

AGENDA

APOPKA CITY COUNCIL WORKSHOP

December 13, 2016 @ 1:00 PM

City Hall Council Chamber

120 East Main Street – Apopka, Florida 32703

CALL TO ORDER

DISCUSSION

This workshop gives the opportunity for the City Council to review and discuss any questions or concerns on the following agenda items:

- 1. Ride/Share Ordinances: 2510 & 2511
- 2. Apopka Begins & Ends with "A" - [City of Life]
- 3. Eco-Tourism Initiative for Lake Apopka
- 4. Edwards Field/Splash Pad
- 5. John Land Statues: Base & Location.

Andrew Hand
 John Wright, OCPS
 Mayor Kilsheimer
 David Burgoon
 Glenn A. Irby

ADJOURNMENT

 Workshop meetings are opportunities for City Council to discuss specific issues among themselves and with Staff in an open meeting and to provide policy guidance to staff on items which are not ready for official action. The public is always welcome to attend, and is welcome to provide comments regarding Workshop items to the Council and Staff outside a meeting. Public comment will not be heard during a Workshop meeting, but public comment on Workshop items are welcome at the very next regular City Council meeting following a Workshop meeting. [Resolution 2016-16: Public Participation Policy & Procedures]

In accordance with the American with Disabilities Act (ADA), persons with disabilities needing a special accommodation 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, not later than five (5) days prior to the proceeding.

Backup material for agenda item:

1. Ride/Share Ordinances: 2510 & 2511 Andrew Hand



CITY OF APOPKA CITY COUNCIL

- _____ CONSENT AGENDA
- _____ PUBLIC HEARING
- _____ SPECIAL REPORTS
- _____ OTHER: Workshop

MEETING OF: December 13, 2016
 FROM: Community Development
 EXHIBIT(S): Ordinance No. 2510 & 2511

SUBJECT: ORDINANCE NO. 2510 & 2511- AMENDING THE CODE OF ORDINANCES.

SUMMARY:

Currently, the process to review a Vehicle for Hire Permit application requires a public hearing before the City Council to make a determination of approval, approval with conditions, or denial. Review by City Council has produced little or no public benefit for having the extended review process. These processes are costly and time consuming for the City as well as permit applicants. Attorney Andrew Hand will provide additional information regarding the proposed amendments.

The **Development Review Committee** recommended approval of the amendment to the City of Apopka, Code of Ordinances, amending Chapter 74, Article IV, Section 74-104, pertaining To “Vehicles for Hire” by removing language indicating that City Council approval is required for drivers.

The **Development Review Committee** recommended approval of the amendment to the City of Apopka, Code of Ordinances, amending the City of Apopka, Code of Ordinances, Chapter 86 – Vehicle for Hire - vacating and deleting the provisions of chapter 86 of the city code as currently written, adopting new provisions in said chapter amending the permitting and regulation of taxicabs and creating regulations for transportation services and transportation network application companies and operators.

The **City Council**, at its meeting on September 7, 2016, accepted the First Reading of Ordinance No. 2510 & 2511 and was subsequently postponed until December 21st, 2016.

DISTRIBUTION

Mayor Kilsheimer
 Commissioners
 City Administrator
 Community Development Director

Finance Director
 HR Director
 IT Director
 Police Chief

Public Services Director
 Recreation Director
 City Clerk
 Fire Chief

ORDINANCE NO. 2510

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING CHAPTER 74, ARTICLE IV, SECTION 74-104 OF THE CITY OF APOPKA CODE OF ORDINANCES PERTAINING TO “VEHICLES FOR HIRE” BY REMOVING LANGUAGE INDICATING THAT CITY COUNCIL APPROVAL IS REQUIRED FOR DRIVERS; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka believes that it is necessary and in the best interest of the City to remove requirements for City Council approval of drivers for “vehicles for hire.”

LEGISLATIVE UNDERSCORING: Underlined words constitute additions to the City of Apopka Code of Ordinances, ~~strike through~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, as follows:

SECTION 1. Section 74-104 of the City of Apopka Code of Ordinances is hereby amended as follows:

Sec. 74-104. - Schedule.

There is hereby assessed, levied and imposed upon every business, trade, occupation and profession carried on within the city an annual business tax in the following amounts:

Vehicle for hire. (with driver) Must comply with requirements of City Code Chapter 86.

~~(City council approval required)~~

(1) 1 to 6 passengers, first vehicle61.00

(2) 7+ passengers, first vehicle61.00

(3) Each additional vehicle24.00

SECTION 2. CODIFICATION. It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Apopka; and the City Clerk is directed to take the necessary steps to effect codification into the Code, and Sections of this ordinance may be numbered or renumbered or lettered or re-lettered and the word "ordinance" may be changed to " chapter ", "section ", "article", or such other appropriate word or phrase in order to accomplish such codification. Typographical errors which do not affect the intent may be authorized by the Mayor, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 3. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its passage and adoption.

READ FIRST TIME: September 7, 2016

READ SECOND TIME
AND ADOPTED: September 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda G. Goff, City Clerk

APPROVED as to form and legality for use and reliance by the City of Apopka, Florida.

Cliff B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: August 19, 2016
September 9, 2016

ORDINANCE NO. 2511

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, VACATING AND DELETING THE PROVISIONS OF CHAPTER 86 OF THE CITY CODE OF ORDINANCES AS CURRENTLY WRITTEN, ADOPTING NEW PROVISIONS IN SAID CHAPTER AMENDING THE PERMITTING AND REGULATION OF TAXICABS AND CREATING REGULATIONS FOR TRANSPORTATION SERVICES AND TRANSPORTATION NETWORK APPLICATION COMPANIES AND OPERATORS; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka believes that it is necessary and in the best interest of the City to update its regulations for vehicles for hire in recognition of changes and advances in modern business models of private automobile transportation.

LEGISLATIVE UNDERSCORING: Underlined words constitute additions to the City of Apopka Code of Ordinances, ~~strike through~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, as follows:

SECTION 1. The provisions of CHAPTER 86, VEHICLES FOR HIRE, shall be vacated and deleted in its entirety, and the following shall be adopted in their place. The provisions to be vacated and deleted are attached as Exhibit "A."

Chapter 86 - VEHICLES FOR HIRE

ARTICLE I. - IN GENERAL

Sec. 86-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Company means any person, association, corporation or other organization which operates or intends to engage in the business of operating vehicles for hire or operate as a TNC.

Conviction means the conviction by a court including an adjudication of guilt on a plea of guilty or nolo contendere or the forfeiture of a bond when charged with a crime.

Digital platform means any online or smartphone enabled application that allows passengers to request transportation network vehicle services.

Digital credential means the permission or access given to a driver to operate on a company's digital platform.

Driver means an individual permitted to drive a vehicle for hire.

Fees mean nonrefundable payments required in this chapter.

Limousine means a specialized vehicle not equipped with a taximeter and for hire only by prearrangement at a rate charged per hour, or fixed in advance, and provided also that each such vehicle for hire is: (1) chauffeured, (2) a luxury class passenger vehicle built or modified for the purpose of a limousine as defined and recognized by the limousine industry; and (3) operated on a reserved, hourly

basis for a continuous period. A vehicle which is held out to be a limousine or which has an appearance deceptively similar to a limousine is a limousine for the purposes of this chapter.

Narcotic drugs, barbituric acid derivatives and central nervous system stimulants. The term "narcotic drugs" as used in this chapter shall mean coca leaves, opium, cannabis, marijuana, isonipocaine and every synthetic substance known to have narcotic action. The term "barbituric acid derivative" means each of the salts and derivatives of barbituric acid, also known as malonyl urea, and derivatives, compounds, mixtures or preparations thereof. "Barbiturate" or "barbiturates" shall include all hypnotic or somnifacient drugs, whether or not derivatives of barbituric acids. The term "central nervous system stimulants" means amphetamine and desocyphephedrine, and any derivative, compounds, mixture or preparation thereof.

Permit means the authority granted to companies to operate, or persons who qualify to drive, vehicles for hire.

Revocation means the rescinding of a permit. A person or entity whose permit is revoked shall not be entitled to reinstatement or an opportunity to reapply for such permit for a period of two years except as provided in subsection 86-61(5).

Shuttle bus means a vehicle with a capacity of at least eight persons, including the driver, that is operated on a fixed route, or owner and operated directly by a motel or hotel and limited to registered guests thereof.

Suspension means the temporary rescinding of a permit or license. The suspension may be for a time certain or indefinite pending compliance with the terms of this chapter.

Taxicab means a vehicle for hire with a capacity of not more than eight persons, including the driver, equipped with a taximeter operated under a company and vehicle permit required by this article, which is routed under the direction of the person hiring the vehicle.

Taximeter means an instrument or device attached to a vehicle and designed to measure mechanically or electronically the distance traveled by such vehicle, to record the times such vehicle travels or is in waiting, and to indicate the fare to be obtained.

Transportation service means a vehicle for hire with a capacity of not more than eight persons, including the driver, which is not equipped with a taximeter, which charges passengers a fare generally based on a flat fee, and does not operate over a fixed or defined route but routed under the direction of the person hiring the vehicle.

Transportation network application company ("TNC company") means any company operating in the city that uses a digital network or software application to connect a passenger to transportation network services provided by a transportation network operator.

Transportation network operator means any driver or operator who operates a personal vehicle that utilizes any digital platform to arrange transportation of a passenger between points chosen by the passenger and that is in connection with a digital platform controlled by a TNC company.

Transportation network service means the provision of transportation by a transportation network operator to a rider, beginning when the transportation network operator accepts a ride requested through a digital platform controlled by a TNC company, continuing while the transportation network operator transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle.

Use of narcotic drugs. The word "use" as employed in this chapter in relation to the drugs described in this chapter shall apply to any person who uses one or more of the narcotic drugs or barbituric acid derivatives or central nervous system stimulants as defined this section to any extent, with or without medical need or authority or prescription.

Vehicle for hire means any vehicle, whether owned by the driver or company, that is operated by a taxicab driver, transportation service driver, transportation network operator, any other motor vehicle

with driver transporting passengers for a fare, fee, or other charge in the city. The term vehicle for hire, by definition, excludes:

- (1) School, church, college or university buses;
- (2) Sightseeing cars and buses;
- (3) Ambulances;
- (4) Funeral home vehicles;
- (5) Interstate buses;
- (6) Limousines;
- (7) Shuttle buses.

Vehicle for hire administrator means the City Administrator or his/her designee.

ARTICLE II. - COMPANY PERMIT

Sec. 86-31. - Application; contents.

- (a) No taxicab company, transportation service, or TNC company shall operate or engage in the business of operating vehicles for hire or operating a TNC within the city without having first obtained a company permit from the vehicle for hire administrator or designee. An application shall be submitted on forms furnished by the vehicles for hire administrator or designee containing appropriate information which is reasonably related to the business of operating vehicles for hire.
- (b) In order to secure or renew a company permit, the company applicant shall file an application with the vehicles for hire administrator or designee, and such application shall be verified under oath and shall furnish the following information:
 - (1) The name and address of the company. If the company is a corporation or partnership, the name and address of all officers, shareholders, partners or any principals or owners with an interest greater than twenty percent of the company must be listed.
 - (2) The color scheme and insignia to be used to designate the vehicles of any taxicab company.
 - (3) No company permit shall be granted to a taxicab company operating less than five vehicles. The vehicles must be currently operating, licensed, and inspected as required by this chapter. Each vehicle must conform to the United States Department of Transportation (USDOT) maximum passenger standards allowed for the vehicle to operate.
 - (4) Proof of proper amount of insurance coverage as provided in section 86-93, with the insurance coverage being filed with vehicle for hire administrator and approved by the City.
 - (5) Such other information as the vehicle for hire administrator may require.
- (c) Payment of an annual company permit fee of \$250.00.

Sec. 86-32. - Maintaining a company permit.

- (a) In order to maintain a company permit to operate or engage in the business of operating vehicles for hire or operating a TNC, the company must:
 - (1) Obtain and hold a current business tax receipt from the city as required by chapter 74, if applicable.
 - (2) Maintain a telephone number that is monitored 24 hours a day for emergency contact by the vehicle for hire administrator or designee or law enforcement, and an e-mail address for citizen complaints or concerns.

- (3) Maintain the name, home address, and telephone number of each driver affiliated with the company.
- (4) Maintain a log listing the year, make, model, license plate number of all vehicles in the company's fleet or that operate on a company's platform.
- (5) Maintain proper amount of insurance as provided in section 86-93.
- (6) Maintain records available for inspection, upon request by the vehicle for hire administrator or designee, pursuant to a complaint received or if the vehicle for hire administrator has a reasonable basis to suspect that a company or driver is violating the requirements of this chapter. The records shall include, but not be limited to, records pertaining to permitted/certified drivers, vehicle inspection records, daily logs, and that the maximum rate charged in compliance with section 86-95. Unless otherwise agreed to by the company and the vehicle for hire administrator, such records shall be made available for inspection to the vehicle for hire administrator at a permit holder's place of business or a mutually agreed location in the city.
- (7) Each company shall implement a zero-tolerance policy on the use of drugs or alcohol applicable to all drivers, and provide notice of the policy to all company drivers and to the public through its website, if applicable. In addition, the company shall provide notice to the public on the procedure for reporting a driver the passenger reasonably suspects was under the influence of drugs or alcohol during the course of the ride. The company shall cooperate with the vehicle for hire administrator or designee during the pendency of the investigation pursuant to subsection 86-63(b)(3).
- (8) The vehicle for hire administrator or police chief is authorized to conduct annual audits of any company authorized to operate under this chapter. The company shall provide to the vehicle for hire administrator, on request, up to 250 unique identification numbers, each of which has been assigned to an individual driver affiliated with the company. The vehicle for hire administrator may send to the company a list of up to ten driver identification numbers and request copies of records held by the company for those ten drivers. Within five business days of receiving a request seeking records, the company shall make available to the vehicle for hire administrator at a company's place of business or a mutually agreed setting in the city, records to verify that the company has properly screened drivers in accordance with section 86-61; provided, that the company may redact any records it provides access to in order to protect the privacy and identifying information of the driver.

Sec. 86-33. - Revocation or suspension of a company permit; grounds; right of appeal.

- (a) *Revocation or suspension of company permit; grounds.* Upon a finding of due cause, as defined in subsection (b) of this section, the vehicle for hire administrator or designee shall have the authority to revoke or suspend any company permit which has been granted or which may hereinafter be granted by the city. Prior to suspension or revocation, the company shall be served notice by certified mail or hand delivery of the proposed action to be taken and shall have an opportunity to present to the vehicle for hire administrator or designee evidence as to why the company permit should not be revoked or suspended.
- (b) *Causes for revocation or suspension.* Due cause for revocation or suspension of a company permit shall include but shall not be limited to the following:
 - (1) The failure of the company to maintain any of the general qualifications applicable to the initial granting of the company permit as set forth in section 86-31 or maintaining a company permit as set forth in section 86-32.
 - (2) Obtaining a company permit by providing false information.

- (3) Conviction by a court of competent jurisdiction of any shareholder, officer, partner, member, principal or owner of any corporation, partnership, firm or association holding a five percent interest or more in the entity, of any of the following: criminal homicide, rape, sexual battery, aggravated battery, burglary, aggravated assault, kidnapping, robbery, child molestation, lewd and lascivious acts, armed trespassing, carrying a concealed firearm, criminal solicitation to commit any of the above, criminal attempt to commit any of the above, or possession, sale or distribution of narcotic drugs, barbituric acid derivatives and/or central nervous system stimulants if such violation or violations are related to operation of the company, or violation of any ordinance of the city governing the conduct of a company.
 - (4) Allowing any person to operate a company's designated vehicle for hire, or operate on the company's digital platform, without an active driver permit or credential, or when said person's permit or credential has been suspended or revoked because of a positive drug test pursuant to section 86-63.
- (c) *Right of appeal.* Any company whose permit is revoked or suspended by the vehicle for hire administrator or designee may appeal such decision to the City Council. Such appeal shall be taken by filing written notice thereof, in duplicate, with the city administrator's office within five days after the decision of the vehicles for hire administrator or designee. The notice of the appeal shall contain the grounds for the appeal and shall contain information that either the finding is contrary to the law or is not supported by competent substantial evidence. The vehicle for hire administrator or designee shall forthwith transmit copies of the appeal to the City Council along with all papers constituting the record upon which the action appealed from is based. The filing of a notice of appeal will not delay the effectiveness of any suspension or revocation.

ARTICLE III. - VEHICLE FOR HIRE DRIVERS

Sec. 86-60. - Prohibition against unauthorized operation.

- (a) It shall be unlawful for any person to drive or operate on behalf of a taxicab company, transportation service, or other vehicle for hire for the transportation of passengers within the city, or on a TNC's digital platform, or to cause or permit any other person to drive or operate a vehicle for hire:
 - (1) Without first obtaining a written permit for the operation of a motor vehicle for hire from the vehicle for hire administrator or designee;
 - (2) Without having been certified to operate a motor vehicle for hire on behalf of a company or on the company's digital platform; or
 - (3) When the company permit has previously been revoked pursuant to section 86-33.
- (b) Any person found to have violated this section shall be punished by the following:
 - (1) A fine \$150.00 for the first citation;
 - (2) A fine of \$250.00 for the second citation; and
 - (3) A fine of \$500.00 for the third or subsequent citation.

Sec. 86-61. - Application for driver's permit.

- (a) In order to secure a driver permit or to obtain certification from a company, an applicant must:
 - (1) Be at least 18 years of age;
 - (2) Possess a valid state driver's license;
 - (3) For a period of three years prior to the date of application not have been convicted of:
 - a. Driving under the influence of intoxicating beverages or drugs; or

- b. Violation of any ordinance or law, other than minor traffic offenses, in connection with the operation of a motor vehicle.
- (4) For a period of three years prior to the date of application not have more than three moving violations;
- (5) Not have been convicted within the seven years previous to the date of application for the violation of any of the following criminal offenses of the state or any other state or of the United States: aggravated battery, burglary, aggravated assault, kidnapping, robbery, lewd and lascivious acts, armed trespassing, carrying a concealed firearm, criminal solicitation to commit any of the above, criminal attempt to commit any of the offenses listed in this subsection, or been convicted within the last seven years of any felony in the commission of which a motor vehicle was used, perjury or false swearing in making any statement under oath in connection with application for a driver's permit, any felony involving theft, or possession, sale or distribution of narcotic drugs, barbituric acid derivative and/or central nervous system stimulants. Applicants who have been convicted or served any time, probation, or parole for a criminal offense of homicide, rape, sexual battery, or child molestation must have their complete criminal history reviewed and approved by the vehicle for hire administrator;
- (6) Be able to communicate in the English language.
- (b) An applicant may apply for a permit or credential by completing a form provided by the vehicle for hire administrator establishing that the applicant meets the requirements of subsection.
- (c) Upon approval by the vehicle for hire administrator or designee, or certification by the taxicab company, transportation service, or TNC company, the driver shall be issued:
 - (1) A permit from the vehicle for hire administrator or designee; or
 - (2) Credentials from the taxicab company, transportation service, or TNC company, which may be digital credentials, indicating that the driver was certified by the company, and the credential shall include the following information:
 - a. The name or logo of the company;
 - b. The name of the driver;
 - c. The license plate number associated with the vehicle that the driver has been authorized to use.
 - (3) The driver shall display the permit or credential in a manner that it is visible to the passengers of the vehicle while the vehicle is operating, or make available at a minimum the driver's first name, photograph, and make, model, and license plate number to the passenger through the company's digital platform. The driver shall present the permit or credential upon request to a law enforcement officer, the vehicle for hire administrator or designee, or designated airport personnel upon request. If the driver maintains a digital credential, upon a traffic stop, a driver shall provide law enforcement with access to a device containing the information required to be maintained as part of the driver's digital credential and an electronic record sufficient to establish that the trip in question was prearranged through a digital platform.
- (d) An applicant must pay an annual driver application fee of \$100.00.

Sec. 86-62. - Maintaining driver's permit.

In order to maintain a valid permit or credential to drive a taxicab, transportation service, or other vehicle for hire, a driver must:

- (1) Wear proper dress while operating a vehicle for hire.
- (2) Maintain a neat appearance.

- (3) Not smoke while carrying passengers.
- (4) Maintain a log upon which are recorded all trips made each day, showing time and place of origin and destination of each trip and amount of fare. Such logs must be maintained by the company or the vehicle owner, if not maintained by the driver, and shall be made available to the vehicle for hire administrator or designee for a compliance inquiry if the administrator has a reasonable basis to suspect that a company or driver is violating the requirements of this chapter.
- (5) Renew his driver's permit or credential during the month of the driver's permit or credential expiration date.
- (6) Wear a seatbelt at all times while operating a vehicle for hire or providing transportation network services.

Sec. 86-63. - Revocation or suspension of driver's permits; grounds; right of appeal.

- (a) *Revocation or suspension of driver's permits or credential.* Upon a finding of due cause, as defined in subsection (b) of this section, the vehicle for hire administrator or designee shall have the authority to revoke or suspend any driver's permit or credential which has been issued or which may hereinafter be issued by the city. Before a driver's permit or credential shall be denied, suspended or revoked, notice of intention thereof shall be served upon the driver either by registered mail or personal service; however, such notice shall not be necessary for a denial of an original permit or credential. However, any such applicant or driver shall be given an opportunity to be heard by the vehicle for hire administrator or designee.
- (b) *Causes for revocation or suspension.* Due cause for revocation or suspension of a driver's permit or credential shall include but shall not be limited to the following:
 - (1) The failure of the driver to maintain any and all of the general qualifications as applicable to the initial issuance of a permit as set forth in section 86-61;
 - (2) Obtaining a permit or credential by providing false information;
 - (3) Violation by a driver of any of the following offenses:
 - a. Driving under the influence of intoxicating beverages or drugs. A driver shall be required to submit to a drug and/or alcohol test at the request of the vehicle for hire administrator or designee;
 - b. Where reasonable suspicion exists that a driver is abusing alcohol or misusing prescription drugs or controlled substances; or
 - c. Where a driver has been involved in a crash with serious injury or serious property damage while operating a vehicle for hire or providing transportation network services. "Serious injury" is defined as a physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ. "Serious property damage" is defined as one or more of the motor vehicles involved in the crash is "totaled", or one or more of the vehicles sustains significant disabling damage to public and/or private property which equals or exceeds an apparent damage of \$5,000.00 or more as estimated by the law enforcement officer who conducts the investigation at the scene of the traffic crash; or
 - d. Refusing or failing to submit to a drug test at the request of the vehicle for hire administrator or designee shall be due cause for revocation of the driver's permit or credential with no reapplication for one year. Failing a drug or alcohol test shall be due cause for revocation of the driver's permit or credential with no reapplication for one year.
 - e. Criminal homicide, rape, sexual battery, aggravated battery, burglary, aggravated assault, kidnapping, robbery, child molestation, lewd and lascivious acts, armed trespassing,

carrying a concealed firearm, criminal solicitation to commit any of the above, criminal attempt to commit any of the above, or possession, sale or distribution of narcotic drugs, barbituric acid derivatives and/or central nervous system stimulants, violation of any ordinance of the city governing the conduct of drivers of a vehicle for hire.

- (4) Charging a fare contrary to any fares established and approved by the city commission pursuant to section 86-95;
- (5) Violation of any ordinances or law, other than minor traffic offenses, in connection with the operation of a taxicab, transportation service, TNC company, or other vehicle for hire;
- (6) Whenever it shall appear that a driver has disorders characterized by lapses of consciousness or other mental or physical disabilities affecting his or her ability to drive safely;
- (7) Accumulating nine or more points within a six-month period as outlined in F.S. § 322.27(3)d.
- (8) Violating the requirements of section 86-96.

Sec. 86-64. - Duration of driver permit.

Each driver permit or credential issued pursuant to section 86-61 above shall be valid for one year from the date of issuance.

ARTICLE IV. - VEHICLES FOR HIRE

Sec. 86-91. - Identifying signs, monograms and insignias.

(a) Taxicabs.

Each taxicab shall be readily identifiable as a taxicab and shall bear on the outside of each rear or front door, in letters not less than two inches in height, the name of the person or corporation to whom the franchise is issued. Each such taxicab shall also be numbered consecutively, with such numbers being placed conspicuously on each vehicle, with such numerals being not less than four and one-half inches nor more than six inches in height.

(b) Transportation services.

- (1) Each vehicle operated by a transportation service shall be readily identifiable as a transportation service and shall bear on the outside of each rear or front door, in letters not less than two inches in height, the name of the person or corporation to whom the vehicle is owned or operated by.
- (2) No transportation service shall have any insignia or sign that identifies itself as a "taxi" or "cab" or otherwise gives the impression that it is a taxicab.

(c) Transportation network application (TNC) company/transportation network operator.

- (1) Each vehicle operated by a TNC company or transportation network operator shall display a consistent signage or emblem on the transportation network operator's personal vehicle at all times while the transportation network operator is active on the TNC company's network. The signage or emblem shall be sufficiently large or color-contrasted to be readable during daylight hours from a distance of 50 feet, reflective, illuminated, or otherwise visible in darkness, and capable of sufficiently identifying a personal vehicle as being associated with the TNC company.
- (2) No transportation network operator vehicle shall have any insignia or sign that identifies itself as a "taxi" or "cab" or otherwise gives the impression that it is a taxicab, or otherwise give the impression that the operator is available to solicit passengers other than through the digital platform.
- (3) No transportation network operator vehicle shall place any type or form of light device or other device on the roof, commonly known as a top light or top hat, whether or not permanently or temporarily affixed to the vehicle, or have within the interior of the vehicle.

Sec. 86-92. - Taximeter.

- (a) All taxicabs operated under the authority of this chapter shall be equipped with taximeters fastened in a manner so that the face thereof shall be visible and readable to passengers at all times both day and night. The face of the taximeter shall be set so that it will register and compute on a mileage basis while such taxicab is moving and on a time basis while such taxicab is standing and while the service is being rendered the fare to be charged. Such taximeter shall be operated mechanically by a mechanism of standard design and construction, driven either from the transmission or from one of the front wheels by a flexible and permanently attached driving mechanism.
- (b) No vehicle for hire other than a taxicab is authorized to install or be equipped with a taximeter.

Sec. 86-93. - Liability insurance required.

No vehicle for hire shall be placed in service unless such vehicle is in compliance with Florida law for liability insurance purposes. Proof of such insurance coverage, which may be provided on a blanket basis, shall be filed annually with and approved by the vehicle for hire administrator or designee for the carrying of passengers.

Sec. 86-94. - Seat belts required.

All vehicles for hire covered by this chapter shall be equipped with operational seat belts for each passenger.

Sec. 86-95. - Authority of city commission to establish rates and charges; displaying rate cards.

- (a) Taxicabs.
 - (1) The city commission may by ordinance establish maximum rates and charges for the transportation of persons and their baggage within the corporate limits of the city and suburban territory adjacent thereto. Any ordinance establishing rates as provided by this section shall become effective 24 hours after its adoption.
 - (2) Every taxicab operating under this chapter shall have posted in a conspicuous place therein a schedule of rates for the transportation of person within the corporate limits of the city, and no charges shall be made in excess of the rates so posted.
 - (3) There is hereby established a schedule of the maximum rates which can be charged by all taxicab drivers operating taxicabs within the city. A taximeter may be set so that it will register and compute on a mileage or other basis at less than the maximum rates set forth in this section.
- (b) Transportation service.
 - (1) All fares as agreed to between any transportation service operator and any passenger must be agreed upon prior to leaving the point of origin. No transportation service operator may increase the agreed upon fare after leaving the point of origin.
 - (2) No transportation service shall be authorized to charge for wait time, or to charge any other rates or fees except for mileage.
 - (3) Every transportation service vehicle shall have cards displayed visibly from the outside of the vehicle on the passenger side and on the inside of the right rear window at the eye level of a seated passenger that state the following: "RATE OF TRANSPORT IS BY FLAT FEE ONLY".
- (c) Transportation network application (TNC) company or transportation network operator.
 - (1) All TNC companies shall disclose the fare calculation method, the applicable rates being charged, and the option for an estimated fare to a passenger before the passenger arranges or books a trip with the transportation network application company or transportation network operator.

- (2) Upon completion of the trip, a TNC company shall transmit an electronic receipt to the passenger's e-mail or mobile application that lists the: origin and destination of the trip; the total time and distance of the trip; and a breakdown of the total fare paid, if any.

Sec. 86-96. - Miscellaneous regulations and other penalties.

- (a) It shall be unlawful for any driver or operator of a vehicle for hire to drive or operate or be on duty or on call for the operation of a vehicle for hire for more than 12 hours within any 24-hour period.
- (b) A driver shall take the most direct route to a passenger's destination unless otherwise authorized or directed by the passenger.
- (c) No driver shall refuse to accept a passenger unless the passenger is obviously disorderly, dangerous, or otherwise a threat to the safety or welfare of the driver.
- (d) It shall be unlawful for the driver operating in the city to permit any person to accompany or use such vehicle for hire for the purpose of prostitution, or to direct, take or transport any other person with knowledge or reasonable cause to believe that the purpose of such directing, taking or transporting is for the purpose of prostitution.
- (e) No vehicle for hire shall be permitted to carry nonpaying passengers while transporting a paying passenger or passengers except for the purpose of driver training.
- (f) No vehicle for hire shall solicit or carry a paying passenger while in the process of carrying another paying passenger except when requested to do so by the latter passenger.
- (g) Transportation network operators shall exclusively accept passengers booked through a transportation network company's digital platform, and shall not solicit or accept street-hails.
- (h) No TNC company may provide personal information about a passenger to a transportation network operator, including a passenger's full name, e-mail address, or telephone number.

Sec. 86-97. - Enforcement.

The city police department and the vehicles for hire administrator shall be authorized to enforce the regulations contained in this chapter, including the promulgation of rules consistent with this chapter and the setting of fees.

SECTION 2. CODIFICATION. It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Apopka; and the City Clerk is directed to take the necessary steps to effect codification into the Code, and Sections of this ordinance may be numbered or renumbered or lettered or re-lettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such codification. Typographical errors which do not affect the intent may be authorized by the Mayor, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 3. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its passage and adoption.

READ FIRST TIME: September 7, 2016

READ SECOND TIME
AND ADOPTED: December 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda G. Goff, City Clerk

APPROVED as to form and legality for
use and reliance by the City of Apopka,
Florida.

Cliff B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: August 9, 2016
September 19, 2016

EXHIBIT "A"

~~Sec. 86-39. Liability insurance.~~

- ~~(a) It shall be unlawful for the owner, operator, driver or chauffeur of any taxicab to drive or operate the taxicab or to permit the taxicab to be driven or operated upon the public streets, unless such owner, operator, driver or chauffeur shall have first procured and filed with the city clerk a liability insurance policy issued by a good and responsible surety company, which insurance company or surety company must have authority to do business as such in the state and must be acceptable to and approved by the city council. The amount of liability insurance or surety bond for each taxicab shall be the minimum required by the state for liability insurance, or, if liability insurance is not required by state law, the minimum financial responsibility requirements of the Financial Responsibility Law, F.S. ch. 324.~~
- ~~(b) Such policy of insurance or surety bond may be in the form of a separate policy or separate surety bond for each taxicab, or may be in the form of a fleet policy covering all taxicabs operated by such owner, operator, driver or chauffeur, in which latter event such policy of insurance or surety bond shall provide the same liability for each taxicab operated in service as specified in subsection (a) of this section. Every taxicab hired in service shall have conspicuously displayed therein or thereon some sign evidencing the fact that the provisions of this section have been complied with, with the form thereof to be prescribed by the chief of police.~~
- ~~(c) No policy of insurance or surety bond as provided for in this section shall be cancelled until the expiration of five days after notice of intended cancellation thereof has been given in writing to the city clerk by registered mail or personal delivery of such notice, and a provision therefor shall be embodied in the policy or surety bond.~~

~~Sec. 86-40. Use of streets for transacting business.~~

~~Except as provided in this article, no taxicab shall occupy space on the streets for the transaction of business other than the picking up of passengers. All places of business of taxicabs shall be maintained off the streets.~~

~~Sec. 86-41. Use of improper vehicles.~~

~~It shall be unlawful for any person to operate or drive, as a taxicab, in or upon any street, any motor-driven vehicle, unless the vehicle is a taxicab as defined in this article.~~

~~Sec. 86-42. Name of owner or operator to be displayed on vehicle.~~

~~It shall be unlawful for any taxicab to be driven upon the streets unless the name of the person either owning or operating such taxicab, or the trade name under which such taxicab is operated, is conspicuously painted on such taxicab in letters not less than two inches in height.~~

~~Sec. 86-43. Meters.~~

- ~~(a) All taxicabs shall be equipped with mechanical devices, commonly called taxicab meters, for registering the fare to be charged.~~

- ~~(b) Every meter in use shall be placed in such taxicabs at a location that will be plainly visible at all times to the occupants of such taxicabs. Between the hours of sunset and sunrise, the dial of the meter shall be illuminated whenever it is in use.~~
- ~~(c) Whenever a taxicab is not in service, the meter shall show no fare and the flag shall be in the upright position. When a taxicab is in service, the flag or indicator on the meter shall be lowered and the meter shall be in the calculating position.~~
- ~~(d) Upon the completion of service by a taxicab, the flag or indicator on the meter shall be raised and the meter shall be returned to the noncalculating position and its dials cleared.~~
- ~~(e) It shall be unlawful for the operator or driver of any taxicab to operate the taxicab on the streets of the city with any occupant in such taxicab other than the driver when the flag or indicator on the taxicab meter is upright and in the noncalculating position, except when operating on an hourly or trip rate.~~
- ~~(f) When the hourly rate or the special trip rate is used, an appropriate sign indicating that the cab is on a trip or hourly rate shall be exhibited.~~
- ~~(g) It shall be the duty of the person owning and operating taxicabs to have the meter in good working condition and operating accurately as to the registration of mileage and fare. Such meters shall be sealed in a manner that will prevent any person from tampering with or changing the adjustment of the meter. It shall be unlawful for any person to tamper with or change the adjustment of a meter, except the owner operating the taxicab to which such meter is affixed, or a person duly designated by the owner, or a meter mechanic.~~
- ~~(h) It shall be unlawful for any person owning and operating taxicabs with meters affixed thereto to permit the taxicabs to be operated on the streets of the city when such meters do not accurately register the mileage and the rate as set forth by the ordinances of the city. All meters shall be subject to inspection and test by any police officer at all times when cabs are not carrying passengers.~~

~~Sec. 86-44. Rates and charges.~~

- ~~(a) *Posting.* Each taxicab shall have posted in a conspicuous place therein a schedule of rates for the transportation of persons within the corporate limits of the city, and no charges shall be made in excess of the rates so posted.~~
- ~~(b) *Determination.* All rate charges or fees for the use of taxicabs using meters shall be determined by a meter rate, hourly rate or special trip rate and by no other method. All charges are for the exclusive use of the taxicab, and shall apply regardless of the number of passengers transported.~~

~~Sec. 86-45. Fare receipts; right to demand payment of fare in advance.~~

~~If demanded by the passenger, the driver in charge of a taxicab shall deliver to the person paying for the hiring of the taxicab, at the time of such payment, a receipt therefor in legible writing, containing the name of the owner and the city license or permit number, showing upon such receipt all items for which a charge is made, the total amount paid and the date of payment. Every driver of any such taxicab shall have the right to demand payment of the legal fare in advance, and may refuse employment unless so prepaid.~~

~~Sec. 86-46. Soliciting passengers near intersection.~~

~~It shall be unlawful for any person owning or operating one or more vehicles for hire in the city to operate such motor vehicles over and upon the streets of the city for the purpose of soliciting patronage, picking up passengers or delivering passengers at any point within 100 feet of any intersecting street corner along such street. It is the purpose and intent of this section to prohibit such practice within 100 feet in all directions from such intersections. Such distance in all cases shall be measured from the center of the intersection. Nothing in this subsection shall be construed as prohibiting the driver of any taxicab or vehicle operated for hire from responding to any specific request for passage from any person seeking the services offered by such taxi or motor vehicle or from stopping at any point within the city for the purpose of delivering a passenger who has been picked up at any part of the city in a manner not prohibited by law. This section shall not apply to any buses or motor vehicles owned or operated by any bus or transit company under an exclusive franchise from the city.~~

~~Sec. 86-47.—Soliciting passengers by preceding or following scheduled bus.~~

~~It shall be unlawful for any person operating motor vehicles for hire in the city to operate such motor vehicle over and upon the streets of the city for the purpose of soliciting the patronage of passengers by immediately preceding or following any duly scheduled bus or motor vehicle operated for such purpose by any bus or transit company under an exclusive franchise from the city along the streets of the city. Nothing contained in this section shall be construed as prohibiting the driver of any duly licensed taxi from responding to any specific request for passage from any patron seeking the services offered by such duly licensed taxi.~~

~~Sec. 86-48.—Smoking by driver.~~

~~It shall be unlawful for any driver, operator or chauffeur of any taxicab to smoke while the taxicab is occupied by a passenger.~~

~~Sec. 86-49.—Use for immoral purposes.~~

~~It shall be unlawful for the driver of a taxicab to permit any person to accompany or use such taxicab for the purpose of prostitution, lewdness or assignation, or to direct, take or transport, or to offer or agree to direct, take or transport, any other person, with knowledge or reasonable cause to believe that the purpose of such directing, taking or transporting is for the purpose of prostitution, lewdness or assignation.~~

~~Sec. 86-50.—Display of political advertisements.~~

~~It shall be unlawful for any person licensed by the city to operate or drive a taxicab upon any street within the city with a political ad displayed for anyone seeking public office at any time.~~

~~DIVISION 2.—BUSINESS PERMIT~~

~~Sec. 86-66.—Required.~~

~~It shall be unlawful to operate or cause to be operated any taxicab business unless a permit for the operation thereof shall have been first issued by the city council in the manner provided in this division.~~

~~Sec. 86-67.—Application and investigation.~~

~~(a) An application for the permit required by this division shall be made in writing to the city council. Such application shall set forth the name, residence address, and address of place of business of the applicant and the kind, make and model of the vehicle to be used in the business. If the applicant is~~

~~a copartnership, the application shall give the names and residence addresses of the copartners. If the application is a corporation, the application shall set forth the name of the corporation and the residence address of its officers and board of directors. The application shall set forth the trade name, if any, under which the applicant does or proposes to do business.~~

~~(b) Upon the filing of an application, the city clerk shall make an investigation, including any hearing deemed necessary, as to each application for a permit for the operation of taxicabs. In determining whether a permit shall be issued, the city council shall investigate the fitness of the applicant to engage in the business of operating taxicabs and the fitness of the equipment to be used, and shall also consider and determine whether the demands of public convenience, necessity and safety justify the issuance of such permit.~~

~~Sec. 86-68. — Issuance or denial.~~

~~If the city council finds favorably to the applicant and decides to grant a permit for the operation of taxicabs, a permit as provided in this division shall be issued to the applicant. If the city council finds against the applicant and decides that the public convenience, necessity and safety do not justify the issuance of such permit or that the applicant is not fit to conduct the taxicab business or the equipment is not fit for such business, then no permit shall be issued, and notice of the action of the city council shall be given to the applicant, setting forth the reason for the refusal of such permit.~~

~~Sec. 86-69. — Occupational license required.~~

~~Prior to the issuance of a permit for the operation of taxicabs, the applicant shall obtain an occupational license.~~

~~Sec. 86-70. — Transfer.~~

~~A permit for the operation of taxicabs shall not be transferable, except upon application to and consent of the city council.~~

~~Sec. 86-71. — Suspension or revocation.~~

~~Whenever any person engaged in the taxicab business is found to be in violation of the provisions of this article or the traffic ordinances of the city or of any of the laws of the state, the city council may, upon complaint or upon its own motion, issue an order to such person to appear at a fixed time and place for investigation. If the city council is satisfied, after such hearing, that such person is guilty of the violations charged, it may, in its discretion, suspend for a fixed period or revoke entirely the permit issued to such person.~~

~~DIVISION 3. — DRIVER'S PERMIT~~

~~Sec. 86-91. — Required.~~

~~No person shall operate or drive a taxicab upon any street unless he has obtained a permit pursuant to the provisions of this division.~~

~~Sec. 86-92. — Application and investigation.~~

~~Any person having resided continuously in the state for not less than six months immediately preceding the making of application for a permit to operate a taxicab and being 18 years of age or over may make application to the city clerk for a permit to operate a taxicab. A verbal or written examination,~~

~~or both, may be given by the chief of police to each applicant to determine knowledge of city streets, locations and environs.~~

~~Sec. 86-93.— Issuance; contents.~~

~~It shall be the duty of the chief of police, if the applicant for a permit under this division is knowledgeable of the provisions of this article and of the traffic ordinance of the city, and the applicant pays the required fee and otherwise complies with this division for the initial year, to issue such person a written permit, which permit shall be signed by the city clerk and sealed with the corporate seal of the city, and shall bear the name, address, sex, age, signature, photograph and fingerprints of the applicant. The chief of police shall procure the fingerprints and a photograph of the applicant and shall keep the fingerprints and photograph on permanent file in his office. The fingerprints and photograph shall be voluntarily furnished by the applicant at the time of filing his application.~~

~~Sec. 86-94.— State commercial license required.~~

~~No person shall be issued a taxicab driver's permit unless he holds a commercial license issued by the state.~~

~~Sec. 86-95.— Alteration or destruction prohibited.~~

~~It shall be unlawful for any person holding a taxicab driver's permit to wilfully alter, deface, obliterate or destroy the permit, or to cause the permit to be defaced, obliterated or destroyed.~~

~~Sec. 86-96.— Display.~~

~~Every driver or operator of any taxicab operated shall have his driver's permit displayed in such taxicab in a conspicuous place so as to be easily observed by any person occupying such taxicab.~~

~~Sec. 86-97.— Suspension or revocation.~~

~~Whenever any operator or driver of a taxicab is found to be violating the provisions of this article, or the traffic ordinances of the city, or any of the laws of the state, the city council may, upon complaint or upon its own motion, issue an order to such operator or driver to appear at a fixed time and place for investigation. If the city council shall be satisfied after such hearing of the violation as charged, it may, in its discretion, suspend for a fixed period, or revoke entirely, the driver's permit issued.~~

~~Sec. 86-98.— Appeals.~~

~~Any person whose taxicab driver's permit is refused, suspended or revoked by the chief of police may appeal, by filing notice thereof with the city clerk within 30 days from the time of such refusal, revocation or suspension. Such appeal as filed shall not act as a supersedeas until such time as the city council shall take final action on such appeal.~~

Backup material for agenda item:

2. Apopka Begins & Ends with "A" - [City of Life]

John Wright, OCPS

Apopka Begins and Ends with ‘A’

Goal: Gather and focus existing community resources to help all Apopka-area schools achieve an “A” rating from the Florida Department of Education.

I. Statement of Need

Quality schools are necessary for a successful community. When businesses form or relocate, top on their checklist is good schools because that’s what their potential employees look for as well. Quality employers look to quality schools to produce a quality workforce. Schools attract young families, create neighborhood pride and increase real estate values. This is why, among the amenities listed on real estate fliers, you often will see “A schools.”

Around Central Florida – when residents talk about education – we often hear about high quality schools in Winter Park, Maitland and Seminole County. All too often, Apopka is left out of that equation.

Make no mistake: Children can get a quality education in Apopka. But we must ensure that every child in every classroom in every school receives as good an education as can be found anywhere in Central Florida or all of Florida for that matter.

Like all schools in Florida, Apopka schools face the challenge of the state’s school accountability system. While there is great debate about how accountability measures are developed and delivered, statewide school accountability programs remain a fact of life. Looking at Apopka schools, in the most recent round of accountability testing, Apopka had no A schools. Some of this is attributable to changing standards devised by Tallahassee. But overall: This is unacceptable. As a community, we need to do better for our children.

Here’s why this is important. School grades from 2010-2016 are listed in the chart below:

Elem. Schools	2010 ¹	2011 ¹	2012 ¹	2013 ¹	2014 ¹	2015 ¹	2016 ²
Apopka	C	C	D	C	C	B	C
Clay Springs	B	B	B	C	D	B	B
Dream Lake	A	A	A	B	A	B	C
Lakeville	A	A	B	B	C	B	C
Lovell	C	B	B	C	C	B	C
Rock Springs	A	A	B	C	C	B	C
Wheatley	B	D	F	D	B	C	D
Wolf Lake	B	A	A	A	A	A	B
Zellwood	B	B	C	C	C	C	D

Middle Schools	2010 ¹	2011 ¹	2012 ¹	2013 ¹	2014 ¹	2015 ¹	2016 ²
Apopka Mem.	A	C	B	C	B	C	C
Piedmont Lakes	A	B	A	B	C	C	C
Wolf Lake	A	B	C	C	B	B	B
High Schools	2010 ¹	2011 ¹	2012 ¹	2013 ¹	2014 ¹	2015 ¹	2016 ²
Apopka	B	B	C	B	A	B	B
Wekiva	D	B	B	B	C	B	C

Apopka Schools | Overall school grades for statewide tests: ¹ FCAT; ² FSA

Not only is Apopka Orange County’s second largest city, we are in the path of growth coming with the soon-to-be completed Wekiva Parkway. If we want to see high-quality economic development, with high-wage jobs and attractive corporate investments in Apopka’s quality of life, it is up to us as a community to set our goals high and commit to creating the kind of environment that top employers want. Our goal should be to attract that type of development here and to create a sense of place in our city so our residents will not have to drive to find amenities that should be found here. Quality schools are a necessary ingredient to accomplish this. We must harness our city’s resources, our pride, our growing number of families and the resources of our business and faith communities to accomplish this.

Our opportunity is to make a strong statement about how important Apopka regards education and how Apopka seeks to advocate in support of our local schools. An initiative seen as a community-wide effort to improve schools can lift the morale and self-esteem of both students and educators. Most importantly, if our efforts are successful in “moving the needle” to improve student outcomes and raise school grades, it will pay off in the long run for our economic development efforts.

II. Program Description

The Apopka Begins & Ends With ‘A’ program uses the Community Action Team (CAT) model for individual schools. The CAT model centers around the use of *facilitated discussion* to aid project management, assign responsibility, and require responsibility among team members to make solutions happen. Each CAT consists of a group of stakeholders assigned to a singular mission. Membership in a CAT can include, but is not limited to: Appropriate district representatives; administrators; teachers; parents; business leaders; faith-based leaders; students and others as appropriate. CATs will meet monthly or as needed, to discuss challenges identified by the schools. The CAT’s mission: Identify, secure and deploy resources that help schools overcome the obstacles that prevent them from achieving an “A.”

Ila. The Community Action Team approach

The goal of having every school achieve and retain an “A” rating is ambitious, yet attainable for Apopka – if our community pulls together in support of the school system, parents and teachers who work in it every day. It is important to note that most schools already work with the community in a variety of ways including on-going School Advisory Committees (SACs), Parent-Teacher Associations (PTAs) and Partner in Education (PIE) programs.

These worthy programs should certainly continue to provide ongoing interfaces for businesses, parents, government officials, government agencies, parents, teachers and administrators to collaborate on the wide range of subjects they deal with throughout the year.

That being said, Apopka’s initiative – using the City of Life’s Community Action Team model – is designed to be different. Here’s how:

- The facilitated format establishes actionable, measurable outcomes.
- There is a laser-like focus on achieving goals and measuring progress.
- The format is designed to create a system that can fold into existing programs once the overall goal is achieved. In other words, each CAT will have to annually establish that it can establish a goal worth pursuing, and that it would not duplicate activities being delivered by other groups.

Too often, groups come together and generate valuable reports that have a predictable life-cycle that leads them to diminish their effectiveness over time. That cannot happen with the Community Action Team because each meeting has specific tasks and commitments for completion for which people and groups are accountable.

III. CAT Implementation for Apopka:

In consultation with Orange County Public Schools, two schools were selected to launch the CAT program for the 2015-2016 school year: Lovell and Rock Springs elementary schools. In 2016-2017, the program will be expanded to Apopka, Lakeville, Phyllis Wheatley, and Zellwood elementary school.. While Lakeville, Wheatley, and Zellwood lie outside the city limits of Apopka, they feed students to Apopka and Wekiva High Schools, and should be considered as “Apopka-area schools.”

On behalf of the City of Apopka, the CAT program is coordinated by the City’s Grants and Neighborhood Services Coordinator, working with the Mayor’s office. The following tasks have been identified:

- Work with teachers, administrators and school district personnel to complete a baseline needs assessment.
- Convene CATs per school and work in consultation with OCPS and with City of Life to identify leaders and craft specific goals, guidelines and tasks.
- Schedule Monthly CAT meetings (or as needed)

IV. City of Life

The City of Life Foundation is a non-profit, 501(c)3 organization based in Orlando. The City of Life was founded in 2002 by a group of individuals committed to realizing better outcomes for youth in foster care, particularly those youth who are “aging out” of the foster care system.

The City of Life partners with service providers and state agencies to collaborate on specific goals within the child-welfare system. One outgrowth of this partnership model was the development of a Community Action Team. The original CAT brought together representatives from the Department of Children and Families, community-based care providers, direct service providers and non-profit agencies. In its first years of operation, the CAT focused on making connections among service providers and non-profit agencies to make additional services available to foster youth.

In recent years, City of Life has focused on the issue of helping transitioning foster youth find employment. Through the CAT, City of Life partnered with Community-based Care of Central Florida, Inc. (CBC) and a number of other agencies to develop a jobs process for foster youth. This process established a project-management process for moving youth from aptitude testing through soft-skills training to job fairs and recruiting by employers. From 2012 through mid-2015, the foster youth CAT has been responsible for connecting close to 100 foster youth to jobs in Orange, Seminole and Osceola counties.

The *Apopka Begins and Ends with ‘A’* program envisions an on-going facilitative role for City of Life. City of Life would be responsible for all meeting logistics; coordinating with school and government officials, drafting CAT plans, and monitoring the implementation of all plans. City of Life will seek to leverage community resources to support schools. This leveraging of community resources may include, but is not limited to, identifying and securing:

- Volunteers for targeted tasks assisting students and/or their families.
- Additional resources (i.e., money and/or materials for targeted programs).
- The assistance of outside organizations that can bring resources to bear on issues identified by the CAT.

Importantly, the facilitative role of the City of Life will seek to minimize the burden on school officials and maximize the effectiveness of each school’s CAT.

V. Participation with Orange County Public Schools

The *Apopka Begins and Ends with ‘A’* program has been designed in consultation with Orange County Public Schools, specifically with the assistance of John Wright, Area Superintendent for the North Learning Community and Belinda Reyes, North Area Executive Director.

It is important to keep in mind that an Apopka-facilitated CAT program is not intended to supplant any current program offered through OCPS, nor will CATs deal with the existing efforts of OCPS to address school capacity issues. CATs will deal with issues presented by schools as they are, and will work within the parameters of resources offered by Orange County Public Schools. Although OCPS may from time to time make additional resources available, it is not the intention of Apopka's program to make additional requests of – or place additional burdens upon – the school district.

VI. Financial Details

The City of Life Foundation, in projecting requirements necessary to establish a Community Action Team for each school, estimates an annual cost of about \$10,000 per school to compensate for the time it will spend to hold meetings, identify needs and facilitate solutions. The City Administrator and Finance Director advise that the initial launch of this program can be funded from the 2014-15 budget year under current budgetary authority within the City Administrator's budget.

Funding for subsequent years of the *Apopka Begins and Ends with 'A'* program may come through grants, partnerships, sponsorships and/or possible additional funding from the City of Apopka.

(end)

APOPKA BEGINS AND ENDS WITH “A”

Final Report and Recommendations

July 2016

Prepared by City of Life Foundation

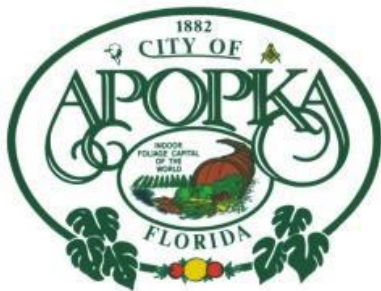


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2016 Final Report

Apopka Begins and Ends With A

Background

This is the final report from the Community Action Teams that have been working since October 2015 on the project titled “Apopka Begins and ends with A.”

There have been seven CAT meetings since December 2015 at both Lovell Elementary and Rock Springs Elementary. Additional meetings have been scheduled at the request of both teams. Each school has asked the City of Life Foundation to conduct additional sessions during the summer because they feel positive energy and momentum building from the CAT process and desire to continue participating in the initiative.

The monthly meetings at each school have been sessions of interactive dialogue involving teams that include staff from Orange County Public Schools, principals, teachers, parent representatives, community members and other stakeholders dedicated to improving student’s outcomes at each school, with the ultimate goal of improving each school’s performance in school accountability measures. The Rock Springs Team is Exhibit C and the Lovell Team is Exhibit B.

The methodology used in this program is described in Exhibit A.

Rationale for Project

In the recent citywide visioning project conducted on behalf of Apopka – titled the “Grow Apopka 2025 Vision Plan” – residents expressed a desire for Apopka to develop a more prosperous local economy that will create jobs, more shopping and dining options and more opportunity. Meanwhile, educational research points out a correlation between educational performance and a community’s economic success.¹ As Apopka looks toward the future with the opening of the Wekiva Parkway scheduled for 2021, the opportunity to be seized now is raising both the perception and performance of public schools in Apopka. In turn, a perception of excellent schools – uplifted by a supportive community – will be a significant factor both in attracting new businesses to the City and in encouraging new residents to relocate their families here. As proposed by Mayor Joe Kilsheimer, the “Apopka Begins & Ends with A” program is about encouraging the community to embrace education in a specific and focused way that will help Apopka residents get what they want: Jobs, economic prosperity and a better quality of life.

This approach also recognizes the importance of encouraging and inviting citizens to get in the trenches with the teachers, principals, students and others to better understand the challenges they face in our schools every day.

¹ “Economic Gains for U.S. States from Educational Reform” Eric A. Hanushek, Jens Ruhose and Ludger Woessmann,” National Bureau of Economic Research, December 2015.

In Apopka and surrounding Northwest Orange County, individual schools and the Orange County School Board have been doing extraordinary work to improve the quality of education. However, that has not always been reflected in the grades reported as a result of the statewide testing system. Part of the reason for that has been a continuing shift in the test themselves that, for example, changed markedly in 2015. This, in turn, affected the test scores reported in early 2016.

These testing shifts were drastic in nature and included a basic shift made by the State in the way they calculated the scores. These changes will make it very difficult to calculate and show improvement for the schools.

What Has Been Accomplished

The two original goals of the program have been met:

1. Connect the community to Rock Springs and Lovell elementary schools in a specific, strategic and focused way to address barriers each school faces in getting to an “A” ranking.
2. Identify resources and assets that the community is willing to connect to the schools to help them get to “A” rankings

With the shift in test scoring in Florida that occurred between 2015 and 2016, it is not currently possible to directly measure testing results at this time and relate them to the inaugural efforts of the CATs at Lovell and Rock Springs.

The decision has therefore been made with the teams at both Lovell and Rock Springs that the teachers and administration will continue to improve the education received by every child every day. In that way, no matter how the school’s rankings come to be measured, we believe we will be able to demonstrate progress.

If/when the program is continued, each school will identify short-term monitoring based on the identified needs and projects of the teams.

At Rock Springs, the CAT is focused on two high needs communities, (described below). Thus the school will quarterly run reports on the academic progress of all the free lunch recipients, which correlates with the students in these communities.

At Lovell, the team and the principal has a program called IReady. This will allow monitoring of data about attendance, discipline, and other in-house information.

Specific Recommendations and Conclusions

While each group identified a wide range of potential activities/tasks, their lists were revisited regularly and focused on two factors; (a) were there items that the community could provide and (b) were they directly linked to improving school rankings.

An additional factor was that it was agreed early on that the teams would not be generating additional work for the schools and administrators. Rather, they would focus on things the community could uniquely provide in addition to things that were already being done by the school and OCPS staffs.

It is important to note that the items listed below for each school are those that community members have already agreed to provide. These are not a Wish List.

Lovell Elementary Recommendations Enacted

1. Assist parents in getting proper medical, vision and dental care for their children.
2. Recruit churches and businesses for community support groups for the school and children.
3. Bring nutrition experts and services to the school to assist families and children eat better and, thereby, be more able to concentrate on their studies.
4. Create a safety plan to be implemented if a parent is removed by immigration officials for any reason. Provide training to families about this plan so it can be successfully implemented as needed.
5. Contact and support the work done by Hope Community Center among the Lovell families and students.
6. Identify 3-4 teachers to get further training on immigration issues so they can be a greater resource to parents and children affected.
7. Create booklets and other materials in multiple languages so they can be used to better communicate with the diverse families served by the school.
8. Create the school Facebook page in Spanish to be able to communicate better with a large group of the parents served by the school.
9. Develop a phone list for distribution to parents to have so they can reach out for services and resources they need.
10. Contact the US Tennis Association to have them bring their after school program to the students as a way to encourage them to study harder and be more active in school activities.
11. Build more participation by students in school activities by establishing more after school sports activities.
12. Reach out to local sports franchises to get them engaged in activities that build a stronger connection between the school and students.

13. Engage Rock Star Music to form and operate an after school music program for students.
14. Encourage kids and their families to participate in City of Apopka activities.
15. Hold a fund-raiser to help support extracurricular activities that the kids wouldn't normally be able to afford.
16. Start chapters of Boy and Girl Scouts at the school

Rock Springs Elementary Recommendations Enacted

The team decided to focus on two high-needs communities within the school's zone; Rock Springs Mobile Park and Mount Plymouth Lake Homes. The experts felt that by concentrating a series of activities in these two areas, maximum impact on the school's performance would be attained.

To that end, the community decided to take on these specific activities/tasks;

1. Provide donated clothing options within these communities that will help all students to come to school with decent, clean clothes. This will influence their self-esteem and lead to enhanced academic performance.
2. Provide services to meet basic student needs; free haircuts, make transportation available to students so they can participate in programs and get tutoring and get free medical/vision/dental care...perhaps right on the property of these two areas.
3. The above two activities are envisioned as part of a specific event...a community day...at the beginning of the school year perhaps linked to the existing Parent Day at the school. Several community members agreed to champion these activities and coordinate them with OCPS.
4. Establish a community garden at the school to help educate children and families about the value of good nutrition and also serve as a source of fresh produce on a continuing basis for area families.
5. Provide training to parents about their role in supporting children in their academic efforts.
6. Set up and publicize the existence of resources for parents to help their children succeed. These resources would also be made available on-line. Included in the resources will be textbooks that can be made available on line so parents can help their children with them.

7. A group of community volunteers was established to seek and secure computers for children to have and use at home to help with their assignments. This group will also seek to secure tablets, printers and headphones for the youth to use.
8. One community volunteer agreed to provide volunteer computer technicians at various times during the school year to help children and families improve their knowledge and performance.
9. One community group agreed to pursue securing internet access for children and families who cannot get it for themselves.

Recommended Next Steps in the 2016-17 Academic Year

With the initial phase of the project successfully nearing completion, the team is recommending that the Second Phase be launched. That phase includes these two components

1. Extend the Lovell and Rocks Springs team meetings on a bi-monthly basis to generate and provide consistent follow-up on the agreed-upon activities, tasks and programs. All participants have agreed that with the initial assignment of activities and tasks, it would be important to continue follow-up meetings to deal with implementation of the agreed upon projects and programs.
2. Add five additional schools to the original group. Currently among those being considered for inclusion are:
 - Lakeville Elementary
 - Apopka Elementary
 - Zellwood Elementary
 - Wheatley Elementary
 - Dream Lake Elementary

Each offers high potential for having community engagement make a significant contribution in the school's academic performance.

Input is welcomed as this list gets finalized for implementation in the summer of 2016.

A significant aspect of the work coming out of Phase One is that it was clear that each school has its own unique situation; its own particular set of challenges. Among the thorny issues that the CATs have observed: Each school has varying percentages of students who walk or take buses; each school serves populations with widely divergent general income levels and each school has varying percentages of students needing English Language support. Other factors – outside of the school's control – include parental mobility, the lack of family support systems in place for students and the possible unavailability of internet service and/or computers at home.

These, and other, new and unique circumstances are expected to emerge as additional schools are added to the mix. Each school will clearly need its own Community Action Team to succeed.

It is further understood that the situation related to Florida's testing system remains in flux with further changes anticipated in 2016-17. That will make it a challenge to find comparable data each year. Nonetheless, a community-wide effort to embrace each school, family and student with community-supported initiatives will fill a vacuum that Apopka's public schools cannot fill on their own.

Respectfully submitted

Allan Chernoff and Gerard Glynn; City of Life Foundation

Exhibit A Methodology

Initial planning for the project began in August, 2015 with meetings among stakeholders to determine their perspectives, wants, needs and interests.

These meetings involved, at various times, Mayor Joe Kilsheimer, Area Superintendent John Wright (and members of his team), the principals at elementary schools, teachers and administrators at both schools, and other interested and engaged members of the community.

City of Life pulled together its team including moderators, administrators and supporters to identify the proper human and physical resources needed and how best to deploy them.

A proposal was crafted and presented at a city council meeting in September, 2015. At which time approval was given to proceed.

The mayor and others identified community members to serve on teams for each school and the Principals added their suggested names as well. The full list of all participants is listed in Appendix B for Lovell and C for Rock Springs.

Monthly meetings were held with each team and included a full situation analysis developed for each school based on the input from the participants/stakeholders.

Each month the focus was on developing a list of activities and tasks that the community could add to the hard and effective work already being done by OCPS, the staff at each school, the parents and community volunteers at each school.

Dozens of ideas were identified, discussed and listed in the on-going process that ultimately led to selecting a shorter list of items that all agreed were going to have a positive impact on school ratings, student performance and...importantly...could be handled directly by the community without adding to the work already being done at each school by the dedicated staff and volunteers.

An interim report was given to the Apopka City Council on April 20. City of Life, the two principals and Area Superintendent John Wright participated.

After that presentation, meetings continued through May as indicated on the original project timeline.

In May, the teams at both schools asked City of Life if there could be additional meetings beyond the end of the project so work could continue by the community members who had taken on specific activities and tasks.

City of Life agreed and these additional meetings are scheduled to be held in June and July.

Appendix B
Lovell Elementary School Community Action Team Members

Last Name	First Name	Title/Company
Aguirre	Oscar	Principal
Baloun	Kelly	Tiny Tots director
Barton-Buggs	Tamara	Assistant Principal
Callaghan	Ruth	Realtor
Cook	Nikki	Florida Door Solutions
Gunter	Kathryn	Curriculum Resource Teacher
Hill	Brent	Century Link
Jackson	Shakenya	City of Apopka
Jules	Deborah	STEM Coach
Kendrick	Sister Ann	Hope Community Center
Providence	Glen	Fresh Stop
Rachiele	Dino	Business owner
Rivera	Eli	Community Activist
Robinson	Mina	HSC Parent Awareness II
Sala-Diakanda	Valynn	Apopka resident
Santoni	Alberto	Qorvo
Smyth	Don	Retired lumber executive
Styles	Stailey	Hope Community Center
Wallace	Mary	Guidance Counselor
Willard	April	Reading Coach

OCPS

CAT Member	Title
Au, Sarah	Community Resources
Chunoo, Karena	Sr. Administrator
Cruz, Yvette	Admin. Assistant
Floyd, Jeannie	Senior Manager-Grants
Ortiz, Alfredo	Grants & Data Projects
Pedraza, Debi	Philanthropic Development
Reyes, Belinda	Executive Area Director
Wright, John	Area Superintendent

Appendix C
Rock Springs Elementary School Community Action Team Members

CAT Member	Title/Company
Belben, Rick	Realtor
Bennett, Eric	Coca-Cola
Birmele, Justin	FL Hospital-Director of Operations
Burns, Brian	Principal
Cooper, Jennifer	2nd Grade Teacher
Diaz, Maria	Retired teacher
Fries, Justin	Johnson Brothers Construction
Gonzalez, Yulimey	Curriculum Compliance Teacher
Hunter-Yarbrough, Danyiel	New Journey Youth
Jones, Keisha	SAC member
Lutz, J. Ann	Volunteer Media
Miller, Cathy	ASD Teacher
Ord, Amy	General Ed Teacher
Ruddell, Brenda	AP
Schulz, Louise	4th Grade Teacher
Smothers, Scott	Attorney
Sturtevant, Lindsey	Reading Coach
Turner, Lisa	PTA board member
Varela, Tanya	CRT
Vick, Trey	Equinox Development

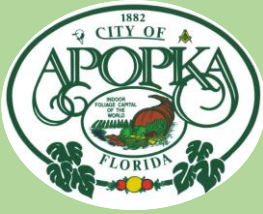
OCPS

CAT Member	Title
Au, Sarah	Community Resources
Chunoo, Karena	Sr. Administrator
Cruz, Yvette	Admin. Assistant
Floyd, Jeannie	Senior Manager-Grants
Ortiz, Alfredo	Grants & Data Projects
Pedraza, Debi	Philanthropic Development
Reyes, Belinda	Executive Area Director
Wright, John	Area Superintendent

Backup material for agenda item:

4. Edwards Field/Splash Pad

David Burgoon



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Workshop

MEETING OF: December 13, 2016
FROM: Recreation
EXHIBITS: Concept Plans

SUBJECT: KIT LAND NELSON PARK SPLASH PAD

SUMMARY:

On September 28, 2016 City Council approved the budget for FY16/17 that included a splash pad with restrooms at Kit Land Nelson Park/Edwards Field. The Recreation Department is proposing the splash pad be built at Kit Land Nelson Park where the current tennis courts are located and relocate the tennis courts at a later date to Edwards's field as part of the Recreation Master Plan.

Splash pads come in many different shapes and sizes with many different options. Staff will present other county and city splash pad designs and ask for City Council input on what will be designed.

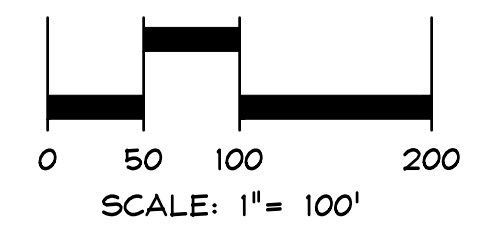
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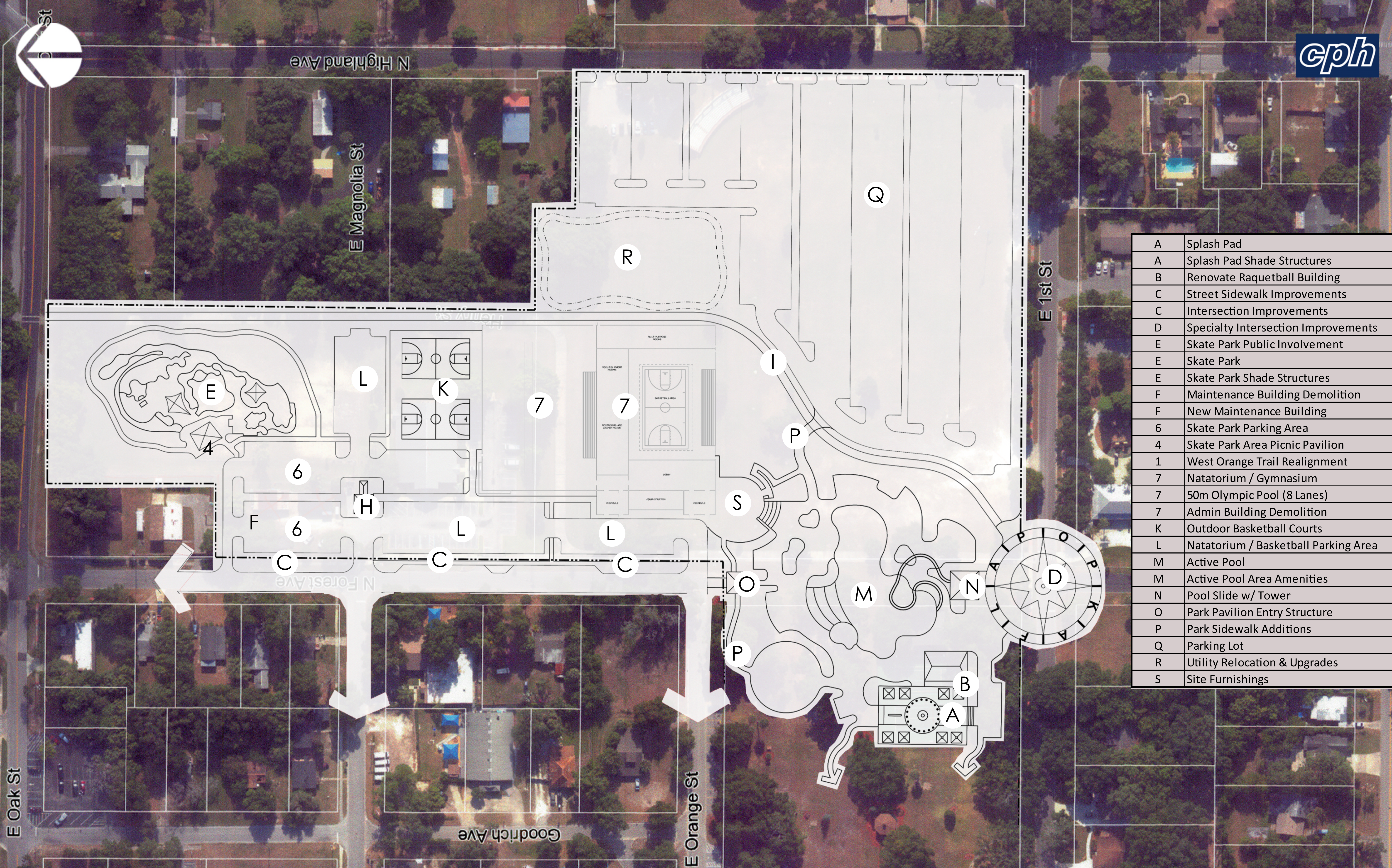
Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief



EDWARDS FIELD PARK MASTER PLAN CONCEPT

SEPTEMBER 9TH, 2016





A	Splash Pad
A	Splash Pad Shade Structures
B	Renovate Raquetball Building
C	Street Sidewalk Improvements
C	Intersection Improvements
D	Specialty Intersection Improvements
E	Skate Park Public Involvement
E	Skate Park
E	Skate Park Shade Structures
F	Maintenance Building Demolition
F	New Maintenance Building
6	Skate Park Parking Area
4	Skate Park Area Picnic Pavilion
1	West Orange Trail Realignment
7	Natatorium / Gymnasium
7	50m Olympic Pool (8 Lanes)
7	Admin Building Demolition
K	Outdoor Basketball Courts
L	Natatorium / Basketball Parking Area
M	Active Pool
M	Active Pool Area Amenities
N	Pool Slide w/ Tower
O	Park Pavilion Entry Structure
P	Park Sidewalk Additions
Q	Parking Lot
R	Utility Relocation & Upgrades
S	Site Furnishings



EDWARDS FIELD PARK MASTER PLAN CONCEPT

OCTOBER 19TH, 2016