City Commission Regular Meeting Minutes

May 10, 2023 at 3:30 p.m.

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

Present

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

1) Meeting Called to Order

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

2) Invocation

The invocation was provided by Father Stuart Shelby, All Saints Episcopal Church, followed by the Pledge of the Allegiance.

3) Approval of Agenda

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

4) Mayor Report

a. Proclamation - Historic Preservation Month

Mayor Anderson read the proclamation declaring May 2023 as Historic Preservation Month and presented it to Director of Planning and Zoning Jeff Briggs.

He gave an update EDAB's evaluation of a retail report that speaks to "how to keep the magic" on Park Avenue. The report and recommendations will be presented to the Commission in the next couple of months. The report is available on the city's website.

5) City Manager Report

a. Winter Park Sunshine Project Presentation

This was postponed to a future meeting.

Mr. Knight advised the agreement on the sale of the Kiwanis property will be on the next agenda and that the Kiwanis Club withdrew their application with Orange County for redevelopment of the property.

He noted the topic for the work session on May 25th is renewable energy. Approval of the Sustainability Action Plan is scheduled for the May 24th regular meeting and if approved the work session could be canceled.

6) City Attorney Report

Mr. Ardaman advised that an Executive Session may be needed in the next month regarding an open case.

7) Non-Action Items

a. Board Appointment: Community Redevelopment Advisory Board (Mayor Anderson)

Mayor Anderson noted that in order to correct an error of an appointment to the CRAB, he reappointed Anjali Vaya to CRAB.

8) Public Comments | 5 p.m. or soon thereafter (heard after old library discussion)

9) Consent Agenda

a. Approve the minutes of the regular meeting, April 26, 2023.
B, Approve the minutes of the work session, April 27, 2023.
c. Approve the following contracts:
1. Kimley-Horn and Associates, Inc. - RFQ7-22 - Transportation Planning & Engineering Services - Amendment 1; For professional services on an as-needed basis during the term of the Agreement through June 3, 2024; Amount: $75,000.
2. Kisinger Campo & Associates Corp. - RFQ7-22 - Transportation Planning & Engineering Services - Amendment 1; For professional services on an as-needed basis during the term of the Agreement through June 15, 2024; Amount: $75,000.
3. Toole Design Group, LLC - RFQ27-21 - Continuing Urban Design Services - Amendment 1; For professional services on an as-needed basis during the term of the Agreement through June 15, 2024; Amount: $25,000.
4. Yang, Inc. - IFB13-19 - Electrician Services - Amendment 4; For services on an as-needed basis during the term of the Agreement through June 25, 2024; Amount: $200,000.
5. SGM Engineering, Inc. - RFQ9-19 - Professional MEP Engineering Services - Amendment 4; For professional services on an as-needed basis during the term of the Agreement through June 27, 2024; Amount: $75,000.
6. Calvin, Giordano & Associates, Inc. - RFQ9-19 - Professional MEP Engineering Services - Amendment 4; For professional services on an as-needed basis during the term of the Agreement through June 27, 2024; Amount: $75,000.
7. Electric Supply of Tampa - IFB16-19 - Purchase & Delivery of Conduit/Pipe - Amendment 10; For goods on an as-needed basis during the term of the Agreement through July 23, 2024; Amount: $500,000.

8. GRESCO Utility Supply, Inc. - IFB16-19 - Purchase & Delivery of Conduit/Pipe - Amendment 10; For goods on an as-needed basis during the term of the Agreement through July 23, 2024; Amount: $100,000.
9. Wesco Distribution - IFB16-19 - Purchase & Delivery of Conduit/Pipe - Amendment 31; For goods on an as-needed basis during the term of the Agreement through July 23, 2024; Amount: $100,000.
10. Anixter, Inc. - IFB20-19 - Electric Utility O&M Materials - Amendment 4; For goods on an as-needed basis during the term of the Agreement through July 31, 2024; Amount: $100,000.
11. GRESCO Utility Supply, Inc. - IFB20-19 - Electric Utility O&M Materials - Amendment 3; For goods on an as-needed basis during the term of the Agreement through July 31, 2024; Amount: $150,000.
12. Electric Supply of Tampa - IFB20-19 - Electric Utility O&M Materials - Amendment 4; For goods on an as-needed basis during the term of the Agreement through July 31, 2024; Amount: $250,000.
13. Howard Industries, Inc. - IFB8-20 - Single-Phase Transformers - Amendment 6; For goods on an as-needed basis during the term of the Agreement through August 12, 2024; Amount: $2,000,000.

d. Approve the following formal solicitations:
   1. GAI Consultants, Inc. - RFQ8-23 - General Planning Services
   2. Inspire Placemaking Collective, Inc. - RFQ8-23 - General Planning Services
   3. Redevelopment Management Associates, LLC - RFQ8-23 - General Planning Services
   4. GRESCO - IFB13-23 - Three Phase Transformers; Amount: $828,710.

e. Approve the following piggyback contracts:
   1. Top Line Recreation, Inc. - Clay County Contract RFP18/19-2 - Equipment & Amenities for Parks & Playgrounds; For goods on an as-needed basis during the term of the Agreement through May 28, 2024; Amount: $175,000.
   2. Musco Lighting, Inc. - Clay County Contract RFP18/19-2 - Equipment & Amenities for Parks & Playgrounds; For goods on an as-needed basis during the term of the Agreement through May 28, 2024; Amount: $100,000.
   3. Rep Services, Inc. - Clay County Contract RFP 18/19-2 - Equipment & Amenities for Parks & Playgrounds; For goods on an as-needed basis during the term of the Agreement through May 28, 2024; Amount: $125,000.

f. Approve Interlocal Agreement with the City of Maitland allowing Winter Park to execute Safe Routes to School - Hungerford work plan in the Maitland rights of way.

g. Approve ARPA Funding Allocations - Stormwater Mobile Pump

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

10) Action Items Requiring Discussion

a. Solicitation Scope Review & Approval

Mayor Anderson opened the discussion on the RFP for the old library and suggested starting with a review of the scope of services. He addressed Section 1.4, Project Design Guidelines, noting the preferred zoning is C-3A and suggested striking "no residential units on first floor" in the 2nd bullet and change the 4th bullet to state preference will be given to arts, culture, and non-profits on one of the floors.

Director of Planning and Zoning Jeff Briggs explained that C-3A zoning does not allow residential use on the first floor and that the existing R-4 zoning designation allows only residential units. If non-residential use is preferred on the first floor and residential use on the remaining floors, the property would need to be rezoned to C-3A. Discussion followed on zoning, potential limitations of residential use and whether to consider full residential use and risk losing flexibility.

Mayor Anderson withdrew his suggested changes and supported C-3A zoning since it allows mixed use but prohibits residential on the first floor. He spoke about allowed square footage under commercial zoning and increased square footage allowed with residential use which could be accomplished with an additional floor.

Commissioner Weaver feels it would not be economically viable to add another floor but additional square footage could be accomplished with a building annex or new building. Discussion followed on maximum height. Mayor Anderson said his intent is to set maximum parameters so neighbors are aware of limitations and that proposals are similar in terms of size. He suggested limiting the height to four stories or 55 feet.

Mayor Anderson said he would also like to set parameters for impervious surface and building footprint. Staff responded to questions on the property’s current building coverage and code requirements. Mayor Anderson suggested adding a guideline that impervious coverage will not exceed existing impervious space and that the building footprint is no larger than 30%.

Commissioner Sullivan asked whether these parameters are hard or flexible. Mayor Anderson said he believes the parameters have to be met in order for responses to be considered conforming, but it does not prohibit the submittal of a non-conforming proposal. Discussion followed on the feasibility of having preferred design guidelines as opposed to hard requirements.

Commissioner Cruzada supported preferences. Commissioner Weaver suggested that more points/weight be given to proposals that preserve the existing building. Mayor Anderson disagreed as it may diminish responses.

Mayor Anderson suggested a neighborhood meeting with the commission before the RFP is released so the neighborhood is made aware of what is being considered and can provide input. Agreed to by consensus.

Mayor Anderson asked whether the letters of interest received by a number of organizations will be provided to the potential respondents to the RFP. Mr. Knight said the intent was to provide the letters of interest to the potential respondents who would contact organizations directly and be part of the respondent's proposal, unless an organization intends to submit a proposal separately.

Mayor Anderson said the message is that the city is trying to balance financial and community benefit and the financial benefit will likely be a land lease payment.

Commissioner Sullivan said he believes this was not intended to be a financial benefit, but for primarily a community asset, and that there would be no cost to the city and a desire to make little money or break-even.

Motion made by Mayor Anderson to approve the scope of work as stated with the addition of preferences for a building lot coverage not to exceed 30%, impervious coverage not to exceed current impervious coverage and a maximum height of 4 stories and 55 feet; seconded by Commissioner Weaver.

Motion made by Commissioner Weaver to amend the motion to add a preference to retain the existing building without bias to add on to it; seconded by Commissioner Sullivan.

Heather Alexander, Executive Director of Winter Park Playhouse, thanked city for its consideration for looking at best use of the old library site. They are open to ideas and looking for long-term land lease and would work with other non-profits for some space.

Bill Swartz, 2020 Taylor Avenue, suggested that the Playhouse could use the third floor for performances, the second floor for props, and the first floor for rental space to generate income. He said parking will be a problem regardless of use.

Theresa Smith Levin, Central Florida Vocal Arts, thanked the commission for their support of arts and culture. They do not have a physical location and are seeking space but would need the city's help to bring the building up to code. She spoke about their recent successful fundraising efforts, their mission, programs and partnerships.

Gary Deuce, SOAR, spoke about the program and partnerships. They have funding in place from private donors, partnerships and grants and will require no assistance from the city to upgrade the building. Their plan for the entire building includes an aerospace museum, auditorium, planetarium, and education and incubation programs.

Lawanda Thompson, 664 W. Lyman Avenue, asked if the city is giving under-represented non-profits operating in Hannibal Square the opportunity to be in the building. She spoke about programs offered by her non-profit that support the local community and asked the city to consider non-profits outside of arts and culture organizations.

Mayor Anderson explained that the city did an RFP soliciting letters of interest from non-profits and advised that non-profits can still submit letters which will included in RFP when it is released.

Motion made by Mayor Anderson to amend the second bullet under Section 1.4 to add "restricted version of C-3A" and insert the exclusions agreed to in prior meetings; seconded by Commissioner Weaver. Motion carried a 5-0 vote.

In response to comments, Mayor Anderson asked that the exclusions be circulated to the commission.

Motion on the amendment to add a preference to retain the existing building carried with a 3-2 vote. Mayor Anderson and Commissioner DeCiccio voted no.

Main motion as amended carried with a 5-0 vote.

This item was continued after Public Comments. A recess was held from 4:57 to 5:08 p.m.

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

Lawanda Thompson, 664 W. Lyman, noted and showed images of a large house being built next to the Heritage Center which she feels is inappropriate as it shows gentrification of the area which is in contrast to the history depicted in the Heritage Center. She asked that the city acquire the property through eminent domain for use as a city park or garden that compliments Heritage Center.

Angela Hinton, 2324 Berkshire Avenue, said she is interested in submitting a letter of interest for the old library space but was unable to find the link to submit a letter. Procurement Manager Jennifer Maier advised that it will be reopened and on the website under Procurement/OpenGov.

Bill Swartz spoke about his inability to obtain another board's agenda from a board member and confusion regarding approval of a dock permit and suggested that board members be reminded of the Government in the Sunshine Law and proper procedures for making motions.

10) Action Items Requiring Discussion (continued)

a. Solicitation Scope Review & Approval

Mayor Anderson opened the discussion on Seven Oaks Park and the city contributing air rights, but no funding, for a building to be constructed over the existing parking area.

He noted there are approximately 124 total spaces, which he feels will serve the current need with only 40-50 spaces being used regularly, but questioned how to ensure there is sufficient parking for the intended use. He said an air rights deal means the city is foreclosing the opportunity to use the pad as additional activation and to add parking to accommodate potential redevelopment. He spoke about the walking time from parking to destination as outlined in the OAO and whether the current Winter Park Playhouse is within that specified walking distance.

Commissioner DeCiccio noted that in OAO committee meetings, one thing promised to businesses was parking – at either end of Orange Avenue and Seven Oaks Park and she feels development will be curtailed if parking is not provided as promised.

Commissioner Weaver outlined other options: provide onsite parking by building over parking lot or provide diagonal rather than parallel parking (if Orange Avenue were narrowed to three lanes). He is reluctant to support a city funded parking garage without a revenue source. He said a staff parking study showed that only 40 spaces are needed.

Mayor Anderson explained his concern for building massing (volume), gating and compatible uses. He expressed a preference to establish parameters similar to the old library RFP and questioned whether there are additional uses to piggy back on a performance venue i.e., food establishments/bistro. With the walking distance parameters, he asked if the Playhouse could purchase its existing facility and use some of this parking to meet parking requirements. Discussion followed on time and distance to walk from venue to parking.

Mayor Anderson summarized his comments: make sure the city is ready to foreclose other parking options, determine a volume parameter of what could be allowed and discuss willingness to consider compatible uses.

Mr. Knight said staff would recommend that a decision be made first on whether to move forward on this "air space" proposal before preparing and releasing an RFP. He said it will be more difficult to meet parking requirements for the corridor if opportunity for parking garage is eliminated.

Mayor Anderson said he would like to revisit parking needs before making a decision that would forego the parking lot. He asked what future redevelopment looked like. Assistant Director of Planning and Zoning Allison McGillis advised that renovation of existing space is more likely as most redevelopment would happen on big parcels on either end of Orange Avenue. Commissioner DeCiccio suggested looking Jewett parking as well.

Commissioner Sullivan said the impetus for this was to assist WP Playhouse. Even if the city moves forward tonight, he feels a building cannot be constructed in time to keep them operational given the upcoming lease termination. He believes building the playhouse above the existing parking lot is not a practical solution.

Commissioner Weaver asked for a brief recess which was held from 5:51 to 5:56 p.m.

Commissioner Weaver, after speaking with Ms. Alexander, said their architect advised that they could construct the building in nine months. The predicament is the city must own the property to secure TDT funding and the Playhouse needs a commitment from the city before securing donations or grant funding. He said that the Playhouse traffic is mainly in the evening and traffic for matinees during the week is from busses which does not impact parking. He feels it is a disservice to not support the Playhouse.

Commissioner DeCiccio asked whether the Playhouse could raise funds to purchase its existing location (listed for sale at $4.2m) and utilize parking at Seven Oaks Park. Discussion followed on funding options and need for a waiver of the parking requirements since Seven Oaks Park exceeds the maximum walking distance.

Commissioner Cruzada said he is struggling with doing something now or not doing something while developing a strategy that will allow for growth in the area. He supported exploring TDT money that could help buy the current location but he does not want to preclude the Playhouse from moving to the Seven Oaks Park location. He is not inclined to allow no more than snacks and drinks with hope that patrons would support the surrounding restaurants.

Mayor Anderson summarized that there is not a consensus to push for a compatible additional use, that any food service would be an accessory use and that building parameters are defined by the OAO, leaving the matter of parking to be discussed.

Heather Alexander, Executive Director of the Playhouse, thanked the city for continuing discussions. She stated they have options to use other venues if construction takes longer and have asked the existing owner to allow them to stay longer after the sale, and have prepared a request for TDT funding which can be used for its current location.

Motion made by Mayor Anderson to table to May 25, 2023; seconded by Commissioner Weaver.

Commissioner DeCiccio asked that opportunities for purchasing the existing location be explored and potential funding sources for the next meeting. Division Director of OMB Peter Moore said he will confirm that CRA has a restriction to pay only fair market value and responded to questions on use of CRA funds.

Discussion returned to parking and consensus was to commit spaces at Seven Oaks Park in the evening for the Playhouse existing location.

Motion to table carried unanimously with a 5-0 vote.

11) Public Hearings: Quasi-Judicial Matters

a. ORDINANCE 3271-23 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, APPROVING THE PARTIAL VACATION OF THE HAVILAH PARK PLAT (PLAT BOOK O, PAGE 144) WITHIN THE BOUNDARIES OF THE PROPERTY LOCATED AT 900 AND 950 N. ORLANDO AVENUE OWNED BY HILL/GRAY SEVEN, L.L.C. AND HAVING ORANGE COUNTY TAX PARCEL NUMBERS 01-22-29-3452-02-010 AND 01-22-29-3452-01-080; PROVIDING FOR THE VACATION AND ABANDONMENT OF THE UTILITY EASEMENT RESERVED BY ORDINANCE NO. 1399; APPROVING THE TERMINATION OF VARIOUS EASEMENTS IN FAVOR OF THE CITY OF WINTER PARK ENCUMBERING THE PROPERTY LOCATED AT 900 AND 950 N. ORLANDO AVENUE AND AUTHORIZING THE EXECUTION OF NECESSARY TERMINATION INSTRUMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY, AN EFFECTIVE DATE AND RECORDING. (2nd reading)

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Weaver to adopt the ordinance; seconded by Commissioner DeCiccio. 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) Public Hearings: Non-Quasi-Judicial Matters

13) City Commission Reports

Mayor Anderson -
- Said a Fix 426 neighborhood meeting is scheduled and feels it is better for it to remain a neighborhood meeting with only one commissioner present. After discussion, Commissioner Cruzada agreed to attend.

Commissioner DeCiccio -
- Thanked Parks and Recreation Director Jason Seeley for participating with the Rollins College environmental class who developed an Emerald Necklace strategy, which included a study of crosswalks. She asked staff to look at this portion of the report to consider addition of crosswalks in the area of Seven Oaks Park.

Commissioner Cruzada -
- Advised of Orange County Public School kickoff for the construction design for the high school on May 17th at 6 p.m. at the high school.

Mayor Anderson -
- Asked staff to research Heritage Center lot. Mr. Knight noted the city exchanged these lots for some Habitat lots but will provide additional details.

14) Summary of Meeting Actions

- Issued a proclamation for Historic Preservation Month, May 2023.
- Received report of EDAB work on "keeping the magic" on Park Avenue.
- Received notice of the reappointment of Anjali Vaya to Community Redevelopment Advisory Board.
- Approved the Consent Agenda.
- Old Library RFP:
  - Approved RFP for old library reuse with conditions: C-3 zoning with restrictions: impervious space does not exceed existing, building footprint can be expanded to 30% under certain conditions, building height maximum of 4 stories/55 feet.
  - Staff to reopen solicitation for letters of interest giving preference to reuse of existing building.
  - Schedule public meeting with surrounding neighbors to receive comments on the RFP.
- Tabled Seven Oaks Park discussion to look at parking and to explore potential of existing Playhouse property.
- Adopted Ordinance 3271-23 vacating portions of easements.
- Commissioner Cruzada agreed to attend the Fix 426 meeting.
- Mr. Knight to provide information on Heritage Center and adjacent property noted by Ms. Thompson.
- Provide report to Engineer Hong Lim to review information on crosswalks.

15) Adjournment

The meeting was adjourned at 6:31 p.m.

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Mayor Phillip M. Anderson

ATTEST:

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City Clerk Rene Cranis