



APOPKA CITY COUNCIL AGENDA
February 07, 2018 1:30 PM
APOPKA CITY HALL COUNCIL CHAMBERS
Agendas are subject to amendment through
5:00pm on the day prior to City Council Meetings

CALL TO ORDER

INVOCATION - Pastor David Schorejs of First Baptist Church of Apopka
PLEDGE

APPROVAL OF MINUTES:

- [1.](#) City Council regular meeting January 3, 2018.
- [2.](#) City Council regular meeting January 17, 2018.

AGENDA REVIEW

PUBLIC COMMENT; STAFF RECOGNITION AND ACKNOWLEDGEMENT

Public Comment Period:

The Public Comment Period is for City-related issues that may or may not be on today's Agenda. If you are here for a matter that requires a public hearing, please wait for that item to come up on the agenda. If you wish to address the Council, you must fill out an Intent to Speak form and provide it to the City Clerk prior to the start of the meeting. If you wish to speak during the Public Comment Period, please fill out a green-colored Intent-to-Speak form. If you wish to speak on a matter that requires a public hearing, please fill out a white-colored Intent-to-Speak form. Speaker forms may be completed up to 48 hours in advance of the Council meeting. Each speaker will have four minutes to give remarks, regardless of the number of items addressed. Please refer to Resolution No. 2016-16 for further information regarding our Public Participation Policy & Procedures for addressing the City Council.

Proclamations:

1. Black History Month Proclamation.

Employee Recognition:

- ❖ Five Year Service Award – Jennifer Esquia – Community Development/Building (rescheduled from January)
- ❖ Five Year Service Award – Paul Murphy – Police/Support Services
- ❖ Twenty Year Service Award – Kimberly “Kim” Walsh – Police/Support Services

CONSENT (Action Item)

- [1.](#) Authorize an expenditure from Law Enforcement Trust Funds for the CRA “Community Outreach Program”.
- [2.](#) Authorize an agreement for design engineering & hydrogeology services with Reiss Engineering.
- [3.](#) Authorize an agreement for a Utility Master Plan update with Wright-Pierce, Inc.
- [4.](#) Award a contract to Core & Main for pipe materials for the Golden Gem Rd. reclaim water system extension.
- [5.](#) Appointment of the voting member of both the Group Health Trust and Property & Casualty Boards.
- [6.](#) Approve the Interlocal Agreement between the City of Apopka and Orange County for the jurisdictional transfer of Michael Gladden Boulevard from South Hawthorne Avenue to South Park Avenue

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

- [1.](#) Ordinance No. 2619 – Second Reading - Comprehensive Plan Amendment – Small Scale – Legislative Phil Martinez
Project: Zellwood Properties, LLC - Located north of S.R. 441 and west of Hermit Smith Road.
- [2.](#) Ordinance No. 2620 – Second Reading – Change of Zoning – Quasi-Judicial David Moon
Project: Zellwood Properties, LLC – Located north of S.R. 441 and west of Hermit Smith Road.
- [3.](#) Ordinance No. 2624 – First Reading - Change of Zoning – Quasi-Judicial David Moon
Project: George Thum, Jr. & Phillip & Peggy Dionne – Located west of Jason Dwelley Parkway, south of West Kelly Park Rd.
- [4.](#) Ordinance No. 2633 – First Reading – Vacate – Platted Right-of-Way (Ransom Street) – Quasi-Judicial Jean Sanchez
Project: City of Apopka – Located north of East 6th Street, south of U.S. Highway 441; west of South Sheller Avenue
- [5.](#) Resolution 2018-02 - Amending the budget for FY October 1, 2017 - September 30, 2018. Glenn A. Irby
- [6.](#) Resolution 2018-03 - Opposing Senate Bill 574 & House Bill 521 local tree protection ordinances and codes. James

CITY COUNCIL REPORTS

MAYOR'S REPORT

ADJOURNMENT

MEETINGS AND UPCOMING EVENTS

| DATE | TIME | EVENT |
|-------------------|------------------|---|
| February 9, 2018 | 5:00pm – 9:30pm | BBQ Blast Apopka – Northwest Recreation Complex |
| February 10, 2018 | 11:00am – 6:00pm | BBQ Blast Apopka – Northwest Recreation Complex |
| February 12, 2018 | 6:30pm – | CONA Meeting – UCF Apopka Business Incubator |
| February 13, 2018 | 5:30pm – | Planning Commission Meeting |
| February 20, 2018 | 5:30pm – 8:00pm | Special Planning Commission Meeting – Errol Estate Project |
| February 21, 2018 | 7:00pm – | Council Meeting |
| February 26, 2018 | 10:00am – | Lake Apopka Natural Gas District Board Meeting: Winter Garden |
| February 27, 2018 | 5:30pm – 8:00pm | Special City Council Meeting – Errol Estate Project |
| March 1, 2018 | 5:30pm – 9:00pm | Food Truck Round Up |
| March 7, 2018 | 1:30pm – | City Council Meeting |
| March 12, 2018 | 6:30pm – | CONA Meeting – UCF Apopka Business Incubator |
| March 13, 2018 | 7:00am – 7:00pm | Apopka General Election |
| March 20, 2018 | 6:00pm – | Code Enforcement Hearing |
| March 21, 2018 | 7:00pm – | City Council Meeting |

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

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

CITY OF APOPKA

Minutes of the regular City Council meeting held on January 3, 2018, at 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Doug Bankson
Commissioner Kyle Becker
City Attorney Patrick Brackin
City Administrator Glenn Irby

PRESS PRESENT: John Peery - The Apopka Chief
Reggie Connell, The Apopka Voice

INVOCATION: - Mayor Kilsheimer introduced Pastor Darrell Morgan of Word of Life Church who gave the invocation.

CITY OF APOPKA COLOR GUARD - Mayor Kilsheimer called for the marching of the Colors, presented by the Apopka Color Guard. Color Guard members are: Apopka Police Department: Sergeant Steve Harmon, Officer Cliff MacDonald, Officer Heath Wood, and from the Apopka Fire Department: Firefighter Earl Hines, and Firefighter John McGuire.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer led in the Pledge of Allegiance. Sergeant Harmon called for the posting of the Colors.

AGENDA REVIEW: Glenn Irby, City Administrator, advised there were several changes to the Agenda. The following will be added: Business: 3. Martin Luther King Parade and request for road closure. He reported under Business: Item 2, for the Event Production and Management Services for Special Events at the Apopka Amphitheater, will be pulled at the suggestion of the City Attorney.

City Attorney Brackin said it was his understanding that the Notice of Intent to award went out on Friday and the city policy requires providing 72 hours to give other bidders an opportunity to serve an Intent to Protest. He opined since the 72 hour period has not run, Council should not take action.

City Administrator Irby provided a renumbering of items under Public Hearings/Ordinances/Resolutions and the items will be heard in that order. He advised this is to group the annexation ordinances together. He further reported that Jean Sanchez will be presenting the annexation ordinances.

PUBLIC COMMENT/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Proclamation: A proclamation was read by Mayor Kilsheimer acknowledging Arbor Day, and presented to Mariah McCullough, Recreation Director.

Employee Recognition:

- ❖ Five Year Service Award – Marcelino Pizarro-Bultron – Recreation/NWRF Grounds. Council joined Mayor Kilsheimer in congratulating Marcelino for his years of service.
- ❖ Five Year Service Award – Michael “Mike” Suver – Public Services/Design Engineering. Council joined Mayor Kilsheimer in congratulating Mike for his years of service.
- ❖ Five Year Service Award – Jarvin Vines – Public Services/Design Engineering. Council joined Mayor Kilsheimer in congratulating Jarvin for his years of service.
- ❖ Five Year Service Award – Constance “Connie” Hoover – Police/Communications. Connie was not present and will be presented her award at another time.
- ❖ Ten Year Service Award – Cynthia “Cindy” Hall – Police/Field Services. Cindy was not present and will be presented her award at another time.
- ❖ Ten Year Service Award – Brian Martin – Fire/EMS. Brian was not present and will be presented his award at another time.
- ❖ Ten Year Service Award – Christopher “Chris” Rumpza – Fire/Suppression. Chris was not present and will be presented his award at another time.
- ❖ Ten Year Service Award – Widfredo “Wil” Rivera Sanchez – Fire/Chief’s Office. Council joined Mayor Kilsheimer in congratulating Will for his years of service.
- ❖ Fifteen Year Service Award – Carl Murray – Public Services/Design Engineering. Council joined Mayor Kilsheimer in congratulating Carl for his years of service.
- ❖ Fifteen Year Service Award – Jorge Garcia – Public Services/Waste Water Maintenance, Council joined Mayor Kilsheimer in congratulating Jorge on his years of service.

Public Comment:

Ray Shackelford said as moving forward in the CRA process, they encourage citizen input from the designated area. He said at a recent City Council meeting it was stated that three letters of apology related to an insensitive workshop for white officers only were to be submitted. He requested a copy of the letters. He inquired where the accountability was for such an insensitive workshop, stating they did not need an internal investigation of this incident by people who supported this incident or their clones. He applauded city staff who were willing to put justice for all above insensitive actions of their boss. He said they would continue to support ways to improve relations between the police and community based on justice for all. He declared the City has an outstanding Police Department and Fire Department and generally an outstanding staff. He said insensitive actions cannot be allowed to hang over city staff that puts effort in working for the people of Apopka.

Rod Love said he would echo some of the items Dr. Shackelford mentioned. He stated in trying to get an update as to the letter of apology they were told about previously, he received a great deal of input from individuals who participated on the task force community meetings that took place. He said one of the issues the task force focused on was the issue of community and law enforcement relationship as it relates to the report that came out by the State Training and Standards Commission regarding mistrust between law enforcement and minority communities. He said one reason this anonymous letter continues to be discussed is because they are in support of law enforcement. He stated someone in law enforcement stepped forward that was not comfortable with what was said. He said he wanted to hear Council’s input regarding this matter. He said they have talked about the CRA regular scheduled meetings and have not heard any feedback, as well as citizen input.

In response to Commissioner Dean asking for input regarding the anonymous letter, Mr. Irby advised that Human Resources is investigating the matter and once the investigation is complete, it will become public.

Commissioner Dean inquired if there were no minorities included in the training.

Chief McKinley advised that was not accurate, stating 23% of the people in attendance were minority. He advised there was no selection of who attended. Attendance was mandatory unless an employee had a pre-approved leave.

CONSENT (Action Item)

1. Authorize a Traffic Enforcement Agreement with the Emerson Park HOA, Inc.
2. Approval and funding to replace the engine in the Public Services Plant Maintenance Division crane truck.
3. Approval to purchase new heavy equipment for the Public Services Streets Division.

Discussion was held regarding Item 3.

Jay Davoll, Public Services Director, said two pieces of the equipment were in the budget and this is being funded by the Streets Fund.

In response to Commissioner Bankson inquiring about funds being transferred, Ms. Barclay advised the funds being used for the Street Funds are special revenue funds and must be used for that purpose.

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve three items on the Consent Agenda. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

BUSINESS

1. Approval to replace the roof at Fire Station #4.

Mr. Davoll said the roof was put on in 1998 and then later was sprayed with foam. He advised over the years the foam has become severely delaminated, trapping water between the foam and metal roof, causing corrosion and roof leaks. The request is to replace with a 30-year water tight standing seam metal roof, new insulation, gutters and downspouts.

In response to Commissioner Bankson inquiring if there was a warranty with the roof or applied foam, City Attorney Brackin advised there could possibly be a claim if it can be determined the roof or foam failed due to a manufacturer or labor defect. Nevertheless, if litigation is required, it would add additional costs. He advised mitigating the damages by replacing the roof now is what they should do, and how to proceed legally would not affect the other.

MOTION by Commissioner Dean, and seconded by Commissioner Becker, to approve the replacement of the roof at Fire Station #4 as presented. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

2. Award a contract to Get-Off-the-Bus, LLC, for RFP #2018-01.

This item was withdrawn from the agenda.

3. Approve Road Closures for the Martin Luther King Parade.

Mariah McCullough, Recreation Director, requested approval of road closures for the Martin Luther King Parade on Monday, January 15, 2018, from 2:00 p.m. to 4:00 p.m.

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve road closures for the Martin Luther King Parade. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION

1. **Ordinance No. 2621 – First Reading – Annexation – Project: VBRO Enterprises, Inc. - Location: 41 E Lester Road.** The City Clerk read the title as follows:

ORDINANCE NO. 2621

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY VBRO ENTERPRISES, INC. LOCATED AT 41 EAST LESTER ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Jean Sanchez, Planner, said this parcel was 0.84 plus or minus acres, located on Lester Road west of Rock Springs Road and stated it meets State Statute requirements for annexation. She reviewed the location on the map stating assignment of City future land use and zoning designation will occur at a later date through action by City Council. DRC recommends approval.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to approve Ordinance No. 2621 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

2. **Ordinance No. 2622 – First Reading – Annexation – Project: Roseville Farms, LLC Location: Northeast corner of West Ponkan Road and Ponkan Pines Road.** The City Clerk read the title as follows:

ORDINANCE NO. 2622

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY ROSEVILLE FARMS, LLC. LOCATED AT WEST PONKAN ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

Ms. Sanchez provided a brief lead-in reviewing the location of this property on a map and stated it meets State Statute requirements for annexation. She advised that DRC recommends approval.

Mayor Kilsheimer opened the meeting to a public hearing.

Jim Riffle said he spoke with staff for a few moments regarding this parcel and stated it looks like a shop-n-go to him. He said this was in a very dangerous curve and people have perished in that curve over the years. He stated this was adjacent to two schools and it was in a residential area.

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

MOTION by Commissioner Becker, and seconded by Commissioner Bankson, to approve Ordinance No. 2622 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 3. Ordinance No. 2627 - First Reading - Annexation - Project: Kenney Harry Charles McAllister – Location: 3591 West Orange Blossom Trail.** The City Clerk read the title as follows:

ORDINANCE NO. 2627

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY KENNEY HARRY CHARLES MCALLISTER TR. LOCATED AT 3591 WEST ORANGE BLOSSOM TRAIL; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Ms. Sanchez provided a brief lead-in reviewing the location of this property and advised it meets State Statute requirements for annexation. DRC recommends approval.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Dean, to

approve Ordinance No. 2627 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 4. Ordinance No. 2618 – First Reading – Comprehensive Plan Amendment – Large Scale Project: Orlando Beltway Associates – West & East of S.R. 429, north of Kelly Park Road.** The City Clerk read the title as follows:

ORDINANCE NO. 2618

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” RURAL RESIDENTIAL DISTRICT TO “CITY” MIXED USE- INTERCHANGE FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF PLYMOUTH SORRENTO ROAD AND EAST OF EFFIE DRIVE, OWNED BY ORLANDO BELTWAY ASSOCIATES; COMPRISING 07.5 ACRES MORE OR LESS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Phil Martinez, Planner, provided a lead-in for this property stating the applicant was proposing a large scale future land use amendment from “County” rural to “City” mixed-use interchange. He said the two subject parcels are within the one-mile radius from the Wekiva Parkway interchange at Kelly Park Road and are required to adhere to the Kelly Park Crossing Form Based Code. He reviewed the location on a map, pointing out that S.R. 429 runs between the two subject parcels. He advised the proposed use of the property is compatible with the character of the surrounding areas and is consistent with the Mixed Use Interchange Land Use designation. The current uses for the subject parcels are equestrian oriented on the eastern parcel and vacant grasslands on the western parcel. At the December 12, 2017 Planning Commission meeting they found the future land use designation consistent with the comprehensive plan and recommended approval. Staff recommends approval of the First Reading and authorize transmittal to the State of Florida Department of Economic Opportunity.

Commissioner Becker inquired if the intention of this property was to do all single family residences.

Mr. Martinez advised they have a concept plan for the eastern parcel and the transition overlay that shows detached single family houses. At this time there is no concept plan for the west side.

Mr. Moon advised this property is not located within the Kelly Park Crossing Development of Regional Impact. It is stand alone, within a one mile radius of the Form Based Code area. He stated the intent was to develop the north side as single family homes and the south side could come in as single family homes or townhomes.

Mayor Kilsheimer said to the point Commissioner Becker is trying to get at is that we need to make sure we are bringing in the types of employment centers that are going to support the

single family homes in the area, rather than having an influx of residential. He stated both the Kelly Park Crossings DRI and the applicant in this project are planning these types of commercial employment opportunities. As Mr. Moon pointed out, the western parcel is in the industrial/commercial zone. He stated the Kelly Park Crossings DRI people are working on creating the type of employment center that you see on the map south of Kelly Park Road along the Wekiva Parkway.

Commissioner Bankson spoke of the impact on the infrastructure with the increase in residential and inquired if this would affect any other planning.

Mr. Moon said there would be a tremendous amount of infrastructure improvements that will have to occur in the area over time to accommodate development. He stated that will be in the planning process and development applications will have to address this as part of their proposals. He said impact fees will cover developers' proportionate share of the cost to expand capacities for the area.

Mayor Kilsheimer opened the meeting to a public hearing.

Harvey Godwin said he has the parcel of land that is adjacent to the 107 acres and asked if it was possible to have the parcel of land on the south side to have a fence or wall to separate the properties.

Mayor Kilsheimer advised this would be addressed during the preliminary and final development plans.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve Ordinance No. 2618 at First Reading and authorize transmittal to the State of Florida Department of Economic Opportunity. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 5. Ordinance No. 2623 – First Reading – Vacating a Utility Easement. Project: Belvedere Estates Inc. – Location: 1586 Golfside Village Boulevard.** The City Clerk read the title as follows:

ORDINANCE NO. 2623

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF A UTILITY EASEMENT LOCATED AT 1586 GOLFSIDE VILLAGE BOULEVARD; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer announced this was a quasi-judicial hearing. Witnesses were sworn in by the Clerk.

David Moon, Planning Manager, said the property owner has requested a vacate of the rear utility easement along the back property line. The intent is to possibly accommodate a future small deck on the back of the house. The owner has obtained letters from all utilities stating there was no need for the easement. DRC recommends approval.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to approve Ordinance No. 2623 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

CITY COUNCIL REPORTS – No reports.

MAYOR’S REPORT – No report.

ADJOURNMENT – There being no further business the meeting adjourned at 2:34 p.m.

ATTEST:

Joseph E. Kilsheimer, Mayor

Linda F. Goff, City Clerk

CITY OF APOPKA

Minutes of the regular City Council meeting held on January 17, 2018, at 7:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Diane Velazquez
Commissioner Doug Bankson
Commissioner Kyle Becker
City Attorney Patrick Brackin
City Administrator Glenn Irby

ABSENT: Commissioner Billie Dean

PRESS PRESENT: Teresa Sargeant - The Apopka Chief
Reggie Connell, The Apopka Voice

INVOCATION: - Mayor Kilsheimer introduced Lieutenant Jason Fletcher, U.S. Army Chaplain, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on Monday, our Nation remembered the life and works of Dr. Martin Luther King, Jr. He was born January 15, 1929, in Atlanta, Georgia, the son of a Baptist minister. In 1955, Dr. King helped organize the first major protest of the Civil Rights Movement, the Montgomery bus boycott. Over the next several years he staged many peaceful protests throughout the Nation and became the voice of the Civil Rights Movement. In 1963, the March on Washington culminated in Dr. King's "I Have a Dream" speech and the following year, Civil Rights Act of 1964 became law, the twenty-fourth amendment was ratified abolishing the poll tax, and Dr. King became the youngest recipient of the Nobel Peace Prize. Tragically, Dr. King's life came to an abrupt end on April 4, 1968, in Memphis, Tennessee. He asked everyone to reflect on Dr. King's legacy as he led in the Pledge of Allegiance.

APPROVAL OF MINUTES:

- 1. City Council regular meeting December 06, 2017.**
- 2. City Council regular meeting December 20, 2017.**

MOTION by Commissioner Becker, and seconded by Commissioner Velazquez, to approve the minutes of December 6, 2017 and December 20, 2017, as presented. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Velazquez, Becker, and Bankson voting aye.

AGENDA REVIEW: No changes.

PUBLIC COMMENT/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Public Comment:

Mayor Kilsheimer said there were members of the Apopka High School Track Team present and

he would allow their presentation to exceed the allotted four minutes.

Jayla Brinkley said she was here today with her teammates on behalf of the Apopka High School Track Team. She stated Apopka High School was known as a football school, but today she is here to introduce a lesser known sport, Apopka High School Track and Field. She said the past two years they have had a lot of success from state records, to setting new school records and sending students to the collegiate level.

Rhyan Stelljes said she also participates in Track and Field. She stated for the 2016 season the AHS Track Team received new leadership and that season saw the boys' team finish third in the MetroWest Conference championship, second in the District championship and seventh in the Regional championship. In 2017 the boys' team won both the MetroWest and District championships, and placed second in the Regional championship. She affirmed in 2016 the girls' team placed fifth at the Freshman/Sophomore meet and the following year they placed first. A comparison of the 2016 and 2017 State championship meets saw an increase in the number of student athletes participating. In 2016 five individuals and one relay qualified for the State meet, and four other individuals placed in the meet. In 2017 eight individuals and one relay qualified for the State meet.

Ryan Lovern said he competes in Track and Field for Apopka High School. He stated although Track and Field may not be as glorified as other sports, he loves it nonetheless. However, due to the fact it is not as popular as other sports, Track and Field is considered a low generating revenue sport. They hold fundraisers such as apparel sales, carwashes, and promotional nights at local restaurants. Yet, because they do not host track meets at Apopka High School due to substandard facilities, they do not have the luxury of a sizeable budget. He said keeping in mind that they run approximately eight regular season meets and have 50-60 student athletes on the team, seasonal costs include meet entry fees, which have increased from \$100 -\$150, or even \$200 on average, new uniforms that will cost \$65 per student athlete this year, food for the meets considering an average track meet may last for six hours or more, equipment such as shot put, discs, hurdles, and medicine balls, and travel expenses for out of town meets that may include hotel rooms and charter bus rentals.

Saypadia DeSussyre said he has participated in Track and Field for four years. Over the past two seasons twelve members of the Track Team have enrolled in institutions of higher education. He stated they boast that some of their former athletes have been members of National Honor Society, Student Government and Homecoming Court. Some former teammates have also been the first in their family to attend college. He said their successes are not only limited to their athletic performances. He stated he and his teammates humbly come before Council this evening with hopes they can offer the Apopka High School Track and Field Team any financial assistance they deem reasonable. He said they are on a quest to improve upon past years' performances and route to establishing a new tradition of excellence on and off the field at Apopka High School. He thanked Council for their time tonight.

Mayor Kilsheimer advised the City's ability to offer financial resources depends on the budgeted amount they have to spend this year. The budget was approved in October. He affirmed each Council member has a discretionary fund from which they can donate. He asked each Council member to consider making a donation out of their discretionary fund to the Apopka High School

Track and Field Team.

Commissioner Becker said to quantify reasonable, on the document provided, their budget is around \$7,000. He asked with the fundraising they do, how much of a gap is there. He declared he did not view Track and Field as substandard or secondary, it is a lot of fun and he loves what they are doing.

Cecilio Fowler, Apopka High School Track and Field Coach, said this is his second year at Apopka High School, but he has been a teacher, math coach, dean with Orange County Public Schools for 19 years. He said Apopka was a very different community from where he has taught in the past and it was very family oriented. He stated his student athletes were great and he had no issues with them. He said this team was probably the highest on average GPA students he has throughout all his years of coaching. He declared the funding was not always there for Track. He stated Apopka has done very well with football and bowling. He affirmed he wants to do everything he can for Track and to give these student athletes the best experience possible that they can have and get them to the next level whether it is collegiate, military, or some type of post high school learning so they can be contributing members of society.

Pastor Hezekiah Bradford said he was here to give kudos to the Mayor and Commissioners for their overwhelming support of the Martin Luther King Parade. He said Council showed the community that we work better together. He stated he would talk with the Apopka High School Coach stating they may be able to contribute as well.

CONSENT (Action Item)

1. Authorize the sale of alcohol at the 2018 BBQ Blast.
2. Approve the purchase of a new Portable Generator.
3. Approve the Northern Communications Site Agreement with Lake County regarding the co-location of radio services.

MOTION by Commissioner Bankson, and seconded by Commissioner Velazquez, to approve three items on the Consent Agenda. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Velazquez, Becker and Bankson voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION

1. **Ordinance No. 2621 – Second Reading – Annexation – Project: VBRO Enterprises, Inc. - Location: 41 E Lester Road.** The City Clerk read the title as follows:

ORDINANCE NO. 2621

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY VBRO ENTERPRISES, INC. LOCATED AT 41 EAST LESTER ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

David Moon, Planning Manager, advised there have been no changes since the first reading.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to adopt Ordinance No. 2621. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Velazquez, Becker, and Bankson voting aye.

- 2. Ordinance No. 2622 – Second Reading – Annexation – Project: Roseville Farms, LLC**
Location: Northeast corner of West Ponkan Road and Ponkan Pines Road. The City Clerk read the title as follows:

ORDINANCE NO. 2622

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY ROSEVILLE FARMS, LLC. LOCATED AT WEST PONKAN ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

Mr. Moon advised there have been no changes since the first reading.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Becker, to adopt Ordinance No. 2622. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Velazquez, Becker, and Bankson voting aye.

- 3. Ordinance No. 2627 - Second Reading - Annexation - Project: Kenney Harry Charles McAllister – Location: 3591 West Orange Blossom Trail.** The City Clerk read the title as follows:

ORDINANCE NO. 2627

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY KENNEY HARRY CHARLES MCALLISTER TR. LOCATED AT 3591 WEST ORANGE BLOSSOM TRAIL; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mr. Moon advised there have been no change since the first reading.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to adopt Ordinance No. 2627. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 4. Ordinance No. 2623 – Second Reading – Vacating a Utility Easement. Project: Belvedere Estates Inc. – Location: 1586 Golfside Village Boulevard.** The City Clerk read the title as follows:

ORDINANCE NO. 2623

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF A UTILITY EASEMENT LOCATED AT 1586 GOLFSIDE VILLAGE BOULEVARD; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer announced this was a quasi-judicial hearing. Witnesses were sworn in by the Clerk.

Mr. Moon advised there have been no changes since the first reading.

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

MOTION by Commissioner Becker, and seconded by Commissioner Bankson, to adopt Ordinance No. 2623. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Velazquez, Becker, and Bankson voting aye.

- 5. Ordinance No. 2617 – First Reading – Comprehensive Plan Amendment – Large Scale – Project: Laura Murphy – Location: 359 West Lester Road.** The City Clerk read the title as follows:

ORDINANCE NO. 2617

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM AGRICULTURE TO RESIDENTIAL LOW SUBURBAN (0-3.5 DU/AC) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED AT 359 WEST LESTER ROAD, OWNED BY LAURA R. MURPHY; COMPRISING 19.94 ACRES, MORE OR LESS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Phil Martinez, Planner, provided a brief lead-in and reviewed the location of the property on a map. He reviewed the surrounding parcels and land-use. He said this was the same zoning as the Errol Equestrian Center. The Planning Commission recommended approval and authorization of transmittal to DEO at their meeting on January 9, 2018.

Mayor Kilsheimer opened the meeting to a public hearing.

Luke Classon, Appian Engineering, representing the project said to clarify the 69 units was in reference to what is allowed under the future land-use. They are working toward a final engineering plan of 52 lots. He advised they have already done an environmental study that does not get submitted with future land-use, but it will be provided with the Final Development Plan.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Becker, to approve Ordinance No. 2619 at First Reading and approve transmittal to DEO. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Velazquez, Becker, and Bankson voting aye.

- 6. Ordinance No. 2619 – First Reading – Comprehensive Plan Amendment – Small Scale – Project: Zellwood Properties, LLC – Located north of S.R. 441 and west of Hermit Smith Road.** The City Clerk read the title as follows:

ORDINANCE NO. 2619

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” RURAL TO “CITY” COMMERCIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF HERMIT SMITH ROAD AND NORTH OF ORANGE BLOSSOM TRAIL, COMPRISING 2.45 ACRES, MORE OR LESS AND OWNED BY ZELLWOOD PROPERTIES, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Martinez reviewed the project area and surrounding parcel uses. He advised that staff finds a commercial land-use at this intersection will act as a transition space between the industrial properties to the south and the residential properties to the north and east. He pointed out that properties in unincorporated Orange County are zoned commercial. The Planning Commissioner found this to be compatible with the character of the surrounding area and recommended approval.

Mayor Kilsheimer opened the meeting to a public hearing.

Bryan Potts said he is the applicant and he appreciated the work from staff and agrees with

them. He was present to answer any questions.
No one wishing to speak, Mayor Kilsheimer closed the public hearing.

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker to approve Ordinance No. 2619 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Velazquez, Becker, and Bankson voting aye.

7. **Ordinance No. 2620 – First Reading – Change of Zoning – Project: Zellwood Properties, LLC – Located north of S.R. 441 and west of Hermit Smith Road.** The City Clerk read the title as follows:

ORDINANCE NO. 2620

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 TO “CITY” PLANNED UNIT DEVELOPMENT (PUD/COMMERCIAL) FOR CERTAIN REAL PROPERTY LOCATED AT 1102 HERMIT SMITH ROAD, COMPRISING 2.45 ACRES MORE OR LESS, AND OWNED BY ZELLWOOD PROPERTIES, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer announced this was a quasi-judicial hearing. Witnesses were sworn in by the Clerk.

David Moon, Planning Manager, said this request was to assign “City” Planned Unit Development” (PUD/Commercial) zoning to the property owned by Zellwood Properties, LLC, and represented by Mr. Brian Potts with RaceTrac. The proposed use for the site is a RaceTrac convenience store and fueling station for primarily automobiles. He advised the issue with compatibility was addressed as part of the future land-use amendment. He said staff felt that certain uses within the C-2 zoning category would not be compatible with the surrounding area. The applicant agreed to apply for PUD zoning where the types of uses can be limited. The applicant has agreed to limit the uses to C-1 Commercial uses which is generally retail in character and the only C-2 use allowed is automobile fuel stations. The Planning Commission reviewed this at their January 9, 2018 meeting and found the proposed zoning to be compatible with the surrounding area and consistent with the City Code and Comprehensive Plan, and recommended approval subject to the conditions outlined in the PUD ordinance. Staff recommends approval at First Reading and hold over for a Second Reading and adoption.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson to approve Ordinance No. 2620 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Velazquez, Becker, and Bankson voting aye.

CITY COUNCIL REPORTS

Commissioner Bankson reported he sent an email to the Police Department thanking them for solving the case of a burglary at their home this past spring.

Commissioner Velazquez reported there was an event for Cystic Fibrosis held this past weekend where the Police, Fireman, and a team from Cross Fit participated. She said it was an event with strength and endurance and there was a great turnout.

Mayor Kilsheimer said Commissioner Dean was feeling under the weather and asked everyone to send prayers and healing thoughts his way, wishing him a speedy recovery.

MAYOR'S REPORT – No report.

ADJOURNMENT – There being no further business the meeting adjourned at 7:40 p.m.

ATTEST:

Joseph E. Kilsheimer, Mayor

Linda F. Goff, City Clerk



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: February 7, 2018
 FROM: Police Department
 EXHIBITS: CRA COP

SUBJECT: \$83,906 EXPENDITURE FROM LAW ENFORCEMENT TRUST FUNDS

REQUEST: AUTHORIZE AN \$83,906 EXPENDITURE FROM LAW ENFORCEMENT TRUST FUNDS FOR A COMMUNITY REDEVELOPMENT AGENCY, COMMUNITY OUTREACH PROGRAM.

SUMMARY:

The Police Department requests City Council approval for the expenditure of funds from the Law Enforcement Trust Fund in the amount of \$83,906 for the Community Redevelopment Agency, Community Outreach Program. The requested funds will expended as follows:

- 2018 Ford F150 4x4 Crew: Prestige Ford (State Contract Pricing) \$ 30,106
- Vehicle Outfitting - Emergency Equipment, Graphics \$ 8,000
- Vehicle Operating Cost - Insurance, Fuel, Maintenance - per month (12) \$ 4,800
- Uninform / Equipment - Body Armor, Firearm, Uniforms, Rain Gear, etc. \$ 16,000
- Community Outreach Initiatives - Workshops, Educational Materials, Supplies, Youth Services, et.al \$ 25,000

FUNDING SOURCE:

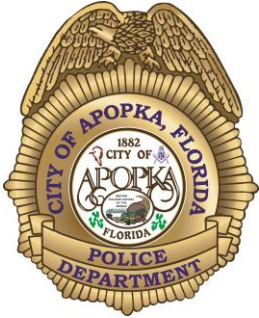
Law Enforcement Trust Fund \$ 83,906

RECOMMENDATION ACTION:

Authorize the Finance Department to execute an amendment and disburse \$83,906 from the Law Enforcement Trust Fund.

DISTRIBUTION

| | | |
|--------------------------------|------------------|--------------------------|
| 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 |



City of Apopka
Police Department
112 E. 6th Street Apopka, Florida 32703

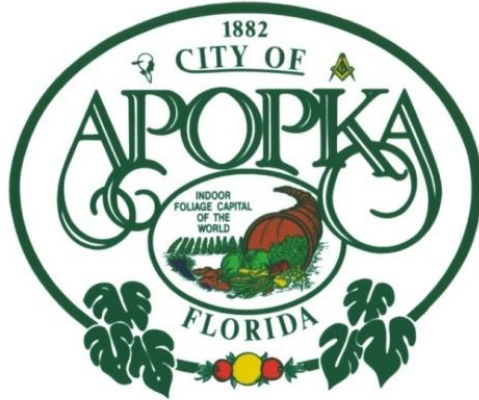
Memorandum

Date: February 6, 2018
To: Honorable Joseph E. Kilsheimer and Commissioners
RE: LAW ENFORCEMENT TRUST FUNDS

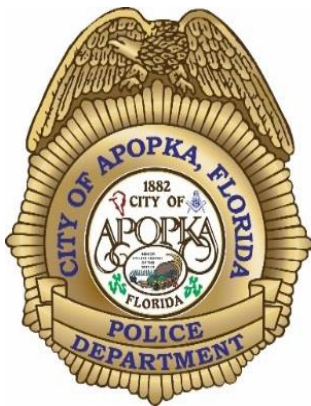
The Police Department requests City Council approval for the Finance Department to disburse \$83,906 of Law Enforcement Trust Funds for the Community Redevelopment Agency, Community Outreach Program. These funds will be used to purchase equipment and provide for projects and programs that include opportunities for reinvestment into the Community Redevelopment District.

Respectfully,

Michael McKinley
Chief of Police



CITY OF APOPKA COMMUNITY REDEVELOPMENT AGENCY COMMUNITY OUTREACH PROGRAM



Submitted by:
Joe Kilsheimer
Mayor, City of Apopka
and
Michael McKinley
Chief of Police

Prepared By:
Jerome Miller
Captain
Apopka Police Department

INTRODUCTION

In 1969, the State of Florida enacted legislation enabling local governments to create community redevelopment areas and Community Redevelopment Agencies (CRAs) to oversee redevelopment activities in these areas. The City of Apopka's (City) Community Redevelopment Agency (CRA) is a public entity created by the City under provisions found in the Florida Statutes (Florida State Statute 163, Part III) to implement community redevelopment activities. It is governed by a board of directors and has been in place since 1993. The CRA District (District), including rights-of-way, covers 633 acres in the City's historic downtown area, as well as north and south of U.S. Highway 441. The Apopka Community Redevelopment Agency Plan was updated and adopted in June 2017.

A CRA is created when the governing body finds one or more areas, within the city, that are "blighted" and have a need to rehabilitate, conserve, and redevelop that area. After the CRA is created, the CRA Board (Board), along with the agency, is required to prepare and adopt a redevelopment plan. This plan includes a detailed description of the boundaries for a redevelopment area.

The mission of the Apopka Community Redevelopment Agency (CRA) is to improve the commercial and residential viability, livability, demographics, market conditions, technological advances, and many other challenges within the District. This task is accomplished by creating projects and activities which encourage business owners and residents to enhance and improve the CRA through the implementation of activities that promote sustainable economic and social growth.

The heart of Apopka's downtown encompasses the CRA, which includes residences, businesses, and historical sites. The CRA encourages public and private investments to encourage economic growth and improve the quality of life for all in the redevelopment area.



SECTION 1 ~ APOPKA CRA BACKGROUND / HISTORY

What is a CRA?

A Community Redevelopment Agency (CRA) is a dependent special district established pursuant to State law by local government. The CRA's purpose is to enhance and create viability and livability within the established district. The CRA encourages public and private investments to inspire economic growth and improve the quality of life within the redevelopment area. The City of Apopka Community Redevelopment District (District) was established in 1993. Between the inception of the CRA plan and 2005, many projects were completed, to include:

- State CDBG Grants, totaling \$1.5 million, used to complete streetscapes on Main Street, Park Avenue, and the original façade program
- Template for the sidewalk replacement program
- Street lighting was completed on various streets within the District

In addition to the above-listed projects, support for economic business development has continued to expand in the District.

In 2017, a Community Redevelopment Plan was submitted and approved. This plan afforded a wide range of diverse opportunities for reinvestments into the District. Some of these projects are:

- Acquisition and renovation of the 5th Street parking lot (included in the original 1993 plan)
- Station Street Shopping Plaza (DAT-Downtown Apopka Triangle) focal event location with shops, residential units, parking, and an events plaza with a pavilion
- Residential Fee Assistance Program (assistance for affordable housing by paying down impact fees)
- 6th Street promenade with a multi-use trail starting at Central Avenue, to the West Orange Trail
- Multi-use trail connecting Station Street Shopping Plaza to Alonzo Williams Park
- Reinstatement of the façade Renovation Program for commercial buildings
- Building Code Assistance Program (for ADA and interior code improvements)
- Wayfinding Signage

The District plan includes a number of redevelopment investments within the community and a component for the development of a community oriented policing program to identify and reduce the incidence of crime and negative social issues within the District. Not only should economic incentives be prominent, but also a plan to improve the sense of community, livability, and walkability of the District as well.

SECTION 2 ~ COMMUNITY PROFILE

The Apopka Community Redevelopment Area is located within the heart of downtown Apopka, Florida, and contains more than 1,014 parcels. This area includes downtown Apopka along U.S. Highway 441 and extends from the S.R. 436 / U.S. 441 intersection on the east to Hawthorne Avenue on the west, and from 11th Street on the south to Oak Street to the north encompassing an area of about 633 acres.

As of 2017, the population of the District was 2,259 (about 4.6 percent of the total population of the City of Apopka). The median age for the District is 33.4 years, compared to the rest of the City at 36.2 years. As of 2017, there were 878 dwelling units in the District.

Residential and commercial uses are the dominant land uses within the CRA District, with residential being approximately one-half of the total District land use by parcel. Single family residence parcels represent 513 of the 1,014 parcels within the District. Other uses are relatively evenly distributed among the remaining parcels (retail, office, institutional, public, and others).

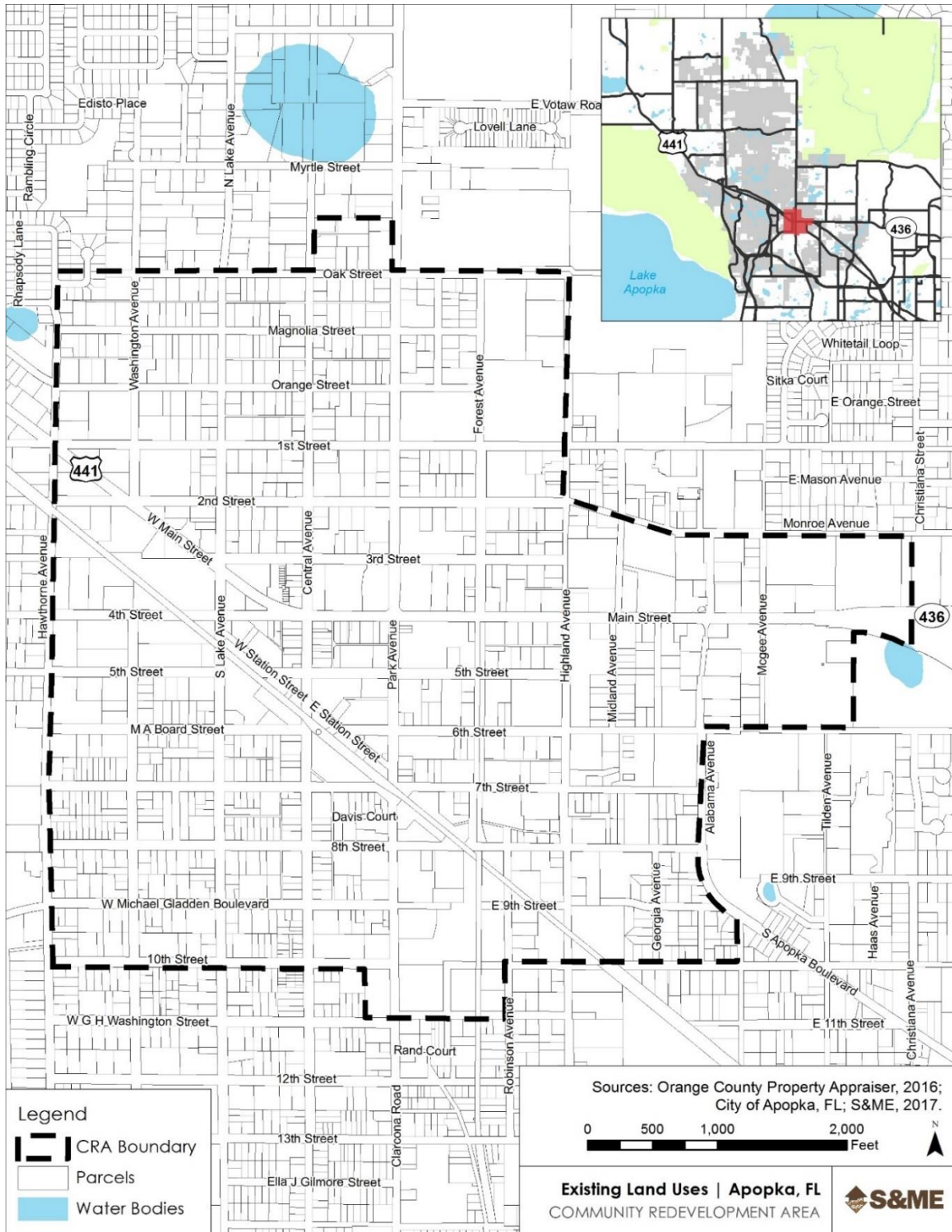
Among the non-residential uses excluding commercial land uses, government lands make up the majority, covering 13% of the CRA acreage and comprising 4.9% of all parcels. Vacant lands are the second highest number of parcels, accounting for 18% of all parcels, but only covering 13% of the CRA acreage.

Table 2.1 EXISTING LAND USE

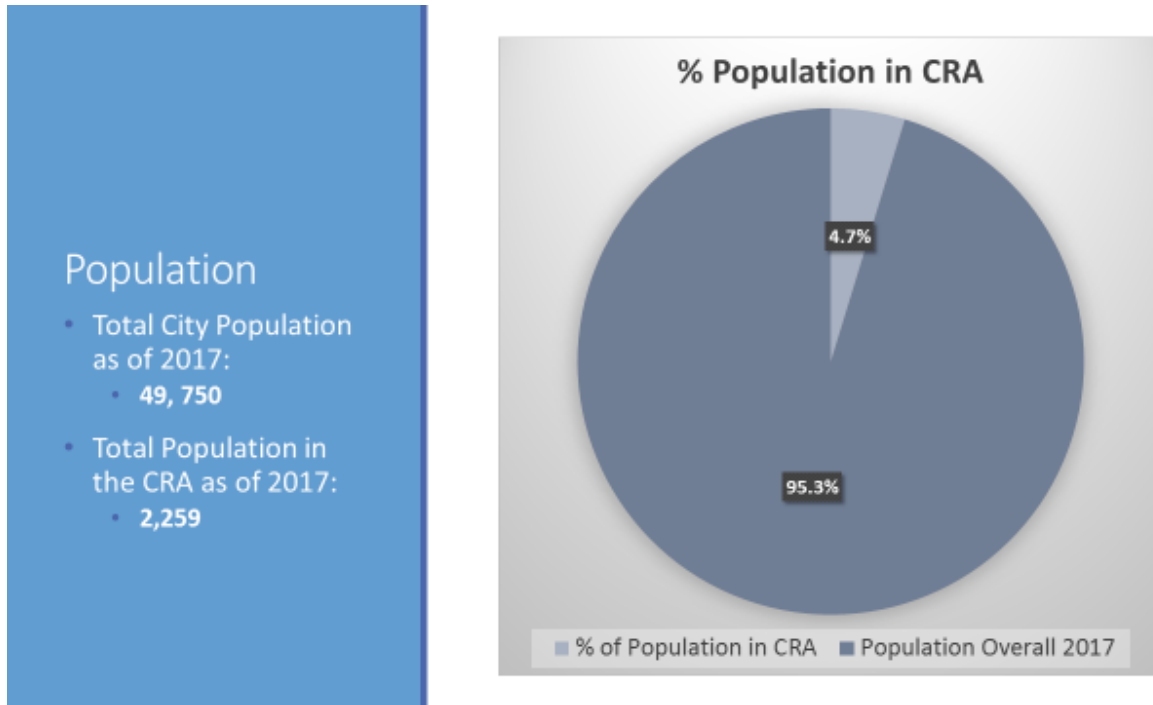
| | Acreage | % | # of Parcels |
|--|--------------|---------------|--------------|
| Residential: Single family | 136.2 | 28.0% | 456 |
| Residential: Multi-family | 27.4 | 5.6% | 57 |
| Commercial: Retail | 37.5 | 7.7% | 88 |
| Commercial: Office | 24.5 | 5.0% | 51 |
| Commercial: Services | 24.8 | 5.1% | 45 |
| Industrial: Light manufacturing, Lumber yard | 3.8 | 0.8% | 4 |
| Industrial: Warehouse, Nursery | 39.2 | 8.1% | 29 |
| Institutional | 46.6 | 9.6% | 33 |
| Public: Government lands | 61.5 | 12.7% | 50 |
| Recreation | 11.8 | 2.4% | 10 |
| Stormwater | 1.2 | 0.3% | 2 |
| Utilities | 2.1 | 0.4% | 4 |
| Vacant | 63.3 | 13.0% | 183 |
| Railroad, Central Assessed | 6.2 | 1.3% | 2 |
| Total | 486.1 | 100.0% | 1,014 |

Sources: Orange County Property Appraiser; City of Apopka, FL; S&ME, 2017

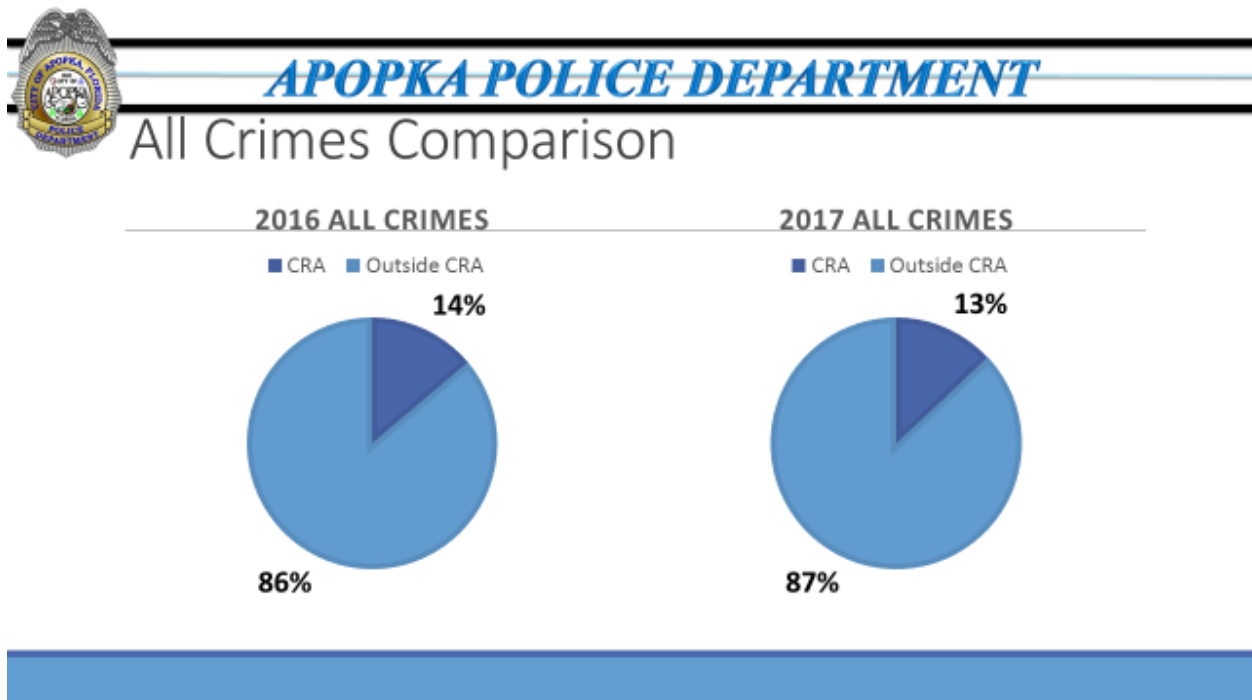
Map 2.1 CRA BOUNDARIES



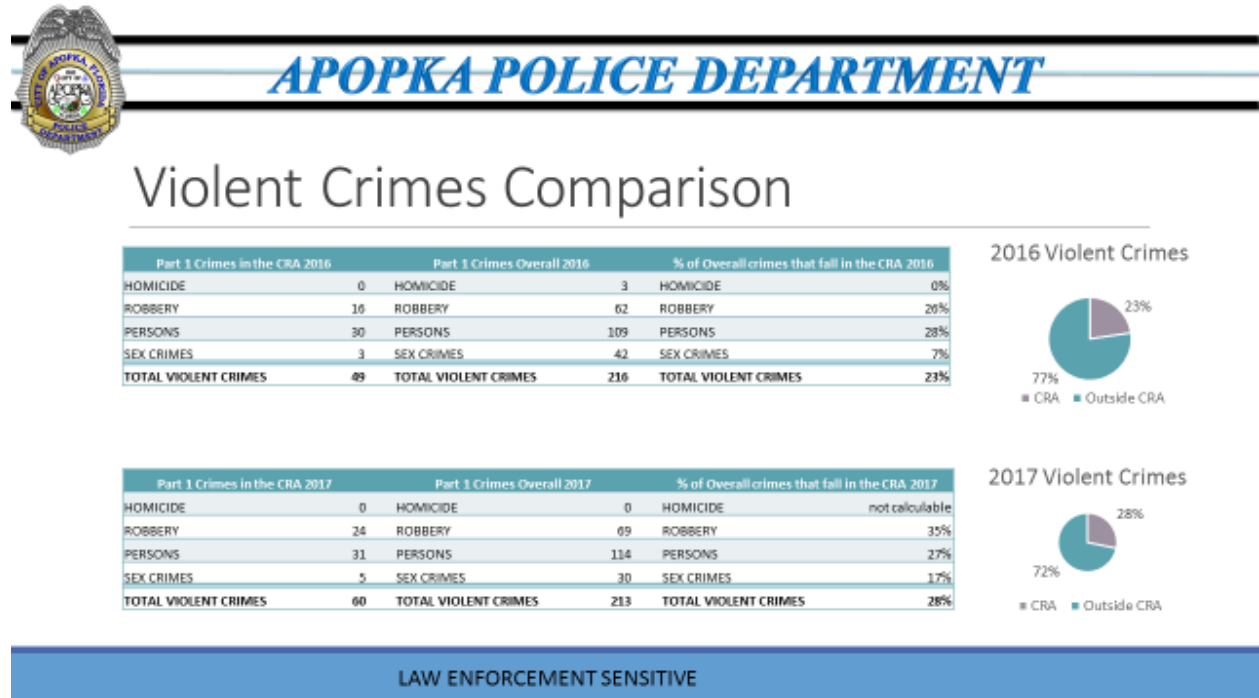
Graph 2.2 POPULATION IN THE CRA



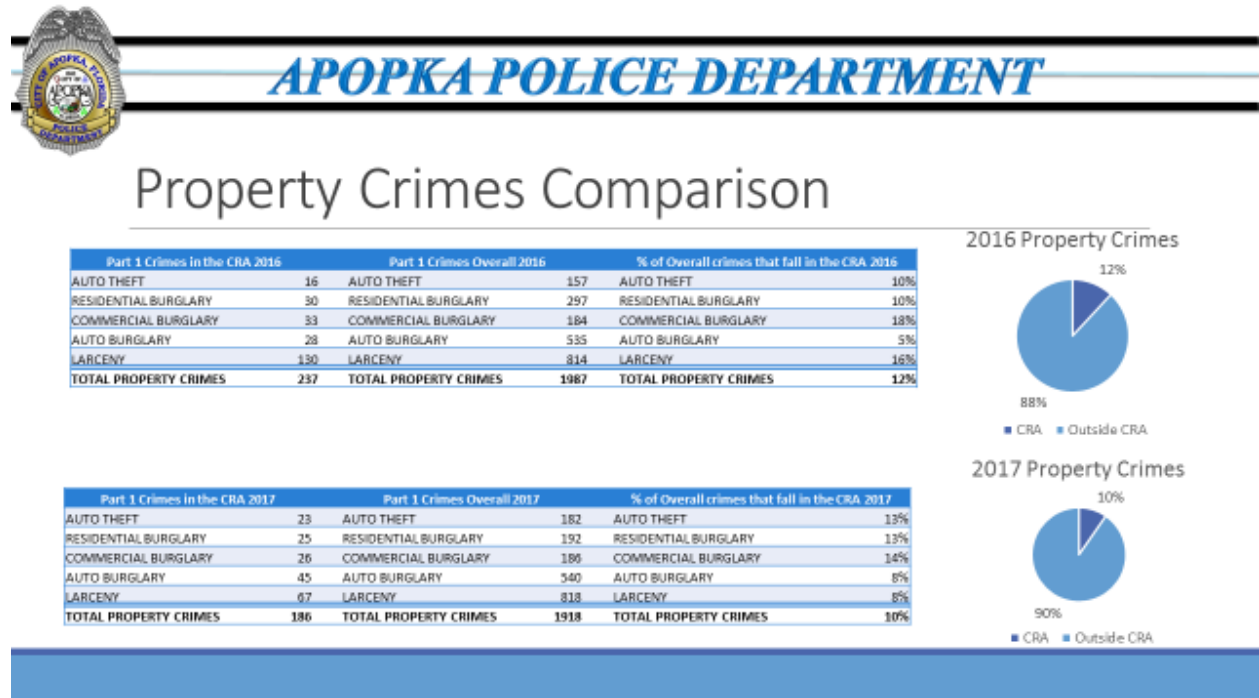
Graph 2.3 ALL CRIMES COMPARISON



Graph 2.4 VIOLENT CRIMES COMPARISON



Graph 2.5 PROPERTY CRIMES COMPARISON



The CRA, comprising approximately 4.6% of the population, is dealing with a disproportionately large percentage of the crime within the City of Apopka. The Apopka Police Department has invested resources within all areas of the City, including the CRA, and the amount of reported crime within the community has nominally dropped from 2016 to 2017. There is, however, a need to focus on crime, the fear of crime, and quality of life issues within the CRA boundaries to improve the standard of living within the community. This CRA Community Outreach proposal will inject resources into the CRA, from a variety of funding areas, designed to target the needs of those citizens living within the community.

SECTION 3 ~ PROGRAM PROPOSAL

It is proposed that the CRA promote crime prevention techniques to address blight and crime within the CRA District by funding an Apopka Police Officer that would be assigned to the CRA area, for the sole benefit of the District. Community redevelopment is not a new concept within law enforcement. Actually, there are many cities in Florida successfully utilizing law enforcement in their Community Redevelopment Plans.

Pinellas Park, for example, utilizes a small unit of community redevelopment police officers to establish relationships within the community. These officers, assigned to specific areas, are able to acquire information used to solve or prevent criminal activity. These strategically-placed



officers are also able to gather feedback and intelligence that can be used to deploy resources in the most efficient ways. Pinellas Park has information on their website, as well as a storefront that their Community Redevelopment Officers use to interact with the public in an informal setting.

Cities such as Boynton Beach, Lakeland, and Palmetto are also successfully utilizing community redevelopment agencies. The City of Boynton Beach is taking a proactive approach with their community's youth by starting a program called Restoring the Village. Their program aims to teach children respect, responsibility, and community involvement.

The City of Lakeland pointed out that having designated law enforcement officers in the community every day is a deterrent to crime in high targeted areas. Providing a safer environment helps both the community and private sector feel more confident about investing in the area. The City of Palmetto saw an increase in citizen cooperation within their CRA, which has led to resolving some of the city's most serious crimes.

This program proposes to provide a supervisory level Apopka Police Officer to be assigned to the CRA to be the liaison between the citizens of the community, the Police Department, the CRA Board, non-profit and faith based organizations, and the business community to facilitate resources, build trust, and help combat the environmental deficiencies that contribute to social disorganization, and thus an increase in crime and a decrease in feeling of safety (See "Apopka Community Redevelopment Plan, pp. 26-31). This proposal is focused upon the people within the community and their well-being, rather than the overall economic development of the CRA.

The Apopka community as a whole, and specifically the area encompassing the CRA, would benefit from the addition of an officer whose primary focus will be supporting the community, providing crime prevention education, and identifying crime prevention techniques for the benefit of the District. This officer's presence is intended to promote and maintain good community relationships, while performing all aspects of community problem solving through partnerships.

The mission is to create and maintain a cooperative and long-term partnership with those who own and operate businesses, live in, and/or visit the area. These goals will be obtained by implementing an innovative policing model with a strong emphasis on preventing crime through environmental design, community outreach, education, and problem solving.

The guiding statute for Community Redevelopment Agencies (Chapter 163 FSS) identifies the term “Blighted Area” and includes the definition of an area where the “Incidence of crime in the area is higher than in the remainder of the county or municipality” (FSS 163.340(8)(j)). Additionally, “Community redevelopment” means the CRA performs services for the “reduction or prevention of crime” (FSS 163.340(9)), and encourages the development and implementation of community policing activities. Although not included within the original Apopka CRA “Findings of Necessity”, crime prevention activities have been identified within the most current (2017) CRA Plan and Program Development.

The officer assigned to the District will coordinate work hours and duties for the benefit of the District and the citizens who work, live, and visit the area. The concept is to foster a partnership and allow the officer to interact more with the community and be more accessible.



Many of the duties of the officer will revolve around educational efforts; such as hosting crime prevention classes, supporting community neighborhood watches, reviewing home and business security and safety plans, and welcoming new residents and businesses to the CRA. The Apopka Police Headquarters is located near the center of the District, and the District-assigned officer will be based out of that office. To focus on environmental design, the officer will have additional responsibilities of coordinating code enforcement actions with non-compliant residences and businesses, direct the actions of the assigned work crew to clear vacant lots, clean rights-of-way, remove debris, and reduce the areas of opportunity for the criminal element to foster.

Additionally, the CRA District is where many of our City’s homeless choose to reside. The CRA officer would coordinate with non-profits, faith-based institutions, businesses, and other charitable and community organizations to positively impact and assist our homeless population.

The primary focus of this program is to support the residents and improve the quality of life of those living within the District. As illustrated within the community profile section, residential land use is the dominant use within the District. All other uses make up the remaining half of the parcels. This program is intended to focus on the residential community within the District. To this end, the mandate of the program is for the officer to explore grant programs and other funding opportunities for the community, facilitate private and government improvements for the residents of the community, and to be a community activist working on behalf of the members of the District. The Police Department is looking to ensure this proposal becomes an integral piece of the mission

of the District, which is to improve the viability and livability of the District and create a lasting bond with community members. This furthers well established concepts of community policing.

Community outreach policing programs are typically meant to reduce crime and disorder, and to improve the quality of life within negatively impacted neighborhoods. The idea is to have the law enforcement officer partner with stakeholders to cultivate a team to organize activities that will address neighborhood challenges. The concept of ‘Crime Prevention’ benefits from two strategies: protecting communities from crime and reducing the fear of crime. CPTED (Crime Prevention Through Environmental Design) is based on the principle that proper design, paired with effective use of buildings and public spaces within neighborhoods, can lead to a reduction of crime, the fear of crime, and thus result in an improvement of the quality of life for citizens. CPTED is a community policing strategy that has established a link between the care and transparency of geographic areas with crime. Environmental design is based on the following principles that provide change and assist problem-solving approaches to crime prevention. As a method to further the concept of “Community Redevelopment”, the mission will include the implementation of the following crime prevention and reduction concepts:

- Natural Access Control:

Natural access is a design concept directed specifically at minimizing criminal opportunities by denying admission to crime targets. It creates a perception among criminals that there is a risk in choosing this area. Control is gained by designing sidewalks, building entrances, and neighborhood gateways that clearly indicate public routes, discouraging access to private areas with the use of structural elements.

- Natural Surveillance:

Natural surveillance aims to maximize visibility from the property or building. The manner in which windows, lighting, and landscaping are installed plays an important role in observing criminal behavior by stationary or passing individuals. Criminals would rather work in the dark, so natural surveillance maximizes the potential to diffuse crime by making criminal activity more noticeable.

- Territorial Reinforcement:

Territorial reinforcement works to distinguish a division between public and private space. It works to encourage and to display a sense of responsibility and investment in an area. Examples include: using sidewalk or pavement treatments, landscaping and porches help to distinguish between public and private use, and the installation of small picket-style fences, short walls, or hedges to run the perimeter of the property.

- Target Hardening:

Target hardening means making it physically more difficult to commit crimes by installing stronger locks to doors and windows, using laminated glass in business windows, and using a strong padlock on a shed door, etc.

Each of these CPTED concepts can be addressed by the CRA officer who will facilitate locating funding sources, to include CRA funding. Through a multi-faceted approach, the officer will promote the improvement of living conditions within the District.



In addition to the physical aspects of CPTED to improve the community, the assigned member of the Police Department will partner with the citizens to establish community priorities. This member will be the catalyst to leverage municipal resources, the District’s resources, faith-based resources, along with other members of the larger Apopka community and private partners to improve the challenges facing the residents of the District. In order to provide assistance and advice, the assigned officer will be the conduit between the city and the District in utilizing the CRA’s Residential Renovation Assistance Program, *RRAP*, and the CRA’s Business Code Assistance Program, *BCAP*, which are initiatives identified in the current CRA redevelopment plan. The RRAP is an assistance program that provides citizens a funding source to conduct repairs or renovations, such as painting, lighting, landscaping, target hardening, or other items, to residential structures within the district. The BCAP is an assistance program that provides businesses with a funding source to provide ADA accessibility or improve compliance with building codes to commercial structures within the district. Both programs improve the viability and livability of the district by enhancing the structures physically or aesthetically.

Renovation programs, such as the program proposed by the CRA redevelopment plan, economic development, and community maintenance programs are key to providing an orderly and clean environment. An area that is well maintained sends a signal that the area has a strong sense of cohesion, has social responsibility, and has control over their space. Conversely, a deteriorating environment leads to the impression the environment is unsafe, creates an area that is less enticing to communal activities, and creates an impression of less community control.

The proposed budget provides for programs that will create community involvement through the creation and application of neighborhood improvement boards, reduction of delinquency through investment into youth programs, the reduction of blight and disrepair through CRA grant funding, the use of dedicated common area work crews, and public/private partnerships providing involvement in renovation projects. This proposal enhances the community contract with the residents of the CRA and enhances the partnership among all the stakeholders.

As opposed to focusing on economic development, this program will focus on community involvement, social development, and residential improvements to form a positive partnership for community success.

SECTION 4 ~ BUDGET REQUEST

Table 4.1 BUDGET PROPOSAL

| Item | Costs | | Ext. Cost |
|--|----------|--|------------------|
| Police Salary | | | |
| Police Sergeant (wages) | \$81,948 | Average Sergeant Salary | \$ 81,948 |
| Police Sergeant (benefits) | \$36,867 | 45% Benefit Rate | \$ 36,867 |
| | | Total Officer Cost | \$118,815 |
| Subtotal | | CRA FUND (95%) | \$112,875 |
| | | GENERAL FUND (5%) | \$ 5,940 |
| Equipment | | | |
| Vehicle w/Equipment | \$38,106 | Ford 150 - Crew | \$ 38,106 |
| Vehicle Operating Costs | \$ 400 | Insurance, Fuel, Maintenance; per month (12) | \$ 4,800 |
| Uniforms/Equipment | \$16,000 | Body Armor, Firearm, Uniforms/Rain Gear, et.al | \$ 16,000 |
| | | Total Equipment Cost | \$ 58,906 |
| Subtotal | | LAW ENFORCEMENT TRUST FUND (100%) | \$ 58,906 |
| Environmental Safety Renovation | | | |
| Work Crew | \$65,000 | Contract with Department of Corrections | \$ 65,000 |
| Work Crew Equipment | \$60,000 | Van, Trailer, Weed Eaters, Edgers, Blowers, Trimmers, Clipper, Mower, Hand Tools | \$ 60,000 |
| | | Total Work Crew Costs | \$125,000 |
| Subtotal | | CRA FUND (50%) | \$ 65,000 |
| | | UTILITY FUND (50%) | \$ 60,000 |
| Community Outreach | | | |
| Community Initiatives | \$25,000 | Workshops, Educational Materials, Outreach Programs, Youth Services, Miscellaneous Supplies: (up to) | \$ 25,000 |
| Subtotal | | LAW ENFORCEMENT TRUST FUND (100%) | \$ 25,000 |
| Total Project | | | \$327,721 |

BUDGET NARRATIVE

The proposed program budget contributes to enhance public safety awareness and cooperation between the city, the community, and private partnerships in accordance with the existing Apopka CRA Redevelopment Plan, approved by the Community Redevelopment Agency Board.

The four funding sources proposed are from the CRA (\$177,875), Law Enforcement Trust Fund (\$83,906), and Utility Fund (\$60,000).

Categories of funding are:

Police Salary and Equipment: This category supplies the liaison between the community and the CRA. The liaison will be dedicated to the CRA community to:

Coordinate youth programs and delinquency prevention activities

Implement crime prevention activities and initiatives

Facilitate neighborhood meetings

Provide grant coordination and assistance

Manage the direction of the work crews

Liaise with private partnerships and faith-based organizations

Environmental Safety Renovation: This category supplies a dedicated work crew and equipment to implement Crime Prevention Through Environmental Design (CPTED) strategies under the direction of the police supervisor assigned to the CRA and in accordance with the goals of the Apopka CRA Redevelopment Plan. This crew will be dedicated to enhancing the common areas to reduce opportunity for crime and disorder along with supporting code enforcement renovation activities. As stated earlier in the proposal, a well maintained community leads to community pride while reducing the opportunity for crime and the fear of crime. In addition to public enhancement of common community areas, the CRA officer will coordinate 75, \$1,000 grants to be directly invested into the residential community. The grant funding will be obtained from CRA funds.

Community Outreach: This category supplies the funding for community outreach projects, to include overhead funding for crime prevention community meetings, youth activities to prevent delinquency, anti-crime and awareness literature, and other outreach initiatives.

Summary

In summary, the geographical area which has been designated as the Apopka Community Redevelopment Agency represents 4.6% of the population of the City, yet the area is affected by 17% of the overall crime committed in the City of Apopka from January to June 2017. That higher rate of crime has a direct negative impact on the citizens' quality of life and the opportunity for economic development within this area. The need for a facilitator between the community, the government, and private resources can be easily seen.

Having a designated law enforcement officer working within the area defined in the CRA will increase the bond between law enforcement and the community. This officer is expected to become the "go-to" person for community members and attend to community challenges beyond that of traditional law enforcement. The impact created by community policing is positive and necessary for establishing long-term relationships.



Problems don't get solved on their own and establishing a team approach has been historically successful, as established by Pinellas Park, Boynton Beach, Lakeland, and others. By identifying a responsible member who will be charged with ensuring partnerships are developed, the probability of success is enhanced. This position will not be primarily focused on criminal activity as much as it will be spotlighting novel solutions for improving the community. By improving the

community's livability, identifying challenges and solutions to them, assisting citizens in improving neighborhood areas, and incorporating CPTED techniques, everyone in the District will benefit and the larger Apopka community will improve.

Law enforcement, businesses, citizens, faith-based groups, non-profits, and government leadership each have an important role in improving the living conditions for all of Apopka and the surrounding community. Since the District has been created and has been identified as already having local issues, it is even more important that all of these components work together towards this common goal.

This designated full-time CRA officer, and associated initiatives, will enhance relationships with residents who are familiar with the community in ways that typical law enforcement or City representatives are not. The impact that the Apopka CRA and a CRA officer can make within the City of Apopka will be positive and indispensable. This is not purely an economic initiative program, but one that will result in economic and social progress.

Due to the level of inclusion within the community, an officer funded by the CRA, for the benefit of the CRA, would be a catalyst to effectively identify and remedy local issues. This program is proposed to be for one year, and may be extended by the CRA Board if deemed successful.

During the initial period, the Police Department will establish performance measures and document accomplishments to determine the value of this program, as well as its effects on the designated area. If it is determined the program is successful, the CRA Board or City Council will need to determine future funding.



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: February 7, 2018
 FROM: Public Services
 EXHIBITS: Reiss Engineering
 Proposal

SUBJECT: DESIGN ENGINEERING SERVICES FOR THE GROSSENBACHER WATER TREATMENT PLANT WELL #1 REPLACEMENT

REQUEST: APPROVE REISS ENGINEERING TO PROVIDE PROFESSIONAL DESIGN ENGINEERING AND HYDROGEOLOGY SERVICES FOR THE GROSSENBACHER WATER TREATMENT PLANT WELL #1 REPLACEMENT IN THE AMOUNT OF \$166,940

SUMMARY:

Condition# 32 of the City’s Consumptive Use Permit with the St. Johns River Water Management District requires the existing potable water wells located in the Upper Floridan Aquifer be deepened or replaced into the Lower Floridan Aquifer. The Grossenbacher Water Treatment Plant Well #1 is on the list to be deepened or replaced

Staff requested a proposal from Reiss Engineering (who has a continuing services contract with the city) to perform design engineering and hydrogeology services for the replacement of the Grossenbacher WTP Well #1. The existing Well #1 at the Grossenbacher WTP was drilled in 1965 and the existing casing is deteriorated and the size is too small to be considered a candidate for deepening of the well. The design of the new well will include the drilling of the well, pump and motor, and electrical and controls.

Staff recommends approval of the agreement with Reiss Engineering in the amount of \$166,940.

FUNDING SOURCE:

Fund 401 – Water Plant Operations Budget

RECOMMENDATION ACTION:

Approve the agreement for design engineering and hydrogeology services with Reiss Engineering in the amount of \$166,940.

DISTRIBUTION

| | | |
|--------------------------------|------------------|--------------------------|
| 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 |



January 12, 2018

Kevin Burgess
Assistant Public Services Director
City of Apopka
748 E Cleveland St.
Apopka, FL 32703

Dear Mr. Burgess:

Per your request, Reiss Engineering, Inc. (REI) is very excited to submit its proposal for the City of Apopka Grossenbacher Water Treatment Plant Well #1 Replacement engineering design, permitting and construction administration services. The proposed REI team is the same team that is currently performing the design and construction administration services for your Lower Floridan Aquifer (LFA) well extensions at the Mt. Plymouth WTP. As such, we believe we are the most qualified team offering superior understanding of the City's requirements and preferences for this project. Therefore, our proposal reflects the most accurate and lowest responsible and responsive level of effort and fee estimate to perform the services you need at the lowest possible risk of change orders or amendments.

Our total engineering service fee is **\$166,940** to complete the scope in your RFP. However, we welcome the opportunity to negotiate a reduced scope and fee with the City by taking full advantage any additional information that may be available for the site to further limit the survey requirements or through more shared responsibility for construction administration services. The technical specifications, front-end documents, details and driller prequalification work we are performing for the City at the Mt. Plymouth site should translate into time and cost efficiencies for the well replacement project at the Grossenbacher WTP site.

We greatly appreciate your consideration of REI for this critical project. We firmly believe our team has the highest possible qualifications and the value, service, and capabilities REI will deliver to the City will produce excellent results for this project. Please do not hesitate to contact us should you have any question or require additional information.

We look forward to continuing to work with you.

Sincerely,
REISS ENGINEERING, INC.

Mark A. Burgess, PE, BCEE

CITY OF APOPKA
**LOWER FLORIDAN AQUIFER WELL
ENGINEERING SERVICES**

SCOPE OF ENGINEERING SERVICES
REISS ENGINEERING, INC
JANUARY 12, 2017

A. PROJECT INTENT

The City of Apopka owns several water treatment plants including the Grossenbacher Water Treatment Plant (WTP). One well withdraws water from the Upper Florida aquifer and two wells withdraw water from the Lower Floridan aquifer to supply water to the WTP. Via City's Consumptive Use Permit (CUP), the St. Johns River Water Management District (SJRWMD) requires all wells to be deepened in order to withdraw water from the Lower Floridan aquifer. The City will therefore abandon the aging Well #1 withdrawing water from the Upper Floridan aquifer and construct a new well that will withdraw from the Lower Floridan aquifer.

The existing water supply Well # 1 that will be plugged and abandoned is an upper Floridan aquifer well with 12-inch diameter casing set at a depth of 178.5 feet and open-hole to 700 feet. The new Well # 1 will be constructed as a lower Floridan aquifer well and will be designed similar to existing Wells # 2 and # 4 at the Grossenbacher WTP, with a 20-inch diameter casing installed to approximately 600 feet and an open-hole to 1,400 feet.

Reiss Engineering, Inc. (REI) will provide the engineering services described in the following section to design, permit and construct a new well to a deeper depth. It is assumed that the water quality of the water in the upper Lower aquifer, where the well will be deepened, will be such as no changes to the treatment process at the WTP will be required. It is also assumed that the capacity of the new well will be similar to the Well #1 capacity so there is no change in the WTP capacity rating.

B. SCOPE OF ENGINEERING SERVICES

The following tasks will be performed under this Scope of Work:

- Task 1 Final Design Engineering Services;
- Task 2 Permitting Services;
- Task 3 Bidding Services; and
- Task 4 Construction Administration Services.

TASK 1 – FINAL DESIGN ENGINEERING SERVICES

REI will provide final engineering design services for abandoning Well #1 and drilling a new well at the Grossenbacher WTP site. REI will prepare the design documents, drawings and technical specifications, for the wellhead and well system. REI will prepare design documents at a 90% and 100% level of completion for review by the City. An engineer's estimate of cost will also be prepared following 90% and 100% design levels.

1.1 Site Visit and Project Meetings

REI will perform a site visit to obtain existing system information necessary to design the new well. REI will also attend project meetings with the City. The budget for this task is based on REI's attendance at two (2) meetings associated with the well design.

1.2 Survey (\$8,000)

The REI team will survey the property where the Grossenbacher WTP is located. The survey will include:

- Location of boundary corners,
- Review initial Title Commitment to address record easements or servitudes and covenants within the subject boundary,
- Locate improvements and utilities as evidenced by above ground features or as marked by the designated utility company representative as a result of contacting Sunshine 811
- Obtain spot elevations on natural ground and existing improvements (up to ¼ of total site)
- Two (2) site benchmarks

In addition, the following scope is included for subsurface utility designation and verification:

- Horizontally locate and field mark subsurface utilities found, excluding irrigation, within the 10-foot corridor along the proposed well pipe path,
- Coordinate Sunshine 811 and utility locates to include supplemental calls to each locator to expedite the field marking of each subsurface utility as required by law,
- Expose the subject utilities by using non-destructive vacuum excavation methods at five (5) specific locations,
- Confirm/determine the vertical and horizontal position of the subject utilities and record the information, using the locate marks provided by the utility owners and/or their representatives,
- Any asphalt/concrete removed will be repaired using like materials,

Note that this scope of work is limited to plant site (Parcel ID 04-21-28-0203-01-010) and does not include the parcel directly south of the plant, North of E. Martin Street (Parcel ID 04-21-28-0200-00-070).

The survey fee is subject to negotiations pending on well location and other available information.

1.3 Wellhead Design

The REI Team will prepare the design documents, drawings and technical specifications, for the wellhead, pump, and raw water transmission main from the new well to the existing transmission main.

The REI Team will design the pump and well head of the new well to match the existing capacity of Well #1 (1,000 gpm). It is assumed that the well head will be installed on a concrete pad within the WTP boundary limit and that a well housing is not required for the new well. The REI Team will also design the raw water transmission main from the location of the new well to the closest existing raw water main on site. As part of the design, the electrical and control equipment of the new well will be designed, assuming that the electrical equipment will be housed in the existing WTP building.

It is assumed that the City will prepare the front-end documents and that Reiss will review them for the technical components of the project, similar to what REI has done for the City on the Mount Plymouth Lakes WTP well deepening.

1.4 Well Design

The REI Team will prepare drilling and testing specifications for the replacement of Well # 1.

Specifications will be prepared to plug and abandon the old well and construct a new well to a depth of 1,400 feet. The specifications will detail the type of testing and data that need to be collected during well construction, such as geologic data, water quality data, specific capacity data, and geophysical data. The specifications will also detail how the new well will be developed, and describe the step test that would have to be conducted to collect hydraulic data and water quality data.

Drawings will be prepared for the technical specifications including a well location map, well completion diagram, and temporary wellhead diagram. The technical specifications will be used as part of the City's bid documents to obtain up to three competitive bids for the well. REI Team will assist the City with prequalifying the drilling contractors and identifying a minimum of three competent well drilling companies capable of performing the work.

TASK 2 – PERMITTING SERVICES

REI will apply for a FDEP permit for the construction of the new well head (pump, raw water piping and electrical equipment). DEP Form 62-555.900(1) – Application for a Specific Permit to construct PWS components will be prepared and submitted to FDEP with associated design documents. REI will respond to one Request for Additional Information (RAI) from FDEP.

The REI Team will assist the Contractor in applying for the construction permit of the new well. The Contractor is to submit permit application Form 62-532-900(1) to the Saint Johns River Water Management District (SJRWMD) for the abandonment of Well #1. Once the new well construction

is completed, the REI Team will assist the Contractor in submitting Form 62-532-900(2) with the well completion Report to SJRWMD. It is assumed that the City will handle the permit application fee for the well construction permits.

TASK 3 - BIDDING SERVICES

REI will provide the Bid Set submittal to the City for Advertisement. REI assumes that the bidding period (between Advertisement and Bid Submittal date) will be limited to forty-five (45) calendar days or less. REI assumes that the City will allow the use of EJCDC documents for the majority of front end documents, provide other specifications as needed for Division 0 of the specifications, advertise the project for bidding, distribute the Bid Documents, arrange and conduct the Pre-Bid Meeting, issue any addenda, conduct the Bid Opening, and review the bid packages, bonds, and insurance certificates submitted by the Bidders. REI assumes that services related to re-bidding or resolution of bid protests, if required, will be performed under an additional task authorization. REI will provide the following services during bidding.

3.1 –Pre-Bid Conference and Addenda

The REI Team will attend one (1) Pre-Bid Conference including a site visit at the Grossenbacher WTP. REI will respond to Bidders' questions in the form of addenda and will submit pdf files of addenda electronically to the City. REI assumes that the City will publish/distribute addenda through Demandstar. REI assumes up to three addenda for the Bid, and that the cutoff date for questions will be nine (9) calendar days prior to the Bid Opening to allow time to issue a final addendum seven (7) calendar days prior to the Bid.

3.2 –Review and Recommendation

The REI Team will receive the Bids from the City, tabulate all bids, perform a bid evaluation of the three (3) lowest bidders, and develop a draft recommendation of award. REI will develop a draft recommendation of award for the responsible bidder and submit that to the City. REI assumes that the City will review the bids with respect to responsive bidder for contractual requirements, including bid package, bonds, insurance, etc., and that the City will handle the construction contract, Notice of Award, and Notice to Proceed. Services associated with or resulting from Bid Protests or Rebidding the Project will be performed under an additional task authorization. It is assumed also that contacting contractor's references is not required as the specifications will list the prequalifying drilling contractors.

TASK 4 – CONSTRUCTION ADMINISTRATION SERVICES FOR ONE NEW WELL

4.1. Meeting and Project Administration

The REI Team will coordinate and lead a pre-construction meeting with the Contractor, and City to discuss the contract duration, construction schedule, submittals, payment submittals, plant operation and coordination, etc. REI will also attend up to six (6) project status meetings, held

monthly, during the construction period, assumed to be 6 months. REI will prepare and distribute meeting notes, as needed, for each of the meetings.

The REI Team will perform general project coordination and management activities, including administrative activities for this authorization, as well as coordination with City staff.

4.2 –Conform Bid Documents

REI will develop a Conformed Set of construction contract documents by providing PDF files of its construction contract documents incorporating addenda issued during the bidding phase of the project. REI assumes that the addenda will be included in the conformed specifications without revising individual specification sections, and that the conformed drawings will include revisions described or shown in the addenda.

4.3. Shop Drawings and RFI

The REI Team will review the shop drawings submitted by the Contractor for general compliance with the Contract Documents. REI will return them as outlined in the Contract Documents as either approved, approved as noted, revise and resubmit, or not approved. The City will be copied on the shop drawings returned to the Construction Contractor.

REI will also respond to any requests for information (RFI) from the Contractor during the construction duration. The City will be copied on the RFI responses submitted by REI.

4.4. Periodic Site Visits and Pay Requests

In addition to the project status meetings, REI will make periodic site visits to inspect the construction and verify completion of work in compliance with the Contract Documents. The site visits, up to six (6), will coincide with the progress meetings and pay requests during construction.

REI will review the monthly pay requests submitted by the Contractor and confirm the request quantities or percentages match the work performed. Approved pay requests will be forwarded to the City for payment. Any problems or issues with the pay requests will be returned to the Contractor for revision.

4.5. Technical Assistance

The REI Team will provide technical assistance up to 20 hours to the Contractor and the City representatives during construction of the wellhead to provide clarifications and interpretations of the drawings and specifications and to resolve technical issues or conflicts, which may arise. The Engineer of Record will also communicate with the RPR on a daily basis to resolve technical issues.

4.6. Resident Project Representative

The REI Team will provide resident observation services and hydrogeologic services during

significant construction and testing activities for abandoning existing Well # 1 and drilling the replacement well. The REI Team which includes a Professional Geologist will be onsite for pilot hole drilling, geophysical logging, casing installation and cementing activities, and other testing activities. Services during construction include description of geology encountered during drilling, coordination of water samples, field water quality sample analyses, review and approval of pay estimates, coordination of field orders and change orders as necessary, casing seat depth selection and other activities necessary to successfully complete the well construction. It is assumed that a total of six months will be needed on site to complete the work, with an average of 24 hours per week of Professional Geologist resident observation services.

4.7. Record Drawings

REI will prepare final record drawings based on as-built drawings provided by the Contractor. REI will provide three (3) full size sets of the final record drawings for City files.

4.8. Completion Report

The REI Team will prepare completion report(s) and assist the Contractor with the completion form to be submitted to SJRWMD by the Contractor.

C. SCHEDULE

The work effort described herein will be completed within 12 months in accordance with the proposed schedule provided in the table below.

The schedule for the accomplishment of the Project reflects the proposed deadlines for completion of the final design engineering, permitting, bidding services for the Project is shown in the following table.

| Task | Commencing | Duration (months) |
|-------------------------------------|---------------------------------------|-------------------|
| Task 1: Design Engineering Services | From NTP | 4 |
| Task 2: Permitting Services | From Notice to Proceed for Contractor | 6 |
| Task 3: Bidding Services | From Completion of Task 2 | 2 |
| Task 4: Construction Services | From Notice to Proceed for Contractor | 6 |

The schedule assumes a two week City review of deliverables.

D. COMPENSATION

In accordance with the Consulting Engineering Contract terms and conditions, the Engineer's proposed amount to provide engineering services for the preceding Tasks 1 through 4 inclusive is **\$166,940**. A cost breakdown is provided in the attached Exhibit A Budget Detail.

Invoices will be submitted monthly based upon the percent completion of the overall scope of work, as determined by REI.

E. SERVICES NOT INCLUDED

The following services are not included in this scope of work, and may be performed under a separate task authorization, if needed:

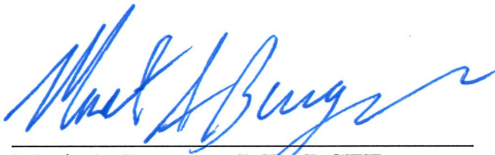
- Geotechnical services;
- Structural services for potential new well housing;
- Design of potential retrofitting of the WTP building for new electrical equipment;
- Design for potential modification of the existing Well #1 housing and equipment;
- Well water quality evaluation and potential water treatment change evaluation.

APPROVAL:

OWNER
CITY OF APOPKA

CONSULTANT
REISS ENGINEERING, INC.

R. Jay Davoll, P.E.
Public Services Director



Mark A. Burgess, P.E., BCEE
Vice President

DATE: _____

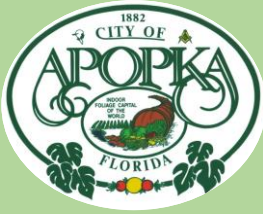
DATE: _____

EXHIBIT A BUDGET DETAIL

The budget detail provides the proposal fee broken down by Task.

For the professional services set forth in this scope of services, the City shall compensate REI a lump sum fee for Tasks 1 through 3 on a percent complete basis and on a Time and Material basis for Tasks 4 as follows:

| Task | Total Fee |
|---|------------------|
| Services for One Well | |
| Task 1: Final Design Engineering Services | \$48,590 |
| Task 2: Permitting Services | \$16,430 |
| Task 3: Bidding Services | \$5,650 |
| Task 4: Construction Services | \$96,270 |
| TOTAL | \$166,940 |



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: February 7, 2018
 FROM: Public Services
 EXHIBITS: Wright-Pierce, Inc.
 Proposal

SUBJECT: UTILITY MASTER PLANS UPDATE

REQUEST: AUTHORIZE AN AGREEMENT WITH WRIGHT-PIERCE, INC. TO UPDATE THE UTILITY MASTER PLANS

SUMMARY:

Staff obtained a proposal from Wright-Pierce, Inc. (who has a continuing services contract with the city) to perform the updates to the potable water, reclaimed water and wastewater master plans. The master plan updates will perform a complete analysis of the City’s utility systems. The master plan updates will also provide hydraulic modeling of the potable and reclaimed water distribution systems and wastewater collection system. This modeling is essential to providing accurate data to developers as they design their projects for connection to the City’s utility systems. Additionally, the master plan updates will develop a capital improvement plan in five-year intervals, through 2034, that will provide the framework for scheduled budgeting of the maintenance and expansion of the City’s utility infrastructure.

FUNDING SOURCE:

Fund 403 – Potable Water, Reclaimed Water and Wastewater Impact Fees.

RECOMMENDATION ACTION:

Authorize an agreement with Wright-Pierce, Inc. to perform the Utility Master Plans update in the amount of \$198,990.

DISTRIBUTION

| | | |
|--------------------------------|------------------|--------------------------|
| 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 |

January 11, 2018
Project No. T11775

City of Apopka
Attn: Kevin Burgess, Asst. Public Services Director
748 E Cleveland St.
Apopka, FL 32703

Subject: Utility Master Plans Update: Scope and Fee

Dear Mr. Burgess:

Thank you for the opportunity to present the attached scope and fee for the above-referenced project for your consideration. Master Planning is the foundation for utility managers and utility customers to assure their money is being used in a thoughtful, positive manner. A well-done Master Plan is an active document used during the annual capital improvement planning process and for long term capital planning. Wright-Pierce has been working with Public Water and Wastewater Utilities for over 70 years developing Master Plans along with the associated hydraulic models used in the master planning development.

We understand one of the goals of the Master Plan Update is to enhance the quality of the wastewater forcemain model. The model should represent output in a manner consistent actual field conditions. Such as, positive pressures on the forcemains on the discharge side of pumps. To assist in this effort, we propose to collect field flow and pressure data from the 15 largest pump stations to enhance the quality of the model. In addition, the existing wastewater model will be revised to be a more valuable planning tool as well as set the stage for future model upgrades which eventually could lead to a dynamic model (takes into pumps on/off, gravity pipe attenuation of flows, wetwell capacity, etc.).

Please contact Dennis Davis (dennis.davis@wright-pierce.com) or me if you have any questions or revisions to the proposal. We value our selection as one of your continuing service engineering firms and look forward to working with you soon.

Sincerely,
WRIGHT-PIERCE



Richard N. Davee, PE
Vice President
rick.davee@wright-pierce.com

Enclosures:
Scope and Fee for Utility Master Plans Update

City of Apopka
Utility Master Plans Update
Scope of Services

Wright-Pierce, Inc., (CONSULTANT) entered into a Professional Engineering Services Agreement (AGREEMENT) with the City of Apopka, Florida (CITY) on November 15, 2017, as selected by RFQ #2017-21. Pursuant to this AGREEMENT, the CITY requested the CONSULTANT to provide certain professional services in support of the *Utility Master Plans Update* (Project).

INTRODUCTION

The current City of Apopka Utilities (potable water, reclaimed water and wastewater) Master Plan (MP) was prepared in 2005 based on 2012 population, flow, and land use projections. The City of Apopka has been experiencing major land use changes since 2012. Revised Utilities Master Plans, with Capital Improvements Plan components are needed to plan and prioritize projects, and to justify further utilities billing rates and impact fees. Therefore, the City of Apopka (City) is interested in revising the 2014 Master Plans to account for changes the City has experienced and be better prepared for future growth and land use changes.

SCOPE

The scope of work for the 2018 Master Plans Update will include providing engineering services to prepare a Utilities Master Plan Update for the potable water, wastewater and reclaimed water systems, and develop a Capital Improvements Plan (CIP). Additionally, an Integrated Water Resource Master Plan (IWRMP) summary will be required. The IWRMP summary will provide the City with an organized approach to efficiently develop and manage existing and potential water sources, while maintaining the desired level of service for each individual utility system.

The scope of work for this project will include the individual master plan elements for potable water, reclaimed water, and wastewater systems. Priority emphasis will be placed on completing the wastewater master plan and hydraulic model first. Projected flow rates will be based on the City's Future Land Use Map and Consumptive Use Permit (CUP #3217). An alternative water supply element will be conceptually evaluated in the IWRMP.

Four (4) planning intervals will be evaluated in the 2018 Master Plan Update Reports including the system as it exists in 2017 (Current) and extending through 2034 (2019, 2024, 2029 and 2034). The hydraulic models prepared in the 2014 Master Plans will be updated using the latest Innowyze InfoWater v12.4 software, which the City will be purchasing in early 2018.

The following sections of this scope of work present the specific tasks that will be performed to prepare the 2018 Master Plan Update Reports, which will include individual elements for the Potable Water Master Plan, Reclaimed Water Master Plan, and Wastewater Master Plan:

The Task Groups of this scope of work are:

- Task Group 1 – Historical Data Compilation
- Task Group 2 – Modeling Design Criteria Confirmation
- Task Group 3 – Population Projections and Geographic Flow/Demand Distribution
- Task Group 4 – Flow/Demand Allocation, Hydraulic Modeling, and Analyses of Planning Interval Scenarios
- Task Group 5 – Treatment Facilities Planning Level Evaluation
- Task Group 6 – Integration of Potable Water, Wastewater, and Reclaimed Water Master Plans into an Integrated Water Resource Master Plan Summary
- Task Group 7 – Capital Improvement Plan Development
- Task Group 8 – 2018 Master Plan Update Reports
- Task Group 9 – Project Management

TASK GROUP 1 – HISTORICAL DATA COMPILATION

- Coordinate with the City to complete the data collection task. *Consultant shall provide a list of documents (Record drawings, GIS data, modeling files, etc.) for the City to provide.* The Consultant shall assist the City in retrieving record drawings of treatment and collection/distribution system improvements that have been constructed since the data compilation efforts associated with the 2014 Master Plan Update.
- Compile and prepare data to be used in subsequent modeling efforts.

TASK GROUP 2 – MODELING DESIGN CRITERIA CONFIRMATION

- Update/develop the modeling design criteria (i.e. max. day and peak hour peaking factors, acceptable pipe velocities and pressures, fire flow, planning interval gallons per capita, demand allocation approach, and other relevant modeling design criteria) for the four (4) planning intervals.

TASK GROUP 3 – POPULATION PROJECTIONS & GEOGRAPHICAL FLOW/DEMAND DISTRIBUTION

- *Using a linear interpolation,* project populations for the four (4) planning intervals using the existing population and projections/distribution information included in the CUP.
- Geographically distribute the population for planning intervals within the individual utility services areas. *This will be performed on a parcel-level basis, if data are readily available and provided by the City.*
- Calculate demands/flows for each planning interval and element (potable water, reclaimed water and wastewater).

TASK GROUP 4 – FLOW/DEMAND ALLOCATION, HYDRAULIC MODELING, AND ANALYSIS OF PLANNING INTERVAL SCENARIOS

- Update the hydraulic models with major infrastructure changes to the individual systems since the 2014 Master Plan Update with the physical treatment plants, distribution/collection system pipe additions, operations upgrades, and replacements/changes that occurred between 2011 and 2017. All hydraulic models shall be upgraded to Innovyze InfoWater v12.4.
- Allocate average flows/demands, developed in Task Group 3, for the respective systems and for the four (4) planning interval base scenarios. The closest-node approach will be used for applying the demands to the three hydraulic models. Demands for the sub scenarios (average day, max day, and peak hour) will be calculated by applying modeling design criteria peaking factors to the average flow/demands. Update geographically allocated 2014 model flow/demands using the following procedures:
 - The 2014 customers' nodal demands in the model will be updated by applying the ratio of 2017 to 2012 average demands. Balance the historical 2017 average flow/demand data in the existing model scenario for the three (3) elements.
 - Allocate demands for customers that were added to the system since 2012.
 - Update allocated demands for future customers.
- Update the *four (4) scenarios* (ADD/ADF, MDF/MDD, MDF/MDD plus FF, and PHD/PHF) for each of the four (4) planning intervals (2019, 2024, 2029, and 2034).
- Adjust distribution/collection system components (as needed) to adapt to changed conditions or serve future flows/demands. *This includes additional infrastructure or enhancements to the systems that are needed as a part of the hydraulic analyses of future scenarios.*
- Perform hydraulic modeling and analysis for each planning interval scenario (Current, 2019, 2024, 2029, and 2034) for each master plan element (potable water, reclaimed water, and wastewater) and evaluate the results for compliance with the modeling design criteria established in Task Group 2. The following steady state modeling scenarios will be developed for each element:
 - Potable Water:
 - Average Daily Demand (ADD),
 - Maximum Daily Demand (MDD),
 - MDD plus Fire Flow (FF), and
 - Peak Hour Demand (PHD).

- Reclaimed Water:
 - Average Daily Demand (ADD),
 - Maximum Daily Demand (MDD), and
 - Peak Hour Demand (PHD).
- Sanitary Sewer:
 - Average Daily Flow (ADF),
 - Maximum Daily Flow (MDF), and
 - Peak Hour Flow (PHF).
- *The Consultant shall perform drawdown tests for up to 15 lift stations to determine if the lift stations are performing as originally intended. It is assumed that these tests will be performed in conjunction with City staff on lift stations with design capacities of 1,000 gpm or greater.*
- *For the Potable Water Model, Wright-Pierce shall perform a validation (i.e. limited calibration) on the model. The City will provide the Consultant with fire hydrant flow and pressure testing data for the City's fire hydrants as well as SCADA data collected from all water treatment plants for the same time frames as the tests (in hourly increments). The Consultant shall select up to 20 specific areas with hydrant flow testing data and utilize the information to validate the model.*

TASK GROUP 5 – TREATMENT FACILITIES PLANNING LEVEL EVALUATION

- Prepare and conduct site visits to seven (7) City facilities: (5) – Water Treatment Plants; and (2) – Reclaimed Water Pumping Facilities. *No visit to the WRF is assumed.*
- Potable Water – The existing treatment processes will be reviewed for conformance with existing rules under the U.S. Environmental Protection Agency's Safe Drinking Water Act (SDWA) and revisions to Florida Department of Environmental Protection (FDEP) rules and regulations. Future treatment process modifications will be identified that need to comply with current provisions of the CUP, SDWA, and/or FDEP requirements. Production well capacities, high service pumping capacities, and storage capacities will be evaluated. Alternative Water Supply (AWS) elements *that have previously been identified by the City* will be conceptually evaluated.
- Wastewater – Review the current WRF wastewater permitting, treatment, and future capacity requirements. This work task will be based on the assumption of a single wastewater treatment facility located at the existing WRF site. It is understood that construction is currently underway for the expansion and upgrading the treatment process to 8.0 mgd.
- Reclaimed Water – The reclaimed water system's storage and pumping capacities (including intermediate term facilities projects) will be evaluated for conformance with the projected reclaimed water demands. A planning level evaluation of reclaimed water operational and seasonal storage options will be performed. CUP requirements for

supplemental reclaimed water supply projects will also be evaluated and incorporated in the hydraulic model.

TASK GROUP 6 – INTEGRATION OF POTABLE WATER, WASTEWATER, AND RECLAIMED WATER MASTER PLANS INTO AN IWRMP SUMMARY

The Consultant shall prepare an Integrated Water Resource Master Plan (IWRMP) summary which includes elements from the individual master plans for the potable water, reclaimed water, and wastewater utility systems. The IWRMP summary will provide the City with an organized approach to efficiently develop and manage existing and potential water resources while maintaining the desired level of service for each individual utility system. This integration process shall include, but not limited to, identification of opportunities to capture and utilize alternative water sources and a plan for efficient movement of water throughout the City.

- Consultant shall integrate individual elements into the IWRMP summary and 2018 Master Plan Update Reports.

TASK GROUP 7 – CAPITAL IMPROVEMENT PLAN DEVELOPMENT

Develop a Capital Improvement Plan for the four (4) planning intervals, with conceptual level opinions of probable construction costs of the proposed improvements. There will be a separate CIP for each of the three (3) elements.

TASK GROUP 8 – 2018 MASTER PLAN UPDATE REPORTS

Compile work performed in Task Groups 1 through 7 into the 2018 Master Plan Update Reports, including IWRMP summary and separate stand-alone reports for each utility, and provide the following services for Task Group 8:

- Prepare draft 2018 Master Plan Update Reports, including the IWRMP summary and separate stand-alone reports for each utility.
- Conduct a QA/QC review meeting with the City and address comments.
- Prepare final 2018 Master Plan Update Reports for submittal to the City.

TASK GROUP 9 – PROJECT MANAGEMENT

- Prepare a project work plan that will summarize and prioritize the project schedule; contact information for team members; QA/QC plan, and any other pertinent information for use by the City's project team.
- Schedule and attend two (2) project progress meetings to update the City on the progress of the work.

- Prepare project status reports and invoices monthly based upon the progress of the work.

DELIVERABLES

The CONSULTANT shall prepare and submit to the CITY, including electronic format when applicable, the following deliverables:

| TASK | ACTIVITY | DELIVERABLE |
|-------------|--|--|
| 1 | Historical Data Compilation | Data request list. |
| 2 | Modeling Design Criteria Confirmation | Modeling design criteria. |
| 3 | Population Projections and Geographical Demand Distribution | Updated flow projections for each utility element by planning interval. |
| 4 | Hydraulic Modeling and Analysis | Updated hydraulic models |
| 5 | Treatment Facilities Planning Level Evaluation | To be included in Task Group 8. |
| 6 | Integration of Potable Water, Wastewater, and Reclaimed Water Master Plans into an IWRMP Summary | <ul style="list-style-type: none"> • Draft IWRMP summary • Final IWRMP summary |
| 7 | CIP Development | To be included in Task Group 8 |
| 8 | Master Plan Update Reports | <ul style="list-style-type: none"> • Draft Master Plan Update Reports • Final Master Plan Update Reports |
| 9 | Project Management | <ul style="list-style-type: none"> • Project Status Reports (monthly) • Meeting agenda and summaries |

SCHEDULE

The Project will begin immediately after the CONSULTANT receives a written Notice-to-Proceed (NTP) and an executed copy of this AGREEMENT. The CONSULTANT will coordinate with the CITY on the overall Project schedule. It is anticipated that the CONSULTANT will complete the Project within **180** calendar days, subject to an Event of Force Majeure, allowance, or unless otherwise approved by the CITY, in writing, in its sole and absolute discretion.

COMPENSATION

This AGREEMENT establishes a not-to-exceed, lump sum cost of **\$198,990** for the tasks to be completed under this AGREEMENT. Compensation for the services performed under this AGREEMENT shall be on percent complete basis.

| Task Group | Task Description | Task Cost |
|------------|--|-------------------|
| 1 | Historical Data Compilation | \$4,880 |
| 2 | Modeling Design Criteria Confirmation | \$7,255 |
| 3 | Population Projections and Geographic Flow/Demand Distribution | \$14,330 |
| 4 | Flow/Demand Allocation, Hydraulic Modeling, and Analyses of Planning Interval Scenarios | \$67,095 |
| 5 | Treatment Facilities Planning Level Evaluation | \$32,130 |
| 6 | Integration of Potable Water, Wastewater, and Reclaimed Water Master Plans into an Integrated Water Resource Master Plan Summary | \$10,050 |
| 7 | Capital Improvement Plan Development | \$28,700 |
| 8 | 2018 Master Plan Update Reports | \$26,470 |
| 9 | Project Management | \$8,080 |
| | Total Fee Estimate | \$ 198,990 |

CITY’S RESPONSIBILITIES

The CITY will provide the following information to the CONSULTANT and/or perform the following services related to the Project:

- Provide requested data within two (2) weeks of each request.
- GIS parcel data for the parcels within the City-served areas and roadway GIS data.
- Review and provide a consolidated list of review comments for each submittal (one review per submittal).
- Utilize a maximum review time of two (2) weeks per submittal.
- Provide access to the City treatment facilities and pump stations for visits and evaluations.

SERVICES NOT INCLUDED

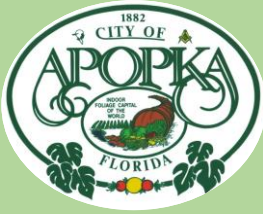
The following services are not included in the Scope of Services for the Project:

- Multiple reviews for each submittal.
- Legal services related to this Project.
- Developing peaking factors based upon use type (single family, multi-family, commercial, etc.).
- Developing hourly peaking factors and performing extended period simulations (EPS).
- Fire hydrant flow tests are not included.
- Performing an inflow and infiltration analysis.
- Water quality modeling is not included.

ASSUMPTIONS

The Scope of Services and Compensation arrangement outlined in this AGREEMENT are based on the following assumptions:

- The modeling design criteria will be based upon the previous master plan level of effort and then updated through coordination with the City.
- It is assumed that the updated models will contain similar information, as supplied by the City, as the existing models.
- A single, system-wide peaking factor for MDD and PHD will be developed for each system.
- Demand information is provided by the City on a parcel-level.
- The schedule (Paragraph D) is based upon review schedules.
- The CITY will provide a single review of each submittal within two weeks, and provide a consolidated matrix of comments.
- CONSULTANT shall deliver report files in PDF format.
- CONSULTANT shall deliver the updated hydraulic models to the City in the InfoWater v12.4 format.



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: February 7, 2018
 FROM: Public Services
 EXHIBITS:

SUBJECT: PIPE MATERIAL AND APPURTENANCES FOR THE GOLDEN GEM ROAD RECLAIMED WATER SYSTEM EXTENSION – ITB# 2018-06

REQUEST: APPROVE THE BID FROM CORE & MAIN IN THE AMOUNT OF \$422,097.73.

SUMMARY:

On January 2, 2018, staff advertised the Invitation to Bid No. 2018-06, Pipe Material and Appurtenances for the Golden Gem Road Reclaimed Water System Extension. The bid was opened on February 2, 2018. The bid tabulation is as follows:

| Vendor | Bid Amount |
|---------------------|--------------|
| Consolidated Pipe | \$411,581.63 |
| Core & Main | \$422,097.73 |
| Ferguson Waterworks | \$444,951.98 |

Staff has reviewed the bids and determined the apparent low bidder, Consolidated Pipe, has submitted an incomplete bid. Pricing was not provided for three items on the bid form.

Due to the apparent low bidder submitting an incomplete bid, staff is requesting approval to award the bid to the second bidder, Core & Main, in the amount of \$422,097.73.

This project is partially grant funded by the St. Johns River Water Management District. The City will be reimbursed 50% of this project cost.

FUNDING SOURCE:

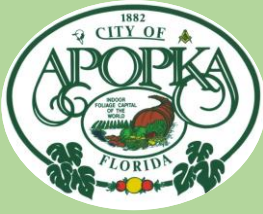
Fund 403 – Reclaimed Water Impact Fees

RECOMMENDATION ACTION:

Approve the award of the bid to Core & Main in the amount of \$422,097.73.

DISTRIBUTION

- | | | |
|--------------------------------|------------------|--------------------------|
| 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 |



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: February 7, 2018
 FROM: Administration
 EXHIBITS:

SUBJECT: APPOINTMENT OF THE VOTING MEMBER OF BOTH THE GROUP HEALTH TRUST AND PROPERTY AND CASUALTY BOARDS

REQUEST: MAKE AN APPOINTMENT OF A STAFF MEMBER

SUMMARY:

The City of Apopka is a member of two insurance pools. One is for the employees Group Health Trust and the other is for the City’s Property and Casualty pool. Both require a voting member and an alternate. Currently, Sharon Thornton, Director of Human Resources is the alternate to both and former Director of Finance, Pam Barclay is the voting member. Sharon would like to remain the alternate and it is being recommended that City Administrator Glenn Irby be appointed to replace Pam as the voting member of both boards.

FUNDING SOURCE:

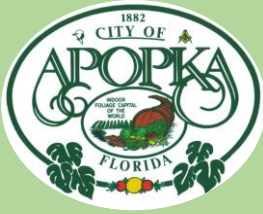
N/A

RECOMMENDATION ACTION:

Vote to select Glenn Irby to be the voting member on both the Group Health Trust and Property and Casualty pool boards.

DISTRIBUTION

| | | |
|--------------------------------|------------------|--------------------------|
| 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 |



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: February 7, 2018
 FROM: Community Development
 EXHIBITS: Agreement

SUBJECT: NEW INTERLOCAL AGREEMENT BETWEEN THE CITY OF APOPKA & ORANGE COUNTY

REQUEST: AUTHORIZE THE MAYOR OR HIS DESIGNEE TO SIGN THE INTERLOCAL AGREEMENT

SUMMARY:

On June 21, 2017, the Apopka CRA and the City Council approved the CRA Community Redevelopment Plan 2017~Update. One of the overall projects included in the new Plan is for streetscape. Michael Gladden has long been looked at for improvements within the CRA District, but maintenance and jurisdiction was taken care of by Orange County. In order to expend any CRA funds in the future for redevelopment and streetscape, staff had requested this jurisdictional transfer.

The streetscape project may include new sidewalk on both sides of the road, lighting and landscaping. An RFQ would need to be completed and funds are budgeted. Because this road is a direct route leading into and out of the downtown, staff felt this is a viable project to plan for, and this jurisdictional transfer is the first step.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Authorize the Mayor or his designee to execute the Interlocal Agreement between the City of Apopka and Orange County for Jurisdictional Transfer of Michael Gladden Boulevard from South Hawthorne Avenue to South Park Avenue.

DISTRIBUTION

| | | |
|--------------------------------|------------------|--------------------------|
| 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 |

INTERLOCAL AGREEMENT

between

ORANGE COUNTY, FLORIDA

and

CITY OF AOPKA, FLORIDA

regarding

**TRANSFER OF JURISDICTION OF
MICHAEL GLADDEN BOULEVARD FROM
SOUTH HAWTHORNE AVENUE TO
SOUTH PARK AVENUE**

Approved by the Orange County
Board of County Commissioners
_____, 2018

Approved by the City of Apopka
City Council
_____, 2018

INTERLOCAL AGREEMENT
between
ORANGE COUNTY, FLORIDA
and
CITY OF APOPKA, FLORIDA
regarding
TRANSFER OF JURISDICTION OF OCOEE-APOPKA ROAD
AND MICHAEL GLADDEN BOULEVARD FROM
SOUTH HAWTHORNE AVENUE TO
SOUTH PARK AVENUE

THIS INTERLOCAL AGREEMENT is made and entered into by and between **Orange County, Florida**, a Charter County and political subdivision of the State of Florida (“County”), and the **City of Apopka, Florida**, a municipal corporation created and existing under the laws of the State of Florida (“City”).

RECITALS

WHEREAS, the County has authority pursuant to Section 125.01, Florida Statutes, to enter into agreements;

WHEREAS, the City has authority pursuant Section 166.021, Florida Statutes, to enter into agreements;

WHEREAS, the County and the City have authority pursuant to Section 163.01, Florida Statutes, to enter into interlocal agreements;

WHEREAS, all roads which are open and available for use by the public and dedicated to public use, according to law or by prescription, are declared to be and established as, pursuant to Section 335.01(1), Florida Statutes, public roads;

WHEREAS, a “road” is defined by Section 334.03(23), Florida Statutes, as “a way open to travel by the public, including, but not limited to, a street, highway, or alley. The term includes associated sidewalks, the roadbed, the right-of-way, and all culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels, and viaducts. . . .”;

WHEREAS, the term “road” as defined by Section 334.03(23), Florida Statutes, also implicitly includes, curbs, guardrails, landscaping, and traffic control devices (such as signals and signs) within the right-of-way;

WHEREAS, according to Section 335.01(2), Florida Statutes, public roads are divided into the following four systems: (1) the “county road system”; (2) the “city street system”; (3) the “State Highway System”; and (4) the “State Park Road System”;

WHEREAS, the “county road system” is defined by Section 334.03(8), Florida Statutes, as “all collector roads in the unincorporated areas of a county and all extensions of such collector roads into and through any incorporated areas, all local roads in the unincorporated areas, and all urban minor arterial roads not in the State Highway System”;

WHEREAS, the “city street system” is defined by Section 334.03(3), Florida Statutes, as “all local roads within a municipality, and all collector roads inside that municipality, which are not in the county road system”;

WHEREAS, pursuant to Section 335.0415(2), Florida Statutes, any change of the jurisdiction of a public road after July 1, 1995, that is a part of a county road system or a city street system is governed by Section 335.0415(3), Florida Statutes;

WHEREAS, pursuant to Section 335.0415(3), Florida Statutes, subsequent to July 1,

1995, public roads within the respective road systems of a county or a city may be transferred between those jurisdictions only by mutual agreement of those local governmental entities;

WHEREAS, the City desires to own (or accept dedication of, whatever the case may be), maintain, control, and have responsibility over the County functionally classified road known as Michael Gladden Boulevard from the easterly right-of-way of South Hawthorne Avenue to the westerly right-of-way line of South Park Avenue;

WHEREAS, this Interlocal Agreement is solely intended to address the transfer of such road, or segment thereof, from the County road system to the City street system;

WHEREAS, except as provided under Section 2.E, this Interlocal Agreement is not intended to apply and shall not be construed as applying to the subject of which party has jurisdiction to control traffic along such road (see Section 316.006, Florida Statutes); and

WHEREAS, this Interlocal Agreement is not intended to apply and shall not be construed as applying to the subject of which law enforcement authority has jurisdiction to enforce traffic laws along such road (see Section 316.640, Florida Statutes).

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties hereto agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and are hereby incorporated herein by reference.

2. **Transfer of Jurisdiction of Michael Gladden Boulevard; Scope; Torts; Powers; Other.**

A. **Transfer of Jurisdiction.** The County hereby transfers to the City, and the City hereby accepts and acknowledges jurisdiction over, the County functionally classified

road known as Michael Gladden Boulevard from the easterly right-of-way line of South Hawthorne Avenue to the westerly right-of-way line of South Park Avenue (“Michael Gladden Boulevard”).

B. Scope. The City’s jurisdiction over Michael Gladden Boulevard means the authority and responsibility to maintain, control, repair, or improve such road, as the term “road” is defined by Section 334.03(23), Florida Statutes, and to regulate, warn, or guide traffic on such road, regardless of any future alteration, realignment, construction, extension, widening, or renaming of such road. Michael Gladden Boulevard is therefore henceforth deemed to be part of the “City street system” for purposes of operation and maintenance.

C. Torts. Pursuant to Section 337.29(3), Florida Statutes, to the extent that sovereign immunity has been waived, liability for torts shall be in the City.

D. Powers. Also pursuant to Section 337.29(3), except as may be otherwise provided by law or this Interlocal Agreement, the City shall have the same governmental, corporate, and proprietary powers with relation to Michael Gladden Boulevard that the City has with relation to other public roads and rights-of-way within the City.

E. Alteration of Traffic; Reduction in Speed Limits; Weight Limits; Road Closure; Vacation. Unless having first applied for and obtained permission from the Board of County Commissioners, which permission may be withheld in the Board’s discretion, the City shall not:

(1) alter, modify or regulate traffic on Michael Gladden Boulevard, or any portion thereof, in such a manner as will reduce or otherwise impede the flow of traffic on Michael Gladden Boulevard (for example, through traffic calming devices, speed humps, speed

bumps, or roundabouts);

(2) reduce the current speed limit of 30 miles per hour for Michael Gladden Boulevard;

(3) establish weight limits or prohibit or restrict certain types of traffic (for example, truck traffic) on Michael Gladden Boulevard, or any portion thereof;

(4) close or barricade Michael Gladden Boulevard, or any portion thereof, to vehicular traffic, other than temporarily for road maintenance, road repair, accidents, or miscellaneous special events, such as road or bike races; or

(5) vacate any portion of Michael Gladden Boulevard.

3. Dedication and Acceptance; Deed; Vesting of Title.

A. Dedication and Acceptance. For Michael Gladden Boulevard, or any portion thereof, that was heretofore dedicated and that the County heretofore accepted, the County hereby dedicates Michael Gladden Boulevard, and any portion thereof (including associated drainage easements and retention areas), to the City, and the City hereby accepts such dedication.

B. Deed. The County shall execute, record (at the City's expense) and deliver a County deed in favor of the City substantially in the form attached hereto as **Exhibit "A,"** for any portion of Michael Gladden Boulevard that the County holds, or may hold, fee title or a property interest, as specifically described in the legal description and map attached to **Exhibit "A" as Appendix "A."**

C. Vesting of Title. Upon the recording of the County deed and **Appendix "A"** thereto pursuant to subsection 3.B, title in Michael Gladden Boulevard shall vest in the City,

pursuant to Section 337.29(3), Florida Statutes.

4. Miscellaneous.

A. Validity. The County and the City each represents, warrants, and covenants to and with the other its respective authority and power under Florida law to enter into this Interlocal Agreement, acknowledges the validity and enforceability of this Interlocal Agreement, and waives any future right of defense based on claim of illegality, invalidity or unenforceability of any nature. The County and the City each hereby represents, warrants and covenants to and with the other that this Interlocal Agreement has been validly approved by its respective governing body, and that this Interlocal Agreement constitutes a legal, valid and binding contract enforceable against the respective party in accordance with the terms hereof (assuming the due authorization, execution and delivery hereof by the other party hereto).

B. Ambiguities. Both parties have been allowed equal input regarding the terms and wording of this Interlocal Agreement and have had the benefit of consultation with their respective legal counsel prior to its execution, such that all language herein shall be construed equally against the parties, and no language shall be construed strictly against its drafter.

C. Headings. The headings or captions of sections or subsections used in this Interlocal Agreement are merely for the convenience of the parties for reference only and are not intended to define or limit their contents, nor are they to affect the construction of or to be taken into consideration in interpreting this Interlocal Agreement.

D. Severability. The provisions of this Interlocal Agreement are declared by the parties to be severable only to the extent that the remaining provisions can effectuate the

purpose and intent of the parties.

E. Governing Law; Venue; Attorney's Fees and Costs.

(1) This Interlocal Agreement shall be governed by and construed in accordance with laws of the State of Florida.

(2) Venue for any action arising out of or related to this Interlocal Agreement shall be in the Circuit Court for the Ninth Judicial Circuit in Orange County, Florida.

(3) In the event a party deems it necessary to take legal action to enforce any provisions of this Interlocal Agreement, each party shall bear its own attorney's fees and costs at both the trial and appellate levels.

F. Entire Agreement. This Interlocal Agreement, along with any exhibits, constitutes the entire Agreement between the parties regarding the subject matter hereof. Any prior oral or written agreements or understandings of any kind between the parties relating to the subject matter hereof are null and void and of no further effect.

G. Amendments. This Interlocal Agreement may be amended only by express written instrument approved by the Board of County Commissioners of the County and the City Council of the City, and executed by the authorized officers of each party.

H. Counterparts. This Interlocal Agreement and any amendments thereto may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

I. Notices. Any notice required to be given or otherwise given by one party to the other party shall be in writing and shall be deemed delivered when given by hand delivery; five (5) days after being deposited in the United States Mail, postage prepaid, certified or

registered; or the next business day after being deposited with a recognized overnight mail or courier delivery service; or when transmitted by facsimile or telecopy transmission, with receipt acknowledged upon transmission; and addressed as follows:

If to the County: Director, Orange County Public Works Department
4200 South John Young Parkway
Orlando, Florida 32839
Facsimile: (407) 836-7716

With a copy to: County Attorney
Orange County Administration Center
201 South Rosalind Avenue
Orlando, Florida 32802
Facsimile: (407) 836-5888

If to the City: Public Services Director
Public Services Department
748 E. Cleveland St.
Apopka, Florida 32703
Facsimile: (407) 703-1748

In all cases, notices shall be deemed delivered to a party only upon delivery of copies to the persons indicated above in the same manner as for the party being notified. Either party may change its designated official or address for receipt of notice by giving notice of such change to the other party in the manner provided in this section.

[THE REMAINDER OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.]

5. **Effective Date.** This Interlocal Agreement shall become effective on the date of execution by the County or the date of execution by the City, whichever date is later.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year indicated below.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Teresa Jacobs, County Mayor

Date: _____, 2018

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk

CITY OF APOPKA, FLORIDA
By: City Council

By: _____
Joseph E. Kilsheimer, Mayor

Date: _____, 2018

ATTEST:

By: _____
Linda F. Goff, City Clerk

Exhibit "A"

Project: Interlocal Agreement with the City of Apopka for the Transfer of Jurisdiction of Michael Gladden Blvd. from South Hawthorne Ave. to South Park Ave.

This document constitutes a conveyance from a state agency or instrumentality to an agency of the state and is not subject to documentary stamp tax. Department of Revenue Rules 12B-4.0114(10), F.A.C.

COUNTY DEED

THIS DEED, effective as of the date written below, by ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393, GRANTOR, and the City of Apopka, a municipal corporation, under the laws of the State of Florida, whose address is 120 E. Main St., Apopka, Florida, 32703, GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$1.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

SEE ATTACHED APPENDIX "A"

Property Appraiser's Parcel Identification Number:

Unassigned

THIS COUNTY DEED is being given in accordance with the Interlocal Agreement for the transfer of jurisdiction of Michael Gladden Blvd. from the easterly right of way line of South Hawthorne Ave. to the westerly right of way line of South Park Ave.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

Project: Interlocal Agreement with the City of Apopka for the Transfer of Jurisdiction of Michael Gladden Blvd. from South Hawthorne Ave. to South Park Ave.

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board, acting by the County Mayor, effective the day and year written below.

(Official Seal)

ORANGE COUNTY, FLORIDA
By Board of County Commissioners

BY: _____
Teresa Jacobs,
Orange County Mayor

DATE: _____

ATTEST: Phil Diamond, CPA, County
Comptroller, as Clerk of the Board
of County Commissioners


BY: _____
Deputy Clerk

Printed Name

APPENDIX "A" LEGAL DESCRIPTION

A portion of right of way of West Michael Gladden Boulevard lying within Section 16, Township 21 South, Range 28 East, Orange County, Florida, being more particularly described as follows:


Begin at the Northwest corner of Lot 5, Block G of THE TOWN OF APOPKA as recorded in Plat Book A, Page 109 of the Public Records of Orange County, Florida, said point also lying on the East right of way line of South Hawthorne Avenue; thence run East along the North line of Lots 5 through 7, Block G of said plat, also being the South right of way line of West Michael Gladden Boulevard a distance of 586.00 feet more or less to a point lying on the West right of way line of South Washington Avenue, point also being on the Northeast corner of Lot 7, Block G of said plat; thence run East along the prolongation of the North line of said Lot 7 a distance of 80.00 feet more or less to a point at the Northwest corner of Lot 8, Block G of said plat; thence run East along the North line of Lots 8 through 11, Block G of said plat, also being the South right of way line of West Michael Gladden Boulevard a distance of 590.00 feet more or less to a point lying on the West right of way line of Marvin C. Zanders Avenue, point also being on the Northeast corner of Lot 11, Block G of said plat; thence run East along the prolongation of the North line of said Lot 11, Block G a distance of 80.00 feet more or less to a point at the Northwest corner of Lot 53, Block H of said plat; thence run East along the North line of Lots 53 through 55, Block H of said plat, also being the South right of way line of West Michael Gladden Boulevard a distance of 590.00 feet more or less to a point lying on the West right of way line of South Central Avenue, point also being on the Northeast corner of Lot 55, Block H of said plat; thence run East along the prolongation of the North line of said Lot 55, Block H of said plat a distance of 80.00 feet more or less to a point at the Northwest corner of Lot 56, Block H of said plat; thence run East along the North line of Lots 56 through 58, Block H of said plat, also being the South right of way line of East Michael Gladden Boulevard a distance of 587.00 feet more or less to a point lying on the West right of way line of South Park Avenue, point also being at the Northeast corner of Lot 58, Block H of said plat ; thence Northerly along the prolongation of the West right of way line of South Park Avenue a distance of 80.00 feet more or less to a point lying on the North right of way line of East Michael Gladden Boulevard, said point also lying at the Southeast corner of Lot 52, Block H of said plat; thence run West along the South line of Lots 48, 51 and 52, Block H of said plat, also being the North right of way line of East Michael Gladden Boulevard a distance of 593.00 feet more or less to a point at the Southwest corner of Lot 48, Block H of said plat; thence continue West along the prolongation of the South line of Lot 48, Block H of said plat a distance of 80.00 feet more or less to a point at the Southeast corner of Lot 41, Block H of said plat; thence continue West along the South line of Lots 33, 34 and 41, Block H of said plat, also being the North right of way line of West Michael Gladden Boulevard a distance of 590.00 feet more or less to a point at the Southwest corner of Lot 33, Block H of said plat; thence continue West

| | | | | |
|--|--|---|---|-----------------------|
| PREPARED FOR: Engineering Design Section | | ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION | | |
| DRAWN BY: Alvarez | DATE: 01/11/18 | SECTION: 16 |  SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940 | DRAWING SCALE: NTS |
| CHECKED BY: Daynes | JOB No: 8113 | TOWNSHIP: 21 | | PROJECT N 73 |
| APPROVED BY: Daynes | DRAWING FILE: W. Michael Gladden Blvd | RANGE: 28 | | 8113 |
| REVISION DATE: | | SHEET 1 OF 4 | | |

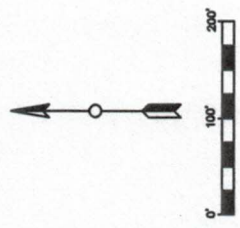
APPENDIX "A" LEGAL DESCRIPTION

along the prolongation of the South line of Lot 33, Block H of said plat a distance of 80.00 feet to a point at the Southeast corner of Lot 38, Block G of said plat; thence continue West along the South line of Lots 36 through 38, Block G of said plat, also being the North right of way line of West Michael Gladden Boulevard a distance of 590.00 feet to a point at the Southwest corner of Lot 36, Block G of said plat; thence continue West along the prolongation of the South line of Lot 36, Block G of said plat a distance of 80.00 feet more or less to a point at the Southeast corner of Lot 35, Block G of said plat; thence continue West along the South line of Lots 35 through Lot 33, Block G a distance of 587.00 feet more or less to a point at the Southwest corner of Lot 33, Block G of said plat; thence Southerly along the East right of way line of South Hawthorne Avenue a distance of 80.00 feet more or less to the Point of Beginning;

Contains 207,720.01 square feet or 4.77 acres, more or less.

| | | | | |
|--|-------------------------|---|--|--|
| PREPARED FOR: Engineering Design Section | | ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION | | |
| DRAWN BY: Alvarez | DATE: 01/11/18 | SECTION: 16 |  <p>SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940</p> | DRAWING SCALE: NTS |
| CHECKED BY: Daynes | JOB No: 8113 | TOWNSHIP: 21 | | PROJECT NO. 74 |
| APPROVED BY: Daynes | DRAWING FILE: | RANGE: 28 | | 8113 |
| REVISION DATE: | W. Michael Gladden Blvd | SHEET 2 OF 4 | | |

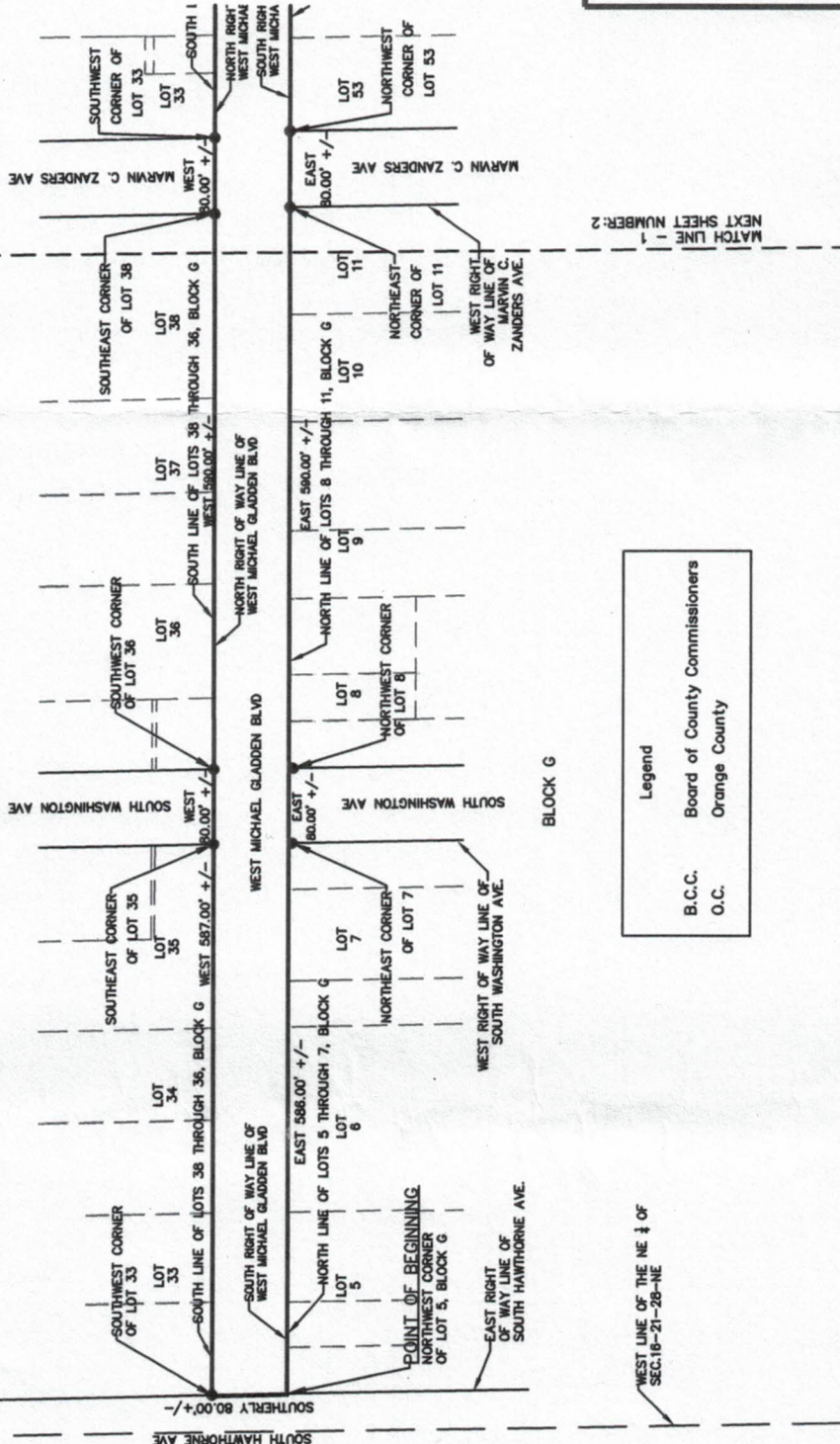
APPENDIX "A" SKETCH OF DESCRIPTION



THE TOWN OF APOPKA
PLAT BOOK A, PAGE 109

16-21-28-NE

BLOCK G



MATCH LINE NUMBER: 2
1

Legend

B.C.C. Board of County Commissioners

O.C. Orange County

NOTES:

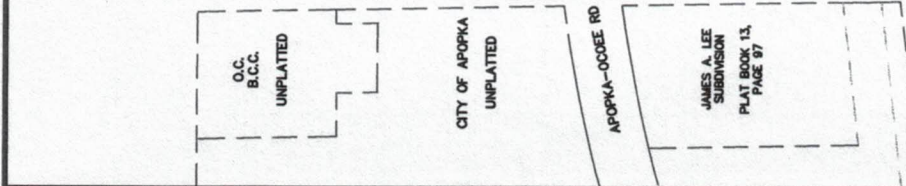
- BEARINGS ARE BASED ON THE TOWN OF APOPKA PLAT BOOK A, PAGE 109, ORANGE COUNTY, FLORIDA SOUTH RIGHT OF WAY LINE FOR WEST MICHAEL GLADDEN BLVD. AS BEING EAST. (ASSUMED)
- THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
- THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.

SKETCH AND DESCRIPTION
THIS IS NOT A SURVEY, NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH S.J-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS DRAWING.

I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAS STANDARDS SET FORTH IN CHAPTER 61-17, F.A.C. PURSUANT TO CHAPTERS 177 AND 472 OF THE FLORIDA STATUTES, AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAN, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

1/11/18
DATE

Mark A. Daynes
REGISTERED LAND SURVEYOR
NO. 10000
STATE OF FLORIDA LICENSE NO. 5479



| | |
|---------------------|-------------------------|
| DRAWN BY: Alvarez | DATE: 01/11/18 |
| CHECKED BY: Daynes | JOB No: 8113 |
| APPROVED BY: Daynes | DRAWING FILE: |
| REVISION DATE: | W. Michael Gladden Blvd |

| | |
|--------------|--|
| SECTION: 16 | PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940 |
| TOWNSHIP: 21 | |
| RANGE: 28 | |
| SHEET 3 OF 4 | |

ORANGE COUNTY GOVERNMENT FLORIDA

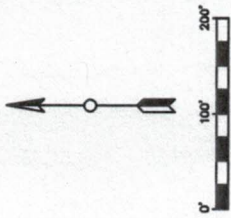
DRAWING SCALE:
1"=20'

PROJECT NUMBER: 75

8113

| |
|-----------------------------------|
| PREPARED FOR: Roads & Drainage |
|-----------------------------------|

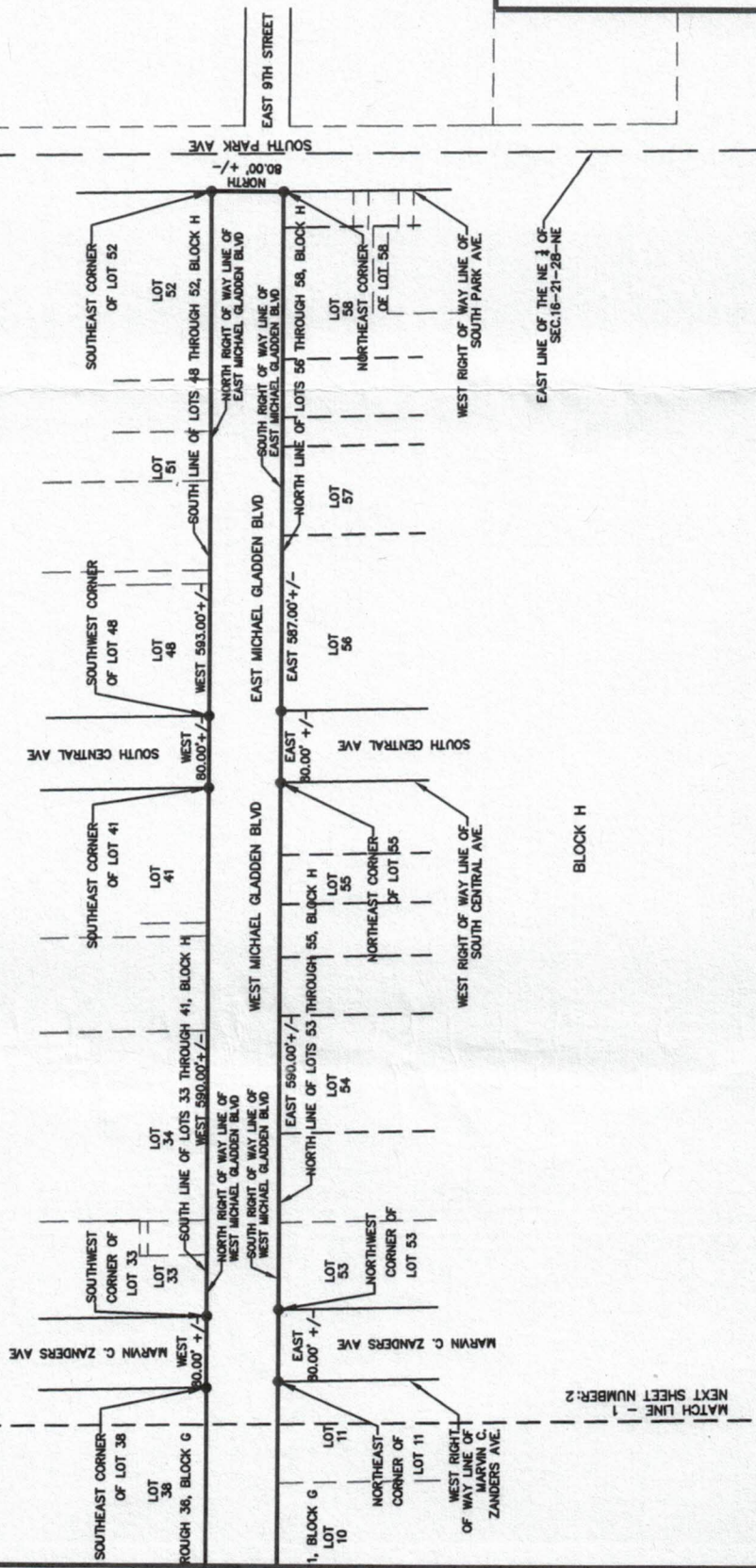
APPENDIX "A" SKETCH OF DESCRIPTION



THE TOWN OF APOPKA
PLAT BOOK A, PAGE 109
16-21-28-NE

BLOCK H

BLOCK H



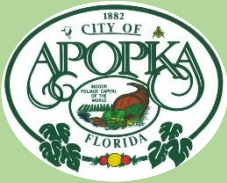
MATCH LINE - 1
NEXT SHEET NUMBER: 2

| | | |
|---------------------|-------------------------|--------------|
| DRAWN BY: Alvarez | DATE: 01/11/18 | SECTION: 16 |
| CHECKED BY: Daynes | JOB No: 8113 | TOWNSHIP: 21 |
| APPROVED BY: Daynes | DRAWING FILE: | RANGE: 28 |
| REVISION DATE: | W. Michael Gladden Blvd | SHEET 4 OF 4 |

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION
4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-9205
(407) 836-7940



| |
|-----------------------------------|
| PREPARED FOR: Roads & Drainage |
| DRAWING SCALE: 1" = 76' |
| PROJECT 8113 |



CITY OF APOPKA CITY COUNCIL

- _____ CONSENT AGENDA
- X PUBLIC HEARING
- _____ SPECIAL REPORTS
- X OTHER: Ordinance

MEETING OF: February 7, 2018
 FROM: Community Development
 EXHIBITS: Land Use Report
 Vicinity Map
 Future Land Use Map
 Adjacent Zoning Map
 Adjacent Uses Map
 Ordinance No. 2619

SUBJECT: ORDINANCE NO. 2619 – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – ZELLWOOD PROPERTIES, LLC

REQUEST: SECOND READING & ADOPTION OF ORDINANCE NO. 2619 – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – ZELLWOOD PROPERTIES, LLC FROM “COUNTY” RURAL (1 DU/10 AC) TO “CITY” COMMERCIAL (MAX. 0.25 FAR).

SUMMARY:

OWNER: Zellwood Properties, LLC

APPLICANT: Tannath Design, Inc.

LOCATION: North of S.R 441 and West of Hermit Smith Rd.

PARCEL ID NUMBER: 36-20-27-0000-00-024

EXISTING USE: Vacant

CURRENT ZONING: “County” A-1 (ZIP)

PROPOSED DEVELOPMENT: Convenience Market w/ Automobile Fuel Sales

PROPOSED ZONING: “City” PUD (Note: this Future Land Use amendment request is being processed along with a request to change the zoning classification from “County” A-1 (ZIP) to “City” PUD (Planned Unit Development).

TRACT SIZE: 2.45 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: Single Family Residence
 PROPOSED: Up to 26,681 sq. ft. convenience store\automobile fuel sales

FUNDING SOURCE: N/A

DISTRIBUTION

| | | |
|--------------------------------|------------------|--------------------------|
| 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 |

ADDITIONAL COMMENTS: The subject parcel was annexed into the City of Apopka on June 20, 2012, through Ordinance 2262. Presently, the subject property does not have a “city” future land use designation or “city” zoning classification assigned. The applicant requests a future land use designation of “city” Commercial.

COMPREHENSIVE PLAN COMPLIANCE: The proposed use of the property is consistent with the Commercial Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Commercial FLUM designation at the subject site:

Future Land Use Element

1. **Policy 3.1.i**

Commercial

Primary uses shall be for business, commerce, and convenience shopping which may be neighborhood or community oriented. The maximum floor area ratio shall be .25 gross floor area. Institutional land uses of less than five acres; and public facilities or utilities of less than five acres.

Planned Unit Development uses may include: (Policy 3.1.i)

1. All primary uses
2. All Special Exception uses
3. Multifamily Development of up to fifteen dwelling units per acre, when located within a primary use structure
4. Other uses deemed compatible with and complimentary to the other proposed master planned uses and the surrounding neighborhoods.

SCHOOL CAPACITY REPORT: Because this request represents a change to a non-residential future land use designation and zoning classification, school capacity determination by Orange County Public Schools is not required.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on November 27th.

PUBLIC HEARING SCHEDULE:

January 9, 2018- Planning Commission (5:30 pm)

January 17, 2018- City Council (7:00 pm) - 1st Reading

February 7, 2018 – City Council (1:30 pm) – 2nd Reading and Adoption

DULY ADVERTISED:

December 29, 2017 – Public Notice and Notification

January 26, 2018 – Ordinance Heading & Public Notice ¼ Page Ad w/Map

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval for a change in Future Land Use from “County” Rural to “City” Commercial for the property owned by Zellwood Properties, subject to the information and findings in the staff report.

The **Planning Commission**, at its meeting on January 9, 2018, found the Commercial FLUM Designation to be compatible with the character of the surrounding area and consistent with the Comprehensive Plan; and by a vote of (6/1) recommended approval of the change in Future Land Use from “County” Rural to “City” Commercial for the property owned by Zellwood Properties, subject to the information and findings in the staff report.

The **City Council**, at its meeting on January 17, 2018, accepted the First Reading of Ordinance 2619 and held it over for Second Reading and Adoption on February 7, 2017.

Adopt Ordinance No. 2619.

Note: This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

| <i>Direction</i> | <i>Future Land Use</i> | <i>Zoning</i> | <i>Present Use</i> |
|------------------|----------------------------|--------------------|---------------------|
| North (County) | Rural (1 D/U per 10 Acres) | “County” A-1 | Vacant |
| East (City) | Annex | “City” A-1 (ZIP) | Vacant |
| South (County) | Rural (1 D/U per 10 Acres) | “County” C-3 & R-3 | Single-family homes |
| West (County) | Rural (1 D/U per 10 Acres) | “County” A-1 | Vacant |

The concept plan shows proposed accesses on S.R. 441 and Hermit Smith Road.

II. LAND USE ANALYSIS

The subject property is located on a site that is ideal for commercial use, which makes the request for a Commercial future land use designation consistent with the Comprehensive Plan policies listed above, as well as the general future land use character of the surrounding area.

Properties to the south and west are developed as existing single-family homes, which properties to the east and north are vacant, but have a future land use designation and zoning classification that permit single-family residential.

The proposed Residential Low Suburban future land use designation is consistent with the general future land use character of the surrounding area.

Wekiva River Protection Area: No
 Area of Critical State Concern: No
 DRI / FQD: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the “Northern Area” of the JPA. The proposed FLUM Amendment request for a change from “County” Rural (0-10 du/ac) to “City” Commercial (Max. 0.25 FAR) is consistent with the terms of the JPA (Second Amendment). Tannath Design, Inc., is the applicant of the proposed future land use amendment and proposed change of zoning for the Property, and has been notified of the hearing schedule.

Transportation: Road access to the site is from West Orange Blossom Trail to the South and Hermit Smith Road to the East.

Wekiva Parkway and Protection Act: The proposed amendment has been evaluated against the adopted Wekiva Study Area Comprehensive Plan policies. The proposed amendment is consistent with the adopted mandates and requirements. The proposed Future Land Use Map (FLUM) amendment has been reviewed against the best available data, with regard to aquifer and groundwater resources. The City of Apopka's adopted Comprehensive Plan addresses aquifer recharge and stormwater run-off through the following policies:

- Future Land Use Element, Policies 4.16, 14.4, 15.1, 16.2 and 18.2
- Infrastructure Element, Policies 1.5.5, 4.2.7, 4.4, 4.4.1, 4.4.2 and 4.4.3
- Conservation Element, Policy 3.18

Karst Features: The Karst Topography Features Map from the Florida Department of Environmental Protection shows that there are karst features in the vicinity of this property.

Analysis of the character of the Property: The current use of the Property is vacant and heavily wooded.

Analysis of the relationship of the amendment to the population projections: This property was annexed into the City on June 20, 2012.

CALCULATIONS:

ADOPTED: 1 Unit(s) x 2.659 p/h = 3 persons

PROPOSED: N/A, no residential

Housing Needs: This amendment will not negatively impact the housing needs as projected in the Comprehensive Plan.

Habitat for species listed as endangered, threatened or of special concern: A habitat study is required for developments greater than ten (10) acres in size. At the time the Master Site Plan or Preliminary Development Plan is submitted to the City, the development applicant must conduct a species survey and submit a habitat management plan if any threatened or endangered species are identified within the project site.

Transportation: The City of Apopka is a Transportation Concurrency Exception Area. Refer to Chapter 3 of the City of Apopka 2010 Comprehensive Plan.

Sanitary Sewer Analysis

1. Facilities serving the site; current LOS; and LOS standard: None; 81 GPD/Capita ; 81 GPD / Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 196 GPD
3. Projected total demand under proposed designation: 4,002 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 81 GPD/Capita
6. Projected LOS under proposed designation: 81 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

1. Facilities serving the site; current LOS; and LOS standard: None; 177 GPD/Capita ; 177 GPD / Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 210 GPD

3. Projected total demand under proposed designation: 5,336 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD/Capita
6. Projected LOS under proposed designation: 177 GPD/Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: Yes

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider: City of Apopka
3. Projected LOS under existing designation: 12 Lbs / Day
4. Projected LOS under proposed designation: 53 Lbs / Day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Infrastructure Information

Water treatment plant permit number: Cup No. 3217
Permitting agency: St. John's River Water Management District
Permitted capacity of the water treatment plant(s): 9.353 MGD
Total design capacity of the water treatment plant(s): 33.696 MGD
Availability of distribution lines to serve the property: Yes
Availability of reuse distribution lines available to serve the property: Yes

Drainage Analysis

1. Facilities serving the site: None
2. Projected LOS under existing designation: 100 year – 24 hour design storm
3. Projected LOS under proposed designation: 100 year – 24 hour design storm
4. Improvement/expansion: On site retention / detention pond

Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System ; 3 acre / 1000 capita
2. Projected facility under existing designation: 0.009 Acres
3. Projected facility under proposed designation: N/A
4. Improvement/expansions already programmed or needed as a result of the proposed amendment: None

Standards set forth in the City's Land Development Code will require any development plans to provide parkland and recreation facilities and open space for residents residing with the new development.

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Zellwood Properties, LLC
Property Owner
2.45 +/- Acres
Proposed Small Scale Future Land Use Amendment:
From: “County” Rural (0 – 10 du/ac)
To: “City” Commercial (Max. 0.25 FAR)
Proposed Change of Zoning:
From: “County” A-1 (ZIP)
To: “City” PUD
Parcel ID #s: 36-20-27-0000-00-024

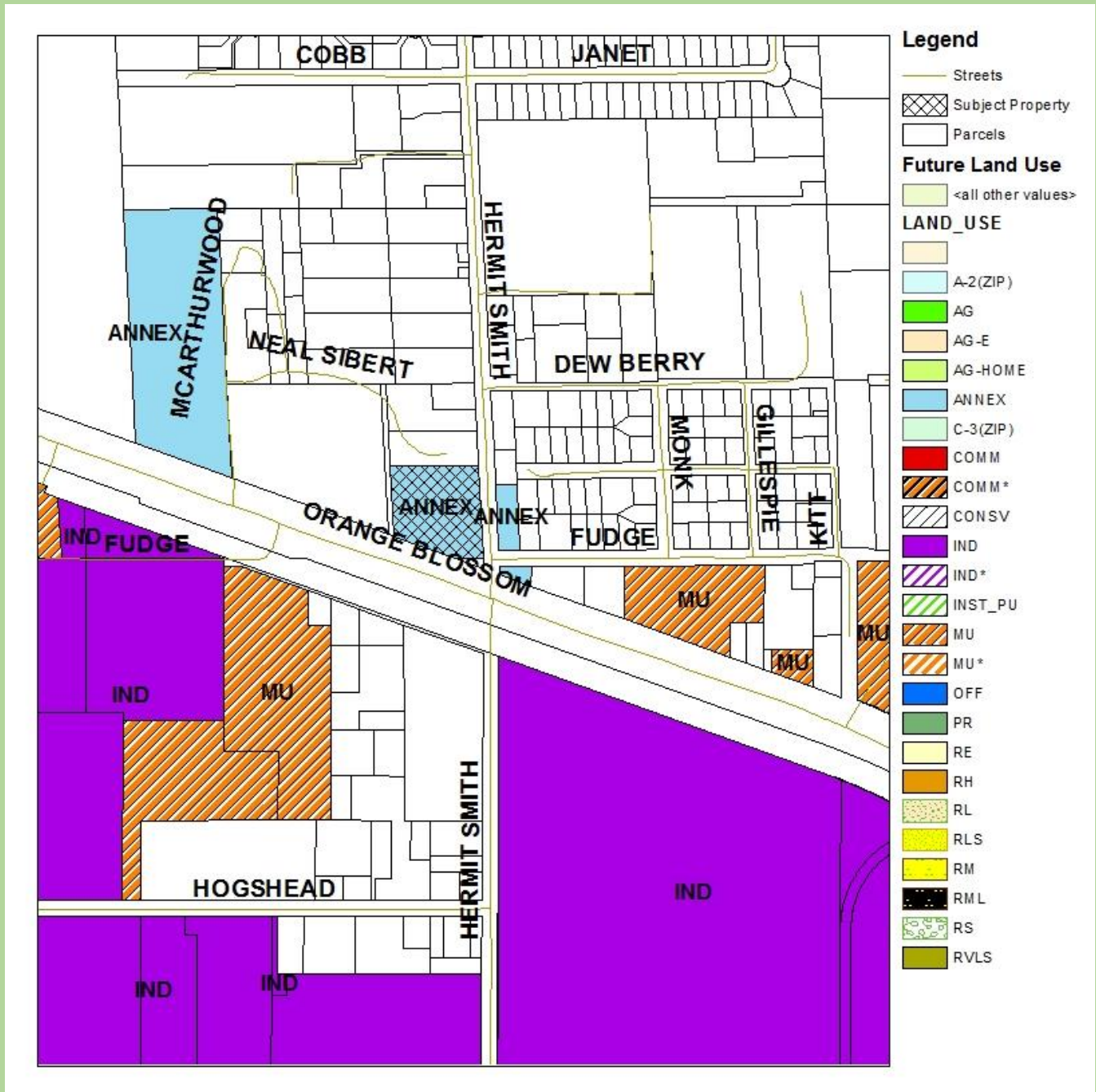


VICINITY MAP



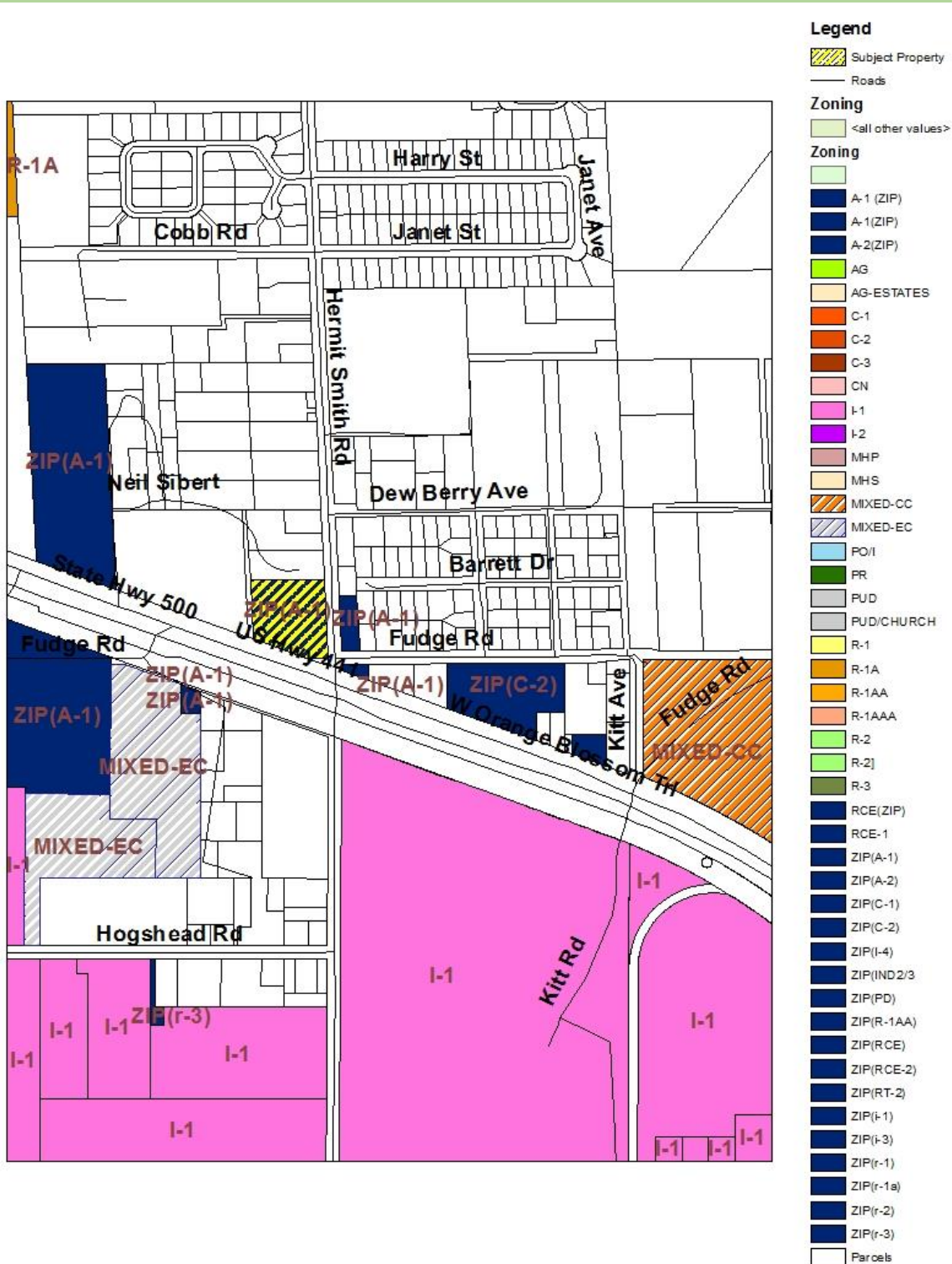


FUTURE LAND USE MAP





ADJACENT ZONING





ADJACENT USES

Subject Property



ORDINANCE NO. 2619

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” RURAL TO “CITY” COMMERCIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF HERMIT SMITH ROAD AND NORTH OF ORANGE BLOSSOM TRAIL, COMPRISING 2.45 ACRES, MORE OR LESS AND OWNED BY ZELLWOOD PROPERTIES LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the Apopka Comprehensive Plan by Ordinance No. 653 on October 2, 1991, pursuant to Section 163.3184, Florida Statutes and most recently amended it by Ordinance No. 2606 on December 20, 2017; and

WHEREAS, the City of Apopka’s local planning agency (Planning Commission) has, in preparation of the amended version of the Apopka Comprehensive Plan, analyzed the proposed amendment pursuant to Chapter 163, Part II, F.S., found it to be consistent with the intent of the Apopka Comprehensive Plan, and held public hearings providing for full public participation.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Apopka, Florida, as follows:

Section I. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section II. Future Land Use Element.

Page 1-15 (Map 1-3) of the Future Land Use Element of the City of Apopka Comprehensive Plan, as most recently amended by Ordinance No. 2606, is amended in its entirety to change the land use from “County” Rural (1 du\10 ac) to “City” Commercial (Max. FAR 0.25), for certain real property generally located west of Hermit Smith Road and north of U.S. 441, comprising 2.45 acres more or less, and owned by Zellwood Properties, LLC; as further described in Exhibit “A” attached hereto.

Section III. Applicability and Effect.

The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes.

Section IV. Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

ORDINANCE NO. 2619
PAGE 2

Section V. The Community Development Director is hereby authorized to amend the Future Land Use to comply with this ordinance.

Section VI. Effective Date.

This Ordinance shall become effective upon adoption.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this 7th day of February, 2018.

READ FIRST TIME: January 17, 2018

READ SECOND TIME
AND ADOPTED: February 7, 2018

Joseph E. Kilsheimer, Mayor

ATTEST:

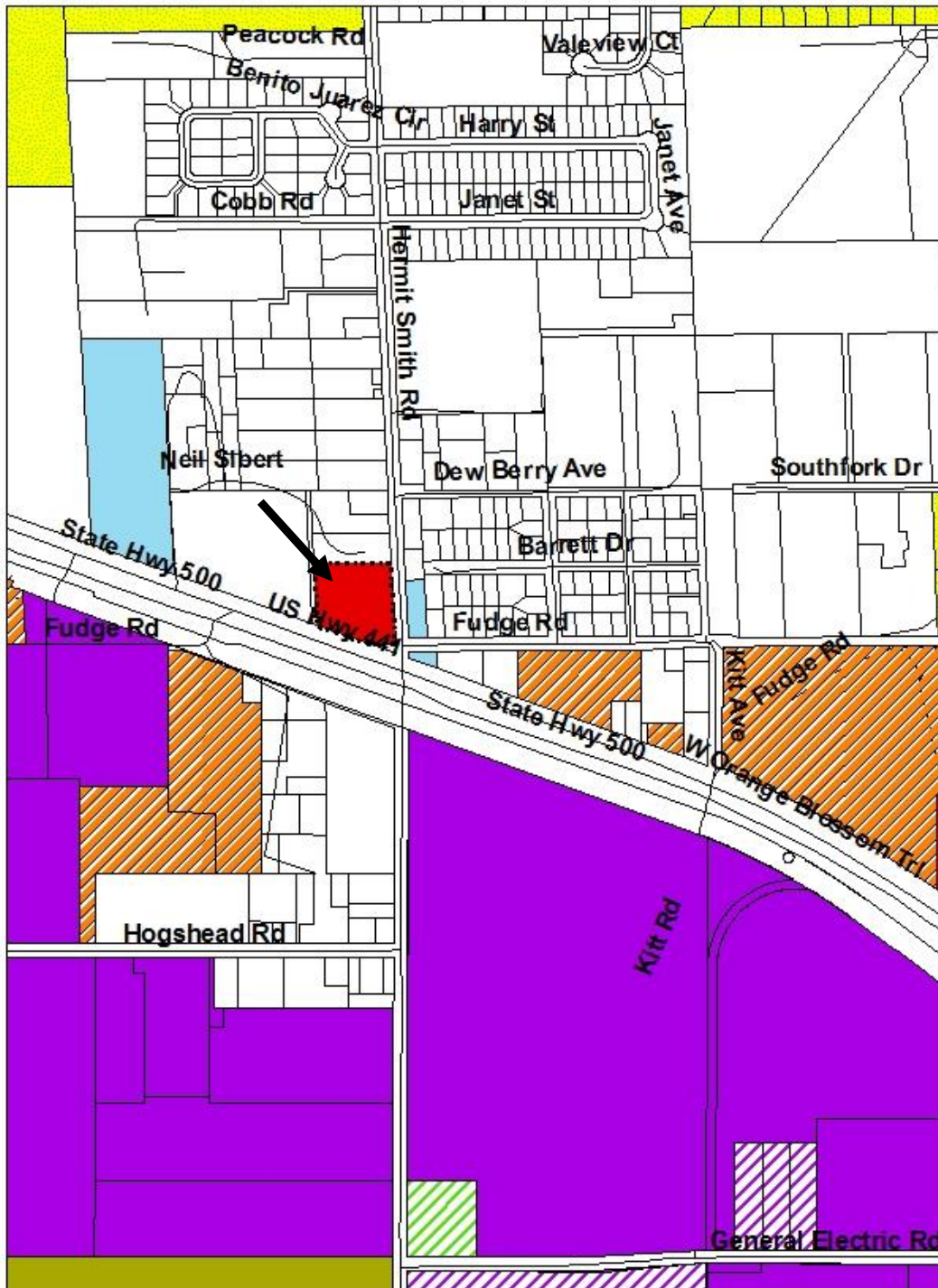
Linda Goff, City Clerk

DULY ADVERTISED FOR HEARING: December 29, 2017
January 26, 2018



EXHIBIT "A"

ORDINANCE NO. 2619
Zellwood Properties, LLC
Small Scale Future Land Use Amendment:
From: "County" Rural (1 du\ 10 ac)
To: "City" Commercial (max 0.25 FAR)
Parcel ID #: 36-20-27-0000-00-024



Legend

Subject Property

Parcels

Future Land Use

LAND_USE

ANNEX

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IND*

INST_PU

MU

RLS

RVLS

Roads



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: February 7, 2018
 FROM: Community Development
 EXHIBITS: Zoning Report
 Vicinity Map
 Zoning Map
 Adjacent Uses Map
 Ordinance No. 2620

SUBJECT: ORDINANCE NO. 2620 – CHANGE OF ZONING – ZELLWOOD PROPERTIES, LLC

REQUEST: SECOND READING & ADOPTION OF ORDINANCE NO. 2620 – CHANGE OF ZONING – ZELLWOOD PROPERTIES, LLC – FROM “COUNTY” A-1 (ZIP) TO “CITY” PLANNED UNIT DEVELOPMENT (PUD/COMMERCIAL).

SUMMARY:

OWNER: Zellwood Properties, LLC
 APPLICANT: Tannath Design, Inc., c/o Bryan Potts, P.E.
 LOCATION: 1102 Hermit Smith Road
 PARCEL ID NUMBER: 36-20-27-0000-00-024
 EXISTING USE: Vacant-Woodlands
 CURRENT ZONING: “County” A-1 (ZIP)
 DEVELOPMENT POTENTIAL: Maximum 26,681 sq. ft. commercial use (Max. 0.25 floor area ratio)
 PROPOSED ZONING: “City” PUD (Planned Unit Development) (Note: this Change of Zoning request is being processed along with a request to amend the Future Land Use from “County” Rural (0-10 du/ac) to Commercial (Max. 0.25 FAR)
 TRACT SIZE: 2.45+/- acres
 MAXIMUM ALLOWABLE DEVELOPMENT UNDER ZONING DISTRICT: EXISTING: Single-family residence
 PROPOSED: Up to 26,681 sq. ft.

FUNDING SOURCE: N/A

DISTRIBUTION

| | | |
|--------------------------------|------------------|--------------------------|
| 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 |

ADDITIONAL COMMENTS: Presently, the subject property has not yet been assigned a “City” zoning category. The applicant is requesting the City to assign a zoning classification of PUD (Planned Unit Development) to the property.

The subject property was annexed into the City of Apopka on June 20th, 2012, through the adoption of Ordinance No. 2262.

The intent of the PUD zoning was to restrict uses on a Gateway Property. A master site plan accompanies the PUD zoning application.

A request to assign a change of zoning to PUD is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The change of zoning request is being processed in conjunction with a future land use amendment from “County” Rural to “City” Commercial.

PUD DEVELOPMENT AND ZONING CONDITIONS: That the zoning classification of the following described property be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

- A. The uses permitted within the PUD district shall be: all such uses permitted within the C-1 Commercial zoning category and automobile service stations unless as otherwise listed as a prohibited use below. Automobile service stations are a permissible use within the C-2 zoning category. Other than automobile service stations, no other C-2 zoning district permissible or special exception use is allowed within the PUD. Uses also prohibited within this PUD site and the Master Plan are:
 - 1. Drugstore and sundry stores (which includes medical marijuana dispensaries)
 - 2. Boarding or rooming house(s);
 - 3. Outdoor storage or display of merchandise (including vending machines other than fuel stations and air pumps)
- B. The requisite Master Plan shall be submitted with or as part of the Preliminary Development Plan application.
- C. If a Final Development Plan associated with the PUD district has not been approved by the City within three years after approval of these Master Plan provisions, the approval of the Master Plan provisions will expire. At such time, the City Council may:
 - 1. Permit a single six-month extension for submittal of the required Final Development Plan;
 - 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Plan provisions and any conditions of approval; or
 - 3. Rezone the property to a more appropriate zoning classification.

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the proposed Commercial (Max. 25% Floor Area Ratio) Future Land Use designation and the City’s proposed Planned Unit Development Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on November 27, 2017.

PUBLIC HEARING SCHEDULE:

Planning Commission, January 9, 2018 (5:30 pm)
City Council, January 17, 2018 (7:00 pm) - 1st Reading
City Council, February 7, 2018 (1:30 pm) - 2nd Reading

DULY ADVERTISED:

November 28, 2017 - Public Notice (Letters, Apopka Chief, Site Posting)
January 26, 2017 - Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” A-1 to “City” PUD for the property owned by Zellwood Properties LLC, and located at 1102 Hermit Smith Road.

The **Planning Commission**, at its meeting, on January 9th, 2018, found the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas; and unanimously recommended approval of the proposed Change of Zoning from “County” A-1 to “City” PUD for the property owned by Zellwood LLC, and located at 1102 Hermit Smith Road.

The **City Council**, at its meeting on January 17, 2018, accepted the first reading of Ordinance 2620 and held it over for Second Reading and Adoption on February 7, 2018.

Adopt Ordinance No. 2620.

Note: This item is considered Quasi-Judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

| <i>Direction</i> | <i>Future Land Use</i> | <i>Zoning</i> | <i>Present Use</i> |
|------------------|----------------------------|--------------------|---------------------|
| North (County) | Rural (1 D/U per 10 Acres) | “City” A-1 (ZIP) | Vacant |
| East (City) | Annex | “City” A-1 (ZIP) | Vacant |
| South (County) | Rural (1 D/U per 10 Acres) | “County” C-3 & R-3 | Single-Family Homes |
| West (City) | Rural (1 D/U per 10 Acres) | “County” A-1 | Vacant |

LAND USE & TRAFFIC

COMPATIBILITY:

The concept plan proposes accesses on West Orange Blossom Trail and Hermit Smith Road.

COMPREHENSIVE PLAN

COMPLIANCE:

The proposed PUD zoning is consistent with the proposed Future Land Use designation, “Commercial” (Max. 25% FAR) and with the character of the surrounding area and future proposed development. Development Plans shall not exceed the density allowed in the adopted Future Land Use designation.

BUFFERYARD

REQUIREMENTS:

1. Areas adjacent to all road rights-of-way shall provide a minimum ten-foot landscaped bufferyard.
2. Areas adjacent to agricultural and residential uses or districts shall provide a minimum six-foot-high masonry wall within a ten-foot landscaped bufferyard.
3. Areas adjacent to nonresidential uses or districts shall provide a minimum of five-foot landscaped bufferyard.
4. Landscaping requirements for existing platted lots of record and structures may be approved in a lesser amount than required after review by the development review committee.

ALLOWABLE USES:

1. Professional offices, including those of architects, engineers, lawyers, accountants, tax and financial services or consultants, bookkeepers, realtors and brokers, insurance, investment counselors, travel agencies, etc.
2. Medical or dental clinics and offices.
3. Establishments for the retail sale of pharmaceutical, medical and dental supplies and other hospital-related items such as

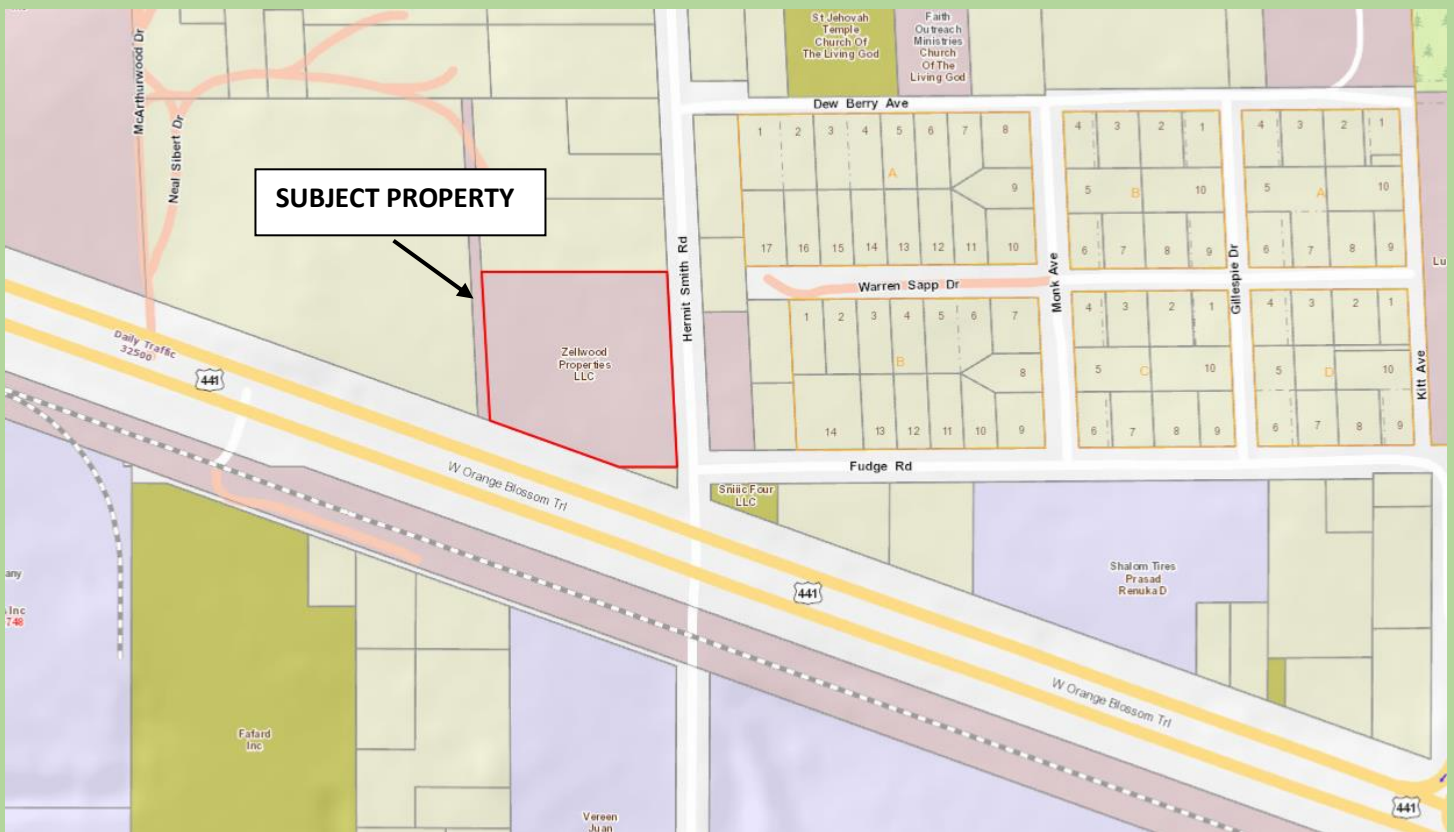
wheelchairs, braces, crutches, etc., for the handicapped, and other similar merchandise.

4. Parks and recreational areas owned and operated by nonprofit organizations.
5. Hospitals, museums, libraries, and cultural institution.
6. General government offices, including, but not limited to, fire stations, police stations, and post offices.
7. Churches and attendant educational facilities.
8. Educational facilities and day nurseries.
9. Public and private utilities.
10. Supporting infrastructure and public facilities.
11. Other uses which are similar and compatible to the uses permitted herein which adhere to the intent of the district and which are not prohibited as specified in this code. Use determination shall be based on the community development director's recommendation.



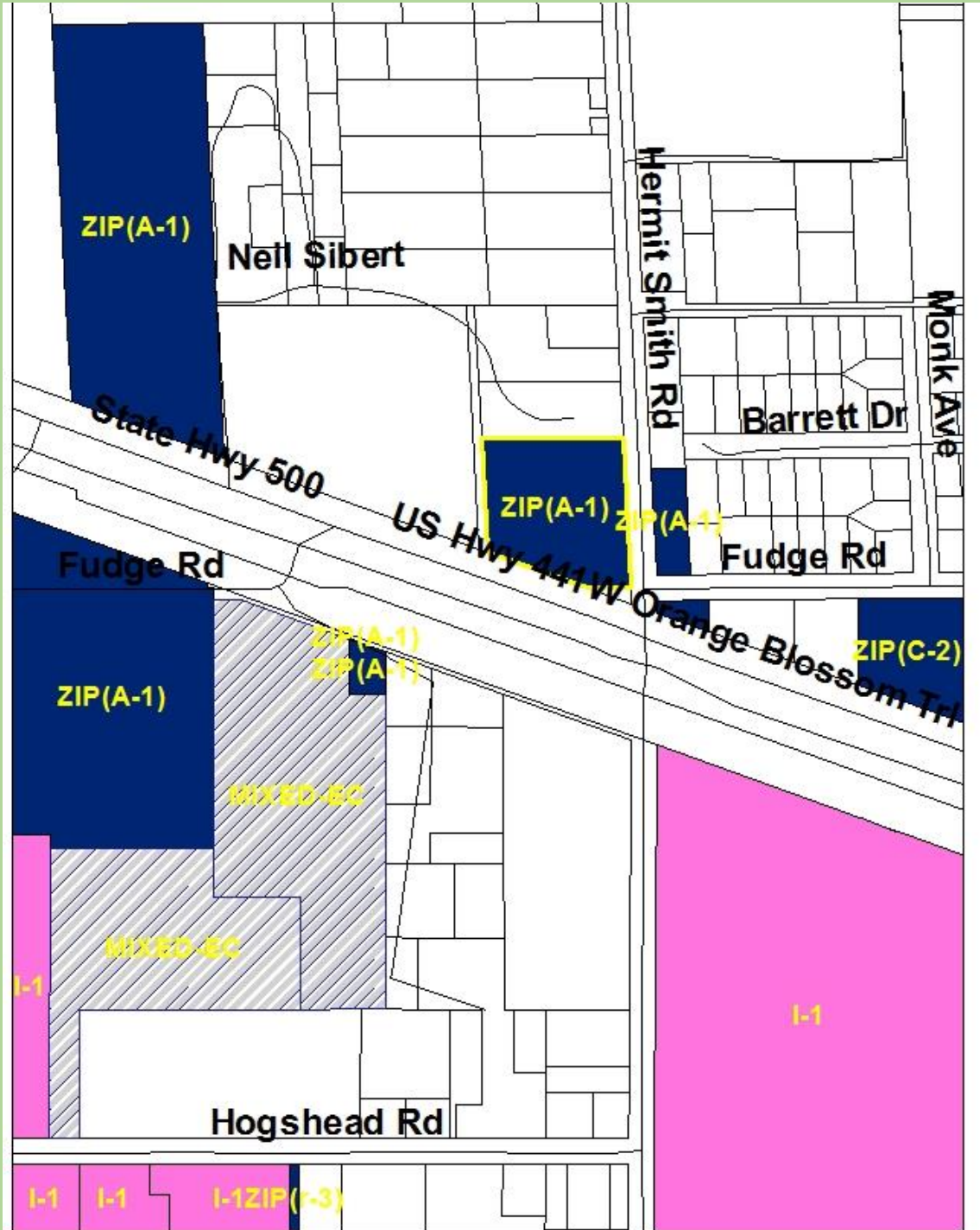
Zellwood Properties, LLC
2.45 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: “County” Rural
To: “City” Commercial
Proposed Change of Zoning:
From: A-1 (ZIP)
To: PUD
Parcel ID #: 36-20-27-0000-00-024

VICINITY MAP






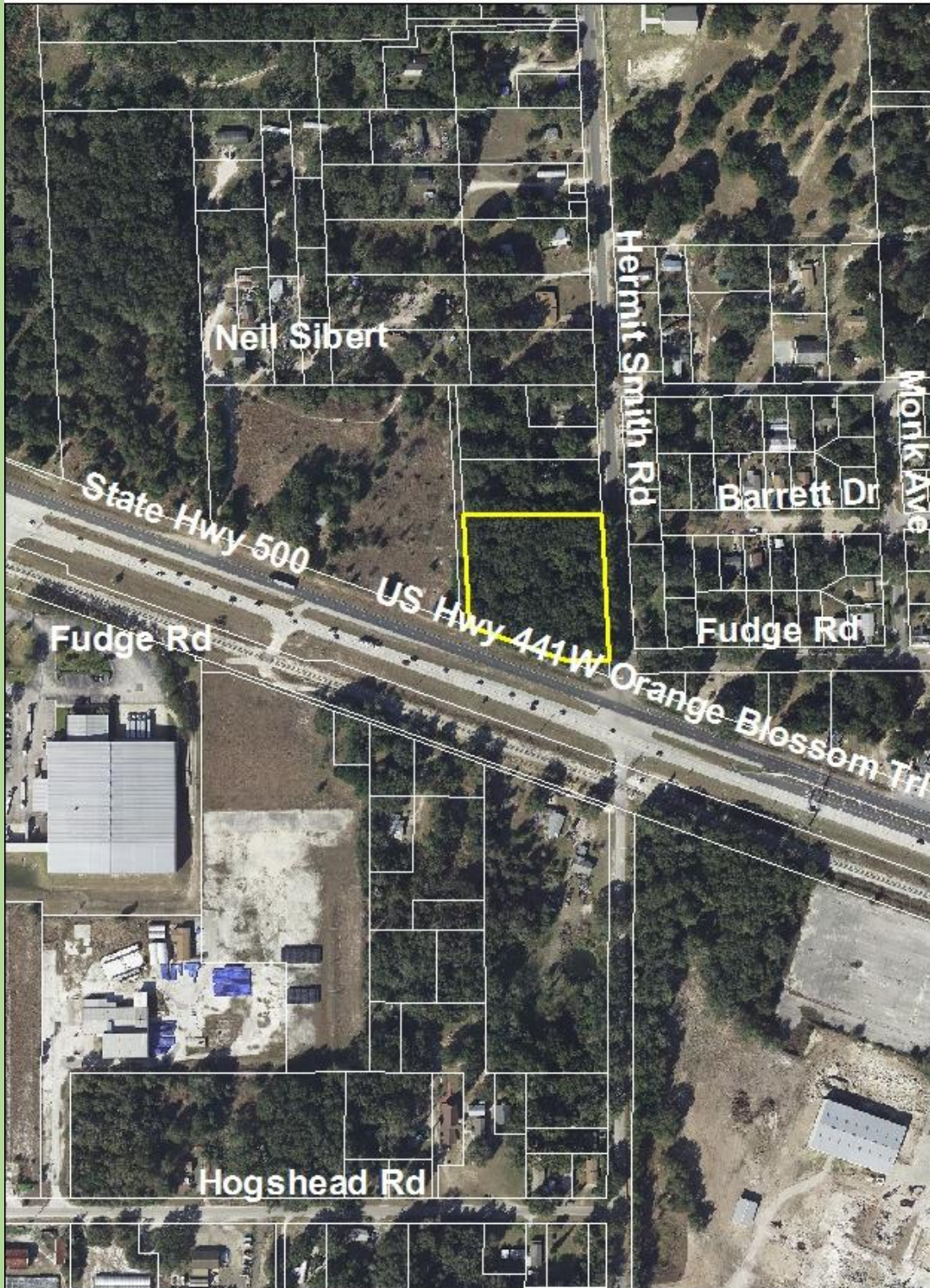
ADJACENT ZONING MAP



Legend

 Subject Property

ADJACENT USES MAP



Legend

 Subject Property

ORDINANCE NO. 2620

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 TO “CITY” PLANNED UNIT DEVELOPMENT (PUD/COMMERCIAL) FOR CERTAIN REAL PROPERTY LOCATED AT 1102 HERMIT SMITH ROAD, COMPRISING 2.45 ACRES MORE OR LESS, AND OWNED BY ZELLWOOD PROPERTIES, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed Planned Unit Development (PUD/Commercial) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Apopka, Florida, as follows:

Section I. That the zoning classification of the following described property be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

- A. The uses permitted within the PUD district shall be: all such uses permitted within the C-1 Commercial zoning category and automobile fuel stations unless as otherwise listed as a prohibited use below. Automobile fuel stations are a permissible use within the C-2 zoning category. Other than automobile fuel stations, no other C-2 zoning district permissible or special exception use is allowed within the PUD. Uses also prohibited within this PUD site and the Master Plan are:
 - 1. Drugstore and sundry stores (which includes medical marijuana dispensaries)
 - 2. Boarding or rooming house(s);
 - 3. Outdoor storage or display of merchandise (including vending machines other than fuel stations and air pumps);
 - 4. Maintenance or repair of vehicles.
- B. The requisite Master Plan shall be submitted with or as part of the Preliminary Development Plan application.

C. If a Final Development Plan associated with the PUD district has not been approved by the City within three years after approval of these Master Plan provisions, the approval of the Master Plan provisions will expire. At such time, the City Council may:

1. Permit a single six-month extension for submittal of the required Final Development Plan;
2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Plan provisions and any conditions of approval; or
3. Rezone the property to a more appropriate zoning classification.

Section II. That the zoning classification of the following described property, being situated in the City of Apopka, Florida, is hereby Planned Unit Development (PUD/PO/I), as defined in the Apopka Land Development Code.

Legal Description:

E1/2 OF SE1/4 OF SE1/4 OF SW1/4 & 1/2 ACRE OFF E SIDE OF W1/2 OF SE1/4 OF SE1/4 OF SW1/4 (LESS N 100 FT OF E 165 FT THEREOF) & (LESS BEG AT S 1/4 COR OF SEC 36-20-27 RUN SWLY 30.03 FT N 00 DEG W 485.2 FT TO POB TH N 00 DEG W 80.05 FT S 86 DEG W 165.26 FT N 00 DEG W 100.16 FT N 86 DEG W 169.11 FT S 00 DEG E 180.26 FT S 86 DEG E 333.56 FT TO POB) IN SEC 36-20-27 6351/388 & LESS COMM SE COR OF SW1/4 W 30.03 FT N 354.29 FT TO POB N 130.91 FT W 333.56 FT S 130.95 FT E 332.97 FT TO POB

Parcel I.D.: 36-20-27-0000-00-024

Contains: 2.45 +/- Acres

Section III. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section IV. That the Community Development Director, or the Director's designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation. The Community Development Director shall not accept an application for a development plan until such time the property owner addresses school capacity enhancement review with Orange County Public Schools.

Section V. That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or portion of section or subsection or part of this ordinance.

Section VI. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ORDINANCE NO. 2620
PAGE 3

Section VII. That this Ordinance shall take effect upon adoption of Ordinance No. 2619.

READ FIRST TIME: January 17, 2018

READ SECOND TIME
AND ADOPTED: February 7, 2018

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: November 28, 2017; January 26, 2018



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: February 7, 2018
 FROM: Community Development
 EXHIBITS: Zoning Report
 Vicinity Map
 Adjacent Zoning Map
 Adjacent Uses Map
 Existing Uses Map

SUBJECT: ORDINANCE NO. 2624 - CHANGE OF ZONING – GEORGE THUM, JR. AND PHILLIP AND PEGGY DIONNE

REQUEST: ORDINANCE NO. 2624 – FIRST READING - CHANGE OF ZONING FROM “COUNTY” A-1 (AGRICULTURE) & “CITY” AG (AGRICULTURE) TO “CITY” PO/I (PROFESSIONAL OFFICE/INSTITUTIONAL); AND HOLD OVER FOR SECOND READING & ADOPTION.

SUMMARY:

OWNERS: George Thum, Jr. & Phillip and Peggy Dionne

APPLICANT: Orange County Public Schools c/o Tyrone Smith, AICP

LOCATION: West of Jason Dwelley Parkway, south of West Kelly Park Road

PARCEL ID NUMBERS: 18-20-28-0000-00-053; 18-20-28-0000-00-054

EXISTING USE: Single-family residences

FLUM DESIGNATION: Institutional\Public Use

CURRENT ZONING: “County” A-1 (Agriculture) and “City” AG (Agriculture)

DEVELOPMENT POTENTIAL: Proposed elementary school

PROPOSED ZONING: “City” PO/I (Professional Office/Institutional) (Note: this Change of Zoning amendment request is being processed along with a request to change the Future Land Use Map designation from “County” Rural (0-1 du/10 ac) and “City” Agriculture (0-1 du/ 5 ac) to “City” Institutional/Public Use.

TRACT SIZE: 15.17 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT UNDER ZONING DISTRICT: EXISTING: Single-family residences
 PROPOSED: Elementary School

FUNDING SOURCE: N/A

DISTRIBUTION

| | | |
|--------------------------------|------------------|--------------------------|
| 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 |

ADDITIONAL COMMENTS. The subject properties were annexed into the City on November 16, 2005 via Ordinance 1787; and on June 21, 2017 via Ordinance 2573. The proposed Large Scale Future Land Use Amendment is being requested by the owner/applicant. Pursuant to Florida law, properties ten acres or more are required to undergo review by State planning agencies. The applicant requests the change of zoning to Professional Office/Institutional to accommodate a public elementary school. This change of zoning request is being processed in conjunction with a proposed future land use map amendment requesting Institutional/Public Use. The proposed use as an elementary school is permitted within the proposed FLU designation per FLU Policy 3.1.Q, Institutional/Public Use:

“Primary uses shall include public buildings and facilities. Existing public buildings and facilities and public education sites may be designated as institutional on the FLUM.”

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Zoning Report).

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the proposed Institutional/Public Use Future Land Use designation and the City’s proposed PO/I Zoning classifications. An elementary school is a permitted use within the Institutional/Public Use FLUM designation. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: Because this Change of Zoning represents a change to a non-residential underlying zoning classification, a capacity enhancement agreement with Orange County Public Schools is not required.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County.

PUBLIC HEARING SCHEDULE:

January 9, 2018 – Planning Commission (5:30 pm)
February 7, 2018 – City Council (1:30 pm) – 1st Reading
February 21, 2018 – City Council (7:00 pm) – 2nd Reading

DULY ADVERTISED:

December 22, 2017 – Public Notice and Notification (Apopka Chief, letters, property posting)
February 9, 2018 – Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in zoning from “County” A-1 (ZIP) and “City” AG (Agriculture) to “City” PO/I (Professional Office/Institutional).

The **Planning Commission**, at its meeting on January 9, 2018, found the proposed amendment consistent with the Comprehensive Plan and unanimously recommended approval of the change in zoning from “County” A-1 (ZIP) and “City” AG (Agriculture) to “City” PO/I (Professional Office/Institutional).

Recommended Motion: Accept the First Reading of Ordinance 2624 and Hold it Over for Second Reading and Adoption on February 21, 2018.

Note: This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

ZONING REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

| <i>Direction</i> | <i>Future Land Use</i> | <i>Zoning</i> | <i>Present Use</i> |
|-----------------------|--|---------------|--|
| North (City & County) | “County” Rural (0-1 du/10 ac) and “City” Agriculture (1-5 du/5 ac) | AG | Single-family residence |
| East (City) | Residential Estates (1 du/ac) | PUD | R-O-W and Rock Springs Ridge subdivision |
| South (City) | Residential Very Low Suburban (0-2 du/ac) | PUD | Orchid Estates subdivision |
| West (City & County) | “County” Rural (0-1 du/10 ac) and “City” Agriculture (1-5 du/5 ac) | A-1 | Single family home |

LAND USE

COMPATIBILITY:

The proposed zoning and use is compatible with adjacent zoning districts and the general character of the surrounding area. Predominant land uses in the abutting and surrounding area are single family residential. However, properties abutting the subject site have the Residential Very Low Suburban Future Land Use. The proposed use for a public elementary school is permitted within the Institutional/Public Use future land use designation policy, which supersedes zoning. Further, the proposed use is located approximately one-half mile from the City’s Northwest Recreation Complex, which is a public/institutional use.

The Land Use Compatibility supporting information from the Future Land Use amendment is incorporated into the findings of the Zoning Report.

TRAFFIC

COMPATIBILITY:

The property has access to a city collector roadway (Jason Dwelley Parkway). Future land use designations and zoning categories assigned to properties to the north, south, east and west are consistent with the proposed future land use and zoning classification for the subject property.

COMPREHENSIVE

PLAN COMPLIANCE:

The proposed PO/I (Professional Office/Institutional) zoning is compatible with policies set forth in the Comprehensive Plan.

PO/I DISTRICT

REQUIREMENTS:

FAR: 0.30
 Open Space: N/A
 Minimum Site Area: 10,000
 Minimum Lot Width: 85
 Setbacks: Front: 25 ft.
 Side: 10 ft.
 Corner: 25 ft.
 Rear: 10 ft.

ALLOWABLE USES:

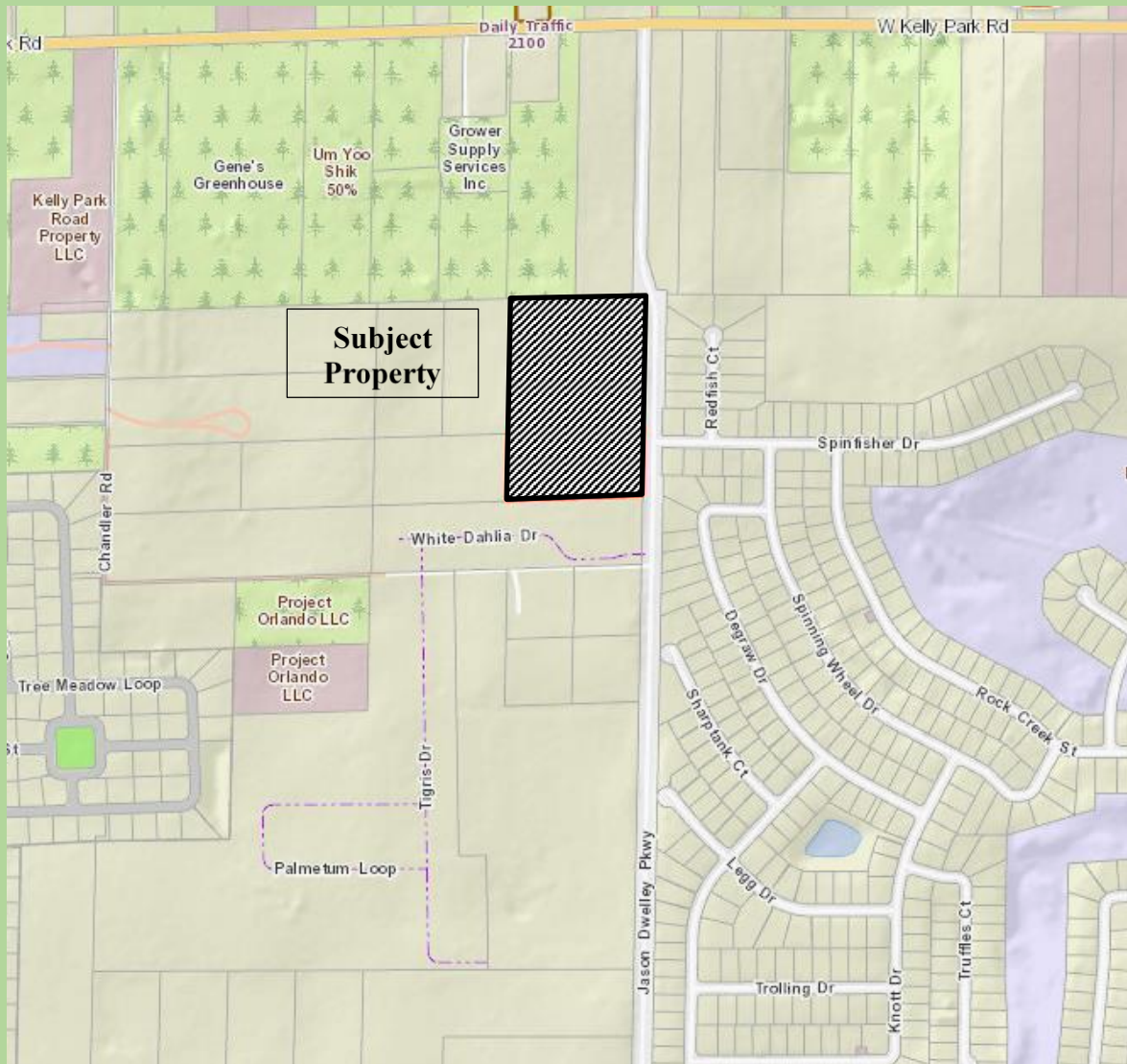
2.02.10. - Professional Office/Institutional District (PO/I)

1. Professional offices, including those of architects, engineers, lawyers, accountants, tax and financial services or consultants, bookkeepers, realtors and brokers, insurance, investment counselors, travel agencies, etc.
2. Medical or dental clinics and offices.
3. Establishments for the retail sale of pharmaceutical, medical and dental supplies and other hospital-related items such as wheelchairs, braces, crutches, etc., for the handicapped and other similar merchandise
4. Parks and recreational areas owned and operated by nonprofit organizations.
5. Hospitals, museums, libraries, and cultural institution.
6. General government offices, including, but not limited to, fire stations, police stations, and post offices.
7. Churches and attendant educational facilities.
8. **Educational facilities** and day nurseries.
9. Public and private utilities.
10. Supporting infrastructure and public facilities.
11. Other uses which are similar and compatible to the uses permitted herein which adhere to the intent of the district and which are not prohibited as specified in this code. Use determination shall be based on the community development director's recommendation

George Thum, Jr. & Phillip and Peggy Dionne
Proposed Large Scale Future Land Use Amendment:
From: “County” Rural (0-1 du/10 ac) &
“City” Agriculture (0-1 du/5 ac)
To: “City” Institutional/Public Use
Proposed Change of Zoning:
From: “County” A-1 (ZIP) & “City” AG (Agriculture)
To: “City” PO/I (Professional Office/Institutional)
Parcel ID #s: 18-20-28-0000-00-053; 18-20-28-0000-00-054

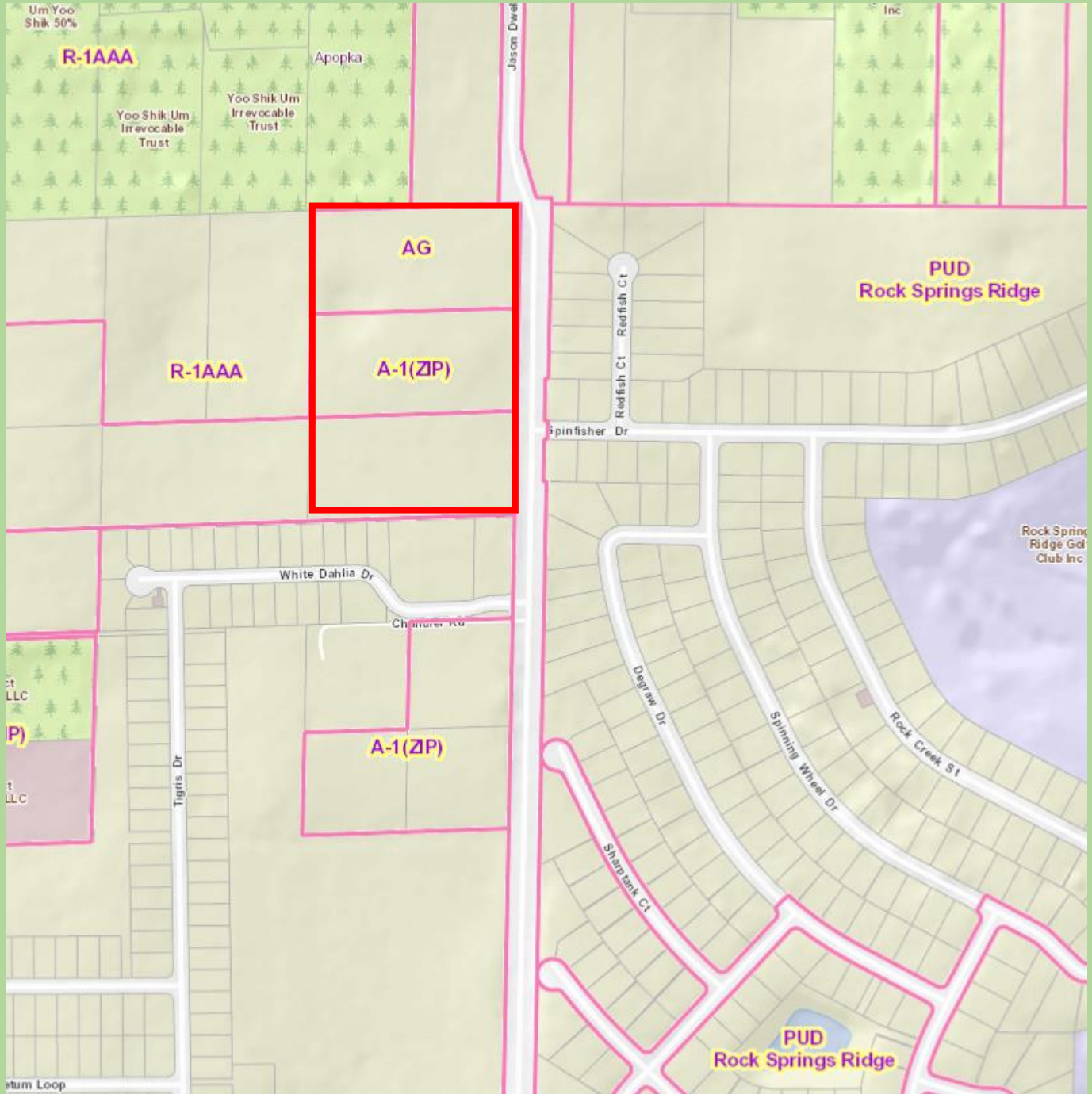


VICINITY MAP



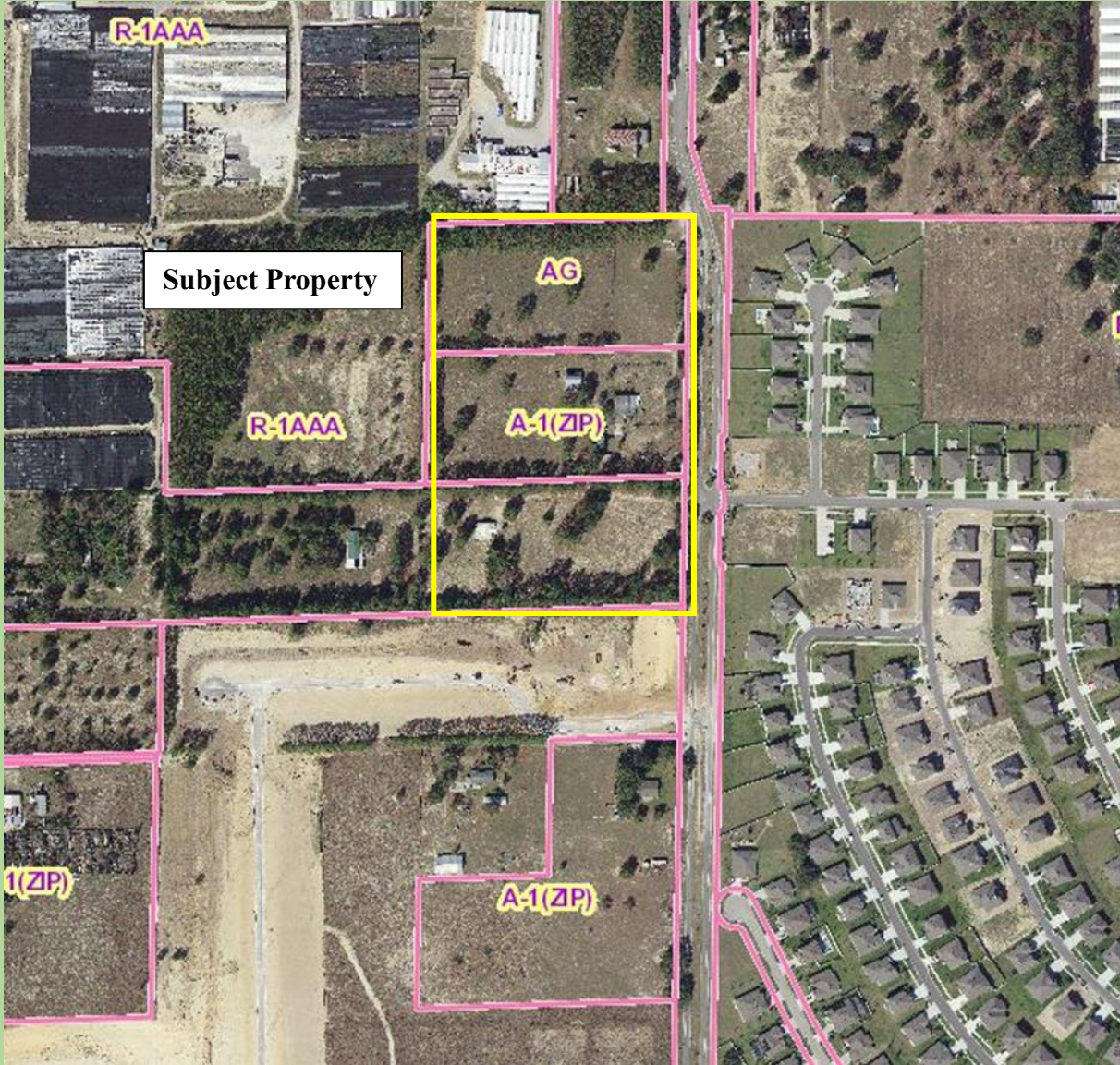


ADJACENT ZONING





ADJACENT USES





EXISTING USES



ORDINANCE NO. 2624

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 (AGRICULTURE) AND “CITY” AG (AGRICULTURE) TO “CITY” PO/I (PROFESSIONAL OFFICE/ INSTITUTIONAL) FOR CERTAIN REAL PROPERTIES LOCATED WEST OF JASON DWELLEY PARKWAY AND SOUTH OF WEST KELLY PARK ROAD, COMPRISING 15.17 ACRES, MORE OR LESS, AND OWNED BY GEORGE THUM JR. AND PEGGY DIONNE; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

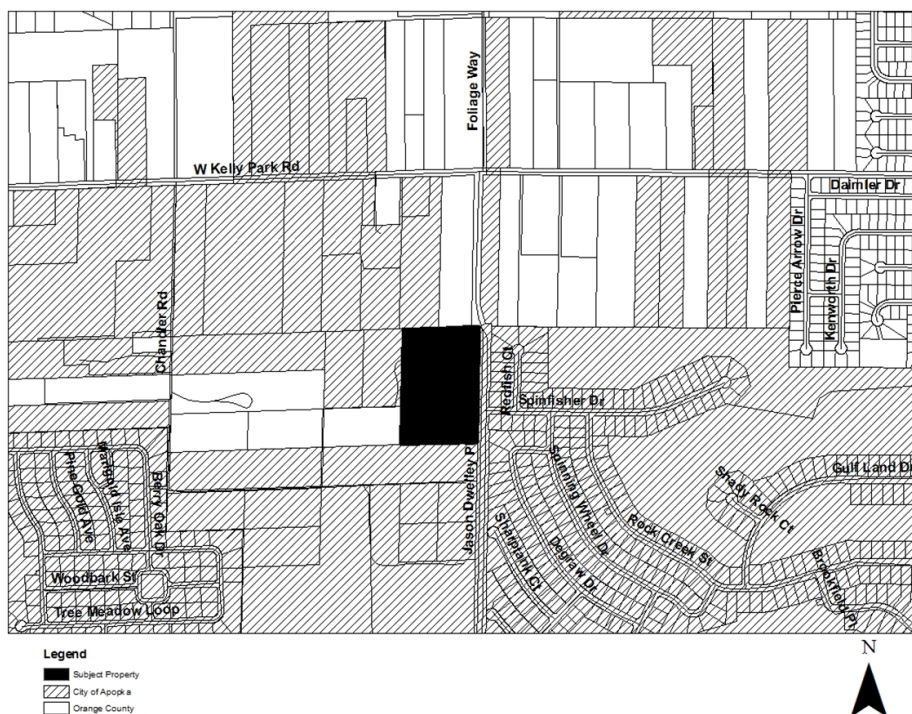
WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, George Thum Jr. and Peggy Dionne have requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed PO/I zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Apopka, Florida, as follows:

Section I. That the zoning classification of the following described property, being situated in the City of Apopka, Florida, is hereby PO/I, as defined in the Apopka Land Development Code.



Parcel ID Nos: 18-20-28-0000-00-053 & 18-20-28-0000-00-054
Contains: 15.17 +/- Acres

ORDINANCE NO. 2609

PAGE 2

Section II. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section III. That the Community Development Director, or the Director's designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

Section IV. That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or portion of section or subsection or part of this ordinance.

Section V. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. That this Ordinance shall take effect upon adoption.

READ FIRST TIME: February 7, 2018

READ SECOND TIME
AND ADOPTED: February 21, 2018

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: December 22, 2017;



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: February 7, 2018
 FROM: Community Development
 EXHIBIT(S): Ordinance No. 2633

SUBJECT: ORDINANCE NO. 2633 – VACATING A PORTION OF A PLATTED RIGHT-OF-WAY - RANSOM STREET

REQUEST: ACCEPT THE FIRST READING OF ORDINANCE NO. 2633 – VACATE A PLATTED RIGHT OF WAY - RANSOM STREET; AND HOLD OVER FOR SECOND READING AND ADOPTION.

SUMMARY:

OWNER/APPLICANT: City of Apopka

LOCATION: North of East 6th Street, south of U.S. Highway 441 and west of South Sheeler Avenue.

EXISTING USE: Right-of-way

AREA TO BE VACATED: 0.14 acre +/-

RELATIONSHIP TO ADJACENT PROPERTIES:

| <i>Direction</i> | <i>Future Land Use</i> | <i>Zoning</i> | <i>Present Use</i> |
|------------------|--------------------------|---------------|---------------------------|
| North (City) | Right-of-Way | N/A | U.S. Highway 441/S.R. 500 |
| East (City) | Institutional/Public Use | C-2 | Vacant |
| South (City) | Right-of-way | N/A | 6th Street |
| West (City) | Institutional/Public Use | PO/I | Vacant/Retention Pond |

FUNDING SOURCE:

N/A

DISTRIBUTION

| | | |
|--------------------------------|------------------|--------------------------|
| 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 |

ADDITIONAL COMMENTS: The City is seeking to vacate Ransom Street that is an existing public right of way that was established within the R.F. Tilden's Addition plat. The City will incorporate this - right-of-way with City-owned parcels on the western and eastern properties as one parcel.

The Public Services Department has evaluated the site and has no objection to the right-of-way being vacated. The City has letters on file from all utility providers indicating no objections to the proposed vacate. A replat will be required to combine this with the western and eastern parcels and must be approved by the City Council.

PUBLIC HEARING SCHEDULE:

February 7, 2018 - City Council - 1st Reading (1:30 p.m.)
February 21, 2018 - City Council - 2nd Reading (7:00 p.m.)

DULY ADVERTISED:

January 19, 2018 - Public Hearing Notice
February 9, 2018 - Ordinance Heading Ad

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the request by the City of Apopka to vacate Ransom Street platted right of way as described in the legal description, subject to the recording of a replat.

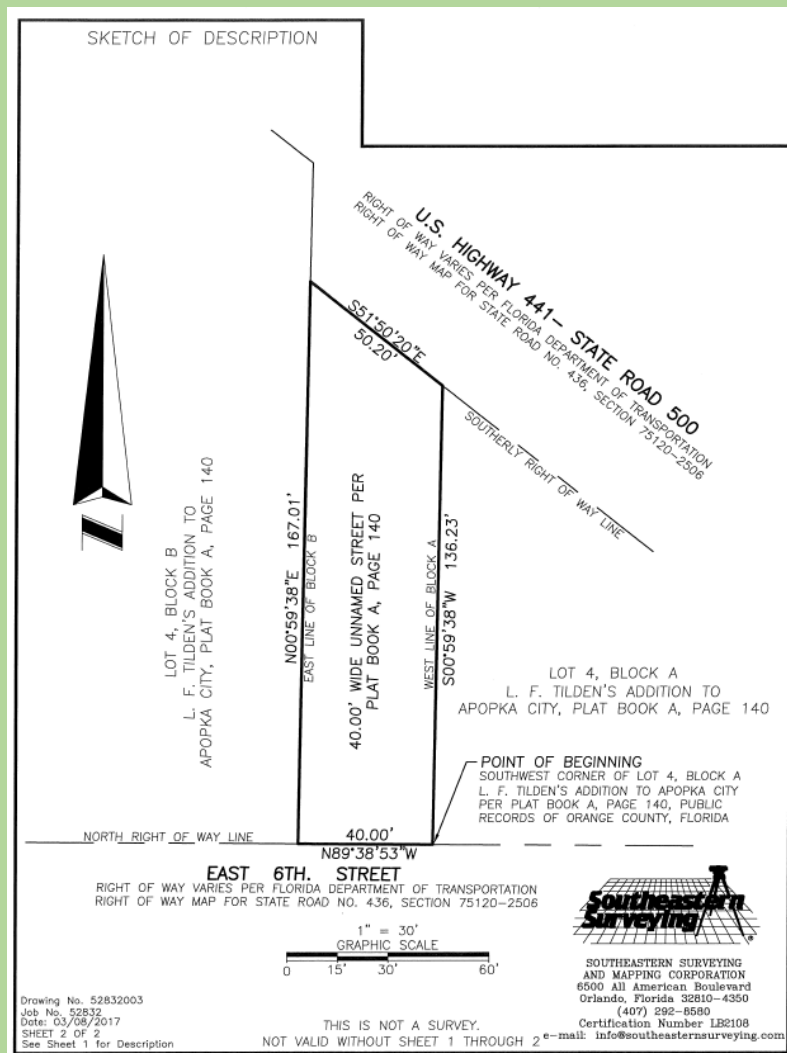
Accept the First Reading of Ordinance No. 2633 and hold it over for Second Reading and Adoption on February 21, 2018.

**CITY COUNCIL – FEBRUARY 7, 2018
RANSOM STREET VACATE
PAGE 3**

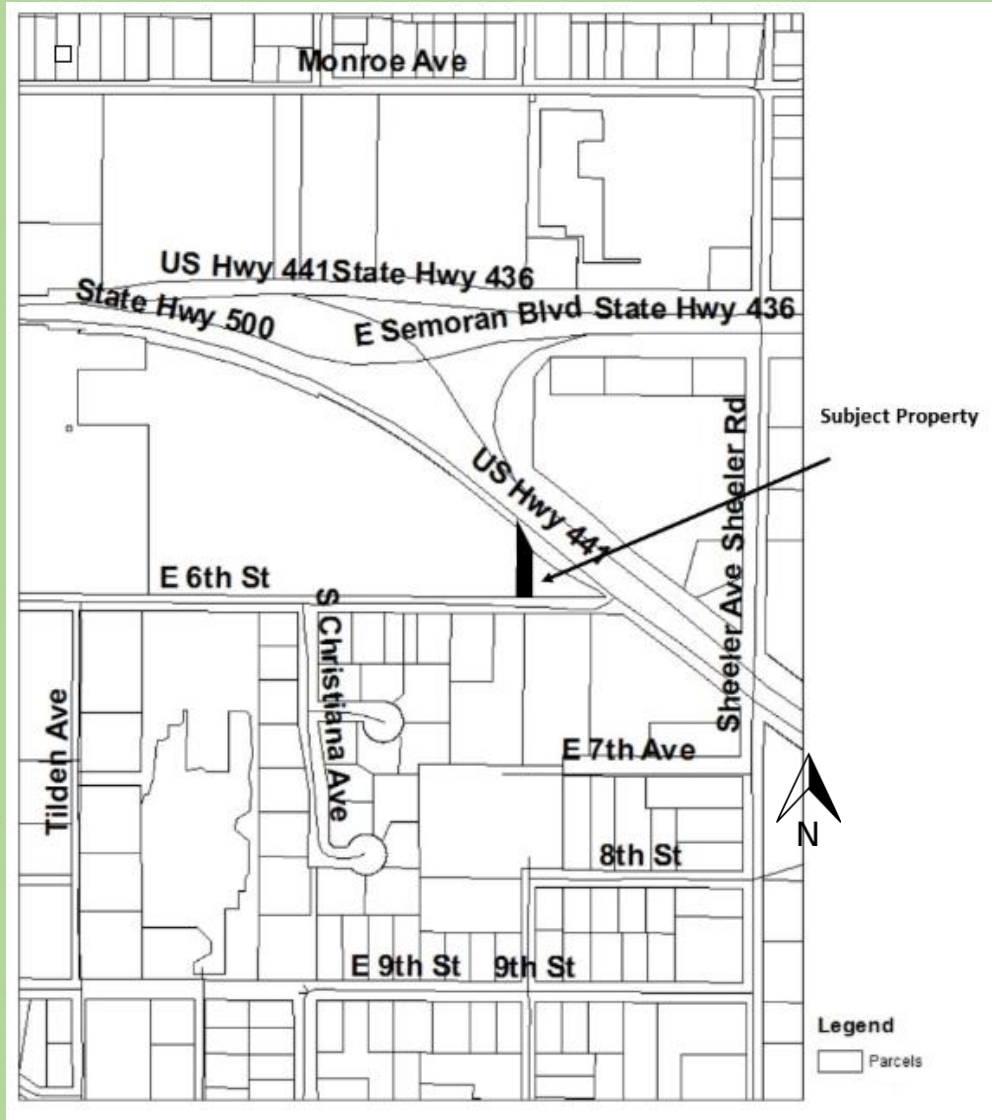
Applicant: City of Apopka
Proposed Vacate Legal Description:

Begin at the Southwest corner of Lot 4, Block A of L. F. Tilden's Addition to Apopka City according to the plat thereof recorded in Plat Book A, Page 140, Public Records of Orange County, Florida, said point being on the North right of way line of East 6TH. Street per the Florida Department of Transportation right of way map for State Road No. 436, Section 75120-2506; thence North 89°38'53" West, a distance of 40.00 feet, along said North right of way line to a point on the East line of Block B as shown on said plat; thence North 00°59'38" East, a distance of 167.01 feet, along said East line to a point on Southerly right of way line of U. S. Highway 441- State Road 500 as shown on said right of way map; thence South 51°50'20" East, a distance of 50.20 feet, along said Southerly right of way line to a point on the West line of said Block A; thence South 00°59'38" West, a distance of 136.23 feet, along said West line to the POINT OF BEGINNING.

Total Acres: 0.14 +/- Acre



VICINITY MAP



AERIAL MAP



ORDINANCE NO. 2633

AN ORDINANCE OF THE CITY OF APOPKA, TO VACATE A RIGHT OF WAY, KNOWN AS RANSOM STREET, LOCATED NORTH OF EAST 6TH STREET, SOUTH OF U.S. HIGHWAY 441; WEST OF SOUTH SHEELER AVENUE IN SECTION 10, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE

WHEREAS, pursuant to provisions of Florida Statutes, Section 336.10, a Petition has been filed by the City of Apopka, to vacate, abandon, discontinue, renounce and disclaim alleyway as shown in Exhibit "A"; and

WHEREAS, CenturyLink (f/k/a Embarq), Duke Energy, Charter Spectrum Communications and Lake Apopka Natural Gas District have no objection to the abandonment of a portion of the existing utility easement; and

WHEREAS, the City Council has determined that under the proposed circumstances there exists no public need for this existing easement; and

WHEREAS, after public notice in accordance with Florida Statute 336.10, the City Council has determined that it is not contrary to public interest to vacate and abandon said existing easement.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Apopka, Florida, as follows:

Section 1. That the following lands, and graphically depicted by the attached Exhibit "A," shall be officially closed, discontinued, and vacated:

Legal Description:

Begin at the Southwest corner of Lot 4, Block A of L. F. Tilden's Addition to Apopka City according to the plat thereof recorded in Plat Book A, Page 140, Public Records of Orange County, Florida, said point being on the North right of way line of East 6TH. Street per the Florida Department of Transportation right of way map for State Road No. 436, Section 75120-2506; thence North 89°38'53" West, a distance of 40.00 feet, along said North right of way line to a point on the East line of Block B as shown on said plat; thence North 00°59'38" East, a distance of 167.01 feet, along said East line to a point on Southerly right of way line of U. S. Highway 441-State Road 500 as shown on said right of way map; thence South 51 °50'20" East, a distance of 50.20 feet, along said Southerly right of way line to a point on the West line of said Block A; thence South 00·59'38" West, a distance of 136.23 feet, along said West line to the POINT OF BEGINNING.

CONTAINING 6065 SQUARE FEET, MORE OR LESS

Section II. NOTICE. That notice of the adoption of this Ordinance be published and the Ordinance be filed with the Clerk of the Circuit Court of Orange County, Florida, and duly recorded among the Public Records of Orange County, Florida.

Section III. SEVERABILITY. That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or portion of section or subsection or part of this Ordinance.

Section IV. CONFLICT. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section V. EFFECTIVE DATE. That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: February 7, 2018

READ SECOND TIME
AND ADOPTED: February 21, 2018

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

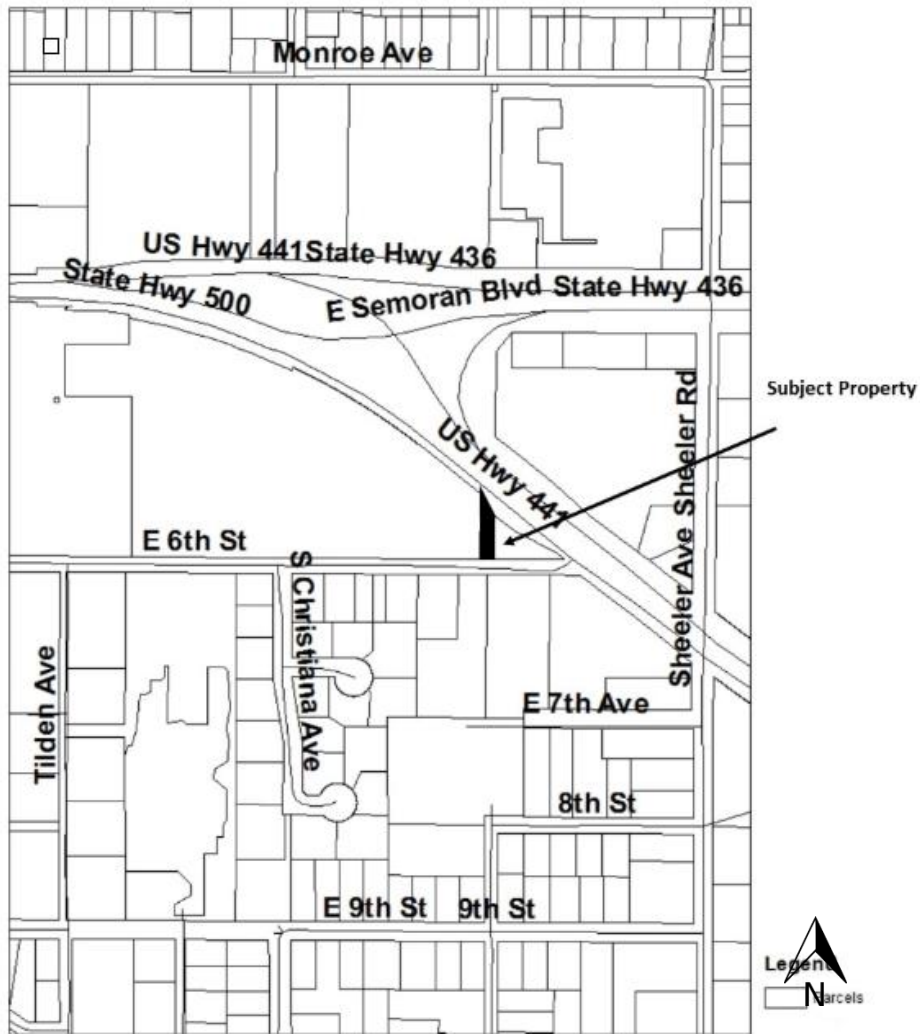
APPROVED AS TO FORM:

Clifford Shepard, Esq., City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: January 19, 2018 and February 9, 2018

City of Apopka
Proposed Vacate of Right-of-Way
Ransom Street

VICINITY MAP



ORDINANCE NO. 2633

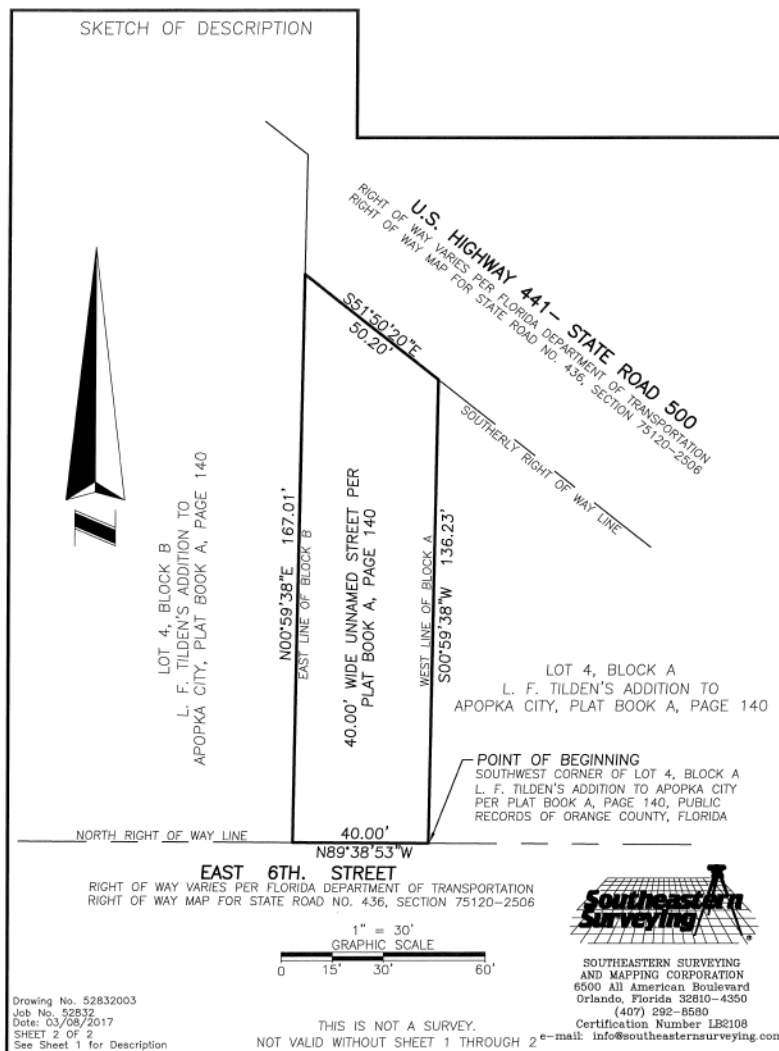
PAGE 4

Applicant: City of Apopka

Proposed Vacate Legal Description:

Begin at the Southwest corner of Lot 4, Block A of L. F. Tilden's Addition to Apopka City according to the plat thereof recorded in Plat Book A, Page 140, Public Records of Orange County, Florida, said point being on the North right of way line of East 6TH. Street per the Florida Department of Transportation right of way map for State Road No. 436, Section 75120-2506; thence North 89°38'53" West, a distance of 40.00 feet, along said North right of way line to a point on the East line of Block B as shown on said plat; thence North 00°59'38" East, a distance of 167.01 feet, along said East line to a point on Southerly right of way line of U. S. Highway 441- State Road 500 as shown on said right of way map; thence South 51 °50'20" East, a distance of 50.20 feet, along said Southerly right of way line to a point on the West line of said Block A; thence South 00°59'38" West, a distance of 136.23 feet, along said West line to the POINT OF BEGINNING.

Total Acres: 0.14 +/- Acre





CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Resolution No. 2018-02

MEETING OF: February 7, 2018
 FROM: Finance Dept.
 EXHIBITS: Exhibit A, B & C

SUBJECT: RESOLUTION NO. 2018-02 – AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018

Request: REQUEST COUNCIL ADOPT RESOLUTION NO. 2018-02

SUMMARY:

On September 27, 2017, by Resolution No. 2017-17, the City Council adopted the final budgets for fiscal year 2017/2018. The City has committed to expenditures and has experienced unanticipated revenues/expenditures through the current fiscal year that need to be reflected in the current budget. Florida Statutes, Section 166.241(4) requires the governing body amend the budget in the same manner as the original budget is adopted.

| FUND | EXHIBIT A Carry Forward Appropriations | EXHIBIT B Funding from Reserves | EXHIBIT C Additional Funding |
|--------------------------------|--|---------------------------------------|------------------------------------|
| General Fund | \$ 1,554,765.80 | | \$ 50,000.00 |
| Street Improvement Fund | 358,687.49 | | |
| Transportation Impact Fee Fund | 317,591.25 | | |
| Recreation Impact Fees Fund | 35,738.80 | | |
| Police Discretionary Fund | 12,110.60 | 279,000.00 | |
| Special Assessment Fund | 7,000.00 | | |
| Grant Fund | | | 3,950,000.00 |
| Sanitation Fund | 686,708.66 | 740,000.00 | |
| Water Sewer Utility Fund | 101,388.73 | 19,800.00 | |
| Water Sewer Impact Fees Fund | 2,975,947.74 | | |
| Community Redevelopment Fund | 1,192.00 | | |

Exhibit A – Carryforward Appropriations are Purchase Orders entered into during the previous year and not completed. Since Purchase Orders are contractual agreements, but budget monies do not roll forward into the subsequent years, the current year’s budget must be amended to ensure funding is available to pay for these prior year’s POs.

Exhibit B - Funding from Reserves represent unexpected and unbudgeted costs incurred to date. These items were presented to the Council for approval prior to the use of reserves.

Exhibit C – Additional Funding represents Grant monies awarded to the City. The budget must be amended to account for the funding and expenditures associate with the awarded grants.

FUNDING SOURCE:

The approved FY 2018 Budgets of the General Fund, Special Revenue Funds and the Utilities Enterprise Funds will be increased to include the amounts included above.

RECOMMENDATION ACTION:

Adopt Resolution No. 2018-02

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

RESOLUTION NO. 2018-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018, PROVIDING FOR A BUDGET AMENDMENT

WHEREAS, the City Council of the City of Apopka, Florida, has determined that the Budget for Fiscal Year 2017/2018 should be amended; and

WHEREAS, Florida Statutes, Section 166.241(4) requires the governing body amend the budgets in the same manner as the original budget is adopted; and

WHEREAS, the City Council adopted the final budgets for fiscal year 2017/2018 through resolution on September 27, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AS FOLLOWS:

SECTION 1: That the Budget for the City of Apopka, Florida, Fiscal Year 2016/2017 is hereby amended as indicated in Exhibit A – Carryforward Appropriations, Exhibit B - Reserves and Exhibit C - Grants and Other Revenue Sources which are hereby attached and made part of this Resolution by reference thereto.

SECTION 2: Effective Date. This Resolution shall take effect upon final passage and adoption.

ADOPTED THIS 7th DAY OF February, 2018

CITY OF APOPKA, FLORIDA

JOSEPH E KILSHEIMER, MAYOR

ATTEST:

LINDA F. GOFF, CITY CLERK

CITY OF APOPKA
 BUDGET AMENDMENT 1ST QUARTER
 RESOLUTION 2018-02
 EXHIBIT A - PURCHASE ORDER CARRYFORWARDS

| Account | Description | PO # | PO Date | Item Description | Debit | Credit |
|-------------------|--|----------|------------|--------------------------------|------------|--------------|
| 001-389.0009 | BUDGET AMENDMENT CARRYFORWARD APPROPRIATIONS | | | | | 1,554,765.80 |
| 001-1020-512-6400 | MACHINERY AND EQUIPMENT | 17-03689 | 4/19/2017 | 2017 Ford Expedition | 28,700.00 | |
| 001-1020-512-6400 | MACHINERY AND EQUIPMENT | 17-03689 | 4/19/2017 | 2017 Ford Fusion | 17,000.00 | |
| 001-1022-519-4600 | REPAIR & MAINT.-BLDG & EQUIP | 17-04540 | 6/13/2017 | KLN - RESTROOM CHANGE ORDER | 3,530.00 | |
| 001-1022-519-4600 | REPAIR & MAINT.-BLDG & EQUIP | 17-06277 | 9/6/2017 | PS | 5,250.00 | |
| 001-1022-519-6200 | BUILDINGS | 17-06410 | 9/15/2017 | Fire Admin/FS #1 Roof | 191,985.00 | |
| 001-1022-519-6200 | BUILDINGS | 17-06554 | 9/27/2017 | Suspend & Reattach Roof Cables | 6,500.00 | |
| 001-1022-519-6300 | INFRASTRUCTURE | 17-04030 | 5/10/2017 | Security and Fire Alarm System | 76,775.00 | |
| 001-1025-513-4000 | TRAVEL AND PER DIEM | 17-06270 | 9/5/2017 | HOTEL-Brownfield Conference | 342.00 | |
| 001-1030-512-3400 | OTHER CONTRACTUAL SERVICES | 00129130 | 4/4/2016 | OTHER CONTRACTUAL SERVICES | 16,155.00 | |
| 001-1170-513-3100 | PROFESSIONAL SERVICES | 17-06561 | 9/27/2017 | C&C STUDY | 25,000.00 | |
| 001-2120-522-4600 | REPAIR & MAINT.-BLDG & EQUIPMENT | 17-03419 | 4/11/2017 | Airpack Repairs | 3,220.17 | |
| 001-2120-522-5200 | OPERATING SUPPLIES | 17-05290 | 7/25/2017 | Station 5 Radio Batteries | 908.80 | |
| 001-2120-522-5200 | OPERATING SUPPLIES | 17-06111 | 8/25/2017 | Microphones for FF's radios | 938.96 | |
| 001-2120-522-6200 | BUILDINGS | 16-00248 | 8/24/2016 | Design of Station 5 | 7,866.75 | |
| 001-2120-522-6200 | BUILDINGS | 16-00248 | 8/24/2016 | Design of Station 5 | 1,884.53 | |
| 001-2120-522-6200 | BUILDINGS | 16-00248 | 8/24/2016 | Design of Station 5 | 6,735.49 | |
| 001-2120-522-6200 | BUILDINGS | 17-06164 | 8/28/2017 | Complete Fiber Connectivity | 2,387.00 | |
| 001-2120-522-6200 | BUILDINGS | 17-06252 | 9/1/2017 | Water/Sewer Direct Purchases | -10,000.00 | |
| 001-2120-522-6200 | BUILDINGS | 17-06252 | 9/1/2017 | Construction of Station 5 | 259,390.46 | |
| 001-2120-522-6200 | BUILDINGS | 17-06252 | 9/1/2017 | Construction of Station 5 | 222,874.59 | |
| 001-2120-522-6200 | BUILDINGS | 17-06252 | 9/1/2017 | Construction of Station 5 | 253,582.40 | |
| 001-2120-522-6400 | EQUIPMENT AND MACHINERY | 17-00413 | 10/24/2016 | New Fire Engine | 4,121.00 | |
| 001-2120-522-6400 | EQUIPMENT AND MACHINERY | 17-06163 | 8/28/2017 | Chairs for Station 5 | 5,539.47 | |
| 001-2120-522-6400 | EQUIPMENT AND MACHINERY | 17-06251 | 9/1/2017 | Chairs for Station 6 | 2,819.71 | |
| 001-2120-522-6400 | EQUIPMENT AND MACHINERY | 17-06323 | 9/8/2017 | Sofa for Station 5 | 1,299.94 | |
| 001-2120-522-6400 | EQUIPMENT AND MACHINERY | 17-06367 | 9/14/2017 | Sofa for Station 6 | 1,299.94 | |
| 001-2120-522-6400 | EQUIPMENT AND MACHINERY | 17-06406 | 9/15/2017 | Timeclocks for Station 5 & 6 | 391.60 | |
| 001-2130-526-5200 | OPERATING SUPPLIES | 17-01633 | 1/20/2017 | EMs Medication | 821.32 | |
| 001-2130-526-6400 | EQUIPMENT AND MACHINERY | 17-03171 | 3/23/2017 | ALS Rescue Vehicle | 102,158.00 | |
| 001-2210-521-4000 | TRAVEL & PER DIEM | 17-05275 | 7/25/2017 | Conference Hotel Reservations | 614.50 | |
| 001-2210-521-4000 | TRAVEL & PER DIEM | 17-05275 | 7/25/2017 | Conference Hotel Reservations | 60.50 | |
| 001-2210-521-4000 | TRAVEL & PER DIEM | 17-05275 | 7/25/2017 | Conference Hotel Reservations | 540.00 | |
| 001-2210-521-4000 | TRAVEL & PER DIEM | 17-05275 | 7/25/2017 | Conference Hotel Reservations | 270.00 | |
| 001-2210-521-4000 | TRAVEL & PER DIEM | 17-05275 | 7/25/2017 | Conference Hotel Reservations | 148.52 | |
| 001-2210-521-5500 | TRAINING | 17-05673 | 8/7/2017 | College Reimbursement | 1,200.00 | |
| 001-2210-521-5500 | TRAINING | 17-05674 | 8/7/2017 | College Reimbursement | 1,200.00 | |
| 001-2210-521-5500 | TRAINING | 17-05675 | 8/7/2017 | College Reimbursement | 1,200.00 | |
| 001-2210-521-5500 | TRAINING | 17-05676 | 8/7/2017 | College Reimbursement | 1,200.00 | |
| 001-2210-521-5500 | TRAINING | 17-05677 | 8/7/2017 | College Reimbursement | 1,200.00 | |
| 001-2210-521-5500 | TRAINING | 17-05840 | 8/18/2017 | College Reimbursement | 1,200.00 | |
| 001-2210-521-5500 | TRAINING | 17-05842 | 8/18/2017 | Radio System Administrator | 5,836.00 | |
| 001-2210-521-5500 | TRAINING | 17-05842 | 8/18/2017 | Portable Radio Programming | 2,568.00 | |
| 001-2210-521-5500 | TRAINING | 17-05842 | 8/18/2017 | Portable Radio Programming | 2,988.00 | |
| 001-2210-521-5500 | TRAINING | 17-06317 | 9/8/2017 | Tuition Reimbursement | 1,200.00 | |
| 001-2210-521-5500 | TRAINING | 17-06320 | 9/8/2017 | Police Leadership Training | 425.00 | |
| 001-2210-521-5500 | TRAINING | 17-06320 | 9/8/2017 | Police Leadership Training | 2,125.00 | |
| 001-2220-521-4200 | FREIGHT & POSTAGE SERVICES | 17-04329 | 5/30/2017 | SHIPPING | 188.00 | |
| 001-2220-521-4650 | VEHICLE MAINTENANCE | 17-06313 | 9/8/2017 | REMOVE & RESTRIPE DECALS | 1,619.08 | |
| 001-2220-521-4650 | VEHICLE MAINTENANCE | 17-06314 | 9/8/2017 | REMOVE DECALS & REPAINT 390917 | 2,500.00 | |
| 001-2220-521-4700 | PRINTING SERVICES | 17-06144 | 8/28/2017 | Evidence Submission Forms | 459.75 | |
| 001-2220-521-4700 | PRINTING SERVICES | 17-06144 | 8/28/2017 | Evidence Submission Forms | 324.90 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-03509 | 4/17/2017 | 3 Auto Rifles | 1,820.00 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-04329 | 5/30/2017 | SWAT Headsets (Communications) | 10,240.00 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-04329 | 5/30/2017 | PTT Adapter | 5,200.00 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-04474 | 6/8/2017 | New Hire Ballistic Vest-2017 | 2,598.48 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-05245 | 7/25/2017 | New Hire/Replacement Uniforms | 40.28 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06145 | 8/28/2017 | Red Tape #78888 | 270.00 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06145 | 8/28/2017 | Red Tape Split Back Roll Custo | 399.75 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06145 | 8/28/2017 | Swab Boxes #01336 | 235.25 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06236 | 8/31/2017 | VP-7536 PU17 Police Hat | 519.54 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06236 | 8/31/2017 | OS-1600 Safety Glow Bracelets | 200.00 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06236 | 8/31/2017 | PA-53P PU16-Police Car | 300.00 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06236 | 8/31/2017 | OS-1610 Mylar Trick/Treat Bag | 350.00 | |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06236 | 8/31/2017 | Press Set Up/Shiping/Handling | 160.00 | |

**CITY OF APOPKA
BUDGET AMENDMENT 1ST QUARTER
RESOLUTION 2018-02
EXHIBIT A - PURCHASE ORDER CARRYFORWARDS**

| Account | Description | PO # | PO Date | Item Description | Debit | Credit |
|-------------------|--|----------|------------|--------------------------------|------------|------------|
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06316 | 9/8/2017 | Supplies for PD | | 3.00 |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06316 | 9/8/2017 | Supplies for PD | | 163.83 |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06316 | 9/8/2017 | Supplies for PD | | 446.42 |
| 001-2220-521-5200 | OPERATING SUPPLIES | 17-06316 | 9/8/2017 | Supplies for PD | | 233.30 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03875 | 5/2/2017 | Upfitting For Patrol SUV | | 12,593.30 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03876 | 5/2/2017 | Upfitting for K9 SUV | | 16,637.69 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03879 | 5/2/2017 | Upfitting for SRO Escape | | 8,656.30 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03880 | 5/2/2017 | Upfitting for SRO Escape | | 8,656.30 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03884 | 5/2/2017 | Upfitting for Patrol Sedan | | 11,385.35 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03885 | 5/2/2017 | Upfitting for Patrol Sedan | | 11,385.35 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03886 | 5/2/2017 | Upfitting for Patrol Sedan | | 11,385.35 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03887 | 5/2/2017 | Upfitting for Patrol Sedan | | 11,385.35 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03888 | 5/2/2017 | Upfitting for Patrol Sedan | | 11,385.35 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03889 | 5/2/2017 | Upfitting for Patrol Sedan | | 11,385.35 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03890 | 5/2/2017 | Upfitting for Patrol Sedan | | 11,385.35 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03891 | 5/2/2017 | Upfitting for Patrol Sedan | | 11,385.35 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03892 | 5/2/2017 | Upfitting for Patrol Sedan | | 11,385.35 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03893 | 5/2/2017 | Upfitting for Patrol Sedan | | 11,385.35 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-03894 | 5/2/2017 | Upfitting for Patrol Sedan | | 11,385.35 |
| 001-2220-521-6400 | EQUIPMENT AND MACHINERY | 17-05681 | 8/7/2017 | Replace Expiring SWAT Vests | | 606.00 |
| 001-2230-521-4000 | TRAVEL & PER DIEM | 17-05682 | 8/7/2017 | Airline Txs to and from NFBIA | | 1,200.00 |
| 001-2230-521-6400 | EQUIPMENT AND MACHINERY | 17-05839 | 8/18/2017 | Upfitting Crime Scene Van | | 6,838.99 |
| 001-2250-519-4600 | REPAIR & MAINT.-BLDG.& EQUIPMENT | 17-04295 | 5/26/2017 | Paint 400' GT Harmon Road Site | | 12,000.00 |
| 001-3513-572-5216 | PARKS TREE BANK EXPENDITURE | 17-06577 | 9/29/2017 | City Hall Sycamore Tree Repair | | 11,010.00 |
| 001-3514-572-6400 | EQUIPMENT & MACHINERY | 17-03149 | 3/22/2017 | F250 4X2 DIESEL REC GROUNDS | | 33,734.00 |
| 001-3612-572-4600 | REPAIRS & MAINT. - BLDG.& EQUIPMENT | 17-00495 | 10/28/2016 | Repair lights @ AAC | | 3,796.86 |
| 001-3612-572-5200 | OPERATING SUPPLIES | 17-04723 | 6/28/2017 | Thor Guard FM Transmitter | | 1,425.00 |
| 001-3612-572-5200 | OPERATING SUPPLIES | 17-06067 | 8/22/2017 | water testing - nitrogen | | 66.00 |
| 001-3612-572-5200 | OPERATING SUPPLIES | 17-06067 | 8/22/2017 | water testing - phosphate | | 40.00 |
| 001-3612-572-5200 | OPERATING SUPPLIES | 17-06067 | 8/22/2017 | water testing - metals: sodium | | 14.00 |
| 001-3612-572-5200 | OPERATING SUPPLIES | 17-06067 | 8/22/2017 | water testing - nitrogen | | 66.00 |
| 001-3612-572-5200 | OPERATING SUPPLIES | 17-06067 | 8/22/2017 | water testing - phosphate | | 40.00 |
| 001-3612-572-5200 | OPERATING SUPPLIES | 17-06067 | 8/22/2017 | water testing - metals: sodium | | 14.00 |
| 001-3612-572-5200 | OPERATING SUPPLIES | 17-06067 | 8/22/2017 | water testing - metals: sodium | | 120.00 |
| 001-4020-515-3100 | PROFESSIONAL SERVICES | 16-00617 | 9/21/2016 | Prof Ser LDC Amendment | | 6,100.06 |
| 001-4020-515-4000 | TRAVEL & PER DIEM | 17-05107 | 7/17/2017 | Hotel - FRA Conf-JHitt | | 290.00 |
| 001-4020-515-4000 | TRAVEL & PER DIEM | 17-05107 | 7/17/2017 | Hotel Parking - FRA Conf-JHitt | | 48.00 |
| 001-4020-515-5200 | OPERATING SUPPLIES | 17-06328 | 9/8/2017 | Dell Precision T3420 SFF | | 2,462.52 |
| 001-5110-519-4100 | COMMUNICATIONS SERVICES | 17-00151 | 10/12/2016 | Paging Service Police/Fire | | 358.14 |
| 001-5110-519-4600 | REPAIR & MAINT.-BLDG & EQUIP | 17-06368 | 9/14/2017 | Annex/PD Fiber Terminations | | 1,194.00 |
| 001-5110-519-4600 | REPAIR & MAINT.-BLDG & EQUIP | 17-06368 | 9/14/2017 | Data Center Terminations | | 1,241.00 |
| 001-5110-519-5200 | OPERATING SUPPLIES | 17-00092 | 10/6/2016 | Hosting Faxing Service | | 224.59 |
| 001-5110-519-5200 | OPERATING SUPPLIES | 17-05277 | 7/25/2017 | Cabling Hardware | | 5.97 |
| 001-5110-519-5200 | OPERATING SUPPLIES | 17-06392 | 9/15/2017 | St5 Cabling Installations | | 3,600.00 |
| 001-5110-519-5200 | OPERATING SUPPLIES | 17-06398 | 9/15/2017 | Security Camera Installs | | 4,464.00 |
| 001-5110-519-5200 | OPERATING SUPPLIES | 17-06420 | 9/15/2017 | Cambium ePMP Force 180 | | 300.00 |
| 101-389.0009 | BUDGET AMENDMENT CARRYFORWARD APPROPRIATIONS | | | | | 358,687.49 |
| 101-3412-541-4607 | ROAD RESURFACING | 17-06327 | 9/8/2017 | 2017 Street Resurfacing | 337,545.10 | |
| 101-3412-541-4612 | STREET STRIPPING | 17-06382 | 9/14/2017 | Street Resurfacing Striping | 20,992.39 | |
| 101-3412-541-5500 | TRAINING | 17-05717 | 8/7/2017 | CDL Training | 150.00 | |
| 102-389.0009 | BUDGET AMENDMENT CARRYFORWARD APPROPRIATIONS | | | | | 317,591.25 |
| 102-3413-541-3100 | PROFESSIONAL SERVICES | 16-00289 | 8/24/2016 | Traffic Study - Welch & RSR | 1,464.80 | |
| 102-3413-541-3100 | PROFESSIONAL SERVICES | 17-04952 | 7/11/2017 | Traffic Study - Woodfield Oaks | 1,147.50 | |
| 102-3413-541-6300 | IMPROVEMENTS OTHER THAN BLDGS. | 17-04051 | 5/10/2017 | Brush Drive Rd Extension | 117,243.00 | |
| 102-3413-541-6300 | IMPROVEMENTS OTHER THAN BLDGS. | 17-04052 | 5/10/2017 | 6th St Roadway Improvements | 196,335.60 | |
| 102-3413-541-6300 | IMPROVEMENTS OTHER THAN BLDGS. | 17-04053 | 5/10/2017 | Geotech Services - Brush Dr | 125.35 | |
| 102-3413-541-6300 | IMPROVEMENTS OTHER THAN BLDGS. | 17-04639 | 6/23/2017 | Tree Replacement | 1,275.00 | |
| 104-389.0009 | BUDGET AMENDMENT CARRYFORWARD APPROPRIATIONS | | | | | 35,738.80 |
| 104-3614-572-6300 | IMPROVEMENTS OTHER THAN BLDGS. | 17-04005 | 5/8/2017 | Engineering Svcs. | 5,352.00 | |
| 104-3614-572-6300 | IMPROVEMENTS OTHER THAN BLDGS. | 17-04540 | 6/13/2017 | KLN - Remodel - Park Restrooms | 24,494.00 | |
| 104-3614-572-6300 | IMPROVEMENTS OTHER THAN BLDGS. | 17-04540 | 6/13/2017 | KLN - Remodel - Park Restrooms | 5,892.80 | |

**CITY OF APOPKA
BUDGET AMENDMENT 1ST QUARTER
RESOLUTION 2018-02
EXHIBIT A - PURCHASE ORDER CARRYFORWARDS**

| Account | Description | PO # | PO Date | Item Description | Debit | Credit |
|-------------------|--|----------|------------|--------------------------------|---------------------|---------------------|
| 106-389.0009 | BUDGET AMENDMENT CARRYFORWARD APPROPRIATIONS | | | | | 12,110.60 |
| 106-2220-521-5201 | OP SUPPLIES - TOWING CID | 17-05257 | 7/25/2017 | Camera & Remote Power Equip | 6,975.00 | |
| 106-2220-521-5201 | OP SUPPLIES - TOWING CID | 17-06122 | 8/28/2017 | Aluminum Cameral Pole | 2,150.00 | |
| 106-2220-521-5202 | OP SUPPLIES - TOWING FORENSICS | 17-05257 | 7/25/2017 | License Plate Reader Power | 2,985.60 | |
| 170-389.0009 | BUDGET AMENDMENT CARRYFORWARD APPROPRIATIONS | | | | | 7,000.00 |
| 170-6170-539-4600 | REPAIRS & MAINTENANCE SVCS | 17-06329 | 9/8/2017 | CONCRETE WALL SECTION REPAIR | 7,000.00 | |
| 401-389.0009 | BUDGET AMENDMENT CARRYFORWARD APPROPRIATIONS | | | | | 101,388.73 |
| 401-3111-533-4600 | REPAIR & MAINT.-BLDG.& EQUIPMENT | 17-02721 | 2/28/2017 | Installation & Materials | 350.00 | |
| 401-3111-533-4600 | REPAIR & MAINT.-BLDG.& EQUIPMENT | 17-06422 | 9/15/2017 | Well Pump Repair | 288.00 | |
| 401-3111-533-4600 | REPAIR & MAINT.-BLDG.& EQUIPMENT | 17-06558 | 9/27/2017 | Tear Down & Repair Motor | 4,552.00 | |
| 401-3111-533-6300 | IMPROVEMENTS OTHER THAN BLDGS. | 17-03739 | 4/25/2017 | MPL Well #1 Modif. Design | 92,724.73 | |
| 401-3121-535-4600 | REPAIR & MAINT.-BLDG.& EQUIPMENT | 17-06260 | 9/1/2017 | WRF Lab Electrical Installs | 2,450.00 | |
| 401-3121-535-4600 | REPAIR & MAINT.-BLDG.& EQUIPMENT | 17-06282 | 9/6/2017 | Motor for belt press conveyor | 266.00 | |
| 401-3121-535-4600 | REPAIR & MAINT.-BLDG.& EQUIPMENT | 17-06282 | 9/6/2017 | Overnight shipping | 188.00 | |
| 401-3121-535-5200 | OPERATING SUPPLIES | 17-05728 | 8/8/2017 | Oil & Grease HEM | 60.00 | |
| 401-3121-535-5200 | OPERATING SUPPLIES | 17-05728 | 8/8/2017 | Oil & Grease TPH | 60.00 | |
| 401-3121-535-5200 | OPERATING SUPPLIES | 17-05728 | 8/8/2017 | Courier Service | 150.00 | |
| 401-3171-535-4400 | RENTAL AND LEASES | 17-00243 | 10/14/2016 | RR Lease SEWER lines crossings | 150.00 | |
| 401-3171-535-4400 | RENTAL AND LEASES | 17-00243 | 10/14/2016 | RR Lease SEWER lines crossings | 150.00 | |
| 402-389.0009 | BUDGET AMENDMENT CARRYFORWARD APPROPRIATIONS | | | | | 686,708.66 |
| 402-3210-534-4300 | UTILITY SERVICES | 17-05199 | 7/19/2017 | Recycling Processing Fees | 2,640.54 | |
| 402-3210-534-4700 | PRINTING SERVICES | 17-05599 | 7/31/2017 | Recycle schedule calendars | 3,996.00 | |
| 402-3210-534-6400 | EQUIPMENT AND MACHINERY | 17-00588 | 11/7/2016 | AUTOMATED SIDE LOADER TRUCK | 680,072.12 | |
| 403-389.0009 | BUDGET AMENDMENT CARRYFORWARD APPROPRIATIONS | | | | | 2,975,947.74 |
| 403-3115-535-6300 | IMPROVE OTHER THAN BLD. | 00129244 | 4/13/2016 | IMPROVE OTHER THAN BLD. | 14,250.00 | |
| 403-3115-535-6300 | IMPROVE OTHER THAN BLD. | 00129244 | 4/13/2016 | IMPROVEMENTS OTHER THAN BUILDI | 14,250.00 | |
| 403-3115-535-6300 | IMPROVE OTHER THAN BLD. | 17-05623 | 8/2/2017 | RWS Extension Ocoee Apopka Rd | 35,081.40 | |
| 403-3115-535-6300 | IMPROVE OTHER THAN BLD. | 17-05624 | 8/2/2017 | RWS Ext. Ph3 Pipe Purchase | 80,192.55 | |
| 403-3115-535-6300 | IMPROVE OTHER THAN BLD. | 17-06572 | 9/29/2017 | Install Irr Well - NW Park | 24,365.00 | |
| 403-3115-535-6300 | IMPROVE OTHER THAN BLD. | 17-06575 | 9/29/2017 | NWRC Irrigation Pumps Purchase | 110,000.00 | |
| 403-3123-535-6300 | IMPROVE OTHER THAN BLDGS | 00129754 | 5/25/2016 | IMPROVEMENTS OTHER THAN BUILDI | 63,125.20 | |
| 403-3123-535-6300 | IMPROVE OTHER THAN BLDGS | 00129754 | 5/25/2016 | IMPROVE OTHER THAN BLDGS | 1,209,400.38 | |
| 403-3123-535-6300 | IMPROVE OTHER THAN BLDGS | 00129754 | 5/25/2016 | IMPROVEMENTS OTHER THAN BUILDI | 1,168,214.93 | |
| 403-3123-535-6300 | IMPROVE OTHER THAN BLDGS | 17-02849 | 3/10/2017 | Cast Iron Multistage Blowers | 217,919.00 | |
| 403-3123-535-6300 | IMPROVE OTHER THAN BLDGS | 17-02849 | 3/10/2017 | Engineering & Start Up | 5,900.00 | |
| 403-3123-535-6300 | IMPROVE OTHER THAN BLDGS | 17-02849 | 3/10/2017 | Freight | 2,820.00 | |
| 403-3123-535-6300 | IMPROVE OTHER THAN BLDGS | 17-05851 | 8/18/2017 | Field Svc Full Day Start Up | 3,978.00 | |
| 403-3123-535-6300 | IMPROVE OTHER THAN BLDGS | 17-05851 | 8/18/2017 | Field Svc Hach S.U. Travel | 404.00 | |
| 403-3123-535-6300 | IMPROVE OTHER THAN BLDGS | 17-06573 | 9/29/2017 | WRF Expansion Lab Equipment | 25,247.74 | |
| 403-3123-535-6300 | IMPROVE OTHER THAN BLDGS | 17-06574 | 9/29/2017 | Autoclaves Install/Startup | 799.54 | |
| 610-389.0009 | BUDGET AMENDMENT CARRYFORWARD APPROPRIATIONS | | | | | 1,192.00 |
| 610-9950-515-3100 | PROFESSIONAL SERVICES | 17-06065 | 8/22/2017 | Revise Survey 5th St Prkng Lt | 500.00 | |
| 610-9950-515-3100 | PROFESSIONAL SERVICES | 17-06065 | 8/22/2017 | SURVEY CHANGE ORDER | 692.00 | |
| | | | | | <u>6,051,131.07</u> | <u>6,051,131.07</u> |

The Budget Amendments listed above are for Purchase Orders entered into during the previous fiscal year and not completed by the end of the year. Purchase Orders are contractual agreements that the City must honor, yet the budgeted monies from that fiscal year do not roll forward into the subsequent year. Therefore, it is necessary to amend the budget to ensure funding is available in the current year to pay for the Prior Year's Purchase Orders.

CITY OF AOPKA
BUDGET AMENDMENT 1st QUARTER
RESOLUTION 2018- 02
EXHIBIT B Reserves

| ACCOUNT NUMBER | J/E DESCRIPTION | DEBIT | CREDIT |
|---|--|--------------|--------------|
| 106-389-1000 | Budget Amendment Funding From Reserves | | 279,000.00 |
| 106-2220-521-5200 | Budget Amendment Confiscated Property | 64,000.00 | |
| 106-2220-521-5201 | Budget Amendment Towing CID | 25,000.00 | |
| 106-2220-521-5202 | Budget Amendment Towing Forensics | 35,000.00 | |
| 106-2220-521-5203 | Budget Amendment Donations | 25,000.00 | |
| 106-2220-521-5205 | Budget Amendment Technology | 22,000.00 | |
| 106-2220-521-6401 | Budget Amendment Towing CID | 24,000.00 | |
| 106-2220-521-6402 | Budget Amendment Towing Forensics | 35,000.00 | |
| 106-2220-521-5214 | Budget Amendment Canine | 17,000.00 | |
| 106-2220-521-5221 | Budget Amendment Canine Retirement Program | 8,000.00 | |
| 106-2220-521-5450 | Budget Amendment Special Training | 24,000.00 | |
| To move Police Discretionary monies into the budget for use by Police Department | | | |
| 401-389.0000 | Budget Amendment Funding From Reserves | | - |
| 401-3141-533-6400 | Budget Amendment - HDPE Crimping Tool (2) | | |
| To purchase two HDPE Crimping Tools - Approved by Council November 1, 2017 | | | |
| 402-389-0000 | Budget Amendment Funding From Reserves | | 500,000.00 |
| 402-3210-534-6400 | Budget Amendment - Two Side Loader Sanitation Trucks | 500,000.00 | |
| To budget for twp Side Loader Sanitation Trucks - Approved by Council Dec 6, 2017 | | | |
| 402-389-0000 | Budget Amendment Funding from Reserves | | 240,000.00 |
| 402-3210-581-9150 | Budget Amendment - Hurricane Debris Removal (City) | 240,000.00 | |
| To budget City portion of Hurricane Irma debris removal | | | |
| 401-389-0000 | Budget Amendment Funding from Reserves | | 19,800.00 |
| 401-3161-539-3100 | Budget Amendment - Audit of Meter Reading Operations | 19,800.00 | |
| To pay for Audit of Meter Reading Operations - Approved by Council Oct 18, 2017 | | | |
| TOTAL | | 1,038,800.00 | 1,038,800.00 |

**CITY OF APOPKA
 BUDGET AMENDMENT 1st QUARTER
 RESOLUTION 2018-02
 EXHIBIT C GRANTS/AWARDS**

| ACCOUNT NUMBER | J/E DESCRIPTION | DEBIT | CREDIT |
|---|---|--------------|--------------|
| | | | |
| 150-334-2300 | Budget Amendment FL DEPT ECON OPP - CDBG | | 700,000.00 |
| 150-381-0010 | Transfer from General Fund | | 50,000.00 |
| 150-3613-572-6200 | Building - Alonzo Williams Community Ctr (CDBG) | 750,000.00 | |
| | | | |
| To update the budget to include funding received CDBG - ALONZO WILLIAMS COMM CTR (3/15/2017) | | | |
| | | | |
| 001-389-0010 | Budget Amendment Funding from Reserves | | 50,000.00 |
| 001-3613-572-9300 | Transfer to Grant Fund - CDBG City Match | 50,000.00 | |
| | | | |
| To update the budget to include City Match assoc with CDBG - Alonzo Williams Bldg (3/15/2017) | | | |
| | | | |
| 150-331-3200 | Budget Amendment Hurricane Irma Federal (85%) | | 2,720,000.00 |
| 150-334-3200 | Budget Amendment Hurricane Irma State (7.5%) | | 240,000.00 |
| 150-381-0010 | Budget Amendment Hurricane Irma City Portion (7.5%) | | 240,000.00 |
| 150-3210-534-5200 | Operating Supplies - Hurricane | 3,200,000.00 | |
| | | | |
| To update the budget to include funding anticipated for Hurricane Irma debris removal | | | |
| | | | |
| | | | |
| | | | |
| TOTAL | | 4,000,000.00 | 4,000,000.00 |



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: February 7, 2018
 FROM: Community Development
 EXHIBIT(S): SB 574 & HB 521
 Resolution No. 2018-03

SUBJECT: RESOLUTION NO. 2018-03 - OPPOSING SENATE BILL 574 & HOUSE BILL 521

REQUEST: APPROVAL RESOLUTION NO. 2018-03

SUMMARY:

The City of Apopka staff were recently made aware of a pair of Bills being introduced in subcommittee and making their way to a potential full vote by the Florida Senate and House.

Senate Bill 574 and companion House Bill 521 would preempt local governments from regulating the removal of trees from private property or from requiring mitigation for removal of such trees, and further would provide that local governments may not prohibit the burial of trees and other vegetative debris.

These bills would be a direct assault of the home rule powers of Apopka and other cities, towns and counties in Florida and that the City of Apopka has, for many years, had a strong and effective tree protection through the City Charter, Part III, Article V-Resource Protection Standards, regulate the removal of protected trees from public and private property.

Staff strongly opposes the Passage of Senate Bill 574 & House Bill 521 which would preempt local tree protection ordinances such as the protections in place in Apopka.

FUNDING SOURCE

N/A

RECOMMENDATION ACTION:

Approve Resolution No. 2018-03 opposing the passage of Senate Bill 574 and House Bill 521 which would preempt the City of Apopka’s local tree protection ordinances that are currently in place; directing the City Administrator to circulate and provide this resolution to the Florida Legislature.

DISTRIBUTION

- | | | |
|--------------------------------|------------------|--------------------------|
| 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 |

By Senator Steube

23-00623A-18

2018574__

1 A bill to be entitled
2 An act relating to tree and timber trimming, removal,
3 and harvesting; creating s. 589.37, F.S.; preempting
4 to the state the regulation of the trimming, removal,
5 or harvesting of trees and timber on private property;
6 prohibiting certain local governmental actions
7 relating to the trimming or removal of trees or
8 timber; prohibiting local governments from prohibiting
9 the burial of vegetative debris on certain properties;
10 providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 589.37, Florida Statutes, is created to
15 read:

16 589.37 Regulation of tree and timber trimming, removal, or
17 harvesting preempted.

18 (1) The regulation of the trimming, removal, or harvesting
19 of trees and timber on private property is preempted to the
20 state.

21 (2) A municipality, county, or other political subdivision
22 of the state may not:

23 (a) Prohibit or restrict a private landowner from trimming,
24 removing, or harvesting trees or timber located on the
25 landowner's private property.

26 (b) Require mitigation, including, but not limited to, the
27 planting of trees or the payment of a fee, for the removal or
28 harvesting of trees or timber from private property.

29 (c) Prohibit the burial of trees, shrubs, palmettos, or

23-00623A-18

2018574__

30 other vegetative debris on properties larger than 2.5 acres.

31 Section 2. This act shall take effect July 1, 2018.

1 A bill to be entitled
 2 An act relating to tree and timber trimming, removal,
 3 and harvesting; creating s. 589.37, F.S.; preempting
 4 to the state the regulation of the trimming, removal,
 5 or harvesting of trees and timber on private property;
 6 prohibiting certain local governmental actions
 7 relating to the trimming or removal of trees or
 8 timber; prohibiting local governments from prohibiting
 9 the burial of vegetative debris on certain properties;
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 19 of trees and timber on private property is preempted to the
 20 state.

21 (2) A municipality, county, or other political subdivision
 22 of the state may not:

23 (a) Prohibit or restrict a private landowner from
 24 trimming, removing, or harvesting trees or timber located on the
 25 landowner's private property.

HB 521

2018

26 (b) Require mitigation, including, but not limited to, the
 27 planting of trees or the payment of a fee, for the removal or
 28 harvesting of trees or timber from private property.

29 (c) Prohibit the burial of trees, shrubs, palmettos, or
 30 other vegetative debris on properties larger than 2.5 acres.

31 Section 2. This act shall take effect July 1, 2018.

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11

RESOLUTION 2018-03

A RESOLUTION STRONGLY OPPOSING THE PASSAGE OF SENATE BILL 574 AND HOUSE BILL 521 WHICH WOULD PREEMPT LOCAL TREE PROTECTION ORDINANCES SUCH AS THOSE CURRENTLY IN PLACE IN THE CITY OF APOPKA; DIRECTING THE CITY ADMINISTRATOR TO CIRCULATE THE RESOLUTION TO THE FLORIDA LEGISLATURE; PROVIDING AN EFFECTIVE DATE.

12 **WHEREAS**, City of Apopka’s tree canopy has beautified our City and improved the lives
13 of our citizens and visitors by bringing nature to our urban environments and preserving
14 environmental sanctuaries for connection with the natural world; and

15 **WHEREAS**, trees improve water quality, reduce erosion, increase property values,
16 provide shade, cleanse the air, create habitat for wildlife and add beauty to our City; and

17 **WHEREAS**, Article II, Section 7 of the Florida Constitution provides that it shall be the
18 policy of the state to conserve and protect its natural resources and scenic beauty; and

19 **WHEREAS**, Apopka’s regulations help to preserve and enhance the City’s tree canopy in
20 existing areas and within new developments; and

21 **WHEREAS**, the City of Apopka’s tree protection regulations provide reasonable and
22 sensible exemptions, including those for agriculture and silvaculture, single family residences,
23 nuisance and invasive species and dead or diseased trees, among others; and

24 **WHEREAS**, tree protection has long been recognized as a legitimate exercise of local
25 government home rule; and

26 **WHEREAS**, Senate Bill 574 and companion House Bill 521 have been filed in the Florida
27 Legislature, both of which would preempt local governments from regulating the removal of trees
28 from private property or from requiring mitigation for removal of such trees, and further provides
29 that local governments may not prohibit the burial of trees and other vegetative debris; and

30 **WHEREAS**, Senate Bill 574 and House Bill 521 are harmful to the environment and
31 contrary to the overwhelming wishes of the Apopka citizens; and

32 **WHEREAS**, such bills are a direct assault of the home rule powers of Apopka and other
33 cities, towns and counties in Florida and are contrary to the view often stated by members of the
34 legislature that the government that is the closest to the people is the government that is best; now
35 therefore

