City Commission Regular Meeting Minutes

May 24,2023 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 and Deputy City Clerk Kim Breland.

1) Meeting Called to Order

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

2) Invocation

The invocation was provided by Reverend Maggie Alderman, Unity of Central Florida, followed by the Pledge of Allegiance.

3) Approval of Agenda

Motion made by Commissioner DeCiccio to approve the agenda; seconded by Commissioner Cruzada. Motion carried unanimously with a 5-0 vote.

4) Mayor Report

a. Green Business Award: Center for Health and Wellbeing and Nourish Coffee Bar + Kitchen

Sustainability Specialist Mia Brady presented the Green Business Award to Center for Health and Well Being and Nourish Coffee Kitchen & Bar and explained how businesses work to attain and promote sustainability in the community.

b. Presentation: Winter Park Sidewalk Art Festival 2023 Best of Show

Mayor Anderson said the Best of Show will be displayed in City Hall before moving to the Winter Park Library. Greg Witherspoon, Co-President of Winter Park Art Festival, presented the Best of Show, The Lost Child by Wilbur Quispe Huaman & Gwendi Raymond, which tells the story of Huaman's childhood in the jungles of Peru.

5) City Manager Report

a. Winter Park Sunshine Project Presentation

Mr. Knight introduced Robb Lauzon, Director of Winter Park Sunshine Project at University of Central Florida, who spoke about the launch of the Winter Park Sunshine website to provide a centralized location for data not readily available to citizens including minutes, election information and city projects. He summarized student research process, site content, subscribership, conclusions and future direction.

b. Update from staff on Winter Park Playhouse.

Assistant Division Director of Office of Management and Budget Peter Moore advised that the city can purchase the existing Playhouse building and can pay above market value, but the city must sell at market value. He spoke about the rules applicable to use of CRA funds to purchase property, i.e. income producing means or to eliminate blight, He explained the conditions under which the city could purchase the property.

Staff responded to questions. Mr. Knight said the Community Redevelopment Agency would have to approve the use of CRA funds. Mr. Moore advised that the Playhouse has applied for TDT grant funding and the city has asked the current owner if they would consider an option to purchase while waiting for results of TDT application which could take 4-6 months, but has not received a response.

Mr. Knight stated that the Seven Oaks Park project is moving forward without the parking lot in the event the Playhouse moves to the Park and further discussion will be needed to determine whether to purchase the existing building or to construct a new building at Seven Oaks Park. He explained that the Playhouse is looking for a response which is dependent upon receipt of TDT funding and further discussion is needed for either option.

Mayor Anderson recalled that staff was investigating options and the Playhouse needs to decide which option to pursue followed by additional commission discussion.

Commissioner DeCiccio expressed concern about the need to fund infrastructure improvements for the west side. She asked whether the Commission would consider using the parking lot, putting together under a long-term lease for the Playhouse, and commercial, non-profits or restaurant and public restrooms with first floor parking. Commissioner Sullivan said he feels the proposed squared footage would require additional land and result in loss of green space.

Commissioner Weaver asked about parking under both options. Mayor Anderson recalled discussion on dedicating off-peak parking at Seven Oaks Park for the current location but would require waiver of the 1,000-foot walkshed. Commissioner DeCiccio said she understands the Seven Oaks proposal would provide the ability for a two-story parking garage and would be worth exploring provided there was adequate parking for the future. Discussion was held on the design, FAR and square footage of the building.

Mayor Anderson said if the Playhouse desires, they could pursue a CRA solution which is in the city's control, unlike TDT funding which the city does not control.

Mr. Moore said the Playhouse has indicated a preference for the Seven Oaks Park option but would look at any option to stay in Winter Park. He said more details are needed in order to consider an option to purchase and to schedule a CRA meeting to discuss funding.

Commissioner Cruzada said he is waiting for more information on TDT funding. Mr. Moore explained categories and tiers of grants. Mr. Knight said the application was generic to apply to different situations. Discussion followed on uses of TDT funds followed by additional discussion on parking conditions, need and options.

Commissioner Weaver said the current location, given its age, condition and lack of parking, would not be his first option for use of CRA funds. Commissioner DeCiccio supported the Seven Oaks location including income-producing space.

Mayor Anderson said the Playhouse has not come forward looking for a CRA solution so it appears no action is needed from the CRA side and therefore we need to wait for a decision on TDT funding. Commissioner Sullivan disagreed and believes CRA funds are very much in play.

Mr. Moore said the TDT grant applicant was written so funds could be used for the current location or another site provided the property is city-owned and within the city limits. The question is how to secure their current property to ensure that option remains open and revisit this in July.

Mayor Anderson said he is not feeling a vigorous level of excitement by the Playhouse or Commission for a CRA solution and questioned why the city would move forward without that level of excitement. Mr. Moore said he would meet with the Playhouse to determine their level of excitement and option for that location.

c) City Manager Report

- Announced that the Denning right-turn lane onto Fairbanks has been approved by FDOT and will be a six-month project after groundbreaking in August.
- Reported good attendance at Annual Board Orientation and Hurricane Preparedness Meeting.
- Good ideas were exchanged at the Fix 426 meeting attended by Commissioner Cruzada.

6) City Attorney Report

Mr. Ardaman reported that the trash compactor enclosure on Center Street is down and work has been completed in accordance with the settlement agreement.

7) Non-Action Items

8) Public Comments (heard after Item 11b)

9) Consent Agenda

a. Approve the minutes of the regular meeting, May 10, 2023.

b. Approve the minutes of the work session, May 11, 2023.

c. Approve the following contracts:

1. Allcrete, Inc. - IFB23-22 - Continuing Concrete Services; For services on an as-needed basis for the remainder of the current term of the Agreement through October 7, 2023; Amount: $150,000.
2. Patel, Greene & Associates, LLC - RFQ7-22 - Transportation Planning & Engineering Services - Amendment 1; For professional services on an as-needed basis during the term of the Agreement through July 8, 2024; Amount: $75,000.
3. Tom's Sod Services, Inc. - IFB20-22 - Purchase, Delivery & Installation of Sod; For services on an as-needed basis for the remainder of the current term of the Agreement through July 14, 2024; Amount: $500,000.
4. LaFleur Nurseries & Garden Center, LLC - IFB22-22 - Landscape and Tree Installation; For services on an as needed basis for the remainder of the current term of the Agreement through August 30, 2024; Amount: $100,000.

d. Approve the following piggyback contracts:

1. 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 September 7, 2026; Amount: $200,000.
2. Optimus Solar, LLC - Sourcewell Contract #RFP 042221 - Electric Vehicle Supply Equipment & Related Services; For goods and services on an as-needed basis during the term of the Agreement through July 20, 2025; Amount: $150,000.
3. AVIS Budget Group, Inc. - State of Florida Contract #78111808-20-1 - Rental Vehicles; For services on an as needed basis during the term of the Agreement through September 30, 2025; Amount: $75,000.
4. CDW Government - Sourcewell Contract #081419-CDW - Technology Catalog Solutions; For goods and services on an as-needed basis during the term of the Agreement, contract term through November 1, 2024; Amount: $500,000
5. Wex, Inc. - State of Florida Contract #78181701-21-NASPOACS - Fuel Card Services; For services on an as-needed basis during the term of the Agreement through December 31, 2025; Amount: $24,000.

Motion made by Commissioner Weaver 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

11) Public Hearings: Quasi-Judicial Matters

12) Public Hearings: Non-Quasi-Judicial Matters

a. Ordinance amending Chapter 58, "Land Development Code", Article III, "Zoning Regulations" Section 58-87 and amending Chapter 114 "Waterways" to update the regulations concerning docks and boathouses. (1st reading - tabled from April 26, 2023)

Attorney Ardaman read the ordinance by title.

Mr. Briggs reviewed the changes made to the ordinance since the last commission that gives the lakes boards authority to reduce the size of boathouses if needed and language was added to prevent a boathouse in front of someone else's home.

Motion made by Commissioner DeCiccio to approve the ordinance; seconded by Commissioner Cruzada. 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. Ordinances relating to approximately 2.07 acres of real property at 1896; 1934; 1964; 1968; 1970 AND 1990 Kentucky Avenue.

- Annexation
- Establish Commercial Future Land Use on the annexed parcels.
- Establish Commercial (C-3) Zoning on the annexed parcels.

Attorney Ardaman read the ordinances by title.

Mr. Briggs explained the applicant's intent to annex four commercial properties which allows the city to annex the two contiguous properties under certain conditions. Thus, this request includes six properties on Kentucky which moves the city toward its goal of annexing properties in the Kentucky/Oglesby area. He reviewed the applicant's proposed site plan for a commercial building. In addition to annexation, this request includes a change in land use and zoning.

Motion made by Commissioner Sullivan to approve the ordinances; seconded by Commissioner Cruzada.

John Campbell, owner of warehouse at 1994 Kentucky Avenue, asked how this will impact properties not yet annexed and asked if annexation is a prelude to sewer.

Mr. Briggs explained the city's goal to annex properties on the south side of Kentucky which is primarily commercial and until annexed, properties will receive police, fire, emergency response and code enforcement services from Orange County. When all properties are annexed, residents will receive quicker response to calls for service.

Mayor Anderson said Winter Park has the best/fastest response time in the region and explained that annexing would reduce response times. The city also has code compliance to cause conformance to code, provides water and sewer service in the area. The city has plans to increase the retention pond to resolve drainage problems.

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

Upon a roll call vote the ordinance designating land use, 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 ordinance designating zoning, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.

A recess was held from 4:47 to 5:00 p.m.

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

Mary Jane Fries, Fairway Drive, spoke about the ongoing flooding of her property caused by the retention pond on Fairway Drive. She said the water flows to her backyard and the existing drainage pipes are not enough. She urged the city to continue dredging as quickly as possible and that staff contact Orange County to address the flooding caused by the apartment parking lot at the rear of her and her neighbor's property. (Update provided under Mayor Anderson's comments at the end of this meeting).

Heather Alexander, Executive Director of Winter Park Playhouse, said they are excited about finding a new home. She understands the options and thought it was city's decision to decide which option is best. She would like a crosswalk if they remain in the existing location. They do not expect city funding, but are looking for city land and a city partnership and look forward to continued discussions.

Lawanda Thompson. 664 W. Lyman Avenue, asked the city to use eminent domain to purchase the property adjacent to Heritage Center. She read excerpts of Ordinance 3040-16 on protection of historic structures, sites, etc. She feels the large house under construction on the adjacent property is in violation of the policy and the importance of the Heritage Center as an historic piece of history is negated by allowing property next to the Center. Mayor Anderson asked staff to respond to Ms. Thompson.

Angela Hinton, 2324 Brookshire Avenue, asked for the dates for the neighborhood meeting on the old library. Mayor Anderson said the meeting is June 12th.

Katrina Knight, Lakeland, sister of Daniel Knight, thanked the Commission for the explanation as to why questions about the events leading to the death of her brother cannot be answered, but they still plan to attend meetings to speak about her brother.

Janelle Knight Smith, sister of Daniel Knight, explained that they are less interested in a civil matter and more interested in the changes that can be made to ensure this tragic event does not happen again.

c. Feasibility Study Recommendations

Director of Natural Resources and Sustainability Gloria Eby, gave a presentation on the study conducted by Quanta. The Utilities Advisory and Keep Winter Park Beautiful and Sustainable Advisory Boards supported Option 3A (80% renewable energy supply by 2035, 89% by 2042 to reassess new and available tools and technology, and 100% by 2050.

Mayor Anderson said he is excited to see results of feasibility study with a definitive path to 80% and significant advances in technology to reach 90% and 100%. However, he feels the city is not ready to vote on a change to the city's largest business enterprise without knowing the revenues and asked when revenue projections are expected. He suggested moving the discussion to a work session to close some open items and then revisit when revenues are available. He noted that he drafted some key assumptions for the commission's input in tomorrow's work session.

Commissioner Sullivan said revenue will be based on the rates and the issue is setting the rates at a level to cover the expenses of this new program, which are unknown, particularly due to new technology. He agrees that more detailed financial information is needed but feels everything has been provided to make this decision now. He supported moving forward including a recommendation for a financial analysis by December with potential plan modification if needed, as allowed for in the plan.

Mayor Anderson opposed making an investment decision without clarity that the expenses fit within the existing rate structure. He wants the consultant to pair expenses with current revenues and feels the city has a fiduciary responsibility to the residents to pair revenues and expenses and inform residents of the rates.

Mayor Anderson and Commissioner Sullivan continued to discuss their positions on moving forward, assumptions, revenue projections, financial analysis, long term vision and transparency for residents.

Commissioner DeCiccio supported moving forward with SAP but agreed with Mayor Anderson. She also feels it is premature to hire someone to essentially negotiate contracts that will not expire until 2026 or 2027 and it is more important to fund more pressing needs for public safety, parks and infrastructure and this position should be considered in next year's budget.

Commissioner Weaver said he sees this as a policy decision and spoke about the direction of solar energy and decreasing costs. He feels the city is not changing the direction of electric utility and should concentrate on solar energy. He opposed continuing this to tomorrow's work session and supported moving forward.

Mayor Anderson spoke about key assumptions and said he is willing to make a leap of faith on the expense side and the technology if the assumptions are clearly understood. He clarified that he is not objecting to targets, but is struggling with the transparency element of showing the business that has revenues and expenses. He said he is looking for 30 years of expense and revenue cashflow and also capital investments in debt service and if this analysis cannot be done internally, then an external hire is needed.

Commissioner Cruzada agreed with Mayor Anderson and feels it is reasonable to provide rates and revenue to residents.

Commissioner Weaver asked how soon staff can provide revenue figures. Mr. Knight said staff has been working diligently to balance the budget which has been as difficult as it was in 2007 and 2008 and has to be presented to the commission by July 1. Staff would then have the time and capacity in August and September to work on this. Ms. Eby said work with Quanta could take 2-3 months which would include meetings with city advisory boards. Discussion followed on accelerating the timeline by informing board members of the commission's direction.

Motion made by Mayor Anderson to move forward with the formality of the approval to Quanta and communicate to boards that in an effort to accelerate the adoption of the plan to expand the contract; seconded by Commissioner Cruzada. Motion carried unanimously.

After discussion on the need for the work session tomorrow, consensus was to cancel the work session.

Motion made by Mayor Anderson to move forward with hiring a program manager to be funded by electric enterprise fund; seconded by Commissioner Sullivan.

Commissioner DeCiccio noted that Michael Poole, Chairman of Utilities Advisory Board, recommended a financial analyst position and to change the job description. Discussion followed on the job description, responsibilities and minimum five years' experience in a utility company or utility consultant firm.

Michael Poole, Chairman of Utilities Advisory Board, thanked the commission for moving forward with the financial analysis of Option 3a with Quanta is doing the analysis. He supported hiring a program manager but also a financial analyst to be funded from the electric utility budget.

Lawanda Thompson, 664 Lyman Avenue, Equity Council Corp., said she feels there was bias in the city's rejection of her proposal for a community garden project and did not receive support from the city.

Upon a voice vote on the motion regarding hiring one additional staff, motion carried unanimously with a 5-0 vote.

Mr. Knight said staff's recommendation would be to hire the first person and then hire a second person based on operational needs.

Commissioner Sullivan would like to make clear the commission is not adopting recommendation of the advisory boards which was to adopt Option 3a.

Motion to table the vote on adopting recommendations and resolution to July 12; seconded by Commissioner Cruzada. Motion carried with a 4-1 vote. Commissioner Sullivan voted no.

13) City Commission Reports

Commissioner Sullivan -

- Advised that the Bank of Ozarks property is still available for purchase but there are plans for a 3-story commercial building at this site which under current regulations would allow up to an 82,000 sq. ft. building with maximum available incentives. He said he would like city to consider purchasing the property to expand green space, provide available right of way for potential reconfiguration of Orange Avenue, provide for a potential Sunrail stop, and stormwater treatment. The disadvantage to purchasing is the reallocation of significant capital ($5-6m) from other significant needs; however, Winter Park Land Trust has expressed an interest in the property and would contribute some amount. He added that the appraised value is $5.88m.

Commissioner DeCiccio noted that the Land Trust cannot contribute funds if the sale is over the appraised value. She suggested giving Mr. Knight authority to obtain additional information. Mr. Knight said if there is significant interest from commission, staff can pursue the purchase, at a cost he believes to be in the $6m range. He reminded that previous funding for this purchase has been reallocated and approximately $870k remains in the Parks Acquisition Fund.

After additional discussion on funding options, Commissioners DeCiccio, Sullivan and Weaver supported staff exploring the opportunity.

Commissioner DeCiccio -

- Announced the Library's Summer Reading Challenge is May 27 – July 20 with a kick-off event on May 27th with a petting zoo, games and free books.
- Reported that the Library's high usage has placed then number two in the state and in line to becoming the first star-rated library system in the state.

- Congratulated Sally Flynn for having the dining room at Casa Feliz named in her honor and for being recognized for her work toward designating Virginia Heights as a historic district.
- Asked for the status of improvements to address flooding on Fairway Drive. Director of Public Works Charles Ramdatt said that the city engineer, Shannon Monahan, meets with Mrs. Fries on a weekly basis and the city is doing everything possible to resolve issues including dredging and other issues raised by Mrs. Fries.

It was clarified that there is no work session tomorrow. Comments should be sent to Mr. Knight and Ms. del Valle with further discussion in the July 12 meeting.

Commissioner Cruzada –

- Reported on the meeting regarding renovations at Winter Park High School which will begin this summer but end prior to the school year and start again in the summer of 2024. Neighbors expressed concern about construction traffic and the contractor will be working with the city and Police Department for traffic control.
- Spoke about the Fix 426 meeting with residents pushing for more impactful changes and traffic calming. While FDOT reported it was only a resurfacing project, they indicated they will update maps and will present at next community meeting on June 13. Discussion followed on the residents concerns and city's ability to lobby for improvements on their behalf.

Mayor Anderson –

- Addressed Ms. Thompson's request for the city to purchase the property next to the Heritage Center stating there is CRA and park acquisition funds. He asked if there is interest in making inquiries where the city would consider housing that is already in the area or used as an extension of the Heritage Center. He noted that a house is under construction. With the expressed support of Commissioners DeCiccio and Weaver, staff will make inquires but without consideration of acquiring through eminent domain.

14) Summary of Meeting Actions

- Presented Green Business Award to Center for Wellbeing and Nourish Coffee Boar and Kitchen.
- Received presentation from Dr. Robb Lauzon on Winter Park Sunshine Project.
- Approved the Consent Agenda.
- Approved ordinance amending dock boathouse regulations.
- Approved annexation, land use and rezoning ordinances for lots on Kentucky Avenue.
- Approved moving forward with Quanta revenue forecast and hiring the position requested. Tabled approval of the SAP and resolution to July 12.

- Staff to provide update on community garden.
- Canceled work session on May 25.
- Received update on drainage issues on Fairway Drive raised by Mrs. Fries.
- Provide Ms. Thompson with information on the history of the property adjacent to the Heritage Center.
- Staff to inquire on potential purchase of the Bank of the Ozarks property.
- Staff to contact the owner/developer on opportunities to acquire the property adjacent to the Heritage Center.

15) Adjournment

The meeting adjourned at 7:17 p.m.

Mayor Phillip M. Anderson

ATTEST:

Rene Cranis

City Clerk Rene Cranis