

Orange County Government

*Orange County Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393*



Draft Meeting Minutes

Wednesday, March 4, 2020

5:30 PM

County Commission Chambers

2020 Charter Review Commission

CRC Members:

Camille Evans, Chair

James R. Auffant, Vice Chair

Jack Douglas–Russell Drake–John E. Fauth–Matthew Klein–

Jeffrey A. Miller–Nikki Mims–Angela Melvin–Samuel Vilchez Santiago–Soraya Smith–

Lee Steinhauer–Eugene Stoccardo–Anthony (Tony) Suarez–Dotti Wynn

Call to Order

The meeting was called to order at 5:35 p.m.

Present: 14 - Member Camille Evans, Member James R. Auffant, Member Jack Douglas, Member Russell Drake, Member John E. Fauth, Member Matthew Klein, Member Angela Melvin, Member Jeffrey A. Miller, Member Nikki Mims, Member Samuel Vilchez Santiago, Member Soraya Smith, Member Lee Steinhauer, Member Eugene Stoccardo, and Member Dotti Wynn

Absent: 1 - Member Anthony (Tony) Suarez

Others present:

CRC General Counsel Cliff Shepard
Deputy Clerk Katie Smith
Assistant Deputy Clerk Jessica Vaupel
Senior Minutes Coordinator Noelia Perez
Senior Minutes Coordinator Craig Stopyra

Pledge of Allegiance**I. Public Comment**

The following persons addressed the CRC for public comment:

- Sally Baptiste
- Chuck O'Neal
- Doris O'Neal
- Steve Meyers
- Nick Asma
- Anh Volmer
- Jim Durocher
- Mark Glaser
- Val Mobley
- Nicole Wilson
- Jess Kovach

The following materials were presented to the CRC prior to the close of public comment:

- Exhibit 1, from Sally Baptiste
- Exhibit 2, from Jim Durocher

II. Consent Item

- A. CRC-20-092** Approval and execution of the minutes of the February 5, 2020 meeting of the Charter Review Commission (CRC).

A motion was made by Member Wynn, seconded by Member Drake, to approve and execute the

minutes of February 5, 2020. The motion carried by the following vote:

Aye: 14 - Member Evans, Member Auffant, Member Douglas, Member Drake, Member Fauth, Member Klein, Member Melvin, Member Miller, Member Mims, Member Santiago, Member Smith, Member Steinhauer, Member Stoccardo, and Member Wynn

Absent: 1 - Member Suarez

III. Chair Comments

Chair Evans addressed the CRC regarding the following:

- Second Readings of Subcommittee Recommendations for Ethics Concerning Lobbyists, Number and Composition of County Commission Districts and Wekiva River and Econlockhatchee River. First Readings of the subcommittee recommendations were heard during the February 5, 2020 CRC meeting.
- Subcommittee Updates will be taken up at the conclusion of the three subcommittee recommendations.
- The next CRC regular business meeting is scheduled for March 16, 2020. Currently, there are no items on the agenda, but a decision on whether to keep this meeting scheduled will be determined at the end of the meeting today.

IV. Subcommittee Recommendations - Second Reading and Vote

- A. CRC-20-093** Consideration of the Ethics Concerning Lobbyists Committee's recommendation to make no changes to the Orange County Charter with respect to the Ethics Concerning Lobbyists evaluation topic; and further, to make no changes to the Orange County Charter with respect to the creation of an Ethics Commission separate from the Ethics Advisory Board that currently is provided for under the Orange County Ethics Code.

The second reading topic regarding Consideration of the Ethics Concerning Lobbyists Committee was read into the record by the Clerk. Chair Evans requested Member Steinhauer provide comments regarding the second reading. Member Steinhauer thanked the members of the subcommittee for all of their hard work and due diligence. Their subcommittee evaluated many issues with the subject and expanded to include looking into an Ethics Commission. Member Steinhauer thanked CRC Staff for providing resources and County Staff for their participation in subcommittee meetings. The subcommittee concluded that the system and safeguards currently in place right now are working and are more than adequate to the task of ensuring that Orange County has an ethical government. Member Steinhauer requested support from the full CRC on passage of the recommendation. Discussion ensued. General Counsel Shepard contributed to the discussion.

A motion was made by Member Steinhauer, seconded by Member Miller, to approve the Ethics Concerning Lobbyists Committee's recommendation to make no changes to the Orange County Charter with respect to the Ethics Concerning Lobbyists evaluation topic; and further, to make no

changes to the Orange County Charter with respect to the creation of an Ethics Commission separate from the Ethics Advisory Board that currently is provided for under the Orange County Ethics Code. The motion carried by the following vote:

Aye: 9 - Member Evans, Member Auffant, Member Douglas, Member Drake, Member Klein, Member Melvin, Member Miller, Member Steinhauer, and Member Wynn

Nay: 5 - Member Fauth, Member Mims, Member Santiago, Member Smith, and Member Stoccardo

Absent: 1 - Member Suarez

B. CRC-20-094 Consideration of the Number and Composition of County Commission Districts Committee's recommendation to make no changes to the Orange County Charter with respect to the number and composition of Orange County Districts; and further, to make no changes to the Orange County Charter with respect to whether the Board of County Commissioners are full or part-time officers.

The second reading topic regarding Consideration of the Number and Composition of County Commission Districts Committee was read into the record by the Clerk. Chair Evans requested Member Douglas provide comments regarding the second reading. Member Douglas thanked subcommittee members Drake, Klein, Suarez and Wynn for all of their hard work on the project. The subcommittee had numerous meetings and heard from members of the public, elected officials, and County Staff. The subcommittee reviewed the following during their meetings:

- Historical data and records from previous CRC committees pertaining to this issue.
- Cost to implement and the increase of County commissioners and commission staff relating to salaries and operational cost.
- Cost of renovation and impact on space within the County Administration building.
- Population in relation to the number of citizens per district and the impact on the County commissioners.

Based upon their review, the subcommittee unanimously approved to not increase the number of County commission districts or to change the definition of the County Commissioners part-time or full-time status. Discussion ensued. Member Fauth submitted a document to the full CRC for the record.

A motion was made by Member Douglas, seconded by Member Wynn, to approve the Number and Composition of County Commission Districts Committee's recommendation to make no amendments to the Orange County Charter with respect to the number and composition of Orange County Commission Districts; and further, to make no changes to the Board of County Commissioners full or part-time status. The motion carried by the following vote:

Aye: 14 - Member Evans, Member Auffant, Member Douglas, Member Drake, Member Fauth, Member Klein, Member Melvin, Member Miller, Member Mims, Member Santiago, Member Smith, Member Steinhauer, Member Stoccardo, and Member Wynn

Absent: 1 - Member Suarez

- C. **CRC-20-095** Consideration of the Rights of the Wekiva River and Econlockhatchee River Committee's recommendation to amend the Orange County Charter with respect to prohibiting pollution of the Wekiva River, Econlockhatchee River and all other waters of Orange County.

The second reading topic regarding Consideration of the Rights of the Wekiva River and Econlockhatchee River Districts Committee was read into the record by the Clerk. Chair Evans indicated that Member Mims would speak on behalf of the subcommittee. Member Mims thanked CRC Staff, the public for their input and subcommittee members for their hard work. Member Mims provided a background of the proposed amendment. The subcommittee held twelve (12) public meetings to hear public input and consider proposals regarding the rights of nature for both the Wekiva and Econlockhatchee Rivers and that any of the violations of pollution would be actionable by Orange County citizens and by Orange County itself. Over the course of multiple subcommittee meetings, members considered and analyzed several drafts and proposed amendments to the draft. In December of 2019, the subcommittee directed General Counsel Shepard to draft the amendment in an attempt to address some of the legal issues presented by the current draft. The subcommittee voted unanimously to recommend to the full CRC that General Counsel Shepard's version of the draft amendment to the Orange County Charter be submitted to the voters. The draft amendment attempts to further protect the waters of Orange County from pollution by prohibiting certain conduct by governmental agencies, non-natural persons or corporate entities and by providing a private right of action of every citizen of the County and to enforce those provisions set forth in the amendment. The subcommittee additionally decided to approve the final draft which adopts certain state laws and definitions such as critical terms of pollution and other vital terms. Member Mims identified the reasons for the recommendation of the proposed amendment. After careful consideration of the information presented, the subcommittee recommends the ballot, title, summary and charter amendment to the full CRC for its consideration. Discussion ensued. General Counsel Shepard contributed to the discussion.

A motion was made by Member Drake, seconded by Member Santiago, to approve the Rights of the Wekiva River and Econlockhatchee River Committee's recommendation to amend the Orange County Charter with respect to prohibiting pollution of the Wekiva River, Econlockhatchee River, and all other waters of Orange County. The motion carried by the following vote:

Aye: 9 - Member Auffant, Member Douglas, Member Drake, Member Fauth, Member Melvin, Member Mims, Member Santiago, Member Smith, and Member Stoccardo

Nay: 5 - Member Evans, Member Klein, Member Miller, Member Steinhauer, and Member Wynn

Absent: 1 - Member Suarez

V. Subcommittee Updates

- A. **CRC-20-096** Split Oak Subcommittee Meeting Held on February 12, 2020 (Vice Chair Auffant)

Vice Chair Auffant presented a subcommittee update on Split Oak. Vice Chair Auffant indicated that the Split Oak subcommittee is ready to present the first reading of the final report to the full CRC at the regular business meeting scheduled for April 1, 2020. The second reading of the final

report for the Split Oak subcommittee is scheduled for May 6, 2020.

B. CRC-20-097 Permanent Funding of Green PLACE Subcommittee Meeting Held on February 17, 2020 (Chair Evans)

Chair Evans presented a subcommittee update on Permanent Funding of Green PLACE. Chair Evans indicated that the subcommittee's first meeting was held on February 17, 2020. She stated that nothing has come up to indicate that there is an ability to mandate or direct the Board of County Commissioners on how to allocate funding in the future. The subcommittee has requested additional information from County Staff to better understand how lands are identified, the process for applying funds to them, and the history of environmentally sensitive land acquisitions. The next subcommittee meeting is tentatively scheduled for Thursday, March 12, 2020, at 4 p.m.

C. CRC-20-098 Citizen-Initiated Charter and Ordinance Amendment Process Subcommittee Meeting Held on February 19, 2020 (Member Smith)

Member Smith presented a subcommittee update on Citizen-Initiated Charter and Ordinance Amendment Process. Member Smith indicated that the subcommittee met on February 19, 2020. She thanked the citizens for their input, and thanked County commissioners and officials for their support moving forward. CRC members and citizens are encouraged to review summaries available on the Comptroller's website. The next subcommittee meeting is scheduled for March 11, 2020, at 4 p.m.

VI. New Business

There was no new business discussed.

VII. Adjournment

There being no further business, the CRC adjourned at 7:46 p.m.

Camille Evans, Chair
2020 Charter Review Commission