City Commission
Regular Meeting Minutes

July 10, 2024 at 3:30 PM

City Hall Commission Chambers
401 S. Park Avenue

Present
Mayor Sheila DeCiccio, Commissioners Marty Sullivan, Craig Russell (virtual), Kris Cruzada and Todd Weaver; City Manager Randy Knight; Assistant City Manager Michelle del Valle; City Attorney Kurt Ardaman and City Clerk Rene Cranis.

1. Meeting Called to Order

Mayor DeCiccio called the meeting to order at 3:31 p.m.

2. Invocation - Pastor Bruce Mayhew, Gateway Church

3. Pledge of Allegiance

4. Approval of Agenda

Motion made by Commissioner Sullivan to approve the agenda, seconded by Commissioner Cruzada. The motion carried unanimously by a 5-0 vote.

5. Mayor's Report

6. City Manager's Report

a. FY 25 Budget Presentation

Assistant City Manager Michelle del Valle gave a presentation on the proposed FY 25 budget including economic impacts, personnel costs, rate impacts, revenue growth and expenditures. She reviewed the ten-year pro forma and said unfunded projects total approximately $126m over a 25-year period and options to raise user fees or adjust millage rate. The tentative millage rate will be set in the July 24 meeting.

Mr. Knight reported the following: the new Director of Electric Utility, Jamie England, starts Monday, new streetlights have been installed at Lake Knowles and Lake Wilbur, and he and Mayor DeCiccio will be part of the WP Playhouse presentation for TDT funding at Orange County Commission Chambers on Friday.

7. City Attorney's Report

Mr. Ardaman said the Orange County Commission will consider the proposed charter amendment regarding rural boundaries on July 30th and the voluntary annexation charter amendment on August 13. He will provide a report on the use of golf carts in the next meeting.

8. Non-Action Items

9. Public Comments | 5 p.m. or soon thereafter (Heard after Item 12a)

10. Consent Agenda

a. Approve the minutes of the regular meeting, June 26, 2024
b. Approve the following piggyback contracts:
   1. Ten-8 Fire Equipment Company - Lake County Contract #22-730K - Fire Equipment, Supplies, & Services; for services on an as-needed basis during the term of the agreement through July 31, 2025; Amount: $100,000
   2. Lytx, Inc. - GSA Contract #GA-35F-0623S - Video Subscription Services for Fleet Vehicles - Renewal; for services during the term of the agreement through September 7, 2026; Amount: $100,000
c. Approve the following contracts:
   1. AVI-SPL, LLC - RFP18-19 - Design, Install, Configure & Maintain A/V Systems; Task Order for enterprise managed services on existing hardware; Amount: $71,081

Motion made by Commissioner Weaver to approve the Consent Agenda, seconded by Commissioner Cruzada. The motion carried unanimously by a 5-0 vote.

11. Action Items Requiring Discussion

a. Board Appointments:
Winter Park Firefighters' Pension Board (2)
Winter Park Police Officers' Pension Board (1)
Civil Service Board (1)

Motion made by Mayor DeCiccio to reappoint Tony Gray and appoint Michael Baldwin to the Firefighters' Pension Board and appoint Linda Lindsey to the Police Officers' Pension Board, seconded by Commissioner Weaver. The motion carried unanimously by a 5-0 vote.

Motion made by Commissioner Russell, seconded by Commissioner Cruzada to appoint Ansley Butts to the Civil Service Board. The motion carried unanimously by a 5-0 vote.

b. S.R. 426 Coalition Project - Potential Brick intersections

Transportation Engineer Hong Lim gave a summary of meetings with residents and FDOT to improve safety, access and walkability on 426. He reviewed the options for raised intersections with the typical ladder design. The city's commitment of $1.8m toward the project would be reduced by using asphalt instead of brick and allow reallocation of funds for safety improvements, which is supported by Fix 426 members. He responded to questions and discussion followed on maintenance, costs and design. He noted that staff is coordinating with FDOT for the traffic signal at 426/Cortland.

There were no public comments. **Motion made by Commissioner Weaver to approve asphalt raised intersections with ladder crosswalks, seconded by Commissioner Cruzada. The motion carried unanimously by a 5-0 vote.**

12. Public Hearings: Quasi-Judicial Matters

a. Vesting of certain West Fairbanks properties under C-3 zoning.

City Planning Consultant Jeff Briggs reviewed the proposed plan to redevelop the south side of Fairbanks for retail and restaurants with parking and retention pond in the rear. The developers are asking to develop under C-3 zoning requirements that exist for C-3 properties not in the OAO. He spoke about the applicability of Bert Harris Act and the city's liability if regulations significantly reduce the economic value of property, which, in this case, could be the reduction of square footage due to the open space requirements under the OAO. Under the terms of a community development agreement, the applicant has committed to a maximum height of three stories; no parking garages; donation of land for the left-turn lane on Fairbanks at Denning, to widen Fairbanks travel lanes and for stormwater retention. The City's commitment is vesting under C-3 zoning, giving credit on transportation impact fees in return for land donations, vacating the north six feet of Holt Avenue, and construction of the joint stormwater retention and flood control area. The question for the commission is whether to allow redevelopment under C-3 or OAO regulations before taking it to the Planning and Zoning Board in August.

Commissioner Sullivan suggested a condition that they adhere to all other requirements of the OAO, particularly walkability, interconnected streets, block configuration, and building massing. He would also like to see ten-foot sidewalks with a five-foot setback from curbs.

Commissioner Cruzada asked if architectural standards of the OAO could be applied. Mr. Briggs said the project on the north side of Fairbanks has already been reviewed and revised based on recommendations of the OAO Architectural Review Board. Mr. Briggs said conditional use approval is required for buildings over 10,000 square feet and conditions could be imposed by the Planning and Zoning Board.

Frank Hamner, attorney representing the applicant, thanked the city staff for their collaborative efforts. He clarified that the applicant had not considered filing a Bert Harris Act claim.

There were no public comments. **Motion made by Mayor DeCiccio to approve the vesting under C-3 zoning with the commitments noted and subject to an acceptable development/community benefit agreement, seconded by Russell. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously by a 5-0 vote.**

9. Public Comments | 5 p.m. or soon thereafter

Gigi Papa, 1440 Hibiscus Avenue, advised that the new lights on Lake Knowles were flickering and asked staff to look at brighter lighting for people with mobility issues.

Mary Jane Fries, 1123 Fairway Drive, thanked the city for their efforts to alleviate flooding; however, a recent rain event caused near flooding of her home which caused her to contact city staff again for assistance.

A recess was held from 5:14 to 5:22 p.m.

13. Public Hearings: Non Quasi-Judicial Matters

a. RESOLUTION 2288-24 - A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA, ELECTING TO NOT EXEMPT CERTAIN PROPERTY UNDER SECTION 196.1978(3)(0) AS ENACTED BY CHAPTER 2024-158, LAWS OF FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Ardaman read the resolution by title. Mr. Briggs said this resolution exercises the city's right to not allow properties to opt out of the property tax exemption provided by the Live Local Act. There were no public comments.

Motion made by Commissioner Sullivan to adopt the resolution, seconded by Mayor DeCiccio. Upon a roll call vote, Commissioners Russell, Sullivan, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously with a 5-0 vote.

b. ORDINANCE 3302-24: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, APPROVING AND AUTHORIZING THE LEASE OF CERTAIN PROPERTY TO BLUE BAMBOO CENTER FOR THE ARTS, INC., FOR THE OPERATION OF AN ARTS FACILITY, WHICH PROPERTY IS LOCATED AT 460 EAST NEW ENGLAND AVENUE, WINTER PARK, FLORIDA; PROVIDING FOR CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE. (2nd reading)

Attorney Ardaman read the ordinance by title. He noted the last sentence of Section 2 on Page 2, was corrected to read " …at a minimum is subject to the limitations..." A brief discussion was held on the provisions regarding approval of lessees by the city manager and parking requirements. There were no public comments.

Motion made by Commissioner Sullivan to adopt the ordinance, seconded by Commissioner Cruzada. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver voted yes. Mayor DeCiccio voted no. The motion carried by a 4-1 vote.

Mrs. McGillis explained that the current R-4 zoning does not allow for commercial use and with this approval, staff needs direction on rezoning before taking it to the Planning and Zoning Board and commission. The first option is to keep institutional land use and rezone to PQP. Because commercial operation is not a permitted use, a zoning text amendment is needed specifically to allow commercial use, but only on city-owned property. The second option is to keep R-4 zoning, and add commercial as a permitted use in city-owned buildings; however, the city has never allowed commercial use in R-4 zoning. The third option is to rezone to commercial, which requires land use change to commercial because C-3 zoning is not permitted for institutional land use. All options would include a clause to revert to R-4 zoning if Blue Bamboo vacates the premises. Staff recommends the first option. After discussion, Attorney Ardaman recommended proceeding with rezoning/zoning text amendment rather than changing land use. The public will be able to comment on these changes during public hearings before the Planning and Zoning Board and Commission.

Motion made by Commissioner Weaver to move forward with the PQP zoning and the text amendment to allow this use for nonprofits only in a government building, seconded by Commissioner Cruzada. (Withdrawn).

Phil Anderson, 1621 Roundelay Lane, feels this is a dramatic change and urged the commission not to deprive residents of clarity and transparency about the impact of this change.

Gigi Papa, 1440 Hibiscus Avenue, said she feels residents would not be deprived since reuse has been discussed at length.

After additional comments, the motion was withdrawn and consensus was to direct staff to proceed with rezoning from R-4 to PQP with zoning text amendment and a reverter clause.

c. ORDINANCE 3301-24 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ESTABLISHING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" SECTION 58-97 "COMMUNITY ENGAGEMENT", PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. (2nd Reading)

Attorney Ardaman read the ordinance by title. There were no public comments.

Motion made by Commissioner Sullivan to adopt the ordinance, seconded by Commissioner Cruzada. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously by a 5-0 vote.

d. Request of City of Winter Park for:
   - ORDINANCE 3303-24 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF OFFICE TO INSTITUTIONAL FUTURE LAND USE ON THE PROPERTY AT LOCATED AT 655 N. WYMORE ROAD, MORE PARTICULARLY DESCRIBED HEREIN. (2nd Reading)
   - ORDINANCE 3304-24 - 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 OFFICE (O-1) ZONING TO PUBLIC, QUASI-PUBLIC (PQP) ZONING ON THE PROPERTY AT 655 N. WYMORE ROAD, MORE PARTICULARLY DESCRIBED HEREIN. (2nd Reading)

Attorney Ardaman read the ordinances by title. A simultaneous public hearing was held. There were no public comments.

Motion made by Commissioner Weaver to adopt both ordinances, seconded by Commissioner Cruzada. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously by a 5-0 vote.

e. Request of City of Winter Park for:
   - ORDINANCE 3305-24 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF COMMERCIAL TO INSTITUTIONAL FUTURE LAND USE ON THE PROPERTY AT LOCATED AT 1401 HOWELL BRANCH ROAD, MORE PARTICULARLY DESCRIBED HEREIN. (2nd Reading)
   - ORDINANCE 3306-24 - 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 COMMERCIAL (C-3) ZONING TO PUBLIC, QUASI-PUBLIC (PQP) ZONING ON THE PROPERTY AT 1401 HOWELL BRANCH ROAD, MORE PARTICULARLY DESCRIBED HEREIN. (2nd Reading)

Attorney Ardaman read the ordinances by title. A simultaneous public hearing was held. There were no public comments.

Motion made by Commissioner Weaver to adopt both ordinances, seconded by Commissioner Sullivan. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously by a 5-0 vote.

14. Department Budget Presentations

Director of Communications Clarissa Howard, Director of Planning and Zoning Allison McGillis and Director of Building and Permitting Services Gary Hiatt gave presentations on their department's mission statement, organizational chart, levels of service, key performance indicators, current year's accomplishments, spending and FY 25 goals.

15. City Commission Reports

Commissioner Sullivan –
- Advised the Prep for the Polls program started this evening at the Library and ends at 7:30 p.m.

Commissioner Russell –
- Reported the Chamber of Commerce's Meet the Candidate event is August 8th.

Commissioner Cruzada –
- Reported the appointment of Ivan Lys Dobradin to the Economic Development Advisory Board.

Commissioner Weaver –
- Spoke about Sunrail and the need for a link to the airport and for local governments to pressure counties to fund.

Mayor DeCiccio –
- Received a request from Whole Foods to allow the sale of liquor on Sunday morning. Consensus was to put an amendment on an upcoming agenda.

- Addressed the ordinance that allows restaurants in office buildings on the first floor. She suggested reconsidering the ordinance because no existing buildings can meet residential distance requirement. Commissioner Weaver expressed concern about adding more competition for existing restaurants.
- Reported the Winter Park Crew Team lost in the regatta in England.
- Read an e-mail suggesting the city honor home town heroes by adding names of service members on flags on Park Avenue. Approved by consensus to have staff present a plan.

16. Summary of Meeting Actions

- Received FY 25 budget presentation
- Received report on the installation of dark sky lighting Lake Wilbur and Lake Knowles.
- Received notice that the presentation on TDT funding application/Winter Park Playhouse will be on Friday.
- Received report that Orange County will be discussing rural boundary amendment on July 30th and voluntary annexation amendment on August 13th
- Approved the Consent Agenda.
- Appointed members to the Firefighters' and Police Officers' Pension Boards, and the Civil Service Board.
- Approved asphalt and ladder intersection crossings on 426.
- Adopted resolution on Live Local Act opt-out provision.
- Adopted ordinance authorizing library lease and proceeding with rezoning to PQP.
- Adopted ordinance on community engagement.
- Adopted land use and rezoning ordinances on 655 N. Wymore Road.
- Adopted land use and rezoning ordinances on 1401 Howell Branch Road.
- Received department budget presentations.
- Received report of appointment of Ivan Lys-Dobradrin to EDAB.
- Bring back amendment to Blue Laws
- Bring back amendment to allowing first floor restaurants in office buildings
- Bring back policy/amendment to existing flag policy to allow flags for service members.

17. Adjournment

The meeting was adjourned at 6:54 p.m.

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Mayor Sheila DeCiccio

ATTEST:

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City Clerk Rene Cranis