

Agenda Review Meeting
Orlando City Council
Temporary Council Chambers, 1st Floor City Hall
400 South Orange Avenue
Orlando, FL 32801
Monday, April 16, 2018
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In attendance:

Mayor Buddy Dyer
Commissioner Jim Gray, District 1
Commissioner Tony Ortiz, District 2
Commissioner Robert F. Stuart, District 3
Commissioner Patty Sheehan, District 4
Commissioner Regina I. Hill, District 5
Commissioner Samuel B. Ings, District 6
City Attorney Mayanne Downs
City Clerk Denise Aldridge
City Clerk Aide Denise Holdridge
Police Officers Chris Realin, Rich Patterson and Landon Thomas, Sergeants-at-Arms

Mayor Dyer called the meeting to order at 1:03 P.M. and began by introducing the City's Director of Intergovernmental Relations Kathy Russell and her team to present the 2018 Legislative Session.

Ms. Russell introduced Bill Peebles, presenting Community Development Agencies and Vacation Rentals; Joe McCann, presenting on Worker's Comp/PTSD; Jasmyne Henderson presenting on Florida Children's Initiative; Oscar Anderson, presenting on Affordable Housing and Special Restaurant Beverage License; Chris Dudley, presenting on Transportation; and Robert Stuart, Jr., presenting on Tax Package and Safe Schools/Gun Control.

Ms. Russell reviewed thirteen legislative items the City of Orlando supported, including one issue by Mayor Dyer. She noted that successes included the Protection of Local Self Government; the passage of a local bill regarding special Restaurant Beverage License; funding for Florida Forever, Parramore Kidz Zones, and Homelessness Assistance Grants; and the Central Florida Expressway Authority. What did not pass were the Smart City Transportation Grant Program and UCF/DPAC funding.

Ms. Russell, in her summary of the 2018 legislative session, stated it was a slow start due to upheavals in the Senate, in which three Senators had resigned; the impact of the Marjory Stoneman Douglas High School tragedy; the downfall of Preemptions; and local control, the home rule. Ms. Russell shared that the Marjory Stoneman Douglas High School students, in Tallahassee to lobby on behalf of gun control following their school shooting, were treated to a visit by Astronaut Mark Kelly. Mr. Kelly is the husband of former U.S. House Representative from Arizona, Gabby Giffords, who was shot in 2011.

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Ms. Russell shared that over two dozen preemption bills failed, which was great news. She stated that twelve of thirteen cities in Orange County held a joint press conference, on the steps of Orlando City Hall, and called out the legislators on the preemptions. Mayor Dyer hosted a National League of Cities Mayors Institute on Preemption, where it was determined that it is a national problem. One other highlight was that the general public does not understand what preemption means. The terms used to describe it were “local democracy,” “local control,” and “state interference.”

Bill Peebles, of Peebles, Smith and Matthews, provided background on bills pertaining to the prohibition of new Community Redevelopment Agencies (CRA), as well as vacation home rentals. He indicated that these are nationalized issues, whereas a company like Uber is an international model in the corporate strategy. He gave a historic background on the formation of CRAs, which were created as a result of the Housing and Urban Development Act and were part of what was known as the Great Society. The Florida House has gone after CRAs in recent years because they see them as personal slush funds and corporate subsidies. Mr. Peebles noted that the bill did not pass. He spoke briefly on vacation home rentals, noting their definition and providing the legislative history. He noted that nothing passed on this issue as well.

Joe McCann gave an update on Workers Comp/PTSD. He stated that currently first responders are not eligible to receive indemnity for a mental or nervous injury unless it is accompanied by a physical injury. Senate Bill (SB) 376 allows for payment of indemnity benefits for post-traumatic stress disorder without an accompanying physical injury, upon qualifying. In order to qualify, the first responder must have PTSD that resulted from the course or scope of employment, and must be examined and diagnosed with PTSD by an authorized treating psychiatrist of the employer and determined that the first responder is experiencing one of seven symptoms.

Jasmyn Henderson, of Pittman Law Group, gave a brief update on the Florida Children’s Initiative. She stated that \$600,000 was appropriated for the initiative in the Department of Education budget. However, two additional sites were added to the program (Jacksonville and Miami) which could impact the funds available for the Parramore Kidz Zone.

Oscar Anderson, of Southern Strategy Group, presented on Affordable Housing. He stated that in the 2017 session, the Legislature created an Affordable Housing Workgroup to bring recommendations to the 2018 session. As a result, he believed 2018 would be a good year. The House Bill 987 created, among other items, the Hurricane Housing Recovery Program and Recovery Rental Loan Program. The proposed legislation passed the House of Representatives, but the Senate never took up their version which killed the bill.

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Mr. Anderson also presented on the Special Restaurant Beverage License. He provided background on the City's Project DTO (Downtown Orlando) in which restaurateurs were asked to identify challenges to establishing and opening restaurants in Downtown Orlando. The nature of Orlando's downtown space in historic buildings was identified because it prohibited restaurants from being able to have a full-service bar with liquor. Currently, to get a full-service bar the state requires every restaurant to service 150 persons at one time and be at least 2,500 square feet in size. The City of Orlando requested legislation through our local delegation to create a "Downtown Restaurant Area" that reduced those thresholds to the minimum person serviced at one time to 80 and total required square footage to 1,800. Representative Mike Miller filed the bill with those reductions and it was passed by the Legislature and signed by Governor Rick Scott on March 23, 2018.

Chris Dudley, of Southern Strategy Group, presented an update on HB 141 related to transportation. The Legislature passed the bill and it was approved by Governor Rick Scott on April 6, 2018. It takes effect on July 1, 2018. The highlight of the bill clarifies that all law enforcement vehicles (marked or unmarked) are exempt from the payment of tolls while on official business. He also noted that the Smart City Grant Program did not pass. It was proposed to provide opportunities to develop smart mobility solutions to local transportation challenges. A second proposal would have redirected the current \$60 million for passenger allocation beginning in 2021-22. This current allocation benefits SunRail.

Robert Stuart, Jr., of GrayRobinson, presented on the tax relief package which included the annual seven-day Disaster Preparedness Sales Tax Holiday period from June 1 – 7, 2018. There was also a permanent reduction of the business rent tax by .1%, which will be 5.7% beginning July 1, 2018.

Mr. Stuart also presented on legislation related to school/gun safety. Major components of the legislation included raising the age limit to twenty-one for purchase of all firearms in Florida; mandates a three-day waiting period for purchase of all firearms; and the Coach Aaron Feis Guardian Program, which allows for school personnel that are not exclusively classroom teachers to possess a firearm on campus. This is an optional program and first, the Sheriff and School Board of a county must elect to implement a program, and the individual must undergo 144 hours of training.

At approximately 1:37 P.M. the 2018 Legislative Update was opened for questions and comments. At approximately 1:46 P.M. the 2018 Legislative Update was concluded and Mayor Dyer returned to the business of the Agenda Review Meeting.

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Consent Agenda – Public Comment

Mayor Dyer called on Valerie Kennedy, who filed an Appearance Request in reference to Ordinance No. 2018-20 rezoning certain land generally located south of Concord Street, west of North Bumby Avenue, east of North Hillside Avenue and north of Mount Vernon Street and comprised of 0.42 acres of land, more or less, as the Planned Development District; providing a development plan and special land development regulations of the Planned Development District (544 N Bumby PD, ZON2017-10006). Though this was not the appropriate time to bring up an Ordinance, Mayor Dyer allowed Ms. Kennedy to speak on behalf of Sherry Flasher, homeowner at 2221 E Concord Street, Orlando, FL, in opposition to the proposed ordinance due to a concern about the development not allowing for enough guest parking spaces.

Mayor Dyer called on Dennis Pape, who filed an Appearance Request in reference to speak on Item C-20 – Orlando Technology Community Support Pilot Program/Orlando Economic Partnership Foundation for Building Community, Inc. Agreement. However, Mr. Pape was not in Council Chambers at the time. Mayor Dyer proceeded with Agenda Review and would call on Mr. Pape again when he arrived.

Consent Agenda – Commissioner Comments

Commissioner Regina I. Hill – Commissioner Hill asked to speak to Director of Economic Development Brooke Bonnett.

Commissioner Samuel B. Ings – Commissioner Ings thanked staff for their work on Item C-17 – Not for Profit Impact Fee Assistance Program Agreement between Grace Medical Home, Inc. and the City of Orlando – 1417 East Concord Street, and welcomed the staff of Grace Medical to their new location.

Commissioner Jim Gray – Commissioner Gray declared a voting conflict on Item C-3 – Meeting Minutes and Approving the Actions of the Municipal Planning Board for the Meeting of March 20, 2018, Case No. MPL2018-10003 Fountain VU5 Townhomes/330 Broadway Avenue and 245 Ridgewood Street), filed Form 8B Memorandum of Voting Conflict with the City Clerk and stated he will abstain from a vote on this item.

Commissioner Tony Ortiz – Commissioner Ortiz stated he has no concerns regarding the agenda.

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Commissioner Robert F. Stuart – Commissioner Stuart stated he has no concerns regarding the agenda.

Commissioner Patty Sheehan – Commissioner Sheehan requested that Item C-4 – Meeting Minutes and Approving the Actions of the Appearance Review Board (ARB) for March 15, 2018), Case Number ARB2017-10026 Broadway Avenue, be deferred until the Appearance

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Review Board finalizes the revisions to the elevations for this project. Mayor Dyer stated the item would be deferred with the approval of City Council.

Mayor Dyer then called Dennis R. Pape who filed an Appearance Request in reference to speak on Item C-20 – Orlando Technology Community Support Pilot Program/Orlando Economic Partnership Foundation for Building Community, Inc. Agreement. Mr. Pape spoke on his own behalf in support of this item.

Mayor Dyer stated that on today's agenda, under New Business, is a Resolution that would authorize the City to join a lawsuit filed by the City of Weston and other Florida cities challenging the unprecedented penalties imposed on local elected officials by Florida's firearms preemption statute, calling it unconstitutional. City Attorney Mayanne Downs will be giving a brief overview of the item and lawsuit at the 2:00 P.M. City Council meeting.

There being no further discussion, the meeting was adjourned at 1:56 P.M.

Mayor Buddy Dyer

City Clerk Denise Aldridge