



City Commission Regular Meeting

Agenda

December 11, 2024 @ 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/meetings/ 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 - Pastor Weaver Blondin, Mt. Moriah Missionary Baptist Church****3. Pledge of Allegiance****4. Approval of Agenda****5. Mayor's Report****6. City Manager's Report**

- a. Introduction - Winter Park Housing Authority Executive Director 5 minutes

7. City Attorney's Report**8. Non-Action Items**

- a. Red Light Camera Report 5 minutes

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

(If the meeting ends earlier than 5 p.m., public comments will be at the end of the meeting. Three minutes are allowed for each speaker.)

10. Consent Agenda

- a. Approve the minutes of the regular meeting, November 13, 2024. 1 minute
- b. Approve the minutes of the work session, November 14, 2024. 1 minute
- c. Approve the following formal solicitations: 1 minute
 - 1. H.J. High Construction - RFP26-24 - CMAR Services for the City of Winter Park Fire Training Facility; CMAR Fee: 5%
 - 2. United Sweeping, LLC - RFP27-24 - Street Sweeping Services; Amount: \$275,000
- d. Approve the following piggyback contracts: 1 minute
 - 1. Hill Manufacturing Company - Kentucky Educational Development Corporation (KEDC) Contract #10100169-CLS2022.002 - Custodial Equipment, Supplies & Services - Renewal; for goods and services on an as-needed basis during the term of the agreement through December 31, 2025; Amount \$150,000
 - 2. Kone, Inc. - OMNIA Partners Contract #EV2516 - Elevator, Escalator and Walkway Maintenance and Modernization Services and Related Solutions - Renewal; for services on an as-needed basis during the

- term of the agreement through November 30, 2029; Amount: \$500,000
3. Environmental Products Group, LLC - Florida Department of Transportation (FDOT) Contract #DOT-ITN-19-9025-GH-5 - Heavy Equipment Lease; for services on an as-needed basis during the term of the agreement through February 11, 2026; Amount: \$100,000
 4. TSI Disaster Recovery, LLC - Florida Department of Environmental Protection (FDEP) Contract #SL005 - DEP Waterway Debris; for services during the term of the agreement through August 1, 2026; Amount: \$2,500,000
 5. The Nidy Sports Construction, Inc. - OMNIA Partners Contract #08-42 - Athletic Surfacing and Asphalt Maintenance; for services on an as-needed basis during the term of the agreement through April 30, 2026; Amount: \$300,000
 6. Ring Power Systems - Sourcewell Contract #062320-CAT - Rental machines, tools, and equipment from Cat and 70+ brands; for goods on an as-needed basis during the term of the agreement through August 27, 2025; Amount: \$200,000
 7. Cubix, Inc. - OUC Contract #5050-OQ - Floor Covering – Carpet Cleaning - Renewal; for services on an as-needed basis during the term of the agreement through December 14, 2025; Amount: \$175,000
 8. Axon Enterprise, Inc. - OMNIA Partners Contract #3544-21-4615 - Body Worn Cameras and Related Products and Services; for goods and services during the term of the agreement through December 20, 2027; Amount: \$1,600,000
 9. Konica Minolta Business Solutions U.S.A., Inc. - State of Florida Contract #44100000-24-NASPO-ACS - Multi-Function Devices, Copiers, and Related Software and Services; for services during the term of the agreement through July 31, 2026; Amount: \$125,000
 10. Dana Safety Supply, Inc. - Bradford County Sheriff's Office Contract #BCSO2019-01 - Public Safety Vehicle and Equipment, Parts, Sales and Installation Services; for goods and services on an as-needed basis during the term of the agreement through July 14, 2029; Amount: \$450,000

e. Approve the following contracts:

1 minute

1. IFB16-21 - Matheson Tri-Gas, Inc. - Purchase & Delivery of Liquid Oxygen - Renewal; for services on an as-needed basis during the term of the agreement through January 10, 2026; Amount: \$230,000
2. RFP15-19A - HDD of Florida, LLC - Underground Conduit/Pipe Installation Services - Renewal; for services during the term of the agreement through April 1, 2025; Amount \$1,000,000

3. IFB11-23 - Lewis Outdoor Solutions - Landscape Maintenance for City Facilities; for services on an as-needed basis during the term of the agreement through April 16, 2025; Amount: \$150,000
4. RFQ30-22 - Dix.Hite. + Partners, Inc. - Professional Landscape Architectural Services - Renewal; for services on an as-needed basis during the term of the agreement through December 12, 2025
5. RFQ30-22 - Land Design, Inc. - Professional Landscape Architectural Services - Renewal; for services on an as-needed basis during the term of the agreement through December 12, 2025
6. RFQ30-22 - GAI Consultants, Inc. - Professional Landscape Architectural Services - Renewal; for services on an as-needed basis during the term of the agreement through November 29, 2025

- | | | |
|----|--|-----------|
| f. | Approve 180-day extension of the Design Guidelines Ad-Hoc Committee | 1 minute |
| g. | Parks Maintenance Facility & West Meadow Restrooms - Contract GMP and Budget Amendment | 5 minutes |

11. Action Items Requiring Discussion

- | | | |
|----|--|------------|
| a. | Basin studies recommendations and first group of projects. | 20 Minutes |
| b. | 2025 State Legislative Priorities | 5 minutes |
| c. | Transfer property located at 1401 Howell Branch Road to Utilities. | 5 minutes |
| d. | City of Winter Park Sponsorship and Advertising Policy | 20 minutes |

12. Public Hearings: Quasi-Judicial Matters

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

13. Public Hearings: Non Quasi-Judicial Matters

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

- | | | |
|----|---|------------|
| a. | Resolution 2293-24 - Amending Resolution 1552 – classifications of groups of employees for city contribution rates to the 457 deferred compensation plan. | 10 minutes |
| b. | Ordinance amending Section 6 of Ordinance 3292-24 to allow for mail in referendum on leaf blowing in the event that the general city election to be held on March 12, 2025 is not needed for the election of commissioners. | |

14. City Commission Reports

15. Summary of Meeting Actions

16. Adjournment



City Commission

agenda item 6.a

item type

City Manager's Report

meeting date

December 11, 2024

prepared by

Rene Cranis, City Clerk

approved by

Randy Knight, City Manager

subject

Introduction - Winter Park Housing Authority Executive Director

motion | recommendation**background**

Winter Park Housing Authority will introduce its new Executive Director, Tarena Grant, who will report on the Authority's work.

alternatives | other considerations**fiscal impact****attachments**

None



City Commission

agenda item 8.a

item type

Non-Action Items

meeting date

December 11, 2024

prepared by

Rene Cranis, City Clerk

approved by

Randy Knight, City Manager

subject

Red Light Camera Report

motion | recommendation**background**

Police Chief Tim Volkerson will present this report as required by Florida statute 316.0083(4)(a). Members of the public must be allowed to comment on the report.

alternatives | other considerations**fiscal impact****attachments**

1. Red Light Camera Survey 23-24

Q1. Please enter your contact information:

Name:	Travis J. Lundquist
Agency:	City of Winter Park
Email Address:	tlundquist@cityofwinterpark.org
Phone Number:	407-643-1652
Phone Extension, if applicable:	

Q2. Please select the jurisdiction (city or county) you represent:

Winter Park ▼

Q3. Did your jurisdiction **operate red light cameras** within the reporting period of **July 1, 2023 through June 30, 2024**?

☒ Yes

☐ No

Q4. What department oversees the red light camera program in Winter Park?

Example: Police Department, Sheriff's Office, Code Enforcement, Traffic Unit, etc.

Winter Park Police Department

Q5. Did Winter Park **discontinue its red light camera program** during the reporting period, **July 1, 2023 through June 30, 2024**?

☐ Yes

☒ No

Q6. Please enter the date that Winter Park discontinued its program.

This question was not displayed to the respondent.

Q7. What **red light camera vendor(s)** does Winter Park use? Please select any you may have used during the reporting period, **July 1, 2023, through June 30, 2024.**

☐ American Traffic Solutions (ATS)	☐ Redflex
☐ Conduent	☐ Sensys Gatso
☒ Novoa Global	☐ Verra Mobility
☐ Redspeed	☐ Other, please specify:

Q8. **As of July 1, 2023**, how many **red light cameras** were operational in Winter Park?

Q9. **As of June 30, 2024**, how many **red light cameras** were operational in Winter Park?

Q10. **As of July 1, 2023**, at how many **intersections** were red light cameras operational in Winter Park?

Q11. **As of June 30, 2024**, at how many **intersections** were red light cameras operational in Winter Park?

Q12. Please provide the following information regarding **Notices of Violation** issued for red light camera violations in Winter Park during the reporting period of **July 1, 2023, through June 30, 2024.**

Total Notices of Violation Issued	28908
Notices of Violation Paid	21958
Notices of Violation Contested, but Pending Final Outcome	3
Notices of Violation Contested and Dismissed	1
Notices of Violation Contested and Upheld	9
Notices of Violation that Resulted in Uniform Traffic Citations Being Issued	4525
Notice of Violation Pending Issuance as Uniform Traffic Citations	1477

Q13. How many **registration holds** did Winter Park request as a result of red light camera violations during the reporting period of **July 1, 2023, through June 30, 2024**? If you do not know, please leave this field blank.

123

Q14. How does Winter Park **submit traffic crash data** to the Florida Department of Highway Safety and Motor Vehicles?

- ☒ All Electronically
- ☐ All Paper
- ☐ Both

Q15. Have **court cases** impacted Winter Park's **red light camera program**?

- ☐ Yes
- ☒ No

Q16. Please explain how court cases have impacted Winter Park's red light camera program.

This question was not displayed to the respondent.

Q17. Please **rate** the following **factors by importance** when selecting which **intersections to install red light cameras** in Winter Park.

	Very Important	Somewhat Important	Not Important	N/A
Traffic Citation Data	☒	☐	☐	☐
Citizen Complaints	☐	☒	☐	☐
Law Enforcement Officer Observations	☒	☐	☐	☐
Traffic Volume	☒	☐	☐	☐
Pedestrian Safety	☒	☐	☐	☐
Traffic Crash Data	☒	☐	☐	☐
Other	☐	☐	☐	☒

Q18. Please **describe the other factors used** when selecting which **intersections to install red light cameras** in Winter Park.

This question was not displayed to the respondent.

Q19.

Were any existing red light cameras relocated within Winter Park during the reporting period of **July 1, 2023, through June 30, 2024**?

☐ Yes

☒ No

Q20. How many cameras were relocated?

This question was not displayed to the respondent.

Q21. Why were the cameras relocated?

This question was not displayed to the respondent.

Q22. What **factors** are used to determine the **success or failure of each camera location** within Winter Park? Please select all that apply.

☒ Number of crashes

☒ Pedestrian safety

☐ Revenue

☐ Other, please specify

Q23. Who **reviews** the camera images **before Notices of Violation are issued** within Winter Park? Please select all that apply.

☒ Law Enforcement Officer

☒ Non-sworn Government Employee

☐ Non-sworn Contractor Employee (Vendor)

☐ Other, please specify

Q24. Who **reviews contested Notices of Violation** within Winter Park? Please select all that apply.

- ☒ Law Enforcement Officer
- ☒ Non-sworn Government Employee
- ☐ Non-sworn Contractor Employee (Vendor)
- ☐ Other, please specify

Q25. Who **issues Uniform Traffic Citations** in Winter Park if **Notices of Violation are unpaid and uncontested**? Please select all that apply.

- ☒ Law Enforcement Officer
- ☒ Non-sworn Government Employee
- ☐ Non-sworn Contractor Employee (Vendor)
- ☐ Other, please specify

Q26. Does Winter Park **issue Notices of Violation** (based on red light camera detection) for persons making **improper right turns on a red signal**?

- ☒ Yes
- ☐ No

Q27. How many **Notices of Violation** were issued within Winter Park **for improper right turns on a red signal** during the reporting period of **July 1, 2023, through June 30, 2024**?
If you do not know, please leave this field blank.

Q28. Section 316.0083(1)(a), Florida Statutes, provides that, "A notice of violation and a traffic citation may not be issued for failure to stop at a red light if the driver is making a right-hand turn in a **careful and prudent manner** at an intersection where right-hand turns are permissible."

Please provide the **definition used by Winter Park when determining if a violation should be issued.**

You can make a right hand turn in a "careful and prudent mannor" after coming to a complete stop pursuant to the directives of Florida Statutes

Q29. What **action(s)** has Winter Park taken **to improve safety measures** as a result of your red light camera program? If Winter Park has not taken an action which is listed, please select N/A.

	At intersections with red light cameras	At intersections without red light cameras	N/A
Education and Outreach	☐	☐	☒
Engineering, Roadway/Geometric	☐	☐	☒
Engineering, Signalization/Operations	☐	☐	☒
Increased other type of signage	☐	☐	☒
Increased red light camera-specific signage	☐	☐	☒
Lighting	☐	☐	☒
Re-striping	☐	☐	☒
Other	☐	☐	☒

Q30. Please describe any other **action(s)** that Winter Park has taken **to improve safety measures** as a result of your red light camera program.

Q31. Has **red light camera footage** been used to **investigate other crimes or cases** not related to red light violations within Winter Park?

- ☒ Yes
- ☐ No

Q32. Please describe the **other situations in which red light cameras** have been used within Winter Park. Select all that apply.

- ☒ Crash Investigations
- ☒ Criminal Investigations
- ☐ Missing Persons
- ☐ Other, please specify:

Q33. Has Winter Park **conducted** an independent **red light camera analysis**?

- ☐ Yes
- ☒ No

Q34. Please provide any additional **specifications or clarifications for any of your responses** to this survey.

Q35. Is Winter Park **continuing its red light camera program** in this fiscal reporting year, **July 1, 2024, through June 30, 2025**?

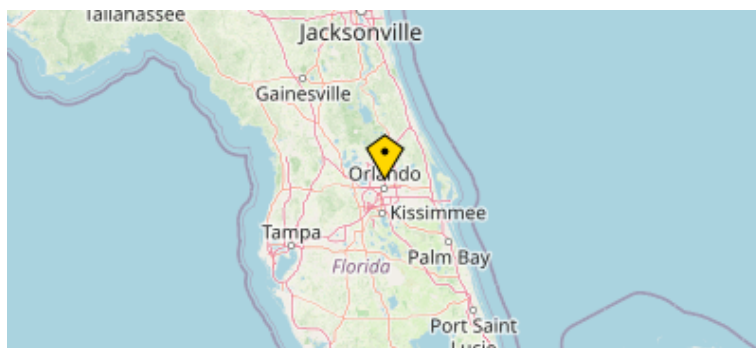
☒ Yes

☐ No

Location Data

Location: [\(28.6221, -81.3655\)](#)

Source: GeoIP Estimation





City Commission

agenda item 10.a

item type

Consent Agenda

meeting date

December 11, 2024

prepared by

Rene Cranis, City Clerk

approved by

Randy Knight, City Manager

subject

Approve the minutes of the regular meeting, November 13, 2024.

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

1. CC-min-2024-11-13 draft



City Commission Regular Meeting Minutes

November 13, 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 3:32 p.m.

2. Invocation - Pastor Ron Camblin, Aloma Church

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 for Small Business Saturday

Mayor DeCiccio recognized Winter Park business owners and read the proclamation for Small Business Saturday.

She reported the appointment of Carl Creasman to the Community Redevelopment Advisory Board.

6. City Manager's Report

- The city has leased the parking lot at the corner of E. New England and Knowles for free four-hour parking during the holiday season.
- Moody has upgraded the electric bond rating to Aa-3.

7. City Attorney's Report

8. Non-Action Items

a. Report from Winter Park Library on Early Voting - Executive Director Melissa Schneider

Assistant Library Director Nicole Heintzelman presented statistics and reported on the impact of early voting on the library.

9. Public Comments | heard after Item 13b

10. Consent Agenda

- a. Approve the minutes of the regular meeting, October 17, 2024.
- b. Approve the minutes of the regular meeting, October 23, 2024.
- c. Approve the minutes of the work session, October 24, 2024.
- d. Approve the following formal solicitations:
 1. Ovation Construction Company, Inc. - RFP22-24 - CMAR Services for the Parks Maintenance Facility & West Meadow Restroom/Public Facility; CMAR Fee: 5%
 2. Modern Plumbing Industries - IFB24-24 - Plumbing Services; Amount: \$200,000
 3. Mechanical Contractors, Inc. - IFB24-24 - Plumbing Services; Amount: \$200,000
- e. Approve the following piggyback contracts:
 4. Presidio Networked Solutions, LLC - State of Florida Contract #43220000-NASPO-19-ACS - Data Communications Products and Services - Renewal; for services on an as-needed during the term of the agreement through September 30, 2026; Amount: \$100,000
 5. TSI Disaster Recovery, LLC - Florida Department of Environmental Protection (FDEP) Contract #SL005 - DEP Waterway Debris; for services on an as-needed basis during the term of the agreement through August 1, 2026; Amount: \$1,000,000
 6. Zabatt Engine Systems, Inc. - Sourcewell Contract #092222- CMM - Electrical Energy Power Generation Equipment; for services on an as-needed basis during the term of the agreement through November 22, 2026; Amount: 250,000
 7. Global Rental Co. - Sourcewell Contract #040924-ALT - Rental Equipment & Used Equipment Sales; for vehicle purchases during the term of the agreement through June 11, 2028; Amount: \$215,000
 8. Bureau Veritas North America, Inc. - City of New Smyrna Beach Contract #RFP 11-24-BLDG - Building Inspection and Plans Review Services; for services on an as-needed basis during the term of the agreement through July 7, 2027; Amount: \$225,000
 9. Alan Jay Fleet Sales - Sourcewell Contract #091521-NAF - Cars, Trucks, Vans, SUVs, Cab Chassis, and Other Vehicles; for vehicle purchases during the term of the agreement through November 8, 2025; Amount: \$150,000
 10. Deere & Company - State of Florida Contract #25101900-21- STC - Agriculture and Lawn Equipment; for vehicle purchases during the term of the agreement through December 31, 2026; Amount: \$100,000
 11. R2 Unified Technologies, LLC - State of Florida Contract #AR3227 43220000-NASPO-19-ACS - Data Communications Products and Services - Renewal; for goods and services on an as-needed basis during the term of the agreement through September 30, 2026; Amount: \$200,000
- f. Approve the following contracts:
 1. RFP28-22 - Abbott Communications Group, LLC - Printing and Mailing Services - Renewal; for services on an as-needed basis during the term of the agreement through October 30, 2025; Amount: \$165,000

2. RFQ20-23 - Ovation Construction Company, Inc. - Repair and Construction Services (< \$300k/project) - Renewal; for services on an as-needed basis during the term of the agreement through October 30, 2025; Amount: \$2,000,000
3. FY24-49 - Silver Fox Consulting & Inspections - Independent Contractor Agreement - Renewal; for construction project management services during the term of the agreement through October 16, 2025; Amount: \$150,000
4. SS25-1 - Xylem Water Solutions U.S.A., Inc. - Flygt Products; for goods on an as-needed basis through September 30, 2025; Amount: \$500,000
5. SS25-10 - Gardner Denver, Inc. - Hoffman & Lanson Centrifugal Blowers; for goods on an as-needed basis through September 30, 2025; Amount: \$200,000
6. SS25-11 - Hydro-Dyne Engineering - Wastewater Treatment Screening Equipment; for goods on an as-needed basis through September 30, 2025; Amount: \$100,000
7. FY20-75 - Paymentus Corporation - Payment Management & Processing Services - Renewal; for services during the term of the agreement through November 7, 2027; Amount: \$1,500,000
- g. Approve the following purchase:
 1. Welch Tennis Courts, Inc. - Hydro-Court Conversion for tennis courts #9-12 at the Azalea Lane Tennis Center; Amount: \$492,180

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

11. Action Items Requiring Discussion

- a. Joint Planning Area agreement between the City of Winter Park and Orange County

Mayor DeCiccio provided the background and purpose of this agreement which will be considered by the Orange County Commission in December. Director of Planning and Community Development Alison McGillis reviewed key points of the agreement and showed potential annexation areas covered by this agreement. Discussion followed on the parameters to annex areas into the city.

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

- b. Acquisition of 929-957 W. Fairbanks Avenue

Mayor DeCiccio summarized the basis of the city's interest in these properties and noted that the property owners approached the city to purchase the property. The city will honor the existing leases and work with the current lessees as projects move forward.

Commissioner Sullivan asked for clarification on the deposits and due diligence period. Mr. Ardaman stated there is an initial non-refundable deposit of \$5k and an additional deposit of \$10k is due within five days after the contract is signed. A third payment of \$250k is due after expiration of the 60-day due diligence period, which could be

refunded if issues were discovered during the due diligence period. Discussion followed with agreement for staff to report issues to the commission.

Mr. Ardaman noted under Section 5, Exhibit C needs to be changed to Exhibit D. In response to questions regarding seller disclosures, Mr. Ardaman said the seller objected to the inclusion of the disclosure paragraph but added language about their limitations regarding representations and warranties to the city. Due to this language, the city will need to be diligent in its investigation. Discussion continued on the due diligence process, whether inspections could be completed within 60 days and potential code violations. Commissioner Weaver suggested a 75-day period.

Motion made by Commissioner Weaver to approve the purchase of property located at 929-957 W. Fairbanks Avenue for \$4m (\$3m from CRA fund and \$1m from Parks Acquisition Fund, correcting the Exhibit as noted by Mr. Ardaman and changing the due diligence period from 60 to 75 days, seconded by Commissioner Russell.

Mr. Knight left the meeting to contact the seller to request a 75-day due diligence period.

Michael Collantes, current lessee for his restaurant, spoke about his investment and his hope to continue his business in Winter Park.

Jackie Moore, co-owner of Austin's Coffee, 929 W. Fairbanks Avenue, questioned the city's need to purchase this property. She said FDOT advised her that Fairbanks is a maxed-out roadway and the left-turn on Fairbanks to Denning will not offer any great relief. She feels the city is disregarding the financial impact on tenants.

Stephen Moore, 929 Fairbanks Avenue, spoke about the value of Austin's Coffee to residents, college students, visitors, and artists.

Mr. Knight reported that the seller agreed to the 75-day due diligence period.

Motion was restated and carried unanimously with a 5-0 vote.

12. Public Hearings: Quasi-Judicial Matters

c. Request of Benjamin Partners, LTD for:

- ORDINANCE 3323-24 - 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 LOW DENSITY RESIDENTIAL TO ORANGE COUNTY PLANNED DEVELOPMENT FUTURE LAND USE ON THE PROPERTY AT LOCATED AT 1251 LEWIS DRIVE, MORE PARTICULARLY DESCRIBED HEREIN. (2nd Reading)
- ORDINANCE 3324-24 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 LOW DENSITY RESIDENTIAL (R-2) ZONING TO ORANGE COUNTY PLANNED DEVELOPMENT (OC-PD) ZONING ON THE PROPERTY AT 1251 LEWIS DRIVE, 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 Sullivan to adopt Ordinance 3323-24, seconded by Commissioner Cruzada. Upon a roll call vote, Commissioners Sullivan, Russell and Cruzada and Mayor DeCiccio voted yes. Commissioner Weaver voted no. The motion carried by a 4-1 vote.

Motion made by Commissioner Sullivan to adopt Ordinance 3324-24, seconded by Commissioner Cruzada. Upon a roll call vote, Commissioners Sullivan, Russell and Cruzada and Mayor DeCiccio voted yes. Commissioner Weaver voted no. The motion carried by a 4-1 vote.

13. Public Hearings: Non-Quasi-Judicial Matters

- a. ORDINANCE 3325-24 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE SALE AND CONVEYANCE OF THE EAST 20 FEET OF 1530 DRUM STREET OWNED BY THE CITY IN CONFORMANCE WITH CITY CHARTER SECTION 2.08 (C) AND SECTION 2.11 OF THE CITY CHARTER, PURSUANT TO THE TERMS APPROVED BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE. (2nd Reading)

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

Motion made by Commissioner Weaver to adopt Ordinance 3325-24, seconded by Commissioner Sullivan. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously with a 5-0 vote.

- b. ORDINANCE 3326-24 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE ADOPTED BUDGET AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2023 – 2024 BY PROVIDING FOR CHANGES IDENTIFIED IN EXHIBIT A; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE. (2nd Reading)

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

Commissioner Weaver addressed revenues for rental of the first floor of the Chamber building and opposed additional subsidies for Chamber events. Director of Parks and Recreation Jason Seeley advised the PRAB will be discussing rental fee discounts in its November meeting and present its recommendation to the commission for approval.

Motion made by Commissioner Weaver adopt Ordinance 3326-24, seconded by Commissioner Cruzada. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously with a 5-0 vote

9. Public Comments

Gigi Papa, 1440 Hibiscus Avenue, shared observations during early voting at the Library as it relates to posting of signs and campaigning. She commended the fire department's response to a medical emergency.

14. City Commission Reports

Commissioner Russell -

- Congratulated WPHS girls' volleyball state championship and Bishop Moore in their division.
- Commended leadership at the Community Center, in particular, tutoring for the after-school program.
- Asked for an update on the review of criteria for organizational support. Director of OMB Peter Moore said staff is gathering information to draft guidelines for discussion in a work session.
- Congratulated Winter Park Tigers on advancing to semi-finals in Pop Warner football.

Commissioner Weaver –

- Addressed the proposed letter of support of the lease of the Hungerford property in Eatonville and spoke about the lack of adequate sewage lines for new development which included athletic fields. He said he would sign the letter of support if the tree farm is removed as a potential site for a ball field adding that residents, primarily without school age children, would prefer a passive park. After discussion, majority consensus supported the letter. Commissioner Weaver opposed.

Mayor DeCiccio -

- Reported the Winter Park Housing Authority received an \$800k Federal grant for improvements.

15. Summary of Meeting Actions

- Presented Business Saturday Proclamation.
- Carl Creasman was appointed to the Community Redevelopment Advisory Board.
- City Manager reported that free 4-hour parking is available during the holiday season and that Moody's upgraded the Electric Enterprise's debt rating to Aa3.
- Received report on early voting at the Library.
- Approved Joint Planning Area Agreement with Orange County.
- Approved agreement for acquisition of 929-957 Fairbanks Avenue with amendments.
- Adopted ordinances amending future land use and zoning for 1251 Lewis Drive.
- Adopted ordinance authorizing the sale of a portion of 1530 Drum Street.
- Adopted ordinance amending the Fiscal Year 2024 Budget.

16. Adjournment

The meeting was adjourned at 5:10 p.m.

Mayor Sheila DeCiccio

ATTEST:

City Clerk Rene Cranis



City Commission

agenda item 10.b

item type

Consent Agenda

meeting date

December 11, 2024

prepared by

Rene Cranis, City Clerk

approved by

Randy Knight, City Manager

subject

Approve the minutes of the work session, November 14, 2024.

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

1. CC-min-2024-11-14 ws Brownfield draft



City Commission Work Session Minutes

November 14, 2024 at 1:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

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

Absent

Commissioner Craig Russell

1. Meeting Called to Order

Mayor DeCiccio called the work session to order at 1:00 p.m.

2. Discussion Item (s)

a. Brownfield/Enhancement Area Discussion

Assistant Director of Economic Development and CRA gave a presentation on the Brownfield enhancement areas showing enhancement and community redevelopment areas state-wide. He explained the brownfield areas and reviewed local benefits of enhancement areas that include state funding and grants for initiatives and the city's ability to establish programs and incentives. He outlined the process for establishing an enhancement area which would include community outreach meetings. A question and answer period followed, particularly on which properties and whether to designate residential or commercial areas. Director of OMB Peter Moore spoke about the ability to offer developer incentives which are typically not allowed. He said there is no downside to this designation except the negative perception of the term brownfield.

Other items discussed: incentives for septic to sewer conversion, alternatives to full city designation (Aloma Avenue, Lee Road), and multi-jurisdictional efforts.

The next step will be a resolution to move forward.

3. Adjournment

The work session adjourned at 3:38 p.m.

Mayor Sheila DeCiccio

ATTEST:

City Clerk Rene Cranis



City Commission

agenda item 10.c

item type

Consent Agenda

meeting date

December 11, 2024

prepared by**approved by****subject**

Approve the following formal solicitations:

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

None



City Commission

agenda item 10.c.1

item type

Consent Agenda

meeting date

December 11, 2024

prepared by

Rebecca Watt, Procurement Agent

approved by

Randy Knight, City Manager

subject

1. H.J. High Construction - RFP26-24 - CMAR Services for the City of Winter Park Fire Training Facility; CMAR Fee: 5%
2. United Sweeping, LLC - RFP27-24 - Street Sweeping Services; Amount: \$275,000

motion | recommendation

Commission approve items as presented and authorize Mayor to execute.

background

1. A formal solicitation was issued on September 16, 2024, with responses due on October 28, 2024. We received six (6) responsive submittals. Staff received presentations from the top two (2) ranked firms and is recommending award to the selected vendor.
2. A formal solicitation was issued on September 24, 2024, with responses due on October 31, 2024. We received three (3) responsive submittals. Staff interviewed the top two (2) ranked firms and is recommending award to the selected vendor.

alternatives | other considerations

N/A

fiscal impact

Total expenditures included in the following approved budgets:

1. ARPA Fund
2. Stormwater Fund

attachments

None



City Commission

agenda item 10.d

item type

Consent Agenda

meeting date

December 11, 2024

prepared by**approved by****subject**

Approve the following piggyback contracts:

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

None



item type

Consent Agenda

meeting date

December 11, 2024

prepared by

Rebecca Watt, Procurement Agent

approved by

Randy Knight, City Manager

subject

1. Hill Manufacturing Company - Kentucky Educational Development Corporation (KEDC) Contract #10100169-CLS2022.002 - Custodial Equipment, Supplies & Services - Renewal; for goods and services on an as-needed basis during the term of the agreement through December 31, 2025; Amount \$150,000
2. Kone, Inc. - OMNIA Partners Contract #EV2516 - Elevator, Escalator and Walkway Maintenance and Modernization Services and Related Solutions - Renewal; for services on an as-needed basis during the term of the agreement through November 30, 2029; Amount: \$500,000
3. Environmental Products Group, LLC - Florida Department of Transportation (FDOT) Contract #DOT-ITN-19-9025-GH-5 - Heavy Equipment Lease; for services on an as-needed basis during the term of the agreement through February 11, 2026; Amount: \$100,000
4. TSI Disaster Recovery, LLC - Florida Department of Environmental Protection (FDEP) Contract #SL005 - DEP Waterway Debris; for services during the term of the agreement through August 1, 2026; Amount: \$2,500,000
5. The Nidy Sports Construction, Inc. - OMNIA Partners Contract #08-42 - Athletic Surfacing and Asphalt Maintenance; for services on an as-needed basis during the term of the agreement through April 30, 2026; Amount: \$300,000
6. Ring Power Systems - Sourcewell Contract #062320-CAT - Rental machines, tools, and equipment from Cat and 70+ brands; for goods on an as-needed basis during the term of the agreement through August 27, 2025; Amount: \$200,000
7. Cubix, Inc. - OUC Contract #5050-OQ - Floor Covering – Carpet Cleaning - Renewal; for services on an as-needed basis during the term of the agreement through December 14, 2025; Amount: \$175,000
8. Axon Enterprise, Inc. - OMNIA Partners Contract #3544-21-4615 - Body Worn Cameras and Related Products and Services; for goods and services during the term of the agreement through December 20, 2027; Amount: \$1,600,000
9. Konica Minolta Business Solutions U.S.A., Inc. - State of Florida Contract #44100000-24-NASPO-ACS - Multi-Function Devices, Copiers, and Related Software and Services; for services during the term of the agreement through July 31, 2026; Amount: \$125,000
10. Dana Safety Supply, Inc. - Bradford County Sheriff's Office Contract #BCSO2019-01 -

Public Safety Vehicle and Equipment, Parts, Sales and Installation Services; for goods and services on an as-needed basis during the term of the agreement through July 14, 2029; Amount: \$450,000

motion | recommendation

Commission approve items as presented and authorize Mayor to execute.

background

1. The Cooperative Purchasing Agency (KEDC) issued a formal solicitation to award this contract in FY22.
2. The Cooperative Purchasing Agency (OMNIA) issued a formal solicitation to award this contract in FY19.
3. The Originating Agency (FDOT) issued a formal solicitation to award this contract in FY19.
4. Additional funds are requested by staff to fulfill NRCS grant-funded projects remaining, such as Howell Creek at Temple Trail Gabions Installation and Site Restoration. In addition, FDEP grant funds were awarded for the Mead Gardens Boardwalk replacement project anticipated for construction this fiscal year.
5. The Cooperative Purchasing Agency (OMNIA) issued a formal solicitation to award this contract in FY23.
6. The Cooperative Purchasing Agency (Sourcewell) issued a formal solicitation to award this contract in FY20.
7. The Originating Agency (OUC) issued a formal solicitation award this contract in FY22.
8. The Cooperative Purchasing Agency (OMNIA) issued a formal solicitation to award this contract in FY22.
9. The Cooperative Purchasing Agency (State of Florida) issued a formal solicitation to award this contract in FY24.
10. The Originating Agency (Bradford County Sheriff's Office) issued a formal solicitation to award this contract in FY19.

alternatives | other considerations

N/A

fiscal impact

Total expenditures included in the following approved budgets:

1. Electric Utility Fund, Water & Wastewater Fund
2. General Fund
3. General Fund
4. NRCS Fund
5. Capital Projects Fund
6. General Fund

7. General Fund
8. General Fund
9. General Fund
10. Vehicle Replacement Fund

attachments

None



City Commission

agenda item 10.e

item type

Consent Agenda

meeting date

December 11, 2024

prepared by**approved by****subject**

Approve the following contracts:

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

None

**item type**

Consent Agenda

meeting date

December 11, 2024

prepared by

Rebecca Watt, Procurement Agent

approved by

Randy Knight, City Manager

subject

1. IFB16-21 - Matheson Tri-Gas, Inc. - Purchase & Delivery of Liquid Oxygen - Renewal; for services on an as-needed basis during the term of the agreement through January 10, 2026; Amount: \$230,000
2. RFP15-19A - HDD of Florida, LLC - Underground Conduit/Pipe Installation Services - Renewal; for services during the term of the agreement through April 1, 2025; Amount \$1,000,000
3. IFB11-23 - Lewis Outdoor Solutions - Landscape Maintenance for City Facilities; for services on an as-needed basis during the term of the agreement through April 16, 2025; Amount: \$150,000
4. RFQ30-22 - Dix.Hite. + Partners, Inc. - Professional Landscape Architectural Services - Renewal; for services on an as-needed basis during the term of the agreement through December 12, 2025
5. RFQ30-22 - Land Design, Inc. - Professional Landscape Architectural Services - Renewal; for services on an as-needed basis during the term of the agreement through December 12, 2025
6. RFQ30-22 - GAI Consultants, Inc. - Professional Landscape Architectural Services - Renewal; for services on an as-needed basis during the term of the agreement through November 29, 2025

motion | recommendation

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

background

1. A formal solicitation was issued in FY21 and has been renewed in accordance to the original executed agreement.
2. A formal solicitation was issued in FY19. A temporary extension will be issued to maintain services during the soliciting period for rebidding these services.
3. A formal solicitation was issued in FY23.
4. A formal solicitation was issued in FY22 and has been renewed in accordance to the original executed agreement.

5. A formal solicitation was issued in FY22 and has been renewed in accordance to the original executed agreement.
6. A formal solicitation was issued in FY22 and has been renewed in accordance to the original executed agreement.

alternatives | other considerations

N/A

fiscal impact

Total expenditures included in the following approved budgets:

1. Water & Wastewater Fund
2. Electric Utility Fund
3. General Fund
4. Each task order will be brought to the City Commission with the funding source listed.
5. Each task order will be brought to the City Commission with the funding source listed.
6. Each task order will be brought to the City Commission with the funding source listed.

attachments

None



City Commission

agenda item 10.f

item type

Consent Agenda

meeting date

December 11, 2024

prepared by

Allison McGillis, Director of Planning and Zoning

approved by

Randy Knight, City Manager

subject

Approve 180-day extension of the Design Guidelines Ad-Hoc Committee

motion | recommendation

Staff is recommending extending the sunset date of the Committee by an additional 180 days.

background

On April 24, 2024, the Commission approved Ordinance 3297-24 establishing the Design Guidelines Ad-Hoc Committee. Staff is recommending extending the sunset date of the Committee by an additional 180 days to allow adequate time for the Committee to present recommendations to the City Commission. Per Section 3 of the Ordinance, the term of this Committee can be extended by majority vote of the City Commission.

alternatives | other considerations**fiscal impact****attachments**

None

**item type**

Consent Agenda

meeting date

December 11, 2024

prepared by

Peter Moore, Director of Office of Management and Budget

approved by

Randy Knight, City Manager

subject

Parks Maintenance Facility & West Meadow Restrooms - Contract GMP and Budget Amendment

motion | recommendation

Approve signing the contracts and draft GMPs for the Parks Maintenance Facility and West Meadow Restroom projects, and authorize additional funding to cover costs.

background

A public solicitation was previously issued for a Construction Manager At-Risk (CMAR) for these two projects, and Ovation Construction was awarded the contract by the City Commission in November. They have prepared a preliminary draft Guaranteed Max Price (GMPs) for each respective project to enable the city to finalize project budget requirements. These GMPs include a 10% contingency and may be modified down as more quotes are obtained, but will not exceed these values.

The Parks Maintenance Facility was originally contemplated prior to the pandemic and the inflationary pressures that followed. Previous City Commissions executed a land swap with Elevation Financial to allow the project to be constructed, and approved moving forward with the facility that will centralize parks maintenance equipment for the golf courses, cemetery, and downtown park areas into one location. This will also allow for the conversion of the existing maintenance facility into a cemetery amenity in the future, which will expand capacity and revenue opportunities at the Palm Cemetery.

The original concept was for a simplistic shed structure. The revised design incorporates additional needs of the Parks Department such as a covered materials storage area. The recently completed review by the awarded contractor, Ovation Construction, has shown that years of inflation have expanded the cost requirements for this project and the GMP (Guaranteed Max Price) is at \$2,551,841. Currently, there is \$1.06 million set aside for this project. Staff is requesting that the Commission authorize an additional \$1.49 million from the Cemetery Trust fund to cover the cost expansion on this project. Currently, the trust fund has

\$1.6 million available after adding over \$400k to fund balance in FY24. While this will lower the flexibility in the trust fund, revenue generation is expected to remain strong and will restore the balances over time. This project has been a long time in the works after coordination, land swap deals, and design. Further delays are likely to continue to drive up costs.

The West Meadow Restroom project has a GMP of \$1,366,243 and an additional \$167k is needed to complete the project. The CRA currently has an estimated \$400k+ in unencumbered reserves that can fund this differential. This project will complete the restroom and covered public pavilion in the West Meadow of Central Park, adding a much needed amenity to the downtown and a visible quality enhancement to the weekend Farmers' Market.

alternatives | other considerations

Alternatives would be to go back to re-design on the projects to adjust project scope or scale. This is not guaranteed to result in a lower cost and the time delays may ultimately raise costs further.

fiscal impact

The budget amendments can both be accommodated without interrupting usual operations in either entity.

attachments

None

**item type**

Action Items Requiring Discussion

meeting date

December 11, 2024

prepared by

Donald Marcotte, Assistant Director of Public Works/City Engineer

approved by

Randy Knight, City Manager

subject

Basin studies recommendations and first group of projects.

motion | recommendation

Approve the supplemental list of Fiscal Year 2025 stormwater improvement projects and recommended funding source(s). Also, authorize staff to research funding options and to develop a prospective project prioritization schedule for future fiscal years, based on estimated availability of funding.

background

In August and September 2023, the mayor executed task assignments that the City Commission approved, based on a staff recommendation to complete a City-wide major drainage basin study in the wake of Hurricane Ian. This study organized the City into three distinct drainage basins; western, central and eastern, and assigned each an engineering design consultant previously approved by the Commission. The three engineering consultants assigned to these basins were Geosyntec Consultants, Singhoffen-Halff, and Baxter & Woodman, respectively.

At the conclusion of these studies, the draft reports and an associated list of mitigation projects were delivered at the City Commission Work Session on October 24, 2024. Following that meeting, the draft results were presented to both the Lakes & Waterways Board and Killarney Board in November to allow for comments and questions from the City's resident representatives. Subsequently, the City's engineering consultants were directed to include any comments received in the final reports.

As presented at the City Commission Work Session in October, these studies recommended several projects to relieve both nuisance and severe incidence of flooding. Some of those projects were already contemplated by staff and are included in the list of follow-on CIP projects from Fiscal Year 2024, and others have been included in the previously approved list of CIP projects for Fiscal Year 2025. (See Attachment #1 for list of already approved FY 24 & FY 25 projects recommended by the studies)

In recent weeks, staff have met to determine the availability of funding for additional projects from the list of study recommendations. That list is shown in Attachment #2, which shows

projects, estimated costs, and proposed funding source(s).

The remaining projects will be programed in subsequent fiscal years based on available funding and their associated risk assessments.

The final study reports, including all recommended projects and project options, will be posted on the city's website.

alternatives | other considerations

N/A

fiscal impact

Funding in the amount of \$1,658,381 is already covered in budget approvals for FY'24 and FY'25 (shown in attachment #1). \$3,000,000 in additional project funding available from CRA (shown in attachment #2).

attachments

1. Attachment 1
2. Attachment 2



401 South Park Avenue • Winter Park, Florida 32789

407-599-3233 • 407-599-3417 fax
cityofwinterpark.org

**Public Works &
Transportation**

Attachment 1

Approved Fiscal Year 2024 Stormwater CIP Carry-On Projects

Project	Description	Existing Funds
CDS Unit on Fawsett Road	Hydrodynamic separator to reduce nutrient load to Lake Sue.	\$ 200,000
Stirling Bridge Replacement	Design for the replacement of the existing Stirling Bridge.	\$ 224,575
N Lakemont Seminole County Ditch Piping - Phase 1	Phase one of a partner project with Seminole County to construct an additional outfall to relieve the ditch that serves the Arbor Park Neighborhood.	\$ 533,806

Approved Fiscal Year 2025 Stormwater CIP Projects

Project	Description	Cost
Killarney Drive - Drainage & Street Improvements - Phase 1	New, upsized outfall with nutrient removal to replace two existing, failing outfalls. Also includes new inlets for improved capture.	\$ 280,000
Palmer Ave at Old England - Drainage Improvements - Phase 1	New, upsized outfall with nutrient removal to replace existing, undersized outfall. Also includes inlet replacements with additional capacity at intersection of Palmer and Old England.	\$ 250,000
Mayflower - Drainage Ditches Dredging	Debris and sediment removal to restore flow capacity in ditch system that serves the Mayflower property and Pineview Cir neighborhood.	\$ 170,000



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**Public Works &
Transportation**

Attachment 2

Proposed Additional Fiscal Year 2025 Study Generated Projects

Project	Description	Cost	Funding Source
Lake Mendsen: Connection to Lake Rose	Installation of new hydraulic connection from Lake Mendsen to Lake Rose. Provides supplemental storage for Lake Mendsen during storm events. Decreases peak stage of 2-yr 24-hr storm event by 0.8 ft, below Denning Dr.	\$ 600,000	CRA
Lake Mendsen: Pump Station and Lake Expansion – Phase I (To be phased over 2 years)	Expansion of Lake Mendsen and installation of infrastructure for mobile pump station to increase storage in Lake Mendsen and allow for pre-storm drawdown via emergency releases to Lake Killarney.	\$ 1,100,000	CRA
Canton Avenue: Improved Conveyance – Phase I (To be phased over 3 years)	Upsizing of main stormwater trunk line and additional/upsizing of supporting structures along Canton Avenue from Park Avenue to the outfall into Lake Osceola.	\$ 1,300,000	CRA



City Commission

agenda item 11.b

item type

Action Items Requiring Discussion

meeting date

December 11, 2024

prepared by

Michelle del Valle, Assistant City Manager

approved by

Randy Knight, City Manager

subject

2025 State Legislative Priorities

motion | recommendation

Approve the 2025 State Legislative Priorities

background

Staff prepared the proposed 2025 State Legislative Priorities list in combination with our State Lobbyist at Gray Robinson, PA. The appropriations were selected based on community need and the likelihood of being sponsored and considered. Appropriations will be submitted in late December for consideration in the upcoming session. Additionally, staff and our lobbyist plan to focus on agency-related funding opportunities.

alternatives | other considerations

Commission suggestions, additions and deletions are welcomed.

fiscal impact**attachments**

1. State Legislative Priorities 2025

City of Winter Park
2025 State Legislative Priorities

Projects/Funding:

- **Appropriation** – Winter Park Lakes Dredging Project, \$250K 50/50 match
- **Appropriation** – Stirling Bridge Construction \$500K 50/50 match
- **Appropriation** – Mobile Barricade System \$420K 50/50 match

- Funding for Fairbanks/Denning Intersection (agency grant)
- Funding for reclaimed water project (agency grant)
- Funding for septic to sewer conversion (agency grant)
- Assist with widening of SR 426 between 17-92 and Pennsylvania Ave.
- Funding for municipal cyber security measures
- Funding for sustainability issues: Solar, electric vehicles, trees, park space, bike trails
- Funding to rehab existing affordable housing units and/or funding create new units.
- Phase II: Improvements to Howell Branch Preserve
- Acquire excess CSX ROW from State including that within Central Park

Legislative Matters:

- Preserve home rule authority
- Dedicated Funding Source for Commuter Rail
- Allow sediment inactivation, such as Alum treatments, as a safe and effective method of reducing phosphorus loading in Florida water bodies, including Sovereignty Submerged Lands
- Oppose Utility General Fund Transfer
- Pension Reform
- Remove statutory requirements for public employers to provide subsidized health, hospitalization and other insurance coverage for retirees (FS 112.0801)
- Oppose Public Service Commission regulation of municipal owned electric utilities
- Oppose negative modifications to CRA regulations

**item type**

Action Items Requiring Discussion

meeting date

December 11, 2024

prepared by

Randy Knight, City Manager

approved by

Randy Knight, City Manager

subject

Transfer property located at 1401 Howell Branch Road to Utilities.

motion | recommendation

Approve the transfer of property located at 1401 Howell Branch Road from the Building Department to the Water and Electric utilities.

background

The City purchased the 1401 Howell Branch Road property in February 2022 for \$1,410,000 because of its proximity to our Howell Branch Operations Compound. The original thought was to remodel the building and move the Building Department to that location. Because of some structural issues, the estimated cost to remodeling the building turned out to be more than originally anticipated and after many attempts to bring that cost down, staff decided it was not worth saving the building. That left us with three options. Sell the property.

Demolish the building and build a new building instead of remodeling. Or, demolish the building and have the water, sewer and electric departments utilize the site for parking until it is needed for a different use in the future.

Staff has reviewed these options and determined that it is in the city's best interest to keep the property and use it for parking for now. This would free up other space in the compound for needed material storage. In order to do this, the Water and Electric funds will reimburse the General Fund and Building Permit Fee account for the original purchase price. This will be done 50/50 out of the reserves of the two utilities.

alternatives | other considerations

The city could sell the property for a commercial use and recoup the GF and Permit fee funds that way.

fiscal impact

Covered above.

attachments

None

**item type**

Action Items Requiring Discussion

meeting date

December 11, 2024

prepared by

Jason Seeley, Director of Parks and Recreation

approved by

Randy Knight, City Manager

subject

City of Winter Park Sponsorship and Advertising Policy

motion | recommendation

Approval of, and/or provide revisions to, the proposed City of Winter Park Sponsorship and Advertising Policy

background

City of Winter Park Parks and Recreation Department, and the Winter Park community, pride themselves on their extensive park and recreation system. That is evident in the decades of generous support shown by Winter Park's business and non-profit community. Today, financial and in-kind support is

even more critical as the investment needed to sustain and improve the parks, facilities, and programs continues to rise. Like other park and recreation departments across the nation, the parks and recreation department is pursuing more sophisticated business partnerships with the for-profit and

Non-profit sectors, in the form of events, programs, projects, and site sponsorship along with limited advertising. These mutually beneficial business agreements provide an important marketing venue for businesses and an opportunity for them to align themselves with the departments public mission and in turn, the department is able to build new and exciting programs and places while sustaining the system.

alternatives | other considerations

The Commission may elect to provide revisions to the proposed policy and have the item brought back for further consideration once revisions are completed. The Commission may elect not to pursue sponsorship and marketing opportunities at our parks and recreation properties.

fiscal impact

Staff conservatively estimate \$200,000 in annual funding being generated through sponsorship

and advertising efforts. This estimate would be with the department taking a relatively passive approach to soliciting organizations while keeping the sponsorship and advertising efforts mostly focused on the 2 golf courses, the tennis center, and other parks with significant foot traffic. Central Park would not be a location eligible for sponsorship and advertising opportunities.

attachments

1. Sponsorship and Advertising Policy DRAFT - Final

City of Winter Park Parks and Recreation Department

Advertising and Sponsorship Policy

December 11, 2024

Contents

- 1.0 Purpose
- 2.0 Background
- 3.0 Definitions
- 4.0 Authority
- 5.0 Sponsorship Categories
- 6.0 Materials Displayed by Third Parties
- 7.0 Guidelines
- 8.0 Marketing and Recognition Guidelines
- 9.0 Procedures
- 10.0 Terms of Agreement
- 11.0 Sample of “Level of Sponsorship Benefits”

Policy

It is the policy of City of Winter Park Parks & Recreation Department (CWPPR) to pursue sponsorships and advertisements from both non-profit and for-profit entities for Department programs, events and projects in order to obtain supplemental financial, in-kind, and technical assistance in an effort to enhance and sustain the City’s park and recreation system. All such sponsorships must comply with the guidelines and procedures set forth in this policy.

1.0 Purpose

This policy and its guidelines and procedures are intended to guide the City Commission, City Manager, or City staff responsible for sponsorship business agreements and to help potential sponsors understand the opportunities and constraints of a parks and recreation sponsorship.

2.0 Background

CWPPR and the Winter Park community pride themselves on their extensive park and recreation system. That is evident in the decades of generous support shown by Winter Park’s business and non-profit community. Today, financial and in-kind support is even more critical as the investment needed to sustain and improve the parks, facilities, and programs continues to climb. Like other park and recreation departments across the nation, CWPPR is pursuing more sophisticated business partnerships with the for-profit and non-profit sectors, in the form of event, program, project, and site sponsorships along with limited advertising. These mutually beneficial business agreements provide an important marketing venue for businesses and an opportunity for them to align themselves with the CWPPR public mission and in turn, CWPPR is able to build new and exciting programs and places while sustaining the system.

3.0 Definitions

3.1 Sponsorship. Sponsorship is financial or in-kind support from an entity for a

Specific CWPPR program, event, or project in exchange for tangible and intangible benefits to the sponsor. Sponsorship is a negotiated business agreement between the sponsor and the Department.

3.2 Gifts. A gift is a freely given donation of goods, cash, or real property to the CWPPR Department, preferably with no expectation of return (a “condition” to the gift). Gifts may be designed for a specific purpose or may be general in nature.

3.3 Advertising. Advertising is the signage or graphic element created by the entity (usually placed in designated, purchased space) to promote a product or organization. Permanent advertising is also not allowed in parks, athletic fields or other outdoor facilities owned and managed by the Department. Advertising may be considered in parks, athletic fields, or other outdoor venues in addition to indoor venues such as recreation centers in limited quantities. Advertisements are also allowed in the Department’s printed materials, electronic publications and social media boards.

3.4 Temporary Advertising. Temporary advertising is the temporary display of corporate logos, branding, or advertising copy at a Department event or on peripheral materials associated with an event or program or project (e.g. Banner displayed during the course of a construction project or give-a-ways at an event).

3.5 Events. Events are one-time activities for the public organized by the Department and held on CWPPR property that generally last less than a week.

3.6 Projects. Projects are one-time Department efforts, often with a product as the end result (e.g. Playground equipment replacement).

3.7 Programs. Programs are on-going, organized activities led by the Department for the public and generally involve staff supervision (e.g. Summer Camps or Special Needs Program).

3.8 Sites. Sites are specific places, varying in scale from individual features or areas to entire parks or recreation centers, and even to an entire system, such as all of CWPPR playgrounds.

3.9 Marketing benefits. These are opportunities given to the for-profit or nonprofit sponsor to have their branding, products, name and logo given temporary visibility on CWPPR property or materials. The details of those opportunities are specific to each sponsorship, covered by the agreement, and must meet Department and City policies.

4.0 Authority

The management, operation and control of all facilities owned by the City of Winter Park for park and recreational purposes are under the exclusive control of CWPPR. Any agreement for advertising or a corporate sponsorship for a CWPPR program, event, project, and/or site shall require approval from the Parks and Recreation Director.

4.1 Displays by outside organizations

Any marketing materials displayed on City-managed property (e.g. banners, etc.) by outside organizations must have prior approval by the City which retains authority to regulate the placement, length of time, and nature of all displayed materials.

5.0 Sponsorship Categories

5.1 Sponsorships are appropriate for four broad types of Department activities and places:

Event Sponsorship. Event sponsorship is the financial or in-kind support for a CWPPR organized event on City managed property. An event includes a one-time occasion (e.g. trail race, community work project, etc.) and usually lasts less than a week. Sponsors may be recognized vis-à-vis anything relating to the event. Depending upon the details of the agreement, the sponsor's name may be directly associated with the event (e.g. "title" sponsorship) and the sponsor may have a variety of temporary advertising and marketing opportunities.

Project Sponsorship. Project sponsorship is financial or in-kind support of a specific CWPPR project which is usually a one-time effort. Results often include a product being developed for the Department and for the public (e.g. Department facility map, playground project, etc.). Depending upon the details of the agreement, the sponsor's name and logo could be permanently or temporarily attached directly to the product and other marketing opportunities are available.

Program Sponsorship. Program sponsorship is financial or in-kind support of a CWPPR led program for the public. A program includes a series of on-going activities (e.g., youth sports leagues, after-school classes, or summer interns) organized by the Department. Recognition of the sponsor may continue throughout and even after the program's duration. Depending upon the details of the agreement, a sponsor's name can be associated directly with the program (e.g. "Johnson's Safety-First Program") and other marketing opportunities are available.

Site Sponsorship. Site sponsorship is financial or in-kind operating support of a specific CWPPR place or feature (e.g. a new picnic pavilion, etc.). Marketing opportunities and recognition of the sponsorship are negotiated in the agreement.

6.0 Materials Displayed by Third Parties

Community sports teams. These sponsorship policies do not apply to teams and leagues that often solicit their own sponsorship and enter into private agreements. However, approval must be obtained from the CWPPR Department for any public display within parks and recreation facilities of private sponsorships (e.g. banners, flags, signs), with the exception of team uniforms.

Tenants and Lessees. Several non-profit, educational and cultural organizations, along with residents are located in buildings within CWPPR properties and have sponsorship programs of their own. Any marketing materials visible to the public and displayed within a City managed park (e.g. banners, etc.) must have prior approval by the City which retains authority to regulate the placement, length of time, and nature of all displayed materials.

Support Organizations. A number of organizations have formed in order to help support the Department and to advocate for specific amenities (e.g. Keep Winter Park Beautiful, Blue Dolphins Swim Club, Winter Park Land Trust). These types of groups often implement their own sponsorship, gift, and naming efforts which the City does not seek to regulate. If third parties wish to display marketing materials on City managed land or advertise through the Department, all displays must meet City policies.

7.0 Guidelines for Accepting Sponsorships and Advertising

7.1 The City welcomes sponsorships and limited advertising as an opportunity to enhance services as long as the sponsorship or advertisement is consistent with City and Department policies and regulations; respects the physical beauty of public spaces; and reaffirms CWPPR mission and core services. In considering any proposal for sponsorship of a CWPPR Department activity or place by a for-profit or non-profit entity, the following questions should be considered individually and collectively:

- a) Are the entity's products, services, and marketing goals compatible with the City and CWPPR Department's mission, values, and policies?***
- b) Does the proposed sponsorship enhance current priorities, programs, and core services of the City and CWPPR Department?***
- c) Do the conditions of the sponsorship (especially in terms of marketing benefits and temporary advertising) compromise the design standards, visual integrity of our parks and recreation facilities or the experience of users?***
- d) Does the sponsorship commit the City and CWPPR Department to additional operating and maintenance responsibilities and costs?***
- e) Are the tangible and in-tangible benefits balanced for both the sponsor and the City and CWPPR Department?***
- f) Would the sponsorship create a conflict of interest for the City?***
- g) What is the entity's past record on community involvement with Winter Park community projects and agencies?***

7.2 Products and businesses generally ineligible for sponsorships include: for-profits whose primary products or services are substantially derived from the sale of drugs, tobacco, gambling, firearms, or sexually explicit materials.

7.3 In an effort for City to support local non-profits and businesses, local organizations should be given preference in regards to sponsorship and advertising opportunities.

7.4 City staff shall seek input and recommendations from the City Commission when considering sponsorships or advertisements equal to or greater than \$100,000 in value.

8.0 Marketing Benefits and Recognition Guidelines

8.1 Marketing benefits for the sponsor are negotiated and detailed in each specific sponsorship agreement. The City usually will offer a choice of sponsorship levels, with appropriate benefits associated with each level. Guidelines include:

- a) All sponsorship marketing materials, including but not limited to banners, signs, brochures, cards, signs, posters and newsletters, labels on products such as t-shirts, must be approved by the City.***
- b) An unlimited number of corporate sponsorship recognition and logos printed on "walk-away" products (e.g. t-shirts, water bottles) is acceptable. Visual impact will be considered.***
- c) The City's Communications Department Director must approve the use of the City's official seal/logo prior to use in any of the sponsor's own business publications. All logo use must be authorized and only used in association with the specific program or sponsorship.***

9.0 Procedures

9.1 Sponsorships are arranged primarily through two processes: a) self-initiated by the potential sponsor or; b) initiated by the City through a formal or informal "RFS" (Request for Sponsors) process.

9.2 Interested sponsors are encouraged to contact the Department at any time to discuss a potential sponsorship for events, programs and projects managed by the CWPPR Department.

9.3 If initiated by the potential sponsor, the procedure is:

- a) Meeting with assigned WPPR Department staff.*
- b) Sponsorship drafted, with levels of sponsorship, benefits to the Department, and program details evaluated*
Sponsorship draft evaluated against policies.
- c) Approval by the Parks and Recreation Director.*
- d) Legal agreement completed.*

9.4 At times, the City may issue requests for sponsorship (RFS) through various media, such as direct mail, website, or publications. A pre-application meeting may be scheduled. All interested sponsors who meet the policy requirements set forth will be afforded a sponsorship opportunity.

10.0 Terms of Agreement

10.1 Determining sponsorship costs and values will be a mixture of “value-based” system (e.g. based upon the value of the tangible and intangible marketing and brand benefits to the sponsor) and a “cost-based” system, where the goal is to recover at least the costs of an event, program, project, or site operation.

10.2 Agreements should include the following at a minimum:

- a) Clear statement of how the City is improving services through this funding and how the sponsorship supports the mission and vision of CWPPR Department.*
- b) The financial value, benefits associated, costs of the sponsorship, including any exclusivity or other hierarchy of benefits.*
- c) Type and time limit for each sponsorship.*
- d) Clear statement of the City and the sponsor’s responsibilities and roles.*
- e) Specific plan for marketing and branding opportunities-- display, type, location, size, design, content and duration.*
- f) Term and termination provisions.*

11.0 Sample of “Level of Sponsorship Benefits”

Each sponsorship is negotiated and tailored to the particular CWPPR program, event, project, and site, and to the sponsor themselves. However, a hierarchy of benefits is associated with different levels of sponsorship, often providing more branding visibility and exclusivity with the higher levels of support. The following hierarchy illustrates the types of benefits that are possible and could be provided by City Communications Department and CWPPR Department:

Lowest sponsorship level may include:

- Banners/“walk-aways” (e.g. bottles, etc.) at an event with sponsor name or logo
- Sponsorship recognition (without logo) in CWPPR publications/website and/or social media accounts
- Sponsorship mention in media releases
- Right to promote the partnership through corporate publications and marketing
- Recognition at the event

Mid-level sponsorships may include the above plus:

- Corporate logo included in publications/website
- Additional benefits (memberships to recreation centers; use of City/CWPPR building, etc.)
- Right to make promotional offers to the public and City employees
- Right to use parks and recreation property for product sampling

High-level sponsorships may include the above plus:

- Designation as an “official”, “exclusive”, or “title sponsor” for a given event, project, etc.
- Title sponsorship of an event
- Naming rights for a program
- Exclusivity of category for event/program
- Corporate visibility in public

DRAFT



City Commission

agenda item 13.a

item type

Public Hearings: Non Quasi-Judicial Matters

meeting date

December 11, 2024

prepared by

Pamela Russell, Director of Human Resources

approved by

Randy Knight, City Manager

subject

Resolution 2293-24 - Amending Resolution 1552 – classifications of groups of employees for city contribution rates to the 457 deferred compensation plan.

motion | recommendation

Motion to approve amended resolution to include all Department Directors and the Assistant City Manager as group B employees.

background

The intent of the original resolution was to include all directors on staff, which it did however, since then, the City has hired additional directors.

alternatives | other considerations

n/a

fiscal impact

The fiscal impact is minimal with a .4% increase in defined benefits for the additional directors added to the resolution.

attachments

1. Resolution No. 1552
2. Resolution 2293-24 - 457 Contributions

RESOLUTION NO. 1552

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, CHANGING THE CITY'S CONTRIBUTION RATE FOR CERTAIN CITY EMPLOYEES UNDER THE CITY'S DEFERRED COMPENSATION PLAN; AND PROVIDING FOR EFFECTIVE DATES.

WHEREAS, the City of Winter Park (hereafter, the "City") maintains an employee benefit plan known as the Winter Park Employee's Deferred Compensation Plan (hereafter, the "Plan"), pursuant to Section 19-20 (et seq.) of the Code of Ordinances of the City of Winter Park, Florida, and Section 457 of the Internal Revenue Code of 1986, as amended; and

WHEREAS, the City provides an annual contribution under the Plan equal to 10.4 percent of compensation for the employees currently holding the following positions (hereafter, "Group A Employees"):

Director of Planning
Director of Parks and Recreation
Code Enforcement Officer
Public Works Director; and

WHEREAS, the City provides an annual contribution under the Plan equal to 7.4 percent of compensation for the employees currently holding the following positions (hereafter, "Group B Employees"):

Finance Director
Human Resources Director
Assistant City Manager; and

WHEREAS, the Group B Employees receive a 7.4 percent contribution rate as compared to a 10.4 percent rate for Group A Employees for the reason that the Group B Employees were hired after the City had determined to lower its contribution rate to the Plan for subsequently hired employees; and

WHEREAS, the City desires to memorialize its desire to continue that policy, such that the City shall provide a 7.4 percent contribution rate for any employee hired to fill any future vacancy in a position now held by any Group A Employee; and

WHEREAS, each of the above listed employees is also entitled to receive a matching contribution by the City under the Plan, which matches each dollar contributed to the Plan by the employee with one dollar contributed by the city, to a maximum of 3 percent of compensation; and

WHEREAS, each of the above-listed employees will become a participant in the new Defined Contribution Plan for Employees of the City of Winter Park, Florida (hereafter, the "Defined Contribution Plan"); and

WHEREAS, each of the above-listed employees will become a participant in the new Defined Contribution Retirement Plan for Employees of the City of Winter Park, Florida (hereafter, the "Defined Contribution Plan"); and

WHEREAS, the Defined Contribution Plan will provide a contribution by the City equal to 7 percent of compensation, effective as of January 1, 1992 but will require a mandatory employee contribution of 3 percent of compensation, which becomes effective with respect to compensation earned on or after August 31, 1992; and

WHEREAS, the City desires to coordinate the benefits provided under these plans on behalf of the above-listed employees, so as to provide the same total City contributions under the combination of plans for the 1992 calendar year and subsequent years as is being provided for the above-listed employees under the Employee's Deferred Compensation Plan currently;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Winter Park, Florida as follows:

Section 1. Effective with respect to compensation earned on or after January 1, 1992, the City's annual contribution for Group A Employees under the Employee's Deferred Compensation Plan shall be reduced from 10.4 percent of compensation to 3.4 percent of compensation.

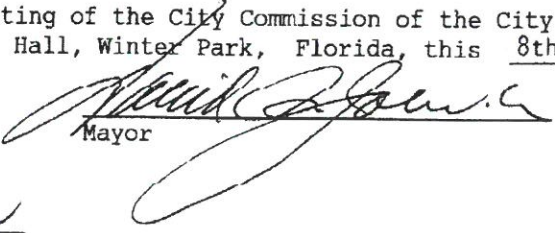
Section 2. Effective with respect to compensation earned on or after January 1, 1992, the City's annual contribution for Group B Employees under the Employee's Deferred Compensation Plan shall be reduced from 7.4 percent of compensation to 0.4 percent of compensation.

Section 3. Effective with respect to compensation earned on or after August 31, 1992, the Group A Employees and Group B Employees shall receive a 3 percent contribution by the City to the Employee's Deferred Compensation Plan to match the 3 percent mandatory employee contribution to be made by each of those employees to the Defined Contribution Plan. No other matching contributions shall be made to the Employee's Deferred Compensation Plan on behalf of those employees.

Section 4. Following the vacancy of any position now held by a Group A Employee, the employee hired to fill that vacancy shall be treated as a Group B Employee.

Section 5. Any contributions by the City made to date on behalf of the Group A Employees or Group B Employees to the Employee's Deferred Compensation Plan with respect to compensation earned during 1992 shall be counted towards the percentages described in Sections 1, 2 and 3 above, as applicable. The rate of such contributions to the Employee's Deferred Compensation Plan on behalf of each such employee for the remainder of 1992 shall be reduced as necessary by the Director of Human Resources, so as to achieve the above-prescribed percentages with respect to total compensation earned during 1992. In the event further adjustment is necessary for any such employee after the rate of contributions for the remainder of 1992 is reduced to zero, the Director of Human Resources shall reduce as necessary the City's contribution that otherwise would be made on behalf of that employee for calendar year 1992 under the Defined Contribution Plan.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, Florida, this 8th day of September, 1992.


Mayor

ATTEST:


City Clerk

RESOLUTION 2293-24

A RESOLUTION OF THE CITY COMMISSION OF WINTER PARK, FLORIDA, AMENDING RESOLUTION NO. 1552 TO AMEND THE CLASSIFICATION OF GROUP A EMPLOYEES AND GROUP B EMPLOYEES FOR THE CITY CONTRIBUTION RATES UNDER CITY OF WINTER PARK EMPLOYEES DEFERRED COMPENSATION PLAN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on or about September 8, 1992, the City of Winter Park ("City") adopted annual contribution to certain employees under the deferred compensation plan via Resolution No. 1552; and

WHEREAS, the City wishes to amend Resolution No. 1552 in order to amend the definition of "Group A Employees" and "Group B Employees"; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF WINTER PARK, FLORIDA, AS FOLLOWS.

SECTION 1. Group A and Group B Employees. Resolution No. 1552 is hereby amended to change the definition to "Group A Employees" to be none, and to change the definition of "Group B Employees" to be all Department Directors for the City and the Assistant City Manager. The remainder of Resolution No. 1552 will remain unchanged.

SECTION 2. Effective date. This Resolution shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida with the change in contributions affected by this Resolution commencing at the next standard Plan contribution date.

ADOPTED this 11th day of December, 2024, by the City Commission of the City of Winter Park, Florida.

Sheila DeCiccio, Mayor

ATTEST:

Rene Cranis, City Clerk

**item type**

Public Hearings: Non Quasi-Judicial Matters

meeting date

December 11, 2024

prepared by**approved by**

Randy Knight, City Manager

subject

Ordinance amending Section 6 of Ordinance 3292-24 to allow for mail in referendum on leaf blowing in the event that the general city election to be held on March 12, 2025 is not needed for the election of commissioners.

motion | recommendation

Move to approve the ordinance.

background

The development of Ordinance 3292-24 did not contemplate how to handle the referendum on leaf blowing and yard clearing equipment if there is no need for a general election for Commission seats 3 & 4. Adoption of this ordinance would allow the Commission the flexibility to reschedule the referendum to a later date and to be conducted via mail in the event the March 11, 2025 election is not necessary. The benefit of moving to a mail ballot, for this single question, would be a reduction in the expense of conducting the election and potentially an increase in voter turnout.

The qualifying period for Commission seats 3 & 4 runs from January 13-21, 2025. Ballot language is due to the Supervisor of Elections office on January 22, 2025. In order to allow the flexibility of modifying election methods, this ordinance must be in place before January 22nd.

alternatives | other considerations**fiscal impact****attachments**

1. Ordinance Amending Ordinance 3292-24 re Leaf Blower Referendum -12-5-2024
2. Leaf Blower Referendum ORD3292-24

ORDINANCE NO. [REDACTED]

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING SECTION 6 OF ORDINANCE 3292-24 TO ALLOW FOR A MAIL IN REFERENDUM OPTION FOR THE REFERENDUM CALLED BY ORDINANCE 3292-24 IN THE EVENT THAT THE GENERAL CITY ELECTION TO BE HELD ON MARCH 12, 2025 IS NOT NEEDED FOR THE ELECTION OF CITY COMMISSIONERS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, on April 24, 2025 the City Commission adopted Ordinance 3292-24 calling for a referendum proposing an amendment to Section 62-97 of Division 2 of Chapter 62 of Winter Park Code of Ordinances regulating the use and operation of leaf blowing or yard clearing equipment powered by an internal combustion engine or motor; and

WHEREAS, on September 11, 2024 the ballot statement and ballot summary for the referendum was modified by Resolution 2290-24; and

WHEREAS, Ordinance 3292-24 calls for such referendum to be held concurrently with the City's general election on March 11, 2025 when City Commission seats 3 and 4 are scheduled for election; and

WHEREAS, in the event that no one or only one person qualifies to run for each of the City Commission seats 3 and 4, the City's general election on March 11, 2025 will not be necessary; and

WHEREAS, due to the expense of conducting a general election and the concerns of low voter turnout without a City Commissioner election, the City Commission desires to have the option of rescheduling the referendum called by Ordinance 3292-24 to later date and conducting it via a mail in referendum in the event that the City's general election on March 11, 2025 is not necessary for the election of either City Commission seats 3 and 4.

NOW, THEREFORE, be it enacted by the City Commission of the City of Winter Park, Florida, as follows:

Section 1. Findings of Fact. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this ordinance.

Section 2. Section 6 of Ordinance 3292-24 Amendment. Section 6 of Ordinance 3292-24 is hereby amended as follows (underlined language are additions):

Section 6. Modification by City Commission. The City Commission is authorized, to the extent consistent with the City Charter and applicable laws, to modify by resolution the ballot question provided for herein and to modify or provide for by resolution any procedural or notice requirement for the conduct of the Referendum, all as the City Commission may deem advisable to ensure compliance with applicable laws and to ensure voters are fully informed as to the Referendum and the substance of the Code Amendment. The ballot statement and ballot summary for the Referendum was modified by Resolution 2290-24 on September 11, 2024 and such modification is hereby ratified. In the event that no one or only one candidate qualifies to run for the election of both Winter Park City Commission seats 3 and 4 to be held at the City's general election scheduled for March 11, 2025, the City Commission is authorized by resolution to: (i) reschedule the Referendum to a later date and to hold a mail in referendum in lieu of conducting the Referendum concurrently with the March 11, 2025 general election; and (ii) enact and direct any procedural or notice requirements for the conduct of said Referendum due to the rescheduling and change in method of conducting said referendum election as may be desired or necessary.

Section 3. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance governs and controls to the extent of any such conflict.

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, such portion shall be deemed a separate, distinct and independent provision and such holding will not affect the validity of the remaining portion hereof or hereto unless such would defeat the purpose of this Ordinance.

Section 5. Effective Date. This Ordinance will become effective take effect immediately upon its final passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2025 by the City Commission of the City of Winter Park, Florida.

Mayor Shelia DeCiccio

Attest: _____
City Clerk Rene Cranis

ORDINANCE 3292-24

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROPOSING AN AMENDMENT TO § 62-97 OF DIVISION 2 OF CHAPTER 62 OF THE CITY CODE OF ORDINANCES REGULATING THE USE AND OPERATION OF LEAF BLOWING OR YARD CLEARING EQUIPMENT POWERED BY AN INTERNAL COMBUSTION ENGINE OR MOTOR; SUBMITTING THE PROPOSED CODE AMENDMENT TO A VOTE BY THE ELECTORS OF WINTER PARK VIA REFERENDUM AT THE GENERAL CITY ELECTION TO BE HELD MARCH 11, 2025; PROVIDING FOR AMENDMENT OF CHAPTER 62 OF THE CITY CODE REGARDING RESTRICTIONS ON THE USE OF INTERNAL COMBUSTION POWERED LEAF BLOWERS IF THE CODE AMENDMENT IS ADOPTED; PROVIDING FOR THE REFERENDUM BALLOT QUESTION FOR THE PROPOSED CODE AMENDMENT; PROVIDING FOR DIRECTION TO THE CITY CLERK; PROVIDING FOR MODIFICATION BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATES OF THE ORDINANCE AND CITY CODE AMENDMENT.

WHEREAS, Article VIII, § 2(b) of the Florida Constitution vests the City with all governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise power for municipal purposes except as otherwise provided by law; and

WHEREAS, the City Commission, based upon environmental and noise concerns, previously adopted an amendment to its code of ordinances barring the use of internal combustion powered leaf blowers; and

WHEREAS, the City has since received complaints regarding the practicality of an ultimate ban of internal combustion powered leaf blowers and the cost to individual citizens and local businesses of acquiring alternative replacement equipment; and

WHEREAS, the City Commission believes it to be in the best interest of the City to delay implementation of the ban until June 1, 2025 and to place the question of whether internal combustion powered leaf blowers should be prohibited on the ballot and submit such to a citywide referendum.

NOW, THEREFORE, be it enacted by the City Commission of the City of Winter Park, Florida, as follows:

Section 1. Findings of Fact. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this ordinance.

Section 2. Amendment to the City Code of Ordinances. The City Commission of the City of Winter Park hereby sets forth for voter consideration an amendment to § 62-97 of Division 2 of Chapter 62 of the City Code of Ordinances (the

"Code Amendment"), as set forth below (words that are ~~stricken out~~ are deletions; words that are underlined are additions).

Sec. 62-97. - Specific prohibitions.

- (a) The following acts, among others (this enumeration shall not be deemed to be exclusive), are declared to be noise disturbances in violation of this division:

- (10) *Power tools.* Creating a noise disturbance across a residential or commercial real property line by operating or permitting the operation of any mechanically powered saw, drill, grinder, leaf blower, lawn or garden tool or similar tool between 9:00 p.m. and 7:00 a.m. the following day. ~~Regardless of the foregoing, it shall be a violation of this division to operate or permit the operation of a leaf blower that is powered by an internal combustion engine or motor between the hours of 6:00 p.m. and 7:00 a.m. the following day so as to create a noise disturbance across a residential or commercial real property line.~~
- (11) *Construction activities on weekends and holidays.* Operating or permitting the operation of any piledriver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, power saw, construction appliance or machine, or construction materials or equipment delivery between 6:00 p.m. on Saturday and 7:00 a.m. on the following Monday or at any time on New Year's Day, Memorial Day, July 4, Labor Day, Thanksgiving Day or Christmas Day so as to create a noise disturbance across a residential or commercial real property line.
- (12) *Power tools on Sunday.* Creating a noise disturbance across a residential or commercial real property line by operating or permitting the operation of any mechanically powered saw, drill, grinder, leaf blower, lawn or garden tool or similar tool between 9:00 p.m. on Saturday and 9:00 a.m. on Sunday. ~~Regardless of the foregoing, it is a violation of this division to operate or permit the operation of a leaf blower that is powered by an internal combustion engine or motor, between the hours of 6:00 p.m. on Saturday and 12:00 p.m. on Sunday so as to create a noise disturbance across a residential or commercial real property line.~~

- (13) *Illegal open house parties.* Allowing or acquiescing in an illegal open house party, whether directly or indirectly, whether actively or passively, as an owner, lessee, or occupant of a property.
- (14) ~~*Phased elimination of certain leaf blowing or lawn clearing equipment.*~~ Regardless of anything set forth in this section to the contrary, the use of a leaf blower that is powered by an internal combustion engine or motor, will be prohibited from use on any property within the city, with the exception of the Winter Park Municipal Golf Course, 30 months following enactment of this subsection.

Section 3. Referendum. The City Commission hereby calls a referendum election, to be held concurrently with the City's general election on March 11, 2025 (the "Referendum"), whereby the electors of the City of Winter Park shall vote on the Code Amendment. The Code Amendment will be adopted if it receives a majority of the votes cast in the Referendum.

Section 4. Ballot Question. The ballot title and summary to be placed on the ballot and voted upon in the Referendum shall be in substantially the following form:

Proposed City Code Amendment
Article IV, Division 2, § 62-97

Shall the City of Winter Park amend Article IV, Division 2, § 62-97 of its Code of Ordinances, as provided in Ordinance 3292-24, to revise the City Code to repeal the City's ban on the use of internal combustion powered leaf blowers and to regulate noise created by the use of leaf blowers consistent with those regulations regulating noise created by power tools?

Yes ____ or No ____

Section 5. Instructions to City Clerk. The City Clerk is hereby directed to ensure that all advertising, translation and notice requirements are complied with and to coordinate all activities necessary to conduct the Referendum with the Supervisor of Elections for Orange County, and to place the above-described question on the Referendum ballot. If the Code Amendment is adopted, and after it is incorporated into the City Code, the City Clerk shall record the ordinance in accordance with § 166.041(6), Florida Statutes.

Section 6. Modification by City Commission. The City Commission is authorized, to the extent consistent with the City Charter and applicable laws, to modify by resolution the ballot question provided for herein and to modify or provide for by

resolution any procedural or notice requirement for the conduct of the Referendum, all as the City Commission may deem advisable to ensure compliance with applicable laws and to ensure voters are fully informed as to the Referendum and the substance of the Code Amendment.

Section 7. Conflicts. In the event of a conflict or conflicts between this Ordinance, including the Code Amendment if adopted, and any other ordinance or provision of law, this Ordinance governs and controls to the extent of any such conflict.

Section 8. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance, including the Code Amendment if adopted, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding will not affect the validity of the remaining portion hereof or hereto unless such would defeat the purpose of this Ordinance or the Code Amendment.

Section 9. Codification. If the Code Amendment is adopted by the electors of the City of Winter Park at the Referendum, the Code Amendment will be incorporated into the City's Code of Ordinances. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

Section 10. Effective Dates. This Ordinance will become effective take effect immediately upon its final passage and adoption. The Code Amendment will take effect immediately upon adoption by the electors of the City of Winter Park at the Referendum.

PASSED AND ADOPTED this 24th day of April, 2024 by the City Commission of the City of Winter Park, Florida.

Mayor Phillip M. Anderson

Attest:

City Clerk Rene Cranis