

# **Orange County Government**

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



## **Charter Review Commission Agenda - Final**

**Thursday, January 9, 2020**

**6:00 PM**

**District 2 - Wekiva High School**

### **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****Pledge of Allegiance****I. Invited Guests**

- City of Apopka Mayor Bryan Nelson
- BCC District 2 Commissioner Christine Moore

**II. Public Comment****III. Consent Item**

- A. CRC-20-074 Approval and execution of the minutes of the December 4, 2019 District 3 Public Hearing of the Charter Review Commission (CRC).  
Attachments: 2019-12-04 CRC Draft Minutes

**IV. Chair Comments****V. Discussion Item**

- A. CRC-20-075 Proposed Charter Review Topic - Permanent Funding of Green PLACE  
Attachments: 2020-01-09 V. A1 Member Stoccardo New Proposal Topic  
2020-01-09 V. A2 Member Stoccardo Proposal

**VI. Subcommittee Updates**

- A. CRC-20-076 Split Oak Committee Meetings Held on December 6 and 16, 2019 and January 6, 2020 (Vice Chair Auffant)  
Attachments: 2020-01-09 VI. A1 Split Oak Committee Summary Report  
2020-01-09 VI. A2 Split Oak Committee Summary Report
- B. CRC-20-077 Citizen-Initiated Charter and Ordinance Amendment Process Committee Meetings Held on December 10, 2019 and January 8, 2020 (Member Smith)  
Attachments: 2020-01-09 VI. B1 Citizen-Initiated Charter and Ordinance Process Report
- C. CRC-20-078 Rights of the Wekiva River and Econlockhatchee River Committee Meetings Held on December 16, 2019 and January 6, 2020 (Member Stoccardo)  
Attachments: 2020-01-09 VI. C1 Rights Wekiva River & Econlockhatchee River Report

- D. CRC-20-079 Number and Composition of County Commission Districts Committee Meeting Held on December 18, 2019 (Member Douglas)
- Attachments: 2020-01-09 VI. D1 Number and Composition Commission Districts Report
- E. CRC-20-080 Ethics Concerning Lobbyists Committee Meeting to be Held on January 13, 2020 (Member Steinhauer)

**VII. New Business**

# Orange County Government

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## Draft Meeting Minutes

Wednesday, December 4, 2019

6:00 PM

District 3 - Engelwood Neighborhood Center

## 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 6:05 p.m.

**Present:** 12 - Member Camille Evans, Member James R. Auffant, Member Jack Douglas, Member Russell Drake, Member John E. Fauth, Member Angela Melvin, Member Jeffrey A. Miller, Member Nikki Mims, Member Samuel Vilchez Santiago, Member Soraya Smith, Member Eugene Stoccardo, and Member Anthony (Tony) Suarez

**Absent:** 3 - Member Matthew Klein, Member Lee Steinhauer, and Member Dotti Wynn

Others present:

CRC General Counsel Cliff Shepard  
Deputy Clerk Katie Smith  
Senior Minutes Coordinator Noelia Perez

**Pledge of Allegiance****II. Public Comment**

The following person addressed the Board: Emmett O'Dell.

**III. Consent Item**

- A. CRC-20-067** Approval and execution of the minutes of the November 6, 2019 District 4 Public Hearing of the Charter Review Commission (CRC).

A motion was made by Member Fauth, seconded by Member Smith, to approve and execute the minutes of November 6, 2019. The motion carried by the following vote:

Aye: 11 - Member Evans, Member Auffant, Member Douglas, Member Drake, Member Fauth, Member Melvin, Member Miller, Member Mims, Member Santiago, Member Smith, and Member Stoccardo

Absent: 4 - Member Klein, Member Steinhauer, Member Suarez, and Member Wynn

**IV. Chair Comments**

Chair Evans stated the importance of members attending the CRC and Committee Meetings regularly. Chair Evans indicated the responsibility of the CRC's input in representing the interests of all citizens in Orange County.

**V. Subcommittee Updates**

- A. CRC-20-068** Rights of the Wekiva River and Econlockhatchee River Committee Meetings Held on November 7 and 18, 2019 (Member Stoccardo)

Chair Evans requested an update from Member Stoccardo on the Rights of Wekiva River and Econlockhatchee River subcommittee meetings. Member Stoccardo indicated the subcommittee

is arranging to speak with Mayor Demings and legal counsel from the Environmental Protection Division. The next subcommittee is scheduled for December 16, 2019, at 4 p.m.

**B. CRC-20-069 Number and Composition of County Commission Districts Committee**  
Meeting Held on November 11, 2019 (Member Douglas)

Chair Evans requested an update from Member Douglas on the Number and Composition of County Commission subcommittee meetings. Member Douglas indicated the Committee has received input from Mayor Demings and the majority of the Board of County Commissioners. The committee is working on drafting language for the final report and once completed the Committee will forward the finalized report to the full CRC.

**C. CRC-20-070 Citizen-Initiated Charter and Ordinance Amendment Process Committee**  
Meeting Held on November 20, 2019 (Member Smith)

Chair Evans requested an update from Member Smith on the Citizen-Initiated Charter and Ordinance Amendment subcommittee meeting. Member Smith indicated the Committee had their first meeting and their next subcommittee is scheduled for December 10, 2019, at 4 p.m. Member Smith mentioned several speakers are scheduled to attend along with informational items provided by Supervisor of Election, Bill Cowles.

**D. CRC-20-071 Sunshine Meeting Between Chair, Vice Chair and Subcommittee Chairs**  
Held on November 25, 2019 (Chair Evans)

Chair Evans, Vice Chair Auffant, and current subcommittee Chairs met to discuss the subcommittee work product guidelines approved at the November 6, 2019 CRC Meeting. Chair Evans indicated no changes were made to the established guidelines however, it was determined that a third CRC meeting be added in May. Chair Evans explained the additional meeting added would allow for consideration of reports in order for a final review at the June 3, 2020 CRC Meeting.

**I. Invited Guest**

BCC District 3 Commissioner Mayra Uribe

Commissioner Uribe addressed the CRC and thanked the members of the Charter for their work and service. Commissioner Uribe discussed her role as Commissioner, achievements within her district, as well as upcoming future events planned. Commissioner Uribe expressed her thoughts on the need for adding commission districts, whereas, she did not see the need for adding more districts nor Commissioners however she would recommend hiring additional staff.

**E. CRC-20-072 Ethics Concerning Lobbyists Committee Meeting Held on December 2, 2019 (Member Steinhauer)**

Chair Evans presented an updated on the Ethics Concerning Lobbyists Committee due to Subcommittee Chair Steinhauer not being in attendance. Chair Evans indicated the Committee voted on working on their final report with the idea of no action being taken by the Committee. However, the Committee will put off their final vote and approval of subcommittee report until after the January 9, 2020 CRC District Meeting.

**F. CRC-20-073** Split Oak Committee Organizational Meeting to be Held on December 6, 2019 (Vice Chair Auffant)

Chair Evans requested an update on the Split Oak Committee from Member Auffant. Member Auffant indicated the Split Oak Committee was scheduled to meet on December 6, 2019 at 4:00 p.m. He mentioned Former Orange County Commissioner Pete Clark would be in attendance and invited members of the CRC and public to join the meetings. Member Auffant mentioned the subcommittee would be working diligently and expects the subcommittee to have the Final Report ready by February 2020.

**VI. New Business**

Vice Chair Auffant thanked staff for their hard work.

**VII. Adjournment**

There being no further business, the CRC adjourned at 6:26 p.m.

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Camille Evans, Chair  
2020 Charter Review Commission

**From:** [Eugene Stoccardo](#)  
**To:** [Charter](#); [Smith, Katie](#); [Mercado, Anissa](#); [Vaupel, Jessica](#)  
**Subject:** New Proposal topic - Permanent Funding of Green PLACE  
**Date:** Friday, December 27, 2019 4:57:09 PM  
**Attachments:** [PermanentEnvironmentallyEndangeredLandsFundingforOrangeCounty-Version1.docx](#)

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Hi Katie

Here is a new proposal for creating permanent funding for the counties land acquisition program, Environmental Sensitive Lands - Green PLACE.

Support Documentation is the Orange County Code Article 2 Division 9 17-243 - use of Proceeds

Sincerely  
Eugene



**A. Introduction.**

To create a permanent fund to acquire Natural Lands for Orange County's Environmental Sensitive Lands program (Program). Acquisition of Nature Lands will include lands for conservation, passive recreation, and environmental education.

**B. Title.**

Establish a permanent Natural Land acquisition fund for Environmental Sensitive Lands for Orange county.

**Ballot Proposal:**

The Orange County Board of County Commissioners (BCC) shall budget \$7,500,000 per year to fund the purchase of Environmental Sensitive Lands to be preserved as conservation, passive recreation, and environmental education; shall be preserved forever from development and linear facilities. These lands shall not be sold, leased or taken by any person or corporation, public or private. Renewal by Citizens every ten years by simple majority.

Comptroller estimated financial impact: \_\_\_\_\_

\_\_\_\_\_ Yes

\_\_\_\_\_ No

**C. Text Revisions:** Article X of the Orange County Charter is created and Section 1000.0? is added.  
(Underline text is added to the charter).

1. The Orange County Board of County Commissioners (BCC) shall budget \$7,500,000 per year for funding purchases of Environmental Sensitive Lands within Orange County.
2. Effective Date of the charter amendment shall become effective upon passage and implemented within the new budget year.
3. Environmental Sensitive Lands funding shall be use for only purchasing lands as directed by the Park Land Acquisition for Conservation and Environmental Protections (Green PLACE); appointed citizens committee; managed by Environmental Protection Division.
4. Membership of the Citizens Committee shall include (based on availability): local Environmental NGOs, Government personal with Natural Resource Qualifications, GIS, and up to two interested Orange County citizens. Membership is limited to seven and shall not exceed a two-year term appointment to the Citizen Committee.
5. Lands to be acquire Including Environmental Sensitive Lands for conservation, passive recreation, and environmental education. Acquisition goal shall include creating viable biological corridors for Flora and Fauna to pass through Orange County
6. These lands shall be preserved forever from development and linear facilities. They shall not be sold, nor shall they be leased or taken by any person or corporation, public or private.

7. The Environmental Sensitive Lands program shall be renewed by the citizens of Orange county every ten years by simply majority vote of orange county voters.
8. Due to some unforeseen need, the BCC requires a suspension of the program, a supermajority vote of the BCC shall be required. The BCC can do an emergency suspension, but it shall go to the voters within 180 days from the BCC suspension vote. Orange county citizens will decide with a 60% vote to continue the Suspension. Suspension shall only be for a period of two years from the date of citizens vote that will be automatically reestablish the program.

#### **D. Definitions**

**Environmentally Sensitive Lands (ESL)** – include creek, stream or river banks, major drainage ways, beaches, shorelines, viable wetlands, floodplains, water resource lands, poor soil areas not suitable for development, wellhead protection areas, prime groundwater recharge areas, parks and recreation areas, and natural systems that contribute to greenway corridors and wildlife habitat.

**Linear facilities:** include electric transmission and distribution facilities, telecommunications transmission and distribution facilities, pipeline transmission and distribution facilities, public transportation corridors, and related appurtenances

**Green PLACE:** The Park Land Acquisition for Conservation and Environmental Protections.



## 2020 ORANGE COUNTY CHARTER REVIEW COMMISSION (CRC)

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### Committee Summary Report

#### Split Oak Committee

December 6, 2019  
Comptroller's 4<sup>th</sup> Floor Conference Room  
4:00 p.m.

#### Committee Members:

James R. Auffant, Chair  
Russell Drake  
John Fauth  
Nikki Mims  
Samuel Vilchez Santiago (via telephone)  
Clifford Shepard, CRC Attorney  
Jennifer Lara-Klimetz, Assisting CRC as Staff

#### Invited Guest:

Commissioner Pete Clarke

The organizational meeting of the Split Oak Committee was held to identify issues and to address any member questions.

#### Invited Guest

Commissioner Pete Clarke addressed the committee regarding the history of Split Oak.

#### Committee Chair Comments

Chair Auffant opened the meeting and members of the committee introduced themselves. Following introductions, Chair Auffant presented the ballot title, summary, and proposed amendment prepared by General Counsel.

#### Members Open Discussion

Member Vilchez Santiago stated that the committee should study the positive and potential negative effects the Split Oak proposal. Chair Auffant agreed.

Member Drake requested the estimated financial impacts of the Split Oak proposal. Discussion ensued.

Member Fauth provided remarks regarding Commissioner Clarke's comments. Member Fauth suggested the provision should require two successful, successive referendums before allowing the Split Oaks charter protections be removed from the Charter. Member Auffant requested General Counsel Shepard research Member Fauth's suggestion and provide his opinion at the next committee meeting. Discussion ensued.

Member Mims contributed to the conversation and thanked Chair Auffant for seeking General Counsel in the preparation of the Split Oak Ballot template.

Member Fauth submitted an exhibit to the committee by Rachel E. Deming regarding Protecting Natural Resources – Forever: The Obligations of State Officials to Uphold “Forever” Constitutional Provisions. Discussion ensued. General Counsel Shepard contributed to the discussion.

Following the discussion, the members agreed to set the next committee meeting for Monday, December 16, 2019 at 2:00 p.m.

Member Auffant commended General Counsel Shepard for his work in preparing the draft Ballot title, summary, and proposed amendment.

#### Public Comment

The following persons addressed the committee:

Nicole Wilson  
Valerie Anderson  
Charles Lee  
Tina Sorbo  
Jim Erwin  
Trevor Sorbo  
Kimberly Buchheit  
Eugene Stoccardo  
Megan Sorbo

#### Future Action Plan

Member Vilchez Santiago encouraged committee members and members of the public to visit Split Oak. Discussion ensued.

The next scheduled committee meeting will be held on Monday, December 16, 2019 at 2:00 p.m. Supporting materials, including the meeting notice, agenda, audio and summary report, may be found by visiting <https://www.occompt.com/clerk-of-the-bcc/charter-2020/meetings/>.



## 2020 ORANGE COUNTY CHARTER REVIEW COMMISSION (CRC)

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### Committee Summary Report

#### Split Oak Committee

December 16, 2019  
Comptroller's 4<sup>th</sup> Floor Conference Room  
4:00 p.m.

#### Committee Members:

James R. Auffant, Chair  
Russell Drake  
John Fauth  
Nikki Mims  
Samuel Vilchez Santiago (via telephone)  
Patrick Brackins, CRC General Counsel  
Craig Stopyra, Senior Minutes Coordinator

The Split Oak Committee meeting was held to further identify related issues and to address any member questions.

#### Committee Chair Comments

Chair Auffant provided remarks regarding the committee's organizational meeting and referenced draft ballot title, summary and proposed amendment language provided by General Counsel. Chair Auffant advised the committee will first discuss the proposed language, and then he will review the questions asked of General Counsel at the December 6<sup>th</sup> committee meeting. General Counsel Brackins advised that the text in red, provided in the second draft, reflects changes made by General Counsel following the December 6<sup>th</sup> meeting.

#### Members Open Discussion

The members reviewed the second draft ballot title, summary and proposed amendment language, offered recommended changes and asked related questions. General Counsel Brackins contributed to the discussion.

Chair Auffant asked the members to review the draft language over the next couple of weeks in preparation of their next committee meeting in January.

Chair Auffant reviewed the questions asked of General Counsel at the last meeting and referenced the Research Questions memorandum provided by General Counsel on December 13, 2019. Discussion ensued. General Counsel Brackins contributed to the discussion.

Member Fauth questioned the penalty for violations. Discussion ensued. Member Mims asked General Counsel Brackins whether any other barriers exist, with the current draft language, which the committee members should consider over the next couple of weeks. General Counsel Brackins contributed to the discussion and advised he would look in to the standing issue.

#### Committee Chair Comments

Chair Auffant thanked the committee members and General Counsel for their work and commitment to the proposal.

#### Public Comment

The following persons addressed the committee:

- Chuck O'Neal
- Scott Boggs
- Bob Olsen
- Megan Sorto
- Katrina Shadicks
- Eugene Stoccardo

#### Future Action Plan

The next scheduled committee meeting will be held on Monday, January 6, 2020 at 4:00 p.m. Supporting materials, including the meeting notice, agenda, audio and summary report, may be found by visiting <https://www.occompt.com/clerk-of-the-bcc/charter-2020/meetings/>.



## 2020 ORANGE COUNTY CHARTER REVIEW COMMISSION (CRC)

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### Committee Summary Report

### Citizen-Initiated Charter and Ordinance Amendment Process Committee

December 10, 2019  
Comptroller's 4<sup>th</sup> Floor Conference Room  
4:00 p.m.

#### Committee Members:

Soraya Smith, Chair  
Jack Douglas  
Angela Melvin  
Jeffrey A. Miller  
Dotti Wynn (via telephone)  
Clifford Shepard, CRC General Counsel  
Noelia Perez, Senior Minutes Coordinator

#### Invited Guests:

Dr. Gloria Pickar, League of Women Voters of  
Orange County Co-President  
Samuel Vilchez Santiago, CRC Member

The Citizen-Initiated Charter and Ordinance Amendment Process Committee meeting was held to further identify related issues and to address any member questions.

#### Invited Guests

Dr. Pickar presented an introduction to Orange County's League of Women Voters. Dr. Pickar advised the Orange County League has not studied this particular issue in depth but stated that the current process is too restrictive. Dr. Pickar pointed out areas where the Orange County League supports the current process and areas where they feel revisions are needed. The committee members asked various questions regarding Dr. Pickar's remarks. Discussion ensued.

CRC Member Vilchez Santiago addressed several questions raised by various members at the last committee meeting regarding his proposal. Discussion ensued amongst Member Vilchez Santiago and the committee members. General Counsel Shepard contributed to the discussion.

#### Public Comment

The following persons addressed the committee:

- Carmen Torres
- Eugene Stoccardo

### Committee Chair Comments

Chair Smith provided an update regarding her meeting with Supervisor of Elections Cowles related to his Orange County Initiative Petition History memorandum and attachments provided on December 2, 2019. Discussion ensued. General Counsel Shepard contributed to the discussion.

### General Counsel Continued Discussion from November 20, 2019

General Counsel Shepard provided the committee with a mathematical comparison of the number of citizen initiative petition attempts made prior to and after 2016. General Counsel Shepard advised that only one of the six petitions attempted prior to 2016 made it to the ballot. General Counsel Shepard referenced an article that was previously distributed to the committee members related to a current proposed Florida Constitutional amendment. Discussion ensued.

### Members Open Discussion

Member Miller questioned whether the committee can determine why prior citizen initiative attempts were unsuccessful based upon the information they've been presented thus far. Discussion ensued. Members Miller and Douglas agreed that the committee needs to bring the topic back to the full CRC if the committee would like to consider topics other than petition thresholds.

### Future Action Plan

Chair Smith asked the members to think about what the committee was initially charged with and whether the committee should get more specific and bring the topic back to the full CRC. The committee will discuss this and take up a motion at the next committee meeting in January.

The next scheduled committee meeting will be held on January 8, 2020 at 4:00 p.m. Supporting materials, including the meeting notice, agenda, audio and summary report, may be found by visiting <https://www.occompt.com/clerk-of-the-bcc/charter-2020/meetings/>.





## 2020 ORANGE COUNTY CHARTER REVIEW COMMISSION (CRC)

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### Committee Summary Report

### Rights of the Wekiva River and Econlockhatchee River Committee

December 16, 2019  
Comptroller's 4<sup>th</sup> Floor Conference Room  
4:00 p.m.

#### Committee Members:

Eugene Stoccardo, Chair  
James R. Auffant  
John E. Fauth  
Nikki Mims  
Anthony (Tony) Suarez  
Patrick Brackins, CRC General Counsel  
Jennifer Lara-Klimetz, Assisting CRC as Staff

The Rights of the Wekiva River and Econlockhatchee River Committee meeting was held to further review proposed Charter amendment language.

#### Public Comment

The following person addressed the committee: Chuck O'Neal.

#### Chair Comments

Chair Stoccardo provided remarks regarding his submittal of a new draft amendment.

#### Members Open Discussion

Chair Stoccardo opened the floor for member discussion. Member Mims inquired as to whether the committee was going to review the whole draft or only certain subsections of the new draft. Discussion ensued.

Member Auffant voiced his concerns regarding the new draft amendment and requested the committee enlist the help of General Counsel in drafting the amendment. Discussion ensued. General Counsel Brackins contributed to the discussion.

Member Auffant asked General Counsel Brackins to provide a legal opinion regarding the new draft amendment and provide additional amendment language as necessary. Member Mims contributed to the discussion and agreed to have General Counsel review and opine on the new draft amendment. Discussion ensued.

General Counsel Brackins requested committee direction regarding the new draft amendment. Discussion ensued. Member Auffant requested General Counsel Brackins provide an opinion regarding legal standing and preemption issues. Member Fauth contributed to the discussion.

Member Auffant requested injunctive relief be added to the new draft amendment. The committee members agreed. Discussion ensued.

General Counsel Brackins stated that the deadline for the final report is on January 24, 2020. Discussion ensued. Member Suarez contributed to the discussion.

Following the discussion, the members agreed to set the next committee meeting for Monday, January 6, 2020 at 2:00 p.m.

Member Mims asked General Counsel Brackins if he thought any of the issues within the new draft amendment should be deleted or collapsed. Discussion ensued.

The committee members discussed the definition for pollution of the waters.

#### Public Comment

The following persons addressed the committee:

Chuck O'Neal  
Bob Olsen

#### Future Action Plan

The next scheduled committee meeting will be held on Monday, January 6, 2020 at 2:00 p.m. Supporting materials, including the meeting notice, agenda, audio and summary report, may be found by visiting <https://www.occompt.com/clerk-of-the-bcc/charter-2020/meetings/>.



## 2020 ORANGE COUNTY CHARTER REVIEW COMMISSION (CRC)

---

### Committee Summary Report

#### Number and Composition of County Commission Districts Committee

December 18, 2019  
Comptroller's 4th Floor Conference Room  
4:00 p.m.

#### Committee Members:

Jack Douglas, Chair  
Matthew Klein  
Anthony (Tony) Suarez  
Dotti Wynn  
Clifford Shepard, CRC General Counsel  
Jennifer Lara-Klimetz, Assisting CRC as Staff

#### Absent Member:

Russell Drake

The Number and Composition of County Commission Districts Committee meeting was held to review and approve the subcommittee final report.

#### Public Comment

No members of the public addressed the committee during public comment.

#### Chair Comments

Chair Douglas provided opening remarks and reminded committee members that the deadline for the final report is on January 24, 2020. The committee will present the report to the Charter Review Commission on February 5, 2020.

#### CRC General Counsel - Review of Draft Committee Report

Chair Douglas requested General Counsel Shepard review the final report with the committee.

General Counsel Shepard advised the committee that as per the guidelines, a final vote should not be taken until after the January 9, 2020 CRC meeting. General Counsel Shepard suggested the committee consider a preliminary final approval. Discussion ensued.

General Counsel Shepard provided the committee with an overview of the final report. Discussion ensued.

### Committee Vote

Motion/Second: Member Wynn / Member Suarez

AYE (roll call vote): Members Douglas, Klein, Suarez and Wynn

Absent: Member Drake

Action: The Number and Composition of County Commission Districts Committee moved to preliminarily approve the final report subject to any new information which would cause Chair Douglas to determine that an additional meeting might be necessary. If that does not happen then this will be deemed the final approval of this report as it stands.

### Discussion Regarding Presentation to the CRC – February 5, 2020

The committee agreed that General Counsel will present the final report to the CRC, and committee members will be available to answer questions.