City Commission
Regular Meeting Minutes

May 11, 2022 at 3:30 p.m.

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

Present

Mayor Phil Anderson; Commissioners Marty Sullivan, Sheila DeCiccio, Kris Cruzada and Todd Weaver; Assistant City Manager Michelle del Valle; City Attorney Kurt Ardaman; City Clerk Rene Cranis

1) Meeting Called to Order

Mayor Anderson called the meeting to order at 4:07pm

2) Invocation

Wes Hamil, Finance Director, gave the invocation followed by the Pledge of Allegiance.

3) Approval of Agenda

Approved by consensus.

4) Mayor Report

a. Legislative Update - Representative Joy Goff-Marcil

Representative Goff-Marcil gave an update on the 2022 legislative session highlighting the impact and status of the proposed bill on redistricting and reviewed both pending and passed legislation on education and the Local Business Protection Act, which gives businesses the right to sue local governments over certain ordinances if it reduces their profits by 15%. She reviewed additional proposed bills relating the environment, which included record funding for Everglades restoration, funding for wastewater grants and springs restoration. She explained components of election reform bills to prevent dark money tactics, expanding candidate recording dates, and increasing the burden of Supervisors of Election on voter registration list maintenance. She noted a special session will be held on property insurance and insurance fraud.

Commissioner Sullivan opposed the approach to pump water into the aquifer storage and recovery wells due the high cost to construct and maintain to address the water problems entering Lake Okeechobee. He expressed his concerns about the degradation of public schools and feels they need to be brought to a higher level. He spoke about the comparison of the Local Business Protection Action to eminent domain and the Bert Harris Act and feels it will create issues for the city.

Mayor Anderson spoke about the importance of history and heritage and announced that May 11th was declared Winter Park Garden Club Day in honor of its 100-year anniversary.

5) City Manager Report

a. City Manager's Report

Ms. Del Valle explained that the city has had challenges with garbage collection over the past few months and that staff has been working with Seminole County who has been experiencing staffing issues at their landfill and will be presenting options to the commission in an upcoming meeting.

She reminded the commission of the soft opening of the Winter Pines Golf Course on Thursday at 5:30 p.m.

Commissioner DeCiccio asked when the utilities will be moved and the left-turn constructed at Denning and Fairbanks. Ms. Del Valle stated that the work has started and staff will provide an update to the commission.

Commissioner DeCiccio addressed ongoing parking issues, particularly lack of parking for library patrons. While staff is working on solutions and costs to present to the commission, she suggested that signs be posted designating parking for library patrons only. After discussion, consensus was to post signs reserving the 31 spaces west of the library for library patrons only during library hours and post signs designating 18 of the 32 spaces at the south end of the parking area for library staff only during library hours.

b. Commission Work Sessions

Ms. del Valle reviewed the list of work session topics. The joint work session with the Utility Advisory Board is recommended for June 9th to discuss rates as the 90-day hold on rates will be reaching an end at that time. The Library and Events Center will be an action item on the May 25th agenda.

Mayor Anderson suggested Strategic Planning/Commission Priorities as a topic for the May 26th work session. Because this falls just prior to the Memorial Day Weekend, he suggested that the commission submit their top ten priorities in advance of and for discussion in the May 25th regular meeting and to schedule work sessions based on that discussion in the commission's June 8th meeting. Agreed to by consensus.

6) City Attorney Report

a. Discussion and potential action to approve a settlement agreement in the case of City of Winter Park adv. Florida CIS WP, LLC and Palladio Condominium Owners Association, Inc. Case No.: 2019-CA-012895-O

Attorney Ardaman stated this will be brought back at a later date.

7) Non-Action Items

8) Public Comments | 5 p.m. or soon thereafter (heard after Consent Agenda)

9) Consent Agenda

a. Approve the minutes of the Regular Meeting, April 27, 2022 (Removed by Commissioner Sullivan)
b. Approve the minutes of the Work Session, April 28, 2022
c. Approve the following contracts:
   1. Tetra Tech, Inc. - RFP4-18 - Emergency Debris Monitoring Services; for services on an as-needed basis during the term of the Agreement; Amount: $200,000
   2. Ceres Environmental Services, Inc. - RFP5-18 - Emergency Debris Management Services; for services on an as-needed basis during the term of the Agreement; Amount: $200,000
   3. Cathcart Construction Company - RFP15-19 - Underground Conduit/Pipe Installation Services; Amendment 4 - for excavation services for City projects not related to underground conduit or pipe installation on an as-needed basis; Amount: $200,000
   4. Trane, Inc. - FY17-46 - Chiller/HVAC Maintenance; For additional funds for the task order to complete HVAC upgrades at the old Winter Park Library; Amount: $215,000 (Removed by Commissioner DeCiccio)
d. Approve the following formal solicitation:
   1. Quanta Technology, LLC - RFP12-22 - City of Winter Park's Roadmap to Renewable Resources; Amount: $100,000 (Removed by Mayor Anderson)
e. Approve the following piggyback contract:
   1. R2 Unified Technologies, LLC - NASPO Contract #AR3227 43220000-NASPO-19-ACS - Data Communication Products & Services; For goods and services on an as-needed basis during the term of the Agreement, contract term through September 30, 2024; Amount: $200,000
f. Approve ARPA Funding Allocations - Cybersecurity Enhancements & Old Library Roof and AC
g. Approve the following purchase:
   1. Ten-8 Fire & Safety, LLC - Purchase of Pierce Quantum 107' Tractor-Drawn Aerial with Pumper (Fire Truck); Amount $1,671,686
h. Advisory Board Survey Results 2022

Mayor Anderson removed Item d. Commissioner Sullivan removed Item a.

Motion made by Mayor Anderson to approve the Consent Agenda except Items a and d; (no audible second). Motion carried unanimously with a 5-0 vote. (Rescinded)

Commissioner DeCiccio removed Item 9c4.

Motion made by Mayor Anderson to rescind the motion (no audible second). Motion carried unanimously with a 5-0 vote.

Motion made by Mayor Anderson to approve the Consent Agenda except Items a, d and e; seconded by Commissioner Weaver. Motion carried unanimously with a 5-0 vote. (Rescinded)

Item 9a: Commissioner Sullivan stated that he would like to amend the April 27 regular meeting minutes, 3rd paragraph on page 9 to read "Commissioner Sullivan suggested a condition that the light will not extend above 10-feet below the existing tower."

He addressed the discussion of RFPs by advisory boards on page 4, stating he understood that the direction was more than having boards review larger RFPS. He believes the commission made a specific requirement of staff and feels the minutes be clarified as it is a procedural change. He recommended the minutes be revised to read "Commission approved by consensus that staff will submit to the appropriate boards proposed RFPs that affect city policy. The boards may review the RFPs and provide comments to staff" to replace "Approved by consensus for larger RFPs."

Mayor Anderson recalled that the focus was more on the significance of the RFP rather than whether it would change policy. He said he would be amenable to modifying Commissioner Sullivan's suggestion state "significant RFPs that change city policy."

Commissioner Sullivan said his intent was for review of those that address to city policy.

Mayor Anderson suggested staff provide a verbatim transcript of the discussion to the commission and place approval of the minutes and clarification of the commission's direction on the next meeting agenda.

Item 9d: Mayor Anderson said he does not have concerns with vendor or cost, but wants to ensure the scope is clear. He noted that he sent an email to staff regarding the scope and suggested tabling this item until everyone had a chance to review the email and attachments. He said he wants to be clear on the scope of the project, definitions of clean energy, zero emissions, carbon free, renewable energy, and target dates.

Motion made by Mayor Anderson to table Item 9a; seconded by Commissioner Weaver.

Commissioner Weaver suggested a work session on renewable energy. He said that he spoke with City of Orlando Director of Sustainability & Resilience Chris Castro to find out what Orlando has done and after a cursory review of the RFP, it is not clear to him if the city is looking for 100% renewable energy city wide or city operations. He noted he forwarded emails regarding this item to city management for circulation to the commission. He said that there so much data available that he questions whether the city needs a consultant.

Mayor Anderson suggested tabling this to the May 25th meeting for discussion.

Commissioner Weaver suggested looking at the City of Orlando study done by the same consultant in 2019. He spoke about the City of Orlando's study (to be distributed to the Commission). Commissioner Sullivan suggested that the commission review the city's Sustainability Action Plan.

Upon a voice vote, the motion to table (to May 25th) carried unanimously with a 5-0 vote.

Item 9c: Commissioner DeCiccio questioned whether the roof and HVAC repairs should be delayed until the RFPs are received as she feels the city is spending money needlessly. Commissioner Weaver said these are to replace mechanical equipment and roof so he feels the repairs need to be made regardless of the use.

It was clarified that this discussion relates to Item 9c4 and f. **The motion to approve the consent agenda was rescinded by unanimous voice vote.**

Discussion was held on Item 9c4 and 9f. Commissioner DeCiccio said she is in favor of the cybersecurity enhancements portion of 9f, but questioned whether the city should be paying for new roof and HVAC prior to the RFP. Kyle Dudgeon, Assistant Division Director of Economic Development/CRA, stated there is a pressing need to repair roof and HVAC regardless of the outcome of the RFP and will be attractive to potential proposers.

Motion to approve the Consent Agenda except a and d; seconded by Commissioner Weaver. Motion carried unanimously with a 5-0 vote.

10) Action Items Requiring Discussion

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

Theresa Smith-Levin, 2529 Modac Trail, Central Florida Vocal Arts and Opera del Sol, addressed the proposed Central Park stage and the opportunities to improve the functionality. She said her company is not able to rent the stage with the current design. She offered her expertise to redesign the stage for better performances.

Jason Seeley, Director of Parks and Recreation, said he has spoken with Mrs. Smith-Levin regarding her concerns about sound and that staff is looking at options including a backdrop. He understands there was a desire for a bandshell but it is not part of the plan due to the desire for an open viewshed; however, the city could consider a temporary backdrop that could be used for performances and then removed. Mrs. Smith-Levin urged the city to look at options during the design stage rather than after construction is complete.

Tom McMacken, 1601 Shiloh Lane, spoke about street lights that have been out in his neighborhood over the last two months asked to be notified when repairs are planned.

11) Public Hearings

a. Ordinances amending pension plans (1st reading)
   - Amending Firefighters Pension Plan.
   - Amending Police Officers Pension Plan

Attorney Ardaman read the firefighters' pension ordinance by title. A simultaneous public hearing was held on these ordinances.

Ms. Del Valle summarized the changes which improves the in line of duty death benefit to be equal to the inline of duty disability benefit. She responded to questions regarding plan funding stating that the both pension plans are solid at this time and that the pension boards have reviewed these ordinances.

Motion made by Commissioner Sullivan to approve the ordinances amending the fire and police pension plans; seconded by Commissioner DeCiccio.

Attorney Ardaman read the Police Officers pension ordinance by title.

There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

12) City Commission Reports

Commissioner Sullivan - no report.

Commissioner DeCiccio - no report

Commissioner Cruzada –

- Gave an update from the community meeting regarding the rezoning of the property at 2300 South Semoran which will be addressed by the Orange County Planning and Zoning Board on May 19th.

Commissioner Weaver-

- Spoke about the Killarney Shores development and use of the boat ramp by area residents outside the development who received notice from the developer that they can only use the ramp with a $5k fee to join Killarney Shores Homeowners Association or pay $500 and then $56 per month to use the boat ramp. It was not realized that the development agreement allows the new developer to charge in excess of $100k and he anticipates the issue will come back to commission.

- Re-addressed library parking and noted that there is no way to get to the events center from parking lot and there should be access from the south side to get to events. He suggested that staff go back to the architect to find a solution and provide ADA accessibility.
- Said he feels acoustics in events center are below average and that the architect is responsible for fixing the issue since issues were discussed prior to completion. Ms. Del Valle advised that staff is researching the issue and looking for opinions and solutions. Mayor Anderson agreed with Commissioner Weaver and said a solution is needed so it remains rented and economically feasible and suggested review of the design services to ensure all criteria were met.

Mayor Anderson –

- Noted that residents are meeting to discuss Brewer Curve from Phelps to Dinky Dock safety issues and solutions. He suggested the commission review his comments from the meeting.
- Commented on pedestrian access to commercial enterprises on Park Avenue and said he asked Mr. Knight to see if there is a need to codify something that would be enforced.

Commissioner Weaver spoke about Brewer Curve meetings where safety was the primary concern of residents. He asked for status on speed tables. Ms. del Valle said staff is still testing.

Fire Chief Dan Hagedorn said speed is less of an issue than the geography of the curves and opposing lanes. He explained emergency response challenges where cars try to outrun, merge left or right to pass, or stop, which is very dangerous in an area like this, but staff is still looking at options.

13) Summary of Meeting Actions

- Received presentation from Representative Goff-Marcil.
- Directed staff to post signs designating library patron and library staff parking.
- Scheduled joint work session with UAB for June 9th.
- Commission members to send their top ten strategic priorities to Mr. Knight which will be discussed in the May 25th meeting and scheduled for work sessions.
- Approved the Consent Agenda except a and d. Place on May 25th agenda review of April 27th and clarification of intent regarding advisory board review of RFPs. Tabled RFP regarding Roadmap to Renewable Resources to May 25th to review documents sent by Mayor Anderson to Mr. Knight.
- Approved first reading of pension plan ordinances.

14) Adjournment

The meeting adjourned at 5:39 p.m.

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Mayor Phillip M. Anderson

ATTEST:

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City Clerk Rene Cranis