Minutes for:

Orlando City Council December 5, 2016 2:00 P.M.



District 1	District 3	Mayor	District 4	District 5	District 6
Jim Gray	Robert F. Stuart	Buddy Dyer	Patty Sheehan	Regina I. Hill	Samuel B. Ings

On Monday, December 5, 2016, the Orlando City Council met in regular session in City Council Chambers at City Hall. Mayor Buddy Dyer called the meeting to order at 2:00 P.M. Interim City Clerk Amy T. lennaco called the roll and announced that there was a quorum.

Present:

Mayor Buddy Dyer Commissioner Jim Gray, District 1 Commissioner Tony Ortiz, District 2 Commissioner Robert F. Stuart, District 3 Commissioner Patty Sheehan, District 4 Commissioner Regina I. Hill, District 5 Commissioner Samuel B. Ings, District 6 Interim City Clerk Amy T. Iennaco Senior Assistant City Clerk Elizabeth Davidson Chief Assistant City Attorney Kyle Shephard Police Officers James West and Christopher Realin, Sergeants-at-Arms

Invocation

The invocation was delivered by Commissioner Samuel B. Ings, followed by the Pledge of Allegiance led by Commissioner Patty Sheehan.

Minutes

It was moved by Commissioner Regina I. Hill, seconded by Commissioner Patty Sheehan, and vote carried that the reading of the minutes be waived for the November 14, 2016 Workshops, Agenda Review and City Council meetings, with minutes approved as written.

Awards/Presentations/Recognitions

Omega Psi Phi Fraternity, Inc., Chi Tau Chapter, Citizen of the Year

Mayor Dyer called on Chief Administrative Officer Byron Brooks who spoke about the 105 year history of the Omega Psi Phi Fraternity, which began at Howard University, and includes fraternity brother Commissioner Samuel B. Ings. Mr. Brooks then introduced former Basielus-President of Omega Psi Phi Fraternity, Chi Tau Chapter, Russell Drake who spoke of the accomplishments of the local chapter and then announced the fraternity's 2016 Citizen of the Year, Commissioner Regina I. Hill. Commissioner Hill was recognized for her work in the community and throughout Orlando and as a Gold Sponsor of the Omega Psi Phi scholarship golf tournament, which raised \$23,000 in scholarships this year.

Mayor's Update

Moment of Silence for Commissioner Ings' family

Mayor Dyer noted that Commissioner Ings' cousin, Jason McMillan, recently passed away and asked for a moment of silence to honor and remember him and for Commissioner Ings and his family.

Byron Brooks named to Clemson University Hall of Fame

Mayor Dyer spoke about this past weekend's ACC college football game between the Clemson University Tigers and the Virginia Tech Hokies held at Camping World Stadium. In addition to Clemson winning the title, Mayor Dyer announced that Clemson has named CEO and alumnus Byron Brooks to the Clemson University College of Architecture, Arts and Humanities Hall of Fame. The induction ceremony will be in March 2017. Mayor Dyer and City Council congratulated Mr. Brooks on this notable honor.

Agenda Items of Note

Ordinance No. 2016-87 relating to the operation of unmanned aircraft systems; amending chapter 5, section 5.19(2); chapter 43, section 43.02, of the City Code of Orlando, Florida

Mayor Dyer advised that Ordinance/1st Read #1 on today's agenda related to the operation of unmanned aircraft systems is being pulled from today's agenda and deferred to the December 12, 2016 City Council meeting.

Item C-1 - Meeting Minutes and Approving the Actions of the Historic Preservation Board - November 2, 2016

Mayor Dyer announced that City Council will vote today on the Historic Preservations Board's unanimous recommendation of the Tinker Field History Plaza Project. Mayor Dyer thanked Commissioner Regina I. Hill for her leadership on this project as well as the community committee that helped to guide this process. Mayor Dyer also thanked the more than 150 residents who participated in the process by either attending a community meeting or in an online survey.

Consent Agenda

It was moved by Commissioner Robert F. Stuart, seconded by Commissioner Tony Ortiz, and vote carried that the Consent Agenda be approved as follows.

(A) Mayor

(1) Confirming Citizen Advisory Board Appointments/Reappointments. Confirmed, filed and documentary **#161205A01**.

(B) Business and Financial Services

(1) Approving award to Otto Environmental Systems, LLC as the primary supplier and Schaefer Systems International, Inc. as the secondary supplier for Universal Refuse Carts, IFB17-0012. Approved, filed and documentary **#161205B01**.

(2) Approving amendment to contract with The Showcase of Citrus, Inc., for hauling, land application or reuse of wastewater residuals, RFP10-0108-2. Approved, filed and documentary **#<u>161205B02</u>**.

(3) Approving use of Florida state term contract 725-500-12-1 with Motorola Solutions for the purchase of APX 8000 All Band Portable Model 3.5 Radios, C17-0111. Approved, filed and documentary **#<u>161205B03</u>**.

(4) Approving advisory committee ranking and authorization for the Chief Procurement Officer to execute a contract for transport of wastewater biosolids for land application, RFP16-0133. Approved, filed and documentary **#161205B04**.

(5) Approving use of Brevard County Sheriff's contract for the purchase of Motorola replacement radios from Motorola Solutions Inc., C17-0112. Approved, filed and documentary **#161205B05**.

(6) Approving award to Reiss Engineering, Inc. for continuing professional services for lift station electrical upgrades and other improvements project, RQS15-0382-4. Approved, filed and documentary **#**<u>161205B06</u>.

(7) Approving use of Board of County Commissioners, Orange County Florida contract with Asphalt Paving Systems, Inc. for the purchase of cold-in-place bituminous recycling with asphalt resurfacing, C17-0097. Approved, filed and documentary **#161205B07**.

(8) Approving Amendment 6 to State Revolving Loan Agreement WW650040. Approved, filed and documentary **#161205B08**.

(9) Approving contract for interactive digital signage software maintenance and support with Four Winds Interactive, S17- 0123. Approved, filed and documentary #161205B09.

(10) Approving purchase order to Sutphen Corporation for the purchase of four (4) Sutphen Heavy Duty Pumpers, S17-0113. Approved, filed and documentary **#161205B10**.

(11) Approving award to Hub City Ford-Mercury, Inc. d/b/a Hub City Ford, Inc. for the purchase of three (3) 2017 Ford F-250 trucks, IFB17-0025. Approved, filed and documentary **#161205B11**.

(12) Approving contract with Tetra Tech, Inc., for professional engineering services for the Wastewater Force Main System Evaluation Project, RQS16-0213. Approved, filed and documentary **#161205B12**.

(13) Approving use of Florida Sheriff's Association contract with Kenworth of Central Florida for the purchase of eleven (11) Kenworth T880 trucks, C17-0115. Approved, filed and documentary **#161205B13**.

(14) Approving use of State of Florida contract with Mac Papers, Inc. for the purchase of office, virgin and recycled content paper, C17-0058. Approved, filed and documentary **#161205B14**.

(15) Approving addendum to agreement with Garney Companies, Inc., for Phase 2 OUC Duct Bank of the design-build services contract for the West Central Blvd. Gravity Sewer, Roadway, Utility, and Streetscape Project, RFP15-0344. Approved, filed and documentary **#161205B15**.

(16) Approving extending the engagement of the Carlton Fields law firm. Approved, filed and documentary **#161205B16**.

(17) Approving amendment to the internal audit services contract with KPMG, LLP, RFP 15-0074-02. Approved, filed and documentary **#161205B17**.

(C) Economic Development

(1) Accepting meeting minutes and approving the actions of the Historic Preservation Board - November 2, 2016. Accepted meeting minutes for filing by the City Clerk and approved the actions taken by the Historic Preservation Board at its November 2, 2016 meeting, filed and documentary **#161205C01**.

(2) DELETED.

(3) Approving employment agreement for Planning Technician - Christopher Deloatche (contract). Approved, filed and documentary **#161205C03**.

(4) Accepting meeting minutes and approving the actions of the Appearance Review Board (ARB) – November 10, 2016. Accepted meeting minutes for filing by the City Clerk and approved the actions taken by the Appearance Review Board at its November 10, 2016 meeting, filed and documentary **#161205C04**.

(5) Approving Business Assistance Program Agreement between Pollos Pio Pio Enterprises, Inc. d/b/a Pio Pio Latin Cuisine and the City of Orlando - 2259 South Semoran Boulevard. Approved, filed and documentary **#161205C05**.

(6) Approving Small Business Facade Program Agreement between Ceviche Tapas Church Street, LLC and the City of Orlando - 125 West Church Street. Approved, filed and documentary **#161205C06**.

(D) Families, Parks and Recreation - no agenda items.

(E) Fire - no agenda items.

(F) Housing

(1) Approving employment agreement renewal for Severo Berrios, Housing Rehabilitation Specialist II (contract). Approved, filed and documentary **#161205F01**.

(G) Orlando Venues - no agenda items.

(H) Police

(1) Approving Municipal Inter-Local Voluntary Cooperation Mutual Aid Agreement. Approved, filed and documentary **#161205H01**.

(2) Approving the following permits: SPEC9447307, "Holiday Movies at the Park", Lake Eola Park, Fri. 12/09/16; SPEC8364424, "Jingle Bell Run Orlando", Harbor Park and surrounding area, Sat. 12/10/16; SPEC0447626, "District 6 Annual Washington Shores Christmas Parade", Dr. I. Sylvester Hankins Park and surrounding area, Sat. 12/10/16; SPEC4639777, "Winter Spark in Baldwin Park", Baldwin Park Village Center and surrounding area, Sat. 12/10/16; SPEC5114774, "Violectric Holiday Concert", Lake Eola Park, Sat. 12/10/16; SPEC7701892, "Toy Give Away", Willie Mays Park, Sat. 12/17/16; SPEC9301596, "Florida Citrus Parade", Lake Eola Park and surrounding area, Thur. 12/29/16. Approved, filed and documentary **#161205H02**.

(3) Approving Combined Operational Assistance and Voluntary Cooperation Mutual Aid Agreement – Orange County Sheriff's Office. Approved, filed and documentary **#161205H03**.

(I) Public Works

(1) Approving Reclaimed Water Easement agreement between Lake Nona Central, LLC and City of Orlando. Approved, filed and documentary **#161205I01**.

(2) Approving SR 50 Pedestrian Overpass - LAP Supplemental Agreement No. 1. Approved, filed and documentary **#161205102**.

(J) Transportation - no agenda items.

(K) Other

(1) Approving Collective Bargaining Agreement – FOP. Approved, filed and documentary #161205K01.

At approximately 2:30 P.M., Mayor Dyer recessed the City Council Meeting and convened the Community Redevelopment Agency (CRA) meeting.

4. Community Redevelopment Agency (CRA)

(1) Approving Community Redevelopment Agency (CRA) meeting minutes of October 24, 2016. Commissioner Regina I. Hill moved and Commissioner Patty Sheehan seconded a motion to approve the meeting minutes, and the CRA voted unanimously to approve the meeting minutes for filing by the City Clerk, filed and documentary **#161205401**.

(2) Approving Community Redevelopment Agency (CRA) meeting minutes of November 14, 2016. Commissioner Patty Sheehan moved and Commissioner Regina I. Hill seconded a motion to approve the meeting minutes, and the CRA voted unanimously to approve the meeting minutes for filing by the City Clerk, filed and documentary **#161205402**.

Mayor Dyer called on CRA Executive Director Thomas Chatmon, who presented the following item.

(3) Appointing a new member to the Minority/Women Entrepreneur Business Assistance (MEBA) Advisory Board. Commissioner Regina I. Hill moved and Commissioner Patty Sheehan seconded a motion to appoint Lamont Jackson to the MEBA Advisory Board, and the CRA voted unanimously to appoint Mr. Lamont Jackson, filed and documentary **#161205403**.

At approximately 2:33 P.M., Mayor Dyer adjourned the Community Redevelopment Agency (CRA) meeting and reconvened the City Council meeting. Mayor Dyer asked if there were any students attending today's meeting and several UCF and Valencia College students were acknowledged and thanked for attending the meeting.

- 5. Neighborhood Improvement District Board of Directors no agenda items.
- 6. OPEB Trust Board of Trustees no agenda items.
- 7. New Business/Hearings no agenda items.
- 8. New Business no agenda items.
- 9. Hearings no agenda items.
- **10. Hearings/Emergency Ordinances** no agenda items.

11. Hearings/Ordinances/1st Reading

(1) Interim City Clerk Amy T. lennaco presented Ordinance No. 2016-88 amending the Growth Management Plan (GMP) by adopting the 2017 Winter Cycle of GMP Amendments. Commissioner Samuel B. Ings moved and Commissioner Patty Sheehan seconded a motion that the ordinance be approved on 1st reading. Mayor Dyer asked if there was any public comment on this item and no one appeared to testify. City Council voted unanimously to approve the ordinance.

12. Hearings/Ordinances/2nd Reading

(1) Interim City Clerk Amy T. lennaco presented Ordinance No. 2016-89 changing zoning from R-3B/W to I-P/W for a 1.04 acre property located north and east of West Princeton Street, south of Silver Star Road and west of Mercy Drive (Princeton Warehouse). Commissioner Regina I. Hill moved and Commissioner Patty Sheehan seconded a motion that the ordinance be adopted on 2nd reading. Mayor Dyer opened the public hearing and no one appeared to testify. Mayor Dyer closed the public hearing and City Council voted unanimously to adopt the ordinance, filed and documentary #<u>1612051201</u>.

(2) Interim City Clerk Amy T. lennaco presented Ordinance No. 2016-85 annexing and assigning the Residential Medium Intensity future land use designation to property located east of Formosa Avenue, south of Indiana Avenue and north of Harmon Avenue, addressed at 1230 Formosa Avenue, comprised of approximately 0.652 acres (Formosa North). Commissioner Robert F. Stuart moved and Commissioner Tony Ortiz seconded a motion that the ordinance be adopted on 2nd reading. Mayor Dyer opened the public hearing and no one appeared to testify. Mayor Dyer closed the public hearing and City Council voted unanimously to adopt the ordinance, filed and documentary #<u>1612051202</u>.

(3) Interim City Clerk Amy T. lennaco presented Ordinance No. 2016-86 assigning Planned Development zoning to property located east of Formosa Avenue, south of Indiana Avenue and north of Harmon Avenue, addressed at 1230 Formosa Avenue, comprised of approximately 0.652 acres (Formosa North). Mayor Dyer announced that this zoning ordinance requires a school capacity enhancement agreement for the project to be adopted by Orange County Public Schools and that a vote was to be taken by OCPS on December 1, 2016 but the vote has been delayed until December 13, 2016. Mayor Dyer asked for a motion to defer the 2nd reading of this ordinance to the January 9, 2017 City Council meeting. Commissioner Robert F. Stuart moved and Commissioner Ortiz seconded a motion to defer the 2nd reading of this ordinance to January 9, 2017 and City Council voted unanimously to defer the 2nd reading to January 9, 2017 at 2:00 P.M.

(4) Interim City Clerk Amy T. lennaco presented Ordinance No. 2016-90 approving a regional public facility digital sign for Boone High School (LDC2016-00418). Commissioner Patty Sheehan moved and Commissioner Samuel B. Ings seconded a motion that the ordinance be adopted on 2nd reading. Mayor Dyer opened the public hearing and no one appeared to testify. Mayor Dyer closed the public hearing and City Council voted unanimously to adopt the ordinance, filed and documentary #<u>1612051204</u>.

(5) Interim City Clerk Amy T. lennaco presented Ordinance No. 2016-91 amending the future land use designation from Downtown Activity Center to Residential-High Intensity for property generally located north of Granada Court, south of East Marks Street, west of Irma Avenue and east of North Magnolia Avenue (0.33 acres) (Marks St. Townhomes PD). Commissioner Robert F. Stuart moved and Commissioner Tony Ortiz seconded a motion that the ordinance be adopted on 2nd reading. Mayor Dyer opened the public hearing and no one appeared to testify. Mayor Dyer closed the public hearing and City Council voted unanimously to adopt the ordinance, filed and documentary #1612051205.

(6) Interim City Clerk Amy T. lennaco presented Ordinance No. 2016-93 amending the prior zoning ordinance, City of Orlando document #020624707, for the construction of a new bank branch (CFE Federal Credit Union). Commissioner Patty Sheehan moved and Commissioner Regina I. Hill seconded a motion that the ordinance be adopted on 2nd reading. Mayor Dyer opened the public hearing and no one appeared to testify. Mayor Dyer closed the public hearing and City Council voted unanimously to adopt the ordinance, filed and documentary #1612051206.

(7) Interim City Clerk Amy T. Iennaco presented Ordinance No. 2016-94 rezoning from the AC-3A Downtown Metropolitan Activity Center district with the traditional City overlay district to the Planned Development district with the traditional City overlay district; providing a development plan and special land development regulations of the Planned Development district (500 S. Magnolia Ave). Commissioner Regina I. Hill moved and Commissioner Patty Sheehan seconded a motion that the ordinance be adopted on 2nd reading. Mayor Dyer opened the public hearing and no one appeared to testify. Mayor Dyer closed the public hearing and City Council voted unanimously to adopt the ordinance, filed and documentary #<u>1612051207</u>.

(8) Interim City Clerk Amy T. lennaco presented Ordinance No. 2016-64 creating Chapter 15 of the City Code entitled "Sustainability" and establishing a building energy benchmarking program (BEWES). Commissioner Samuel B. Ings moved and Commissioner Robert F. Stuart seconded a motion that the ordinance be adopted on 2nd reading. Mayor Dyer opened the public hearing and the following persons appeared to testify:

- 1. Steven Jamieson, on behalf of the Mall at Millenia, appeared in support.
- 2. Victor Rodriguez, on his own behalf and on behalf of the Student Chapter of ASHRAE at University of Central Florida, appeared in support.
- 3. Rebecca McLeen, on her own behalf, appeared in support.
- 4. Susan Glickman, on her own behalf, appeared in support.
- 5. Allyson Peters, on behalf of BOMA Orlando, appeared in support.
- 6. Ken LaRoe, on behalf of First Green Bank, appeared in support.
- 7. Sarah Boren, on behalf of USGBC Florida, appeared in support.
- 8. Marty Sullivan, on behalf of League of Women Voters of Orange County, appeared in support.
- 9. Deb Hall, on her own behalf, appeared in support.

- 10. Jill Rose, on behalf of International Council of Shopping Centers, appeared in support.
- 11. Ryan P. Harrigan, on his own behalf, appeared in support.
- 12. Mary Dipboye, on her own behalf, appeared in support.
- 13. Chandra Kethi-Reddy, on his own behalf, appeared in support.
- 14. Eric Rollings, on behalf of Soil and Water Conservation District, appeared in support.

Mayor Dyer closed the public hearing and asked Sustainability Director Chris Castro to address City Council. Discussion ensued, and City Council voted unanimously to adopt the ordinance, filed and documentary #1612051208.

At approximately 3: 09 P.M. Commissioner Stuart left the meeting and returned at 3:10 P.M.

(9) Interim City Clerk Amy lennaco presented Ordinance No. 2016-92 extending the temporary moratorium on cannabis dispensing facilities. Commissioner Samuel B. Ings moved and Commissioner Regina I. Hill seconded a motion that the ordinance be adopted on 2nd reading. Mayor Dyer opened the public hearing and the following persons appeared to testify:

- 1. Robert Martinez, on his own behalf, appeared in support of dispensing facilities but opposes extending the moratorium.
- 2. Mark Wachowiak, on his own behalf, appeared in support of dispensing facilities but opposes extending the moratorium.
- 3. Jose Datil Colon, on his own behalf, appeared with general comments about marijuana.
- 4. Leonard Bissell [sic], on his own behalf, appeared with general comments about marijuana.

Mayor Dyer closed the public hearing, discussion ensued and City Council voted unanimously to adopt the ordinance, filed and documentary #<u>1612051209</u>.

13. Ordinances/1st Reading

(1) Ordinance No. 2016-87 relating to the operation of unmanned aircraft systems is deferred to the City Council meeting on December 12, 2016 at 2:00 P.M.

(2) Interim City Clerk Amy T. lennaco presented Ordinance No. 2016-95 relating to regional facility identification signage and approving the sign package for the Orlando City Soccer stadium pursuant to Section 64.320, Orlando City Code. Commissioner Regina I. Hill moved and Commissioner Patty Sheehan seconded a motion that the ordinance be approved on 1st reading. Mayor Dyer asked if there was any public comment on this item and no one appeared to testify. Mayor Dyer asked if there was any public comment on this item and no one appeared to testify. City Council voted unanimously to approve the ordinance.

(3) Interim City Clerk Amy T. lennaco presented Ordinance No. 2016-82 designating certain land generally located north of Park Lake Street, east of North Hyer Avenue, south of East Marks Street and west of Thornton Avenue, and comprised of 0.56 acres of land, more or less, from the O-1 Office and Residential District with the traditional City overlay district to the Planned Development district along with the traditional City overlay District on the City's official zoning map. (Economic Development) (Eleven on Thornton PD, ZON2016-00014). Commissioner Robert F. Stuart moved and Commissioner Tony Ortiz seconded a motion that the ordinance be approved on 1st reading. Mayor Dyer asked if there was any public comment on this item and no one appeared to testify. City Council voted unanimously to approve the ordinance.

(4) Interim City Clerk Amy T. Iennaco presented Ordinance No. 2016-97 relating to the Parramore Oaks planned development zoning district. Commissioner Regina I. Hill moved and Commissioner Patty Sheehan seconded a motion that the ordinance be approved on 1st reading. Mayor Dyer asked if there was any public comment on this item and the following persons appeared to testify:

1. Attorney Mark Lippman, on behalf of Phil Cowherd, appeared in opposition. Mr. Lippman distributed to Council members a Sworn Statement of Mack Alan Cope, AICP together with a copy of the City of

Orlando Quasi-Judicial Hearing Petition in Opposition, citing Case No. QJ2016-008 (ZON2016-00024).

- 2. Attorney Scott Baker, on behalf of Madison Plaza LLC, Madison Hollor South LLC and Southwest Florida LLC, appeared in opposition.
- 3. Jose Datil Colon, on his own behalf, appeared in support.
- 4. Attorney Arthur Baker, on behalf of InVictus Development, LLC, appeared in support.
- 5. Paula Rhodes, on behalf of InVictus Development, LLC, appeared in support.

At the close of public comments, discussion ensued and City Council voted unanimously to approve the ordinance.

(5) Interim City Clerk Amy T. lennaco presented Ordinance No. 2016-96 relating to procedures for quasijudicial hearings. Commissioner Regina I. Hill moved and Commissioner Patty Sheehan seconded a motion that the ordinance be approved on 1st reading. Mayor Dyer asked if there was any public comment on this item and the following persons appeared to testify:

- 1. Attorney Mark Lippman, on behalf of Phil Cowherd, appeared in opposition.
- 2. Attorney Scott Baker, on behalf of Madison Plaza LLC, Madison Hollor South LLC and Southwest Florida LLC, appeared in opposition.

At the close of public comments, discussion ensued and City Council voted unanimously to approve the ordinance.

14. Ordinances/2nd Reading – no agenda items.

15. Appeals – no agenda items.

16. Quasi-Judicial Hearings – no agenda items.

17. Unfinished Business – no agenda items.

18. For Information Only

(1) Meeting minutes of the Nominating Board on October 12, 2016. Accepted meeting minutes for information only and for filing by the City Clerk, filed and documentary #1612051801.

(2) Meeting minutes of the Harry P. Leu Gardens Board on September 28, 2016. Accepted meeting minutes for information only and for filing by the City Clerk, filed and documentary #1612051802.

(3) Meeting minutes of the Harry P. Leu Gardens Board on October 26, 2016. Accepted meeting minutes for information only and for filing by the City Clerk, filed and documentary #**<u>1612051803</u>**.

(4) Meeting minutes of the Families, Parks and Recreation Advisory Board on October 18, 2016. Accepted meeting minutes for information only and for filing by the City Clerk, filed and documentary **#1612051804**.

(5) Meeting minutes of the Risk Management Committee on September 16, 2016. Accepted meeting minutes for information only and for filing by the City Clerk, filed and documentary #<u>1612051805</u>.

19. General Appearances

Jennifer Lanzer, appearing on her own behalf, spoke in opposition to pipelines and the potential effects to Florida's aquifer.

Jose Datil Colon, appearing on his own behalf, spoke about his recent arrest in downtown Orlando.

Nathan Fernandez, appearing on his own behalf, asked for help in getting his vehicle released from a towing company.

Mark Wachowiak, appearing on his own behalf, spoke about renewable energy and climate change.

Pending – no agenda items.

Adjournment

There being no further business to come before City Council, Mayor Buddy Dyer adjourned the meeting at 5:00 P.M.

Buddy Dyer, Mayor

Amy T. Iennaco, Interim City Clerk