



City Commission Regular Meeting

Agenda

October 12, 2022 @ 3:30 pm

City Hall - Commission Chambers
401 S. Park Avenue

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/bpm and include virtual meeting instructions.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

please note

Times are projected and subject to change.

1. Meeting Called to Order**2. Invocation**

- a. [Pastor Bruce Mayhew, Gateway Church](#) 1 minute

Pledge of Allegiance**3. Approval of Agenda****4. Mayor Report**

- a. [Proclamation for SpaceKids Global](#) 10 minutes

5. City Manager Report

- a. [City Manager Report](#) 5 minutes

6. City Attorney Report**7. Non-Action Items****8. Public Comments | 5 p.m. or soon thereafter**

(if the meeting ends earlier than 5:00 p.m., the citizen comments will be at the end of the meeting)

(Three minutes are allowed for each speaker)

9. Consent Agenda

- a. [Approve the minutes of the work session, September 30, 2022](#) 1 minute

- b. [Approve the following contracts:](#) 1 minute

1. High Performance Sports Management - Renewal of RFP17-18 - Tennis Programming & Instructional Services; Amount: \$450,000 for services on an as needed basis during the term of the Agreement.
2. A Budget Tree Service Inc. - Renewal of ITN23-18 - Vegetation Management Services; Amount: \$800,000 for services on an as needed basis during the term of the Agreement.
3. The Davey Tree Expert Co. - Renewal of ITN23-18 - Vegetation Management Services; Amount: \$500,000 for services on an as needed basis during the term of the Agreement.
4. Credit Bureau Systems, Inc. - Renewal of RFP13-20 - EMS Billing Services; Amount: \$96,000 for services on an as

needed basis during the term of the Agreement.

5. Roman Roads Hardscapes, Inc. - IFB10-22 - Purchase and Installation of Bricks; Amount: \$55,000 for additional funds for paver removal at the Country Club.
6. Paymentus Corp - Renewal of FY20-75 - Payment Management and Processing Services; Amount: \$350,000 for services on an as needed basis during the term of the Agreement.

10. Action Items Requiring Discussion

- a. [Patel, Greene & Associates, LLC presentation of Transportation Master Plan Scope.](#) 45 minutes
- b. [Howell Branch Preserve Design](#) 20 minutes

11. Public Hearings: Quasi-Judicial Matters

(Public participation and comment on these matters must be in-person.)

- a. [Request of the City of Winter Park and Elevation Plaza LLC for:](#) 20 minutes
 1. Amendments to the sales contract to confirm the legal descriptions for parcels, approve the forms of the appurtenant easements, and provide for release of mineral rights by the City.
 2. Ordinance: Amending the Comprehensive Plan Future Land Use map:
 - from Institutional to Office on a portion of the property at 631 N. New York Avenue and
 - from Office to Institutional on a portion of the property at 507 N. New York Avenue (1st reading)
 3. Ordinance: Changing zoning:
 - from Public, Quasi-Public (PQP) to Office (O-1) on a portion of the property at 631 N. New York Avenue.
 - from Office (O-1) to Institutional (PQP) on a portion of the property at 507 N. New York Avenue (1st reading)
- b. [Request of Winter Park Town Center LTD for Conditional Use approval to redevelop the Ruth's Chris restaurant pad within the Winter Park Village \(490 N. Orlando Avenue\) with a one- story, 16,186-square-foot building for an Arhaus furniture store, zoned C-1.](#) 20 minutes

12. Public Hearings: Non-Quasi Judicial Matters

(Public participation and comment on these matters may be virtual or in-person.)

- a. Ordinance amending Chapter 2, Article III, "Subsidiary Boards of the City of Winter Park," to provide for the appointment of a non-resident to the the Keep Winter Park Beautiful and Sustainable Advisory Board (1st reading) 10 Minutes

13. City Commission Reports

14. Summary of Meeting Actions

15. Adjournment



City Commission

agenda item

item type Invocation	meeting date October 12, 2022
prepared by Kim Breland	approved by
board approval	
strategic objective	

subject

Pastor Bruce Mayhew, Gateway Church

motion / recommendation

background

alternatives / other considerations

fiscal impact



City Commission **agenda item**

item type Mayor Report	meeting date October 12, 2022
prepared by Rene Cranis	approved by Clarissa Howard, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Proclamation for SpaceKids Global

motion / recommendation

Proclamation presented to Sharon Hagle, SpaceKids Global Founder, in celebration of World Space Week, 2022.

background

alternatives / other considerations

fiscal impact



City Commission **agenda item**

item type City Manager Report	meeting date October 12, 2022
prepared by Jennifer Guittard	approved by Peter Moore, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

City Manager Report

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

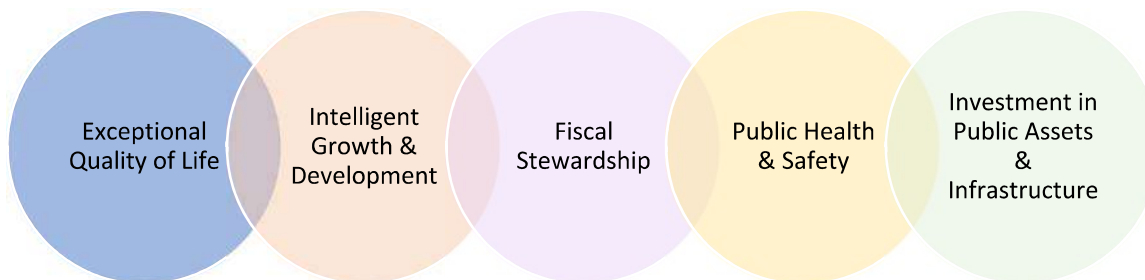
[City Managers Report 10.12.22.pdf](#)



90-Day Report

This outline provides a timetable for issues and items that are planned to come before the commission over the next three months as well as the status of initiatives that do not have any determined completion date. These are estimates and will be updated on a monthly basis.

City of Winter Park Strategic Objectives



Upcoming Commission Items

Title 1: Intelligent Growth & Development

Item	Description	Item Department	Item Date
Stormwater Code updates	Updates to the stormwater section of the city's codes.	Planning	Dec

Additional Items of City Interest

Title 2: Intelligent Growth & Development

Item	Description	Item Department
Sustainability Plan	Roadmap to renewal energy: groundwork to establish a roadmap for the City. Distributed generation (dGen) modeling, greenhouse gas emission efficiency study, and City building efficiency study costs compiled.	Natural Resources & Sustainability

Title 3: Investment in Public Assets & Infrastructure

Item	Description	Item Department
Electric Undergrounding	Miles of Undergrounding performed Project J: 2.72 miles 45% complete Project L: 9.57 miles 65.3% complete Project R: 4.31 miles 37.8% complete Commission approved advancement Residential Service Conversions: 36 TOTAL for FY 2022: 6.94 miles	Electric

Upcoming Advisory Board Meetings

This report provides a summary of upcoming board meetings currently scheduled on the calendar for the next month.

Additional information relating to all of the City's boards such as meeting schedules, agendas, minutes, and board membership can be located on the City website at: <https://cityofwinterpark.org/government/boards/>

October Board Meetings

Advisory Board	Meeting Date	Meeting Time
Civil Service Board	10/4/22	4 p.m.
Planning & Zoning Board	10/4/22	6 p.m.
Lake Killarney Board	10/5/22	10 a.m.
Code Compliance Board	10/6/22	1 p.m.
Lakes & Waterways Board	10/11/22	Noon
Historic Preservation Board	10/12/22	9 a.m.
Winter Pines Golf Course Advisory Board	10/17/22	8 a.m.
Public Arts Advisory Board	10/17/22	Noon
Transportation Advisory Board	10/17/22	4 p.m.
KWPB & Sustainable Advisory Board	10/18/22	11:45 a.m.
Board of Adjustments	10/18/22	5 p.m.
Development Review Committee	10/19/22	9 a.m.
Parks & Recreation Advisory Board	10/19/22	5:30 p.m.
Utilities Advisory Board	10/25/22	Noon
Tree Preservation Board	10/25/22	5 p.m.
Community Redevelopment Advisory Board	10/27/22	5:30 p.m.

Upcoming Work Sessions

This report provides a summary of upcoming work sessions currently scheduled on the calendar for the next three months.

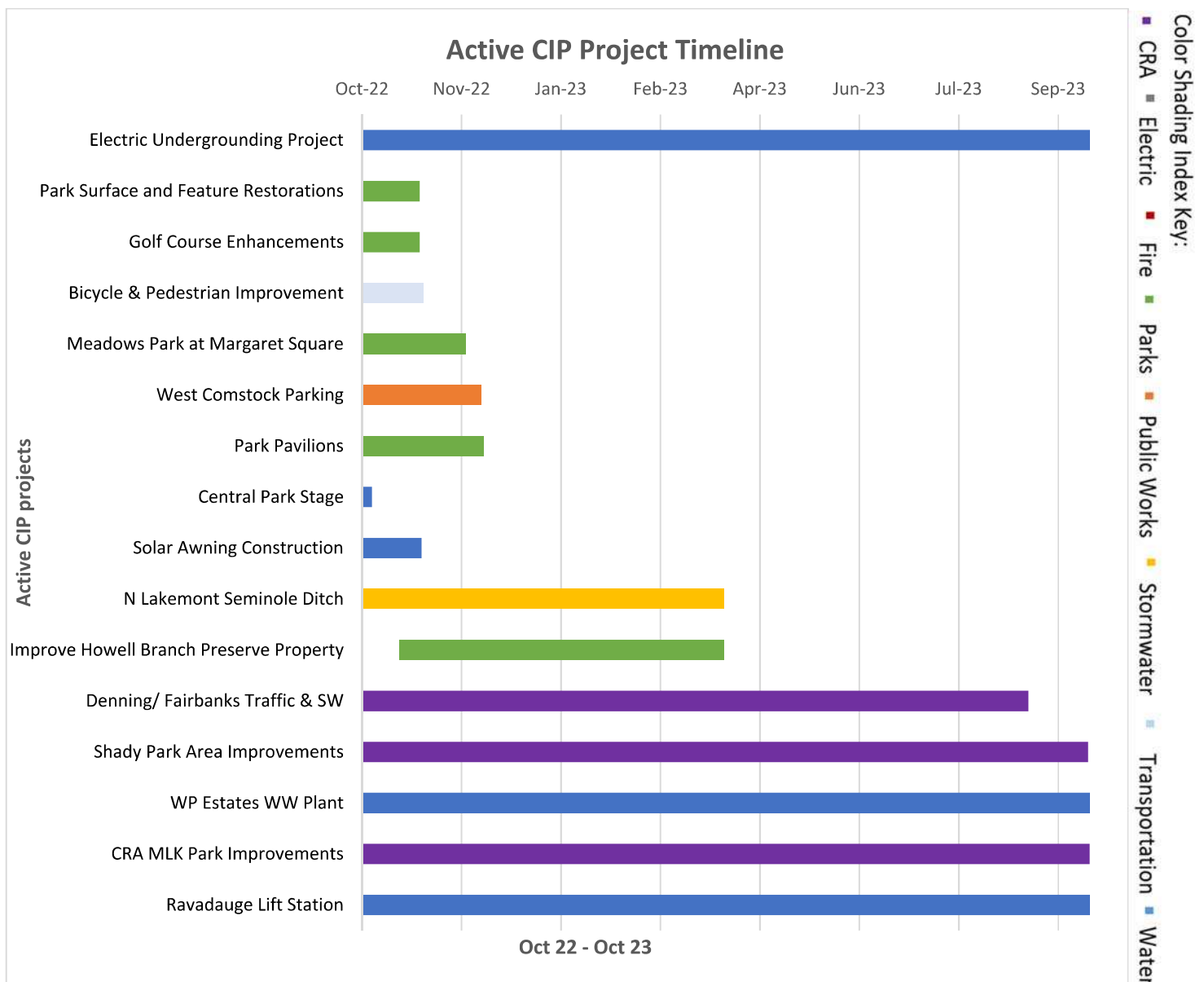
Work Sessions	Meeting Date	Meeting Time
Transportation Advisory Board Work Session	10/17/22	3 p.m.
Planning & Zoning Board Work Session	10/25/22	Noon
City Commission Work Session	10/27/22	1 p.m.



This report is updated monthly to monitor capital projects occurring throughout the city and to provide information about recently completed projects. The project status options have been adjusted to (Planning, Active, Pending). To define; all projects in design, research, or review are in the Planning status. All projects with purchases, construction, and implementation are in the Active status. The remaining projects have a Pending status that have stopped the planning or active work of a project such as pending review and approval, additional funding, and scheduling.

Count by Status

Project Status	Planning Status	Active Status	Pending Status
Count Total 54	21	21	12



Title 1: Planning Status

Project	Project Update	Strategic Objective	Division
1792 Streetscape Imp.	MOU amendment approved at CRA meeting 1/27/20. Design review underway by FDOT and staff including lighting and landscaping. FDOT in process of due diligence and potential ROW acquisition. FDOT and Metroplan currently evaluating projects based on new pricing for materials and labor.	Intelligent Growth & Development	CRA
Bicycle & Pedestrian Improvement	Camellia Avenue sidewalk project has completed. Additional projects are being planned.	Exceptional Quality of Life	Transportation
CRA MLK Park Improvements	Board and CRA Agency approved design concept for several aspects of the park including fields and MLK memorial corner. Design and/or construction underway for these pieces of the project. Consultant provided concept design, and led/assisted with multiple stakeholder meetings over the summer. Joint meeting by the Parks and CRA Advisory Board occurred in May with two community meetings on 6/13 and 7/19.	Exceptional Quality of Life	CRA
Denning/ Fairbanks Traffic & SW	Purchase of both 901 and 919 W. Fairbanks complete. Demolition of both properties and sod installation complete. Design schematics complete for transportation improvements, and sent for comment by FDOT including a separate southbound right turn lane to ease traffic congestion. Improvements approved by the CRA Agency at their August 24th meeting. Pending final FDOT review, staff coordinating on timeline for construction.	Investment in Public Assets & Infrastructure	CRA
FDOT 17-92 UT Line Relocate	Preliminary design in progress.	Investment in Public Assets & Infrastructure	Water & Sewer
Fire Safety Equipment	The current Emergency Dispatch CAD vendor is designing a software update to support the new alerting system. Estimated update from the CAD vendor & beta testing is anticipated to begin within the next 45 days.	Public Health & Safety	Fire
Improve Howell Branch Preserve Property	The initial treatment of invasive species at the Howell Branch Preserve Trail Grant project properties has taken place and quarterly treatment has begun as well. As directed by Commission, City staff has been meeting with a small task force of	Investment in Public Assets & Infrastructure	Parks

Project	Project Update	Strategic Objective	Division
	residents to finalize an acceptable trail design and concept will be brought back to commission on October 12th. Staff is assessing post storm conditions and will work with state to potentially adjust deadline for completion.		
Kennedy Rd Wide Force Mn	Met with Orange County and other Utility Agency Owners (UAOs) in mid-July 2022 to review updated plans and utility location issues. Orange County to send updated plans to UAOs for coordination of utility relocations. Roadway project split into 2 phases. City force main within Phase 2 which is scheduled to begin July 2026.	Investment in Public Assets & Infrastructure	Water & Sewer
Lift Station R&R	Designing upgrades for Lift Station #47 (Ranger) and #23 (Solana). Reviewing lift station conditions for future rehabilitations next fiscal year.	Intelligent Growth & Development	Water & Sewer
MLK Regional Stormwater	Lake Mendsen (Lake Island) was included as part of CRA Stormwater plan and staff is working to coordinate improvements with MLK Park enhancements to better leverage funding. Staff proposal for including the stormwater plan as part of the overall MLK Park plan approved by the Agency on August 24.	Investment in Public Assets & Infrastructure	CRA
N Lakemont Seminole Ditch	The Survey and Design are underway and is estimated to be complete by late summer. Permitting will follow and construction package will be generated for a start of construction early 2023.	Investment in Public Assets & Infrastructure	Stormwater
Park Pavilions	Working with Mead Gardens on design and needs of new pavilion with tentative start in Winter 2022.	Investment in Public Assets & Infrastructure	Parks
Progress Pointe Redevelopment	Approved concept and final budget at 7/28 commission meeting. ACi completing construction drawings and design amendment to trail along palmetto ave. based on Commission feedback. Revised design will come to Commission for final approval in October 2022.	Investment in Public Assets & Infrastructure	Parks
Ravadauge Lift Station	Developing task order with design consultant for final design. Lift station site and force main route survey complete.	Investment in Public Assets & Infrastructure	Water & Sewer
Richard Crotty Pkw	Roadway project pushed back by Orange County to begin construction Spring 2025.	Investment in Public Assets	Water & Sewer

Project	Project Update	Strategic Objective	Division
	Water and wastewater utilities design 95% complete.	& Infrastructure	
Shady Park Area Improvements	Splash pad area demolition complete. Public outreach complete and reviewed favorably by advisory boards. Design approved by CRA Agency in February 2022. RFP process vetted through selection committee and artist chosen. Proposal reviewed by CRA, Parks and Recreation, and Public Art Advisory Board members. Contract approved by City Commission in August. Timeline for fabrication, installation of the art piece, and remaining amenity enhancements currently estimated at 12-14 months.	Exceptional Quality of Life	CRA
UT Lines 434 Road Widening	Design is 90% complete. FDOT has delayed roadway project bid until July 2026.	Investment in Public Assets & Infrastructure	Water & Sewer
Winter Park Sports Complex	Baseball Fields complete. Drainage work on field 7 outfield to be completed in December.	Investment in Public Assets & Infrastructure	Parks
WP Estates WW Plant	Generator delivered mid-June 2022. Installation procurement package in bidding.	Investment in Public Assets & Infrastructure	Water & Sewer
Dinky Dock Renovations	Concept approved by PRAB and work will commence Fall/Winter 2022.	Exceptional Quality of Life	Parks
Storage Building Cemetery/Golf	Property swap being finalized. City working with architect firm for facility design.	Exceptional Quality of Life	Parks

Title 2: Active Status

Project	Project Update	Strategic Objective	Division
Cemetery Improvements	Structures are fabricated and should be delivered and installed by the end Fall 2022. Site preparations and landscape/greenscreen install is underway.	Investment in Public Assets & Infrastructure	Parks
Central Park Stage	Construction is expected to be complete the first week of October.	Exceptional Quality of Life	CRA
Downtown Enhancements	Coordination with Parks Department for new irrigation system in Central Park underway. Park Avenue parking sensor project pilot underway. Pucks installed with monitoring over through September at no cost to the city. Pending project outcome, CRA board	Exceptional Quality of Life	CRA

As of 10/12/22

Project	Project Update	Strategic Objective	Division
	may wish to implement technology in other areas.		
EL Substation upgrades	An agreement has been reached with OUC to maintain City substations. Inspections and equipment evaluation began in January. There is a 1 year trial period to determine effectiveness. No major upgrades planned at this time.	Investment in Public Assets & Infrastructure	Electric
Electric Undergrounding Project	Miles of Undergrounding performed Project J: 2.72 miles 45% complete Project L: 9.57 miles 65.3% complete Project R: 4.31 miles 37.8% complete Commission approved advancement Residential Service Conversions: 36 TOTAL for FY 2022: 6.94 miles	Investment in Public Assets & Infrastructure	Electric
ERP Software Project	Code Enforcement is being configured for go live Oct 30th.	Fiscal Stewardship	IT
Facility Capital Improvements	Scheduling HVAC replacements for the remaining water plants with installs to be completed over the next couple of months. Evaluating HVAC replacement for Emergency Operations. Evaluating UPS replacement for Emergency Operations. Building 10 is scheduled to be painted over the next month. Mead Garden HVAC replacement scheduled over the next month. Mead roof replacement should be complete by next week.	Investment in Public Assets & Infrastructure	Public Works
Golf Course Enhancements	Hole 1 Tee box extension and patio improvements underway with expected completion of hardscape and tee box by October 15th.	Exceptional Quality of Life	Parks
Improve Mead Garden	City and Mead are coordinating major CIP projects related to ADA restrooms, parking lot improvements, and ADA pathways. Parking lot renovations have begun with overflow lot completed, phase 1 of main lot completed Aug 1 and phase 2 to begin mid-Sept. ADA restroom addition is completed along with ADA transition and landscaping to adjacent amphitheater.	Exceptional Quality of Life	Parks
IT Infrastructure Upgrade	Funding being utilized for modernization of IT infrastructure.	Fiscal Stewardship	IT
Meadows Park at Margaret Square	Playground equipment to be installed November 2022; Basketball court reconstruction Fall 2022. Additional improvements to grounds will take place Sept through October 2022.	Exceptional Quality of Life	Parks

Project	Project Update	Strategic Objective	Division
New York Streetscape	Phase I construction complete (Intersection of Fairbanks and New York Avenue) to improve turning lanes, ADA improved pedestrian crosswalks, and mast arm construction. Coordination on Phase II (New York Avenue to Morse Blvd intersections) streetscape and ADA enhancements underway.	Intelligent Growth & Development	CRA
Post Office Acquisition	Awaiting response from Post Office regarding their opinion of the two Commission approved potential sites.	Investment in Public Assets & Infrastructure	CRA
Signalization Upgrade	New controllers have been purchased and delivered. The four intersections that are being tested will be converted to the new controllers that are consistent with FDOT's controllers. In addition, city staff is working with FDOT on testing some of the new vehicle detection technology on Fairbanks Avenue and New York Avenue. The new detection technology was presented to the Transportation Advisory Board and they were receptive to the new detection technology. City staff will be including these technologies as the traffic signal infrastructure gets upgraded.	Investment in Public Assets & Infrastructure	Transportation
Solar Awning Construction	Advanced roofing was selected for the contractual services. Construction began in April. Construction was delayed due to a problem with drilling foundations. Construction has resumed. Foundations and steel framing are complete as well as module installation. Lightning protection as well as rain decking and electric to be completed by end of October.	Intelligent Growth & Development	Electric
Stormwater Rehab	Several in-house drainage improvement projects to be scheduled for FY'23. Pinetree Rd and Via Amalfi drainage system replacement is complete and restored.	Investment in Public Assets & Infrastructure	Stormwater
Temple Dr SW Imp	Stormwater pipe lining at Whitesell and Temple Dr.	Investment in Public Assets & Infrastructure	Stormwater
Ward park pond	Ward Park ponds construction is complete. Estimated completion of the ponds and necessary piping is October.	Investment in Public Assets & Infrastructure	Stormwater

Project	Project Update	Strategic Objective	Division
Water Treatment Plants R&R	Replacement sodium hypochlorite tanks at Magnolia, Aloma and Swoope WTPs have been purchased and delivered. Installation underway. One tank at both Swoope and Magnolia WTPs installed (2 of 6 total). Waiting to refill plant mechanic position for installation of remaining tanks. Considering contracting work out.	Investment in Public Assets & Infrastructure	Water & Sewer
West Comstock Parking	Comstock parking layout and grading changes are being performed. An extension to the Library parking lot concept drawing is complete. Both are pending permitting by the SJRWMD.	Investment in Public Assets & Infrastructure	Public Works
WP Pines Golf Course	Purchase and initial updates of clubhouse completed. Scheduling of ADA restroom update and plumbing pending. New carts to arrive mid-August.	Investment in Public Assets & Infrastructure	Parks

Title 3: Pending Status

Project	Project Update	Strategic Objective	Division
Cady Way Pool Improvements	Replacement of filtration system is being scheduled as RFQ recently completed.	Exceptional Quality of Life	Parks
CRA Small Projects	Canton & Garfield pedestrian connection project is now on hold due to unforeseen added cost. Process moving forward is to evaluate in conjunction with other improvement opportunities such as Central Park Stage project within the downtown for maximum benefit. Stage project close out will determine funding availability.	Intelligent Growth & Development	CRA
Decorative Lights and Trees in CRA	140 total decorative lights have been installed. Coordination with Electric Utility on assessment of light replacements/additions as needed.	Intelligent Growth & Development	CRA
Denning Dr. Intersection	Approved project complete. Extension to railroad north of Webster approved by CRA Agency on August 24 with a value of 500k. Design concept moving forward to construction documents for bid.	Investment in Public Assets & Infrastructure	CRA
East OC Service Improvement	Pending in house availability to planning redirection of flow to East plant.	Investment in Public Assets & Infrastructure	Water & Sewer
EL Meter Replacement	The replacement of electric meters has been pending the go-live date for the utility billing software so that compatibility with meter types can be tested. Due to extremely long lead times the city has	Investment in Public Assets & Infrastructure	Electric

Project	Project Update	Strategic Objective	Division
	proactively ordered meters but is still awaiting receipt.		
Lake Bell Weir Improvements	Pending monitoring assessment.	Investment in Public Assets & Infrastructure	Stormwater
Meter Data Management Upgrade	Implementation of new cloud based software and integration with Tyler. This is dependent upon Tyler's schedule for the Utility Billing module. There is some coordination involved between Harris SmartWorks MDM software and Tyler Munis. Harris is waiting for information from Tyler and are on hold until Tyler provides it.	Investment in Public Assets & Infrastructure	Water & Sewer
Park Surface and Feature Restorations	Phelps Park Playground- Kompan structure received and installed Miracle structure has been ordered with expected install date of October 2022.	Exceptional Quality of Life	Parks
Sewer Main Extensions	Extension of sewer mains to support new development or redevelopment.	Investment in Public Assets & Infrastructure	Water & Sewer
St. Andrews Trail	Design completed for which the City has been reimbursed by the FDOT. Due to the 250% increase in construction materials, this project has been delayed to FY2026-FY2027 per Metroplan Orlando.	Investment in Public Assets & Infrastructure	Transportation
Tennis Center Upgrades	Pending project scope for replacement of pickleball space with block hitting wall and installation of well for clay court maintenance/irrigation.	Investment in Public Assets & Infrastructure	Parks

Recently Completed Projects

Water & Sewer Department

The Water and Sewer Department completed the negotiated contract agreement for sewer capacity to assist with sewage flow as part of the Public Assets and Infrastructure strategic objective.



City Commission **agenda item**

item type Consent Agenda	meeting date October 12, 2022
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Approve the minutes of the work session, September 30, 2022

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[CC-min-2022-09-30 ws.pdf](#)



City Commission Work Session Minutes

September 30, 2022 at 2:00 p.m.

Virtual

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 Clerk Rene Cranis.

Also Present

Director of Electric Utility Dan D'Alessandro; Director of Communications Clarissa Howard; Fire Chief Dan Hagedorn; Director of Parks and Recreation Jason Seeley; Director of Natural Resources & Sustainability Gloria Eby; Director of Building and Permitting Gary Hiatt; Asst. Director of Water & Wastewater Jason Riegler; Asst. Director of Public Works Don Marcotte; and Parks Services Manager Josh Nye.

1) Call to Order

Mayor Anderson called the meeting to order at 2:05 p.m.

2) Discussion Item(s)

a. Storm Status

Mayor Anderson stated that staff will report on the impact of Hurricane Ian and discuss responsibilities and options to assist residents with storm damage. He and Mr. Knight thanked city staff for their hard work and efforts through and after the storm.

Ms. del Valle advised that the Emergency Operations Center will end at 5:00 today when an additional call taker in emergency communications will answer calls directed to EOC. She provided details on wind, gusts and rainfall and thanked members of the EOC team and staff working on clean-up and restoration efforts.

Fire Chief Dan Hagedorn summarized the operations through the storm, types of calls and assistance provided to assisted living and nursing homes.

Police Chief Tim Volkerson reviewed staffing levels and reassignments for the storm and reported on road closures, traffic light outages, relocation of residents and homeless population, and calls for service. He advised that FDOT will have to evaluate Lee Road before opening it for traffic.

Mrs. Eby reported that lake levels have reached flood level and have impacted many homes. Staff continues to monitor levels with the expectation that the chain of lakes will crest before receding. Lakes are closed and lake sampling will resume on Monday.

Mr. Nye reported on the status of tree incidents and on staff's and tree contractor clean-up efforts and in preparation for the Autumn Arts Festival.

Mr. D'Alessandro reported residential outages have been reduced to approximately 1,500. Resources from Michigan are working and crews from Nebraska will arrive tomorrow. Mayor Anderson expressed an interest in knowing where outages occurred.

Mr. Riegler stated water treatment plants were fully functional during the storm but two are now on generator power but there have been no water supply issues. He spoke about lift station functions, two of which are still flooded, and issues encountered in pumping. He stated that most of what is being pumped from the lift station is stormwater and staff recommends that residents limit/reduce water usage.

Mr. Hiatt stated that staff conducted drive-by inspections today and so far, have found limited structural damage with the largest issue being the WP Apartments where a large tree fell and required the relocation of some residents.

Mr. Marcotte stated stormwater systems are functional but the large amount of rainfall has created capacity problems in the lakes. He explained lake levels and water flow that created flooding of streets, residential areas, and the Winter Pines Golf Course. Crews are working to clear drains to improve flow.

Mr. Seeley advised that the Farmers Market will be held on Saturday and reported on the status of park conditions and plans to fully open WP9 and partially open Winter Pines GC. Mead Garden will remain closed to assess tree conditions. The community center will open to the public tomorrow.

Mrs. Howard reviewed communication efforts which resulted in increased followers and sharing of posts. Opening for the Central Park stage has been rescheduled for October 8th at 8:30 a.m. Commissioner Weaver suggested an advisory about contamination of water and urging people to avoid standing water.

Mr. Knight said debris removal will begin next Wednesday after certification of trucks and equipment which is required to receive FEMA reimbursement. Mrs. Howard encouraged the commission to share the information on debris removal posted on the city's website on their social media and to e-mail contacts. Mr. Knight said staff is looking at options for a drop-off location for residents which can be helpful but would have to be monitored.

Additional information was provided by staff in response to questions. Mr. Knight explained that staff has discussed how to provide aid to residents. A team led by Peter Moore will be assembled to assist residents and Congresswoman Murphy has offered the services of her staff to assist residents as well. Resources will be made available at the Community Center and information will also be shared on the website and social media.

Mayor Anderson said as he and staff toured the city on Wednesday and he believes there are more than 40 homes city-wide with water damage. Although residents may be eligible for FEMA assistance, reimbursement is not immediate and he questioned if there was a way for the city to bridge the gap for residents without flood insurance.

Mr. Knight said he has emergency spending power if there is commission consensus to provide assistance but staff would have to develop ways to identify needs and funding.

Mayor Anderson said ARPA funds could be used and CRA funds as well, but would require approval by the CRA.

Commissioner Weaver suggested distributing fans to homeowners to mitigate some long-term damage.

Mr. Moore noted that homeowners are being directed to the FEMA website and the process could take 30 days. Reimbursement covers what insurance will not and homeowners are not precluded from getting other assistance.

Mayor Anderson suggested posting nationally known contractors, perhaps who have worked with the city, on the website with a disclaimer that the city is not responsible for the work of the contractor. He suggested using a grant funding model previously used for CRA and ARPA funds.

There was agreement among the commission that the city identify funding for short-term needs and determine eligibility for FEMA reimbursement.

Mayor Anderson expressed his gratitude for staff's continued work after the storm and urged residents to send comments and questions to Mayor and Commissioners and City Manager.

3) Adjournment

The meeting adjourned at 3: 16 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission **agenda item**

item type Consent Agenda	meeting date October 12, 2022
prepared by Michael Hall	approved by Jennifer Maier, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective Fiscal Stewardship	

subject

Approve the following contracts:

item list

1. High Performance Sports Management - Renewal of RFP17-18 - Tennis Programming & Instructional Services; Amount: \$450,000 for services on an as needed basis during the term of the Agreement.
2. A Budget Tree Service Inc. - Renewal of ITN23-18 - Vegetation Management Services; Amount: \$800,000 for services on an as needed basis during the term of the Agreement.
3. The Davey Tree Expert Co. - Renewal of ITN23-18 - Vegetation Management Services; Amount: \$500,000 for services on an as needed basis during the term of the Agreement.
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5. Roman Roads Hardscapes, Inc. - IFB10-22 - Purchase and Installation of Bricks; Amount: \$55,000 for additional funds for paver removal at the Country Club.
6. Paymentus Corp - Renewal of FY20-75 - Payment Management and Processing Services; Amount: \$350,000 for services on an as needed basis during the term of the Agreement.

motion / recommendation

Commission approve items as presented and authorize Mayor to execute Agreements.

background

- 1-4: Formal solicitations were issued to award these contracts.
5: Additional funds for paver removal at the Country Club.
6: Renewal of an existing formal agreement.

alternatives / other considerations

N/A

fiscal impact

Total expenditures included in approved budgets.



City Commission **agenda item**

item type Action Items Requiring Discussion	meeting date October 12, 2022
prepared by Allison McGillis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Patel, Greene & Associates, LLC presentation of Transportation Master Plan Scope.

motion / recommendation

Approve the scope and fee for the Transportation Master Plan.

background

The Planning and Transportation staff and the Transportation Advisory Board (TAB) is recommending approval of a transportation planning services contract with Patel, Greene & Associates, LLC for the development of a Winter Park Transportation Master Plan. The budget is up to \$150,000 with funding provided via ARPA monies. The consultant will present a power point of the proposed scope of work.

One purpose of the Transportation Master Plan (TMP) is an update to the 2018 Mobility Plan that is needed as the financial foundation for the city's transportation impact fees as well as providing the data needed for the next Comprehensive Plan update in 2023. This TMP would provide a comprehensive listing and description, as well as prioritization, of the transportation improvement projects anticipated for the the next 20 years for roadways, sidewalks and bike paths. It also includes estimated costs for each project.

Another purpose of the TMP is to develop the 'connectivity and greenways' plan to link parks to parks and also links to other destinations such as Park Avenue. The TMP will also explore the latest emerging technology both for mobility and safety advancements.

The scope includes regular meetings and coordination with the Transportation Advisory Board and updates with the City Commission. The project has a six-month time line for development of a draft plan with one year for completion and final adoption. TAB recommended advancing this project at their Sept. 19th meeting.

This TMP will be much like the City's overall 5 Year and 25 Year Capital Improvement Plan

but specifically focused on mobility projects. It is project ideas and budgets. it is not implementation. Implementation will require specific design drawings as the City funds and moves forward on each individual project. However, the overall TMP updated list of aspirational mobility improvement projects with budget estimates is the first step toward the ultimate construction.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Winter Park TMP Update_ Scope of Services.pdf](#)

ATTACHMENTS:

[Winter Park TMP Update_Fee Estimate.xlsx.pdf](#)

DRAFT SCOPE OF WORK

Winter Park Transportation Master Plan

The following sections describe the scope of services that will be performed to assist the City of Winter Park in preparing the City's Transportation Master Plan. The Patel, Greene & Associates, LLC Team (Consultant) will complete the planning and preparation process as outlined in this Scope of Work.

Project Summary

Background

The City of Winter Park is pursuing the preparation of a Transportation Master Plan, which will serve as a long-range document guiding the City's investments in multimodal transportation projects over the next 20+ years. The Transportation Master Plan will serve as a framework for implementing the multi-modal transportation impact fee. Key tasks of the Transportation Master Plan will include an evaluation of baseline conditions, mode-by-mode updates of the information developed in the Mobility Plan, a prioritized list of projects to include planning-level cost estimates, a new section focused on current and emerging transportation technologies, and all associated meetings and documentation.

Deliverables

The following deliverables are anticipated:

- Baseline Documentation Technical Memorandum
- Technology Technical Memorandum
- Listing of Prioritized Project Needs and Cost Estimates
- Draft Transportation Master Plan Document
- Final Transportation Master Plan Document
- Presentation slide decks for up to twelve meetings in total for Transportation Advisory Board and City Commission meetings.

All deliverables will be provided in formats that best suit the City and its staff. The following sections provide additional detail on the project tasks and subtasks.

Task 1 – Baseline Documentation

In coordination with City staff, the Consultant will review available data and materials and document the baseline conditions at the time of this Master Plan, including progress relative to the Mobility Plan.

Task 1a. Review Relevant Plans

The Consultant will review precedent related transportation-related plans and studies prepared by the City. They will include at a minimum the Mobility Plan (December 2018 Draft), the Transportation Element of the Comprehensive Plan, and the recently completed Americans with Disabilities Act (ADA) Transition Plan.

Task 1b. Compile and Review Geospatial Data

Using data provided by the City, the Consultant will compile and review all available and pertinent Geographic Information Systems (GIS) data and will prepare a map template that will be used throughout the plan development process.

Task 1c. Determine Mobility Plan Elements for Retention

It is anticipated that significant sections of the existing Mobility Plan will be suitable for direct incorporation into the Transportation Master Plan. Based on the review of the Mobility Plan in Task 1a, the Consultant will make a preliminary recommendation regarding which sections are appropriate to be retained and review those recommendations with City staff. While the resulting determination will be preliminary and subject to change as the Transportation Master Plan is developed, it will help the City and the Consultant focus efforts in later tasks appropriately and efficiently.

Task 1d. Review Mobility Plan Project Implementation Status

Chapter 4 of the Mobility Plan identifies recommended projects and strategies. Within this subtask, the Consultant, in consultation with the City, will review the implementation status of all recommendations. This may also include identification of previously recommended projects that are no longer considered viable.

Task 1e. Review and Confirm Roadway Functional Classification

The Mobility Plan also includes a map and table of roadway functional classification, along with associated controlling jurisdictions, which serves as the basis of the Plan's level of service evaluations. The Consultant will review and confirm the roadway classification list and make any necessary updates. Through this process, the roadway study network for the Transportation Master Plan will be confirmed.

Task 1f. Compile Existing Technology Elements

The Consultant will document existing technology elements in the field and the Traffic Management Center. These elements may include Rectangular Reflective Flashing Beacons (RRFB), Pedestrian Hybrid Beacons (PHB), Lead Pedestrian Interval (LPI), sensor devices, communication systems, intersections and signals ITS infrastructure, and other elements.

Task 1g. Prepare Baseline Documentation Technical Memorandum

The Consultant will prepare a brief technical memorandum summarizing the task findings and any resulting recommendations. This document will establish the baseline for the subsequent evaluations of existing conditions.

Task 2 – Modal Existing Conditions Evaluation

To assist in the eventual identification of projects, this task will document the City's current transportation system and determine how well roadways within the City meet the needs of various user groups. It is anticipated that this task will follow a similar structure as Chapter 2 of the Mobility Plan, and will incorporate information from that chapter as appropriate, but will also incorporate updates to facility inventories and level of service evaluations and will add emphasis to new focus areas such as the greenway system. Multimodal performance measures will also be developed. As outlined below, mode-specific discussions will be presented in the order of the City's established hierarchy: pedestrian, bicycle, transit, and auto.

Task 2a. Evaluate Pedestrian Conditions

The Consultant will update the City's sidewalk inventory to reflect any recent additions. These updates will in turn enable an update of the pedestrian level of service database. As part of the pedestrian level of service updates, the Consultant will incorporate available traffic volume data to match the evaluation methodology contained in the Florida Department of Transportation's 2020 Quality/Level of Service Handbook generalized level of service tables. The Consultant will review pedestrian crash data for the most recent available five-year period from the FDOT/University of Florida Signal Four Analytics system, create a map of those crashes, and provide a summary of crash characteristics to include elements such as pedestrian crash type, crash severity, roadway and lighting condition, time of day, day of week, and participant behaviors (alcohol, distracted driving, etc.).

The Consultant will conduct a pedestrian latent demand analysis to identify locations within the City that have the highest propensity for walking trips. This analysis will be conducted within a GIS environment using a simplified version of the Federal Highway Administration-endorsed Latent Demand Method, taking into account Traffic Analysis Zone-level population, employment, and school enrollment data. The Consultant will present the results of the analysis as a heat map and with scores for individual segments of the study network.

The Consultant will briefly summarize the findings of the City's recent ADA Transition Plan and incorporate that plan as an appendix in the final Transportation Master Plan document.

Task 2b. Evaluate Bicycle Conditions

The Consultant will update the City's bicycle facility inventory to reflect any recent additions. These updates will in turn enable an update of the bicycle level of service database. As part of the bicycle level of service updates, the Consultant will incorporate available traffic volume data to match the evaluation methodology contained in the Florida Department of Transportation's 2020 Quality/Level of Service Handbook generalized level of service tables and will revisit the inclusion of shared lane markings as part of the level of service criteria. The Consultant will review bicycle crash data for the most recent available five-year period from the FDOT/University of Florida Signal Four Analytics system, create a map of those crashes, and provide a summary of crash characteristics to include elements such as bicycle crash type, crash

severity, roadway and lighting condition, time of day, day of week, and participant behaviors (alcohol, distracted driving, etc.).

A new element of the Transportation Master Plan will focus on the evaluation and development of a Citywide greenways network that will connect key destinations, including parks, using a variety of facility types that provide a comfortable experience for bicyclists of all ages and ability levels. Within this task, the Consultant will work with the City to identify facility characteristics that constitute a greenway and will then prepare an initial database and map of the City's greenways.

Task 2c. Evaluate Transit Conditions

The Consultant will update the Mobility Plan transit level of service evaluation to incorporate any recent LYNX service changes and any new sidewalk facilities. The Consultant will evaluate any impacts of recent and proposed changes to SunRail operations. The Consultant will also review the 2018 LYNX Transit Development Plan (TDP) and the most recent available TDP Annual Progress Report to document any planned or programmed service changes within the City of Winter Park.

Task 2d. Evaluate Auto Conditions

The Consultant will update Annual Average Daily Traffic (AADT) values for the study network roadways and conduct a new auto level of service (more mode-specific language than the Mobility Plan's "roadway level of service") evaluation based on the Florida Department of Transportation's 2020 Quality/Level of Service Handbook generalized level of service tables. The Consultant will review auto crash data for the most recent available five-year period from the FDOT/University of Florida Signal Four Analytics system and create a map of those crashes.

Task 2e. Develop Multimodal Project Evaluation Metrics

To ensure that the Transportation Master Plan reflects a data-driven, performance-based process, the Consultant will develop metrics to evaluate and prioritize candidate projects. It is anticipated that each travel mode will have a different set of metrics (potentially with some overlap). These metrics may include those related to safety, level of service, demand, and cost, among others. A draft set of measures will be presented to the City and refined for eventual use in Task 4.

Task 3 – Evaluation of Existing & Emerging Technology

The City of Winter Park is interested in updating its transportation technology elements with a view to enhancing safety, accessibility, and mobility for all transportation users, particularly vulnerable users. The deployment of innovative techniques and safety countermeasures will be essential to meet this goal. The Consultant will recommend projects by mode, in terms of setting objectives, need, viability, and safety, accessibility, and mobility opportunities.

This review and analysis for all component parts of this task will be conducted only at a high level, producing concepts, potential benefits, and planning level probable costs. Detailed analysis is not part of this task.

Task 3a. Connected Autonomous Vehicle (CAV) Readiness

The Consultant will, through literature review, research existing and future CAV elements, primarily in the United States. This documentation of CAV information will be compared to any existing CAV elements that the City has in place and/or has planned for consideration and adoption. A generalized feasibility study will be conducted to determine the probability of functionality and appropriateness for City use. A memorandum of findings and recommendations will be drafted for staff review.

Task 3b. Review of the Traffic Management Center (TMC)

The Consultant will meet with the City TMC team to determine the functionality of the TMC and on a staff “survey” approach, compile a needs assessment of the TMC, and make comparative remarks with other TMC systems in the central region of Florida. A memorandum of findings and recommendations will be drafted for staff review.

Task 3c. Traffic Signals/Preemption Analysis

The Consultant will produce an inventory of the existing city-controlled traffic signal system in terms of field equipment, structure, and access issues (ADA). This analysis will also include discussions with FDOT District Five staff in terms of Department expectations and future traffic signal plans. A memorandum of findings and recommendations will be drafted for staff review.

Task 3d. Fiber and Other Traffic Signal Communication Systems

The Consultant will work with City staff and FDOT District Five staff on documenting existing and future signal communication systems. Research will also be conducted by the Consultant on new communication systems for consideration. A brief discussion on potential communication for other transportation systems will be investigated such as parking considerations, and adaptation to CAV issues identified in Task 3a above. A memorandum of findings and recommendations will be drafted for staff review.

Task 3e. Identifying Global Positioning System (GPS) Navigation Opportunities

The Consultant will research GPS elements that City already has in place through interviews with staff. The Consultant will also identify appropriate GPS elements, in practice. A memorandum of findings and recommendations will be drafted for staff review.

Task 3f. Pedestrian Safety Elements

The Consultant will conduct an inventory of existing pedestrian safety features such as Rectangular Reflective Flashing Beacons (RRFB), Pedestrian Hybrid Beacons (PHB), Lead Pedestrian Interval (LPI), mid-block crossings, protected intersections, sensor devices, and communication systems. A high-level analysis will be conducted by the Consultant to determine candidate sites for additional consideration of the safety elements. A memorandum of findings and recommendations will be drafted for staff review.

Task 3g. Prepare Technology Technical Memorandum

The Consultant will prepare an overall summary technology memorandum & analysis for Task 3, with recommendations on elements, locations, probable planning level costs, and an evaluation of effectiveness plan.

Task 4 – Project Identification and Prioritization

The results of the existing conditions evaluations will indicate gaps in the City's multimodal transportation network and corresponding needs and opportunities. Within this task, these needs will be converted into candidate projects that will subsequently be evaluated for potential implementation.

Task 4a. Prepare List of Recommended Projects by Mode

For each of the four travel modes, the Consultant will compile a list of candidate projects. Some of these projects will be retained as prior recommendations from the Mobility Plan. While some projects will be recommended based on their ability to help achieve the level of service standards identified in the Comprehensive Plan Transportation Element, others will be independent of that process. Examples of the latter category may include projects related to completing the greenways network, improvements intended to address location-specific safety issues, and Citywide technology-related enhancements.

Task 4b. Prepare Construction Cost Estimates

For each project identified in Task 4a, the Consultant will develop planning-level estimates of probable cost for construction, design, and Construction Engineering Inspection (CEI). Detailed engineering design is not anticipated. The cost estimates will utilize and update the working files that were developed in conjunction with the draft Mobility plan, which will be provided to the Consultant by the City. The anticipated number of cost estimates for each mode are:

- Forty (40) pedestrian / sidewalk improvement projects
- Twenty (20) bicycle improvement projects
- Ten (10) roadway improvement projects

Task 4c. Create Prioritized Needs List

Using the metrics developed in Task 2e, the Consultant will provide an initial ranking of all candidate projects. It is anticipated that similar types of projects will be grouped to create separate priority lists, likely by mode but also potentially based on other characteristics as identified by the Consultant and City staff. The Consultant will coordinate with City staff to develop a ranking of projects that will guide implementation of the Master Plan using both existing funding sources and new funding sources that become available after the Plan's adoption.

Task 5 – Transportation Master Plan Documentation

Task 5a. Draft Plan Document

The Consultant will compile all elements prepared in Tasks 1 through 4 into an overall draft report that documents the Transportation Master Plan process and findings. The Consultant will incorporate both new elements and those retained from the existing Mobility Plan. The document will be written and designed to be easily digestible by City staff, elected officials, and the citizens of Winter Park.

Task 5b. Final Plan Document

The Consultant will respond to and incorporate one round of comments on the draft plan document from City staff, the Transportation Advisory Board, and the City Commission. The resulting version will constitute the approved Transportation Master Plan, which will guide transportation improvements within Winter Park over the coming decades.

Task 6 – Meetings and Presentations

6a. Project Management Meetings

The Consultant Project Manager and other Consultant staff as appropriate will meet as needed with the City Project Manager and other City staff to review project status and recent and ongoing work efforts.

Task 6b. Transportation Advisory Board and City Commission Meetings

The Consultant will attend up to twelve meetings of the City's Transportation Advisory Board and/or City Commission to present Transportation Master Plan progress and information. The timing of these meetings will be determined as the project progresses.

Winter Park Transportation Master Plan Update - Fee Estimate

TASKS	PGA					S&ME				Task Cost	Total Task Cost
	Senior Engineer	Senior Planner	Planner	Graphic Designer	Engineer Intern	Senior Engineer	Traffic Engineer	Senior Transp. Planner	Graphic Designer		
	\$244.31	\$192.39	\$111.46	\$83.98	\$106.88	\$210.00	\$185.00	\$185.00	\$135.00		
Task 1. Baseline Documentation											
a. Review relevant plans		4	8					4		\$2,401.24	11.17% Of Project
b. Compile and review available GIS data		2	12	8						\$2,394.14	
c. Determine Mobility Plan elements retained for TMP		4	6				2			\$1,808.32	
d. Review/document Mobility Plan project implementation status	2	2	8			2	2			\$2,555.08	
e. Verify roadway classification/study network		2	6							\$1,053.54	
f. Compile Existing Technology Elements						2	8	4		\$2,640.00	
g. Prepare Baseline Tech Memo	4	4	8	4			2	2		\$3,714.40	
TOTAL TASK 1	6	18	48	12	0	4	14	10	0		\$16,567
Task 2. Modal Evaluations											
a-i. Ped/Update sidewalk inventory		2	6							\$1,053.54	17.23% Of Project
a-ii. Ped/Update pedestrian LOS		6								\$1,154.34	
a-iii. Ped crash analysis		2	8							\$1,276.46	
a-iv. Ped demand analysis		4	8							\$1,661.24	
a-v. Ped/ADA plan summary			4							\$445.84	
b-i. Bike/Update facilities inventory		2	6							\$1,053.54	
b-ii. Bike/Update bicycle LOS		6								\$1,154.34	
b-iii. Bike crash analysis		2	8							\$1,276.46	
b-iii. Bike/Greenways network evaluation		12	24					4		\$5,723.72	
c. Transit/Lynx/SunRail		2	6							\$1,053.54	
d-i. Auto/Update volumes/LOS		2	6							\$1,053.54	
d-ii. Overall crash review		2	8							\$1,276.46	
e. Develop multimodal performance/evaluation measures	4	8	16			4	4	8		\$7,359.72	
TOTAL TASK 2	4	50	100	0	0	4	4	12	0		\$25,543
Task 3. Technology & Emerging Technology											
a. CAV readiness						8	8	8		\$4,640.00	25.31% Of Project
b. Traffic Management Center overview						4	4			\$1,580.00	
c. Signals/preemption analysis						4	4			\$1,580.00	
d. Fiber network review						4	4			\$1,580.00	
e. GPS navigation apps						4	4	4		\$2,320.00	
fi. Ped safety/LPI (mid-block analysis/protected intersections)						8	16	8		\$6,120.00	
fii. Ped safety/RRFB & PHB						16	16	16		\$9,280.00	
g. Prepare technology tech memo & analysis	4	4				8	16	16	8	\$10,426.80	
TOTAL TASK 3	4	4	0	0	0	56	72	52	8		\$37,527
Task 4. Projects											
a. Recommended projects by mode	4	12	32			2	4	4		\$8,752.64	26.41% Of Project
b. Prepare construction cost estimates (est. 70 total)	35	2	2		105	2	4			\$21,540.95	
c. Create prioritized needs lists by mode	4	12	32		8	2	2	2		\$8,867.68	
TOTAL TASK 4	43	26	66	0	113	6	10	6	0		\$39,161
Task 5. Meetings and Documentation											
a. Project status check-ins (as needed)	4	12	12			4	2			\$5,833.44	19.89%
b. Twelve (12) Transportation Advisory Board and/or City Commission Meetings (as needed)	8	32	8			8	4			\$11,422.64	
a. Draft final report	6	8	16	8		2	8			\$7,360.18	
b. Final report	4	4	8	4		2	8			\$4,874.40	
TOTAL TASK 5	22	56	44	12	0	16	22	0	0		\$29,491
TOTAL HOURS	79	154	258	24	113	86	122	80	8		296
TOTAL COSTS	\$19,300	\$29,628	\$28,757	\$2,016	\$12,077	\$18,060	\$22,570	\$14,800	\$1,080	\$148,288.19	\$148,288.19



City Commission agenda item

item type Action Items Requiring Discussion	meeting date October 12, 2022
prepared by Jason Seeley	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective Exceptional Quality of Life Intelligent Growth and Development Investment in Public Assets and Infrastructure	

subject

Howell Branch Preserve Design

motion / recommendation

Approval of design and additional funding for work not within the grant parcels.

background

City staff is seeking approval of revised design concept and additional funding for Howell Branch Preserve trail system. While grant covers the cost of main trail loop located in the Lake Wampi grant parcel, it does not cover additional costs associated with creating public access to trail.

Revised design is based on feedback received from stakeholders' group and from the informal task force created at the direction of commission at the Aug 11th Commission Meeting. City staff met with the task force and the following parameters were established for what would make the trail acceptable to the adjacent residents.

- No entry points in residential neighborhoods (exclude Lollisa and Drum)
- Move orientation of southern most part of Wampi loop further north away from homes
- Move orientation of eastern most trail off of water's edge and further inland
- Conduct traffic study of Temple Trail and take suitable measure to ensure safety

In addition to meeting with the task force regarding the design concerns as secondary meeting was held with task force members to discuss traffic concerns on Temple Trail with City staff that included both Parks and Recreation as well as Traffic/Public Works. A traffic study was conducted the second week of September and data collection was

completed 9/21. Analysis and results are expected to be provided by early October.

alternatives / other considerations

City staff has reached out to FDEP regarding alternative use of grant funding or use of grant funding towards only environmental improvements (invasive removal and native reforestation). FDEP will not approve any change in funding use and in order to receive any of the grant funding a recreational element (trail) must be included in project scope.

fiscal impact

Breakdown of projected cost is provide in the attachments for full detail.

Summary of Additional Costs:

Non Grant Parcel Trail - 226,500

Fencing and Small Parking Area - \$100,000

Total Projected Cost - \$326,500

ATTACHMENTS:

[2022-09-19 Revised Concept Plan.pdf](#)

ATTACHMENTS:

[2022-09-15 Trail Types Cost Est.pdf](#)



MOHAWK TRAIL

CHINOOK TRAIL

HURON TRAIL

MOJAVE TRAIL

SHAWNEE TRAIL

CHOCTAW TRAIL

N THISTLE LN

GOLDWATER CT

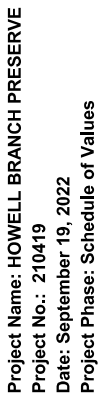
DYAN WAY

DYAN WAY

MAITLAND
MIDDLE
SCHOOL

DOMMERICH
ELEMENTARY
SCHOOL

CITY OF MAITLAND PARCEL



Project Name: HOWELL BRANCH PRESERVE

Project No.: 210419

Date: September 19, 2022

Project Phase: Schedule of Values

Order of Magnitude

Statement of Probable Cost

	Item	Qty.	Unit	Unit Cost	Item Subtotal	Comments	Page/Detail No.
	Hardscape (Grant Parcel)						
	Boardwalk	3,450	SF	\$ 100.00	\$ 345,000.00	6" wide, TREX or Wear Deck composite material	
	Boardwalk Railing	750	LF	\$ 60.00	\$ 45,000.00	PTP	
	Metal Edging	2,525	LF	\$ 10.00	\$ 25,250.00		
	Crushed Shell	15,150	SF	\$ 2.50	\$ 37,875.00	Shell fines + filler fabric	
	Bridge	1,050	SF	\$ 250.00	\$ 262,500.00		
				Hardscape Subtotal	\$ 715,625.00		
				Contingency (20%)	\$ 143,125.00		
				Hardscape Total	\$ 858,750.00		

NOTES:

*Dix-Hite has no control over the cost of labor, materials, or equipment, the Contractor's markups or method of determining prices or competitive bidding or market conditions. Therefore, Dix-Hite's statement of probable construction costs provided for, herein, are made on the basis of experience and represent our best judgment, as Landscape Architects. Dix-Hite cannot and does not guarantee that proposals, bids, or the construction cost will not vary from our statements of probable costs. If the Owner wishes greater assurances as to the construction cost, we recommend the employment of an independent cost estimator.



City Commission **agenda item**

item type Public Hearings: Quasi-Judicial Matters (Public participation and comment on these matters must be in-person.)	meeting date October 12, 2022
prepared by Jeffrey Briggs	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Request of the City of Winter Park and Elevation Plaza LLC for:

item list

1. Amendments to the sales contract to confirm the legal descriptions for parcels, approve the forms of the appurtenant easements, and provide for release of mineral rights by the City.
2. Ordinance: Amending the Comprehensive Plan Future Land Use map:
 - from Institutional to Office on a portion of the property at 631 N. New York Avenue and
 - from Office to Institutional on a portion of the property at 507 N. New York Avenue (1st reading)
3. Ordinance: Changing zoning:
 - from Public, Quasi-Public (PQP) to Office (O-1) on a portion of the property at 631 N. New York Avenue.
 - from Office (O-1) to Institutional (PQP) on a portion of the property at 507 N. New York Avenue (1st reading)

motion / recommendation

Staff recommendation on the contract amendments and P&Z recommendation on the ordinances is for approval.

background

The City Commission has entered into contract to sell/swap a portion of the City's former water plant site at 631 N. New York Avenue to the Elevation Plaza LLC group that owns the Elevation Financial office building directly to the south at 507 N. New York Avenue. In return, the City is receiving a portion of Elevation's existing office building parking lot. Since the City is swapping 0.665 acres of city land for 0.433 acres of private land, the City

is being compensated with a \$1 million dollar payment.

The proposed amendment confirms the legal descriptions for the parcels, approves the form of the appurtenant easements, and provides for the release of mineral rights by the City which the city attorney can explain in more detail.

Attached is the survey and site plan drawings showing the properties and their intended uses. The City intends to use the property received from Elevation for a new golf course maintenance building in order to replace the unsightly yellow metal storage building adjacent on the golf course. The \$1 million will pay to construct the new building. The Elevation Plaza LLC group intends to build a new office building on the land acquired from the City. Since the new office building will be a conditional use (as a building over 10,000 square feet) that project will come back to the P&Z Board and City Commission at a later time. The Elevation Plaza LLC group is trying to acquire the Century Link/Lumen parking lot along New York Avenue in order to be able to enlarge the size of the new office project.

In order to close on this transaction, the City and Elevation Plaza LLC need to swap their respective future land use and zoning designations. Institutional (PQP) on the City property to Office (O-1) for Elevation Plaza LLC to use. Office (O-1) to Public Quasi-Public (PQP) for the City to use.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Survey for City and Elevation LLC swap.pdf](#)

ATTACHMENTS:

[First Amendment to Exchange Agreement CLEAN AKA revd 9-21-22.pdf](#)

ATTACHMENTS:

[Site_and_Development_Plans.pdf](#)

ATTACHMENTS:

[Ord._Comp._Plan_FLU_updated MFA clean.pdf](#)

ATTACHMENTS:

[Ord._Zoning_Map_updated.pdf](#)

SUPPLY NOTES:

**FIRST AMENDMENT TO
EXCHANGE AGREEMENT**

THIS FIRST AMENDMENT TO EXCHANGE AGREEMENT (hereinafter “First Amendment”) is made and entered into effective as of the _____ day of _____, 2022, by and between the **CITY OF WINTER PARK, a Florida municipal corporation** (hereinafter “City”); and **ELEVATION PLAZA, LLC, a Florida limited liability company** (hereinafter “Elevation”).

WHEREAS, on or about July 6, 2022, City and Elevation entered into that certain Exchange Agreement (hereinafter the “Agreement”) whereby the City agreed to sell and convey to Elevation that certain real property of approximately .695 acres in size (the “City Property”) and Elevation agreed to sell and convey to the City that certain real property of approximately .426 acres (the “Elevation Property”); and

WHEREAS, because precise legal descriptions were not available at the time the Agreement was executed, the City Property and the Elevation Property were depicted by a diagram attached to the Agreement as Exhibit “A”; and

WHEREAS, the parties have now agreed upon legal descriptions for the City Property and the Elevation Property and therefore wish to amend the Agreement to delete Exhibit “A” and replace it with the attached Exhibit “A-1”, which sets forth the legal description for the City Property, and with Exhibit “A-2”, which sets forth the legal description for the Elevation Property; and

WHEREAS, in addition to the conveyances of the above parcels, the City agreed to convey to Elevation an access and utility easement that benefits the City Property and Elevation agreed to convey to the City an access and utility easement that benefits the Elevation Property, which easements were generically described pursuant to Section 4 of the Agreement and the Exhibit “B” attached to the Agreement.

WHEREAS, the City and Elevation have now agreed upon the form of said easements and wish to amend the Agreement to confirm the same and to replace Exhibit “B” with a new Exhibit “B-1” and Exhibit “B-2”.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Elevation agree as follows:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.
2. Exhibit “A”. Exhibit “A” attached to the Agreement is deleted and replaced with the attached Exhibit “A-1, which sets forth the legal description of the City Property, and with the attached Exhibit “A-2”, which sets forth the legal description of the Elevation Property.

3. Easements and Exhibit “B”. Exhibit “B” attached to the Agreement is deleted and replaced with the attached Exhibit “B-1”, which is the form of the Easement Benefitting the City Property as contemplated by Section 4 of the Agreement, and with the attached Exhibit “B-2”, which is the form of the Easement Benefitting the Elevation Property as contemplated by Section 4 of the Agreement.

4. Conveyance of City Property. Section 9B of the Agreement is revised such that the Warranty Deed from the City to Elevation shall include sufficient language for the City to release its rights pursuant to Florida Statute 270.11 so that the Title Company is able to delete the exception set forth in paragraph 11 of Schedule B-II of the City Property Title Commitment.

5. No Further Changes. The foregoing terms and conditions are hereby incorporated into the Agreement. Except as set forth in this First Amendment, the Agreement shall have full force and effect. In the event of any conflict or ambiguity between the Agreement and this First Amendment, this First Amendment controls. This First Amendment may be executed in one or more counterparts. Signed counterparts delivered by facsimile or electronic mail shall constitute originals and shall be binding.

[Signatures on following page]

IN WITNESS WHEREOF, the parties have executed this First Amendment effective as of the date set forth above.

THE CITY:

CITY OF WINTER PARK
a Florida municipal corporation

By: _____
Randy Knight
City Manager

Date: _____

ELEVATION:

ELEVATION PLAZA, LLC
a Florida limited liability company

By: _____

(Print Name)

Its: _____

Date: _____

EXHIBIT "A-1"
(Legal Description of City Property)

COMMENCE AT THE SOUTHWEST CORNER OF TRACT 3, CITY OF WINTER PARK GOLF COURSE, AS RECORDED IN PLAT BOOK 44, PAGE 102, OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA; THENCE RUN N89°25'11"E ALONG THE SOUTH LINE OF SAID TRACT 3 185.20 FEET; THENCE CONTINUE ALONG SAID SOUTH LINE OF TRACT 3 N88°18'56"E 14.79 FEET; THENCE S00°19'20"E 31.33 FEET FOR A POINT OF BEGINNING; THENCE N89°14'41"E 245.32 FEET; THENCE S00°31'33"E 120.00 FEET; THENCE S89°14'41"W 226.26 FEET; THENCE N00°19'20"W 25.28 FEET; THENCE S89°00'40"W 19.49 FEET; THENCE N00°19'20"W 94.80 FEET TO THE POINT OF BEGINNING.

CONTAINS THEREIN 0.665 ACRES, MORE OR LESS.

EXHIBIT "A-2"
(Legal Description of Elevation Property)

BEGIN AT THE SOUTHWEST CORNER OF TRACT 3, CITY OF WINTER PARK GOLF COURSE, AS RECORDED IN PLAT BOOK 44, PAGE 102, OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA; THENCE RUN N89°25'11"E ALONG THE SOUTH LINE OF SAID TRACT 3 A DISTANCE OF 185.20 FEET; THENCE CONTINUE ALONG SAID SOUTH LINE OF TRACT 3 N88°18'56"E 14.79 FEET; THENCE S00°19'20"E 126.13 FEET; THENCE N89°00'40"E 19.49 FEET; THENCE S00°19'20"E 25.28 FEET; THENCE S89°14'41"W 51.32 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SEGMENT "G", SECTION 75000, OF THE CENTRAL FLORIDA COMMUTER RAIL TRANSIT ACCORDING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION BOUNDARY SURVEY PREPARED UNDER FINANCIAL PROJECT (F.P.) 412994 2; THENCE RUN N48°30'49"W 225.60 FEET TO THE POINT OF BEGINNING.

CONTAINS THEREIN 0.413 ACRES, MORE OR LESS.

EXHIBIT “B-1”

After Recording Return to:

Mark F. Ahlers, Esquire
Fishback Dominick
1947 Lee Road
Winter Park, FL 32789

NON-EXCLUSIVE ACCESS AND UTILITIES EASEMENT

THIS NON-EXCLUSIVE ACCESS AND UTILITIES EASEMENT (hereinafter “Easement”), is made this ____ day of _____, 2022, by and between the **CITY OF WINTER PARK**, a Florida municipal corporation, whose address is 600 North Park Avenue, Winter Park, Florida 32789, hereinafter called the “Grantor”, in favor of **ELEVATION FINANCIAL GROUP, LLC**, a Florida limited liability company, whose address is 201 E. Pine Street, Suite 200, Orlando, Florida 32801, hereinafter called the “Grantee”.

WHEREAS, pursuant to the certain Exchange Agreement between Grantor and Elevation Plaza, LLC (hereinafter “Plaza”), and in accordance with Plaza’s assignment of its rights under the Exchange Agreement to Grantee, Grantor conveyed the property described on the attached Exhibit “A” (hereinafter the “Property”) to Grantee.

WHEREAS, pursuant to said Exchange Agreement, Grantor is also obligated to convey to Grantee a non-exclusive perpetual access and utilities easement to benefit the Property over that portion of Grantor’s property more particularly described on the attached Exhibit “B” (hereinafter the “Easement Area”).

NOW THEREFORE, in consideration of the sum of ten dollars and no cents (\$10.00) and certain other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants and conveys unto the Grantee and its successors and assigns, a non-exclusive perpetual easement for the benefit of the Property over, under, through and across the Easement Area: (i) for vehicular and pedestrian access between New York Avenue and the Property; and (ii) for the construction, installation, repair, replacement, reconstruction, maintenance, operation, use, and modification of underground utilities.

Grantor shall maintain the surface improvements including pavement, sod and landscaping within the Easement Area at Grantor’s sole cost and expense. However, to the extent Grantee’s use of the Easement Area for access to and from the Property causes damage in excess of normal wear and tear, Grantee shall complete the repair, replacement, and/or maintenance necessary to remedy such damage within a reasonable time. In addition, to the extent Grantee’s construction, installation, repair, replacement, reconstruction, maintenance, operation, use or modification of underground utilities causes damage to the Easement Area or the improvements therein or to Grantor’s other property, Grantee shall complete the repair, replacement, and/or maintenance necessary to remedy such damage within a reasonable time. All

covenants, terms, rights, and provisions herein contained shall inure and extend to and be obligatory upon the successors and assigns of the respective parties hereto.

Grantee and its successors and assigns shall have the right to clear and keep all trees, undergrowth and other obstructions that may interfere with the normal use, operation, or maintenance of the Easement Area and the utilities and facilities therein, out of and away from the Easement Area. Grantee, its successors and assigns, shall not build, construct, or create, nor permit others to build, construct, or create any buildings or other structures within the Easement Area. Grantee shall not construct or create, nor permit others to construct or create, any other improvement or obstruction that may interfere with Grantor's normal operation, use or maintenance of the Easement Area and the utilities and facilities therein, and Grantee shall not interfere with Grantor's utilities and facilities within the Easement Area or Grantor's access to and from the Easement Area. Grantor warrants that Grantor is the fee simple owner of the Easement Area and has the authority to grant the Easement herein.

Grantor has the right to relocate, at any time, the Easement Area to another location provided: (a) the new easement area is of the same width and provides Grantee with reasonable access between the Property and New York Avenue; (b) Grantor, at Grantor's sole cost, relocates any utilities Grantee has installed within the Easement Area to the new easement area. In the event of such relocation, Grantor and Grantee shall execute and deliver to Grantor for recording a document that amends this Easement to release the original Easement Area and replaces it with the new easement area.

Wherever used herein, the terms "Grantor" and "Grantee" include their respective heirs, legal representatives, successors and assigns of individuals, and the successors and assigns of corporations, limited liability companies, or other entities. Grantee, by its acceptance of this Easement, agrees to be bound by the terms and provisions set forth herein. Use and/or operation where used in the Easement include, without limitation, use and/or operation by Grantee's guests and invitees.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Easement on the day and year first written above.

{Signatures on the following pages}

Witnesses:

Signature

Print

Signature

Print

GRANTOR:

CITY OF WINTER PARK, a Florida municipal
corporation

By: _____

Its: _____

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of physical presence this ____
day of _____, 2022, by _____, as _____ of the
City of Winter Park, a Florida municipal corporation, on behalf of the corporation. He/she (check one) ☐
is personally known to me, or ☐ has produced a valid driver's license as identification.

Notary Public, State and County Aforesaid

Name: _____

My Commission Expires: _____

My Commission Number is: _____

Witnesses:

Signature

Print

Signature

Print

GRANTEE

ELEVATION FINANCIAL GROUP, LLC
a Florida limited liability company

By: _____

Its: _____

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence this ____ day of _____, 2022, by _____, as _____ of Elevation Financial Group, LLC, a Florida limited liability company, on behalf of the company. He/she (check one) ☐ is personally known to me, or ☐ has produced a valid driver's license as identification.

Notary Public, State and County Aforesaid

Name: _____

My Commission Expires: _____

My Commission Number is: _____

EXHIBIT "A"

COMMENCE AT THE SOUTHWEST CORNER OF TRACT 3, CITY OF WINTER PARK GOLF COURSE, AS RECORDED IN PLAT BOOK 44, PAGE 102, OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA; THENCE RUN N89°25'11"E ALONG THE SOUTH LINE OF SAID TRACT 3 185.20 FEET; THENCE CONTINUE ALONG SAID SOUTH LINE OF TRACT 3 N88°18'56"E 14.79 FEET; THENCE S00°19'20"E 31.33 FEET FOR A POINT OF BEGINNING; THENCE N89°14'41"E 245.32 FEET; THENCE S00°31'33"E 120.00 FEET; THENCE S89°14'41"W 226.26 FEET; THENCE N00°19'20"W 25.28 FEET; THENCE S89°00'40"W 19.49 FEET; THENCE N00°19'20"W 94.80 FEET TO THE POINT OF BEGINNING.

CONTAINS THEREIN 0.665 ACRES, MORE OR LESS.

EXHIBIT "B"

BEGIN AT THE SOUTHEAST CORNER OF TRACT 3, CITY OF WINTER PARK GOLF COURSE, AS RECORDED IN PLAT BOOK 44, PAGE 102, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S00°31'33"E ALONG THE WEST RIGHT OF WAY LINE OF NORTH NEW YORK AVENUE A DISTANCE OF 20.00 FEET; THENCE LEAVING SAID WEST RIGHT OF WAY LINE RUN S89°14'41"W 104.42 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 10.70 FEET AND A CENTRAL ANGLE OF 90°00'00"; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 16.81 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 00°45'19" EAST 20.00 FEET; THENCE S89°14'41"W 215.32 FEET; THENCE N00°19'20"W 20.00 FEET; THENCE N89°14'41"E 195.17 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 30.70 FEET AND A CENTRAL ANGLE OF 90°00'00"; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE 48.22 FEET TO THE POINT OF TANGENCY; THENCE RUN N89°14'41"E 104.50 FEET TO THE POINT OF BEGINNING.

EXHIBIT “B-2”

After Recording Return to:

Mark F. Ahlers, Esquire
Fishback Dominick
1947 Lee Road
Winter Park, FL 32789

NON-EXCLUSIVE ACCESS AND UTILITIES EASEMENT

THIS NON-EXCLUSIVE ACCESS AND UTILITIES EASEMENT (hereinafter “Easement”), is made this ____ day of _____, 2022, by and between **ELEVATION FINANCIAL GROUP, LLC**, a Florida limited liability company, whose address is 201 E. Pine Street, Suite 200, Orlando, Florida 32801, hereinafter called the “Grantor”, in favor of the **CITY OF WINTER PARK**, a Florida municipal corporation, whose address is 600 North Park Avenue, Winter Park, Florida 32789, hereinafter called the “Grantee”.

WHEREAS, pursuant to the certain Exchange Agreement between Grantee and Elevation Plaza, LLC (hereinafter “Plaza”), and in accordance with Plaza’s assignment of its rights under the Exchange Agreement to Grantor, Grantor conveyed the property described on the attached Exhibit “A” (hereinafter the “Property”) to Grantee.

WHEREAS, pursuant to said Exchange Agreement, Grantor is also obligated to convey to Grantee a non-exclusive perpetual access and utilities easement to benefit the Property over that portion of Grantor’s property more particularly described on the attached Exhibit “B” (hereinafter the “Easement Area”).

NOW THEREFORE, in consideration of the sum of ten dollars and no cents (\$10.00) and certain other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants and conveys unto the Grantee and its successors and assigns, a non-exclusive perpetual easement for the benefit of the Property over, under, through and across the Easement Area: (i) for vehicular and pedestrian access between West Swoope Avenue and the Property; and (ii) for the construction, installation, repair, replacement, reconstruction, maintenance, operation, use, and modification of underground utilities.

Grantor shall maintain the surface improvements including pavement, sod and landscaping within the Easement Area at Grantor’s sole cost and expense. However, to the extent Grantee’s use of the Easement Area for access to and from the Property causes damage in excess of normal wear and tear, Grantee shall complete the repair, replacement, and/or maintenance necessary to remedy such damage within a reasonable time. In addition, to the extent Grantee’s construction, installation, repair, replacement, reconstruction, maintenance, operation, use or modification of underground utilities causes damage to the Easement Area or the improvements therein or to Grantor’s other property, Grantee shall complete the repair, replacement, and/or maintenance necessary to remedy such damage within a reasonable time. All covenants, terms, rights, and provisions herein contained shall inure and extend to and be obligatory upon the successors and assigns of the respective parties hereto.

Grantee and its successors and assigns shall have the right to clear and keep all trees, undergrowth and other obstructions that may interfere with the normal use, operation, or maintenance of the Easement Area and the utilities and facilities therein, out of and away from the Easement Area. Grantee, its successors and assigns, shall not build, construct, or create, nor permit others to build, construct, or create any buildings or other structures within the Easement Area. Grantee shall not construct or create, nor permit others to construct or create, any other improvement or obstruction that may interfere with Grantor's normal operation, use or maintenance of the Easement Area and the utilities and facilities therein, and Grantee shall not interfere with Grantor's utilities and facilities within the Easement Area or Grantor's access to and from the Easement Area. Grantor warrants that Grantor is the fee simple owner of the Easement Area and has the authority to grant the Easement herein.

Grantor has the right to relocate, at any time, the Easement Area to another location provided: (a) the new easement area is of the same width and provides Grantee with reasonable access between the Property and West Swoope Avenue; (b) Grantor, at Grantor's sole cost, relocates any utilities Grantee has installed within the Easement Area to the new easement area. In the event of such relocation, Grantor and Grantee shall execute and deliver to Grantor for recording a document that amends this Easement to release the original Easement Area and replaces it with the new easement area.

Wherever used herein, the terms "Grantor" and "Grantee" include their respective heirs, legal representatives, successors and assigns of individuals, and the successors and assigns of corporations, limited liability companies, or other entities. Grantee, by its acceptance of this Easement, agrees to be bound by the terms and provisions set forth herein. Use and/or operation where used in the Easement include, without limitation, use and/or operation by Grantee's guests and invitees.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Easement on the day and year first written above.

{Signatures on the following pages}

Witnesses:

Signature

Print

Signature

Print

GRANTOR

ELEVATION FINANCIAL GROUP, LLC
a Florida limited liability company

By: _____

Its: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence this ____ day of _____, 2022, by _____, as _____ of Elevation Financial Group, LLC, a Florida limited liability company, on behalf of the company. He/she (check one) ☐ is personally known to me, or ☐ has produced a valid driver's license as identification.

Notary Public, State and County Aforesaid
Name: _____
My Commission Expires: _____
My Commission Number is: _____

Witnesses:

Signature

Print

Signature

Print

GRANTEE:

CITY OF WINTER PARK, a Florida municipal
corporation

By: _____

Its: _____

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of physical presence this ____ day of _____, 2022, by _____, as _____ of the City of Winter Park, a Florida municipal corporation, on behalf of the corporation. He/she (check one) ☐ is personally known to me, or ☐ has produced a valid driver's license as identification.

Notary Public, State and County Aforesaid
Name: _____
My Commission Expires: _____
My Commission Number is: _____

s:\aka\clients\winter park\elevation plaza, llc w600-26113\closing documents\non exclusive access and utilities easement (to the city) mfa
clean.doc

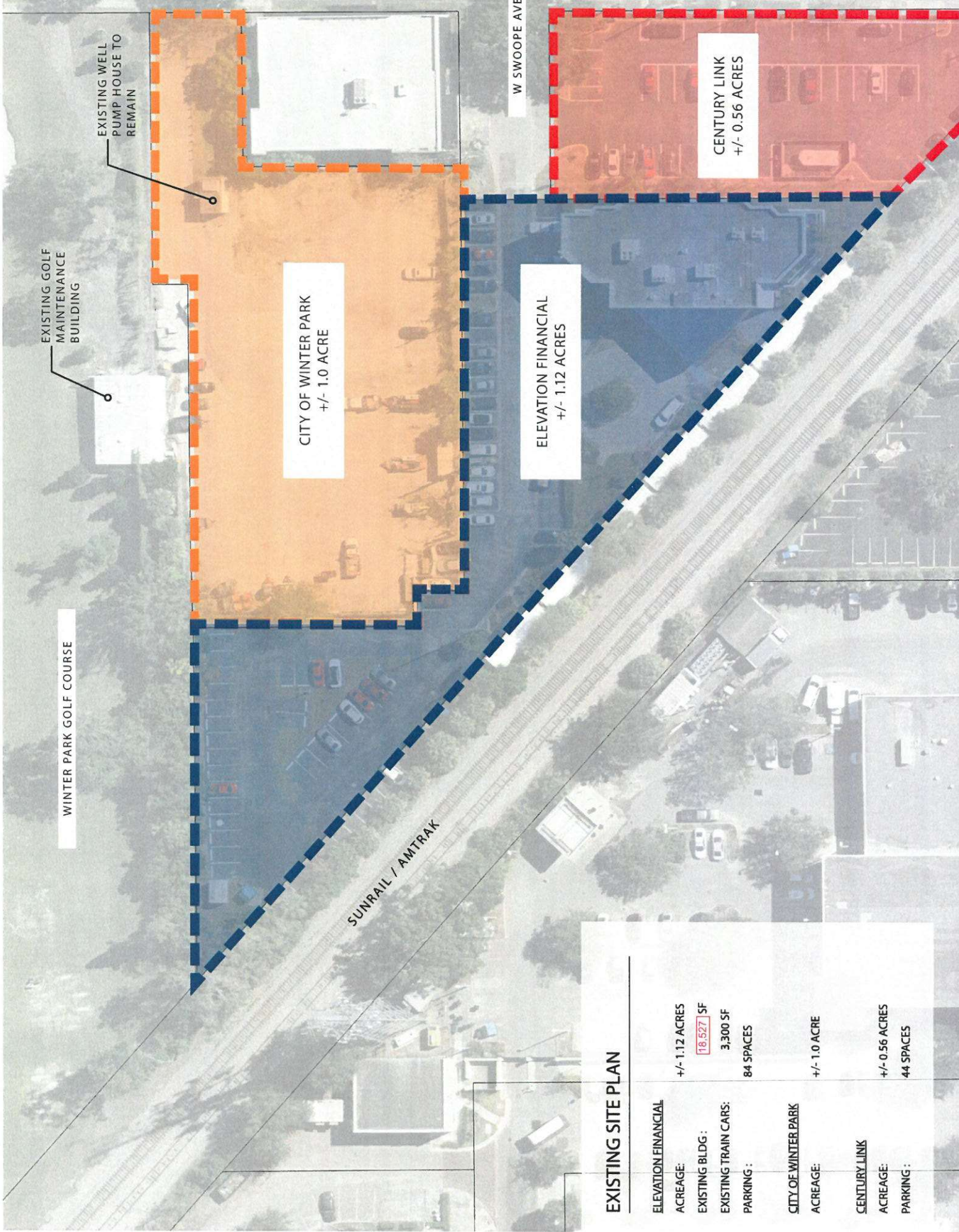
EXHIBIT "A"

BEGIN AT THE SOUTHWEST CORNER OF TRACT 3, CITY OF WINTER PARK GOLF COURSE, AS RECORDED IN PLAT BOOK 44, PAGE 102, OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA; THENCE RUN N89°25'11"E ALONG THE SOUTH LINE OF SAID TRACT 3 A DISTANCE OF 185.20 FEET; THENCE CONTINUE ALONG SAID SOUTH LINE OF TRACT 3 N88°18'56"E 14.79 FEET; THENCE S00°19'20"E 126.13 FEET; THENCE N89°00'40"E 19.49 FEET; THENCE S00°19'20"E 25.28 FEET; THENCE S89°14'41"W 51.32 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SEGMENT "G", SECTION 75000, OF THE CENTRAL FLORIDA COMMUTER RAIL TRANSIT ACCORDING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION BOUNDARY SURVEY PREPARED UNDER FINANCIAL PROJECT (F.P.) 412994 2; THENCE RUN N48°30'49"W 225.60 FEET TO THE POINT OF BEGINNING.

CONTAINS THEREIN 0.413 ACRES, MORE OR LESS.

EXHIBIT "B"

COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF WEST SWOOPE AVENUE WITH THE WEST RIGHT OF WAY LINE OF NORTH NEW YORK AVENUE; THENCE RUN S89°14'41"W ALONG THE SOUTH RIGHT OF WAY LINE OF SAID WEST SWOOPE AVENUE 104.00 FEET; THENCE RUN N00°31'33"W 10.52 FEET FOR A POINT OF BEGINNING; THENCE RUN S89°39'45"W 196.78 FEET; THENCE N49°28'09"W 57.66 FEET; THENCE N89°14'41"E 30.31 FEET; THENCE S49°28'09"E 27.43 FEET; THENCE N89°39'45"E 189.26 FEET; THENCE S00°31'33' E 20.00 FEET TO THE POINT OF BEGINNING.



EXISTING SITE PLAN

<u>ELEVATION FINANCIAL</u>	
ACREAGE:	+/- 1.12 ACRES
EXISTING BLDG :	18,527 SF
EXISTING TRAIN CARS:	3,300 SF
PARKING :	84 SPACES
<u>CITY OF WINTER PARK</u>	
ACREAGE:	+/- 1.0 ACRE
<u>CENTURY LINK</u>	
ACREAGE:	+/- 0.56 ACRES
PARKING :	44 SPACES

WINTER PARK GOLF COURSE

EXISTING GOLF
MAINTENANCE SHED AND
DRIVEWAY (IMPERVIOUS
AREA) TO BE DEMOLISHED
AND LANDSCAPED

CITY OF WINTER PARK
+/- 0.66-ACRE

6,000 SF
(4,000 SF 1ST FLOOR,
2,000 SF 2ND FLOOR)

EXISTING WELL
PUMP HOUSE TO
REMAIN

PROPOSED BLDG.
6,525 SF
FLOORPLATE

W SWOOPE AV

ELEVATION FINANCIAL
+/- 1.44 ACRES

EXISTING BLDG.
20,160 SF
TOTAL

SUNRAIL / AMTRAK

ELEVATION FINANCIAL

ACREAGE: APPROX. 1.45 ACRES

NET CHANGE AC: APPROX. 0.33-ACRE INCREASE

PROPOSED BLDG: 3 STORY WITH GROUND FLOOR PARKING / 6,750 SF
FLOORPLATE / 13,500 SF TOTAL
NET CHANGE BLDG: +13,500 SF

PARKING REQ: 3 SPACES PER 1,000 SF
EX. BUILDING: 56 SPACES
PROP. BUILDING: 41 SPACES

PARKING REQ/PROVIDED: 97 SPACES / 105 SPACES (INCLUDING 24 GROUND FLOOR SPACES)

* INCLUDING 8 PARKING SPACES WITHIN CITY PROPERTY

WINTER PARK GOLF COURSE

EXISTING GOLF
MAINTENANCE SHED AND
DRIVEWAY (IMPERVIOUS
AREA) TO BE DEMOLISHED
AND LANDSCAPED

CITY OF WINTER PARK
+/- 0.66-ACRE

6000 SF
(4,000 SF 1ST FLOOR,
2,000 SF 2ND FLOOR)

PROPOSED BLDG.
3,300 SF
FLOORPLATE

EXISTING WELL
PUMP HOUSE TO
REMAIN

PROPOSED PROPERTY
LINE UPDATE

SUNRAIL / AMTRAK

W SWOOPE AVE

ELEVATION FINANCIAL
+/- 1.44 ACRES

EXISTING BLDG.
20,160 SF
TOTAL

ELEVATION FINANCIAL

ACREAGE: APPROX. 1.47 ACRES
NET CHANGE AC: APPROX 0.35-ACRE INCREASE

PROPOSED BLDG: 3 STORY / 3,433 SF FLOORPLATE / 10,300 SF TOTAL
NET CHANGE BLDG: +10,300 SF

PARKING REQ: 3 SPACES PER 1,000 SF

EX. BUILDING:

56 SPACES

PROP. BUILDING:

31 SPACES

PARKING REQ/PROVIDED:

87 SPACES / 94 SPACES

* INCLUDING 8 PARKING SPACES WITHIN CITY PROPERTY

FAR: 45%

CITY OF WINTER PARK

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA
AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE",
ARTICLE I, "COMPREHENSIVE PLAN" TO AMEND THE
COMPREHENSIVE PLAN FUTURE LAND USE MAP TO CHANGE
THE FUTURE LAND USE DESIGNATION OF INSTITUTIONAL
TO OFFICE ON A PORTION OF THE PROPERTY AT 631 N. NEW
YORK AVENUE AND TO CHANGE FROM OFFICE TO
INSTITUTIONAL ON A PORTION OF THE PROPERTY AT 507
N. NEW YORK AVENUE AS PART OF A SWAP OF PROPERTIES.**

WHEREAS, the owners of these properties, more particularly described herein have voluntarily agreed to a swap of properties and swap of comprehensive plan future land use designations, and

WHEREAS, the City Commission intends to amend its Comprehensive Plan to establish a municipal Comprehensive Plan future land use map designation as a small-scale amendment to the Comprehensive Plan, and

WHEREAS, on September 6, 2022, the Planning and Zoning Board held a public hearing on the proposed future land use map amendment set forth herein and made a recommendation to the City Commission concerning the same, and

WHEREAS, the amendment of the Comprehensive Plan maps and the establishment of a future land use designation meets the criteria established by Chapter 163, Florida Statutes and pursuant to and in compliance with law.

NOW THEREFORE BE IT ENACTED, AS FOLLOWS:

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change from Institutional future land use designation to Office future land use designation on a portion of the property at 631 N. New York Avenue, more particularly described as follows:

COMMENCE AT THE SOUTHWEST CORNER OF TRACT 3, CITY OF WINTER PARK GOLF COURSE, AS RECORDED IN PLAT BOOK 44, PAGE 102, OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA; THENCE RUN N89° 25' 11"E ALONG THE SOUTH LINE OF SAID TRACT 3 185.20 FEET; THENCE CONTINUE ALONG SAID SOUTH LINE OF TRACT 3 N88° 18' 56"E 14.79 FEET; THENCE S00° 19' 20"E 31.33 FEET FOR A POINT OF BEGINNING; THENCE N89° 14' 41"E 245.32 FEET; THENCE S00° 31' 33"E 120.00 FEET; THENCE S89° 14' 41"W 226.26 FEET; THENCE N00° 19' 20"W 25.28 FEET; THENCE S89° 00' 40"W

19.49 FEET; THENCE N00°19'20"W 94.80 FEET TO THE POINT OF BEGINNING.

CONTAINS THEREIN 0.665 ACRES, MORE OR LESS.

SECTION 2. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change from an Office future land use designation to an Institutional future land use designation on a portion of the property at 507 N. New York Avenue, more particularly described as follows:

BEGIN AT THE SOUTHWEST CORNER OF TRACT 3, CITY OF WINTER PARK GOLF COURSE, AS RECORDED IN PLAT BOOK 44, PAGE 102, OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA; THENCE RUN N89°25'11"E ALONG THE SOUTH LINE OF SAID TRACT 3 A DISTANCE OF 185.20 FEET; THENCE CONTINUE ALONG SAID SOUTH LINE OF TRACT 3 N88°18'56"E 14.79 FEET; THENCE S00°19'20"E 126.13 FEET; THENCE N89°00'40"E 19.49 FEET; THENCE S00°19'20"E 25.28 FEET; THENCE S89°14'41"W 51.32 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SEGMENT "G", SECTION 75000, OF THE CENTRAL FLORIDA COMMUTER RAIL TRANSIT ACCORDING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION BOUNDARY SURVEY PREPARED UNDER FINANCIAL PROJECT (F.P.) 412994 2; THENCE RUN N48°30'49"W 225.60 FEET TO THE POINT OF BEGINNING.

CONTAINS THEREIN 0.413 ACRES, MORE OR LESS.

SECTION 3. This Ordinance shall become effective 31 days after its adoption unless timely challenged pursuant to Florida Statutes Section 163.3187 within 30 days after adoption. If timely challenged, this Ordinance will not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a Final Order determining the Ordinance is in compliance pursuant to Chapter 163, Florida Statutes.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2022.

Mayor Phillip Anderson

Attest:

City Clerk

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA
AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE",
ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO
AS TO CHANGE FROM PUBLIC, QUASI-PUBLIC (PQP) ZONING
TO OFFICE (O-1) ZONING ON A PORTION OF THE PROPERTY
AT 631 N. NEW YORK AVENUE AND TO CHANGE FROM
OFFICE (O-1) TO PUBLIC, QUASI-PUBLIC (PQP) ON A
PORTION OF THE PROPERTY AT 507 N. NEW YORK AVENUE
AS PART OF A SWAP OF PROPERTIES.**

WHEREAS, the owner of these properties more particularly described herein have voluntarily agreed to a swap of properties and swap of zoning designations, and

WHEREAS, on September 6, 2022, the Planning and Zoning Board held a public hearing on the rezoning set forth herein and made a recommendation to the City Commission regarding such rezoning, and

WHEREAS, the City Commission finds that the changes in zoning set forth herein is consistent with the Comprehensive Plan and meets the requirements for rezoning under the City's Comprehensive Plan and land development regulations, and

WHEREAS, the establishment of municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change from Public, Quasi-Public (PQP) district zoning to Office (O-1) district zoning on a portion of the property at 631 N. New York Avenue, more particularly described as follows:

COMMENCE AT THE SOUTHWEST CORNER OF TRACT 3, CITY OF WINTER PARK GOLF COURSE, AS RECORDED IN PLAT BOOK 44, PAGE 102, OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA; THENCE RUN N89° 25' 11"E ALONG THE SOUTH LINE OF SAID TRACT 3 185.20 FEET; THENCE CONTINUE ALONG SAID SOUTH LINE OF TRACT 3 N88° 18' 56"E 14.79 FEET; THENCE S00° 19' 20"E 31.33 FEET FOR A POINT OF BEGINNING; THENCE N89° 14' 41"E

245.32 FEET; THENCE S00°31'33"E 120.00 FEET; THENCE S89°14'41"W 226.26 FEET; THENCE N00°19'20"W 25.28 FEET; THENCE S89°00'40"W 19.49 FEET; THENCE N00°19'20"W 94.80 FEET TO THE POINT OF BEGINNING.

CONTAINS THEREIN 0.665 ACRES, MORE OR LESS.

SECTION 2. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change from Office (O-1) Zoning district to Public Quasi-Public (PQP) district zoning on a portion of the property at 507 N. New York Avenue more particularly described as follows:

BEGIN AT THE SOUTHWEST CORNER OF TRACT 3, CITY OF WINTER PARK GOLF COURSE, AS RECORDED IN PLAT BOOK 44, PAGE 102, OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA; THENCE RUN N89°25'11"E ALONG THE SOUTH LINE OF SAID TRACT 3 A DISTANCE OF 185.20 FEET; THENCE CONTINUE ALONG SAID SOUTH LINE OF TRACT 3 N88°18'56"E 14.79 FEET; THENCE S00°19'20"E 126.13 FEET; THENCE N89°00'40"E 19.49 FEET; THENCE S00°19'20"E 25.28 FEET; THENCE S89°14'41"W 51.32 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SEGMENT "G", SECTION 75000, OF THE CENTRAL FLORIDA COMMUTER RAIL TRANSIT ACCORDING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION BOUNDARY SURVEY PREPARED UNDER FINANCIAL PROJECT (F.P.) 412994 2; THENCE RUN N48°30'49"W 225.60 FEET TO THE POINT OF BEGINNING.

CONTAINS THEREIN 0.413 ACRES, MORE OR LESS.

SECTION 3. This Ordinance shall become effective immediately upon the effective date of this Ordinance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2022.

Mayor Phillip Anderson

Attest:

City Clerk



City Commission **agenda item**

item type Public Hearings: Quasi-Judicial Matters (Public participation and comment on these matters must be in-person.)	meeting date October 12, 2022
prepared by Jeffrey Briggs	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Request of Winter Park Town Center LTD for Conditional Use approval to redevelop the Ruth's Chris restaurant pad within the Winter Park Village (490 N. Orlando Avenue) with a one-story, 16,186-square-foot building for an Arhaus furniture store, zoned C-1.

motion / recommendation

Staff and P&Z recommendation is for approval.

background

The Winter Park Village is requesting Conditional Use approval to redevelop the Ruth Chris restaurant pad within Winter Park Village (490 N. Orlando Avenue) with a new, one-story, 16,186-square-foot building and with a 6,138-square-foot outdoor furniture display patio for an Arhaus furniture store, which requires a Conditional Use approval for any building over 10,000 square feet.

Project Description

The Ruth Chris restaurant building will be demolished, and the restaurant is moving into the former Brio Tuscan Grille tenant space. This proposed new one-story building will be 16,186-square-feet in size with a 6,138-square-foot outdoor furniture display patio, and will be occupied by the Arhaus furniture store which is an upscale indoor/outdoor furniture store. This will be the company's first Central Florida Location, as the only locations in Florida are located in Sarasota and Tampa.

The project meets all setback requirements, impervious coverage requirements, and will provide landscaping as required by code. The existing street trees along W. Webster Avenue are also being preserved. The proposed architectural elevations of the Arhaus building are part of the applicant's back-up materials. The applicant did not provide a sign package, but has stated that the existing monument sign that fronts W. Webster Avenue

(northwest corner of the pad) will be repurposed for the new business.

Parking and Traffic Analysis

Overall, the traffic impact will be reduced as part of this Conditional Use. As previously mentioned, the Ruth Chris restaurant will be relocated to the closed Brio Tuscan Grille tenant space, which will be a reduction in one large scale restaurant for a furniture store, which has much less of an impact on traffic.

In terms of parking, the requirements for a furniture store are also less than a restaurant. A restaurant requires one parking space for every three seats, while a furniture store requires one parking space for every 400 square feet. Ruth Chris has 225 seats, which requires 75 parking spaces, while Arhaus requires 56 parking spaces with the square-footage proposed.

The existing parking count within the Ruth Chris pad is 87 parking spaces, and with this new Arhaus development, there will be 52 parking spaces. However, there is ample parking with the Winter Park Village campus as a whole to account for the parking needed for each use. This is mostly due to the large renovation of the AMC theater, which greatly reduced the number of seats within the theater to accommodate their larger reclining chairs, and thus less parking overall.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Location Map - Arhaus.pdf](#)

ATTACHMENTS:

[Arhaus Elevations.pdf](#)

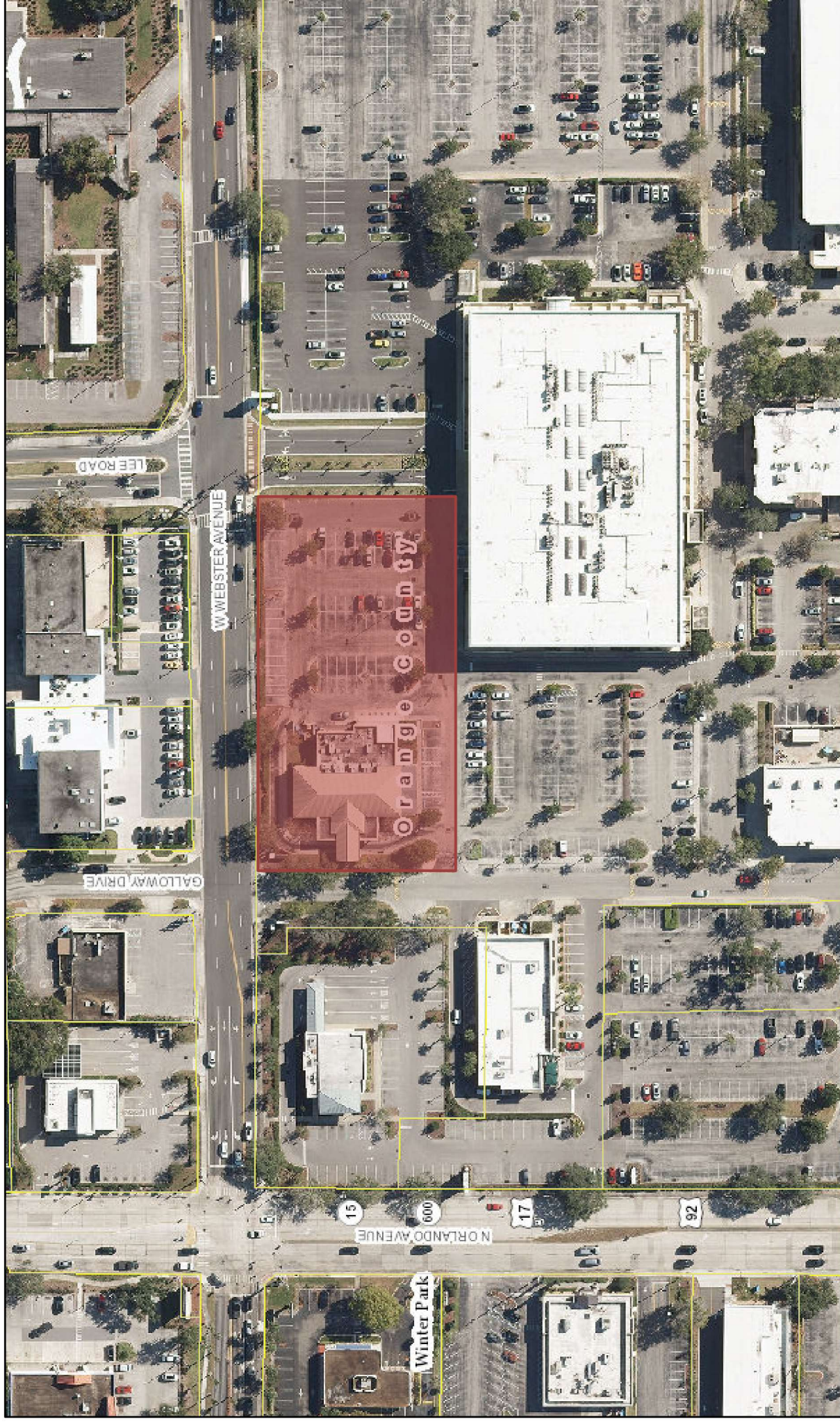
ATTACHMENTS:

[Arhaus CU Plan Set.pdf](#)

ATTACHMENTS:

[Arhaus - Stormwater Treatment Calcs.pdf](#)

490 N Orlando Ave - CU# 22-06

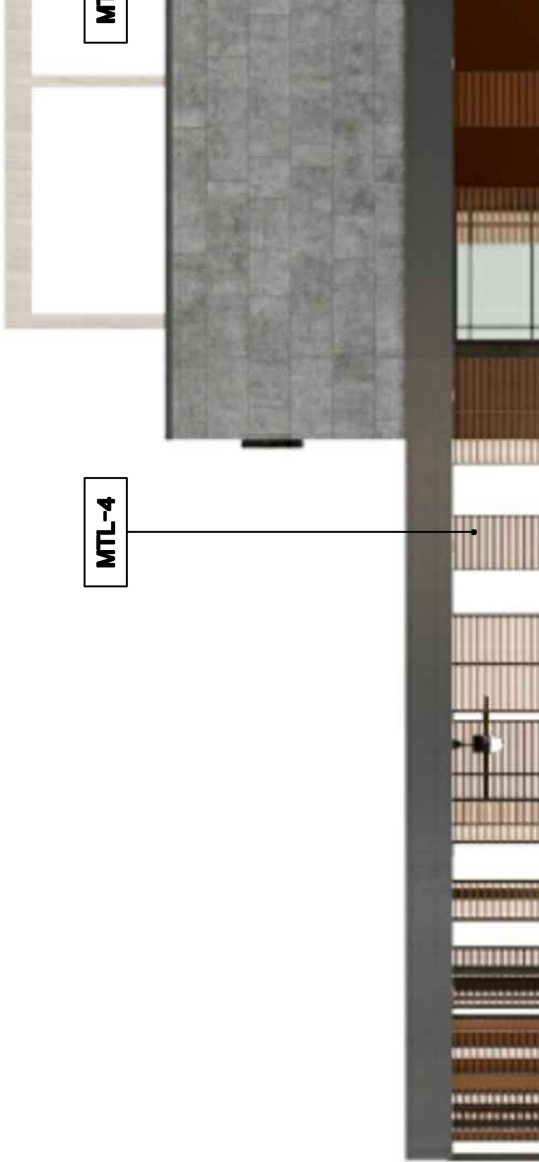


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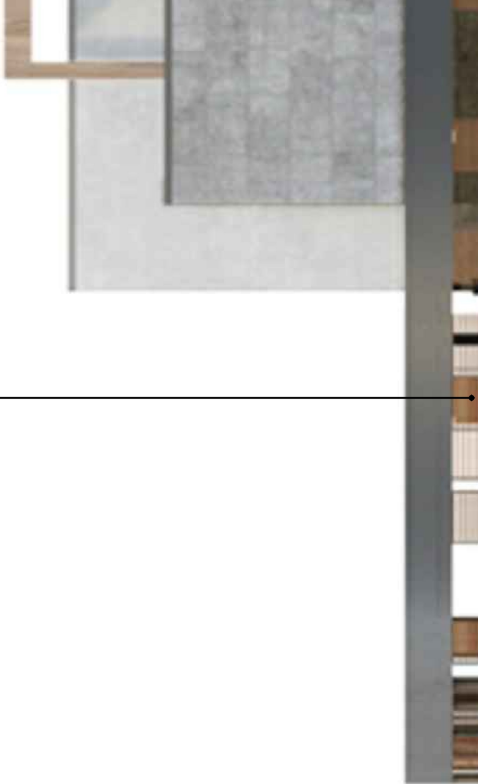
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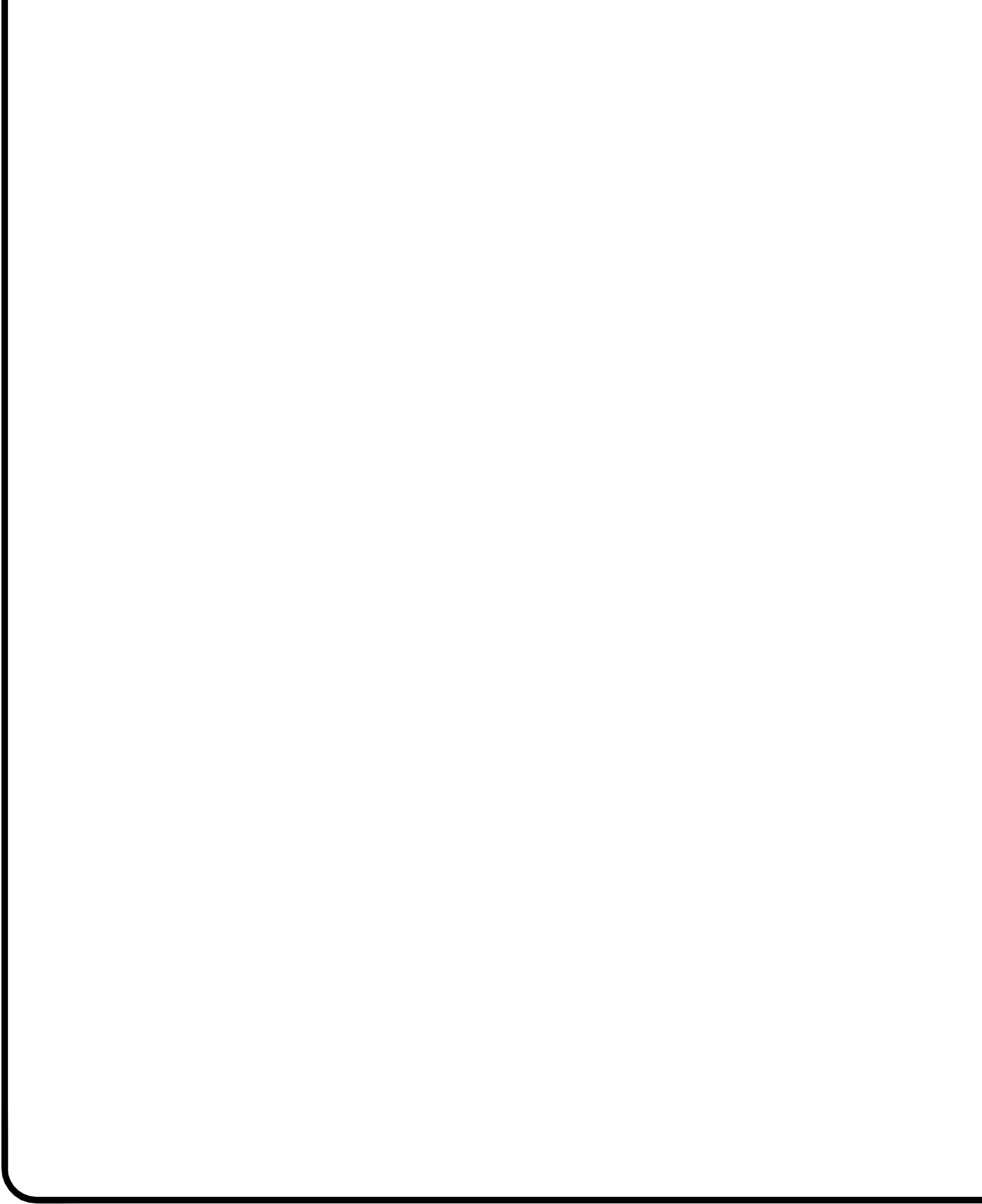
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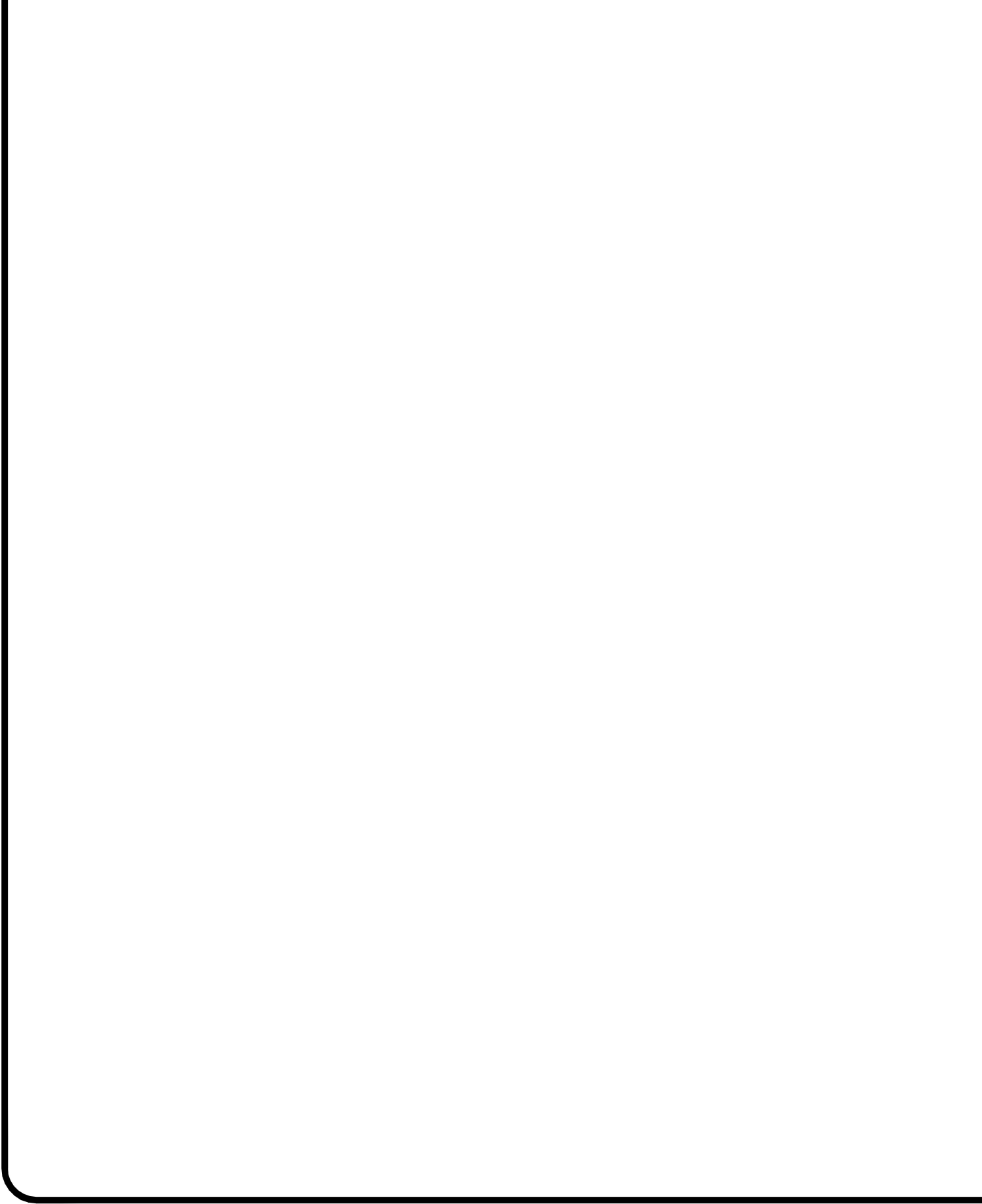
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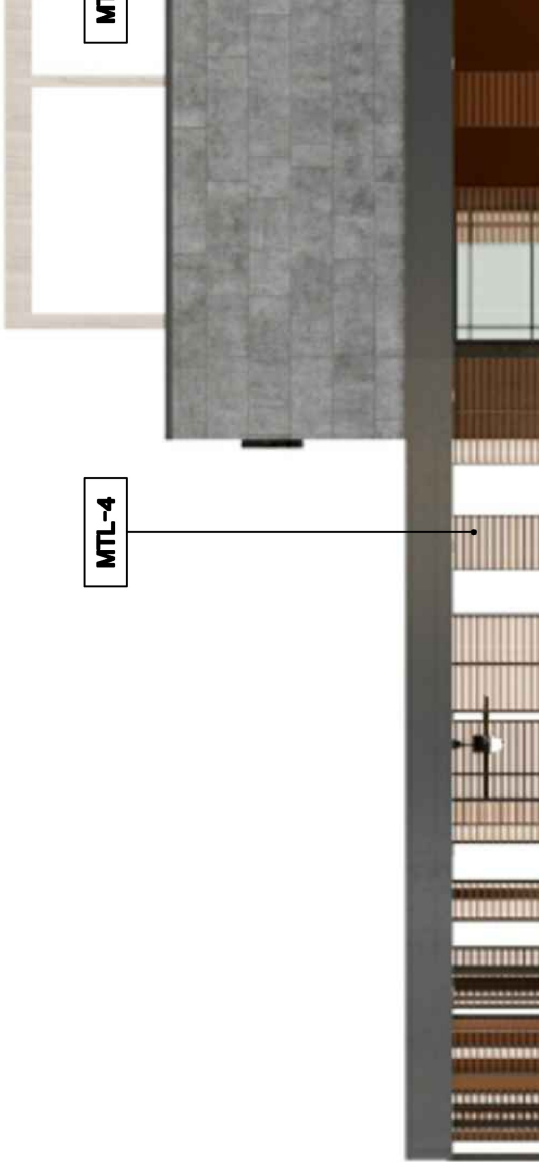


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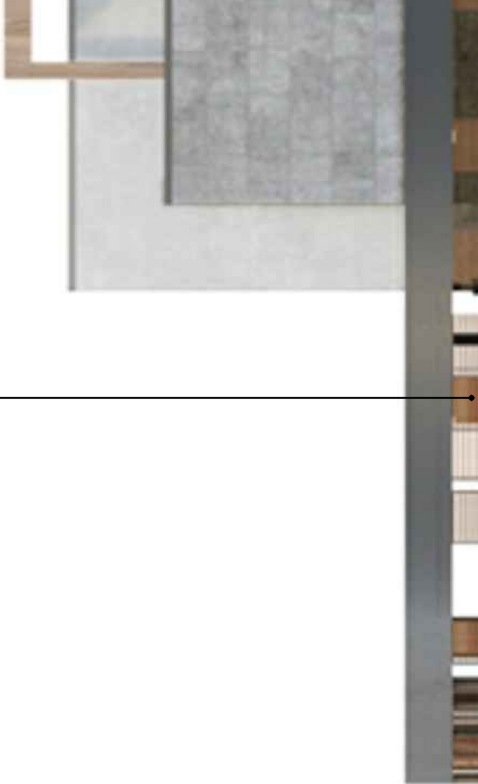
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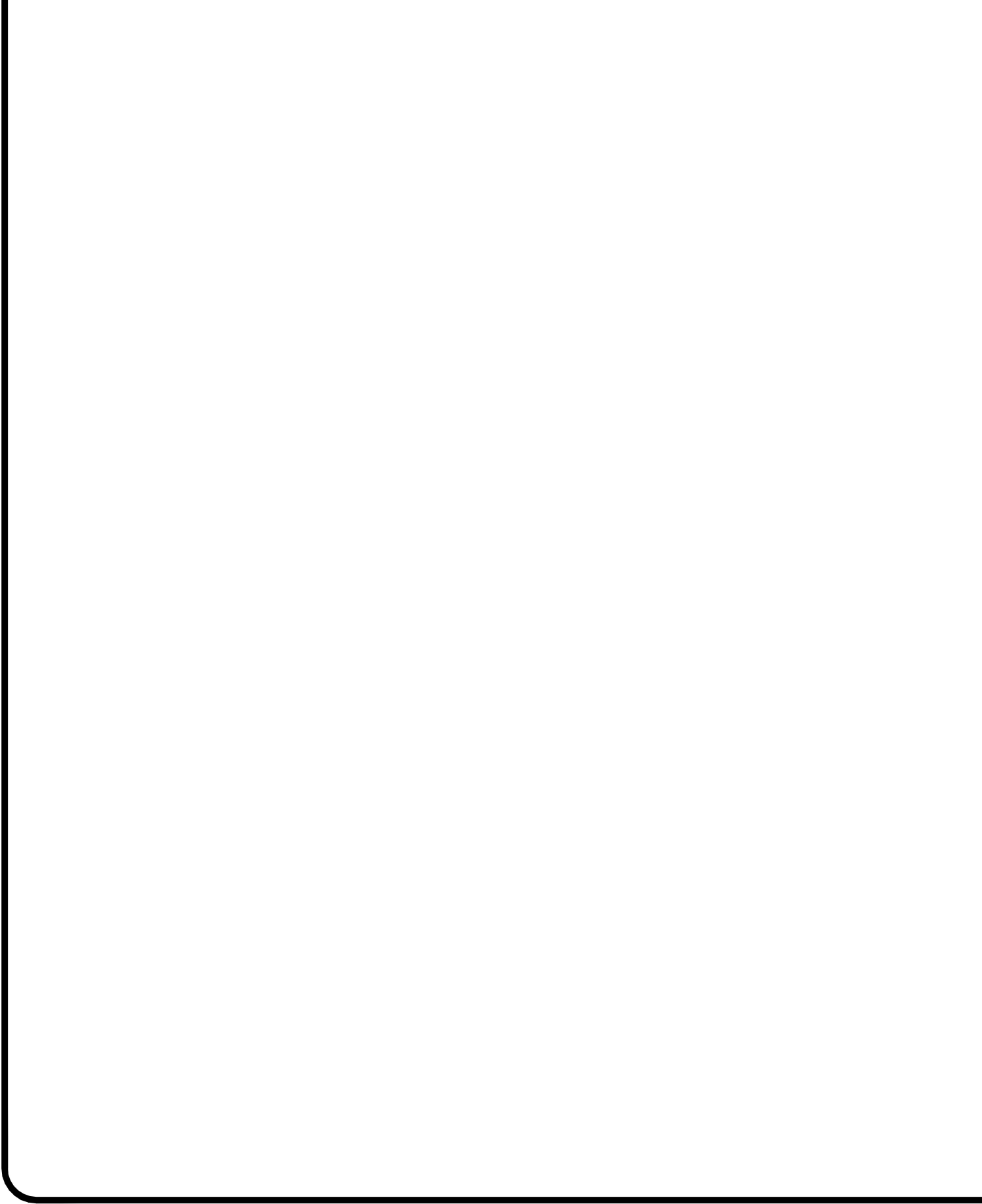
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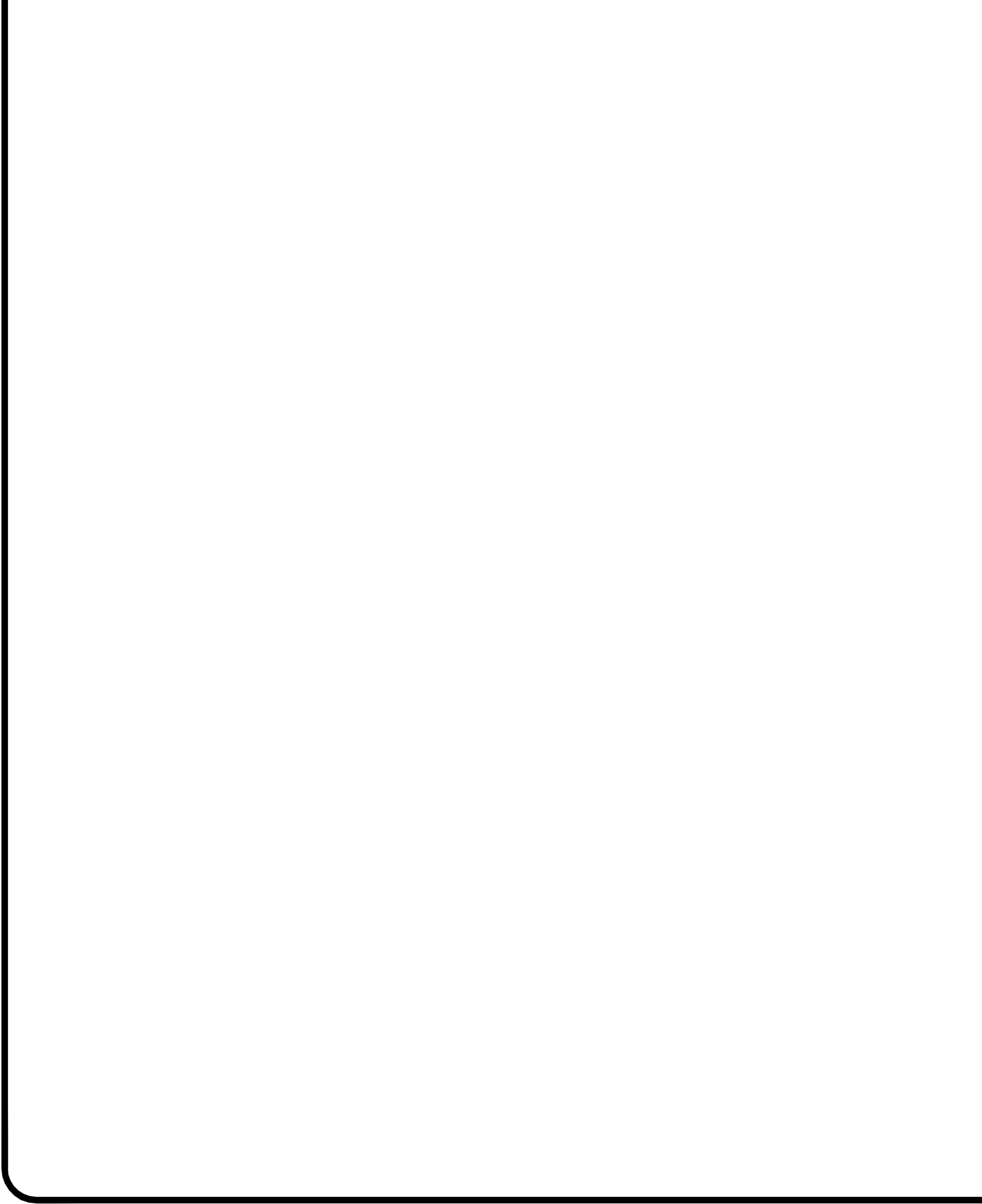
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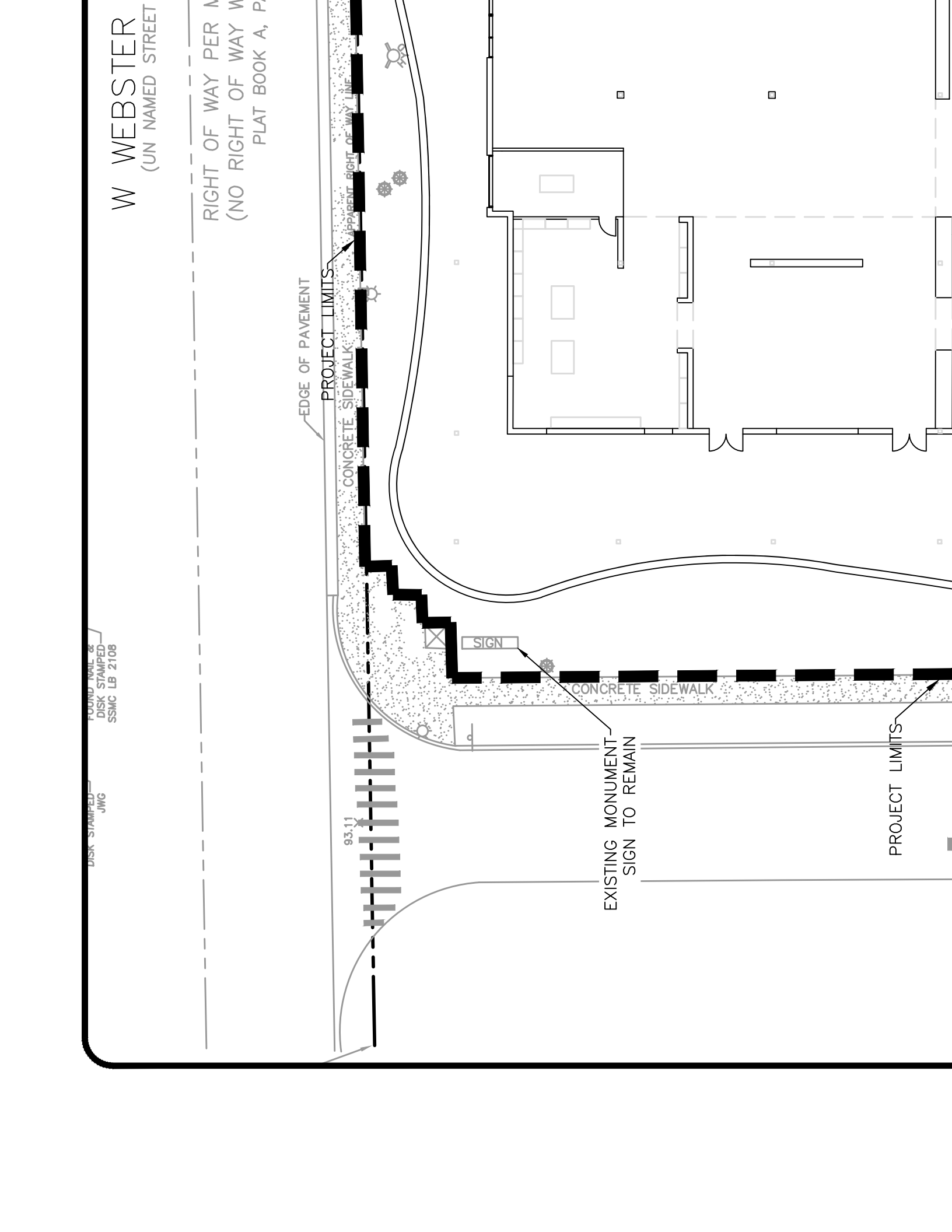
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EDGE OF PAVEMENT

PROJECT LIMITS

CONCRETE SIDEWALK

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CONCRETE SIDEWALK

SPECIMEN TREE

STORM WATER QUALITY CALCULATIONS

SJRWMD Applicants Handbook Volume II, Section 5.2 Treatment Volume (5.2.1(a)) *Off-line Retention*

Proposed Site (Drainage to on-line Underground StormTech Chamber System)

	(SF)	(AC)
Total Impervious Area =	53,921	1.24
Total Pervious Area =	13,020	0.30
Total Treatment Area =	66,941	1.54

SJRWMD / City of Winter Park Requirements:

The greater of:

$$0.5 \text{ inch over drainage area} = 0.5" \times (1/12) \times 1.54 = 0.064 \text{ Ac.-ft.}$$

$$2 \text{ inches over impervious area} = 2" \times (1/12) \times 1.24 = 0.206 \text{ Ac.-ft.}$$

(Winter Park Requirement for underground exfiltration chambers)

$$\text{SJRWMD / City of Winter Park Required Water Quality Volume} = 0.206 \text{ Ac.-ft.}$$

$$= 8,986.83 \text{ CF}$$

(Minimum Required)

INSTALLED COST \$10-\$15 per CF

(Use 2500 CF and \$12 for estimating purposes, City of Winter Park requires crushed granite for stone backfill)

$$8986 \text{ CF } \$15 / \text{CF} = \$134,790.00$$



City Commission **agenda item**

item type Public Hearings: Non-Quasi Judicial Matters (Public participation and comment on these matters may be virtual or in-person.)	meeting date October 12, 2022
prepared by Randy Knight	approved by Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance amending Chapter 2, Article III, "Subsidiary Boards of the City of Winter Park," to provide for the appointment of a non-resident to the the Keep Winter Park Beautiful and Sustainable Advisory Board (1st reading)

motion / recommendation

Adopt the ordinance.

background

At the September 9, 2022 Commission Meeting the Mayor mentioned wanting to appoint the staff member at Rollins College that oversees their sustainability efforts to the City's KWPB and Sustainable Advisory Board, but that our residency requirement for this board would not allow it. Staff was directed by the commission to bring back an ordinance allowing for one of the three mayoral appointees to this board be a non-resident with strong ties to the city and an expertise in sustainability. The attached ordinance meets that requirement.

alternatives / other considerations

Keep the residency requirement for this board.

fiscal impact

None.

ATTACHMENTS:

[Amendment_Chapter_2_Subsidiary_Boards_-_KWPB and Sustainable.doc](#)

ORDINANCE _____

**AN ORDINANCE OF THE CITY OF WINTER PARK FLORIDA,
AMENDING ARTICLE III OF CHAPTER 2 OF THE WINTER PARK
CODE OF ORDINANCES REGARDING SUBSIDIARY CITY BOARDS TO
MODIFY THE MEMBERSHIP REQUIREMENTS OF THE KEEP WINTER
PARK BEAUTIFUL AND SUSTAINABLE ADVISORY BOARD;
PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND
AN EFFECTIVE DATE.**

WHEREAS, the City Commission desires to modify the membership requirements of the Keep Winter Park Beautiful and Sustainable Advisory Board to allow the appointment of a non-resident member with strong ties and to the City and possessing a demonstrated expertise in sustainability, and

WHEREAS, the City Commission determines that this ordinance is in the best interest of the citizens of the City of Winter Park.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals. The recitals set forth above are hereby adopted and incorporated by reference.

Section 2. Amendment/Adoption. Chapter 2, Article III, Division 3 of the City of Winter Park Code of Ordinances is hereby amended to read as follows: (underlined language are additions; ~~stricken through~~ language are deletions; provisions and sections not included are not being amended):

ARTICLE III. - SUBSIDIARY BOARDS OF THE CITY OF WINTER PARK

DIVISION 3. - DESCRIPTION, DUTIES AND PROCEDURES OF EACH CITY BOARD

Sec. 2-62. – Keep Winter Park Beautiful and Sustainable Advisory Board.

Pursuant to the authority of the City Commission, there is established with the City of Winter Park, a Keep Winter Park Beautiful and Sustainable Advisory Board, subject to the following provisions:

- (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 of this article. One of the three mayoral appointments may be a non-resident with strong ties to the city and with documented sustainability expertise.
- (2) Advisory board. The Keep Winter Park Beautiful and Sustainable Advisory Board is an advisory board, and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendation to the city commission concerning matters related to the environmental, economic and social sustainability of the City of Winter Park. The Keep Winter Park Beautiful and Sustainable Advisory Board shall have no adjudicatory or enforcement authority.
- (3) Procedures. The procedures and rules for operation of the Keep Winter Park Beautiful and Sustainable Advisory Board shall be in accordance with the general requirements stated in division 1 and 2 of this article.

Section 3. Codification. Section 2 shall be codified in the City Code. Any section, paragraph number, letter or heading within the Code may be changed or modified as necessary to effectuate the codification. Grammatical, typographical and similar or like errors may be corrected in the Code, and additions, alterations and omissions not affecting a material substantive change in the construction or meaning of this Ordinance may be freely made.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural or any other reason, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or portions hereof or hereto.

Section 5. Conflicts. In the event of any conflict between this Ordinance, or any part thereof, with any of the provisions of other City Ordinances or the City Code, this Ordinance shall control.

Section 6. Effective Date of Ordinance. This Ordinance shall become effective immediately upon adoption of the City Commission of the City of Winter Park, Florida.

Adopted by the City Commission of the City of Winter Park, Florida in a regular meeting assembled on the ____ day of _____, 2022.

CITY OF WINTER PARK

Mayor Phil Anderson

ATTEST:

Rene Cranis, City Clerk