizes accessibility and ease of understanding. By adhering to these principles, we aim to foster a collaborative and transparent evaluation process that ultimately enhances the quality and reliability of our analysis.

The BCA completed for this project was performed to compare the project's benefits to its costs. This process involves quantifying and monetizing all potential benefits and costs of the project over a predetermined amount of time. For the purposes of the project the operational analysis period lasted 30 years from the final completion of the project. The BCA follows the most current 2025 USDOT BCA guidance. This guidance provides procedural guidance for developing a BCA. Additionally, this guidance provides specific values for monetizing various types of benefits, such as monetization values for injury and fatal crashes. Other details related to the BCA spreadsheet include:

- Any costs and benefits developed for the BCA are expressed in 2025 dollars discounted to the year 2023
- All monetary values included in this analysis are discounted using a 3.1% real discount rate.
- Per the BCA Guidance, carbon is discounted at 2.0%
- Construction and related construction expenditures are assumed to begin in 2026 and end in 2027.
- Operation with all improvements in place is expected to commence in 2028. The analysis utilizes a 30-year period of useful life.

Project Benefits

Safety Benefits

The improved conditions with the proposed Complete Streets Alignment will have positive impacts on safety by accommodating the amount of traffic that is currently overpopulating the existing roadway capacity as well as prioritizing the safety of a wider range of travelers, regardless of their chosen mode of transportation across the Ocoee-Apopka Road. The Ocoee-Apopka Road is

currently a two-lane undivided roadway with no bicycle facilities or bike lanes so the corridor is not where bikes could be ridden. There are existing sidewalks in some areas of the corridor but no full coverage of sidewalks throughout. The average daily traffic along the corridor is estimated at 10,116 vehicles and climbing. Because of road congestion, the number of rear-end crashes is elevated. As mentioned previously, the current road design does not prioritize the safety of non-vehicular travelers as found with many roadways that do not incorporate Complete Streets Approaches. These increase the chances of vehicle-bicycle and vehicle-pedestrian collisions. Below are two tables of crash severity and crash types along Ocoee-Apopka Road between Hawthorne and Harmon Roads.

Table 15: Crash Data Summary by Year

Year	Total Number of Crashes	Number of Injury Crashes	Total Number of Injuries	Number of Fatal Crashes	Total Number of Fatalities	Number of Wet Condition Crashes
2017	20	7	9	0	0	1
2018	30	12	20	0	0	3
2019	31	17	25	1	1	6
2020	19	2	3	0	0	2
2021	38	18	25	0	0	5
Total	138	56	82	1	1	17

For the purposes of the safety benefits quantified for the BCA the following assumptions and available data sources:

- In order to properly quantify the impacts of crashes taking place at or near the project location, crashes were investigated based on accident type and travelers involved.
- To be conservative the build condition did not consider an increase in crashes over the analysis period.
- Crash Modification Factors for the project were established based on the following guidance:
 - FHWA. 2024. Complete Streets—Safety Analysis. Report No. FHWA-HRT-24-074. Washington, DC: Federal Highway Administration.
 - U.S. Department of Transportation (USDOT). n.d. “Complete Streets in FHWA” (web page). <https://highways.dot.gov/complete-streets>, last accessed November 30, 2023.
 - USDOT. 2022. “Data-Driven Safety Analysis (DDSA)” (web page). <https://highways.dot.gov/safety/data-analysis-tools/rsdp/data-driven-safety-analysis-ddsa>, last accessed November 30, 2023.
- The following studies and references were utilized to establish proven safety countermeasures for the project:

- AASHTO. 2010. Highway Safety Manual, 1st Edition. Washington, DC: American Association of State Highway Transportation Officials (AASHTO).<https://www.highwaysafetymanual.org/Pages/About.aspx>, last accessed November 30, 2023.
- Signal Four Analytics was referenced for all crash data information.

Table 16: **Crash Summary by Harmful Event**

Crash Type	2017	2018	2019	2020	2021	2017-2021	Average Per Year	Percent
Pedestrian	1	0	0	0	0	1	0	0.7%
Bicycle	0	0	0	0	1	1	0	0.7%
Left Turn	1	2	1	0	4	8	2	5.8%
Off Road	1	4	6	4	2	17	3	12.3%
Rear End	6	11	10	2	9	38	8	27.5%
Angle	10	12	14	12	20	68	14	49.3%
Other	1	1	0	1	2	5	1	3.6%
Total	20	30	31	19	38	138	28	100%

Other improvements that are being made but not considered within the BCA are smart lighting improvements, automated bi-ped sensors, and other improvements as discussed throughout the Merit Criteria of the Project narrative.

The value of accidents was based on KABCO values established in the USDOT 2024 BCA Guidance.

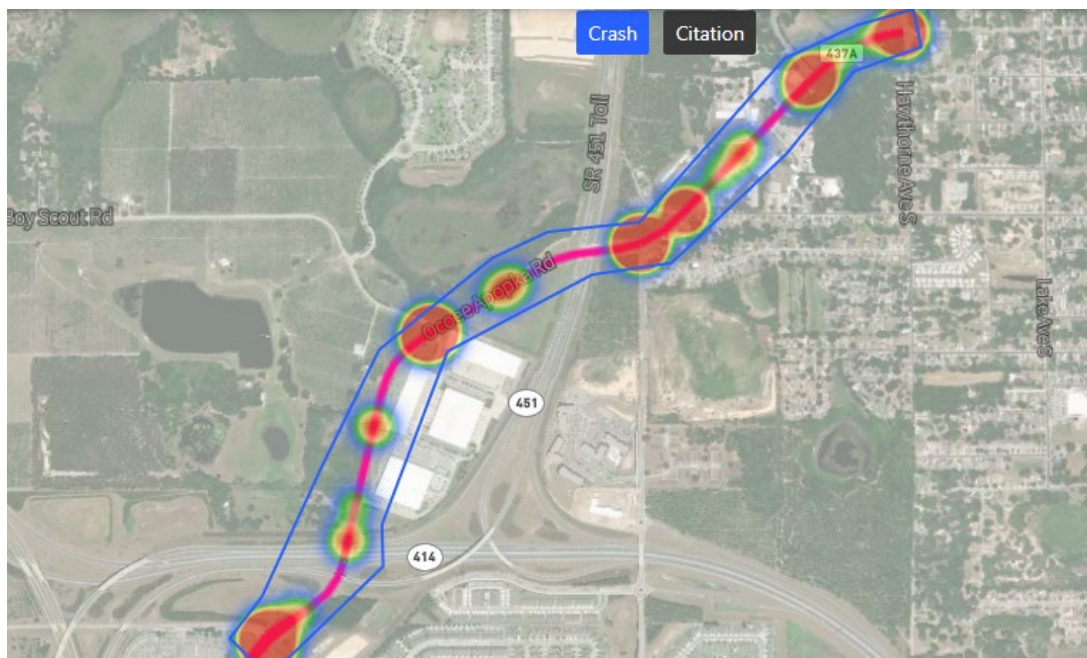
Table 17: **Crash Severity**

Number	Severity	KABCO Scale
1	No Injury (Property Damage Only)	O
2	Possible Injury	C
3	Non-incapacitating	B
4	Incapacitating	A
5	Killed	K

Since the completion of this Benefit-Cost Analysis, additional crash data from 2022, 2023, and 2024 show an increase in the number of injuries and fatal and non-fatal crashes. According to Signal Four Analytics, 2022 crash data on the Ocoee-Apopka Road shows a total of 23 Crashes, of which one is a Serious Injury Crash, and 4 are Injury Crashes. In 2023 Ocoee-Apopka Road experienced 31 total crashes, of which two were Serious Injury Crashes and 13 were Injury

Crashes. In 2024, there were 22 total crashes, of which 10 were Injury crashes and none were serious Injury Crashes. There were no Fatal Crashes from 2022 to 2024 on Ocoee-Apopka Road. Although not included in the BCA results, the additional casualties would increase the Benefit-Cost Ratio and increase the overall Project benefit. Therefore, the crash data evaluation, which excludes the years 2022 to 2024, is conservative in its results and assumptions.

The heat map below illustrates the crash hot spots along the Ocoee-Apopka Road.



Map 4: Map 4: Crash Heat Map

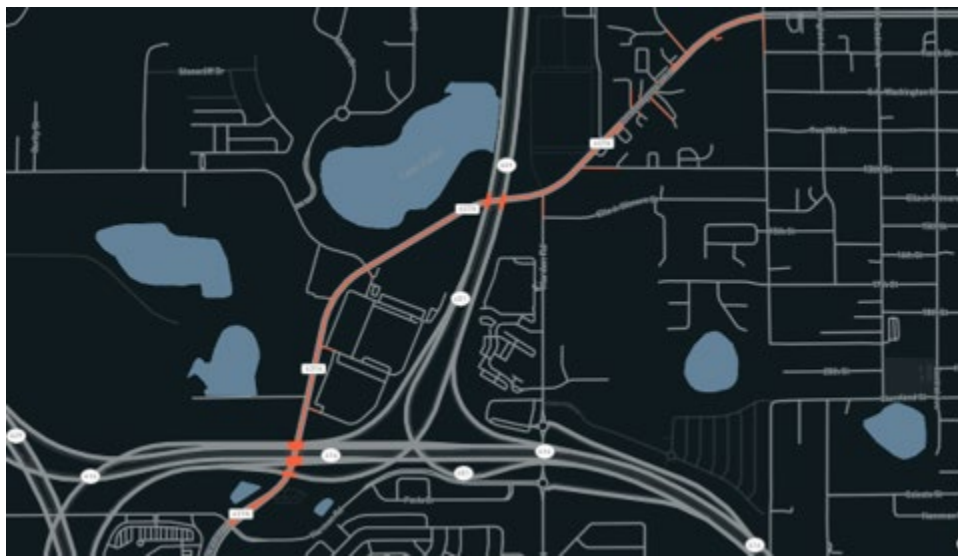
Travel Time Benefits

The travel time benefits are related to improvements made by the expansion of the Road from a two-lane undivided corridor to a four-lane divided corridor and accommodation of non-motorized travelers. The enhancement would have medians wide enough to allow for left-turn lanes and locations that would allow left-turn lanes. This analysis utilized the results of a Synchro analysis that compared the existing conditions (the No-Build Alternative) versus the proposed Complete Streets Alignment Alternative (the Build Alternative). The increase in the number of driving lanes will allow for smoother, less interrupted flow of traffic. With fewer chances for vehicular backup along the roads, there will be less stop-and-go traffic. In turn, this will minimize delays and queueing, resulting in shorter travel times for motorized travelers. With less roadway congestion, there are also fewer chances for rear end collisions resulting from stop-and-go traffic, leading to even less travel delays caused by fender benders.

Furthermore, with the improvement of sidewalks, the creation of bike lanes, and the incorporation of innovative travel safety measures, non-motorized travelers will have designated travel spaces that promote safety by separating the more dangerous and fast motorized vehicles from slower-

moving and more vulnerable non-motorized travelers. Subsequently, by increasing safety and constructing delegated spaces for a wider range of travel modes, travel time will decrease as the slower-moving bi-ped travelers will not impede the route of motorized vehicles. Vehicles will not have to slow down or pass the non-motorized travelers, as is the current road situation along Ocoee-Apopka Road. This further encourages uninterrupted, smoother vehicular travel across the road while motivating more users to use the safer multi-modal facilities along as proposed by the Project. This may lead to fewer vehicular travelers contributing to roadway congestion as more people see the benefits of non-motorized commuting being encouraged and facilitated by the City through this proposed Complete Streets Alignment.

The following map illustrated the locations vulnerable to congestion and traffic delays across Ocoee-Apopka Road:



Map 5: Ocoee-Apopka Road Congestion-Prone Areas

This Project anticipates the following benefits to travel time:

- Reduced vehicular roadway congestion.
- Increased use of different non-motorized transportation modes for travel.
- Reduced stop-wait times.

The travel times savings are based on the Annual Hours of Delay Saved which consider the time benefits associated with the following:

- The daily number of trips affected is estimated to be about 10,116. This number combines both commercial and passenger vehicles
- Annual Passenger and Commercial Vehicle Travel Time Savings (42,098 and 1,662 hours of delay saved, respectively)
- Multimodal trips were made as a result of the expanded bi-ped and motorist facilities.

This is based on the following general assumptions being made:

- No annual growth rate was applied to the current traffic counts
- Average vehicle occupancy was assumed to be 1.52 based on the USDOT 2025 BCA Guidance
- The annualization factor for all calculations was 365 days.

Emissions Benefits

Emissions benefits will be generated by the reduction in the minutes for delays for passenger and commercial travel. This is noteworthy because the travel time savings always impact the emissions reduction and decrease vehicle operating costs, as discussed in the following section. The Project improvements will result in reduced idling time by all vehicles along the Ocoee-Apopka Road as well as reduce the reliance on motorized, gas-powered vehicles used for travel by the construction and promotion of multi-use paths, sidewalks, and bike lanes which in turn lowers emissions. Emission rates were referenced from the Environmental Protection Agency (EPA) idling vehicle emissions for passenger cars, light-medium trucks, and heavy. These rates were for nitrogen oxides (NOx), particulate matter (PM2.5), carbon dioxide (CO2) emissions, and sulfur dioxide (SOx).

References for these values can be found here:

- <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator-calculations-and-references>
- <https://www.epa.gov/moves/latest-version-motor-vehicle-emission-simulator-moves>

The time value used to calculate the emissions was based on the delay analysis described in the previous section. The emissions benefits were calculated based on the following assumptions and available data sources:

- USDOT 2025 BCA Guidance for emissions costs metric per ton for nitrogen oxides (NOx), particulate matter (PM2.5) and sulfur dioxide (SOx).
- USDOT 2025 BCA Guidance for emissions costs per metric ton carbon dioxide (CO2) emissions.
- No annual growth factor to traffic was applied.
- Carbon emissions were discounted at 2%.

Vehicle Operating Costs

Fuel savings benefits were based on the passenger hours of delay and all commercial vehicle hours of delay. The 39,489 hours of delay per year that were avoided was used for the 30-year

analysis period. Fuel costs were based on 2025 fuel prices for gasoline and diesel in Florida. The fuel savings were calculated based on the following assumptions and available data sources:

- Fuel consumed while idling, for passenger vehicles, measured at gallons per hour, was 0.28 (gal/hr) for an average light and heavy sedan.
- Average cost of gasoline (2023\$, net of fuel taxes): \$3.205.
 - <https://gasprices.aaa.com/?state=FL>

BCA Results

The Benefit-Cost Analysis completed for this application was based on the project improvements, available and verified data, and 2025 USDOT Standard BCA Guidance. This 2025 analysis indicates that the project will provide quantifiable benefits through the reduction of crash rates, travel time delay savings, and emissions. A chart describing the benefits by type is shown below. As anticipated the project is expected to yield high safety benefits based on the proposed Complete Streets Alignment. Other smaller savings come from reduced fuel costs and recreational benefits.

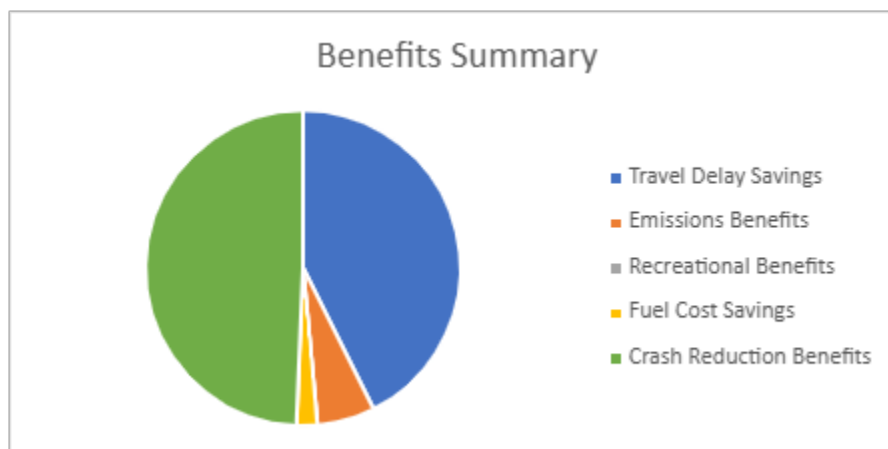


Image 9: Benefits Summary Pie Chart

The expected benefits and results are summarized below, the project is expected to create over \$31.3M in quantifiable benefits. The project estimates a Benefit Cost Ratio of 1.6, with a Net Present Value of over \$11.3M.

Table 18: Expected Benefits and Results

Benefit Type	Summary of Results (discounted at 3.1%*)
Travel Time	\$13,330,246
Emissions	\$1,857,868

<i>Recreational Benefits</i>	\$12,124
<i>Fuel Cost Savings</i>	\$655,919
<i>Crash Reduction Benefits</i>	\$15,445,534
Total Project Cost	\$21,700,000
Total Project Benefits	\$31,301,693
Benefit Cost Ratio (BCR)	1.600
Net Present Value (NPV)	\$11,373,725

Appendix

Letters of Support

January 30, 2025

The Honorable Sean Duffy
Secretary of the United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Letters of Support

Clarification on Terminology: RAISE to BUILD Transition

Honorable Secretary Duffy,

Attached are the Letters of Support prepared for the U.S. Department of Transportation's the BUILD (Better Utilizing Investments to Leverage Development) grant program. Some of these were prepared prior to the transition to the BUILD grant program and may reference the previous grant title of RAISE (Rebuilding American Infrastructure with Sustainability and Equity).

Please note that all references to "RAISE" within the Letters of Support should now be understood as referring to the BUILD grant program. While the name has changed, the purpose of these letters remains consistent: to endorse and support the City of Apopka's efforts to develop a Complete Streets approach as it aligns with the goals and priorities outlined in the BUILD program. Further, any reference to "equity," "climate," or "historically disadvantaged" should also be considered as not part of this application but were included prior to the transition to BUILD from RAISE.

Thank you for your understanding and consideration.

The City of Apopka



Post Office Box 2072 • Apopka, Florida 32704

January 22, 2025

Secretary Sean Duffy
US Department of Transportation
1200 New Jersey Avenue SE
Washington DC, 20590

Re: Ocoee-Apopka Road Complete Streets Project

Dear Secretary Duffy,

On behalf of the Apopka Christian Ministerial Alliance, I would like to offer this letter of support for the City of Apopka's 2025 RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project.

In Central Florida, transportation does not start or stop at a local government boundary. This **infrastructure** investment project will help provide greater connectivity to our region. **With a population** of just over 50,000 people, Apopka is one of 13 cities and towns in **Orange County**.

The Ocoee-Apopka Road is a critical urban connector into Downtown Apopka that is used **by a multitude of users**, including those from emergency services, churches, local **businesses, schools, community centers**, and residential neighborhoods. Additionally, the **Ocoee-Apopka Road Complete Streets Project** is an important component of the area's **future community life, commercial, and residential development**. The project will connect **directly to Ocoee-Apopka Road**. Currently, only two main roads connect the City of Ocoee **to the City of Apopka**. By applying a complete streets approach to the Ocoee-Apopka Road, **the region can better move people and goods safely**.

I was particularly pleased to see that the City of Apopka is planning to design and **implement this project using a "Complete Streets" approach**. The project area is

underserved, and the addition of safety measures to ensure that all road users, from trucks to pedestrians, can freely and safely travel the Ocoee-Apopka Road is encouraging. Traffic lights, flashing signals, and median islands will go a long way toward lowering speeds and encouraging drivers to pay more attention to pedestrians and bicyclists in the area. In addition, completing the sidewalk system and adding a multi-purpose trail alongside the road will connect communities to Downtown Apopka, additional shopping, restaurants, churches, businesses and a public transit depot.

Thank you for your consideration, and I am pleased to support the City of Apopka's RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick J. McGuffin', with a long, sweeping horizontal line extending to the right.

Patrick J. McGuffin, president
Apopka Christian Ministerial Alliance

Board of Directors

January 22, 2025

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Kelly Brock, Ph.D., P.E.

Vice-Chair

Tina Valeri, SAFe POPM

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JP Weesner, NCI, PLA

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AP*

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Greg Kern, MBA, AICP*

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*Linda Chapin
Hal Downing, Esq.*

Executive Director

Emily Bush, AICP, CPM

100 E. Pine St., Suite 110-74
Orlando, FL 32801
info@bikewalkcf.org
407-542-6074



bikewalkcentralflorida.org

Secretary Sean Duffy
US Department of Transportation
1200 New Jersey Ave. SE
Washington DC. 20590

Dear Secretary Duffy,

As a 501(c)3 nonprofit advocacy organization, Bike/Walk Central Florida strives toward a connected and equitable transportation system that is safe and comfortable for all. For this reason, we strongly support the City of Apopka's 2025 RAISE Grant Application for Ocoee-Apopka Road, as this project aligns with our mission to make communities more walkable, bikeable, and rollable.

In Central Florida, transportation does not start or stop at local government boundaries. The Ocoee-Apopka Road project will enhance regional connectivity, benefiting a population of over 50,000 in Apopka – one of 13 cities and towns in Orange County. As a critical urban connector to Downtown Apopka, this road is used by emergency services, local businesses, schools, community centers, and residents to sustain the local economy and livelihoods.

By applying a "Complete Streets" approach, the City of Apopka will ensure that all road users, from trucks to pedestrians, can freely and safely travel Ocoee-Apopka Road. Traffic lights, flashing signals, and median islands will reduce speeds and increase driver awareness of pedestrians and bicyclists. Additionally, completing the sidewalk system and adding a multipurpose trail alongside the road will connect underserved communities through active transportation networks to Downtown Apopka, additional shopping and restaurants, a hospital, and a public transit depot.

This investment in infrastructure represents a significant step toward making the City of Apopka a premier biking and walking community. We appreciate your favorable consideration of this 2025 RAISE Grant Application and look forward to increased safety, connectivity, and mobility for all Central Floridians.

Sincerely,

Emily Bush, AICP, CPM

Executive Director, Bike/Walk Central Florida



CADENCE PARTNERS, LLC
617 VIRGINIA DRIVE
ORLANDO, FL 32803
MOBILE PHONE: (407) 489-0042

January 15, 2025
Secretary Sean Duffy
US Department of Transportation
1200 New Jersey Avenue SE
Washington DC, 20590

Re: Ocoee-Apopka Road Complete Streets Project

Dear Secretary Duffy,

On behalf of Cadence Partners, LLC, I would like to offer this letter of support for the City of Apopka's 2025 RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project.

In Central Florida, transportation does not start or stop at a local government boundary. This infrastructure investment project will help provide greater connectivity to our region. With a population of just over 50,000 people, Apopka is one of 13 cities and towns in Orange County. The Ocoee-Apopka Road is a critical urban connector into Downtown Apopka that is used by a multitude of users, including those from emergency services, local businesses, schools, community centers, and residential neighborhoods. Additionally, the Ocoee-Apopka Road Complete Streets Project is an important component of the area's future industrial, commercial, and residential development. The project will connect directly to Ocoee-Apopka Road. Currently, only two main roads connect the City of Ocoee to the City of Apopka. By applying a complete streets approach to the Ocoee-Apopka Road, the region can better move people and goods safely.

I was particularly pleased to see that the City of Apopka is planning to design and implement this project using a "Complete Streets" approach. The project area is underserved, and the addition of safety measures to ensure that all road users, from trucks to pedestrians, can freely and safely travel the Ocoee-Apopka Road is encouraging. Traffic lights, flashing signals, and median islands will go a long way toward lowering speeds and encouraging drivers to pay more attention to pedestrians and bicyclists in the area. Moreover, completing the sidewalk system and adding a multi-purpose trail alongside the road will connect communities to Downtown Apopka, additional shopping and restaurants, and a public transit depot.

Thank you for your consideration, and I am pleased to support the City of Apopka's RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project.

Sincerely,

Todd W. Watson

CENTERLINE CAPITAL ADVISORS

January 15, 2025

Secretary Sean Duffy
US Department of Transportation
1200 New Jersey Avenue SE
Washington DC, 20590

Re: Ocoee-Apopka Road Complete Streets Project

Dear Secretary Duffy,

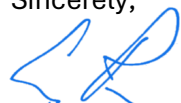
On behalf of Centerline Capital Advisors, I would like to offer this letter of support for the City of Apopka's 2025 RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project.

In Central Florida, transportation does not start or stop at a local government boundary. This Infrastructure investment project will help provide greater connectivity to our region. With a population of just over 50,000 people, Apopka is one of 13 cities and towns in Orange County. The Ocoee-Apopka Road is a critical urban connector into Downtown Apopka that is used by a multitude of users, including those from emergency services, local businesses, schools, community centers, and residential neighborhoods. Additionally, the Ocoee-Apopka Road Complete Streets Project is an important component of the area's future industrial, commercial, and residential development. The project will connect directly to Ocoee-Apopka Road. Currently, only two main roads connect the City of Ocoee to the City of Apopka. By applying a complete streets approach to the Ocoee-Apopka Road, the region can better move people and goods safely.

I was particularly pleased to see that the City of Apopka is planning to design and implement this project using a "Complete Streets" approach. The project area is underserved, and the addition of safety measures to ensure that all road users, from trucks to pedestrians, can freely and safely travel the Ocoee-Apopka Road is encouraging. Traffic lights, flashing signals, and median islands will go a long way toward lowering speeds and encouraging drivers to pay more attention to pedestrians and bicyclists in the area. Moreover, completing the sidewalk system and adding a multi-purpose trail alongside the road will connect communities to Downtown Apopka, additional shopping and restaurants, and a public transit depot.

Thank you for your consideration, and I am pleased to support the City of Apopka's RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project.

Sincerely,



Craig Perry
President



January 30, 2025

Secretary Sean Duffy

US Department of Transportation

1200 New Jersey Avenue SE

Washington DC, 20590

Re: Ocoee-Apopka Road Complete Streets Project

Dear Secretary Duffy,

On behalf of Central Florida Preparatory School, I would like to offer this letter of support for the City of Apopka's 2025 RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project. In Central Florida, transportation does not start or stop at a local government boundary. This infrastructure investment project will help provide greater connectivity to our region. With a population of just over 50,000 people, Apopka is one of 13 cities and towns in Orange County. The Ocoee-Apopka Road is a critical urban connector into Downtown Apopka that is used by a multitude of users, including those from emergency services, local businesses, schools like CFP, community centers, and residential neighborhoods. Additionally, the Ocoee-Apopka Road Complete Streets Project is an important component of the areas future industrial, commercial, and residential development. The project will connect directly to Ocoee-Apopka Road. Currently, only two main roads connect the City of Ocoee to the City of Apopka. By applying a complete streets approach to the Ocoee-Apopka Road, the region can better move people and goods safely.



I was particularly pleased to see that the City of Apopka is planning to design and implement this project using a Complete Streets approach. The project area is underserved, and the addition of safety measures to ensure that all road users, from trucks to pedestrians, can freely and safely travel the Ocoee-Apopka Road is encouraging. Traffic lights, flashing signals, and median islands will go a long way toward lowering speeds and encouraging drivers to pay more attention to pedestrians, school zones and bicyclists in the area. Moreover, completing the sidewalk system and adding a multi-purpose trail alongside the road will connect communities to Downtown Apopka, additional shopping and restaurants, and a public transit depot.

Thank you for your consideration, and I am pleased to support the City of Apopka's RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project.

Sincerely,

Rowena Flanders

Director/Board Chair

Central Florida Preparatory School

January 30, 2025

Secretary Sean Duffy
US Department of Transportation
1200 New Jersey Avenue SE
Washington DC, 20590

Re: Ocoee-Apopka Road Complete Streets Project

Secretary Duffy,

On behalf of MetroPlan Orlando, the federally designated Metropolitan Planning Organization for Orange, Osceola, and Seminole Counties in Central Florida I offer this letter of support for the City of Apopka's 2025 RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project.

In Central Florida, transportation does not start or stop at a local government boundary. This infrastructure investment project will help provide greater connectivity to our region. The Ocoee-Apopka Road is a critical urban connector into Downtown Apopka that is used by a multitude of users, including those from emergency services, local businesses, schools, community centers, and residential neighborhoods. Additionally, the Ocoee-Apopka Road Complete Streets Project is an important component of the area's future industrial, commercial, and residential development. Currently, only two main roads connect the City of Ocoee to the City of Apopka. By applying a complete streets approach to the Ocoee-Apopka Road, the region can move people and goods conveniently and more safely.

I was particularly pleased to see that the City of Apopka is planning to design and implement this project using a "Complete Streets" approach. The project area is underserved, and the addition of safety measures to ensure that all road users, from trucks to pedestrians, can freely and safely travel the Ocoee-Apopka Road is encouraging. Traffic lights, flashing signals, and median islands will go a long way toward lowering speeds and encouraging drivers to pay more attention to pedestrians and bicyclists in the area. Moreover, completing the sidewalk system and adding a multi-purpose trail alongside the road provides a safe connection to Downtown Apopka, additional shopping and restaurants, and a public transit depot.

Thank you for your consideration, and I am pleased to support the City of Apopka's RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project.

Sincerely,



Gary Hottmann, AICP
Executive Director





ORANGE COUNTY MAYOR

Jerry L. Demings

P.O. BOX 1393, 201 SOUTH ROSALIND AVENUE, ORLANDO, FL 32802-1393

PHONE: 407-836-7370 • FAX: 407-836-7360 • EMAIL: MAYOR@OCFL.NET

January 24, 2025

Secretary Sean Duffy
US Department of Transportation
1200 New Jersey Avenue SE
Washington DC, 20590

Re: Ocoee-Apopka Road Complete Streets Project

Dear Secretary Duffy:

As Mayor of Orange County, I would like to offer this letter of support for the City of Apopka's 2025 RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project.

With a population of over 50,000 people, Apopka is one of 13 cities and towns in Orange County. In Central Florida, transportation does not start or stop at the county line. The Ocoee-Apopka Road Complete Streets Project will help provide greater connectivity to the entire region. The project is a critical urban connector that provides accessibility for emergency services, local businesses, schools, community centers, and residential neighborhoods. Additionally, this project is an important component of the area's future industrial, commercial, and residential development, connecting directly to the Ocoee-Apopka Road.

Additionally, the City of Apopka is planning to design and implement this project using a "Complete Streets" approach. Traffic lights, flashing signals, and median islands will help lower speeds and encourage drivers to pay more attention to pedestrians and bicyclists in the area. Moreover, completing the sidewalk system and adding a multi-purpose trail alongside the road will connect communities to Downtown Apopka, shopping and restaurants, and a public transit depot.

I am pleased to support the City of Apopka's RAISE Grant application for the Ocoee-Apopka Road Complete Streets Project.

Sincerely,

Jerry L. Demings
Orange County Mayor

Congress of the United States
House of Representatives
Washington, DC 20515

January 30, 2025

Andrea Jacobson
BUILD Program Manager
US Department of Transportation
1200 New Jersey Avenue SE
Washington DC, 20590

Re: Ocoee-Apopka Road Complete Streets Project

Dear Ms. Jacobson,

I was recently made aware that the City of Apopka, Florida has submitted a grant application under the 2025 U.S. Department of Transportation's Better Utilizing Investments to Leverage Development (BUILD) Transportation Grant Program for the Ocoee-Apopka Road Complete Streets Project.

With a population of just over 50,000 people, Apopka is one of 13 cities and towns in Orange County. The Ocoee-Apopka Road is a critical urban connector into Downtown Apopka that is used by a multitude of users, including those from emergency services, local businesses, schools, community centers, and residential neighborhoods. Additionally, the Ocoee-Apopka Road Complete Streets Project is an important component of the area's future industrial, commercial, and residential development. The project will connect directly to Ocoee-Apopka Road. Currently, only two main roads connect the City of Ocoee to the City of Apopka.

The City of Apopka is planning to design and implement this project using a "Complete Streets" approach. The project area is underserved therefore, safety measures for all road users, from trucks to pedestrians, will freely and safely travel the Ocoee-Apopka Road. Traffic lights, flashing signals, and median islands will go a long way toward lowering speeds and encouraging drivers to pay more attention to pedestrians and bicyclists in the area.

As the Department considers funding under the BUILD Transportation Grant program, I ask that you give full and fair consideration to the City of Apopka's application.

Your servant,



Daniel Webster
Member of Congress

FUNDING COMMITMENT LETTER



120 E. Main Street, Apopka, Florida 32703-5346
Phone: 407-703-1700
www.apopka.gov

January 30, 2025

The Honorable Sean Duffy
Secretary of the United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: City of Apopka BUILD (Previous known as RAISE) Grant Funding Commitment Letter

Honorable Secretary Duffy,

We appreciate the opportunity to submit our application for funding under the FY 2025 Better Utilizing to Leverage Development (BUILD) for the City of Apopka's Ocoee-Apopka Complete Streets Alignment Project (OACSP).

The project is located in two Census Tracts, one of which is an Area of Persistent Poverty. This project will provide for a Complete Streets Approach including elements of safety, pedestrian and bicycle paths, lighting, sensors, and widening of the road from two lanes to four lanes. While the Guidance regarding funding in Areas of Persistent Poverty indicates that grant funding may be higher than 80%, we are proposing a grant amount of \$17,360,000 (80%) with a City match amount of \$4,340,000 or 20%.

The City of Apopka has allocated the City's match amount of \$4,340,000 for this project.

I, along with the Citizens of the City of Apopka, thank you in advance for your consideration in funding our project. Should additional information be needed, please do not hesitate to call me at 407-703-1700.

Sincere Regards,

Bryan Nelson
City Mayor

FUTURE DEVELOPMENTS

Project Name	Location	Type/Description	Acreage	Dwelling Units/Non-Residential Square Feet (SF)
Fire Station #6	Southeast corner of Ocoee Apopka Road and SR 414	Emergency services facility	4.01	8,065 SF
Harmon on the Lake	On Binion Road north of Harmon Road	Multifamily Residences	12.73	180 DU
The Ridge	West side of Ocoee- Apopka Road, north and south of Boy Scout Road to South Binion Road	Commercial, residential and industrial mixed-use	407	1,725,000 SF; 1365 DU
Mountain Bike Park	Northwest corner of Ocoee Apopka Road and Emery Drive	Outdoor recreation facility	30	N/A
Northstar Logistics I	Northeast corner of Ocoee Apopka Road and SR 451	Industrial park	55.19	761,240 SF
Ocoee-Apopka Road Multifamily	West of Ocoee Apopka and south of Harmon Road	Multifamily Residences	21.56	304 DU

Emerson Pointe	On Marden Road and south of Ocoee Apopka Road	Commercial and residential mixed-use	69.65	225 DU
Harmon Center	East of Ocoee Apopka Road and north of Harmon Road	Commercial multi-tenant center	2.93	29,990 SF
Cascades at Marden	South of Ocoee Apopka Road and east of Marden Road.	Multi-Family Residences	40.45	576 DU
451 Commerce Center	South of Marshall Lake Road and west of Bradshaw Road	Industrial Park	22.08	260,084 SF
Central Florida Preparatory School Expansion	Northeast corner of SR 414 and SR 451 and east of Marden Road	K-12 Private School	6.39	720 students
Shoppes at East Shore	Northeast corner of Ocoee Apopka Road and Keene Road	Multi-tenant retail center and multifamily residences	28.02	78,200 SF; 224 DU
Keene Road Retail	Southeast corner of Ocoee Apopka Road and Keene Road	Multi-tenant retail center	18.80	158,872 SF



U.S. Department of Transportation

July 15, 2025

Congratulations! The project below was selected to receive an FY 2025 BUILD grant.

Project Name: Ocoee-Apopka Road (CR) 437A Complete Streets Alignment

Applicant: City of Apopka

State: FL: Florida

BUILD Grant Award Amount: \$17,360,000

Estimated Total Project Costs: \$21,700,000

Project Description: This project will plan, design, and construct improvements to Ocoee-Apopka Road (CR 437A) from Harmon Road to South Hawthorne Avenue. The improvements will include expanding the roadway from approximately two to four lanes, adding bicycle lanes, a multi-use path, and accessibility features such as smart lighting, sensors, and ADA-compliant enhancements.

All grantees must execute a grant agreement with the USDOT. The FY 2025 grant agreement templates are available for preview and download through this [link](#). The Department expects all BUILD funding be obligated no later than September 30, 2029 and expended by September 30, 2034.

The USDOT Operating Administration (e.g. FHWA, FRA, MARAD, FTA) overseeing your project will contact you in the coming weeks regarding next steps to complete the relevant requirements before executing a grant agreement.

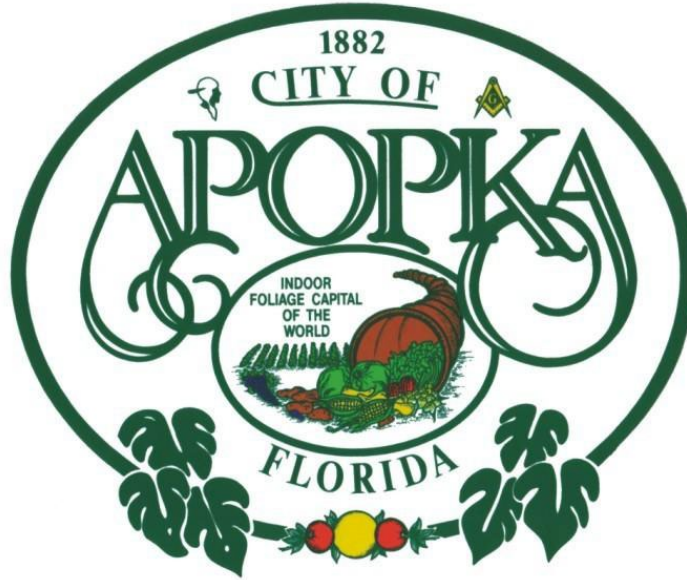
This letter does not authorize the applicant to incur costs to carry out the project. The execution of the grant agreement will obligate BUILD grant funding, making it available to reimburse eligible expenses for the awarded project. Unless authorized by USDOT in writing, any costs incurred prior to that obligation of funds for a project (i.e., "pre-award costs") are ineligible for reimbursement and may be ineligible to count towards non-Federal match requirements. This letter does not authorize pre-award costs to be eligible.

If you have any questions, please contact the BUILD Grants Team at BUILDgrants@dot.gov.

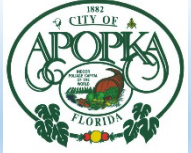
Sincerely,

A handwritten signature in blue ink, appearing to read "Loren A. Smith, Jr.", with a stylized flourish at the end.

Loren A. Smith, Jr.
Deputy Assistant Secretary for Transportation Policy
Office of the Secretary



FY 26 Roadway Resurfacing Program Update



Outline

- Strategy used in FY 26 roadway selection
- Roadway statistics & pavement history
- Pavement treatment methodology
- Resurfacing treatment methodology
- List of selected roadways and rehabilitation method

Strategy Used in Selecting FY 26 Roadway Rehabilitation

This list included consideration of the October 2021 Pavement Condition Assessment Report

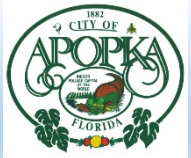
Staff field-verified each roadway with respect to severity of distress and deficiencies

Citizen inquires were evaluated and included where applicable

Allocated funding

FY	Type	GISD	Street Number	Block Number	Street Prefix	On Street	From Street	To Street	Agency FunCL Code	Agency Functional Class	Pavement Type	Owner	Pavement Width (ft)	Pavement Length (ft)	Pavement Area (ft2)	Surface Distress Index (SDI)	Roughness Index (RI)	Pavement Condition Index (PCI)	Structural Rating Code
25/26	MI Overlay	2535	4	50		FALCONCREST BLVD	W WEKIVA PINES BLVD	LANCER OAK DR	3	Local	Asphalt	City	25	173	4,331	71	48	70	2
25/26	MI Overlay	2472	489	40		LANCER OAK DR	QUAIL WOOD LN	KINGS EAGLE LN	3	Local	Asphalt	City	24	253	6,082	54	82	59	3
25/26	MI Overlay	2477	489	20		LANCER OAK DR	KINGS EAGLE LN	QUAIL WOOD LN	3	Local	Asphalt	City	24	197	4,729	53	82	59	2
25/26	MI Overlay	2532	489	50		LANCER OAK DR	KINGS EAGLE LN	LANCER OAK DR	3	Local	Asphalt	City	23	1,021	23,484	50	83	59	3
25/26	MI Overlay	2457	489	30		LANCER OAK DR	QUAIL WOOD LN	QUAIL WOOD LN	3	Local	Asphalt	City	24	1,031	24,746	52	75	59	3
25/26	MI Overlay	2531	489	60		LANCER OAK DR	LANCER OAK DR	FALCONCREST BLVD	3	Local	Asphalt	City	23	306	7,035	54	70	59	3
25/26	MI Overlay	2529	489	10		LANCER OAK DR	LANCER OAK DR	KINGS EAGLE LN	3	Local	Asphalt	City	25	434	10,838	54	68	59	3
25/26	MI Overlay	2508	489	80		LANCER OAK DR	STONECHAPEL CT	EAGLES FORREST DR	3	Local	Asphalt	City	23	792	18,223	46	68	59	3
25/26	MI Overlay	2514	489	70		LANCER OAK DR	FALCONCREST BLVD	STONECHAPEL CT	3	Local	Asphalt	City	23	170	3,920	50	45	59	3
25/26	MI Overlay	2495	601	10		PEACOCK CT	NORTH END	KINGS EAGLE LN	3	Local	Asphalt	City	54	89	4,790	40	50	43	3
25/26	MI Overlay	2478	433	10		KINGS EAGLE LN	LANCER OAK DR	PEACOCK CT	3	Local	Asphalt	City	24	270	6,482	44	66	51	3
25/26	MI Overlay	2479	433	20		KINGS EAGLE LN	PEACOCK CT	LANCER OAK DR	3	Local	Asphalt	City	25	202	5,060	39	43	51	3
25/26	MI Overlay	2456	644	10		QUAIL WOOD LN	LANCER OAK DR	LANCER OAK DR	3	Local	Asphalt	City	24	433	10,403	40	50	43	3
25/26	MI Overlay	2450	762	30		STONECHAPEL CT	ABBEY HOLLOW DR	SOUTH END	3	Local	Asphalt	City	27	314	8,437	71	59	67	2
25/26	MI Overlay	2473	762	20		STONECHAPEL CT	KNIGHTS HOLLOW DR	ABBEY HOLLOW DR	3	Local	Asphalt	City	22	267	5,871	59	74	67	2
25/26	MI Overlay	2507	762	10		STONECHAPEL CT	LANCER OAK DR	KNIGHTS HOLLOW DR	3	Local	Asphalt	City	22	306	6,728	51	62	54	2
25/26	MI Overlay	2474	440	10		KNIGHTS HOLLOW DR	STONECHAPEL CT	EAGLES FORREST DR	3	Local	Asphalt	City	24	829	19,905	47	61	52	3
25/26	MI Overlay	2445	101	20		ABBEY HOLLOW DR	CHARINGSTONE CT	EAGLES FORREST DR	3	Local	Asphalt	City	25	371	9,264	68	66	65	2
25/26	MI Overlay	2451	101	10		ABBEY HOLLOW DR	STONECHAPEL CT	CHARINGSTONE CT	3	Local	Asphalt	City	25	416	10,397	59	59	65	2
25/26	MI Overlay	2442	101	30		ABBEY HOLLOW DR	EAGLES FORREST DR	N LAKE AVE	3	Local	Asphalt	City	25	176	4,440	67	42	65	2
25/26	MI Overlay	2444	188	10		CHARINGSTONE CT	ABBEY HOLLOW DR	CHARINGSTONE CT	3	Local	Asphalt	City	33	189	6,158	75	54	68	2
25/26	MI Overlay	2470	292	30		EAGLES FORREST DR	KNIGHTS HOLLOW DR	ABBEY HOLLOW DR	3	Local	Asphalt	City	26	295	7,675	74	59	69	2
25/26	MI Overlay	2504	292	20		EAGLES FORREST DR	LANCER OAK DR	KNIGHTS HOLLOW DR	3	Local	Asphalt	City	25	282	7,058	70	65	69	2
25/26	MI Overlay	2525	292	10		EAGLES FORREST DR	W WEKIVA PINES BLVD	LANCER OAK DR	3	Local	Asphalt	City	25	183	4,576	66	40	58	3
25/26	MI Overlay	2389	867	10		WHITE IVEY CT	LEXINGTON PKWY	EAST END	3	Local	Asphalt	City	23	1,741	39,637	71	69	71	2
25/26	MI Overlay	2440	225	10		CREPE MYRTLE CIR	LEXINGTON PKWY	LEXINGTON PKWY	3	Local	Asphalt	City	23	1,365	31,394	87	68	64	2
25/26	MI Overlay	2469	652	10		RED HIBISCUS CT	LEXINGTON PKWY	EAST END	3	Local	Asphalt	City	37	139	5,126	68	57	64	2
25/26	MI Overlay	2573	544	10		MURFIELD CIR	LEXINGTON PKWY	LEXINGTON PKWY	3	Local	Asphalt	City	23	1,332	30,647	53	67	57	2
25/26	MI Overlay	2509	629	10		PINK CAMELIA CT	LEXINGTON PKWY	EAST END	3	Local	Asphalt	City	76	65	4,946	75	54	68	2
25/26	MI Overlay	1014	829	10	W	KEENE RD	MCQUEEN RD	DAMON RD	3	Local	Asphalt	City	22	3,995	87,882	74	77	75	2
25/26	MI Overlay	3331	829	30	W	KEENE RD	CORAL HILLS RD	DAMON RD	3	Local	Asphalt	City	27	273	7,358	73	74	73	2
25/26	MI Overlay	3330	829	20	W	KEENE RD	MARDEN RD	MCQUEEN RD	3	Local	Asphalt	City	20	2,652	53,043	59	80	66	2
25/26	MI Overlay	2877	812	40		VICK RD	W LESTER RD	LAKE FRANCIS DR	3	Local	Asphalt	City	22	1,446	3,1807	100	90	97	2
25/26	MI Overlay	3055	812	10		VICK RD	PONKAN RD	VALLEYWAY DR	3	Local	Asphalt	City	31	1,195	37,042	83	77	81	2
25/26	MI Overlay	3036	812	20		VICK RD	VALLEYWAY DR	DAISY HILL CT	3	Local	Asphalt	City	32	618	19,778	70	73	71	2
25/26	MI Overlay	3017	812	30		VICK RD	DAISY HILL CT	W LESTER RD	3	Local	Asphalt	City	31	2,538	78,672	62	75	66	2
25/26	Cape Seal	3041	806	10		VALLEYWAY DR	WEST END	HASKILL HILL RD	3	Local	Asphalt	City	30	309	9,212	98	89	80	2
25/26	Cape Seal	3040	806	20		VALLEYWAY DR	HASKILL HILL RD	SILVERTIP RD	3	Local	Asphalt	City	24	1,208	28,989	77	74	76	2
25/26	Cape Seal	3038	806	30		VALLEYWAY DR	SILVERTIP RD	VICK RD	3	Local	Asphalt	City	25	485	12,137	77	57	70	3
25/26	Cape Seal	3037	733	10		SILVERTIP RD	HASKILL HILL RD	VALLEYWAY DR	3	Local	Asphalt	City	25	1,513	37,837	96	87	81	2
25/26	Cape Seal	3039	374	40		HASKILL HILL RD	SILVERTIP RD	VALLEYWAY DR	3	Local	Asphalt	City	27	342	9,227	99	90	78	2
25/26	Cape Seal	3027	374	30		HASKILL HILL RD	STANTON SHADOW LN	SILVERTIP RD	3	Local	Asphalt	City	26	155	4,018	99	90	76	2
25/26	Cape Seal	2994	374	10		HASKILL HILL RD	HOME AGAIN RD	LAKE CORA RD	3	Local	Asphalt	City	25	310	7,746	74	68	80	2
25/26	Cape Seal	3020	374	20		HASKILL HILL RD	LAKE CORA RD	STANTON SHADOW LN	3	Local	Asphalt	City	26	1,174	30,524	65	71	80	2
25/26	Cape Seal	3022	759	10		STANTON SHADOW LN	LAKE CORA RD	HASKILL HILL RD	3	Local	Asphalt	City	24	847	20,327	96	87	72	2
25/26	Cape Seal	3021	450	20		LAKE CORA RD	STANTON SHADOW LN	HASKILL HILL RD	3	Local	Asphalt	City	26	350	9,092	99	90	72	2
25/26	Cape Seal	3028	450	10		LAKE CORA RD	NORTH END	STANTON SHADOW LN	3	Local	Asphalt	City	32	446	14,448	94	83	72	2
25/26	Cape Seal	2995	450	30		LAKE CORA RD	HASKILL HILL RD	SOUTH END	3	Local	Asphalt	City	36	153	5,494	79	59	72	2
25/26	MI Overlay	3259	830	40	W	KELLY PARK RD	PROPOSED SR 429	PLYMOUTH SORRENTO RD OR 437	3	Local	Asphalt	City	43	2,283	98,149	85	91	65	2
25/26	MI Overlay	3255	830	30	W	KELLY PARK RD	EFFIE DR	PROPOSED SR 429	3	Local	Asphalt	City	36	1,765	63,553	70	97	65	1
25/26	MI Overlay	3339	830	120	W	KELLY PARK RD	SUNVIEW DR	EASTWAY DR	3	Local	Asphalt	City	22	391	8,807	69	100	65	2
25/26	MI Overlay	3328	830	60	W	KELLY PARK RD	CHANDLER DR	PARK RIDGE ST	3	Local	Asphalt	City	32	826	26,421	70	87	65	2
25/26	MI Overlay	3337	830	100	W	KELLY PARK RD	KATI LYNN DR	BRIGHTWOOD BLVD	3	Local	Asphalt	City	20	671	13,426	69	88	65	2
25/26	MI Overlay	3338	830	110	W	KELLY PARK RD	BRIGHTWOOD BLVD	SUNVIEW DR	3	Local	Asphalt	City	22	295	6,493	64	85	65	2
25/26	MI Overlay	3264	830	130	W	KELLY PARK RD	EASTWAY DR	MT PLYMOUTH RD OFFRAMP	3	Local	Asphalt	City	22	2,527	55,585	61	91	65	2
25/26	MI Overlay	3269	830	80	W	KELLY PARK RD	FOIAGE WAY	PIERCE ARROW DR	3	Local	Asphalt	City	22	2,795	61,497	64	84	65	2
25/26	MI Overlay	3336	830	90	W	KELLY PARK RD	PIERCE ARROW DR	KATI LYNN DR	3	Local	Asphalt	City	21	1,016	21,332	59	85	65	2
25/26	MI Overlay	3327	830	70	W	KELLY PARK RD	PARK RIDGE ST	FOIAGE WAY	3	Local	Asphalt	City	24	1,617	43,597	59	79	65	2
25/26	MI Overlay	3329	830	20	W	KELLY PARK RD	GOLDEN GEM RD	EFFIE DR	3	Local	Asphalt	City	21	1,319	34,997	61	84	65	2
25/26	MI Overlay	3252	830	10	W	KELLY PARK RD	ROUND LAKE RD	GOLDEN GEM RD	3	Local	Asphalt	City	22	5,349	117,676	44	77	65	2

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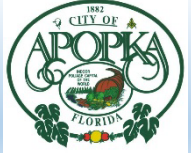


FY 26 – Recommended List for Pavement Improvements

Roadway Statistics & Pavement History

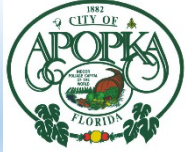
	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Roadway Mileage	202	204	218	242	272*
New Roadway Added Mileage	5	2	14	24	30*
Total Resurfaced Mileage	10.6	12	8.5	9.4	7.04
Cold in Place Mileage	1.6	-	1	-	-
Mill & Overlay Mileage	7	5	1.5	6.4	5.44
Cape Seal / Micro Mileage	2	7	6	3	1.6
Funding allocated	\$3,000,000	\$3,000,000	\$2,000,000	\$2,000,000	\$2,000,000

- Note:** 1. FY 21/22 – Coronavirus Funding Approximate \$1M – Yothers Rd (Cold n Place), \$2M for routine resurfacing.
2. FY 22/23 – Coronavirus Funding Approximate \$1M – Northwest Recreation Park (Mill & Overlay and Cape Seal), \$2M for routine resurfacing.
3. FY 23/24 – No Coronavirus funding – \$2M for routine resurfacing.
4. FY 24/25 - No Coronavirus funding – \$2M for routine resurfacing.
5. *FY 25/26 Road Mileage – Estimated Projected Miles of Road to be added.



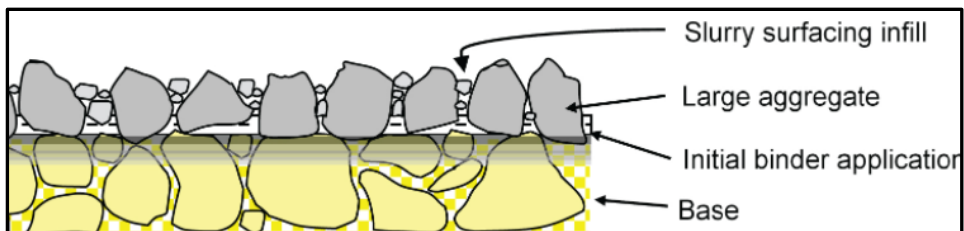
Pavement Treatment Methodology

- Based on severity of pavement distress, Potholes, various types of cracking, as well as Funding
- Pavement Treatment Selected For FY 26 are:
 - Cape Seal/Microsurface - Non-Structural Method
 - Mill & Overlay - Structural Asphalt Method
- Brief Overview of the Treatment Methods
 - Cape Seal/Microsurface
 - Mill & Overlay



FY 26 – Recommended List for Pavement Improvements

Cape Seal Process



- Cape seal is a surface treatment in which the existing pavement surface is sprayed with emulsified asphalt, immediately covered with aggregate, rolled, and then a final coat of either fog seal, slurry seal, or microsurface is added.
- Cape seals provide skid resistance, sealing the pavement against moisture intrusion, protecting the pavement structure from further oxidation and raveling, and restoring a uniform black appearance.

Mill and Overlay Process



- 1" to 1.5" of existing pavement is milled and removed
- Area then swept and tack coat applied



Asphalt Placed



Surface rolled

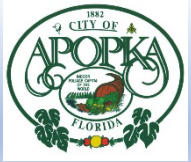


FY 26 – Recommended List for Pavement Improvements – **Mill & Overlay**

Pines of Wekiva Sub-division

- **Falconcrest Blvd** (From Lancer Oak Dr to Wekiva Pines Blvd)
- **Lancer Oak Dr** (From Eagles Forrest Dr to Lancer Oak Dr)
- **Peacock Ct** (From Kings Eagle Ln to End)
- **Kings Eagle Ln** (From Lancer Oak Dr to Lancer Oak Dr)
- **Quail Wood Ln** (From Lancer Oak Dr to Lancer Oak Dr)
- **Stonechapel Ct** (From Lancer Oak Dr to End)
- **Knights Hollow Dr** (From Stone Chapel Ct to Eagles Forest Dr)
- **Abbey Hollow Dr** (From Stone Chapel Ct to N Lake Ave)
- **Charingstone Ct** (From Abbey Hollow Dr to End)
- **Eagles Forrest Dr** (From Wekiva Pines Blvd to Abbey Hollow Dr)
- **Miles** (1.92)
- **Total Cost** = \$424,203.16



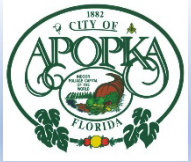


FY 26 – Recommended List for Pavement Improvements – **Mill & Overlay**

Errol Estates Sub-division

- **White Ivey Ct** (From Lexington Pkwy to End)
- **Crepe Myrtle Cir** (From Lexington Pkwy to Lexington Pkwy)
- **Red Hibiscus Ct** (From Lexington Pkwy to End)
- **Muirfield Cir** (From Lexington Pkwy to Lexington Pkwy)
- **Pink Camelia Ct** (From Lexington Pkwy to End)
- **Miles** (1.02)
- **Total Cost = \$293,615.21**



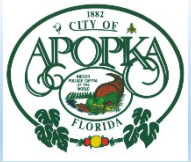


FY 26 – Recommended List for Pavement Improvements – **Mill & Overlay**

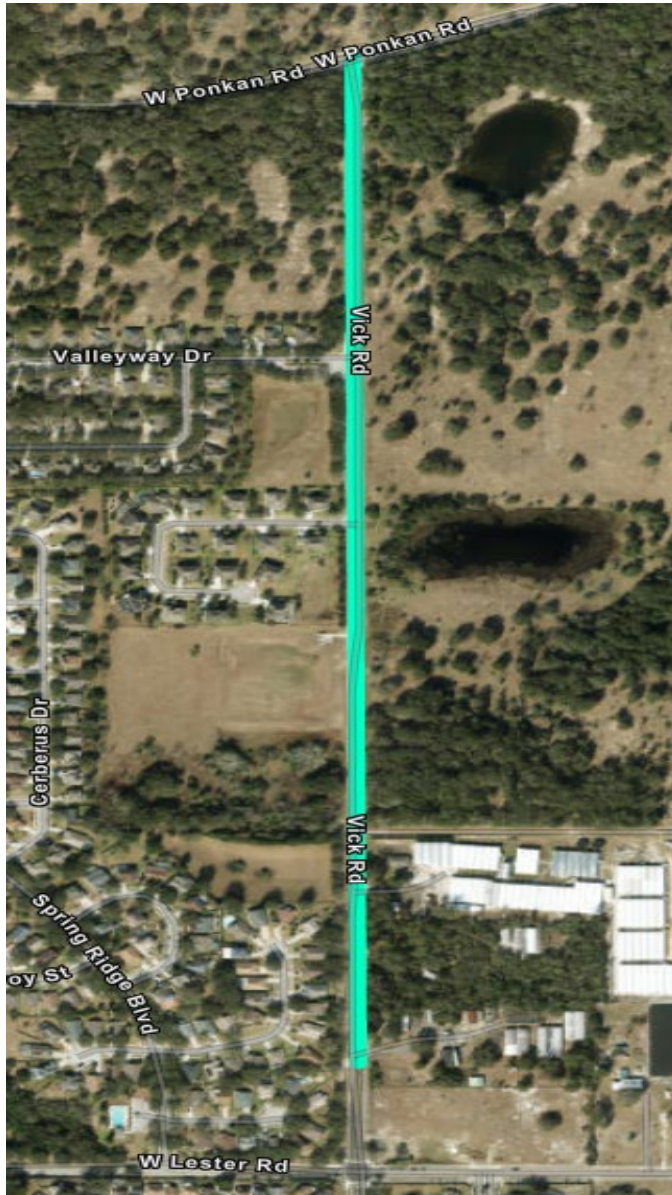
W Keene Rd

- **W Keene Rd** (From Marden Rd to Coral Hills Rd)
- **Miles** (1.64)
- **Total Cost** = \$545,358.86



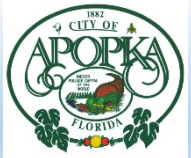


FY 26 – Recommended List for Pavement Improvements – **Mill & Overlay**



Vick Rd

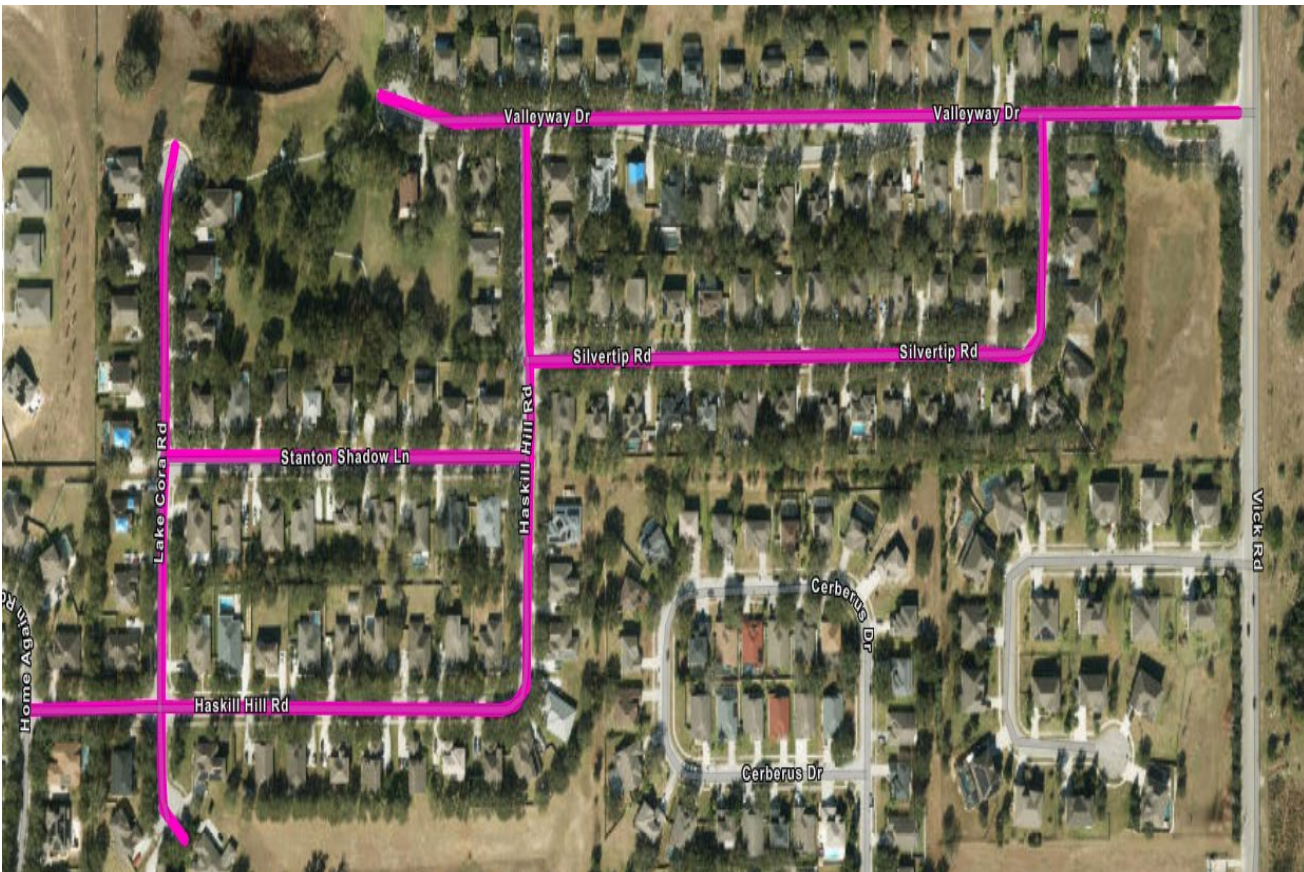
- **Vick Rd** (From 2079 Vick Rd to W Ponkan Rd)
- **Miles** (.86)
- **Total Cost** = \$470,998.72

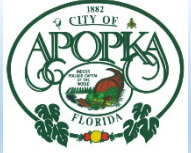


FY 26 – Recommended List for Pavement Improvements – **Cape Seal / Microsurface**

Oak Hill Reserve Sub-division

- **Valleyway Dr** (From Vick Rd to End)
- **Silvertip Rd** (From Haskill Hill Rd to Valleyway Dr)
- **Haskill Hill Rd** (From Valleyway Dr to Home Again Rd)
- **Stanton Shadow Ln** (From Lake Cora Rd to Haskill Hill Rd)
- **Lake Cora Rd** (From End to End)
- **Miles** (1.6)
- **Total Cost = \$218,570.50**

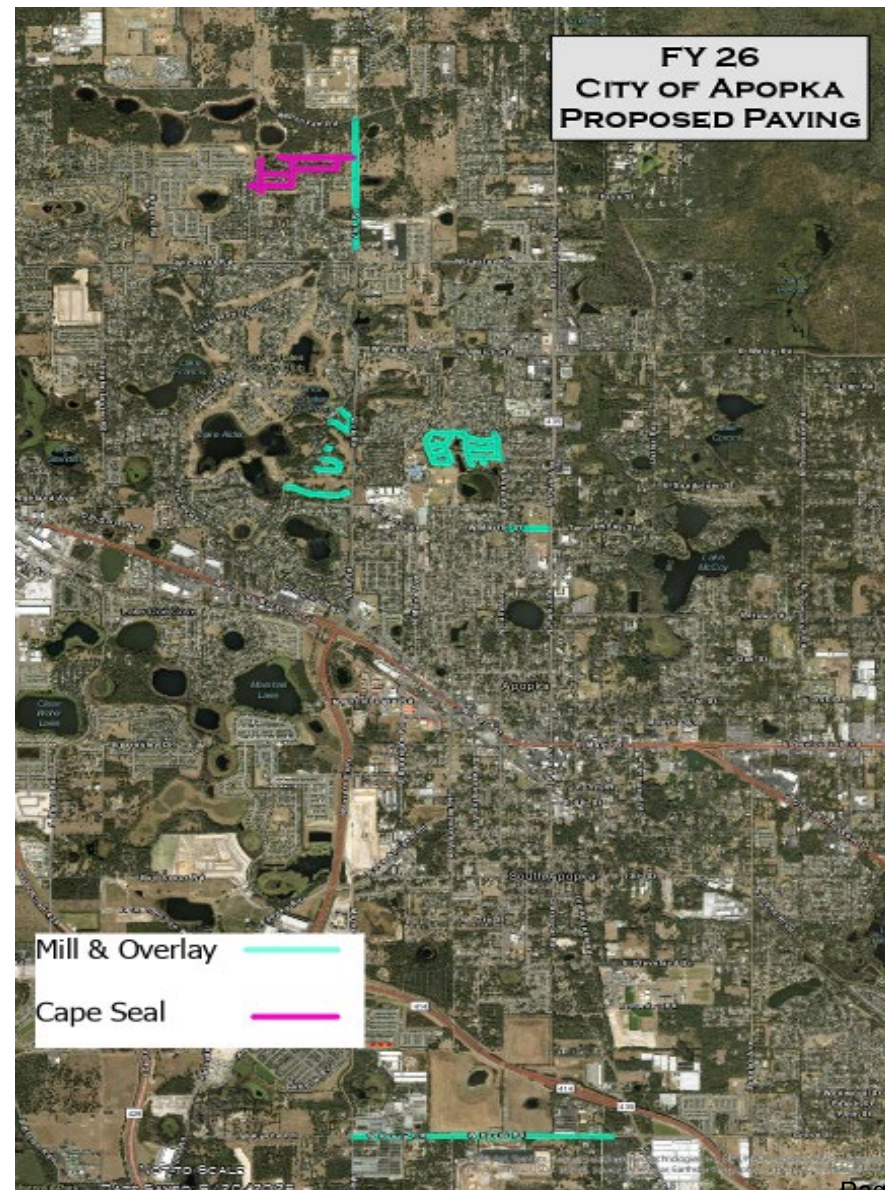


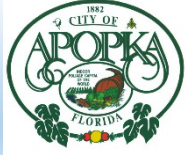


FY 26 – Recommended List for Pavement Improvements – Summary

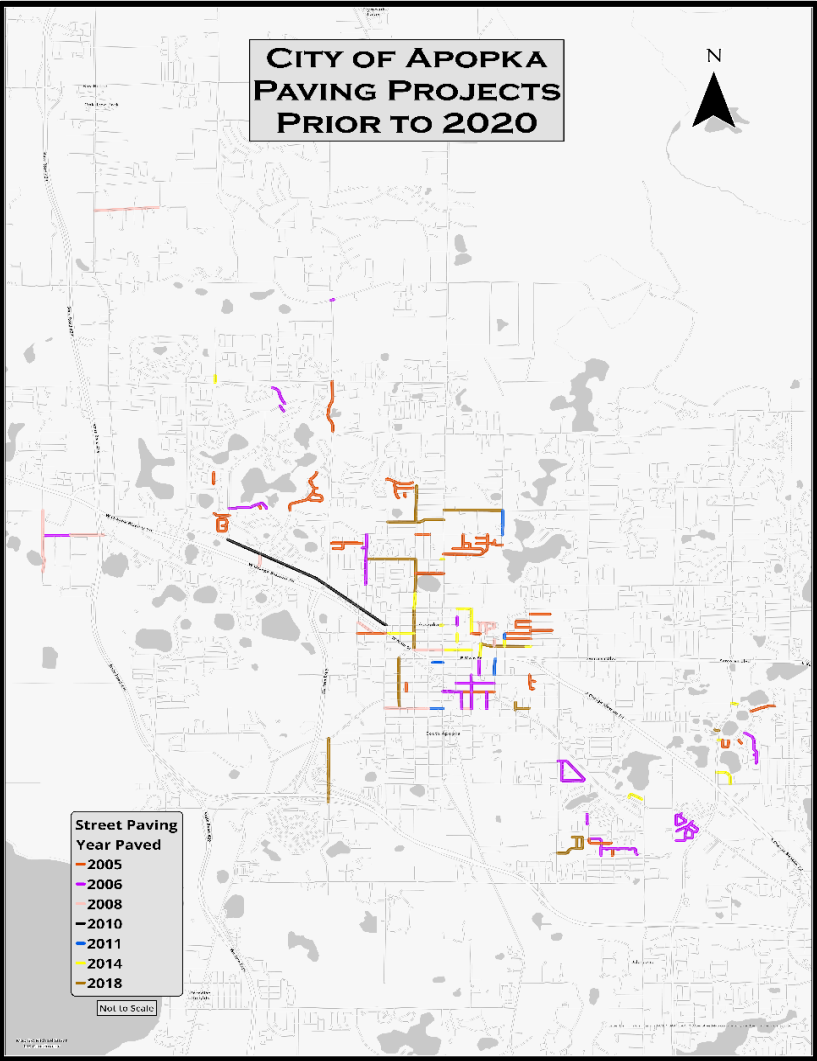
In Summary

- **Cape Seal / Micro Surfacing**
 - 1.6 Miles
 - \$218,570.50
- **Mill & Overlay**
 - 5.44 Miles
 - \$1,734,175.95
- **Total Miles and Cost**
 - 7.04 Miles
 - \$1,952,746.45
- **Budget Proposed for FY26**
 - \$2,000,000

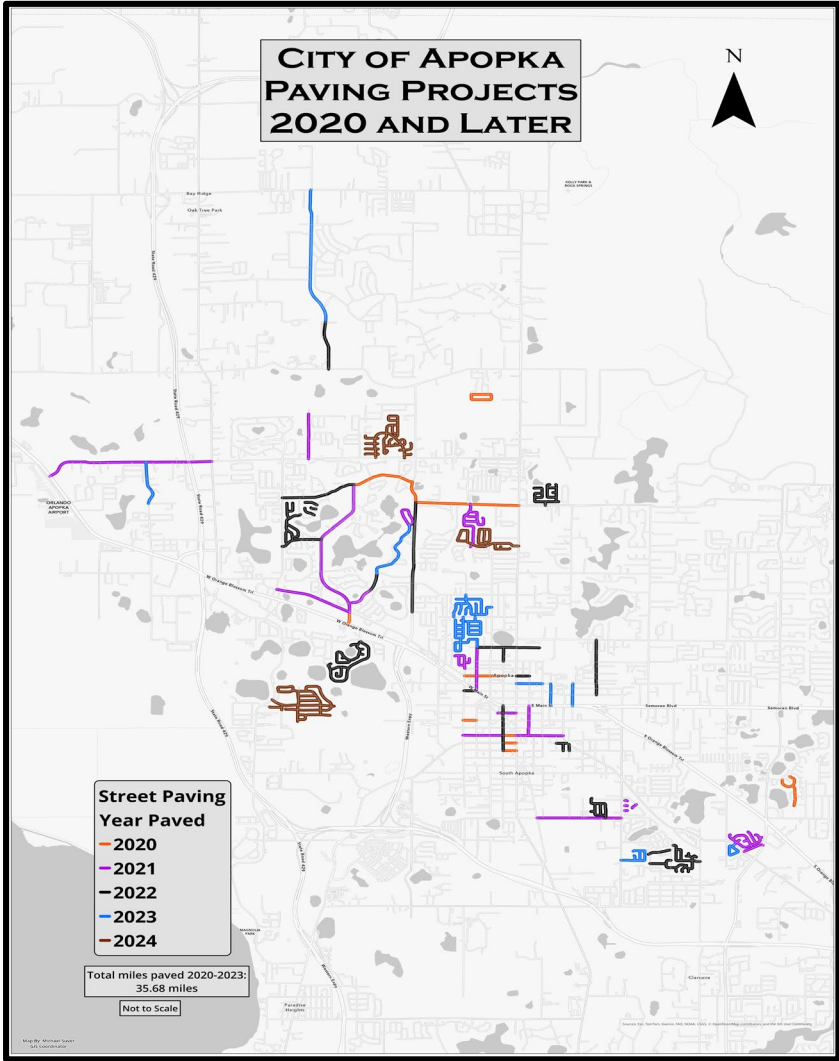




FY 26 – Historical Past Paving Projects– History

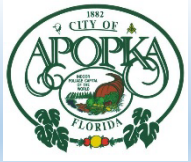


Total Miles 2005 – 2019 = 26.3



Total Miles 2020 – 2024 = 44.34

Year Paved	Length in Miles
2005	7.63
2006	5.9
2007	0
2008	3.06
2009	0
2010	1.63
2011	0.67
2012	0
2013	0
2014	2.47
2015	0
2016	0
2017	0
2018	4.94
2019	0
2020	3.84
2021	10.6
2022	12
2023	8.5
2024	9.4



FY 22-23 – Recommended List for Pavement Improvements

Questions?



Commissioner Compensation Study

Initial Findings

Compensation History

Fiscal Year	Commissioner
FY25	\$17,400
FY24	\$17,400
FY23	\$17,400
FY22	\$16,200
FY21	\$16,200
FY20	\$15,900
FY19	\$13,500

Vice Mayor receives an additional \$300

- Unable to locate records, ordinance, or compensation methodology for Commissioner compensation.
- Located Ordinance No. 781 dated July 7, 1993 which made amendment to the City Charter and includes section 2.03 Compensation; expenses of council.



Commissioner Compensation Study

Applicable section of City Charter

Section 2.03. - Compensation; expenses of council

The mayor and all members of the city council shall receive a salary as now provided by law and ordinance or as hereafter provided by the city council by law or ordinance. No change in the compensation ordinance for a city commissioner shall become effective until the duties of commencement of the terms of commissioners elected at the next regular election, provided that such election follows the adoption of such law or ordinance by at least six months. The mayor and each city commissioner shall be reimbursed from the city treasury to cover the expenditures naturally and necessarily incurred in the performance of their duties of office and said reimbursement procedure shall be established by ordinance and/or resolution.

The mayor shall receive the salary established for the mayor in the annual budget.



Commissioner Compensation Study

Surrounding Cities

City	Population	# Commissioners	Districted	Commissioner Annual Salary	Commissioner Per Capita	Health Insurance
Sanford	67,282	4	Y	\$ 25,032.72	\$ 0.37	Y
Apopka	61,907	4	N	\$ 17,400.00	\$ 0.28	N
Winter Garden	51,000	4	Y	\$ 7,200.00	\$ 0.14	Y
Ocoee	50,421	4	N	\$ 4,000.00	\$ 0.08	
Altamonte Springs	45,538	4	Y	\$ 6,000.00	\$ 0.13	Y
Oviedo	41,934	4	N	\$ 16,160.48	\$ 0.39	Y
Winter Springs	39,645	4	N	\$ 12,000.00	\$ 0.30	
Leesburg	34,794	4	Y	\$ 13,030.42	\$ 0.37	
Casselberry	31,435	4	N	\$ 8,605.48	\$ 0.27	N
DeBary	23,809	4	N	\$ 9,319.44	\$ 0.39	N
Longwood	19,886	4	Y	\$ 12,000.00	\$ 0.60	Y
Maitland	19,215	4	N	\$ 5,145.48	\$ 0.27	N
Lake Mary	16,933	4	N	\$ 8,700.00	\$ 0.51	Y
AVERAGE w/o Apopka				\$ 9,963.44	\$ 0.31	



Commissioner Compensation Study





Commissioner Compensation Study

Recommended Next Steps:

- Workshop or Business Item to discuss compensation and methodologies
- Draft ordinance that establishes compensation for Commissioners
- Ordinance shall specifically repeal any contradictory ordinances or resolutions that may exist but have not been located.

ORDINANCE NO. 781

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, PROPOSING AN AMENDMENT TO THE CHARTER OF THE CITY OF APOPKA, TO AMEND IN ITS ENTIRETY ALL OF ITS CHARTER EXCEPT THAT PART DESCRIBING THE BOUNDARIES OF THE CITY OF APOPKA; SAID AMENDMENTS REVISING THE ARTICLES OF THE CHARTER PERTAINING TO THE CORPORATE NAME, CORPORATE EXISTENCE, FORM OF GOVERNMENT, AND CHARTER; GENERAL POWERS OF CITY; CONSTRUCTION; COMPOSITION OF CITY COUNCIL; ELECTION TERMS; COMPENSATION EXPENSES OF COUNCIL; MAYOR; GENERAL POWERS OF CITY COUNCIL; COUNCIL-EMPLOYEE RELATIONSHIP; VACANCIES, FILLING OF VACANCIES; CITY COUNCIL MEETINGS; DESIGNATION; APPOINTMENT; CITY CLERK; CITY ATTORNEY; ELECTORS; NONPARTISAN ELECTIONS; QUALIFYING; SCHEDULE AND NOTICE OF ELECTIONS; RECALL; CHARTER AMENDMENTS; OATH OF OFFICERS; BUDGET ADOPTION; ANNUAL AUDIT; INITIATIVE-GENERALLY; REPEAL OF FORMER CHARTER PROVISIONS; ORDINANCE PRESERVED; CITY OFFICIAL CONTINUATION IN OFFICE; PENDING MATTERS; PROVISION FOR REFERENDUM - FORM OF BALLOTS; EFFECTIVE DATE; SEVERABILITY; PROVIDING FOR A REFERENDUM ELECTION BY CITY ELECTORS FOR APPROVAL OR REJECTION OF THE PROPOSED AMENDMENT BY THE ELECTORS OF THE CITY OF APOPKA; PROVIDING THE BALLOT TITLE AND THE WORDING OF THE SUBSTANCE OF THE PROPOSED AMENDMENT; PROVIDING FOR AN EFFECTIVE DATE OF THE PROPOSED CHARTER AMENDMENT COMMONLY REFERRED TO AS THE "REVISED AND UPDATED CHARTER"; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has, in public meetings, studied and reviewed the Charter regarding the proposed amendment to the Charter; and

WHEREAS, the City Council recommended that the Charter be modernized and updated by amending in its entirety all of the Charter maintaining the boundaries of the City of Apopka; and

WHEREAS, the City Council recommends that the proposed amendment to the Charter be submitted to the electors of the City for consideration at a mail ballot election to be held on September 14, 1993; and

WHEREAS, Section 166.031, Florida Statutes, provides that the governing body of a municipality may, by ordinance, submit to the electors of said municipality a proposed amendment to its charter, which amendment may be to any part or to all of its charter except that part describing the boundaries of such municipality; and

WHEREAS, the City Council finds that it is in the best interest of the City to submit the proposed amendment to the Charter to the electors of the City at the municipal election to be held on September 14, 1993, all in accordance with Section 166.031, Florida Statutes.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF APOPKA, FLORIDA, THAT:

SECTION 1. Proposed Amendment to Charter. The City Council of the City of Apopka, pursuant to Section 166.031, Florida Statutes, hereby proposes and approves an amendment to the Charter of the City of Apopka, amending in its entirety all of the Charter except that part describing the boundaries of the City of Apopka, which proposed amendment and complete text of the Charter, as amended, is set forth in Exhibit "A" attached hereto and by this reference made a part hereof.

SECTION 2. Submission to Electorate. The proposed amendment to the Charter of the City of Apopka, as contained in this Ordinance, shall be placed to a vote of the electors of the City of Apopka at the next special municipal election to be held on September 14, 1993. Such election shall be held in conformity with the laws of the State of Florida and the ordinances of the City of Apopka now in force relating to elections in the City of Apopka.

SECTION 3. Ballot Title and Text. The proposed amendments, the ballot title and the wording of the substance of the proposed amendment to the Charter, as contained in this Ordinance, shall appear on the ballot in the form of a single question as set forth in Exhibit "B" attached hereto and by this reference made a part hereof. Such referendum election shall be held in conformance with the laws of the State of Florida.

SECTION 4. Effective Date of Amendment to Charter. If the proposed amendment to the Charter, as contained in this Ordinance, is approved and adopted by a majority of the electors of the City of Apopka voting upon such amendment in the election called for in Section 2 of this Ordinance, then said amendment to the Charter shall become effective on October 1, 1993.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a

separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereto.

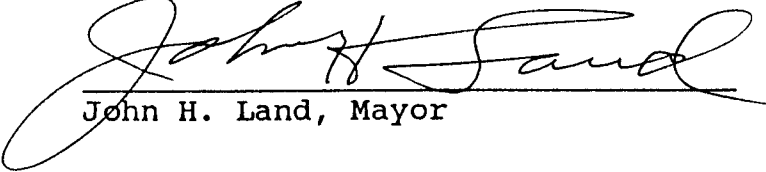
SECTION 6. Conflicting Ordinances. All ordinances and Charter provisions, or parts of ordinances and Charter provisions in conflict herewith are hereby repealed.

SECTION 7. Effective Date of this Ordinance. This Ordinance shall take effect immediately upon its final passage and adoption.

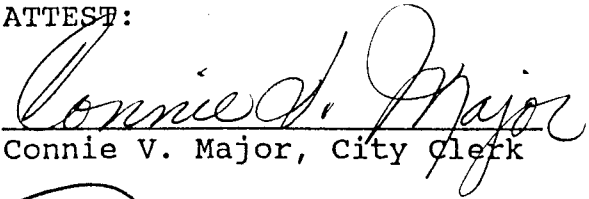
PASSED AND ADOPTED this 7th day of July, 1993.

FIRST READING: 6-16-93

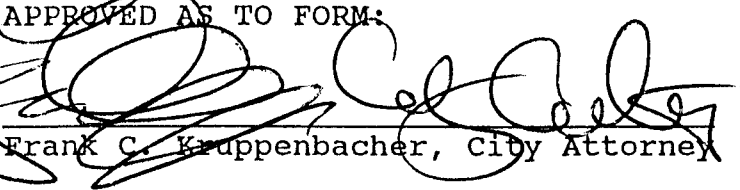
SECOND READING
AND ADOPTION: 7-7-93


John H. Land, Mayor

ATTEST:


Connie V. Major, City Clerk

APPROVED AS TO FORM:


Frank C. Kruppenbacher, City Attorney

02900d

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EXHIBIT "A"

**ARTICLE I. CORPORATE EXISTENCE, FORM OF
GOVERNMENT, BOUNDARY, AND POWER**

Section 1.01. Corporate Name, Corporate Existence, Form of Government, and Charter.

The municipality hereby established shall be known as the City of Apopka, Florida (the "City"). The City of Apopka in Orange County, Florida, which was created by General Law, shall continue as a municipal corporation with a Mayor-Council form of government and with this document as the Charter for the City (the "Charter").

Section 1.02. Corporate Boundary.

The corporate limits of the City shall consist of the boundaries of the City as established by preceding Charter and Chapter 73-402, Laws of Florida, or as enlarged or contracted pursuant to law, including but not limited to, procedures to be followed in the annexation or contraction of property as set forth in Chapter 171, Florida Statutes, as it now exists or as it may be renumbered or amended.

All ordinances of annexation of the City heretofore adopted and as may be adopted prior to the effective date of this Charter are hereby incorporated herein and the lands described in such ordinances, together with the boundaries of the City as described in Chapter 73-402, Laws of Florida, are hereby declared to be the corporate limits of the City.

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Section 1.03. General Powers of City.

The City shall have all governmental, corporate, and proprietary powers possible for a city to have under the Constitution and laws of the State of Florida as though they were specifically enumerated in this Charter to enable it to conduct municipal government, perform municipal functions and render municipal services, and the City may exercise any power for municipal purposes except as expressly prohibited by law or this Charter.

Section 1.04. Construction.

The powers of the City shall be construed liberally in favor of the City, limited only by the Constitution and general and special law of the State of Florida and specific limitations in this Charter.

ARTICLE II. CITY COUNCIL

Section 2.01. Composition of City Council.

A Mayor and four (4) City Commissioners shall constitute the City Council of the City (the "City Council").

Section 2.02. Election and Terms.

(a) The regular election of the Mayor and City Commissioners shall be held in the manner now provided by laws and ordinances for holding municipal elections or as may be hereafter provided for by

law or ordinance for a term of four (4) years. All elections shall be for a four-year term of office, except as provided in Section 2.02 (c) of this Charter.

(b) The City Council seats are hereby designated as Seats one, two, three and four. The present members of the City Council elected to serve on the City Council shall serve as the first City Council until expiration of their current terms.

(c) A Mayor and two (2) City Council members shall be elected to serve for four (4) years from the date of the expiration of the term of office of the present Mayor and two (2) City Council members holding seats designated as One (1) & Two (2), and said election every four (4) years thereafter shall be held as is now or may be hereafter provided by law or ordinance; thus maintaining a five-member City Council; two (2) City Council members being elected at one time and a Mayor and two (2) City Council members at another time.

Council members holding seats designated herein as Seats Three (3) and Four (4), whose terms expire on December 31, 1993, will face election in 1993 for one (1) three (3) year term. Thereafter, the Mayor and City Commissioners will face election for four (4) year terms.

When there is only one candidate qualified for an available seat, the name of the candidate shall not be printed on the election ballot, and such candidate shall be declared elected to the seat.

Section 2.03. Compensation Expenses of Council.

ABG846

The Mayor and all members of the City Council shall receive a salary as now provided by law and ordinance or as hereafter provided by the City Council by law or ordinance. No change in the compensation ordinance for a City Commissioner shall become effective until the duties of commencement of the terms of commissioners elected at the next regular election, provided that such election follows the adoption of such law or ordinance by at least six (6) months. The Mayor and each City Commissioner shall be reimbursed from the City treasury to cover the expenditures naturally and necessarily incurred in the performance of their duties of office and said reimbursement procedure shall be established by ordinance and/or resolution.

The Mayor shall receive the salary established for the Mayor in the annual budget.

Section 2.04. Mayor.

The Mayor shall be the Chief Executive Officer of the City and shall be responsible to the electorate for the administration of all City affairs placed in his/her charge by or under this Charter.

The Mayor shall:

(a) Appoint and, when the Mayor deems it necessary for the good of the City, suspend or terminate all City employees and appointive administrative officers provided for by or under this

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Charter. Department Heads shall be appointed by the Mayor and ratified by the City Council. The Mayor may authorize any administrative officer who is subject to the Mayor's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency;

(b) Direct and supervise the administration of all departments, offices, and agencies of the City, except as otherwise provided by this Charter or by law;

(c) Chair and be a voting member of the City Council.

(d) See that all laws, provisions of this Charter and acts of the City Council, subject to enforcement by the Mayor or by officers subject to the direction and supervision of the Mayor, are faithfully executed.

(e) Prepare, or have prepared, and submit the annual budget, budget message and capital program to the City Council as provided by law or ordinance.

(f) The Vice-Mayor will be the Senior Commissioner and shall serve as Chair of City Council meetings in the absences of the Mayor. In the event the Senior Commissioner declines the Vice-Mayor position, the City Council will elect the Vice-Mayor from among the remaining members of the City Council.

Section 2.05. General Powers of City Council.

All powers of the City shall be vested in the City Council except those powers specifically reserved by this Charter to the electors of the City.

Section 2.06. Council-Employee Relationship.

No City Commissioner shall in any manner dictate the appointment or removal of any City employee, nor shall a City Commissioner give orders to any employee other than orders by action of the City Council to the City Clerk and/or City Attorney. Nothing herein shall be construed to deny a City Commissioner access to records or information maintained by City employees.

Section 2.07. Vacancies, Filling of Vacancies.

(a) Vacancies. The offices of Mayor and City Commissioner shall become vacant in accordance with general law or by absence from four (4) consecutive regular City Council meetings without being excused by the City Council prior to the fourth consecutive absence.

(b) Filling of vacancies. If any vacancy occurs on the City Council, except for extraordinary vacancies, and the unexpired term is less than one year, the remaining members of the said City Council shall appoint a person to fill such vacancy on or before the second regular meeting of the City Council following the office becoming vacant. If the unexpired term exceeds one year, the remaining members shall call an election to be held within sixty (60) days, or as soon thereafter to comply with state election laws, to fill such vacancy. The person so elected shall hold office for the unexpired term.

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(c) Extraordinary vacancies. In the event that a member of the City Council is removed temporarily from office, the remaining members of the City Council shall appoint an interim City Councilmember to serve until the Councilmember being replaced returns to office or until the next City general election, whichever first occurs.

Section 2.08. City Council Meetings.

(a) Time and place. The City Council shall meet regularly at such times and places as the City Council may prescribe by rule. Special meetings may be held at the call of the Mayor, or, in the Mayor's absence at the call of the Vice-Mayor, or at the request of a majority of the City Council; and, whenever practicable, shall provide for not less than twelve (12) hours' notice to the public.

(b) Quorum. A majority of the City Council shall constitute a quorum. No action of the City Council shall be valid unless adopted by the affirmative vote of a majority of the City Council present and voting.

(c) Rules. The City Council shall determine its own rules and order of business.

ARTICLE III. CLERK AND CITY ATTORNEY

Section 3.01. Appointment.

The City Clerk and City Attorney shall be appointed by the Mayor and ratified by the City Council. The City Clerk and City

Attorney shall serve at the pleasure of the Mayor and the City Council.

ARTICLE IV. ELECTIONS

Section 4.01. Electors.

Any person who is a resident of the City, who has qualified as an elector of the State of Florida, and who registers in the City in the manner prescribed by law shall be an elector of the City.

Section 4.02. Nonpartisan Elections.

All elections for the Offices of Mayor and City Commissioner shall be conducted on a nonpartisan basis without any designation of political party affiliation.

Section 4.03. Qualifying.

Candidates for the Offices of Mayor and City Commissioner shall qualify by filing a written notice of candidacy with the City Clerk at such time and in such manner as may be prescribed by ordinance. Each member of the City Council, which includes the Mayor, shall be a resident of the City of Apopka, Florida, for a period of one (1) year next preceding his or her election to office and shall be a registered voter pursuant to Florida law.

Section 4.04. Schedule and Notice of Elections.

Elections within the City shall be held on the first Tuesday in December in those years when required for the election of a City

official, or as amended by ordinance or law at least six (6) months prior to the City general election.

Section 4.05. Recall.

Any member of the City Council may be removed from office by the electors of the City following the procedures for recall established by general law and ordinances of the City.

ARTICLE V. GENERAL PROVISIONS

Section 5.01. Charter Amendments.

This Charter may be amended pursuant to the home rule powers in the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, or its successor and/or pursuant to the home rule powers granted under the Constitution of the State of Florida.

Section 5.02. Oath of Officers.

After election or appointment and before taking office the Mayor and each Commissioner of the City shall swear or affirm:

"I do solemnly swear (or affirm) that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State and under the Charter of the City of Apopka; and I will well and faithfully perform the

duties of _____ (title of office) _____ on which

I am now about to enter so help me God."

Section 5.03. Budget Adoption.

The City Council shall adopt an annual budget for the City by ordinance or resolution before October 1 of each year in accordance with Florida law. An ordinance or resolution adopting an annual budget shall constitute appropriations of the amounts specified as expenditures.

Section 5.04. Annual Audit.

The City shall have an annual audit in accordance with Florida law.

Section 5.05. Initiative-Generally.

(a) Any proposed ordinance may be submitted to the City Council by a petition signed by twenty-five (25) percent of the total number of votes cast at the last preceding general election of the City. Procedure and format for petitions will be as established by general law or ordinances of the city.

(b) Prior to submission to City Council, any such proposed ordinance will be reviewed by the City Attorney as to form and compliance with state law and the Constitution.

(c) Within sixty (60) days of submission of the petition to City Council or as soon thereafter to comply with state law, the

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City Council may adopt the ordinance or shall call a special election to be held within sixty (60) days or as soon thereafter to comply with state law, at which the adoption or rejection of such ordinance shall be submitted to the qualified voters of the City.

(d) If a majority of the qualified voters voting on the proposed ordinance shall vote in favor thereof, the ordinance shall thereupon become a valid ordinance in the City.

(e) Any number of proposed ordinances may be voted upon at the same election according to the provisions of this section.

ARTICLE VI. TRANSITION SCHEDULE

Section 6.01. Repeal of Former Charter Provisions.

All Charter provisions in effect prior to the effective date of this Charter are repealed except those provisions which established the municipal corporation known as the City of Apopka (Chapter 67-1080 of Florida Law) and the City Boundary (Chapter 73-402 of Florida Law).

Section 6.02. Ordinance Preserved.

All ordinances in force on the effective date of this Charter, to the extent not inconsistent with it, shall remain in force until repealed or amended.

Section 6.03. City Official Continuation in Office.

All elected City Officials shall retain their respective positions until expiration of their current terms of office.

Section 6.04. Pending Matters.

No rights, claims, actions, contracts, taxes, or legal or administrative proceedings existing on the effective date of this Charter and involving the City shall be affected by the adoption of this Charter as allowed by law.

Section 6.05. Provision for Referendum; form of ballots.

The City Council shall submit to a referendum election the question as to the adoption of this amended Charter. Such election shall be held at the next regularly scheduled election of the City or at a special election to be held within ninety (90) days of the passage of the ordinance amending this Charter by the City Council and shall be held in conformity with the laws and ordinances in force relating to elections in the City. The ballot to be used in the referendum election shall be substantially in the following form:

CITY CHARTER AMENDMENT:

PROPOSING A REVISED AND UPDATED

CITY CHARTER

Should the Apopka City Charter be amended, as proposed in Ordinance No. 781, amending the entire City Charter except for boundaries, providing for corporate existence, form of government, boundary, and power; providing for a Mayor-Council form of government; providing duties of Mayor as Chief

Executive Officer; updating and modernizing the Charter; providing four year terms for Mayor and Commissioners; providing for change in General Provisions; and providing for Transition Schedule, Effective Date and Severability?

Yes for Approval

No for Rejection

Section 6.06. Effective date.

Provided a majority of the registered voters of the City voting in the referendum election vote "For Adoption" then this amended Charter shall immediately be filed with the Department of State pursuant to Florida Law, and the provisions hereof shall become operative and be in full force and effect on October 1, 1993.

Section 6.07. Severability.

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstances is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

F:\PEGGYL\WP\CHART.NEW

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EXHIBIT "B"OFFICIAL BALLOT
CITY OF APOPKA, FLORIDA
REFERENDUM ELECTIONNo. 1CITY CHARTER AMENDMENT:
PROPOSING A REVISED AND UPDATED
CITY CHARTER

Should the Apopka City Charter be amended, as proposed in Ordinance No. 781, amending the entire City Charter except for boundaries, providing for corporate existence, form of government, boundary, and power; providing for a Mayor-Council form of government; providing duties of Mayor as Chief Executive Officer; updating and modernizing the Charter; providing four year terms for Mayor and Commissioners; providing for change in General Provisions; and providing for Transition Schedule, Effective Date and Severability?

Yes for Approval
No for Rejection

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City of Apopka CITY COUNCIL STAFF REPORT

Section: CONSENT (Action Item)

Item #: 1.

Meeting Date: August 6, 2025

Department: Police Department

SUBJECT:

Presentation of Service Weapon to Sergeant Steve Harmon

ACTION ITEM INFORMATION:

REQUEST:

Police Chief to Present Service Weapon to Retired Sergeant Steve Harmon.

SUMMARY:

Sergeant Steve Harmon retired after 22 years of service with the City of Apopka Police Department. This is a request for Police Chief Michael McKinley to present ownership of the service weapon to Sergeant Steve Harmon. City asset- Glock 21 Serial# YDG771 (to be redacted from public record).

FUNDING SOURCE:

Not Applicable.

RECOMMENDED MOTION:

Approval for Chief McKinley to present service weapon ownership to Sergeant Steve Harmon.

ATTACHMENTS:

None



City of Apopka CITY COUNCIL STAFF REPORT

Section: CONSENT (Action Item)

Item #: 2.

Meeting Date: August 6, 2025

Department: Code Enforcement

SUBJECT:

Execute Release of Code Enforcement Lien for 1550 Golfside Village Boulevard

ACTION ITEM INFORMATION:

Release of Code Enforcement Lien - 1550 Golfside Village Boulevard

REQUEST:

Execute Release of Lien - 1550 Golfside Village Boulevard

SUMMARY:

On August 20, 2024, the City of Apopka rendered an Order Finding FKH SFR C1 L P, the owner of the property at 1550 Golfside Village Boulevard ("Subject Property") in violation of IPMC, Chapter 3, Section 302.2, as adopted by Article 5, Section 18-108 of the Apopka Municipal Code. A fine in the amount of Five Hundred (\$500.00) Dollars per day was imposed starting on November 19, 2024.

On June 23, 2025, Mariam Davis and the City entered into a Settlement Stipulation to reduce the unpaid code enforcement lien to a settlement amount of Twenty-Five Thousand (\$25,000.00) Dollars, paid to the City. The property is currently in compliance with the International Property Maintenance Code.

FUNDING SOURCE:

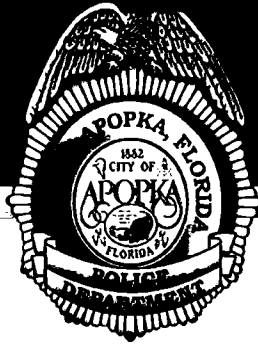
N/A

RECOMMENDED MOTION:

Execute Release of Code Enforcement Lien for recordation in Public Records of Orange County, Florida upon receipt of settlement amount.

ATTACHMENTS:

1. Affidavit of Compliance - 1550 Golfside Village Boulevard
2. Settlement Stipulation - 1550 Golfside Village Boulevard
3. Release of Lien - 1550 Golfside Village Boulevard



DOC # 20250354944

06/18/2025 08:22 AM Page 1 of 2

Rec Fee: \$18.50

Deed Doc Tax: \$0.00

Mortgage Doc Tax: \$0.00

Intangible Tax: \$0.00

Phil Diamond, Comptroller

Orange County, FL

Ret To: CSC INC

CERTIFICATION

**STATE OF FLORIDA }
COUNTY OF ORANGE }**

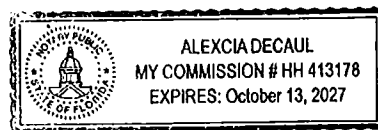
I, **ALEXCIA DECAUL**, Code Enforcement Recording Secretary, do hereby certify that the attached is a true and correct copy of:

**AFFIDAVIT OF COMPLIANCE
APOPKA CODE ENFORCEMENT HEARING OFFICER
CE CASE# 24-00615
1550 GOLFSIDE VILLAGE BLVD, APOPKA, FL 32712
PARCEL ID: 32-20-28-2536-00-740
OWNER: FKH SFR M L P**

IN WITNESS WHEREOF, I have hereunto set my hand this the 16th day of June 2025.

CITY OF APOPKA

Alexcia DeCaul
Code Enforcement Recording Secretary



**CODE ENFORCEMENT HEARING OFFICER
OF THE
CITY OF APOPKA, FLORIDA**

CITY OF APOPKA, FLORIDA

**vs
Respondent(s)**

FKH SFR C1 L P

CASE NO. 24-00615

**ADDRESS: 1550 GOLFSIDE VILLAGE BLVD LIEN
PARCEL ID: 32-20-28-2536-00-740**

**AFFIDAVIT OF COMPLIANCE WITH ORDER
OF APOPKA CODE ENFORCEMENT HEARING OFFICER**

**STATE OF FLORIDA
COUNTY OF ORANGE**

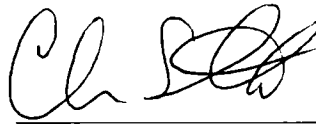
BEFORE ME, the undersigned authority, personally appeared **Chris Smith**, Code Enforcement Officer for the City of Apopka, who, after being duly sworn, deposes and says:

1. That on **08/20/2024** the Code Enforcement Hearing Officer held a public hearing and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **11/19/2024**
3. That re-inspection was performed on **06/11/25** and was in compliance.

If Compliance was met after corrective action date specified in said Order, Respondent must contact the Apopka Code Enforcement Office at (407) 703-1738 to resolve accrued daily fines.

FURTHER AFFIANT SAYETH NOT.

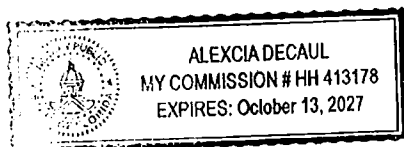
Dated this **06/16/2025**



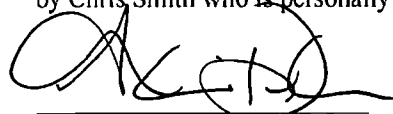
Chris Smith
Code Enforcement Officer

**STATE OF FLORIDA
COUNTY OF ORANGE**

Sworn to and subscribed before me this **06/16/2025**
an oath.



by Chris Smith who is personally known to me and did not take



Alexcia DeCaul
Notary Public, State of Florida
Commission #HH 413178

**CODE ENFORCEMENT
CITY OF APOPKA, FLORIDA**

CITY OF APOPKA,

Complaint No. 24-00615

Petitioner,

Address: 1550 GOLFSIDE VILLAGE BLVD
APOPKA, FL 32712

v.

Parcel ID: 32-20-28-2536-00-740

FKH SFR M L P,

Respondents,

_____/

SETTLEMENT STIPULATION

Petitioner CITY OF APOPKA, and Respondents FKH SFR M L P, enter this Settlement Stipulation ("Stipulation") in the above-styled action as follows:

1. This Stipulation is meant to settle all issues arising from the violations alleged in the complaint.

2. Petitioner and Respondents enter this Stipulation to pay a reduced total code enforcement fine in the amount of Twenty-Five Thousand (\$25,000.00) Dollars in full satisfaction of all fines previously imposed. Said amount must be paid within thirty (30) days of the date of this Stipulation or same shall be null and void.

3. Each party represents and warrants to the other party that it has the requisite authority to enter this Stipulation.

4. Upon approval of this Stipulation and clearance of the funds in payment in full of the agreed upon amount, the City of Apopka will record a Satisfaction of Lien for property address 1550 Golfside Village Blvd, Apopka, FL 32712.

5. The Parties hereby irrevocably and unconditionally release, acquit, and forever discharge each other from claims of any kind arising from this complaint and enforcement action. The Parties also hereby waive all rights to file any claim or a lawsuit against the other party relating to the above styled action. This release does not prohibit Petitioner from initiating code enforcement actions for subsequent violations (either new or repeat) of anything within the scope of Petitioner's jurisdiction.

6. Upon full execution of this Stipulation by both parties and payment of the agreed settlement amount, the City of Apopka will schedule approval of this Agreement at the next City Council Public Hearing.

7. Should City Council not approve this Stipulation, all sums paid hereunder will be returned to Respondent and the releases set forth herein shall be null and void.

Dated this 23 day of June, 2025.

Petitioner:

CITY OF APOPKA
Office of the City Attorney
120 East Main Street
Apopka, Florida 32703-5346
T: 407.703.1641
F: 407.703.1780
E: RWilliams@Apopka.net



Radley Williams
Interim City Administrator

Respondent:

FKH SFR M L P
600 Galleria Pkwy Se Ste 300
Atlanta, GA 30339-8146

Mariam Davis

Signature

Mariam Davis

Print Name

This instrument prepared by
the Deputy City Clerk

When recorded return to:
Code Enforcement Department
Apopka Police Department
112 E 6th Street
Apopka, Florida 32703

RELEASE OF CODE ENFORCEMENT LIEN

KNOW ALL MEN BY THESE PRESENTS that the CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA (“City”), whose mailing address is 120 East Main Street, Apopka, Florida 32703, is the owner and holder of that certain Order Imposing Penalty/Lien against **FKH SFR M L P, recorded on January 21, 2025 at Instrument No. 20250036222**, of Public Records of Orange County, Florida (“Code Enforcement Lien”).

NOW, THEREFORE, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City hereby releases the following real property described to wit on Exhibit A, attached hereto and incorporated herein, from the lien, operation, and effect of the Code Enforcement Lien.

IN WITNESS WHEREOF, the City has executed these presents this 6th day of August, 2025.

ATTEST:

CITY OF APOPKA, FLORIDA

Susan Bone, City Clerk

Bryan Nelson, Mayor

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☐ physical presence OR ☐ online notarization, this 6th day of August, 2025, by Bryan Nelson, Mayor, and Susan Bone, City Clerk, who are ☐ personally known to me OR ☐ who have produced _____ as identification.

Notary Public

EXHIBIT A

LEGAL DESCRIPTION

ERROL GOLFSIDE VILLAGE 10/43 LOT 74, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.



City of Apopka CITY COUNCIL STAFF REPORT

Section: CONSENT (Action Item)

Item #: 3.

Meeting Date: August 6, 2025

Department: Code Enforcement

SUBJECT:

Execute Release of Code Enforcement Lien for 1594 Stormway Court

ACTION ITEM INFORMATION:

Release of Code Enforcement Lien - 1594 Stormway Court

REQUEST:

Execute Release of Lien - 1594 Stormway Court

SUMMARY:

On September 21, 2018, the City of Apopka rendered an Order Finding THUNDERBOWL LAND TRUST, the owner of the property at 1594 Stormway Court ("Subject Property") in violation of AMC, Chapter 22, Article 2, Section 22-37 of the Apopka Municipal Code. And LDC, Article 7, Section 7.01.02(b), 7.01.08(a) and 7.01.02(d) of the Land Development Code. A fine in the amount of Two Hundred and Fifty (\$250.00) Dollars per day was imposed starting on October 19, 2018.

On July 25, 2025, Maria Colella and the City entered into a Settlement Stipulation to reduce the unpaid code enforcement lien to a settlement amount of Two Thousand (\$2,000.00) Dollars, paid to the City. The property is currently in compliance with the Apopka Municipal Code and Land Development Code.

FUNDING SOURCE:

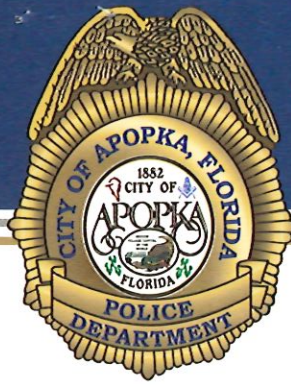
N/A

RECOMMENDED MOTION:

Execute Release of Code Enforcement Lien for recordation in Public Records of Orange County, Florida upon receipt of settlement amount.

ATTACHMENTS:

1. Affidavit of Compliance - 1594 Stormway Court
2. Settlement Stipulation - 1594 Stormway Court
3. Release of Lien - 1594 Stormway Court



CERTIFICATION

DOCH 20240506649
08/30/2024 11:25:11 AM Page 1 of 2
Rec Fee: \$18.50
Phil Diamond, Comptroller
Orange County, FL
MB - Ret To: APOPKA POLICE DEPARTMENT



STATE OF FLORIDA }
COUNTY OF ORANGE }

I, **ALEXCIA DECAUL**, Code Enforcement Recording Secretary, do hereby certify that the attached is a true and correct copy of:

AFFIDAVIT OF COMPLIANCE
CE CASE# 18-00314
1594 STORMWAY CT, APOPKA, FL 32712
OWNER: THUNDERBOWL LAND TRUST

IN WITNESS WHEREOF, I have hereunto set my hand this the 23rd day of August 2024.

CITY OF APOPKA

Alexcia DeCaul
Code Enforcement Recording Secretary

**CODE ENFORCEMENT HEARING OFFICE
OF THE
CITY OF APOPKA, FLORIDA**

CITY OF APOPKA, FLORIDA

CASE NO. 18-00314

ADDRESS: 1594 STORMWAY CT

LIEN

PARCEL ID:31-20-28-2521-00-390

vs

Respondent(s)

THUNDERBOWL LAND TRUST

**AFFIDAVIT OF COMPLIANCE WITH ORDER
OF APOPKA CODE ENFORCEMENT HEARING OFFICER**

**STATE OF FLORIDA
COUNTY OF ORANGE**

BEFORE ME, the undersigned authority, personally appeared **Chris Smith**, Code Enforcement Officer for the City of Apopka, who, after being duly sworn, deposes and says:

1. That on **09/18/2018** the Code Enforcement Hearing Officer held a public hearing and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **10/18/2018**
3. That re-inspection was performed on **02/07/24** and was in compliance.

FURTHER AFFIANT SAYETH NOT.

Dated this

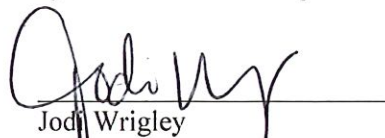


Chris Smith
Code Enforcement Officer

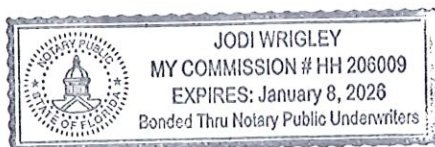
**STATE OF FLORIDA
COUNTY OF ORANGE**

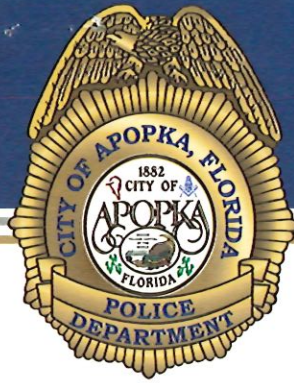
Sworn to and subscribed before me this
an oath.

by Chris Smith who is personally known to me and did not take



Jodi Wrigley
Notary Public, State of Florida
Commission #HH 206009





August 23, 2024

Orange County Comptroller
Official Records Department
P.O. Box 38
Orlando, FL 32802

**RE: RECORDING CHARGES FOR THE CITY OF APOPKA POLICE
DEPARTMENT**

Please charge the attached documents to the City of Apopka Police Department's account. I understand these charges will be billed to our account (1583) on a monthly basis.

Included in today's mail please find:

1 Certified cover sheet @ \$10.00 first page	\$10.00
1 Affidavit of Compliance @ \$8.50 per page	<u>\$8.50</u>
TOTAL	\$18.50

Alexcia DeCaul
Code Enforcement Administrative Specialist

DOC # 20240506649

08/30/2024 11:25:11 AM Page 1 of 1
Phil Diamond, Comptroller
Orange County, FL



**CODE ENFORCEMENT
CITY OF APOPKA, FLORIDA**

CITY OF APOPKA,

Complaint No. 18-00314

Petitioner,

Address: 1594 STORMWAY CT
APOPKA, FL 32712

v.

Parcel ID: 31-20-28-2521-00-390

THUNDERBOWL LAND
TRUST,

Respondents,

_____ /

SETTLEMENT STIPULATION

Petitioner CITY OF APOPKA, and Respondents Thunderbowl Land Trust, enter this Settlement Stipulation ("Stipulation") in the above-styled action as follows:

1. This Stipulation is meant to settle all issues arising from the violations alleged in the complaint.
2. Petitioner and Respondents enter this Stipulation to pay a reduced total code enforcement fine in the amount of Two Thousand (\$2,000.00) Dollars in full satisfaction of all fines previously imposed. Said amount must be paid within Thirty (30) days of the date of this Stipulation or same shall be null and void.
3. Each party represents and warrants to the other party that it has the requisite authority to enter this Stipulation.
4. Upon approval of this Stipulation and clearance of the funds in payment in full of the agreed upon amount, the City of Apopka will record a Satisfaction of Lien for property address 1594 Stormway Ct, Apopka, FL 32712.
5. The Parties hereby irrevocably and unconditionally release, acquit, and forever discharge each other from claims of any kind arising from this complaint and enforcement action. The Parties also hereby waive all rights to file any claim or a lawsuit against the other party relating to the above styled action. This release does not prohibit Petitioner from initiating code enforcement actions for subsequent violations (either new or repeat) of anything within the scope of Petitioner's jurisdiction.

6. Upon full execution of this Stipulation by both parties and payment of the agreed settlement amount, the City of Apopka will schedule approval of this Agreement at the next City Council Public Hearing.

7. Should City Council not approve this Stipulation, all sums paid hereunder will be returned to Respondent and the releases set forth herein shall be null and void.

Dated this 25th day of July, 2025.

Petitioner:

CITY OF APOPKA
Office of the City Attorney
120 East Main Street
Apopka, Florida 32703-5346
T: 407.703.1641
F: 407.703.1780
E: RWilliams@Apopka.net

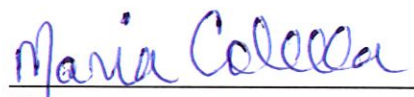


Radley Williams
Interim City Administrator

Respondent:

THUNDERBOWL LAND TRUST

1594 Stormway Ct
Apopka, FL 32712

 TTE

Signature

 TTE

Print Name

This instrument prepared by
the Deputy City Clerk

When recorded return to:
Code Enforcement Department
Apopka Police Department
112 E 6th Street
Apopka, Florida 32703

RELEASE OF CODE ENFORCEMENT LIEN

KNOW ALL MEN BY THESE PRESENTS that the CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA (“City”), whose mailing address is 120 East Main Street, Apopka, Florida 32703, is the owner and holder of that certain Order Imposing Penalty/Lien against **THUNDERBOWL LAND TRUST**, recorded on November 12, 2020 at Instrument No. 20200592252, of Public Records of Orange County, Florida (“Code Enforcement Lien”).

NOW, THEREFORE, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City hereby releases the following real property described to wit on Exhibit A, attached hereto and incorporated herein, from the lien, operation, and effect of the Code Enforcement Lien.

IN WITNESS WHEREOF, the City has executed these presents this 6th day of August, 2025.

ATTEST:

CITY OF APOPKA, FLORIDA

Susan Bone, City Clerk

Bryan Nelson, Mayor

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☐ physical presence OR ☐ online notarization, this 6th day of August, 2025, by Bryan Nelson, Mayor, and Susan Bone, City Clerk, who are ☐ personally known to me OR ☐ who have produced _____ as identification.

Notary Public

EXHIBIT A

LEGAL DESCRIPTION

ERROL ESTATE UNIT 4A 7/88 LOT 39, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.



City of Apopka CITY COUNCIL STAFF REPORT

Section: CONSENT (Action Item)

Item #: 4.

Meeting Date: August 6, 2025

Department: Finance Department

SUBJECT:

Authorization to Dispose of Surplus Property

ACTION ITEM INFORMATION:

REQUEST:

Authorize the disposal of surplus equipment/property and removal of asset property from the asset list.

SUMMARY:

Disposal of surplus capital and non-capital equipment property.

Staff requests City Council approval to dispose of surplus capital equipment/property which has no useful benefit to the daily operation of the city. This request is per Administrative Policy 122.1.1.II: "The disposal of capital asset property which is obsolete, or for which the continued use would be uneconomical or inefficient, shall be in accordance with Florida Statue 274 and must be approved by the City Council". The asset property includes the disposal of items by auction, donation, or elimination. The below detailed identified equipment and vehicles no longer function or have usefulness to the city.

**City of Apopka
Surplus Disposal
Capital Assets of \$5,000 or more**

Item	Asset Tag/Serial #	Department	Purchased	Acquisition Value	Book Value	Ass
Ford Taurus Interceptor	1FAHP2MK6EG109198	Public Service	08/08/13	22,965.00	-	G0991
Ford Taurus Interceptor	1FAHP2MK4FG178179	Public Service	08/20/15	23,379.00	-	G0901
Ford Fusion	3FA6POH99DR255993	Public Service	03/28/13	20,730.00	-	G0901
Vermeer Trencher RT100	1VRX051E971902355	Public Service	Not found on asset database		N/A	
Ford Fusion	3FA6POHDXHR113551	Public Service	06/03/16	19,756.18	-	G0000
Ford Explorer Interceptor K9	1FM5K8AR1GGC72906	Public Service	05/05/16	26,061.79	-	G0000
Chevy Impala	2G1WS55R079225259	Public Service	05/17/07	22,248.45	-	G0991
Chevy Impala	2G1WS55R779193152	Public Service	05/03/07	22,650.00	-	G0991
Ford Ranger	1FTYR10U94PA86634	Public Service	02/24/04	11,526.00	-	E0099
Ford F250	3FTNW20L91MA11930	Public Service	09/30/01	21,997.00	-	G0099
Ford F150	1FTFW1EFXCFA75270	Public Service	03/01/12	24,616.00		G0993
Dodge Journey	3C4PDDBGXET188203	Public Service	07/13/14	20,500.00	-	G0993
Hyundai Santa Fe	5XYZT3LB4DG073823	Public Service	06/05/14	17,000.00	-	G0993
Kubota 60" Mower	51429	Public Service	03/14/13	8,687.93	-	G0992
Scag Mower	BG800199	Public Service	10/20/05	8,559.59	-	G0992
Kubota 60" Mower	50813	Public Service	12/22/11	8,100.00	-	G0992
Ford F150	1FTRX12W57KC85108	Public Service	05/24/07	16,309.00	-	E0991
Chevrolet Impala	2G1WS55R879210573	Public Service	05/24/07	22,248.45	-	G0991
Chevrolet Impala	2G1WS55R579194252	Public Service	05/03/07	23,204.00	-	G0991
Ford Ranger	1FTYR10UX5PA77717	Public Service	04/28/05	11,042.00	-	E0991
Short Stop Concrete Pump	841	Public Service	Not found on asset database		N/A	
Concrete Mixer	1E9BM1624GS34118	Public Service	Not found on asset database		N/A	
John Deere Gator	W04X2SD013693	Public Service	Not found on asset database		N/A	
Ford F150	1FTRF12257NA50870	Public Service	03/15/07	14,628.90	-	E0991
Cat 320L Excavator	9KK03580	Public Service	05/21/98	97,000.00	-	E0099
Stihl Backpack Blower	247911664	Public Service	Not found on asset database		N/A	
Husqvarna Vent Saw	1600032	Public Service	Not found on asset database		N/A	
Vent Saw	092017-T051-02443	Public Service	Not found on asset database		N/A	
Stihl Concrete Saw	164462274	Public Service	Not found on asset database		N/A	
Stihl Blower	294450306	Public Service	Not found on asset database		N/A	
Stihl Backpack Blower	510553242	Public Service	Not found on asset database		N/A	
Stihl Pruner	505059619	Public Service	Not found on asset database		N/A	
Stihl Edger	511559750	Public Service	Not found on asset database		N/A	
Stihl Edger	506442853	Public Service	Not found on asset database		N/A	
Stihl Weedeater	2913944148	Public Service	Not found on asset database		N/A	
Stihl Blower	286945249	Public Service	Not found on asset database		N/A	
Stihl Blower	270438284	Public Service	Not found on asset database		N/A	
Ford Taurus Interceptor	1FAHP2MK1EG182804	Public Service	07/10/14	25,216.00	-	G0991
		Total		\$ 488,425.29	-	

Staff requests City Council approval to dispose of surplus non-capital equipment/property which has no useful

benefit to the daily operation of the city. This request is per Administrative Policy 109.2.II B: "Disposal of non-fixed asset property shall be through competitive bid; donation to other governmental or non-profit agencies; or destruction, as determined by the Mayor and/or designee(s). Any item disposed of through competitive bid shall be awarded to the bid that provides the greatest income to the city". The non-fixed asset property includes the disposal of items by auction, donation, or elimination. The below detailed items which no longer function or have usefulness to the city.

City of Apopka						
Surplus Disposal						
Non-Fixed Assets of less than \$1,000						
Item	Item	Asset Tag/Serial #	Department	Purchased	Acquisition Value	Book Value
PS-WW HP CLJ M479dn Printer		None	Public Service			-

FUNDING SOURCE:

N/A

RECOMMENDED MOTION:

Authorize the disposal of said equipment/property.

ATTACHMENTS:

None



City of Apopka CITY COUNCIL STAFF REPORT

Section: CONSENT (Action Item)

Item #: 5.

Meeting Date: August 6, 2025

Department: Finance Department

SUBJECT:

Authorize the execution of a contract for Rapid Systems, Inc. per the assigned terms.

ACTION ITEM INFORMATION:

REQUEST:

Authorize the execution of a contract for the assigned terms.

SUMMARY:

The departments purchase various commodities in its daily operations, including equipment, tooling, and services throughout the year. A contract shall be utilized when it is determined that the terms and conditions are complex or incremental or in any other way require a contract. They are also encouraged when applicable for operational proficiencies. Contracts are acquired under the most efficient method of purchase or best cost savings for the quantities that are being utilized. Contract renewals are requested when the contract is scheduled to expire and the City seeks to continue the terms and conditions for an additional period of time. Contractual information is kept on record with each purchase order issued.

Per Purchasing Policy 107.3.15 - Contracts:

A contract means a written agreement or purchase order between the City and a vendor detailing the legal responsibilities of both parties in the offer and acceptance of a specific act, usually for the procurement of goods, services, or construction for money or other considerations. A contract shall be used for a commodity, contractual service, construction service and/or where the City Attorney, Department Director, Purchasing Administrator or designee determines that the terms and conditions are complex or incremental or in any other way require a contract. All contracts must be reviewed by the City Attorney. Purchasing will forward all non-state-affiliated piggyback contracts to the City Attorney for review when applicable. All contracts less than \$50,000.00 must be approved by the City Administrator. All contracts of \$50,000.00 or more must be approved by the City Council and City Attorney prior to the Mayor or City Administrator signing.

Per Purchasing Policy 107.3.17 - Piggyback Contracts:

Piggyback contracts will only be authorized during the period of time that the original contract is active and has not expired (if the original contract expires or terminates, so shall the piggyback contract). The Department Director or designee must review and confirm potential piggyback contracts for applicability and scope. The request for utilizing a piggyback contract must be submitted to the Finance Department for purchasing review. Upon approval, the Purchasing Administrator or designee shall submit their review to the City Attorney for final approval. Contracts that are over \$50,000 will also require City Council approval. Multi-Year Piggybacks: if determined to be over \$50,000 and once authorized by City Council, if the dollar amount allotted in the fiscal year budget is available for the services or commodities, it will not require additional City Council approval.

Below is a full listing of contracts that are being requested by; department submittal, vendor, description, source, and expiration dates.

Department:	Information Technology
New Contract/ Renewal/Amendment:	New Contract
Contract Type:	Goods and Services
Vendor:	Rapid Systems, Inc.
Contract Description:	Exclusive tech support, onsite infrastructure response, network monitoring, network security monitoring, security update services, network preventative maintenance, infrastructure repair with advanced placement, in addition to wireless tech support, onsite response, maintenance, and WiFi circuit data services.
Terms:	Goods and services on an as-needed basis.
Contract Start Date:	August 7, 2025
Expiration Date:	August 6, 2028
Renewals Available:	Automatic renewals for successive one (1) year terms, unless terminated within the provisions of the agreement.
Annual Cost:	Within budgetary appropriations
Contract Source Method:	107.3.9.8.5. INFORMATION TECHNOLOGY SOFTWARE/HARDWARE Software/hardware that is currently owned or utilized requires no further formal competitive procurement if upgrades, maintenance, or additional services are needed.
Contract Summary:	Rapid Systems, Inc. currently provides the City with exclusive tech support, onsite infrastructure response, network monitoring, network security monitoring, security update services, network preventative maintenance, infrastructure repair with advanced placement, in addition to wireless tech support, onsite response and maintenance. These services are currently provided through a third-party contract with Motorola that designates Rapid Systems as the only authorized provider within their network. Contracting directly with Rapid Systems, Inc. will allow the Information Technology Department to initiate and schedule work orders, assist with improved time efficiencies, and eliminate the cost markup that is currently being charged through the Motorola contract.

FUNDING SOURCE:

As authorized, adopted, and per the appropriated fiscal year budgetary funding within each departmental budget.

RECOMMENDED MOTION:

Authorize the execution of a contract for Rapid Systems, Inc. per the assigned terms.

ATTACHMENTS:

None



City of Apopka CITY COUNCIL STAFF REPORT

Section: CONSENT (Action Item)

Item #: 6.

Meeting Date: August 6, 2025

Department: Finance Department

SUBJECT:

Authorize the issuance of sole source memo: Florida Bullet

ACTION ITEM INFORMATION:

REQUEST:

Approve the issuance of sole source memo for fiscal year (FY) 2025

SUMMARY:

107.3.9.8.3. SOLE SOURCE.

Sole Source procurements are proprietary and used when only one vendor is able to provide commodities, contractual services, or construction services of adequate quality or quantity that meet City's requirements, or when compatibility with existing systems requires procurement from a single source. Note: A memo of explanation must be sent to the appropriate approval authority along with the requisition documentation being attached to the purchase order. The City Administrator must give approval for the Sole Source designation. The Sole Source designation will expire each fiscal year after approval and may be renewed upon submission of a new request with documentation. Sole Source designations above \$50,000.00 must be noticed per Section 287.057(3)(c), Florida Statutes.

Vendor:	Florida Bullet
Department:	Police Department
Description:	Training/Duty Munitions
Requested Amount:	Within Annual Budgetary Appropriations
Policy Requirement:	Sole Source procurements are proprietary and used when only one vendor is able to provide commodities, contractual services, or construction services of adequate quality or quantity that meet City's requirements: Florida Bullet is the sole law enforcement distributor in the State of Florida for CCI-Speer, Federal Cartridge and Force on Force products. Speer Gold Dot is the department's duty firearm ammunition for the Apopka Police Department due to it's effect and performance.
Policy Requirement:	Compatibility with existing systems requires procurement from a single source: Florida Bullet is the sole law enforcement distributor in the State of Florida for CCI-Speer, Federal Cartridge and Force on Force products.
Policy Requirement:	Justification: SpeerGold Dot is the department's duty firearm ammunition for the Apopka Police Department due to it's effect and performance. The SpeerGold Dot from Florida Bullet complies with the Police Department policy on approved firearms and munitions.
History:	Yearly Sole Source Vendor requests since November 2016.

FUNDING SOURCE:

Approved FY25 budget

RECOMMENDED MOTION:

Approve the issuance of a blanket purchase order to Florida Bullet, not to exceed budgetary appropriations.

ATTACHMENTS:

None



City of Apopka CITY COUNCIL STAFF REPORT

Section: CONSENT (Action Item)

Item #: 7.

Meeting Date: August 6, 2025

Department: Police Department

SUBJECT:

Authorize the Mayor to execute a traffic enforcement agreement with the Lakeside Apopka Homeowners Association. To enforce traffic laws pursuant to Florida Statutes.

ACTION ITEM INFORMATION:

REQUEST:

Authorize the Mayor to execute a traffic enforcement agreement with the Lakeside Apopka Homeowners Association. To enforce traffic laws pursuant to Florida Statutes.

SUMMARY:

The Apopka Police Department has been approached by the Lakeside Apopka Homeowners Association, Inc. as the entity controlling the private roads within the neighborhood. The Lakeside Apopka Homeowners Association is requesting to enter into an agreement that would allow the Apopka Police Department to enforce municipal and state traffic codes and laws within the gated neighborhood. Florida State Statute 316.006(2)(b) allows for a municipality to exercise jurisdiction over any private road within its boundaries if the municipality and party owning such road enter into a written agreement approved by the City Council. A copy of the agreement has been executed by the Lakeside Apopka Homeowners Association and is attached.

FUNDING SOURCE:

Not Applicable

RECOMMENDED MOTION:

Ratify the agreement and authorize the Mayor to execute the agreement on behalf of the City.

ATTACHMENTS:

1. Lakeside Estates Traffic Enforcement on Private Roadways Agreement

AGREEMENT FOR TRAFFIC CONTROL ON PRIVATE ROADS

This Agreement for Traffic Control on Private Roads located in the gated community of Lakeside Apopka HOA is entered into by and between the City of Apopka, Florida (hereinafter referred to as the “City”), and Lakeside Apopka Homeowners Association, Inc. (hereinafter referred to as Lakeside Apopka HOA).

WITNESSETH:

WHEREAS, the Lakeside Apopka HOA Homeowners Association owns fee simple title to all the private roadways lying within a gated community (hereinafter “Private Roads”) more specifically described in a sketch of the property to be provide to the City of Apopka Police Department. These private roadways are located within the corporate limits of the City of Apopka; and

WHEREAS, pursuant to state statute, the City does not have traffic control jurisdiction over private roads such as those owned by Lakeside Apopka HOA; and

WHEREAS, Section 316.006(2)(b), *Florida Statutes*, provides that a city may exercise jurisdiction over any private roads if the city and the party owning such roads provide for city traffic control jurisdiction by a written agreement approved by the City Council; and

WHEREAS, the Lakeside Apopka HOA wants the City to exercise traffic control jurisdiction over traffic offenses upon the Private Roads; and

WHEREAS, the City of Apopka Police Department is willing to exercise traffic control jurisdiction over traffic offenses upon the Private Roads; and

WHEREAS, the City of Apopka believes that a public purpose is served by enforcing traffic laws within the private roads owned by Lakeside Apopka HOA; and

WHEREAS, the parties desire to set forth the terms and conditions required for such an agreement.

NOW, THEREFORE, in consideration of the covenants and conditions herein, the City and Lakeside Apopka HOA Homeowners Association, Inc. hereby agree as follows:

1. **RECITALS.** The above recitals are true and correct, and are incorporated herein by reference and form a material part of this Agreement.

2. **TRAFFIC CONTROL JURISDICTION.** The City agrees to exercise jurisdiction over traffic offenses upon the Private Roads pursuant to the terms and conditions expressed in Section 316.006(2)(b), *Florida Statutes* and as amended. The foregoing shall not be construed to require any minimum level of staffing or create any priority for traffic enforcement on the Private

Roads. All decisions regarding the level of traffic enforcement on the Private Roads and staffing related thereto shall be within the sole discretion of the Chief of Police.

3. **TRAFFIC CONTROL SIGNAGE.** Lakeside Apopka HOA shall establish the speed limit for the Private Roads and shall be responsible for posting the speed limit by appropriate signage along said roads. Such signage must comply with Department of Transportation requirements prior to any enforcement action. The City shall enforce the speed limits consistent with Section 316.183, Florida Statutes.

4. **AUTHORITY IN ADDITION TO EXISTING AUTHORITY.** The City's exercise of traffic control jurisdiction pursuant to this Agreement shall be in addition to the authority presently exercised by the City over the Private Roads, and nothing herein shall be construed to limit or remove any such authority. The City agrees to continue to provide such police services as are required by law.

5. **COMPENSATION.** Pursuant to Florida Statute 316.006(2)(b)(1), the Lakeside Apopka HOA Homeowners Association, Inc. shall compensate the City of Apopka Police Department for the actual costs of traffic control and enforcement performed under this Agreement.

6. **CITY TO RETAIN REVENUES.** All revenue from the fines, costs, and penalties imposed by the traffic citations issued for violation of traffic laws as described above on the Private Roads shall be retained by the City and apportioned in the manner set forth in applicable statutes.

7. **LIABILITY NOT INCREASED.** Neither the existence of this Agreement nor anything contained herein shall give rise to any greater liability on the part of the City than that which the City would ordinarily be subjected to when providing its normal police services.

8. **INDEMNIFICATION.** To the fullest extent permitted by law, Lakeside Apopka HOA Homeowners Association, Inc. shall indemnify, defend, and hold the City harmless from any loss, cost, damage or expense, including attorney's fees, for any action arising out of, related to, or stemming from, either directly or indirectly, the maintenance, repair and/or reconstruction of any roads, road drainage or signage or any matter related to providing traffic control enforcement pursuant to this Agreement. To ensure its ability to fulfill its obligation under this paragraph, Lakeside Apopka HOA Homeowners Association, Inc. shall maintain General Liability insurance in the minimum amount of One Million Dollars (\$1,000,000.00), and shall file with the City current certificates of the required insurance providing a 30-day advance written notice of cancellation. Such insurance shall (a) name the City as and additional insured as it relates to activities conducted pursuant to this contract and (b) be issued by companies authorized to do business under the laws of the State of Florida and acceptable to the City. No claims whatsoever shall be made or asserted against the City by the Association for or on account of anything done or as a result of anything omitted to be done in connection with this Agreement.

9. **ROAD MAINTENANCE.** Neither the existence of the Agreement nor anything contained herein shall impose any obligation or duty upon the City to provide maintenance on and/or related drainage of the Private Roads. The maintenance, repair and construction or

reconstruction of all roads, drainage and signage within the Lakeside Apopka HOA shall at all times be solely and exclusively the responsibility of the Lakeside Apopka HOA Homeowners Association, Inc.

10. **TERM.** The term of this Agreement shall commence on 7.10.25 and continue through 7.09.26, and shall thereafter automatically continue for successive one year terms unless terminated by either party by thirty (30) days written notice to the other parties. The provisions of Paragraph 8 herein shall survive the termination of this Agreement.

11. **APPLICABLE LAW.** This agreement and the provision contained herein shall be construed and interpreted according to the laws of the State of Florida.

12. **ENTIRE AGREEMENT.** This Agreement, including all Exhibits attached hereto, constitutes the entire understanding and agreement between the parties and may not be changed, altered, or otherwise modified except when reduced to writing and executed in the same manner, with the approval of the City Council.

13. **NOTICE.** All notices to be given shall be in writing and sent by certified mail, return receipt requested, to the following:

AS TO THE CITY: City Administrator
City of Apopka
120 E. Main Street
Apopka, FL 32703

COPY TO: Chief of Police
Apopka Police Department
112 E. 6th Street
Apopka, FL 32703

AS TO Lakeside Apopka HOA : _____

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

ATTEST:

CITY OF APOPKA

By: _____
(Susan Bone), City Clerk

By: _____
(Bryan Nelson), Mayor

Date: _____

**Lakeside Apopka HOA
HOMEOWNERS ASSOCIATION, INC.**

By: 
TIM FORD President

Printed Name/Title
Date: 07/10/2025

WITNESS:

Paula Butler
Signature
Paula Butler
Name Printed

Date: 07/10/2025

Candace Harrison
Signature
Candace Harrison
Name Printed

Date: 07/10/2025



City of Apopka CITY COUNCIL STAFF REPORT

Section: CONSENT (Action Item)

Item #: 8.

Meeting Date: August 6, 2025

Department: Finance Department

SUBJECT:

Authorize the execution of piggyback contracts for the assigned terms: Cathcart Construction Company, Florida LLC, HD Supply, Inc dba USABlueBook, Challenger Teamwear, Lamphier Company dba Lamphier & Company, and Tanspremier, LLC.

ACTION ITEM INFORMATION:

REQUEST:

Authorize the execution of piggyback contracts for the assigned terms.

SUMMARY:

The department purchases various commodities in its daily operations, including equipment, tooling, and services throughout the year. A piggyback contract can be executed via another entity's agreement when the items or services have already been bid by other governmental agencies or special co-operative agreements, provided such contracts are the result of a competitive bidding process and all terms and conditions are the same. This method provides the most efficient method of purchase or the best cost savings for the quantities that are being utilized. These contracts are also encouraged when applicable for operational proficiencies and to minimize staff processing time. Contractual information is kept on record with each purchase order issued.

Per Purchasing Policy 107.3.17 - Piggyback Contracts: Piggyback contracts will only be authorized during the period of time that the original contract is active and has not expired (if the original contract expires or terminates, so shall the piggyback contract). The Department Director or designee must review and confirm potential piggyback contracts for applicability and scope. The request for utilizing a piggyback contract must be submitted to the Finance Department for purchasing review. Upon approval, the Purchasing Administrator or designee shall submit their review to the City Attorney for final approval. Contracts that are over \$50,000 will also require City Council approval. Multi-Year Piggybacks: if determined to be over \$50,000 and once authorized by City Council, if the dollar amount allotted in the fiscal year budget is available for the services or commodities, it will not require additional City Council approval.

Below is a full listing of the piggyback contracts that are being requested by department submittals, vendors, descriptions, sources, and expiration dates. Please note, contracts may have varying effective start dates.

Department: Public Services
Vendor: Cathcart Construction Company, Florida LLC
Description: Infrastructure, Potable, Sanitary, Reclaimed, and Stormwater with Site Restoration
Source: City of Altamonte Springs
Bid/Contract #: AB2009A/B
Original Bid Award Date: March 2, 2023
Expiration Date: March 1, 2026
Renewals: One (1) additional two (2) year renewal option
Max Expiration Date: March 1, 2028

Department: Public Services
Vendor: HD Supply, Inc. dba USABlueBook
Description: MRO, Industrial Supplies and Related Products and Services
Source: Cobb County, GA through GovMVMPT Purchasing Cooperative
Bid/Contract #: RFP 24-6800
Original Bid Award Date: November 13, 2024
Expiration Date: November 12, 2028
Renewals: Three (3) additional one (1) year renewal options
Max Expiration Date: November 12, 2031

Department: Parks and Recreation
Vendor: Challenger Teamwear
Description: Printed and Embroidered Teamwear
Source: City of Olathe Kansas
Bid/Contract #: G23-*3517
Original Bid Award Date: January 18, 2023
Expiration Date: January 17, 2026
Renewals: Three (3) additional one (1) year renewal options
Max Expiration Date: January 17, 2029

Department: Parks and Recreation
Vendor: Lamphier Company dba Lamphier and Company
Description: Painting and Pressure Washing Services
Source: St. Johns County School District
Bid/Contract #: ITB 2025-26
Original Bid Award Date: June 13, 2025
Expiration Date: June 12, 2026
Renewals: Three (3) additional one (1) year renewal options
Max Expiration Date: June 12, 2029

Department: Public Services
Vendor: Transpremier, LLC
Description: Street Sweeping Services
Source: Orange County Government
Bid/Contract #: Y23-186
Original Bid Award Date: June 1, 2025
Expiration Date: May 31, 2028
Renewals: Two (2) additional one (1) year renewal options
Max Expiration Date: May 31, 2030

FUNDING SOURCE:

As authorized, adopted, and per the appropriated fiscal year budgetary funding within each departmental budget.

RECOMMENDED MOTION:

Authorize the execution of piggyback contracts per the assigned terms.

ATTACHMENTS:

None



City of Apopka CITY COUNCIL STAFF REPORT

Section: BUSINESS (Action Item)

Item #: 1.

Meeting Date: August 6, 2025

Department: Community Development

SUBJECT:

Interlocal Agreement with Orange County for Transfer of Golden Gem Road (Revised Termini)

ACTION ITEM INFORMATION:

Consideration of revised Interlocal Agreement (ILA) with Orange County to transfer jurisdiction of a segment of Golden Gem Road—from Kelly Park Road to the southern boundary of the Parkview Preserve Subdivision—to the City of Apopka, and direction from City Council on whether to accept the amended roadway transfer.

REQUEST:

Staff respectfully requests that the City Council review the amended ILA and provide direction on whether to accept the transfer of Golden Gem Road with the revised termini—from Kelly Park Road to the southern boundary of the Parkview Preserve Subdivision—as currently proposed by Orange County.

SUMMARY:

On June 9, 2024, the Apopka City Council approved an Interlocal Agreement (ILA) with Orange County for the transfer of a segment of Golden Gem Road—from Capital Reef Way to Kelly Park Road—into City jurisdiction. The City initiated this transfer to proactively address infrastructure demands in the Kelly Park Interchange Form-Based Code (KPI-FBC) area. Following the City's approval, Orange County requested revisions to the ILA language. These amendments, reviewed and accepted by both parties, require that the updated ILA be returned to the City Council for re-approval prior to final consideration by the Orange County Board of County Commissioners.

The originally proposed roadway segment lies within the KPI-FBC area and serves as a critical transportation corridor. Despite outreach by City staff to Orange County requesting a cost-sharing partnership, the County declined to participate in funding the road reconstruction. Other than resurfacing, Orange County has not identified any planned improvements to Golden Gem Road in its roadway capital programs over the next ten years. This is particularly notable given that the Apopka Wekiva Vision Plan was developed in collaboration with Orange County, following public workshops held in February and March 2010. The plan was further reviewed at a public hearing before the Apopka Planning Commission on April 27, 2010, and adopted by the City Council on May 19, 2010. This lack of action stands in contrast to the shared planning vision and infrastructure responsibilities established through that public process, as well as the Joint Planning Agreement.

Golden Gem Road, constructed prior to 2000 and not fully paved until approximately 2003, is currently substandard and requires a full reconstruction that includes right-of-way acquisition and roadway stormwater facilities. Since the opening of the SR 429/Kelly Park Interchange in 2018, traffic volumes have increased significantly, largely due to a substantial portion of the vehicles using this corridor and originating from outside the City limits. As part of the initial negotiations, Orange County agreed to retain jurisdiction over the southern segment of Golden Gem Road, while the City would assume responsibility for the northern portion.

Importantly, Golden Gem Road is functionally classified, as defined by the United States Federal Highway Administration. Functional classification is the process by which streets and highways are grouped into classes based on the character of service they are intended to provide. Stated more simply, functional classification means that the road is intended to serve a broader travel purpose—connecting larger road networks and its design (e.g., lane width, access spacing, pedestrian accommodations etc.) should accommodate higher traffic volumes than

local, non-functionally classified roads.

Orange County, after it constructed Golden Gem Road, determined it met the requirements to be functionally classified and sought to have it designated as such through the Florida Department of Transportation process that is conducted every ten years after the decennial census. It is important to note that functionally classified roads may qualify for federal funding under certain conditions, underscoring the significance of this designation. Also, because Golden Gem Road is functionally classified, its transfer to the City must occur through a formal agreement, as required by state statute. The City is under no obligation to assume ownership simply due to Orange County's desire to transfer responsibility for road reconstruction, maintenance, or other obligations associated with roadway ownership. Therefore, the City's original proposal to accept ownership from Kelly Park Road to Capital Reef Way should be considered both reasonable and accommodating, particularly given the existing condition of the northern segment of the road and the absence of cost participation from Orange County to bring it up to City standards.

If jurisdiction remains with the County, planned developments along this corridor would face project delays, higher construction costs, and a lack of alignment with the City's roadway standards and timelines. Therefore, to address the road's inadequate condition and support ongoing development in the KPI-FBC area, the City has taken several proactive steps. Through a Pioneering Agreement with development partners, the City secured funding for the design of the roadway reconstruction. In parallel, the City initiated the design process with one of its engineering consultants. As of this report, the design is approaching 60% completion, reinforcing the City's readiness to deliver the needed improvements and ensure that infrastructure keeps pace with development. The City's proposed termini place the total cost at almost \$12 million.

To seek some financial relief, City staff met with Orange County officials on May 16, 2025, to request that the County's \$750,000 resurfacing allocation for Golden Gem Road be transferred to the City to offset improvement costs. At that meeting, Orange County proposed a revised ILA extending the terminus from Capital Reef Way to the southern boundary of the Parkview Preserve Subdivision—an increase of approximately 1,300 linear feet and an added estimated cost of \$2.8 million.

City staff conducted a follow-up meeting with County officials on July 7, 2025, to advocate for reverting to the original Capital Reef Way terminus and transferring the resurfacing budget. However, on July 22, 2025, Orange County formally declined the City's request.

FUNDING SOURCE:

N/A

RECOMMENDED MOTION:

Staff acknowledges the strategic importance of this roadway segment and the long-term benefits of local jurisdiction over Golden Gem Road in supporting development, minimizing delays, and implementing roadway improvements to City standards. However, the proposed revision imposes significant additional costs without cost-sharing participation from Orange County.

Given these circumstances, Staff respectfully requests that the City Council review the amended ILA and provide direction on whether to accept the transfer of Golden Gem Road with the revised termini—from Kelly Park Road to the southern boundary of the Parkview Preserve Subdivision—as currently proposed by Orange County.

ATTACHMENTS:

1. Golden Gem Road Design + Const Cost Estimate 2025
2. ILA - Golden Gem (Parkview Preserve Terminus)
3. ILA - Golden Gem Road (Capital Reef Way Terminus)
4. ILA - Golden Gem Road (Capital Reef Terminus) - Track Changes
5. OC Letter on Local Road Maintenance Responsibility 4-18-2006

From: [Jean Sanchez](#)
To: [Woodward, Mike](#)
Subject: RE: Golden Gem Costs
Date: Wednesday, May 28, 2025 10:53:00 AM

From: Woodward, Mike <Mike.Woodward@kimley-horn.com>
Sent: Wednesday, May 28, 2025 10:44 AM
To: Jean Sanchez <JeSanchez@apopka.net>
Subject: Golden Gem Costs

CAUTION: This Email originated from a source outside the City of Apopka. Do not click on links or open attachments unless you recognize the sender and you know the content is safe.



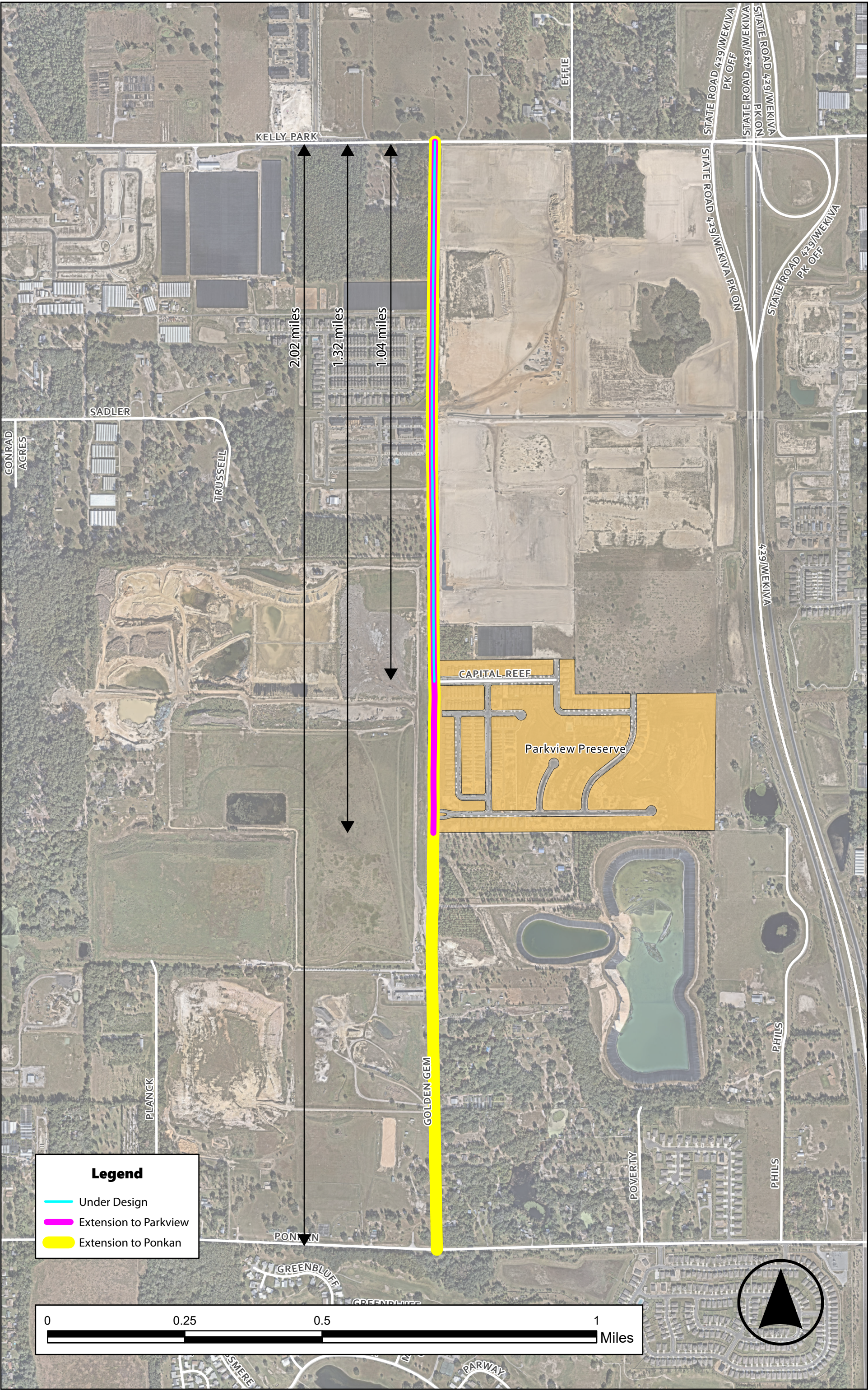
Jean,
Attached are a quick exhibit and here are the costs you were looking for:

Limits	Length	Cost Per Mile	Cst Cost	Design Cost	Total Cost
Current	1.04	11,000,000	11,440,000	500,000	11,940,000
Extended to South End of Parkview Preserve	1.32	11,000,000	14,520,000	135,000	14,655,000
Extended to Ponkan	2.02	11,000,000	22,220,000	500,002	22,720,002

These costs are based on FDOT cost per mile models – a planning level exercise. There are no models that correspond exactly to what we are doing, but there are several that are similar enough.

We'll have updated cost estimates once we get to 60%.

Thanks,
Mike



THIS INSTRUMENT SHOULD BE RETURNED TO
Susan Bone
City Clerk
City of Apopka
120 East Main Street
Apopka, Florida 32703

**INTERLOCAL AGREEMENT REGARDING TRANSFER OF JURISDICTION
OF A PORTION OF GOLDEN GEM ROAD WITHIN ORANGE COUNTY ROAD SYSTEM**

THIS INTERLOCAL AGREEMENT is made and entered into on this ____ day of _____, 2023 ("Agreement"), by and between ORANGE COUNTY, FLORIDA, a political subdivision of the State of Florida ("County") and the CITY OF APOPKA, FLORIDA, a municipal corporation of the State of Florida ("City") for the purpose of transferring the jurisdiction of a portion of Golden Gem Road within the Orange County Road System.

RECITALS

WHEREAS, the County and City have authority pursuant to Section 163.01, Florida Statutes, to enter into interlocal agreements;

WHEREAS, pursuant to Section 335.0415(2), Florida Statutes, any change of the jurisdiction of a public road after July 1, 1995, that is a part of a county road system or a city street system is governed by Section 335.0415(3), Florida Statutes;

WHEREAS, pursuant to Section 335.0415(3), Florida Statutes, subsequent to July 1, 1995, public roads within the respective road systems of a county or a city may be transferred between those jurisdictions only by mutual agreement of those local governmental entities;

WHEREAS, the City desires to own (or accept dedication of, whatever the case may be), operate, maintain, control, and have responsibility over a portion of the County road known as Golden Gem Road from the south right-of-way line of West Kelly Park Road to the south line of Park View Preserve Phase 1, including associated drainage easements and retention areas, more particularly described in Exhibit A ("Road Segment");

WHEREAS, this Agreement is intended solely to address the transfer of the Road Segment from the County's road system to the City's city street system for purposes of ownership, operation and

maintenance, and to act as an acknowledgment by the City of its jurisdiction, ownership, and authority to operate and maintain such roads upon the effective date of this Agreement; and

WHEREAS, the County will remain responsible for the ownership, operation and maintenance of the portion of Golden Gem Road lying to the south of the south line of Park View Preserve Phase 1.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. *Recitals.* The foregoing recitals are true and correct and are hereby incorporated herein by reference.
2. *Transfer of Jurisdiction of Road Segment.* In accordance with Section 335.0415(3), Florida Statutes, County and City hereby agree to the permanent transfer of ownership, control, and roadway maintenance responsibilities from the County to the City of the Road Segment. County shall provide all documents and drawings concerning the road drainage and right-of-way, to the extent such documents are in County's possession. City's jurisdiction to operate and maintain Road Segment means the authority and responsibility to maintain, control, repair, or improve such roads, as the term "road" is defined by Section 334.03(22), Florida Statutes, and to regulate, warn, or guide traffic on such roads, regardless of any future alteration, realignment, construction, extension, widening, or renaming of such roads. The Road Segment is therefore deemed to be a part of the City's "city street system" for purposes of operation and maintenance. Pursuant to Section 337.29(3), Florida Statutes, to the extent that sovereign immunity has been waived, liability for torts shall be in City. Also pursuant to Section 337.29(3), Florida Statutes, except as otherwise provided by law or this Agreement, City shall have the same governmental, corporate, and proprietary powers with relation to Road Segment that City has with relation to other public roads and rights-of-way within its jurisdiction.
3. *Dedication and Acceptance; Deed; Vesting of Title.* For any right-of-way for the Road Segment that is or may be in possession of County by dedication, including right-of-way associated with drainage, County hereby dedicates to City, and City hereby accepts such right-of-way. For any

right-of-way for the Road Segment that is or may be held in fee title by County, including right-of-way associated with drainage, County shall execute and deliver a County Deed in favor of the City substantially in the form attached hereto as Exhibit “B,” for any portion of Golden Gem Road from the south line of West Kelly Park Rd to the south line of Park View Preserve Phase 1 that the County holds, or may hold, fee title or a property interest, as specifically described in the legal description and map attached to Exhibit “B” as Appendix “A,” within thirty (30) days of execution of this Agreement. Within fifteen (15) days of receipt thereof, City shall accept the deed and right-of-way by recording the deeds in the Official Records of Orange County at City’s expense.

4. *County Payment.* The parties agree that it is reasonable and for a public purpose that County participate in City’s construction of resurfacing improvements to the Road Segments which are necessary to bring the Road Segments up to a standard of good repair as part of the transfer of the Road Segment to City. The improvements will generally consist of milling and resurfacing the Road Segments (the “Project”). The Project has an estimated cost of approximately Seven Hundred and Fifty Thousand Dollars (\$750,000.00) (the “Estimated Cost”). In consideration for City’s assumption of the ownership and maintenance of the Road Segments and to facilitate improvement of the Road Segments, County agrees to pay to City the amount of the Estimated Cost by check or wire transfer (the “County Payment”). The County Payment will be made to City within sixty (60) days after City submits to County a request for payment, together with supporting documentation including a Notice of Completion of the Project, the requested amount of the County Payment, and contractor invoices showing a total actual cost incurred by City for construction of the Project (the “Total Cost”). In the unlikely event the Total Cost is less than the Estimated Cost, the County Payment will be reduced, dollar for dollar, but in no event will the County Payment be increased.

5. *Miscellaneous.*

- 5.1 Amendments. This Agreement may be amended only by express written instrument approved by the Board of County Commissioners of the County and the City Council of the City, and executed by the authorized officers of each.
- 5.2 Validity. County and City each represents, warrants, and covenants to and with the other its respective authority and power under Florida law to enter into this Agreement, acknowledges the validity and enforceability of this Agreement, and waives any future right of defense based on claim of illegality, invalidity, or unenforceability of any nature. County and City each hereby represents, warrants, and covenants to and with the other that this Agreement has been validly approved by its respective governing body at a duly held public meeting, and that this Agreement constitutes a legal, valid, and binding contract enforceable against the respective party in accordance with the terms hereof (assuming the due authorization, execution, and delivery hereof by the other parties hereto).
- 5.3 Ambiguities. Both parties have been allowed equal input regarding the terms and wording of this Agreement and have had the benefit of consultation with their respective legal counsel prior to its execution, such that all language herein shall be construed equally against the parties, and no language shall be construed strictly against its drafter.
- 5.4 Headings. The headings and captions of paragraphs or subparagraphs used in this Agreement are for the convenience of the parties for reference only and are not intended to define or limit their contents, nor are they to affect the construction or interpretation of this Agreement.
- 5.5 Severability. The provisions of this Agreement are declared by the parties to be severable only to the extent the remaining provisions can effectuate the purpose and intent of the parties.
- 5.6 Governing Law; Venue; Attorneys' Fees and Costs. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Venue for any action

arising out of or relating to this Agreement shall be in the Circuit Court for the Ninth Judicial Circuit in Orange County, Florida. In the event a party deems it necessary to take legal action to enforce any provision of this Agreement, each party shall bear its own attorneys' fees and costs at both the trial and appellate levels.

5.7 Entire Agreement. This Agreement, along with its exhibits, constitutes the entire Agreement between the parties regarding the subject matter hereof. Any prior oral or written agreements or understandings of any kind between the parties relating to the subject matter hereof are null and void and of no further effect.

5.8 Counterparts. This Agreement and any amendments thereto may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

5.9 Notices. Any notice required to be given or otherwise given by one party to the other party shall be in writing. Notice shall be deemed delivered when given by hand delivery; notice shall be deemed delivered five (5) days after being deposited in the United State Mail, postage prepaid, certified, or registered; notice shall be deemed delivered the next business day after being dropped with a recognized overnight mail or courier delivery service; notices shall be deemed delivered the next business day when transmitted by facsimile or telecopy transmission, with receipt acknowledged upon transmission. Notices shall be addressed as follows:

IF TO COUNTY: Director, Orange County Public Works Department
 4200 South John Young Parkway
 Orlando, Florida 32839
 Facsimile: 407.836.7716

WITH COPY TO: County Attorney
 Orange County Administration Center
 201 South Rosalind Avenue
 Orlando, Florida 32801
 Facsimile: 407.836.5888

IF TO CITY: Transportation Coordinator
City of Apopka
120 East Main Street
Apopka, Florida 32703
Facsimile: 407.703.1791

WITH COPY TO: City Attorney
City of Apopka
120 East Main Street
Apopka, Florida 32703
Facsimile: 407.703.1793

In all cases, notices shall be deemed delivered to a party only upon delivery of copies to the persons indicated above in the same manner as for the party being notified. Either party may change its designated official or address for receipt of notice by giving notice of such change to the other party in the manner provided in this subparagraph.

6. *Effective Date.* This Agreement shall become effective on the date of execution by the County or the date of execution by the City, whichever date is later.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year indicated below.

ATTEST: Phil Diamond, CPA, County Comptroller
as Clerk of the Board of County Commissioners

ORANGE COUNTY, FLORIDA, a political
subdivision of the State of Florida,

Deputy Clerk

Jerry L. Demings, Mayor

Printed Name

Date

ATTEST:

CITY OF AOPKA, FLORIDA, a municipal
corporation of the State of Florida,

Susan Bone, City Clerk

Bryan Nelson, Mayor

Date

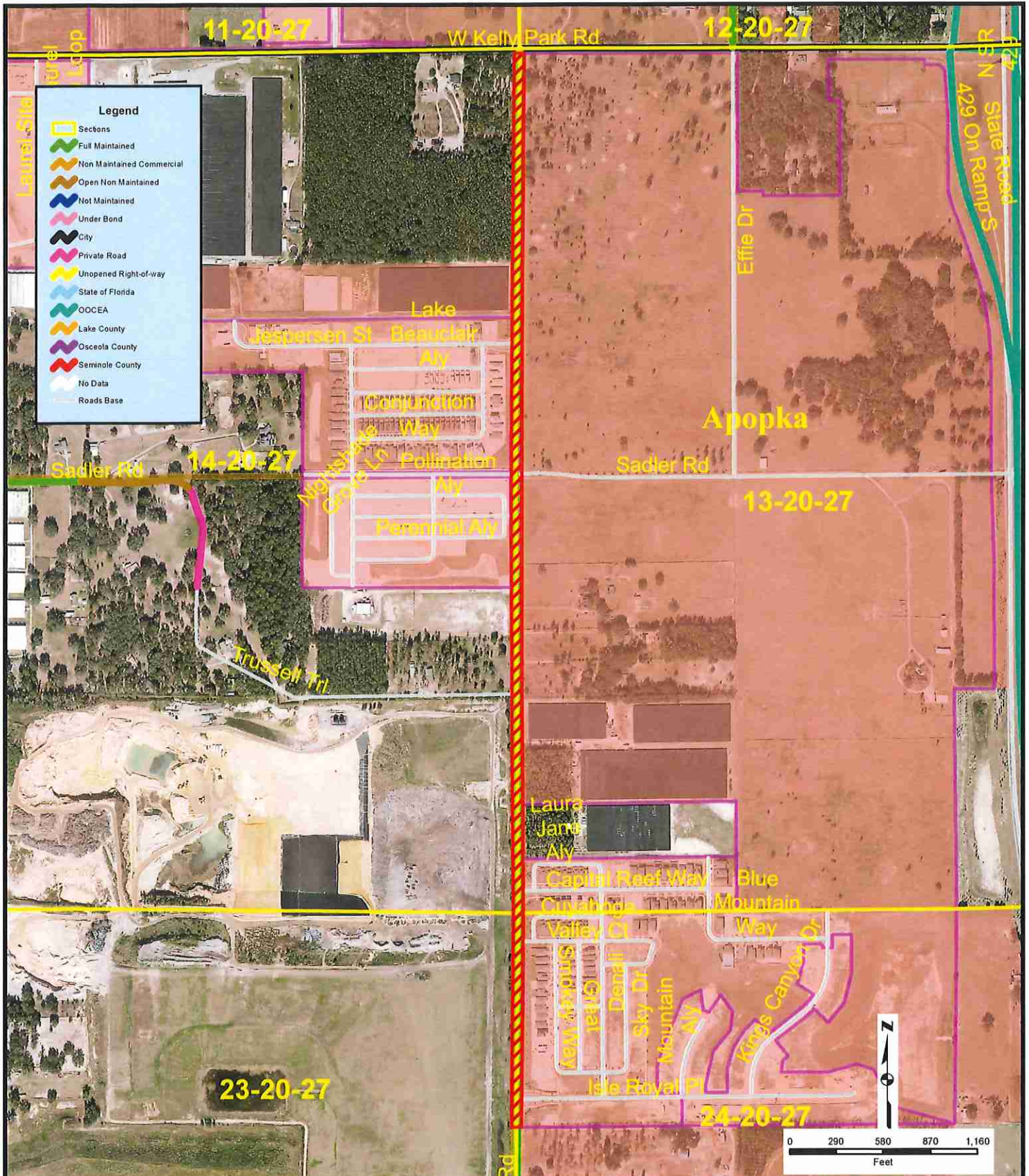


Exhibit "A"
Interlocal Agreement regarding Transfer of Jurisdiction of a
Portion of Golden Gem Road within Orange County Road
System

Author: Rojesh Sankar

Checked by:

Date Saved: 5/13/2025

All data, information, and maps are provided
 "as is" without warranty or any representation
 of accuracy, timeliness or completeness

Exhibit "B"

Project: Interlocal Agreement with the City of Apopka and Orange County regarding the Transfer of Jurisdiction of Golden Gem Road

COUNTY DEED

THIS DEED, made as of the date signed below, by Orange County, a charter county and political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393, GRANTOR, and the City of Apopka, a municipal corporation, under the laws of the state of Florida, whose address is 1201 E. Main St., Apopka, Florida, 32703 GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$1.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

SEE ATTACHED APPENDIX "A"

Property Appraiser's Parcel Identification Number:

Unassigned

THIS COUNTY DEED is being given in accordance with the Interlocal Agreement regarding the Transfer of Jurisdiction of Golden Gem Road from the south right-of-way line of West Kelly Park Road to the south line of Park View Preserve Phase 1.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

Project: Interlocal Agreement with the City of Apopka and Orange County regarding the Transfer of Jurisdiction of Golden Gem Road

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: _____
Jerry L. Demings, Mayor
Orange County Mayor

DATE: _____

ATTEST: Phil Diamond, CPA, Orange County Comptroller,
as Clerk to the Board of County Commissioners

BY: _____
Deputy Clerk

Printed Name

Appendix “A”

SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

GOLDEN GEM ROAD

LYING IN SECTION 13-20-27 & 14-20-27
ORANGE COUNTY, FLORIDA

LEGAL DESCRIPTION

A PORTION OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 27 EAST AND A PORTION OF SECTION 14, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 30 FEET OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA AND THE EAST 30 FEET OF SECTION 14, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, LESS THE NORTH 30 FEET THEREOF BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SECTION 14, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN N 89°21'01" W, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 14 A DISTANCE OF 30.00 FEET; THENCE ALONG A LINE 30 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 14 RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES; (1) RUN N 00°21'14" W, A DISTANCE OF 2688.96 FEET; (2) THENCE RUN N 00°30'19" E, A DISTANCE OF 2603.64 FEET; THENCE ALONG A LINE 30 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 14, RUN N 89°12'17" E, A DISTANCE OF 30.01 FEET TO THE INTERSECTION OF A LINE 30 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 13, THENCE ALONG SAID LINE RUN N 89°54'49" E, A DISTANCE OF 30.00 FEET TO A POINT LYING 30 FEET EAST OF THE WEST LINE OF SAID SECTION 13; THENCE ALONG A LINE 30 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 13 RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES; (1) RUN S 00°30'19" W, A DISTANCE OF 2604.19 FEET; (2) THENCE RUN S 00°21'14" E, A DISTANCE OF 2688.98 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13 RUN S 89°32'16" W, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.29 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

- 1) NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD BY THIS FIRM.
- 3) BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE EAST LINE OF THE SE 1/4 OF SECTION 14-20-27, HAVING A BEARING OF N 00°21'14" W.

REVISED: 01/08/2024
SEE SHEET 2 FOR SKETCH
04/25/2023
SHEET 1 OF 2

PROJECT: 21175

PREPARED BY:

I CERTIFY THAT THIS MEETS OR EXCEEDS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472, FLORIDA STATUTES.

DAVID M. McDERMOTT

FLORIDA REGISTERED SURVEYOR AND MAPPER CERTIFICATE No. 4779

Associated Land Surveying & Mapping, Inc.

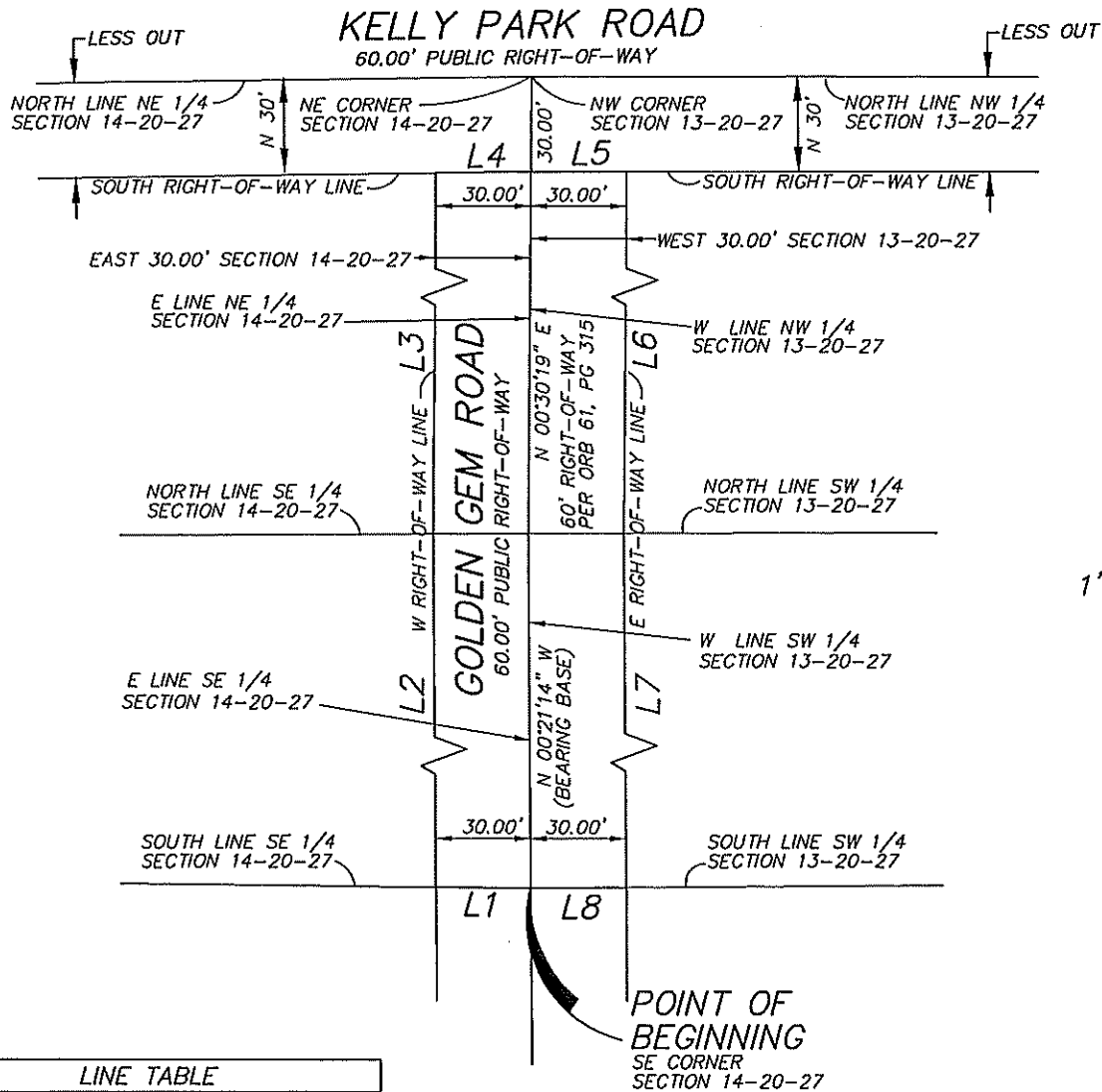
1681 POWELL STREET, LONGWOOD, FLORIDA 32750
PH (407) 869-5002, FAX (407) 869-8393
CERTIFICATE OF AUTHORIZATION # LB 6767

SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

GOLDEN GEM ROAD

LYING IN SECTION 13-20-27 & 14-20-27
ORANGE COUNTY, FLORIDA



LINE TABLE		
LINE	BEARING	LENGTH
L1	N 89°21'01" W	30.00'
L2	N 00°21'14" W	2688.96'
L3	N 00°30'19" E	2603.64'
L4	N 89°12'17" E	30.01'
L5	N 89°54'49" E	30.00'
L6	S 00°30'19" W	2604.19'
L7	S 00°21'14" E	2688.98'
L8	S 89°32'16" W	30.00'

PROJECT: 21175

REVISED: 01/08/2024
SEE SHEET 1 FOR DESCRIPTION
04/25/2023
SHEET 2 OF 2

**Associated Land Surveying
& Mapping, Inc.**

1681 POWELL STREET, LONGWOOD, FLORIDA 32750
PH (407) 869-5002, FAX (407) 869-8393
CERTIFICATE OF AUTHORIZATION # LB 6767

SCHEDULE "A"
SKETCH OF DESCRIPTION

LEGAL DESCRIPTION

A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 61, PAGE 315 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING A PORTION OF THE EAST 30 FEET OF NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 20 SOUTH, RANGE 27 EAST AND THE WEST 30 FEET OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SECTION 24, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN N 89°32'19" E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 24, FOR A DISTANCE OF 30.00 FEET TO A LINE 30 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 24; THENCE RUN S 00°32'50" W ALONG SAID PARALLEL LINE, FOR A DISTANCE OF 1325.69 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 24; THENCE RUN S 89°30'13" W ALONG SAID SOUTH LINE, FOR A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 24; THENCE RUN S 89°21'10" W, FOR A DISTANCE OF 30.00 FEET TO A LINE 30 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23; THENCE RUN N 00°32'50" E ALONG SAID PARALLEL LINE, FOR A DISTANCE OF 1325.71 FEET TO NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 23; THENCE RUN N 89°20'49" E ALONG SAID NORTH LINE, FOR A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 79,542 SQUARE FEET OR 1.83 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

- 1- This sketch of description is not valid without the original signature and seal of the signing licensed Florida surveyor and mapper. The seal appearing on this document was authorized by Charles B. Gardiner on April 23, 2025. The electronic signature is in conformance with Florida Administrative Code Chapter 5J-17.062 (3).
- 2- The purpose of this sketch of description is to describe and depict the location of a specific parcel of land. This is not a boundary survey.
- 3- The configuration and location of the lands described and depicted hereon is based on information provided by the client.
- 4- Bearings shown hereon are relative to an assumed datum, with the bearing of the West line of the Northwest 1/4 of Section 24, Township 20 South, Range 27 East as being N 00° 32 '50" E.
- 5- Lands shown hereon were not abstracted by this firm for matters of record, such as easements, right of way, ownership, or other instruments of record.
- 6- Non-surveyed lines, references to ownership, parcel identification numbers, and instruments of record are based on information provided by the client or available from the Orange County Property Appraiser.
- 7- Additions or deletions to this sketch and description are prohibited without the written consent of the signing Florida licensed surveyor and mapper.
- 8- This sketch of description is certified for the exclusive use of Orange County, Florida.



THIS IS NOT A SURVEY
NOT VALID WITHOUT PAGE 2

CHARLES B. GARDINER
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
LICENSE NO. LS 5046

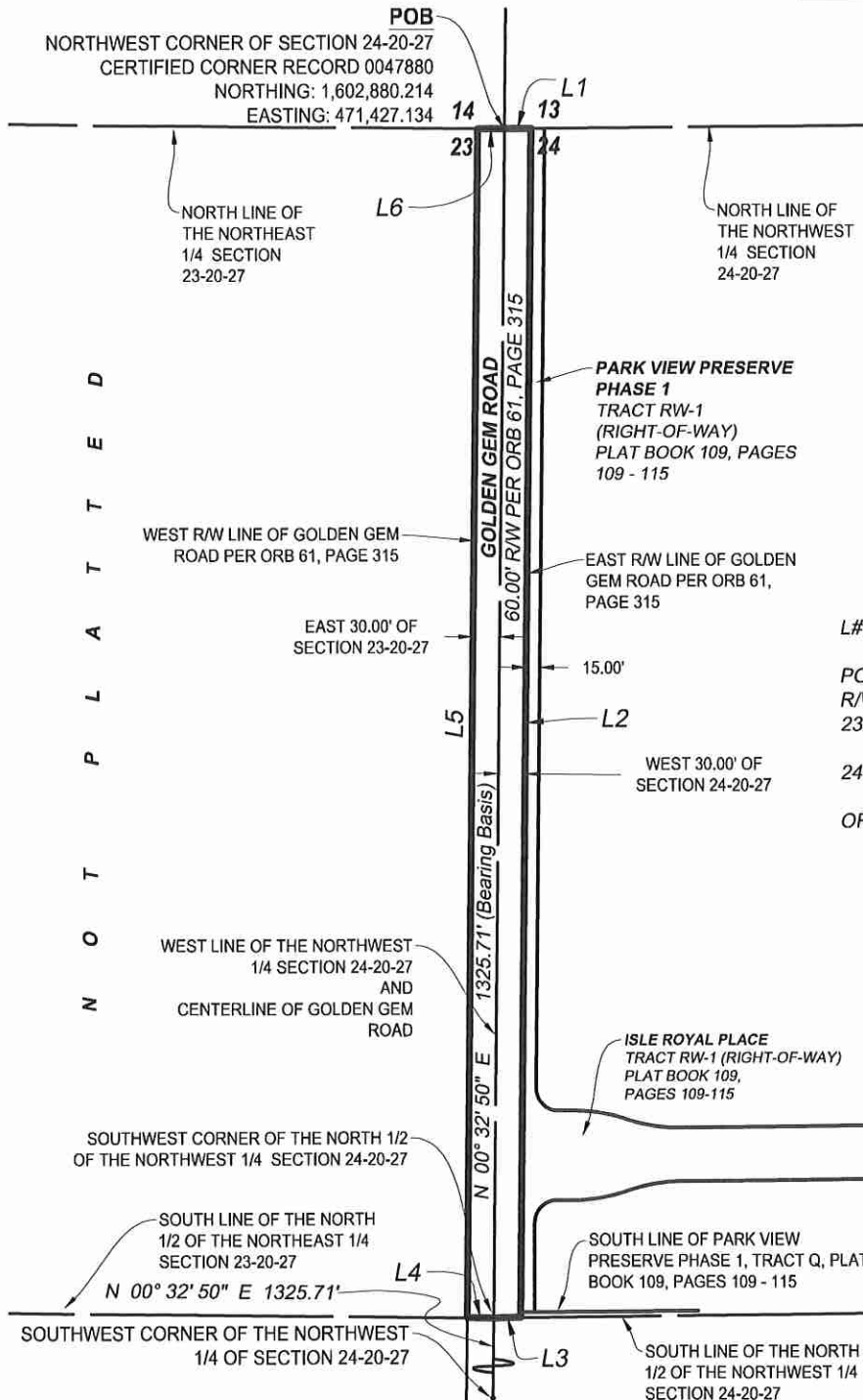
PROJECT TITLE: **Golden Gem Road
Right-of-Way**
Sections 23 & 24, Township 20 South, Range 27 East, Orange County, Florida



WSP USA Inc.
550 Northlake Boulevard, Suite 1000
Altamonte Springs, FL 32701 USA
Phone: (407) 522-7570
www.wsp.com
Certificate of Authorization Number LB-0008599

DATE	BY	DESCRIPTION
REVISION		
DRAWN BY: MP	CHKD. BY: CBG	
DATE: 04/23/2025	DATE: 04/23/2025	
JOB No. US-ELY21901A	SCALE: N/A	SHT. 1 OF 2
DRAWING NAME: OC Golden Gem Rd SOD.dwg		

SCHEDULE "A" SKETCH OF DESCRIPTION



Line Table		
Line #	Direction	Length
L1	N89°32'19"E	30.00'
L2	S00°32'50"W	1325.69'
L3	S89°30'13"W	30.00'
L4	N89°21'10"W	30.00'
L5	N00°32'50"E	1325.71'
L6	S89°20'49"E	30.00'

LEGEND

L# = LINE TAG (SEE CORRESPONDING LINE TABLE)
 POB = POINT OF BEGINNING
 R/W = RIGHT-OF-WAY
 23-20-27 = SECTION 23, TOWNSHIP 20 SOUTH, RANGE 27 EAST
 24-20-27 = SECTION 24, TOWNSHIP 20 SOUTH, RANGE 27 EAST
 ORB = OFFICIAL RECORDS BOOK

GRAPHIC SCALE



(IN FEET)

1 inch = 200 ft.



THIS IS NOT A SURVEY

NOT VALID WITHOUT PAGE 1

PROJECT TITLE: Golden Gem Road
Right-of-Way
Sections 23 & 24, Township 20 South, Range 27 East, Orange County, Florida



WSP USA Inc.
 550 Northlake Boulevard, Suite 1000
 Altamonte Springs, FL 32701 USA
 Phone: (407) 522-7570
 www.wsp.com
 Certificate of Authorization Number LB-0008599

DATE	BY	DESCRIPTION
REVISION		
DRAWN BY: MP	CHKD. BY: CBG	
DATE: 04/23/2025	DATE: 04/23/2025	
JOB No. US-ELY21901A	SCALE: 1" = 200'	SHT. 2 OF 2
DRAWING NAME: OC Golden Gem Rd SOD.dwg		

THIS INSTRUMENT SHOULD BE RETURNED TO
Susan Bone
City Clerk
City of Apopka
120 East Main Street
Apopka, Florida 32703

**INTERLOCAL AGREEMENT REGARDING TRANSFER OF JURISDICTION
OF A PORTION OF GOLDEN GEM ROAD WITHIN ORANGE COUNTY ROAD SYSTEM**

THIS INTERLOCAL AGREEMENT is made and entered into on this ____ day of _____, 2025 (“Agreement”), by and between ORANGE COUNTY, FLORIDA, a political subdivision of the State of Florida (“County”) and the CITY OF APOPKA, FLORIDA, a municipal corporation of the State of Florida (“City”) for the purpose of transferring the jurisdiction of a portion of Golden Gem Road within the Orange County Road System.

RECITALS

WHEREAS, the County and City have authority pursuant to Section 163.01, Florida Statutes, to enter into interlocal agreements;

WHEREAS, pursuant to Section 335.0415(2), Florida Statutes, any change of the jurisdiction of a public road after July 1, 1995, that is a part of a county road system or a city street system is governed by Section 335.0415(3), Florida Statutes;

WHEREAS, pursuant to Section 335.0415(3), Florida Statutes, subsequent to July 1, 1995, public roads within the respective road systems of a county or a city may be transferred between those jurisdictions only by mutual agreement of those local governmental entities;

WHEREAS, the City desires to own (or accept dedication of, whatever the case may be), operate, maintain, control, and have responsibility over a portion of the County road known as Golden Gem Road from the south right-of-way line of West Kelly Park Road to the South line of the SW ¼ of Section 13, Township 20, Range 27E, including associated drainage easements and retention areas, more particularly described in Exhibit A (“Road Segment”);

WHEREAS, this Agreement is intended solely to address the transfer of the Road Segment from the County’s road system to the City’s city street system for purposes of ownership, operation and

maintenance, and to act as an acknowledgment by the City of its jurisdiction, ownership, and authority to operate and maintain such roads upon the effective date of this Agreement; and

WHEREAS, the County will remain responsible for the ownership, operation and maintenance of the portion of Golden Gem Road lying to the south of the north right-of-way line of South line of the SW ¼ of Section 13, Township 20, Range 27E.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. *Recitals.* The foregoing recitals are true and correct and are hereby incorporated herein by reference.
2. *Transfer of Jurisdiction of Road Segment.* In accordance with Section 335.0415(3), Florida Statutes, County and City hereby agree to the permanent transfer of ownership, control, and roadway maintenance responsibilities from the County to the City of the Road Segment. County shall provide all documents and drawings concerning the road drainage and right-of-way, to the extent such documents are in County's possession. City's jurisdiction to operate and maintain Road Segment means the authority and responsibility to maintain, control, repair, or improve such roads, as the term "road" is defined by Section 334.03(22), Florida Statutes, and to regulate, warn, or guide traffic on such roads, regardless of any future alteration, realignment, construction, extension, widening, or renaming of such roads. The Road Segment is therefore deemed to be a part of the City's "city street system" for purposes of operation and maintenance. Pursuant to Section 337.29(3), Florida Statutes, to the extent that sovereign immunity has been waived, liability for torts shall be in City. Also pursuant to Section 337.29(3), Florida Statutes, except as otherwise provided by law or this Agreement, City shall have the same governmental, corporate, and proprietary powers with relation to Road Segment that City has with relation to other public roads and rights-of-way within its jurisdiction.
3. *Dedication and Acceptance; Deed; Vesting of Title.* For any right-of-way for the Road Segment that is or may be in possession of County by dedication, including right-of-way associated with

drainage, County hereby dedicates to City, and City hereby accepts such right-of-way. For any right-of-way for the Road Segment that is or may be held in fee title by County, including right-of-way associated with drainage, County shall execute and deliver a County Deed in favor of the City substantially in the form attached hereto as Exhibit "B," for any portion of Golden Gem Road from the South line of West Kelly Park Rd to the South line of the SW ¼ of Section 13, Township 20, Range 27E that the County holds, or may hold, fee title or a property interest, as specifically described in the legal description and map attached to Exhibit "B" as Appendix "A," within thirty (30) days of execution of this Agreement. Within fifteen (15) days of receipt thereof, City shall accept the deed and right-of-way by recording the deeds in the Official Records of Orange County at City's expense.

4. *Miscellaneous.*

4.1 Amendments. This Agreement may be amended only by express written instrument approved by the Board of County Commissioners of the County and the City Council of the City, and executed by the authorized officers of each.

4.2 Validity. County and City each represents, warrants, and covenants to and with the other its respective authority and power under Florida law to enter into this Agreement, acknowledges the validity and enforceability of this Agreement, and waives any future right of defense based on claim of illegality, invalidity, or unenforceability of any nature. County and City each hereby represents, warrants, and covenants to and with the other that this Agreement has been validly approved by its respective governing body at a duly held public meeting, and that this Agreement constitutes a legal, valid, and binding contract enforceable against the respective party in accordance with the terms hereof (assuming the due authorization, execution, and delivery hereof by the other parties hereto).

4.3 Ambiguities. Both parties have been allowed equal input regarding the terms and wording of this Agreement and have had the benefit of consultation with their respective legal

counsel prior to its execution, such that all language herein shall be construed equally against the parties, and no language shall be construed strictly against its drafter.

5.4 Headings. The headings and captions of paragraphs or subparagraphs used in this Agreement are for the convenience of the parties for reference only and are not intended to define or limit their contents, nor are they to affect the construction or interpretation of this Agreement.

4.5 Severability. The provisions of this Agreement are declared by the parties to be severable only to the extent the remaining provisions can effectuate the purpose and intent of the parties.

4.6 Governing Law; Venue; Attorneys' Fees and Costs. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Venue for any action arising out of or relating to this Agreement shall be in the Circuit Court for the Ninth Judicial Circuit in Orange County, Florida. In the event a party deems it necessary to take legal action to enforce any provision of this Agreement, each party shall bear its own attorneys' fees and costs at both the trial and appellate levels.

4.7 Entire Agreement. This Agreement, along with its exhibits, constitutes the entire Agreement between the parties regarding the subject matter hereof. Any prior oral or written agreements or understandings of any kind between the parties relating to the subject matter hereof are null and void and of no further effect.

4.8 Counterparts. This Agreement and any amendments thereto may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

4.9 Notices. Any notice required to be given or otherwise given by one party to the other party shall be in writing. Notice shall be deemed delivered when given by hand delivery; notice shall be deemed delivered five (5) days after being deposited in the United State Mail, postage prepaid, certified, or registered; notice shall be deemed delivered the next business

day after being dropped with a recognized overnight mail or courier delivery service; notices shall be deemed delivered the next business day when transmitted by facsimile or telecopy transmission, with receipt acknowledged upon transmission. Notices shall be addressed as follows:

IF TO COUNTY: Director, Orange County Public Works Department
 4200 South John Young Parkway
 Orlando, Florida 32839
 Facsimile: 407.836.7716

WITH COPY TO: County Attorney
 Orange County Administration Center
 201 South Rosalind Avenue
 Orlando, Florida 32801
 Facsimile: 407.836.5888

IF TO CITY: Transportation Coordinator
 City of Apopka
 120 East Main Street
 Apopka, Florida 32703
 Facsimile: 407.703.1791

WITH COPY TO: City Attorney
 City of Apopka
 120 East Main Street
 Apopka, Florida 32703
 Facsimile: 407.703.1793

In all cases, notices shall be deemed delivered to a party only upon delivery of copies to the persons indicated above in the same manner as for the party being notified. Either party may change its designated official or address for receipt of notice by giving notice of such change to the other party in the manner provided in this subparagraph.

5. *Effective Date.* This Agreement shall become effective on the date of execution by the County or the date of execution by the City, whichever date is later.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year indicated below.

ATTEST: Phil Diamond, CPA, County Comptroller
as Clerk of the Board of County Commissioners

ORANGE COUNTY, FLORIDA, a political
subdivision of the State of Florida,

Deputy Clerk

Jerry L. Demings, Mayor

Printed Name

Date

ATTEST:

CITY OF APOPKA, FLORIDA, a municipal
corporation of the State of Florida,

Susan Bone, City Clerk

Bryan Nelson, Mayor

Date

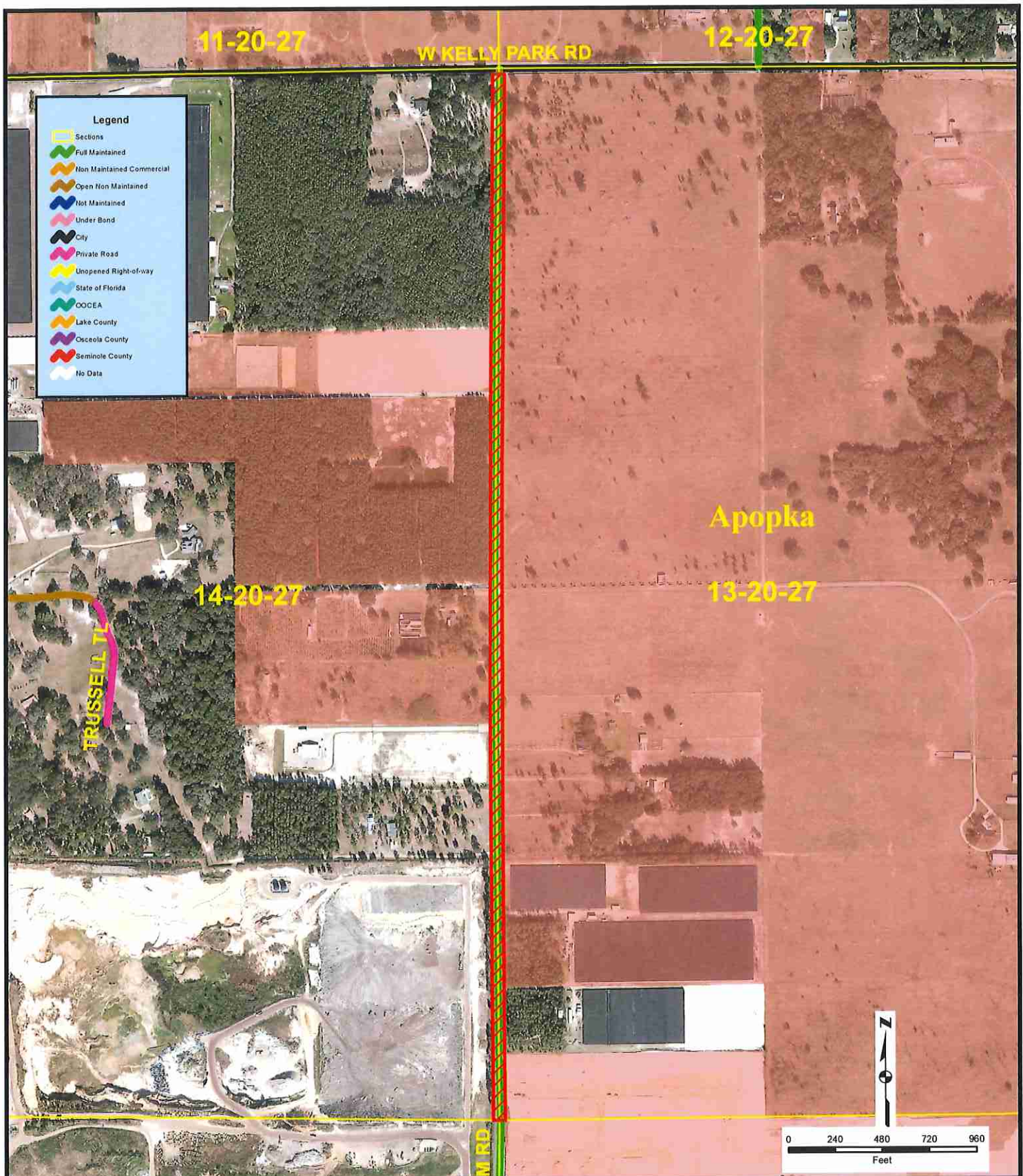


Exhibit "A"
Interlocal Agreement regarding Transfer of Jurisdiction of a
Portion of Golden Gem Road within Orange County Road
System

Author: George Shupp

Checked by:

Date Saved: 4/7/2025

All data, information, and maps are provided
 "as is" without warranty or any representation
 of accuracy, timeliness or completeness

Exhibit "B"

Project: Interlocal Agreement with the City of Apopka and Orange County regarding the Transfer of Jurisdiction of Golden Gem Road

COUNTY DEED

THIS DEED, made as of the date signed below, by Orange County, a charter county and political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393, GRANTOR, and the City of Apopka, a municipal corporation, under the laws of the state of Florida, whose address is 1201 E. Main St., Apopka, Florida, 32703 GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$1.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

SEE ATTACHED APPENDIX "A"

Property Appraiser's Parcel Identification Number:

Unassigned

THIS COUNTY DEED is being given in accordance with the Interlocal Agreement regarding the Transfer of Jurisdiction of Golden Gem Road from West Kelly Park Road to the South line of SW ¼ of Section 13, Township 20, Range 27E.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

Project: Interlocal Agreement with the City of Apopka and Orange County regarding the Transfer of Jurisdiction of Golden Gem Road

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: _____
Jerry L. Demings, Mayor
Orange County Mayor

DATE: _____

ATTEST: Phil Diamond, CPA, Orange County Comptroller,
as Clerk to the Board of County Commissioners

BY: _____
Deputy Clerk

Printed Name

Appendix “A”

SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

GOLDEN GEM ROAD

LYING IN SECTION 13-20-27 & 14-20-27
ORANGE COUNTY, FLORIDA

LEGAL DESCRIPTION

A PORTION OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 27 EAST AND A PORTION OF SECTION 14, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 30 FEET OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA AND THE EAST 30 FEET OF SECTION 14, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, LESS THE NORTH 30 FEET THEREOF BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SECTION 14, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN N 89°21'01" W, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 14 A DISTANCE OF 30.00 FEET; THENCE ALONG A LINE 30 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 14 RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES; (1) RUN N 00°21'14" W, A DISTANCE OF 2688.96 FEET; (2) THENCE RUN N 00°30'19" E, A DISTANCE OF 2603.64 FEET; THENCE ALONG A LINE 30 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 14, RUN N 89°12'17" E, A DISTANCE OF 30.01 FEET TO THE INTERSECTION OF A LINE 30 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 13, THENCE ALONG SAID LINE RUN N 89°54'49" E, A DISTANCE OF 30.00 FEET TO A POINT LYING 30 FEET EAST OF THE WEST LINE OF SAID SECTION 13; THENCE ALONG A LINE 30 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 13 RUN THE FOLLOWING TWO (2) COURSES AN DISTANCES; (1) RUN S 00°30'19" W, A DISTANCE OF 2604.19 FEET; (2) THENCE RUN S 00°21'14" E, A DISTANCE OF 2688.98 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13 RUN S 89°32'16" W, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.29 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

- 1) NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD BY THIS FIRM.
- 3) BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE EAST LINE OF THE SE 1/4 OF SECTION 14-20-27, HAVING A BEARING OF N 00°21'14" W.

REVISED: 01/08/2024
SEE SHEET 2 FOR SKETCH
04/25/2023
SHEET 1 OF 2

PROJECT: 21175

PREPARED BY:

I CERTIFY THAT THIS MEETS OR EXCEEDS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472, FLORIDA STATUTES.

DAVID M. McDERMOTT

FLORIDA REGISTERED SURVEYOR AND MAPPER CERTIFICATE No. 4779

Associated Land Surveying & Mapping, Inc.

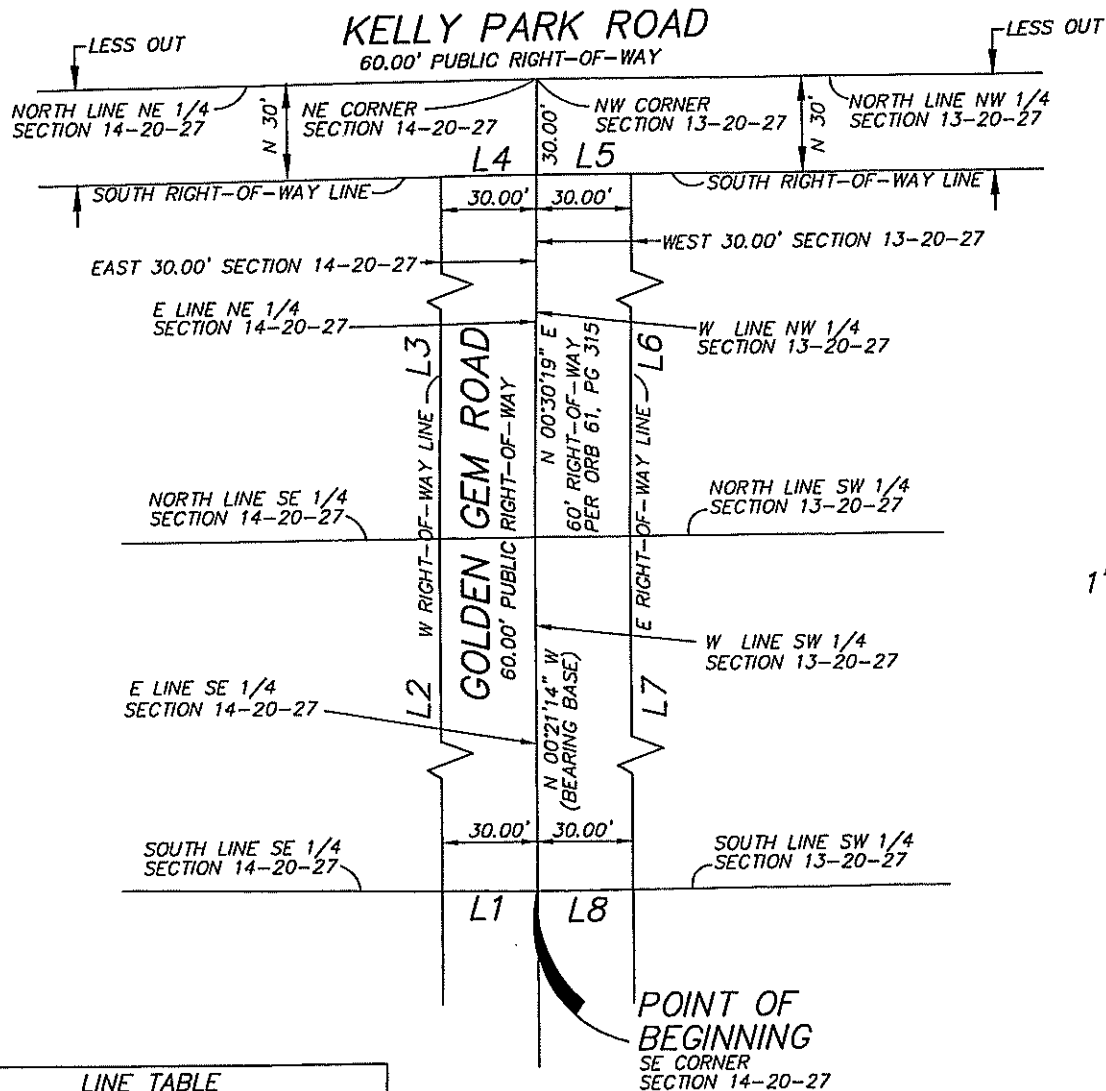
1681 POWELL STREET, LONGWOOD, FLORIDA 32750
PH (407) 869-5002, FAX (407) 869-8393
CERTIFICATE OF AUTHORIZATION # LB 6767

SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

GOLDEN GEM ROAD

LYING IN SECTION 13-20-27 & 14-20-27
ORANGE COUNTY, FLORIDA



LINE TABLE		
LINE	BEARING	LENGTH
L1	N 89°21'01" W	30.00'
L2	N 00°21'14" W	2688.96'
L3	N 00°30'19" E	2603.64'
L4	N 89°12'17" E	30.01'
L5	N 89°54'49" E	30.00'
L6	S 00°30'19" W	2604.19'
L7	S 00°21'14" E	2688.98'
L8	S 89°32'16" W	30.00'

LEGEND

ORB - OFFICIAL RECORDS BOOK
PG - PAGE

REVISED: 01/08/2024
SEE SHEET 1 FOR DESCRIPTION
04/25/2023
SHEET 2 OF 2

PROJECT: 21175

**Associated Land Surveying
& Mapping, Inc.**

1681 POWELL STREET, LONGWOOD, FLORIDA 32750
PH (407) 869-5002, FAX (407) 869-8393
CERTIFICATE OF AUTHORIZATION # LB 6767

THIS INSTRUMENT SHOULD BE RETURNED TO
Susan Bone
City Clerk
City of Apopka
120 East Main Street
Apopka, Florida 32703

**INTERLOCAL AGREEMENT REGARDING TRANSFER OF JURISDICTION
OF A PORTION OF GOLDEN GEM ROAD WITHIN ORANGE COUNTY ROAD SYSTEM**

THIS INTERLOCAL AGREEMENT is made and entered into on this ____ day of _____, 2023 (“Agreement”), by and between ORANGE COUNTY, FLORIDA, a political subdivision of the State of Florida (“County”) and the CITY OF APOPKA, FLORIDA, a municipal corporation of the State of Florida (“City”) for the purpose of transferring the jurisdiction of a portion of Golden Gem Road within the Orange County Road System.

RECITALS

WHEREAS, the County and City have authority pursuant to Section 163.01, Florida Statutes, to enter into interlocal agreements;

WHEREAS, pursuant to Section 335.0415(2), Florida Statutes, any change of the jurisdiction of a public road after July 1, 1995, that is a part of a county road system or a city street system is governed by Section 335.0415(3), Florida Statutes;

WHEREAS, pursuant to Section 335.0415(3), Florida Statutes, subsequent to July 1, 1995, public roads within the respective road systems of a county or a city may be transferred between those jurisdictions only by mutual agreement of those local governmental entities;

WHEREAS, the City desires to own (or accept dedication of, whatever the case may be), operate, maintain, control, and have responsibility over a portion of the County road known as Golden Gem Road from the south right-of-way line of West Kelly Park Road to the South line of the SW ¼ of Section 13, Township 20, Range 27E, including associated drainage easements and retention areas, more particularly described in Exhibit A (“Road Segment”);

WHEREAS, this Agreement is intended solely to address the transfer of the Road Segment from the County’s road system to the City’s city street system for purposes of ownership, operation and

maintenance, and to act as an acknowledgment by the City of its jurisdiction, ownership, and authority to operate and maintain such roads upon the effective date of this Agreement; and

WHEREAS, the County will remain responsible for the ownership, operation and maintenance of the portion of Golden Gem Road lying to the south of the north right-of-way line of South line of the SW ¼ of Section 13, Township 20, Range 27E.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. *Recitals.* The foregoing recitals are true and correct and are hereby incorporated herein by reference.
2. *Transfer of Jurisdiction of Road Segment.* In accordance with Section 335.0415(3), Florida Statutes, County and City hereby agree to the permanent transfer of ownership, control, and roadway maintenance responsibilities from the County to the City of the Road Segment. County shall provide all documents and drawings concerning the road drainage and right-of-way, to the extent such documents are in County's possession. City's jurisdiction to operate and maintain Road Segment means the authority and responsibility to maintain, control, repair, or improve such roads, as the term "road" is defined by Section 334.03(22), Florida Statutes, and to regulate, warn, or guide traffic on such roads, regardless of any future alteration, realignment, construction, extension, widening, or renaming of such roads. The Road Segment is therefore deemed to be a part of the City's "city street system" for purposes of operation and maintenance. Pursuant to Section 337.29(3), Florida Statutes, to the extent that sovereign immunity has been waived, liability for torts shall be in City. Also pursuant to Section 337.29(3), Florida Statutes, except as otherwise provided by law or this Agreement, City shall have the same governmental, corporate, and proprietary powers with relation to Road Segment that City has with relation to other public roads and rights-of-way within its jurisdiction.
3. *Dedication and Acceptance; Deed; Vesting of Title.* For any right-of-way for the Road Segment that is or may be in possession of County by dedication, including right-of-way associated with

drainage, County hereby dedicates to City, and City hereby accepts such right-of-way. For any right-of-way for the Road Segment that is or may be held in fee title by County, including right-of-way associated with drainage, County shall execute and deliver a County Deed in favor of the City substantially in the form attached hereto as Exhibit "B," for any portion of Golden Gem Road from the South line of West Kelly Park Rd to the South line of the SW ¼ of Section 13, Township 20, Range 27E that the County holds, or may hold, fee title or a property interest, as specifically described in the legal description and map attached to Exhibit "B" as Appendix "A," within thirty (30) days of execution of this Agreement. Within fifteen (15) days of receipt thereof, City shall accept the deed and right-of-way by recording the deeds in the Official Records of Orange County at City's expense.

~~4. *County Payment.* The parties agree that it is reasonable and for a public purpose that County participate in City's construction of resurfacing improvements to the Road Segments which are necessary to bring the Road Segments up to a standard of good repair as part of the transfer of the Road Segment to City. The improvements will generally consist of milling and resurfacing the Road Segments (the "Project"). The Project has an estimated cost of approximately Seven Hundred and Fifty Thousand Dollars (\$750,000.00) (the "Estimated Cost"). In consideration for City's assumption of the ownership and maintenance of the Road Segments and to facilitate improvement of the Road Segments, County agrees to pay to City the amount of the Estimated Cost by check or wire transfer (the "County Payment"). The County Payment will be made to City within sixty (60) days after City submits to County a request for payment, together with supporting documentation including a Notice of Completion of the Project, the requested amount of the County Payment, and contractor invoices showing a total actual cost incurred by City for construction of the Project (the "Total Cost"). In the unlikely event the Total Cost is less than the Estimated Cost, the County Payment will be reduced, dollar for dollar, but in no event will the County Payment be increased.~~

45. *Miscellaneous.*

~~54~~.1 Amendments. This Agreement may be amended only by express written instrument approved by the Board of County Commissioners of the County and the City Council of the City, and executed by the authorized officers of each.

~~45~~.2 Validity. County and City each represents, warrants, and covenants to and with the other its respective authority and power under Florida law to enter into this Agreement, acknowledges the validity and enforceability of this Agreement, and waives any future right of defense based on claim of illegality, invalidity, or unenforceability of any nature. County and City each hereby represents, warrants, and covenants to and with the other that this Agreement has been validly approved by its respective governing body at a duly held public meeting, and that this Agreement constitutes a legal, valid, and binding contract enforceable against the respective party in accordance with the terms hereof (assuming the due authorization, execution, and delivery hereof by the other parties hereto).

~~45~~.3 Ambiguities. Both parties have been allowed equal input regarding the terms and wording of this Agreement and have had the benefit of consultation with their respective legal counsel prior to its execution, such that all language herein shall be construed equally against the parties, and no language shall be construed strictly against its drafter.

~~55~~.4 Headings. The headings and captions of paragraphs or subparagraphs used in this Agreement are for the convenience of the parties for reference only and are not intended to define or limit their contents, nor are they to affect the construction or interpretation of this Agreement.

~~45~~.5 Severability. The provisions of this Agreement are declared by the parties to be severable only to the extent the remaining provisions can effectuate the purpose and intent of the parties.

~~45~~.6 Governing Law; Venue; Attorneys' Fees and Costs. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Venue for any action arising out of or relating to this Agreement shall be in the Circuit Court for the Ninth

Judicial Circuit in Orange County, Florida. In the event a party deems it necessary to take legal action to enforce any provision of this Agreement, each party shall bear its own attorneys' fees and costs at both the trial and appellate levels.

45.7 Entire Agreement. This Agreement, along with its exhibits, constitutes the entire Agreement between the parties regarding the subject matter hereof. Any prior oral or written agreements or understandings of any kind between the parties relating to the subject matter hereof are null and void and of no further effect.

45.8 Counterparts. This Agreement and any amendments thereto may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

45.9 Notices. Any notice required to be given or otherwise given by one party to the other party shall be in writing. Notice shall be deemed delivered when given by hand delivery; notice shall be deemed delivered five (5) days after being deposited in the United State Mail, postage prepaid, certified, or registered; notice shall be deemed delivered the next business day after being dropped with a recognized overnight mail or courier delivery service; notices shall be deemed delivered the next business day when transmitted by facsimile or telecopy transmission, with receipt acknowledged upon transmission. Notices shall be addressed as follows:

IF TO COUNTY: Director, Orange County Public Works Department
 4200 South John Young Parkway
 Orlando, Florida 32839
 Facsimile: 407.836.7716

WITH COPY TO: County Attorney
 Orange County Administration Center
 201 South Rosalind Avenue
 Orlando, Florida 32801
 Facsimile: 407.836.5888

IF TO CITY: Transportation Coordinator
 City of Apopka
 120 East Main Street
 Apopka, Florida 32703

Facsimile: 407.703.1791

WITH COPY TO: City Attorney
City of Apopka
120 East Main Street
Apopka, Florida 32703
Facsimile: 407.703.1793

In all cases, notices shall be deemed delivered to a party only upon delivery of copies to the persons indicated above in the same manner as for the party being notified. Either party may change its designated official or address for receipt of notice by giving notice of such change to the other party in the manner provided in this subparagraph.

65. *Effective Date.* This Agreement shall become effective on the date of execution by the County or the date of execution by the City, whichever date is later.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year indicated below.

ATTEST: Phil Diamond, CPA, County Comptroller
as Clerk of the Board of County Commissioners

ORANGE COUNTY, FLORIDA, a political
subdivision of the State of Florida,

Deputy Clerk

Jerry L. Demings, Mayor

Printed Name

Date

ATTEST:

CITY OF APOPKA, FLORIDA, a municipal
corporation of the State of Florida,

Susan Bone, City Clerk

Bryan Nelson, Mayor

Date



COUNTY ATTORNEY'S OFFICE
THOMAS B. DRAGE, JR. *County Attorney*
301 South Rosalind Avenue - 3rd Floor
Reply To: Post Office Box 1393
Orlando, Florida 32802-1393
407-836-7320 • Fax 407-836-5888
www.orangecountyfl.net

April 18, 2006

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John F. Bennett, Esq.
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170 E. Washington Street
Orlando, Florida 32801

Re: Road Maintenance Responsibility Regarding Jetport Drive, a Local Road

Dear Mr. Bennett:

This letter is sent in response to your February 17, 2006, letter to Frank Gallagher in Orange County's Development Engineering Division.

In your letter, you comment that the statutory definition of city street system "does not supercede nor amend the jurisdictional provisions of Section 335.0415, Florida Statutes," dealing with the process of transferring jurisdiction of a county road to a municipality.

When a municipality annexes along both sides of a local road (or the local road itself), our view of the matter is that the jurisdictional provisions of Section 335.0415 do not come into play. Consistent with the County's reading of the statutory definitions of "local road," "county road system" and "city street system," after a municipality annexes along both sides of the local road (even if the municipality does not include the local road in the area being annexed), a "local road" does not need to be "transferred" pursuant to Section 335.0415 because it becomes part of the city street system *automatically* (under the definition of "city street system"). Section 335.0415 is not applicable in such a case.

Also, you submit that the *City of Edgewood* case cited in your letter supports the City of Belle Isle's position. The County was involved in that Edgewood case, and the facts were clearly distinguishable. That case involved Holden Avenue, which is *not* a local road. Likewise, Larry Williams' letter of June 13, 2005, to Deodat Budhu was well off the mark because the examples that he gave (for why a transfer agreement would be necessary) were Hoffner Avenue and Nela Avenue, neither of which is a "local road."

It is my understanding that the segment of Jetport Drive in question is a "local road," *not* a collector road or arterial road. A "local road" is defined by Section 334.03(15), Florida Statutes, as "a route providing service which is of relatively low average traffic volume, short average trip length or minimal through-traffic movements, and high land access for abutting property."

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John F. Bennett, Esq.

April 18, 2006

Page 2

The "city street system" is defined by Section 334.03(3), Florida Statutes, as "*all local roads within a municipality, and all collector roads inside that municipality, which are not in the county road system.*"

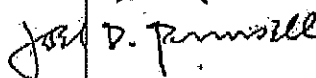
The "county road system" is defined by Section 334.03(8), Florida Statutes, as "*all collector roads in the unincorporated areas of a county and all extensions of such collector roads into and through any incorporated areas of a county and all extensions of such collector roads into and through any incorporated areas, all local roads in the unincorporated areas, and all urban minor arterial roads not in the State Highway System.*" *Note the difference between how "local roads" and "collector roads" extending into or through a municipality are treated under these statutory definitions.*

To summarize, if a municipality annexes along both sides of a local road, the County deems such a road to no longer be "in the unincorporated area," *see* Section 334.03(8), but instead "within a municipality," *see* Section 334.03(3), even when the municipality did not annex the local road itself. Any other conclusion would lead to inequitable, not to mention absurd, results, and saddle a county with the responsibility of having to continue maintaining a vast number of local roads that, by virtue of annexations, have become surrounded by municipal territory (are "within municipalities") and used primarily (or almost exclusively) by municipal residents and businesses.

The County would therefore reiterate that, as Mr. Budhu informed Mr. Williams in a letter dated April 25, 2005, it is no longer maintaining Jetport Drive, a local road, from the McCoy Road/Boggy Creek Road intersection west approximately 2,000 feet. Moreover, the County has no intention of resuming such responsibility, absent an interlocal agreement approved by our respective governing bodies.

Please let me know if you have any questions.

Sincerely,



Joel D. Prinsell

Deputy County Attorney

JDP:sac

cc: David Heath, Deputy County Administrator

Linda Akins, Director of Governmental Relations, County Administrator's Office

William P. Baxter, Director, Public Works Department

Mark Massaro, Deputy Director, Public Works Department

Deodat Budhu, Manager, Roads and Drainage Division, Public Works Department

Chris Testerman, Manager, Planning Division

scrooke:correspjdp:bennett-jetport-drive

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City of Apopka CITY COUNCIL STAFF REPORT

Section: BUSINESS (Action Item)

Item #: 2.

Meeting Date: August 6, 2025

Department: Finance Department

SUBJECT:

Award contract for ITB 2025-A-199: Re-Bid Community Development Block Grant (CDBG) Housing Rehabilitation Program to: RDC Development Corporation

ACTION ITEM INFORMATION:

Award contract for ITB 2025-A-199: Re-Bid Community Development Block Grant (CDBG) Housing Rehabilitation Program to: RDC Development Corporation

REQUEST:

Award a contract to RDC Development Corporation

SUMMARY:

The City of Apopka was awarded a \$750,000 grant under the Florida Department of Commerce for the Community Development Block Grant (CDBG) with a City funded \$50,000 commitment. The grant is in the Housing Rehabilitation Category to repair or replace Low to Moderate Income (LMI -below 80% of area median income) owner occupied homes located within the city limits. The City of Apopka has hired Fred Fox Enterprises, Inc. to assist in the Administration of the City's CDBG Housing Grant and act as the City's CDBG Housing Specialist. The following five (5) properties in Apopka were identified to participate (one property was considered an alternate):

Item #	Properties	Type of Rehabilitation
1	118 W. 8 Th Street	Replacement Home
2	708 S. Washington Ave.	Replacement Home
3	1165 Dekleva Dr.	Rehab
4	28 W. 8 TH St.	Rehab
5	407 E. 8 TH St. (Alternate Home)	Rehab

A bid was advertised to replace two (2) homes and rehabilitate three (3) homes. On May 15, 2024 City Council authorized the award of contractors for two (2) replacement homes, the rehabilitation of one (1) home, to conduct a re-bid of one (1) home and change the rehab to a replacement, and to make a determination on the alternate home once all bids and funds were determined. Separately, on September 18, 2024, City Council authorized an award of a contract for the one (1) home re-bid as a replacement. The locations, determinations, and amounts were as follows:

Item #	Property	Action	Bid Amounts
1	118 W. 8 Th Street	Awarded a contract to replace home	\$212,915.00
2	708 S. Washington Ave.	Awarded a contract to replace home	\$212,915.00
3	1165 Dekleva Dr.	Awarded a contract to rehab home	\$45,421.03
4	28 W. 8 TH St.	Re-bid as a replacement instead of rehab	\$238,672.00
5	407 E. 8 TH St. (Alternate Home)	Postponed until all bids and funds are determined	\$0
Bid Award Amount:			\$709,923.03
Contingency (10%) Award Amount:			\$70,992.30
Total Bid Award Amount from September 18, 2024			\$780,916.03

The original bid advertised for the alternate home at 407 E. 8th St. consisted of a single bidder, in the total amount of \$143,260.89. On May 7, 2025, City Council requested the re-bidding of the alternate home at 407 E. 8th St., to increase contractor's participation and reduce overall costs. Revisions were implemented to the advertisement specifications to foster a more competitive bidding environment and achieve greater cost efficiency for the project. The following changes were made:

- Carpentry” section was removed and combined together with “Wall & Ceiling Framing”
- HVAC- changed from 14 seer to 15 seer. Building Code requirement confirmed with John H.
- Shingle Roof:
 - **Added Language:** Includes a maximum of 6 sheets of 4X8 sheathing, and framing with new appropriate materials. Properly nail off all sheathing new and existing. Install new peel and stick roof underlayment and metal drip edge (owner to pick color).
- Gypsum Wall & Ceiling Board:
 - **Added Language:** Repair all the home's wiring and plumbing. New wall and ceiling board to the same thickness as existing. Install wall board to the newly furred and insulated block wall in the utility room.
- Vinyl Flooring: **Original Scope instructed contractors to remove tile.**
 - **Added Language:** Remove any remaining carpet from interior and prep existing tile throughout to install new vinyl planking over existing ceramic tile and slab floors.
 - **Added Language underlined:** Install new FHA approved vinyl plank flooring with padded backing throughout interior of home to include utility room.
- Refrigerator: **New refrigerator in the family room was supplied by the owner's family.**
 - **Removed Language:** Furnish and install a new black, minimum 18 cubic foot frost free energy star certified refrigerator same location as existing. Brand name optional. Energy Star certification to be provided with draw request.
 - **Added Language:** Dispose of existing old refrigerator in kitchen. Relocate and install new existing stainless-steel refrigerator from family room into kitchen refrigerator opening.

- Electric Range:
 - **Added language:** New range to match homeowner's new refrigerator as close as possible.
- Shower/Tub:
 - **Removed** shower rod and replaced it with Shower door and install tile shower
- Electrical Lighting Fixtures:
 - **Removed** fluorescent and replaced it with LED Style kitchen ceiling fixture.

On June 8, 2025, the Finance Department received electronic bids (e-bids) for the alternate rehabilitation home located at 407 E. 8th St. The advertisement schedule and statistics were as follows:

Date Issued & Advertised:	June 8, 2025
1 st Pre-Bid Meeting	June 25, 2025
2nd Pre-Bid Meeting	July 8, 2025
Inquiry Deadline	July 15, 2025
E-Bid Submittal Deadline:	July 23, 2025 @ 3:00PM
Notified Users:	3,593
Project Views:	1,274
Vendors Following the Project:	31
1 st and 2 nd Pre-Bid Attendance	10

A total of three (3) contractors submitted bid pricing as follows:

Company	Total Bid Amount
ESB Light, LLC	\$87,952.80
RDC Development Corporation	\$114,929.74
Carl R. Pursell Construction, LLC	\$183,151.00

The project timeline for a rehabilitation home is one hundred twenty (120) days from the issuance of permits. ESB Light, LLC was the lowest bidder, but was deemed non-responsive. The next lowest qualified bidder was RDC Development Corporation, their submittal has been reviewed to include their bid, history, and references. The bid amount of \$114,929.74 is within 15% of the rehabilitation cost estimate of \$105,700. Staff and Fred Fox Enterprise, Inc. (Grant Administrator and CDBG Housing Specialist) recommend the contract award to the lowest responsive bidder to RDC Development Corporation in the amount of \$114,929.74. This property was selected as an alternate project for rehabilitation, and was contingent upon funding. Funding is available through CDBG and local funds for the rehabilitation of the alternate home and is being presented to City Council for approval.

FUNDING SOURCE:

\$130,758 - CDBG Housing Grant through the Florida Department of Commerce

\$27,009 - Local Funds

\$157,767 - Total Funds Available

RECOMMENDED MOTION:

Recommend to award the home rehabilitation of 407 E. 8TH Street Apopka, Florida to RDC Development Corporation., in the amount of \$114,929.74. Recommendation and award is contingent upon Florida Department of Commerce approval of the site-specific environmental release for the construction of the property. The CDBG grant does include funding for contingencies. A 10% contingency fund is being requested, in the amount of \$11,492.97 [total project cost with contingency is **\$126,422.71**].

State the recommendation as follows:

1. The award is contingent upon the Site Specific Environmental Review approved by the Florida Department of Commerce.
2. The award is contingent upon RDC Development Corporation being approved by the Florida Department of Commerce.
3. The bid amount of \$114,929.74 is within 15% of the rehabilitation cost estimate of \$105,700.
4. The bid amount of \$114,929.74 exceeds the City of Apopka CDBG Housing Assistance Plan (HAP) maximum rehab amount of \$60,000.00, City staff and Fred Fox Enterprise, Inc (Grant Administrator and CDBG Housing Specialist) recommend the contract award to RDC Development Corporation in the amount of \$114,929.74, exceeding the HAP rehab maximum of \$60,000.00.

ATTACHMENTS:

None



City of Apopka CITY COUNCIL STAFF REPORT

Section: BUSINESS (Action Item)

Item #: 3.

Meeting Date: August 6, 2025

Department: Finance Department

SUBJECT:

Municipal Impact Fee Rate Study Results and Recommendations

ACTION ITEM INFORMATION:

Approval and Authorization to Proceed with the Recommended Municipal Impact Study Results

REQUEST:

Approval and Authorization to Proceed with the Recommended Municipal Impact Study Results

SUMMARY:

Mr. Henry Thomas and Shawn Ocasio with Raftelis will present the results of the Impact Fee Funds studies, including the recommended rate increases for Council consideration. In 2016, Henry Thomas and Shawn Ocasio (As PRMG) did the study that created the impact fees currently in place for the City for police and fire. There were no Police and Fire fees before that time, and they have been the same fees since then. Please find attached the August 31, 2016, report for reference.

For Parks and Recreation, please find attached the report dated November 28, 2016, that shows the fees in place today and the original fees from before then. The Parks and Recreations fees before the 2016 study were \$241.05, and they were increased to the \$1,060 amount in that 2016 study. The \$1,016 amount are the fees in place now, so there is no history of change in the rates.

FUNDING SOURCE:

N/A

RECOMMENDED MOTION:

Approval and Authorization to Proceed with the Recommended Municipal Impact Study Results

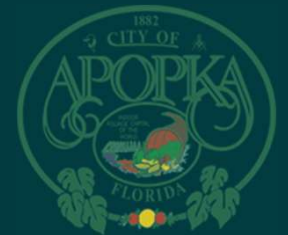
ATTACHMENTS:

1. Municipal Impact Fee Presentation August 6, 2025 City Council
2. Police and Fire Impact Fee Study Report
3. Parks and Rec. Impact Fee Study Report - 11-28-2016 - Revised

City of Apopka

Municipal Impact Fee Study

Prepared: July 30th, 2025



Agenda

1. Discussion on Impact Fee Basics and Legal Considerations
2. Discuss Method and Major Assumptions
3. Summary Findings and Recommendations

Impact Fee Basics

- Fees are paid by new development that results in an increased demand for municipal services (e.g. police, fire, recreation, etc.)
- Fees are used to pay for growth-related capital facilities and major equipment
- Avoids growth-related costs from burdening existing residents



Impact Fee Basics (Cont.)

- Fees must be reasonably equitable to all parties - Dual rational nexus
 - Impact fees must be based on the capital cost requirements anticipated for providing service-related facilities to new development
- Impact fees must be based upon reasonable level of service standards that meet the needs of the City
- Impact fees cannot be used to fund deficiencies in capital needs of the city or pay for any operating costs
- Impact fees are adopted by ordinance

Legal Considerations

The methods and criteria to charge impact fees have been developed under Florida Statutes and recognized case law

Florida Impact Fee Act History

- Florida Legislature created section 163.31801 of the Florida Statutes governing impact fees
- Created June 14, 2006
- Amended 2009, 2011, 2019, 2021, 2024 and most recently in 2025

Legal Considerations (Cont.)

Florida Impact Fee Act

- Requires the calculation of impact fees to be based on the most recent and localized data
- Provides for accounting and reporting of impact fee revenues and expenditures in a separate fund
- Limits administrative charges for the collection of impact fees to actual costs
- Requires 90 days notice before imposing a new or increased fee
- Annual affidavit on compliance signed by the city
- Government has the burden of proof in any challenge of an impact fee
- Cannot be charged before issuance of building permit

Legal Considerations (Cont.)

New Limitations on Increasing Impact Fees

- Any increase not more than 25 percent of the current rate must be implemented in two equal annual increments beginning with the date on which the increased fee is adopted
- An increase that exceeds 25 percent, but not more than 50 percent of the current rate must be implemented in four equal installments beginning with the date the increased fee is adopted
- An impact fee increase may not exceed 50 percent of the current impact fee rate
 - Unless considered an [extraordinary circumstance](#)
- An impact fee may not be increased more than once every 4 years

Legal Considerations (Cont.)

Extraordinary Circumstances

- (g) A local government, school district, or special district may increase an impact fee rate beyond the phase-in limitations established under paragraph (b), paragraph (c), paragraph (d), or paragraph (e) by establishing the need for such increase in full compliance with the requirements of subsection (4), provided the following criteria are met:
 - 1. A **demonstrated-need study** justifying any increase in excess of those authorized in paragraph (b), paragraph (c), paragraph (d), or paragraph (e) has been completed within the 12 months before the adoption of the impact fee increase and expressly demonstrates the extraordinary circumstances necessitating the need to exceed the phase-in limitations.
 - 2. The local government jurisdiction has held not less than **two publicly noticed workshops** dedicated to the extraordinary circumstances necessitating the need to exceed the phase-in limitations set forth in paragraph (b), paragraph (c), paragraph (d), or paragraph (e).
 - 3. The impact fee increase ordinance is approved by at least a **two-thirds vote** of the governing body.

Note: Extraordinary circumstance provisions will be changing per SB 1080

Extraordinary Circumstances

- As of today, the term Extraordinary Circumstances has **not** yet been defined in Statutes
 - Attempts were made in 2023 and in 2025 to define it based on the growth rate of the municipality but neither were passed
- Common arguments currently being made include:
 - Demonstrated need study to document the essential need for the service facilities
 - High population growth environment driving need for capital facilities to maintain Level of Service (LOS)
 - Current inflationary environment and impacts to capital costs – significant increases in past 5 years
 - Impacts to existing taxpayers / residents if fees are not adopted and implemented at full level

Fee Calculation Methodology

- Identify residential population, dwelling units, and developed nonresidential square footage
- Review level of service criteria
- Identify existing investment and planned future investment in capital facilities to provide service for new growth
- Allocate costs to be recovered among residential and non-residential customer classes (where applicable)
 - Developed square footage
 - Service call data
 - Functional population approach
- Proposed rate:
 - Per residential dwelling unit
 - Per square foot for non-residential properties

Major Assumptions

- Historical population growth of approx. 2.5%
- Projected population growth through 2050 of approx. 1.7%
 - 2023 population of 58,293 projected to increase to over 92,000 by 2050
- Existing investment in capital assets (before adjustments) and Level of Service (LOS) by department
 - Police – \$10.7 million / LOS – 2.26 officers per 1,000 population
 - Fire – \$19.0 million / LOS – 5 min 20 sec @ 90%+
 - Parks – \$22.3 million / LOS – 3 acres per 1,000 population
 - Achieving LOS of 8+ acres per 1,000 population

Major Assumptions (cont.)

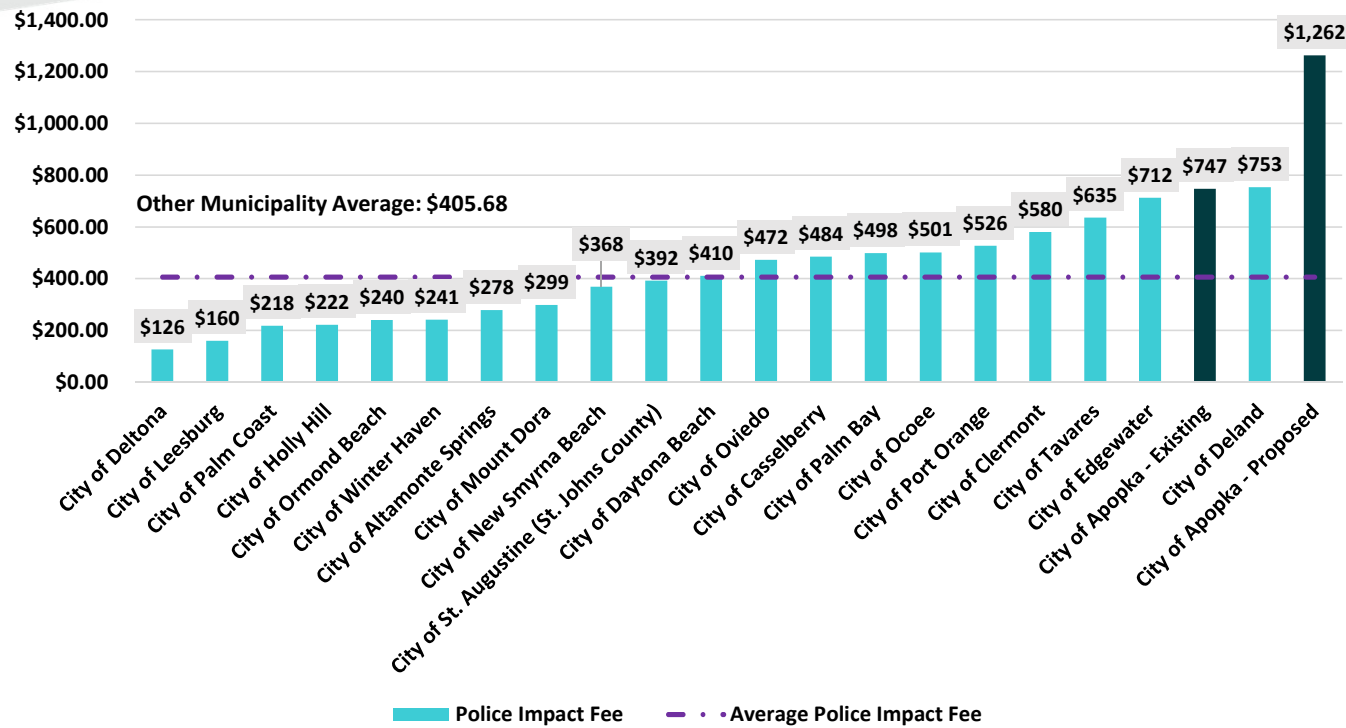
- Major Capital Improvements
 - Police – Total Plan \$86.1 million (\$80.1 included)
 - Public Safety Complex (Police Portion) – \$54.5 million
 - Training Facility – \$25.0 million
 - Fire – Total Plan \$50.6 million (\$41.8 million included)
 - Public Safety Complex (Fire Portion) – \$32.3 million
 - Station 7 – \$6.0 million
 - Parks – Total Plan \$116.9 million (\$26.1 million included)
 - Land Acquisition – \$20.2 million
 - New Soccer Field at NWRC - \$2.0 million
 - New Tennis and Pickleball Courts at NWRC - \$2.4 million

Existing and Calculated Police Impact Fees

Description	Impact Fee Unit	Existing Fee	Calculated Full Fee	Statutory 50% Cap
Residential Single Family	Dwelling Unit	\$747.00	\$1,262.00	\$1,120.00
Residential Multifamily (New)	Dwelling Unit	747.00	1,009.00	1,009.00 [*]
Non-residential:				
Industrial / Warehousing	Per Sq. Ft.	\$0.07	\$0.143	\$0.105
Institutional	Per Sq. Ft.	0.54	0.328	0.328 [*]
Hotel / Motel	Per Sq. Ft.	0.54	1.230	0.810
Office Building	Per Sq. Ft.	0.29	1.336	0.435
Retail	Per Sq. Ft.	1.00	4.023	1.500
Catch All Rate	Per Sq. Ft.	0.41	0.812	0.615

[*] Calculated full fee is less than a 50% increase compared to the current fee level so the max increase per statute and calculated fee are essentially equivalent.

Local Police Impact Fee Comparison – Single Family

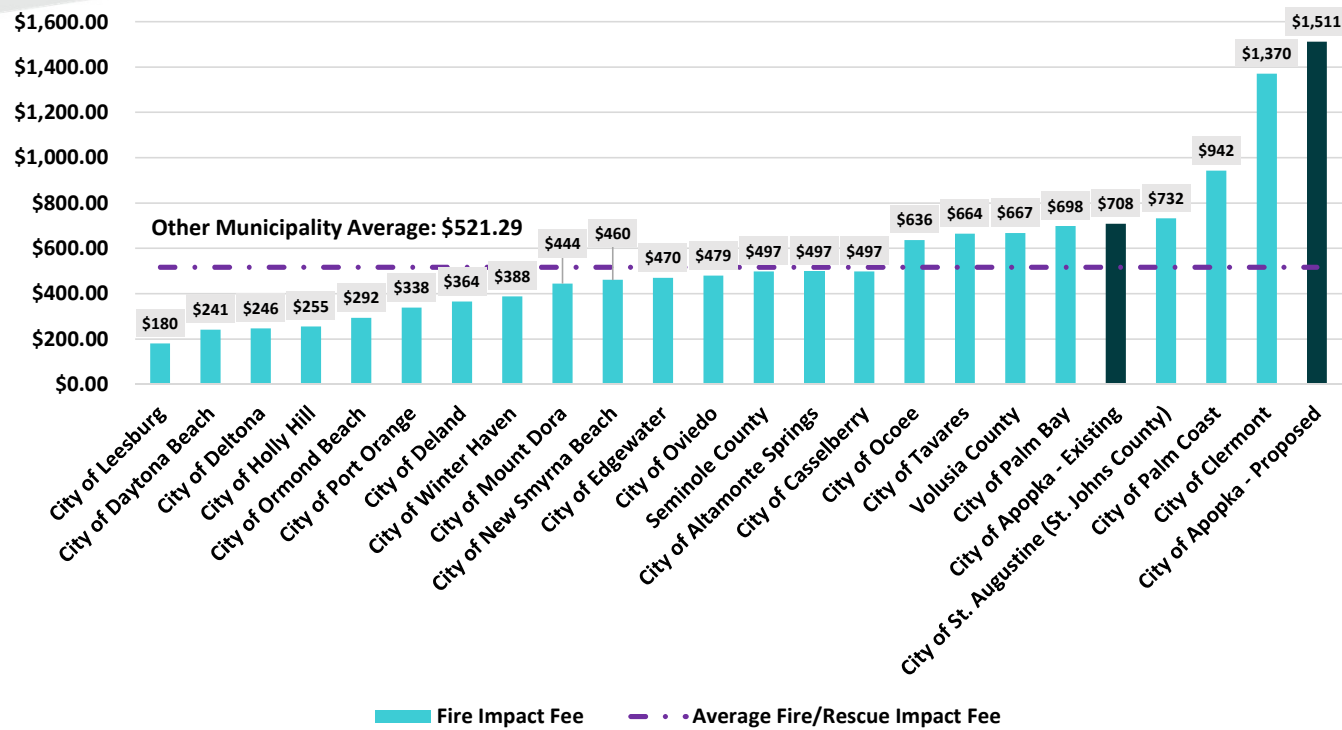


Existing and Calculated Fire Impact Fees

Description	Impact Fee Unit	Existing Fee	Calculated Full Fee	Statutory Cap
Residential Single Family	Dwelling Unit	\$708.00	\$1,511.00	\$1,062.00
Residential Multifamily (New)	Dwelling Unit	708.00	1,208.00	1,062.00
Non-residential:				
Industrial / Warehousing	Per Sq. Ft.	\$0.07	\$0.127	\$0.105
Institutional	Per Sq. Ft.	0.87	0.290	0.290 [*]
Hotel / Motel	Per Sq. Ft.	0.87	1.090	1.090 [*]
Office Building	Per Sq. Ft.	0.49	1.184	0.735
Retail	Per Sq. Ft.	0.64	3.564	0.960
Catch All Rate	Per Sq. Ft.	0.44	0.719	0.660

[*] Calculated full fee is less than a 50% increase compared to the current fee level so the max increase per statute and calculated fee are essentially equivalent.

Local Fire Impact Fee Comparison – Single Family

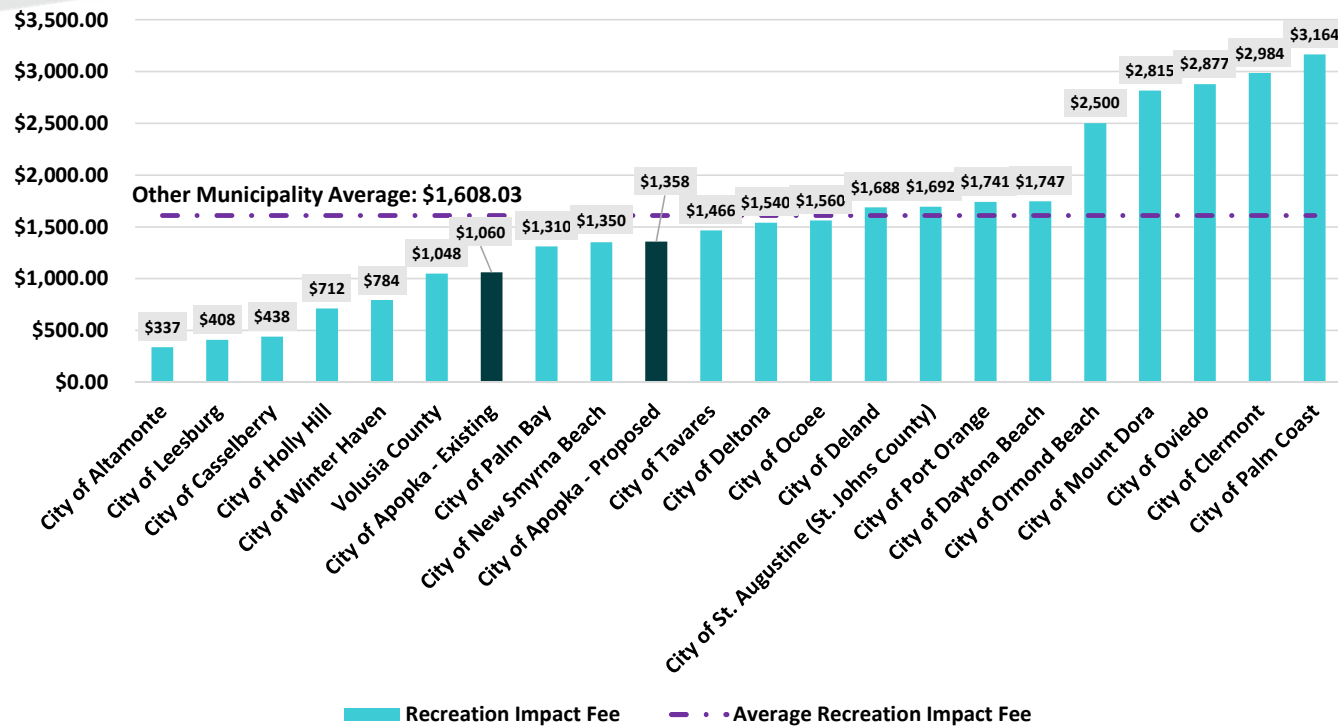


Existing and Calculated Parks and Recreation Impact Fees

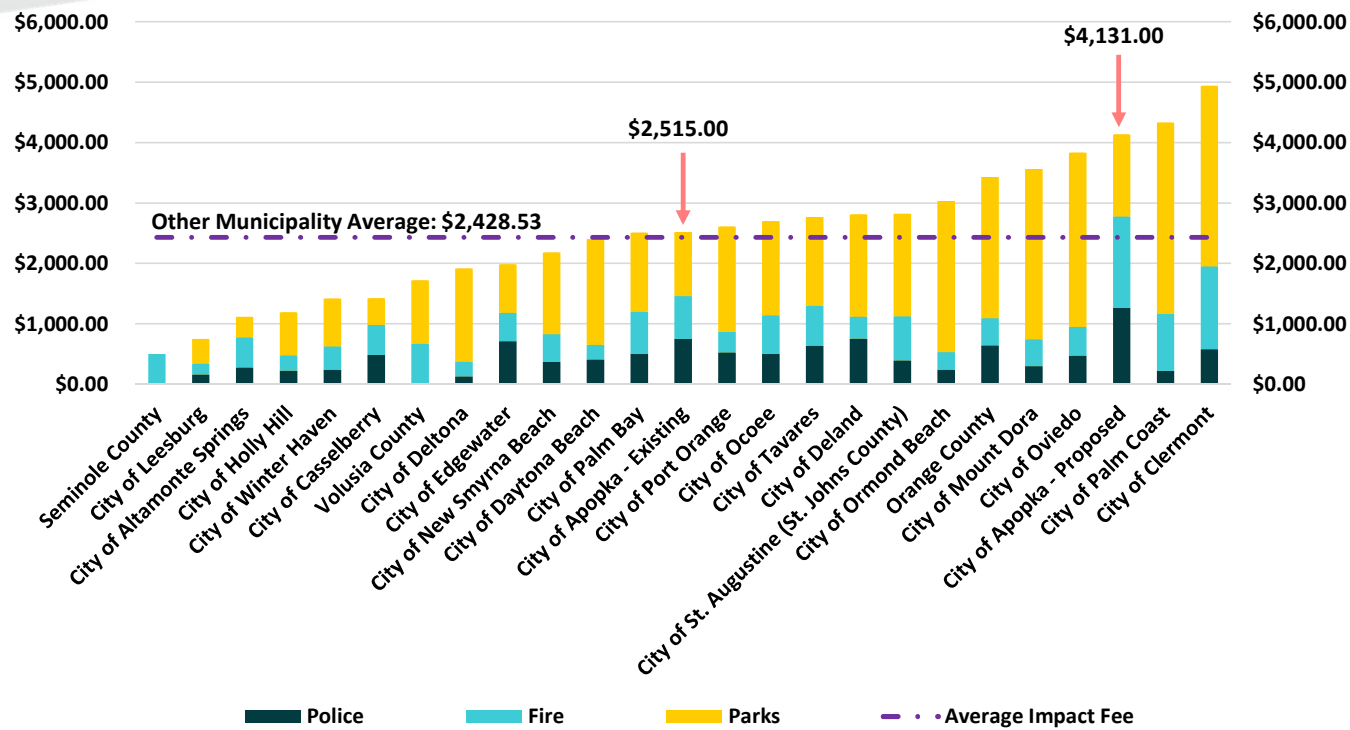
Description	Existing Fees	Calculated Full Fee	Statutory Cap
Single Family per Unit	\$1,060.00	\$1,358.00	\$1,358.00 [*]
Multifamily per Unit	1,060.00	1,086.00	1,086.00 [*]

[*] Calculated full fee is less than a 50% increase compared to the current fee level so the max increase per statute and calculated fee are essentially equivalent.

Local Parks Impact Fee Comparison – Single Family



Combined Current Impact Fee Comparison – Single Family



Implementation Considerations

- Residential Fees – Increasing Between 35% and 113%
- Non-Residential Fee – Increasing between 64% and 452%
- Maximum estimate of impact fee levels generally surpass the standard statutory increase limit of 50% noted previously
- Implementation Options:
 - Use standard maximum statutory increase of 50% and phase in evenly over 4 years
 - Fees will be under recovering costs from new growth thereby increasing burden to current residents / taxpayers
 - Pursue full one time increase through extraordinary circumstance provisions

Additional Implementation Considerations

- Impacts of SB 1080 and SB 180
 - SB 1080:
 - If fees have not been updated in more than 5 years than fees cannot be passed via extraordinary circumstance provisions
 - Impact may depend on interpretation of bills effective date Oct 2025 vs Jan 2026
 - SB 180:
 - Concern with language related to definition of “For 1 year after a hurricane makes landfall, an impacted local government may not propose or adopt...restrictive or burdensome procedure concerning review, approval, or issuance of site plan, development permit, or development order...”
 - Are impact fees considered a part of development permit procedures?
 - If so, then this will impact implementation of calculated fees

Request for Consensus

- ✓ Opinion of City Attorney on impacts of SB 1080 and 180
- ✓ Commission direction as to how to proceed with fee implementation



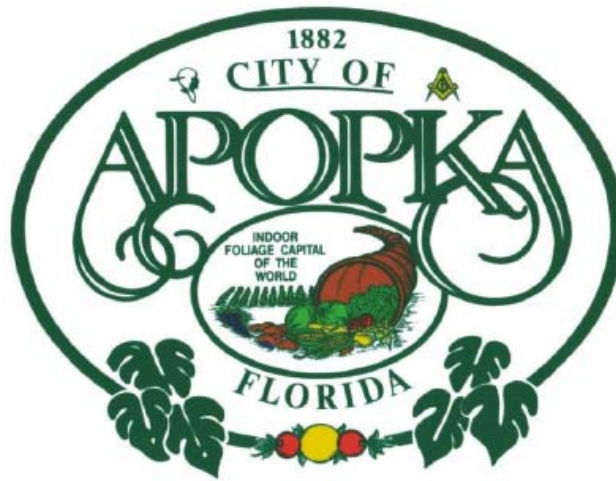
Q&A



Thank you!

Contact: Henry Thomas
407 628 2600 / hthomas@raftelis.com

CITY OF APOPKA, FLORIDA



POLICE AND FIRE/RESCUE SERVICES IMPACT FEE STUDY

August 31, 2016



Public Resources Management Group, Inc.

Utility, Rate, Financial, and Management Consultants



August 31, 2016

Honorable Mayor and
Members of the City Council
City of Apopka
120 E. Main Street
Apopka, FL 32703

Subject: **Police and Fire/Rescue Services Impact Fee Study**

Ladies and Gentlemen:

We have completed our study of the municipal impact fees for police services and fire/rescue services for the City of Apopka (the "City") and have summarized the results of our analysis, assumptions, and conclusions in this report, which is submitted for your consideration. This report summarizes the basis for the proposed impact fees in order to provide funds to meet the City's capital expenditure requirements for such services allocable to growth.

During the course of the study, it was determined that the proposed impact fees should meet a number of goals and objectives. These goals and objectives primarily deal with fee sufficiency and level. Specifically, the major objectives considered in this study include:

- The Impact Fees should be sufficient to fund the projected capital requirements associated with providing service capacity related to new growth and development;
- The Impact Fees should not be used to fund deficiencies in operating or capital needs of the City, if any; and
- The Impact Fees should be based upon a reasonable level of service standards that meet the needs of the City and are comparable to industry standards.

The proposed police and fire/rescue services impact fees presented in this report should meet these objectives. As such, based on information provided by the City staff and the assumptions and considerations reflected in this report, Public Resources Management Group, Inc. considers the proposed fees to be cost-based, reasonable, and representative of the capital funding requirements of the City's police and fire/rescue services that are related to providing service to new development.

Honorable Mayor and Members of the City Council
City of Apopka
August 31, 2016
Page 2

We appreciate the cooperation and assistance given to us by the City and its staff in the completion of the study.

Very truly yours,

Public Resources Management Group, Inc.



Henry L. Thomas
Vice President



Shawn Ocasio
Rate Consultant

HLT/dlc

CITY OF APOPKA, FLORIDA

POLICE AND FIRE/RESCUE SERVICES IMPACT FEE STUDY

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CITY OF APOPKA, FLORIDA

POLICE AND FIRE/RESCUE SERVICES IMPACT FEE STUDY

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CITY OF APOPKA, FLORIDA

POLICE AND FIRE/RESCUE SERVICES IMPACT FEE STUDY

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CITY OF APOPKA, FLORIDA

POLICE AND FIRE/RESCUE SERVICES IMPACT FEE STUDY

EXECUTIVE SUMMARY AND RECOMMENDATIONS

EXECUTIVE SUMMARY

The purpose of an impact fee is to assign, to the extent practical, growth-related capital costs to new development responsible for such costs. To the extent population growth and associated development requires capacity-related capital costs to provide municipal services, equity and modern capital funding practices suggest the assignment of such costs to the new development responsible for such costs. Thus, the collection of impact fees is an appropriate funding strategy that the city of Apopka (the "City") can use to help fund Police and Fire/Rescue services that will be required by new development.

Public Resources Management Group, Inc. ("PRMG") was retained by the City to develop proposed impact fees for Police and Fire/Rescue Service and this report summarizes the development of proposed impact fees associated with providing such services.

Based on the assumptions, considerations and discussions set forth in this report, the following summarizes the proposed impact fees for the single-family residential classification as follows:

<u>Municipal Service</u>	<u>Proposed Impact Fees</u>
Police Service	\$747.00
Fire/Rescue Service	\$708.00

The non-residential fees are based to the service attributes of each property. A detailed discussion on impact fees for both residential and non-residential properties is provided for in subsequent sections of this report. The following discussion is a summary of the findings and conclusions developed during our investigation, analyses, and preparation of the proposed fees:

1. The permanent residential population of the City based on estimates developed using Census data and growth estimates provided by City staff is estimated at 47,695 in 2016 and is projected to be approximately 80,826 by 2040, for an average annual growth rate of approximately 2.2%. The estimated total number of households is expected to increase from 17,921 (based on 2.66 persons per household today) to 30,167 for a net gain of 12,246 households during the forecast period from 2016 through 2040.
2. Based on discussions with the City's planning department, it is estimated that an additional 1,584,792 square feet of non-residential development is projected to be constructed during the next five years. Non-residential development is approximately 748 square feet per dwelling unit as of 2016.

3. The police and fire/rescue impact fees are proposed to be charged to both residential and non-residential properties. The proposed application method applies the impact fee per dwelling unit for the residential class and a fee per square foot for each of five (5) major classes of non-residential development. The utilization of this method of applying police and fire/rescue fees is common and is used to some degree by all local governments surveyed.
4. The level of service standard used for the development of the police services impact fee is the number of full-time patrol officers per 1,000 population. This standard is commonly used in the establishment of police services impact fees and, for the City, the target level is 2.50 full-time officers per 1,000 residents. The City currently provides 2.03 full-time officers per 1,000 and is planning on increasing its number of officers to meet this goal during the next five years. This standard target (2.50 full-time officers per 1,000 population) is generally consistent with the standards referenced in published state and national guidelines (e.g., Florida Department of Law Enforcement), and is comparable to staffing level ratios for other Florida communities. Based on the level of service standard, as of 2016, the City needs 119 sworn officers. The City currently has 97 sworn officers. In order to meet and maintain the targeted level of service the City would need to add 36 new sworn officers (22 to raise the currently provided level of service and 14 to accommodate new growth) by 2021 for a total of 133. Based on costs attributable to growth as outlined in Section 3, the following summarizes the proposed police services impact fees:

Residential	Measurement	Existing	Single-Family
Single-Family, Multi-Family, and Mobile Homes	Dwelling	N/A	\$747.00

Non-Residential	Measurement	Existing	Proposed
Retail and Food Service	1,000 Sq. Ft.	N/A	\$1,000.00
Office	1,000 Sq. Ft.	N/A	290.00
Government/Institutional/Hotels	1,000 Sq. Ft.	N/A	540.00
Industrial	1,000 Sq. Ft.	N/A	70.00
All Other	1,000 Sq. Ft.	N/A	410.00

5. The level of service standard used in the industry is the maintenance of a first response time of four (4) minutes or less per fire and rescue alarm. The City's Fire/Rescue Department is rated as a Class 1 Fire Department and is in the top one percent (1%) nationally for response time performance. The resources required to achieve this standard are the City's personnel, firefighting equipment, and fire stations. The City currently has 81 fire/rescue personnel and 4 fire stations. This staffing level is equivalent to 1.70 firefighter/rescue personnel per 1,000 population. The City will be increasing its currently provided level of service by adding an additional 24 firefighter/rescue personnel in the next few years in order to raise its level of service and comply with Occupational Safety and Health Administration ("OSHA") rules and National Fire Protection Association ("NFPA") guidelines on firefighter safety. The Fire/Rescue Department has plans to add two (2) new fire stations and thirty six (36) fire/rescue personnel by 2019. Based on costs attributable to

growth as outlined in Section 4, the following summarizes the proposed fire and rescue services impact fees:

Residential	Measurement	Existing	Proposed Fee
Single-Family, Multi-Family, and Mobile Homes	Dwelling	N/A	\$708.00

Non-Residential	Measurement	Existing	Proposed
Retail and Food Service	1,000 Sq. Ft.	N/A	\$640.00
Office	1,000 Sq. Ft.	N/A	490.00
Government/Institutional/Hotel	1,000 Sq. Ft.	N/A	870.00
Industrial	1,000 Sq. Ft.	N/A	70.00
All Other	1,000 Sq. Ft.	N/A	440.00

The subsequent sections of this report provide detailed discussions of the development of the proposed impact fees for police and fire/rescue services.

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SECTION 1

INTRODUCTION

INTRODUCTION

The City of Apopka (the "City") is located in northwest Orange County 12 miles northwest of the City of Orlando, a major metropolitan area. The City comprises 30 square miles and is one of the fastest growing cities in Florida. The municipal services in demand include, among others, police and fire/rescue services. The City's population as of the 2010 Census was 41,542. The current population is estimated to be 47,695 in 2016. It is anticipated that the City will experience significant growth over the next several years. Based on growth projections obtained from the University of Florida's Bureau of Economic and Business Research and discussions with the City's Planning Department, the population is expected to grow to 80,286 by 2040.

In addition to new housing, the City also anticipates significant commercial development to continue to support existing and new residents. In order to meet this anticipated growth and development and to maintain current levels of service, the City will need to fund additional police and fire/rescue capacity to serve such development.

The City's does not currently charge impacts fees for municipal services other than water and wastewater service. In order to help fund police and fire/rescue service capacity required to serve new development, the City authorized Public Resources Management Group, Inc. ("PRMG") to develop proposed police and fire/rescue impact fees.

AUTHORIZATION

PRMG was authorized by the City to evaluate and develop police services and fire/rescue services impact fees pursuant to a letter agreement between the City and PRMG. The scope of work for this project, as defined in the letter agreement, was to:

1. For each service, review and analyze the capital requirements of the City that are needed to maintain the level of service standards for the police and fire/rescue functions. This analysis includes a review of: i) the existing and future facility and equipment inventory of each specific function; ii) service area population and development demographics and future needs; and iii) services provided by class of customers.
2. Where appropriate, develop a fee proposed to be charged to new development in order to recover the capital costs associated with providing police and fire/rescue services. This analysis includes the apportionment of costs among customer/development classifications, and the development of the fee per equivalent billing unit.
3. Develop a comparison of the impact fees and associated billing attributes for similar charges imposed by other neighboring jurisdictions.
4. Prepare a report that documents our analyses, assumptions, and conclusions for consideration by the City.

CRITERIA FOR IMPACT FEES

The purpose of an impact fee is to assign, to the extent practical, growth-related capital costs to those new customers that benefit from the service capacity and facilities funded by such expenditures. To the extent new population growth and associated development requires capacity-related capital costs to provide municipal services, equity and modern capital funding practices suggest the assignment of such costs to the new development responsible for such costs rather than the existing population base. Generally, this practice has been labeled as "growth paying its own way."

Within the State of Florida, a recently adopted statute authorizes the use of impact fees. The statute was generally developed based on case law before the Florida courts and broad grants of power including the home rule power of Florida counties and municipalities. Section 163.31801 of the Florida Statutes was created on June 14, 2006, and amended in 2009 and 2011. This section is referred to as the "Florida Impact Fee Act." Within this section, the Legislature finds that impact fees are an important source of revenue for local government to use in funding the infrastructure necessitated by new growth. Section 163.31801 of the Florida Statutes, as amended, further provides that an impact fee adopted by ordinance of a county or municipality or by resolution of a special district must, at a minimum:

1. Require that the calculation of the impact fee be based on recent and localized data;
2. Provide for accounting and reporting of impact fee revenues and expenditures in a separate accounting fund;
3. Limit administrative charges for the collection of impact fees to actual costs;
4. Require that notice be provided no less than ninety (90) days before the effective date of an ordinance or resolution imposing a new or increased impact fee; and
5. Requires an affidavit addressed to the Auditor General that the utility has complied with this statute in the Comprehensive Annual Financial Statements.

This section is further reinforced through existing Florida case law and the Municipal Home Rule Powers Act that grants Florida municipalities the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, as limited by legislation or as prohibited by state constitution or general law. Florida courts have ruled that the Municipal Home Rule Powers Act grants the requisite power and authority to establish valid impact fees. The authority for Florida governments to implement valid system impact fees is further granted in the Florida Growth Management Act of 1985^[1].

[1] The Act allows for impact fees under land use regulation by stating:

"This section shall be construed to encourage the use of innovative land development regulations which include provisions such as the transfer of development right, incentive and inclusionary zoning, planned unit development, capital charges, and performance zoning."—Florida Statutes, § 163.3202(3).

The initial precedent for impact fees in Florida was set in the Florida Supreme Court decision, *Contractors and Builders Association of Pinellas Authority v. The City of Dunedin, Florida*. In this case, the Court's ruling found that an equitable cost recovery mechanism, such as impact fees, could be levied for a specific purpose by a Florida municipality as a capital charge for services. An impact fee should not be considered as a special assessment or an additional tax. A special assessment is predicated upon an estimated increase in property value as a result of an improvement being constructed in the vicinity of the property. Further, the assessment must be directly and reasonably related to the benefit that the property receives. Conversely, impact fees are not related to the value of the improvement to the property, but rather to the property's use of the public facility and the capital cost thereof.

Until property is put to use and developed, there is no burden upon servicing facilities and the land use may be entirely unrelated to the value or assessment basis of the underlying land. Impact fees are distinguishable from taxes primarily in the direct relationship between amount charged and the measurable quantity of public facilities or service capacity required. In the case of taxation, there is no requirement that the payment be in proportion to the quantity of public services consumed since tax revenue can be expended for any legitimate public purpose.

Based on Section 163.31801 of the Florida Statutes and existing Florida case law, certain conditions are required to develop a valid impact fee. Generally, it is our understanding that these conditions involve the following issues:

1. The impact fee must meet the "dual rational nexus" test. First, impact fees are valid when a reasonable impact or rationale exists between the anticipated need for additional capital facilities and the growth in population. Second, impact fees are valid when a reasonable association, or rational nexus, exists between the expenditure of the impact fee proceeds and the benefits accruing to the growth from those proceeds.
2. The system of fees and charges should be set up so that there is not an intentional windfall to existing users.
3. The impact fee should only cover the capital cost of construction and related costs thereto (engineering, legal, financing, administrative, etc.) for capacity expansions or other additional capital requirements that are required solely due to growth. Therefore, expenses due to rehabilitation or replacement of a facility serving existing customers (e.g., replacement of a capital asset) or an increase in the level of service should be borne by all users of the facility (i.e., existing and future users). Likewise, increased expenses due to operation and maintenance of that facility should be borne by all users of the facility.
4. The City should maintain an impact fee resolution that explicitly restricts the use of impact fees collected. Therefore, impact fee revenue should be set aside in a separate account, and separate accounting must be made for those funds to ensure that they are used only for the lawful purposes described above.

Based on the criteria above, impact fees that are summarized in subsequent sections of this report: i) will include only the cost of the capital facilities necessary to serve new customer

growth; ii) will not reflect renewal and replacement costs associated with existing capital assets of the City; and iii) will not include any costs of operation and maintenance of the facilities.

IMPACT FEE METHODS

There are several different methods for the calculation of an impact fee. The calculation is dependent on the type of fee being calculated (e.g., water, wastewater, police, fire/rescue recreation services, transportation, etc.), available cost and engineering data, and the availability of other local data such as household and population projections, current levels of service, and other related items. The proposed impact fees reflected in this report are predominately based on a combination of two methods. These two methods are: i) the improvements-driven method; and ii) the standards-driven method. These methods have been utilized in the development of impact fees for local governments throughout Florida.

The improvements-driven method is an approach that utilizes a specific list of planned capital improvements over a period of time. For example, the fee may correspond to the level of capital improvements that have been identified in the capital improvements element of the Comprehensive Plan or capital improvement budget of the local government. The standards-driven method considers the City's capital needs required to maintain level of service standards for new development.

As one would expect, there are also disadvantages associated with the standards-driven method. The disadvantages include:

- i. The capital costs for the impact fee are not associated with anticipated or current capital needs as identified by the City's capital budget, thus increasing the potential of not providing a clear relationship between the fee and its use.
- ii. The development of the standard cost for capital facilities is based primarily on engineering, planning, and financial judgment, although this may be somewhat mitigated by the level of service standards included in the Comprehensive Planning Process.

The impact fees proposed herein for the police and fire/rescue services include the application of both the standards-driven and improvement-driven methods based on the capital improvement plan for the Police and Fire/Rescue Departments and staffing levels based on the City's current service level standards.

SUMMARY OF REPORT

In addition to Section 1, this report has been subdivided into three (3) other sections. The following is a brief discussion of the remaining sections included in this report.

Section 2 – Service Area. This section of the report provides a general discussion of the residential and non-residential land use characteristics. Also presented in this section is the forecast of the residential dwelling units and non-residential development that is necessary in the design of the impact fees for the municipal services.

Section 3 – Police Services Impact Fee. This section discusses the development of the proposed impact fee for police services, including the capital requirements associated with providing such services, the methodology for the determination of the proposed fees, assumptions utilized in the design of the fees, and other factors associated with the fee determination.

Section 4 – Fire/Rescue Services Impact Fee. This section discusses the development of the proposed impact fee for fire/rescue services, including the capital requirements associated with providing such services, the methodology for the determination of the proposed fees, assumptions utilized in the design of the fees, and other factors associated with the fee determination.

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SECTION 2

SERVICE AREA

GENERAL

This section provides a general discussion of the current service area, including population and housing statistics and other demographic information related to land use. Additionally, a discussion of the anticipated growth in population and associated growth in residential dwelling units and non-residential development is also contained in this section.

POPULATION AND DEVELOPMENT FORECAST

Regardless of the approach taken to formulate impact fees, it is necessary to develop a forecast of the population of the City in order to: i) have an appropriate planning horizon to ensure that capital improvement needs and costs are apportioned over a suitable growth segment; ii) link LOS requirements to the capital facility plan; and iii) identify any deficiencies in existing capital facilities related to the LOS standards and current population served.

As shown in Table 2-1 at the end of this section, the City's estimated total population as of 2016 was 47,695. Based on information provided by the City, it is estimated that the total population will approach approximately 80,286 residents by the year 2040. Thus, the population growth anticipated by the City is expected to be significant, approximately 2.2% on an average annual basis through the year 2040.

Historical and Projected Population and Dwelling Units			
Year	Total Population	Total Dwelling Units	Average Persons Per Occupied Dwelling Unit
2000 [1]	26,642	10,091	2.64
2010 [1]	41,542	15,707	2.64
2016	47,695	17,921	2.66
2040 [2]	80,826	30,167	2.66

[1] Amounts derived from the 2000 and 2010 Census.

[2] Amounts estimated based on information obtained from the University of Florida's Bureau of Economic and Business Research and discussions with the City's Planning Department.

Based on the assumption of continued commercial development and discussions with the City's Planning Department, the following estimates of future non-residential development were assumed for the purposes of this report:

Estimated Growth in Non-Residential Development (Sq.Ft.)	
	Projected 2021 [1]
Sq.Ft. of Building Space	
Commercial	1,584,972

[1] Based on discussion with the City's Planning Department, commercial development currently averages 748 square feet per person.

To the extent the projections of future development materially changes, it would then be appropriate for the City to re-evaluate the impact fees developed in this report.

SERVICE CAPACITY ALLOCATION

In order to develop police and fire impact fees for non-residential categories, the capital costs are apportioned between residential and non-residential properties and by major non-residential service classifications. The apportionment is accomplished based on the relative number of police and fire/rescue service calls. Generally, the following results were observed:

Police:

- Calls for police services were approximately 70% residential and 30% non-residential in nature; and
- Non-residential calls were approximately 55% related to retail and food service, 5% related to office calls, 33% related to government, institutional, and hotels, and 7% related to industrial accounts/properties.

Fire:

- Calls for fire/rescue services were approximately 68% residential and 32% non-residential in nature; and
- Non-residential calls were approximately 33.5% related to retail and food service, 8% related to office calls, 51% related to government, institutional, and hotels, and 7.5% related to industrial accounts/properties.

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SECTION 3

POLICE SERVICES IMPACT FEE ANALYSIS

GENERAL

This section provides a discussion of the development and design of the impact fee for police services. Included in this section is a discussion of the level of service requirements, capital costs included in the fee determination, and the design of the proposed impact fee for police services to be applied to new growth within the City.

LEVEL OF SERVICE REQUIREMENTS

In the evaluation of the capital facility needs for providing municipal services such as police protection, a level of service ("LOS") standard should be developed. Pursuant to Section 163.3164, Florida Statutes, the "level of service" means an indicator of the extent or degrees of service provided by, or proposed to be provided by a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility or service. Essentially, the level of service standards are established in order to ensure that adequate facility capacity will be provided for future development and for purposes of issuing development orders or permits, pursuant to Section 163.3202(2)(g) of the Florida Statutes. As further stated in the Administrative Code, each local government shall establish a LOS standard for each public facility located within the boundary for which such local government has authority to issue development orders or permits. Such LOS standards are set for each individual facility or facility type and not on a system-wide basis.

Based on information provided by the City's Police Department, there currently are 97 sworn officers to serve a total population of 47,695 permanent residents as shown in Table 3-1. The current level of service is 2.03 full-time sworn officers per 1,000 population served. Based on discussions with the Police Department, the City's goal is to increase the provided level of service to 2.50 full-time sworn officers per 1,000, which is considered an appropriate LOS for police services. The City is planning on raising the currently provided level of service over the next five years with the addition of five new full-time sworn officers per year. Additionally the City will need to add an additional 14 officers to serve new growth through 2021. The City's targeted level of service is comparable with police staffing guidelines as published by state and national law enforcement agencies as follows:

- The Federal Bureau of Investigation, U.S. Department of Justice, Uniform Crime Report that indicated an average achieved standard of 2.4 police officers and 1 support personnel per 1,000 inhabitants for population areas in the Southern United States.
- The Florida Department of Law Enforcement recognizes a state average of 2.35 officers and 0.8 support personnel per 1,000 population.

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Each full-time patrol officer requires a complement of personnel equipment, vehicles and other equipment, and base facilities, as follows:

Personnel Equipment:

- Each sworn officer must be equipped with uniforms, weapons, and other relevant personal equipment to perform his/her duties. A few of the basic issue items include, but are not limited to:
 1. Service weapons;
 2. Ballistic (protective) vest;
 3. Handcuffs and baton; and
 4. Portable radio.

Vehicles and Other Equipment:

- The department maintains a fleet of patrol and administrative vehicles to provide police protection services to the City. The City anticipates having to add fourteen (14) police officers by 2021 to keep pace with projected population growth while maintaining service levels. Generally, each vehicle must be equipped with relevant communications, detection / surveillance, and defensive equipment. Other mission essential equipment used in operations include communication, detection/surveillance and defensive equipment and also include radar units, crime prevention trailer, generators, and special weapons. These vehicles and equipment needs have been included in the impact fee calculation, which will allow the City to accrue a portion of costs over time from new growth.

Base Facilities:

- The City's capital improvement plan includes a new public safety facility to be shared by the Police and Fire/Rescue departments.

As discussed above, the City has made investments in police services, and plans to make future improvements that will serve new growth. Tables 3-5 and 3-6 at the end of this section provide a detailed listing of the existing and planned equipment, vehicles, and facilities, respectively. Before consideration of grant revenues, the combined investment totals approximately \$24.7 million as shown in Table 3-8.

RESOURCE NEEDS ANALYSIS

Currently, the Police Department's targeted level of service standard equals one hundred and nineteen (119) sworn officers. As the City currently has ninety-seven sworn officers, the funding requirements associated with this difference of twenty-two officers is excluded from fee calculation. Based on the targeted level of service standards (2.50 officers per 1,000 population) and population projections for the City, it is anticipated that the City will need a police force of 133 sworn officers to provide police protection services by 2021. This represents an increase of fourteen (14) sworn officers over the existing staffing level needs as shown below:

Personnel Description	Number of Employees	
	Current LOS	Anticipated [*]
Full-Time Patrol Officers	119	133

[*] Derived from Table 3-8. Personnel assumed at a population of 53,160 based on a level of service of 2.50 full-time patrol officers per 1,000 population.

The method used to develop the proposed Police Services Impact Fee is described in Section 1. The standards-driven method was used to determine the direct capital cost to equip and provide a portion of vehicle, headquarter, and other equipment costs for a full-time patrol officer. In the development of the capital cost required to serve new development, several capital cost parameters were recognized as shown in Table 3-8. The parameters include the costs of directly equipping the next increment of police protection services (i.e., a full-time patrol officer). These capital costs would include personnel equipment, vehicles, communication equipment, and other support related equipment and machinery. A final parameter deals with the cost recovery of the headquarters required to house the new patrol officers and support staff and includes investment in the land, buildings, and furnishings allocable to the police service function.

Tables 3-2 through 3-6 provide a breakdown of the individual cost items. Table 3-8 summarizes the estimated capital costs to equip a full-time patrol officer for the City recognizing the parameters described above. In addition to the \$24.7 million in existing and planned equipment, vehicles, and facilities, this study further considered cost free capital, or grants received by the police department in consideration of the net costs. As shown in Table 3-8, the City has received approximately \$975,000 in grant revenues for capital (operating grant revenues do not apply in this case) resulting in a lower projected cost per officer. The estimated capital cost including credit for cost free capital of an additional full-time sworn officer is \$156,674, including the cost of vehicles, other related equipment, and allocated headquarters costs. The following is a summary of the estimated capital cost required to equip and support a full-time patrol officer:

Summary of Capital Costs [1]	
	Average Cost per Officer
Machinery and Equipment	\$15,256
Major Vehicles	39,175
Office Equipment, Furniture, Computers And Existing Facilities	109,574
Subtotal	\$164,005
Grant Adjustments	(\$7,331)
Total Allocated Costs	\$156,674

[1] Derived from Table 3-8 and may not total due to rounding.

[2] Total projected costs assuming 133 officers total.

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DESIGN OF POLICE SERVICES IMPACT FEE

The method used to determine the police services impact fee was based upon a four-step process. Table 3-8 helps to illustrate the results of the approach. The following is a brief description of the method used in this study.

- Development of Total Capital Need – Based on population projections, level of service standards, and allocated incremental capital costs per patrol officer. This amount is the total allocated capital cost to serve the projected population growth.
- Allocation of Costs to Customer Classes – This step allocates the capital costs to equip a new patrol officer between the resident and non-residential land-uses based upon call demand. Therefore, some classes of land-use, which may incur few or no service calls, will carry a lower cost than other high-demand sectors such as retail and restaurants.
- Calculation of Cost per Equivalent Impact Fee Unit – Once the allocated costs are identified per land-use, they are summarized and presented on a unit of measure basis: per dwelling unit, per square foot. Table 3-9 provides a detailed listing of the proposed impact fees by land-use.

Police Services Impact Fee Assumptions

The development of the police services impact fees required a number of assumptions. The major assumptions used in the development of the proposed impact fees are as follows:

1. In the development of the capital costs required to equip a full-time patrol officer, the capital costs of providing police protection services were allocated to establish the cost of serving the next incremental full-time patrol officer. The costs were allocated to the next increment of service (one full-time patrol officer) based on the following allocation parameters:
 - a. The direct cost of equipping one full-time patrol officer (e.g., personnel equipment) was allocated based on actual investments made by the City shown in Table 3-8. The new officers are not required to contribute a cost recovery to basic issue equipment, and it is the City's current policy to capitalize these costs.
 - b. Based on discussions with the police department, the current service level of patrol and administrative vehicles to a full-time patrol officer is considered reasonable for the purpose of this study. Based on discussions with the City's Police Chief, it is assumed that other mission-essential equipment, including radar units, generators, and special weapons, although not easily assignable per patrol officer, would be acquired in relation to the number of new patrol officers.
 - c. The City's existing police headquarters comprises 16,500 square feet or a current level of service of 170 square feet per existing patrol officer. Based on discussions with the Police Chief and City staff, the existing facility is considered built-out and is being replaced to accommodate new patrol officers as shown in Table 3-5. The new facility

is estimated to serve the City's needs through buildout. The current facility will remain as part of the department's training and storage facilities.

The total facility costs per new patrol officer are presented in Table 3-8 and are summarized as follows:

Police Facilities Cost	
Existing Facilities Cost per Patrol Officer	\$34,682
Proposed Facilities Cost per Patrol Officer	74,892
Total Facilities Cost per Patrol Officer	<u>\$109,574</u>

2. In the development of the capital costs per patrol officer, it was assumed that the targeted level of service be achieved by the City during forecast period. This level of service includes only the amount of full-time patrol officers to serve the general population of the City. As previously mentioned, the level of service assumed in this study is 2.50 full-time patrol officers per 1,000 of population.

Impact Fee Calculation

Based on the above-referenced assumptions, the allocated capital facilities, and the population and land use projections of the City, the police services impact fees for the residential and non-residential customer classifications were developed. As shown in Table 3-9 at the end of this section, the cost per equivalent impact fee unit by customer classification was determined. The following summarizes the proposed changes to the residential police protection impact fees:

Single-Family (per Dwelling Unit) [*]	<u>Proposed</u> \$747
[*] Includes multi-family and mobile homes.	

Taking into account the methodology used for the determination of the fee and the estimates of the capital requirements, it is concluded that the proposed impact fee based on the City's LOS standard is reasonable. It should be noted that in the development of the fee per equivalent impact fee unit that no credits associated with developer land dedication or other similar activities have been recognized. It should also be noted that the proposed incremental capital improvements do not include any inflationary allowances.

In the development of the cost per equivalent impact fee unit, it was determined that the rate should be applied on a "per dwelling unit" basis for the residential class and primarily on a "per square footage" of commercial development for the non-residential class, as shown in Table 3-9. These factors are common throughout the state as the equivalent impact fee unit for fee determination. The use of these equivalency factors was based on discussions with the City, comparisons of fee applicability provisions of neighboring jurisdictions, and promotion of administrative simplicity.

IMPACT FEE COMPARISONS

In order to provide the City additional information about the proposed impact fees, a comparison of the proposed residential fees for the City and those charged by other neighboring jurisdictions was prepared. Table 3-10 at the end of this section summarizes the impact fees for police services charged by other communities with the proposed rates of the City.

In addition, as shown in Table 3-10 for other communities, the fees charged to the residential class are applied using a "per dwelling unit" basis, which is consistent with the recommended fee applicability provisions of the City's proposed fees. For the non-residential class and, as previously discussed, the fees are applied on the basis of the amount of square foot of facility development. (This was consistent for all of the local governments surveyed.)

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SECTION 4

FIRE RESCUE SERVICES IMPACT FEE ANALYSIS

GENERAL

This section provides a discussion of the development and design of the impact fee for fire rescue services. Included in this section is a discussion of the level of service requirements and capital costs included as the basis for the determination of the fee level and the design of the fee to be applied to new growth within the City.

LEVEL OF SERVICE REQUIREMENTS

It is the City's intent to maintain staffing levels that provide services to all developed areas in order to be able to respond to service calls within a specified time period to maintain Insurance Service Organization ("ISO") property insurance ratings in the community. As a practical matter, this response time standard (5 minutes and twenty seconds or less) is based upon recognized industry standards not only having to do with property protection, but also in providing Emergency Medical Support services ("EMS"). The department will continue to set appropriate goals related to service standards.

Generally, the level of service standard for fire rescue services and emergency medical services is based on response times in a first alarm situation. The City is committed to maintaining a high standard relative to average response time. The City's Fire Department is currently rated in the top one percent (1%) nationally. The resources required to maintain this high standard include the City's personnel, equipment, and fire stations. Presently, the City has 81 full-time personnel.

	Summary of Existing Personnel
Fire Chief	1.00
Deputy Fire Chief	1.00
Assistant Fire Chief	2.00
Fire Captain	1.00
Fire Lieutenant	1.00
Fire Engineer/Firefighter	27.00
EMS District Chief	3.00
EMS Lieutenant	12.00
EMS Engineer	8.00
EMS/Firefighter	25.00
Total Personnel	<u>81.00</u>

As shown above, the City currently has 81 fire/rescue personnel and 4 fire stations. This staffing level is equivalent to 1.70 firefighter/rescue personnel per 1,000 population. The City will be increasing its currently provided level of service by adding an additional 24 firefighter/rescue personnel in the next few years in order to raise its level of service and comply with Occupational Safety and Health Administration ("OSHA") rules and National Fire Protection Association ("NFPA") guidelines on firefighter safety. These regulations (OSHA CFR 1910.134(g)(4)(i) and 1910.134(g)(4)(ii)) and guidelines (NFPA 1500 8.8.2* and 8.8.4) require

that team of a "minimum of four individuals" is required during "the initial states of an incident where only one crew is operating in the hazardous area at a working structural fire." The team is to be comprised of "two members working as a crew in the hazardous area and two standby members present outside this hazardous area available for assistance or rescue." The Fire/Rescue Department also has plans to add two (2) new fire stations and thirty six (36) fire/rescue personnel by 2019 to meet the service needs associated with new growth.

RESOURCE NEEDS ANALYSIS

The method used to determine the fire rescue services impact fees is a hybrid of the improvements-driven approach and the standards-driven method with recoupment. The standards-driven method was utilized in the allocation of costs associated with major capital facilities that service the City's first alarm service area. The capital cost parameters include allocations for personnel equipment, vehicles, other direct firefighting and emergency medical equipment, and fire station and headquarter facilities. Personnel protection equipment such as helmets and bunker coats and trousers are mission-essential, a portion of these costs is included in fee determination since the City does capitalize equipment charges greater than \$1,000.

Table 4-2 reflects the existing facilities and equipment required to maintain the City's level of service, and Tables 4-3 and 4-4 provides the proposed facilities and equipment to maintain such standards. In addition to the \$27.4 million in existing and planned equipment, vehicles, and facilities, this study further considered cost free capital, or grants received by the fire department in consideration of the net costs. As further shown in Table 4-6, the City has received approximately \$256,000 in grants, resulting in a lower projected cost per firefighter/rescue personnel.

Table 4-6 summarizes the net costs on a per rescue personnel basis. As shown on Table 4-6, and summarized below, approximately \$27.1 million in total capital investments have been considered.

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	Estimated Capital Costs Amount [*]
Capital Costs – Existing Facilities	\$11,689,440
Capital Costs – Proposed Facilities	15,668,547
Additional Costs or Adjustments	(256,000)
Total Capital Costs Recognized	<u>\$27,101,988</u>

[*] Derived from Table 4-6.

DESIGN OF FIRE RESCUE SERVICES IMPACT FEE

The method used to determine the fire rescue services impact fee was based upon the same process as was described for the determination of the police impact fee. Table 4-6 helps to illustrate the results of the approach. The following is a brief description of the method used in this study.

- Development of Total Capital Need – Based on discussions with the City and the Fire Department and the level of service requirements related to the maintenance of first response time, the planned facilities and related costs to serve future population was developed.
- Allocation of Costs to Customer Classes – This step allocates capital costs to provide fire rescue services between the residential and non-residential land-uses based upon call demand. Therefore, some classes of land-use, which incur few or no service calls, will carry a lower cost than other high-demand sectors such as bars and restaurants.
- Calculation of Cost per Equivalent Impact Fee Unit – Once the allocated base and variable costs are identified per land-use, they are summarized and presented on a unit of measure basis: per dwelling unit or per square foot. Table 4-7 provides a detailed listing of the proposed impact fees and their appropriate land-use and measures.

Fire Rescue Services Impact Fee Assumptions

The development of the fire rescue services impact fees required several assumptions. The major assumptions used in the development of the proposed impact fees are as follows:

1. As previously mentioned, the level of service assumed in this report was to maintain current response time capability and increase firefighting personnel safety. This level of service is generally related to the location and proximity of available fire stations and the number of firefighters/rescue personnel and vehicles such that the response times can be achieved. Based on prospective demands and a need for two additional fire stations, the City will require 141 firefighters/rescue personnel by 2019. Based on staffing needs for firefighting/rescue personnel, the relationship appears to be adequate to maintain the first response LOS during the forecast period.
2. In the development of the total capital costs of providing fire rescue services through the forecast period, an estimate of the total capital costs required for such service was developed. The total capital costs were based on information provided by and discussions

with the City's Fire Department and the following summarizes the significant assumptions used in the fee determination:

- a. The direct cost of equipping one full-time firefighter/rescue personnel (e.g., personnel equipment) was allocated based on actual investments made by the City shown in Table 4-2. The new personnel are not required to contribute to basic equipment issued, and it is the City's current policy to capitalize those costs greater than \$1,000.
 - b. The City requires a fleet of emergency vehicles, equipment, and facilities to support existing and future fire rescue services. Table 4-2 provides the existing inventory of such resources in current dollars to derive the "buy-in" or "recoupment" cost per rescue personnel, since such capital assets along with future assets required will support the total population and staffing base in 2021.
 - c. The City addressed its needs based on future demand for vehicles, equipment, and facilities. Tables 4-3 and 4-4 itemize the planned improvements and purchases to maintain the service standards discussed earlier. Specifically, the City plans to construct, staff, and equip two new fire stations. Tables 4-3 and 4-4 lists the equipment and vehicle needs and estimated construction costs for future fire stations.
3. The estimated capital costs, allocable to all customer classes, were allocated between the residential and non-residential customer classes based on service call information. For the residential uses, the allocation is calculated per dwelling unit.

Impact Fee Calculation

Based on the above-referenced assumptions, the allocated capital facilities considered necessary to maintain the level of service requirements, and the population and land use projections of the City, the fire rescue services impact fees for the residential and non-residential customer classifications were estimated. As shown in Table 4-7 at the end of this section, the cost per equivalent impact fee unit by customer classification was calculated. The following summarizes the proposed changes to the residential fire rescue impact fees:

Per Dwelling Unit [*]	<u>Proposed</u> \$708.00
[*] Includes multi-family and mobile homes.	

In the development of the cost per equivalent impact fee unit, it was determined that the rate should be applied on a "per dwelling unit" basis for the residential class and primarily on a "per square footage" of commercial development for the non-residential class. These factors are common throughout the state as the equivalent impact fee unit for fee determination. The use of these equivalency factors was based on discussions with the City, comparisons of fee applicability provisions of neighboring jurisdictions, and promotion of administrative simplicity.

IMPACT FEE COMPARISONS

In order to provide the City additional information about the proposed impact fees, a comparison of the proposed fees for the City and those charged by other neighboring jurisdictions was prepared. Table 4-8 at the end of this section summarizes the impact fees for fire protection services charged by other communities with the proposed rates of the City.

In addition, as shown in Table 4-8 for other communities, the fees charged to the residential class are applied using a "per dwelling unit" basis, which is consistent with the recommended fee applicability provisions of the City's proposed fees. For the non-residential class and, as previously discussed, the fees are applied on the basis of the amount of square foot of facility development.

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CITY OF APOPKA, FLORIDA

POLICE AND FIRE/RESCUE SERVICES IMPACT FEE STUDY

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Section 2
City of Apopka, Florida
Municipal Impact Fee Study

List of Tables

Table	Description
2-1	Population Detail and Housing Elements

Table 2-1
City of Apopka, Florida
Municipal Impact Fee Study

Population Detail and Housing Elements [1]

Line No.	Fiscal Year	Annual Average Rate	Total Population	Total Units	Average Pop. per Unit
1	2000	N/A	26,642	10,091	2.64
2	2010	4.54%	41,542	15,707	2.64
3	2014	2.40%	45,669	17,160	2.66
3	2016	2.19%	47,695	17,921	2.66
4	2020	2.19%	52,019	19,546	2.66
4	2021	2.19%	53,160	19,975	2.66
5	2025	2.19%	57,981	21,786	2.66
6	2040	2.19%	80,286	30,167	2.66

Footnotes

- [1] Based on the 2000 and 2010 U.S. Censuses and estimates for 2014 and 2040 as obtained from the University of Florida's Bureau of Economic and Business Research and Florida Housing Data Clearinghouse.

Section 3
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

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3-10	Police Protection Services Impact Fee Comparison

Table 3-1
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

Summary of Existing Personnel

Line No.	Description	Current Staff [1]	FY 2016 Budgeted [2]	Allocation to Future Officers	
				Allocation Basis	Achieved LOS
Personnel					
1	Police Chief	1.0	1.0		
2	Captains	4.0	4.0		
3	Lieutenants	6.0	6.0		
4	Sergeants	11.0	11.0		
5	Patrol & Other Sworn Officers	68.0	75.0		
6	Total Sworn Officers	90.0	97.0	Per 1,000 Population	2.03
7	Civilian and Administrative	35.0	35.0		
8	Total Personnel	125.0	132.0		
9	Target Level of Service Per 1,000 Population				2.50

Footnotes:

[1] Per assignment roster and discussions with Police Department Staff.

[2] Civilian and Administrative Personnel at a full-time equivalency as provided by the City.

Table 3-2
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

Summary of Personnel Equipment Costs

Line No.	Description	Quantity Per Officer	Cost Per Item	Gross Cost Per Officer [1]	Adjustments	Net Cost Per Officer
Officer Equipment:						
1	Uniform Shirts	5.0	\$35.00	\$175.00	\$0.00	\$175.00
2	Uniform Pants	4.0	35.00	140.00	0.00	140.00
3	Coat	1.0	110.00	110.00	0.00	110.00
4	Rain Coat	1.0	110.00	110.00	0.00	110.00
5	Traffic Vest	1.0	45.00	45.00	0.00	45.00
6	Boots / Shoes	1.0	80.00	80.00	0.00	80.00
7	Hat	1.0	12.00	12.00	0.00	12.00
8	Badge / Pins	1.0	125.00	125.00	0.00	125.00
9	Duty Belt	1.0	65.00	65.00	0.00	65.00
10	Double Magazine Pouch	1.0	33.00	33.00	0.00	33.00
11	Holster	1.0	110.00	110.00	0.00	110.00
12	Glock 21	1.0	485.00	485.00	0.00	485.00
13	Gun Light	1.0	100.00	100.00	0.00	100.00
14	OC Spray	1.0	35.00	35.00	0.00	35.00
15	OC Pouch	1.0	22.00	22.00	0.00	22.00
16	Expandable Baton	1.0	75.00	75.00	0.00	75.00
17	Baton Holster	1.0	22.00	22.00	0.00	22.00
18	Glove Pouch	1.0	20.00	20.00	0.00	20.00
19	Radio Holder	1.0	35.00	35.00	0.00	35.00
20	Portable Radio	1.0	7,500.00	7,500.00	0.00	7,500.00
21	Conducted Energy Weapon (CEW)	1.0	1,100.00	1,100.00	0.00	1,100.00
22	CEW Holster	1.0	85.00	85.00	0.00	85.00
23	CEW Pouch	1.0	24.00	24.00	0.00	24.00
24	Belt Keepers	1.0	20.00	20.00	0.00	20.00
25	Stinger Flashlight	1.0	110.00	110.00	0.00	110.00
26	Flashlight Holster	1.0	35.00	35.00	0.00	35.00
27	Ballistic Vest	1.0	540.00	540.00	0.00	540.00
28	Universal Tool	1.0	85.00	85.00	0.00	85.00
29	Universal Tool Pouch	1.0	25.00	25.00	0.00	25.00
30	Forms Keeper	1.0	55.00	55.00	0.00	55.00
31	Laptop Computer	1.0	1,100.00	1,100.00	0.00	1,100.00
32	Long Gun (AR Platform)	1.0	1,100.00	1,100.00	0.00	1,100.00
33	Body Camera	1.0	1,000.00	1,000.00	0.00	1,000.00
34	Total Projected Costs per Officer			<u>\$14,578.00</u>	<u>\$0.00</u>	<u>\$14,578.00</u>

Footnotes:

[1] As provided by the City's Police Chief in detail and estimated in 2015 dollars.

Table 3-3
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

Summary of Vehicle Costs

Line No.	Description	Quantity Per Officer	Cost Per Item	Gross Cost Per Officer [1]	Adjustments	Net Cost Per Officer
Vehicle Costs:						
1	Vehicle (Sedan)	1.0	\$24,000	\$24,000	\$0	\$24,000
2	Lightbar with Opticom	1.0	2,300	2,300	0	2,300
3	Console	1.0	250	250	0	250
4	Sidelight / Sidekick	1.0	300	300	0	300
5	ION	4.0	75	300	0	300
6	Vertex Hideaway	4.0	60	240	0	240
7	Computer Base with Top	1.0	400	400	0	400
8	Armrest with Print and Mount	1.0	600	600	0	600
9	Dual Gun Rack (Shotgun / AR)	1.0	300	300	0	300
10	Push Bumper with Warning System	1.0	650	650	0	650
11	Prisoner Partition with Window Bars	1.0	850	850	0	850
12	Graphics	1.0	600	600	0	600
13	Window Tint	1.0	125	125	0	125
14	Remote Siren with Light Controller	1.0	600	600	0	600
15	Stinger Flashlight with Base	1.0	110	110	0	110
16	Charge Guard	1.0	70	70	0	70
17	Inverter	1.0	75	75	0	75
18	Security System	1.0	90	90	0	90
19	Installation with Shop Supplies	1.0	1,000	1,000	0	1,000
20	Stop Sticks	1.0	600	600	0	600
21	Fire Extinguisher and First Aid Kit	1.0	200	200	0	200
22	Side Warning Strip	1.0	600	600	0	600
23	Freight	1.0	750	750	0	750
24	Total Projected Costs			<u>\$35,010</u>	<u>\$0</u>	<u>\$35,010</u>

Footnotes:

[1] As provided by the City's Police Chief in detail and estimated in 2015 dollars.

Table 3-4
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

Estimated Existing Capital Equipment, Vehicles and Facilities Costs

Line No.	Description	Estimated Costs [1]	Number of Sworn Officers	Cost per Officer [2]
1	Machinery & Equipment	\$1,312,020	90	\$14,578
2	Major Vehicles	\$3,150,900	90	\$35,010
3	Other Capital Equipment and Facilities			
4	Land and Building	\$2,001,086	133	\$15,046
5	Communication Systems	2,611,683	133	19,637
6	Total Other Police Department Equipment and Facilities	<u>\$4,612,768</u>		<u>\$34,682</u>
7	Total Existing Capital Equipment, Vehicles and Facilities	<u><u>\$9,075,688</u></u>		<u><u>\$84,270</u></u>

Footnotes:

- [1] Amounts for Machinery & Equipment and Major Vehicles were estimated based on cost per officer figures as provided by the City. Amounts for Other Capital Equipment and Facilities were based on assessed property values as provided by the City.
- [2] Amounts for Machinery & Equipment and Major Vehicles are based on information as provided by the City. Amounts shown for Other Capital Equipment and Facilities are based on the level of officers that existing facilities can support based on current capital projections.

Table 3-5
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

Multi-Year Capital Improvement Program [1]

Line No.	Description	Six Year Total	Police Allocation	Allocated Total	Adjustments [2]	Adjusted Total	Officers Served [3]	Cost Per Officer
<u>Machinery and Equipment:</u>								
1	Portable Radios - For 7 New Officers	\$56,000	100.00%	\$56,000	(\$56,000)	\$0	7	\$0
2	Taser Weapon - For 7 New Officers	8,400	100.00%	8,400	(8,400)	0	7	0
3	Investigative Equipment	165,000	100.00%	165,000	0	165,000	119	1,387
4	Laptop Replacements	150,000	100.00%	150,000	0	150,000	119	1,261
5	Equipment Retirement Adjustments	(234,390)	100.00%	(234,390)	0	(234,390)	119	(1,970)
6	Subtotal Machinery and Equipment	\$145,010	100.00%	\$145,010	(\$64,400)	\$80,610	119	\$678
<u>Major Vehicles:</u>								
7	Police Vehicle Purchase (SUV) - Replacement of #822	\$40,000	100.00%	\$40,000	\$0	\$40,000	119	\$336
8	Police Vehicle Purchase (Pick-Up 4x4) - Replacement of #852	34,000	100.00%	34,000	0	34,000	119	286
9	Police Vehicle Purchase (SUV) - Replacement of #846	32,000	100.00%	32,000	0	32,000	119	269
10	Police Vehicle Purchase (SUV) - Replacement of #847	32,000	100.00%	32,000	0	32,000	119	269
11	Police Vehicle Purchase (Canine SUV) - Replacement of #1192	40,000	100.00%	40,000	0	40,000	119	336
12	Police Vehicle Purchase (Fusion) - Replacement of #1200	26,000	100.00%	26,000	0	26,000	119	218
13	Police Vehicle Purchase (Sedan) - Replacement of #1208	28,500	100.00%	28,500	0	28,500	119	239
14	Police Vehicle Purchase (Sedan) - Replacement of #1209	28,500	100.00%	28,500	0	28,500	119	239
15	Police Vehicle Purchase (CID Unmarked) - Replacement of #971	30,000	100.00%	30,000	0	30,000	119	252
16	Police Vehicle Purchase (CID Unmarked) - Replacement of #972	30,000	100.00%	30,000	0	30,000	119	252
17	Police Vehicle Purchase (CID Unmarked) - Replacement of #994	30,000	100.00%	30,000	0	30,000	119	252
18	Police SRO Vehicle Purchase (Mid SUV) - Replacement of #850	30,000	100.00%	30,000	0	30,000	119	252
19	Police Vehicle Purchase - (Sedan) - For 7 New Officers	199,500	100.00%	199,500	(199,500)	0	7	0
20	Vehicle Replacements	2,272,000	100.00%	2,272,000	0	2,272,000	119	19,092
21	Major Vehicle Retirement Adjustments	(2,157,132)	100.00%	(2,157,132)	0	(2,157,132)	119	(18,127)
22	Subtotal Major Vehicles	\$695,368	100.00%	\$695,368	(\$199,500)	\$495,868	119	\$4,165
<u>Land, Buildings and Other Capital Equipment:</u>								
23	Radio System Upgrade (Dispatch Shared with Fire)	\$262,000	44.00%	\$115,280	\$0	\$115,280	201	\$574
24	City Wide Data Refresh (Shared Project)	289,000	44.00%	127,160	0	127,160	201	633
25	Public Safety Complex	21,600,000	50.00%	10,800,000	0	10,800,000	201	53,731
26	Driving Course	500,000	100.00%	500,000	0	500,000	201	2,488
27	Inter-Subsystem Interconnect	2,000,000	44.00%	880,000	0	880,000	201	4,378
28	2nd Tower Site	3,400,000	44.00%	1,496,000	0	1,496,000	201	7,443
29	Communication Equipment	1,500,000	44.00%	660,000	0	660,000	201	3,284
30	Gun Range	2,000,000	100.00%	2,000,000	0	2,000,000	201	9,950
31	Land, Buildings and Other Capital Retirement Adjustments	(1,525,391)	100.00%	(1,525,391)	0	(1,525,391)	201	(7,589)
32	Subtotal Land, Buildings and Other Capital Equipment	\$30,025,609	50.13%	\$15,053,049	\$0	\$15,053,049	201	\$74,892
33	Total Capital Improvement Program	\$30,865,987	51.49%	\$15,893,427	(\$263,900)	\$15,629,527		\$79,735

Footnotes:

[1] Amounts shown as provided by the City.

[2] Amounts adjusted from calculations as they are accounted for on Tables 3-3 and 3-4.

[3] Future needs are calculated as follows:

Projected Population in 2040	80,286
Target LOS per 1,000 population	2.50
Total Police Personnel Required at Buildout	201
 Total Existing Police Personnel at LOS	 119
Total Additional Personnel Required to Serve Growth	82

Table 3-6
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

Summary of Capital Improvement Program

Line No.	Description	Total Current Cost [1]	Police Officers Served [2]	Cost Per Officer [2]
1	Machinery and Equipment	\$80,610	119	\$678
2	Major Vehicles	495,868	119	4,165
3	Land, Buildings and Other Capital Equipment	15,053,049	201	74,892
4	Total Proposed Capital Equipment, Vehicles and Facilities	<u>\$15,629,527</u>		<u>\$79,735</u>

Footnotes:

[1] Amounts as provided by City staff and reflect adjustments for asset retirements as shown on Table 3-5.

[2] Amounts shown based on personnel information on Table 3-5.

Table 3-7
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

Allocation of Service Calls Among Customer Classes

Line No.	Description	Number of Calls For Service			Traffic / Other [3]
		Total [1]	Residential	Non-Residential [2]	
<u>Total Calls for Fiscal Years 2014 - 2015</u>					
1	Number of Calls	89,530	62,671	26,859	5,481
2	Percent (%)	100.00%	70.00%	30.00%	N/A
3	Allocated Traffic / Other	5,481	3,837	1,644	
4	Percent (%)	100.00%	70.00%	30.00%	
5	Total Allocated Calls	95,011	66,508	28,503	
6	Percent (%)	100.00%	70.00%	30.00%	

Footnotes

[1] Amounts based on information provided by the City of Apopka Police Department.

[2] Based on discussions with the City, Non-Residential calls are distributed among the various subclasses as follows:

<u>Description</u>	<u>Percentage of Calls</u>
Retail and Food Service	55.00%
Office	5.00%
Government, Institutional and Hotels	33.00%
Industrial	7.00%
Total	100.00%

[3] Service calls for other and traffic related incidents assumed to be in direct proportion to Residential and Non-Residential calls.

Table 3-8
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

Summary of Capital Costs to Provide Police Protection Services

Line No.	Description	Total Cost [1]	Total Personnel Requirements [2]	Average Cost per Personnel
<u>Recoupment Costs [3]</u>				
1	Machinery & Equipment	\$1,312,020	90	\$14,578
2	Major Vehicles	3,150,900	90	35,010
3	Other Capital Equipment & Facilities	4,612,768	133	34,682
4	Total Recoupment Costs	<u>\$9,075,688</u>		<u>\$84,270</u>
<u>Proposed Capital Additions [4]</u>				
5	Machinery & Equipment - CIP	\$80,610	119	\$678
6	Major Vehicles - CIP	495,868	119	4,165
7	Other Capital Equipment & Facilities - CIP	15,053,049	201	74,892
8	Total Proposed Costs	<u>\$15,629,527</u>		<u>\$79,735</u>
<u>Additional Cost or Adjustments [5]</u>				
9	Less Historical and Proposed Future Capital Grants [6]	(975,000)	133	(7,331)
10	Total Additional Costs or Adjustments	<u>(\$975,000)</u>		<u>(\$7,331)</u>
11	Total Capital Costs	<u><u>\$23,730,216</u></u>		<u><u>\$156,674</u></u>

Footnotes:

[1] Total estimated capital costs in Tables 3-4 and 3-6.

[2] Future needs are calculated as follows:

Projected Population in 2021	53,160
Target LOS per 1,000 population	2.50
Total Police Personnel Required by 2021	<u>133</u>
Total Required Police Personnel for 2016 (Based on LOS)	<u>119</u>
Total Additional Personnel Required to Serve Growth	14
Existing Personnel 2015	90
Projected Personnel for Build Out Population	201

[3] Amounts derived from Table 3-4.

[4] Amounts derived from Table 3-6.

[5] Amounts reflect credit for historical grant projected grants for equipment needs.

[6] Amounts based on information provided by the City.

Description	Amounts
Less Est. Historical Capital Grants Received for Equipment	(\$650,000)
Less Est. Proposed Future Capital Grants	<u>(325,000)</u>
Subtotal	<u>(\$975,000)</u>
Adjustment for Repair / Replacement Factor	100%
Recognized Portion of Grant Funding	<u><u>(\$975,000)</u></u>

Table 3-9
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

Design of Police Protection Services Impact Fee

Line No.	Description	Total System	Residential	Non-Residential
1	Total Allocated Cost Per Full Time Officer	\$156,674		
2	Additional Officers Required to Serve Population			
3	Needs through Fiscal Year 2021	14		
4	Total Capital Costs [1]	\$2,193,443		
5	Less: Funds From Other Sources or Discount Factor	\$0		
6	Total Capital Costs Recovered From Impact Fees	\$2,193,443		
7	Allocation to Customer Classes			
8	Percent of Calls for Service [2]		70.00%	30.00%
9	Allocated Costs		\$1,535,410	\$658,033
10	Total Equivalent Impact Fee Units [3]			
11	Residential Dwelling Units		2,054	
12	Cost per Equivalent Impact Fee Unit		\$747.52	N/A
13	Rounded Fee		\$747.00	N/A
14	Major Non-Residential Classes and Call Allocation	Non-Res. Cost	Non-Res. Sq. Ft. [4]	Non-Res. Rate
15	Retail and Food Service - 55.00%	\$361,918	361,030	\$1.00
16	Office - 5.00%	32,902	112,139	0.29
17	Government, Institutional and Hotels - 33.00%	217,151	405,203	0.54
18	Industrial - 7.00%	46,062	706,419	0.07
19	Total	\$658,033	1,584,792	\$0.41

Footnotes:

- [1] Derived from Table Table 3-8. Reflects projected LOS requirements for 14 additional police officers at a capital cost of \$156,674 per Officer.
- [2] Based on information provided by the City's Police Department and shown on Table 3-7.
- [3] Amounts shown represent net increase in total residential dwelling units and non-residential construction (square feet) anticipated to be constructed by 2021 consistent with the capital expenditure projections for police protection services.

	Estimated Residential Population	Estimated Non-residential Sq. Ft.[a]
Total Res. Units/Sq. Ft. of Develop - Fiscal Year 20	19,975	14,981,145
Total Res. Units/Sq. Ft. of Develop - Fiscal Year 20	17,921	13,396,353
Difference (Anticipated Growth)	2,054	1,584,792

[a] Amount shown based on the current estimate of approximately 748 sq. ft. of commercial development for every 1 unit of residential development going to approximately 750 sq. ft. per residential unit.

Table 3-9
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

Design of Police Protection Services Impact Fee

[4] The estimated allocation of existing non-residential sq. ft. was based on information provided by the City and is shown below:

Description	Sq. Ft. % Distribution	Sq. Ft. Allocation
Retail and Food Service	22.78%	361,030
Office	7.08%	112,139
Government, Institutional and Hotels	25.57%	405,203
Industrial	44.57%	706,419
Total	100.00%	1,584,792

Table 3-10
City of Apopka, Florida
Police Protection Services Impact Fee Analysis

Police Services Impact Fee Comparison [1]

Line No.	Description	Residential			Non-Residential (\$ per square foot)
		Single Family	Multi-Family	Mobile Home	
City of Apopka					
1	Existing	N/A	N/A	N/A	N/A
2	Proposed Rates	\$747.00	\$747.00	\$747.00	\$0.070 - \$1.000 per sq. ft.
Other Florida Government Agencies:					
3	City of Clermont	\$402.00	\$402.00	\$402.00 [2]	\$0.021 - \$3.602 per sq. ft.
4	City of Edgewater	150.66	100.10	82.55	\$0.1197 - \$0.3354 per sq. ft. [3]
5	City of Eustis	137.98	98.64	90.03	\$0.01523 - \$1.53667 per sq. ft. [3]
6	City of Kissimmee	N/A	N/A	N/A	N/A
7	City of Lakeland	563.00	425.00	263.00	\$0.02 - \$0.698 per sq. ft. [3]
8	City of Lake Mary	165.00	N/A	N/A	\$0.082 per gross sq. ft.
9	City of Lake Wales	486.43	426.55	N/A	\$0.030 - \$0.210 per sq. ft. [3]
10	City of Leesburg	186.00	186.00	186.00	\$0.155 per sq. ft.
11	City of Minneola	N/A	N/A	N/A	N/A
12	City of Mount Dora	298.52	776.14	N/A	\$0.07164- \$1.03287 per sq. ft. [3]
13	City of Ocoee	501.04	501.04	501.04	\$0.33 per sq. ft.
14	Orange County	271.00	319.00	263.00	\$0.032 - \$0.494 per sq. ft..
15	City of Orlando	N/A	N/A	N/A	N/A
16	City of St. Cloud	715.00	565.00	N/A	\$1.384 per sq. ft.
17	City of Tavares	215.37	163.87	108.86	\$0.00819 - \$1.02419 per sq. ft. [3]
18	City of Winter Garden	339.00	339.00	339.00	\$0.65 per sq. ft.
19	City of Winter Park	N/A	N/A	N/A	N/A
20	City of Winter Haven	304.97	N/A	N/A	\$0.3992 per sq. ft.
21	Other Florida Governmental Agencies' Average	\$338.28	\$358.53	\$248.39	

Footnotes:

- [1] Unless otherwise noted, amounts shown reflect impact fees in effect March 2016. This comparison is intended to show comparable charges for similar service for comparison purposes only and is not intended to be a complete listing of all rates and charges offered by each listed municipality.
- [2] Based upon the City's existing ordinance and procedures, one new mobile home is charged as one single family dwelling unit.
- [3] Reflects the lowest and highest rate per square feet.

Section 4
City of Apopka
Fire / EMS Impact Fee Analysis

List of Tables

Table	Description
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Table 4-1
City of Apopka
Fire / EMS Impact Fee Analysis

Summary of Existing Personnel

Line No.	Description	Current Staff [1]	FY 2016 Budgeted [2]	Allocation to Future Officers	
				Allocation Basis	Achieved Level of Service
Personnel					
1	Fire Chief	1.00	1.00		
2	Deputy Fire Chief	1.00	1.00		
3	Assistant Fire Chief	2.00	2.00		
4	Fire Captain	1.00	1.00		
5	Fire Lieutenant	1.00	1.00		
6	Fire Engineer / Firefighter	33.00	27.00		
7	EMS District Chief	3.00	3.00		
8	EMS Lieutenant	12.00	12.00		
9	EMS Engineer	7.00	8.00		
10	EMS / Firefighter	20.00	25.00		
11	Total Personnel	81.00	81.00	Per 1,000 Population	1.70
Support					
12	Administrative Assistant & Staff Assistant	2.00	2.00		
13	Total Support	2.00	2.00		
Total					
14	Firefighter/Rescue Division	83.00	83.00		
15	Target Level of Service Per 1,000 Population				2.20

Footnotes:

[1] Per personnel listing as obtained from City Staff.

[2] As obtained from the City's adopted FY 2016 Budget.

Table 4-2
City of Apopka
Fire / EMS Impact Fee Analysis

Estimated Existing Capital Equipment, Vehicles & Facilities Costs

Line No.	Description	Estimated Costs [1]	Number of Firefighters [2]	Average Cost Per Firefighter
1	Machinery & Equipment	\$2,151,487	141	\$15,259
2	Major Vehicles and Firefighting Equipment	\$5,035,168	141	\$35,710
3	Other Capital Equipment and Facilities	\$4,502,786	141	\$31,935
4	Total Existing Capital Equipment, Vehicles & Facilities	<u>\$11,689,440</u>		<u>\$82,904</u>

Footnotes:

- [1] Amounts shown based on fixed asset records as provided by the City.
- [2] Amounts for Machinery & Equipment and Major Vehicles & Firefighting Equipment are based on current department staffing levels. Amounts shown for Other Capital Equipment and Facilities are based on the level of personnel that existing facilities can support based on current capital projections.

Table 4-3
City of Apopka, Florida
Fire / EMS Impact Fee Analysis

Multi-Year Capital Improvement Program

Line No.	Description	Six Year Total [1]	Fire Allocation	Allocated Total	Adjustments	Adjusted Total	Firefighters Served [2]	Cost Per Firefighter
<u>Machinery and Equipment:</u>								
1	SCBA Bottle Replacement	\$19,000	100.00%	\$19,000	\$0	\$19,000	141	\$135
2	Cardiac Monitors / Defibrillators	128,950	100.00%	128,950	0	128,950	141	915
3	Stretcher Upgrades and Power Load Pro Devices for 6 Ambulances	325,925	100.00%	325,925	0	325,925	141	2,312
4	Air Compressor Station 5	45,000	100.00%	45,000	0	45,000	141	319
5	6 SCBA's for Engine 5 and Ambulance 5	36,000	100.00%	36,000	0	36,000	141	255
6	Bunker Gear for 15 New Firefighters	30,000	100.00%	30,000	0	30,000	141	213
7	Continuing SCBA Cylinder Replacement	21,000	100.00%	21,000	0	21,000	141	149
8	Continuing SCBA Cylinder Replacement	21,000	100.00%	21,000	0	21,000	141	149
9	6 SCBA's for Engine 6 and Ambulance 6	38,000	100.00%	38,000	0	38,000	141	270
10	Bunker Gear for 15 New Firefighters	37,500	100.00%	37,500	0	37,500	141	266
11	Other Capital Items	269,000	100.00%	269,000	0	269,000	141	1,908
12	Equipment Retirement Adjustments	(677,040)	100.00%	(677,040)	0	(677,040)	141	(4,802)
13	Subtotal Machinery and Equipment	\$294,335	100.00%	\$294,335	\$0	\$294,335	141	\$2,089
<u>Major Vehicles:</u>								
14	Fire Engine 5	\$650,000	100.00%	\$650,000	\$0	\$650,000	141	\$4,610
15	Ambulance 5	150,000	100.00%	150,000	0	150,000	141	1,064
16	Vehicle Emergency Lighting	6,000	100.00%	6,000	0	6,000	141	43
17	Ambulance 5 Equipment	50,000	100.00%	50,000	0	50,000	141	355
18	Public Education Officer Vehicle	31,500	100.00%	31,500	0	31,500	141	223
19	Engine 5 Equipment	70,000	100.00%	70,000	0	70,000	141	496
20	Brush Truck Station 5	60,000	100.00%	60,000	0	60,000	141	426
21	Staff Vehicle 1	40,000	100.00%	40,000	0	40,000	141	284
22	TNT Tools for Engine 5	30,000	100.00%	30,000	0	30,000	141	213
23	Thermal Imaging Cameras for Engine 5	15,000	100.00%	15,000	0	15,000	141	106
24	Fire Engine 6	750,000	100.00%	750,000	0	750,000	141	5,319
25	Ambulance 6	155,000	100.00%	155,000	0	155,000	141	1,099
26	Ambulance 6 Equipment	60,000	100.00%	60,000	0	60,000	141	426
27	Replace Engine #11 (1998)	700,000	100.00%	700,000	0	700,000	141	4,965
28	Brush Truck Station 6	60,000	100.00%	60,000	0	60,000	141	426
29	Staff Vehicle 2	40,000	100.00%	40,000	0	40,000	141	284
30	TNT Tools for Engine 6	30,000	100.00%	30,000	0	30,000	141	213
31	Thermal Imaging Cameras for Engine 6	15,000	100.00%	15,000	0	15,000	141	106
32	Replace Engine #4 (2001)	700,000	100.00%	700,000	0	700,000	141	4,965
33	Replace Ambulance A21	150,000	100.00%	150,000	0	150,000	141	1,064
34	Replace Ambulance A41	155,000	100.00%	155,000	0	155,000	141	1,099
35	Replace Ambulance A31	155,000	100.00%	155,000	0	155,000	141	1,099
36	Replace Ambulance A12	155,000	100.00%	155,000	0	155,000	141	1,099
37	Replace Ambulance A11	160,000	100.00%	160,000	0	160,000	141	1,135
38	Major Vehicle Retirement Adjustments	(1,794,086)	100.00%	(1,794,086)	0	(1,794,086)	141	(12,724)
39	Subtotal Major Vehicles	\$2,593,414	100.00%	\$2,593,414	\$0	\$2,593,414	141	\$18,395
<u>Land, Buildings and Other Capital Equipment:</u>								
40	Fire Station 5 Construction	\$1,300,000	100.00%	\$1,300,000	\$0	\$1,300,000	141	\$9,220
41	Station 5 Furniture / Equipment	65,000	100.00%	65,000	0	65,000	141	461
42	Fire Station 6 South	1,406,080	100.00%	1,406,080	0	1,406,080	141	9,972
43	Radio System Upgrade (Dispatch Shared with Police)	262,000	26.00%	68,120	0	68,120	177	385
44	City Wide Data Refresh (Shared Project)	289,000	26.00%	75,140	0	75,140	177	425
45	Inter-Subsystem Interconnect	2,000,000	26.00%	520,000	0	520,000	177	2,938
46	2nd Tower Site	3,400,000	26.00%	884,000	0	884,000	177	4,994
47	Public Safety Complex	21,600,000	50.00%	10,800,000	0	10,800,000	177	61,017
48	Communications Equipment	1,500,000	26.00%	390,000	0	390,000	177	2,203
49	Land, Buildings and Other Capital Retirement Adjustments	(2,727,541)	100.00%	(2,727,541)	0	(2,727,541)	177	(15,410)
50	Subtotal Land, Buildings and Other Capital Equipment	\$29,094,539	43.93%	\$12,780,799	\$0	\$12,780,799	168	\$76,205
51	Total Capital Improvement Program	\$31,982,287	48.99%	\$15,668,547	\$0	\$15,668,547		\$96,689

Footnotes:

[1] Amounts shown as provided by the City.

[2] Future needs are calculated as follows:

Projected Population in 2040	80,286
Target LOS per 1,000 population	2.20
Total Fire Personnel Required at 2040	177
Total Existing Fire / EMS Personnel at LOS	105
Total Additional Personnel Required to Serve Growth	72
Estimated Firefighters in 2021	141

Table 4-4
City of Apopka
Fire / EMS Impact Fee Analysis

Summary of Capital Improvement Program [1]

Line No.	Description	Total Current Cost [1]	Firefighters Served [2]	Average Cost per Personnel [2]
1	Machinery and Equipment	\$294,335	141	\$2,089
2	Major Vehicles and Firefighting Equipment	\$2,593,414	141	\$18,395
3	Land, Buildings and Other Capital Equipment	\$12,780,799	168	\$76,205
4	Total Proposed Capital Equipment, Vehicles & Facilities	<u>\$15,668,547</u>		<u>\$96,689</u>

Footnotes:

[1] Amounts as provided by City staff and reflect adjustments for asset retirements as shown on Table 4-3.

[2] Amounts shown based on personnel information on Table 4-3.

Table 4-5
City of Apopka
Fire / EMS Impact Fee Analysis

Allocation of Service Calls Among Customer Classes

Line No.	Description	2013 - 2015 Total Number of Calls For Service		
		Total [1]	Residential	Non-Residential [2]
	<u>EMS</u>			
1	Number of EMS Calls [1]	11,243	8,432	2,811
2	Percent (%)	100.00%	75.00%	25.00%
	<u>Fire</u>			
3	Number of Fire Calls [1]	3,868	1,862	2,006
4	Percent (%)	100.00%	48.13%	51.87%
	<u>Total</u>			
5	Number of Total Calls [1]	15,111	10,294	4,817
6	Percent (%)	100.00%	68.12%	31.88%

Footnotes:

[1] Amounts based on information provided by the City of Apopka Fire Department.

[2] Based on discussions with the City, Non-Residential calls are distributed among the various subclasses as follows:

Description	Percentage of Calls
Retail and Food Service	33.50%
Office	8.00%
Government, Institutional and Hotels	51.00%
Industrial	7.50%
Total	100.00%

Table 4-6
City of Apopka
Fire / EMS Impact Fee Analysis

Summary of Capital Costs to Provide Fire / EMS Rescue Services

Line No.	Description	Total Cost [1]	Total Personnel Requirements [2]	Average Cost per Personnel
<u>Recoupment Costs [3]</u>				
1	Machinery & Equipment	\$2,151,487	141	\$15,259
2	Major Vehicles & Fire Fighting Equipment	5,035,168	141	35,710
3	Other Capital Equipment & Facilities	4,502,786	141	31,935
4	Total Recoupment Costs	<u>\$11,689,440</u>		<u>\$82,904</u>
<u>Proposed Capital Additions [4]</u>				
5	Machinery & Equipment	\$294,335	141 [5]	\$2,089
6	Major Vehicles & Fire Fighting Equipment	2,593,414	141	18,395
7	Other Capital Equipment & Facilities	12,780,799	168 [5]	76,205
8	Total Proposed Costs	<u>\$15,668,547</u>		<u>\$96,689</u>
<u>Additional Cost or Adjustments</u>				
9	Less Historical Capital Grants Received	(\$256,000)	141	(\$1,816)
10	Total Additional Costs or Adjustments	<u>(\$256,000)</u>		<u>(\$1,816)</u>
11	Total Capital Costs	<u><u>\$27,101,988</u></u>		<u><u>\$177,777</u></u>

Footnotes:

[1] Total estimated capital costs in Tables 4-2 and 4-4.

[2] Future needs are calculated as follows:

Projected Population Serviceable with 6 Stations	64,091
Target LOS per 1,000 population	2.20
Total Fire Personnel Required	<u>141</u>
Total Existing Fire Personnel at LOS	105
Total Additional Personnel Required to Serve Growth	<u>36</u>
Existing Personnel	81
Projected Personnel for Build Out Population	177

[3] Amounts derived from Table 4-2.

[4] Amounts derived from Table 4-4.

[5] See Table 4-4 for personnel amount assumed.

[6] Amounts based on information provided by the City.

Description	Amounts
Less Est. Historical Capital Grants Received for Equipment	(\$256,000)
Less Est. Proposed Future Capital Grants	0
Subtotal	<u>(\$256,000)</u>
Adjustment for Repair / Replacement Factor	100%
Recognized Portion of Grant Funding	<u><u>(\$256,000)</u></u>

Table 4-7
City of Apopka
Fire / EMS Impact Fee Analysis

Design of Fire / EMS Rescue Services Impact Fee

Line No.	Description	Total System	Residential	Non-Residential
1	Total Allocated Cost Per Full Time Firefighter [1] Additional Firefighters Required to Serve Population	\$177,777		
2	Needs and Staff Stations 5 and 6	36		
3	Total Capital Costs	\$6,399,966		
4	Less: Funds From Other Sources	\$0		
5	Total Capital Costs Recovered From Impact Fees	\$6,399,966		
Allocation to Customer Classes				
6	Percent of Calls for Service [2]		68.12%	31.88%
7	Allocated Costs		\$4,359,857	\$2,040,109
Total Equivalent Impact Fee Units [3]				
8	Residential Dwelling Units		6,161	
9	Cost per Equivalent Impact Fee Unit		\$707.65	N/A
10	Rounded Fee		\$708.00	N/A
11	Major Non-Residential Classes and Call Allocation	Non-Res. Cost	Non-Res. Sq. Ft. [4]	Non-Res. Rate
12	Retail and Food Service - 33.50%	\$683,437	1,062,760	\$0.64
13	Office - 8.00%	163,209	330,103	0.49
14	Government, Institutional and Hotels - 51.00%	1,040,456	1,192,792	0.87
15	Industrial - 7.50%	153,008	2,079,478	0.07
16	Total	\$2,040,109	4,665,133	\$0.44

Footnotes:

- [1] Derived from Table 4-6. Reflects projected LOS requirements for 9 additional Firefighters/EMS personnel at a capital cost of \$177,777 per Firefighter.
- [2] Based on information provided by the City's Fire Department and summarized on Table 4-5.
- [3] Amounts shown represent net increase in total residential dwelling units and non-residential construction (square feet) anticipated to be constructed consistent with the capital expenditure projections for fire protection services.

	Estimated Residential	Estimated Non-residential [a]
Total Res. Units/Sq. Ft. of Development Serviceable with Stations 1 - 6	24,082	18,061,486
Total Res. Units/Sq. Ft. of Develop - Fiscal Year 2016	17,921	13,396,353
Difference (Anticipated Growth)	6,161	4,665,133

[a] Amount shown based on the current estimate of approximately 208 sq. ft. of commercial development for every 1 unit of residential development going to approximately 750 sq. ft. per residential unit.

Table 4-7
City of Apopka
Fire / EMS Impact Fee Analysis

Design of Fire / EMS Rescue Services Impact Fee

[4] The estimated allocation of existing non-residential sq. ft. was based on information provided by the City and is shown below:

Description	Sq. Ft. % Distribution	Sq. Ft. Allocation
Retail and Food Service	22.78%	1,062,760
Office	7.08%	330,103
Government, Institutional and Hotels	25.57%	1,192,792
Industrial	44.57%	2,079,478
Total	100.00%	4,665,133

Table 4-8
City of Apopka, Florida
Fire Rescue Services Impact Fee Analysis

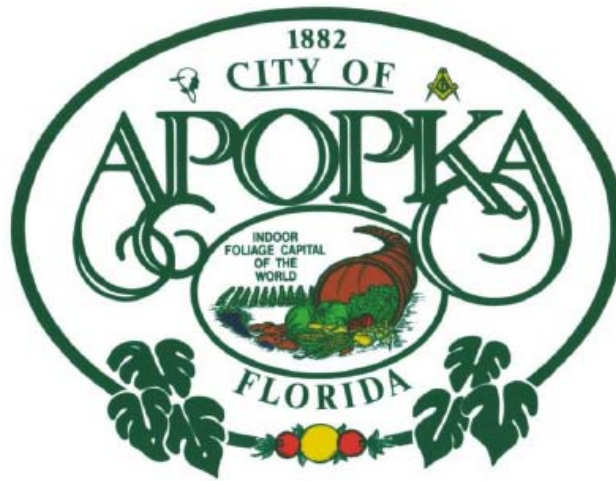
Fire Rescue Services Impact Fee Comparison [1]

Line No.	Description	Residential			Non-Residential (\$ per square foot)
		Single Family	Multi-Family	Mobile Home	
City of Apopka, Florida					
1	Existing	N/A	N/A	N/A	N/A
2	Proposed Rates	\$708.00	\$708.00	\$708.00 [2]	\$0.070 - \$0.870 per sq. ft.
Other Florida Government Agencies:					
3	City of Clermont	\$487.00	\$487.00	\$487.00 [2]	\$0.781 per sq. ft.
4	City of Edgewater	330.51	143.77	330.51	\$0.0116 - \$0.241 per sq. ft. [3]
5	City of Eustis	146.72	104.88	95.73	\$0.01619 - \$1.634 per sq. ft. [3]
7	City of Kissimmee	N/A	N/A	N/A	N/A
8	City of Lakeland	486.00	367.00	228.00	\$0.017 - \$0.603 per sq. ft. [3]
9	City of Lake Mary	175.00	N/A	N/A	\$0.129 per gross sq. ft.
10	City of Lake Wales	623.01	543.66	N/A	\$0.030 - 1.05 per sq. ft. [3]
11	City of Leesburg	207.00	207.00	207.00	\$0.1174 per sq. ft.
12	City of Minneola	390.00	244.00	152.00	\$0.023 - \$0.025 per sq. ft. [3]
13	City of Mount Dora	443.81	228.63	N/A	\$0.0269 - \$2.27283 per sq. ft. [3]
14	City of Ocoee	636.00	636.00	636.00	\$0.47 per sq. ft.
15	Orange County	270.00	197.00	270.00	\$0.049 - \$0.297 per sq. ft..
16	City of Orlando	N/A	N/A	N/A	N/A
15	City of St. Cloud	549.00	359.00	N/A	\$0.719 per sq. ft.
17	City of Tavares	402.78	306.46	203.58	\$0.01532 - \$1.91538 per sq. ft. [3]
18	City of Winter Garden	491.00	491.00	491.00	\$0.85 per sq. ft.
19	City of Winter Park	N/A	N/A	N/A	N/A
20	City of Winter Haven	488.89	N/A	N/A	\$0.1631 per sq.ft.
21	Other Florida Governmental Agencies' Average	\$408.45	\$331.95	\$310.08	

Footnotes:

- [1] Unless otherwise noted, amounts shown reflect impact fees in effect March 2016. This comparison is intended to show comparable charges for similar service for comparison purposes only and is not intended to be a complete listing of all rates and charges offered by each listed municipality.
- [2] Based upon the City's existing ordinance and procedures, one new mobile home is charged as one single family dwelling unit.
- [3] Reflects the lowest and highest rate per square feet.

CITY OF APOPKA, FLORIDA



PARKS AND RECREATION IMPACT FEE STUDY

November 28, 2016



Public Resources Management Group, Inc.

Utility, Rate, Financial, and Management Consultants



November 28, 2016

Honorable Mayor and
Members of the City Council
City of Apopka
120 E. Main Street
Apopka, FL 32703

Subject: **Parks and Recreation Impact Fee Study**

Ladies and Gentlemen:

We have completed our study of the municipal impact fees for parks and recreation services for the City of Apopka (the "City") and have summarized the results of our analysis, assumptions, and conclusions in this report, which is submitted for your consideration. This report summarizes the basis for the proposed impact fees in order to provide funds to meet the City's capital expenditure requirements for such services allocable to growth.

During the course of the study, it was determined that the proposed impact fees should meet a number of goals and objectives. These goals and objectives primarily deal with fee sufficiency and level. Specifically, the major objectives considered in this study include:

- The Impact Fees should be sufficient to fund the projected capital requirements associated with providing service capacity related to new growth and development;
- The Impact Fees should not be used to fund deficiencies in operating or capital needs of the City, if any; and
- The Impact Fees should be based upon a reasonable level of service standards that meet the needs of the City and are comparable to industry standards.

The proposed parks and recreation impact fees presented in this report should meet these objectives. As such, based on information provided by the City staff and the assumptions and considerations reflected in this report, Public Resources Management Group, Inc. considers the proposed fees to be cost-based, reasonable, and representative of the capital funding requirements of the City's parks and recreation services that are related to providing service to new development.

Honorable Mayor and Members of the City Council
City of Apopka
November 28, 2016
Page 2

We appreciate the cooperation and assistance given to us by the City and its staff in the completion of the study.

Very truly yours,

Public Resources Management Group, Inc.



Henry L. Thomas
Vice President



Shawn Ocasio
Rate Consultant

HLT/sao

CITY OF APOPKA, FLORIDA

PARKS AND RECREATION SERVICES IMPACT FEE STUDY

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CITY OF APOPKA, FLORIDA
PARKS AND RECREATION SERVICES IMPACT FEE STUDY

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

CITY OF APOPKA, FLORIDA

PARKS AND RECREATION SERVICES IMPACT FEE STUDY

EXECUTIVE SUMMARY AND RECOMMENDATIONS

EXECUTIVE SUMMARY

The purpose of an impact fee is to assign, to the extent practical, growth-related capital costs to new development responsible for such costs. To the extent population growth and associated development requires capacity-related capital costs to provide municipal services, equity and modern capital funding practices suggest the assignment of such costs to the new development responsible for such costs. Thus, the collection of impact fees is an appropriate funding strategy that the city of Apopka (the "City") can use to help fund Parks and Recreation services that will be required by new development.

Public Resources Management Group, Inc. ("PRMG") was retained by the City to develop proposed impact fees for Parks and Recreation Services and this report summarizes the development of proposed impact fees associated with providing such services.

Based on the assumptions, considerations and discussions set forth in this report, the following summarizes the proposed impact fees for the various City residential classifications as follows:

Parks and Recreation Services	Proposed Impact Fees
Single Family Residential / Unit	\$1,060.00
Condominium / Unit	\$1,060.00
Planned Unit Development / Unit	\$1,060.00
Multifamily / Unit	\$1,060.00
Retirement Community / Unit	\$1,060.00
Mobile Home / Unit	\$1,060.00
Hotel or Motel / Unit	N/A

The following discussion is a summary of the findings and conclusions developed during our investigation, analyses, and preparation of the proposed fees:

1. The permanent residential population of the City based on estimates developed using Census data and growth estimates provided by City staff is estimated at 47,695 in 2016 and is projected to be approximately 80,286 by 2040, for an average annual growth rate of approximately 2.2%. The estimated total number of households is expected to increase from 17,921 (based on 2.66 persons per household today) to 30,167 for a net gain of 12,246 households during the forecast period from 2016 through 2040.

2. The parks and recreation impact fees are proposed to be charged solely to residential properties. The current practice of collecting parks and recreation impact fees from hotels and motels, while historically utilized by the City, should be ended due to the difficulty of establishing a valid level of service rational nexus for the fee. The proposed application method applies the impact fee per dwelling unit for the residential classes (e.g. single family, multi family, condominium, retirement community, mobile homes, etc.). The utilization of this method of applying parks and recreation fees is common and is used to some degree by all local governments surveyed.
3. The level of service standard for parks, as adopted by the City in its Comprehensive Plan, is based on the amount of open space provided for such services. The current standard for this service is 3.0 acres per 1,000 population.

Based on an inventory of open space dedicated to parks, the City currently has a surplus of available open space, as it relates to the satisfaction of the level of service standards as of the current year.

4. The parks and recreation impact fee was based on both the estimated cost of facilities (buildings, ball fields, basketball courts, picnic facilities, etc.) planned to meet the recreational facility standards assumed for the City and historical capital costs. Based on the expected costs of these facilities and the level of service standard for recreational facilities, the cost per equivalent impact fee unit was determined.

The subsequent sections of this report provide detailed discussions of the development of the proposed impact fees for parks and recreation services.

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INTRODUCTION

SECTION 1

INTRODUCTION

INTRODUCTION

The City of Apopka (the "City") is located in northwest Orange County 12 miles northwest of the City of Orlando, a major metropolitan area. The City comprises 30 square miles and is one of the fastest growing cities in Florida. The municipal services in demand include, among others, parks and recreation services. The City's population as of the 2010 Census was 41,542. The current population is estimated to be 47,695 in 2016. It is anticipated that the City will experience significant growth over the next several years. Based on growth projections obtained from the University of Florida's Bureau of Economic and Business Research and discussions with the City's Planning Department, the population is expected to grow to 80,286 by 2040.

The City does currently charges impacts fees for parks and recreation services but has not updated these fees since 1991. In order to help fund parks and recreation service capacity required to serve new development, the City authorized Public Resources Management Group, Inc. ("PRMG") to develop proposed parks and recreation impact fees.

AUTHORIZATION

PRMG was authorized by the City to evaluate and develop parks and recreation impact fees pursuant to a letter agreement between the City and PRMG. The scope of work for this project, as defined in the letter agreement, was to:

1. For each service, review and analyze the capital requirements of the City that are needed to maintain the level of service standards for parks and recreation service. This analysis includes a review of the City's current and planned investment in parks and recreation facilities.
2. Where appropriate, develop a fee proposed to be charged to new development in order to recover the capital costs associated with providing parks and recreation services. This analysis includes the apportionment of costs among existing and future development, and the development of the fee per equivalent billing unit.
3. Develop a comparison of the impact fees and associated billing attributes for similar charges imposed by other neighboring jurisdictions.
4. Prepare a report that documents our analyses, assumptions, and conclusions for consideration by the City.

CRITERIA FOR IMPACT FEES

The purpose of an impact fee is to assign, to the extent practical, growth-related capital costs to those new customers that benefit from the service capacity and facilities funded by such expenditures. To the extent new population growth and associated development requires capacity-related capital costs to provide municipal services, equity and modern capital funding practices suggest the assignment of such costs to the new development responsible for such costs rather than the existing population base. Generally, this practice has been labeled as "growth paying its own way."

Within the State of Florida, a recently adopted statute authorizes the use of impact fees. The statute was generally developed based on case law before the Florida courts and broad grants of power including the home rule power of Florida counties and municipalities. Section 163.31801 of the Florida Statutes was created on June 14, 2006, and amended in 2009 and 2011. This section is referred to as the "Florida Impact Fee Act." Within this section, the Legislature finds that impact fees are an important source of revenue for local government to use in funding the infrastructure necessitated by new growth. Section 163.31801 of the Florida Statutes, as amended, further provides that an impact fee adopted by ordinance of a county or municipality or by resolution of a special district must, at a minimum:

1. Require that the calculation of the impact fee be based on recent and localized data;
2. Provide for accounting and reporting of impact fee revenues and expenditures in a separate accounting fund;
3. Limit administrative charges for the collection of impact fees to actual costs;
4. Require that notice be provided no less than ninety (90) days before the effective date of an ordinance or resolution imposing a new or increased impact fee; and
5. Requires an affidavit addressed to the Auditor General that the utility has complied with this statute in the Comprehensive Annual Financial Statements.

This section is further reinforced through existing Florida case law and the Municipal Home Rule Powers Act that grants Florida municipalities the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, as limited by legislation or as prohibited by state constitution or general law. Florida courts have ruled that the Municipal Home Rule Powers Act grants the requisite power and authority to establish valid impact fees. The authority for Florida governments to implement valid system impact fees is further granted in the Florida Growth Management Act of 1985^[1].

[1] The Act allows for impact fees under land use regulation by stating:

"This section shall be construed to encourage the use of innovative land development regulations which include provisions such as the transfer of development right, incentive and inclusionary zoning, planned unit development, capital charges, and performance zoning."—Florida Statutes, § 163.3202(3).

The initial precedent for impact fees in Florida was set in the Florida Supreme Court decision, *Contractors and Builders Association of Pinellas Authority v. The City of Dunedin, Florida*. In this case, the Court's ruling found that an equitable cost recovery mechanism, such as impact fees, could be levied for a specific purpose by a Florida municipality as a capital charge for services. An impact fee should not be considered as a special assessment or an additional tax. A special assessment is predicated upon an estimated increase in property value as a result of an improvement being constructed in the vicinity of the property. Further, the assessment must be directly and reasonably related to the benefit that the property receives. Conversely, impact fees are not related to the value of the improvement to the property, but rather to the property's use of the public facility and the capital cost thereof.

Until property is put to use and developed, there is no burden upon servicing facilities and the land use may be entirely unrelated to the value or assessment basis of the underlying land. Impact fees are distinguishable from taxes primarily in the direct relationship between amount charged and the measurable quantity of public facilities or service capacity required. In the case of taxation, there is no requirement that the payment be in proportion to the quantity of public services consumed since tax revenue can be expended for any legitimate public purpose.

Based on Section 163.31801 of the Florida Statutes and existing Florida case law, certain conditions are required to develop a valid impact fee. Generally, it is our understanding that these conditions involve the following issues:

1. The impact fee must meet the "dual rational nexus" test. First, impact fees are valid when a reasonable impact or rationale exists between the anticipated need for additional capital facilities and the growth in population. Second, impact fees are valid when a reasonable association, or rational nexus, exists between the expenditure of the impact fee proceeds and the benefits accruing to the growth from those proceeds.
2. The system of fees and charges should be set up so that there is not an intentional windfall to existing users.
3. The impact fee should only cover the capital cost of construction and related costs thereto (engineering, legal, financing, administrative, etc.) for capacity expansions or other additional capital requirements that are required solely due to growth. Therefore, expenses due to rehabilitation or replacement of a facility serving existing customers (e.g., replacement of a capital asset) or an increase in the level of service should be borne by all users of the facility (i.e., existing and future users). Likewise, increased expenses due to operation and maintenance of that facility should be borne by all users of the facility.
4. The City should maintain an impact fee resolution that explicitly restricts the use of impact fees collected. Therefore, impact fee revenue should be set aside in a separate account, and separate accounting must be made for those funds to ensure that they are used only for the lawful purposes described above.

Based on the criteria above, impact fees that are summarized in subsequent sections of this report: i) will include only the cost of the capital facilities necessary to serve new customer

growth; ii) will not reflect renewal and replacement costs associated with existing capital assets of the City; and iii) will not include any costs of operation and maintenance of the facilities.

IMPACT FEE METHODS

There are several different methods for the calculation of an impact fee. The calculation is dependent on the type of fee being calculated (e.g., water, wastewater, police, fire/rescue recreation services, transportation, etc.), available cost and engineering data, and the availability of other local data such as household and population projections, current levels of service, and other related items. The proposed impact fees reflected in this report are predominately based on a combination of two methods. These two methods are: i) the improvements-driven method; and ii) the standards-driven method. These methods have been utilized in the development of impact fees for local governments throughout Florida.

The improvements-driven method is an approach that utilizes a specific list of existing or planned capital improvements over a period of time. For example, the fee may correspond to the level of capital improvements that have been identified in the capital improvements element of the Comprehensive Plan or capital improvement budget of the local government. The standards-driven method does not utilize the cost of improvements based on anticipated needs as stated in the capital improvement plan but rather uses a set of theoretical standards to determine the cost of the improvements associated with new growth. For example, the standards-driven method used to calculate parks and recreation services impact fees would consider the cost of each additional acre required to maintain a level of service standard required by the City. As each community may not be reflective of survey results, a City may adopt its own standards, and many do so as part of the Comprehensive Plan. The primary difference between the two methodologies is how the capital costs, which must be recovered from the application of the fee, are calculated.

The impact fees proposed herein for parks and recreation services include the application of both the standards-driven and improvement-driven methods based on the capital improvement plan for the Parks and Recreation Department based on the City's current service level standards.

SUMMARY OF REPORT

In addition to Section 1, this report has been subdivided into two (2) other sections. The following is a brief discussion of the remaining sections included in this report.

Section 2 – Service Area. This section of the report provides a general discussion of the residential land use characteristics. Also presented in this section is the forecast of the residential dwelling unit development that is necessary in the design of the impact fees for the municipal services.

Section 3 – Parks and Recreation Impact Fee. This section discusses the development of the proposed impact fee for parks and recreation service, including the capital requirements associated with providing such services, the methodology for the determination of the proposed fees, assumptions utilized in the design of the fees, and other factors associated with the fee determination.

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SERVICE AREA

SECTION 2

SERVICE AREA

GENERAL

This section provides a general discussion of the current service area, including population and housing statistics and other demographic information related to land use. Additionally, a discussion of the anticipated growth in population and associated growth in residential dwelling units is also contained in this section.

POPULATION AND DEVELOPMENT FORECAST

Regardless of the approach taken to formulate impact fees, it is necessary to develop a forecast of the population of the City in order to: i) have an appropriate planning horizon to ensure that capital improvement needs and costs are apportioned over a suitable growth segment; ii) link LOS requirements to the capital facility plan; and iii) identify any deficiencies in existing capital facilities related to the LOS standards and current population served.

As shown in Table 2-1 at the end of this section, the City's estimated total population as of 2016 was 47,695. Based on information provided by the City, it is estimated that the total population will approach approximately 80,286 residents by the year 2040. Thus, the population growth anticipated by the City is expected to be significant, approximately 2.2% on an average annual basis through the year 2040.

Historical and Projected Population and Dwelling Units			
			Average Persons
Year	Total Population	Total Dwelling Units	Per Occupied Dwelling Unit
2000 [1]	26,642	10,091	2.64
2010 [1]	41,542	15,707	2.64
2016	47,695	17,921	2.66
2040 [2]	80,826	30,167	2.66

[1] Amounts derived from the 2000 and 2010 Census.

[2] Amounts estimated based on information obtained from the University of Florida's Bureau of Economic and Business Research and discussions with the City's Planning Department.

To the extent the projections of future development materially changes, it would then be appropriate for the City to re-evaluate the impact fees developed in this report.

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Section 2
City of Apopka, Florida
Parks and Recreation Impact Fee Study

List of Tables

Table	Description
2-1	Population Detail and Housing Elements

Table 2-1
City of Apopka, Florida
Parks and Recreation Impact Fee Study

Population Detail and Housing Elements [1]

Line No.	Fiscal Year	Annual Average Rate	Projected Total Population	Total Residential Units	Average Pop. per Unit
1	2000		26,642	10,091	2.64
2	2010	4.54%	41,542	15,707	2.64
3	2014	2.40%	45,669	17,160	2.66
3	2016	2.19%	47,695	17,921	2.66
4	2020	2.19%	52,019	19,546	2.66
5	2025	2.19%	57,981	21,786	2.66
6	2040	2.19%	80,286	30,167	2.66

Footnotes

- [1] Based on the 2000 and 2010 U.S. Censuses and estimates for 2014 and 2040 as obtained from the University of Florida's Bureau of Economic and Business Research and Florida Housing Data Clearinghouse.



PARKS AND RECREATION IMPACT FEES

SECTION 3

PARKS AND RECREATION IMPACT FEES

GENERAL

This section provides a discussion of the development and design of the proposed impact fees for parks and recreational services. Included in this section is a discussion of adopted level of service ("LOS") standards, facility requirements, and related capital costs included as the basis for the fee determination, and the design of the fee to be applied to new growth within the City.

DEFINITION OF RECREATIONAL FACILITIES

The Florida Department of Environmental Protection ("FDEP") has identified seven classifications or categories of parks. The seven classifications are: i) Equipped play area and tot lot; ii) neighborhood park; iii) community park; iv) urban open space; v) urban-district park; vi) regional park; and vii) beach access site. There are specific site guidelines for the recreational classifications that are basically directed towards size, accessibility, and population requirements. The following is a discussion of selected site guidelines as identified by the FDEP:

Equipped Play Area and Tot Lot – These recreational areas generally consist of open areas with play apparatus for school age or preschool children. Usually, these areas range in size from one-quarter to one acre and serve neighborhoods of between 500 and 2,500 people. Recommended facilities include playground equipment, benches and picnic tables, landscaping and open space.

Neighborhood Park – These recreational areas generally consist of a variety of facilities designed for the specific needs of the neighborhood. This park is usually considered as a "walk-to" park where access is directed towards the local residents of the neighborhood. The park is usually designed to serve a radius of up to a half mile and has a size ranging from five to ten acres (i.e., approximately two acres per 1,000 people). Recommended facilities include playground equipment, recreational buildings, multipurpose courts, sports fields, picnic areas, and open space.

Community Park – These recreational areas are considered as "ride-to" parks and are located on major collector or arterial streets. This type of park is designed to serve the needs of four to six neighborhoods or generally a radius of up to three miles. It is recommended that this type of park be a minimum of twenty (20) acres based on a minimum standard of two (2) acres per 1,000 population. Just as the neighborhood park is designed to serve the needs of the neighborhood, a community park is designed to meet the needs of the surrounding community. Recommended facilities may include swimming pools, ball fields, tennis courts, playground equipment, multipurpose courts, recreation buildings, sports fields, and other associated equipment. The park should also include allowances for open space, adequate parking, and landscaping. The facilities included in the neighborhood park may also be included in a community park.

Urban Open Space – These areas are landscaped or natural open areas usually located within built-up areas and may serve a variety of population sizes based on the size of the open space.

The principal function of these areas is to provide a buffer to congested environments. Facilities for this type of park may include benches, commemorative structures, trails, and paths.

The foregoing recreational facilities may also be classified into two categories: resource-based and activity-based. Resource-based sites and facilities are defined as those centered around particular natural resources. These sites provide opportunities for activities such as picnics, hiking, water sports, fishing or just exploring nature. Activity-based recreational sites and facilities are defined as those developed for the enjoyment of particular commercial or non-commercial activities. These sites include facilities for basketball, baseball, football, soccer, golf, amusement parks, arcades, water parks, and senior citizen centers.

Historically, neighborhood parks and community parks have comprised most of the public recreational facilities within the City. The activities associated with these parks are provided in the form of an amphitheater, playgrounds, picnic areas, walking trails, tennis and basketball courts, soccer and baseball fields, and other athletic activities. Involvement within the City is further encouraged through community centers. The City's existing public recreational facilities provide diverse recreational opportunities for all residents.

LEVEL OF SERVICE STANDARDS

Since 1986, the City has maintained a LOS for recreational open space including a set of guidelines for recreational facilities. With respect to open space, and as referenced in the City's Comprehensive Plan, the City has adopted an LOS standard of three (3) acres per 1,000 residents. The City currently owns and maintains an extensive inventory of parks. The City currently has approximately 340 total acres (245.59 developed acres and 94.01 undeveloped acres) considered applicable toward its recreation space level of service. City owned facilities include Community Parks (220.00 developed acres and 94.01 undeveloped acres), Neighborhood Parks (11.84 developed acres), and Special Use Facilities (13.75 developed acres). Based on the current estimated population of 47,695, the City has a surplus of 102.51 acres (or 196.52 if including undeveloped acreage). The City's buildout population is currently estimated at 80,286 residents, which will require approximately 240.86 acres of open space.

Summary of Current LOS Surplus/(Deficiency)

Description	Fiscal Year 2016	Projected Fiscal Year 240
Estimated Total Population	47,695	80,286
Open Space LOS	3.0 Acres per 1,000 Population	3.0 Acres per 1,000 Population
Required Acres	143.08 Acres	240.86 Acres
Current Inventory (Developed)[*]	245.59 Acres	245.59 Acres
Current Surplus / (Deficiency)	102.51 Acres	4.73 Acres

[*] As shown on Table 3-1.

In addition to open space, the City's Comprehensive Plan also includes goals and objectives relating to recreational facilities. The Comprehensive Plan indicates under Section VI Recreation and Open Space Element the City's goal to make an effort to provide recreational facilities at the levels based on the guidelines published in the Florida's Statewide Comprehensive Outdoor Recreation Plan. It is assumed that the projects included in the capital plan, which served as the basis for the impact fees, were developed based on the objectives of the City's Comprehensive Plan regarding recreation facilities.

DESIGN OF PARKS AND RECREATION IMPACT FEE

A blend of the standards-driven and the improvements-driven methods was used to determine the Recreation impact fee. With this approach, the standards-driven method was used in determining the facilities required to provide the City's level of service standards for recreation. The improvements-driven method can be used to allocate these costs to the population served, which in this case are the number of households at buildout. When combined with the estimated cost of the existing facilities, the total capital investment in recreation facilities can be projected and allocated per household on a system-wide "buy-in" basis. It should be noted that in the development of the proposed impact fees, the total cost or capital investment in facilities is reduced by grants and other funding contributions. The following is a brief description of the three-step process used in this study:

- Development of Total Capital Need – Based on the City's cost of developing existing and future park facilities, and population projections, the total cost to serve the City's residents is developed.
- Development of Equivalent Impact Fee Units – This step develops the estimated number of equivalent impact fee units such that a specific rate can be developed. This municipal service is applicable only to the residential class and the equivalent unit is considered to be a resident dwelling unit.
- Calculation of Cost per Equivalent Impact Fee Unit – Once the total capital costs allocable to the future growth of the City and the per customer equivalent impact fee units were estimated, the cost per equivalent impact fee unit was calculated.

Parks and Recreation Impact Fee Assumptions

In the development of the recreation facility component of the recreation impact fees, several assumptions were required. The major assumptions used in the development of the impact fees are as follows:

1. The recreation impact fee was calculated using a blend of the standards-driven and improvements-driven methods. The standards-driven method was used in determining the recreation needs of the City and it was assumed that the projects detailed in the City's capital improvements plan incorporated the standards within the design of the various recreation facilities noted in the plan. The improvements-driven method refers to the allocation of the cost of these facilities to the projected growth in population through buildout.
2. The total cost of the existing recreation facilities, planned improvements to those facilities, and future parks is \$34,230,871 based on data provided by City staff as shown on Tables 3-2 and 3-3.
3. City staff has provided data indicating a total of \$2,254,392 in contributions from other sources, including grants and donations, which have been or are projected to be received

toward the funding of the City's recreation facilities. The contributions from other sources were included as a credit in the calculation of the recreation impact fee.

4. The fee per residential unit was based on the buildout population discussed in Section 2 by of 80,286 residents.

Parks and Recreation Impact Fee Calculation

Based on the above-referenced assumptions, the recreation facility impact fee as calculated on Table 3-4 was determined as follows:

Calculation of Parks and Recreation Impact Fee	
Description	Amount
Projected Population in 2040	80,286
Estimated Current Population	47,695
Projected Remaining Growth in Population through 2040	32,591
Projected Remaining Growth in Population through 2040	32,591
Estimated Persons Per Residential Unit	2.66
Projected Remaining Growth in Residential Units through 2040	12,246
Projected Population in 2040	80,286
Estimated Persons Per Residential Unit	2.66
Projected Residential Units in 2040	30,167
Projected Remaining Growth in Residential Units through 2040	12,246
Projected Residential Units in 2040	30,167
Percentage of Cost of Facilities Attributable to Growth	40.59%
Total Cost of Recreation Facilities	\$34,230,871
Total Contributions From Other Sources	(2,254,392)
Total Cost After Contributions from Other Sources	\$31,976,479
Total Cost After Contributions from Other Sources	\$31,976,479
Percentage of Cost of Facilities Attributable to Growth	40.59%
Cost of Facilities Allocated to Growth	\$12,980,579
Cost of Facilities Allocated to Growth	\$12,980,579
Projected Remaining Growth in Residential Units through 2040	12,246
Average Cost of Recreational Facilities Per Residential Unit	\$1,060.00

IMPACT FEE COMPARISONS

In order to provide the City additional information about the proposed impact fees, a comparison of the proposed fees for the City and those charged by other jurisdictions was prepared. Table 3-5 at the end of this report summarizes the impact fees for recreational services charged by other communities with the proposed rates of the City. Please note that each community may establish a different LOS standard to meet its demographic needs for recreation facilities and activities. The City can anticipate variances between other communities.

Section 3
City of Apopka, Florida
Parks and Recreation Impact Fee Study

List of Tables

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3-5	Parks and Recreation Impact Fee Comparison

Table 3-1
City of Apopka, Florida
Parks and Recreation Impact Fee Study

Inventory of City Parks and Recreational Facilities [1]

Line No.	Facility Classification	Acres	Activity	Facilities
1	Special Use Facilities	33.08		
2	Museum of the Apopkans	0.62	Active	Museum with Artifacts
3	Connelly Property [2]	2.70	N/A	Open Space
4	Apopka Community Center	1.72	Active	Main Room
5				Private Meeting Room
6				Full Commercial Kitchen
7				Restrooms
8				On and Off Site Parking
9				Audio / Visual Equipment
10				Dance Floor
11				Stage
12	Highland Manor	11.41	Active	Open Space / Wedding Venue / Ballroom
13	McBride Estate [2]	16.63	N/A	Open Space
14	Community Parks	220.00		
15	Apopka Athletic Complex	13.72	Active	Soccer Fields
16				Softball Fields
17				Concession Stand
18				Operations Building
19	Doctors Dog Park	5.12	Passive	Park Benches
20				Water Fountains
21				Pet Shower
22				Pet Memorial Bridge
23	Edwards Field / Kit Land Nelson Park	13.86	Active	Picnic Area
24				Gazebo
25				Tennis Courts
26				Racquetball Courts
27				Playground
28				Multi-purpose Fields
29				Overflow Parking for Fran Carlton Center
30				Historical Grandstand
31				Open Grassy Area
32	Northwest Recreation Complex	182.70	Active	Soccer Fields
33				Softball Fields
34				Baseball Fields
35				Multi-purpose Fields
36				Sand Volleyball Courts
37				Outdoor Basketball Courts
38				Tennis Courts
39				Walking Trail
40				Amphitheater
41				Playground
42				Concession Stands

Table 3-1
City of Apopka, Florida
Parks and Recreation Impact Fee Study

Inventory of City Parks and Recreational Facilities [1]

Line No.	Facility Classification	Acres	Activity	Facilities
43				Lightning Protection System
44	Fran Carlton Center	4.60	Active	Community Center
45				Lightning Protection System
46	Neighborhood Parks	11.84		
47	Alonzo Williams Park	3.23	Active	Neighborhood Community Center
48				Outdoor Basketball Courts
49				Multi-purpose Fields
50				Playground
51				Lightning Protection System
52	Dream Lake Park	1.46	Passive	Lakefront Picnic Area
53				Picnic Tables
54				Shoreline Access
55	Lake Avenue Park	1.15	Active	Open Space
56				Picnic Area
57	Former Little League Site	6.00	Active	Baseball Fields
58				Concession Stand
59				Building with Offices
<u>Summary</u>				
60	Special Use Facilities	33.08		
61	Community Parks	220.00		
62	Neighborhood Parks	11.84		
63	Adjustments for Facilities Not for Public Use	(19.33)		
64	Total	245.59		

Footnotes

[1] Inventory as provided by the City and in service as of September 30, 2015.

[2] The facility is currently not designated for public use and, based on discussions with City staff, will be taken out of the City inventory.

Table 3-2
City of Apopka, Florida
Parks and Recreation Impact Fee Study

Summary of Existing City Investments in Parks and Recreation

No.	Description	Acquisition Cost	Asset Category	Asset Category Allocated Amounts					Total
				Land	Facility	Activity	Equipment	Excluded	
Fixed Assets									
Land									
1	Land, Edward Field	\$20,003	Land	\$20,003	\$0	\$0	\$0	\$0	\$20,003
2	Land, Williams Park	16,790	Land	16,790	0	0	0	0	16,790
3	Land, Williams Park	14,107	Land	14,107	0	0	0	0	14,107
4	Land, Apopka Athletic Complex	82,609	Land	82,609	0	0	0	0	82,609
5	Land, High School Athletic Complex	245,859	Land	245,859	0	0	0	0	245,859
6	Land Improvements	14,358	Land	14,358	0	0	0	0	14,358
7	Land, Collins Property	60,000	Land	60,000	0	0	0	0	60,000
8	Land, Dream Lake Park	7,000	Land	7,000	0	0	0	0	7,000
9	Land, Lake Avenue Park	32,000	Land	32,000	0	0	0	0	32,000
10	Land, Museum of the Apopkans	24,600	Land	24,600	0	0	0	0	24,600
11	Land, Connelly Property	190,000	Land	190,000	0	0	0	0	190,000
12	Land, Highland Manor	2,028,063	Land	2,028,063	0	0	0	0	2,028,063
13	Land, McBride Estate	100,000	Land	100,000	0	0	0	0	100,000
14	Land Total	\$2,835,389		\$2,835,389	\$0	\$0	\$0	\$0	\$2,835,389
Buildings									
15	Racquet Ball Court Improvements	\$7,000	Facility	\$0	\$7,000	\$0	\$0	\$0	\$7,000
16	Water Cooler	950	Facility	0	950	0	0	0	950
17	Recreation Building	7,980	Facility	0	7,980	0	0	0	7,980
18	Building	52,372	Facility	0	52,372	0	0	0	52,372
19	Building	417,968	Facility	0	417,968	0	0	0	417,968
20	Tiles & Installation	3,720	Facility	0	3,720	0	0	0	3,720
21	Apopka Athletic Complex	190,750	Facility	0	190,750	0	0	0	190,750
22	Museum of the Apopkans	4,250,000	Facility	0	4,250,000	0	0	0	4,250,000
23	Connelly Property	162,141	Facility	0	162,141	0	0	0	162,141
24	Apopka Community Center	2,017,928	Facility	0	2,017,928	0	0	0	2,017,928
25	Highland Manor	2,840,657	Facility	0	2,840,657	0	0	0	2,840,657
26	McBride Estate	58,251	Facility	0	58,251	0	0	0	58,251
27	Building Total	\$10,009,716		\$0	\$10,009,716	\$0	\$0	\$0	\$10,009,716
Infrastructure									
28	Roof Patio	\$6,215	Activity	\$0	\$0	\$6,215	\$0	\$0	\$6,215
29	Roof Overhang, Rec Center	2,200	Activity	0	0	2,200	0	0	2,200
30	Bathroom Improvement (Ada)	4,031	Activity	0	0	4,031	0	0	4,031
31	Tennis Court	11,949	Activity	0	0	11,949	0	0	11,949
32	Sidewalk	6,155	Activity	0	0	6,155	0	0	6,155
33	Nw Parking Lot Modifications	7,985	Activity	0	0	7,985	0	0	7,985
34	Sidewalks	11,572	Activity	0	0	11,572	0	0	11,572
35	Grading - Softball Fields	1,500	Activity	0	0	1,500	0	0	1,500
36	Edwards Field Improvements	18,067	Activity	0	0	18,067	0	0	18,067
37	Dugouts	2,000	Activity	0	0	2,000	0	0	2,000
38	Lighting For Basketball	2,000	Activity	0	0	2,000	0	0	2,000
39	Shuffleboard Courts (2) (Not in service / excluded from fee)	1,871	Excluded	0	0	0	0	1,871	1,871
40	Edwards Field Improvements	4,600	Activity	0	0	4,600	0	0	4,600
41	Fence & Installation	4,650	Activity	0	0	4,650	0	0	4,650
42	Resurface Basketball Courts	3,325	Activity	0	0	3,325	0	0	3,325
43	Playground Equipment	19,015	Activity	0	0	19,015	0	0	19,015
44	Playground Equipment	24,455	Activity	0	0	24,455	0	0	24,455
45	Mulch & Rr Ties	1,215	Activity	0	0	1,215	0	0	1,215
46	Mulch & Rr Ties	1,215	Activity	0	0	1,215	0	0	1,215
47	Trees	1,240	Activity	0	0	1,240	0	0	1,240
48	Fence	2,251	Activity	0	0	2,251	0	0	2,251
49	Lighting	57,691	Activity	0	0	57,691	0	0	57,691
50	Williams Park Improvements	25,442	Activity	0	0	25,442	0	0	25,442
51	Volleyball Court Lights	15,220	Activity	0	0	15,220	0	0	15,220
52	Benches - Dugouts	4,512	Activity	0	0	4,512	0	0	4,512
53	Irrigation System	9,713	Activity	0	0	9,713	0	0	9,713
54	Fence, Chain Link	4,390	Activity	0	0	4,390	0	0	4,390
55	Lighting	7,851	Activity	0	0	7,851	0	0	7,851
56	Softball Field	5,149	Activity	0	0	5,149	0	0	5,149
57	Resurface Basketball Court	2,797	Activity	0	0	2,797	0	0	2,797
58	Fence, Chain Link	23,417	Activity	0	0	23,417	0	0	23,417
59	Lighting	106,437	Activity	0	0	106,437	0	0	106,437
60	Irrigation System	28,941	Activity	0	0	28,941	0	0	28,941
61	Soccer Field Improvements	6,735	Activity	0	0	6,735	0	0	6,735
62	Fence, Chain Link	1,708	Activity	0	0	1,708	0	0	1,708
63	Playground Construction	3,861	Activity	0	0	3,861	0	0	3,861
64	Sidewalks/Landscape @ Buckhan Pond	12,432	Activity	0	0	12,432	0	0	12,432
65	Playground	26,496	Activity	0	0	26,496	0	0	26,496
66	Septic Tank System	2,200	Activity	0	0	2,200	0	0	2,200
67	Fence, Chain Link	9,000	Activity	0	0	9,000	0	0	9,000
68	Dog Park Structures	40,217	Activity	0	0	40,217	0	0	40,217
69	Nw Parking Lot & Ballfields	6,943,840	Activity	0	0	6,943,840	0	0	6,943,840
70	Amphitheater	2,283,533	Activity	0	0	2,283,533	0	0	2,283,533
71	Roadway Extension	27,668	Activity	0	0	27,668	0	0	27,668
72	Comdial 1024 Key Service	1,966	Activity	0	0	1,966	0	0	1,966
73	Comdial 1024 Key Service	1,445	Activity	0	0	1,445	0	0	1,445
74	Recreation Facility, Ponkan	350,000	Activity	0	0	350,000	0	0	350,000
75	Nw Recreation Facility	2,306,913	Activity	0	0	2,306,913	0	0	2,306,913
76	Sign, Three Colors	1,536	Activity	0	0	1,536	0	0	1,536

Table 3-2
City of Apopka, Florida
Parks and Recreation Impact Fee Study

Summary of Existing City Investments in Parks and Recreation

Line No.	Description	Acquisition Cost	Asset Category	Asset Category Allocated Amounts					Total
				Land	Facility	Activity	Equipment	Excluded	
77	Dog Park Equipment	18,676	Activity	0	0	18,676	0	0	18,676
78	Soccer Goals	2,299	Activity	0	0	2,299	0	0	2,299
79	Soccer Goals	4,355	Activity	0	0	4,355	0	0	4,355
80	Soccer Goal	1,044	Activity	0	0	1,044	0	0	1,044
81	Pitching Mound	1,208	Activity	0	0	1,208	0	0	1,208
82	Pitching Mound	1,208	Activity	0	0	1,208	0	0	1,208
83	Jolly St Nick Display	6,015	Activity	0	0	6,015	0	0	6,015
84	Fence, Chain-Link W/ 3 20' Gates	30,697	Activity	0	0	30,697	0	0	30,697
85	Pavillions (3)	24,935	Activity	0	0	24,935	0	0	24,935
86	Baseball Scoreboard	1,882	Activity	0	0	1,882	0	0	1,882
87	Amphitheater Irrigation	1,241	Activity	0	0	1,241	0	0	1,241
88	Bleachers	1,595	Activity	0	0	1,595	0	0	1,595
89	Bleachers	1,175	Activity	0	0	1,175	0	0	1,175
90	Playground	27,576	Activity	0	0	27,576	0	0	27,576
91	Bleachers	2,571	Activity	0	0	2,571	0	0	2,571
92	Boldr-Trainr Bend Unit	37,083	Activity	0	0	37,083	0	0	37,083
93	Play Booster	46,904	Activity	0	0	46,904	0	0	46,904
94	Play Shaper	28,897	Activity	0	0	28,897	0	0	28,897
95	Soccer Goals	920	Activity	0	0	920	0	0	920
96	Soccer Goals	920	Activity	0	0	920	0	0	920
97	Soccer Goals	1,220	Activity	0	0	1,220	0	0	1,220
98	Soccer Goals	1,194	Activity	0	0	1,194	0	0	1,194
99	Bleachers	825	Activity	0	0	825	0	0	825
100	Drainage - Contributed	5,495	Activity	0	0	5,495	0	0	5,495
101	Infrastructure Total	\$12,698,554		\$0	\$0	\$12,696,683	\$0	\$1,871	\$12,698,554
Machinery & Equipment									
102	Sound System	\$8,171	Equipment	\$0	\$0	\$0	\$8,171	\$0	\$8,171
103	Sound System	2,340	Equipment	0	0	0	2,340	0	2,340
104	Field Striper	38,350	Equipment	0	0	0	38,350	0	38,350
105	Ice Machine	2,936	Equipment	0	0	0	2,936	0	2,936
106	Edger	1,700	Equipment	0	0	0	1,700	0	1,700
107	Vibratory Plate (Tamper)	1,522	Equipment	0	0	0	1,522	0	1,522
108	Field Lining Machine	1,750	Equipment	0	0	0	1,750	0	1,750
109	Field Lining Machine	1,750	Equipment	0	0	0	1,750	0	1,750
110	Furniture	4,206	Equipment	0	0	0	4,206	0	4,206
111	Room Dividers	11,033	Equipment	0	0	0	11,033	0	11,033
112	Portable Stage	5,800	Equipment	0	0	0	5,800	0	5,800
113	Portable Stage	4,858	Equipment	0	0	0	4,858	0	4,858
114	Portable Radio	909	Equipment	0	0	0	909	0	909
115	Portable Radio	909	Equipment	0	0	0	909	0	909
116	Portable Radio	1,500	Equipment	0	0	0	1,500	0	1,500
117	Router	1,300	Equipment	0	0	0	1,300	0	1,300
118	Router	1,300	Equipment	0	0	0	1,300	0	1,300
119	Floor Buffer	1,117	Equipment	0	0	0	1,117	0	1,117
120	Air Handlers	11,433	Equipment	0	0	0	11,433	0	11,433
121	Lightning Detection System	4,282	Equipment	0	0	0	4,282	0	4,282
122	Pressure Washer	14,024	Equipment	0	0	0	14,024	0	14,024
123	Radar Gun / Led Display	2,474	Equipment	0	0	0	2,474	0	2,474
124	Projector	2,475	Equipment	0	0	0	2,475	0	2,475
125	Air Conditioner For Bus	4,654	Equipment	0	0	0	4,654	0	4,654
126	Phone System Switch	1,070	Equipment	0	0	0	1,070	0	1,070
127	Audio Portable System	1,135	Equipment	0	0	0	1,135	0	1,135
128	Phone System Switch	810	Equipment	0	0	0	810	0	810
129	Phone Systm Switch	1,575	Equipment	0	0	0	1,575	0	1,575
130	Heat Pump	2,760	Equipment	0	0	0	2,760	0	2,760
131	Water Fountain	1,115	Equipment	0	0	0	1,115	0	1,115
132	Condensor, Straight Cool	1,255	Equipment	0	0	0	1,255	0	1,255
133	Condensing Unit	1,775	Equipment	0	0	0	1,775	0	1,775
134	Playground Equipment	20,943	Equipment	0	0	0	20,943	0	20,943
135	Air Handling Unit	1,492	Equipment	0	0	0	1,492	0	1,492
136	Air Handling Unit	1,492	Equipment	0	0	0	1,492	0	1,492
137	Refrigerator	1,100	Equipment	0	0	0	1,100	0	1,100
138	Air Conditioner System	8,425	Equipment	0	0	0	8,425	0	8,425
124	Lightning Detectors	11,826	Equipment	0	0	0	11,826	0	11,826
85	Lightning Detectors	19,589	Equipment	0	0	0	19,589	0	19,589
139	Software, Activity Registration	2,841	Equipment	0	0	0	2,841	0	2,841
140	Software, League Schedule	2,741	Equipment	0	0	0	2,741	0	2,741
141	Software, Family Reservation	2,841	Equipment	0	0	0	2,841	0	2,841
142	Computer	3,489	Equipment	0	0	0	3,489	0	3,489
143	Smart-Jack Data Outlets	1,125	Equipment	0	0	0	1,125	0	1,125
144	Computer Bridge	646	Equipment	0	0	0	646	0	646
145	Computer Upgrade	412	Equipment	0	0	0	412	0	412
146	Card, Ethernet 100	236	Equipment	0	0	0	236	0	236
147	Computer	1,746	Equipment	0	0	0	1,746	0	1,746
148	Computer W/ Printer	832	Equipment	0	0	0	832	0	832
149	Computer Work Station	1,149	Equipment	0	0	0	1,149	0	1,149
150	Computer	1,389	Equipment	0	0	0	1,389	0	1,389
151	Computer	0	Equipment	0	0	0	0	0	0
152	Software Upgrade	3,990	Equipment	0	0	0	3,990	0	3,990
153	T-1 Trunk Card	765	Equipment	0	0	0	765	0	765
154	Cash Register	849	Equipment	0	0	0	849	0	849
155	Cash Resigter	849	Equipment	0	0	0	849	0	849

Table 3-2
City of Apopka, Florida
Parks and Recreation Impact Fee Study

Summary of Existing City Investments in Parks and Recreation

Line No.	Description	Acquisition Cost	Asset Category	Asset Category Allocated Amounts					Total
				Land	Facility	Activity	Equipment	Excluded	
156	Cash Register / Point Of Sale System	4,055	Equipment	0	0	0	4,055	0	4,055
157	Cash Register / Pos Syste,	6,522	Equipment	0	0	0	6,522	0	6,522
158	Cash Register / Point Of Sale System	3,950	Equipment	0	0	0	3,950	0	3,950
159	Copier, 10 Bin Sorter	2,797	Equipment	0	0	0	2,797	0	2,797
160	Copier	6,375	Equipment	0	0	0	6,375	0	6,375
161	Vehicle - Van	16,359	Excluded	0	0	0	0	16,359	16,359
162	Vehicle - Sedan	14,749	Equipment	0	0	0	14,749	0	14,749
163	Vehicle - Sedan	16,205	Equipment	0	0	0	16,205	0	16,205
164	Golf Cart	5,400	Equipment	0	0	0	5,400	0	5,400
165	Golf Cart	5,400	Equipment	0	0	0	5,400	0	5,400
166	Vehicle - Econoline Van	24,616	Equipment	0	0	0	24,616	0	24,616
167	Vehicle - Golf Cart	6,138	Equipment	0	0	0	6,138	0	6,138
168	Vehicle - Bus	43,674	Equipment	0	0	0	43,674	0	43,674
169	Vehicle - Bus	10,000	Equipment	0	0	0	10,000	0	10,000
170	Vehicle - Truck	14,060	Equipment	0	0	0	14,060	0	14,060
171	Vehicle - Bus, 44 Passenger	26,000	Equipment	0	0	0	26,000	0	26,000
172	Vehicle - Truck	14,864	Equipment	0	0	0	14,864	0	14,864
173	Vehicle - Van	20,715	Equipment	0	0	0	20,715	0	20,715
174	Field Groomer	9,490	Equipment	0	0	0	9,490	0	9,490
175	Mower, 15 1/2 Foot Tri Deck	8,100	Equipment	0	0	0	8,100	0	8,100
176	Utility Vehicle	22,965	Equipment	0	0	0	22,965	0	22,965
177	Turf Mower	42,959	Equipment	0	0	0	42,959	0	42,959
178	Deck Mower	12,061	Equipment	0	0	0	12,061	0	12,061
179	Unility Vehicle	4,950	Equipment	0	0	0	4,950	0	4,950
180	Blower, Walk-Behind	1,124	Equipment	0	0	0	1,124	0	1,124
181	Utility Vehicle	4,919	Equipment	0	0	0	4,919	0	4,919
182	Utility Vehicle	6,269	Equipment	0	0	0	6,269	0	6,269
183	Utility Vehicle	17,711	Equipment	0	0	0	17,711	0	17,711
184	Machinery & Equipment Total	\$605,483		\$0	\$0	\$0	\$589,124	\$16,359	\$605,483
185	PARKS AND RECREATION TOTAL	\$26,149,141		\$2,835,389	\$10,009,716	\$12,696,683	\$589,124	\$18,230	\$26,149,141

Footnotes

[1] Inventory as provided by the City and in service as of September 30, 2015.

Table 3-3
City of Apopka, Florida
Parks and Recreation Impact Fee Study

Summary of Capital Projects to Improve and Expand Recreation Services

Line No.	Description	Project Cost [1]	Project Classification	Project Amount Includable in Fee
<u>7-Year Parks and Recreation CIP</u>				
1	Ford Focus Replacement	\$20,000	R&R	\$0
2	F-150 Truck Replacement	35,000	R&R	0
3	Small Bus Replacement	60,000	R&R	0
4	Northwest Concession, Bathroom, Sidewalks	300,000	New	300,000
5	Parking Lot - Little League Fields	510,000	New	510,000
6	Picnic Pavillions	300,000	New	300,000
7	Ball Field Renovations - NW	150,000	R&R	0
8	Fitness Equipment - Kit Land Nelson Park	33,460	New	33,460
9	Bleachers Covers Over Quad 3	60,000	New	60,000
10	Tennis Court Resurfacing - NW	50,000	R&R	0
11	Basketball Resurfacing - NW	50,000	R&R	0
12	Playground w/ Pavillion, Shad Structure - Lake Ave Park	350,000	New	350,000
13	Old Little League Fields New Park Construction [3]	400,000	New	400,000
14	Scoreboards for Quad	60,000	New	60,000
15	New Ball Fields (Soccer, Baseball, etc.)	2,200,000	New	2,200,000
16	Recreation Splash Pad at NWRC	400,000	New	400,000
17	Skate Park	300,000	New	300,000
18	Playground at Apopka Athletic Complex	75,000	New	75,000
19	Splash Pad w/ Restrooms - Kit Land Nelson Park	750,000	New	750,000
20	Parking Lot - NW	2,297,000	New	2,297,000
21	Alonzo Williams Park Renovations [3]	28,000	R&R	0
22	Alonzo Williams New Park Construction [3]	22,000	New	22,000
23	Kit Land Nelson Park Renovations [3]	3,700	R&R	0
24	Kit Land Nelson New Park Construcitions [3]	42,500	New	42,500
25	AAC Renovations [3]	200,000	R&R	0
26	Gymnasium / Aquatic Center [4]	20,000,000	New	0
27	Additional CIP Needs	\$0	R&R	0
28	Total Capital Improvements	<u>\$28,696,660</u>		<u>\$8,099,960</u>

Footnotes:

- [1] Amounts provided by City staff, which represent improvements and upgrades to existing facilities and construction of new facilities which will serve existing and future residents of the City.
- [2] Amount based on the City's estimated build-out population as discussed in Section 2 of this report.
- [3] Project amounts are anticipated to be funded or partially funded by grants provided by the Florida Recreation Development Assistance Program (FRDAP)
- [4] The City may incur a General Obligation debt to fund the project (if approved) and the debt payments will be paid from property tax revenues.

Table 3-4
City of Apopka, Florida
Parks and Recreation Impact Fee Study

Design of Parks and Recreation Impact Fee

Line No.	Description	Total Amount
<u>Development of Cost of Recreation Assets</u>		
1	Cost of Existing Land, Facilities and Activity Related Assets [1]	\$26,130,911
2	Cost of Future Land, Facilities and Activity Related Assets [2]	8,099,960
3	Total Cost of Recreation Assets	<u>\$34,230,871</u>
4	Total Cost of Recreation Assets	\$34,230,871
5	Less Estimated Contributions, Prior Grant Funded Facilities, and Non Public Usage [3]	(\$1,126,105)
6	Less Projected CIP Grants [3]	(505,760)
7	Less Gas Tax Funded Assets [3]	(40,845)
8	Less Street Impact Fee Funded Assets [3]	(581,682)
9	Net Cost of Recreation Assets	<u>\$31,976,479</u>
10	Projected Residential Units in 2040 [4]	30,167
11	Estimated Current Residential Units [4]	17,921
12	Projected Remaining Growth in Residential Units Through 2040	<u>12,246</u>
13	Percentage of Cost of Assets Allocable to Growth	40.59%
14	Net Cost of Recreation Assets	\$31,976,479
15	Percentage of Cost of Assets Allocable to Growth	40.59%
16	Cost of Facilities Allocable to Growth	<u>\$12,980,579</u>
<u>Impact Fee Calculation</u>		
17	Cost of Facilities Allocable to Growth	\$12,980,579
18	Projected Remaining Growth in Population Through 2040	12,246
19	Average Cost of Facilities Per Residential Unit	<u><u>\$1,060.00</u></u>

Footnotes:

[1] Amounts shown based on information obtained from City Staff as shown on Table 3-2.

[2] Amounts shown based on information obtained from City Staff as shown on Table 3-3.

[3] Grants, Contributions and Other Funding source amounts based on information provided by City Staff.

[4] Residential Unit amounts and projections based on amounts as shown on Table 2-1.

Table 3-5
City of Apopka, Florida
Parks and Recreation Impact Fee Study

Parks and Recreation Services Impact Fee Comparison [1]

Line No.	Description	Residential		
		Single Family	Multi-Family	Mobile Home
City of Apopka [2]				
1	Existing	\$241.05	\$241.05	\$241.05
2	Proposed	1,060.00	1,060.00	1,060.00
Other Neighboring Cities:				
3	City of Clermont	\$2,097.00	\$2,097.00	\$2,097.00
4	City of Edgewater	612.11	434.92	451.03
5	City of Eustis	599.27	428.38	390.93
6	City of Kissimmee	1,200.00	985.29	867.06
7	City of Lakeland	3,299.00	2,484.00	1,537.00
8	City of Lake Mary	335.00	335.00	335.00
9	City of Lake Wales	996.00	874.12	N/A
10	City of Leesburg	358.00	358.00	358.00
11	City of Minneola	410.00	307.00	N/A
12	City of Mount Dora	2,814.64	1,412.45	N/A
13	City of Ocoee	1,560.00	1,560.00	1,560.00
14	City of St. Cloud	1,362.00	1,093.00	N/A
15	City of Tavares	439.99	335.68	221.89
16	City of Winter Garden	1,300.00	1,159.00	874.00
17	City of Winter Haven	1,010.68	N/A	N/A
18	City of Winter Park	2,000.00	2,000.00	2,000.00
19	Other Florida Governmental Agencies' Average	\$1,274.61	\$1,057.59	\$971.99

Footnotes:

- [1] Unless otherwise noted, amounts shown reflect impact fees in effect August 2016. This comparison is intended to show comparable charges for similar service for comparison purposes only and is not intended to be a complete listing of all rates and charges offered by each listed municipality.
- [2] Amounts shown assume single family homes with three bedrooms, multi-family dwelling with two bedrooms, and mobile homes with two bedrooms.



City of Apopka CITY COUNCIL STAFF REPORT

Section: BUSINESS (Action Item)

Item #: 4.

Meeting Date: August 6, 2025

Department: Administration

SUBJECT:

Proposed Mountain Bike Park Project

ACTION ITEM INFORMATION:

Provide direction to staff to proceed with the planning of the proposed mountain bike park and associated property appraisals.

REQUEST:

Provide direction to staff to proceed with the planning of the proposed mountain bike park and associated property appraisals.

SUMMARY:

The Parks and Recreation Department and Community Development Department have been working together on a possible mountain bike park located on City property acquired from Orange County at 1102 Ocoee Apopka Road. The property is 14.6 +/- acres and provides topography and natural elements conducive to development into a mountain bike park.

In addition to the 14.6 +/- acre of City-owned property, there is a 12.2 +/- acre parcel owned by The Ridge Self-Storage, LLC. Staff have met with representatives of The Ridge Self-Storage, LLC, who are also part of Apopka Centerline Development LLC (The Ridge) which is to the west of the City's parcel. Adding this parcel would increase the park size to 26.8 +/- acres. In addition, Apopka Centerline Development LLC (The Ridge) has indicated an interest in working with the City to provide additional acreage to the west of the park which would bring the total park acreage up to approximately 38.1 +/- acres. A park this size would create a regional attraction and bring a new park amenity to the Apopka community.

To accomplish this, staff propose conducting property appraisals of The Ridge Self-Storage, LLC property and the City property on Harmon Road (2139 HARMON RD) to determine appraised property values in an effort to prepare a recommendation for either a land swap or property acquisition. The project history to date is provided below:

Project History

- City Acquired Property located at 1102 Ocoee Apopka Road (14.6 +/- acres) from Orange County
- Presentation to City Council at 2/5/25 regular meeting highlighting concept plan
- Possible land swap discussion at 7/2/25 City Council meeting; further discussion planned for Budget Workshops
- Further discussion at 7/7/25 FY26 Budget Workshop – Council requested information on FLU and Zoning

FUNDING SOURCE:

RECOMMENDED MOTION:

Provide direction to staff to proceed with the planning of the proposed mountain bike park and associated property appraisals.

ATTACHMENTS:

1. Presentation - Mountain Bike Park 2025-08-06



Proposed Mountain Bike Park

Project History

City Acquired Property located at 1102 Ocoee Apopka Road (14.6 +/- acres) from Orange County

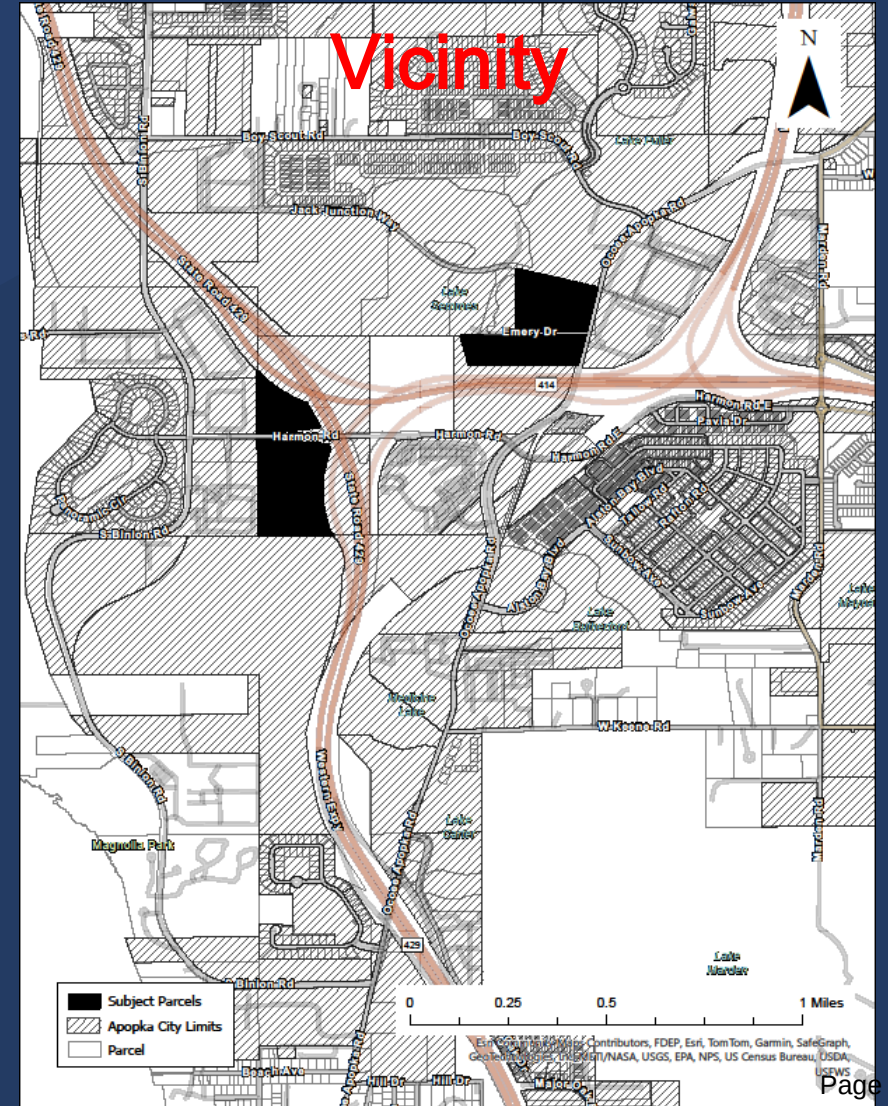
Presentation to City Council at 2/5/25 regular meeting highlighting concept plan

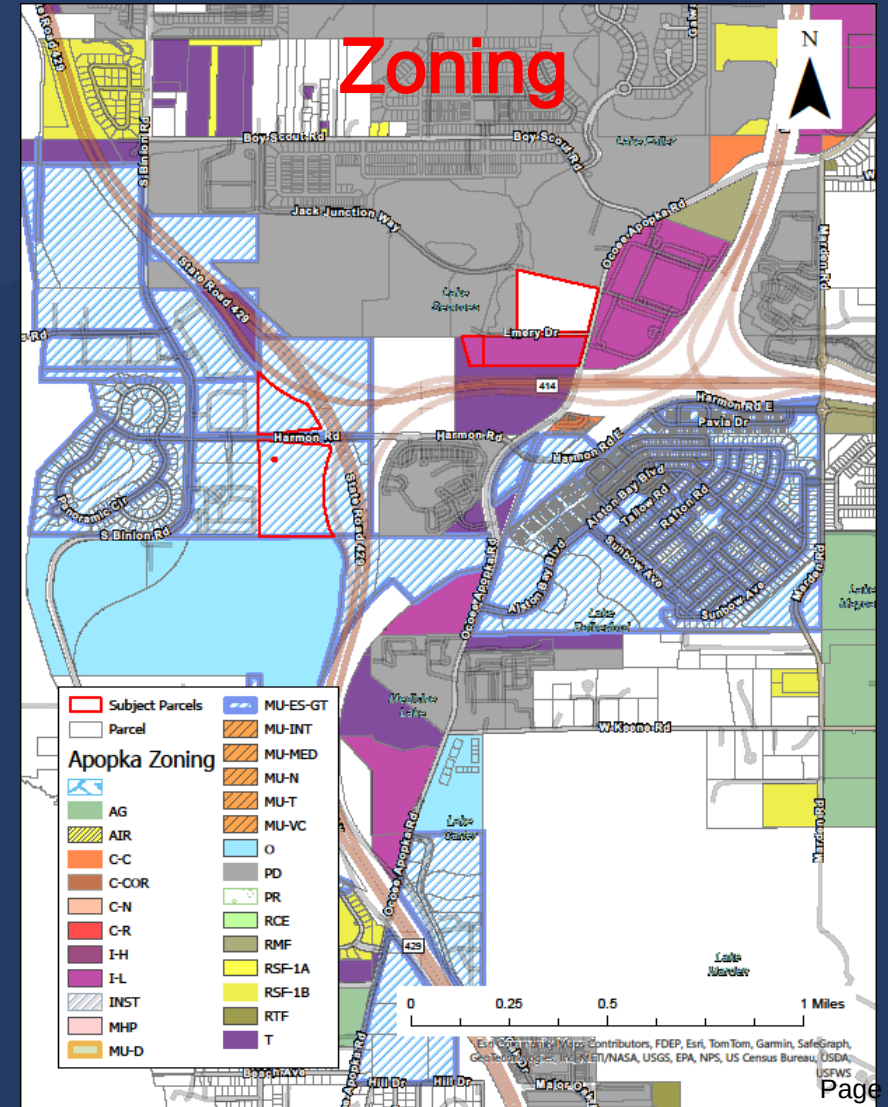
Possible land swap discussion at 7/2/25 City Council meeting; further discussion planned for Budget Workshops

Further discussion at 7/7/25 FY26 Budget Workshop – Council requested information on FLU and Zoning



Proposed Mountain Bike Park







Proposed Mountain Bike Park

Proposed Project Details

Growing Support

- Southern Off -Road Bicycle Association (SORBA) interested in supporting project
- Apopka Centerline Development LLC (The Ridge) interested in supporting project
- Recreation Impact Fees available for development and construction of a new park and recreation amenity
 - FY26 budget proposal includes \$500,000 for mountain bike park development

Project Benefits

- Develops a piece of City -owned land into a useful natural recreational facility
- Southern portion of the City has been identified as needing additional park acreage
- Closest comparable facility – Mt. Dora at 33.4 +/- acres
- Has the size, with the addition of The Ridge Self -Storage, LLC property to be a large regional park, which has the potential to attract not only local Apopka residents, but also visitors from across the central Florida area and state.
- The Ridge Self-Storage LLC is zoned light industrial and has many industrial uses permitted by right.



Proposed Mountain Bike Park

Proposed Next Steps

Proceed with appraisals to determine viability of land swap or acquisition

- The Ridge Self-Storage, LLC parcel
- City Harmon Road parcel at 2139 Harmon Road

Staff develop

- Memorandum of Understanding with SORBA for execution in October 2025
- Obtain site design quote from Newkirk Engineering (FY26)
- Execute land swap or acquisition of The Ridge Self-Storage, LLC parcel

Proposed Mountain Bike Park





City of Apopka CITY COUNCIL STAFF REPORT

Section: PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

Item #: 1.

Meeting Date: August 6, 2025

Department: Community Development

SUBJECT:

Ordinance No. 3113 - Second Reading - Annexation - Paulucci Acres

ACTION ITEM INFORMATION:

Owner(s): Paulucci Acres, LLC

Applicant(s): Daniel O'Keefe, Shutts & Bowen, LLP

Location: East side of Vick Road, approximately 1/4 mile north of the intersection of Vick Road and W. Lester Road

Project: Annexation

Acreage: 39.8

Density: N/A (only annexation of property)

Proposed Development: Single-family residential and townhome units

Project Manager: Bobby Howell, AICP

REQUEST:

Adopt Ordinance Number 3113.

SUMMARY:

Direction	Future Land Use	Zoning	Present Use
North	Residential Low	RSF-1A (Residential Single-Family Estate)	Vacant
East	County LD	County R-1AA	Residential
South	County LD, City Agriculture	City AG (Agriculture), City RSF-1B (Residential Single-Family, Large Lot), County A-1	Residential, Agriculture
West	Institutional - Public Use, Low Density Residential	RCE (Residential Country Estate), O (Office)	Vacant, retention pond

The applicant is requesting to annex approximately 39.8 acres of property that is located on the east side of Vick Road, approximately 1/4 of a mile north of the intersection of Vick Road and W. Lester Road. The subject property is contiguous to the City Limits and is eligible for annexation pursuant to Florida Statute 171.044. The proposed annexation shall be based on the existing County Future Land Use and Zoning Designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date and through action by the City Council. The applicant intends to amend its Future Land Use to a Residential Low Suburban (RLS) and Change of Zoning to Planned Development (PD). In order to not create an enclave the applicant is lessing and excepting property. Orange County does not have any objection to this.

ORANGE COUNTY NOTIFICATION:

The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on June 3, 2025.

PUBLIC HEARING SCHEDULE:

July 16, 2025 – City Council (7:00 pm) – First Reading

August 6, 2025 – City Council (1:30 pm) – Second Reading and Adoption

DULY ADVERTISED:

June 27, 2025 – Apopka Chief

July 4, 2025 – Apopka Chief

FUNDING SOURCE:

N/A

RECOMMENDED MOTION:

Development Review Committee: Recommends approval of the annexation for property located at East side of Vick Road, approximately 1/4 mile north of the intersection of Vick Road and W. Lester Road.

City Council: At the July 16, 2025 meeting, the City Council unanimously accepted the first reading of Ordinance Number 3113, and held it over for second reading and adoption.

City Council – Recommended motion: Adopt Ordinance No. 3113.

ATTACHMENTS:

1. Ordinance Number 3113
2. Map series
3. Paulucci Annexation- Orange County email
4. Advertisement June 27
5. Advertisement July 4

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WHEREAS, Paulucci Acres, LLC, owners thereof, has petitioned the City Council of the City of Apopka, Florida to annex the property located of the east side of Vick Road; and

WHEREAS, the City Council of the City of Apopka is desirous of annexing and redefining the boundaries of the municipality to include the subject property pursuant to Section 171.044 Florida Statutes; and

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Apopka, Florida, as follows:

Section I. That the following property, described to wit:

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; THENCE S00°01'03"E, ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 665.82 FEET; THENCE DEPARTING SAID WEST LINE, RUN N89°58'57"E, A DISTANCE OF 30.00 FEET TO THE EAST RIGHT OF WAY LINE OF VICK ROAD, ACCORDING TO THE ORANGE COUNTY ENGINEERING DEPARTMENT RIGHT OF WAY MAP, PROJECT #92-2-11, SAID POINT BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, RUN S89°44'36"E, ALONG THE NORTH LINE OF THE SOUTH $\frac{1}{2}$ OF THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 28, A DISTANCE OF 2,635.50 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 28; THENCE DEPARTING SAID NORTH LINE, RUN S00°01'22"W, ALONG SAID EAST LINE, A DISTANCE OF 656.26 FEET TO A POINT BEING 10.00 FEET NORTH OF THE SOUTH LINE OF THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 28; THENCE DEPARTING SAID EAST LINE, RUN N89°43'51"W, ALONG SAID

ORDINANCE NO. 3113

PAGE 2

LINE BEING 10.00 FEET NORTH AND PARALLEL TO THE SOUTH LINE OF THE NORTH ½ OF THE SOUTHWEST ¼ OF SAID SECTION 28, A DISTANCE OF 1,636.00 FEET; THENCE S00°16'09"W, A DISTANCE OF 10.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ½ OF THE SOUTHWEST ¼ OF SAID SECTION 28; THENCE N89°43'51"W, ALONG SAID SOUTH LINE, A DISTANCE OF 993.99 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF VICK ROAD, ACCORDING TO OFFICIAL RECORDS BOOK 5172, PAGE 313 AND THE AMENDED ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 5442, PAGE 4075, ALL OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG SAID EAST RIGHT OF WAY LINE: THENCE N00°01'03"W, A DISTANCE OF 465.64 FEET; THENCE N02°52'48"W, A DISTANCE OF 100.12 FEET; THENCE N00°01'03"W, A DISTANCE OF 100.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 39.85 ACRES, MORE OR LESS.

Being compact and contiguous to the City of Apopka, and being situated in Orange County, Florida, totaling **39.85 +/- acres** (Graphically depicted by the attached Exhibit A), is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes.

SECTION II: That the corporate territorial limits of the City of Apopka, Florida, are hereby redefined to include said land herein described and annexed.

SECTION III: That the City Council will designate the land use classification and zoning category of these annexed lands in accordance with applicable City ordinances and State laws.

SECTION IV: That the land herein described and future inhabitants of the land herein described shall be liable for all debts and obligations to all species of taxation, laws, ordinances and regulations of the City.

SECTION V: That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section or subsection or part of this ordinance.

SECTION VI: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII: That this ordinance shall take effect upon passage and adoption, thereafter the City Clerk is hereby directed to file this ordinance with the Clerk of the Circuit Court in and for Orange County, Florida; and the Orange County Property Appraiser.

ORDINANCE NO. 3113

PAGE 3

READ FIRST TIME:

READ SECOND TIME AND
ADOPTED:

ATTEST:

Susan Bone, City Clerk

Bryan Nelson, Mayor

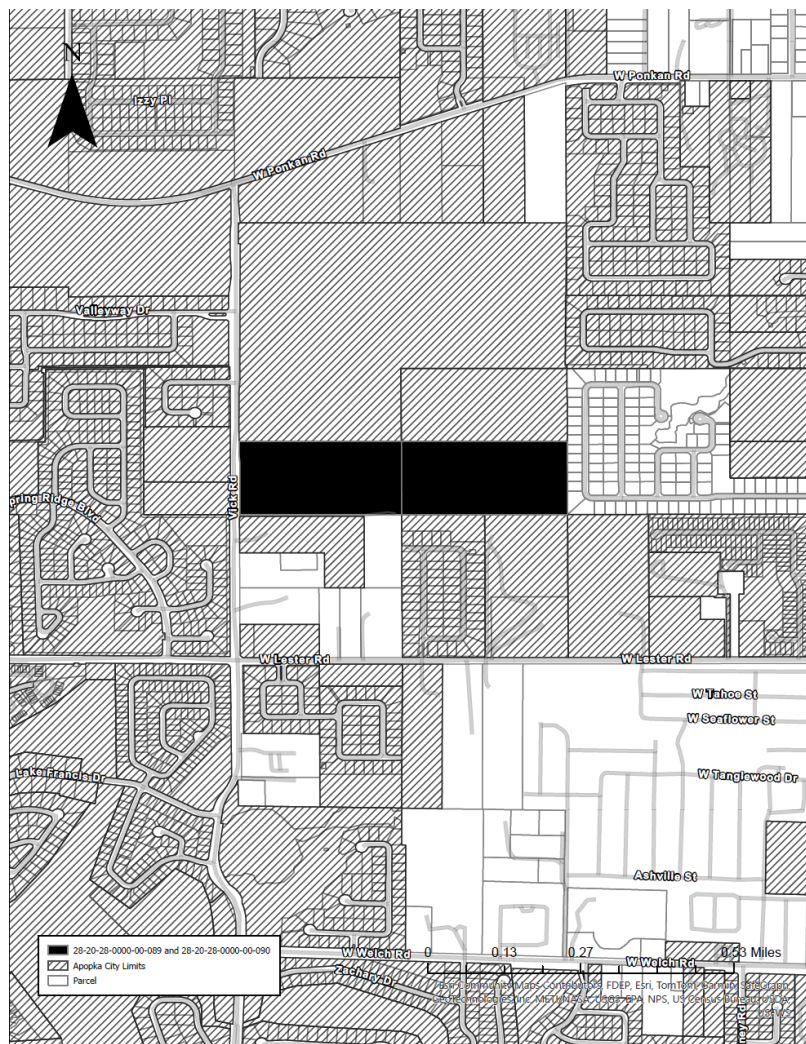
Approved as to form and legal sufficiency:

Clifford B. Shepard, City Attorney

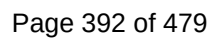
DULY ADVERTISED FOR PUBLIC HEARING: June 27, 2025, July 4, 2025

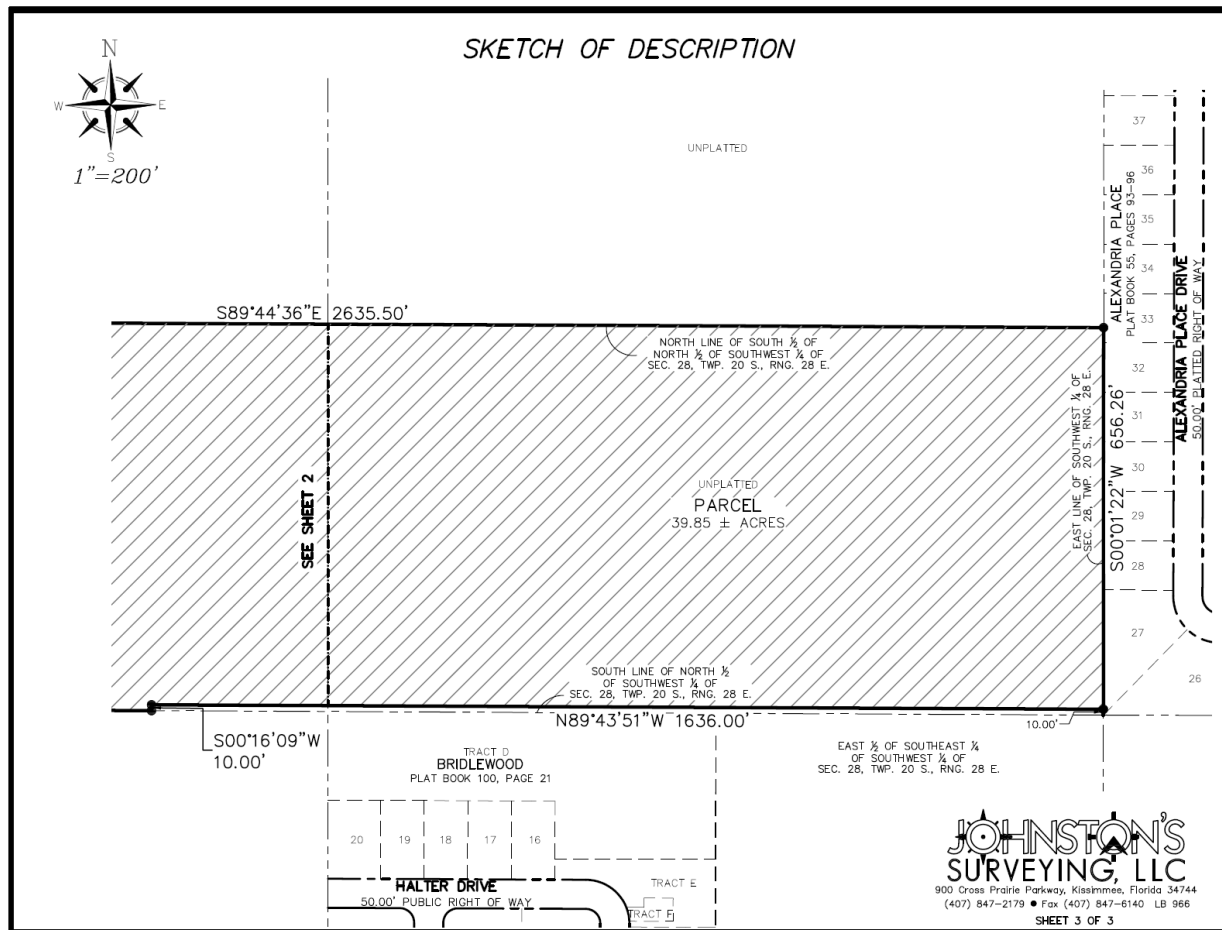
PAGE 4

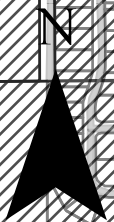
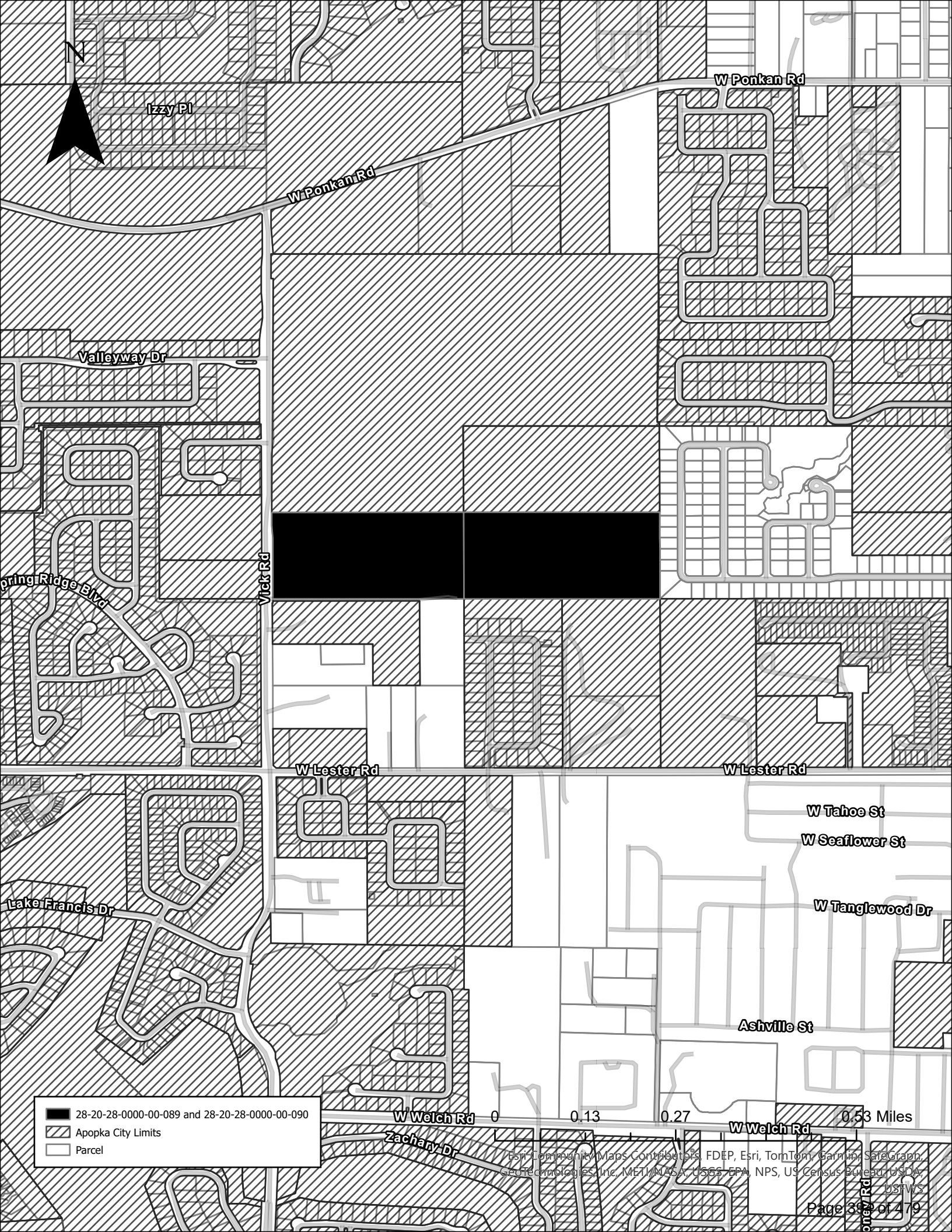
PARCEL IDENTIFICATION NUMBER(S): 28-20-28-0000-00-089; 28-20-28-0000-00-090



PAGE 5







Izzy Pl

W Ponkan Rd

W Ponkan Rd

Valleyway Dr

Spring Ridge Blvd

Vick Rd

W Lester Rd

W Lester Rd

W Tahoe St

W Seaflower St

W Tanglewood Dr

Ashville St

W Welch Rd

W Welch Rd

Zachary Dr

W Welch Rd

28-20-28-0000-00-089 and 28-20-28-0000-00-090

Apopka City Limits

Parcel

Esri Community Maps Contributors, FDEP, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI, NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



Izzy Pl

W Ponkan Rd

W Ponkan Rd

Valleyway Dr

Spring Ridge Blvd

Vick Rd

W Lester Rd

W Lester Rd

W Tahoe St

W Seaflower St

W Tanglewood Dr

Ashville St

W Welch Rd

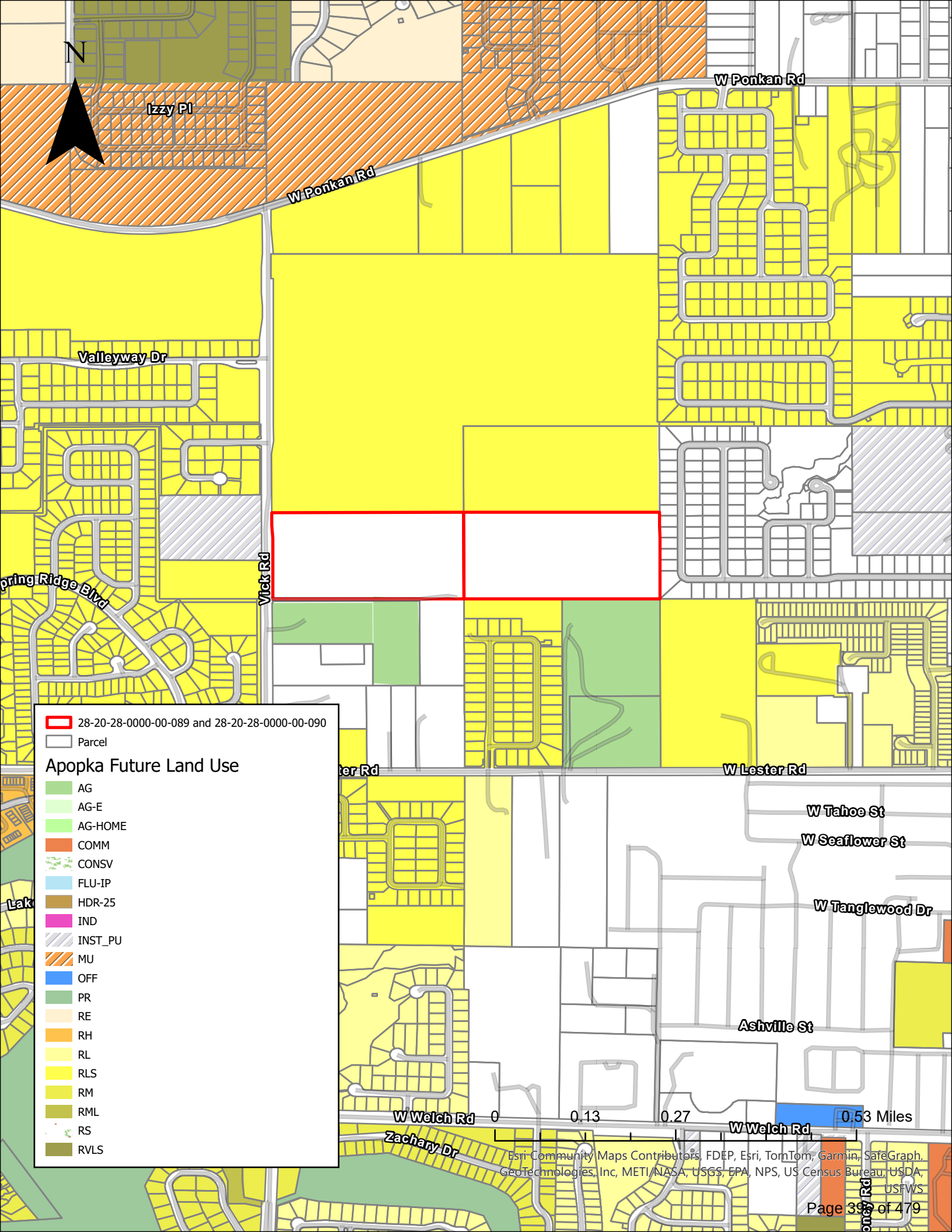
W Welch Rd

Zachary Dr

28-20-28-0000-00-089 and 28-20-28-0000-00-090

Parcel

State of Florida, Maxar, Esri Community Maps Contributors, FDEP, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

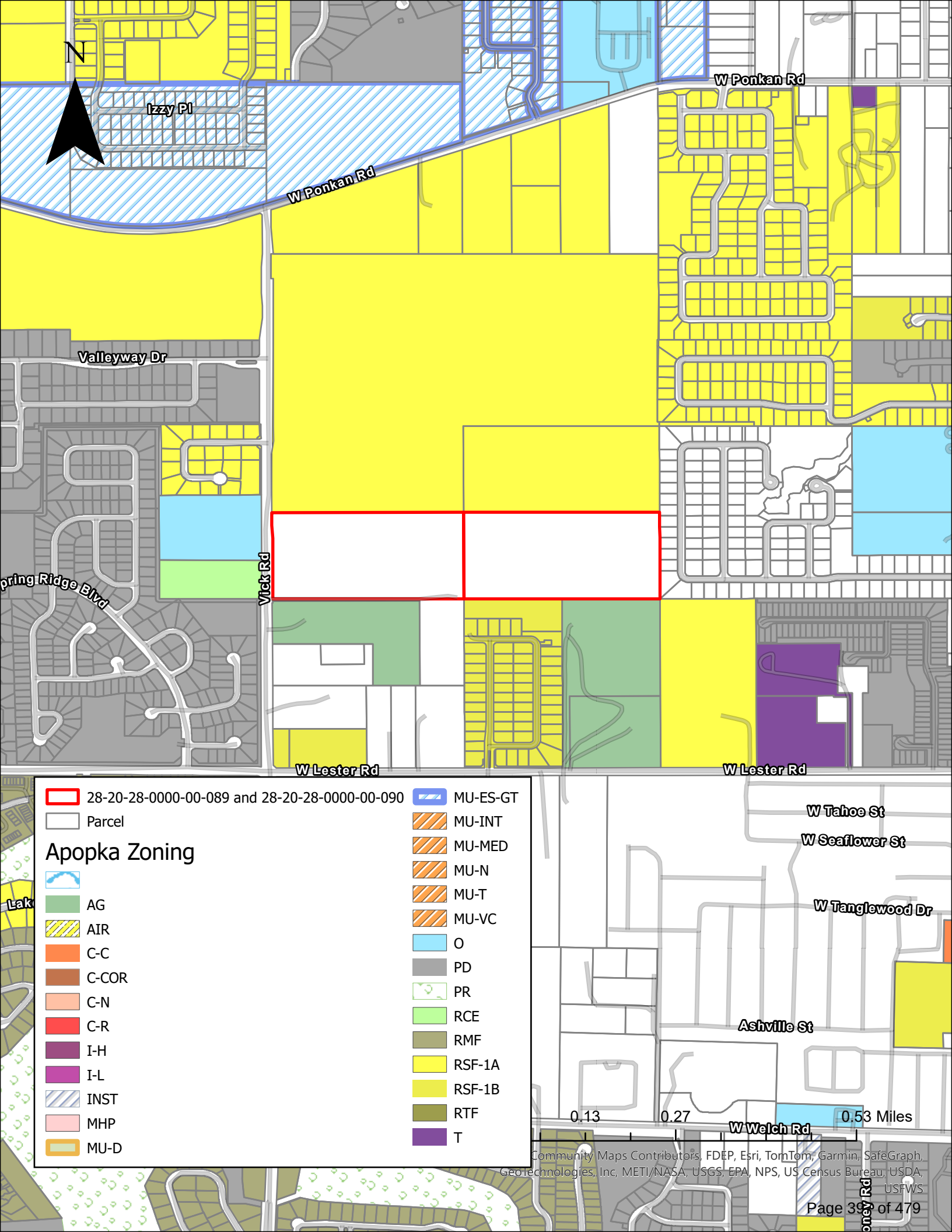


28-20-28-0000-00-089 and 28-20-28-0000-00-090

Parcel

Apopka Future Land Use

- AG
- AG-E
- AG-HOME
- COMM
- CONSV
- FLU-IP
- HDR-25
- IND
- INST_PU
- MU
- OFF
- PR
- RE
- RH
- RL
- RLS
- RM
- RML
- RS
- RVLS



28-20-28-0000-00-089 and 28-20-28-0000-00-090

Parcel

Apopka Zoning

- AG
- AIR
- C-C
- C-COR
- C-N
- C-R
- I-H
- I-L
- INST
- MHP
- MU-D

- MU-ES-GT
- MU-INT
- MU-MED
- MU-N
- MU-T
- MU-VC
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- PD
- PR
- RCE
- RMF
- RSF-1A
- RSF-1B
- RTF
- T

From: [Mills, Misty D](#)
To: [Bobby Howell](#)
Subject: Paulucci Annexation
Date: Friday, May 23, 2025 11:50:00 AM

Good afternoon, Bobby,

Reaching out regarding the proposed Paulucci Annexation. As it is currently proposed, the County does not have any objections. There are concerns with the less and except and how that could eventually be annexed into the City and if it would have any impact on future annexations. However, as proposed, it appears to meet the statutory regulations in Section 171, F.S.

Sincerely,

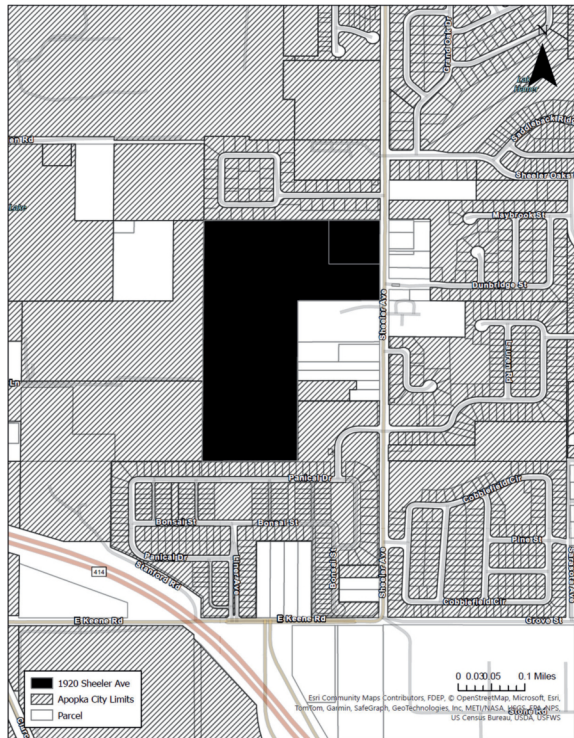
Misty Mills, Senior Planner
407-836-5435
misty.mills@ocfl.net
Office hours 7:30 – 16:00

PUBLIC HEARING NOTICE ANNEXATION CITY OF APOPKA

NOTICE is hereby given pursuant to Florida Statutes 171.044, the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.5.1.A, that **Jonathan Huels** has made an application to the City of Apopka City Council for an **ANNEXATION** of a properties located at 1920 Sheeler Ave. This application relates to the following described property:

ORDINANCE NO. 3112

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 BDT IRREVOCABLE INCOME ONLY TRUST; LOCATED AT 1920 Sheeler Ave, COMPRISING 40.16 ACRES, MORE OR LESS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



**Parcel Identification Number(s): 22-21-28-0000-00-073 and 22-21-28-0000-00-227
Contains: 40.16 +/- acres**

NOTICE is given that public hearings for **Ordinance No. 3112** will be held by the **City of Apopka City Council** at its regularly scheduled meetings in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, July 2, 2025 at 1:30 P.M. AND Wednesday, July 16, 2025 beginning at 7:00 P.M**

Affected parties and the public may appear at the above listed hearings to speak. The proposed Annexation can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 a.m. and 4:30 p.m. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act (ADA), persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka FL 32703, Telephone: 407-703-1704, no less than 48 hours prior to the proceeding.

June 27, 2025

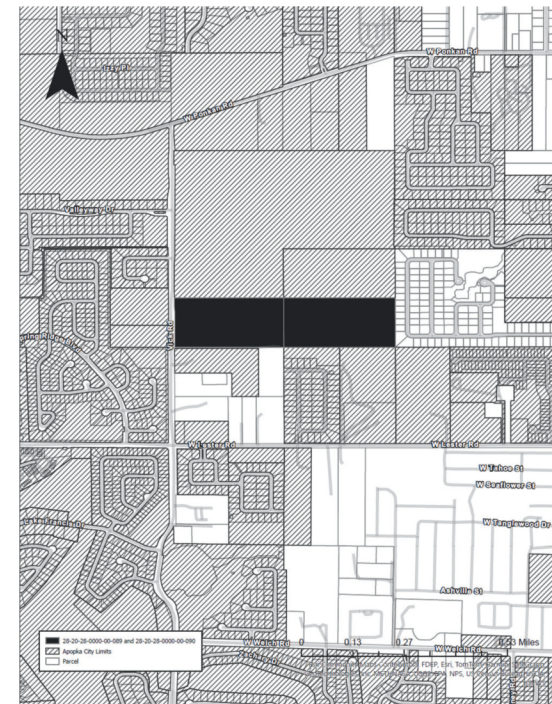
**Apopka City Council
Apopka Planning Commission
Community Development Department**

PUBLIC HEARING NOTICE ANNEXATION CITY OF APOPKA

NOTICE is hereby given pursuant to Florida Statutes 171.044, the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.5.1.A, that **Daniel T. O'Keefe** has made an application to the City of Apopka City Council for an **ANNEXATION** of a property located on the east side of Vick Road approximately ¼ of a mile north of the intersection of Vick Road and W. Lester Road. This application relates to the following described property:

ORDINANCE NO. 3113

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 PALUCCI ACRES, LLC; LOCATED ON THE EAST SIDE OF VICK ROAD APPROXIMATELY ¼ OF A MILE NORTH OF THE INTERSECTION OF VICK ROAD AND W. LESTER ROAD; COMPRISING 39.8 ACRES, MORE OR LESS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



**Parcel Identification Number(s): 28-20-28-0000-00-089, 28-20-28-0000-00-090
Contains: 39.8 +/- acres**

NOTICE is given that public hearings for Ordinance No. 3113 will be held by the City of Apopka City Council at its regularly scheduled meetings in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, July 16, 2025 beginning at 7:00 P.M and Wednesday, August 6, 2025 beginning at 1:30 P.M.** or as soon thereafter as possible.

Affected parties and the public may appear at the above listed hearings to speak. The proposed Annexation can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 a.m. and 4:30 p.m. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act (ADA), persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka FL 32703, Telephone: 407-703-1704, no less than 48 hours prior to the proceeding.

June 27, 2025

**Apopka City Council
Community Development Department**



OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **The Apopka Chief** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(407) 886-2777**.

Notice ID: 6MAM5m4sLxWaxAbLFpgZ | **Proof Updated: Jun. 26, 2025 at 04:53pm EDT**
Notice Name: City of Apopka ord. 3113

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Mary E. Denizard
mdenizard@apopka.net
(407) 703-1712

FILING FOR

The Apopka Chief

Columns Wide: 3 **Ad Class:** Legals

Total Column Inches: 29.91

Number of Lines: n/a

07/04/2025: Display Ad Notice 231.79

Subtotal \$231.79

Tax \$0.00

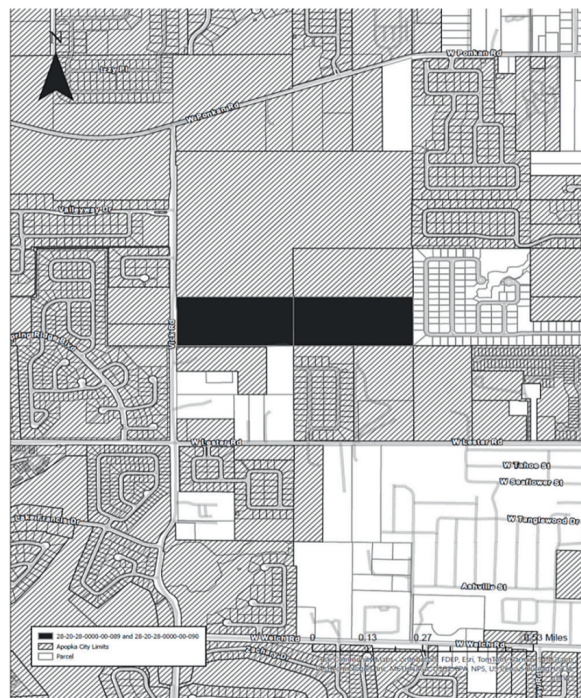
Processing Fee \$23.18

Total \$254.97

See Proof on Next Page

NOTICE is hereby given pursuant to Florida Statutes 171.044, the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.5.1.A, that **Daniel T. O'Keefe** has made an application to the City of Apopka City Council for an **ANNEXATION** of a property located on the located on the east side of Vick Road approximately ¼ of a mile north of the intersection of Vick Road and W. Lester Road. This application relates to the following described property:

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 PALUCCI ACRES, LLC; LOCATED ON THE EAST SIDE OF VICK ROAD APPROXIMATELY ¼ OF A MILE NORTH OF THE INTERSECTION OF VICK ROAD AND W. LESTER ROAD; COMPRISING 39.8 ACRES, MORE OR LESS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



NOTICE is given that public hearings for Ordinance No. 3113 will be held by the City of Apopka City Council at its regularly scheduled meetings in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, July 16, 2025 beginning at 7:00 P.M and Wednesday, August 6, 2025 beginning at 1:30 P.M.** or as soon thereafter as possible.

Affected parties and the public may appear at the above listed hearings to speak. The proposed Annexation can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 a.m. and 4:30 p.m. City Hall address shown below. Please be advised

Expected print dimensions of advertisement:
Width: 5.54 in., Height: 9.97 in.

Newspaper page size: Width: 11.25 in., Height: 20.13 in.
Publisher may wrap or break notice between pages.

weekdays between the hours of 8:00 a.m. and 4:00 p.m. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act (ADA), persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka FL 32703, Telephone: 407-703-1704, no less than 48 hours prior to the proceeding.

July 4, 2025

**Apopka City Council
Community Development Department**



City of Apopka CITY COUNCIL STAFF REPORT

Section: PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

Item #: 2.

Meeting Date: August 6, 2025

Department: Administration

SUBJECT:

Ordinance No. 3114 - Second Reading - Open Container

ACTION ITEM INFORMATION:

Ordinance No. 3114 - Second Reading of Open Container

REQUEST:

SUMMARY:

Ordinance No. 3114 proposes to establish a standardized permitting process for open container consumption in designated public spaces. The City currently allows the possession and consumption of alcoholic beverages in open containers within public rights-of-way and other public spaces, in certain limited circumstances. The existing regulations lack a clear and consistent method for applying for and obtaining authorization for such open container consumption, creating ambiguity and leading to confusion for both the public and City officials, and hindering effective enforcement of existing regulations. The City finds that establishing an independent and defined permitting process for open container consumption in designated areas promotes responsible enjoyment of public spaces, public safety, and a streamlined enforcement process.

The City aims to foster a dynamic, safe, and economically vibrant downtown by enabling responsible enjoyment of alcoholic beverages during public events and in specified areas, under controlled and clearly outlined conditions. By adopting a well-regulated open container policy, the City can create a safe and enjoyable entertainment experience for residents and visitors alike. The proposed ordinance changes are attached for review and consideration.

FUNDING SOURCE:

N/A

RECOMMENDED MOTION:

Approve Ordinance No. 3114 Second Reading and Adoption

ATTACHMENTS:

1. Ordinance No. 3114

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING CHAPTER 6, “ALCOHOLIC BEVERAGES,” OF THE CITY’S CODE OF ORDINANCES; ADDING DEFINITIONS; ESTABLISHING PROCEDURES, REQUIREMENTS, AND STANDARDS FOR OBTAINING AN OPEN CONTAINER PERMIT; SETTING FORTH VENDOR RESPONSIBILITIES; AMENDING ARTICLE 4, “USE REGULATIONS,” OF THE CITY’S LAND DEVELOPMENT CODE TO CLARIFY ALCOHOL SALE RESTRICTIONS FOR MOBILE FOOD VENDORS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, section 166.021(3), F.S., provides, in pertinent part, that “[t]he Legislature recognizes that pursuant to the grant of powers set forth in section 2(b), Art. VIII of the State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state legislature may act” except for certain very limited matters; and

WHEREAS, Chapter 6, Apopka Code of Ordinances, regulates the sale and consumption of alcoholic beverages; and

WHEREAS, while City currently allows the possession and consumption of alcoholic beverages in open containers within public rights-of-way and other public spaces in certain limited circumstances, the existing regulations lack a clear and consistent method for applying for and obtaining authorization for such open container consumption; and

WHEREAS, the absence of a clear authorization process for open container consumption creates ambiguity, leading to confusion for both the public and City officials, and hindering effective enforcement of existing regulations; and

WHEREAS, the City finds that establishing an independent and defined permitting process for open container consumption in designated areas promotes responsible enjoyment of public spaces, public safety, and a streamlined enforcement process; and

WHEREAS, the City desires to foster a vibrant and economically prosperous downtown area; and

WHEREAS, the City acknowledges the need to balance the enjoyment of alcoholic beverages in public spaces with the importance of public safety, order, and responsible consumption; and

WHEREAS, by adopting a well-regulated open container policy, the City can create a safe and enjoyable entertainment experience for residents and visitors alike; and

47 **WHEREAS**, the City Council finds that a clear and defined permitting process will create
48 a framework for the responsible enjoyment of alcoholic beverages within designated areas, as well
49 as enhance law enforcement's ability to effectively enforce existing regulations concerning open
50 containers within the City; and

51
52 **WHEREAS**, the City Council finds the adoption of this Ordinance to be in the best interest
53 of the health, safety, and welfare of the public.

54
55 **NOW, THEREFORE**, be it ordained by the City Council of the City of Apopka, Florida,
56 as follows:

57
58 *[Words with ~~strike-through~~ indicate deletions; words with underscore indicate additions; asterisks (* * * *)*
59 *indicate an omission from the existing text which is intended to remain unchanged.]*

60
61 **SECTION I:** The foregoing recitals are hereby adopted as the legislative findings of the
62 City Council of the City of Apopka, Florida

63
64 **SECTION II:** Chapter 6, *Alcoholic Beverages*, of the Code of Ordinances of the City of
65 Apopka is hereby amended as follows:

66
67 **Sec. 6-2. - Definitions.**

68
69 The following words, terms, and phrases, when used in this chapter, shall have the
70 meanings ascribed to them in this section, except where the context clearly indicates a different
71 meaning. As used in this chapter, the terms “beverages,” “beer” and “wine” shall have the
72 meanings assigned to them by the state alcoholic beverage law. If a classification or definition is
73 not clearly contained within this chapter, then the classification and definitions as contained in F.S.
74 chs. 561 through 565, as may be amended from time to time, are hereby adopted as classifications
75 and definitions for this article.

76
77 * * * *

78 *Nonprofit private club* means a fraternal benefit society, whether incorporated or not,
79 conducted solely for the benefit of its members and their beneficiaries and not for profit, operated
80 on a lodge system with ritualistic forms of work, having a representative form of government, and
81 which makes provision for the payment of benefits in accordance with state law.

82
83 *Open or unsealed containers* includes any alcoholic beverage container where the factory seal
84 has been broken notwithstanding the fact that the container may have been recapped or covered,
85 such as an open bottle or can. An alcoholic beverage which has been transferred from the container
86 into which it was placed by the manufacturer for retail sale to the general public into another
87 container, such as a cup, shall be deemed to be an alcoholic beverage in an unsealed container
88 notwithstanding the fact that the new container may be capped.

89
90 *Possession* means actual possession which means that the alcoholic beverage is in the hands
91 of or on the person, or the person was observed relinquishing possession (e.g., setting the container
92 down, handing it to another person, throwing it away). Constructive possession is not sufficient.

94 *Package store* means vendors licensed to sell all alcoholic beverages, but in sealed containers
95 only, and for consumption off the premises. The sealed package must not be broken, and the
96 contents must not be consumed in or on the premises under a package store license.

97
98 * * * *

99 **Sec. 6-3. - Possession or consumption in a public place.**

100
101 (a) *Prohibition and exemptions.*

102
103 * * * *

- 104 (4) The City Council may permit consumption and carrying of alcoholic beverages on
105 streets, sidewalks, alleys, and rights-of-way within the Municipal Corporate Limits of
106 the City of Apopka, Florida, and/or on City-owned property subject to such terms and
107 conditions as the Development Review Committee and/or City Council may impose
108 for the protection of the public health, safety, and welfare through the approval of an
109 Open Container Permit special event permit, use agreement, or other official action.
110 When granting alcohol-related authorization pursuant to this chapter, the Development
111 Review Committee and/or City Council shall have the right to restrict the types of
112 alcoholic beverages permitted for consumption and the containers in which they may
113 be lawfully consumed.

114
115 * * * *

- 116 (6) Any individual, corporation, association or organization which has received
117 permission from the City to engage in a public or private event is further authorized to
118 provide alcoholic beverages for consumption at the particular event or program; ~~given~~
119 when such authorization is expressly approved by the City pursuant to the
120 requirements of this section and all other requirements of applicable law through the
121 approval of an Open Container Permit special event permit, use agreement, or other
122 official action. The authority to openly consume alcohol is limited to the location
123 specified in the permit for the event. When granting alcohol-related authorization
124 pursuant to this chapter, the Development Review Committee and/or City Council
125 shall have the right to restrict the types of alcoholic beverages permitted for
126 consumption and the containers in which they may be lawfully consumed.

127
128 ~~(b) Consumption in parking areas, lots, etc., outside licensed premises prohibited; vendor's~~
129 ~~responsibilities.~~

- 130
131 ~~(1) It is unlawful for any vendor or for any agent, servant or employee of such vendor, to~~
132 ~~permit the consumption of any alcoholic beverages in or upon other areas outside of~~
133 ~~the building or room mentioned in the vendor's license certificate as the address~~
134 ~~thereof, when any part of such parking or area is adjacent to the building or premises~~
135 ~~in which the business is operated and when such parking or other area is owned, rented,~~
136 ~~leased, regulated, controlled or provided, directly or indirectly, by such licensed~~
137 ~~vendor or by any agent, servant or employee of such licensed vendor.~~

(2) ~~A licensed vendor shall post and maintain a legible painted or printed sign in at least two separate prominent places on such parking or other area with sufficient light directed thereon to be visible during the hours of darkness while such place of business is open, in letters not less than three inches in height, stating:~~

~~“WARNING: Drinking Alcoholic Beverages on this Lot Prohibited—\$500.00 Fine and/or 60 days in Jail—City Ordinance.”~~

~~Posting of such signs shall constitute prima facie evidence that such vendor is not operating in violation of subsection (b)(1) of this section.~~

(3) ~~If any licensed vendor mentioned in this section is a corporation, then the officers of such corporation shall be regarded as the owners thereof for the purposes of enforcement of this section.~~

(b) Open Container Permit. The procedure for obtaining an Open Container Permit shall be as follows:

(1) Application Contents. Applications shall be filed with the Parks and Recreation Department on a form prescribed by the City, and shall include, at a minimum, the following information and documentation:

- i. The name, address, and contact information of the applicant.
- ii. The specific location(s) where alcoholic beverages would be permitted in open containers, including a site map identifying the proposed open container area(s), including all buildings on the premises, and the location and type of proposed barriers delineating the open container area from other public areas.
- iii. The proposed date(s) and time(s) during which alcoholic beverages would be permitted in open containers on the premises.
- iv. The proposed type(s) of alcoholic beverages permitted.
- v. A public safety plan detailing the number and deployment of security personnel. This plan shall be subject to review and comment by the City’s Chief of Police or the Chief’s designee.
- vi. Any other information deemed necessary by the City to ensure public safety and welfare.

(2) Application Submission. Applications must be submitted at least 60 calendar days prior to the proposed event date. For recurring events by the same applicant, a single application may be submitted covering all proposed event dates within a specified period, subject to any additional limitations, conditions, or review periods deemed necessary to protect the public health, safety, and welfare.

- 185
186 (3) Application Fee. The City may require an application fee for the processing and review
187 of permit requests submitted under this section.
188
- 189 (4) Review and Approval.
190
- 191 i. Upon receipt, the application shall be referred to the City’s Chief of Police, or the
192 Chief’s designee, for review and recommendation of any specific permit
193 conditions related to public safety, law enforcement access, and crowd control.
194 The application may also be referred to other relevant City departments for review
195 and comment.
196
- 197 ii. Following any applicable departmental reviews, the Development Review
198 Committee shall evaluate the application and recommend approval, approval with
199 conditions, or denial to the City Council.
200
- 201 A. The Development Review Committee shall consider based on the
202 information presented whether allowing the open consumption of alcoholic
203 beverages:
204
- 205 1. Will unreasonably interfere with or detract from the general public’s use
206 of public streets, areas, and/or facilities;
207
- 208 2. Is reasonably anticipated to incite violence, crime, or disorderly
209 conduct, based on the adequacy of proposed security measures or other
210 relevant factors; and
211
- 212 3. Will require extraordinary or burdensome expense or police operation
213 by the City.
214
- 215 B. The Development Review Committee may also consider any other criteria
216 or make additional findings deemed relevant to ensure the health, safety, and
217 welfare of the community.
218
- 219 iii. The City Council shall make the final determination to approve, approve with
220 conditions, or deny the permit application.
221
- 222 (5) Signage. The permit holder shall be responsible for displaying visible signage at all
223 access points of the open container area informing patrons that the consumption and
224 possession of alcoholic beverages is strictly prohibited beyond the established
225 perimeter, as delineated on the approved site plan.
226
- 227 (6) Permit Revocation. The Parks and Recreation Director, the Chief of Police, or their
228 designee(s), shall have the authority to revoke an Open Container Permit for good cause
229 upon notice to the permittee of such revocation. For purposes of this chapter, the term
230 “good cause” shall include, but not be limited to, the applicant’s failure to comply with

any provision of this Code, any permit condition, or any applicable federal, state, or local law or ordinance.

- (7) Appeal. A permit holder may appeal the revocation of his or her permit by submitting written notice stating the grounds for appeal to the City within ten (10) calendar days of the date of the notice of revocation. The filing of such notice of appeal shall not delay the effectiveness of any revocation. The appeal shall be heard by the City Council at its next regularly scheduled public meeting, or as soon thereafter as practicable, and its decision shall be final. A failure to timely appeal a permit revocation in accordance with this subsection shall constitute a waiver of the right to appeal.

* * * *

Sec. 6-5. - Permitting consumption in areas adjacent to vendor's premises; permitting open containers to be taken from premises. Regulation of alcohol consumption by licensed vendors.

- (a) It is unlawful for any licensed vendor, or for any agent, servant or employee of such vendor, to permit the consumption of any alcoholic beverages in or upon any parking or other outdoor area ~~outside of the vendor's building or room if such parking or other area is~~ adjacent to the building or premises in which the business ~~licensed~~ is operated, when such parking or other area is owned, rented, leased, regulated, controlled or provided, directly or indirectly, by such licensed vendor or any agent, servant or employee of such licensed vendor.

- (b) A licensed vendor ~~may~~ shall post and maintain a legible painted or printed sign in at least two separate prominent places on such parking or other outdoor area, with sufficient light directed thereon to be visible during the hours of darkness while such place of business is open, in letters not less than three inches in height, stating the following:

"WARNING: Drinking Alcoholic Beverages on this Lot Prohibited—\$500.00 Fine and/or 60 days in Jail—City Ordinance."

Posting of such signs shall constitute prima facie evidence that such vendor is not operating in violation of subsection (a) of this section.

- (c) If any licensed vendor mentioned in this section is a corporation, then the officers of such corporation shall be regarded as the owners thereof for the purposes of enforcement of this section.

- (d) It is unlawful for any licensed vendor, or ~~his for any agents, servant, or employees of such vendor, licensed to sell beer, wine, liquor or other alcoholic beverages within the city, to~~ knowingly allow any person to take from the licensed premises any opened container, glass, or other unsealed vessel containing beer, wine, liquor or other alcoholic beverage container, ~~or to knowingly allow any person to take from the licensed premises any glass or other opened or unsealed container containing an alcoholic beverage or including any~~ mixture containing an alcoholic beverage.

(e) Violation of this section shall be prosecuted and punished in the manner provided by general law.

(f) Nothing in this section shall be construed to prohibit the lawful consumption of alcoholic beverages in areas otherwise regulated by this section when such consumption is expressly authorized pursuant to a valid open container permit, use agreement, or other official action.

* * * *

SECTION III: Article 4 of the Land Development Code of the City of Apopka is hereby amended as follows:

4.2.3. – Standards Specific to Principal Uses

* * * *

(E)(4)(e) Mobile food vendor.

* * * *

(19) The sale of alcoholic beverages is prohibited unless authorized by an Special Event Permit Open Container Permit.

* * * *

SECTION IV: The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of the City of Apopka, as additions or amendments thereto.

SECTION V: Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION VI: All ordinances or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

SECTION VII: This Ordinance shall take effect immediately upon its passage and adoption.

[remainder of this page left intentionally blank]

PASSED UPON the first reading of the City Council, this _____ day of _____ 2025.

PASSED UPON the second and final reading of the City Council, this _____ day of _____ 2025.

Bryan Nelson, Mayor

ATTEST:

Susan M. Bone, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: _____, 2025.

_____, 2025.



City of Apopka CITY COUNCIL STAFF REPORT

Section: PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

Item #: 3.

Meeting Date: August 6, 2025

Department: Community Development

SUBJECT:

Resolution 2025-25 - Vacation of Right of Way - Paulucci Acres

ACTION ITEM INFORMATION:

Owner(s): City of Apopka

Applicant(s): Daniel O'Keefe, Shutts & Bowen

Location: North of Woodside Ridge Drive and Misty Glen Circle

Project: Vacation of ROW

Density: N/A

Tract size: 1.52 ± acres

Project Manager: Bobby Howell, AICP

REQUEST:

Adopt Resolution 2025-25

SUMMARY:

The applicant is seeking to vacate the northern 20-feet of a 40-foot wide unimproved public right-of-way, and a 40-foot wide north-south section of the same right-of-way with an estimated area of 1.52 acres, located north of Woodside Ridge Drive and Misty Glen Circle. The City has letters on file from all utility providers indicating no objections to the proposed vacate. The applicant proposes to incorporate the portion of the vacated right-of-way into a Planned Development consisting of single-family residences, townhomes, and non-residential uses. If the vacate is approved by the City Council, the southern 20-feet will remain as an unimproved public right-of-way. The applicant has indicated that the future homeowners association will enter into a maintenance agreement with the City with respect to the southern 20-feet of right-of-way that will remain. This will be a condition that they will add to the Planned Development.

PUBLIC HEARING SCHEDULE:

July 16, 2025 – City Council (7:00 PM)

DULY ADVERTISED:

July 4, 2025 – Public Notice and Notification (Apopka Chief)

FUNDING SOURCE:

N/A

RECOMMENDED MOTION:

Development Review Committee: The Development Review Committee does not object to the request to vacate the northern 20-feet of a 40-foot wide abandoned/unimproved public right-of-way, as described in the legal

description.

City Council - Recommended Motion: Adopt Resolution 2025-25.

ATTACHMENTS:

1. Resolution 2025-25
2. Location Map
3. Combined Utility Provider Letters
4. Applicant Legal Memorandum- Paulucci Partial ROW Vacation
5. Advertisement July 18

RESOLUTION 2025-25

A RESOLUTION OF THE CITY OF APOPKA, VACATING THE NORTHERN 20-FEET OF AN EAST-WEST SECTION OF A 40-FOOT WIDE UNNAMED PLATTED RIGHT OF WAY, AND THE NORTH-SOUTH SECTION OF A 40-FOOT WIDE UNNAMED PLATTED RIGHT OF WAY, LOCATED NORTH OF WOODSIDE RIDGE DRIVE AND MISTY GLEN CIRCLE; IN SECTION 30, TOWNSHIP 20, RANGE 28, AS APPEARING IN PLAT BOOK B, PAGE 139, OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to provisions of Section 336.10, Florida Statutes, a petition has been filed by the City of Apopka, to vacate, abandon, discontinue, renounce and disclaim right-of-way as shown in Exhibit "A";

WHEREAS, AT&T, Lumen, Duke Energy, Comcast and Lake Apopka Natural Gas District have no objection to the abandonment of right-of-way;

WHEREAS, the City Council has determined that under the proposed circumstances there exists no public need for this existing right-of-way; and

WHEREAS, after public notice in accordance with Section 336.10, Florida Statutes, the City Council has determined that it is not contrary to public interest to vacate and abandon said existing right-of-way.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA THAT:

SECTION 1. That the following lands, and graphically depicted by the attached Exhibit A, shall be officially closed, discontinued, and vacated:

Legal Description:

A PORTION OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF THE UNIMPROVED 40 FOOT STREET, MERRIMACK PLAT, AS RECORDED IN PLAT BOOK B, PAGE 139, AND SHOWN AS UNIMPROVED 40 FOOT RIGHT OF WAY IN THE PLAT OF WEKIVA RUN PHASE III-B, AS RECORDED IN PLAT BOOK 77, PAGES 148-149 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 28 EAST; ALSO BEING A POINT ON THE CENTERLINE OF WEST PONKAN ROAD AS RECORDED IN DEED BOOK 338, PAGE 565 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA; THENCE SOUTH

00°27'58" WEST, 1755.39 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK "A" OF MERRIMACK PLAT AS RECORDED IN PLAT BOOK "B", PAGE 139 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 88°39'45" EAST, 853.70 FEET TO THE EAST LINE OF LOT 5, BLOCK "A" OF SAID MERRIMACK PLAT; THENCE NORTH 01°20'15" WEST, 337.11 FEET TO THE NORTH LINE OF SAID MERRIMACK PLAT; THENCE NORTH 88°58'57" EAST, 40.00 FEET TO THE WEST LINE OF LOT 1, BLOCK "B" OF SAID MERRIMACK PLAT; THENCE SOUTH 01°20'15" EAST, 336.89 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK "B" MERRIMACK PLAT; THENCE NORTH 88°39'45" EAST, 1749.28 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 01°10'58" WEST, 20.00 FEET; THENCE SOUTH 88°39'45" WEST, 2642.73 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE NORTH 00°29'01" EAST, 20.00 FEET ALONG SAID LINE TO THE POINT OF BEGINNING.

CONTAINING 66298.24 SQ. FT. OR 1.52 ACRES, MORE OR LESS.

SECTION II. NOTICE. That notice of the adoption of this Resolution be published and the Resolution be filed with the Clerk of the Circuit Court of Orange County, Florida, and duly recorded among the Public Records of Orange County, Florida.

SECTION III. SEVERABILITY. That if any section or portion of a section or subsection of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or portion of section or subsection or part of this Resolution.

SECTION IV. CONFLICT. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION V. EFFECTIVE DATE. That this Resolution shall take effect upon the date of adoption.

ATTEST

CITY COUNCIL OF THE CITY OF
APOPKA, FLORIDA

Susan M. Bone
City Clerk

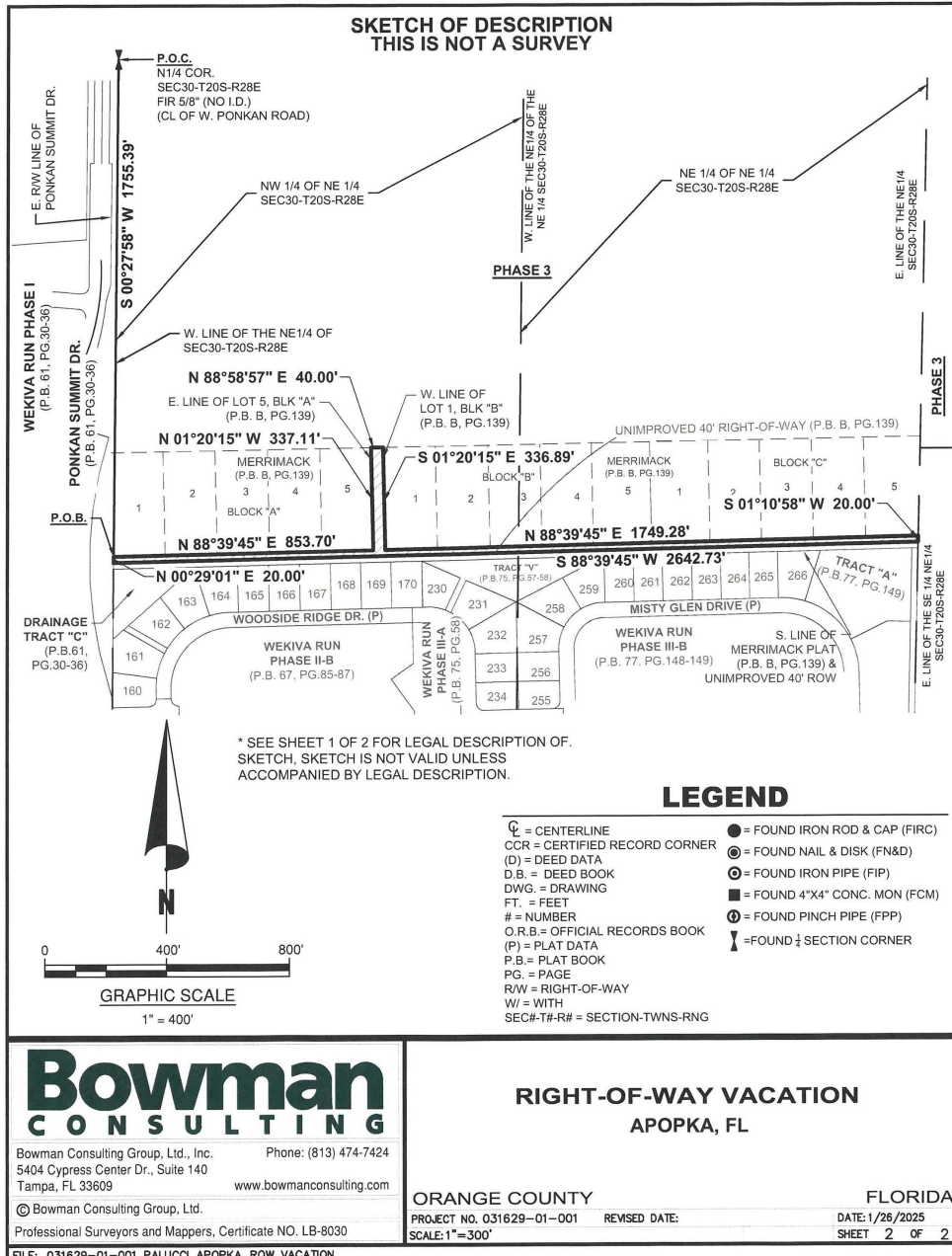
Bryan Nelson
Mayor

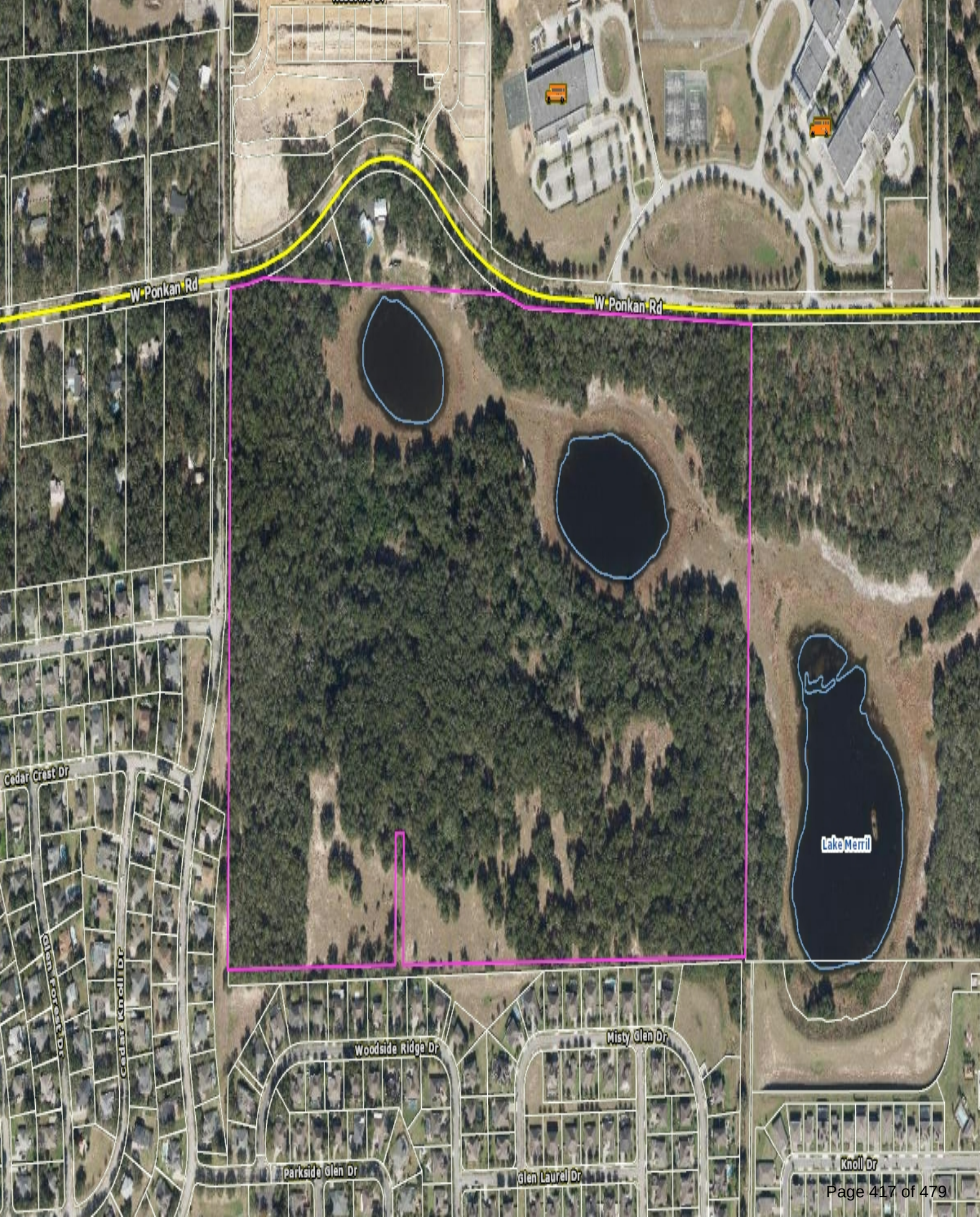
APPROVED as to form and legal sufficiency

Clifford B. Shepard,
City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 18, 2025

Resolution 2025-25
EXHIBIT A
City of Apopka
Proposed Vacate of Right-of-Way





Kyla E. Szubinski

From: LALCHAN, RONNIE J <rl418c@att.com>
Sent: Tuesday, April 15, 2025 1:48 PM
To: Elesa R. Sowell; Kyla E. Szubinski
Subject: RE: Vacation of ROW for Parcel ID 30-20-28-0000-00-018

EXTERNAL: This email originated from outside of the SHUTTS email system. Do not respond, click any links or open any attachments unless you trust the sender and know the content is safe.

Thank you for the clarification. AT&T does not have facilities in that area.

Ronnie Lalchan

SR Specialist – OSP Design Engineer, Wireline Access – Southeast, Florida Engineering
AT&T [DBA BellSouth Telecommunications, LLC]

5100 Steyr St, Orlando, FL 32819
M: 407-325-9120 | rl418c@att.com

From: Elesa R. Sowell <ESowell@shutts.com>
Sent: Tuesday, April 15, 2025 1:11 PM
To: LALCHAN, RONNIE J <rl418c@att.com>; Kyla E. Szubinski <KSzubinski@shutts.com>
Subject: RE: Vacation of ROW for Parcel ID 30-20-28-0000-00-018

Ronnie,

I think there may be some misunderstanding on the right-of-way that we are proposing to vacate – apologies. The 20 feet of right of way that is proposed to be vacated is outlined in green below, which is south of W. Ponkan Road. This right-of-way is from an 1888 plat and remains undeveloped. Based on the graphic you included in your email, it does not appear that there are any facilities within this area, but please let us know if we are mistaken.



Again, apologies for any confusion on the specific right-of-way proposed to be vacated.

Best,
Elesa

Elesa R. Sowell

Partner | Shutts & Bowen LLP

Tel: (407) 835-6947

300 South Orange Ave., Ste. 1600, Orlando, FL 32801

[Bio](#) | [E-Mail](#) | [vCard](#) | www.shutts.com



From: LALCHAN, RONNIE J <rl418c@att.com>
Sent: Tuesday, April 15, 2025 12:58 PM
To: Kyla E. Szubinski <KSzubinski@shutts.com>
Cc: Elesa R. Sowell <ESowell@shutts.com>
Subject: RE: Vacation of ROW for Parcel ID 30-20-28-0000-00-018

Good afternoon Kyla,

Sorry about the delay it appears AT&T does have facilities within that ROW of W Ponkan Rd. If you need them to be relocated please contact the CWO team (call 888-901-2779 or email ATT, CWO (AIT) gen1361@att.com) to start the process.

3/24/2025

Kyla E. Szubinski
Attorney at Law | Shutts & Bowen LLP
Tel: (407) 835-6977
300 South Orange Ave., Ste. 1600, Orlando, FL 32801
KSzubinski@shutts.com

P865299
No Reservations/No Objection

SUBJECT: The intent of this request appears to be for the vacation of a 40' platted right-of-way within the City of Apopka, Florida.

To Whom It May Concern:

CenturyLink of Florida, Inc., ("CenturyLink") has reviewed the request. CenturyLink Engineering has no Reservations with this request. See the attached sketch and legal description.

It is the intent and understanding of CenturyLink that this vacation request shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the abandonment area as described, the Applicant will bear the cost of relocation and repair of said facilities.

If you have any questions, please contact Bill Paul 727-449-3544 or bill.paul@lumen.com.

Sincerely yours,

Network Infrastructure Services
CenturyLink of Florida, Inc.
P865299

Kyla E. Szubinski

From: Sweeny, Andrew <ANDREW_SWEENEY@comcast.com>
Sent: Wednesday, February 26, 2025 3:55 PM
To: Kyla E. Szubinski; [CENFLR-NFL Construction]
Cc: Elesa R. Sowell
Subject: RE: Vacation of ROW for Parcel ID 30-20-28-0000-00-018

EXTERNAL: This email originated from outside of the SHUTTS email system. Do not respond, click any links or open any attachments unless you trust the sender and know the content is safe.

Comcast has no objection we are on the north side of the road.

Andrew Sweeney
Construction Manager
Comcast
904-738-6898

From: Kyla E. Szubinski <KSzubinski@shutts.com>
Sent: Wednesday, February 26, 2025 3:35 PM
To: [CENFLR-NFL Construction] <cenflr-nfl_construction@comcast.com>
Cc: Elesa R. Sowell <ESowell@shutts.com>
Subject: [EXTERNAL] FW: Vacation of ROW for Parcel ID 30-20-28-0000-00-018

Andrew,

Thanks for sending over the appropriate contact info. I would like to request a Letter of No Objection from Comcast to the vacation of a 40 foot platted right-of-way within the City of Apopka, Florida. The platted ROW is vacant and has not been, nor is intended to be used or developed as a right-of-way. The balance of the Merrimack plat has been replatted as a residential subdivision, known as Wekiva Run, pursuant to Wekiva Run Phase II-B and Wekiva Run Phase III-B (attached). Attached please also find the following:

- Property Record Card for Parcel ID: 30-20-28-0000-00-018
 - Address of area: 2256 W. Ponkan Rd. Apopka, FL 32712
 - Size: approximately 2.7 acres
 - Link to OCPA property record:
<https://ocpaweb.ocpafl.org/parcelsearch/Parcel%20ID/282030000000018>
- Proof of Ownership (deed);
- Sketch of Description of area to be vacated;
- Legal Description in .doc format;
- Aerial Photo; and
- Applicable Plats.

Please let me know if you have any additional comments or questions. I appreciate your attention to this matter.

Kind regards,

Feb. 27, 2025

Via email: KSzubinski@shutts.com

Ms. Kyla E. Szubinski
Attorney at Law
Shutts & Bowen LLP
300 South Orange Ave., Ste. 1600
Orlando, FL 32801

**RE: Vacation of Right of Way
2256 W. Ponka Road, Apopka
Orange County, Florida**

Dear Ms. Szubinski:

Please be advised that Duke Energy has **“no objection”** to the vacation and abandonment of that portion of a previously recorded as unimproved forty (40') foot Right of Way as recorded in Plat Book 77, Page 149 and a forty (40') foot street wor as recorded in Plat Book B, Page 139, Public Records of Orange County, Florida, being more particularly described on the accompanying Sketch of Description drawn by Bowman Consutling Group, LTD., Inc., dated January 26, 2025, Project # 031629-01-001, attached hereto and by this reference made a part hereof.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Irma Cuadra

Irma Cuadra
Senior Research Specialist

Attachment



ELESA R. SOWELL
PARTNER
Shutts & Bowen LLP
300 South Orange Avenue
Suite 1600
Orlando, FL 32801
DIRECT (407) 835-6497
EMAIL ESowell@shutts.com

April 15, 2025

Kristin Duke
ROW Representative (Contractor)
Florida Gas Transmission
2301 Lucien Way, Suite 200
Maitland, FL 32751

Re: **Petition to Vacate Right of Way in the City of Apopka, Florida**

Dear Ms. Duke:

I am in the process of requesting that the City of Apopka, Florida vacate a remnant 40-foot platted right-of-way from the original 1888 Merrimack Plat B, recorded at Book B, Page 139. The platted ROW is vacant and has not been, nor is intended to be used or developed as a right-of-way. The balance of the Merrimack plat has been replatted as a residential subdivision, known as Wekiva Run, pursuant to Wekiva Run Phase II-B, recorded at Plat Book 67, Page 85, and Wekiva Run Phase III-B, recorded in Plat Book 77, Page 148. Part of the vacation process is to provide letters showing no objection from utility companies who have jurisdiction in the neighborhood.

Please review your records, complete the form below and return this letter to me. If you have any questions, please contact me using the contact information included on the top of this letter.

Sincerely,

Shutts & Bowen LLP


Elesa R. Sowell

E2R/k5s

☒

The subject parcel is NOT within our service area.

☐ The subject parcel is within our service area. We **do not** have any facilities within the right-of-way. We have **no objection** to the vacation.

☐ The subject parcel is within our service area. We **object** to the vacation.

Additional comments: _____

Signature: Kristin Duke
Print Name: Kristin Duke
Title: ROW Representative
Date: 4-15-25



February 27, 2025

Petition to Vacate:

Parcel No. 30-20-28-0000-00-018

2256 W Ponkan Rd

Apopka, FL 32712

To Whom it May Concern,

Lake Apopka Natural Gas District has reviewed our existing facilities at the above referenced address/project location. LANGD has found **NO** existing facilities within the property boundaries and **DOES NOT** object to the request to vacate the easement.

Sincerely,

Additional comments: _____

Signature:	<u><i>Domingo Colon</i></u>
Print Name:	<u>Domingo Colon</u>
Title:	<u>Senior Design Technician</u>
Date:	<u>2/27/2025</u>



MEMORANDUM

TO: Cliff Shepard, Apopka City Attorney
Shepard, Smith, Hand & Brackins PA
FROM: Shutts & Bowen, LLP, counsel for Pulte Home Company, LLC ("Pulte")
DATE: March 25, 2025
RE: Paulucci Acres proposed Right-of-Way Vacation by City of Apopka, Florida

This memorandum addresses the proposed vacation of the north 20 feet of a 40-foot platted right-of-way from the original 1888 Merrimack Plat B, recorded at Book B Page 139, by the City of Apopka ("City"), as generally depicted on the sketch of description attached hereto as Exhibit "A" (the "**ROW**"). The ROW is vacant and has not been, nor is intended to be used or developed as a right-of-way. The ROW is within a remanent portion of the Merrimack Plat B—the rest of Merrimack Plat B having been previously replatted as a subdivision, Wekiva Run, pursuant to Wekiva Run Phase II-B, recorded at Plat Book 67 Page 85, Wekiva Run Phase III-B, recorded in Plat Book 77 Page 148, and Wekiva Run Phase III-A, recorded in Plat Book 75 Page 58.

As directed by the City's Civil Engineer, Pulte is applying for the vacation of only the northern 20 feet of the ROW. Pursuant to Florida law, vacation of a portion of a ROW is permissible.

Vacation of a Portion of a Right of Way.

Municipalities, under the exercise of their constitutional Home Rule Power, "have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law." Fla. Stat. §166.021.

This power includes the authority "to discontinue or vacate any street **or portion thereof** when done in the interest of the general welfare." *Hurt v. Lenchuk*, 223 So. 2d 350, 352 (Fla. 4th DCA 1969) (emphasis added) *See* former Fla. Stat. §167.09 (which retains effectiveness under Fla. Stat. §166.042); *Woodlawn Park Cemetery Co. v. City of Miami*, 104 So. 2d 851, 853 (Fla. 3d DCA 1958) (stating "[p]ublic places of a municipality are held in trust by the authorities for the benefit of the people, but this principle does not prevent the vacation of the streets or portions thereof when done in the interest of the general welfare."). This power is broad and "a wide latitude of discretion is accorded to the [municipality] by the law applicable in such cases, and the exercise of that discretion will not be disturbed in the absence of a clear abuse thereof or unless there occurs

an invasion of property rights.” *Sun Oil Co. v. Gerstein*, 206 So. 2d 439, 440 (Fla. 3d DCA 1968). Thus, under Florida law, the City of Apopka is authorized to govern its own affairs—which includes the power to vacate a portion of a right of way.

Accordingly, where the Florida Constitution, Florida Statutes, and Florida case law all either expressly permit or do not prevent the vacation of a portion of a right-of-way, and otherwise defer to municipalities to govern themselves, any limitation on partial vacations would be imposed by the City of Apopka Land Development Code (“LDC”). In the City of Apopka, municipal vacation of rights-of-way is governed by Article 5, Section 5.13.7(D) of the LDC which states:

“Applications to vacate a right-of-way shall be subject to approval by the City Council. Recommendations by the DRC shall be based on the following requirements:

1. The requested vacation is consistent and/or does not conflict with the traffic circulation element of the comprehensive plan and Florida Statutes.
2. The right-of-way does not provide the sole access to any property in the case of an entire right-of-way being proposed to be vacated. Remaining access shall not be by easement.
3. The vacation would not jeopardize the current or future location of any utility.
4. The proposed vacation is not detrimental to the public interest.
5. The Land Use and Zoning of the adjacent property the vacated right-of-way is assigned to, shall be assigned to the applicable vacated right-of-way, and be combined with that parcel through a new deed.”

Notably, these provisions do not mention any requirement for full vacation or a prohibition of partial vacations. Thus, based on all of the foregoing, the City of Apopka is permitted to approve partial vacation of rights-of-way.

In sum, where Florida law permits partial vacation and provides wide latitude to municipalities to govern their own affairs, the LDC does not prohibit partial vacation, and the City’s own Civil Engineer is recommending partial vacation, such partial vacation is permissible.

[exhibits appear on immediately following pages]



EXHIBIT "A"

[Sketch of Description]

**SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY**

LEGAL DESCRIPTION - RIGHT-OF-WAY VACATION

A PORTION OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF THE UNIMPROVED 40 FOOT STREET, MERRIMACK PLAT, AS RECORDED IN PLAT BOOK B, PAGE 77, AND SHOWN AS AN UNIMPROVED 40 FOOT RIGHT OF WAY IN THE PLAT OF WEKIVA RUN PHASE III-B, AS RECORDED IN PLAT BOOK 77 PAGE 149 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 28 EAST; ALSO BEING A POINT ON THE CENTERLINE OF WEST PONKAN ROAD AS RECORDED IN DEED BOOK 338, PAGE 565 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA; THENCE SOUTH 00°27'58" WEST, 1755.39 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK "A" OF MERRIMACK PLAT AS RECORDED IN PLAT BOOK "B", PAGE 139 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 88°39'45" EAST, 853.70 FEET TO THE EAST LINE OF LOT 5, BLOCK "A" OF SAID MERRIMACK PLAT; THENCE NORTH 01°20'15" WEST, 337.11 FEET TO THE NORTH LINE OF SAID MERRIMACK PLAT; THENCE NORTH 88°58'57" EAST, 40.00 FEET TO THE WEST LINE OF LOT 1, BLOCK "B" OF SAID MERRIMACK PLAT; THENCE SOUTH 01°20'15" EAST, 336.89 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK "B" MERRIMACK PLAT; THENCE NORTH 88°39'45" EAST, 1749.28 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 01°10'58" WEST, 20.00 FEET; THENCE SOUTH 88°39'45" WEST, 2642.73 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE NORTH 00°29'01" EAST, 20.00 FEET ALONG SAID LINE TO THE POINT OF BEGINNING.

CONTAINING 66298.24 SQ. FT. OR 1.52 ACRES, MORE OR LESS



INDEX OF SHEETS

SHEET 1 LEGAL DESCRIPTION
SHEET 2 SKETCH OF DESCRIPTION

* SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION.
SKETCH IS NOT VALID UNLESS ACCOMPANIED BY
LEGAL DESCRIPTION.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Max R. George, PSM

Digitally signed by Max R. George, PSM
DN: E=mg@bowman.com, CN=Max R.
George, PSM, O=Bowman Consulting Group,
L=Melbourne, S=Florida,
SERIALNUMBER=MAS20230413680165, C=US
Date: 2025.03.18 12:43:56-04'00'

MAX R. GEORGE

DATE OF SIGNATURE

FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 7343
BOWMAN CONSULTING GROUP, LTD., INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 8030
(LB 8030 = LICENSED BUSINESS NUMBER 8030)

NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC
SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Bowman
CONSULTING

Bowman Consulting Group, Ltd., Inc. Phone: (813) 474-7424
5404 Cypress Center Dr., Suite 140
Tampa, FL 33609 www.bowmanconsulting.com

© Bowman Consulting Group, Ltd.

Professional Surveyors and Mappers, Certificate NO. LB-8030

**RIGHT-OF-WAY VACATION
APOPKA, FL**

ORANGE COUNTY

FLORIDA

PROJECT NO. 031629-01-001

REVISED DATE:

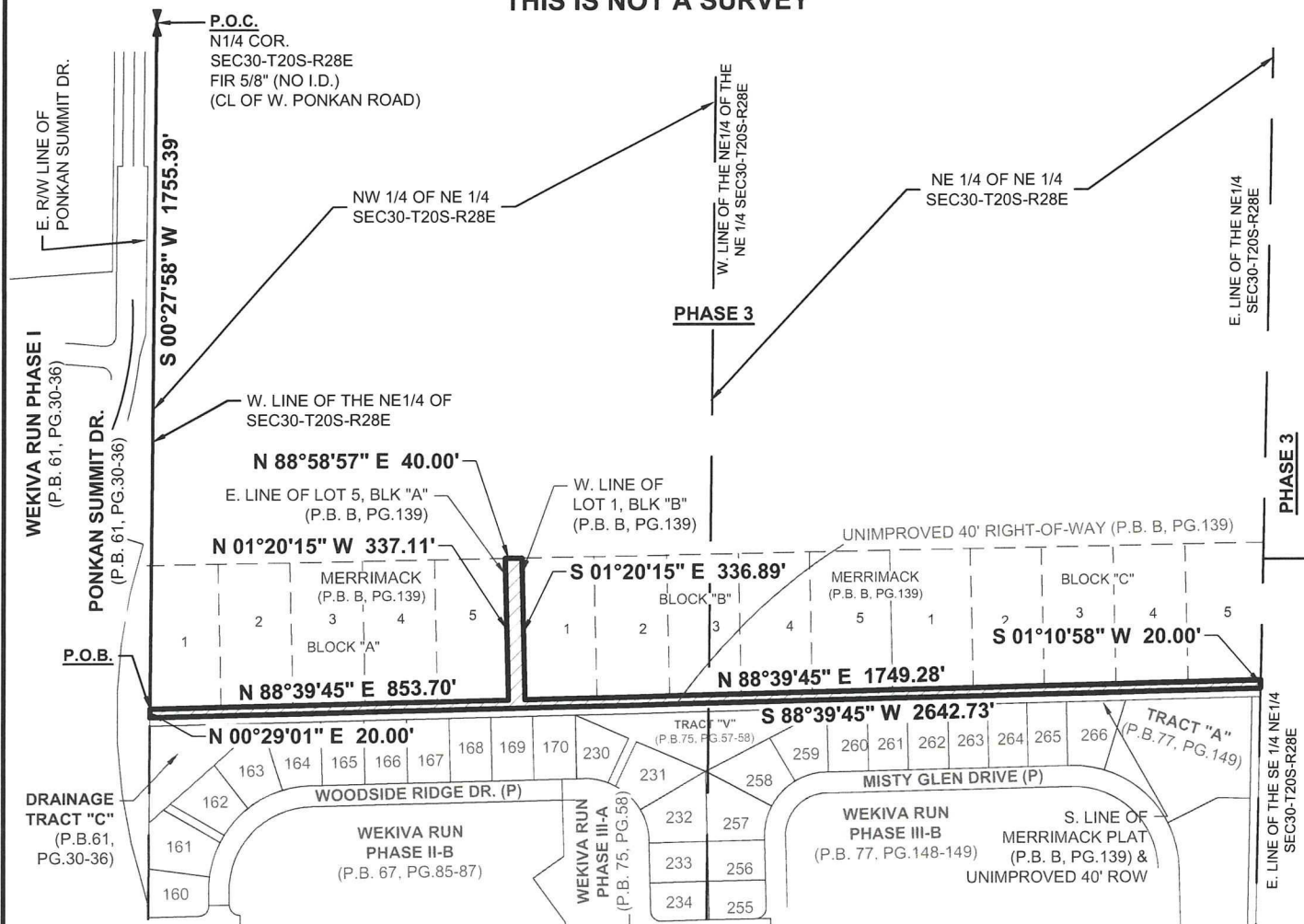
DATE: 1/26/2025

SCALE: N/A

SHEET 1 OF 2

FILE: 031629-01-001 PALUCCI APOPKA_ROW VACATION

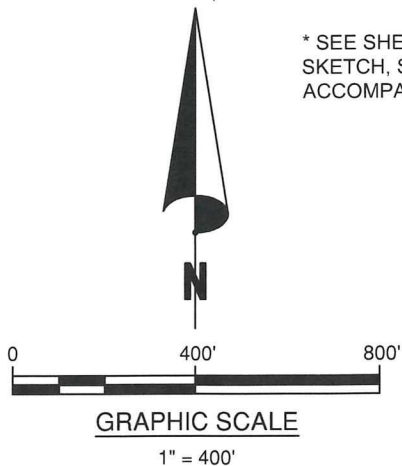
SKETCH OF DESCRIPTION THIS IS NOT A SURVEY



* SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION OF.
SKETCH, SKETCH IS NOT VALID UNLESS
ACCOMPANIED BY LEGAL DESCRIPTION.

LEGEND

- CL = CENTERLINE
- CCR = CERTIFIED RECORD CORNER
- (D) = DEED DATA
- D.B. = DEED BOOK
- DWG. = DRAWING
- FT. = FEET
- # = NUMBER
- O.R.B. = OFFICIAL RECORDS BOOK
- (P) = PLAT DATA
- P.B. = PLAT BOOK
- PG. = PAGE
- R/W = RIGHT-OF-WAY
- W/ = WITH
- SEC#-T#-R# = SECTION-TWNS-RNG
- = FOUND IRON ROD & CAP (FIRC)
- ⊙ = FOUND NAIL & DISK (FN&D)
- ⊖ = FOUND IRON PIPE (FIP)
- = FOUND 4"x4" CONC. MON (FCM)
- ⊕ = FOUND PINCH PIPE (FPP)
- ⚡ = FOUND 1/4 SECTION CORNER



Bowman CONSULTING

Bowman Consulting Group, Ltd., Inc. Phone: (813) 474-7424
5404 Cypress Center Dr., Suite 140
Tampa, FL 33609 www.bowmanconsulting.com

© Bowman Consulting Group, Ltd.

Professional Surveyors and Mappers, Certificate NO. LB-8030

FILE: 031629-01-001 PALUCCI APOPKA_ROW VACATION

RIGHT-OF-WAY VACATION APOPKA, FL

ORANGE COUNTY

PROJECT NO. 031629-01-001

REVISED DATE:

SCALE: 1"=300'

FLORIDA

DATE: 1/26/2025

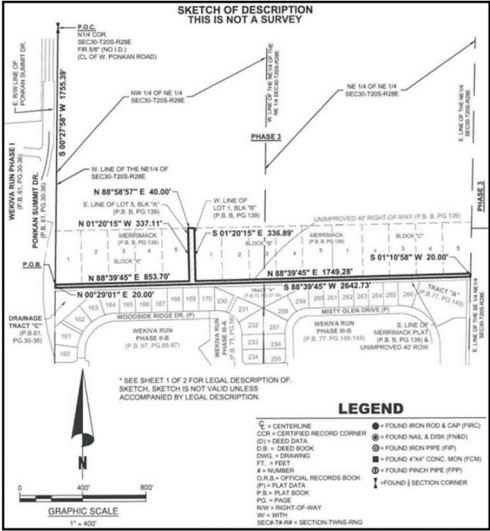
SHEET 2 OF 2

PUBLIC NOTICE
CITY OF APOPKA
NOTICE OF INTENT TO VACATE RIGHT OF WAY

NOTICE is hereby given that the City of Apopka City Council has received an application from Daniel T. O'Keefe to vacate a portion of unimproved right of way, as recorded in the Public Records of Orange County, Florida, being more particularly described as follows:

RESOLUTION 2025-25

A RESOLUTION OF THE CITY OF APOPKA, VACATING THE NORTHERN 20-FEET OF AN EAST-WEST SECTION OF A 40-FOOT WIDE UNNAMED PLATTED RIGHT OF WAY, AND THE NORTH-SOUTH SECTION OF A 40-FOOT WIDE UNNAMED PLATTED RIGHT OF WAY, LOCATED NORTH OF WOODSIDE RIDGE DRIVE AND MISTY GLEN CIRCLE; IN SECTION 30, TOWNSHIP 20, RANGE 28, AS APPEARING IN PLAT BOOK B, PAGE 139, OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.



(THIS IS FOR REFERENCE PURPOSES ONLY AND IS NOT TO SCALE)

Right of Way Vacate Description:

A PORTION OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF THE UNIMPROVED 40 FOOT STREET, MERRIMACK PLAT, AS RECORDED IN PLAT BOOK B, PAGE 139, AND SHOWN AS UNIMPROVED 40 FOOT RIGHT OF WAY IN THE PLAT OF WEKIVA RUN PHASE III-B, AS RECORDED IN PLAT BOOK 77, PAGES 148-149 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 66298.24 SQ. FT. OR 1.52 ACRES, MORE OR LESS.

NOTICE is hereby given that the CITY OF APOPKA CITY COUNCIL will consider this right-of-way vacate application at its regularly scheduled meeting in the City Hall City Council Chambers, 120 East Main Street, Apopka, Florida, on Wednesday, August 6, 2025, at 1:30 p.m., or as soon thereafter as possible.

Please be advised that, under State Law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be based. The proposed subdivision plat vacation and resolution may be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 a.m. and 4:30 p.m. In accordance with the Americans with Disabilities Act (ADA), persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka FL 32703, Telephone: 407-703-1704, no less than 48 hours prior to the proceeding.



City of Apopka CITY COUNCIL STAFF REPORT

Section: PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

Item #: 4.

Meeting Date: August 6, 2025

Department: Community Development

SUBJECT:

Resolution 2025-32 - Plat Administrative Designation

ACTION ITEM INFORMATION:

Resolution 2025-32 - Plat Administrative Designation

REQUEST:

Adopt Resolution 2025-32

SUMMARY:

Senate Bill 784 took effect on July 1, 2025. This requires that a plat or replat submitted be administratively approved if the plat or replat complies with the requirements of Florida Statute 177.091. This requires the City of Apopka to designate, by ordinance or resolution, an administrative authority to receive, review, and process a plat or replat submittal, which designation shall include designation of an administrative official responsible for approving, approving with conditions, or denying a proposed plat or replat, and it preempts the City's authority to prescribe the plat approval process as currently set forth within the City's Land Development Code. Resolution 2025-32 stipulates the following:

1. The City's Community Development Department is hereby designated as the administrative authority to receive, review, and process plat or replat submittals;
2. The City Administrator, or his or her designee, is hereby designated as the administrative official responsible for approving, approving with conditions, or denying a proposed plat or replat.

FUNDING SOURCE:

N/A

RECOMMENDED MOTION:

Adopt Resolution 2025-32.

ATTACHMENTS:

1. Resolution 2025-32- Plat Administrative Designation

RESOLUTION NO. 2025-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, PROVIDING FOR LEGISLATIVE FINDINGS; SETTING FORTH ADMINISTRATIVE DESIGNATIONS CONSISTENT WITH THE REQUIREMENTS OF SECTION 177.071, FLORIDA STATUTES (2025); PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE; AND PROVIDING FOR SUNSET.

WHEREAS, s. 177.071, *Florida Statutes*, as amended by SB 784 (the “Act”), which took effect on July 1, 2025, requires that a plat or replat submitted under the Act be administratively approved if the plat or replat complies with the requirements of s. 177.091, *Florida Statutes*; and

WHEREAS, the Act requires the City of Apopka to designate, by ordinance or resolution, an administrative authority to receive, review, and process a plat or replat submittal, which designation shall include designation of an administrative official responsible for approving, approving with conditions, or denying a proposed plat or replat; and

WHEREAS, the City Council of the City of Apopka acknowledges the requirements of the Act, its obligation to comply with the Act’s requirements, and the preemption of the City’s authority to prescribe the plat approval process as currently set forth within the City’s Land Development Code; and

WHEREAS, the City Council of the City of Apopka acknowledges that it is necessary for the City to amend its Land Development Code in order to ensure consistency with the requirements of the Act; and

WHEREAS, accordingly, the City Council of the City of Apopka has determined that it is necessary, via resolution, to designate an administrative authority to receive, review, and process a plat or replat submittal and an administrative official to approve, approve with conditions or deny applications for same, until such time as the City’s Land Development Code can be amended to ensure consistency and comply with the requirements of the Act; and

WHEREAS, the City Council of the City of Apopka has determined that the administrative designations set forth herein are in the best interests of the City and the health, safety, and welfare of its citizens.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AS FOLLOWS:

SECTION 1. LEGISLATIVE FINDINGS. The foregoing recitals are hereby adopted as the legislative findings of the City Council of the City of Apopka, Florida.

SECTION 2. ADMINISTRATIVE DESIGNATIONS. Given the preemption regarding plat processing and approval authority set forth in the Act, and notwithstanding any conflicting

provision(s) set forth within the City's Land Development Code:

- 1) the City's Community Development Department is hereby designated as the administrative authority to receive, review, and process plat or replat submittals; and
- 2) the City Administrator, or his or her designee, is hereby designated as the administrative official responsible for approving, approving with conditions, or denying a proposed plat or replat.

SECTION 3. SEVERABILITY. If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then all remaining provisions and portions of this Resolution shall remain in full force and effect.

SECTION 4. CONFLICTS. All resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

SECTION 6. SUNSET. This Resolution shall remain effective until such time as it is repealed and/superseded by subsequent resolution and/or until such time as the City amends its Land Development Code to address the requirements of the Act, at which time this Resolution and the designations set forth herein shall sunset and no longer remain in effect.

DONE AND RESOLVED in regular session of the City Council of Apopka this ____ day of _____, 2025.

**CITY COUNCIL OF THE CITY OF
APOPKA, FLORIDA**

BRYAN NELSON, MAYOR

ATTEST:

SUSAN BONE, CITY CLERK



City of Apopka CITY COUNCIL STAFF REPORT

Section: PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

Item #: 5.

Meeting Date: August 6, 2025

Department: City Clerk

SUBJECT:

Resolution No. 2025-33 - City Clerk's Policy for Minutes

ACTION ITEM INFORMATION:

Review and Approve Resolution 2025-33 and accompanying Policy for the Meeting Minutes.

REQUEST:

Requesting City Council to approve Resolution 2025-33 and accompanying Policy for the Meeting Minutes.

SUMMARY:

The City Clerk's office recognizes the importance of accurate and consistent meeting minutes and the preservation thereof. The City Council through this Resolution seeks to ensure that all minutes are prepared in a uniform, timely and professional manner, in compliance with Section 286.011 of the Florida Statutes. The City Clerk is responsible for the prompt review of the minutes and records & the oversight and proper historical preservation of the minutes as they represent the permanent and legal record of the City Council meetings of the City of Apopka.

FUNDING SOURCE:

N/A

RECOMMENDED MOTION:

Requesting City Council to approve Resolution 2025-33 and accompanying Policy for the Meeting Minutes.

ATTACHMENTS:

1. Resolution No. 2025-33- Council Meeting Action Minutes.

Members Present:

Mayor Buddy Dyer

Commissioner Jim Gray, District 1

Commissioner Tony Ortiz, District 2

Commissioner Robert F. Stuart, District 3

Commissioner Patty Sheehan, District 4

Interim Commissioner Shan Rose, District 5

Commissioner Bakari F. Burns, District 6

Members Absent:**Staff Present:**

Deputy City Attorney Jody Litchford

City Clerk Stephanie Herdocia

Police Officer Milton Sumpter

Police Officer David Evangelista

1. Opening

On Monday, July 14, 2025, the Orlando City Council met in regular session in City Council Chambers on the second floor of City Hall. Mayor Dyer introduced the invocation and Pledge of Allegiance.

1.a Invocation

The invocation was delivered by Commissioner Patty Sheehan.

1.b Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Patty Sheehan.

1.c Call to Order

Mayor Dyer officially called the meeting to order at 2:04 P.M.

1.d Determination of Quorum

City Clerk Stephanie Herdocia called the roll and announced there was quorum with all members present.

1.e Consideration of Minutes

Moved by Commissioner Robert F. Stuart

Seconded by Interim Commissioner Shan Rose

Recommended Action: to waive the Reading of the meeting minutes and accept the minutes as written.

Carried Unanimously (7 to 0)

1.f Awards/Presentations/Recognitions

No agenda items

2. MAYOR'S UPDATE

GENERAL ITEMS

City Celebrates 150th Birthday

Mayor Dyer announced that this is our final meeting before we hit a big milestone. The City of Orlando turns one hundred and fifty on July 31st. A wonderful photo exhibition that bridges our past and present opened last week in the Terrace Gallery here at City Hall. On July 31st, each Commissioner has organized service activities in their districts, which allow our community to celebrate by showcasing our compassion.

The Orlando Collected exhibit at the Orange County Regional History Center opened in April and will have free admission on July 31st. The exhibit showcases 150 unique items donated by local individuals and organizations, offering a window into the city's rich history. There is also free admission to popular attractions, including Leu Gardens and the Mennello Museum. Visit orlando.gov/150 to register for these activities.

City's Budget Workshop and Upcoming Hearings

Mayor Dyer shared that earlier today, there was a workshop that included a legislative update and a budget presentation. Mayor Dyer was proud to announce that, as a result of the dedication of our City of Orlando staff and our strong financial planning, municipal services will be provided again without raising the mill rate for the 12th consecutive year in a row.

ITEMS OF NOTE

3.a.3 - Partners for Places Grant

Mayor Dyer noted that the Partners for Places grant helps us expand a program that provides items like solar panels with battery backup, heat pump water heaters, and energy-saving kits to help residents have access to energy-efficient tools and help lower electric bills while advancing our city's clean energy goals.

3.b.17 - Fire Station 18

Mayor Dyer mentioned Agenda Item 3.b.17 is looking to approve the funding to construct Orlando Fire Department's new Fire Station 18 in Lake Nona.

3.b.1 and 3.b.18 - Pulse Memorial Items

Mayor Dyer highlighted two items that allow us to continue to advance the progress on a permanent memorial at the Pulse site, which is important for the families of the 49, the survivors, and our entire community.

The first item is the purchase of the property adjacent to the Pulse site to accommodate the permanent memorial. The second item is the ranking for the design-build firm, with the highest-ranking firm being Gomez Construction Company.

Taking the conceptual design developed by the Pulse Memorial Advisory Committee, Gomez will transform that concept into a detailed design and will be responsible for constructing the memorial, which we anticipate will be complete by the end of 2027.

After the Pulse tragedy, one of the darkest days in our community's history, our community responded with love, compassion, and unity. These two steps are significant in our effort for a permanent memorial.

Mayor Dyer recognized and thanked Craig Mateer of RMS Investments. Mayor Dyer explained that as OnePulse was dissolving, the City prioritized purchasing the Pulse property to move forward with the effort to create a permanent memorial. Knowing it was a small parcel, there would be challenges without the adjacent property that OnePulse purchased and was trying to sell quickly. Mr. Mateer was asked if he would be willing to acquire and hold the adjacent property, and he did so. On Agenda Item 3.b.18, the City will purchase the property from Mr. Mateer for the exact same price that he bought it from OnePulse.

Mayor Dyer also acknowledged and thanked Mayor Demings and the Orange County Board of Commissioners for their \$5 million commitment toward the permanent memorial.

3. Consent Agenda

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve the Consent Agenda Items 3a-k as presented.

Carried Unanimously (7 to 0)

3.a Mayor

3.a.1 Citizen Advisory Board Appointments and Reappointments

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Confirm Citizen Advisory Board Appointments and Reappointments.

Carried Unanimously

Confirmed, filed and documentary **#2507143a1**.

3.a.2 Employment Agreement Renewal — Katharine Fox, Graphic Designer III (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Katharine Fox, Graphic Designer III (C), and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143a2**.

3.a.3 Partners for Places Grant

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Accept the Partners for Places grant of \$115,000.00 and matching grants of \$50,000.00, and authorize the Mayor to sign the award letter, and authorize the Director of Sustainability and Resilience to execute any amendments, extensions, and/or other grantor-requested documentation, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Accepted, filed and documentary **#2507143a3**.

3.b Business and Financial Services

- 3.b.1 Advisory Committee Ranking and Authorization for the Chief Procurement Officer to Negotiate a Contract for Design-Build Services for Pulse Memorial with Gomez Construction Company Being the Top-Ranked Firm, RFP25-0271 (PW)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve the ranking established by the Advisory Committee and approval and authorization for the Chief Procurement Officer to negotiate and execute a contract with the top-ranked firm, Gomez Construction Company, as indicated. If negotiations are not successful with the top-ranked firm, approve and authorize the Chief Procurement Officer to negotiate with the remaining firms in ranked order, with the highest-ranked firm with whom agreement is reached. The final negotiated agreement will be subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b1**.

- 3.b.2 Amendment Five to Contract with Kimley-Horn and Associates, Inc. for Professional Engineering Services for the Grand National Drive and Greenbriar Parkway Widening Project, RQS18-0008 (PW)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Amendment Five to Contract with Kimley-Horn and Associates, Inc., and authorize the Chief Procurement Officer to execute the Service Authorization with Kimley-Horn and Associates, Inc., as indicated, in the lump sum amount of \$672,467.35, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b2**.

- 3.b.3 Amendment Ten to Contract with Tetra Tech, Inc. for Professional Engineering Services for the Wastewater Force Main System Evaluation Project, RQS16-0213 (PW)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Amendment Ten to Contract with Tetra Tech, Inc. for Professional Engineering Services for the Wastewater Force Main System Evaluation Project, RQS16-0213 (PW), and authorize the Chief Procurement Officer to execute the amendment, in the estimated amount of \$2,842,879.00, as indicated, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b3**.

- 3.b.4 Amendment to Contract with Alpha Video and Audio, Inc. for Kia Center SMPTE 2110 Video Control Room Upgrade, RFP25-0207 (OV)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Amendment to Contract with Alpha Video and Audio Inc., for Kia Center SMPTE 2110 Video Control Room Upgrade, increase to the amount of the Contract with Alpha Video and Audio, Inc., and authorize the Chief Procurement Officer to execute contract amendments as needed, as indicated, in the estimated amount of \$1,165,093.00, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b4**.

- 3.b.5 Amendment to Contract with Ameriscape Landscapes Management Services, LLC for Stormwater Ditches, Basins, and Lakes Ground Maintenance, RFP19-0006 (PW)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Amendment to Contract with Ameriscape Landscapes Management Services, LLC for Stormwater Ditches, Basins, and Lakes Ground Maintenance, RFP19-0006 (PW), and authorize the Chief

Procurement Officer to execute the amendment and renewals, as indicated, in the estimated amount of \$546,173.50, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b5**.

- 3.b.6 Amendment to Contract with ANC Sports Enterprise, LLC for Kia Center LED Display Upgrade, RFP25-0173 (OV)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Amendment to Contract with ANC Sports Enterprise, LLC for Kia Center LED Display Upgrade, RFP25-0173 (OV), upgrade increase to the amount of the contract with ANC Sports Enterprise, LLC, and authorize the Chief Procurement Officer to execute contract amendments as needed, as indicated, in the estimated amount of \$966,310.80, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b6**.

- 3.b.7 Amendment to Contract with Middlesex Paving, LLC for Resurfacing of City Streets, IFB21-0119 (PW)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Amendment to Contract with Middlesex Paving, LLC for Resurfacing of City Streets, IFB21-0119 (PW), and authorize the Chief Procurement Officer to execute the contract, as indicated, in the estimated annual amount of \$10,000,000.00, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b7**.

- 3.b.8 Amendment to Contract with Pro Audio Video, Inc. for Kia Center Bowl Sound System Upgrade, RFP25-0244 (OV)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Amendment to Contract with Pro Audio Video,

Inc., for Kia Center Bowl Sound System Upgrade, RFP25-0244, and authorize the Chief Procurement Officer to execute contract amendments as needed, as indicated, in the estimated amount of \$217,328.52, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b8**.

- 3.b.9 Amendment to Sublease Agreement with New Cingular Wireless PCS, LLC
- Lake Nona Tower Location (OBFS)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Amendment to Sublease with New Cingular Wireless PCS LLC., at Lake Nona and authorize for Mayor/Mayor Pro Tem and City Clerk to execute same, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b9**.

- 3.b.10 Award to Carey's Heating and Air Conditioning, Inc. for Gun Range
Ventilation System Upgrade, N25-0261 (OBFS, OPD)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve the award to Carey's Heating and Air Conditioning, Inc., and authorize the Chief Procurement Officer to enter into an agreement with Carey's Heating & Air Conditioning, Inc., as indicated, in the estimated amount of \$2,465,000.00, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b10**.

- 3.b.11 Award to CoreSite LLC for Data Center Colocation Services, N25-0484
(OBFS)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Award to CoreSite LLC and authorize the Chief Procurement Officer to enter into an agreement with CoreSite LLC, as

indicated, in the estimated annual amount of \$131,744.04 plus one-time set up fees of \$6,417.45, and 4% annual uplift, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b11**.

- 3.b.12 Award to EMAG Daytona HD LLC for the Lease of 2025 Harley-Davidson Police Motorcycles, S25-0487 (OPD)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Award to EMAG Daytona HD LLC., and authorize the Chief Procurement Officer to enter into a lease agreement, and subsequent renewals, as indicated, in the estimated amount of \$302,940.00, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b12**.

- 3.b.13 Award to Interlink Cloud Advisors for InTune Training and Deployment, N25-0484 (OBFS)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve award to Interlink Cloud Advisors and authorize the Chief Procurement Officer to enter into an agreement with Interlink Cloud Advisors, as indicated, in the estimated amount of \$120,000.00, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b13**.

- 3.b.14 Award to Mercon Construction Company and Huffman, Inc. DBA NuWave Concrete for Sidewalk Repairs, Concrete Repairs and Construction, IFB25-0402 (PW)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Award to Mercon Construction Company as the primary supplier and Huffman, Inc., (dba NuWave Concrete) as the secondary supplier and authorize the Chief Procurement Officer to enter into an

agreement and subsequent renewals with Mercon Construction Company and Huffman, Inc., (dba NuWave Concrete) as indicated, in the estimated annual amount of \$2,000,000.00, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b14**.

3.b.15 Award to SSD International, Inc. for Daniel Defense Rifles, S25-0470 (OPD)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Award to SSD International, Inc., and authorize the Chief Procurement Officer to enter into an agreement with SSD International, Inc., as indicated, in the estimated amount of \$291,800.00, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b15**.

3.b.16 Award to Traffic Control Devices, LLC for Uninterruptable Power Systems Expansion Phase I Project, IFB25-0004 (PW, TRN)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Award to Traffic Control Devices, LLC., and authorize the Chief Procurement Officer to enter into an agreement with Traffic Control Devices, LLC., as indicated, in the estimated amount of \$748,737.00, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b16**.

3.b.17 Award to Wind River Environmental, LLC for Small Scale Reservoir Environmental Cleaning Services, IFB25-0345 (PW)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Award to Wind River Environmental, LLC., and authorize the Chief Procurement Officer to enter into an agreement and subsequent renewals with Wind River Environmental, LLC, as indicated, in the estimated annual amount of \$500,000.00, subject to review and approval by the

City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b17**.

3.b.18 Commercial Contract for Purchase of Property Adjacent to Pulse Nightclub

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Commercial Contract for Purchase of Property Adjacent to Pulse Nightclub for Purchase of Property Adjacent to Pulse Nightclub and authorize the Real Estate Division Manager to execute the Contract and all closing documents, subject to review and approval by the City Attorney's Office, and authorize the Real Estate Division Manager to extend the July 31, 2025, Closing Date up to an additional six months.

Carried Unanimously

Approved, filed and documentary **#2507143b18**.

3.b.19 Contract with H. J. High Construction Company for Construction
Guaranteed Maximum Price for Fire Station 18, RFP22-0347 (PW)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Contract with H. J. High Construction Company for Construction Guaranteed Maximum Price and authorize the Chief Procurement Officer to enter into an agreement with H.J. Construction, as indicated, in the not-to-exceed amount of \$10,244.249.00, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b19**.

3.b.21 Proposed Fiscal Year 2025-2026 City of Orlando Millage Rate of 6.6500

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Proposed Fiscal Year 2025-2026 City of Orlando Millage Rate of 6.6500 and authorize the Chief Financial Officer (CFO) to submit the proposed millage rate, roll-back rate and date, time and place of the public hearing to consider the proposed millage rate and tentative budget to the Property Appraiser pursuant to Section 200.605, Florida Statute. Subject to

review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b21**.

- 3.b.22 Proposed Fiscal Year 2025-2026 Downtown Development Board (DDB)
Millage Rate of 1.0000

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Proposed Fiscal Year 2025-2026 Downtown Development Board (DDB) Millage Rate of 1.0000 and authorize the Chief Financial Officer (CFO) to submit the proposed millage rate, roll-back rate and date, time and place of the public hearing to consider the proposed millage rate, and tentative budget to the Property Appraiser pursuant to Section 200.065, Florida Statute. Subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b22**.

- 3.b.23 Proposed Fiscal Year 2025-2026 Downtown South Neighborhood
Improvement District (DSNID) Millage Rate of 1.0000

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Proposed Fiscal Year 2025-2026 Downtown South Neighborhood Improvement District (DSNID) Millage Rate of 1.0000 and authorize for Chief Financial Officer (CFO) to submit the proposed millage rate, roll -back rate and date, time and place of the public hearing to consider the proposed millage rate, and tentative budget to the Property Appraiser pursuant to Section 200.065, Florida Statute. Subject to review and approval of the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b23**.

- 3.b.24 Second Amendment to Lease Agreement with Dr. Phillips City Center, LLC
for Pop-up Park and Plaza at 274 N. Orange Ave (Art2 Park)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Second Amendment to Lease Agreement with

Dr. Phillips City Center, LLC., for Pop-up Park and Plaza at 274 N. Orange Ave., (Art2 Park) and authorize the Mayor or Mayor Pro Tem and City Clerk to execute same, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b24**.

- 3.b.25 Service Authorization with 15 Lightyears, Inc. for Design-Build Services of a Rooftop Solar Photovoltaic (PV) System at the Englewood Neighborhood Center, RFP24-0014 (OBFS)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Service Authorization with 15 Lightyears, Inc., and authorize the Chief Procurement Officer to execute the Service Authorization with 15 Lightyears, Inc., as indicated, in the not-to-exceed amount of \$601,584.18, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b25**.

- 3.b.26 Service Authorization with 15 Lightyears, Inc. for Design-Build Services of a Rooftop Solar Photovoltaic (PV) System at the Rosemont Neighborhood Center, RFP24-0014 (OBFS)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve the Service Authorization with 15 Lightyears, Inc., and authorize the Chief Procurement Officer to execute the Service Authorization with 15 Lightyears, Inc., as indicated, in the not-to-exceed amount of \$389,426.57, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b26**.

- 3.b.27 Service Authorization with 15 Lightyears, Inc. for Design-Build Services of a Rooftop Solar Photovoltaic (PV) System at Primrose Plaza Center, RFP24-0014 (OBFS)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Service Authorization with 15 Lightyears, Inc.,

and authorize the Chief Procurement Officer to execute the Service Authorization, as indicated, in the not-to-exceed amount of \$899,214.03, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b27**.

3.b.28 Third Amendment to Purchase and Sale Agreement for 756 Bennett Road (OBFS)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve the Third Amendment to Purchase and Sale Agreement for 756 Bennett Road and authorize for the Real Estate Division Manager to execute the same, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b28**.

3.b.29 Use of the BuyBoard Contract with Galls, LLC for Uniforms and Accessories, C25-0481 (OFD)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Use of the BuyBoard Contract with Galls, LLC, and authorize the Chief Procurement Officer to utilize the BuyBoard Contract with Galls, LLC, and subsequent renewals, as indicated, in the estimated annual amount of \$380,000.00, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b29**.

3.b.30 Use of Sourcewell Contract with Canon, USA for the Lease of Copiers, Printers, Multi-Functional Devices, and Related Solutions, C25-0478 (OBFS)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Use of Sourcewell Contract with Canon and authorize the Chief Procurement Officer to utilize the Sourcewell Contract with

Canon, USA through Dex Imaging, LLC., and subsequent renewals, as indicated, in the estimated annual amount of \$339,725.85, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b30**.

- 3.b.31 Use of Sourcewell Contract with Staples Contract & Commercial LLC for Office Supplies and Related Products, C25-0326 (OBFS)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Use of Sourcewell Contract with Staples Contract & Commercial LLC., and authorize the Chief Procurement Officer to utilize the Sourcewell Contract with Staples Contract & Commercial LLC and subsequent renewals, as indicated, in the estimated annual amount of \$150,000.00, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143b31**.

- 3.b.20 DELETED

[DELETED] Dr. Phillips Performing Arts Center Restrictive Covenant and Companion Agreement

3.c Economic Development

- 3.c.1 Meeting Minutes and Approve the Actions of the Board of Zoning Adjustment (BZA) — June 24, 2025

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Accept the meeting minutes and approve the actions of the Board of Zoning Adjustment (BZA) for the Meeting of June 24, 2025.

Carried Unanimously

Accepted, filed and documentary **#2507143c1**.

- 3.c.2 Meeting Minutes and Approving the Actions of the Development Review Committee (DRC) — June 4, 2025

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Accept the Meeting Minutes and Approve the Actions of the Development Review Committee (DRC) for the Meeting of June 4, 2025.

Carried Unanimously

Accepted, filed and documentary **#2507143c2.**

3.c.3 Meeting Minutes and Approving the Actions of the Historic Preservation Board (HPB) — June 4, 2025

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Accept the Meeting Minutes and Approve the Actions of the Historic Preservation Board (HPB) for the Meeting of June 4, 2025.

Carried Unanimously

Accepted, filed and documentary **#2507143c3.**

3.c.4 Meeting Minutes and Approving the Actions of the Municipal Planning Board (MPB) — June 17, 2025

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Accept the Meeting Minutes and Approve the Actions of the Municipal Planning Board (MPB) for the Meeting of June 17, 2025.

Carried Unanimously

Approved, filed and documentary **#2507143c4.**

3.c.5 Business Assistance Program Agreement between the City of Orlando and Dr. Dripz, Inc. — 1618 North Orange Avenue

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve the Business Assistance Program Agreement between the City of Orlando and Dr. Dripz, Inc., and authorize for Mayor/Mayor Pro Tem and City Clerk to execute same, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143c5**.

3.c.6 Employment Agreement — Marquis Whitfield, Maintenance Worker (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement for Marquis Whitfield, Maintenance Worker (C), and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143c6**.

3.c.7 Small Business Façade Site Improvement and Adaptive Reuse Program (FSARP) Agreement between the City of Orlando and Uptown Family Partners, LLC — 3122 Corrine Drive

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Small Business Façade Site Improvement and Adaptive Reuse Program (FSARP) Agreement between the City of Orlando and Uptown Family Partners, LLC. – 3122 Corrine Drive, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143c7**.

3.d Families, Parks and Recreation

3.d.1 Employment Agreement — Ajanae Creque, Lead Student Advocate (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement for Ajanae Creque, Lead Student Advocate (C), Parramore and Holden Heights Kidz Zones, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d1**.

3.d.2 Employment Agreement Renewal — Alexis Lashay Hicks, Youth Employment Coordinator (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Alexis Lashay Hicks, Youth Employment Coordinator (C), and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d2**.

3.d.3 Employment Agreement Renewal — Ashley Butler, Lead Student Advocate (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Ashley Butler, Lead Student Advocate (C), Parramore and Holden Heights Kidz Zones, and authorize Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d3**.

3.d.4 Employment Agreement Renewal — Celyann Delgado Hernandez, Regional Recreation Specialist (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Celyann Delgado Hernandez, Regional Recreation Specialist (C), Engelwood Kidz Zone, and authorize Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d4**.

3.d.5 Employment Agreement Renewal — Danielle Cunningham, Lead Student

Advocate (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Danielle Cunningham, Lead Student Advocate (C), Parramore and Holden Heights Kidz Zones, and authorize Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d5**.

- 3.d.6 Employment Agreement Renewal — Deidre Law, Lead Student Advocate Supervisor (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Deidre Law, Lead Student Advocate Supervisor (C), Mercy Drive Kidz Zone, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d6**.

- 3.d.7 Employment Agreement Renewal — Dennese McCalla, Lead Student Advocate Supervisor (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Dennese McCalla, Lead Student Advocate Supervisor (C), Parramore and Holden Heights Kidz Zones, and authorize Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d7**.

- 3.d.8 Employment Agreement Renewal — E'Quanzzia N. Pettigrew - Regional Recreation Specialist (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for E'Quanzzia N. Pettigrew, Regional Recreation Specialist (C), Parramore and Holden Heights Kidz Zones, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d8**.

- 3.d.9 Employment Agreement Renewal — Frederick Sutton, Regional Recreation Specialist (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Frederick Sutton, Regional Recreation Specialist (C), Mercy Drive Kidz Zone, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d9**.

- 3.d.10 Employment Agreement Renewal — George Louis Jean, Lead Student Advocate (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for George Louis Jean, Lead Student Advocate (C), Mercy Drive Kidz Zone, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d10**.

- 3.d.11 Employment Agreement Renewal — Isaiah Hurst, Regional Recreation Specialist (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Isaiah Hurst, Regional Recreation Specialist (C), Downtown Recreation Center, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d11**.

- 3.d.12 Employment Agreement Renewal — Jaron Finklea, Regional Recreation Specialist (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Jaron Finklea, Regional Recreation Specialist (C), Mercy Drive Kidz Zone, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d12**.

- 3.d.13 Employment Agreement Renewal — Kendell Ivory, Lead Student Advocate (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Kendell Ivory, Lead Student Advocate (C), Parramore and Holden Heights Kidz Zones, and authorize Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d13**.

- 3.d.14 Employment Agreement Renewal — Lashaunda Anderson, Lead Student Advocate (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Lashaunda Anderson, Lead Student Advocate (C), Mercy Drive Kidz Zone, and authorize Mayor or Mayor Pro Tem and City Clerk to execute the same, after

review and approval by the City Attorney's Office

Carried Unanimously

Approved, filed and documentary **#2507143d14**.

- 3.d.15 Employment Agreement Renewal — Lester Thomas, Lead Student Advocate (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Lester Thomas, Lead Student Advocate (C), Mercy Drive Kidz Zone, and authorize Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d15**.

- 3.d.16 Employment Agreement Renewal — Naomi Bell, Lead Student Advocate (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Naomi Bell, Lead Student Advocate (C), Englewood Kidz Zone, and authorize Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d16**.

- 3.d.17 Employment Agreement Renewal — Nathalie Reyes, Staff Assistant (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Nathalie Reyes, Staff Assistant (C), Parramore and Holden Heights Kidz Zones, and authorize Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d17**.

- 3.d.18 Employment Agreement Renewal — Rachael Carroll, Youth Employment Coordinator (C)
Moved by Commissioner Robert F. Stuart
Seconded by Commissioner Tony Ortiz
Recommended Action: Approve Employment Agreement Renewal for Rachael Carroll, Youth Employment Coordinator (C), and authorize Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.
- Carried Unanimously
Approved, filed and documentary **#2507143d18**.
- 3.d.19 Employment Agreement Renewal — Russell Schultz, Lead Student Advocate (C)
Moved by Commissioner Robert F. Stuart
Seconded by Commissioner Tony Ortiz
Recommended Action: Approve Employment Agreement Renewal for Russell Schultz, Lead Student Advocate (C), Engelwood Kidz Zone, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.
- Carried Unanimously
Approved, filed and documentary **#2507143d19**.
- 3.d.20 Employment Agreement Renewal — Sandra Borruso, Lead Student Advocate (C)
Moved by Commissioner Robert F. Stuart
Seconded by Commissioner Tony Ortiz
Recommended Action: Approve Employment Agreement Renewal for Sandra Borruso, Lead Student Advocate (C) and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.
- Carried Unanimously
Approved, filed and documentary **#2507143d20**.
- 3.d.21 Employment Agreement Renewal — Sasha Mills, Lead Student Advocate (C)
Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Sasha Mills, Lead Student Advocate (C), Parramore and Holden Heights Kidz Zones, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d21**.

3.d.22 Employment Agreement Renewal — Shaquon Williams, Regional Recreation Specialist (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Shaquon Williams, Regional Recreation Specialist (C), Engelwood Kidz Zone, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d22**.

3.d.23 Employment Agreement Renewal — Taylor Glaude, Lead Student Advocate (C)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Employment Agreement Renewal for Taylor Glaude, Lead Student Advocate (C), and authorize Mayor or Mayor Pro Tem and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143d23**.

3.e Fire

No agenda items

3.f Housing

3.f.1 City of Orlando's 2025 Action Plan for the U.S. Department of Housing and

Urban Development (HUD) Housing and Community Development Programs and Authorization to Execute the 2025 HUD Agreements

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve City of Orlando's Program Year 2025 Annual Action Plan to be submitted to HUD for review and approval and authorize the Mayor to execute the grant agreements for the CDBG, ESG, HOME, and HOPWA Programs and all corresponding documentation, and authorize the Housing and Community Development Department to make minor edits to the Action Plan to conform to HUD requirements, all subject to review and approval by the City's Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143f1**.

3.g Orlando Venues

No agenda items

3.h Police

3.h.1 Law Enforcement Trust Fund (LETf) – \$2,500.00 to Florida Missing Children's Day Foundation, Inc. (FMCD)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Law Enforcement Trust Fund (LETf) expenditure of \$2,500.00 to Florida Missing Children's Day Foundation, Inc. (FMCD), with execution by the Chief of Police certifying that the LETf expenditure complies with Florida Statute 932.7055, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143h1**.

3.i Public Works

3.i.1 Peel Avenue Sanitary Sewer Cost Share Reimbursement Agreement

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Peel Avenue Sanitary Sewer Cost Share

Reimbursement Agreement and authorize for Mayor/Mayor Pro Tem and City Clerk to execute same, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143i1**.

3.j Transportation

3.j.1 Special Event Permits for Parks and Outdoor Public Assemblies

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Special Event Permits for Parks and Outdoor Public Assemblies.

Carried Unanimously

Approved, filed and documentary **#2507143j1**.

3.k Other

3.k.1 \$15,000 Contribution from District 3 Funds to Ivanhoe Village Main Street for a Pocket Park

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve a \$15,000 contribution from District 3 funds to the Ivanhoe Village Main Street to support the 633 Virginia Drive pocket park and authorizing the Chief Financial Officer to disburse the funds at the appropriate time.

Carried Unanimously

Approved, filed and documentary **#2507143k1**.

3.k.2 Amendment to Sanitary Sewer Easement — Turkey LRA, LLC, Wallace Road (OUC)

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Tony Ortiz

Recommended Action: Approve Amendment to Sanitary Sewer Easement – Turkey LRA, LLC, Wallace Road (OUC), and authorize the Mayor or Mayor Pro Tem and City Clerk to execute the same, subject to review and approval by the

City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143k2**.

- 3.k.3 Pre-Acceptance of Federal Aviation Administration Grant for East Ramp Rehabilitation, Phase 1 Construction at Orlando Executive Airport
Moved by Commissioner Robert F. Stuart
Seconded by Commissioner Tony Ortiz
Recommended Action: Approve Pre-Acceptance of Federal Aviation Administration (FAA) grant for East Ramp Rehabilitation, Phase 1 Construction at Orlando Executive Airport, and accept the grant and all associated contracts for the project upon award by the FAA, and authorize the Mayor, City Clerk, and City Attorney to execute the grant agreement and all associated contracts and documents substantially in the form and content consistent with customary FAA grants, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143k3**.

- 3.k.4 Specific Items Approved by the Greater Orlando Aviation Authority (GOAA) at its June 6, 2025 Meeting
Moved by Commissioner Robert F. Stuart
Seconded by Commissioner Tony Ortiz
Recommended Action: Approve Specific Items Approved by the Greater Orlando Aviation Authority (GOAA) at its June 6, 2025, Meeting, and authorize the Mayor or Mayor Pro Tem and City Clerk to execute any documents related hereto, subject to review and approval by the City Attorney's Office.

Carried Unanimously

Approved, filed and documentary **#2507143k4**.

At approximately 2:34 P.M., Mayor Dyer recessed the City Council meeting and convened the Community Redevelopment Agency (CRA) meeting.

4. Community Redevelopment Agency - CRA

- 4.a **Community Redevelopment Agency (CRA) Meeting Minutes — May 19, 2025**

Moved by Interim Commissioner Shan Rose
Seconded by Commissioner Patty Sheehan
Recommended Action: Approve Community Redevelopment Agency (CRA)
Meeting Minutes for the Meeting of May 19, 2025.

Carried Unanimously (7 to 0)

Approved, filed and documentary **#2507144a.**

4.b Community Redevelopment Agency (CRA) Meeting Minutes — June 9, 2025

Moved by Commissioner Patty Sheehan
Seconded by Interim Commissioner Shan Rose
Recommended Action: Approve Community Redevelopment Agency (CRA)
Meeting Minutes for the Meeting of June 9, 2025.

Carried Unanimously (7 to 0)

Approved, filed and documentary **#2507144b.**

4.c Community Redevelopment Agency Advisory Board (CRAAB) Meeting Minutes — April 23, 2025

Moved by Commissioner Robert F. Stuart
Seconded by Interim Commissioner Shan Rose
Recommended Action: Approve Community Redevelopment Agency Advisory
Board (CRAAB) Meeting Minutes for the Meeting of April 23, 2025.

Carried Unanimously (7 to 0)

Approved, filed and documentary **#2507144c.**

4.d Amendment Three Contract with Simple Solutions Exterior Cleaning, LLC, DBA We Hang Christmas Lights

Moved by Commissioner Patty Sheehan
Seconded by Interim Commissioner Shan Rose

Recommended Action: Approve Amendment Three Contract with Simple Solutions Exterior Cleaning, LLC, DBA We Hang Christmas Lights, and authorize the Chief Procurement Officer to execute the amendment on behalf of the CRA, subject to review and approval by the City Attorney's Office.

Carried Unanimously (7 to 0)

Approved, filed and documentary **#2507144d**.

4.e License Agreement with Sentinel Capital North Orange LLC

Moved by Interim Commissioner Shan Rose

Seconded by Commissioner Patty Sheehan

Recommended Action: Approve the License Agreement with Sentinel Capital North Orange LLC, subject to review and approval by the City's Attorney's Office, and authorize the Chairman and Executive Director to execute the Agreement.

Carried Unanimously (7 to 0)

Approved, filed and documentary **#2507144e**.

4.f Management Contract — Art2 with A La Cart Management LLC

Moved by Interim Commissioner Shan Rose

Seconded by Commissioner Patty Sheehan

Recommended Action: Approve Management Contract – Art² with A La Cart Management LLC, subject to review and approval by the City Attorney's Office and authorize the Chief Procurement Officer to execute the Agreement.

Carried Unanimously (7 to 0)

Approved, filed and documentary **#2507144f**.

At approximately 2:39 P.M., Mayor Dyer adjourned the Community Redevelopment Agency (CRA) meeting and convened the Neighborhood Improvement District (NID) Board of Directors meeting.

5. Neighborhood Improvement District - Board of Directors

5.a Meeting Minutes — Downtown South Neighborhood Improvement District (DSNID) Advisory Board — February 12, 2025

Moved by Commissioner Patty Sheehan

Seconded by Commissioner Robert F. Stuart

Recommended Action: Accept the meeting minutes and approve the actions of the Downtown South Neighborhood Improvement District Advisory Board for the Meeting of February 12, 2025, subject to review and approval by the City Attorney's Office.

Carried Unanimously (7 to 0)

Accepted, filed and documentary **#2507145a**.

5.b Meeting Minutes — Downtown South Neighborhood Improvement District (DSNID) Advisory Board — June 11, 2025

Moved by Commissioner Patty Sheehan

Seconded by Commissioner Robert F. Stuart

Recommended Action: Accept the meeting minutes and approve the actions of the Downtown South Neighborhood Improvement District Advisory Board for the Meeting of June 11, 2025, subject to review and approval by the City Attorney's Office.

Carried Unanimously (7 to 0)

Accepted, filed and documentary **#2507145b**.

At approximately 2:40 P.M., Mayor Dyer adjourned the Neighborhood Improvement District (NID) Board of Directors meeting and convened the OPEB Board of Trustees meeting.

6. OPEB Board of Trustees

6.a Removal of Clarkston, Small and Mid Capitalization Manager, and Hiring Atlanta Capital, Small and Mid Capitalization Manager In OPEB Fund

Moved by Commissioner Robert F. Stuart

Seconded by Commissioner Patty Sheehan

Recommended Action: Approve the removal of the current small/mid capitalization manager, Clarkston, and hiring Atlanta Capital as the new small/mid capitalization manager in the OPEB Fund and authorize the Chief Financial Officer to negotiate

and execute investment management agreements and any other necessary documents with these firms, subject to review and approval by the Pension Attorney or the City Attorney's Office as to form and legality.

Carried Unanimously (7 to 0)

Approved, filed and documentary **#2507146a**.

At approximately 2:41 P.M., Mayor Dyer adjourned the OPEB Board of Trustees meeting and reconvened the City Council meeting.

7. New Business/Hearings

No agenda items

8. New Business

No agenda items

9. Hearings

No agenda items

10. Hearings/Emergency Ordinances

No agenda items

11. Hearings/Ordinances/1st Read

11.a Ordinance No. 2025-22 Amending and Restructuring the City's Growth Management Plan to Update the Plan's Data and Analysis, Vision Statement, Definitions, Elements and Figures (GMP2025-10002, GMP Refresh) (Economic Development)

Moved by Commissioner Patty Sheehan

Seconded by Interim Commissioner Shan Rose

Recommended Action: Approve Ordinance No. 2025-22 on first reading and request that the Mayor and City Clerk present the draft ordinance for second reading and public hearing after the ordinance is reviewed by the relevant state agencies.

Carried Unanimously (7 to 0)

Approved, filed and documentary #25071411a.

12. Hearings/Ordinances/2nd Read

12.a **Ordinance No. 2025-23 Land Development Code Amendment Establishing Procedures for the Review and Approval of Reasonable Accommodations for the Establishment of Certified Recovery Residences; Providing a Process for Reasonable Accommodation Requests to the City's Land Development Ordinances, Rules, Policies, and Procedures for Persons with Disabilities as Provided by the Fair Housing Amendments Act, Title II of the Americans with Disabilities Act, and Other Applicable State and Federal Regulations (LDC2025-10000) (Economic Development)**

Moved by Interim Commissioner Shan Rose

Seconded by Commissioner Bakari F. Burns

Recommended Action: Adopt Ordinance No. 2025-23, and authorize the Mayor and City Clerk to execute the same, after final review and approval by the City Attorney's Office.

Carried Unanimously (7 to 0)

Adopted, filed and documentary #25071412a.

12.b **Ordinance No. 2025-24 Amending and Restating the Land Development Regulations of the Vista Park (Everbe) Planned Development, Relating to Certain Land Generally Located South of Lee Vista Blvd., West of SR 417, North of SR 528 Beachline Expwy, and East of Narcoossee Road; and Comprised of Approximately 1,561.4 Acres of Land; Providing for Amendment of the City's Official Zoning Map; Vista Park (Everbe) PD Amendment (ZON2025-10000) (Economic Development)**

Moved by Commissioner Jim Gray

Seconded by Commissioner Tony Ortiz

Recommended Action: Adopt Ordinance No. 2025-24, and authorize the Mayor and City Clerk to execute the same, subject to review and approval by the City Attorney's Office.

Conflict (1):

Commissioner Robert F. Stuart

Carried (6 to 0)

Commissioner Robert F. Stuart declared a conflict with Agenda Item 12.b. Ordinance No. 2025-24 and submitted the Form 8B Memorandum of Voting Conflict to the City Clerk's Office.

Adopted, filed and documentary **#25071412b.**

13. Ordinances/1st Read

13.a Ordinance No. 2025-25 Amending the Land Development Regulations for The Veranda Planned Development (PD) Generally Located East of N. Summerlin Avenue, West of Hill Avenue, North of E. Washington Street, and South of E. Jefferson Street, and to Change the Development Use for Lot 2, Which is Comprised of Approximately 0.13 Acres (The Veranda PD Amendment—ZON2024-10007)

Moved by Commissioner Patty Sheehan

Seconded by Commissioner Robert F. Stuart

Recommended Action: Approve Ordinance No. 2025-25 on first reading and request that the Mayor and City Clerk present the draft ordinance for second reading and public hearing at the next regular City Council meeting.

Conflict (1):

Mayor Buddy Dyer

Carried (6 to 0)

Mayor Dyer declared a conflict with Agenda Item 13.a Ordinance No. 2025-25 and submitted the Form 8B Memorandum of Voting Conflict to the City Clerk's Office.

Approved, filed and documentary **#25071413a.**

14. Ordinances/2nd Read

No agenda items

15. Appeals

15.a Appeal by RedSpeed Florida, LLC on the Recommendation for Award to American Traffic Solutions, Inc., DBA Verra Mobility Corporation for School Zone Speed Detection System, RFP25-0123 (TRN)

Assistant City Attorney Mitch Davis appeared on behalf of the City of Orlando; a copy of the presentation is attached as supplemental papers to these minutes. Gregory Parks, representative, appeared on behalf of RedSpeed. A copy of RedSpeed's handouts is attached as supplemental papers to these minutes. Wayne Jenkins appeared to speak on behalf of Verra Mobility, James Young, Special Events Division Manager, Tanya Wilder, Director of Transportation, and Raymond Rodriguez, Red Light Operations Manager, appeared to address questions.

Commissioner Robert F. Stuart declared a conflict with Agenda Item 15.a and submitted the Form 8B Memorandum of Voting Conflict to the City Clerk's Office.

Moved by Commissioner Patty Sheehan

Seconded by Mayor Buddy Dyer

Recommended Action: Deny the appeal.

No (3): Commissioner Jim Gray, Commissioner Tony Ortiz, and
Commissioner Bakari F. Burns

Conflict (1): Commissioner Robert F. Stuart

Tied (3 to 3)

Moved by Commissioner Jim Gray

Seconded by Commissioner Bakari F. Burns

Recommended Action: Uphold the appeal and direct the Chief Procurement Officer to reissue the RFP with specific criteria.

No (3): Mayor Buddy Dyer, Commissioner Patty Sheehan, and Interim
Commissioner Shan Rose

Conflict (1): Commissioner Robert F. Stuart

Tied (3 to 3)

Failed, filed and documentary **#25071415a**.

15.b Advisory Committee Ranking and Authorization for the Chief Procurement Officer to Execute a Contract for School Zone Speed Detection System with American Traffic Solutions, Inc. Being the Top Ranked Firm, RFP25-0123 (TRN)

Recommended Action: Approve the ranking established by the Advisory

Committee and authorize the Chief Procurement Officer to negotiate and execute the contract and subsequent renewals with the top-ranked firm, American Traffic Solutions, Inc., DBA Verra Mobility, as indicated. If negotiations are not successful with the top-ranked firm, approve and authorize the Chief Procurement Officer to negotiate with the remaining firms in ranked order and execute a contract and subsequent renewals, as indicated, with the highest-ranked firm with whom agreements are reached. The final negotiated agreement will be subject to review and approval by the City Attorney's Office.

Commissioner Robert F. Stuart declared a conflict with Agenda Item 15.b and submitted the Form 8B Memorandum of Voting Conflict to the City Clerk's Office.

Without objection, Mayor Dyer deferred this item to the next regularly scheduled meeting.

Deferred, filed and documentary **#25071415b**.

16. Quasi-Judicial Hearings

No agenda items

17. Unfinished Business

No agenda items

18. For Information Only

18.a Meeting Minutes — Audit Board Minutes — March 27, 2025

Recommended Action: For information only.

For information only, filed and documentary **#25071418a**.

18.b Meeting Minutes — Downtown Development Board (DDB) — May 28, 2025

Recommended Action: For information only.

For information only, filed and documentary **#25071418b**.

18.c Meeting Minutes — Finance Committee — June 06, 2025

Recommended Action: For information only.

For information only, filed and documentary **#25071418c**.

18.d Meeting Minutes — Investment Committee — May 14, 2025

Recommended Action: For information only.

For information only, filed and documentary #25071418d.

18.e Meeting Minutes — Mayor Dyer and Commissioner Gray — May 27, 2025

Recommended Action: For information only.

For information only, filed and documentary #25071418e.

18.f Meeting Minutes — Nominating Board — January 8, 2025

Recommended Action: For information only.

For information only, filed and documentary #25071418f.

18.g Meeting Minutes — Nominating Board — February 12, 2025

Recommended Action: For information only.

For information only, filed and documentary #25071418g.

18.h Meeting Minutes — Nominating Board — March 12, 2025

Recommended Action: For information only.

For information only, filed and documentary #25071418h.

19. End of Official Business

At approximately 4:06 P.M., the official business of the City of Orlando was concluded.

20. General Appearances

Mayor Dyer called for general appearance, and the following submitted a general appearance request form and appeared to provide public comments:

1. Macene Isom
2. Hugo Hollander
3. Jakob Willis
4. Tiffany Hagerman
5. Aaron Munn
6. Xavier Mckenzie
7. Yamilet Bonilla
8. Sarah Mericle
9. Song Nguyen
10. Giancarlo Rodriguez
11. Val Mobley
12. Matthew Zaccarino

Commissioner Bakari F. Burns left the meeting at 4:20 p.m. and returned at 4:23 p.m.

Kenya Richemond was called but did not appear to speak.

Zachary Blair, Xavier Mckenzie, and Dr. Jim Moyer submitted Written Public Comment.

21. Adjourn

There being no further business to come before City Council on Monday, July 14, 2025, Mayor Buddy Dyer adjourned the meeting at 4:36 P.M.

Mayor Buddy Dyer

City Clerk Stephanie Herdocia

Orange County Government

*Orange County Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393*



Draft Meeting Minutes

Thursday, July 17, 2025

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:12 a.m.

Present: 7 - Mayor Jerry L. Demings, Commissioner Nicole Wilson, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Kelly Martinez Semrad, and Commissioner Michael Scott

Others present:

County Comptroller Phil Diamond as Clerk

County Administrator Byron Brooks

Office of Management and Budget Director Kurt Petersen

Office of Management and Budget Assistant Manager Nanette Melo

Minutes Supervisor Craig Stopyra

Minutes Coordinator Terrell Hightower

BUDGET WORK SESSION**CONSTITUTIONAL OFFICES**

25-1037 Orange County Public Defender, Ninth Judicial Circuit Court of Florida, Melissa Vickers addressed the Board regarding her budget proposal but did not formally present it. She also expressed her gratitude towards Orange and Osceola County for paying the IT Budget.

The Board took no action.

SUPERVISOR OF ELECTIONS

Orange County Supervisor of Elections Karen Castor-Dentel addressed the Board regarding her budget proposal to increase new positions and prepare for upcoming elections. She also addressed the Board regarding increase access, enhance communication, and enhance early voting for elections. Board discussion ensued. County Administrator Brooks contributed to the discussion.

The Board took no action.

SHERIFF

25-1038 Orange County Sheriff John Mina addressed the Board regarding an update and budget report. Board discussion ensued. Kurt Petersen, Director, Office of Management and Budget, County Comptroller Diamond, County Administrator Brooks, and Nanette Melo, Assistant Manager, Office of Management and Budget contributed to the discussion.

The following person addressed the Board: Orange County Undersheriff Mark Canty.

The Board took no action.

LYNX

- 25-1039** Tiffany Holmer Hawkins, Chief Executive Officer, LYNX (Central Florida Regional Transportation Authority), presented an overview of LYNX operations. Leonard Antmann, Chief Financial Officer, LYNX (Central Florida Regional Transportation Authority), presented the LYNX budget.

The Board took no action.

By Consensus, the Board adjourned as the Orange County Board of County Commissioners and convened as the Orange County Library District Governing Board

LIBRARY DISTRICT GOVERNING BOARD

- 25-1040** Library District Governing Board

The Orange County Board of County Commissioners took no action. Refer to the Orange County Library District Governing Board Minutes appended to Legislative File 25-1040, for action taken by the Orange County Library District Governing Board.

By Consensus, the Board adjourned as the Orange County Library District Governing Board and convened as the Orange County Community Redevelopment Agency Governing Board

ORANGE COUNTY COMMUNITY REDEVELOPMENT AGENCY (CRA)

- 25-1041** Vanessa Pinkney, Executive Director, Orange Blossom Trail Development Board, presented to the Board the proposed resolution for Fiscal Year 2025-2026 annual budget of the Orange County Community CRA (Redevelopment Agency), as presented and contained within the proposed budget of Orange County. Board discussion ensued.

A motion was made by Commissioner Scott, seconded by Commissioner Moore, to approve and adopt the Fiscal Year 2025-2026 Budget Resolution 2025-M-28 of the Orange Blossom Trail Community Redevelopment Agency related to the Fiscal Year 2025-2026 Budget of the Orange Blossom Trail Community Redevelopment Agency. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Martinez Semrad, and Commissioner Scott

By Consensus, the Board adjourned as the Orange County Community Redevelopment Agency Governing Board and convened as the Orange County International Drive Community Redevelopment Agency Governing Board

I-DRIVE COMMUNITY REDEVELOPMENT AGENCY

- 25-1042** Daniel Kilponen, Chief Planner, Neighborhood Services Division, Planning

Development, and Environmental Services Department, and Krista Taraszewski, Assistant Project Manager, Neighborhood Services Division, Planning Environmental, and Development Services Department presented to the Board the proposed annual budget for Fiscal Year 2025-2026 of the Orange County I-Drive CRA (Community Redevelopment Agency) as presented and contained within the proposed budget of Orange County. Board discussion ensued. Kurt Petersen, Director, Office of Management and Budget, Raymond Williams, Manager, Engineering Division, Public Works Department, and County Administrator Brooks contributed to the discussion.

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to approve and adopt Resolution 2025-M-29 of the International Drive Community Redevelopment Agency regarding the proposed Fiscal Year 2025-2026 Budget of the International Drive Community Redevelopment Agency. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Martinez Semrad, and Commissioner Scott

By Consensus, the Board adjourned as the Orange County International Drive Community Redevelopment Agency Governing Board and reconvened as the Orange County Board of County Commissioners

CONVENTION CENTER & TOURIST DEVELOPMENT TAX (TDT)

25-1043 Mark Tester, Executive Director, Convention Center, presented an update and budget report on the Convention Center. Raymond Walls, Deputy Director, Convention Center, presented an update and budget report on the Tourist Development Tax. Board discussion ensued.

The Board took no action.

COUNTY ADMINISTRATOR

25-1044 Board Budget Discussion

Board discussion ensued regarding increasing the Sheriff's millage rate proposed by the Orange County Sheriff's Office. County Comptroller Diamond, Kurt Petersen, Director, Office of Management and Budget, County Administrator Brooks, and Nanette Melo, Assistant Manager, Office of Management and Budget, contributed to the discussion.

Tentative Millage:

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to approve the Tentative Millages for Fiscal Year 2025/2026. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe,

Commissioner Gomez Cordero, Commissioner Martinez Semrad, and Commissioner Scott

Tentative Budget:

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the Tentative Countywide Budget for Fiscal Year 2025/2026. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Martinez Semrad, and Commissioner Scott

Budget Consent Agenda:

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to approve the Budget Consent Agenda as follows:

1. Approval of Resolution 2025-M-30 of the Orange County Board of County Commissioners regarding certain service fees charged by Orange County Fire Rescue Department to take effect on October 1, 2025.
2. Approval of Resolution 2025-M-31 of the Orange County Board of County Commissioners regarding certain service fees charged by Orange County Medical Examiner's Office to take effect on October 1, 2025.
3. Approval of the Fourth Amendment to Orange County Retiree Health Care Benefit Trust, Effective October 1, 2025, by and between Orange County, Florida and the Office of the Orange County Comptroller, as Trustee. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Martinez Semrad, and Commissioner Scott

√ **The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf of the party who communicated with the Board member to allow any interested party an opportunity to inquire about or respond to such communication. Failure to disclose any such communication may place the party who ultimately prevails at the quasi-judicial hearing at risk of having the Board's decision overturned in a court of law due to prejudice against the party who was not privy to the ex parte communication.**

Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at <https://www.ocfl.net/OpenGovernment/MeetingsReport.aspx>

ADJOURNMENT: 5:06 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Deputy Clerk

Any person wishing to appeal any decision made by the Board of County Commissioners at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5517.

Para mayor información en español, por favor llame al (407) 836-3111. Si w bezwen èd nan lang Kreyòl oswa sèvis tradiksyon, tanpri rele (407) 836-3111.

NOTE: Reports from the County Mayor, the County Commissioners, the County Administrator, and the County Attorney may be presented at unscheduled times throughout the day, depending on the length of time required for advertised public hearings.

Copies of Specific Project Expenditure Reports and Relationship Disclosure Forms are not included with agenda items unless there is a listed expenditure or disclosure. Copies of these completed reports and forms may be obtained by contacting the relevant Department/Division Office.

**With respect to informational items, Board action is neither required nor necessary, and Board approval (or disapproval) is not to be implied.

RESOLUTION NO. 2025-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING A POLICY FOR OFFICIAL MEETING MINUTES, PROVIDING FOR DIRECTIONS TO THE CITY CLERK, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka recognizes the importance of transparency, accountability and public record-keeping in local government; and

WHEREAS, accurate and consistent meeting minutes serve as the official record of action taken by the Council and are essential for historical reference, legal compliance and public access; and

WHEREAS, the Council seeks to ensure that all minutes are prepared in a uniform, timely and professional manner that complies with Section 286.011, Florida Statutes; and

WHEREAS, the City Council desires to establish a uniform policy for the preparation of brief meeting minutes that will ensure the official record reflects the official actions of the Council without recording individual or impartial discussions, opinions, or disagreements.

WHEREAS, the purpose of this resolution is to establish the official policy for the preparation of City Council meeting minutes in accordance with Section 286.011, Florida Statutes; and

WHEREAS, it is appropriate that administrative policies be reviewed and amended from time to time as needed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, as follows:

SECTION 1 – CITY COUNCIL MEETING MINUTE-TAKING POLICY

1. **Responsibility:**

The City Clerk or designee shall be responsible for overseeing the preparation of the official minutes for all Official Regular, Special or Workshop City Council meetings.

2. **Required Content of Minutes to include:**

The meeting minutes shall reflect a brief and impartial record of the meeting to include the following elements:

- a) The Date, Time, Type of Meeting and the Location of the Meeting.

- b) Name of the Presiding Officer, Members present and members absent.
 - d) Official actions, decisions, and resolutions adopted by the Council.
 - a. Exact wording of all motions, who made the motion, and who seconded the motion.
 - b. Results of each vote taken.
 - c) Listed names of individuals who provide public comment.
 - d) Time of Adjournment.
3. Minutes shall not include:
Detailed discussions, debate, personal opinions, comments, attacks, disagreements, characterizations of the discussion, or remarks of Council members or the public.
4. Format of Minutes
The meeting minutes shall be written in a concise, neutral and professional style and provide an action summary in accordance with this resolution.
5. Approval Process
Draft meeting minutes shall be submitted to the Council for review and approval at the next regular meeting. Upon approval, the minutes shall be signed by the Presiding Officer and City Clerk and made available to the public in accordance with Section 286.011(1), Florida Statutes.
6. Retention and Publication
Approved minutes shall be posted to the City's official website and retained in accordance with the City of Apopka records retention policy and in accordance with Section 286.011(1), Florida Statutes.

SECTION 2. TRAINING AND IMPLEMENTATION

The City Clerk or designee shall ensure that individuals responsible for minute-taking receive appropriate training in this policy in accordance with applicable legal requirements and pursuant to Section 286.011(1), Florida Statutes.

SECTION 3. EFFECTIVE DATE

This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this ____ day of August, 2025

CITY OF APOPKA

Bryan Nelson, Mayor

Susan M. Bone, City Clerk