City Commission
Regular Meeting Minutes

August 28, 2024 at 3:30 PM

City Hall Commission Chambers
401 S. Park Avenue

Present
Mayor Sheila DeCiccio, Commissioners Marty Sullivan, Craig Russell, 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 - Dr. Harold Briscoe, Dean of Religious and Spiritual Life, Rollins College

3. Pledge of Allegiance

4. Approval of Agenda

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

5. Mayor's Report

a. Proclamation: Florida Lineworker Appreciation Day

Mayor DeCiccio shared a video and read a proclamation declaring August 26, 2024 as Florida Lineworkers' Appreciation Day. Director of Electric Utility Jamie England thanked the city and spoke of the character of the city's lineman.

6. Citizen Budget Comments

7. City Manager's Report

Mayor DeCiccio congratulated Mr. Knight on the city's achieving a AAA bond rating. Mr. Knight expressed pride in the city, commission and strength of the community which contributed toward this achievement.

Mr. Knight advised the location of the lightning shelter on the WP-9 golf course has been selected with construction beginning soon.

8. City Attorney's Report

Mr. Ardaman gave an update on the Orange County Commission's proposed charter amendments regarding rural boundaries and annexations.

9. Non-Action Items

10. Public Comments | Heard after Item 11d.

11. Consent Agenda

a. Approve the minutes of the regular meeting, August 14, 2024
b. Approve the following formal solicitations:
    1. Vision Urban, LLC - RFQ20-24 - Urban Design Advisor; Amount: $80,000
c. Approve the following piggyback contracts:
    1. Odyssey Manufacturing Company - Bay County Contract #22-72 - Liquid Sodium Hypochlorite - Renewal; for goods on an as-needed basis during the term of the agreement through September 30, 2025; Amount: $450,000
    2. Core & Main, LP - City of St. Petersburg Blanket Purchasing Agreement #226457 - Water & Wastewater Supplies; for goods on an as-needed basis during the term of the agreement through September 30, 2024; Amount: $350,000
    3. Fastenal - OMNIA Partners Contract #2018.000208 - Maintenance, Repair, Operations (MRO) Supplies and Related Services; for goods and services on an as-needed basis during the term of the agreement through June 30, 2026; Amount: $100,000
d. Approve the following contracts:
    1. Ovation Construction Company, Inc. - RFQ20-23 - Repair and Construction Services for Projects less than $300,000; for the Winter Park 18 Golf Course Restroom Renovations; Amount: $225,300
    2. Amendments with Florida Municipality Power Agency (FMPA) for the City's solar power.

There were no public comments. **Motion made by Commissioner Sullivan to approve the Consent Agenda, seconded by Commissioner Cruzada. The motion carried unanimously by a 5-0 vote.**

12. Action Items Requiring Discussion

a. Public Facing EV Charging Station Fees & Usage Restrictions

Integrated Resources Program Manager Lisa Vedder gave a presentation on EV charging stations and usage. To address overuse of free charging stations, the Utilities Advisory Board recommended a connection rate of $1 per 20 minutes of connected time with an additional charge of $10 per hour fee after being connected for three hours and parking restrictions of three hours and no unconnected or overnight parking effective October 1st.

Denise Gillespie, 1608 Hibiscus Avenue, commended staff for their work. She questioned the implementation of charging stations without receiving revenue from usage and expressed concern about the ongoing costs and liability in case of fire.

Motion made by Commissioner Weaver to approve as recommended, seconded by Commissioner Russell. The motion carried unanimously by a 5-0 vote.

b. Library and Event Center Parking Expansion

Assistant Director of Public Works Don Marcotte reviewed options for on-street parking and asphalt parking lot that requires demolition of the Lake Island Building.

Commissioner Weaver suggested on-street parking along Harper up to Comstock and on the south side of Comstock. After discussion on options, consensus was to continue to the next meeting for additional information and cost of on-street parking on Harper and Comstock.

c. Library and Event Center Stairway Addition

Director of Public Works Charles Ramdatt reviewed the proposal to add stairs directly behind the Library for easier access to the Events Center from the parking lot.

Motion made by Commissioner Sullivan to approve moving forward as recommended, seconded by Commissioner Cruzada. The motion carried unanimously by a 5-0 vote.

d. Commission Budget Suggestions and Capital Update

Director of Office of Management and Budget Peter Moore reviewed state revenue estimates. Commissioner Weaver suggested surveys of Duke and OUC customers' willingness to move to Winter Park Electric Utility, energy-saving upgrades to city hall, and funding for employee relocation during city hall renovations. Mr. Moore reported on planned renovations and those projects that are in the facilities maintenance budget. Staff will research and provide additional information on larger budget items.

Mayor DeCiccio recommended allocating $25k of organizational funding to Winter Park Institute. Commissioner Russell supported funding the request of Men of Integrity. Discussion was held on the need for a policy for organizational funding. Consensus was to schedule a work session on an organizational funding policy in advance of the FY 26 budget process and to continue consideration of requests to the next meeting.

10. Public Comments | None

A recess was held from 5:00 to 5:12 p.m.

13. Public Hearings: Quasi-Judicial Matters

a. Request of Rollins College for Conditional Use and Special Permit approval to build a 45,842 square foot, two and three story, faculty & staff housing building of 30 units.

City Planning Consultant Jeff Briggs reviewed the revised plans for a faculty and staff housing development, noting differences from prior plans. He reviewed the conditions outlined in the Community Benefit Agreement and the recommendation of the Planning and Zoning Board that if Rollins obtains exemption from ad valorem taxes, they would make a payment in lieu of taxes (PILOT) of the full city millage rate (operating and debt service) and also pay stormwater fees. Rollins has proposed a PILOT of 2 mills to offset the cost of emergency services for the project.

Rollins College President Grant Cornwell said he believes their team has accommodated concerns in terms of size and architecture. He expressed a willingness to negotiate PILOT in order to move forward.

Becky Wilson, attorney for the applicant, reviewed the history of prior proposals and the current plans. Among other provisions of the Community Benefit Agreement, they have agreed to dedicate a five-foot easement to provide on-street parking on Welbourne Avenue and prohibit graduate or undergraduate housing or classroom space. She reviewed a comparison between market rents and proposed rent. She explained state regulations on property taxes and exemptions and Rollins' intent to apply for tax exemption. They are willing to enter into a PILOT agreement to pay 2 mills if Rollins' request for tax exemption is approved, and after final Certificate of Occupancy, will verify rental rates to the city annually. Under the CBA, they have agreed to the CBA conditions of a 5-year commitment for faculty/staff housing, landscape plan with no drainage swales along Welbourne, construction plans to indicate a laydown yard (not on Welbourne), minimum six month lease and allow only plants and patio furniture on patios and balconies, solar on roof, and coordination with the city for undergrounding power lines along Welbourne. In addition, they agree that any change to the agreement would go through the same process as an amendment to the conditional use permit

At the request of Mayor DeCiccio, Mrs. Wilson agreed to additional provisions in the CBA: units not rented by Rollins' faculty or staff would be opened up for rent by city staff, to provide architectural enhancements to windows on the front and that the agreement would be recorded.

Commissioner Sullivan supported the city's cooperation with Rollins to provide attainable housing. He said exceptions to building codes (units, building height, parking) could set a precedent and that community benefits must counterbalance these exceptions. He suggested the CBA require that Rollins provide an annual report specifying lease rates for all units and the median and average rent, which must be at least 10% below workforce rental housing rates as defined in the city code. He suggested the PILOT reflect the community benefit of below market rates, and balance community service costs beyond police and fire to other services, i.e. library, schools and parks. He reviewed the calculation of millage rates and suggested a PILOT to make the city whole in terms of tax revenue.

Mrs. Wilson said they cannot agree to those requests separately since limiting rental rates and paying more taxes are inter-related. She addressed comments regarding calculation of millage rates and in-depth discussion followed on millage rates for other agencies or services, i.e, Orange County, schools, library., CRA tax increment financing, stormwater fee collection. Commissioner Sullivan said he feels 2 mills is insufficient to cover city services and supported Planning and Zoning Board's recommendation for PILOT equal to the city millage rate.

Commissioner Sullivan asked for guarantee on rent caps. President Cornwell said they will not charge higher rents because staff can't afford market rent and their intent is to provide a benefit, not to make a profit. Mrs. Wilson said the CBA contains a provision to provide annual data to the City.

Commissioner Weaver spoke about qualifications for workforce or affordable housing. Ms. Wilson said rents are below the requirements for workforce housing in the Comp Plan. Commissioner Weaver addressed parking shortages and requirements, stormwater retention and requirements. The applicant confirmed that stormwater plan exceeds minimum requirements. Commissioner Weaver opposed Rollins' proposed PILOT.

Mayor DeCiccio thanked Rollins for addressing concerns and acceptance of additional provisions in the CBA and offer of PILOT, with the amount to be determined.

The following spoke in support of the project citing the benefits of workforce housing:

Ashley Kistler, 520 Fitzwalter Drive, Rollins College Dean of College of Liberal Arts
Dr. Richard Lewin, 1360 Chestnut Avenue
Mai Han Harrington, 871 Mayfield Avenue
Carroll Goggin, 3774 Kinsley Place

Michael Dick, 100 S. Virginia Avenue, urged the commission to adopt the Planning & Zoning recommendations and thanked Rollins for their consideration of Douglas Grand residents' concerns.

Denise Gillespie, 1608 Hibiscus Avenue opposed this request as she feels this does not provide a community benefit and because of the loss of tax revenue.

After further discussion on the PILOT, Mrs. Wilson, on behalf of Rollins, agreed to 4.3 mills if there are no other changes to the project as presented and agreed to.

Motion made by Commissioner Sullivan to approve the conditional use request with the recommendations of the Planning and Zoning Board, and the provisions agreed to by the applicant including a PILOT of 4.3 mills, seconded by Mayor DeCiccio. Upon a roll call vote, Commissioners Sullivan, Russell and Cruzada and Mayor DeCiccio voted yes and Commissioner Weaver voted no. The motion carried by a 4-1 vote.

b. Request of DI Partners LLLP for: Conditional Use approval to construct 26,210 square feet of one-story retail and restaurant space on the properties at 805, 801, 771 W. Fairbanks Avenue and 555 S. Capen Avenue, with vested Commercial (C-3) zoning together with a Community Benefit Agreement that includes transportation, storm water retention and flood control improvements.

Mr. Briggs reviewed the request for a proposed retail and restaurant development and community benefit agreement that includes stormwater retention, donation of land along the north side of Fairbanks Avenue for a future left-turn lane south on Denning, and two-feet on the south part of the larger Holler property in exchange for a credit on future transportation impact fees as provided for in the Community Benefit Agreement.

There were no public comments. **Motion made by Commissioner Weaver to approve the conditional use request as recommended and the condition that the applicant landscape and maintain the 10-foot land donation on the north side of W. Fairbanks until turn lane traffic improvement project can be implemented, seconded by Commissioner Russell. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio vote yes. The motion carried unanimously by a 5-0 vote.**

c. Request of the City of Winter Park for:
   - ORDINANCE 3310-24 - 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 MULTI-FAMILY (HIGH DENSITY R-4) DISTRICT ZONING TO PUBLIC AND QUASI-PUBLIC (PQP) DISTRICT ZONING ON THE FORMER WINTER PARK LIBRARY PROPERTY AT 460 E. NEW ENGLND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. (2nd Reading)
   - ORDINANCE 3311-24 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" SECTION 58-79 "PUBLIC AND QUASI-PUBLIC (PQP) DISTRICT", TO ADD A NEW PERMITTED USE FOR PERFORMANCE ART VENUES TOGETHER WITH ANCILLARY GALLERY, EDUCATIONAL, REHEARSAL, RECORDING STUDIOS AND OFFICES TO SUPPORT THESE FUNCTIONS, WITHIN A CITY-OWNED BUILDING, PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. (2nd Reading)

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

Motion made by Commissioner Cruzada to adopt both ordinances, seconded by Commissioner Weaver.

Upon a roll call vote to adopt Ordinance 3310-24, Commissioners Sullivan, Russell, Cruzada and Weaver voted yes. Mayor DeCiccio voted no. The motion carried unanimously with a 4-1 vote.

Upon a roll call vote to adopt Ordinance 3311-24, Commissioners Sullivan, Russell, Cruzada and Weaver voted yes. Mayor DeCiccio voted no. The motion carried unanimously with a 4-1 vote.

14. Public Hearings: Non Quasi-Judicial Matters

a. Ratification of Resolution 2288-24 Enacting Opt-Out for Live Local Act Property Tax Exemption

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

Motion made by Commissioner Weaver to ratify the resolution, 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.

b. Request of the City of Winter Park for an Ordinance amending Chapter 59 of the city Code of Ordinances related to Multi-Modal Transportation Impact Fees. (1st Reading) **Tabled from August 14, 2024.**

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

Motion made by Commissioner Russell to approve the ordinance, 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.

15. City Commission Reports

Commissioner Weaver -
- Coffee talk is September 5th

Commissioner Cruzada –
- Coffee talk is October 3rd

Commissioner Russell
- Thanked city staff for their assistance in distributing backpacks to over 150 students.
- Paid respects to the families of former Commissioner Pam Peters' and Bob Miller who passed away recently.

Mayor DeCiccio-
- Received an e-mail from a WPHS student to establish a youth council and asked for research on establishing a youth council. Consensus was for staff to work with the school on a program.

16. Summary of Meeting Actions

- City received the AAA bond rating.
- Location of lightning shelter at WP-9 has been selected.
- City Attorney reported on proposed charter amendments on rural area and annexations.
- Approved the Consent Agenda
- Approved EV charging station fees and usage restrictions
  Staff to look at alternates for on-street parking on Harper and Comstock for next meeting
- Approved addition of a stairway at the Library and Events Center.
- Received recommendations on capital improvements and consider policy for requests for organizational support for FY 26 budget.
- Place two funding requests received ion next commission agenda.
- Approved Rollins College Conditional Use request.
- Approved DI Partners Conditional Use request.

- Approved ordinances rezoning old library property and ordinance amending conditional use language.
- Ratified resolution on opt-out provision for Live Local Act.
- Approved ordinance amending multi-modal transportation impact fee provisions
- Staff to explore youth council program

17. Adjournment

The meeting was adjourned at 7:45 p.m.

Mayor Sheila DeCiccio

ATTEST:

City Clerk Rene Cranis