



City Commission Regular Meeting

Agenda

June 9, 2021 @ 3:30 pm

Commission Chamber

401 S. Park Ave.

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).

city commission regular meeting

Virtual Participation Procedures: Link for instructions on providing public comment: <https://cityofwinterpark.org/cclive>. If you would like to provide comments prior to the meeting, please send them to MayorAndCommissioners@cityofwinterpark.org. These comments will be received by the City Commissioners and staff, however, will not be read publicly into the record during the meeting. This is consistent with our normal procedures for emails received prior to a City Commission meeting.

please note

Times are projected and subject to change.

-
1. **Meeting Called to Order**
 2. **Invocation**
 - a. [Pastor Stuart Shelby, All Saint Episcopal Church](#) 1 minute

Pledge of Allegiance
 3. **Approval of Agenda**
 4. **Mayor's Report**
 5. **City Manager's Report**
 - a. [Update on American Rescue Plan Act \(ARPA\) funding for non-profit support.](#) 30 minutes
 - b. [City Manager's Report](#) 5 minutes
 - c. [CIP Report](#) 5 minutes
 6. **City Attorney's Report**
 7. **Non-Action Items**
 8. **Public Comments | 5 p.m. or soon thereafter**

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

(Three minutes are allowed for each speaker)
 9. **Consent Agenda**
 - a. [Approval of the minutes of the work session, May 24, 2021](#) 1 minute
 - b. [Approval of the minutes of the regular meeting, May 26, 2021](#) 1 minute
 - c. [Approval of the minutes of the work session, May 27, 2021](#) 1 minute
 - d. [Approval of the following contract:](#) 1 minute
 1. Traffic Control Devices, Inc. - IFB4-20 Traffic Signal Installation & Maintenance; Amount \$300,000 for services on an as-needed basis.
 - e. [Approval of the formal solicitation:](#) 1 minute
 1. American Interiors, Inc. - IFB22-21 - FF&E for Winter Park Library; Amount \$289,831.34 for library furnishings.
 10. **Action Items Requiring Discussion**

- | | | |
|----|------------------------------------|------------|
| a. | Work Sessions | 15 minutes |
| b. | Discussion of super majority votes | 30 minutes |

11. Public Hearings

- | | | |
|----|--|------------|
| a. | Resolution supporting a unified plan for allocation and use of opioid settlement proceeds and authorizing the City Manager to execute the Memorandum of Understanding. | 20 minutes |
| b. | Ordinance to change the Future land use designation on Lots 25-27, Block A of the Aloma - Section 1 Plat on the corner of Loch Lomond Drive and Moray Lane from Office to Single Family Residential. (2nd reading) | 5 minutes |

12. City Commission Reports

13. Summary of Meeting Actions

14. Adjournment



City Commission Regular Meeting

agenda item

item type	Invocation	meeting date	June 9, 2021
prepared by	Rene Cranis	approved by	
board approval			
strategic objective			

subject

Pastor Stuart Shelby, All Saint Episcopal Church

motion / recommendation

background

alternatives / other considerations

fiscal impact



City Commission Regular Meeting

agenda item

item type	City Manager's Report	meeting date	June 9, 2021
prepared by	Randy Knight	approved by	Randy Knight
board approval	Completed		
strategic objective			

subject

Update on American Rescue Plan Act (ARPA) funding for non-profit support.

motion / recommendation

background

The city commission assigned Vice-Mayor Cooper and Commissioner Sullivan to work with staff to develop the grant program for the distribution of ARPA funds to non-profits. Their meeting was scheduled after this agenda item was drafted. At the commission meeting an update will be provided.

alternatives / other considerations

fiscal impact



City Commission Regular Meeting

agenda item

item type City Manager's Report	meeting date June 9, 2021
prepared by Jennifer Guittard	approved by Peter Moore, Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

subject

City Manager's Report

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

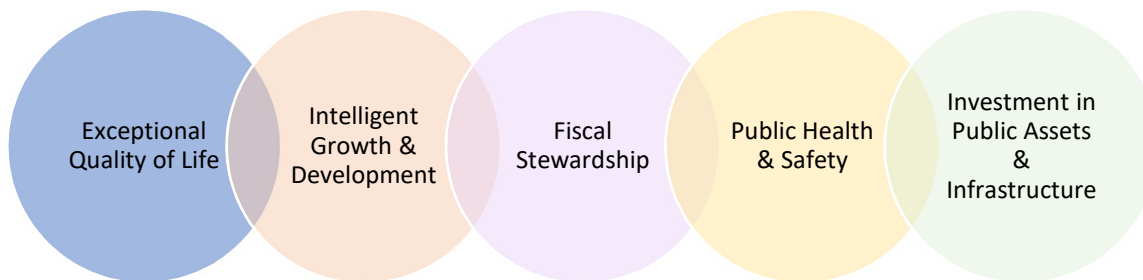
[90Day Report 6.9.21.pdf](#)



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: Exceptional Quality of Life

Item	Description	Item Department	Item Date
MLK Park Plan	The City's consultant Dix-Hite has completed their initial concept plan for MLK Park. An initial opinion of costs has been developed and provided as part of the CRA Capital Improvement Plan over a two year period beginning in FY2023. The next step will involve a joint meeting in June between both Parks and Recreation Advisory Board and Community Redevelopment Agency Board where initial concept plan for the park will be reviewed and staff provided with public feedback. Conceptual design and upgrades to Shady Park have been approved and include removal of the spray play. Funds are budgeted for the current fiscal year and project should begin in late summer 2021.	Parks	June

Title 2: 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 2021 property tax year.	Administration	July
Budget Presentation	Presentation of the Fiscal Year 2021-2022 Budget to the City Commission.	Administration	July

Title 3: Investment in Public Assets & Infrastructure

Item	Description	Item Department	Item Date
Wastewater Interlocal Contract	Renewal of Conserv II sewer treatment contract with Orlando.	Water & Sewer	June

Additional Items of City Interest

Title 4: Exceptional Quality of Life

Item	Description	Item Department
Library & Events Center	The Library/Events Center construction continues on schedule and is currently 80% complete. The inside of the Library has received drywall and painting is approximately 50% complete. The concrete floors have been polished and covered for protection. The HVAC system is in and running with proper filtration and the audiovisual system install is underway. The monumental staircase install is underway and the sound attenuation in the barrel vaults nearly complete. On the events center, interior framing and system rough-ins are complete and drywall installed. Audiovisual system install is underway, fiber for internet will be routed to the site this week and the security system team will begin in the next two weeks. The monumental staircase is being installed and the HVAC is functioning. The ceiling framing is complete in the ballroom area. The raised flooring on the rooftop terrace has been installed and the elevator is working. The installation of the outdoor amphitheater raked tiers and the plinth wall are nearly complete with plinth bench wall under construction. The parking lot construction is nearing completion on the west side of the site including the landscaping in the parking lot and around the lake. The large palms have been installed on the Belvedere. Staff is ordering site furnishings such as tree grates and trash cans.	Public Works
Public Art for I-4	This \$150,000 public art project, paid for by FDOT, will be installed at the NE corner of W. Fairbanks and I-4. Design selection company, RLF, is finalizing their installation schedule to meet project deadline of June 30, 2021. The second and final grant installment of \$120,000 from I-4 Ultimate has been received.	Administration

Title 5: Intelligent Growth & Development

Item	Description	Item Department
Sustainability Plan	The KWPB&S Board is working with several of the City's related advisory boards and staff liaisons to review the current Sustainability Action Plan and refresh it with updated goals in the shorter term (2025) and longer term (2050). These proposed updates will be presented to related boards for review then brought to Commission late summer.	Sustainability & Planning

Title 6: Investment in Public Assets & Infrastructure

Item	Description	Item Department
Electric Undergrounding	Miles of Undergrounding performed Project G: 4.1 miles 96% complete Project I: 6.9 miles 92% complete Project Q: 1.85 miles 35% complete TOTAL so far for FY 2021: 5.9 miles	Electric

Upcoming Advisory Board Meetings

This report provides a summary of upcoming board meetings currently scheduled on the calendar for the next month. The full calendar is accessible on the City's website at: <https://cityofwinterpark.org/government/board-public-meetings/>

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	6/1/21	4 p.m.
Planning & Zoning Board	6/1/21	6 p.m.
Economic Development Advisory Board	6/8/21	8:15 a.m.
Lakes and Waterways Advisory Board	6/8/21	Noon
Historic Preservation Board	6/9/21	9 a.m.
Keep Winter Park Beautiful and Sustainable Advisory Board	6/15/21	11:45 a.m.
Board of Adjustments	6/15/21	5 p.m.
Parks & Recreation Advisory Board	6/16/21	5:30 p.m.
Public Art Advisory Board	6/21/21	Noon
Transportation Advisory Board	6/21/21	4 p.m.
Utilities Advisory Board	6/22/21	Noon
Tree Preservation Board	6/22/21	5 p.m.
Community Redevelopment Advisory Board	6/24/21	5:30 p.m.

Note: This calendar does not include work sessions.



City Commission Regular Meeting

agenda item

item type	City Manager's Report	meeting date	June 9, 2021
prepared by	Jennifer Guittard	approved by	Peter Moore, Michelle Neuner, Randy Knight
board approval	Completed		
strategic objective			

subject

CIP Report

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[CIP Report 6.9.21.pdf](#)



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 51	17	21	13

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. The latest FDOT public meeting was held on April 29th. Final plans are anticipated end of 2021.	Intelligent Growth & Development	CRA
Cemetery Improvements	Monument Warehouse was awarded the contract for fabrication/installation of Pineywood Columbarium in late March. Staff will be seeking PRAB approval of final design at June PRAB meeting prior to beginning fabrication. Fabrication and Installation take upwards of 6 months so expected completion is January 2022.	Investment in Public Assets & Infrastructure	Parks
Downtown Enhancements	Design for new Central Park stage approved by CRA Agency. Architect contract approved and design underway for review upon completion. Staff has met with the architect for early comments with an anticipated 2 month timeline for final drafted documents. Funding for this project is currently scheduled in FY24 in the CRA CIP, but could be moved sooner. Staff will bring this discussion to the CRA Advisory Board. Additional completed improvements include 18 trash	Exceptional Quality of Life	CRA

Project	Project Update	Strategic Objective	Division
	cans/recycle bins replaced and 204 streetlights repainted.		
Fire Safety Equipment	Finalizing interfaces with IT with expectations of going to bid to upgrade the alerting system.	Public Health & Safety	Fire
Golf Course Enhancements	Dix Hite working on construction documents related to hardscape improvements. KCR has completed site plan for related tee 1 work. Procuring supplies and scheduling work to commence August 2021.	Exceptional Quality of Life	Parks
Kennedy Rd Wide Force Mn	Received roadway documents from County and reviewing for existing force main conflicts. Construction estimated for May 2023.	Investment in Public Assets & Infrastructure	Water & Sewer
Killarney Estates Parklet	Quotes are being collected for the contractual work for construction of a parklet at the intersection of Broadview Avenue, Grove Avenue, and Dallas Avenue. After contractual selection the work is anticipated to begin late June 2021. This project is planned for 3-4 months depending on staff availability.	Exceptional Quality of Life	Transportation
Lift Station R&R	Designing upgrades for Lift Station #47 (Ranger). Reviewing lift station conditions for future rehabilitations next fiscal year.	Intelligent Growth & Development	Water & Sewer
MLK Weather Monitoring Station	Currently working with Orange County EPD and State DEP on building options for replacement at the western portion of the park adjacent to the Parks Maintenance building. Construction planned for August 2021 with completion and removal of existing building by October 2021. Finalizing lease for City/County Commission approval.	Intelligent Growth & Development	Public Works
Progress Pointe Redevelopment	Presentation from Aci and Land Design was shown at the OAO Commission Work session on 5/27/21 on potential designs, community feedback, market analysis, and costs. Further discussion will be held at the next Commission meeting 6/9/21.	Investment in Public Assets & Infrastructure	Transportation
Ravadauge Lift Station	Location with developer has been accepted. Coordinating with developer to update design flows for Ravadauge development and lift station. Design work anticipated to be completed by end of 2021.	Investment in Public Assets & Infrastructure	Water & Sewer

Project	Project Update	Strategic Objective	Division
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	Plan concept reviewed by CRA Agency. Evaluation of splash pad area reutilization underway. Staff is coordinating with the Parks Department and public on feedback for reclaimed splash pad area. Staff anticipates review by the Agency in August.	Exceptional Quality of Life	CRA
Showalter Improvements	Stadium Concession Stand improvements planned for late Spring 2021. Staff currently securing quotes for pavilion structure and installation.	Exceptional Quality of Life	Parks
Solar Awning Construction	Commission consent in June of selection of RFP.	Intelligent Growth & Development	Electric
Stormwater Improvements	Final report received by staff. Plan includes options for improvements at Lake Mendsen, Canton Ave, and 9th Grade Center Pond. Additional review of Lake Mendsen as priority project underway. Awaiting scope of work from geotechnical consultant.	Investment in Public Assets & Infrastructure	CRA
UT Lines 434 Road Widening	Design is 90% complete. FDOT has delayed roadway project bid until December 2022.	Investment in Public Assets & Infrastructure	Water & Sewer

Title 2: Active Status

Project	Project Update	Strategic Objective	Division
Bicycle & Pedestrian Improvement	Construction of sidewalk on Dundee is 90% completed. Garden Drive sidewalk project phase 1, Denning to Orchid, is complete. City staff received the approved permits from FDOT to start Phase 2, Orchid to 17-92. Camellia Avenue sidewalk project will commence in FY22.	Exceptional Quality of Life	Transportation
CRA Small Projects	Canton & Garfield pedestrian connection. Project provides access and pedestrian safety as an enhanced route adjacent to the railroad tracks. It also includes a cooperative effort to mitigate the exposed dumpster location at the end of Garfield Avenue. Permits with FDOT being coordinated. Staff is working to resolve	Intelligent Growth & Development	CRA

Project	Project Update	Strategic Objective	Division
	comments for permitting with FDOT over the next quarter.		
Denning/ Fairbanks Traffic & SW	Purchase of 901 W. Fairbanks approved by CRA Agency. Due diligence period ended. Property closing scheduled for July 2. Consistent with CRA plan to address park acquisition and transportation needs.	Investment in Public Assets & Infrastructure	CRA
Electric Undergrounding Project	Miles of Undergrounding performed Project G: 4.1 miles 96% complete Project I: 6.9 miles 92% complete Project Q: 1.85 miles 35% complete TOTAL so far for FY 2021: 5.9 miles	Investment in Public Assets & Infrastructure	Electric
ERP Software Project	Parking Tickets are now live. Currently implementing software modules for Utility Billing has been pushed to go live October 2021 and Code Enforcement September 2021.	Fiscal Stewardship	IT
Facility Capital Improvements	Floor cleaning for Public Safety is scheduled to be complete by the end of mid June. Tennis Center Mens Restroom showers are complete, the womens restrooms will be complete mid June. Replacement HVAC for the Winter Park Country Club is complete. Replacement of HVAC for water plants is being scheduled.	Investment in Public Assets & Infrastructure	Public Works
Improve Howell Branch Preserve Property	The FDEP approved the restrictive covenant and our commencement request. The Commission approved the contract for exotic vine control by Aquatic Weed Control, Inc. Work began in May. We are in the procurement process to hire a consultant to develop routes and design of the trail system and a public outreach plan. We will be invoicing FDEP for the purchase of the properties (up to the appraised value) and closing costs.	Investment in Public Assets & Infrastructure	Parks
Improve Mead Garden	City and Mead are coordinating major CIP projects related to ADA restrooms, parking lot improvements, and ADA pathways. Parking lot renovations slated to begin in May/June 2021. ADA restrooms will begin construction in June/July 2021.	Exceptional Quality of Life	Parks
IT Infrastructure Upgrade	Funding being utilized for modernization of access controls and video management systems throughout the City.	Fiscal Stewardship	IT

Project	Project Update	Strategic Objective	Division
Library	The Library/Events Center construction continues on schedule and is currently 80% complete. The inside of the Library has received drywall and painting is approximately 50% complete. The concrete floors have been polished and covered for protection. The HVAC system is in and running with proper filtration and the audiovisual system install is underway. The monumental staircase install is underway and the sound attenuation in the barrel vaults nearly complete. On the events center, interior framing and system rough-ins are complete and drywall installed. Audiovisual system install is underway, fiber for internet will be routed to the site this week and the security system team will begin in the next two weeks. The monumental staircase is being installed and the HVAC is functioning. The ceiling framing is complete in the ballroom area. The raised flooring on the rooftop terrace has been installed and the elevator is working. The installation of the outdoor amphitheater raked tiers and the plinth wall are nearly complete with plinth bench wall under construction. The parking lot construction is nearing completion on the west side of the site including the landscaping in the parking lot and around the lake. The large palms have been installed on the Belvedere. Staff is ordering site furnishings such as tree grates and trash cans.	Exceptional Quality of Life	Public Works
N Lakemont Seminole Ditch	Agreement with Seminole County is being finalized. Preapplication meeting and a field investigation have been completed with the SJRWMD. Agreement anticipated to be brought to Commission in August 2021.	Investment in Public Assets & Infrastructure	Stormwater
New York Streetscape	Signed plans and permits received. Coordination with Procurement and solicitation for bids complete. Improvement highlights include pedestrian crosswalks, ADA compliant intersection improvements, and mast arms at Fairbanks and New York. Vendor contracted for developing mast arm design	Intelligent Growth & Development	CRA

Project	Project Update	Strategic Objective	Division
	and construction. Delivery is expected near Labor Day. Due to increased material costs, staff is proposing additional funds for consideration as part of the CRA budget approval process in August in order to execute the full scope of the project.		
Post Office Acquisition	Mayor assigned City Manager to explore options for the USPS.	Investment in Public Assets & Infrastructure	CRA
Sewer Capacity	Purchase of additional wastewater treatment capacity with City of Altamonte Springs in contract negotiations. Scheduling follow up negotiations for June 2021.	Investment in Public Assets & Infrastructure	Water & Sewer
Signalization Upgrade	New Traffic controllers have been purchased with updated technology to collect wireless data. City staff and FROG are working to identify the 6 intersections to test the wireless technology.	Investment in Public Assets & Infrastructure	Transportation
Stormwater Rehab	Sherbrooke Road drainage improvement complete. Currently working Morse Blvd drainage with anticipated completion in June. Projects being scheduled for construction are: the weir on Beachview Ave, fleet maint. wash down area, ponds construction at Ward Park, Greentree Drive and Lakefront Blvd drainage improvements.	Investment in Public Assets & Infrastructure	Stormwater
Upgrade Water Mains	Currently working on water main upgrades on Hawick Lane, Tyree Avenue, St. Andrews Blvd. and Nairn Drive with expected completion end of May. Lake Knowles Terrace, Flora Park, Winter Park Heights and Conwell Estates subdivision planned for water main upgrades to start work after fiber optic conduits filled with cable and can be located expected Winter 2021.	Investment in Public Assets & Infrastructure	Water & Sewer
Winter Park Rd SW Pond	House demolition complete. Construction of stormwater conveyance system and stormwater outfall will be scheduled while school is out this summer 2021.	Investment in Public Assets & Infrastructure	Stormwater
Winter Park Sports Complex	Grass Field renovations of A1/A2 have begun. Department is working with Field Turf for design and OCPS to resolve parking concerns for WPHS athletics.	Investment in Public Assets & Infrastructure	Parks

Project	Project Update	Strategic Objective	Division
Water Treatment Plants R&R	Replacing sodium hypochlorite tanks at Magnolia, Aloma and Swoope WTPs. Replaced ozone generator transformer at Swoope WTP.	Investment in Public Assets & Infrastructure	Water & Sewer
WP Estates WW Plant	Procuring emergency generator replacement	Investment in Public Assets & Infrastructure	Water & Sewer

Title 3: Pending Status

Project	Project Update	Strategic Objective	Division
Decorative Lights and Trees in CRA	140 total decorative lights have been installed. Coordination with Electric Utility on assessment of light replacements/additions as needed.	Intelligent Growth & Development	CRA
Denning Dr. Intersection	Approved project complete. Extension to railroad north under consideration. Early extension estimated at \$400k, but requires further review. Staff anticipates bringing forward for discussion in the next fiscal year.	Investment in Public Assets & Infrastructure	CRA
Dinky Dock Renovations	Beach rehab/dredge and parking improvements on hold for Rollins construction to complete. Swimming pier and boardwalk repair and renovation began July 20 out of necessity.	Exceptional Quality of Life	Parks
East OC Service Improvement	Pending in house availability to planning redirection of flow to East plant. Anticipated priority for fall 2021.	Investment in Public Assets & Infrastructure	Water & Sewer
Field & Tennis Lighting	Replacement lights pending future funding. FY21 replacements were pushed out in the budget.	Exceptional Quality of Life	Parks
Lake Bell Weir Improvements	Pending monitoring assessment	Investment in Public Assets & Infrastructure	Stormwater
Meter Data Management Upgrade	Implementation of new cloud based software and integration with Tyler. This is dependent upon Tyler's schedule for the Utility Billing module. There is some coordination involved between Harris SmartWorks MDM software and Tyler Munis. Harris is waiting for information from Tyler and are on hold until Tyler provides it.	Investment in Public Assets & Infrastructure	Water & Sewer

Project	Project Update	Strategic Objective	Division
Sewer Main Extensions	Extension of sewer mains to support new development or redevelopment. Harold Avenue sewer main extension pending finalizing negotiations with City of Altamonte Springs. Anticipated work to begin after contract finalization in Fall 2021.	Investment in Public Assets & Infrastructure	Water & Sewer
St. Andrews Trail	Design completed for which the City has been reimbursed by the FDOT. Construction is on hold until FDOT funding is released in 2023.	Investment in Public Assets & Infrastructure	Transportation
Stirling Bridge Replace	Pending permits determination and labor availability.	Investment in Public Assets & Infrastructure	Stormwater
Storage Building Cemetery/Golf Substation Transformers	Pending property determination	Exceptional Quality of Life	Parks
	Pending monitoring assessment of transformer	Fiscal Stewardship	Electric
SunRail Safety Mitigation	Pending FDOT permitting approval of improvements to fencing and walkway along railway at Garfield to Canton. City staff is in the process of addressing FDOT & SunRail/HNTB's additional comments on the plans we submitted for permitting. FDOT is requesting the City to provide Geotech analysis, which will take some time.	Investment in Public Assets & Infrastructure	Transportation

Recently Completed Projects

Parks & Recreation

The Parks department completed the Ward Park upgrades to the playground and labyrinth as part of the City's Exceptional Quality of Life strategic objective.

Stormwater

The Public Works department completed the Sherbrooke Road drainage improvement as part of the City's Investment in Public Assets & Infrastructure objective.



Major Non-City ROW Work

TECO Gas

The utility will be working in Winter Park to locate, repair, and replace gas mains along Palmer Ave. and side streets in a multi phased improvement project. They are currently on phase 4 of 4. We receive planned updates as they submit permitting. Estimated completion summer 2021.



City Commission Regular Meeting

agenda item

item type	Consent Agenda	meeting date	June 9, 2021
prepared by	Rene Cranis	approved by	Michelle Neuner, Randy Knight
board approval	Completed		
strategic objective			

subject

Approval of the minutes of the work session, May 24, 2021

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[052421ws Post Office and Library.pdf](#)



City Commission Work Session Minutes

May 24, 2020 at 3:30 p.m.

Virtual

Present

Mayor Phil Anderson
Commissioner Marty Sullivan
Commissioner Sheila DeCiccio
Commissioner Carolyn Cooper
Commissioner Todd Cooper

City Manager Randy Knight
City Clerk Rene Cranis

Also Present

Division Director of Office of Management and Budget Peter Moore

1) Call to Order

Mayor Anderson called the meeting to order at 3:32 p.m. The agenda was revised to discuss the Post Office first and then the Old Library.

2) Discussion Item(s)

b. Post Office Property

Mayor Anderson spoke on the importance and value of this property and prior development proposals which resulted in strong support to purchase this property for the expansion of Central Park.

Mr. Knight provided the history of prior discussions and opportunities to purchase the property and the adoption of the resolution supporting the acquisition. He summarized recent discussions with the USPS which included the its rejection of alternate sites due to their preference to have a combined facility for retail and distribution.

Commissioner Cooper pointed out that if the USPS decides to sell it will not give the City right of first refusal and will accept offers from all sources. She said she feels the city should move forward if there is Commission consensus to pursue finding a site for consolidated use.

Commissioner Sullivan asked for clarification on the costs. Mr. Knight said the cost is in the purchase of the land for the new facility and construction of the facility. Mayor Anderson said the cost would be between \$10-\$12 million.

Commissioner DeCiccio said she feels the cost could increase and she could support the purchase but not at a high cost when there are other priorities and needs. Discussion followed on the value and the cost of the land and funding.

Commissioner Weaver supported purchasing the property and suggested a compromise to have two smaller retail areas and a distribution center.

Mayor Anderson opened the discussion on location of the facility. Suggestions included the area bounded by 17-92 Park Avenue North, Interlachen and Fairbanks, a retail facility closer to or in the CBD, and a distribution facility closer to I-4. Discussion followed and consensus reached to support a retail facility downtown.

Mayor Anderson said he feels that the park should align with Garfield and the northern parcel used for complementary use to the park but not just park land which may require revision to Section 4 of the resolution.

Mr. Knight advised that the city's broker is looking for land but the difficulty is finding the right opportunity. He asked for the ability to negotiate within commission parameters.

After additional discussion, Mayor Anderson summarized the consensus as follows:

- Area for consolidated facility within the boundaries of 17-92, Park Avenue North, Lakemont/Interlachen, Orange/Fairbanks. If it is not consolidated, the boundaries could be expanded.
- Willingness to encourage a retail branch in CBD.
- South parcel will always be park land and the north parcel should be park but with complementary recreational use.
- Mayor will work with Mr. Knight to develop timeline with best options.
- No pricing parameters were set. Need determine land value parameter

The meeting recessed at 5:19 p.m. and reconvened at 5:25 p.m.

a. Old Library Property & Building

Mr. Knight said the building will be available by January and the Commission must decide the ultimate use of the building. He noted the final report of the Task Force and conceptual ideas presented for reuse of the building including The Exchange and said renovations will cost at least \$5 million, with immediate repairs needed of the AC and roof.

Mr. Moore provided the history of discussions and meetings of the Task Force that recommended temporarily relocating city functions while City Hall is renovated or moving City Hall functions permanently. He spoke on parking concerns to accommodate use.

Mayor Anderson said the initial question is whether the city should retain the building. If so, then the future use must be determined.

Commissioner Weaver said he feels City Hall should be preserved and the library used temporarily for City Hall. He supported renovating the old Library to create revenue-generating uses and explore The Exchange concept.

Commissioner Cooper opposed selling and expressed interest in The Exchange proposal. She believes a portion of ARP funding could be used for renovations to provide for COVID recovery needs and support. She opposed permanent relocation of City Hall.

Commissioner Sullivan supported retaining ownership and renovating the building and feels multi-functional use, public-private partnership opportunities and dedicated activities to benefit non-profits and arts and culture should be explored.

Mayor Anderson reviewed the renderings of The Exchange concept presented in 2019 showing proposed uses on each floor/roof.

Commissioner DeCiccio said she is in favor of retaining city assets and agreed that the building should be used temporarily while City Hall is being renovated. She expressed her concern about the lack of sufficient parking, added maintenance and cost. She said she feels the Commission should look at its priorities and determine whether this should be sold to potentially fund higher priority projects.

After additional discussion, Mayor Anderson summarized consensus to retain property, use temporarily for city hall (not permanent), and explore the Exchange multi-use concept.

3) Adjournment

The work session adjourned at 6:27 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission Regular Meeting

agenda item

item type	Consent Agenda	meeting date	June 9, 2021
prepared by	Rene Cranis	approved by	Michelle Neuner, Randy Knight
board approval	Completed		
strategic objective			

subject

Approval of the minutes of the regular meeting, May 26, 2021

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[052621rs.pdf](#)



City Commission Regular Meeting Minutes

May 26, 2021 at 3:30 p.m.

WP Community Center
721 W. New England Avenue | Winter Park, Florida

Present

Mayor Phil Anderson
Commissioner Marty Sullivan
Commissioner Sheila DeCiccio
Commissioner Carolyn Cooper
Commissioner Todd Weaver

City Manager Randy Knight
City Attorney Kurt Ardaman
City Clerk Rene Cranis

1) Meeting Called to Order

Mayor Anderson called the meeting to order at 3:32 p.m.

2) Invocation

Reverend Emily Wasser, Winter Park Presbyterian Church, provided the invocation followed by the Pledge of Allegiance.

3) Approval of Agenda

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

4) Mayor's Report

Mayor Anderson thanked those that attended the Sidewalk Art Festival. He thanked commissioners and staff for their work and gave an update on the Commission's discussions on the city's vision, OAO, and priorities.

a. Employee Recognition: Milestone anniversaries with the city.

Mayor Anderson acknowledged staff's hard work and thanked the employees being recognized for 20, 25, 30, 35 and 40 years of service. Mr. Knight read the name of the employees reaching milestone anniversaries and thanked them for their service.

5) City Manager's Report

a. Discussion: moving meetings back to Commission Chamber

Mr. Knight advised that staff has prepared for holding meetings in the Chamber. Commissioner Cooper said she would be more comfortable maintaining six feet social distancing on the dais. Mr. Knight said six feet spacing can be accommodated by

placing four commissioners on the dais and some at the conference table. Approved by consensus. Mr. Knight added that masks are not required at City Hall and that virtual participation will still be available. Commissioner Sullivan thanked IT staff for their work in coordinating virtual meetings and participation.

b. City Manager's Report

Fairbanks Avenue property purchase: The property between the dry cleaner and 929 Fairbanks is for sale at \$700,000. He recommended offering \$650,000 based on comparison of the size and price of the dry cleaner property just purchased. Consensus was leave this under the City Manager's purview in terms of creating options.

Howell Branch property/tree removal issue: A Stop Work Order was issued due to unpermitted removal of trees, Fines have calculated and a special meeting of the Code Compliance Board may be held. The owner has offered to hold a meeting with neighbors regarding steps he will be taking to mitigate the loss. He responded to questions advising that staff and the Tree Preservation Board are reviewing the city code and will present recommendations.

Commissioner Cooper suggested that the city arborist, at the expense of the owner/developer, be present when the land is cleared to avoid improper tree removal and further suggested stringent penalties and increased fines.

Commissioner Sullivan read comments received from the neighbors expressing their outrage about removal of the trees and urging increased fines to stop future violations. He supported increased fines above the cost of doing business. After discussion, consensus to have staff to review the code and present recommendations to avoid this in the future.

Commissioner Weaver commented on the poor health of Lake Temple and urged the city arborist to guide the developer to remove tree limbs and debris from the lake and replant the shoreline to repair the ecosystem.

Commissioner Cooper asked if this will be walled neighborhood. Director of Planning and Transportation Bronce Stephenson advised that a wall has been approved by the city due to close proximity of the neighborhood to Howell Branch Road.

Public Art at I-4: Commissioner Cooper asked whether there will be lighting for the public art at I-4. Director of Communications Clarissa Howard advised that solar lighting is being donated.

Commissioner Cooper thanked staff for letter requesting veto of bill regarding home businesses. She asked for a report on the Bert J. Harris Act.

6) City Attorney's Report

Mr. Ardaman explained the proposed amendment to the Bert J. Harris Private Property Right Act which would make it easier for property owners to file claims against local governments for actions detrimental to their property. He read the proposed statute defining those actions and reviewed the impact to the city. If the city wants to avoid application of the claims process in the bill, the city would need to pass an ordinance prior to July 1 to require claims to go through existing process.

Commissioner Cooper said that she believes that any sweeping land use changes must be made prior to July 1, which includes the OAO.

Mayor Anderson suggested this be discussed in the OAO work session tomorrow.

Commissioner Cooper asked that the city generate a letter to veto this amendment. Approved by consensus. Mr. Knight advised the letter will be sent tomorrow.

7) Non-Action Items

- a. Board Appointment - Annemarie Smith to Parks and Recreation Advisory Board (Mayor Anderson)

Mayor Anderson reported this appointment.

8) Public Comments | 5 p.m. or soon thereafter (heard after Item 10a)

9) Consent Agenda

- a. Approval of the minutes of the regular meeting, May 12, 2021
- b. Approval of the minutes of the work session, May 13, 2021 **(Removed by Mayor Anderson)**
- c. Approval of the formal solicitations:
 1. American Wire Group - IFB4-21 - Purchase of 1 SkV & 600-Volt Underground and Overhead Cable; Amount \$59,000 for 25,000 ft. of 600V cable per specifications;
 2. Stuart C. Irby - IFB4-21 - Purchase of 1 SkV & 600-Volt Underground and Overhead Cable; Amount \$429,250 for 75,000 ft. of 1 SKV cable and 20,000 ft. of 1 SKV cable, per specifications.
- d. Approval of the following contracts:
 1. Johnson-Laux Construction, LLC - RFQ11-18 - Repair & Construction Services (< \$2001</project); Amount \$500,000 for as-needed services;
 2. Allcrete, Inc. - RFP13-17 - Continuing Concrete Services; Amount \$500,000 for as-needed services;

3. SGM Engineering, Inc - RFQ9-19 - Professional MEP Engineering Services; Amount \$30,000 for as-needed services;
4. Calvin, Giordano & Associates, Inc. - RFQ9-19 - Professional MEP Engineering Services; Amount \$30,000 for as-needed services;
5. Smithson Electric, Inc - IFB13-19 - Electrician Services; Amount \$150,000 for as-needed services;
6. Yang, Inc. - IFB13-19 - Electrician Services; Amount \$150,000 for as-needed services;
7. Tom's Sod Services, Inc. - IFB26-18 - Purchase, Delivery & Installation of Sod; Amount \$175,000 for as-needed services;
8. IFB16-19 - Purchase & Delivery of Conduit/Pipe for the following vendors. Waiver of Procurement process is requested for these contracts to adjust costs based on monthly price adjustments for this commodity.
 - a) Anixter, Inc; Amount of \$175,000 for as-needed services.
 - b) Electric Supply of Tampa; Amount \$750,000 for as needed materials;
 - c) Gresco Utility Supply, Inc.; Amount \$175,000 for as needed materials;
 - d) Wesco Distribution; Amount \$60,000 for as needed materials;
9. Parsons - Waiver of the solicitation process is requested for Roadway Engineer-of-Record for FDOT Project 408429 US 17-92 (Orlando Ave) and enter into a contractual agreement with Parsons; Expenditures are included in CIP.

Mayor Anderson asked to remove Item b.

Motion made by Commissioner Cooper to approve Consent Agenda Items a, c-d; seconded by Commissioner DeCiccio. Motion carried unanimously with a 5 - 0 vote.

Item b: Motion made by Mayor Anderson to add a sentence on Page 2, before the 2nd paragraph that reads "Mr. Stephenson noted several recent land sales and discussion ensued regarding using recent sale comparisons as a basis of understanding the value increase at different FARs;" seconded by Commissioner Cooper. Motion carried unanimously with a 5 – 0 vote.

10) Action Items Requiring Discussion

a. American Rescue Plan Act (ARPA) Funding Non-Profit Support Program

Mr. Knight provided the background of ARPA funding discussions and approval of a tentative allocation for organizational support of \$200k. He presented the criteria and application.

The Commission reviewed the following eligibility criteria:

- Must be 501C3. Approved by consensus
- Must be headquartered within the municipal boundaries of Winter Park.
Approved by consensus.
- Have been in operation for at least 3 years. Approved by consensus.
- Annual operating budget does not exceed \$2 million.

Commissioner Cooper noted that there are more than more 500 organizations that would be eligible based on the threshold and suggested decreasing the threshold. She suggested defining operating budget since there may be disparity among organizations in the definition.

Mr. Knight clarified that the 500 organizations are those in Winter Park that meet the budget threshold and include family foundations or trusts that may not qualify for this program. He noted that the commission could add criteria for the type of organization and/or that provide a service the under-served.

After discussion, consensus was to set the threshold at \$2 million and define operating budget as the amount designated as total expenses on IRS Form 990 filed by non-profits.

- Must have independent Board of Directors for oversight. Consensus was to delete the word "independent."
- Must demonstrate a financial need caused by the COVID-19 Pandemic. After discussion, consensus was to change to "Must have suffered a detrimental impact due to COVID-19 Pandemic" and to require revenue statements to show decrease in revenue.
- Amount – Maximum of \$25,000 or 1/2 of annual operating budget. Approved by consensus.

The meeting was recessed at 4:43 p.m. and reconvened at 4:50 p.m.

Mayor Anderson stated the next step is to develop organization criteria, perhaps a service provider as opposed to a trust, followed by determining the review process by creating a sub-committee to make a recommendation to the Commission or develop precise parameters and develop list for Commission to consider support and amount of support.

Commissioner Sullivan said he feels that a number of non-profits will meet criteria and noted that the Commission could increase the current allocation of \$200,000 if need is great enough. He suggested a staff committee to review applications.

Commissioner DeCiccio suggested asking the amount the organization has received under the recovery act. Agreed by consensus.

Commissioner Weaver suggested a task force, other than staff or commission due to public perception, to review applications and asked how this will be communicated to non-profits. Mr. Knight stated that the city has a list of some organizations but staff can develop a communication plan. After additional discussion, consensus was to create a task force to review applications to make a recommendation to the Commission.

Commissioner Cooper suggested asking who the organization services, i.e. those disproportionately impacted by COVID-19 (nurseries, mental health providers, unemployed), vulnerable population (children, seniors, disabled); and whether they provide affordable housing. She said her intent is to give these organizations priority but would not exclude other organizations.

Mayor Anderson asked two commissioners jointly review the application criteria and establish task force guidelines.

Commissioner Sullivan suggested asking the organizations to explain any detrimental impact and also whether they had cooperative activities in support of other non-profits.

Commissioners Sullivan and Cooper agreed to serve on the subcommittee to review the criteria and application. Commissioner Cooper said she opposed to increasing the \$200,000 allocation.

Motion made by Mayor Anderson to table until next commission meeting; seconded by Commissioner Weaver. Motion carried unanimously with a 5 - 0 vote.

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

Mary Dunn, 450 Clarendon Avenue, expressed her concern regarding the environment and urged the city to take steps to reduce carbon emissions.

Forest Michael, 358 W. Comstock Avenue, said he feels the city should have been fined for removal of trees at the Library and Event Center and suggested that those fines be imposed and used for the MLK Memorial.

Mary Daniels, 650 Canton Avenue, urged the city to move forward with the MLK memorial and to support youth and senior organizations with the ARPA funding.

Martha Hall spoke in support of re-establishing the MLK memorial.

11) Public Hearings

a. Request of A&R Real Estate Development for:

- Subdivision approval to split the properties platted as Lots 25 & 26 on Loch Lomond Drive, zoned R-1 A. Variances are requested from the R-1A lot dimension standards, and

- Request of the City of Winter Park for an Ordinance to change the Future land use designation on Lots 25-27 from Office to Single Family Residential.

Attorney Ardaman read the ordinance by title.

Senior Planner Jeff Briggs reviewed the request for lot split. The properties are currently zoned residential and the ordinance changes the land use to match the zoning.

Approval is recommended.

Motion made by Commissioner Cooper to approve the lot split; seconded by Commissioner Sullivan. Motion carried unanimously with a 5 - 0 vote.

Motion made by Commissioner Cooper to approve the future land use change to R-1A; seconded by Commissioner DeCiccio. Motion carried unanimously with a 5 - 0 vote.

Shane Acevedo, applicant, 1817 Loch Berry Road, spoke positively of the neighborhood with the exception of the septic requirements which could be a hindrance to property values in the area. He encouraged the city to look at extending sewer to these properties. Commissioner Cooper suggested that staff look at the cost of extending sewer.

There were no additional public comments.

Upon a roll call vote to approve the lot split, Mayor Anderson and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5 – 0 vote.

Upon a roll call vote to approve the ordinance on first reading, Mayor Anderson and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5 – 0 vote.

- b. Resolution 2247-21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PRAYER MISSION OF GOD IN CHRIST CHURCH BUILDING AND PROPERTY LOCATED AT 827 W. LYMAN AVENUE, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Mr. Briggs reviewed the voluntary request to designate this property as a historical resource not because of the age of building but the importance of churches in Hannibal Square neighborhood. The Historic Preservation Board recommended approval.

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Cooper to approve the Resolution; seconded by Commissioner Weaver.

Mary Daniels, 650 Canton Avenue, spoke in support of this designation.

Martha Hall, 331 W. Lyman, expressed her appreciation for this designation and spoke about the work of her husband, Reverend Hall, who was pastor of this church for many years and a beacon in the community.

Forest Michael, 358 W. Comstock, spoke in support of Mrs. Hall, the church and this designation.

Maria Bryant, daughter of Rev. Hall, thanked the city for honoring her father with this designation.

Upon a roll call vote, Mayor Anderson and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5 – 0 vote.

- c. Ordinance 3206-21: AN ORDINANCE OF THE CITY OF WINTER PARK FLORIDA, AMENDING ARTICLE III OF CHAPTER 2 OF THE CITY OF WINTER PARK CODE OF ORDINANCES REGARDING SUBSIDIARY CITY BOARDS AND THE MEMBERSHIP, FUNCTIONS, DUTIES AND PROCEDURES OF SUBSIDIARY CITY BOARDS; AMENDING SECTION 58-446 TO ELIMINATE THE REFERENCE TO ALTERNATE MEMBER TO THE HISTORIC PRESERVATION BOARD TO BE CONSISTENT WITH SUCH BOARD'S MEMBERSHIP SET FORTH IN CHAPTER 2, ARTICLE III; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. (2nd Reading)

Attorney Ardaman read the ordinance by title.

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

12) City Commission Reports

Commissioner Sullivan

- Reminded everyone that meetings will return to Commission Chambers with virtual participation. He urged everyone to get vaccinated.
- Commented on the USPS property purchase discussions.

Commissioner DeCiccio

- Asked for confirmation on the plans for the MLK memorial in MLK Park. Mr. Knight confirmed that the plaque will be incorporated in MLK Park and plans to will be presented to the Commission for approval.

- Asked about the timing of pursuing extension of CRA and revision to the boundaries. Mayor Anderson said a future work session will be scheduled after completion of the OAO. She stressed the importance and speaks to use of CRA funds for the Post Office property. Mayor Anderson asked staff to report on the use of surplus funds from the CRA at the ends of the CRA.
- Presented a request from some residents to rename Orlando Avenue to Winter Park Avenue or Winter Park Blvd. Commissioner Cooper agreed but suggested another name representative the city since there is Winter Park Road. Mayor Anderson agreed.

Commissioner Cooper

- Thanked staff for the incredible job in hosting the FLC luncheon and ethics training.
- Expressed an interest in a planning effort with staff, P & Z and neighbors to prepare for the potential redevelopment office or commercial properties adjacent to residential neighborhoods. Mayor Anderson said he feels that transition zones should be identified and examined.
- Suggested inviting the group who developed The Exchange concept (John Rivers, John Rive, Wade Miller, Tracy Liffey) for reuse of the Library be invited to make a presentation in an upcoming meeting. Commissioner Weaver agreed. Commissioner DeCiccio expressed her concern about the cost to the city to make renovations.
Mayor Anderson suggested that this be added to the discussion in June 7th work session regarding becoming a landlord. Consensus was to add to the work session.
- Submitted copy of an e-mail from FLC which shows the effect of Bert Harris Act which takes effect July 1st. She suggested that the city may want to move forward with major land use changes and asked that that staff create a schedule for the adoption of the OAO prior to July 1st. Commissioner DeCiccio agreed.
Director of Planning and Transportation Bronce Stephenson stated that additional scopes have yet to be completed and the final language is being reviewed by the city attorneys. He noted that the city-wide notice must be in homes 30 days prior to the first P&Z hearing followed by first reading of the ordinances by the Commission, 30-day review by the State and then second reading of the ordinance. This will be discussed further in the May 27th OAO work session.
- Gave Commissioner Sullivan a copy of an e- mail sent to the City Manager regarding the Bert Harris Act.
- Advised that she stepped away from USPS negotiations because of her confidence that the Mayor to handle the negotiations representing the will of the Commission and move forward.

Mayor Anderson thanked Commissioner Cooper for her support and acknowledged her work with FLC and on its committees.

Commissioner Weaver

- Thanked staff for FLC luncheon meeting.
- Thanked city staff for looking at the health of Lake Island health and advised that staff will be dredging the eastern side of lake.
- Asked if there is a way to display the MLK Plaque. Mr. Knight said the design of the memorial will be presented to the Commission for approval.
- Asked if churches are eligible for CRA funding for improvements. Division Director of Office of Management and Budget Peter Moore stated that he will review the CRA documents to see if there is a program available. Mr. Stephenson advised that historic preservation matching grants are available.
- Noted the numerous e-mails received in support of gas-powered leaf blowers.
- Asked for support for work session on supermajority vote. Mr. Knight advised that the ordinance is being drafted based on the Commission's direction and will be on the next agenda as a discussion item.

Mayor Anderson

- Asked the commission to consider being an ex-officio member of an advisory board. Attorney Ardaman said this is a policy decision but recommended that it not apply to quasi-judicial boards because some of their decisions may come as a recommendation to the Commission.

13) Summary of Meeting Actions

14) Adjournment

The meeting adjourned 6:29 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission Regular Meeting

agenda item

item type	Consent Agenda	meeting date	June 9, 2021
prepared by	Rene Cranis	approved by	Michelle Neuner, Randy Knight
board approval	Completed		
strategic objective			

subject

Approval of the minutes of the work session, May 27, 2021

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[052721ws.pdf](#)



City Commission Work Session Minutes

May 27, 2021 at 1:00 p.m.

Virtual

Present:

Mayor Phil Anderson
Commissioner Marty Sullivan
Commissioner Sheila DeCiccio
Commissioner Carolyn Cooper
Commissioner Todd Weaver

City Manager Randy Knight
Asst. City Manager Michelle Neuner
City Clerk Rene Cranis

Also Present:

Planning and Transportation Director Bronce Stephenson
Planner Allison McGillis
Larry Adams, Scott Webber, Darryl Spradley; ACi Architects
Ray Waugh, LandDesign

1) Call to Order

Mayor Anderson called the meeting to order at 1:01 p.m. and stated that he would like to review the timeline for the adoption of the OAO provided by staff and then move on to discuss Progress Point and the enhancement menu.

Mr. Stephenson reviewed the process to complete the adoption of the OAO including additional work sessions, state review, and public hearings leading to adoption of the OAO in October. Mr. Stephenson responded to questions on components of the time line and the ability to compress the timeline.

Commissioner Weaver expressed concern regarding the Bert Harris Act amendment which will impact the Overlay. In response, Mr. Stephenson explained that staff can start preparing the draft citywide notice for legal review.

Commissioner Cooper expressed her frustration that this process did not move more expeditiously. She asked for an assessment of each subarea demonstrating that there are no "taking issues." She believes the city should back off from the OAO and make it a future land use area and require rezoning with completed plans and an offer of public amenities and proportionate fair share before any changes are made. She said she is not interested in moving forward unless the assessment guarantees there is no infringement

on legitimate current entitlements on properties. She added that development of Progress Point is not critical to the adoption of an OAO.

Mayor Anderson noted that the OAO increases development rights but does not require conditions for that increase. He sees Progress Point separately from the OAO and its development must be addressed even without the OAO. Mayor Anderson said he feels like the city is at the point of moving forward but may need to adjust if the bill is signed by the governor and the risks to the city increase.

Commissioner Weaver said he is uncomfortable asking citizens to pay for infrastructure changes to accommodate the current OAO and cannot support the OAO without developers paying a proportionate share of infrastructure costs. He believes developers could interpret this as a burden and taking of their rights.

Commissioner Sullivan said he believes that the requirements for build-to lines, setbacks and open space could be seen as a taking.

Commissioner DeCiccio said that developers will perceive this as a taking because of the requirements for green space, parking, etc. even though they may be given increased FAR. She said she is ready to let the OAO go for now and work on Progress Point and other improvements supported by citizens.

Commissioner Weaver said he believes that moving forward that this point will set the city up for future lawsuits and the OAO should be tabled for now.

Commissioner Cooper spoke on the risk of litigation and questioned whether a developer's agreement would be appropriate to acknowledge a partnership between the developer and the city where the city would grant additional FAR in exchange, for example, greater setbacks. She further questioned whether it would be appropriate to incorporate a provision to reduce the risk of litigation.

Mayor Anderson suggested finishing the illustrations and the enhancement menu to have ready to proof and print.

2) Discussion Item(s)

a. Presentation of the Redevelopment Guidelines & Action Plan for City-owned Progress Energy Land

Mayor Anderson said he sees this as an opportunity for this property to be anchor enhancing the city. Mr. Stephenson provided a brief history of discussions on the development of this property as an opportunity to breathe new life into the corridor, help businesses and create an entry to Mead Garden. He said that ACi was tasked with providing a conceptual plan based on the parameters set by the commission that

include a 1½-acre park, max building footprint of 20,000 square feet, 2- story maximum and connection of the trail from Mead Garden to the Orlando trail system.

Mr. Adams introduced his staff and gave a presentation of on the concept of creating a public space park space for the community. He outlined the focus, strategy and priorities for development, the process, and methodology. He presented the development program recommendations for public space, food hall, co-work studios, shared rooftop restaurant/bar and infrastructure.

Mr. Waugh spoke on the connection of parks and greenways and secondary types of transportation that are important throughout the city and influence people movement and the framework for other assets in city such as Hannibal Square. He reviewed renderings of the site resulting from public surveys and conversations with the commission on how to activate the park, parking and how the elements work together.

Mr. Adams reviewed case studies of public squares and successful examples of park activation and showed diagrams and renderings based on the input from a survey and charette on the public park, complementary uses, mobility and connectivity.

Mr. Spradley presented market research on trends in public spaces regarding dining and craft breweries, food away from home, co-work space and spaces to boost employee experience.

Mr. Adams showed and described visualizations of the park from different perspectives. He pointed out that the trees are of a caliper to provide immediate shade when planted.

Mr. Waugh and Mr. Adams reviewed the tree visualizations and costs and described images showing streetscapes with shade trees, a trellis, seating and walkability providing opportunities for different experiences in the park.

Mr. Adams reviewed architectural guidelines and showed images of mixed-use buildings and responded to questions regarding setbacks, building height and build-to lines. He showed elevations of Orange Avenue from different views which show how the block creates village scale.

Mayor Anderson summarized his understanding of the design and components and users of the park and discussion followed on users and demand for active park use, connectivity and walkability.

Mr. Adams displayed the cost of current development plan which is \$10.7 million with the park (including infrastructure) as presented and a 300-space parking garage. Completion of public infrastructure (stormwater, roadway, connectivity, etc.) outside the park would increase the cost to \$16 million. Mr. Stephenson noted that these costs include upgrades such as brick streets.

Mr. Adams addressed the realignment of Palmetto Avenue which, as part of the RFP process, the developer would propose how they would participate and be a part of the infrastructure elements before the city made improvements. He stated design and development of the park should be independent from any other development.

Members of the design team responded to questions regarding the parking garage dimensions, footprint of two buildings at park (20,000 s.f.) and parking spaces needed to accommodate visitors and the need to add a partial level (underground) in the parking garage to accommodate businesses.

Mayor Anderson asked staff to look at parking needs and availability for the corridor.

Commissioner Cooper asked for an update on shared, leasing or selling parking spaces. Mr. Adams reviewed the private investment potential for shared parking and the data they requested and reviewed that include rents, cap rates, financial participation, land value and deal structure. Mr. Stephenson stated there has been some interest in shared parking by area businesses.

Commissioner Weaver suggested extending the parking garage over Cypress. Mr. Adams that could be studied. Mr. Stephenson explained the potential for the second level to span Cypress.

Mr. Waugh reviewed maps showing vehicle and pedestrian corridors for connectivity at Progress Point and on Denning Drive, Mead Garden and MLK Park and visualizations of bike and pedestrian lanes on Morse Blvd. He responded to questions and discussion followed a Fairbanks crossing, connectivity to the Community Center and throughout the City.

Mayor Anderson said the next step should be whether to move forward with the development the park and determine the budget. He questioned whether the city is ready to begin the RFP process. Mr. Stephenson advised that guidelines for the RFP process are being prepared by ACi.

Mr. Waugh advised that they still need information on seasonal high-water table data to determine stormwater treatment levels. Mr. Adams advised that should be completed in the next couple of weeks.

Commissioner DeCiccio urged the city to move forward as quickly as possible and spoke on available funding. Mr. Knight advised that park acquisition funds that could be used for part of this but must be approved by the Commission.

Mayor Anderson questioned whether Palmetto Avenue can be left for later date in order to allocate \$2 million for the park. Discussion followed on the need to make stormwater draining improvements prior to beginning park development and allocation of funding.

Commissioner Weaver suggested moving forward in a phased approach allocating \$1 million to grade and pile excess dirt for future use, plant seven trees and complete rough-in of the irrigation system.

Commissioner Cooper supported moving forward in phases but within the budget and not at the expense of other projects including the post office acquisition.

Commissioner Sullivan agreed with Commissioners Weaver and Cooper.

Mayor Anderson summarized the consensus of the Commission to move forward but suggested asking the design team to bring back a \$2 million scope that does not include Palmetto. Commissioner Cooper suggested that staff look at options to upgrade the interim parking area.

Mayor Anderson noted discussion items for the next meeting will be the conceptual plan and budget for the park and planting trees and how much activation there will be.

b. OAQ - Update on the Development Enhancement Menu

Mayor Anderson noted that this document will be distributed by staff with the hope that this will be converted to a policy discussion based on parameters established by the Commission.

3) Adjournment

The work session adjourned at 4:43 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission Regular Meeting

agenda item

item type	Consent Agenda	meeting date	June 9, 2021
prepared by	Amanda LeBlanc	approved by	Jennifer Maier, Michelle Neuner, Randy Knight
board approval	Completed		
strategic objective	Fiscal Stewardship.		

subject

Approval of the following contract:

item list

1. Traffic Control Devices, Inc. - IFB4-20 Traffic Signal Installation & Maintenance; Amount \$300,000 for services on an as-needed basis.

motion / recommendation

Commission approve item as presented and authorize Mayor to execute.

background

A formal solicitation process was conducted to award this contract.

alternatives / other considerations

N/A

fiscal impact

Total expenditures included in approved budgets.



City Commission Regular Meeting

agenda item

item type	Consent Agenda	meeting date	June 9, 2021
prepared by	Amanda LeBlanc	approved by	Jennifer Maier, Michelle Neuner, Randy Knight
board approval	Completed		
strategic objective	Fiscal Stewardship.		

subject

Approval of the formal solicitation:

item list

1. American Interiors, Inc. - IFB22-21 - FF&E for Winter Park Library; Amount \$289,831.34 for library furnishings.

motion / recommendation

Commission approve item as presented and authorize Mayor to execute.

background

A formal solicitation process was conducted to award this contract.

alternatives / other considerations

N/A

fiscal impact

Total expenditures included in approved budget.



City Commission Regular Meeting

agenda item

item type Action Items Requiring Discussion	meeting date June 9, 2021
prepared by Randy Knight	approved by Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

subject

Work Sessions

motion / recommendation

Prioritize and schedule work session topics.

background

Over the last few months there have been suggestions for several work session topics. Staff is seeking direction on the commission prioritization of these topics. Following is a list of the topics that have been mentioned. There may be others that the commission wishes to add.

- 1) Strategic Planning
- 2) CRA Extension/Expansion
- 3) Gas leaf blower ban
- 4) Mobility Fee/Transportation Impact Fee
- 5) Fee for the Arts
- 6) MLK, Jr. Park master plan
- 7) Joint P&Z - Commission discussion of OAO (scheduled for June 29th)
- 8) Old Library - presentation of Exchange concept
- 9) Budget
- 10) Super Majority
- 11) Other topics that the commission wants

One option is to schedule one or two recurring general work session times/days each month and begin to work through these topics and others that arise on a priority basis going forward.

alternatives / other considerations

Select the ones that can just be handled as part of the regular meetings.

fiscal impact

None.



City Commission Regular Meeting

agenda item

item type Action Items Requiring Discussion	meeting date June 9, 2021
prepared by Michelle Neuner	approved by Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

subject

Discussion of super majority votes

motion / recommendation

Discuss super majority votes

background

The City Commission recently requested to further a discussion of putting a charter amendment on the March 2022 ballot to allow for super majority voting on specific topics.

The City attorney's office has identified language to amend section 2.08 of the City Charter to allow for super majority voting on specific topics, excluding financial topics. Additionally, they are recommending a change to section 2.11 of the City Charter to clarify when it is necessary to reread a first reading on a proposed amendment to an ordinance. This language is being proposed to foster the discussion and receive feedback. If the Commission decides to move forward, it will be necessary to adopt an ordinance authorizing the ballot question before January 26, 2022 (recommended second reading December 8, 2021), to meet the March 2022 ballot.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Sec._2.08.___Procedure - potential amendment allowing super majority.docx](#)

ATTACHMENTS:

[Sec. 2.11 potential Charter amendment.docx](#)

Sec. 2.08. - Procedure.

- (a) *Meetings.* The commission shall meet regularly at least once every month at such time and public place as the commission may prescribe by rule. Special and/or emergency meetings may be held upon call of any member of the commission. Special meetings require twenty-four (24) hours advance notice to each member of the city commission and to the public. Emergency meetings require, when practicable, twelve (12) hours notice to each member of the city commission and to the public and shall be called only to consider a public emergency affecting life, health, property or the public peace. Notice to the public consists of posting notice at some designated, conspicuous place in front of City Hall. A proposed agenda for all meetings shall also be posted in this same location as soon as practicable before each meeting, but in any event not later than twenty-four (24) hours for each regular and special meeting. Failure to list a specific item on an agenda shall not affect the validity of any act of the city commission. In the event any regular, special or emergency meeting is to be adjourned to reconvene at a later time, the date, time and place of reconvening shall be announced prior to such adjournment.
- (b) *Rules.* The commission shall determine its own rules and order of business. Minutes shall be kept of all commission proceedings.
- (c) *Voting.* Voting on ordinances and resolutions shall be by roll call vote of the commissioners and the mayor and shall be recorded in the minutes. The affirmative vote of at least three (3) members of the city commission who are present at the meeting, either in person or through the use of video-conferencing, shall be necessary to adopt any ordinance or resolution. The city commission may adopt super majority voting requirements for the approval of specific matters by adopting code provision(s) establishing such requirement by ordinance; however, super majority voting requirements may not be established for financial matters such as: (i) setting the millage rate, (ii) budget approval and amendment, (iii) issuance of bonds and other debt, (iv) establishing or amending rates, charges or fees, and (v) contracting, spending and procurement matters. The use of video-conferencing by an individual member of the city commission shall be limited to not more than three (3) times per calendar year and shall be subject to approval pursuant to and governed by rules and procedures adopted by the city commission. No other action of the commission except as provided in Sections 2.07 and in 2.08(d) shall be valid or binding unless adopted by the affirmative vote of at least a majority of a quorum present.
- (d) *Quorum.* A majority of the commission must be physically present to constitute a quorum; but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the commission.

(Ord. No. 2790-09, § 2(Am. 7), 12-14-2009; Ord. No. 3159-19 , §§ 2(Am. 1), 16(Am. 8), 3-17-20)

Sec. 2.11. - Ordinances in general.

As used in this section, "ordinance" means an official legislative action of the commission, which action is a regulation of a general and permanent nature and enforceable as a local law.

- (a) *Procedures for adoption.* Ordinances shall be adopted in accordance with the procedures and notice requirements provided by general law, provided further that a proposed ordinance shall be adopted when it has been read, by title or in full, and has received the affirmative vote of at least a majority of the city commission on at least two (2) separate days at either regular or special meetings of the commission. If there is a change in substance in the text, then the reading at the time of change will be deemed the first reading.
- (b) *Action requiring an ordinance.* In addition to other acts required by law or by specific provision of this Charter to be done by ordinance, those acts of the city commission shall be by ordinance which:
 - (1) Adopt or amend an administrative code or establish or abolish any city department or agency;

- (2) Establish a rule or regulation the violation of which carries a penalty;
- (3) Levy taxes authorized by general law;
- (4) Grant, renew or extend a franchise;
- (5) Set service or user charge for municipal services or grant administrative authority for such charges;
- (6) Authorize the borrowing of money not inconsistent with the limitations in the Constitution, the general laws of the state, and the provisions of this Charter;
- (7) Convey or lease or authorize by administrative action the conveyance or lease of any lands of the city;
- (8) Amend or repeal any ordinance previously adopted, except as otherwise provided in Article V;
- (9) Establish zoning.

(Ord. No. 2790-09, § 2(Am. 9), 12-14-2009; Ord. No. 3159-19 , § 16(Am. 8), 3-17-20)

Sec. 2.11. - Ordinances in general.

As used in this section, "ordinance" means an official legislative action of the commission, which action is a regulation of a general and permanent nature and enforceable as a local law.

- (a) *Procedures for adoption.* Ordinances shall be adopted in accordance with the procedures and notice requirements provided by general law, provided further that a proposed ordinance shall be adopted when it has been read, by title or in full, and has received the affirmative vote of a majority of the city commission on at least two (2) separate days at either regular or special meetings of the commission. If there is a substantive or material change in the ordinance during the city commission's adoption process ~~substance in the text~~, then the reading at the time of change will be deemed the first reading unless the city commission decides to conduct the first reading on the ordinance as changed at a future meeting.
- (b) *Action requiring an ordinance.* In addition to other acts required by law or by specific provision of this Charter to be done by ordinance, those acts of the city commission shall be by ordinance which:
- (1) Adopt or amend an administrative code or establish or abolish any city department or agency;
 - (2) Establish a rule or regulation the violation of which carries a penalty;
 - (3) Levy taxes authorized by general law;
 - (4) Grant, renew or extend a franchise;
 - (5) Set service or user charge for municipal services or grant administrative authority for such charges;
 - (6) Authorize the borrowing of money not inconsistent with the limitations in the Constitution, the general laws of the state, and the provisions of this Charter;
 - (7) Convey or lease or authorize by administrative action the conveyance or lease of any lands of the city;
 - (8) Amend or repeal any ordinance previously adopted, except as otherwise provided in Article V;
 - (9) Establish zoning.

(Ord. No. 2790-09, § 2(Am. 9), 12-14-2009; Ord. No. 3159-19 , § 16(Am. 8), 3-17-20)



City Commission Regular Meeting

agenda item

item type	Public Hearings	meeting date	June 9, 2021
prepared by	Randy Knight	approved by	Randy Knight
board approval	Completed		
strategic objective			

subject

Resolution supporting a unified plan for allocation and use of opioid settlement proceeds and authorizing the City Manager to execute the Memorandum of Understanding.

motion / recommendation

background

Please see the attached memorandum of understanding for the details of this issue.

Deputy Attorney General John Guard has requested that any local governments that wished to participate should adopt the resolution within 60 to 90 days of that date.

Within 60 days would be before June 12, 2021, while within 90 days would be any time before July 12, 2021.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Resolution Approving Memorandum of Understanding - re Opioid Litigation.pdf](#)

ATTACHMENTS:

[Exhibit A to Resolution.pdf](#)

RESOLUTION 2248-21

**A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA,
AUTHORIZING THE CITY OF WINTER PARK TO JOIN WITH THE STATE
OF FLORIDA AND OTHER LOCAL GOVERNMENTS AS A PARTICIPANT
IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND
FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN; AND
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Winter Park (the "City") is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, to adopt resolutions;

WHEREAS, the City has suffered harm from the opioid epidemic;

WHEREAS, the City recognizes that the entire State of Florida has suffered harm as a result from the opioid epidemic;

WHEREAS, the State of Florida has filed an action pending in Pasco County, Florida, and a number of Florida local governments have also filed an action designated *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (the "Opioid Litigation"); however, the City is not a litigating participant in such action;

WHEREAS, the State of Florida and lawyers representing certain local governments involved in the Opioid Litigation have proposed a unified plan for the allocation and use of prospective settlement dollars from opioid related litigation;

WHEREAS, the Florida Memorandum of Understanding (the "Florida Plan") sets forth a framework for a unified plan regarding the proposed allocation and use of opioid settlement proceeds, and it is anticipated that formal agreements implementing the Florida Plan will be entered into at a future date;

WHEREAS, participation in the Florida Plan by a large majority of Florida cities and counties will materially increase the amount of funds to Florida and should improve Florida's relative bargaining position during additional settlement negotiations;

WHEREAS, failure to participate in the Florida Plan will reduce the funds available to the State, the City of Winter Park, and every other Florida local government; and

WHEREAS, the City finds that participation in the Florida Plan would be in the best interest of the City and its citizens, because such plan ensures that almost all of the settlement funds will be used toward efforts to abate and resolve the opioid epidemic and that each and every participating local government receives funds for the harm that they have suffered.

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

SECTION 1. RECITALS. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. SUPPORT FOR THE FLORIDA PLAN. The City hereby expresses its support of a unified plan for the allocation and use of opioid settlement proceeds as generally described in the Florida Plan, attached hereto and incorporated herein as **Exhibit A**.

SECTION 3. AUTHORIZATION TO ENTER INTO THE FLORIDA PLAN. The City Manager for the City of Winter Park is hereby expressly authorized to execute the Florida Plan in substantially the form contained in **Exhibit A**.

SECTION 4. EXECUTION OF ADDITIONAL AGREEMENTS. The City Manager for the City of Winter Park Florida is further authorized to execute any formal agreements implementing a unified plan for the allocation and use of opioid settlement proceeds that are not substantially inconsistent with the form contained in **Exhibit A**.

SECTION 5. DIRECTION TO THE CLERK. The City Clerk is hereby directed to furnish a certified copy of this Resolution to the Florida League of Cities and Attorney General Ashley Moody, c/o John M. Guard, The Capitol, PL-01, Tallahassee, FL 32339-1050.

SECTION 6. SEVERABILITY OF INVALID PROVISIONS. If any one or more of the covenants, amendments or provisions contained herein is held contrary to any express provisions of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or is for any reason whatsoever held invalid, then such covenants, amendments, or provisions will be null and void and deemed severable from the remaining covenants, amendments, or provisions hereof and will in no way affect the validity of any of the other provisions of this Resolution.

SECTION 7. EFFECTIVE DATE. This Resolution will take effect immediately upon its adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park held in City Hall, Winter Park on this 9th day of June 2021.

**CITY COMMISSION
CITY OF WINTER PARK, FLORIDA**

[SEAL]

By: _____
Phillip Anderson, Mayor

ATTEST:

Rene Cranis, City Clerk

EXHIBIT "A"

PROPOSAL **MEMORANDUM OF UNDERSTANDING**

Whereas, the people of the State of Florida and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Pharmaceutical Supply Chain;

Whereas, the State of Florida, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance;

Whereas, the State of Florida and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Florida;

Whereas, it is the intent of the State of Florida and its Local Governments to use the proceeds from Settlements with Pharmaceutical Supply Chain Participants to increase the amount of funding presently spent on opioid and substance abuse education, treatment and other related programs and services, such as those identified in Exhibits A and B, and to ensure that the funds are expended in compliance with evolving evidence-based “best practices”;

Whereas, the State of Florida and its Local Governments, subject to the completion of formal documents that will effectuate the Parties’ agreements, enter into this Memorandum of Understanding (“MOU”) relating to the allocation and use of the proceeds of Settlements described herein; and

Whereas, this MOU is a preliminary non-binding agreement between the Parties, is not legally enforceable, and only provides a basis to draft formal documents which will effectuate the Parties’ agreements.

A. Definitions

As used in this MOU:

1. “Approved Purpose(s)” shall mean forward-looking strategies, programming and services used to expand the availability of treatment for individuals impacted by substance use disorders, to: (a) develop, promote, and provide evidence-based substance use prevention strategies; (b) provide substance use avoidance and awareness education; (c) decrease the oversupply of licit and illicit opioids; and (d) support recovery from addiction. Approved Purposes shall include, but are not limited to, the opioid abatement strategies listed on Exhibits A and B which are incorporated herein by reference.

2. “Local Governments” shall mean all counties, cities, towns and villages located within the geographic boundaries of the State.

3. “Managing Entities” shall mean the corporations selected by and under contract with the Florida Department of Children and Families or its successor (“DCF”) to manage the

daily operational delivery of behavioral health services through a coordinated system of care. The singular “Managing Entity” shall refer to a singular of the Managing Entities.

4. “County” shall mean a political subdivision of the state established pursuant to s. 1, Art. VIII of the State Constitution.

5. “Municipalities” shall mean cities, towns, or villages of a County within the State with a Population greater than 10,000 individuals and shall also include cities, towns or villages within the State with a Population equal to or less than 10,000 individuals which filed a Complaint in this litigation against Pharmaceutical Supply Chain Participants. The singular “Municipality” shall refer to a singular of the Municipalities.

6. “Negotiating Committee” shall mean a three-member group comprised by representatives of the following: (1) the State; and (2) two representatives of Local Governments of which one representative will be from a Municipality and one shall be from a County (collectively, “Members”) within the State. The State shall be represented by the Attorney General or her designee.

7. “Negotiation Class Metrics” shall mean those county and city settlement allocations which come from the official website of the Negotiation Class of counties and cities certified on September 11, 2019 by the U.S. District for the Northern District of Ohio in *In re National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio). The website is located at <https://allocationmap.iclaimsonline.com>.

8. “Opioid Funds” shall mean monetary amounts obtained through a Settlement as defined in this MOU.

9. “Opioid Related” shall have the same meaning and breadth as in the agreed Opioid Abatement Strategies attached hereto as Exhibits A or B.

10. “Parties” shall mean the State and Local Governments. The singular word “Party” shall mean either the State or Local Governments.

11. “PEC” shall mean the Plaintiffs’ Executive Committee of the National Prescription Opiate Multidistrict Litigation pending in the United States District Court for the Northern District of Ohio.

12. “Pharmaceutical Supply Chain” shall mean the process and channels through which Controlled Substances are manufactured, marketed, promoted, distributed or dispensed.

13. “Pharmaceutical Supply Chain Participant” shall mean any entity that engages in, or has engaged in the manufacture, marketing, promotion, distribution or dispensing of an opioid analgesic.

14. “Population” shall refer to published U.S. Census Bureau population estimates as of July 1, 2019, released March 2020, and shall remain unchanged during the term of this MOU. These estimates can currently be found at <https://www.census.gov>

15. “Qualified County” shall mean a charter or non-chartered county within the State that: has a Population of at least 300,000 individuals and (a) has an opioid taskforce of which it is a member or operates in connection with its municipalities or others on a local or regional basis; (b) has an abatement plan that has been either adopted or is being utilized to respond to the opioid epidemic; (c) is currently either providing or is contracting with others to provide substance abuse prevention, recovery, and treatment services to its citizens; and (d) has or enters into an agreement with a majority of Municipalities (Majority is more than 50% of the Municipalities’ total population) related to the expenditure of Opioid Funds. The Opioid Funds to be paid to a Qualified County will only include Opioid Funds for Municipalities whose claims are released by the Municipality or Opioid Funds for Municipalities whose claims are otherwise barred.

16. “SAMHSA” shall mean the U.S. Department of Health & Human Services, Substance Abuse and Mental Health Services Administration.

17. “Settlement” shall mean the negotiated resolution of legal or equitable claims against a Pharmaceutical Supply Chain Participant when that resolution has been jointly entered into by the State and Local Governments or a settlement class as described in (B)(1) below.

18. “State” shall mean the State of Florida.

B. Terms

1. **Only Abatement** - Other than funds used for the Administrative Costs and Expense Fund as hereinafter described in paragraph 6 and paragraph 9, respectively), all Opioid Funds shall be utilized for Approved Purposes. To accomplish this purpose, the State will either file a new action with Local Governments as Parties or add Local Governments to its existing action, sever settling defendants, and seek entry of a consent order or other order binding both the State, Local Governments, and Pharmaceutical Supply Chain Participant(s) (“Order”). The Order may be part of a class action settlement or similar device. The Order shall provide for continuing jurisdiction of a state court to address non-performance by any party under the Order. Any Local Government that objects to or refuses to be included under the Order or entry of documents necessary to effectuate a Settlement shall not be entitled to any Opioid Funds and its portion of Opioid Funds shall be distributed to, and for the benefit of, the other Local Governments.

2. **Avoid Claw Back and Recoupment** - Both the State and Local Governments wish to maximize any Settlement and Opioid Funds. In addition to committing to only using funds for the Expense Funds, Administrative Costs and Approved Purposes, both Parties will agree to utilize a percentage of funds for the core strategies highlighted in Exhibit A. Exhibit A contains the programs and strategies prioritized by the U.S. Department of Justice and/or the U.S. Department of Health & Human Services (“Core Strategies”). The State is trying to obtain the United States’ agreement to limit or reduce the United States’ ability to recover or recoup monies from the State and Local Government in exchange for prioritization of funds to certain projects. If no agreement is reached with the United States, then there will be no requirement that a percentage be utilized for Core Strategies.

3. **Distribution Scheme** - All Opioid Funds will initially go to the State, and then be distributed according to the following distribution scheme. The Opioid Funds will be divided into three funds after deducting costs of the Expense Fund detailed in paragraph 9 below:

- (a) City/County Fund- The city/county fund will receive 15% of all Opioid Funds to directly benefit all Counties and Municipalities. The amounts to be distributed to each County and Municipality shall be determined by the Negotiation Class Metrics or other metrics agreed upon, in writing, by a County and a Municipality. For Local Governments that are not within the definition of County or Municipality, those Local Governments may receive that government's share of the City/County Fund under the Negotiation Class Metrics, if that government executes a release as part of a Settlement. Any Local Government that is not within the definition of County or Municipality and that does not execute a release as part of a Settlement shall have its share of the City/County Fund go to the County in which it is located.
- (b) Regional Fund- The regional fund will be subdivided into two parts.
 - (i) The State will annually calculate the share of each County within the State of the regional fund utilizing the sliding scale in section 4 of the allocation contained in the Negotiation Class Metrics or other metrics that the Parties agree upon.
 - (ii) For Qualified Counties, the Qualified County's share will be paid to the Qualified County and expended on Approved Purposes, including the Core Strategies identified in Exhibit A, if applicable.
 - (iii) For all other Counties, the regional share for each County will be paid to the Managing Entities providing service for that County. The Managing Entities will be required to expend the monies on Approved Purposes, including the Core Strategies. The Managing Entities shall endeavor to the greatest extent possible to expend these monies on counties within the State that are non-Qualified Counties and to ensure that there are services in every County.
- (c) State Fund - The remainder of Opioid Funds after deducting the costs of the Expense Fund detailed in paragraph 9, the City/County Fund and the Regional Fund will be expended by the State on Approved Purposes, including the provisions related to Core Strategies, if applicable.
- (d) To the extent that Opioid Funds are not appropriated and expended in a year by the State, the State shall identify the investments where settlement funds will be deposited. Any gains, profits, or interest accrued from the deposit of the Opioid Funds to the extent that any funds are not appropriated and expended within a calendar year, shall be the sole property of the Party that was entitled to the initial deposit.

4. Regional Fund Sliding Scale- The Regional Fund shall be calculated by utilizing the following sliding scale of the Opioid Funds available in any year:

- A. Years 1-6: 40%
- B. Years 7-9: 35%
- C. Years 10-12: 34%
- D. Years 13-15: 33%
- E. Years 16-18: 30%

5. Opioid Abatement Taskforce or Council - The State will create an Opioid Abatement Taskforce or Council (sometimes hereinafter “Taskforce” or “Council”) to advise the Governor, the Legislature, Florida’s Department of Children and Families (“DCF”), and Local Governments on the priorities that should be addressed as part of the opioid epidemic and to review how monies have been spent and the results that have been achieved with Opioid Funds.

- (a) Size - The Taskforce or Council shall have ten Members equally balanced between the State and the Local Governments.
- (b) Appointments Local Governments - Two Municipality representatives will be appointed by or through Florida League of Cities. Two county representatives, one from a Qualified County and one from a county within the State that is not a Qualified County, will be appointed by or through the Florida Association of Counties. The final representative will alternate every two years between being a county representative (appointed by or through Florida Association of Counties) or a Municipality representative (appointed by or through the Florida League of Cities). One Municipality representative must be from a city of less than 50,000 people. One county representative must be from a county less than 200,000 people and the other county representative must be from a county whose population exceeds 200,000 people.
- (c) Appointments State -
 - (i) The Governor shall appoint two Members.
 - (ii) The Speaker of the House shall appoint one Member.
 - (iii) The Senate President shall appoint one Member.
 - (iv) The Attorney General or her designee shall be a Member.
- (d) Chair - The Attorney General or designee shall be the chair of the Taskforce or Council.
- (e) Term - Members will be appointed to serve a two-year term.

- (f) Support - DCF shall support the Taskforce or Council and the Taskforce or Council shall be administratively housed in DCF.
- (g) Meetings - The Taskforce or Council shall meet quarterly in person or virtually using communications media technology as defined in section 120.54(5)(b)(2), Florida Statutes.
- (h) Reporting - The Taskforce or Council shall provide and publish a report annually no later than November 30th or the first business day after November 30th, if November 30th falls on a weekend or is otherwise not a business day. The report shall contain information on how monies were spent the previous fiscal year by the State, each of the Qualified Counties, each of the Managing Entities, and each of the Local Governments. It shall also contain recommendations to the Governor, the Legislature, and Local Governments for priorities among the Approved Purposes for how monies should be spent the coming fiscal year to respond to the opioid epidemic.
- (i) Accountability - Prior to July 1st of each year, the State and each of the Local Governments shall provide information to DCF about how they intend to expend Opioid Funds in the upcoming fiscal year. The State and each of the Local Government shall report its expenditures to DCF no later than August 31st for the previous fiscal year. The Taskforce or Council will set other data sets that need to be reported to DCF to demonstrate the effectiveness of Approved Purposes. All programs and expenditures shall be audited annually in a similar fashion to SAMHSA programs. Local Governments shall respond and provide documents to any reasonable requests from the State for data or information about programs receiving Opioid Funds.
- (j) Conflict of Interest - All Members shall adhere to the rules, regulations and laws of Florida including, but not limited to, Florida Statute §112.311, concerning the disclosure of conflicts of interest and recusal from discussions or votes on conflicted matters.

6. **Administrative Costs**- The State may take no more than a 5% administrative fee from the State Fund (“Administrative Costs”) and any Regional Fund that it administers for counties that are not Qualified Counties. Each Qualified County may take no more than a 5% administrative fee from its share of the Regional Funds.

7. **Negotiation of Non-Multistate Settlements** - If the State begins negotiations with a Pharmaceutical Supply Chain Participant that is separate and apart from a multi-state negotiation, the State shall include Local Governments that are a part of the Negotiating Committee in such negotiations. No Settlement shall be recommended or accepted without the affirmative votes of both the State and Local Government representatives of the Negotiating Committee.

8. **Negotiation of Multistate or Local Government Settlements** - To the extent practicable and allowed by other parties to a negotiation, both Parties agree to communicate with

members of the Negotiation Committee regarding the terms of any other Pharmaceutical Supply Chain Participant Settlement.

9. **Expense Fund** - The Parties agree that in any negotiation every effort shall be made to cause Pharmaceutical Supply Chain Participants to pay costs of litigation, including attorneys' fees, in addition to any agreed to Opioid Funds in the Settlement. To the extent that a fund sufficient to pay the entirety of all contingency fee contracts for Local Governments in the State of Florida is not created as part of a Settlement by a Pharmaceutical Supply Chain Participant, the Parties agree that an additional expense fund for attorneys who represent Local Governments (herein "Expense Fund") shall be created out of the City/County fund for the purpose of paying the hard costs of a litigating Local Government and then paying attorneys' fees.

- (a) The Source of Funds for the Expense Fund- Money for the Expense Fund shall be sourced exclusively from the City/County Fund.
- (b) The Amount of the Expense Fund- The State recognizes the value litigating Local Governments bring to the State of Florida in connection with the Settlement because their participation increases the amount Incentive Payments due from each Pharmaceutical Supply Chain Participant. In recognition of that value, the amount of funds that shall be deposited into the Expense fund shall be contingent upon on the percentage of litigating Local Government participation in the Settlement, according to the following table:

Litigating Local Government Participation in the Settlement (by percentage of the population)	Amount that shall be paid into the Expense Fund from (and as a percentage of) the City/County fund
96 to 100%	10%
91 to 95%	7.5%
86 to 90%	5%
85%	2.5%
Less than 85%	0%

If fewer than 85% percent of the litigating Local Governments (by population) participate, then the Expense Fund shall not be funded, and this Section of the MOU shall be null and void.

- (c) The Timing of Payments into the Expense Fund- Although the amount of the Expense Fund shall be calculated based on the entirety of payments due to the City/County fund over a ten to eighteen year period, the Expense Fund shall be funded entirely from payments made by Pharmaceutical Supply Chain Participants during the first two years of the Settlement. Accordingly, to offset the amounts being paid from the City/County to the Expense Fund in the first two years, Counties or Municipalities may borrow from the Regional Fund during the first two years and pay the borrowed amounts back to the Regional Fund during years three, four, and five.

For the avoidance of doubt, the following provides an illustrative example regarding the calculation of payments and amounts that may be borrowed under the terms of this MOU, consistent with the provisions of this Section:

Opioid Funds due to State of Florida and Local Governments (over 10 to 18 years):	\$1,000
Litigating Local Government Participation:	100%
City/County Fund (over 10 to 18 years):	\$150
Expense Fund (paid over 2 years):	\$15
Amount Paid to Expense Fund in 1st year:	\$7.5
Amount Paid to Expense Fund in 2nd year:	\$7.5
Amount that may be borrowed from Regional Fund in 1st year:	\$7.5
Amount that may be borrowed from Regional Fund in 2nd year:	\$7.5
Amount that must be paid back to Regional Fund in 3rd year:	\$5
Amount that must be paid back to Regional Fund in 4th year:	\$5
Amount that must be paid back to Regional Fund in 5th year:	\$5

- (d) Creation of and Jurisdiction over the Expense Fund- The Expense Fund shall be established, consistent with the provisions of this Section of the MOU, by order of the Circuit Court of the Sixth Judicial Circuit in and for Pasco County, West Pasco Division New Port Richey, Florida, in the matter of *The State of Florida, Office of the Attorney General, Department of Legal Affairs v. Purdue Pharma L.P., et al.*, Case No. 2018-CA-001438 (the “Court”). The Court shall have jurisdiction over the Expense Fund, including authority to allocate and disburse amounts from the Expense Fund and to resolve any disputes concerning the Expense Fund.
- (e) Allocation of Payments to Counsel from the Expense Fund- As part of the order establishing the Expense Fund, counsel for the litigating Local Governments shall seek to have the Court appoint a third-neutral to serve as a special master for purposes of allocating the Expense Fund. Within 30 days of entry of the order appointing a special master for the Expense Fund, any counsel who intend to seek an award from the Expense Fund shall provide the copies of their contingency fee contracts to the special master. The special master shall then build a mathematical model, which shall be based on each litigating Local Government’s share under the Negotiation Class Metrics and the rate set forth in their contingency contracts, to calculate a proposed award for each litigating Local Government who timely provided a copy of its contingency contract.

10. **Dispute resolution**- Any one or more of the Local Governments or the State may object to an allocation or expenditure of Opioid Funds solely on the basis that the allocation or expenditure at issue (a) is inconsistent with the Approved Purposes; (b) is inconsistent with the distribution scheme as provided in paragraph 3, or (c) violates the limitations set forth herein with respect to administrative costs or the Expense Fund. There shall be no other basis for bringing an objection to the approval of an allocation or expenditure of Opioid Funds.

Schedule A

Core Strategies

States and Qualifying Block Grantees shall choose from among the abatement strategies listed in Schedule B. However, priority shall be given to the following core abatement strategies (“**Core Strategies**”)[, such that a minimum of __% of the [aggregate] state-level abatement distributions shall be spent on [one or more of] them annually].¹

A. Naloxone or other FDA-approved drug to reverse opioid overdoses

1. Expand training for first responders, schools, community support groups and families; and
2. Increase distribution to individuals who are uninsured or whose insurance does not cover the needed service.

B. Medication-Assisted Treatment (“MAT”) Distribution and other opioid-related treatment

1. Increase distribution of MAT to non-Medicaid eligible or uninsured individuals;
2. Provide education to school-based and youth-focused programs that discourage or prevent misuse;
3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
4. Treatment and Recovery Support Services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and recovery housing that allow or integrate medication with other support services.

C. Pregnant & Postpartum Women

1. Expand Screening, Brief Intervention, and Referral to Treatment (“SBIRT”) services to non-Medicaid eligible or uninsured pregnant women;
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women with co-occurring Opioid Use Disorder (“OUD”) and other Substance Use Disorder (“SUD”)/Mental Health disorders for uninsured individuals for up to 12 months postpartum; and
3. Provide comprehensive wrap-around services to individuals with Opioid Use Disorder (OUD) including housing, transportation, job placement/training, and childcare.

D. Expanding Treatment for Neonatal Abstinence Syndrome

1. Expand comprehensive evidence-based and recovery support for NAS babies;
2. Expand services for better continuum of care with infant-need dyad; and
3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

¹ As used in this Schedule A, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs. Priorities will be established through the mechanisms described in the Term Sheet.

E. Expansion of Warm Hand-off Programs and Recovery Services

1. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments;
2. Expand warm hand-off services to transition to recovery services;
3. Broaden scope of recovery services to include co-occurring SUD or mental health conditions. ;
4. Provide comprehensive wrap-around services to individuals in recovery including housing, transportation, job placement/training, and childcare; and
5. Hire additional social workers or other behavioral health workers to facilitate expansions above.

F. Treatment for Incarcerated Population

1. Provide evidence-based treatment and recovery support including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
2. Increase funding for jails to provide treatment to inmates with OUD.

G. Prevention Programs

1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
2. Funding for evidence-based prevention programs in schools.;
3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the 2016 CDC guidelines, including providers at hospitals (academic detailing);
4. Funding for community drug disposal programs; and
5. Funding and training for first responders to participate in pre-arrest diversion programs, post-overdose response teams, or similar strategies that connect at-risk individuals to behavioral health services and supports.

H. Expanding Syringe Service Programs

1. Provide comprehensive syringe services programs with more wrap-around services including linkage to OUD treatment, access to sterile syringes, and linkage to care and treatment of infectious diseases.

I. Evidence-based data collection and research analyzing the effectiveness of the abatement strategies within the State.

Schedule B

Approved Uses

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:²

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (MAT) approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (ASAM) continuum of care for OUD and any co-occurring SUD/MH conditions
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (OTPs) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Treatment of trauma for individuals with OUD (e.g., violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (e.g., surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.
8. Training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
10. Fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD or mental health conditions, including but not limited to training,

² As used in this Schedule B, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs. Priorities will be established through the mechanisms described in the Term Sheet.

scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.

12. [Intentionally Blank – to be cleaned up later for numbering]

13. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (DATA 2000) to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.

14. Dissemination of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service-Opioids web-based training curriculum and motivational interviewing.

15. Development and dissemination of new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication-Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in treatment for or recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.

2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.

3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.

4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.

5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.

6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.

7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.

8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.

9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
11. Training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED (CONNECTIONS TO CARE)

Provide connections to care for people who have – or at risk of developing – OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Fund Screening, Brief Intervention and Referral to Treatment (SBIRT) programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
6. Training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically-appropriate follow-up care through a bridge clinic or similar approach.

8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
11. Expand warm hand-off services to transition to recovery services.
12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.
14. Support assistance programs for health care providers with OUD.
15. Engage non-profits and the faith community as a system to support outreach for treatment.
16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. ADDRESS THE NEEDS OF CRIMINAL-JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
 - a. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (PAARI);
 - b. Active outreach strategies such as the Drug Abuse Response Team (DART) model;
 - c. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 - d. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (LEAD) model;
 - e. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or

- f. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions
4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (CTI), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal-justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome (NAS), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women – or women who could become pregnant – who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
3. Training for obstetricians or other healthcare personnel that work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; expand long-term treatment and services for medical monitoring of NAS babies and their families.

5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with Neonatal Abstinence Syndrome get referred to appropriate services and receive a plan of safe care.
6. Child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
7. Enhanced family supports and child care services for parents with OUD and any co-occurring SUD/MH conditions.
8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including but not limited to parent skills training.
10. Support for Children's Services – Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Fund medical provider education and outreach regarding best prescribing practices for opioids consistent with Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Support enhancements or improvements to Prescription Drug Monitoring Programs (PDMPs), including but not limited to improvements that:
 - a. Increase the number of prescribers using PDMPs;
 - b. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or

- c. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
- 6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
- 7. Increase electronic prescribing to prevent diversion or forgery.
- 8. Educate Dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

- 1. Fund media campaigns to prevent opioid misuse.
- 2. Corrective advertising or affirmative public education campaigns based on evidence.
- 3. Public education relating to drug disposal.
- 4. Drug take-back disposal or destruction programs.
- 5. Fund community anti-drug coalitions that engage in drug prevention efforts.
- 6. Support community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction – including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA).
- 7. Engage non-profits and faith-based communities as systems to support prevention.
- 8. Fund evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
- 9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
- 10. Create of support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
- 11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
- 12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address

mental health needs in young people that (when not properly addressed) increase the risk of opioid or other drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increase availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, individuals at high risk of overdose, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
2. Public health entities provide free naloxone to anyone in the community
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enable school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expand, improve, or develop data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.
8. Educate first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
10. Expand access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Support mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
12. Provide training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
13. Support screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in sections C, D, and H relating to first responders, support the following:

1. Educate law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitation, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local, or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment intervention services; to support training and technical assistance; or to support other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
2. A dashboard to share reports, recommendations, or plans to spend opioid settlement funds; to show how opioid settlement funds have been spent; to report program or strategy outcomes; or to track, share, or visualize key opioid-related or health-related indicators and supports as identified through collaborative statewide, regional, local, or community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (e.g., health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, data collection, and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (e.g. Hawaii HOPE and Dakota 24/7).
7. Epidemiological surveillance of OUD-related behaviors in critical populations including individuals entering the criminal justice system, including but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (ADAM) system.
8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.



City Commission Regular Meeting

agenda item

item type Public Hearings	meeting date June 9, 2021
prepared by Rene Cranis	approved by Bronce Stephenson, Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance to change the Future land use designation on Lots 25-27, Block A of the Aloma - Section 1 Plat on the corner of Loch Lomond Drive and Moray Lane from Office to Single Family Residential. (2nd reading)

motion / recommendation

Staff recommendation is for adoption. (Commission approved the lot split on May 26, 2021)

background

A&R Real Estate Development LLC (contract purchaser) has the three lots (Lots 25-27) at the corner of Loch Lomond Drive and Moray Lane under contract for purchase to redevelop as three individual single-family homes. The Zoning is single-family residential (R-1A). Lot 27 on the corner of Loch Lomond Drive and Moray Lane has an existing home on it and is a buildable lot. Lots 25 and 26 immediately to the east fronting on Loch Lomond Drive (are in the same ownership) and are vacant lots. They are 60-foot wide lots at the street. Under the Zoning Code provisions "if two or more lots with continuous frontage are under a single ownership... the lots shall be considered to be an undivided parcel for the purposes of this zoning article". As a result, this subdivision or lot split request is required to use the two platted lots for two individual new homes.

During the City's review process of subdivisions or lot split requests, there are two criteria that are reviewed. First is the 'Zoning Test' as to conformance with the zoning criteria. The next is the 'Subdivision Code Test' which is conformance to the neighborhood character.

Zoning Test

As indicated above, each lot is 60 feet wide at the street and has 9,586 square feet of land size. The R-1A zoning requires a minimum lot size of 75 feet of lot width and 8,500 square feet of lot area. Thus, variances are requested from the R-1A 75-foot lot width dimension

standards.

Lot Conformance to Subdivision Code Test

There are 19 other homes within this immediate neighborhood and block with the same R-1A zoning (see attached map). Of those homes, eleven (57%) are conforming lots with 75 feet of width or greater and eight (43%) are 55-65 feet in width. What is also important is that seven existing homes that are immediately to the east on Loch Lomond Drive or immediately to the rear of this site on Nairn Drive are the ones that are 55-65 feet in width. Thus, while the lot widths proposed are not (on average) comparable to the entire block, the proposed lot widths are exactly the same as the immediate neighboring properties.

No Impact on Floor Area Ratio

The applicant is aware of the recent code change that limits the maximum floor area ratio to the same 38% FAR as exists today on the combined lots versus the maximum 43% FAR that would otherwise apply after the lots are split. As a result, the square footage of the future homes/structures on these lots is unchanged. The difference is that the square footage can be divided into two homes versus one home. The applicant can now build one home of 7,286 square feet in size on these two lots. After the split, they can build the same square footage (3,643 sq. ft.) on each lot. The applicant believes that the two smaller homes are much more compatible with the neighborhood than one much larger home.

Development Plans

The applicant has provided generalized plans for the type of homes that they plan to build, and general site plans for the layout of the proposed new homes. The applicants will comply with the normal single-family development standards, setbacks, etc.

Comprehensive Plan Future Land Use Change

Dating back to when this neighborhood was annexed from Orange County in 1980, the future land use of most of the neighborhood is Office. However, the City's Comprehensive Plan contains the Policy (below) that limits the development along Loch Lomond Drive to single family residential. In order to start the 'housekeeping' of consistency, the staff has added to this agenda item, which is a change to the future land use map to match the single-family zoning.

Policy 1-C-10: Land Use Consistency on Loch Lomond Drive, East of Hospital

Notwithstanding the future land use text elsewhere in this element, for the office future

land use category and for future land use and zoning compatibility; that within the land area to the east of the Winter Park Hospital that fronts on Loch Lomond Drive across from Cady Way Park, the office future land use category shall only be deemed consistent with single family residential (R-1A) development and while subdivision variances may be approved to allow smaller lots for future redevelopment, that redevelopment shall only be of single family homes.

Summary

The sellers of this property bought these two lots at different times and had no idea that the Zoning Code views them as a single parcel. The split creates lots that exceed the minimum R-1A lot size except for the frontage. The 60-foot frontage is the same as the most immediate homesites to this property. The proposed split is in conformance with the Comprehensive Plan policy for Loch Lomond Drive. These new homes could energize redevelopment of new homes along Loch Lomond in this attractive setting across from Cady Way Park.

Applicable Codes

The applicable Comprehensive Plan policy and Subdivision Code section governing lot splits are below.

RELEVANT COMPREHENSIVE PLAN POLICIES:

Policy 1-5.2.8: Subdivision of Land and Lot Splits for Non-Lakefront Single Family & Low Density Multi-Family Property. The City shall consider approving subdivision and lot split applications, which are not lakefront properties and which are not estate lots in areas designated single family, low density or multi-family residential, when the proposed new lots are designed at size and density that meet adopted subdivision regulations. The City Commission in consideration of lot consolidation requests may limit the applicable floor area ratio as a condition of approval in order to preserve neighborhood scale and character.

Policy 1-6.3.1: Protect Trees. The City shall promote the proliferation and preservation of trees throughout the City, minimize the removal of protected trees, and require compensation and replanting for the loss of protected trees in various stages of maturity on public and private property in order to preserve the quality of life in the City well into the future.

Policy 5-2.7.2: Tree Protection from Development Activities. The City shall protect and conserve specimen and other significant trees from destruction by development activities through the site development process.

ARTICLE VI. - SUBDIVISION AND LOT CONSOLIDATION REGULATIONS

Sec. 58-377. - Conformance to the comprehensive plan.

(a) In the City of Winter Park, as a substantially developed community, the review of lot splits, lot consolidations, plats, replats or subdivisions within developed areas of the city shall insure conformance with the adopted policies of the comprehensive plan as a precedent to the conformance with other technical standards or code requirements.

(b) In existing developed areas and neighborhoods, all proposed lots shall conform to the existing area of neighborhood density and layout. The proposed lot sizes, widths, depths, shape, access arrangement, buildable areas and orientation shall conform to the neighborhood standards and existing conditions. This provision is specifically intended to allow the denial or revision by the city of proposed lot splits, lot consolidations, plats, replats or subdivisions when those are not in conformance with the existing neighborhood density or standards, even if the proposed lots meet the minimum technical requirements of the zoning regulations.

(c) In determining the existing area or neighborhood density and standards, for the consideration of lot splits, plats, replats or subdivision of other than estate lots or lakefront lots, the planning and zoning commission and city commission shall consider the frontage and square foot area of home sites and vacant properties with comparable zoning within an area of 500-foot radius from the proposed subdivision.

(d) In order to implement the policies of the comprehensive plan, the city commission may also impose restrictions on the size, scale, and style of proposed building, structures, or other improvements. This provision shall enable the city commission to impose restrictions on the size, height, setback, lot coverage, impervious area or right-of-way access such that proposed building and other improvements match the dimension and character of the surrounding area or neighborhood.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[2_backup for - Loch Lomond Lot Split.pdf](#)

ATTACHMENTS:

[Ord._Loch Lomond_Comp. Plan FLU_updated.pdf](#)

LOT CONFORMANCE
TO SUBDIVISION
CODE TEST

Loch Lomond Drive Properties

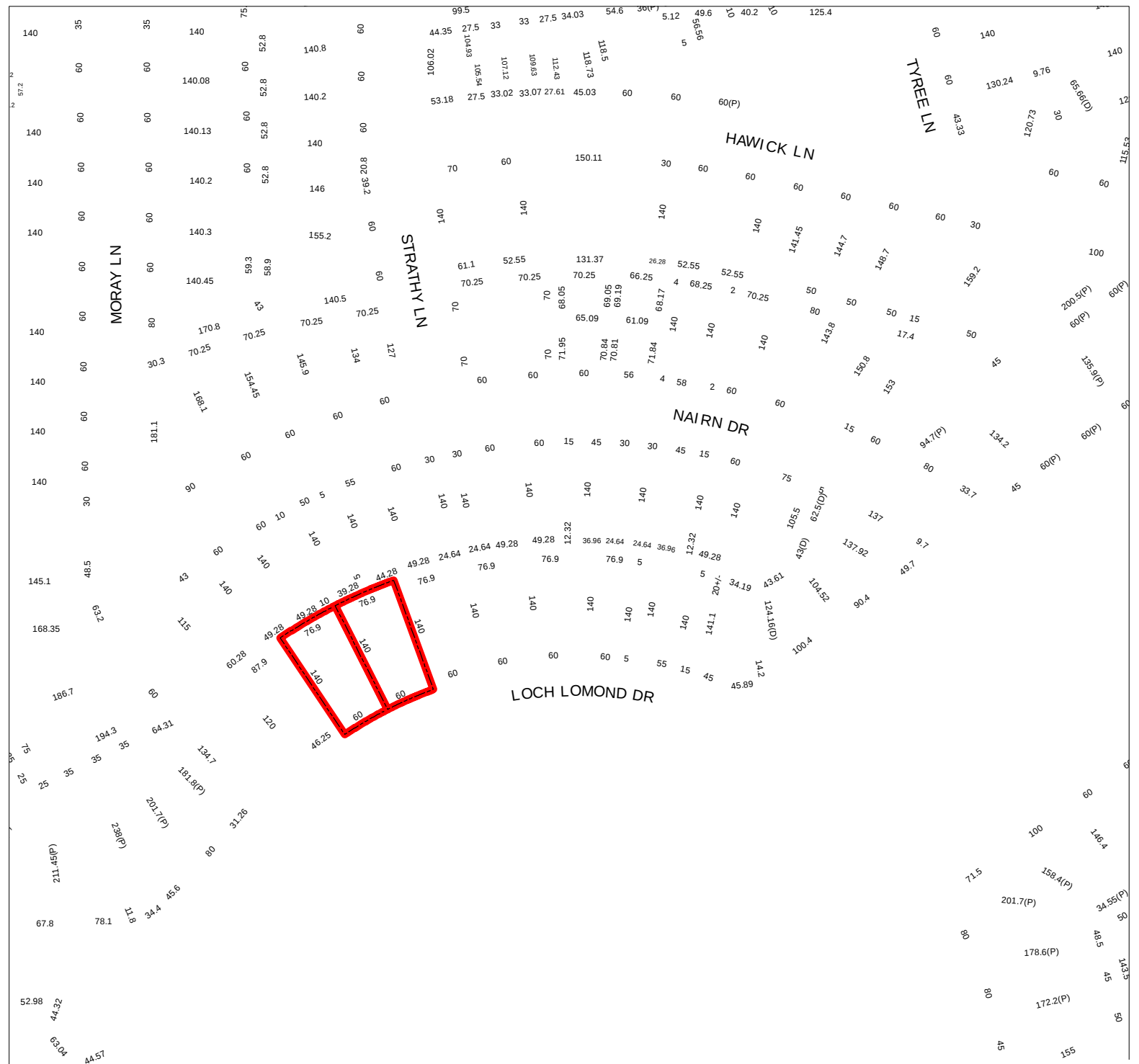
City of Winter Park
Florida

LEGEND

-  Subject Site
-  Single-Family Lots Within 500' of Site (20 total)

NOTES

Average Lot Width = 73 ft
Median Lot Width = 75 ft
Average Lot Size = 9,496 sq ft
Median Lot Size = 9,540 sq ft



Boundary & Topographic Survey

Legal Description:

LOTS 25 THROUGH 27, BLOCK 9, ALOMA SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "O", PAGE 51, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Flood Description:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN CITY OF WINTER PARK, COMMUNITY NUMBER 120188, DATED 9/25/2009.

CERTIFIED TO: SHANE ACEVEDO



CA
R= 641.70'(P)
L= 87.90'(P)
Δ= 07°56'00"(C)
Chord Bearing=
N 51°12'00" E 87.83'(M)

CB
R= 501.70'(P)
L= 46.25'(P)
Δ= 05°56'00"(C)
Chord Bearing=
S 52°42'23" W 48.28'(M)

CC
R= 25.00'(P)
L= 38.08'(C)
Δ= 87°56'00"(C)
Chord Bearing=
N 85°23'12" W 35.36'(M)

CD
R= 501.70'(P)
L= 60.00'(P)
Δ= 6°51'08"(C)
Chord Bearing=
S 56°21'32" E 59.92'(M)

CE
R= 501.70'(P)
L= 76.90'(P)
Δ= 6°56'00"(C)
Chord Bearing=
N 56°40'47" E 76.70'(M)

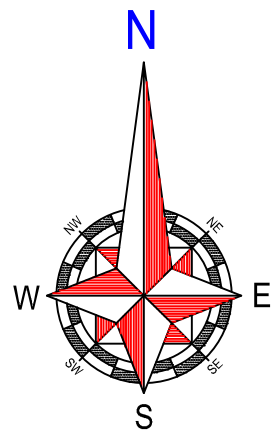
CF
R= 501.70'(P)
L= 60.00'(P)
Δ= 6°51'08"(C)
Chord Bearing=
S 63°35'31" W 59.94'(M)

CG
R= 501.70'(P)
L= 60.00'(P)
Δ= 06°56'00"(C)
Chord Bearing=
N 63°41'19" E 76.69'(M)

-Site Benchmark Information-
#1
Set 1/2" Rebar & Cap "TRAV LB 7623"
Elevation: 90.57'
#2
Set 1/2" Rebar & Cap "TRAV LB 7623"
Elevation: 94.53'

-Benchmark Information-
Florida Department of Transportation Datum
(Elevations are based upon North American Vertical Datum 1988)

Tree Note:
Palm - Denotes Tree Type
(18") - Diameter of Tree measured at Chest Height

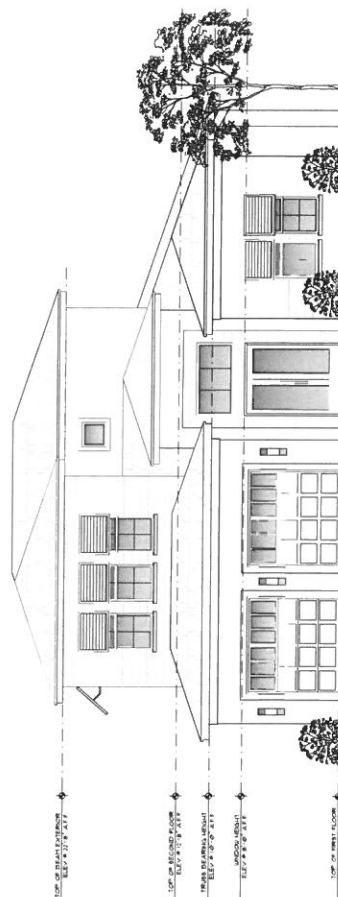


Field Date: 03/03/21	Date Completed: 03/10/21	Notes:
Drawn By: SMF	File Number: 15-55021	-Survey is Based upon the Legal Description Supplied by Client.
-Legends-		-Building Properties Deeds have <u>NOT</u> been researched for Gaps, Overlaps and/or Mistakes.
C - Calculated	PC - Point of Curvature	-Subject to any Easements and/or Restrictions of Record.
CB - Concrete Block	PI - Point of Intersection	-Bearing Basis shown hereon, is Assumed and Based upon the Line
CM - Concrete Monument	P.O.B. - Point of Beginning	-Building Ties are <u>NOT</u> to be used to reconstruct Property Lines.
CL - Concrete Line	P.O.L. - Point on Line	-Fence Ownership is <u>NOT</u> determined.
DE - Description	PP - Power Pole	-Roof Overhangs, Underground Utilities and/or Footers have <u>NOT</u>
EM - Easement	PRM - Permanent Reference Monument	been located <u>UNLESS</u> otherwise noted.
F.E.M.A. - Federal Emergency Management Agency	PT - Point of Tangency	-Septic Tanks and/or Drainfield locations are approximate and <u>MUST</u>
FFE - Finished Floor Elevation	R - Radial	be verified by appropriate Utility Location Companies.
FO - Found	Rat. - Rebar & Cap	-Use of This Survey for Purposes other than Intended, Without
IP - Iron Pipe	Rec. - Recovered	Written Verification, Will be at the User's Sole Risk and Without
L - Length (Ac)	Rd - Road	Liability to the Surveyor. Nothing hereon shall be construed to give
M - Miscellaneous	Rebar - Rebar	ANY Rights or Benefits to Anyone Other than those Certified.
N&D - Nail & Disk	SP - 1/2" Rebar	-Flood Zone Determination Shown Hereon is Given as a Courtesy, and
NR - Non-Radius	UE - Utility Easement	is Subject to Final Approval by F.E.M.A. This Determination may be
ORB - Official Records Book	WM - Water Meter	affected by Flood Factors and/or other information <u>NEITHER</u> known
P - Plot	Δ - Delta (Central Angle)	by <u>NOT</u> given to the Surveying Company at the time of this Endorsement.
PA - Plot Book	Δ - Delta (Central Angle)	Ireland & Associates Surveying Inc. and the signing surveyor assume
W - Wood Fence	Δ - Delta (Central Angle)	NO Liability for the Accuracy of this Determination.

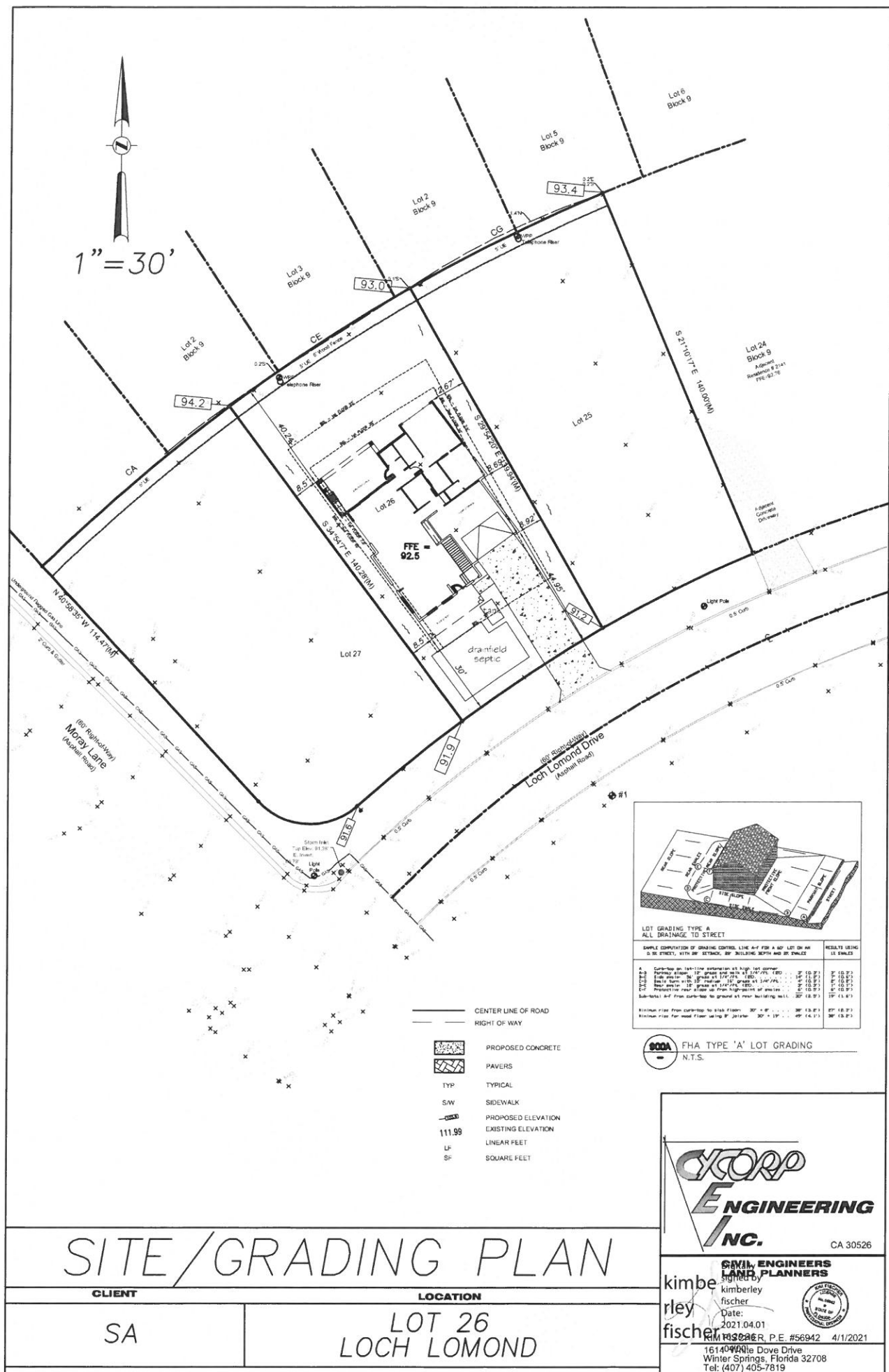
Patrick K. Ireland, P.E. 1556637
Ireland & Associates Surveying, Inc.
800 Currency Circle Suite 1020
Lake Mary, Florida 32746
www.irelandsurveying.com
Office-407.678.3366 Fax-407.320.8165



LEGAL DESCRIPTION	
FAR BUILDING DATA - LOT 75	
FIRST FLOOR - GARAGE	2,038 SF
SECOND FLOOR	1,080 SF
TOTAL LINEN AREA	3,639 SF
FAR (1983)	3,641 SF
BUILDING DATA - LOT 75	
FIRST FLOOR	2,047 SF
SECOND FLOOR	1,080 SF
TOTAL LINEN AREA	3,125 SF
GARAGE	504 SF
POOR	102 SF
PORCH	14 SF
BALCONY	14 SF
TOTAL OTHER AREAS	1,086 SF
TOTAL (OTHER 1983)	4,211 SF



COASTAL - LOT 25



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 ALL RIGHTS RESERVED
 NO PART OF THIS DOCUMENT
 MAY BE REPRODUCED OR
 TRANSMITTED IN ANY FORM
 OR BY ANY MEANS, ELECTRONIC
 OR MECHANICAL, INCLUDING
 PHOTOCOPYING, RECORDING,
 OR BY ANY INFORMATION
 STORAGE AND RETRIEVAL
 SYSTEM, WITHOUT PERMISSION
 IN WRITING FROM ZERO
 LATITUDE.

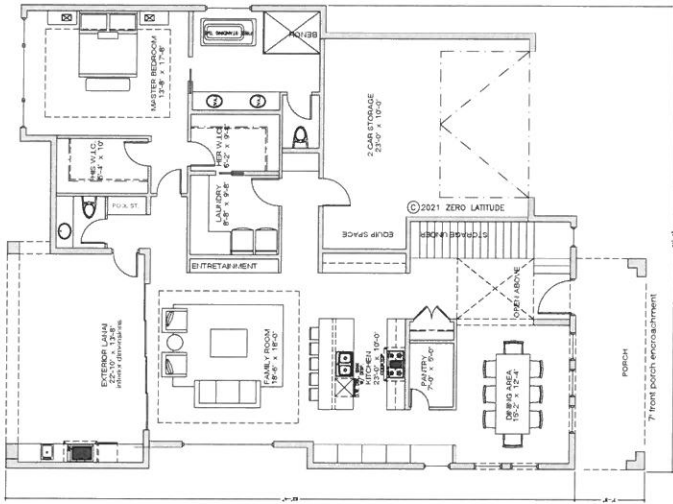
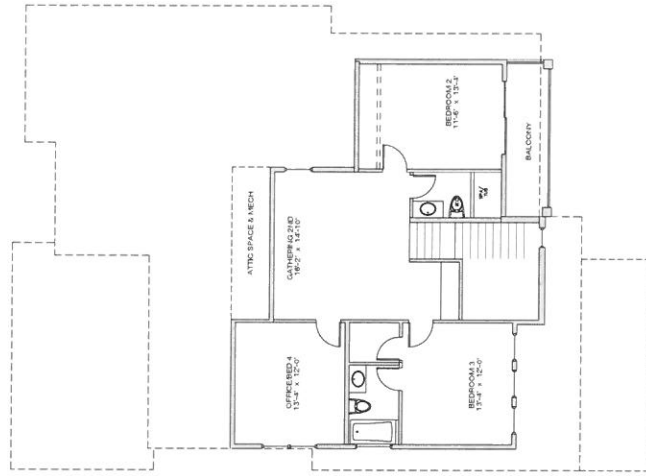
A NEW HOME BY ZERO LATITUDE HOMES
 A and R REAL STATE DEVELOPMENT, LLC.
 MORAY-LOCH LOMOND, WINTER PARK, FL 32789
 LOT 26

alpa ENGINEERING
 DANIEL ROUTER, P.E.
 1515 S. 10TH AVE.
 SUITE 100
 ORLANDO, FL 32804
 PHONE: (407) 627-4866



REVISIONS	DATE
	11/17/2020

Date	
Project #	
Drawn by	JCH
Checked by	
Total sheets	



LEGAL DESCRIPTION	
FAIR BUILDING DATA - LOT 26	
FIRST FLOOR - GARAGE	2,100 SF
SECOND FLOOR	2,100 SF
TOTAL LIVING AREA	3,641 SF
PAGE (100)	3,641 SF
BUILDING DATA - LOT 26	
FIRST FLOOR	2,100 SF
SECOND FLOOR	2,100 SF
TOTAL LIVING AREA	3,641 SF
GARAGE	977 SF
LAUNDRY	140 SF
BALCONY	86 SF
TOTAL OTHER AREAS	1,103 SF
TOTAL CONSTRUCTION	4,744 SF



COASTAL - LOT 26

852473 RECORDED
Dec 16 3 44 PM '74

This instrument was prepared by:

JOHN DeM. HAINES, ESQ.

of the Law Office of

WINDERWEEDLE, HAINES, WARD
& WOODMAN, P.A.

P. O. Box 880

WINTER PARK, FLORIDA 32789

Warranty DeedG.R. 2590 PG 334
(STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, Made this 3rd day of December 1974, Between

WILLIAM T. BRYSON and NANCY J. BRYSON, his wife,

of the County of Lee, State of Florida, grantor, and

WILLIAM G. FERRIGNO and VIRGINIA M. FERRIGNO, his wife,

whose post office address is 162 Moray Lane, Winter Park, (32789)

of the County of Orange, State of Florida, grantee.

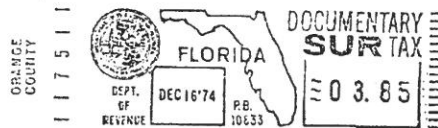
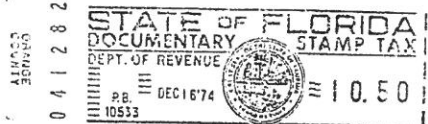
Witnesseth, That said grantor, for and in consideration of the sum of TEN and NO/100-----
-----(\$10.00)----- Dollars,

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Orange County, Florida, to-wit:

Lot 25, Block "9", ALOMA SUBDIVISION, according to the Plat thereof as recorded in Plat Book "O", Page 51, Public Records of Orange County, Florida.

SUBJECT to restrictions and easements of record, if any, but the reference thereto shall not serve to reimpose the same.

SUBJECT to taxes for 1974 and subsequent years.



and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

* "Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written. Signed, sealed and delivered in our presence:

Marion Baker
Dorlene Brown

William T. Bryson (Seal)
 WILLIAM T. BRYSON

Nancy J. Bryson (Seal)
 NANCY J. BRYSON

STATE OF FLORIDA
COUNTY OF LEE

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared WILLIAM T. BRYSON and NANCY J. BRYSON, his wife

to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 3rd day of December, 1974.

My commission expires: July 29, 1978

Marion K. Freeman
 Notary Public

RECORDED & RECORD VERIFIED

Hammond Smith
 County Comptroller, Orange Co., Fla.

883991 RECORDED

APR 22 10 07 AM '75

This instrument was prepared by:

O.R. 2614

PC 1637

JOHN DeM. HAINES, ESQ

of the Law Office of

WINDERWEEDLE, HAINES, WARD
& WOODMAN, P.A.

P.O. Box 880

WINTER PARK, FLORIDA 32789

Warranty Deed

(STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, Made this

day of April

19 75, Between

ALICE E. NORMENT, a widow, and MARIE NORMENT GABALLA, (formerly MARIE E. NORMENT, as joint tenants with right of survivorship and not as tenants of the County of MONMOUTH, State of New Jersey in common, grantor*, and

WILLIAM G. FERRIGNO and VIRGINIA M. FERRIGNO, his wife,

whose post office address is 162 Moray Lane, Winter Park (32789)

of the County of Orange

, State of Florida

, grantee*,

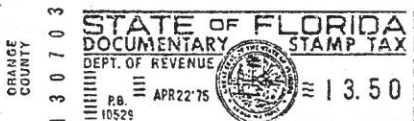
Witnesseth, That said grantor, for and in consideration of the sum of TEN and NO/100-----
-----(\$10.00)-----Dollars,

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Orange County, Florida, to-wit:

Lot 26, Block 9, ALOMA SUBDIVISION, according to the Plat thereof as recorded in Plat Book "0", Page 51, Public Records of Orange County, Florida.

SUBJECT to restrictions and easements of record, if any, but the reference thereto shall not serve to reimpose the same.

SUBJECT to taxes for 1975 and subsequent years.



and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

*"Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written. Signed, sealed and delivered in our presence:

Camille Calat

Alice E. Norment (Seal)
ALICE E. NORMENT

Alice Anoley

Marie Norment Gaballa (Seal)
MARIE NORMENT GABALLA (formerly
MARIE E. NORMENT) (Seal)

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared ALICE E. NORMENT, a widow, and MARIE NORMENT GABALLA (formerly MARIE E. NORMENT)

to me known to be the person s described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 14 day of April 1975.

My commission expires:

Evelyn Tamburello
Notary Public

RECORDED & RECORD VERIFIED

James B. Smith

County Comptroller, Orange Co., Fla.

EVELYN TAMBURELLO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 28, 1978



SEP 20 1957
4:05 P

O.R. 282 PAGE 563

526090

This Indenture.

Made this _____ day of August, A. D. 1957.

Between ANTHONY P. MIER and ELEANOR F. MIER, his wife,

of the County of Orange and State of Florida
 parties of the first part, and WILLIAM G. FERRIGNO and VIRGINIA M. FERRIGNO
 his wife, in estate by entirety with right of survivorship,
 whose mailing address is 2103 Montana Avenue, Orlando, Florida

of the County of Orange and State of Florida
 parties of the second part,

Witnesseth, that the said parties of the first part, for and in consideration of the sum of Ten Dollars and other valuable considerations to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and transferred, and by these presents do grant, bargain, sell and transfer unto the said parties of the second part and their heirs and assigns forever, all that certain parcel of land lying and being in the County of Orange, and State of Florida, more particularly described as follows:

Lot 27, Block 9 of ALOMA SUBDIVISION, according to Plat thereof as recorded in Plat Book "O", page 51, Public Records of Orange County, Florida.

Subject to taxes for the year 1957 and subsequent years.

Subject to mortgage to the Winter Park Savings and Loan Association in original amount of \$9,500.00 dated May 9, 1957 and recorded May 10, 1957 in Official Records Book 231, page 641, Public Records of Orange County, Florida, on which the unpaid balance is \$9,500.00, which the parties of the second part herein hereby assume and agree to pay.

Together with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining:

To Have and to Hold the same in fee simple forever.

And the said parties of the first part do covenant with the said parties of the second part that they are lawfully seized of the said premises, that they are free from all incumbrances and that they have good right and lawful authority to sell the same; and the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year above written.

Signed, Sealed and Delivered in Our Presence:

Vernice Welch
 C. C. [Signature]

Anthony P. Mier
 Eleanor F. Mier

The [Signature]
 Notary Public, State of Florida at Florida
 My commission expires Jan 1, 1961.
 Bonded by [Signature] Insurance Co.

ALL/bjw

State of Florida,

O.R. 282 PAGE 564

County of ORANGE.

I HEREBY CERTIFY, That on this day of August, A. D. 1957, before me personally appeared

ANTHONY P. MIER and ELEANOR F. MIER, his wife, to me well known and known to me to be the persons described in and who executed the foregoing conveyance to WILLIAM G. FERRIGNO and VIRGINIA M. FERRIGNO, his wife, and they acknowledged the execution thereof to be their free act and deed for the uses and purposes therein mentioned.

WITNESS my signature and official seal at Orlando in the County of Orange and State of Florida, the day and year last aforesaid.

My Commission Expires Jan. 6, 1961.

Thelma Christensen
Notary Public, State of Florida, at Large.
My commission expires Jan. 6, 1961.
Bonded by Mass. Bonding & Insurance Co.



BEARDALL, GRIDLEY AND LEWIS
ATTORNEYS AT LAW
80 NORTH COURT STREET
ORLANDO, FLORIDA

day of _____, at _____, this _____ was filed for record, and being duly acknowledged and proven, I have recorded the same on pages _____ of Book _____ of the public records of said County. In Witness Whereof, I have hereunto set my hand and affixed the seal of the Circuit Court of the Judicial Circuit of said State, in and for said County. Clerk. D. C.



OF FLORIDA.

ABSTRACT OF DESCRIPTION

Date

TO

Warranty Deed

FILED IN THE OFFICE OF THE CLERK OF THE
CIRCUIT COURT OF ORANGE COUNTY, FLORIDA ON
SEP 2 9 1957 AT 4:05 O'CLOCK PM
AND RECORDED IN THE "OFFICIAL RECORDS"
RECORDED WITH BOOK NO. 282 PAGE 563
(APPROVED VERIFIED)

Arthur W. Newell

ORDINANCE

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58, ARTICLE I, COMPREHENSIVE PLAN, FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF OFFICE TO SINGLE-FAMILY RESIDENTIAL ON LOTS 25, 26 AND 27 OF BLOCK A OF THE ALOMA - SECTION I PLAT ON THE CORNER OF LOCH LOMOND DRIVE AND MORAY LANE.

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

NOW THEREFORE BE IT ENACTED, AS FOLLOWS:

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use designation from Office to Single-Family Residential on lots 25, 26 and 27 of block A of the Aloma – Section I Plat on the corner of Loch Lomond Drive and Moray Lane.

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 the Ordinance is in compliance pursuant to Chapter 163, Florida Statutes.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this ____ day of _____, 2021.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis