



City Commission Regular Meeting

Agenda

June 14, 2023 @ 3:30 pm

City Hall - Commission Chambers
401 S. Park Avenue

welcome

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

assistance & appeals

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

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

please note

Times are projected and subject to change.

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

- a. Reverend Dale Truscott, St. Richard's Episcopal Church 1 minute

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

- a. Proclamation: Code Enforcement Officers Appreciation Week 5 minutes
- b. Proclamation: Edyth Bush Charitable Foundation Day 5 minutes
- c. Recognition of the Juneteenth Holiday. 5 minutes

5. City Manager Report

- a. City Managers Report 5

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

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

(Three minutes are allowed for each speaker)

9. Consent Agenda

- a. Approve the minutes of the regular meeting, May 24, 2023 1 minute
- b. Approve the following piggyback contracts: 1 minute
1. TAW Orlando Service Center - City of Tampa Contract #20-P-00870 - Electric Motor and Pump Repair Services; For services on an as-needed basis during the remainder of the current term of the Agreement through November 4, 2023; Amount: \$75,000.
 2. USIC Locating Services, LLC - OUC Contract #5038OQ - Underground Facilities Line Locating Services; For services on an as-needed basis during the remainder of the current term of the Agreement through December 17, 2024; Amount: \$400,000.
 3. Dade Paper and Bag, LLC - City of Tucson/OMNIA Partners

Contract #202329-01 - Janitorial and Sanitation Supplies, Equipment, and Related Services; For goods and services on an as-needed basis during the term of the Agreement through May 31, 2025; Amount: \$200,000.

4. Petroleum Recovery Services, LLC - GSA Contract #GS-07F-0363U - Fuel Filtration & Tank Cleaning; For services on an as-needed basis during the term of the Agreement through May 31, 2028; Amount: \$100,000.
5. Danus Utilities, Inc. - City of Leesburg Contract #IFB200451 - Lift Station Rehabilitation Services; For services on an as-needed basis during the term of the Agreement through September 30, 2024; Amount: \$700,000.
6. Thompson Well & Pumps, Inc. - Volusia County Contract #21-SQ-21SR - Well Field Services; For services on an as-needed basis during the term of the Agreement through February 16, 2024; Amount: \$100,000.

- c. [Approve the following contract:](#) 1 minute
 1. Ovation Construction Co., Inc. - RFQ11-18D - Repair & Construction Services (< \$200k/project); For services on an as needed basis for the remainder of the current term through July 15, 2023. Amount: \$500,000.
- d. [Purchase of Boathouse Lot 2B on the Venetian Canal for \\$20,000.](#) 1 minute

10. Action Items Requiring Discussion

- a. [Discussion of possible uses and process to be followed on the old library property located at 460 E. New England Avenue](#) 60 minutes

11. Public Hearings: Quasi-Judicial Matters

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

12. Public Hearings: Non-Quasi Judicial Matters

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

- a. [Ordinance 3272-23 - Amending Chapter 58, "Land Development Code", Article III, "Zoning Regulations" Section 58-87 and amending Chapter 114 "Waterways" to update the regulations concerning docks and boathouses. \(2nd reading\)](#) 5 minutes
- b. [Ordinances relating to approximately 2.07 acres of real property at 1896; 1934; 1964; 1968; 1970 AND 1990 Kentucky Avenue. \(2nd Reading\)](#) 5 minutes
 - Ordinance 3270-23: Annexation

- Ordinance 3273-23: Establishing Commercial Future Land Use on the annexed parcels.
 - Ordinance 3274-23: Establishing Commercial (C-3) Zoning on the annexed parcels.
- c. [Resolution 2272-23 - Affirming changes to the 2024 General Election during the Presidential Preference Primary.](#) 5 minutes

13. City Commission Reports

14. Summary of Meeting Actions

15. Adjournment



City Commission **agenda item**

item type Invocation	meeting date June 14, 2023
prepared by Kim Breland	approved by
board approval	
strategic objective	

subject

Reverend Dale Truscott, St. Richard's Episcopal Church

motion / recommendation

background

alternatives / other considerations

fiscal impact



City Commission **agenda item**

item type Mayor Report	meeting date June 14, 2023
prepared by Craig O'Neil	approved by Clarissa Howard, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Proclamation: Code Enforcement Officers Appreciation Week

motion / recommendation

background

alternatives / other considerations

fiscal impact



City Commission **agenda item**

item type Mayor Report	meeting date June 14, 2023
prepared by Clarissa Howard	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Proclamation: Edyth Bush Charitable Foundation Day

motion / recommendation

background

alternatives / other considerations

fiscal impact



City Commission **agenda item**

item type Mayor Report	meeting date June 14, 2023
prepared by Jeffrey Briggs	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Recognition of the Juneteenth Holiday.

motion / recommendation

background

The City will celebrate its' first official city holiday for Juneteenth on Monday, June 19th.

Mr. Briggs will provide a brief historical perspective on why this holiday is honoring the goals of Chapman and Chase, when founding the Town of Winter Park in 1882.

alternatives / other considerations

fiscal impact



City Commission **agenda item**

item type City Manager Report	meeting date June 14, 2023
prepared by Jennifer Guittard	approved by Peter Moore, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

City Managers Report

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

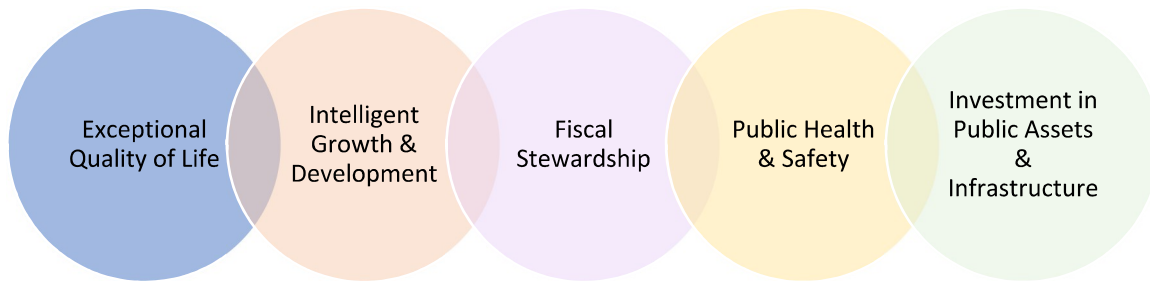
[City_Managers_Report_6.14.23.pdf](#)



90-Day Report

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

City of Winter Park Strategic Objectives



Upcoming Commission Items

Title 1: Fiscal Stewardship

Item	Description	Item Department	Item Date
Adoption of Tentative Millage Rate	Adoption of the Tentative Millage rate that will become part of TRIM notice for the 2023 property tax year on July 26th.	Administration	July
Budget Presentation	Presentation of the Fiscal Year 2023-2024 Budget to the City Commission on July 12th.	Administration	July
Budget and Millage Ordinance Adoption	At the City Commission meetings on September 13th & 27th, the first and second readings of the ordinance adopting the budget and millage rate, will be approved in accordance with statute.	Administration	Sept

Upcoming Advisory Board Meetings

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

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

June Board Meetings

Advisory Board	Meeting Date	Meeting Time
Civil Service Board	6/6/23	4 p.m.
Planning & Zoning Board	6/6/23	6 p.m.
Lake Killarney Board	6/7/23	10 a.m.
Winter Pines Golf Course Advisory Board	6/12/23	8 a.m.
Public Art Advisory Board	6/12/23	Noon
Economic Development Advisory Board	6/13/23	8:15 a.m.
Lakes & Waterways Board	6/13/23	Noon
Historic Preservation Board	6/14/23	9 a.m.
KWPB&S Advisory Board	6/20/23	11:45 a.m.
Board of Adjustments	6/20/23	5 p.m.
Parks & Recreation Advisory Board	6/21/23	5:30 p.m.
Community Redevelopment Advisory Board	6/22/23	5:30 p.m.
Utilities Advisory Board	6/27/23	Noon
Tree Preservation Board	6/27/23	5 p.m.
Lake Killarney Board	6/28/23	10 a.m.

Upcoming Special Meetings

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

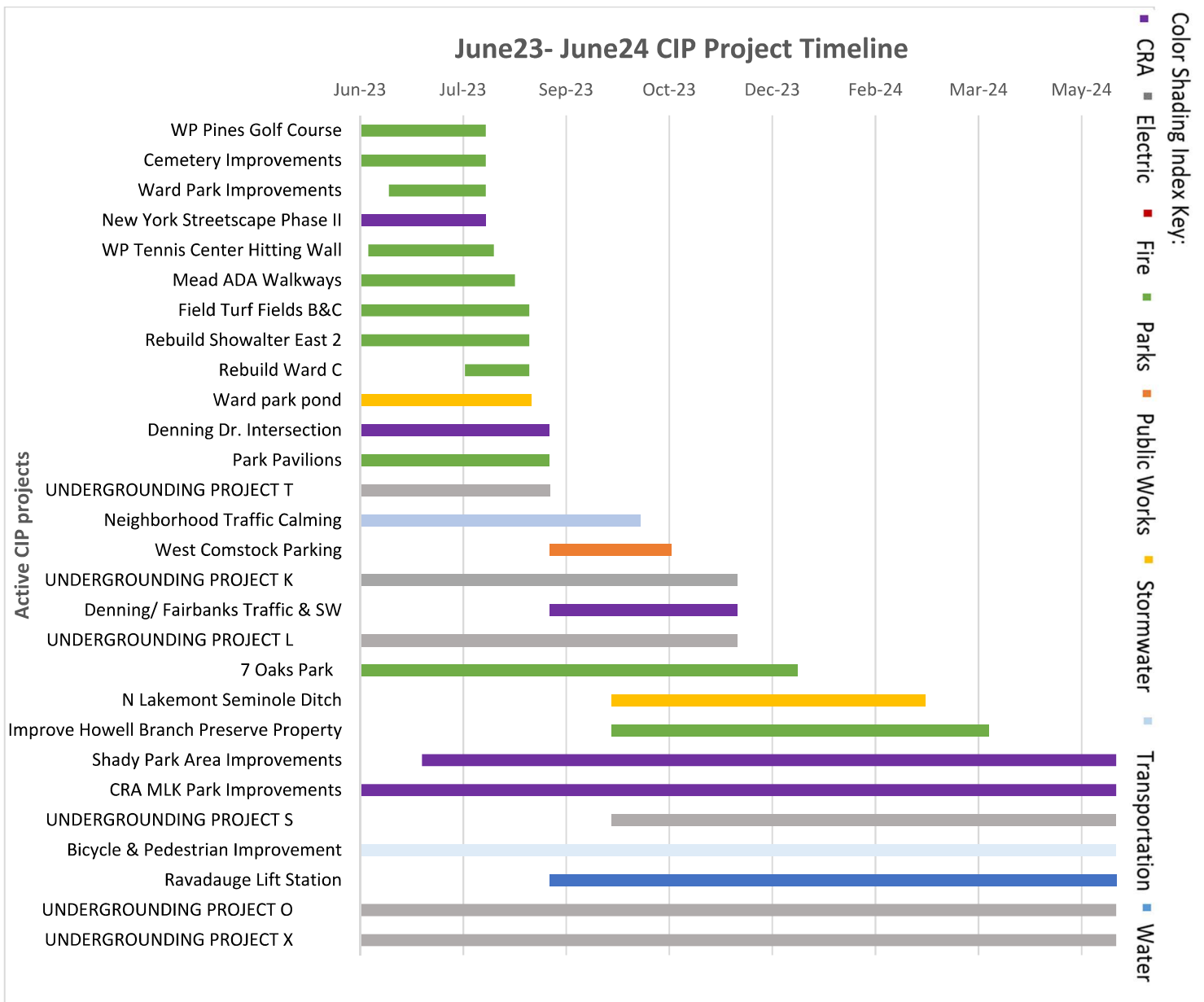
Work Sessions	Meeting Date	Meeting Time
Broadband & Smart City Work Session	6/5/23	3 p.m.
Neighborhood Public Meeting Future potential uses for the former public library	6/12/23	5:30 p.m.
SR426 Public Meeting	6/13/23	5:30 p.m.
City Commission Work Session	6/15/23	1 p.m.
Smart City Community Meeting	6/15/23	5:30 p.m.
Planning & Zoning Board Work Session	6/27/23	Noon
City Commission Work Session	6/29/23	1 p.m.



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

Count by Status

Project Status	Planning Status	Active Status	Pending Status
Count Total 53	23	19	11



Title 1: Planning Status

Project	Project Update	Strategic Objective	Division
1792 Streetscape Imp.	MOU amendment approved at CRA meeting 1/27/20. Design review underway by FDOT and staff including lighting and landscaping. FDOT in process of due diligence and potential ROW acquisition. FDOT and Metroplan currently evaluating projects based on new pricing for materials and labor.	Intelligent Growth & Development	CRA
Bicycle & Pedestrian Improvement	Various pavement marking improvements throughout the City are being evaluated. New RRFBs to be installed on Lakemont Ave near the hospital. Canton Avenue is being monitored to determine if any RRFB is required. Connection between Melrose Ave and Denning Dr south of the Tennis court is being evaluated. Additional projects are being planned.	Exceptional Quality of Life	Transportation
Bollards Downtown	Bollards purchased and secured in warehouse. Installation at Lyman and Canton are pending quotes to outsource the project.	Exceptional Quality of Life	CRA
CRA MLK Park Improvements	Artist selection for the memorial corner is completed and approved by Commission. Design and construction documents are underway. Community Playground concept was presented to both CRA and PRAB in April. Both groups approved via motion. The CRA Agency will review as part of their work session in July.	Exceptional Quality of Life	CRA
Denning Dr. Intersection	Extension to railroad north of Webster approved by CRA Agency on August 24 with a value of 500k. Design concept at 100%. Staff reached out to OCPS as a courtesy. Working through internal operations anticipated construction date of summer 2023.	Investment in Public Assets & Infrastructure	CRA
Denning/ Fairbanks Traffic & SW	Design schematics complete for transportation improvements, and awaiting final comment by FDOT including a separate southbound right turn lane to ease traffic congestion. FDOT permit acquired and solicitation released. Due date is July 6 with anticipated preconstruction meetings beginning in August.	Investment in Public Assets & Infrastructure	CRA
Downtown Enhancements	Assessing needs of downtown area.	Exceptional Quality of Life	CRA

Project	Project Update	Strategic Objective	Division
Electric Substation upgrades	We continue to work with OUC on substation inspection and maintenance. Several breakers have been identified at the Canton Ave substation needing to be changed out. Researching pricing and timeline for breaker replacement.	Investment in Public Assets & Infrastructure	Electric
FDOT 17-92 UT Line Relocate	Draft design complete. Department is evaluating direction of project for next phase.	Investment in Public Assets & Infrastructure	Water & Sewer
Fire Safety Equipment	The alerting system RFP is under final review for approval. Station 61 upgrades are being planned.	Public Health & Safety	Fire
Improve Howell Branch Preserve Property	Dix Hite provided 90% construction plans completed and Pond completing remediation plan for final submittal to SJWMD permitting.	Investment in Public Assets & Infrastructure	Parks
Kennedy Rd Wide Force Mn	OC Roadway project split into 2 phases. City force main within Phase 2 which is scheduled to begin July 2026.	Investment in Public Assets & Infrastructure	Water & Sewer
Lake Bell Weir Improvements	Engaging in consulting services for necessary improvements.	Investment in Public Assets & Infrastructure	Stormwater
Lift Station R&R	Waiting for quote for the rehabilitation of Lift Station #35 (Laurel Springs).	Intelligent Growth & Development	Water & Sewer
N Lakemont Seminole Ditch	Final design, permitting, and bid package will be generated for an anticipated start of construction in fall of 2023.	Investment in Public Assets & Infrastructure	Stormwater
Park Pavilions	Ward Park pavilion replacement being planned for Summer 2023.	Investment in Public Assets & Infrastructure	Parks
Parks Swoope Facility BLD	Property swap complete. City working with architect firm for facility design.	Exceptional Quality of Life	Parks
Ravadauge Lift Station	Final design in progress. Design anticipated to be complete by August 2023 for construction thereafter.	Investment in Public Assets & Infrastructure	Water & Sewer
Richard Crotty Pkw	Roadway project pushed back by Orange County to begin construction Spring 2025. Water and wastewater utilities design 95% complete.	Investment in Public Assets & Infrastructure	Water & Sewer
Shady Park Area Improvements	Monthly meetings with stakeholders, artist, and staff underway to continue communication on the project. Consensus on project concept with design underway.	Exceptional Quality of Life	CRA

Project	Project Update	Strategic Objective	Division
	Timeline for fabrication, installation of the art piece, and remaining amenity enhancements currently estimated at 12-14 months from July 2023.		
UT Lines 434 Road Widening	Design is 90% complete. FDOT has delayed roadway project bid until July 2026.	Investment in Public Assets & Infrastructure	Water & Sewer
Ward Park Improvements	Concession stand renovation construction plans at 100% work to begin June; Pavilions and sidewalk connections Summer/Fall	Exceptional Quality of Life	Parks
Water Treatment Plants R&R	Reviewing water treatment plant conditions for future rehabilitations next fiscal year.	Investment in Public Assets & Infrastructure	Water & Sewer

Title 2: Active Status

Project	Project Update	Strategic Objective	Division
7 Oaks Park	Design approved and permitting and bidding construction is underway. Construction fencing and graphic panels are up. Ground breaking event held for 4/13 and Construction Management contract approved by Commission on 4/27. Contract negotiations with CMAR (Collage) to take place week of June 5.	Investment in Public Assets & Infrastructure	Parks
Cemetery Improvements	Structures are fabricated and should be delivered and ready for installation. Contract for related hardscape sent to commission for approval at 4/12 meeting. Site preparations and landscape/greenscreen install is underway.	Investment in Public Assets & Infrastructure	Parks
Dinky Dock Renovations	Work is complete by our Public Works department. The Parks landscape crew is finalizing the park for completion.	Exceptional Quality of Life	Public Works
Electric Meter Replacement	New meters are being integrated and exchanged with old meters.	Investment in Public Assets & Infrastructure	Electric
Electric Undergrounding Project	Miles of Undergrounding performed Project J: 2.72 miles 45% complete Project L: 9.57 miles 84.5% complete Project R: 4.31 miles 37.8% complete Commission approved advancement Residential Service Conversions (RSC) Fiscal YTD: 269 TOTAL so far for FY 2023: 2.15 miles	Investment in Public Assets & Infrastructure	Electric

Project	Project Update	Strategic Objective	Division
Facility Capital Improvements	Evaluating HVAC replacement options for Emergency Operations. Magnolia Plant roof replacement is complete. Aloma Plant roof replacement expected to be complete in the next 3 weeks. Country Club HVAC replacement tentatively scheduled for week of 6/12.	Investment in Public Assets & Infrastructure	Public Works
Improve Mead Garden	Work has begun on internal pathway for Mead gardens; footbridge has been completed and clearance of scrub trees in pathway set for week of June 12. Mead board has determined pavilion replacement. Pavilion has been selected and ordered with tentative installation date September 2023. Demo of old structure and installation of new slab will occur prior with timing dependent on confirmed installation date.	Exceptional Quality of Life	Parks
IT Infrastructure Upgrade	Funding being utilized for modernization of IT infrastructure.	Fiscal Stewardship	IT
Meter Data Management Upgrade	Harris Smartworks continues to coordinate with Water/Wastewater, Finance and IT Departments for software development. Upgrade to new RNI version complete.	Investment in Public Assets & Infrastructure	Water & Sewer
Neighborhood Traffic Calming	City staff will be installing traffic calming devices in the summer of 2023 at the following locations because the speeds collected along these sections of road were determined to be excessive and creates an unsafe environment for vulnerable users. 1. Winter Park Rd between Glenridge Way & Corrine Dr. 2. New York Avenue between Park Ave and Webster Ave. 3. Garden Dr between Orchid Ave & Denning Dr. Garden Dr traffic calming installation will start in the month of June.	Investment in Public Assets & Infrastructure	Transportation
New York Streetscape	Phase I construction complete. Coordination on Phase II (New York Avenue to Morse Blvd intersections) streetscape and ADA enhancements underway. New York and Comstock intersection complete. Morse intersection complete. New England intersection to begin in June. Remaining intersection is Welbourne.	Intelligent Growth & Development	CRA
Post Office Acquisition	Awaiting response from Post Office regarding their opinion of the two Commission approved potential sites.	Investment in Public Assets	CRA

Project	Project Update	Strategic Objective	Division
		& Infrastructure	
Signalization Upgrade	City staff is currently working with FDOT to evaluate traffic signal timings along the state roads to see if the timings can be optimized. Also, City staff is working on optimizing signal timings on the Denning Drive and Glenridge Way corridors. The Phase 1 preemption installation has been completed and Phase 2 is being planned. In addition, City staff is looking into adding a pedestrian countdown signal modification on Park Ave & Lyman Ave. Pennsylvania Avenue and Minnesota Avenue traffic signal cabinet is being replaced due to its poor condition from being hit by a vehicle. This replacement will start during the last week of June.	Investment in Public Assets & Infrastructure	Transportation
Tennis Center Upgrades	Pickleball net has been ordered with expected delivery on or before June 2023. Staff is working with instruction contractor on options for hitting wall. Well will be replaced after Mead well with expected completion before August 2023.	Investment in Public Assets & Infrastructure	Parks
Upgrade Water Mains	Upgrading water mains. Currently working on Kingwood subdivision.	Investment in Public Assets & Infrastructure	Water & Sewer
Ward park pond	Ward Park ponds construction is complete. Estimated completion of the necessary piping is August 2023.	Investment in Public Assets & Infrastructure	Stormwater
Winter Park Sports Complex	Field Turf moved to Showalter East – Conversion to sports turf began the week of 4/3 with projected completion by August 2023. Conversion of softball field 10 to multipurpose is underway with tentative completion by August 1.	Investment in Public Assets & Infrastructure	Parks
WP Estates WW Plant	Standby generator is installed and operational. Completing startup and troubleshooting activities.	Investment in Public Assets & Infrastructure	Water & Sewer
WP Pines Golf Course	ADA restroom and plumbing improvements are scheduled for Summer 2023. Canopy replacement and upgrade completed. Bridge repairs and replacement underway, dredging project active, outdoor seating area to begin by end of June.	Investment in Public Assets & Infrastructure	Parks

Title 3: Pending Status

Project	Project Update	Strategic Objective	Division
Cady Way Pool Improvements	Contract has been awarded to vendor and work scheduled for Sept 2023	Exceptional Quality of Life	Parks
CRA Small Projects	Canton & Garfield pedestrian connection project is now on hold due to unforeseen added cost. Process moving forward is to evaluate in conjunction with other improvement opportunities. Staff is reviving internal conversations on how to support pedestrian traffic to this new downtown stage civic amenity.	Intelligent Growth & Development	CRA
Decorative Lights and Trees in CRA	140 total decorative lights have been installed. Coordination with Electric Utility on assessment of light replacements/additions as needed.	Intelligent Growth & Development	CRA
East OC Service Improvement	Pending in house availability to planning redirection of flow to East plant.	Investment in Public Assets & Infrastructure	Water & Sewer
Nicolete Ave Stormwater Replacement	SJRWMD permit exemption is being requested.		Stormwater
Sewer Main Extensions	Extension of sewer mains to support new development or redevelopment.	Investment in Public Assets & Infrastructure	Water & Sewer
Showalter Field Cap.	Pending future funding for field improvements.	Exceptional Quality of Life	Parks
St. Andrews Trail	Design completed for which the City has been reimbursed by the FDOT. Due to the 250% increase in construction materials, this project has been delayed to FY2026-FY2027 per Metroplan Orlando.	Investment in Public Assets & Infrastructure	Transportation
Stormwater Rehab	Storm sewer repairs to be scheduled throughout the City on an as-needed basis.	Investment in Public Assets & Infrastructure	Stormwater
Temple Dr SW Imp	Future improvements pending funding in the 5yr capital plan.	Investment in Public Assets & Infrastructure	Stormwater
West Comstock Parking	West Comstock parking and an extension to the Library parking lot concept drawings are complete. Both are pending permitting by the SJRWMD.	Investment in Public Assets & Infrastructure	Public Works

Recently Completed Projects

Parks Department

The Parks and Recreation Department has completed the foot bridge construction at Mead Gardens as part of Exceptional Quality of Life strategic objective.

Stormwater Department

The Stormwater Department has completed the dredging of the Venetian and Fern canals as part of Exceptional Investment in Public Assets and Infrastructure strategic objective.





City Commission **agenda item**

item type Consent Agenda	meeting date June 14, 2023
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Approve the minutes of the regular meeting, May 24, 2023

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[CCmi20230524.pdf](#)



City Commission Regular Meeting Minutes

May 24, 2023 at 3:30 p.m.

City Hall, Commission Chambers
401 S. Park Avenue | Winter Park, Florida

Present

Mayor Phil Anderson, Commissioners Marty Sullivan, Sheila DeCiccio, Kris Cruzada, and Todd Weaver; City Manager Randy Knight; Assistant City Manager Michelle del Valle and Deputy City Clerk Kim Breland.

1) Meeting Called to Order

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

2) Invocation

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

3) Approval of Agenda

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

4) Mayor Report

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

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

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

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

5) City Manager Report

- a. Winter Park Sunshine Project Presentation

Mr. Knight introduced Robb Lauzon, Director of Winter Park Sunshine Project at University of Central Florida, who spoke about the launch of the Winter Park Sunshine

website to provide a centralized location for data not readily available to citizens including minutes, election information and city projects. He summarized student research process, site content, subscribership, conclusions and future direction.

b. Update from staff on Winter Park Playhouse.

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

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

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

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

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

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

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

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

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

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

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

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

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

c) City Manager Report

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

6) City Attorney Report

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

7) Non-Action Items

8) Public Comments (heard after Item 11b)

9) Consent Agenda

- a. Approve the minutes of the regular meeting, May 10, 2023.
- b. Approve the minutes of the work session, May 11, 2023.
- c. Approve the following contracts:
 1. Allcrete, Inc. - IFB23-22 - Continuing Concrete Services; For services on an as-needed basis for the remainder of the current term of the Agreement through October 7, 2023; Amount: \$150,000.
 2. Patel, Greene & Associates, LLC - RFQ7-22 - Transportation Planning & Engineering Services - Amendment 1; For professional services on an as-needed basis during the term of the Agreement through July 8, 2024; Amount: \$75,000.
 3. Tom's Sod Services, Inc. - IFB20-22 - Purchase, Delivery & Installation of Sod; For services on an as-needed basis for the remainder of the current term of the Agreement through July 14, 2024; Amount: \$500,000.
 4. LaFleur Nurseries & Garden Center, LLC - IFB22-22 - Landscape and Tree Installation; For services on an as needed basis for the remainder of the current term of the Agreement through August 30, 2024; Amount: \$100,000.
- d. Approve the following piggyback contracts:
 1. Lytx, Inc. - GSA Contract #GA-35F-0623S - Video Subscription Services for Fleet Vehicles; For services on an as-needed basis during the term of the Agreement through September 7, 2026; Amount: \$200,000.
 2. Optimus Solar, LLC - Sourcewell Contract #RFP 042221 - Electric Vehicle Supply Equipment & Related Services; For goods and services on an as-needed basis during the term of the Agreement through July 20, 2025; Amount: \$150,000.
 3. AVIS Budget Group, Inc. - State of Florida Contract #78111808-20-1 - Rental Vehicles; For services on an as needed basis during the term of the Agreement through September 30, 2025; Amount: \$75,000.
 4. CDW Government - Sourcewell Contract #081419-CDW - Technology Catalog Solutions; For goods and services on an as-needed basis during the term of the Agreement, contract term through November 1, 2024; Amount: \$500,000
 5. Wex, Inc. - State of Florida Contract #78181701-21-NASPOACS - Fuel Card Services; For services on an as-needed basis during the term of the Agreement through December 31, 2025; Amount: \$24,000.

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

10) Action Items Requiring Discussion

11) Public Hearings: Quasi-Judicial Matters

12) Public Hearings: Non-Quasi-Judicial Matters

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

Attorney Ardaman read the ordinance by title.

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

Motion made by Commissioner DeCiccio to approve the ordinance; seconded by Commissioner Cruzada. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

- b. Ordinances relating to approximately 2.07 acres of real property at 1896; 1934; 1964; 1968; 1970 AND 1990 Kentucky Avenue.
 - Annexation
 - Establish Commercial Future Land Use on the annexed parcels.
 - Establish Commercial (C-3) Zoning on the annexed parcels.

Attorney Ardaman read the ordinances by title.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. Feasibility Study Recommendations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13) City Commission Reports

Commissioner Sullivan -

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

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

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

Commissioner DeCiccio -

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

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

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

Commissioner Cruzada –

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

Mayor Anderson –

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

14) Summary of Meeting Actions

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

Regular Meeting of the City Commission

May 24, 2023

Page 11 of 11

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

15) Adjournment

The meeting adjourned at 7:17 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission **agenda item**

item type Consent Agenda	meeting date June 14, 2023
prepared by Michael Hall	approved by Peter Moore, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective Fiscal Stewardship.	

subject

Approve the following piggyback contracts:

item list

1. TAW Orlando Service Center - City of Tampa Contract #20-P-00870 - Electric Motor and Pump Repair Services; For services on an as-needed basis during the remainder of the current term of the Agreement through November 4, 2023; Amount: \$75,000.
2. USIC Locating Services, LLC - OUC Contract #5038OQ - Underground Facilities Line Locating Services; For services on an as-needed basis during the remainder of the current term of the Agreement through December 17, 2024; Amount: \$400,000.
3. Dade Paper and Bag, LLC - City of Tucson/OMNIA Partners Contract #202329-01 - Janitorial and Sanitation Supplies, Equipment, and Related Services; For goods and services on an as-needed basis during the term of the Agreement through May 31, 2025; Amount: \$200,000.
4. Petroleum Recovery Services, LLC - GSA Contract #GS-07F-0363U - Fuel Filtration & Tank Cleaning; For services on an as-needed basis during the term of the Agreement through May 31, 2028; Amount: \$100,000.
5. Danus Utilities, Inc. - City of Leesburg Contract #IFB200451 - Lift Station Rehabilitation Services; For services on an as-needed basis during the term of the Agreement through September 30, 2024; Amount: \$700,000.
6. Thompson Well & Pumps, Inc. - Volusia County Contract #21-SQ-21SR - Well Field Services; For services on an as-needed basis during the term of the Agreement through February 16, 2024; Amount: \$100,000.

motion / recommendation

Approve items as presented and authorize the Mayor to execute the Agreements.

background

1. The City of Tampa issued a formal solicitation to award this contract. Additional funds are needed in the event of pump repairs in the event of failure during hurricane season.

2. The Orlando Utilities Commission issued a formal solicitation to award this contract. Additional funds are needed for upcoming locate work on behalf of Lumen for Utility Line Locating. The city has a reimbursement agreement with Lumen that will pay for all of these expenditures.
3. The City of Tucson, in partnership with OMNIA Partners, issued a formal solicitation to award this contract.
4. GSA issued a formal solicitation to award this contract.
5. The City of Leesburg issued a formal solicitation to award this contract.
6. The County of Volusia issued a formal solicitation to award this contract. The City is piggybacking the contract for utilization of the Well Field Services. Parks and Recreation need to have a well repaired at Mead Gardens and the Tennis Court.

alternatives / other considerations

N/A.

fiscal impact

Total expenditures included in approved budgets.



City Commission **agenda item**

item type Consent Agenda	meeting date June 14, 2023
prepared by Michael Hall	approved by Peter Moore, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective Fiscal Stewardship.	

subject

Approve the following contract:

item list

1. Ovation Construction Co., Inc. - RFQ11-18D - Repair & Construction Services (< \$200k/project); For services on an as needed basis for the remainder of the current term through July 15, 2023. Amount: \$500,000.

motion / recommendation

Approve items as presented and authorize the Mayor to execute the Agreement.

background

1. A formal solicitation was issued on March 8, 2018. The City received 15 bid responses and awarded the contract to Ovation Construction, Inc. on May 24, 2018. The contract was signed on May 24, 2018 and the term was for one year with the option of 4 one-year renewals. A one-time 45-day Temporary Extension was signed on May 2, 2023 for the forthcoming solicitation to rebid for these services. Additional Funds are needed for the upcoming work for Aloma Roof, Roof Repair at Building 14, Peacock Fountain, and other forthcoming projects.

alternatives / other considerations

N/A

fiscal impact

Total expenditure included in approved budgets.



City Commission **agenda item**

item type Consent Agenda	meeting date June 14, 2023
prepared by Jeffrey Briggs	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Purchase of Boathouse Lot 2B on the Venetian Canal for \$20,000.

motion / recommendation

Staff recommendation is for approval.

background

The City of Winter Park has solicited the purchase of Boathouse Lot 2B on the Venetian Canal from David Currie of 1654 Alabama Drive. See the location on the map attached.

The lot is pictured as Lot 2B. The "15" indicates that it is a platted 15-foot wide lot. There are wider lots as you travel up Alabama Drive to Palmer Avenue because those lots go with the homes lots across the street (Alabama) and match those lot widths.

A 15-foot-wide lot is not buildable because it is not wide enough for a boathouse, which is a minimum of 12 feet wide, unless side setback variances were granted. The City owns the lots on both sides of this lot and would not consent to such variances. However, someone could build a kayak or paddleboard rack on that property.

The City has been trying to acquire these boathouse lots whenever opportunities arise going back to the 1970's. The City's goal in acquiring boathouse lots is just to keep the canal looking more natural with fewer structures. However, ownership does allow for the opportunity to widen the canal if desired. This purchase would give the City ownership of an uninterrupted 135 feet along the canal.

There are no comparable sales of a single 15-foot-wide boathouse lot. The lot is linked to the owner's home, so it is not listed individually with a value per the Property Appraiser. There have been sales of wider boathouse lots together with existing boathouses that have gone for \$275,000. This proposal is for a purchase price of \$20,000 with the City covering all closing costs.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Location map for Boathouse Lot 2B.pdf](#)

Location map for Boathouse Lot 2B

Kraft Azalea park is in green. Darker shaded lots are in city ownership.





City Commission agenda item

item type Action Items Requiring Discussion	meeting date June 14, 2023
prepared by Randy Knight	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Discussion of possible uses and process to be followed on the old library property located at 460 E. New England Avenue

motion / recommendation

Provide direction to staff.

background

There is a neighborhood meeting scheduled for Monday, June 12th for the City Commission to hear from neighbors on possible uses of the old library site. At our June 14th Commission Meeting we will discuss the input from that June 12th session and the Commission will be asked to provide direction on how we are to move forward.

At a previous meeting the Commission agreed to certain RFP parameters as follows:

- * C-3 Zoning is preferred with exclusions (restaurants, food halls and office space)
- * Maximum height - 4 stories and 55 feet
- * Building coverage not to exceed 30%
- * Preference given to proposals retaining current building
- * Preference given to arts, culture and non-profit components
- * The oak tree on east side of building must be preserved
- * All required parking must be accommodated onsite
- * Impervious use not to exceed the current coverage (60%)
- * Land lease, not sale

Since the May 10th meeting the City has received unsolicited offers to swap other properties in Winter Park for the old library property. If the Commission is interested in pursuing either of these swaps in lieu of doing the RFP, it could do so either by delaying the issuance of the RFP or by opening up the language of the RFP to allow for such a swap.

One of the offers is to swap the old library site for the property located at 501 N. Virginia plus cash for difference in value.

The second offer is from an individual that wishes to acquire the Bank of the Ozarks property (1100 Orange Avenue) and swap that property for the old library site. The library site would be used to build workforce or attainable housing that at least in part would be for Rollins employees. At the time of the agenda preparation we do not have this offer in writing but do have the attached conceptual plans.

Both of these swap opportunities would require fee simple ownership by the swapping party, thus there would be no land lease.

Staff is seeking direction on how the Commission wishes to proceed. If the Commission wishes to proceed with the RFP process, staff is asking for confirmation or modification of the above parameters. If the Commission wishes to pursue either of the swap opportunities, it could direct staff to negotiate the final details and bring them back to the Commission for consideration or it could just open up the RFP parameter to allow for a swap or sale of the property.

alternatives / other considerations

fiscal impact

To be determined through the process.

ATTACHMENTS:

[Swap Offer - 1.pdf](#)

ATTACHMENTS:

[Swap Offer - 2.pdf](#)



FRANK A. HAMNER P.A.

FRANK A. HAMNER, ESQUIRE
CHELSIE J. PICKETT, ESQUIRE†
JENNIFER B. FILLMON, PARALEGAL

†Also Admitted in New York

1011 N. WYMORE ROAD
WINTER PARK, FLORIDA 32789
407.645.4549

FAX: 407.539.2257

fhamner@fahpa.com

cpickett@fahpa.com

jfillmon@fahpa.com

May 17, 2023

Via Email & U.S. Mail

Randy Knight
City Manager
City of Winter Park, Florida
401 South Park Avenue
Winter Park, Florida 32789

SUBJ: Purchase or swap of City owned property

Dear Randy,

Over the past several months I have spoken to you on a couple of occasions about the City's interest in selling or swapping the library property or the City Hall property for the property on Virginia Canton next to the City's Public Safety center. Please accept this as a formal notice of our interest in a transaction.

Each of those three properties are of equivalent size. My client would be interested in working out an equitable property swap for the Virginia Canton property with either of the City's properties. We would expect the swaps to be at fair market value for all of the properties at issue and that the transactions take place as any other commercial real estate transaction, with the caveat that we understand a transaction would ultimately be subject to the city commission's approval.

We believe our acquisition of either of these properties would be a significant economic benefit to the City and would secure the ownership of these properties in a family that has strong economic and family roots in the community extending multiple generations. Further, it would provide the City ample space to consolidate its operations adjacent to an existing City operations center.

To be clear, my client is interested in obtaining either of those properties at fair market value for unencumbered fee simple ownership.

Please let me know if the City is interested in pursuing meaningful discussions toward a transaction.

Sincerely,

Frank A. Hamner



SLOCUM PLATTS
ARCHITECTS, P.A.

BRADLEY J. SLOCUM, AIA 12310 WILLIAM P. PLATT, AIA 12310
TEL: 407/245-2771 FAX: 407/245-2771
WWW.SLOCUMPLATTS.COM

460 E NEW ENGLAND AVE
FLORIDA

WINTER PARK

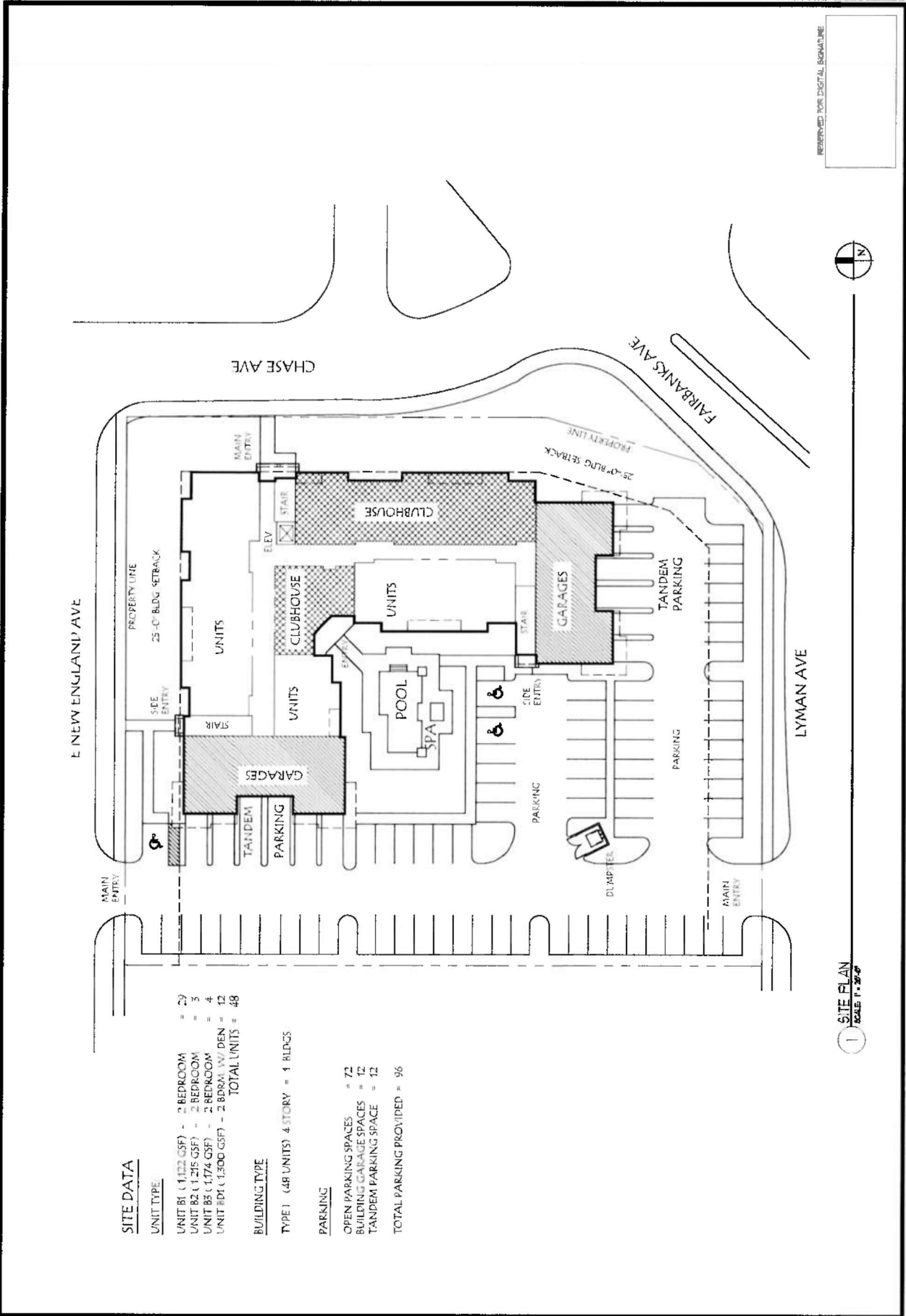
REVISIONS

NO.	DATE	DESCRIPTION
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2	01/11/11	ISSUED FOR PERMIT
3	01/11/11	ISSUED FOR PERMIT
4	01/11/11	ISSUED FOR PERMIT
5	01/11/11	ISSUED FOR PERMIT
6	01/11/11	ISSUED FOR PERMIT
7	01/11/11	ISSUED FOR PERMIT
8	01/11/11	ISSUED FOR PERMIT
9	01/11/11	ISSUED FOR PERMIT
10	01/11/11	ISSUED FOR PERMIT

A1.1

SITE PLAN

DATE: 01/11/11
BY: JLP
CHECKED: JLP
APPROVED: JLP



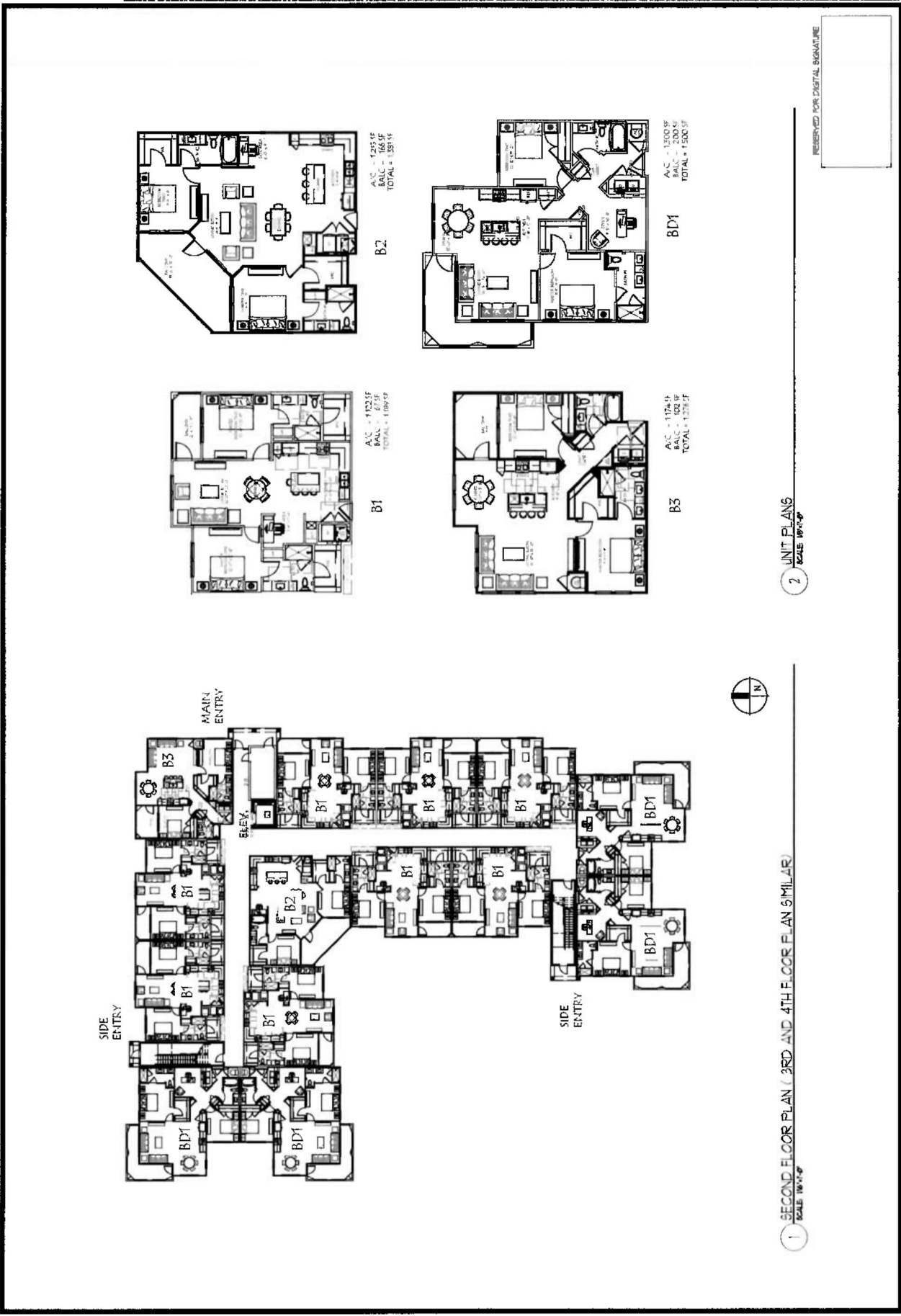
REVISIONS

NO.	DATE	DESCRIPTION
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2	10/20/20	ISSUED FOR PERMIT SET
3	10/20/20	ISSUED FOR PERMIT SET
4	10/20/20	ISSUED FOR PERMIT SET
5	10/20/20	ISSUED FOR PERMIT SET
6	10/20/20	ISSUED FOR PERMIT SET
7	10/20/20	ISSUED FOR PERMIT SET
8	10/20/20	ISSUED FOR PERMIT SET
9	10/20/20	ISSUED FOR PERMIT SET
10	10/20/20	ISSUED FOR PERMIT SET

460 E NEW ENGLAND AVE
SECOND FLOOR PLAN

FLORIDA

SLOCUM PLATTS ARCHITECTS, P.A.
6700 NORTH COLLEADO AVENUE, SUITE 1003 WILMINGTON, FL 32791
TEL: 904.764.5279 FAX: 904.764.5271
WWW.SLOCUMPLATTS.COM



REVISIONS	DATE	BY	APP

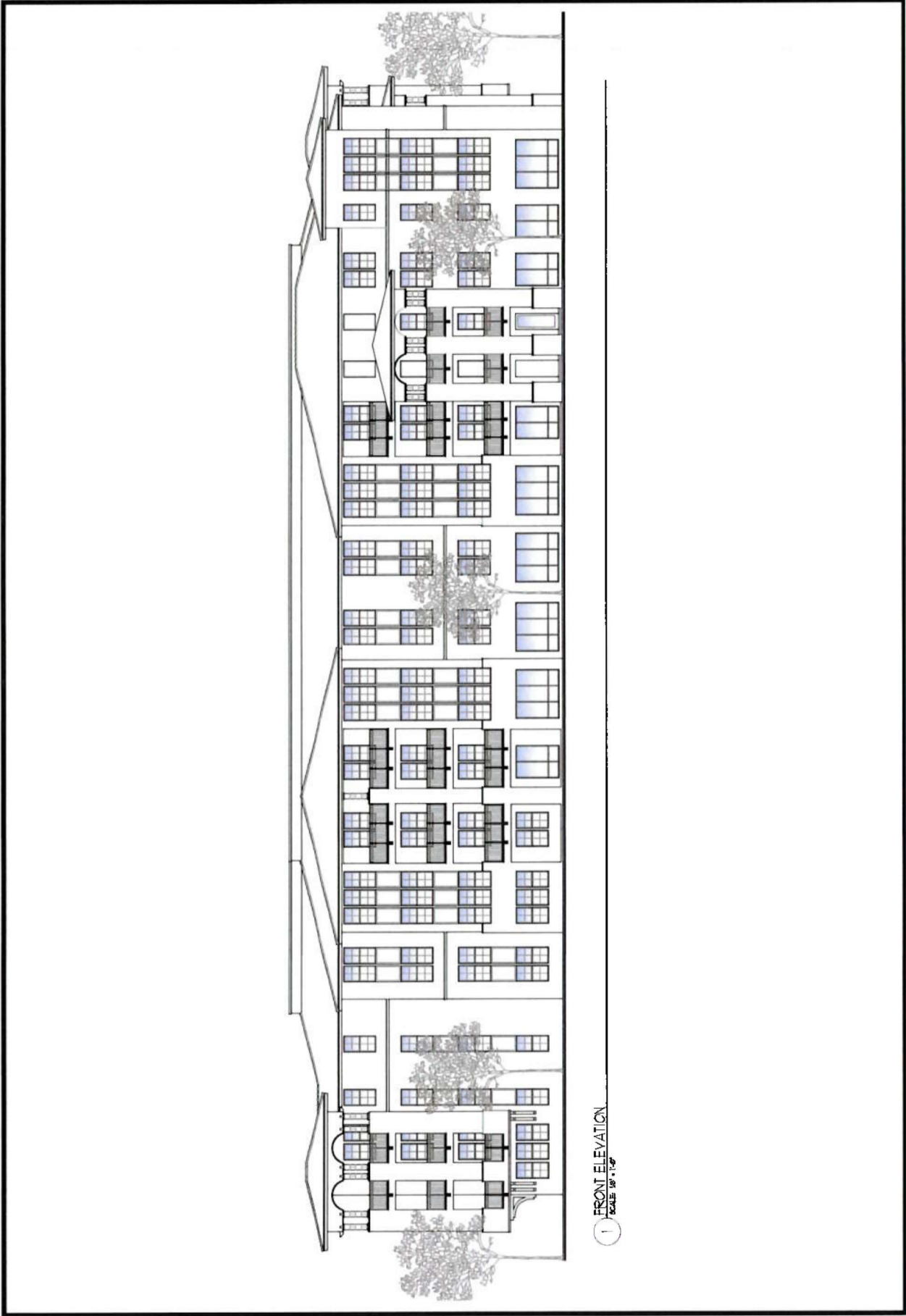
SLOCUM PLATTS
 ARCHITECTS, P.A.
 405 NORTH OCEAN DRIVE, SUITE 1001, PALM BEACH, FL 33480
 TEL: (561) 855-2222 FAX: (561) 855-2223
 WWW.SLOCUMPLATTS.COM



FRONT ELEVATION
 460 E NEW ENGLAND AVE
 WINTER PARK, FLORIDA

DATE	01.13.13
BY	JP
APP	JP
PROJECT	460 E NEW ENGLAND AVE
SCALE	AS NOTED
DATE	01.13.13
BY	JP
APP	JP
PROJECT	460 E NEW ENGLAND AVE
SCALE	AS NOTED
DATE	01.13.13
BY	JP
APP	JP
PROJECT	460 E NEW ENGLAND AVE
SCALE	AS NOTED

A6.1
 SHEET





City Commission agenda item

item type Public Hearings: Non-Quasi Judicial Matters (Public participation and comment on these matters may be virtual or in-person.)	meeting date June 14, 2023
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance 3272-23 - Amending Chapter 58, "Land Development Code", Article III, "Zoning Regulations" Section 58-87 and amending Chapter 114 "Waterways" to update the regulations concerning docks and boathouses. (2nd reading)

motion / recommendation

Adoption.

background

This ordinance was tabled by the City Commission on April 26th to explore modifications that would prevent circumstances involving egregious impacts upon lake views and navigation. The Lakes and Planning staff met with the City Attorney and developed new text (*in italics*) as follows, that was also reviewed by the Lakes and Waterways Board:

(4) All new docks and boathouses shall be constructed no closer than ten (10) feet from a side lot line, as measured on the land and may not extend beyond the property line extended into the lake for that distance of the structure. This side setback can be reduced to five (5) feet if written approval is presented from the adjacent property owners, but may not extend beyond the projected property line extended. *In order to mitigate or avoid impediments to navigation at the entrances and exit of canals, within streams, within narrow areas of lakes, or proximate to weirs, dams and drainage structures, the applicable Lake Board conducting reviews of proposed docks and boathouses shall have the authority to condition approval on: (i) the reduction of the width and size of docks and boathouses; (ii) the alteration of the location of dock and boathouses; (iii) alteration of the configuration of docks and boathouses; or (iv) any combination thereof; in such determination the applicable Lake Board may, among other relevant factors of safe navigation, consider the logistics of cues of boats awaiting clearance as well as the features of weirs, dams, drainage structures and stream drainage for any waterfront property. The applicable Lakes Board shall also have the*

authority to condition approval on the alteration of the location of a dock and boathouse when untypical property lines would create a situation of a new dock and/or boathouse being located directly behind a single-family residential dwelling unit (as the two side walls of the house are extended from the rear of the house to the shoreline/waterline) on an adjacent property regardless of the affected property owners objection or lack of objection to such a chosen location.

The intent of this new text is to clearly indicate that the applicable Lake Board can require relocation of a proposed dock or boathouse if it impedes navigation or when it is located on the lake directly behind a home. The applicable Lake Board also has the ability to reduce the size of such a dock or boathouse.

Otherwise, the ordinance as previously presented:

1. Transfers variance authority from the Board of Adjustment to the applicable Lakes Board.
2. Clarifies the purpose and intent of the Lake Board reviews.
3. Specifies the minimum submittals required for application for review by the applicable Lakes Board.
4. Specifies the required setbacks and roof pitch.
5. Incorporates maintenance requirements for waterfront structures.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Ordinance 3272-23 Updating Boathouse Regs_City Attorney version for 2nd reading.docx](#)

ORDINANCE 3272-23

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING REGULATIONS" SECTION 58-87 "LAKEFRONT LOTS, CANALFRONT LOTS, STREAMFRONT LOTS, REPEALING THE REGULATIONS ON BOATHOUSES AND DOCKS AND AMENDING CHAPTER 114 "WATERWAYS" TO INCORPORATE AND UPDATE THE REGULATIONS CONCERNING DOCKS AND BOATHOUSES, PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park deems it necessary for the purpose of providing environmental protections for the City in the management of construction on waterfront properties on lakes, canals and streams to clarify the authority and requirements of the appointed boards having jurisdiction in the review of waterfront construction and of docks, boathouses and gazebos and in furtherance of the protection of due process and the general welfare of the City as set forth in this Ordinance.

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida and is intended to promote, enable and facilitate economic competition;

NOW THEREFORE, BE IT ENACTED by the City Commission of the City of Winter Park, Florida, after due notice and public hearing, that:

SECTION 1. That Chapter 58 "Land Development Code", Article III "Zoning Regulations, Section 58-87 "Lakefront lots, canalfront lots, streamfront lots, boathouses and docks" of the City of Winter Park Land Development Code is hereby amended as shown below to repeal the regulations for docks and boathouses in order to transfer such regulations as may be amended to Chapter 114 "Waterways". (~~stricken through language are deletions~~):

- **ARTICLE III ZONING REGULATIONS.**

- **Sec. 58-87. - Lakefront lots, canalfront lots, streamfront lots, boathouses and docks other waterfront properties.**

~~(c) Docks and boathouses. The following minimum or maximum standards shall apply to all construction or renovation of docks and boathouses:~~

~~(1) Before a building permit is issued, the plans for docks and boathouses shall be approved by the lakes and waterways board after review of comments from city staff and notification of the adjacent lakefront property owners.~~

~~(2) The total area of docks and boathouses built at the water's edge over land and water shall not exceed 600 square feet. In the case of canalfront lots (other than boathouse lots on canals as set forth in subsection (f) hereafter), the maximum~~

~~total area of docks, boathouses, decks, stairs and any other attachments shall be based on the length of the canal frontage as follows:~~

- ~~a. Seventy-five feet or less of frontage, 450 sq. ft.~~
- ~~b. Seventy-six feet to 100 feet of frontage, 500 sq. ft.~~
- ~~c. Over 100 feet of frontage, 550 sq. ft.~~
- ~~d. The maximum width of canal boathouses shall be 20 feet.~~

~~(3) All new docks and boathouses shall be constructed ten feet from a side lot line. This side setback can be reduced to five feet if written approval is presented from the adjacent property owners.~~

~~(4) All new docks and boathouses shall not extend over 30 feet into the water from the elevations specified in this section. However, on Lake Killarney the maximum distance may be 50 feet.~~

~~(5) The highest point of a boathouse or gazebo roof or any railing shall not exceed 11 feet and the roofs must be pitched so as to eliminate flat roofs and use of such areas as sundecks. The height shall be measured from the surface of the dock or floor to the highest point of the roof or railing. In addition, the surface of any dock, sundeck or floor of any boathouse, gazebo, etc., shall not be more than two feet above the elevations specified in this subsection.~~

~~(6) In order that all docks or boathouses be utilized only for boating and other recreational activities and not as living space, there shall be no bathrooms or cooking facilities permitted in them, nor as an improvement to any existing boathouse. There also shall not be any enclosed rooms over water except for storage rooms limited in size to a maximum of 80 square feet.~~

~~(7) Only one boathouse shall be permitted for each lakefront property owner. In the case of common ownership of lakefront property such as in a condominium arrangement or property owned by a subdivision, there shall only be one boathouse permitted.~~

~~(8) The sale or lease of a portion of lakefront after January 1, 1980, shall be construed as a subdivision and shall not enable the owners to make application for a dock and boathouse unless that subdivision has received the approval of the city commission.~~

~~(9) Canal boathouses shall be located so as not to interfere with navigation and to result in the minimum loss of existing large oak, pine or cypress trees. Electric service shall be provided via underground wiring. On lots that are divided by a public street, landscape buffering shall be required to substantially cover 50 percent of the structure as viewed from the street. Boathouses shall only be painted or have exterior covering of a color that blends in with and does not~~

~~detract from the natural surroundings. Off-street parking areas shall remain without asphalt, concrete, brick, gravel, grass paver or other improved surface.~~

~~(10) As a condition for a permit to build or repair any lakefront dock or boathouse, the lakefront water area along shorelines that do not meet the vegetation standards of subsection 114-6(a) of this Code shall be required to be planted so that no more than 50 feet, or 50 percent (whichever is less) of the shoreline remains clear of vegetation.~~

~~(f) *Boathouse lots on canals.* The boathouse lots which exist along the canals interconnecting the lakes within the city were platted and accepted by the city under the premise that these lots would serve as lake access for the residents of that subdivision. As such, the purpose and intention of these boathouse lots is to serve as accessory lots to the main residential properties within that subdivision. In accordance with the policies contained within the comprehensive plan, the following regulations shall apply:~~

~~(1) The buildability and use of all canal boathouse lots, which are determined to be accessory lots, shall be restricted to the owners of real property within the subdivision in which these accessory boathouse lots were platted.~~

~~(2) Canal boathouse lots which are held January 1, 1981, by property owners residing outside of the subdivision for which they are platted shall be nonconforming boathouse lots which may still be used for constructing a boathouse and for lake access. However, any canal boathouse lots owned by real property owners on January 1, 1981, in the subdivision for which they were platted, shall only be buildable and used to serve the lake access needs of residents of that subdivision.~~

~~(3) Minimum lot widths shall be 50 feet.~~

~~(4) Canal boathouses shall be constructed a minimum of five feet from side lot line. There shall be no front setback.~~

~~(5) The highest point of a canal boathouse shall be no more than ten feet above the ordinary high water elevation of the closest lake as detailed in this section.~~

~~(6) Canal boathouses shall not exceed 400 square feet in size for all areas of boathouses, stairs, and decking.~~

~~(7) Canal boathouses shall be located so as not to interfere with navigation and to result in the minimum of loss of existing large oak, pine or cypress trees. Electric service shall be provided via underground wiring. Landscape buffering shall be required to substantially cover 50 percent of the structure as viewed from the street. Boathouses shall only be painted or have exterior covering of a color that blends in with and does not detract from the natural surroundings. Off-street~~

~~parking areas shall remain without asphalt, concrete, brick, gravel, grass paver or other improved surface.~~

SECTION 2. That Chapter 114 "Waterways", is hereby amended by establishing a new Section 114-31 in order to transfer the existing regulation of boathouse and docks from the Chapter 58, "Zoning Regulations" to the Chapter 114, "Waterways" Section 114-31 as shown below as amended. (underlined language are additions; ~~stricken through~~ language are deletions; subsections not included are not being modified):

Sec. 114-31 – Regulations for boathouses, docks and other waterfront structures.

(a) Boathouses, docks and other waterfront structures. It is the intent of this section to insure that boathouses, docks, gazebos and any other structures on the waterfront of properties including canalfront lots, lakefront lots and streamfront lots are constructed or placed such that no boating hazards will be created, that views of water from adjoining waterfront properties will not be unduly impaired; that existing trees shall be preserved to the degree reasonably possible and that the appearance of the property and the shore when viewed from the water will be kept as natural as reasonably possible. The city's lakes, canals and streams are among the city's greatest assets, and it is in the public interest to require that their aesthetic appeal. The following minimum or maximum standards and procedures shall apply to all construction or renovation of boathouses, docks and other waterfront structures.

(1) Board approval required: Before a building permit is issued, the plans for boathouses, docks and any other waterfront structures shall be approved by either the Lakes and Waterways Board or Lake Killarney Board, pursuant to their jurisdictions. This shall be done at a public hearing after review of comments from city staff and notification of the adjacent waterfront property owners. Applicants are encouraged to provide plans to the adjacent waterfront neighbors in order for them to provide consent or objection to such applications. However, review and approval of boathouses, docks and gazebos shall not be required if the structure is replacing an existing boathouse, dock or gazebo and is in the same location and is meeting the code requirements set forth in this section. The review and approval by the Lakes and Waterways Board or Lake Killarney Board is only required when variances are requested or when there is not an existing boathouse, dock or gazebo on the property/water or when the location of the boathouse, dock or gazebo is being changed by more than five feet from the current location.

(2) Application submission requirements: Applications for docks, boathouses, gazebos or any other construction over the water must contain the following information and references thereto of "dock" shall also include boathouses, gazebos and any other construction over the water:

(a) The original signature(s) of the property owner(s) of the upland portion of the parcel where the dock is to be constructed;

(b) The original signature(s) of the applicant(s), on an application form and payment of any fees, as provided for by the city, and if the applicant is not the property owner, an authorization to apply on their behalf;

(c) Satisfactory evidence of title such as an instrument or property appraiser information indicating ownership extends to the shoreline or legal permission to construct or modify a dock and use of the submerged lands;

(c) A copy of a survey of the real property that accurately depicts current conditions including any trees within the shoreline area proposed for the construction or within 15 feet of such construction;

(d) A site plan based upon the survey depicting the exact location of the proposed dock including proposed setbacks as measured on the land and from the projection of the property line in a straight line following the angle of the property line out into the water for the distance of the dock and which includes the following:

1. An arrow indicating the northerly direction of the sketch and scale of the drawing and the name of the water body (surface water) that the dock structure is to be located;

2. The exact distance between the existing shoreline measured from the OHWE to the furthest point where the dock is to be constructed or is currently located;

3. The exact setback distance from the closest property line measured on the land and the projected property line out into the lake to all portions of the dock and setback thereto;

(e) Floor plan, elevations, deck and roof height above OHWE and construction materials of the dock;

(f) The current water depth at the end of the dock and at all proposed mooring locations;

(g) The length of the dock, as measured from the OHWE to the point most waterward of the OHWE;

(h) The location of any conservation easement area or wetland, if applicable, within twenty (20) feet from any portion of the dock;

(i) A description of submerged and emergent vegetation types occurring within the area proposed for construction.; and a mitigation plan offsetting adverse impacts to the vegetative areas if applicable;

(j) If the request includes a variance from any of the terms of this section regarding the setbacks, height or size of a structure, then a signed letter or email of no objection from the abutting or affected shoreline property owner(s). The letter or email of no objection must identify the variance request on the site plan for the proposed dock and a copy of the site plan and site plan must be attached to the letter.

(3) Development standards: The total area of boathouses, docks and any other waterfront structure built over land and/or water shall not exceed six hundred (600) square feet. In the case of canal-front lots (other than the Venetian Canal boathouse lots as set forth in subsection (b) hereafter), the maximum total area of docks, boathouses, decks, stairs and any other attachments shall be based on the length of the canal frontage as follows:

(a) Seventy-five feet or less of frontage, 450 sq. ft.

(b) Seventy-six feet to 100 feet of frontage, 500 sq. ft.

(c) Over 100 feet of frontage, 550 sq. ft.

(d) The maximum width of canal boathouses shall be 20 feet.

(4) All new docks and boathouses shall be constructed no closer than ten (10) feet from a side lot line, as measured on the land and may not extend beyond the property line extended into the lake for that distance of the structure. This side setback can be reduced to five (5) feet if written approval is presented from the adjacent property owners, but may not extend beyond the projected property line extended. In order to mitigate or avoid impediments to navigation at the entrances and exit of canals, within streams, within narrow areas of lakes, or proximate to weirs, dams and drainage structures, the applicable Lake Board conducting reviews of proposed docks and boathouses shall have the authority to condition approval on: (i) the reduction of the width and size of docks and boathouses; (ii) the alteration of the location of dock and boathouses; (iii) alteration of the configuration of docks and boathouses; or (iv) any combination thereof; in such determination the applicable Lake Board may, among other relevant factors of safe navigation, consider the logistics of cues of boats awaiting clearance as well as the features of weirs, dams, drainage structures and stream drainage for any waterfront property. The applicable Lakes Board shall also have the authority to condition approval on the alteration of the location of a dock and boathouse when untypical property lines would create a situation of a new dock and/or boathouse being located directly behind a single-family residential dwelling unit (as the two side walls of the house are extended from the rear of the house to the

shoreline/waterline) on an adjacent property regardless of the affected property owners objection or lack of objection to such a chosen location.

(5) All new docks and boathouses shall not extend over thirty (30) feet into the water from the elevations specified in this article. However, on Lake Killarney the maximum distance may be fifty (50) feet.

(6) The highest point of a boathouse or gazebo roof or any railing shall not exceed eleven (11) feet and the roofs must be pitched with a minimum 2:12 slope on all sides of the peak, so as to eliminate flat roofs and use of such areas as sundecks. The height shall be measured from the surface of the dock or floor to the highest point of the roof or railing. In addition, the surface of any dock, sundeck or floor of any boathouse, gazebo, etc., shall not be more than two (2) feet above the elevations specified in this subsection.

(7) In order that all boathouses or other waterfront structure, be utilized only for boating and other recreational activities and not as living space, there shall be no bathrooms or cooking facilities permitted in them, nor as an improvement to any existing boathouse. There also shall not be any enclosed rooms over water except for storage rooms limited in size to a maximum of eighty (80) square feet.

(8) Only one (1) boathouse shall be permitted for each lakefront or waterfront property owner. In the case of common ownership of lakefront property such as in a condominium arrangement or property owned by a subdivision, there shall only be one (1) boathouse permitted. However, based upon the relative lake frontage of a multi-family residential the respective board may consider that factor in the consideration of variances.

(9) The sale or lease of any portion of lakefront or waterfront, shall be construed as a subdivision and shall not enable the owners to make application for a dock and boathouse unless that subdivision has received the approval of the City Commission.

(10) Canal boathouses shall be located so as not to interfere with navigation and which result in the minimum loss of existing large oak, pine or cypress trees. Electric service shall be provided via underground wiring. In situations where canal-front or waterfront lots are separated by a public street from the principal structure, landscape buffering shall be required to substantially cover fifty (50%) percent of the structure as viewed from the street. Boathouses shall only be painted or have exterior covering of a color that blends in with and does not detract from the natural surroundings. Off-street parking areas shall remain without asphalt, concrete, brick, gravel, artificial turf, grass paver or other types of impervious surface.

(11) As a condition for a permit to build or repair any lakefront dock or boathouse, the lakefront water area along shorelines that do not meet the vegetation standards of this Code shall be required to be planted so that no more than fifty (50) feet, or fifty (50%) percent (whichever is less) of the shoreline remains clear of vegetation.

(12) The dock or boathouse must not adversely affect the rights of other persons or other property owner's use of, and access to, the surface water or constitute a navigation hazard.

(b) *Boathouse lots on the Venetian Canal and Kraft Gardens.* The Kronenberger subdivision boathouse lots which exist along the Venetian Canal interconnecting Lake Osceola and Lake Maitland or that exist on Lake Maitland adjacent to Kraft Gardens were platted and accepted by the city under the premise that these lots would serve as lake access and accessory uses only for the residents of that subdivision. As such, the purpose and intention of these boathouse lots is to serve as accessory lots to the main residential properties within that subdivision. In accordance with the policies contained within the comprehensive plan, the following regulations shall apply to these properties:

(1) The buildability and use of all canal boathouse lots, which are determined to be accessory lots, shall be restricted to the owners of real property within the Kronenberger subdivision in which these accessory boathouse lots were platted.

(2) Such canal or lake boathouse lots which are held January 1, 1981, by property owners residing outside of the subdivision for which they are platted shall be nonconforming boathouse lots which may still be used for constructing a boathouse and for lake access. However, any such canal or lake boathouse lots owned by real property owners on January 1, 1981, in the subdivision for which they were platted, shall only be buildable and used to serve the lake access needs of residents of that subdivision.

(3) Minimum lot widths shall be fifty (50) feet.

(4) Canal boathouses shall be constructed a minimum of five (5) feet from side lot line. There shall be no front setback.

(5) The highest point of a canal boathouse shall be no more than ten (10) feet above the ordinary high-water elevation of the closest lake as detailed in this section.

(6) Canal boathouses shall not exceed four hundred (400) square feet in size for all areas of boathouses, stairs, and decking. Lake lots shall be permitted the typical lake dimensions.

(7) Canal boathouses shall be located so as not to interfere with navigation and to result in the minimum of loss of existing large oak, pine or cypress trees. Electric service shall be provided via underground wiring. Landscape buffering shall be required to substantially cover fifty (50%) percent of the structure as viewed from the street. Boathouses shall only be painted or have exterior covering of a color that blends in with and does not detract from the natural surroundings. Off-street parking areas shall remain without asphalt, concrete, brick, gravel, pavers, or other improved surface. The remainder of the boathouse lot shall remain composed entirely of landscape materials which shall preclude gravel, fire pits, patios, sheds, storage bins or any other accessory structure or use, other than landscaped area.

(c) Dock/Boathouse maintenance and repair, minor modifications.

(1) Docks and boathouses must be maintained in a safe and useable condition. All maintenance and repair activities must maintain the original design and original footprint of the dock, as approved in the boat dock construction permit. If the design and footprint of the dock or boathouse will change as a result of a maintenance or repair activity, approval of a minor modification or a new permit will be required. Best management practices must be used during all maintenance and repair activities to prevent soil erosion and water quality violations in the project area.

(2) The owner(s) of property where a dock is located must promptly repair, replace, or remove a dock structure, or part(s) of the structure, that because of dilapidation, deterioration, decay, faulty construction, is deemed structurally deficient or is in deteriorated sufficient to indicate such as evidenced by rotten or missing wood, peeling paint, missing shingles and the like.

(d) Retaining walls or seawalls. The construction of retaining walls within fifteen (15) feet of the ordinary high-water elevation or seawalls shall be done in accordance with the Lakeshore Protection regulations within this Code of Ordinances.

SECTION 3. CODIFICATION. Sections 1 and 2 of this Ordinance shall be incorporated into the City of Winter Park Code of Ordinances.

SECTION 4. SEVERABILITY. The divisions, sections, subsections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, subsection, section, or division of this Ordinance shall be declared invalid, unconstitutional or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such invalidity, unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections, sections, and divisions of this Ordinance. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION 5. CONFLICTS. In the event of a conflict between this Ordinance and any other ordinance of the City of Winter Park, this Ordinance shall control to the extent of such conflict.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect on upon its passage and adoption in accordance with Florida law. Any project which has applied for or received an approval from the Lakes and Waterways Board or Lake Killarney Board prior to that date or has submitted application for an approval by either of those boards prior to that date shall be vested under the previous code related to waterfront lots.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida held in City Hall, Winter Park, on this ____ day of _____, 2023.

Phillip M. Anderson, Mayor

ATTEST:

Rene Cranis, City Clerk



City Commission **agenda item**

item type Public Hearings: Non-Quasi Judicial Matters (Public participation and comment on these matters may be virtual or in-person.)	meeting date June 14, 2023
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinances relating to approximately 2.07 acres of real property at 1896; 1934; 1964; 1968; 1970 AND 1990 Kentucky Avenue. (2nd Reading)

item list

- Ordinance 3270-23: Annexation
- Ordinance 3273-23: Establishing Commercial Future Land Use on the annexed parcels.
- Ordinance 3274-23: Establishing Commercial (C-3) Zoning on the annexed parcels.

motion / recommendation

Staff recommendation is for approval.

background

The City of Winter Park received a request to annex the four properties at 1934, 1964, 1968, and 1970 Kentucky Avenue, from unincorporated Orange County, into the City.

When approved, the City needs to establish a Commercial Future Land Use designation in the Comprehensive Plan and Commercial (C-3) zoning on these properties. The properties currently have the same Commercial future land use and Commercial (C-3) zoning in Orange County.

Per the policies of the Comprehensive Plan, the City is interested in annexing all of the properties on the south side of Kentucky Avenue in this block From Formosa Avenue to Clay Street. They are all currently zoned Commercial (C-3). Chapter 171 of Florida Statutes regarding annexation allows cities, when annexing commercial property, to include other contiguous properties as long as more than 50% of the property and parcels have voluntarily requested annexation. As a result, the City has included the two adjacent properties at 1896 and 1990 Kentucky within the annexation.

There is a proposed development plan included in the agenda materials to show how the owners intend to develop this vacant site as well as their property across on the north side of Kentucky Avenue. That development plan is included just for informational purposes. The City Commission is not approving the development plans. Just the annexation and new city future land use and zoning designations, again same as now in Orange County.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Kentucky Annex Map.pdf](#)

ATTACHMENTS:

[Annexation Ordinance 3270-23.pdf](#)

ATTACHMENTS:

[ORD3273-23 _Comp Plan Kentucky Ave.doc](#)

ATTACHMENTS:

[ORD3274-23 Zoning Kentucky Ave.doc](#)

ATTACHMENTS:

[Annex Ad.docx](#)

ATTACHMENTS:

[Concept Site Plan.pdf](#)

ATTACHMENTS:

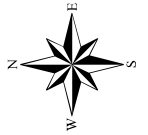
[Building Rendering.pdf](#)



**PROPOSED
ANNEXATION**
**Kentucky Avenue
Properties**
City of Winter Park
Florida

LEGEND

-  Annexation Area
-  Orlando
-  Unincorporated
-  Winter Park



ORDINANCE 3270-23

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 2.07 ACRES OF REAL PROPERTY LOCATED AT 1896; 1934; 1964; 1968; 1970 AND 1990 KENTUCKY AVENUE PLUS THE RIGHT-OF-WAY OF KENTUCKY AVENUE FROM FORMOSA AVENUE TO CLAY STREET, AS MORE SPECIFICALLY DESCRIBED HEREIN, INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF WINTER PARK JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park proposes to annex six parcels on Kentucky Avenue and has received a voluntary annexation petition from the owners of four of the six parcels; and

WHEREAS, the Subject Properties proposed for annexation consist of 1896 Kentucky Avenue (12-22-29-6172-03-100); 1934 Kentucky Avenue (12-22-29-6172-03-110); 1964 Kentucky Avenue (12-22-29-6172-03-120); 1968 Kentucky Avenue; (12-22-29-6172-03-130); 1970 Kentucky Avenue (12-22-29-6172-03-140); and 1990 Kentucky Avenue (12-22-29-6172-03-150); such private properties constituting Lots 10 through 15, Block C, Olympia Heights as recorded in Plat Book "J", Page 61 of the Public Records of Orange County, Florida.

WHEREAS, the City of Winter Park has determined that the Subject Properties are reasonably compact and contiguous to the municipal limits of the City of Winter Park, that annexation of the Subject Properties will not result in the creation of an enclave and that the Subject Properties meet the prerequisites and standards set forth in Section 171.0413 and 171.043, Fla. Stat., for a commercial area with no registered voters within which the owners of four of the six parcels to be annexed have consented to the annexation which constitutes more than 50% of the parcels to be annexed and more than 50% of the private land area included in the annexation into the City of Winter Park; and

WHEREAS, the City of Winter Park has provided adequate notice required by general law for the annexation of the Subject Properties and has conducted the required public hearings prior to the adoption of this Ordinance.

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

SECTION 1: *Recitals.* The above "Whereas" clauses are true and correct and constitute legislative findings of the City of Winter Park City Commission and are incorporated herein by this reference.

SECTION 2: *Property Annexed.* That, after conducting two public hearings and having found that the Owners' petition for annexation of the Subject Properties meet the prerequisites and standards for annexation under Chapter 171, FL. Stat., the Subject Properties, as further legally defined in Exhibit "A" and as shown on the map attached hereto as Exhibit "B".

SECTION 3: *Effect of Annexation.* That the City of Winter Park, shall have all of the power, authority, and jurisdiction over and within the Subject Properties as described in Section 2

hereof, and the inhabitants thereof, and property therein, as it does and have over its present corporate limits and laws, ordinances, and resolutions of said City shall apply and shall have equal force and effect as if all territory had been part of said City at the time of the passage of such laws, ordinances, and resolutions.

SECTION 4: *Apportionment of Debts and Taxes.* Pursuant to § 171.061, Fla. Stat., the area annexed to the City shall be subject to all taxes and debts of the City upon the effective date of annexation. However, the annexed area shall not be subject to municipal ad valorem taxation for the current year if the effective date of the annexation falls after the City levies such tax.

SECTION 5: *Instructions to Clerk.* Within seven (7) days following the adoption of this Ordinance, the City Clerk or her designee is directed to file a copy of this Ordinance with the clerk of the circuit court and the chief administrative officer of Orange County as required by § 171.044(3), Fla. Stat.

SECTION 6: *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

SECTION 7: *Effective Date.* This Ordinance shall become effective after its adoption at its second reading.

ADOPTED this _____ day of _____, 2023, by the City Commission of the City of Winter Park, Florida.

APPROVED:

Phillip Anderson, Mayor

ATTEST:

Rene Cranis, City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION PARCELS AND RIGHT OF WAY TO BE ANNEXED

LOTS 10, 11, 12, 13, 14 AND 15, BLOCK "C", OLYMPIA HEIGHTS, AS RECORDED IN PLAT BOOK "J", PAGE 61, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
TOGETHER WITH:

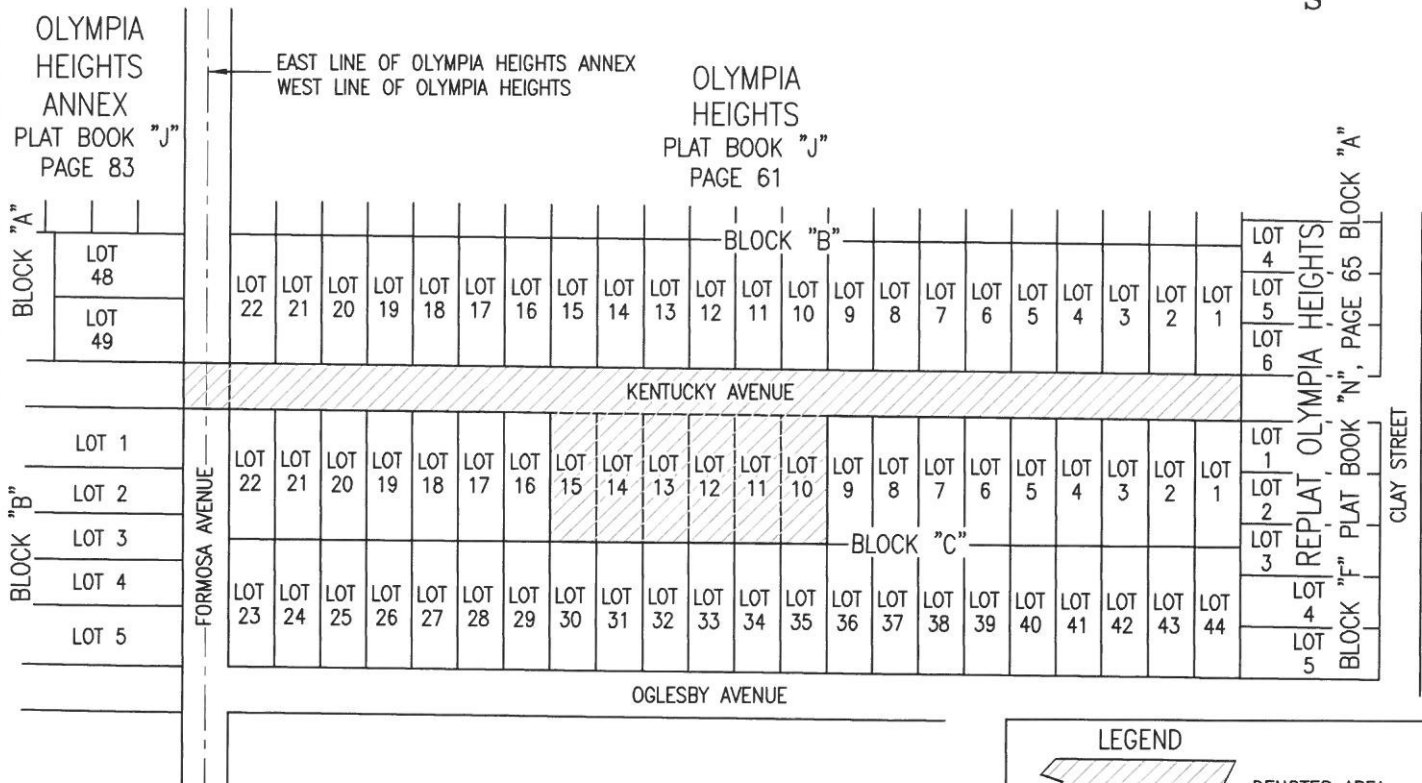
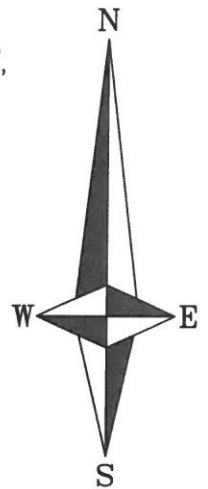
THAT PORTION OF KENTUCKY AVENUE PLATTED BY OLYMPIA HEIGHTS, AS RECORDED IN PLAT BOOK "J", PAGE 61, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; LYING NORTH OF BLOCK "C" AND SOUTH OF BLOCK "B", SAID OLYMPIA HEIGHTS.

TOGETHER WITH:

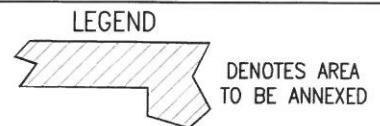
THAT PORTION OF FORMOSA AVENUE PLATTED BY OLYMPIA HEIGHTS, AS RECORDED IN PLAT BOOK "J", PAGE 61, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; LYING SOUTH OF A WESTERLY PROJECTION OF THE SOUTH LINE OF BLOCK "B" AND NORTH OF A WESTERLY PROJECTION OF THE NORTH LINE OF BLOCK "C"; SAID OLYMPIA HEIGHTS.

TOGETHER WITH:

THAT PORTION OF FORMOSA AVENUE PLATTED BY OLYMPIA HEIGHTS ANNEX, AS RECORDED IN PLAT BOOK "J", PAGE 83, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; LYING SOUTH OF AN EASTERLY PROJECTION OF THE SOUTH LINE OF BLOCK "A" AND NORTH OF AN EASTERLY PROJECTION OF THE NORTH LINE OF BLOCK "B"; SAID OLYMPIA HEIGHTS ANNEX.



SKETCH OF DESCRIPTION ONLY; NOT A BOUNDARY SURVEY



CITY OF WINTER PARK

PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
SURVEY SECTION

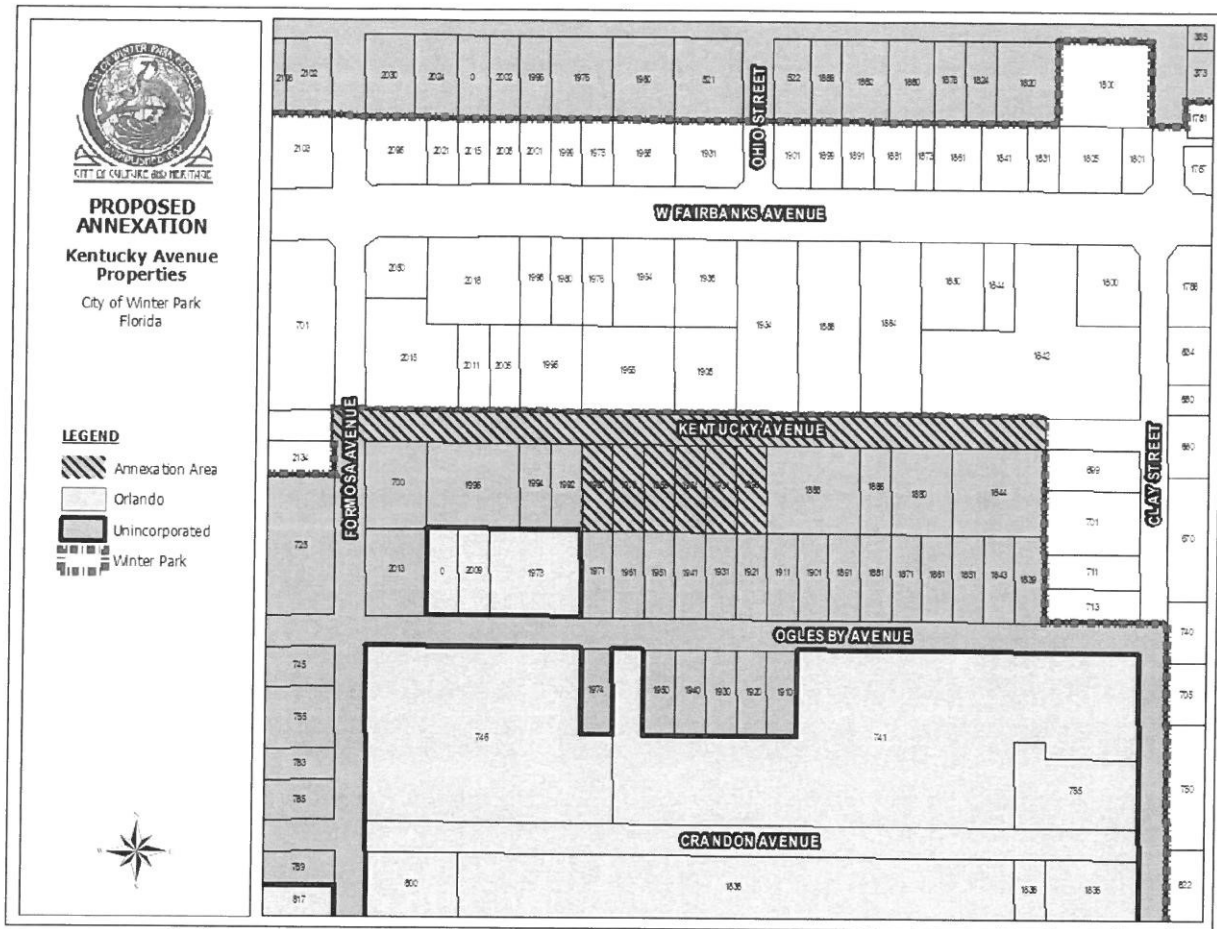
500 N. Virginia Avenue
Winter Park, Florida 32789
Phone: (407) 599-3233

SKETCH OF DESCRIPTION ANNEXATION PARCELS OLYMPIA HEIGHTS

CITY OF WINTER PARK, ORANGE COUNTY, FL
SCALE : 1" = 200' DATE : 04/17/23
KENTUCKY AVENUE ANNEXATION SKETCH.DWG

PREPARED BY THOMAS L. CONNER, CITY SURVEYOR
FLORIDA LICENSED SURVEYOR AND MAPPER LS4340
ON BEHALF OF THE CITY OF WINTER PARK, FLORIDA

Exhibit "B"



ORDINANCE 3273-23

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 ESTABLISH COMMERCIAL FUTURE LAND USE ON THE ANNEXED PROPERTY AT LOCATED AT 1896; 1934; 1964; 1968; 1970 AND 1990 KENTUCKY AVENUE AND TO INDICATE THE ANNEXATION ON THE OTHER MAPS WITHIN THE COMPREHENSIVE PLAN, MORE PARTICULARLY DESCRIBED HEREIN.

WHEREAS, the City of Winter Park has officially annexed the property more particularly described below in compliance with Chapter 171, Florida Statutes, and

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

WHEREAS, on May 2, 2023, the Planning and Zoning Board held a public hearing on the proposed future land use map amendment set forth herein and made a recommendation to the City Commission concerning the same, and

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

NOW THEREFORE BE IT ENACTED, AS FOLLOWS:

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to establish a Commercial future land use designation on the annexed properties comprised of 1896 Kentucky Avenue (12-22-29-6172-03-100); 1934 Kentucky Avenue (12-22-29-6172-03-110); 1964 Kentucky Avenue (12-22-29-6172-03-120); 1968 Kentucky Avenue; (12-22-29-6172-03-130); 1970 Kentucky Avenue (12-22-29-6172-03-140); and 1990 Kentucky Avenue (12-22-29-6172-03-150; such private properties constituting Lots 10 through 15, Block C, Olympia Heights as recorded in Plat Book "J", Page 61 of the Public Records of Orange County, Florida.

SECTION 2. This Ordinance shall become effective 31 days after its adoption unless timely challenged pursuant to Florida Statutes Section 163.3187 within 30 days after adoption. If timely challenged, this Ordinance will not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a Final Order determining compliance pursuant to Chapter 163, Florida Statutes.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 14th day of June 2023.

Mayor Phillip M. Anderson

Attest:

City Clerk Rene Cranis

ORDINANCE 3274-23

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 ESTABLISH COMMERCIAL (C-3) ZONING ON THE ANNEXED PROPERTIES AT 1896; 1934; 1964; 1968; 1970 AND 1990 KENTUCKY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN.

WHEREAS, the City Commission intends to establish a municipal zoning designation on this property in compliance with the establishment of a similar Comprehensive Plan future land use designation for said property, and

WHEREAS, on May 2, 2023, the Planning and Zoning Board held a public hearing on the rezoning set forth herein and made a recommendation to the City Commission regarding such rezoning, and

WHEREAS, the City Commission finds that the zoning set forth herein is consistent with the Comprehensive Plan and land development regulations which includes establishment of a ten-foot rear setback for any future building or parking area. and

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

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

SECTION 1. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to establish Low Density Residential (R-2) district zoning on the annexed parcel at 1896 Kentucky Avenue (12-22-29-6172-03-100); 1934 Kentucky Avenue (12-22-29-6172-03-110); 1964 Kentucky Avenue (12-22-29-6172-03-120); 1968 Kentucky Avenue; (12-22-29-6172-03-130); 1970 Kentucky Avenue (12-22-29-6172-03-140); and 1990 Kentucky Avenue (12-22-29-6172-03-150); such private properties constituting Lots 10 through 15, Block C, Olympia Heights as recorded in Plat Book "J", Page 61 of the Public Records of Orange County, Florida.

SECTION 2. This Ordinance shall become effective immediately upon the effectiveness of the companion ordinance amending the City of Winter Park Comprehensive Plan to designate the property described in Section 1 of this Ordinance with the Commercial future land use.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 14th day of June, 2023.

Mayor Phillip Anderson

Attest:

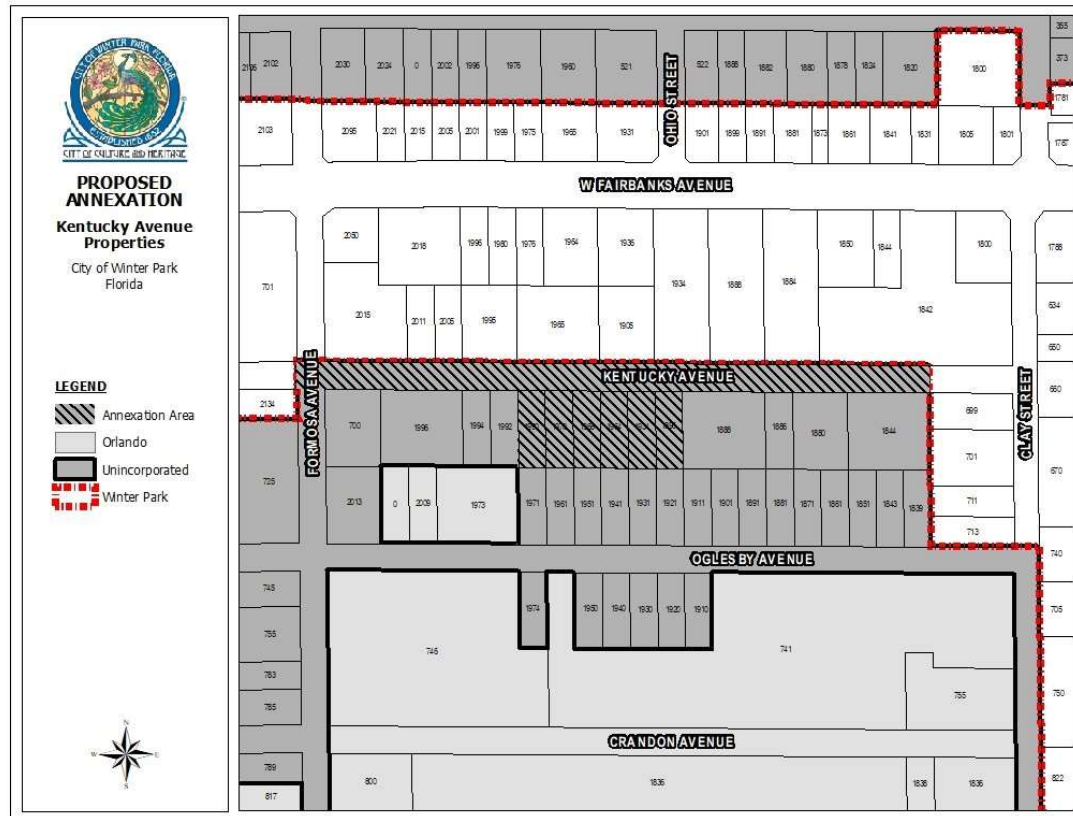
Rene Cranis, City Clerk

NOTICE OF ANNEXATION

NOTICE is hereby given that public hearings will be held by the Winter Park City Commission on Wednesday, May 24, 2023 at 3:30 p.m. and on Wednesday, June 14, 2023 at 3:30 pm in the Commission Chambers of City Hall, 401 S. Park Avenue, Florida, or by virtual meeting to consider the following:

ORDINANCE NO. 3270-23

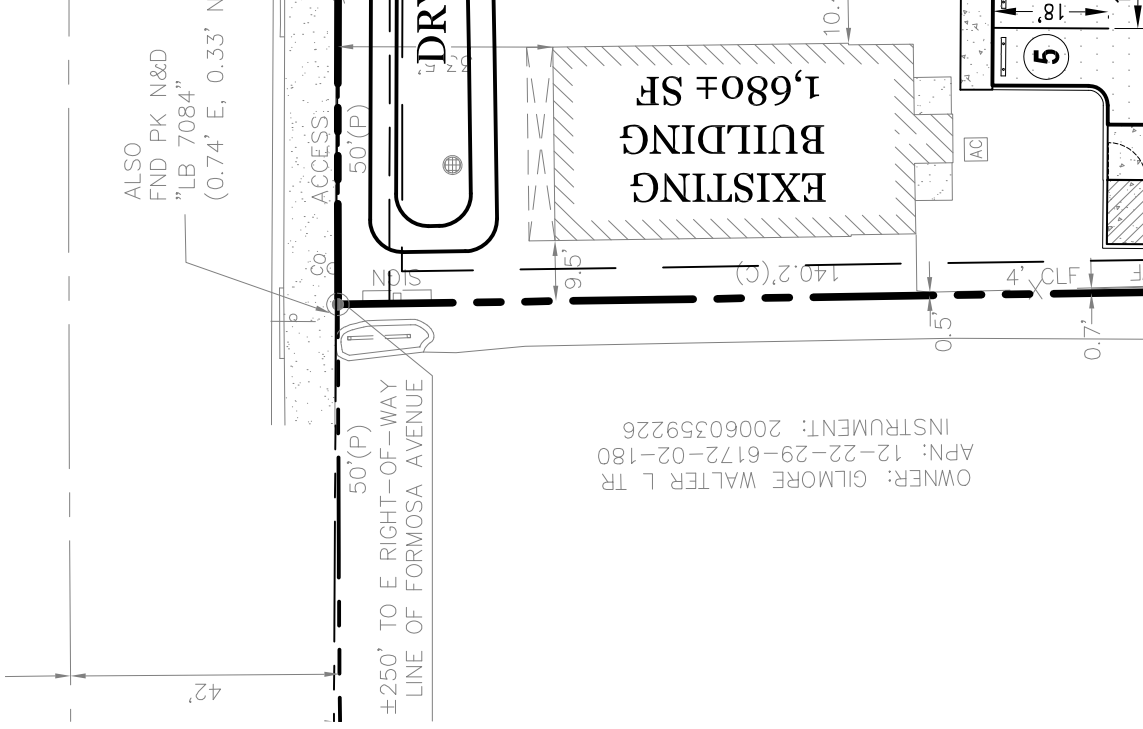
AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 2.07 ACRES OF REAL PROPERTY LOCATED AT 1896; 1934; 1964; 1968; 1970 and 1990 KENTUCKY AVENUE AND INCLUDING THE RIGHT-OF-WAY OF KENTUCKY AVENUE FROM FORMOSA AVENUE TO CLAY STREET, AS MORE SPECIFICALLY DESCRIBED HEREIN, INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF WINTER PARK JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.



The complete legal description as well as a complete copy of this proposed Ordinance No. 3270-23 may be obtained and inspected at the office of the City Clerk at 401 S. Park Avenue, Winter Park, Florida during regular business hours. All interested parties are invited to attend and be heard. Additional information is available in the City Clerk's office so that citizens may acquaint themselves with each issue and receive answers to any questions they may have prior to the meeting.

NOTE: If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need 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) Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-599-3277) at least 48 hours in advance of the meeting.

OWNER: GILMORE WALTER L TR
APN: 12-22-29-6172-02-180
INSTRUMENT: 20060359226







City Commission **agenda item**

item type Public Hearings: Non-Quasi Judicial Matters (Public participation and comment on these matters may be virtual or in-person.)	meeting date June 14, 2023
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Resolution 2272-23 - Affirming changes to the 2024 General Election during the Presidential Preference Primary.

motion / recommendation

background

City Charter provides that in years when there is a Presidential Preference Primary (PPP), the city 's general election will be held on the same date and the run-off election will be the second Tuesday in the month following.

The 2024 PPP is scheduled for March 19 (third Tuesday in March). The Supervisor of Elections has scheduled the municipal run-off election for April 16, 2024 (third Tuesday in April) to allow adequate time to prepare after the PPP.

In addition, the SOE has advised that candidates and/or ballot language must be submitted to the SOE no later by December 12, 2023. In compliance with Section 42-10 of the City Code that allows the Clerk to establish appropriate qualifying periods given these election dates, the qualifying period will begin Monday, December 4th at noon and end at noon Monday, December 11th.

The attached resolution affirms the change in election dates and qualifying period and also authorizes the Orange County Canvassing Board to canvass ballots in accordance with Orange County's adopted criteria, policies and procedures.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Resolution 2272-23 adopting SOE election dates and procedures.docx](#)

RESOLUTION 2272-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, AFFIRMING CHANGES TO GENERAL ELECTION DURING PRESIDENTIAL PRIMARY ELECTION IN 2024; PROVIDING RELEVANT AUTHORIZATIONS TO THE ORANGE COUNTY CANVASSING BOARD WITH RESPECT TO THE CITY'S MARCH 19, 2024 GENERAL ELECTION; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, § 42-10(a) of the Winter Park Code of Ordinances ("City Code") provides that, in those years in which there is a federal presidential preference primary election in the State of Florida on any date as may be established by governing Florida law, the city's general city election provided for in Article III of the City Charter must be held concurrently with the federal presidential preference primary election"; and

WHEREAS, for those general elections subject to § 42-10(a), the run-off election, if needed, must be held on the second Tuesday in the month following the month of such general election or on such other date as is determined by the Winter Park City Commission by resolution or ordinance; and

WHEREAS, in accordance with the above City Code section, the City's general election for the year 2024 must be held on the date of the federal presidential preference primary election, March 19, 2024; and

WHEREAS, § 42-10(a) further authorizes the city clerk to establish an appropriate qualifying period for such election dates and other provisions of the City's Code.

WHEREAS, Section 42-10(b) also provides that for elections in years of federal presidential preference primary elections, the Orange County Canvassing Board is authorized to canvass the City of Winter Park ballots voted in the city general election as set in accordance with such section; and

WHEREAS, the Winter Park City Commission wishes to provide the relevant authorizations to the Orange County Canvassing Board to canvass and administer the City's general election to be held on March 19, 2024.

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

SECTION 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

SECTION 2. Authorizations. The City Commission hereby authorizes the following:

- (a) Consistent with the City's Code, the City's general election to be held in 2024 will be held concurrently with the federal presidential primary election in the State of Florida on March 19, 2024.
- (b) For the year 2024, a run-off election resulting from the City's March 19, 2024 general election, if necessary, will be held on April 16, 2024, or such other duly noticed date as may be agreed upon by the City Manager and the Orange County Supervisor of Elections.
- (c) Consistent with the City's Code, the City Commission affirms the City Clerk's authority under § 42-10(a) to establish and notice an appropriate qualifying period for such general election.
- (d) With respect to the City of Winter Park general election of March 19, 2024, the Orange County Canvassing Board is hereby authorized to canvass the votes at its duly designated meeting place within Orange County, certify the City's election results, and take all other actions as may be necessary to administer the election, all in accordance with the Orange County Canvassing Board's duly adopted criteria, policies, and procedures related to the foregoing.

SECTION 3. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 14th day of June, 2023.

Phillip M. Anderson, Mayor

Attest:

Rene Cranis, City Clerk