CITY OF APOPKA

Minutes of the City Council regular meeting held on September 9, 2020 at 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Bryan Nelson
Commissioner Doug Bankson
Commissioner Kyle Becker
Commissioner Alexander Smith
City Administrator Edward Bass
City Attorney Michael Rodriguez

PRESS PRESENT: John Peery – The Apopka Chief

INVOCATION/PLEDGE – Commissioner Bankson provided the invocation, Pledge of Allegiance and read the Fact of the Day**.** He said that on September 9, 1776, the Continental Congress formally declared the name of the new nation to be the "United States" of America in a congressional declaration. This replaced the term "United Colonies," which had been in general use. The delegates wrote, "That in all continental commissions, and other instruments, where, heretofore, the words 'United Colonies' have been used, the stile be altered for the future to the "United States." What had been a varying group of colonies was now a country and the new name reflected this new nation.

APPROVAL OF MINUTES

1. City Council regular meeting August 19, 2020.

Mayor Nelson said that this is just for the August 19, 2020 meeting and said we are a little behind based upon Linda retiring and Susan taking up that as well as the election and trying to get all of that in order so we will have the rest of the minutes on the next agenda. He asked if anyone has any questions on the minutes and asked whether anyone else had any questions. Hearing none, he asked for a motion to approve the minutes of August 19, 2020.

MOTION by Commissioner Bankson and seconded by Commissioner Smith, to approve the meeting minutes of August 19, 2020. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

PRESENTATION

1. Apopka Youth Works (AYW) Wrap Up
Presented by: Robert Agrusa, Apopka Area Chamber of Commerce
Shakenya Harris-Jackson, City of Apopka Grants Coordinator

Robert Agrusa, President of the Apopka Area Chamber of Commerce, provided an update on the Apopka Youth Works program as well as an update on our Partnership with the City of Apopka. He said that on January 1st, 2020, we started our partnership with between the City of Apopka and said that the Chamber has successfully secured $25,000 in private funding towards our Economic Development Partnership. He said that we had an agreement to raise $15,000 from the private sector and are very excited that we've now surpassed that goal, in light of the challenges that this year has brought. He said that we now have five members as part of our founding Economic Development Council including the Benge Development Coporation; the Coca-Cola Company; Collier Companies; Mullinax Ford; and Seacost Bank and thanked them for their investment and this partnership that we're building together with our City and our Business Community. He said that secondly, we have begun our bids on the website development we're starting for our economic development page, which will help with the expansion and recruitment of businesses into the Apopka area along with the retention and recovery of businesses within our community.

He said on the Apopka Youth Works program, this Summer, we worked in conjunction with the City of Apopka and Dr. Jackson as well as Career Source of Central Florida to host the Apopka Youth Works program. He said this is a phenomenal program where high school students between the ages of 16 & 18 years old have an opportunity to work with a business to learn those trade skills and experience opportunities that they may not have had at that age, if not for this program. He said that this year when we started, we had 14 businesses signed up to participate as of March 1, 2020. He said that was pre-covid and said that once covid started, it made the excitement of many of our businesses much more challenging so the liability became a primary concern. He said that in all, we had 12 businesses participate in this years program and said that he's excited about 3 new businesses including Ace Hardware, the Orlando Law Group and Fast Signs that had not previously participated in years past. He introduced Florence Knight who is an attorney with the Orlando Law Group, who was the direct supervisor for the student in the program, who provided a short testimony.

Ms. King said she is one of the attorneys of the Orlando Law Group. She shared her experience with the Apopka Youth Works program and said that as a law firm, they had never had a high school intern work with us and said they usually have law students so they weren't sure what to expect with the high school student. She said that when the student entered, she told Ms. King that she had not requested to work with a law firm, but it's a paycheck so she was here, which added to the excitement. She said that they weren't really sure but they wanted to join the program so they decided to see where it goes, although they didn't have high expectations, nor did she. She said she asked the student what her ideal job would be to which she let her know what her goals in life were. She told her that no one gets exactly what they want in life, although that would be great and said that's how life works. She said you can either quit and go home and not take advantage of what you've been given or you can take it as a life experience and make the best of it. She told her a law firm doesn't just have lawyers, we have administrative staff, marketing staff and counselors and we gave her the opportunity to sit with our social media staff, legal secretaries, our marketing staff and she got the opportunity to learn from everybody. At the end of the program, she ended up writing several articles and joining several of our counseling sessions and said by the end of the 5 weeks, she ended up writing her college entrance essay and ended up with a college recommendation letter and she wrote thank you notes to everyone in the office. She said we were able to help mentor her as she entered with a frown and exited with a smile, which was the purpose of this program. She said that this program provides an opportunity for the student to learn different career paths and give back to the community.

Dr. Jackson said that these types of stories warms her heart and has kept her motivated for the past 6 years and provided some statistics about the program. She said that this year, we had 139 participants and said that last year, we only had 113 so amidst the pandemic, we gained 26 students. She said we had 12 business partners as Robert outlined and said that because of the current pandemic, we were virtual for the most part so the students were able to do virtual internships and the explorer and the accelerate program. She provided the total amount of wages that the students were able to gain and said that this year, we lowered their pay due to some of the students bragging about how much they made at $12 per hour, which was more than some of their supervisors, so their pay was reduced to $10 per hour. Also, the students were able to earn some incentives. She said the City was able to contribute $30,000 and said the investment from Career Source was $308,850 and the total program cost was $338,850. She showed a pre-recorded video from Ashton Reid, one of the students who said that he worked with so many wonderful people and learned so many things in the accelerate program this year. She thanked Career Source who has been a staple in this program and said that if you recall, at year one, we only had 32 students in this program and has grown into 139. She thanked Jason Leaps from Career Source, who said he's thrilled about this program and said that we're so fortunate to be able to assist. He said that Dr. Jackson's dedication to this program and to the young adults helps fuel his fire.

2. Apopka Historical Society Permanent Public Honor of Apopka Military Heroes Since 1862.
   Presented by: AHS Board Vice-President Maribel Brinkle introduces AHS board member, Historian, and Educator Dr. Phyllis M. Olmstead.

   Mabel Brinkle, Vice President of the Apopka Historical Society spoke on behalf of the Apopka Historical Society and our President, Francina Boykin, said this presentation will highlight our local War Heroes. She thanked the City of Apopka, especially Edward Bass our City Administrator for working with us on this. She introduced Dr. Phyllis Olmstead, who presented the Mayor with a book from his father's bookshelf who said that as soon as soon as his mother took this out and handed it to her a few years ago, the pristine rice paper decided it didn't want to move. She said that this was given to his father the day he joined Rotary and it has his attendance requirements, which he met fully for 62 years. Dr. Olmsted said the Apopka Historical Society research has found many Apopka area residents, employees, or students who fought and died in wars or hostile events in or for the United States of America. She said we are creating memorial signs for the men who fought from 1862 to 2007 and died for us. She said information for these men is available at the Apopka Museum and provided a brief presentation.

3. Human Trafficking Grant
   Presented by: Dr. Olmstead

Dr. Phyllis Olmstead said that in May of 2019, she began a campaign against Human Trafficking and said she has been putting signs up around town to bring awareness to this issue. She provided information about the universal signal for this campaign and provided a brief presentation regarding this.

AGENDA REVIEW

Edward Bass, City Administrator, stated that there were no changes to the Agenda.

PUBLIC COMMENT PERIOD

William Gusler, 2101 Wekiwa Oaks Drive said he wanted to respond to the comments made at the last City Council meeting regarding the merit pay. He stated our proposed budget has a $900,000 of reserve spending and a .25 millage rate increase equaling an additional $892,000 in revenue from many of the people suffering from the economic effects of this situation. He said that a tax increase or reserve spending, if it's needed to balance our budget and keep the City running is warranted and necessary however, in this case, he doesn't feel it's warranted and necessary to tax us additionally for merit pay. He said the comments contesting the budget 1% pay raise for all City employees made during the last City Council meeting by 3 Apopka officers was surprising but not totally unexpected. He stated that while it was stated by the vast majority, if not all of the Apopka Police Officers, other Apopka Police Officers have communicated to the administration and Council members that they are not in agreement with these statements. He said that it is his belief that the Apopka Police Department, along with all of our employees, while not happy about a decrease in merit pay, understand the current budget situation and continue to work hard for all of us within the City. He stated that out of more than 475 employees, it seems that a few were either blind to the current situation or simply self-centered enough to ignore it. He said one can only imagine the 16% of our citizens that are currently un-employed would be more than happy with just a paycheck, let alone a a1% raise. He stated that while demanding a larger pay raise after having not missed one day of work without pay or suffered any financial hardship during this shut-down, suggesting that higher taxes and selling of City assets to fund it, using threats of engaging the City in litigation or collective bargaining as leverage to pressure the City for more money. He said that as an interesting side note, proposing increasing the millage rate to fund merit pay is interesting for the fact that 80% of our police officers don't live within the City limits and wouldn't pay it, which doesn't sit well. He said that for a patrol officer who's compensated at over $80,000 a year, who has averaged a 5.8% pay raise for the last 5 years, to come in front of the Council and demand that it's a hardship for him getting no more than a 1% raise is unreasonable. He said the discussion in the last council meeting also raised the suggestion of increasing the police and fire departments merit pay above what is provided to the general employees. He said this is not only problematic by devaluing the general employees and their work in other departments but it disregards the fact that the fire and police departments are well compensated based upon last year's salary survey benchmark and a specific schedule in the City Charter based upon their job descriptions. He said the argument that public safety positions are more difficult and carry a higher risk than other jobs within the City falls flat. He stated that by design, due to their high risk jobs, they are hired and compensated and have a vastly better pension plan than the general employees. He said that in 2019, the average compensation for public safety is $65,000 and said the average for all other non-degreed City employees is $41,000. He said the 1% raise represents a third of the .25 mil in taxes that we'll all have to pay next year and 3% raise currently proposed in the budget would pretty much take up all of that. He said budgeting more than the original 1% in a current economic environment is unwarranted. He asked Council to keep in mind that the hardship that many of our employees and citizens are facing and consider that people who actually fund the budget are the ones who will feel the consequences.

David Hoffman, 3610 Tayside Court said he lives in Rock Springs Ridge and wanted to address the land use metrics at Rock Springs Ridge as they were discussed at a July 20th meeting this Summer at City Hall. He said according to reports he and other residents have received, Rock Springs Ridge homeowners board President, Rod Olson and member Michelle Chase attended attended along with Mayor Nelson and new City Attorney, Michael Rodriguez along with unexpected walk-in, David Moon, Planning Commission Director. He stated that inexplicably, activist researcher, Gary McSweeney, did not attend. He said that apparently, Rock Springs Ridge representatives were unprepared for Attorney Rodriguez's surprising assertion that HOA Board Member, Gary McSweeney's investigative report on the ill founded land metrics used by the Rock Springs Ridge Golf Club and their bid to build and develop further at Rock Springs Ridge was an error. He said Attorney Rodriguez asserted that right now, Bob Dello Russo, Chad Barton and company enjoy the rights to build an additional 20 homes as a consequence of an RVLS maneuver in play many years ago, which allowed the building of 189 additional homes in Phase 4. He said this was amended around the original Planned Development (PD) limitation of one home per acre, all subterfuge. He said that because all the land that was in play to build additional homes was not used, this land use pretzel-logic fashion can be transferred to other sites in the community, apparently. He stated that thus it appears that the City, through Attorney Rodriguez, is forwarding one malfeasance in play years ago as a foundation for another malfeasance going forward. He said in essence, an invisible bridge is being used to transport Rock Springs Ridge Golf Club to a desired building and development goal at Rock Springs Ridge. He inquired as to what empirical sources did Attorney Rodriguez use to try to refute Gary McSweeney's thesis. He said the view forwarded at the meeting was that the City could validate these changes by administrative directive and thus bypassing the input from the community.

He said that if City officials reply that his impressions are mistaken, he invites them to provide clarity through detailed moves of exactly what took place at the critically important July 20th meeting. He said if the fate of our community hangs in the balance as a result of these behind closed doors discussions, the citizens of Rock Springs Ridge homeowners, voters and constituents have a right to know every detail. He said that if his home and family legacy are under threat, we demand to know exactly what is going on and what has been going on for years, unbeknownst to Rock Springs Ridge taxpayers. He said he prays that he is wrong and said that some of these details, he may have incorrect but is passionate about protecting his community and hopes that City officials would be also and said lets preserve this gem.

Commissioner Becker asked if any of this is true and said that if so, that is news to him. He said staff is fully aware of how controversial this topic is. He stated that every time this comes up within a City Council meeting and any changes in terms of interpretation of that PD as it stands,development rights, whether there are applications submitted requesting development on that property, he has been very clear in his requests to staff in making sure that we're fully aware of it as this topic comes up often.

Michael Rodriguez, City Attorney said that the current status is that the owner of the golf course has submitted an application to change the future land use map of that portion of the golf course. He said this will change the density from residential, which is one unit per acre to residential low density RVLS which is two units per acre. He stated that the way the golf course is developed, based upon the PD and the Third Amendment to the Developers Agreement, the PD has two future land use map designations, RE and RVLS that exist. He said that the PD has been approved and said that based upon the overall acreage of the PD, and the two future land use map designations on the PD, the approvals are for 1,340 units, based upon densities. He said that that is based upon the acreage, which is RVLS and is vested for a set number of units and the acreage in the RE and how many units it is entitled to, based upon its density. He said that when we took the numbers of the actual units that are constructed within the PUD, it's 1,320 so there are actually 20 less units constructed than vested for the overall density. He said that the golf course owner, is one owner within the PD. He said that as that property owner, he is entitled to the right to request a future-land use map designation change for his property. He said that this change alone, does not grant him the rights to develop or to build as the property is zoned PD and is therefore bound by the Developers Agreement, which is a recorded document and runs with the land. He said that as the purchaser of the golf course property, he was aware that his property was tied in and bound by the developer's agreement. He said if the acreage shows that it can accommodate that 20 unit short fall between what was vested and what is actually built, he said that in theory, that could be reviewed and he may be vested for the 20 units. He stated that in our meeting, the residents seemed to have thought that the overall density for Rock Springs is one to one. He further stated that the approved developer's agreement and approved future-land use maps on the property show two separate designations and said there are two separate densities. He said therefore, the density has to match those two future-land use map densities within the boundaries of the PD. He stated that there was reference made that the City can administratively change this. He said that the way the future-land use map is drawn, the boundary bi-sects certain properties so there are certain lots within Rock Springs Ridge that have two separate densities. He said those lines can be shifted and will not affect property rights however it doesn't mean that you can put an extra unit on your lot as your density is tied to the overall density of the development. He stated that in order for an overall increase to occur at Rock Springs Ridge, there would need to be an amendment to the development agreement, which would require City Council approval. He said the question is whether one property owner alone can amend that developer's agreement. He stated that according to the Land Development Code, amendments to planned development zoning, are subject to the same rules and regulations as to the creation of a planned development district. He further stated that one of the main requirements for developing a planned development district, is that all owners within the boundaries of the proposed planned development district have to consent to the application. He said that is what he and staff have been analyzing.

Commissioner Becker said that it sounds like you've all put a lot of analysis into this and he was surprised that Mr. Hitt has not made him aware that there was an application submitted as this is the second largest community in Apopka. He said that to have this come from Mr. Hoffman in public comment is unfortunate.

Mayor Nelson stated that this just happened last week to which Mr. Rodriguez confirmed that last week, we had a conference with the attorneys for the golf course owners and their engineers.

Commissioner Becker said that there are potentially development rights if all of the cards are played right and said this is pretty big news to hear.

Discussion ensued as to the application and the changes in the density and Mr. Rodriguez stated that the City cannot prohibit anyone from submitting any application and said that we're in public comment and there's nothing for the Council to consider today.

Mr. Hitt stated confirmed and said that he has a call into Rod Olson and said we are putting the application together and will be providing the application to Council members for review. He said we held off on notifying anyone on this until after we had spoken with the applicant to let know the fees associated with this review and what was lacking in order to have a complete application. He said that as Mr. Rodriguez outlined, the zoning is PD and in order to amend that, they would need the HOA to sign off as well. He stated that the application will go before DRC and then go through the normal process.

Mayor Nelson said that the application would go through the normal process including, DRC, Planning Commission and City Council for first reading and will then be transmitted to the State before coming back to Council for consideration.

Commissioner Becker stated that is the interpretation of the acreage and said that the prior Attorney's position was that if someone wanted to prove development rights, they would have to come with their own survey to prove that the acreage and the PD was correct. He said that the point of view from Mr. McSweeney and in looking at the Third Amendment, it appears that the golf course acreage was double counted.

CONSENT (Action Item)

1. Approve the School Concurrency Mitigation Agreement for the Hannibal Square Community Land Trust, Inc. townhome subdivision; and authorize the Mayor to sign the Agreement.
2. Accept the Florida Recreation Development Assistance Program (FRDAP) Grant for the Northwest Recreation Complex.
3. Authorize staff to execute a lease agreement with Silver Spear Security, LLC.
4. Authorize City Administrator to sign contract with Florida Department of Corrections for Work Squad W1185
5. Authorize the issuance of blanket purchase orders for fiscal year 2020.

Mayor Nelson asked if anyone had any questions or needed to pull anything off the consent agenda. Hearing none, he asked for a motion to approve the five (5) items on consent.

MOTION by Commissioner Smith, and seconded by Commissioner Becker, to approve the five (5) items on Consent. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

BUSINESS (Action Item)

1. Preliminary Development Plan – South Mews at Avian Pointe
   Owner: Apopka Clear Lake Investments, LLC
   Applicant: NV5, Inc., c/o Jason P. Mahoney, P.E.
   Location: Parcel B3, Avian Pointe PD - located south of Peterson Road and east of SR 429
   Project: 13.9 +/- acres; 102 Townhomes
   Project Manager: Bobby Howell

   Bobby Howell said that this request is for a Preliminary Development Plan for the construction of 102 townhome units on 13.9 acres within the Avian Pointe PD. He said the vicinity map shows the location and said the area is comprised mainly of residential properties. He said the Avian Pointe allows for the development of 758 residential units consisting of single family, townhomes and apartment units. He said that consistent with the approved Master Plan, 2 story townhomes in 6 & 8 unit buildings, with a minimum living area of 1,350 square feet, each with a one car garage, are provided. He said the ingress and egress planned are located along Grand Avian Parkway and said the internal roadway network is comprised of private rights-of-way that consist of alleys and ordinary streets within the development. He said that pavement widths of 18’ and 24’ are dedicated for the streets and alleys. All proposed alleys and streets are located in tracts owned and maintained by a Homeowners Association. He said that on street parking is proposed on the internal streets and said that all townhome units are proposed as rear-loaded with garages located in the rear of the units. He said that all elements of the Preliminary Development Plan are consistent with the approved PD Master Plan and DRC and staff recommend approval.

   Commissioner Becker asked if the driveways are per Code to which Mr. Howell stated yes. He said that secondly, he inquired as to what the detailed profile on the street was to which Mr. Howell stated that this will be the designers preference.

   Frank Porter with NV5 spoke on behalf of the applicant and said that the preliminary plan does not ordinarily have those engineering calculations and they were included in the construction plans but said they will be typical roadways.

   Commissioner Smith asked what the status was on the school concurrency agreement to which Mr. Howell said that they will need to apply for that prior to platting.

   Mayor Nelson asked whether anyone from the public needs to speak on this item and hearing none, he asked for a motion to approve the Preliminary Development Plan for South Mews at Avian Pointe.

   MOTION by Commissioner Bankson and seconded by Commissioner Smith, to approve Preliminary Development Plan for South Mews at Avian Pointe. Motion carried unanimously with Mayor Nelson and Commissioners Bankson, Becker and Smith voting aye.

2. Approve an emergency contract with Collis Roofing for the replacement of roofs at Public Services and Fire Station #3.
   Presented by: Edward Bass II

   Mr. Bass said that this item deals with the roof replacements and said that there are two roofs that need to be replaced in an emergency situation. He said we went to solicit and said we advertised for RFQ's so we can get someone under contract in the future and have someone for roof repairs or replacements that we would be able to work with over the next few years. He said the solicitation came back yesterday however, unfortunately, we do not have enough time to bring it to council and get it awarded, it will be into October. He said as you know, we've had some severe thunderstorms lately and leaks in our Public Services Building and in Fire Station #3. He said our Building Official, Scott Adams went out and surveyed all of our roofs and advised which of the roofs were in emergency status. He stated that Mr. Adams reported that Fire Station #3 and Public Services Building need immediate attention. He said once we award the solicitation, we can get quotes and schedule any repairs or replacements accordingly. He said in the meantime, we reached out to contractors that were interested in bidding on this RFQ and had them come to make an assessment on the roofs so that we could make sure we're getting a good price. He said that this request is to authorize staff to enter into an agreement or contract with Collis Roofing as they were the lowest bid to do both Fire Station #3 and the Public Services Building. He stated that Collis indicated that they should be able to start within 30-45 days and said the roofs should be completed within three to four weeks of commencement.

   Mayor Nelson asked if anyone from the Public needs to speak on this item and hearing none, he asked for a motion to approve the emergency contract with Collis Roofing for the replacement of the roofs at Public Services and Fire Station #3.

   MOTION by Commissioner Smith and seconded by Commissioner Bankson, to approve the emergency contract with Collis Roofing for the replacement of the roofs at Public Services and Fire Station #3. Motion carried unanimously with Mayor Nelson and Commissioners Bankson, Becker and Smith voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2785 – First Reading - Annexation
   Owner/Applicant: Beckwood Real Estate Development LLC, c/o Rogers Beckett
   Location: North of West 12th Street, east of South Hawthorne Avenue
   Project: 0.41 +/- acre
   Project Manager: Phil Martinez

   Phil Martinez, Planner II, said that is the first reading for this ordinance and said that the applicant is proposing to annex approximately 0.41 acres, located N. of West 12th Street and E. of South Hawthorne Avenue. He said the subject property currently consists of a single family home. He said this proposed Annexation is in accordance with Florida Statutes and said the

Joint Planning Agreement between the City of Apopka and Orange County. He said the Development Review Committee recommends approval for this annexation.

Mayor Nelson asked if anyone from the public needs to speak on this item and hearing none, he asked for a motion to approve Ordinance No. 2785 at first reading and hold over for second reading.

MOTION by Commissioner Smith and seconded by Commissioner Bankson, to approve Ordinance No. 2785 at first reading and hold over for second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

2. Ordinance No. 2790 – First Reading – MSBU
   Project: Consent to continue the Orange County South Apopka area 11/2018 Municipal Service Area Municipal Service Benefit Unit
   Project Manager: Phil Martinez

   Phil Martinez, Planner II, said this is the first reading of this ordinance and said that in conjunction with the previous agenda item, this is a request to consent to continue the existing Orange County street light agreement that takes place on 1109 South Hawthorne Avenue. He said that attached to this staff report is Ordinance No. 2790 as well as the County Street Lighting Agreement formerly known as South Apopka Area 11/2018 Municipal Service Area Municipal Service Benefit Unit. He said that the recommended motion is to accept the first reading of Ordinance No. 2790 and hold it over for a second reading and adoption.

   Commissioner Becker asked if we can dumb it down for him and asked what this implies to which Chuck Vavrek, Administration stated that Orange County has an existing MSBU like we're doing and said this allows them to continue it with our consent but this would allow for the City to do a Citywide MSBU, should they chose to.

   Mayor Nelson asked if anyone from the public needs to speak on this item or whether anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to approve Ordinance No. 2790 at first reading and hold over for second reading and adoption.

   MOTION by Commissioner Bankson and seconded by Commissioner Becker, to approve Ordinance No. 2790 at first reading and hold over for second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

3. Resolution No. 2020-16 - Second Reading - Martin Place Phase II Neighborhood Improvements District Special Assessments.
   Presented by Chuck Vavrek

Chuck Vavrek said that this is the second reading for Resolution No. 2020-16 regarding the approval to engage an MSBU for the repair of the pond. He said there are no changes since the first reading.

Mayor Nelson asked if anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to approve Resolution No.2020-16.

MOTION by Commissioner Becker and seconded by Commissioner Smith, to approve Resolution No. 2020-16. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

4. Resolution No. 2020-17 - Second Reading - The Oaks at Kelly Park Street Lighting District Special Assessment.
   Presented by: Chuck Vavrek

   Chuck Vavrek said that this is the second reading for Resolution No. 2020-17, which is the enabling resolution for the lighting district for the Oaks and Kelly Park. He said that there are no changes since the first reading. He said there was a concern that came up about letting homeowners know prior however these are older subdivisions. He said going forward, the Planning Department will require future developers to include language in their HOA documents regarding the assessment for the MSBU.

   Mayor Nelson asked if anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to approve Resolution No.2020-17.

   MOTION by Commissioner Becker and seconded by Commissioner Bankson, to approve Resolution No. 2020-17. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

5. Resolution No. 2020-18 -Second Reading - Bridle Path Street Lighting Special Assessment District.
   Presented by: Chuck Vavrek

   Chuck Vavrek said there are no changes since the first reading.

   Mayor Nelson asked if anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to approve Resolution No.2020-18.

   MOTION by Commissioner Bankson and seconded by Commissioner Smith, to approve Resolution No. 2020-18. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

6. Resolution No. 2020-19 - Second Reading - Avian Pointe Development Street Lighting District Special Assessment

Presented by Chuck Vavrek

Chuck Vavrek said that there are no changes since the first reading.

Mayor Nelson asked if anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to approve Resolution No.2020-19.

MOTION by Commissioner Smith and seconded by Commissioner Becker, to approve Resolution No. 2020-19. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

7. Resolution No. 2020-20 - First Reading - Oak Point North Street Lighting District Special Assessment.
   Presented by: Chuck Vavrek

   Chuck Vavrek said that he is available to answer any questions the public may have regarding this resolution.

   Mayor Nelson asked if anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to approve Resolution No.2020-20.

   MOTION by Commissioner Becker and seconded by Commissioner Bankson, to approve Resolution No. 2020-20. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

8. Resolution 2020-22 - First Reading - Creating the Residence at Emerson Park Street Lighting Special Assessment.
   Presented by: Chuck Vavrek

   Chuck Vavrek said that the Development Plan was supposed to be before you this evening and the item was tied up and will be presented at the next meeting. He said he is available to answer any questions the public may have regarding this.

   Mayor Nelson asked if anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to approve Resolution No.2020-22.

   MOTION by Commissioner Smith and seconded by Commissioner Becker, to approve Resolution No. 2020-22. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

9. Second public hearing to accept the FFY19 Citizen Advisory Task Force recommendation on the CDBG and approve the application submittal.
   Presented by: Dr. Shakenya Harris-Jackson

Dr. Jackson, Grant Coordinator said that on August 5, we brought to you the Citizen Advisory Task Force to pursue a CDBG for housing rehabilitation program. She said this is the required second public hearing to accept the FY/19 Citizen Advisory Task Force recommendation on the CDBG and approve the application submittal. She introduced David Fox of Fox Enterprises who provided additional information.

David Fox of Fox Enterprises said that this is the second public hearing for the FY19 CDBG application. He said the proposed application is in the housing rehabilitation category and said that the proposed project consists or repairing or replacing a minimum of eleven low to moderate income owner occupied households within the City limits. He stated that the total household income of two of the eleven have to be between 0% and 30% of area median, the total household income of three of the eleven has to be between 30.01% and 50% of area median income and said the last five remaining must be below 80% of the area median income. He said the City of Apopka has incorporating the minimum green standards by the Department of Economic Opportunity in this application and said there is a housing assistance plan. He said 100% of the beneficiaries will meet the below the low to moderate income criteria. He said the activity and budget amounts are as follows: Total Grant amount is $750,000 of which $615,500 is for housing rehab, demolition and replacement; $22,000 is for temporary relocation; and $112,500 will be for administration. He said in addition, there is a proposed $50,000 of leverage of local funds into the application and said that if we complete eleven homes and there are funds remaining, we will continue addressing homes until funds run out.

Mayor Nelson asked if anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to accept the FY19 Citizen Advisory Task Force recommendation on the CDBG and approve the application submittal.

MOTION by Commissioner Bankson and seconded by Commissioner Smith to FFY19 Citizen Advisory Task Force recommendation for the CDBG and approve the application submittal. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

10. Resolution 2020-25 – CDBG: Long and Short term objectives of the City of Apopka Community Development Plan.
Presented by: Dr. Shakenya Harris-Jackson

Dr. Jackson said that the additional resolutions that we are presenting tonight are customary for the submittal of the Department of Economic Opportunity application. She said that this resolution outlines the short and long-term goals that we have added to our Community Development Plan.

Mayor Nelson asked if anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to adopt Resolution No.2020-25.

MOTION by Commissioner Becker and seconded by Commissioner Smith, to adopt Resolution No. 2020-25. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

11. Resolution 2020-26 – CDBG: Housing Assistance Plan in conjunction with the submission of an application for the housing rehabilitation category.
Presented by: Dr. Shakenya Harris-Jackson

Dr. Jackson asked if there are any questions regarding this resolution.

Commissioner Bankson asked if this would be able to be applied toward enticing those homes that we have wanted to annex in or do they have to have already been annexed in before this time to which Mr. Fox stated that they have to be a City resident at the time of their application.

Mayor Nelson asked if anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to adopt Resolution No.2020-26.

MOTION by Commissioner Bankson and seconded by Commissioner Smith, to adopt Resolution No. 2020-26. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

12. Resolution 2020-27 – CDBG: $50,000 Apopka funding as leverage for the application.
Presented by: Dr. Shakenya Harris-Jackson

Dr. Jackson said that this application outlines the leverage in the amount of $50,000 that we are offering to the State, which allows us to receive additional points on our application.

Mr. Fox said this leverage will earn us an additional 25 points on our application and is calculated at 1 point for every $2,000 provided. He said you can exceed the $50,000 in leverage however anything over that does not earn any additional points.

Mayor Nelson asked if anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to adopt Resolution No.2020-27.

MOTION by Commissioner Becker and seconded by Commissioner Smith, to adopt Resolution No. 2020-27. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

13. Resolution 2020-28 – CDBG: Authorization to submit the application.
Presented by: Dr. Shakenya Harris-Jackson

Dr. Jackson said she's worked closely with David and Melissa Fox to supply all of the items we need for the application and believes we will be ready for submission by October 5, 2020.

Mayor Nelson asked if anyone from the Public would like to speak on this item. Hearing none, he asked for a motion to adopt Resolution No.2020-28.

MOTION by Commissioner Bankson and seconded by Commissioner Smith, to adopt Resolution No. 2020-28. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker and Smith voting aye.

CITY COUNCIL REPORTS

Commissioner Bankson said that he knows we have been through some challenging times with what's going on in our Nation concerning our Police and said he's so thankful and grateful we have such a tremendous department here and that our community has not done what we've seen in other places. He asked about a community advisory committee that would provide information and allow input from the community to which Chief McKinley stated that he and Mr. Rodriguez have been doing their research as far as what that board would look like and said it will take a little more time to review.

Commissioner Smith said that he wanted to make sure that when the CDBG Grant is awarded that our Code Enforcement is on board and notifies the residents that they have a violation and that there's a possibility of using some of these grant funds to rectify that. He also reported that Commissioner Ortiz, the President of the Florida League of Cities appointed him to the Land Use and Economic Development Committee and said their first meeting is September 18, 2020. He said Commissioner Dean moved to his eternal home, last week, and said that his services will be this coming Sunday, September 13, at 2:00 p.m. at the First Baptist Church of Orlando. He said there will be a viewing at the Marvin C. Zanders Funeral Home on Saturday, September 12, from 12:00 p.m. until 7:00 p.m.

Commissioner Becker echoed his thoughts he put out on social media after learning about Commissioner Dean and was saddened to hear that and said he wanted to reach out to Isadora and let her know she has our support. He said Commissioner Dean and I sat up here and debated points in a healthy fashion but I was always met with a firm handshake and a generous smile. He said he appreciates him, his spirit, his booming voice and said that he'll be missed and sends his condolences to his family. He congratulated Commissioner Smith for being appointed to the FFA Hall of Fame.

Commissioner Bankson said that our condolences go out to Isadora and said that this is the first he's hearing about Commissioner Deans passing. He said that he was an amazing man and he and I had a great relationship and would always needle him on the length of prayers and remind him that they don't have to be long to be effective.

CITY ADMINISTRATOR REPORT

1. Street resurfacing update.

Edward Bass introduced Jeff Weatherford, our new Public Services Director to present the update.

Jeff Weatherford provided an update on where we're at with our current overlay program for this year and he introduced a concept to the Council regarding the three R's in Roadway, which are Repair, Rehabilitation and Reconstruction. He said if you think about a roadway like a car, repairs are things you change like when a lightbulb or fan belt wears out. He said rehabilitation is what you do to make the car last longer including oil changes, tune-ups, tires. He said reconstruction is when you have to replace the car when you don't take care of it. He said the overlay program is our rehabilitation program and said that currently, we have 196 lane miles of roadway in Apopka. He said that this program for this year will rehabilitate 4.5 miles or about 2.3% of our roadway. He said the next question is how we choose our roads that we are going to rehabilitate. He said that what we have proposed for this coming year is to have a consultant go out and measure the condition of every roadway in Apopka, and score it. He said this allows us to prioritize the roads that need the work the soonest. He provided a short list of roads that are already underway and said that some will be completed this week others that will be starting next week.

Edward provided a brief financial update and said that we have another month for the collections of June's activity and you can see that the numbers are better than we thought they'd be and said that our projections were estimated at about a 50% reduction and it was only about 25% or about $305,000. He said the revenue sharing column shows that they adjusted the revenue sharing back and said that for the months of May, June & July, there was a reduction in the overall projection. He said we don't really have an explanation other than they sent us $488,000. He stated that September, being the last month of the year is usually the month that they true-up the revenue sharing. He said that overall, we're sitting at a $1.9 million dollar loss in the sales-tax revenue and are continuing to monitor this.

CITY ATTORNEY'S REPORT

Michael Rodriguez reported that we've finalized the Sponsorship Agreement with Advent Health and we're sending it back to Advent for execution.

MAYOR'S REPORT

Mayor Nelson said that the Covid numbers are trending in the right direction and looking good and said that hopefully, we will be out of this and back to normal soon. He said that Pam Richmond and himself were out looking at sidewalks and noticed on the North side of Ponkan, just East of Vick Road, that there was no sidewalk on either side. He stated that there will be a new neighborhood going in there and said that without a sidewalk, those children will have to be bussed to school. He said this is an opportunity for us and said that there were some folks who were a little nervous about the advertising on our utility boxes at the intersections and rightfully so. He also said that the advertising is very discreet and said that it brings in revenue. He stated that we've collected $2,000 to date and by the end of the year, we'll have collected about

$12,000. He further stated that next year, they're projecting $26,000 in revenue that we'll be receiving. He said that the sidewalk stretch will cost about $80,000 and obviously, it won't pay for all of it but it will pay for over a third of that sidewalk. He said we've reached out to all of the schools in the area and a couple schools said that they have a couple schools that said that there are some sidewalks that would benefit their walking students get to their school including Dream Lake and Apopka Elementary. He said that the advertising will supplement what we already have in the sidewalk fund and this is a perfect example of how the advertising dollars should be used and we should all be proud of that.

He said that he, Robert Agruso and Melissa Byrd from OCPS recently had the opportunity to go to Randall Constuction. He said they have turned the building that was an old maintenance building into a school. He said that they are taking those kids that are at that marginal 1.5-2.0 that still have enough time to get above the 2.0 to graduate but are struggling. He said there are currently 8 students in the program and are looking to take up to 40 kids. He said the kids come in and do their studies and in the afternoon, they work 3 hours and are paid $12 per hour. He stated that this is a great program and we're going to follow this along and support their program and what they're doing.

Commissioner Smith said he also had the opportunity to go visit the site and saw all of the businesses they have under their program and said it's an outstanding program.

Commissioner Becker asked if this piggybacked off the comments that Jeff was making when he was here the last time in terms of the vocational effort that they are doing to which Mayor Nelson stated yes. He said he is very interested in seeing where this goes and it sounds like a worthy effort.

ADJOURNMENT - There being no further business the meeting adjourned at 3:44 p.m.

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Bryan Nelson, Mayor

ATTEST: ______________________________

Susan M. Bone, Deputy City Clerk

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