City Commission Regular Meeting Minutes

September 27, 2023 at 3:30 p.m.

City Hall, Commission Chambers
401 S. Park Avenue | Winter Park, Florida

Present

Mayor Phil Anderson, Commissioners Marty Sullivan, Sheila DeCiccio, Kris Cruzada, and Todd Weaver; City Manager Randy Knight; Assistant City Manager Michelle del Valle; City Attorney Rick Geller; City Clerk Rene Cranis

1) Meeting Called to Order

Mayor Anderson called the meeting to order at 3:30 p.m.

2) Invocation

The invocation was given by Reverend Kathy Beasley, Unity of Central Florida, followed by the Pledge of Allegiance.

3) Approval of Agenda

4) Mayor Report

a. Proclamation for National Drive Electric Week

Mayor Anderson read the proclamation declaring the week of September 22 through October 1 National Drive Electric Week and presented the proclamation to Department of Natural Resources and Sustainability staff.

b. Proclamation for Florida Climate Week and Energy Efficiency Day 2023

Mayor Anderson read a proclamation recognizing the week of October 2 through October 8 as Florida Climate Week and October 4 as Energy Efficiency Day. He presented the proclamation to Laura Betts, Orlando Program Manager of The CLEO Institute, who thanked the city for the proclamation and support of climate and energy efficiency initiatives. Commissioner Sullivan encouraged residents to participate in the free virtual events on sustainability issues and efforts.

5) City Manager Report

a. Update on CRA expansion/extension

Mr. Knight reported on meetings with Orange County Commissioner Emily Bonilla regarding the expansion/extension of the CRA and next steps in the process which should be complete by Spring 2024.

b. City Manager's Report

- Advised that staff will propose during the budget discussion eliminating funding for the Federal lobbyist and replace it with a grant writer who will pursue state, federal and private grants which staff feels is a better use of funding.
- Announced that Engineer Hong Lim passed his Professional Engineer exam.

6) City Attorney Report

- Gave an update on the code violation for 6 Isle of Sicily, which the owner can appeal through Orange County Court.
- Reported on the OAO mediation with Demetree. The matter will move forward with court ordered mediation with the trial set for the week of Thanksgiving.

7) Non-Action Items

a. Appointment of Michael Dively to Parks and Recreation Advisory Board - Commissioner DeCiccio

Commissioner DeCiccio reported the appointment of Michael Dively to fill a vacancy.

8) Public Comments | 5 p.m. or soon thereafter (taken after recess)

9) Consent Agenda

a. Approve the minutes of the regular meeting, September 13, 2023.
b. Approve the minutes of the work session, September 14, 2023
c. Approve the following piggyback contracts:
   1. Office Depot, Inc. - City of Tamarac/OMNIA Partners Contract #19-12R - Office Supplies, Products & Related Services; for goods on an as-needed basis during the term of the Agreement through October 13, 2027; Amount: $80,000
   2. Sweeping Corporation of America - Sourcewell Contract #062421-SWP - Facilities Maintenance Services; for services on an as-needed basis during the term of the Agreement through August 8, 2025; Amount: $250,000
   3. Lytx, Inc. - GSA Contract #GA-35F-0623S - Video Subscription Services for Fleet Vehicles; for services on an as-needed basis during the term of the Agreement through July 15, 2024; Amount: $100,000
d. Approve the following contracts:
   1. Credit Bureau Systems, Inc. - RFP13-20 - EMS Billing Services - Amendment 2; For services during the basis of the term through October 19, 2024; Amount: $100,000
   2. Jacobs Engineering Group, Inc. - RFQ17-10 - Continuing Engineering Services for Water-Wastewater Systems - Renewal; for services during the basis of the term through October 1, 2024; Amount: $600,000

3. Metlife - FY24-1 - Group PPO Dental Benefits - Renewal; For services during the basis of the term through October 1, 2024; Amount: $450,000
4. New York Life - FY24-2 - Life, AD&D and Disability Insurance - Renewal; for services during the basis of the term through October 1, 2024; Amount: $350,000
5. Cigna Health and Life Insurance Company - FY24-3 - Medical Insurance Stop Loss & Administration - Renewal; for services during the basis of the term through October 1, 2024; Amount: $1,325,000

e. Approval of the following formal solicitations:
   1. Ovation Construction Company, Inc. - RFQ20-23 - Repair and Construction Services (Projects Under $300,000); Amount: $1,000,000
   2. Votum Construction - RFQ20-23 - Repair and Construction Services (Projects Under $300,000); Amount: $1,000,000

f. Approve HIDTA Grant Pass-through Funding for FY 2024; Amount: $103,740.

Motion made by Commissioner DeCiccio to approve the Consent Agenda; seconded by Commissioner Sullivan. There were no public comments**. Motion carried unanimously with a 5-0 vote.**

10) Action Items Requiring Discussion

a. Temporary Use Agreement for Holler Hyundai

Director of Planning and Zoning Jeff Briggs provided details on the request to allow for off-site vehicle inventory storage and employee parking on Orange County School Board property while the Holler Hyundai building is being renovated. Because storage is not a permitted use under current zoning on the property, this allows temporary use of the property.

Motion made by Commissioner Weaver to approve the agreement. There were no public comments. **Motion was seconded by Commissioner Sullivan and carried unanimously with a 5-0 vote.**

The agenda was taken out of order to adjust for matters to be heard after 5:00 p.m.

12) Public Hearings: Quasi-Judicial Matters

13) Public Hearings: Non-Quasi-Judicial Matters

a. ORDINANCE 3284-23 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58, ARTICLE V, DIVISION 1, SECTION 58-169 OF THE CITY CODE OF ORDINANCES TO ADDRESS THE DISCHARGE OF COOLING WATER FROM BUILDINGS ADJACENT TO CENTER STREET; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE. (2nd reading)

Attorney Geller read the ordinance by title. Mayor Anderson explained the purpose of the ordinance.

Motion made by Commissioner DeCiccio to adopt the ordinance; seconded by Commissioner Sullivan. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio; Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

b. ORDINANCE 3285-23 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING AN AMENDMENT OF THE SOLID WASTE AND RECYCLABLES COLLECTION FRANCHISE AGREEMENT BETWEEN THE CITY OF WINTER PARK AND WASTE PRO OF FLORIDA, INC.; PROVIDING TERMS, CONDITIONS AND OTHER PROVISIONS; AND PROVIDING AN EFFECTIVE DATE (2nd reading)

Attorney Geller read the ordinance by tile.

Motion made by Commissioner DeCiccio to adopt the ordinance; seconded by Commissioner Sullivan. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio; Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

c. Proposed amendments to the Comprehensive Plan and Chapter 58, Land Development Code, Article I, Comprehensive Plan to adopt a new Comprehensive Plan goals, objectives and policies document. (First reading will be on October 25th for the entire document.)

Mr. Briggs explained the process for comp plan updates. Changes reviewed in a recent commission work session posted on the website for public comment. He noted the change to Policy 5-1.1.9 relating to purchase of electric vehicles (EVs) from "the city shall consider the costs and benefits of vehicles powered by alternative fuels or engine design" to "the City shall purchase vehicles ..."

Mayor Anderson said although he feels the city should prioritize the purchase of EVs, he feels it should not be a mandate. He expressed his concern about future budgets, supply and demand, and performance requirements.

Commissioner Weaver spoke about cost of ownership and said he feels the city has considered costs and benefits when purchasing EVs.

Motion made by Mayor Anderson to approve the proposed changes modifying the last sentence of Section 5-1.1.9 to read "...the city shall prioritize the purchase of vehicles powered by alternative fuels or engine designs, such as hybrid or electric vehicles, provided the budget and performance requirements are also met."; seconded by Commissioner DeCiccio.

Commissioner Sullivan disagreed as he believes EVs do provide budget and performance requirements and priorities can change over time. He questioned the exceptions of life, safety or maintenance and said he would not vote for prioritizing the purchases nor the provision that budget and performance requirements are met.

Mayor Anderson said he feels it is not prudent to adopt a long-term policy without exceptions.

Commissioner Cruzada agreed with Mayor Anderson regarding performance requirements. He said EVs are software driven and is concerned about technology failure that may put staff at risk.

Commissioner DeCiccio agreed with Commissioner Cruzada and Mayor Anderson. She wants to retain flexibility due to the unknown.

Discussion followed on prioritizing versus mandating the purchase of EVs, the impact and unknown changes/advancements.

Motion made by Commissioner Weaver to support staff and the Planning and Zoning Board's recommendation. (no second) Mayor Anderson said there is a motion on the floor and if it fails, the commission will consider Commissioner Weaver's motion if the standing motion fails.

Stephanie Breske, 640 Berwick Road, read excerpts from a report of the International Energy Agency on environmental impact and challenges of mining materials and in manufacturing of EVs. She asked for the cost to taxpayers to purchase EVs. Mayor Anderson responded that the costs and expenditures are looked at in every budget.

Gigi Papa, 1440 Hibiscus Avenue, said she feels this should not be a mandate.

Michael Perelman, 1010 Greentree Drive, suggested including definitions in the comp plan for different types of park land, i.e., open spaces, conservation area, recreation land, playing fields, etc. to determine what types are appropriate for the city. Mr. Briggs said staff will look at as part of changes.

Motion to approve with amendment carried with a 3-2 vote. Commissioners Sullivan and Weaver voted no.

14) City Commission Reports

Commissioner Sullivan –

- Advised of a public meeting on city trees on October 19th at the Library.

Commissioner DeCiccio noted some confusion about the meeting and attendance by members by the Tree Preservation Board and possibly members of the Commission which would require public notice. She asked whether it will be broadcast and whether minutes will be prepared.

Mr. Knight said the Library is not equipped to broadcast meetings. He suggested that the meeting could be a work session with proper notice and minutes. After discussion, consensus was for staff to prepare an agenda as a work session, provide notification, attend and provide minutes. and the meeting not be broadcast.

Commissioner Cruzada –

- Expressed concern about lack of maintenance of properties and asked if there is a policy for staff to drive around neighborhoods to look for poorly maintained property. Mr. Knight said code compliance officers do periodic checks and follow procedures for enforcement.

Ms. del Valle added that residents may call the non-emergency police department number to report suspicious activity or areas of concern.

Commissioner Weaver -

- Addressed a recent presentation on parking and asked for the best way to share insights from the presentation. Mr. Briggs suggested a work session.

Discussion followed on topics for the work session, i.e., adaptive reuse of parking areas, parking inventory, paid or zoned parking components, bicycle and pedestrian safety, wayfinding or searching for parking spaces, and parking requirements for different uses. Mayor Anderson asked for the slide from the presentation showing diversified parking, Consensus was to schedule for a work session.

A recess was held from 5:01 to 5:13 p.m.

8) Public Comments | 5 p.m. or soon thereafter

Cole Joseph, 1457 Lone Feather Trail, provided information on his Eagle Scout project which is to research and conduct a presentation on American flags. He asked for the commission's help in spreading the word about his presentation which will be given at American Legion Post 243 in Oviedo on Saturday, October 28th at 9 a.m. Mayor Anderson directed him to Director of Communications Clarissa Howard to help with disseminating the information.

Chris Mathieson, 125 E. Pine, spoke about the city's heritage and said he feels the lack of a black voice on the commission is a problem, not created by the current commission, but needs to be addressed.

Linda Walker, 794 W. Comstock, expressed her displeasure with a staff member's actions on CRA projects and asked the city to look into the actions as it relates to promotion of a newly incorporated neighborhood association and dues. Mr. Knight will check into.

11) Millage Rate and Budget Public Hearings | 5:00 p.m. or soon thereafter

a. ORDINANCE 3282-23 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING A 4.0923 MILL AD VALOREM TAX LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE GENERAL OPERATING EXPENSES OF THE CITY, AND A 0.2379 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2017 & 2020. (2nd reading)

b. ORDINANCE 3283-23 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024 AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN; APPROPRIATING FUNDS FOR THE GENERAL FUND, DESIGNATIONS TRUST FUND, STORMWATER UTILITY FUND, COMMUNITY REDEVELOPMENT FUND, AFFORDABLE HOUSING TRUST FUND, MULTI-MODAL TRANSPORTATION IMPACT FUND, FEDERAL FORFEITURE FUND, POLICE GRANT FUND, DEBT SERVICE FUND, WATER AND SEWER FUNDS, ELECTRIC UTILITY FUND, FLEET MAINTENANCE FUND, EQUIPMENT REPLACEMENT FUND, EMPLOYEE INSURANCE FUND, GENERAL INSURANCE FUND, CEMETERY TRUST FUND, GENERAL CAPITAL PROJECTS FUND AND STORMWATER CAPITAL PROJECTS FUND; PROVIDING FOR MODIFICATIONS; PROVIDING FOR AMENDMENTS TO SAID ANNUAL BUDGET TO CARRY FORWARD THE FUNDING OF PURCHASE ORDERS OUTSTANDING AND UNSPENT PROJECT BUDGETS AS OF SEPTEMBER 30, 2023; AND AUTHORIZING TRANSFER OF FUNDS HEREIN APPROPRIATED BETWEEN DEPARTMENTS SO LONG AS THE TOTAL FUND APPROPRIATIONS SHALL NOT BE INCREASED THEREBY (2nd reading)

Mayor Anderson said the millage rate needed for FY 2024 to generate the same property tax revenue in 2023 is 3. 7633 mills. The proposed budget requires a millage rate of 4. 0923 mills which will remain the same tax rate for a 16th year. The increase in property tax levy is due to increases in assessed value of properties. In addition, a 0.2379 voted debt service is levied to cover bonds issued in 2017 and 2020 approved by the voters in March 2016 to cover the cost of the new library and events center.

A simultaneous public hearing was held on these ordinances. Attorney Geller read the ordinances by title.

Mr. Knight noted that the budget reflects the elimination of funding for a Federal lobbyist to be replaced by a grant writer position, which only is a line-item change.

Motion made by Commissioner DeCiccio to adopt the millage rate ordinance; seconded by Commissioner Sullivan. Motion carried unanimously with a 5-0 vote.

Motion made by Commissioner DeCiccio to approve the budget ordinance; seconded by Commissioner Sullivan. Motion carried unanimously with a 5-0 vote.

Gigi Papa, 1440 Hibiscus Avenue, said she feels spending is out of control and decisions made are for the advancement of personal agendas. She expressed her hope for more diversity on the commission and city boards and urged residents to apply for board member positions. She suggested the commission should be focused on local issues, like potholes.

Stephanie Breske, 640 Berwick Road, suggested changing the library hours rather than adding Sunday hours, to save money. She asked for more funding for completion of electric undergrounding and opposed smart city technology that imposes on privacy.

Mayor Anderson responded to comments stating that the CRA is contributing toward the cost for Sunday library hours and to increase programs for new and small businesses and children; Smart City efforts are for installation of fiber lines to provide options for high speed internet and traffic lights; delay of undergrounding is due to the ability to get transformers to build out the system, but the city every effort to purchase transformers which have 18+ month delivery time; and potholes have been inventoried and are on a project list and included in the budget.

Upon a roll call vote on the motion to adopt the millage rate ordinance, Commissioners Sullivan, DeCiccio; Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the motion to adopt the budget ordinance, Commissioners Sullivan, DeCiccio; Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.

15) Summary of Meeting Actions

- Presented proclaims for National Drive Electric Week, Florida Climate Week and Energy Efficiency Day.
- Received appointment of Michael Dively to the Parks and Recreation Advisory Board.
- Approved the Consent Agenda.
- Approved the temporary use agreement with Holler Hyundai
- Adopted ordinance relating to cooling water discharge on Center Street.
- Adopted ordinance amending and extension of franchise with Waste Pro.
- Approved proposed amendments to Comp Plan with a revision.
- Adopted the millage rate and budget ordinances for FY 2024.
- Directed staff to advertise the tree canopy public meeting on October 19th as a work session and take minutes.
- Schedule work session to discuss parking.
- Staff to look into comments made by Mrs. Walker.

16) Adjournment

The meeting adjourned at 5:50 p.m.

Mayor Phillip M. Anderson

ATTEST:

Rene Cranis

City Clerk Rene Cranis