



City Commission Regular Meeting

Agenda

January 26, 2022 @ 3:30 pm

City Hall - Commission Chambers
401 S. Park Avenue

welcome

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

assistance & appeals

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

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

please note

Times are projected and subject to change.

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

- a. [Kadam Ricc Bishop](#) 1 minute

Pledge of Allegiance**3. Approval of Agenda****4. Mayor Report****5. City Manager Report****6. City Attorney Report****7. Non-Action Items****8. Public Comments | 5 p.m. or soon thereafter**

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

(Three minutes are allowed for each speaker)

9. Consent Agenda

- a. [Approve the minutes of the Work Session, January 6, 2022](#) 1 minute
- b. [Approve the minutes of the Regular Meeting, January 12, 2022](#) 1 minute
- c. [Approve the minutes of the Work Session, January 13, 2022](#) 1 minute
- d. [Approve the following piggyback contract:](#) 1 minute
1. CDW Government - Sourcewell Contract #081419-CDW - Technology Catalog Solutions; For services on an as-needed basis during the term of the Agreement, contract term through November 1, 2023; Amount: \$500,000
- e. [Appoint David Zusi alternate to the South Seminole North Orange County Wastewater Transmission Authority board.](#) 1 minute
- f. [Approval of ARPA Funding Allocations - Smart City, Business Façade, Sustainability, Library](#) 5 minutes

10. Action Items Requiring Discussion

- a. [Federal Legislative Funding Priorities](#) 5 minutes
- b. [Historic Landmark Sign Program](#) 15 minutes

The Historic Preservation Board and staff are seeking approval of a Historic Landmark Sign Program.

- c. Acquisition of Winter Pines Golf Course and schedule a town hall meeting to discuss the acquisition 45 minutes

11. Public Hearings

- a. Resolution designating City Hall building to the Winter Park Register of Historic Places. 15 minutes
- b. Ordinance: Amending Chapter 114, modifying shoreline revetment slope requirement from 3:1 to 2:1 (2nd reading) 1 minutes
- c. Request of Z Properties for: Approval to grant an easement to enlarge and maintain the city-owned retention pond located behind 341 N. Pennsylvania Avenue and to route stormwater retention from previously approved office building located at 301 N. Pennsylvania Avenue to the city-owned retention area. This item was continued from the December 8, 2021 meeting. **(Staff is requesting continuance to February 9, 2022)** 1 minute

12. City Commission Reports

13. Summary of Meeting Actions

14. Adjournment



City Commission

agenda item

item type	Invocation	meeting date	January 26, 2022
prepared by	Kim Breland	approved by	
board approval			
strategic objective			

subject

Kadam Ricc Bishop

motion / recommendation

background

alternatives / other considerations

fiscal impact



City Commission **agenda item**

item type Consent Agenda	meeting date January 26, 2022
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Approve the minutes of the Work Session, January 6, 2022

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[CCmin20220106 ws.pdf](#)



City Commission Work Session Minutes

January 6, 2022 at 10:00 a.m.

Virtual

Present

Mayor Phillip Anderson; Commissioners Marty Sullivan, Sheila DeCiccio, Carolyn Cooper and Todd Weaver; City Manager Randy Knight; City Attorney Kurt Ardaman; City Clerk Rene Cranis.

Also Present:

Jim Davenport, Thorn Run Partners and Division Director of Office of Management & Budget Peter Moore, and Director of Water and Wastewater Utilities David Zusi.

1) Call to Order

Mayor Anderson called the meeting to order at 10:03 a.m. He explained that the purpose of the meeting is to prioritize grant pursuit efforts. He suggested beginning with an overview of the infrastructure bill by Mr. Davenport, which may lead to a discussion of hiring a grant writer on the infrastructure bill, followed by a discussion of the list prepared by Mr. Moore of potential capital projects for future grant funding to which projects could be added and then developing next steps which may include future reprioritization of projects for 2022.

2) Discussion Item(s)

a. Infrastructure Investment & Jobs Act and Capital Strategic Planning

Mr. Davenport spoke about the earmarked list stating most of those projects would be eligible right now for Community Project Funding Requests (CPFR). He gave an overview of the bill which created the phrase "shovel-ready" projects which were ready-to-go and create jobs. He said the infrastructure bill is intended to build infrastructure in a smarter way more resilient to weather events and with a focus on climate change and renewable energy. The bill was divided into two categories with most being allocated to standard transportation infrastructure projects that is re-authorized every five to seven years. The bill also allocated an additional \$550 billion for infrastructure, competitive grants and formula funds to states and local governments; however, those grant programs have yet to be created and will not likely be released in the next year. He reviewed transportation grants for which the city would be competitive and existing large project grant programs.

David Zusi, Director of Water and Waste Water Utilities, spoke about the financial impact of state or county road projects that involve relocating utilities which are not part of the city's planned projects or budget and asked whether these projects be reimbursed through these grants.

Commissioner Cooper stated the same situation applies to Iron Bridge which involves million-dollar projects that the city does not control but is required to help fund and asked Mr. Davenport to research funding for these projects.

Mr. Davenport stated the EPA is receiving increased funding at the state level in the revolving loan program and summarized funding for drinking water, sewer and stormwater reuse projects and programs to help individuals pay for connections. He spoke about the Energy Efficiency Conservation Block Grant for which the city should be getting something for energy resiliency projects. He stated that the money will be released gradually over five years and he will keep the city updated moving forward.

Commissioner Cooper suggested that individual members submit their project list to Mr. Davenport. Mr. Davenport said he would be happy to look at an expanded list of projects to determine grant eligibility.

Mr. Davenport spoke on earmarked project requests which have to be submitted to Congresswoman Murphy by early March but she can only submit ten requests for her district. He noted that funding is available for law enforcement technology and equipment, community health centers, after-school programs, and workforce training programs. He responded to questions and discussion was held on grants, funding, and projects. Mr. Davenport said he would provide guidance but does not write grants at this time. He recommended the city consider hiring a grant writer.

The Commission discussed the project list and additions such as energy efficiency and Iron Bridge. Mayor Anderson suggested a joint lobbying effort for Iron Bridge with other stakeholders including Orlando, Maitland, Casselberry, and Seminole County. (Iron Bridge was added to the list)

Mr. Zusi suggested adding replacement of water treatment equipment susceptible to weather events with enclosed equipment. Discussion followed on needed improvements including generators at lift stations, ozone generators, and technology, FDOT reimbursement for utility relocation for non-city projects, and unfunded mandates.

The following projects were suggested and discussed:

- Osceola/Aloma/Brewer roadway
- Winter Park Land Trust recommendations: Howell Branch Preserve, Emerald Necklace, Mead Garden improvements, pedestrian bike paths, chain of lakes paddling corridor going from Lake Sue to Lake Waumpi.

Mayor Anderson noted that WP Land Trust submitted a letter with a list of projects and asked that staff provide that list to Mr. Davenport for his review for eligibility for the infrastructure bill or other grants.

- Lake outfall devices.
- Septic to sewer conversion. Mr. Zusi noted that the \$30M projected cost is for areas within the city limits and that limiting conversion to areas around lakes would reduce the cost, but minimally.
- Land priorities such as acquiring more greenspace.
- Enhancement of police and fire protection (due to potential annexations along Fairbanks Avenue or Lee Road). Mr. Davenport said the grant is for police and fire equipment and technology but not for new buildings.
- Energy improvements at City Hall. Mr. Davenport said it may be eligible under the energy efficiency conservation bill but recommended it not be an earmark request.
- Cybersecurity. Mr. Davenport said there is a program under the Department of Homeland Security that would perform a free assessment at the state level but he will check to see if it is available at the local level.

Mr. Moore asked for the best way to proceed from a cost standpoint. Mr. Davenport suggested a cost between \$500k and \$2M for earmarked projects.

- Electric utility perspective with a goal of cleaner energy. Mr. Davenport said it is likely but he will need more information to better determine eligibility.
- Purchase of Electric and hybrid electric vehicles.
- Recycled water storage.
- Increasing replacement of asbestos cement potable water lines.
- Retrofitting storm drains (especially to lakes).
- Increasing the capability to reline sewer pipes.
- Undergrounding of Duke transmission lines under a cooperative effort with Duke.

It was agreed that the revised project list be provided to Mr. Davenport for his review of grant eligibility and the likelihood of receiving earmarked funds, infrastructure funds, or other grant funds.

Mayor Anderson asked for consensus to move forward with a plan for a grant writer to work in parallel with this. Agreed by consensus.

Mayor Anderson asked for consensus to consider a relationship with Winter Park Land Trust for parks grants. Mr. Knight said he feels only one grant writer would be needed for all projects but would involve much more than writing the grant including tracking and reporting through completion of the project.

Discussion was held on the feasibility of entering into an arrangement with WP Land Trust for grant writing for parks, using a continuing service contract with expertise in the

different areas or retaining a part-time city employee. Mr. Knight suggested exploring the option of a grant writing firm that may have grant writers' experience in specific areas before hiring a grant writer. Consensus to have staff explore options for grant writing and place on the next meeting agenda and look at parks project scoping.

Mayor Anderson left the meeting at 11:43. Vice-Mayor Cooper chaired the meeting.

Vice-Mayor Cooper summarized action items:

- Each commissioner to send their project list to Mr. Knight and Mr. Moore that includes grant category and earmarked requests between \$500k and \$2M which are shovel ready.
- Mr. Davenport to look at grant opportunities for regional pro-rata shares on utility relocation and wastewater treatment projects associated with county or state projects, possibly as a joint effort with other agencies.
- Need more information on homeland security on security analysis before moving forward.
- Staff to work with Mayor and lobbyist to see how many projects can be submitted to Congresswoman Murphy.
- Add grant writer discussion to next meeting agenda.

Commissioner Weaver noted the availability of grant funding for energy auditor training for staff and asked that it be added to the list. Mr. Davenport said he believes that it the state level but will monitor for changes.

Mr. Knight advised that Orange County is moving forward with a one-cent transportation tax on November's ballot and has asked the city for a list of transportation projects.

3) Adjournment

The meeting adjourned at 11:48 a.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission **agenda item**

item type	Consent Agenda	meeting date	January 26, 2022
prepared by	Rene Cranis	approved by	
board approval			
strategic objective			

subject

Approve the minutes of the Regular Meeting, January 12, 2022

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[CC-min-2022-01-12.pdf](#)



City Commission Regular Meeting Minutes

January 12, 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, Carolyn Cooper and Todd Weaver (virtual); 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 3:30 p.m.

2) Invocation

Mark Fried, Think Creative, provided the invocation followed by the Pledge of Allegiance.

3) Approval of Agenda

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

4) Mayor Report

Mayor Anderson spoke about the holiday season and events for which the city received amazing comments and thanked city staff for their work on making it a great season.

5) City Manager Report

a. Meet Your Department: Information Technology

Parsram Rajaram, Director of IT, gave a presentation on the city's responsibilities and functions that serve staff, residents and customers. He reviewed levels of service and listed major projects/strategic items for 2022. He showed a video on the department and introduced members of the IT team. Mayor Anderson thanked the team for spearheading smart city efforts.

b. COVID Update

Mr. Knight reported on the ongoing testing program for unvaccinated employees, the new voluntary testing for all employees, and on employees currently out with COVID or due to exposure. Staff has been working with Orange County to remain consistent with

procedures. Board meetings continue to be held in compliance the commission's direction for quasi and non-quasi-judicial boards.

He gave an update on sewer testing and said the city would likely test the site at Howell Branch Road since is the largest lift station and covers a good portion of the city. He noted that the western portion of the city's service area is part of Altamonte Springs' weekly reporting. If the intent is to begin testing at the Howell Branch Road site, a baseline would have to be established and then determine what to do with the information, which may not vary significantly from other regional data, other than to provide it to local hospitals. He asked for direction from Commission on whether to proceed with testing.

David Zusi, Director of Water and Waste Water Utilities, provided additional details on testing costs (\$575/test) and analysis, which may be an additional cost, and responded to questions on testing and results of city and regional testing.

Commissioner Sullivan supported testing at the Howell Branch at the proposed cost.

Mayor Anderson said he feels the issue is not the cost but what to do with the results and his biggest concern about is how to measure the results to produce meaningful data.

Commissioner Cooper said the questions are what to do with information, what is the criteria for action and what is action and expressed concern that it may cause unnecessary stress to the community if there is no solution. She suggested testing to determine a baseline and level of variance between the city, Altamonte Springs and Orange County results and if there is an extreme variance, the city could act, if necessary.

Commissioner DeCiccio expressed her primary concern about what to do with data when it is received.

Commissioner Weaver said he has the same concerns and it is good to have the information and communicate to residents, but the city is limited in what action they can take. He questioned the value of providing information to residents at this time.

Commissioner Sullivan opposed delaying testing due to increasing number of cases.

Mayor Anderson asked for a vote (by voice and show of hands) on whether to have to staff obtain information from Altamonte Springs on their data and use and provide to the commission prior to the next meeting before implementing testing. Commissioners DeCiccio, Cooper and Weaver and Mayor Anderson voted yes.

Mayor Anderson asked for a vote (by voice and show of hands) on whether to begin testing immediately. Commissioners Weaver and Sullivan voted yes. Commissioners DeCiccio and Cooper and Mayor Anderson voted no.

c. Selkirk Update

Mr. Knight gave update the Selkirk property with purchase/closing anticipated by the end of the month. He reported on procedural changes and responsibilities in plan review and the formation of a team to review the code to help to protect the neighborhood character with planned public meetings in the next 3-4 months.

Mayor Anderson suggested a discussion to express commission and resident concerns and discussion followed on the need for further discussion or work session with Commissioners Sullivan and DeCiccio supporting a discussion or work session after staff and Planning and Zoning Board has reviewed and presented recommendations. Commissioner Cooper expressed interest in the Planning and Zoning Board hosting a community forum and look at past zoning and variance actions to see the result of their actions in order to respond to resident concerns.

Mayor Anderson said he would like to see the scope of assignment from Planning and Zoning. Mr. Knight stated that the overall high-level plan was e-mailed to the commission prior to this meeting and suggested that the commission e-mail specific concerns to staff. Mayor Anderson asked for an update in the next meeting.

Responding to questions by Commissioner Weaver, Mr. Knight explained the previous procedures for zoning decisions and advised that the planning department is now responsible for application of zoning codes and the building department is responsible for application of building codes.

Mr. Knight advised that after the closing takes place, the Selkirk property will be marketed for sale.

e. Grant Writer Update

Mr. Knight presented options for retaining a grant writer and recommended continuing to work with the city's state lobbyist on whether to retain an in-house or contracted person for general grants and to pursue an arrangement with Winter Park Land Trust to share a grant writer for parks grants on an as-needed basis. He clarified that the general grant writer would focus on infrastructure projects and would also be responsible for compliance and reporting.

After discussion on grants and grant timelines, consensus was to approve as recommended.

d. City Manager's Report

- Mobility Fee – meeting with builders is scheduled for tomorrow at 11:00 a.m.
- MLK Park and remembrances – Design and memorial will be implemented by MLK Day in 2023. This will be on an upcoming CRA Agency meeting for discussion.
- Designated pick-up for restaurants on Park Avenue – Mayor Anderson asked if it needs to be revisited or if it is time to eliminate this program on Park Avenue

Peter Moore, Division Director of OMB, advised that 50% of business like them and 50% don't and said that staff could reach out to business to get feedback or the city could place traffic pucks to obtain traffic counts but would take a couple of months. Mr.

Knight clarified that restaurant owners like the program, but merchants do not. Staff will work with the Chamber and Park Avenue Merchants Association on gathering input.

Commissioner Weaver asked if the program at other locations would be reviewed as well. Mayor Anderson said he received comments primarily about Park Avenue but staff could look at all locations. Mr. Knight noted that staff would have to repaint the parking spaces and curbs if the program was ended.

6) City Attorney Report

- Reported on the challenge of the OAO ordinance and explained that the petition claims that the amendment is not in compliance with the Comp Plan and prevents the OAO from going into effect. He opined that the City has a favorable standard and this should be resolved within 150 days per State Statue.
- Spoke about the deed restriction for the West Meadow and said a portion of the park needs to be searched in order to provide the title company with a legal description of the area to be restricted. Commissioner Cooper asked for a document that shows all property. Mr. Ardaman said this information should be available for the first meeting in February.

7) Non-Action Items

8) Public Comments | 5 p.m. or soon thereafter (heard after Item 9)

9) Consent Agenda

- a. Approve the minutes of the regular meeting, December 8, 2021, 9:30 a.m.
- b. Approve the minutes of the regular meeting, December 8, 2021, 2:30 p.m.
- c. Approve the minutes of the work session, December 9, 2021 (Removed by Commissioner DeCiccio)
- d. Approve the following piggyback contracts:

1. Verizon Wireless - State of Florida Contract # DMS-19/20-006C - Mobile Communications Services for services on an as-needed basis during the remainder of the term of the Agreement, contract term through August 24, 2026; Amount: \$230,000 per annual year for the duration of the agreement.
2. Cubix, Inc. - Orlando Utilities Commission Contract #5050-OQ - Floor Covering/Carpet Cleaning for services on an as-needed basis during the remainder of the term of the Agreement, contract term through December 14, 2024; Amount: \$120,000
3. Iteris Inc. - Broward County Contract #OPN2119234Q1 - Video Vehicle Detection Equipment & Repairs for services on an as-needed basis during the term of the Agreement; Amount: \$150,000
4. Core and Main, LP - City of St. Petersburg Blanket Purchase Agreement - Water & Wastewater Supplies for goods on an as needed basis for the remainder of the term of the Agreement; Amount \$500,000
5. Duval Ford - Florida Sheriffs Association Contract #FSA20-VEL28.0 - Pursuit, Administrative, and Other Vehicles for goods on an as needed basis during the term of the Agreement; Amount \$400,000
- e. Approve the following contracts:
 1. Audio Visual Innovations, Inc. - RFP18-19 - Design, Install, Configure & Maintain A/V Systems for services on an as needed basis during the term of the Agreement; Amount: \$250,000
 2. Infinity Corporation of Central Florida - RFP18-19 - Design, Install, Configure & Maintain A/V Systems for services on an as needed basis for the during the term of the Agreement; Amount: \$250,000
 3. Matheson Tri-Gas Inc. - IFB16-21 - Purchase and Delivery of Liquid Oxygen for goods on an as needed basis during the term of the Agreement; Amount: \$175,000
 4. Paramount Power, Inc. - IFB3-20 - Auxiliary Generator Maintenance for services on an as needed basis during the term of the Agreement; Amount: \$100,000
 5. CJ's Sales and Service of Ocala, Inc. - IFB3-20 - Auxiliary Generator Maintenance for services on an as needed basis during the term of the Agreement; Amount: \$100,000
 6. Hylant - RFP5-16 - Employee Benefit Agent of Record for services on an as needed basis during the term of the Agreement; Amount: \$80,000

7. Howard Industries, Inc. - IFB8-20 - Single Phase Transformers for goods on an as needed basis for the remainder of the current term of the Agreement; Amount: \$750,000

- f. Approval of ARPA Funding Allocation - Neighborhood Traffic Calming

Commissioner DeCiccio asked to remove Item c. **Motion made by Mayor Anderson to approve the Consent Agenda except Item c, seconded by Commissioner Cooper. Motion carried unanimously with a 5-0 vote.**

Item 9b: **Motion made by Commissioner DeCiccio to add in her comments on Page 1, 4th paragraph, to state "What is causing the problem is the Event Center, not the Library. The Library, standing on its own, has enough parking. It is when the event center was added and there are events that there is not enough parking." Motion was not seconded. Motion carried unanimously with a 5-0 vote.**

10) Action Items Requiring Discussion

- a. March 8th General Election and April 12th Run-off Election, if necessary

Motion made by Commissioner Cooper to appoint Commissioners Sullivan and DeCiccio and Mayor Anderson to the Canvassing Board; seconded by Commissioner Weaver.

Commissioner DeCiccio stated she is unavailable as she will be out of state. Commissioner Cooper recommended that the City Clerk be appointed to fill the third position. Attorney Ardaman recommended appointment the Deputy City Clerk as the alternate.

Motion made by Commissioner Cooper to approve the polling places, approve the canvassing criteria and allow Orange County Supervisor of elections to open and run Vote by Mail ballots as recommended; and to appoint Mayor Anderson, Commissioner Sullivan and the City Clerk to the Canvassing Board and appoint the Deputy City Clerk as alternate; seconded by Commissioner Weaver. Motion carried unanimously with a 5-0 vote.

- b. Undergrounding residential service lines (Addressed after Public Comments)
- c. Schedule of Work Sessions

General consensus was to maintain regular work session schedule for the Thursday following the regular meetings.

Members of the commission presented and discussed additional work session topics zoning text amendments (third quarter), RFP on Library Re-use on February 10th; one-cent transportation tax, and commission priorities

Mr. Knight said the transportation project list can be on a regular commission agenda. Mayor Anderson asked for the list prior to release of the agenda packet for the next meeting.

Other topics presented and discussed were sustainability action plan (postpone until department is fully staffed), joint work session with EDAB (February 8th, 8:15 a.m.) and priorities (March 10th).

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

Paul Mandelkern, 653 Selkirk Drive, asked for the timeline on the sale of the Selkirk Drive property. Mr. Knight explained that after closing on the purchase, the city will establish a deadline on receiving purchase offer for 3-4 weeks and bring it back to commission for approval. Mr. Mandelkern asked if city will protect the home. Mr. Knight explained the proposed steps to protect the house. Mayor Anderson noted the commission's prior consensus to secure and protect the city's investment.

Aubrey Reed, 731 DePugh Street, opposed the potential relocation of the post office in the area of Swoope and Capen because she feels it is too close to and will adversely impact the neighborhood.

Anjali Vaya, 521 N. Capen, speaking about the relocation of the post office, said the residents want to protect maintain the charm, history and heritage of their neighborhood and urged the commission consider residents' concerns.

Mike Danagher, 1945 Oakhurst Avenue, addressed the project on the WP Christian Church property on Lakemont Avenue and asked for a traffic study on Lakemont Avenue. Mayor Anderson noted that public comment on that project will be taken when that item is addressed under Public Hearings.

10) Action Items Requiring Discussion (continued)

b. Undergrounding residential service lines

Dan D'Alessandro, Director of Electric Utility gave a presentation on the current process and incentives for undergrounding electric service to homes when undergrounding of power lines is done in their area and problems encountered when homeowners elect not to underground their service. He reviewed the proposal and benefits to complete service to homes with no direct charge to the customer while the project in their area is in process, or at a cost of \$3k when done before or after area undergrounding. He explained the new conversion method for customers in lieu of customer paying an electrician to change meters.

Wes Hamil, Finance Director, reviewed the costs of proposal with refunds to customers who already paid for undergrounding their service. The proposal includes a rate increase through 2026 with an average monthly increase of approximately \$14/month which is offset by reversing the January 1 rate decrease back to the slightly higher October 1 rates due to fluctuating fuel costs.

Michael Poole, Chairman of UAB, spoke on the need for undergrounding residential services and said that the UAB has reviewed this in detail and unanimously recommended approval of the proposal.

Staff responded to questions regarding the improved undergrounding project efficiency and schedule, difficulties that may require relocating a customer's meter and the rate increase.

Commissioner Sullivan supported proposal but expressed concern about the impact of the monthly increase on some customers. Mr. Poole noted that there are designated funds to help those with economic hardship.

Commissioner DeCiccio asked whether portions of the project would be eligible for reimbursement under the infrastructure bill. Mr. Knight stated staff will apply for reimbursement. Commissioner DeCiccio noted the benefit of improved aesthetics and service.

Commissioner Cooper opposed increasing rates and spoke in favor of investing \$1.1M of ARPA funding \$1.1M and financing the service costs so there is a nominal increase to the customer receiving the benefit. Discussion followed on the basis for increasing rates.

Staff responded to questions on service and resources during clean-up/repair after a storm, mandates for undergrounding service on new or remodeled houses, and aesthetics of meters and conduits.

Commissioner Weaver opposed raising residential rates unless it is refunded to those customers who have already undergrounded their service, but supported undergrounding everything to lessen impact on city resources after weather events.

Mayor Anderson said the goal, as he sees it, is for 100% resiliency by getting 100% participation which increases efficiency and project completion, but issue is financing. He commended the team and UAB on their efforts and providing a balanced and workable proposal. Further discussion was held on the proposal and impact of options and funding sources to advance the program.

Mike Danagher, 1945 Oakhurst Avenue, spoke about his experience and impact of power outages with overhead service.

Motion made by Commissioner Sullivan to approve the proposal as presented including the rate increase; seconded by Commissioner DeCiccio. Upon a roll call vote, Commissioners Sullivan and DeCiccio and Mayor Anderson voted yes. Commissioners Cooper and Weaver voted no. Motion carried with a 3-2 vote.

Mayor Anderson declared a recess at 6:00 p.m. and reconvened the meeting at 6:15 p.m.

11) Public Hearings

- a. Requests of Winter Park Christian Church and of Creative Neighbors LLC.
 - 1. Winter Park Christian Church: Conditional Use approval to build a new replacement church facility on the 1.25 acres of the Lakemont frontage at 740/760 N. Lakemont Avenue, zoned R-1A;
 - 2. Creative Neighbors LLC:
 - a) Ordinance amending Comprehensive Plan Future Land Use Element text and Future Land Use Map; from Institutional to Single Family Residential on the rear 5.25 acres. (First Reading)
 - b) Ordinance amending the Zoning Map to change from single-family (R-1A) zoning to Planned Unit Residential District (PURD) zoning. (First Reading)
 - c) Approval of Preliminary Concept Plan and Comprehensive Development Plan of the Planned Unit Residential District zoning and to provide subdivision plat approval to divide the east/rear 5.25 acres of 740/760 N. Lakemont Avenue to provide for 13 single-family home lots and 12 townhouses lots, common area park and retention tracts.

Attorney Ardaman read the ordinances by title.

Jeff Biggs, Principal Planner, stated that these requests from two applicants involve the property of WP Christian Church. The Church's request is for conditional use to build a new, smaller church at the front of the property. Creative Neighbors is seeking to develop single-family residential and townhomes on the rear 5.25 acres of the property. He reviewed the location and properties included. In order to finance the new building, the Church partnered with Creative Neighbors to sell and develop the rear of the property for residential use.

Mr. Briggs displayed and reviewed the site plan for the relocated church with paved and grass parking, common with churches where there is light or infrequent use and is allowed under the code. The interior grass area for parking also saves several mature trees. He showed the designated retention areas and dry pond and indicated mature trees along the north property line which will remain as a buffer to the neighbors. The

church meets zoning requirements and received a positive recommendation from the Planning and Zoning Board.

The primary focus of these requests is that of Creative Neighbors. He showed a site plan of the proposed development and noted that the applicant has provided a traffic study and while there may be concerns about this development, traffic is not a concern. A larger concern may be how it fits into the code, lot sizes and variances. The applicant is requesting PURD zoning which allows a variety of housing types and aggregated individual lot greenspace to create meaningful open space with a small park and walking trail around this site which, when combined, meets open space requirements. Part of this request is to change the future land use from institutional to single-family residential which matches the surrounding neighborhood and allows no more than 43% FAR and 5 units per acre. Although the development meets the required 5 units per acre, the residential development FAR is 47.2%. It was determined that a comp plan text amendment would be needed to permit the increased FAR but in lieu of the text amendment, the Church has agreed to give up their unused FAR in order meet the maximum FAR of 43% for the total overall site.

He explained that PURD zoning is a two-step process with the first phase being approval of the PURD zoning based on a preliminary concept plan. The second phase is approval of the comprehensive development plan with details on individual lots (setbacks, square footage, height, impervious coverage, etc.). The Planning and Zoning Board's recommendation did not include the second phase or development agreement at this time but would be part of second reading of the ordinances. The applicant has requested a variance to reduce the road width from 50 to 45 feet reducing the grass strip between the sidewalk and street to 2-3 feet which will result in houses appearing to be closer to the street. The Planning and Zoning Board recommended approval.

Mr. Briggs responded to questions clarifying components of the requests and plan, setbacks between church and single-family neighborhood and application of city codes. Sarah Walter, Transportation Manager, responded to questions regarding church parking and its proximity to Lakemont Avenue. Mr. Briggs provided additional information on the requirements for surface of parking areas.

Commissioner Cooper asked for the authority for transferring density. Mr. Ardaman stated that there is no provision in the comp plan that allows the transfer of FAR, density or other criteria. With two different land use designations on this overall site, institutional and residential, he opined that it is not a good practice to allow a transfer in this instance.

Commissioner Cooper said she is not opposed to a PURD but clarity is needed on the overall rules that gives guidance to the developer.

Mayor Anderson said he feels the orientation is generally okay; the plan just needs to follow rules yet to be established. Mr. Briggs stated that except for the maximum units per acre and FAR rules, the only other rules are those that set and agreed to by the commission.

Commissioner Sullivan supported splitting the zoning and PURD designation but opposed transfer of FAR from the church to residential development. He stressed the importance of providing guidance to the developer and said he feels lot sizes should be comparable to surrounding residential areas and that townhomes are out of character with neighborhood. He asked that the city complete a tree survey and whether stormwater treatment is sufficient given the elevation of the road and site.

Mr. Briggs said that city staff has visited the property and has completed a tree survey. Discussion followed on the tree canopy and preservation.

Commissioner DeCiccio asked about FAR options. Mr. Briggs said there are two options: amend the Comp Plan to establish a policy that allows the requested 47.2% FAR or the commission could move forward with a maximum 43% FAR.

Commissioner Weaver disclosed that he met twice with the developer. He expressed his concern about the location of the church and the retention area relative to the trees and suggested increased setbacks on the north side and relocating the retention area to the location of the proposed townhomes. He opposed transfer of residential density and feels the density is too high. He suggested that the developer remove three lots to increase the size of the remaining lots to be compatible with the surrounding area.

Mayor Anderson said he feels the issue is whether to take a wholistic approach for the entire site or living within the Comp Plan on two separate parcels. He asked what happens to the parcel if the church disbands or relocates. Mr. Briggs said the zoning is R-1A and if the institutional use ends, the zoning would automatically change to residential zoning and single-family land use.

Kip Marchman, moderator of WP Christian Church, said he would love for the church remain on the property and it would be a meaningful addition to Winter Park.

Michael Halpin, applicant, reviewed the history and uniqueness of the church and location. He advised that he has met with the city arborist at the site regarding tree preservation. He reviewed the plans to build a smaller church at the front of the property and showed renderings of the residential components. He cited the basis for PURD zoning from the code. He said that they have met with neighbors and changed

the plans based on their comments. He asked for approval and direction with some flexibility on what is preferred to allow time to revise plans in a timely manner and avoid delays and re-application. He responded to questions regarding townhome design and unit size, lot size and maintenance, and economics noting townhomes will sell between \$700k and \$900k depending on features and fixtures.

Commissioner Cooper asked the developer if approval was not granted, if he would prefer to have the opportunity to do some revisions before formal approval.

Mayor Anderson asked if the developer if they would be agreeable to table to a date certain to have the opportunity to come back without going through the entire process again. Mr. Halpin agreed.

Attorney Ardaman stated that Commission could continue the hearing to a date certain to give the applicant the opportunity to address commission and public comments.

Mayor Anderson suggested that the Commission establish parameters and then consider tabling. Mr. Halpin asked for the opportunity to ask questions for clarity.

Mayor Anderson declared a recess at 8:10 p.m. and reconvened the meeting at 8:22 p.m.

Mike Danagher, 1945 Oakhurst Avenue, expressed his concern about traffic impact and safety issues. He said although there are lot of positives, a more in-depth traffic study is needed, particularly due to left-hand turns onto Lakemont.

Pat Padula, 1950 Oakhurst Avenue, spoke about the difficulties making left turns onto Lakemont and asked that the city consider a traffic light which would slow traffic and provide a gap to make left turns onto Lakemont. She expressed concern about allowing townhouses in area of single-family homes and setting a precedent.

Meredith Murphy, 1750 Windsor Drive, spoke about traffic issues on Lakemont before and after school at Lakemont Elementary and traffic speed. She said she feels townhomes are fine but expressed concern about the developer's list of items that he doesn't intend to count toward FAR and feels they should comply with rules.

Cynthia Edmonds, 1721 Windsor Drive, opposed the concept plan as it doesn't comply with FAR and density is not consistent with adjacent neighborhoods and expressed concern about the pervious/impervious ratio.

Beth Hall, 516 Sylvan Drive, supported saving the church and feels the PURD could be an asset due to the uniqueness of the location but the key is in following the comp plan and codes which do not allow transfer of development rights. She urged the commission not to create a policy specific to this development.

Mayor Anderson suggested identifying areas of consensus on several criteria to determine whether to move forward or table. In response to questions, the following items were clarified and discussed.

- There are no articulated design guidelines in the PURD zoning which allows flexibility in design unlike single-family zoning.
- The project must meet city and St. Johns River Water Management District requirements for stormwater, which they have done with the retention and exfiltration areas onsite.
- The traffic impact is based on units per acre and there would be no difference if there were townhomes or single-family homes. For this development, the impact is 140 trips twice daily.
- The calculation of FAR does not change. The numbers used may change, but not how it is calculated.
- Townhouses are permitted in R-2 or PURD zoning. What is being done within the context of the PURD is not setting a precedent, especially keeping 5 units per acre and the single-family future land use.
- The private alley is part of the lot and private property and therefore, the alley is included in the FAR calculation
- A signal warrant would be needed for the Lakemont corridor to determine whether a light is justified. Commissioner DeCiccio said this should be done regardless of this development.

Commissioner Cooper suggested acting on the Church's conditional use request and the change of land use designation and postpone the things related to the PURD.

Discussion was held on parameters, particularly calculation of FAR and allowable FAR and setbacks. The applicant clarified the buffer and setbacks abutting the abutting residential neighborhoods.

Commissioner Cooper opposed the percentage of parking on the grass for the church and said parking should be on hard surface. Mr. Halpin addressed the preservation of trees and the city arborist has determined that the tree roots would not be impacted.

Discussion returned to options for addressing each of these requests. Mr. Ardaman said if the intent is to continue any or all of these matters, it should be continued to a specific date so the public is aware.

Mayor Anderson summarized the discussion and consensus on the parameters:

- 50% minimum pervious surfaces should apply.
- 43% FAR with conditions

- Perimeter setbacks should match the single-family side and rear setback standards that would normally be the conditions of going from 38% to 43% FAR.
- Townhomes are acceptable.

Other items discussed without consensus were the number of units, grass versus hard surface parking and the setback on northern edge of church site.

Commissioner Cooper disclosed that she met with the developer and residents. Mayor Anderson disclosed he spoke with the developer. Commissioner Sullivan disclosed he spoke with the Mr. Halpin and Commissioner DiCiccio disclosed that she spoke with Mr. Halpin.

Motion made by Mayor Anderson to continue all items to February 23, 2022 at 3:30 p.m; seconded by Commissioner Cooper. Upon a roll call vote Commissioners Sullivan, DeCiccio, Cooper and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.

- b. Ordinance: Amending Chapter 114, modifying shoreline revetment slope requirement from 3:1 to 2:1

Attorney Ardaman read the ordinance by title.

Troy Attaway, Director of Public Works, reviewed the revisions to code, application of code and impact. This was approved by the Lakes and Waterways Advisory Board and accepted by the Lake Killarney Advisory Board.

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

- c. ORDINANCE 3229-22 - AN ORDINANCE AMENDING ARTICLE III "PARK AND RECREATIONAL FACILITY RULES" OF CHAPTER 66, PARKS AND RECREATION, PROVIDING FOR REVISED HOURS FOR EXISTING PARKS AND ADDING HOURS FOR NEW LIBRARY AND EVENTS CENTER CAMPUS, PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. 2nd reading)

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Cooper to adopt the ordinance on second reading; seconded by Commissioner Weaver. Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cooper and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.

- d. ORDINANCE 3230-22 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING DIVISION 2 OF CHAPTER 62 AND ARTICLE I OF CHAPTER 82 OF THE WINTER PARK CODE OF ORDINANCES; REGULATING THE USE AND OPERATION OF LEAF BLOWING OR YARD CLEARING EQUIPMENT POWERED BY AN INTERNAL COMBUSTION ENGINE OR MOTOR DURING CERTAIN HOURS; REGULATING THE TRANSFER OF DIRT, LEAVES, AND OTHER DEBRIS TO OTHER CERTAIN LOCATIONS; PROVIDING FOR A PHASED ELIMINATION OF THE USE OF LEAF BLOWING AND YARD CLEARING EQUIPMENT POWERED BY INTERNAL COMBUSTION TECHNOLOGY; AND 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 Sullivan. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cooper and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

12) City Commission Reports

Commissioner Sullivan -

- Stressed the importance of educating residents on the charter amendments on March 8th ballot. Mr. Knight advised that a mailer will be in utility bills and an article will be in the City Update that is released the first part of March. The ballot questions are also on the city website. He noted that the city can only put out factual information without pros and cons.
- Spoke about issues about police stopping bicycles without lights and suggested efforts to encourage safe bicycling including passing out lights to cyclists.
- Received an e-mail supporting the repeal of the anti-street performer ordinance as it would add to the charm and suggesting considering its repeal.

Commissioner DeCiccio -

- Asked for consensus to use ARPA funds for pavilion and restrooms at the West Meadow which will increase the use of West Meadow. Mayor Anderson supported reviewing a concept. After discussion on the concept and design, consensus was to utilize the urban design for a preliminary design of a pavilion and restrooms.
- Spoke about e-mails she has received about maintenance issues. Mr. Knight said staff is considering forming strike teams to look at properties. Discussion followed on maintenance issues, particularly at the dog park.

Commissioner Cooper -

- Expressed her pleasure in serving with the commission.

Mayor Anderson -

- Addressed the impact of development of property in the Fairbanks Avenue corridor if it is developed outside the city's jurisdiction and mobility fees. It appears that Orlando will not be able to get to their full mobility fee until late summer or early fall. He said he like to discuss of delaying implementation of fee to coincide with Orlando's implementation, which is now at 50% of the full planned fee, in order to remain competitive. He feels the fees are a disincentive to annex and develop in the city. After discussion, consensus was for staff to obtain information on all fees applied to permit applications to determine whether to schedule a work session. (Commissioner Weaver opposed a work session.)

13) Summary of Meeting Actions

14) Adjournment

Mayor Anderson adjourned the meeting at 10:28 pm.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission **agenda item**

item type Consent Agenda	meeting date January 26, 2022
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Approve the minutes of the Work Session, January 13, 2022

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[CCmin2022113.pdf](#)



City Commission/Broadband-Smart City Ad-Hoc Committee Work Session Minutes

January 13, 2022 at 1:00 p.m.

Virtual

Present

Mayor Phil Anderson; Commissioners Marty Sullivan; Sheila DeCiccio; and Todd Weaver; City Manager Randy Knight; City Clerk Rene Cranis. Absent: Carolyn Cooper.

Also Present

Broadband/Smart City Ad-Hoc Committee members: Michael Poole, Janelle Zurek, Chris Johnson, Wes Naylor, Paul Conway, James Everett and Richard James. Director of Information Technology Parsram Rajaram.

1) Call to Order

Mayor Anderson called the meeting to order at 1:00 p.m.

2) Discussion Item(s)

- a. Discussion of Broadband/Smart City Ad-hoc Committee purpose & direction.

Mr. Rajaram, Director of IT, gave a brief history of the formation of this committee and the objectives for this meeting. He noted that the committee has met with contractors, city staff, and City of Orlando - Director of Future Ready Michael Hess and explained that the City of Orlando's "smart city plan" is in alignment with the action plan the ad-hoc committee is developing for Winter Park. He reviewed a list of objectives created by the committee based on the ordinance: confirm committee vision and mission statement, review the definition of broadband versus fiber, gain alignment on action plan and funding for a consultant, and timing implications. He presented the committee's proposed vision and mission which was taken directly from the ordinance that created this committee and explained that the committee is looking for direction from the commission. He explained that the FCC's definition of broadband is based on speed, not delivery/media type, and discussed similarities of broadband and fiber and impacts on the city.

Mr. Conway asked for the commission's perspective on whether fiber should be run to residential homes or city offices. Mayor Anderson stated that he is looking at who the customers are (residential for movie streaming, homework; home office, and business) and the resiliency of the system. He explained the benefits of fiber in various scenarios and discussed his frustration with the providers that service the area.

Commissioners DeCiccio, Sullivan and Weave spoke about their experiences with inconsistent service and unreliability. They expressed agreement that in order to move

forward, the city needs the best connectivity that can be obtained at this time. Commissioner Sullivan stated that the city should view this as a city franchise service and while the city is not at the stage to consider how to develop the franchise, it should be the city's missions and goals as part of the broadband infrastructure.

Commissioner Weaver discussed the phases outlined in the Frog contract and stated that the committee should help with fiberoptic staging and assist with getting the final product delivered to multiple ISP companies, which would allow residents and businesses to have choices other than Spectrum.

Mayor Anderson remarked that one of the committee's tasks could be helping define what customers need in terms of speed and resilience to be progressive over the next five to six years and ensure that 99% of residents have the option to get fiber. He discussed the potential need to incentivize providers, challenges with the city becoming a provider, and franchise options.

Mr. Conway explained that the committee has been discussing whether the focus is on how to leverage current investment or leverage future technology. He spoke about the process and timing that it would take for the city to become a provider and stated that with technology changing, he is unsure if that path is right or wrong. He stated that the dilemma the committee is facing is how to come up with the right answer.

Mayor Anderson spoke about being competitive in the marketplace and would like to see a performance standard goal for a certain level of service for business and residential customers.

Commissioner Sullivan stated another aspect is expanding smart city applications such as linking city traffic lights in real-time to adjust traffic flow. He stated that moving forward with smart city applications would be a significant increase of quality of life for residents and businesses in Winter Park. He asked the committee and staff to discuss some of the future opportunities coming from new smart city applications.

Mr. Rajaram explained smart city technology related to traffic flow, smart lighting, parking availability data, storm water sensors, and public safety camera technologies.

Mr. Conway noted that the committee has interviewed the Electric Utility Department with intent to interview other departments regarding smart city applications. He stated that the committee identified things already in motion and a number of things that are future possibilities. He explained that outside resources are needed to help determine appropriate network architecture for connectivity and compatibility.

Commissioner Sullivan remarked that the commission could look at smart city applications and work with the committee to prioritize a list to determine which

applications would best serve the city. Michael Poole added that one of the steps the City of Orlando took was to interview their different departments and reiterated that the committee plans to interview all city departments to determine what types of smart city applications could be applied, then create an action plan based on the prioritization.

Janelle Zurek reviewed the committee's action plan and explained the need for a consultant to complete the action items that include understanding the marketplace and offerings, conducting department interviews and community research and then preparing financial analysis and a strategic plan.

Mayor Anderson stated that community research is wise and agreed a consultant is beneficial to identify future needs and technology.

Chris Johnson discussed lack of willingness from providers to share conduit for fiber optic and suggested the city look at options to incentivize shared use of conduit which may draw competitors.

Commissioner Sullivan suggested looking at areas that can be funded through infrastructure bill. Mr. Poole stated that looking at those areas would be part of the financial analysis.

Mayor Anderson spoke about funding and use of ARPA funds. He summarized that committee's needs guidance and support for a consultant. Discussion followed on the funding approval process, cost to retain a consultant and funding sources. Consensus was to allocate \$100,000 under ARPA funds. The commission authorized Mr. Knight to start the funding with \$75,000 with future budget adjustment for the remaining balance.

Brief discussion was held on work session meeting days. Consensus is to move the work sessions to Tuesdays if there are not conflicts with regularly scheduled board meetings.

2) Adjournment

The meeting adjourned at 2:02 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission **agenda item**

item type Consent Agenda	meeting date January 26, 2022
prepared by Michael Hall	approved by Jennifer Maier, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective Fiscal Stewardship	

subject

Approve the following piggyback contract:

item list

1. CDW Government - Sourcewell Contract #081419-CDW - Technology Catalog Solutions; For services on an as-needed basis during the term of the Agreement, contract term through November 1, 2023; Amount: \$500,000

motion / recommendation

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

background

1: A formal solicitation process was conducted by the originating agency to award this contract.

alternatives / other considerations

N/A

fiscal impact

Total expenditures included in approved budgets.



City Commission **agenda item**

item type	Consent Agenda	meeting date	January 26, 2022
prepared by	Randy Knight	approved by	Randy Knight
board approval	Completed		
strategic objective			

subject

Appoint David Zusi alternate to the South Seminole North Orange County Wastewater Transmission Authority board.

motion / recommendation

Appoint David Zusi as the City of Winter Park alternate representative to the South Seminole North Orange County Wastewater Transmission Authority (SSNOCWTA) board.

background

The City is a member of SSNOCWTA, which is a governmental agency created by the legislature in the late 70's as the entity to oversee the regional sewage transmission system carrying flows from Seminole County, Casselberry, Maitland and Winter Park to the Iron Bridge Regional Sewage Treatment Facility.

The enabling act calls for each of these entities to appoint a representative and alternate to serve on SSNOCWTA's governing board. In the past the enabling act required that the appointees be a citizen of the entity it represents. That act was updated during the last legislative session and now allows the appointee/alternate to be an employee that does not live in the city limits.

Randy Knight, City Manager, serves as the In the appointed representative. The city's alternate has usually been an employee, but since we have not had any water and sewer employees that have lived in the city, the alternate has been from some other department without any significant knowledge of utilities. The current alternate is Leif Bouffard who works in Public Works. No current utility employee lives within the city limits

With the change in the enabling act, staff recommends appointing David Zusi, Water and Sewer Utility Director as the city's alternate to the board.

alternatives / other considerations

The Commission can choose another alternate that meets the enabling act

requirements. Those requirements are a resident of the member entity's jurisdiction or an employee of the member entity's jurisdiction.

fiscal impact

None



City Commission **agenda item**

item type Consent Agenda	meeting date January 26, 2022
prepared by Peter Moore	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective Fiscal Stewardship Intelligent Growth & Development Quality of Life Investment in Public Assets & Infrastructure	

subject

Approval of ARPA Funding Allocations - Smart City, Business Façade, Sustainability, Library

motion / recommendation

Approval of the ARPA allocations as presented in the attached approval matrix.

background

Staff is requesting that the following ARPA allocations, previously set aside by the City Commission, be formally approved so that projects/purchases may proceed. The attached "ARPA Project Approval Matrix" highlights the specific requests and also provides an update as to what has been previously approved.

alternatives / other considerations

The Commission can decide to not approve, change, or modify the staff requests to proceed.

fiscal impact

The city received approximately \$15.4 million in ARPA funds. To-date, approximately \$1.15 million has not been allocated. The project requests included in this item total \$707k and would come from funds already allocated for those specific projects and would not draw down on the unallocated balance.

ATTACHMENTS:

[ARPA Project Approval Matrix - Various 1-26-22 .pdf](#)

ATTACHMENTS:

[WP Citywide Business Facade Guidelines.pdf](#)

ATTACHMENTS:

[20211105 Business Facade Program Participants.pdf](#)

ATTACHMENTS:

[Winter Park Employment Analysis 2020 ADA.pdf](#)

Projects for use of Allocated ARPA Funds

1/26/2022

Proposed Project	Department Lead	ARPA Funding Allocated	ARPA Eligibility Based on Treasury Guidance for July 2021	Project Notes (Timeline/Next Steps)	Funding Approval Requested Now	Motion for Approval
Smart City - Broadband - Signalization and Connectivity Improvements	Information Technology	\$ 1,000,000	Maintenance or construction of any capital project, broadband, and cybersecurity are all supported by ARPA.	The City Commission has allocated funding to pursue smart city initiatives and has commissioned the Smart City Task Force to return with recommendations regarding initiatives. The task force has met, discussed current status and recommends that development of a master plan and bringing in outside consultant support, will aid the city in appropriately building a roadmap for the use of the funding.	\$ 75,000	At a joint work session with the Smart City Manager was directed to develop a master plan development and recognition of funding.
Business Façade Program & Business Gap Study Analysis	Administration	\$ 500,000	Support for small businesses is broadly allowed as it pertains to ensuring the health, recovery, and vitality of business districts. Business façade grant programs are specifically indicated as an appropriate use of ARPA funds.	The Economic Development Advisory Board on November 9 th recommended funding a city-wide business façade grant program and updating the city's business gap/employment analysis. A citywide business façade improvement grant builds upon the success of the Winter Park CRA's program leveraging successful reinvestment within the Winter Park core to additional commercial areas within the community. A map of successful grant recipients is attached. In addition, the use of an updated gap and employment analysis provides a foundational analytics piece to weigh in on underserved and oversaturated commercial segments in the city. A copy of an older version (completed in 2020, but data is from 2016) of this type of work is attached for reference.	\$ 120,000	Staff is requesting a set aside under the business section of the administration to fund the citywide business façade and gap/employment analysis (\$
Sustainability Program - vehicles, equipment, charging stations	Administration	\$370K original. (\$40k already allocated to Parks Equipment.)	Sustainability is not mentioned anywhere in the guidelines however the broad allowance for local gov't use funds for any provision of gov't services as long as it falls under the revenue loss limit, would be applicable here. Environmental remediation is specifically mentioned as an allowable use under these conditions.	The City Commission set aside funds for sustainability improvements to electrification of the city's vehicle fleet and addition of charging stations. Reservations for Ford's electric F-150 need to be placed to get on the waiting list for manufacture for next year. Fleet is recommending that the city purchase two F-150s, one to replace an aging existing Police vehicle, and one for Facilities maintenance use. In addition the newly added maintenance position will require a work van and there are fully electric Ford Transits that would meet this need. In addition this request sets aside \$60k for additional charging stations (3 - 4 depending upon type) to be located at the Public Safety and City Operations Compounds.	Police F-150 - \$51,000 Facilities F-150 - \$41,000 Maintenance Transit Van - \$60,000 Charging Stations - \$60,000	Staff is requesting \$ of 3 electric vehicle stations. This will leave this allocation a electrification in equipment
Winter Park Library Furnishings and operating support grant	Administration	\$900K Original. (\$600k already approved as operating grant.)	To the extent that investments in furnishing the facility and making it an attractive public venue that supports tourism and business, then these may be allowable uses. Section 2.9 says that planned expansions or upgrades of tourism facilities are allowable. As section 1.8 allows for non-profits to receive support, transfers made directly to a non-profit would also be allowable.	The City Commission allocated a broad list of non-profit support, including \$900k for the Winter Park Public Library. Previously \$600k was approved in general support to the organization with an additional \$300k earmarked for upgrades including, furniture, fixtures, technology, appliances, specialized wiring for donated equipment, and upgrades to book shelving. With the project completed, this is formal recognition of this funding.	\$ 300,000	Approval of Library furniture and fixtures amount

ARPA Funding Allocations

Revised based on 12/9/21 Commission Meeting

Potential Use of Funds	Revised Allocation	Approval Date
General Projects/Uses		
Offset loss of revenue in 2022	\$ 1,300,000	Approved 9/22/21
Offset loss of revenue in 2023	\$ 500,000	
Traffic and Road Improvement Study and Design	\$ 750,000	Approved 9/22/21
Neighborhood Traffic Calming	\$ 250,000	Approved 1/12/22
Large Scale Street Bricking Repair and Replacement	\$ 500,000	Approved 11/10/21
Old Library Building roof	\$ 300,000	
Old Library Building A/C		
Progress Point Park, addl infrastructure, and contingency balance	\$ 3,400,000	
Progress to Mead Connector	\$ 500,000	
Meadows Park at Margaret Square	\$ 101,750	Approved \$101,750 on 12/8/21
Stormwater Capital Improvements	\$ 150,000	Approved 9/22/21
Cybersecurity Enhancements	\$ 500,000	Approved \$250k 10/27/21
Fire Training Facility	\$ 550,000	
Sustainability Program - vehicles, equipment, charging stations	\$ 370,000	Approved \$40k for Parks Electric Equipment 12/8/21
Vaccine Incentive Program for City Employees	\$ 75,000	Approved 7/28/2021
Non-Profits		
Winter Park Library Furnishings and operating support grant	\$ 900,000	Approved 9/8/21 Ideal Woman's Club Funding of \$25k added 11/10/21
Support for Existing Non-Profit Partners	\$ 300,000	
Grant Fund for Supporting Small Non-Profits	\$ 285,000	
Households and Small Businesses		
Utility Payment Assistance Program	\$ 100,000	
Business Façade Program	\$ 100,000	
Business Recruitment Program	\$ 400,000	
Humanitarian Support	\$ 100,000	
Tourism, Travel and Hospitality		
Central Park Stage	\$ 400,000	
Boat Tour to Dredge Canal and property cleanup	\$ 100,000	Approved 11/10/21
Dinky Dock	\$ 154,000	
Christmas Decorations for Park Avenue		
Broadband		
Connect Facilities with Fiber	\$ 962,000	
Smart City - Broadband - Signalization and Connectivity Improvements	\$ 1,000,000	
Public Wi-Fi	\$ 250,000	

Sum of above projects & uses	\$ 14,297,750
ARPA Funding Estimate to be Received	\$ 15,438,814
Remaining to be allocated	\$ 1,141,064



Business Façade Grant Program Guidelines

The City of Winter Park established the Business Façade Grant Program to provide a financial incentive to property and business owners to renovate and reinvest in the exterior of their business or commercial property. The program specifically encourages redevelopment and reinvestment for commercial properties located in the City of Winter Park.

ELIGIBLE APPLICANTS

- The grant applicant must be a property owner or a business owner leasing a storefront;
- The business must be located within the boundaries of the City of Winter Park (see map, which may be updated periodically);
- Businesses within the boundaries of the Winter Park CRA shall use the CRA program.
- If applying as the tenant, an affidavit must be signed by the property owner consenting to the improvements (see application);
- Proposed project must be a small business as defined by the U.S. Small Business Administration (For more information visit www.sba.gov/size).
- Business may be an individually owned franchise as long as it meets all other criteria;
- Tenant must have at least two years remaining in lease at location of proposed project;
- Business Façade Improvement Program Grant can only be used once per building; regardless of ownership;
- Buildings with multiple occupants may be eligible on a case by case basis;
- The project applicant must owe no outstanding property taxes, fees, judgment, or liens to the City of Winter Park or Orange County and have no outstanding code violations.

Ineligible Applicants: National corporate franchises, government offices and agencies (non-governmental, for-profit, tenants are eligible), businesses that exclude service to minors, properties primarily in residential use, properties exempt from property taxes.

ELIGIBLE PROJECTS

The Exterior Improvement Grant program is funded through Community Redevelopment Agency funds. The CRA will match the Owner/Lessee up to fifty percent (50%) of the total cost of eligible improvements up to \$20,000. Project cost must exceed \$2,500 of eligible improvements to be considered for façade grant. All work must be done on the exterior of a street facing side of the building. Grant funds cannot be used on work already completed. Eligible work must be completed **after** an applicant's request has been reviewed and approved.

Eligible work: Rehabilitation of building facades visible to the street or public right-of-way, including:

- storefronts;

- ledges;
- gutters and downspouts;
- signs and graphics;
- exterior lighting;
- canopies and awnings;
- painting and masonry work.

Following repairs are allowed as long as they are part of work which is directly visible from public right-of-ways and specifically approved by the City:

- landscaping and irrigation;
- fences;
- seal coating, re-striping of parking lots and bike racks;
- New construction may be considered on a case-by-case basis if the applicant is upgrading the current façade of a property.

Ineligible Activities:

- roofs;
- structural foundations;
- billboards;
- security systems;
- non-permanent fixtures;
- interior window coverings;
- personal property and equipment;
- security bars; razor/barbed wire fencing;
- sidewalks and paving;
- all necessary government approvals, building permits, and taxes;
- services performed by a non-licensed contractor
- work performed prior to grant award

AWARD TIMELINE

Applications will be collected throughout the year. Businesses may apply any time during the fiscal year, but are encouraged to submit their applications as soon as possible to ensure funds are available for commitment.

First time applicants are encouraged to participate as they will be given priority over businesses who have previously participated in the City Business Façade Program. Staff will also review safety repairs and total leverage of City funding to determine award.

AWARD REIMBURSEMENT

Reimbursement shall be limited to no more than 50% of the total cost of eligible improvements, not to exceed \$20,000 per storefront. Larger buildings with more than one storefront and/or

more than one side visible (on a corner) may be considered for a larger grant on a case by case basis by the City. Any projects totaling less than \$2,500 in qualified improvements are not eligible.

Approved applicants may request on up to 50% of the estimated awarded grant funds, with proof of paid invoice. The remaining grant funds will be paid once the project is complete. Grants are awarded on a first come, first served basis, as long as funding remains available in the program.

The City reserves the right to refuse reimbursements in whole or in part for work that is not completed within 9 months. The City cannot reserve funds indefinitely. Grants may be subject to cancellation if not completed or significant progress has not been made by the completion date. Request for extensions will be considered only if made in writing and progress towards completion has been demonstrated.

Only applicants that have previously applied and been placed on the waiting list prior to beginning any exterior improvement under this program may be eligible for funding.

Multi-Tenant Building: Business tenants in a multi-tenant property may apply to the program as long as the tenant has a clearly definable independent entrance into the storefront that is clearly visible from public rights-of-way (ex. strip-mall tenants). Business tenants in multi-tenant buildings that do not have independent storefronts are not eligible to apply; however, the property owner may still apply if they meet the eligibility requirements. Multi-tenant property owners may still apply if they meet all other eligibility requirements. Property owners will not be able to apply if other tenants in the same property have previously used the program. If no other tenant in the property has utilized the program then the property owner may apply as the applicant and receive up to \$20,000 for the entire property.

COMPETITIVE BIDDING Applicants are required to get two (3) competitive bids for every type of proposed work. Please be advised, applicants are not permitted to use their own business as one of the required bids. The City will match up to 50% of the cost up to \$20,000. All contractors must be insured and licensed by the State of Florida. All construction contracts will be between the applicant and contractor.

APPROVALS

The City has the sole authority to determine eligibility of proposed work and confirmation of completed work. Certain work may be required or precluded as a condition of funding. Participants will be responsible for obtaining necessary regulatory approvals, including any needed by City departments or boards and including, but not limited to, building permits and any other necessary permits. All work must comply with city, state and federal regulations.

CONTRACTUAL AGREEMENT

Accepted applicants must enter into a contractual agreement with the CRA prior to disbursement of grant funds.

SUBMISSION REQUIREMENTS

Application packages must include documentation that illustrates the visual impact of the project and its cost.

Failure to provide required information will delay the review and/or approval process.

The applications must include the following attachments:

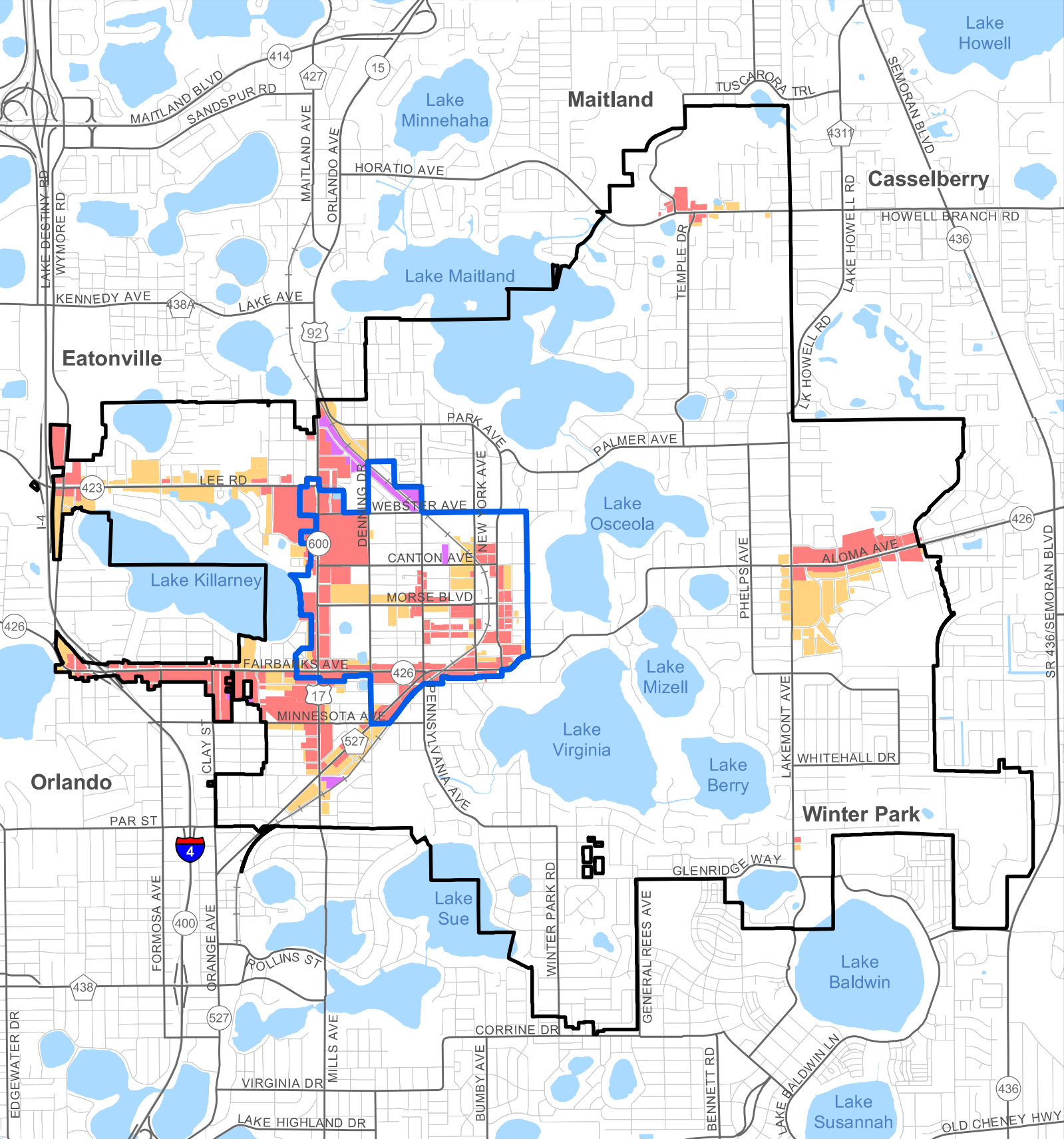
1. Complete application form
2. Copy of current business license
3. Copy of current property insurance
4. Written consent from property owner giving permission to conduct exterior improvements (*if necessary*)
5. Digital photographs of existing conditions of project
6. Written description of project improvements including material list and color selections
7. Simple sketch of improvement project
8. Three competitive bids for each type of work proposed



Submit complete applications to:

Economic Development/ Community Redevelopment Agency
Division
Attn: Business Façade Grant Program
401 Park Avenue South
Winter Park, FL 32789

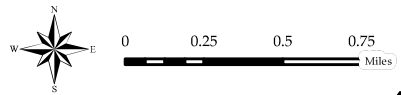
For more information about the City's Business Façade Program, please contact our office at 407-599-3225 or online by visiting www.cityofwinterpark.org/depts/admin/ED

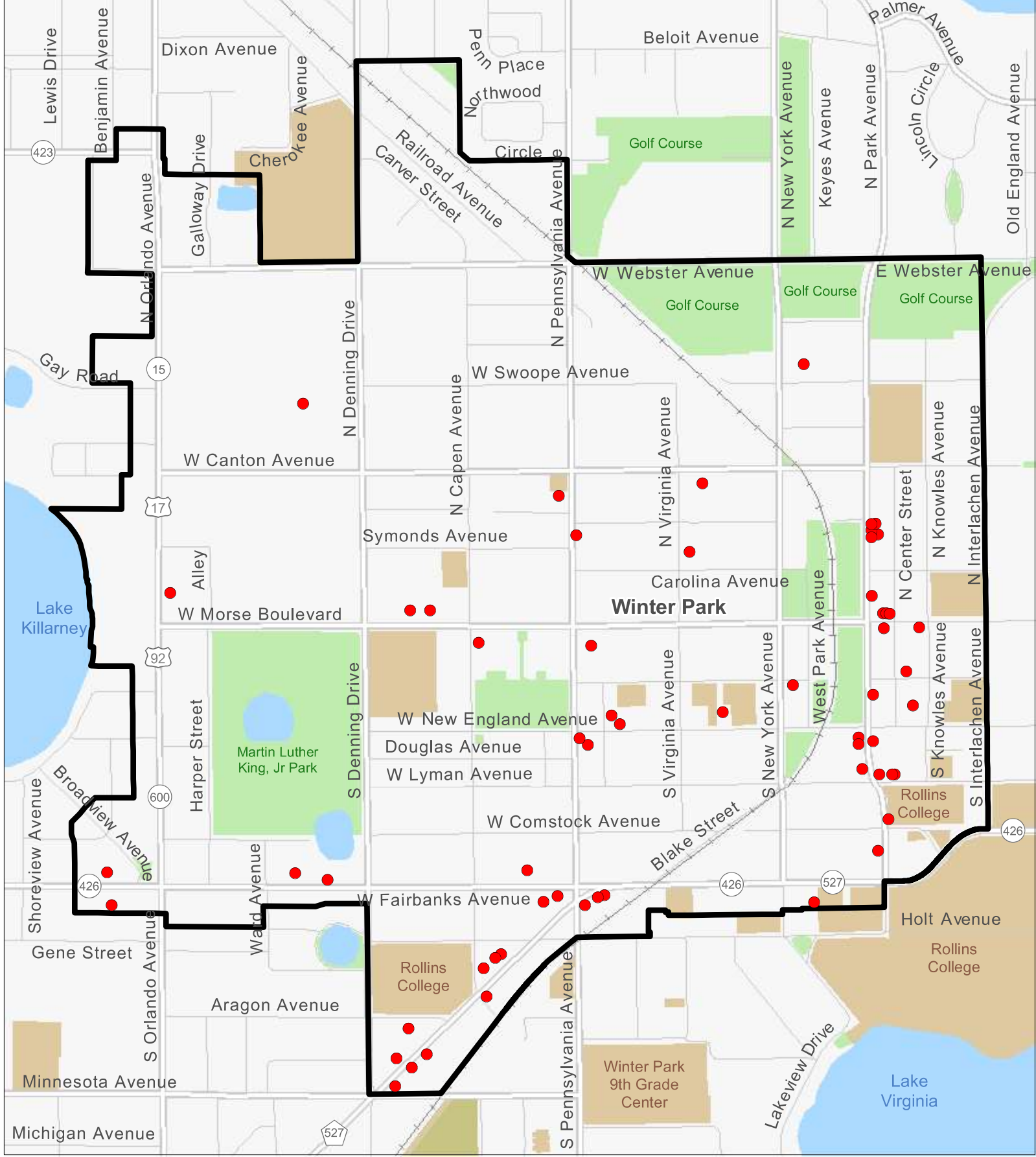


**COMMERCIAL, INDUSTRIAL
AND INDUSTRIAL ZONING**
City of Winter Park, Florida

- CRA Boundary
- Winter Park Zoning
 - Commercial
 - Industrial
 - Office

Date: 12/28/2021
 Project: CRA20211111
 Source: Winter Park Planning Department

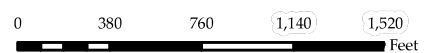




**BUSINESS FACADE IMPROVEMENT
PROGRAM PARTICIPANTS
With CRA Boundary**

City of Winter Park, Florida

- Facade Program Participants
- ▭ CRA Boundary



Date: 11/5/2021
Project: CRA20211105
Source: Winter Park C



gai consultants

COMMUNITY
SOLUTIONS
GROUP

EMPLOYMENT ANALYSIS

City of Winter Park,
January 2020

Certified WCAG 2.1 Level AA compliant and usable with JAWS and NVDA by SWH

Introduction

Table of Contents

2 Introduction

2 Analysis Overview

3 What is Economic Development?

3 Live-Work-Play

4 Employment Overview

4 Employment Market

5 Employment Clusters

5 Target Clusters

6 Target Clusters

6 Education & Knowledge

6 Real Estate Development

6 Arts and Culture

7 Healthcare Services

7 Financial and Professional

7 Creative Services

8 Benchmarking

9 Winter Park

10 Maitland

11 Casselberry

12 Winter Garden

13 Shift-Share Analysis

Analysis Overview

GAI's Community Solutions Group has provided the City of Winter Park with an employment analyses for the purpose of identifying which business types play a significant role in the local economy. This report provides an update of those analyses using the most current data provided by the U.S. Census County Business Patterns ("CBP") program.

Our assignment is generally described in the following tasks:

- Compare the concentration and number of jobs in certain professional key categories within the City relative to those in other area cities (location quotient analysis),
- Compare and contrast concentration results from a base year (shift-share analysis),
- Identify the categories employment sectors with the greatest concentration and current level of employment, and
- Comment on and quantify the information in terms of the City's potential for job growth and economic development.

We make every effort to reflect employment establishments that physically exist in the city limits of Winter Park as well as other area cities. However, the level of employment detail required for this analysis is provided for areas that are only approximate to jurisdictional boundaries. Therefore, the calculations within this report are accurate based on the source data, the representations of concentrations within areas are approximate.

What is Economic Development?

Economic Development is generally described as succeeding in three areas:

- Net gain of Economic flow into the community;
An economic impact base is derived from the production of goods and services in excess of local consumption needs.
- Focus of local government to improve our standard of living;
Creation of jobs, higher wealth, and an overall better quality of life.
- Progress in an economy;
The adoption of new technologies, transition from agriculture to industry-based economy, and general improvement in living standards.

The broader context of community impacts related to Economic Development include measures for employment opportunities, employment growth, the nature of jobs, educational opportunities, safety and welfare, and income and wealth, among others. There are many ways of measuring Economic Development efforts, but one common and consistent measure is simply related to the concentration and growth of jobs by type of industries or employment clusters, consistent with community goals.

Live-Work-Play

The concept of Live-Work-Play has grown in popularity in the field of planning, as numerous strands of planning literature increasingly highlight the potential benefits of creating places to live, work, and play, at minimum, in close proximity. But it is important to understand that creating places that maximize these benefits don't necessarily require complete balance, particularly with the interrelationship of living and working.

	Work in Place	
	2009	2016
United States ¹	43%	42%
Winter Park	34%	32%
Maitland	21%	22%
Casselberry	13%	10%
Winter Garden	20%	26%

Sources: U.S. Census Bureau; GAI Consultants. Note: (1) Includes Census Designated Places.

Employment Overview

Employment Market

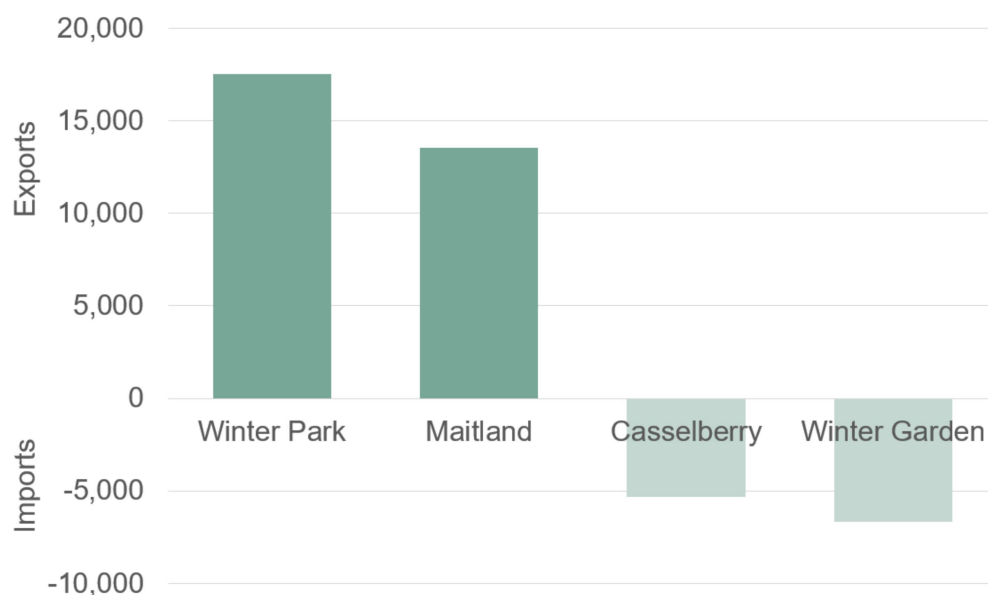
Creating more basic industry (jobs in excess of local demand), by definition, creates a positive flow of activity into a local economy. Whether that economic activity creates wealth that remains in the local area is a more complicated issue. However, the excess of

employment above local demand is a strong indicator of more opportunity for employment and higher levels of wealth tied to the resources residing in the local area.

	Population (000s)	Employment (000s)	Jobs per 100 capita
United States	323,071	140,129	43.4
Winter Park	30.1	30.6	101.6
Maitland	17.7	21.3	119.8
Casselberry	27.2	6.5	23.8
Winter Garden	42.6	11.8	27.7

Sources: U.S. Census Bureau; GAI Consultants.

Export and Import Employment



Employment Clusters

One form of economic development analysis suggests that economic activities in an area can be divided into two categories: basic and nonbasic. Basic industries are those exporting from the local region and bringing wealth from outside, while nonbasic industries support local needs. Because export-import flows are usually not tracked at sub-national levels, it is not practical to study industry output and trade flows to and from a local area. As an alternative, the concepts of basic and nonbasic are operationalized using employment data, and location quotients (“LQ”).

The location quotient formula shows whether a local area is employing enough workers in each sector as compared with a balanced national economy.

- When the Location quotient = 1.0, that means the employment is equal in the sector for the national and regional economy. Therefore the sector is non-basic and supply is just equal to local demand.
- If $LQ < 1$, The output is not sufficient to meet the local demand and imports are needed.
- If $LQ > 1$ the output is more than sufficient to meet the local demand and excess is exported.

Target Clusters

Industry clusters are local concentrations of related industries. Clusters reflect a network of economic relationships that can create a competitive advantage, if desired. This advantage then becomes an

enticement for similar industries and suppliers to those industries to develop or relocate locally. Based on our analysis, we defined 6 measurable clusters in the City of Winter Park.

	2009 LQ	2016 LQ	Employment CAGR
Education & Knowledge Creation	2.89	2.86	1.2%
Real Estate & Development	4.39	2.70	0.7%
Arts, Culture & Entertainment	1.82	1.94	5.3%
Health Care Services	1.39	1.93	4.0%
Financial and Professional Services	2.24	2.68	1.7%
Creative Services	9.27	11.09	-1.2%

Target Clusters

Education and Knowledge

(Employment > 25)

NAICS	Industry	2009 LQ	2016 LQ
61131	Colleges, Universities, and Professional Schools	3.30	2.94
61111	Elementary and Secondary Schools	0.93	1.22
61121	Junior Colleges	1.76	4.75
61162	Sports and Recreation Instruction	1.10	1.90
51912	Libraries and Archives	5.32	6.05

Real Estate Development

(Employment > 200)

NAICS	Industry	2009 LQ	2016 LQ
23622	Commercial and Institutional Building Construction	1.00	5.22
54133	Engineering Services	2.09	2.35
23611	Residential Building Construction	1.41	2.14
23821	Electrical Contractors and Other Wiring Installation Contractors	2.44	1.46
23822	Plumbing, Heating, and Air-Conditioning Contractors	0.45	1.16
53121	Offices of Real Estate Agents and Brokers	3.36	3.67

Arts, Culture, and Entertainment

(Employment > 10)

NAICS	Industry	2009 LQ	2016 LQ
71211	Museums	2.25	2.35
45114	Musical Instrument and Supplies Stores	5.02	5.15
71151	Independent Artists, Writers, and Performers	2.54	2.86
45392	Art Dealers	4.52	5.66
72251	Restaurants	1.70	1.51
72231	Food Service Contractors	0.70	4.18

Healthcare Services

(Employment > 175)

NAICS	Industry	2009 LQ	2016 LQ
62211	General Medical and Surgical Hospitals	1.03	1.04
62161	Home Health Care Services	1.27	3.64
62111	Offices of Physicians	1.63	1.73
62121	Offices of Dentists	1.44	1.10
62412	Services for the Elderly and Persons with Disabilities	-	0.99

Financial and Professional

(Employment > 200)

NAICS	Industry	2009 LQ	2016 LQ
54111	Offices of Lawyers	3.80	3.49
55111	Management of Companies and Enterprises	1.64	0.98
54121	Accounting, Tax Preparation, Bookkeeping, & Payroll Services	1.47	2.44
52211	Commercial Banking	1.34	1.40
54161	Management Consulting Services	1.79	1.73
52312	Securities Brokerage	3.01	3.79

Creative Services

(Employment > 75)

NAICS	Industry	2009 LQ	2016 LQ
51112	Periodical Publishers	11.73	19.88
54181	Advertising Agencies	1.55	3.72
51512	Television Broadcasting	6.35	6.51
54141	Interior Design Services	21.99	18.46
54131	Architectural Services	8.25	2.53

Benchmarking

In the context of economic analysis, making comparisons between and among groups or entities (“benchmarking”) allows for specific inferences or potential conclusions to be drawn from individual metrics. Benchmarking does not require that groups or entities are identical in every aspect or on every dimension, but only one or two specific attributes. In fact, the many potential differences among groups or entities that share something in common is a main contributor to the process of making inferences or drawing conclusions. The main challenge with selecting “comparable” locations for this type of economic analysis is a result of the many qualitative perceptions that make locations more or less alike. Based on past experience, we initially identify locations using quantitative metrics to include land area, population, density, and population growth.

There are more than 410 cities, towns, and villages in the State of Florida. The vast majority of these local jurisdictions, as expected, represent smaller areas. Only 2.2% or 9 cities in the state have a land area greater than 75 square miles. More than 71% or 292 cities, towns, and villages have land area of less than 10 square miles.

Municipality	2018 Population	Area (Sq. Mi.)	Gross Density	2018-10 Growth
Winter Park	31,059	10.17	3,054	12.1%
Maitland ¹	28,876	7.47	3,866	10.6%
Casselberry ²	17,947	6.42	2,795	13.1%
Winter Garden ¹	45,266	17.87	2,533	30.2%

Sources: U.S. Census Bureau; GAI Consultants Notes: (1) Selected by Geography, (2) Selected for Area or Density, Gross Density is measured as 2018 Total Population per square mile.

As we mentioned, it is not required that groups or entities are identical in every aspect or on every dimension. For example, higher population levels, larger land area, and faster population growth compared with Winter Park would potentially explain any observed differences as part of our analysis.

Winter Park Top Employment Sectors

NAICS	Industry	Share	2016 LQ
72251	Restaurants and Other Eating Places	12.5%	1.51
62211	General Medical and Surgical Hospitals	4.4%	1.04
61131	Colleges, Universities, and Professional Schools	4.4%	2.94
62161	Home Health Care Services	4.1%	3.64
62111	Offices of Physicians	3.5%	1.73
54111	Offices of Lawyers	2.9%	3.49
56161	Investigation, Guard, and Armored Car Services	2.8%	4.48
55111	Management of Companies and Enterprises	2.6%	0.98
54121	Accounting, Tax Preparation, Bookkeeping, and Payroll Services	2.4%	2.44
23622	Commercial and Institutional Building Construction	2.3%	5.22

Top Concentrations (Employment > 100)

NAICS	Industry	2016 LQ
61141	Business and Secretarial Schools	21.30
51112	Periodical Publishers	19.88
54141	Interior Design Services	18.46
54132	Landscape Architectural Services	13.47
42412	Stationery and Office Supplies Merchant Wholesalers	11.86
54193	Translation and Interpretation Services	11.33
44121	Recreational Vehicle Dealers	8.16
33461	Manufacturing and Reproducing Magnetic and Optical Media	8.09
51512	Television Broadcasting	6.51
51912	Libraries and Archives	6.05

Maitland Top Employment Sectors

NAICS	Industry	Share	2016 LQ
55111	Management of Companies and Enterprises	6.9%	2.59
52412	Direct Insurance (except Life, Health, and Medical) Carriers	6.8%	13.79
62111	Offices of Physicians	4.2%	2.08
23611	Residential Building Construction	4.1%	7.77
54121	Accounting, Tax Preparation, Bookkeeping, and Payroll Services	3.7%	3.78
54111	Offices of Lawyers	3.2%	3.84
56132	Temporary Help Services	3.0%	1.11
51711	Wired Telecommunications Carriers	3.0%	5.04
62161	Home Health Care Services	2.8%	2.50
56111	Office Administrative Services	2.8%	7.75

Top Concentrations (Employment > 100)

NAICS	Industry	2016 LQ
52239	Other Activities Related to Credit Intermediation	33.43
53132	Offices of Real Estate Appraisers	26.30
52412	Direct Insurance (except Life, Health, and Medical) Carriers	13.79
42373	Warm Air Heating, Air-Conditioning Equipment, and Supplies Merchant Wholesalers	13.21
52232	Financial Transactions Processing, Reserve, and Clearinghouse Activities	13.05
54119	Other Legal Services	12.66
62133	Offices of Mental Health Practitioners (except Physicians)	10.42
51511	Radio Broadcasting	10.18
42342	Office Equipment Merchant Wholesalers	9.86
71151	Independent Artists, Writers, and Performers	8.63

Casselberry Top Employment Sectors

NAICS	Industry	Share	2016 LQ
72251	Restaurants and Other Eating Places	12.6%	1.52
56132	Temporary Help Services	5.2%	1.90
44511	Supermarkets and Other Grocery (except Convenience) Stores	4.9%	2.30
45291	Warehouse Clubs and Supercenters	4.3%	3.48
23822	Plumbing, Heating, and Air-Conditioning Contractors	2.8%	3.51
23899	All Other Specialty Trade Contractors	2.4%	12.32
42361	Electrical Apparatus and Equipment, and Wiring Supplies	2.0%	12.31
44411	Home Centers	2.0%	3.50
45211	Department Stores	2.0%	2.60
56173	Landscaping Services	2.0%	3.91

Top Concentrations (Employment > 100)

NAICS	Industry	2016 LQ
45439	Other Direct Selling Establishments	18.81
23899	All Other Specialty Trade Contractors	12.32
42361	Electrical Apparatus and Equipment, and Wiring Supplies	12.31
72241	Drinking Places (Alcoholic Beverages)	5.72
56173	Landscaping Services	3.91
23822	Plumbing, Heating, and Air-Conditioning Contractors	3.51
44411	Home Centers	3.50
45291	Warehouse Clubs and Supercenters	3.48
44814	Family Clothing Stores	3.10
45211	Department Stores	2.60

Winter Garden Top Employment Sectors

NAICS	Industry	Share	2016 LQ
72251	Restaurants and Other Eating Places	12.6%	1.53
44511	Supermarkets and Other Grocery (except Convenience) Stores	3.2%	1.49
42311	Automobile and Other Motor Vehicle Merchant Wholesalers	2.4%	25.01
62311	Nursing Care Facilities (Skilled Nursing Facilities)	2.4%	1.84
44814	Family Clothing Stores	2.4%	4.07
23822	Plumbing, Heating, and Air-Conditioning Contractors	2.2%	2.80
45291	Warehouse Clubs and Supercenters	2.1%	1.74
44711	Gasoline Stations with Convenience Stores	2.0%	3.15
23811	Poured Concrete Foundation and Structure Contractors	1.7%	9.65
23891	Site Preparation Contractors	1.4%	5.56

Top Concentrations (Employment > 100)

NAICS	Industry	2016 LQ
42444	Poultry and Poultry Product Merchant Wholesales	121.02
44121	Recreational Vehicle Dealers	33.14
32612	Plastics Pipe, Pipe Fitting, and Unlaminated Profile Shape Manufacturing	29.05
42311	Automobile and Other Motor Vehicle Merchant Wholesalers	25.01
42451	Grain and Field Bean Merchant Wholesalers	24.20
56179	Other Services to Buildings and Dwellings	20.46
31141	Frozen Food Manufacturing	14.51
23811	Poured Concrete Foundation and Structure Contractors	9.65
23711	Water and Sewer Line and Related Structures Construction	8.64
56199	All Other Support Services	8.26

Shift-Share Analysis

A shift-share analysis, used in regional science, political economy, and urban studies, determines what portions of regional economic growth or decline can be attributed to national, economic industry, and regional factors. The analysis helps identify industries where a regional economy has competitive advantages over the larger economy. A shift-share analysis takes the change over time of an economic variable, such as employment, within industries of a regional economy, and divides that change into various components. A traditional shift-share analysis splits regional changes into just three components, but other models have evolved that expand the decomposition into additional components.

The traditional form of the shift-share analysis was developed by Daniel Creamer in the early 1940s, and was later formalized by Edgar S. Dunn in 1960. Also known as the comparative static model, it examines changes in the economic variable between two years. Changes are calculated for each industry in the analysis, both regionally and nationally. Each regional change is decomposed into three components.

1

National growth (“NG”) effect is the portion of the change attributed to the total growth of the national economy. It equals the theoretical change in the regional variable had it increased by the same percentage as the national economy.

2

Industry mix (“IM”) effect is the portion of the change attributed to the performance of the specific economic industry. It equals the theoretical change in the regional variable had it increased by the same percentage as the industry nationwide, minus the national growth effect.

3

Local share (“LS”) effect is the portion of the change attributed to regional influences, and is the component of primary concern to regional analysts. It equals the actual change in the regional variable, minus the previous two effects.

Net Local Share Gain

NAICS	Industry	2016 LQ	NG	IM	LS
72251	Restaurants and Other Eating Places	1.51	238.7	242.4	438.8
62161	Home Health Care Services	3.64	28.4	49.2	641.2
56161	Investigation, Guard, and Armored Car Services	4.48	2.8	1.9	630.0
54121	Accounting, Tax Preparation, Bookkeeping & Payroll Services	2.44	38.3	(53.7)	251.2
23622	Commercial and Institutional Building Construction	5.22	11.7	(15.4)	444.4
72231	Food Service Contractors	4.18	7.2	7.9	401.0
51112	Periodical Publishers	19.88	34.1	(152.0)	165.1
56111	Office Administrative Services	3.71	19.1	(15.0)	144.7
23611	Residential Building Construction	2.14	18.3	(11.5)	102.6
44812	Women's Clothing Stores	3.65	14.1	(7.9)	105.3
23822	Plumbing, Heating, and Air-Conditioning Contractors	1.16	8.2	0.2	135.6
62412	Services for the Elderly and Persons with Disabilities	0.99	0.6	2.5	189.2
42412	Stationary and Office Supplies Merchant Wholesalers	11.86	-	-	150.1

Net Local Share Loss

NAICS	Industry	2016 LQ	NG	IM	LS
81311	Religious Organizations	1.18	158.0	(163.6)	(948.5)
55111	Management of Companies and Enterprises	0.98	94.4	68.7	(339.6)
23731	Highway, Street, and Bridge Construction	2.49	52.8	(61.9)	(305.3)
54151	Computer Systems Design and Related Services	0.69	43.6	95.0	(273.4)
54131	Architectural Services	2.53	30.1	(45.7)	(156.3)
52421	Insurance Agencies and Brokerages	1.18	34.1	(10.5)	(154.1)
44312	Computer and Software Stores	-	18.4	(18.4)	(153.8)
52412	Direct Insurance Carriers	0.63	26.1	(26.6)	(144.1)
54137	Surveying and Mapping Services	0.24	16.6	(28.8)	(124.8)
23821	Electrical Contractors and Other Wiring Installation Contractors	1.46	36.9	(13.4)	(116.8)
56132	Temporary Help Services	0.76	42.0	196.0	(106.1)

Prepared By:



618 E. South St.
Suite 700
Orlando, FL 32801
T 407-423-8398
F 407-843-1070

gaiconsultants.com/communitysolutions



City Commission **agenda item**

item type Action Items Requiring Discussion	meeting date January 26, 2022
prepared by Peter Moore	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective Fiscal Stewardship Investment in Public Assets and Infrastructure	

subject

Federal Legislative Funding Priorities

motion / recommendation

Adopt 2022 Federal Legislative Funding Priorities

background

The City Commission held a workshop on January 6, 2022 to discuss federal funding opportunities. The City's federal lobbyist, Jim Davenport of Thorn Run Partners, participated in the work session and provided guidance of funding availability and strategies heading into the legislative session. Based on opportunities available for appropriations as well as participation in the Infrastructure Investment programs, the City Commission established a priority list. Attached is the list to be formally adopted by the Commission as the 2022 Federal Legislative Funding Priorities.

Jim Davenport reviewed the document for his opinion of potential projects that could be eligible for earmark submittal. Items highlighted in green represent projects that have good potential, while items marked in orange have possible applicability. Anything not highlighted would not be suitable for an earmark in his opinion but could remain as part of a prospective grant list.

alternatives / other considerations

fiscal impact

No immediate impact until grant funds are ultimately secured.

ATTACHMENTS:

[Copy of Winter Park City Commission Project Grant List - 1-10-22 wJD suggestions.pdf](#)

Potential Projects for Grant Funding - City of Winter Park

Department	Project	Est. Cost	Year Planned	Grant Type
Electric	Undergrounding of Electric Lines	32,000,000	Over next 5 years	Energy Grants - Sec 40101 Enhance Resilience Electric Grid
Electric	Residential Service Drop Undergrounding	7,524,000	>6 years (or sooner if raise rates to accelerate)	Energy Grants - Sec 40101 Enhance Resilience Electric Grid
Electric	Substation Hardening/Upgrades	4,250,000	Over next 5 years	Energy Grants - Sec 40101 Enhance Resilience Electric Grid
Electric	Harper Street Electric Undergrounding (includes transmission tower)	6,000,000	Ready if Funded	
Electric	Decorative Lighting Improvements City-wide (LED)	TBD	TBD	
Fire	New Station Land Acquisition, Building Construction, and Equipment	3,800,000	>6 years	
IT	Smart City & Traffic Signal Upgrades and Master Plan	1,000,000	TBD	Section 25005 SMART (through State or MetroPlan).
Natural Resources	Solar Improvements on Municipal Buildings	TBD	TBD	
Natural Resources	Charging Stations for Electric Vehicle Use - Public/Private ONLY IF THE TOTAL REQUEST IS SOMEWHERE AROUND \$250k AND IT'S FOR PUBLIC USE	\$15k each	Ready if Funded	
Natural Resources	Chain of Lakes Blueway Corridor	TBD	TBD	
Natural Resources	Energy Efficiency Studies	100,000	FY 2022	
Parks & Recreation	Community Center & After School Programs	TBD	Ready if Funded	
Parks & Recreation	Howell Branch Preserve - Park, Recreational, and Waterway enhancements	TBD	TBD	
Parks & Recreation	Emerald Necklace	TBD	TBD	
Parks & Recreation	Mead Botanical Gardens	TBD	TBD	
Parks & Recreation	ROW Tree Canopy Enhancements - Westside and Lee Rd.	500,000	Ready if Funded	Section 11406 Healthy Streets Program
Parks & Recreation	Parkland/Connectivity Land Acquisition	TBD	TBD	Section 11403 Carbon Reduction (through State)
Planning & Transportation	Bike and Mobility Plan Implementation (Excluding Progress Point to Mead)	1,000,000	>6 years	Section 11406 Healthy Streets
Planning & Transportation	Connecting Underserved Communities through Bike/Ped Enhancements	TBD	>6 years	Transportation - Sec 24112 Safe Streets
Planning & Transportation	Pedestrian/Bike Bridge/Tunnel alongside SunRail at north 17-92 or Morse Blvd at 17-92	1,000,000	>6 years	Transportation - Sec 11118 Bridge Investment
Planning & Transportation	Fairbanks Denning Traffic Improvements -Pedestrian Bridge Crossing	1,000,000	>6 years	Transportation - Sec 24112 Safe Streets
Planning & Transportation	Orange Avenue Traffic Improvements	1,000,000	>6 years	Transportation - Sec 21202 Local/Regional Assistance

Planning & Transportation	Orange/Denning/Minn-Roundabout	4,000,000	>6 years	Transportation - Sec 21202 Local/Regional Assistance
Planning & Transportation	Lakemont Ave "Complete Streets"	8,000,000	>6 years	Transportation - Sec 11406 Healthy Streets
Planning & Transportation	Glenridge Intersection	1,239,000	>6 years	Transportation - Sec 21202 Local/Regional Assistance
Planning & Transportation	Osceola/Aloma/Brewer Curve Transportation Safety Enhancements	TBD	Ready if Funded	
Planning & Transportation	Progress Point to Mead Bike and Mobility Connection	1,500,000	TBD	
Police	Smart City Technology and Equipment Enhancements	TBD	TBD	
Police & Fire	Operational Support for Hire of Additional Employees and Equipment due to Annexations	TBD	TBD	
Public Works	City Hall HVAC/ Building Envelope Improvements	750,000	FY 2023	
Stormwater	Stirling Bridge Replacement	300,000	FY 2024	Transportation - Sec 11118 Bridge Investment
Stormwater	Retrofit of Lake Outfalls/Storm Drains	2,500,000	FY 2023 and Beyond	
Stormwater	Temple Drive Stormwater Improvements	1,000,000	FY 2025	Section 50205 Clean Water Infrastructure Resiliency.
Water & Sewer	Expansion of Reclaimed Water System	3,550,000	>6 years	EPA Water & Wastewater - Sec 50107 Infrastructure Resilience
Water & Sewer	Ground Storage Tank Expansion	6,100,000	>6 years	EPA Water & Wastewater - Sec 50107 Infrastructure Resilience
		>\$30 million	>6 years	
Water & Sewer	Septic to Sewer Conversions			EPA Water & Wastewater - Sec 50107 Infrastructure Resilience 50209 Connection to Treatment?
Water & Sewer	Wastewater Capital Improvement Share of Cost with Regional Partners (Orlando/Altamonte Springs)	5,738,000	FY 2023 - 2025	Section 50205 Clean Water Infrastructure Resiliency.
		1,964,000	FY 2022 - 2025	Section 50107 Drinking Water System Infrastructure Resilience.
Water & Sewer	Water and Wastewater Plant Hardening			Section 50205 Clean Water Infrastructure Resiliency.
Water & Sewer	Lift Station Back-up Generators	300,000	Ready if Funded	Section 50205 Clean Water Infrastructure Resiliency.
Water & Sewer	Cybersecurity Enhancements at Water/Wastewater Facilities	TBD	TBD	
Water & Sewer	Recycled Water Storage (Ground Storage Tank)	600,000	>6 years	
Water & Sewer	Sewer Pipe Lining Vehicles and Equipment	500,000	TBD	
		TBD	Ready if Funded	Section 50107 Drinking Water System Infrastructure Resilience. Section 50205 Clean Water Infrastructure Resiliency.
Water & Sewer	Asbestos Pipe Replacement Acceleration			
Water & Sewer	Utility Relocation for FDOT Road Improvement Projects			
	Richard Crotty Parkway Utility Upgrade	915,000	FY 2025 - 2026	EPA Water & Wastewater - Sec 50107 Infrastructure Resilience
	Kennedy Blvd Road Widening Force Main Upgrade	1,600,000	FY 2023 - 2024	EPA Water & Wastewater - Sec 50107 Infrastructure Resilience
	FDOT SR 434 Water and Sewer Relocation	2,250,000	FY 2022 - 2024	EPA Water & Wastewater - Sec 50107 Infrastructure Resilience
	17-92 Water and Sewer relocation	3,000,000	>6 years	EPA Water & Wastewater - Sec 50107 Infrastructure Resilience



City Commission agenda item

item type Action Items Requiring Discussion	meeting date January 26, 2022
prepared by Jeffrey Briggs	approved by Bronce Stephenson, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Historic Landmark Sign Program

item list

The Historic Preservation Board and staff are seeking approval of a Historic Landmark Sign Program.

motion / recommendation

Staff recommendation is for approval.

background

The Historic Preservation Board (HPB) desires to increase the awareness and visibility of the city's historic preservation program and efforts. To that end, the historic house plaques awarded to designated properties achieve awareness of those historically designated homes.

HPB would like to see the awareness increased. While it is a generic symbol, the historic clock offered to the City helps reinforce the idea that the City possesses history and heritage.

In order to increase such recognition, the HPB would like to pursue the installation of historic landmark signs, similar to what ones seen in many cities across the nation. Attached is an image of a historic landmark sign in Maitland. Then attached are three examples of such Winter Park historic landmark signs presenting the history of Winter Park, of Central Park and of the Eastbank home. Casa Feliz is proceeding with one for their building. Other places in the City (Hannibal Square) are future candidates, as well as in partnership with private owners.

Lastly, the HPB desires to see more recognition of the city's historic districts. Further design is needed for the specifics of the signage, but attached is a prospective sample and locations entering the CBD to acknowledge the existence of the National Register District for Downtown Winter Park.

Funding where applicable within the CRA is possible along with budget within the

Planning & Transportation department.

[alternatives / other considerations](#)

[fiscal impact](#)

ATTACHMENTS:

[Historic Clock_Central Park.jpg](#)

ATTACHMENTS:

[Maitland Landmark sign.jpg](#)

ATTACHMENTS:

[Historic District Sign - Downtown WP.pdf](#)

ATTACHMENTS:

[Central Park Historic Sign.pdf](#)

ATTACHMENTS:

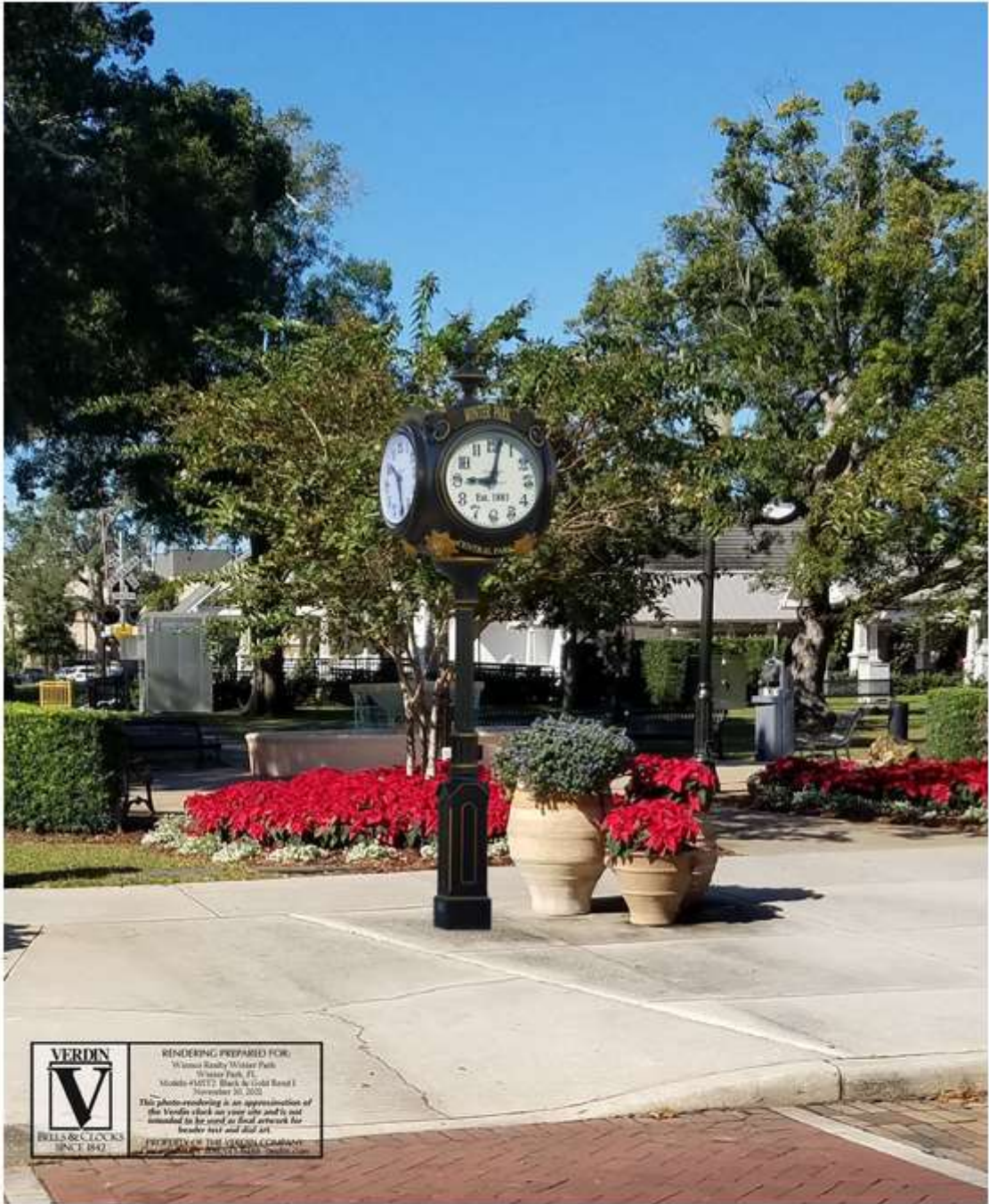
[Historic District Sign - Eastbank.pdf](#)

ATTACHMENTS:

[Historic District Sign Option.pdf](#)

ATTACHMENTS:

[Historic District sign locations.pdf](#)



VERDIN
V
BILLBOARD CLOCKS
SINCE 1942

RENDERING PREPARED FOR:
Winter Ranchy 70 Water Park
Winter Park, FL
Models #10172 Black & Gold Round I
November 30, 2022

*This photo-rendering is an approximation of
the Verdin clock on your site and is not
intended to be used as final artwork for
banners text and all art.*

PROPERTY OF THE VERDIN COMPANY
10000 10th Ave. S.W. #1000, Seattle, WA 98148



BLACK BEAR TRAIL

The Black Bear Trail, so-named because it ran through the natural habitat of the black bear, was organized by the Black Bear Trail, Inc., an association of officials of Chambers of Commerce, boards of trade and cities lying along the route of the new highway, whose objective was to provide a direct, safe route to historic and scenic sites from Canada to Florida. In April 1927, members of the Association marked the new route through Maitland along what is now Highway 17-92 by placing insignia showing a black bear painted on an orange oval background on both sides of telephone poles along the road. This road joined the Dixie Highway at Lake Lily and both names described this road from this point south. When completed, the Black Bear Trail ran from Quebec, Canada to St. Petersburg and Miami, Florida, and opened to travelers some of the most scenic areas in the country.

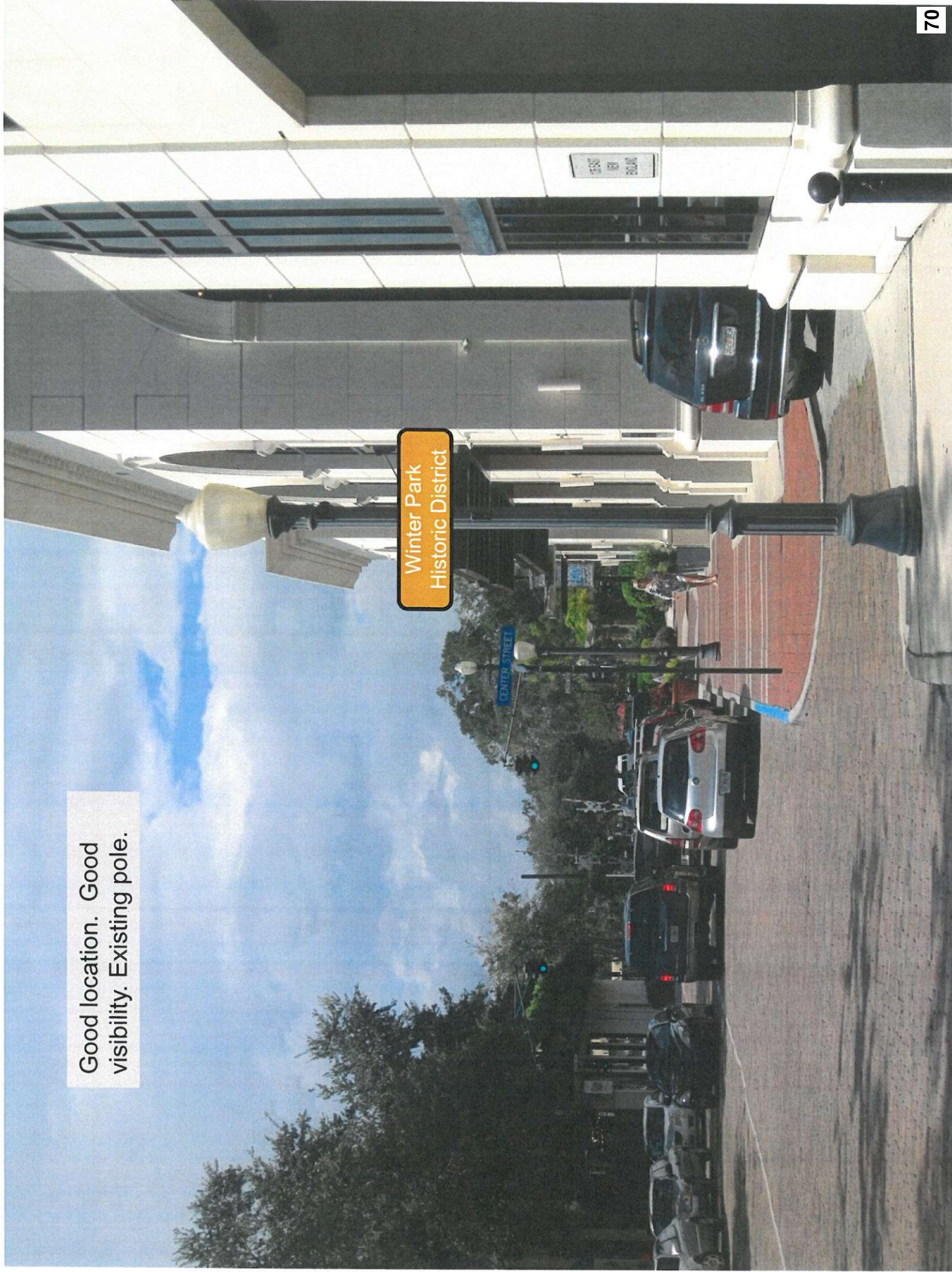
A FLORIDA HERITAGE SITE
SPONSORED BY THE CITY OF MAITLAND
AND THE FLORIDA DEPARTMENT OF STATE

F-524

2004



Good location. Good
visibility. Existing pole.



Good location. Good
visibility. Existing pole.

Winter Park
Historic District

538

Good location. Good
visibility. Needs pole.

Winter Park
Historic District

WINTER PARK
HISTORIC DISTRICT

Good location. Good
visibility. Needs pole.

Winter Park
Historic District

NEW YORK



City Commission agenda item

item type Action Items Requiring Discussion	meeting date January 26, 2022
prepared by Michelle del Valle	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Acquisition of Winter Pines Golf Course and schedule a town hall meeting to discuss the acquisition

motion / recommendation

Authorize the Mayor to execute the Letter of Intent (LOI) to purchase of the Winter Pines Golf Course and to formally price revenues bonds to fund the sale.

background

The owners of the Winter Pines Golf Course recently approached the city about redeveloping the course to residential and multi-family uses. They were informed by city staff that the city's Comprehensive Plan would prohibit its redevelopment. A copy of the comp plan policies (Planning Area D, Policy 1-D-3 and 1-D-4) are attached. Based upon the appraisal (copy attached) there is a substantial difference in value of the property as a golf course versus if developable. The owner asked if the city would be interested in acquiring the golf course to preserve it as green space. The attached Letter of Intent is the result of months of negotiations.

The golf course is a 93 acre parcel of active recreation space within the city limits located at 950 S. Ranger Boulevard. The property is zoned Parks and Recreation. After discussions with the owner and evaluation of current financials, staff negotiated the following deal points for consideration to acquire the property.

- Property – 93.15 acres with an active 18 hole golf course, pro shop/snack bar, driving range, maintenance buildings, maintenance equipment and golf carts.
- Price - \$7.4 million plus closing costs. City would assume liability for 65 golf carts net of trade-ins (net \$99,125) that have been ordered but not yet delivered and the remaining balance on a turf mower (\$91,470).

- Contains a provision that if the city changes the zoning that would make the property marketable for development in the first 10 years after purchase, the owners would share in the increased value of the property. (Section A5(c))
- City to honor remaining time on memberships, not to exceed \$40,000 and unredeemed gift cards not to exceed \$35,000.
- Alcohol license transfers to the city.
- Closing by April 29, 2022

Staff is currently developing an internal operations program and proforma, but based on the financials reviewed is comfortable that the current revenues would cover ongoing operations and debt service for an \$8M revenue bond (see attached schedule). Additionally, staff is confident that there are revenue growth opportunities and synergies with the WP9 that could improve the bottom line.

Acquisition of the course preserves this property as green space for future generations and ends any attempts by this or a future owner to develop the property for other uses.

According to news reports, Seminole County recently purchased two courses (Wekiva and Dear Run) for \$14.8m which is comparable to this purchase price. Wekiva is an active course and Dear Run is not.

alternatives / other considerations

Staff has recommended funding the purchase through issuing bonds but the Commission could choose to fund all or a portion with other funding sources.

The Commission could also decide against purchasing the property.

fiscal impact

The purchase price is \$7.4M and the recommended funding source is revenue bonds, consistent with the provisions in section 2.14 of the City Charter.

Sec. 2.14. Borrowing.

The city commission shall have the authority to borrow money, contract loans and issue bonds in accordance with the provisions of the Constitution of the State of Florida and the general laws of the state. However, approval by voter referendum shall be required prior to the issuance of any of the following categories of bonds:

(1) General obligation bonds which pledge the full faith and credit of the taxing power of the city,

(2) Revenue bonds intended to finance enterprises or projects which involve the purchase, lease and/or acquisition of real property by the city or agencies thereof, or

(3) Revenue bonds which pledge specific non ad valorem taxes as the primary source(s) of revenue to pay the principal and interest and which have a principal value in excess of one (1) million dollars. This dollar limitation shall be adjusted annually as of the end of each fiscal year in accordance with changes in the cost-of-living index as published by the federal government.

However, notwithstanding the foregoing in paragraphs (2) and (3) above, voter referendum approval shall not be required prior to the issuance of revenue bonds which finance the purchase, lease and/or acquisition of park real property and/or park projects by the city or agencies thereof.

(Ord. No. 2555-04, § 2, Exh. A, 3-9-04(Referendum))

ATTACHMENTS:

[DOCS-#1728126-v5-WPGC_Letter_of_Intent.pdf](#)

ATTACHMENTS:

[Pines Appraisal Exec Summary.pdf](#)

ATTACHMENTS:

[Preliminary Numbers \(12.10.21\) -- Capital Improvement Revenue Bond Series 2022.pdf](#)

ATTACHMENTS:

[Parcel Map.pdf](#)

ATTACHMENTS:

[Pines Golf Course comp plan policies.pdf](#)

**WINTER PINES GOLF CLUB, INC.
950 SOUTH RANGER BLVD
WINTER PARK, FLORIDA 37973**

January 18, 2022

Phil Anderson, Mayor
City of Winter Park, Florida
401 South Park Avenue
Winter Park, FL 32789

Re: Proposed Acquisition of Winter Pines Golf Club, Inc.

Dear Mayor Anderson:

The purpose of this letter (the "Letter of Intent") is to outline the intent of Winter Pines Golf Club, Inc. ("Winter Pines") and the City of Winter Park, Florida (the "City") to pursue a proposed transaction (as hereinafter described, the "Proposed Transaction") pursuant to which Winter Pines would sell to the City, and the City would purchase from Winter Pines, certain real property and tangible and intangible personal property constituting the golf course operations commonly known as "Winter Pines Golf Club" located at 950 South Ranger Blvd., Winter Park, Florida.

The provisions in Section A of this Letter of Intent are non-binding and do not create enforceable obligations between the parties. The provisions in Section B of this Letter of Intent (the "Binding Provisions") are binding and enforceable obligations of the parties and shall survive the "Termination Date" (as hereinafter defined). Other than with respect to the Binding Provisions, no party has any obligation with respect to the Proposed Transaction unless and until the parties execute and deliver definitive documents, including a purchase agreement (collectively, the "Definitive Documents"), in form and substance satisfactory to the parties. This Letter of Intent and the purchase agreement shall become effective, respectively, upon the approval by the City Commission. It being the intent to proceed to prepare the purchase agreement for City Commission approval promptly upon the City Commission's approval of this Letter of Intent.

Section A. Nonbinding Provisions.

It is the intention of the parties to negotiate Definitive Documents that will include the following terms and conditions set forth in this Section A:

1. Conveyance of Realty.

(a) Winter Pines will convey to the City, by special warranty deed, in fee simple, free of all liens and encumbrances except as hereinafter set forth, good and marketable title (such as will be insured by a national title insurance company) to the real property

(including all easements and appurtenances) constituting Winter Pines Golf Club, together with improvements and fixtures located thereon (collectively, the "Realty").

(b) The City will accept title to the Realty subject to the exceptions and matters of title set forth in section 4(b), below.

(c) The City shall be responsible for (i) all recording fees, (ii) the cost of title insurance, and (iii) the cost of documentary transfer taxes related to the conveyance of the Realty.

(d) All taxes and municipal assessments shall be prorated through the day of closing. If the amount of taxes or assessments for the year of closing cannot be ascertained, rates for the previous year will be used with due allowance being made for improvements and exemptions. Any tax proration based on an estimate will, at the request of either party, be readjusted upon receipt of the tax bill for the year of closing. This provision shall survive closing. All metered utilities and services shall be the responsibility of Winter Pines until the date of closing.

2. Conveyance of Personal Property Assets.

(a) Winter Pines will convey to the City, by bill of sale and assignment, good and marketable title free of all liens and encumbrances to all tangible and intangible personal property of Winter Pines used in the operation of Winter Pines Golf Club (collectively, the "Personal Property Assets") including (i) inventory, equipment, furniture, books, records, computers and other tangible personal property; (ii) contract rights, software, trademarks, trade names, goodwill, phone number, domain name, web site and other intangible personal property; (iii) the liquor license currently in the name of Winter Pines; and (iv) the pickup truck titled in the name of Winter Pines. *Provided however*, that the Personal Property Assets shall not include the "Excluded Assets" set forth below in subsection (b), below.

(b) The following Excluded Assets shall not be part of the Proposed Transaction (i) cash on hand or in the bank as of the closing date; (ii) accounts receivable as of the closing date, except to the extent such accounts receivable are for goods, services, memberships, events, or other matters to occur after the date of closing; (iii) pre-paid expenses as of the closing date that are mutually agreed upon by the parties in the Definitive Documents; (iv) refunds as of the closing date that are mutually agreed upon by the parties in the Definitive Documents; (v) the motor cycles and automotive equipment belonging to Jon McMillin currently stored in a garage located on the Realty; (vi) any personal items belonging to employees of Winter Pines (to be identified by Winter Pines and the City prior to closing); and (vii) such other assets as may be mutually agreed upon by the parties.

(c) Buyer shall not assume any liabilities of Winter Pines, except for (i) the currently pending lease-purchase order for 65 Yamaha golf carts; (ii) the currently pending lease-purchase order with WescoTurf for TORO equipment in the approximate amount of \$91,470; (iii) obligations arising under pre-paid memberships to Winter Pines Golf Club for the remainder of the respective membership periods not to exceed a total of \$40,000; and (iv) obligations

arising under gift cards and gift certificates not to exceed a total of \$35,000. Within ten days after approval of this Letter of Intent by the City Commission, Winter Pines shall provide to the City for review and approval copies of the documentation relating to the liabilities to be assumed. Provided the City approves of the same, Winter Pines shall assign to the City and the City shall assume said lease-purchase and membership agreements at closing.

3. Purchase Price. The purchase price for the Realty and the Personal Property Assets (collectively, the "Golf Course Assets") shall be \$7,400,000 ("Purchase Price"), payable in cash at the closing subject to prorations, credits and other adjustments as set forth herein.

4. Warranties and Representations of Winter Pines. Winter Pines shall make the following warranties and representations in the Definitive Documents with respect to the conveyance of the Golf Course Assets:

(a) Winter Pines is the sole owner of the Golf Course Assets.

(b) Title to the Realty will be free and clear of all liens and encumbrances, but subject to the following exceptions and matters of title but only to the extent the City agrees to take title subject to such matters: (i) plats, dedications, easements, rights of way, agreements, subdivision restrictions, restrictive covenants and all other matters currently of record; (ii) zoning and other land use regulations and restrictions; (iii) building lines and other restrictions noted on any recorded plot plan or map; (iv) matters which would be disclosed by a visual inspection of the Realty; and (v) the standard exceptions contained in an owner's policy of title insurance issued in the State of Florida (collectively the "Permitted Exceptions"). To the extent the parties are unable to agree upon the Permitted Exceptions, either party may terminate this Letter of Intent and the Definitive Documents.

(c) Title to the Personal Property Assets will be free and clear of all liens and encumbrances.

(d) Winter Pines is a duly organized and validly existing Florida corporation with full authority to perform its obligations set forth in the Definitive Documents and is not a "foreign person, non-resident alien, foreign trust or foreign estate" as those terms are defined in the Internal Revenue Code.

(e) Winter Pines has taken all necessary actions to authorize the execution and performance of the Definitive Documents, and the terms of the Definitive Documents are binding on Winter Pines and enforceable in accordance with their terms, subject to the laws of bankruptcy and creditors' rights generally.

(f) The financial statements of Winter Pines provided to the City fairly present the financial condition of Winter Pines as of the dates stated.

(g) Winter Pines has filed all tax returns required to be filed and such returns are true and correct. Winter Pines has paid all taxes required to be paid for the periods covered by such tax returns.

(h) To the knowledge of Winter Pines, the execution, delivery and performance of the Definitive Documents will not conflict with any agreement, law or regulation to which Winter Pines is subject.

(i) To the knowledge of Winter Pines there is no pending or threatened litigation affecting the Golf Course Assets.

(j) Winter Pines is not subject to any voluntary or involuntary proceedings related to bankruptcy, insolvency, or creditors' rights generally.

(k) To the knowledge of Winter Pines, and except as may be set forth in any environmental report obtained by the City pending the closing of the Proposed Transaction, Winter Pines is not in violation of applicable local, state or federal environmental laws, regulations, ordinances or judicial orders relating to the generation, storage, handling, transport and/or disposal of any hazardous substance on the Realty.

(l) During the due diligence period, Winter Pines shall provide the City with such information as the City requests concerning the Golf Course Assets, including but not limited to information regarding environmental matters.

The warranties and representations of Winter Pines contained in the Definitive Documents shall survive closing for the applicable term of the statute of limitations. As used herein, references to the term "knowledge of Winter Pines" shall mean the actual, present, conscious knowledge of Jon McMillin, who has continuously served as president of Winter Pines for at least the last 15 years and each of Winter Pines' board of directors serving on the date of this Letter of Intent.

5. Warranties and Representations of the City. The City shall make the following warranties and representations in the Definitive Documents, which warranties and representations are subject to the City Commission approving this Letter of Intent and the Definitive Documents:

(a) The City has full authority to perform its obligations set forth in the Definitive Documents.

(b) The City has taken all necessary actions to authorize the execution and performance of the Definitive Documents, and the terms of the Definitive Documents are binding on the City and enforceable in accordance with their terms, subject to the laws of bankruptcy and creditors' rights generally.

(c) In the event that the City, at any time within 10 years of the closing date, changes the future land use element or zoning classification of all or any portion of the Realty to permit residential, commercial, and/or mixed use development of the Realty (any such change, a "New Development Use"), Winter Pines shall be entitled to receive an amount equal to 50% *of the difference between* (x) the appraised value of the portion of the Realty for which the City has effected a New Development Use, *and* (y) the proportionate share of the Purchase Price based

on the acreage of the Realty for which the City has effected a New Development Use. The Definitive Documents shall specify an agreed process for determining the appraised value of the portion of the Realty for which a New Development Use occurs.

The warranties and representations of the City in subsections (a) and (b), above, shall survive closing for the applicable statute of limitations, and the warranties and representations of the City in subsection 5 (c), above, shall survive closing for a period of 10 years.

6. Liability Basket and Cap. Except with respect to any claims relating to fraud, intentional misrepresentation, and for all covenants, warranties, and matters of title relating to the Realty, Winter Pines shall not have any liability to the City under the Definitive Documents after closing unless and until the aggregate amount of claims owed to the City exceeds \$50,000 calculated on a cumulative basis (such amount, the "Basket"), from and after which point Winter Pines shall be liable to the City for all claims in excess of the Basket. *Provided, however*, that (i) the aggregate total liability of Winter Pines for all claims asserted under the Definitive Documents after closing shall not exceed \$250,000; and (ii) neither Winter Pines nor the City shall be liable to the other party for any consequential, special, punitive or exemplary damages arising out of claims related to the Proposed Transaction.

7. Due Diligence. Until the Termination Date, the City, at its sole cost and expense, may make such inspections and investigations of the Golf Course Assets as the City deems appropriate, including but not limited to such matters as structural, mechanicals, environmental matters, and permits. In addition, the Definitive Documents shall grant the City the same right to make inspections and investigations through the date of closing and shall further grant the City the right to terminate the Definitive Documents if the City is not satisfied with the results of its inspections and investigations. Excluding the City's termination of this Letter of Intent and termination of the Definitive Documents, the City will indemnify Winter Pines against any losses or damage to the Golf Course Assets that result from the due diligence activities of the City or its agents or contractors.

8. Negotiation of Definitive Documents; Closing Date. Promptly following the execution of this Letter of Intent, the parties will begin to negotiate and prepare the Definitive Documents. The parties shall use best efforts to execute the Definitive Documents and close the Proposed Transaction on or before April 29, 2022.

Section B. Binding Provisions of the Letter of Intent.

Following are the Binding Provisions of this Letter of Intent:

1. Expenses. All attorneys' fees and other expenses of the parties associated with the negotiation of this Letter of Intent, the negotiation and preparation of the Definitive Documents, and the preparation of the other documents necessary to effectuate the Proposed Transaction shall be borne by the party incurring the same.

2. Termination Date. Other than the Binding Provisions, this Letter of Intent will terminate on the "Termination Date," which shall be the earlier of (a) March 20, 2022; or (b) the

date the parties execute the Definitive Documents; or (c) the date the parties mutually agree in writing to terminate this Letter of Intent; or (d) the date the City terminates this Letter of Intent by written notice thereof to Winter Pines; or (e) the date Winter Pines terminates this Letter of Intent by written notice thereof to the City.

5. **Broker.** Each party warrants to the other that it has not engaged or contacted any broker, finder, or intermediary with respect to the Proposed Transaction and that no broker, finder, or intermediary has been involved with the Proposed Transaction. Each party agrees to indemnify and hold the other party harmless from any and all claims for fees, commissions or other compensation claimed to be due any other broker, finder, or intermediary with whom the indemnifying party may have dealt in connection with the Proposed Transaction.

6. **Counterparts.** This Letter of Intent may be executed in one or more counterparts, each of which when so executed shall be deemed an original and all of which taken together shall constitute one and the same document.

7. **No Assignment.** Neither the City nor Winter Pines shall assign its rights and obligations under this Letter of Intent or under the Definitive Documents to any third party without the prior written consent of the other party.

[signatures appear on the next page]

If the intentions of the City are consistent with the provisions of this Letter of Intent, please execute, date and return one copy to the undersigned at your earliest convenience.

Very truly yours,

WINTER PINES GOLF CLUB, INC.

By Jon McMillin
Jon McMillin, President

ACCEPTED AND AGREED EFFECTIVE JANUARY __, 2022:

THE CITY OF WINTER PARK, FLORIDA

By _____
Phil Anderson, Mayor

CONFIDENTIAL

SUMMARY APPRAISAL

WINTER PINES GOLF CLUB
950 SOUTH RANGER BOULEVARD
WINTER PARK, ORANGE COUNTY, FLORIDA 32792

PREPARED FOR

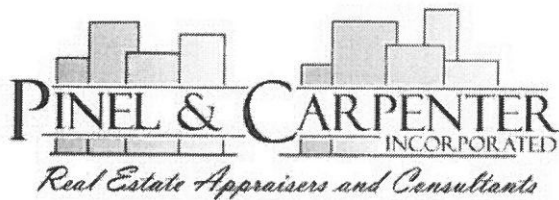
WINTER PINES GOLF CLUB, INC.
C/O MR. JOHN MCMILLIN
950 SOUTH RANGER BOULEVARD
WINTER PARK, FLORIDA 32792

DATE OF VALUATION: AUGUST 3, 2021
DATE OF INSPECTION: AUGUST 3, 2021
DATE OF REPORT: AUGUST 25, 2021

PREPARED BY

PINEL & CARPENTER, INC.

MARK G. CARPENTER, MAI
VICE-PRESIDENT
CERT GEN RZ 935



WALTER N. CARPENTER, JR., MAI, CRE
Cert. Gen. RZ1231
MARK G. CARPENTER, MAI
Cert. Gen. RZ935

August 25, 2021

Winter Pines Golf Club, Inc.
c/o Mr. John McMillin
950 South Ranger Boulevard
Winter Park, Florida 32792

RE: Winter Pines Golf Club
950 South Ranger Boulevard
Winter Park, Orange County, Florida 32792

Dear Mr. McMillin:

At your request, I have personally inspected and appraised the Winter Pines Golf Club located in Winter Park, Florida. Winter Pines Golf Club features an 18-hole golf course, clubhouse, and other amenities, such as a pro shop, putting green, driving range, and parking located on 93.15± gross acres, according to the Public Records of Orange County. The subject property is located at the southern terminus of South Ranger Boulevard, south of Summerfield Road, west of Semoran Boulevard (State Road 436) and north of Baldwin Park Street, in Winter Park, Orange County, Florida.

Currently, the golf course improvements do not represent the highest and best use of the subject's underlying land. The purpose of this appraisal is to estimate the market value of the fee simple interest of the subject property under market conditions prevailing on August 3, 2021, which was also our date of inspection. The intended use of the appraisal is to aid Winter Pines Golf Club, Inc. in internal planning purposes. The intended user of the report is Winter Pines Golf Club, Inc. and John McMillin, as it representative. **This report contains confidential trade secrets of Winter Pines Golf Club, Inc.** The property being appraised is further defined by legal and physical descriptions within the following appraisal report.

The golf course was developed in 1969. The golf course is currently operating in a positive cash flow position but does not represent the highest and best use of the subject property. Therefore, the highest and best use of the subject property is for redevelopment. The most prominent zoning in the immediate area is Multifamily and Single-Family Residential. Therefore, based upon the above, we have valued the underlying land to its highest and best use "as vacant", being a mixture of multifamily and low-density residential development.

Winter Pines Golf Club, Inc.
c/o Mr. John McMillin
August 25, 2021
Page Two

As discussed above, the subject property is currently operating as the Winter Pines Golf Course. As part of this assignment, we have utilized a hypothetical condition. The hypothetical condition is that which is contrary to that which exists but is supposed for the purpose of this analysis. Hypothetical conditions assume conditions contrary to known facts about physical, legal, or economic characteristics of the subject property. We have assumed for the purposes of this analysis that the subject property is vacant unimproved land that is ready for multifamily and low-density single-family subdivision development.

Next, we have utilized an extraordinary assumption in this assignment. Extraordinary assumptions presume as facts otherwise uncertain information about physical, legal, or economic characteristics of the subject property. If an assumption directly related to a specific assignment is found to be false, it could alter the appraiser's opinions and conclusions. We have assumed that the subject property will get a change in zoning and future land use to allow for multifamily and low-density single-family development which is consistent with surrounding neighborhoods.

The intended user has requested the appraiser appraise the property both "as improved" with the current golf course and "as if vacant" with the highest and best use being a multifamily site and single-family subdivision development. Therefore, both the value of the property as improved with a golf course and the value of the property as utilized as a multifamily development and a single-family subdivision will be reported in this appraisal report.

I have completed all of the necessary investigations and analyses within the scope of my expertise to conclude the estimates of market value for the subject property. Property rights appraised in the following valuation assume fee simple title ownership with no adverse encumbrances against the property. This appraisal is subject to various contingencies and general underlying assumptions, which will be outlined later.

My conclusion of the fee simple market value of the existing subject property and the necessary supporting data are contained in the following complete appraisal, plus *Addendum*.

This is an appraisal report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice for an Appraisal Report. As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's files. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated above. The appraiser is not responsible for unauthorized use of this report.

Winter Pines Golf Club, Inc.
c/o Mr. John McMillin
August 25, 2021
Page Three

Based upon the following appraisal report, certifications, conditions and contingencies, general underlying assumptions and limiting conditions, it is our opinion and conclusion that the market value of the fee simple interest in the subject property, "as improved" with a golf course, as of August 3, 2021, was:

FIVE MILLION EIGHT HUNDRED THOUSAND DOLLARS

\$5,800,000

Based upon the following appraisal report, and assuming the aforementioned **hypothetical condition and extraordinary assumption**, it is our opinion and conclusion that the market value of the fee simple interest in the underlying land, as of the date of valuation, being August 3, 2021, was:

THIRTY MILLION THREE HUNDRED FORTY-FIVE THOUSAND DOLLARS

\$30,345,000

You are referenced to the following appraisal report for analysis and valuation of the property.

Respectfully submitted,

PINEL & CARPENTER, INC.

A handwritten signature in black ink, appearing to read "Mark G. Carpenter", is written over a faint circular stamp.

Mark G. Carpenter, MAI
Vice-President
Cert Gen RZ 935

MGC/jmb/ego
Attachments

SOURCES AND USES OF FUNDS

City of Winter Park, Florida Capital Improvement Revenue Bond, Series 2022

Preliminary Numbers for Illustration Purposes Only 20 Year Financing

Sources:

Bond Proceeds:	
Par Amount	8,060,000.00
	8,060,000.00

Uses:

Project Fund Deposits:	
Project Fund	8,000,000.00
Delivery Date Expenses:	
Cost of Issuance	60,000.00
	8,060,000.00

BOND SUMMARY STATISTICS

City of Winter Park, Florida Capital Improvement Revenue Bond, Series 2022

Preliminary Numbers for Illustration Purposes Only 20 Year Financing

Dated Date	04/01/2022
Delivery Date	04/01/2022
Last Maturity	10/01/2041
Arbitrage Yield	2.600000%
True Interest Cost (TIC)	2.600000%
Net Interest Cost (NIC)	2.600000%
All-In TIC	2.680879%
Average Coupon	2.600000%
Average Life (years)	11.060
Duration of Issue (years)	9.373
Par Amount	8,060,000.00
Bond Proceeds	8,060,000.00
Total Interest	2,317,770.00
Net Interest	2,317,770.00
Total Debt Service	10,377,770.00
Maximum Annual Debt Service	534,980.00
Average Annual Debt Service	532,193.33
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Bond Component	8,060,000.00	100.000	2.600%	11.060	7,494.10
	8,060,000.00			11.060	7,494.10

	TIC	All-In TIC	Arbitrage Yield
Par Value	8,060,000.00	8,060,000.00	8,060,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		(60,000.00)	
- Other Amounts			
Target Value	8,060,000.00	8,000,000.00	8,060,000.00
Target Date	04/01/2022	04/01/2022	04/01/2022
Yield	2.600000%	2.680879%	2.600000%

BOND DEBT SERVICE

City of Winter Park, Florida Capital Improvement Revenue Bond, Series 2022

Preliminary Numbers for Illustration Purposes Only 20 Year Financing

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
10/01/2022	160,000	2.600%	104,780	264,780	264,780
04/01/2023			102,700	102,700	
10/01/2023	325,000	2.600%	102,700	427,700	530,400
04/01/2024			98,475	98,475	
10/01/2024	335,000	2.600%	98,475	433,475	531,950
04/01/2025			94,120	94,120	
10/01/2025	345,000	2.600%	94,120	439,120	533,240
04/01/2026			89,635	89,635	
10/01/2026	355,000	2.600%	89,635	444,635	534,270
04/01/2027			85,020	85,020	
10/01/2027	360,000	2.600%	85,020	445,020	530,040
04/01/2028			80,340	80,340	
10/01/2028	370,000	2.600%	80,340	450,340	530,680
04/01/2029			75,530	75,530	
10/01/2029	380,000	2.600%	75,530	455,530	531,060
04/01/2030			70,590	70,590	
10/01/2030	390,000	2.600%	70,590	460,590	531,180
04/01/2031			65,520	65,520	
10/01/2031	400,000	2.600%	65,520	465,520	531,040
04/01/2032			60,320	60,320	
10/01/2032	410,000	2.600%	60,320	470,320	530,640
04/01/2033			54,990	54,990	
10/01/2033	425,000	2.600%	54,990	479,990	534,980
04/01/2034			49,465	49,465	
10/01/2034	435,000	2.600%	49,465	484,465	533,930
04/01/2035			43,810	43,810	
10/01/2035	445,000	2.600%	43,810	488,810	532,620
04/01/2036			38,025	38,025	
10/01/2036	455,000	2.600%	38,025	493,025	531,050
04/01/2037			32,110	32,110	
10/01/2037	470,000	2.600%	32,110	502,110	534,220
04/01/2038			26,000	26,000	
10/01/2038	480,000	2.600%	26,000	506,000	532,000
04/01/2039			19,760	19,760	
10/01/2039	495,000	2.600%	19,760	514,760	534,520
04/01/2040			13,325	13,325	
10/01/2040	505,000	2.600%	13,325	518,325	531,650
04/01/2041			6,760	6,760	
10/01/2041	520,000	2.600%	6,760	526,760	533,520
	8,060,000		2,317,770	10,377,770	10,377,770

OCPA Web Map

Florida Turnpike	Major Roads	Proposed Road	Block Line	Commercial/Institutional	Hydro	Golf Course
Interstate 4	Public Roads	Brick Road	Lot Line	Governmental/Institutional/Misc	Waste Land	Lakes and Rivers
Toll Road	Gated Roads	Rail Road	Residential	Commercial/Industrial/Vacant Land	County Boundary	Building
Road Under Construction	Proposed SunRail	Agriculture	Agricultural Curtilage	Parks	Hospital	



Created: 1/20/2022 7:39

This map is for reference only and is not a survey



PLANNING AREA D: Waterbridge/Brookshire

Policy 1-D-1: Preserve Existing Single-Family Residential Land Use in Waterbridge/Brookshire Planning Area The City shall preserve single-family residential land use in the developed areas of the Waterbridge/Brookshire planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.

Policy 1-D-2: Winter Park High School & Brookshire Elementary School Improvements to Avoid Adverse Impacts on Surrounding Residential Areas Improvements or expansions to the buildings and grounds of Winter Park High School or Brookshire Elementary School shall conform to Winter Park zoning regulations and standards and shall not negatively impact the surrounding residential areas.

Policy 1-D-3: Preserve Recreational Land Use of Winter Pines Golf Course The City shall preserve the recreational land use and open space and recreation future land use designation of the Winter Pines Golf Course.

Policy 1-D-4: Winter Pines Golf Club Expansion to Avoid Adverse Impacts on Surrounding Residential Areas Expansion of the Winter Pines Golf Club services and property may be permitted as long as such expansions and improvements do not negatively impact the surrounding residential areas. Platted and developed in 1971-1977 via the Golfside plats and Greenview at Winter Pines plat, the development of this former marsh and wetland area has been deemed to have been granted the maximum density allowable via the golf course and surrounding residential homes, given the previous status as an environmentally sensitive site. Thus the full development potential of the area has been achieved and any subsequent sale of the golf course since the original platting does not bestow the allowance for any added development rights onto that gold course property other than that permitted by the open space and recreation future land use and parks and recreation zoning designation.



City Commission **agenda item**

item type Public Hearings	meeting date January 26, 2022
prepared by Jeffrey Briggs	approved by Bronce Stephenson, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Resolution designating City Hall building to the Winter Park Register of Historic Places.

motion / recommendation

The Historic Preservation Board recommends approval of the request.

background

The City Commission has requested a recommendation from the Historic Preservation Board on the designation of the City Hall building at 401 S. Park Avenue, built in 1964, for placement on the Winter Park Register of Historic Places.

The Winter Park City Hall was designed by the Winter Park Architects Collaborative (WPAC) and was a collaborative design to be in keeping with the City's past, present and future. The architectural partnership included George Tuttle Jr., John Langley, James Gamble Rogers II, Nils Schweizer, Gordon Orr Jr., Clifford Wright and Fred Owles Jr. The two-story scale was intended to be compatible with the village scale of the Park Avenue district. The generous setbacks from both Park and Lyman Avenues was intended to allow for the green open space similar to Central Park.

The west wing of City Hall originally was one-story. In 1978 the west wing was increased to two-stories by raising the 80-ton roof some 14 feet to create the City Hall seen today. The City Hall building is an example of the Mid-Century Modern architectural style that was popular during this time period. In order to be designated as historic the building must typically be at least 50 years in age and meet one of the criteria listed below.

(1) The criteria for the designation of historic landmarks and historic resources are as follows:

a. A quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and associations; and

b. At least one of the following:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or

2. That are associated with the lives of persons significant in our past; or
3. That embody the distinctive characteristics of a type, period, or method of construction; or
4. That represent the work of a master; or
5. That possess high artistic values; or
6. That represent a significant and distinguishable entity whose components may lack individual distinction.

There has obviously been a great deal of history made inside this building over the past 57 years. The building itself also possesses unique styling and the collaborative design process is certainly historic as well.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Resolution_401 S. Park Avenue.doc](#)

ATTACHMENTS:

[City Hall pictures.pdf](#)

ATTACHMENTS:

[December 8 HPB Draft Minutes.docx](#)

ATTACHMENTS:

[PUBLIC NOTICE- DECEMBER 8, 2021 HPB.docx](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE CITY HALL BUILDING LOCATED AT 401 S. PARK AVENUE, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

WHEREAS, there are located within the City of Winter Park historic sites, areas, structures, buildings, improvements and appurtenances, both public and private, both on individual properties and in groupings, that serve as reminders of past eras, events, and persons important in local, state and national history; or that provide significant examples of past architectural styles and development patterns and that constitute unique and irreplaceable assets to the City; and

WHEREAS, the City Commission recognizes that the sites and properties of historical, cultural, archaeological, aesthetic and architectural merit contribute to the public health, welfare, economic well being and quality of life of the citizens of Winter Park; and

WHEREAS, the City Hall building has been a location where much important history and decisions have been made that have shaped the image, character and scale of the City; and

WHEREAS, the Winter Park Historic Preservation Board has determined and recommended that the City Hall building at 401 S. Park Avenue built in 1964 is an example of the Mid Modern architecture style popular during that period and was uniquely designed by a collaborative of the most recognized and revered architects within the City at that time.

NOW, THEREFORE, be it resolved by the City Commission of the City of Winter Park, Florida that:

SECTION 1. That the City Commission of the City of Winter Park hereby designates the City Hall building at 401 S. Park Avenue as a historic resource on the Winter Park Register of Historic Places.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park held in City Hall, Winter Park on this _____ day of _____ 2022.

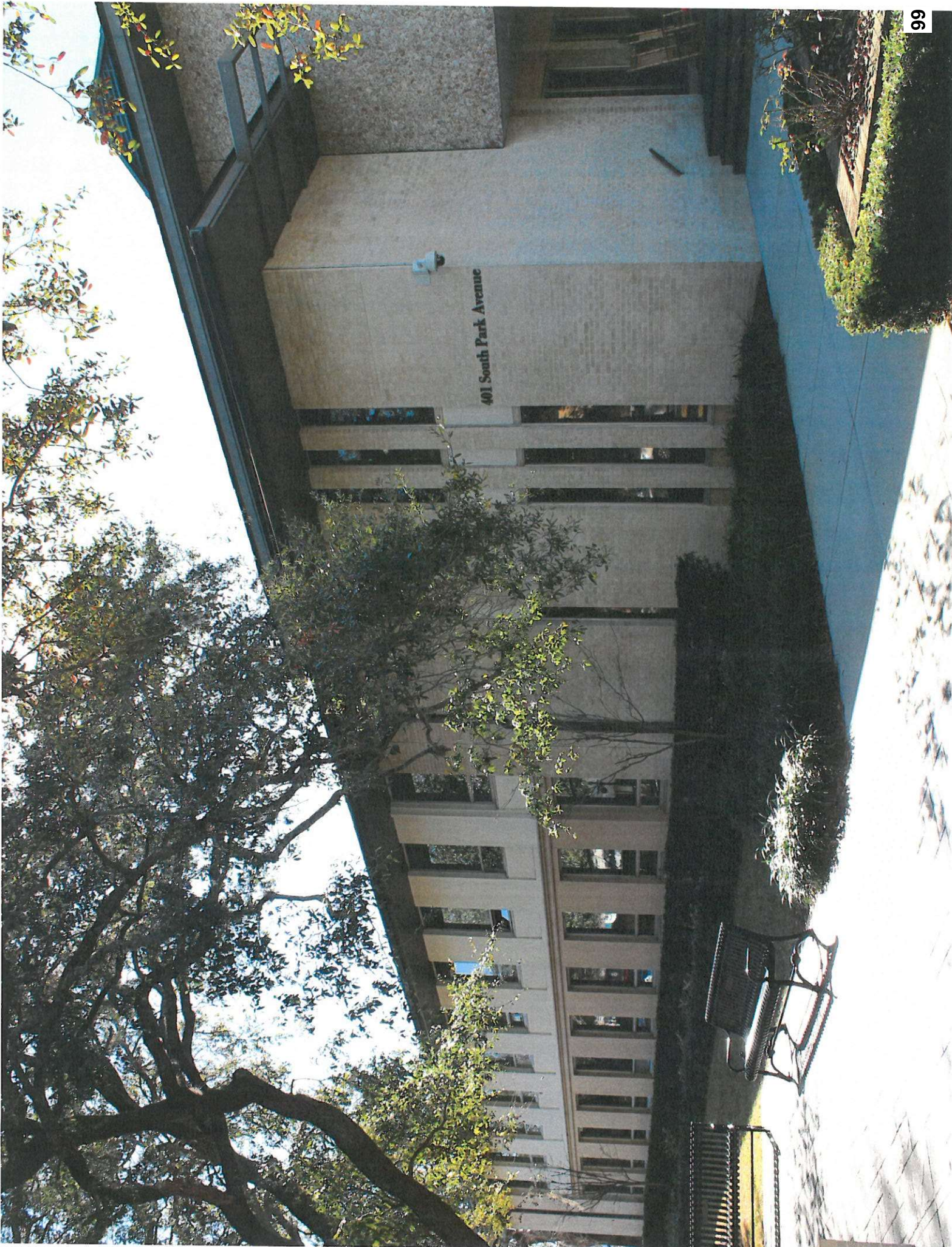
Phillip Anderson, Mayor

ATTEST:

City Clerk











CITY HALL

WINTER PARK, FLORIDA

CITY COMMISSIONERS

ALLEN TROVILLION, MAYOR

JAMES R. BLAKE FRANK OLIPHANT, JR.

FRANCIS L. JACKSON JOSEPH W. ROMITA

RICHARD G. SIMMONS, CITY MANAGER

THE WINTER PARK ARCHITECTS COLLABORATIVE MEMBERS OF THE AMERICAN INSTITUTE OF ARCHITECTS

GEORGE A. TUTTLE, JR., CHAIRMAN

JOHN B. LANGLEY JAMES GAMBLE ROGERS, II

GORDON D. ORR, JR. NILS M. SCHWEIZER

FRED G. OWLES, JR. CLIFFORD W. WRIGHT

JACK JENNINGS, GENERAL CONTRACTOR





Historic Preservation Board Minutes

December 8, 2021 at 9:00 a.m.

Hybrid Meeting
401 S. Park Avenue | Winter Park, Florida

Call to Order

Chairman John Skolfield called the meeting to order at 9:01 a.m. Present In-Person: Anne Saltee, Wade Miller, John Skolfield, N. Lee Rambeau, Aimee Spencer, Drew Henner, and Karen James. Staff: Principal Planner, Jeff Briggs; Planner III, John Harbilas; Planner I, Nicholas Lewis; Planning Specialist, Aaron Hull; and Recording Secretary, Mary Bush.

Consent Agenda

Motion made by Karen James, seconded by Anne Saltee to approve the November 10, 2021 meeting minutes.

Motion carried unanimously with a 7-0 vote.

Staff Updates

Mr. Briggs updated the Board on next month's meeting noting that it will be held on the third Wednesday of the month instead of the second and that the Communication's Department will be there to discuss the 2022 awareness plan. Mr. Briggs informed the Board that Aaron Hull will be reaching out to the historic districts about getting plaques for conforming houses. Mr. Briggs also informed the Board that he will be working on getting historic landmark signs for Central Park, Park Avenue, the original Winter Park Telephone Company location, and the Eastbank House.

Public Comments (for items not on Agenda)

No one from the public wished to speak. The public hearing was closed.

Non-Action Items

No non-action items.

Action Items

No action items.

Public Hearings

- HAD 22-01. Request of the City of Winter Park to designate the Winter Park City Hall building, located at 401 S. Park Avenue, built in 1964, to the Winter Park Register of Historic Places

Mr. Briggs explained the historical background of the 1964 Winter Park City Hall building including the architectural significance of the building and the architects who designed it. Mr. Briggs showed exterior and interior pictures of city hall throughout its sixty-year history. Mr. Briggs described the architectural style as mid-century style and discussed how Rachel Simmons from the library helped gather this information. Mr. Briggs emphasized the importance of the scale, setbacks, and green space that was implemented in the building of city hall.

Staff recommendation was for approval.

Brief discussion by the Board ensued expressing the importance of the building, memories of the building, and the excitement for designating the location as historical.

Brooks Weiss of 4314 Golf Cove, New Smyrna Beach, FL addressed the Board. Mr. Weiss discussed his excitement for the designation and offered his help if possible.

Correction of Resolution made by Mrs. Rambeau to correct the wording of the description of the building in the fourth paragraph of the resolution to mid-century style.

Motion made by Wade Miller, seconded by Aimee Spencer, for approval to designate the Winter Park City Hall building at 401 S. Park Avenue, to the Winter Park Register of Historic Places

Motion carried unanimously with a 7-0 vote.

Board Comments

Mr. Miller noted he got a mailer that showed one of the houses that was designated by the Board and showed the publicity it is bringing to the Historic Preservation Board.

Chairman Skolfield asked Mr. Briggs if there were any updates on houses that had come to the Board for approval on renovations. Mr. Briggs informed the Board that the house located at 546 Holt Avenue is still in the plans to be renovated and the house located at 723 Maryland Avenue decided to just do an interior renovation instead of an exterior renovation. Chairman Skolfield asked if the house on 807 Maryland Avenue has any updates. Mr. Briggs updated the Board that there is a storm sewage pipe under that house that has to be relocated before any construction can start. Chairman Skolfield asked if the house located at 420 Melrose Avenue has started any construction yet and Mr. Briggs informed he saw a permit come through for construction to start. Chairman Skolfield explained he uses this information to inform future buyers, realtors, or developers of the options they have with a historic property. Discussion ensued among the Board about this topic.

Meeting adjourned at 9:27 a.m.

/s/ Aaron Hull.



CITY OF WINTER PARK

401 Park Avenue, South

Winter Park, Florida 32789

NOTICE IS HEREBY GIVEN that the Winter Park Historic Preservation Board proposes to render a decision on the following requests described below on Wednesday, December 8, 2021 at 9:00 a.m. at the physical location identified below or via hybrid virtual participation. The physical location of the public hearing will be in the Commission Chambers of City Hall, at 401 Park Avenue, South, Winter Park, Florida. Due to the COVID-19 emergency and limited space available for physical attendance because of social distancing requirements, in lieu of physically attending in person, members of the public may participate in this meeting by attending virtually by following the instructions located at cityofwinterpark.org/government/board-public-meetings/.

HDA 22-01 Request by the City Commission of the City of Winter Park to voluntarily designate the property and City Hall building at 401 S. Park Avenue as an individual historic landmark on the Winter Park Register of Historic Places. City Hall was built in 1964. Zoned: PQP. Parcel ID # 05-22-30-9400-66-010.

All interested parties are invited to attend and be heard. Additional information is available by contacting Jeffrey Briggs, via 407-599-3440 or jbriggs@cityofwinterpark.org or visiting the Planning Department located on the 2nd floor in City Hall at 401 Park Avenue South so that citizens may acquaint themselves with the issue and receive answers to any questions they may have prior to the meeting.

NOTE: If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

Persons with disabilities needing assistance to participate in any of these proceedings should contact the Planning Department at 407-599-3440 at least 48 hours in advance of the meeting.

/s/: Rene Cranis, City Clerk

Publish: Sunday, November 14, 2021 Orlando Sentinel



City Commission agenda item

item type Public Hearings	meeting date January 26, 2022
prepared by Rene Cranis	approved by Troy Attaway, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance: Amending Chapter 114, modifying shoreline revetment slope requirement from 3:1 to 2:1 (2nd reading)

motion / recommendation

Approve Ordinance change

background

Historically the City's slope requirement for shoreline revetments was 2:1 (horizontal to vertical) consistent with state and federal codes. In 2008, a discussion among the Lakes and Waterways Advisory Board took place about lessening the slope to 3:1 in order to flatten and make the revetment look more natural. The Lakes and Waterways Advisory Board approved a change to the City's code to this affect at their July 16th, 2008. This code change was brought before the City Commission at their November 24th, 2008 and December 8th, 2008 meeting where the change was approved on first and second readings, respectively (minutes attached).

As revetments were built at the 3:1 following this code change, some unintended consequences of this change were that more rock was required to be deposited into the lake a further distance creating more disturbance of the bottom leaving less area for emergent aquatic plantings and potentially creating a hazard of shallow submerged rocks having a greater ability to impact vessels. This issue is magnified on steeper bottom slopes, where most revetments are needed.

On July 13, 2021, the Winter Park Lakes and Waterways Board reviewed the City's existing revetment slope requirement and found that:

- the State of Florida currently requires a 2:1 slope,
- most municipalities follow the State's slope requirements,
- the City's 3:1 slope requirement was hazardous to boats, and
- the City's 3:1 slope requirement made it difficult for property owners to abide by the City's plant code.

Based on these findings, the Winter Park Lakes and Waterways Board unanimously recommended approval for the City Commission to adopt an ordinance amending the City's revetment slope requirement back to the historical 2:1.

This proposed ordinance and the Lakes and Waterways Board's unanimous approval is being presented to the newly formed Lake Killarney Advisory Board for comments at their January 7th meeting.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[City of Winter Park Ordinance - Revetment Modification](#)

ATTACHMENTS:

[July 16th, 2008 Lakes and Waterways Meeting Minutes](#)

ATTACHMENTS:

[November 24, 2008 City Commission Agenda](#)

ATTACHMENTS:

[December 8, 2008 City Commission Agenda](#)

ATTACHMENTS:

[July 13, 2021 Lakes and Waterways Meeting Minutes](#)

ATTACHMENTS:

[Revetment Slope Code Revision Presentation to Lakes and Waterways Advisory Board](#)

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA,
AMENDING ARTICLE I, CHAPTER 114, OF THE CITY CODE OF
ORDINANCES TO MODIFY THE SHORELINE REVETMENT SLOPE
REQUIREMENT; PROVIDING FOR CODIFICATION, CONFLICTS,
SEVERABILITY AND AN EFFECTIVE DATE.**

RECITALS

WHEREAS, the numerous lakes and waterways, including the lakes which comprise the Winter Park Chain of Lakes, are located within jurisdictional boundaries of the City of Winter Park (“City”); and

WHEREAS, the City Code of Ordinances conditionally authorizes waterfront property owners to construct shoreline revetments to dissipate wave energy as necessary to minimize the impacts of wave erosion and shoreline loss; and

WHEREAS, the City Code of Ordinances currently requires such shoreline revetments be constructed with a 3:1 slope, horizontal to vertical; and

WHEREAS, on July 13, 2021, the Winter Park Lakes and Waterways Board reviewed the City’s existing revetment slope requirement and found the State of Florida currently requires a 2:1 slope, that most municipalities follow the State’s slope requirements, that the City’s 3:1 slope requirement was hazardous to boats, and that the City’s 3:1 slope requirement made it difficult for property owners to abide by the City’s plant code; and

WHEREAS, based on these findings, the Winter Park Lakes and Waterways Board unanimously recommended approval for the City Commission to adopt an ordinance amending the City’s revetment slope requirement from 3:1 to 2:1; and

WHEREAS, the revetment slope requirements enacted pursuant to this Ordinance are necessary to ensure the public health, safety, and welfare of the residents of the City of Winter Park;

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

Section 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance as legislative findings.

Section 2. City Code Amendment. Sections 114-1 and 114-6 of the City of Winter Park Code of Ordinances are hereby amended and modified as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; provisions and sentences not included are not being amended; stars *** indicate separations between sections or subsections and do not represent Code amendments):

CHAPTER 114 – WATERWAYS

Sec. 114-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Boat means all rafts, skiffs, dredges, canoes, dinghies, dugouts, rowboats, sailboats, motorboats, personal watercraft and every other device used or capable of being used as a means of transportation on water.

City boats means boats owned by residents of the city.

Clearance means the alteration of or removal of vegetation by the deposit of sand, dirt or other material or by uprooting and removal by mechanical or nonmechanical means or by chemical treatment.

Fill means the addition of materials, including but not limited to dirt, sand, gravel, stone, crushed stone, cement, cement rubble, mulch, wood or railroad ties, which results in changes to the topography or vegetation that exists on the shoreline and waterfront areas of waterfront properties.

Motorboat means any boat powered by an internal combustion engine.

No city boats means boats owned by nonresidents of the city.

Operator means any person in charge of or having immediate control over a boat, whether such person is the owner, a permittee or an unauthorized user.

Personal watercraft means a class A inboard vessel, as defined by the United States Coast Guard, which uses an internal combustion engine powering a water jet pump as its primary source of motive propulsion and which is designed to be operated by a person sitting, standing or kneeling on the product, rather than in the conventional manner of boat operation.

Retaining wall means the same as seawall.

Revegetation means the planting and establishment of terrestrial and aquatic grasses and plants, both emergent and nonemergent, associated with waterfront and shoreline environments.

Revetment means any sloped structure with a horizontal to vertical slope of $3\div1$ $2\div1$ or greater that is constructed of rock, other aggregate material or geotextile fabric that is intended to protect the shoreline against erosion or water action.

Seawall means any structure involving stone, brick, concrete, metal or wood intended to stabilize the shoreline as protection against erosion or water action.

Shoreline means the land area which exists between the normal high-water elevation during typical hydrological conditions and the point measured ten

feet landward of such normal high-water elevation. (Reference normal high-water elevations for the major lakes in the zoning ordinance.)

Waterfront means the water area or occasional land area which exists between the normal high-water elevation during typical hydrological conditions and the point measured 30 feet out seaward of the normal high-water elevation.

Waterfront vegetation means vegetation which grows or exists at or below the normal high-water elevation and includes terrestrial and aquatic plants, both emergent and nonemergent, associated with wetlands.

Waterway means any water, lake, canal, stream, lagoon or connecting waters, whether natural or manmade, partially or wholly within the boundaries of the city.

Sec. 114-6. Lakeshore protection.

- (b) The construction of retaining walls, seawalls or revetments on any lakefront, canal front, streamfront, etc., shall be prohibited except when done in accordance with law and after obtaining a permit from the city.

- (3) Applications for seawalls or revetments should be considered favorably only when the structure is a dire necessity to stem erosion and loss of shoreline that is markedly different from that experienced in general. On lakefronts, vertical seawalls shall be disallowed in favor of sloped riprap revetments (minimum slope $3\frac{1}{4}$ 2:1, horizontal to vertical) that allow wave energy dissipation and allow shoreline vegetation to propagate. Vertical sheet pile, with a nonvertical riprap face, may be allowed on a case-by-case basis to minimize turbidity, or vegetation disturbance during construction provided that the entire face of the vertical component is covered by the sloped riprap component, the finished face meets the $3\frac{1}{4}$ 2:1, minimum slope requirement, and the elevation of the vertical component does not exceed the natural ground elevation. Vertical seawalls may be allowed on a case-by-case basis in canals or other altered water bodies where sloped revetments could interfere with navigation, or where conditions make the construction of sloped revetments impractical. Construction for cosmetic reasons is not sufficient justification. The review by the city advisory boards and city commission shall include the environmental ramifications of the request, its relationship to the ecology of the lake or stream as a whole and the specific shoreline characteristics of the property involved. Approvals of any shoreline modification shall be the minimum necessary to allow relief. As a condition of the seawall/revetment permit, shorelines that do not meet the vegetation standards of this section (subsection 114-6(a)) shall be required to be planted so that no more than 50 feet, or 50 percent (whichever is less) of the shoreline remains clear of vegetation.

Section 3. Codification. Section 2 of this Ordinance will be incorporated into the Winter Park City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other Ordinance or provision of law, this Ordinance governs and controls to the extent of any such conflict.

Section 6. Directions to City Staff. City Staff under the direction of the City Manager are directed and authorized to take such actions as are necessary and advisable to effect and carry out this Ordinance.

Section 7. Effective Dates. This Ordinance shall become effective immediately after its adoption by the City Commission of the City of Winter Park, Florida.

First Reading held on January 11, 2022

Second Reading held on February 8, 2022

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 _____, 2022.

Mayor Phil Anderson

ATTEST:

Rene Cranis, City Clerk

**CITY OF WINTER PARK
LAKES & WATERWAYS ADVISORY BOARD**

**Regular Meeting
Winter Park Country Club**

**July 16, 2008
12:00 p m**

MINUTES

Present: Mark Jackson, Robert Trimble, Jesse Graham, Ann Saurman, Jackie Becker, Gene Randall

City of Winter Park Staff: Troy Attaway, Public Works Director; Don Marcotte, City/Stormwater Engineer; Tim Egan, Environmental Resource Manager; Sgt John Bologna, and Debbie Wilkerson, Recording Secretary.

Absent: Bill Swartz, Eric Larson

Others present: Marissa Rodriguez, Maitland Lakes Manager, Amy Giannotti, FFWC

CALL TO ORDER

Chm. Trimble called the meeting to order at 12:03 pm

I. ADMINISTRATIVE ITEMS

A. Approval of Minute

Motion made by Mr. Jackson to approve the June 18, 2008 minutes, seconded by Mr. Randall motion carried unanimously.

II. INFORMATION ITEMS

A. Application Approval

SAP 08-09 Request of Joe Ferguson, Winter Park Racquet Club, for approval to construct a dock at 2111 Via Tuscany on Lake Maitland. Mr. Egan reported that there are no objections from adjacent property owners and staff is recommending approval consistent with the variance approval issued by the Board of Adjustment. After a brief discussion Mr. Jackson moved approval of the application, seconded by Mr. Randall, motion carried unanimously with 1 abstention.

SAP 08-10 Request of Pamela Dingess for approval to construct a boathouse and dock at 900 Palmer Ave on Lake Osceola. Mr. Egan reported that he had not received any objection from adjacent property owners, the request meets city code and staff is recommending approval.

Mrs. Peggy Strong, 916 Palmer Ave and Mrs. Marjorie Prouse 834 Palmer Ave expressed concerns with the size of the boathouse and dock, as well as view obstruction that the boathouse may cause. Chm. Trimble requested that Mr. Egan review the application as to its compliance with code. Mr. Egan stated that the

MINUTES

application was within code but if the traditional view is going to be obstructed by the new dock then the board does have the authority to deny the application. After a brief discussion the board agreed to take Ms. Strong and Prouse's concerns under consideration and table approval of the application until the August meeting. Board members will view the area individually prior to the August meeting. Mr. Egan will also provide pictures.

III. NEW BUSINESS

A. Action Items

CIP Budget with the Five Year Plan

Due to the addition of new members to the Board Mr. Attaway presented the history of the stormwater utility. He explained that in the 1980's water quality in the chain of lakes declined dramatically. The problem was determined to be nutrients from stormwater runoff. Based on a desire to treat or capture these nutrients before they could enter the lakes the Stormwater Utility was started in 1992. The methods to treat the runoff are determined by the make up of Winter Park which does not have a lot of unused land. He explained the different methods that the City uses for treatment and its long term goals. He explained the way the Five Year Plan process works. Mr. Marcotte reviewed the projects on the 2009 Five Year Plan. Mr. Randall moved approval of the 09' CIP Budget, seconded by Mr. Graham, motion carried unanimously.

Proposed Waterways Code Revision

Mr. Egan presented an overview of the existing code and what changes are proposed. He explained that a primary reason for changes to the code is that the city's allowances for shoreline clearing are similar to the state's but are just different enough to cause confusion to contractors and homeowners, therefore he is recommending that the city's code be changed to match the state's.

He addressed concerns raised at the May meeting regarding seawalls and shorelines that have been cleared for a long time. He stated that the current code regarding seawalls does not have a negative impact on the lake environment but because there is concern regarding the appearance of the 2:1 slope he is recommending changing the slope for seawalls from a 2-1 slope to 3-1 slope which would make the revetments look flatter, and more natural. However, it will occupy more lake bottom. He stated there would be no ecological impact to the lake if the change in slope was implemented. He also recommends adding to the seawall/revetment permit; construction/repair permits verbiage if the shoreline does not currently meet vegetation standards as a condition of the permit they would have to plant 50% of the shoreline. He explained that the additional changes were minor changes to correct agencies that currently oversee shorelines and lakes.

Chm. Trimble requested that Mr. Egan address the issue of certain properties being grandfathered in and not having to meet vegetation codes. Mr. Egan responded that he thought the Board may be able to require compliance with vegetation codes as a condition of approval for applications because of the Board's charge or it could be done more formally by having

MINUTES

P&Z change the land development code. The Board agreed to take no action on this issue at this time.

Mr. Jackson moved approval of the recommended revisions to the Waterways Code as presented by Tim Egan, seconded by Ms. Saurman, motion carried unanimously.

Blocked Lake Access – Old England Ave.

Mr. Attaway reported on the blocked lake access at the north end of Old England Avenue on Lake Maitland. The issue went to court as a suit between the adjacent property owners to this area, one claiming it to be public and the other claiming it was private and he owned it. The City had no record of this area being dedicated/granted to the City as a public road/access. The final result of the suit was that it was ruled through jury trial that this is not public land and is not a public access; therefore a locked gate is appropriate as this is private

III. REPORTS

A. Mead Gardens Report

No report

A. Lakes Patrol Report

Sgt Bologna detailed the activities of the Lakes Patrol on the chain of lakes. He stated that most violations are for lack of a city permit.

B. Lake Management Report

Mr. Egan reported that the inability to use Floridone effectively has resulted in almost continuous contact herbicide treatments to keep the hydrilla treatments under control. He detailed the impact to the chain of lakes and ongoing treatments. Mr. Egan also reported on water quality, water levels, and plant management.

On July 18th the stocking of triploid grass carp will begin in the chain of lakes and Lake Berry. If aquatic plants are not brought under control with the number of fish that were introduced, the city will request additional fish.

The City is requesting quotes for skunkvine control in Mead Garden and Howell Branch Preserve.

The FDEP is continuing with the approval for the Town of Eatonville's boat ramp on Lake Bell.

Mr. Attaway updated the Board on the current status of the budgeting process within Public Works and specifically Lakes. He explained that 2 lakes worker positions had been eliminated but those positions have been frozen for several years so there wasn't an actual reduction in the work force.

CITY OF WINTER PARK

LAKES & WATERWAYS ADVISORY BOARD
Winter Park County Club

July 16, 2008
12:00 p m

MINUTES

Mr. Attaway introduced for discussion a state program that is available which would fund the City's aquatic plant management program. The City currently expends approximately \$250,000 per year on plant control. The City meets all criteria to participate except the state would require the City revise its current boat fee structure to be more reasonable and accessible. Staff is going to develop a proposal to present to city management that outlines the benefits of participating in the state program. Dr. Beattie provided a historical prospective as to how the fees came about.

The Board discussed the benefits of participating in the program, the rising cost of herbicide, reasons to keep the current boat fee structure, how fees would be collected and impacts to boat ramp usage if fees were reduced. Amy Giannotti, FWC, will provide a summary of boat fees in the area.

C. Stormwater Management Report

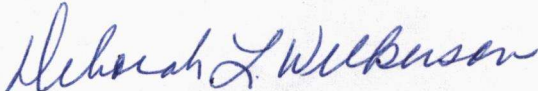
Mr. Marcotte reported on the status of the Florida Forever grants. He reported on various drainage improvement projects in the City and that preliminary design has started on the Lake Berry outfall and baffle boxes at Elizabeth Drive and Alexander Place.

City of Maitland

Ms. Rodriguez reported Maitland had been approved for grass carp stocking, creation of the Stormwater Utility is ready for the first ready at the July 28, Commission meeting. She distributed a handout on the stormwater utility.

IV. ADJOURNMENT

Chm Trimble adjourned the meeting at 1:50 pm. Next meeting date – August 20, 2008.



Respectfully submitted,
Deborah L. Wilkerson CPS/CAP
Senior Staff Assistant

Approved 8/28/08

REGULAR MEETING OF THE CITY COMMISSION
November 24, 2008

The meeting of the Winter Park City Commission was called to order by Mayor David Strong at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was given by Parks and Recreation Director John Holland, followed by the Pledge of Allegiance.

Members present:

Mayor David Strong
Commissioner Margie Bridges
Commissioner Phil Anderson
Commissioner Beth Dillaha
Commissioner Karen Diebel

Also present:

City Manager Randy Knight
City Attorney Trippe Cheek
City Clerk Cynthia Bonham
Deputy City Clerk Nancy McLean

Mayor's Report:

- a) Presentation of a \$10,000 grant from Waste Management for Beautification and Recycling Programs.

Waste Management's Public Sector Services Manager Jim Swan presented Mayor Strong and Keep Winter Park Beautiful Director Gabriella Serrado with a \$10,000 grant based on their recycling efforts to be used to implement four beautification/recycling projects including tree plantings, playground restorations, phone book recycle campaign, and expanding our recycling education initiatives to elementary and middle schools in our area.

- b) Recognition of Mead Garden volunteers.

Mayor Strong recognized several volunteers for their hard work and commitment to beautifying Mead Garden to help the City achieve its mission in offering these beautiful parks.

Non Agenda Item

Attorney Cheek explained that in 2007 the City Commission passed a revised resolution regarding decorum at public meetings. He addressed "Rule 7. Decorum" and "Rule 9. Addressing the Commission" and explained these may good reminders at the beginning of meetings.

Action Items:

- a) Approve the minutes of 11/10/08.
- b) Approve the purchase of traffic signal maintenance services from Control Specialists Co. for fiscal year 2009, piggybacking the City of Maitland contract.
- c) Approve the amended interlocal agreement for Public School Facility Planning and Implementation of Concurrency. **PULLED FOR DISCUSSION. SEE BELOW.**
- d) Approval to allow the City Manager to execute and the Fire Chief to manage the agreement with the State of Florida to house and operate the Mutual Aid Radio Cache (MARC) unit for Region 5. **PULLED FOR DISCUSSION. SEE BELOW.**

- e) Consideration of Fire Rescue Staffing – Overtime Reduction Action. **PULLED FOR DISCUSSION. SEE BELOW.**
- f) Approve the Business Recognition Award Program. **PULLED FOR DISCUSSION. SEE BELOW.**
- g) Approve the contract with the Federal lobbyist. **PULLED FOR DISCUSSION. SEE BELOW.**
- h) Approve the legislative agenda for the State lobbyist. **PULLED FOR DISCUSSION. SEE BELOW.**
- i) Approve the fee waiver policy as recommended by the Parks and Recreation Commission. **PULLED FOR DISCUSSION. SEE BELOW.**
- j) Provide direction regarding Charter review.
- k) Approval of the memorandum to be sent to the Orange County Commission regarding commuter rail. **PULLED FOR DISCUSSION. SEE BELOW.**

Motion made by Commissioner Anderson to approve Action Items a, b and j ; seconded by Commissioner Bridges. The motion carried unanimously with a 5-0 vote.

The following action items were pulled for discussion c, d, e, f, g, h, i, and k. Mayor Strong announced they would break at 4:00 p.m. to have a teleconference phone call for item g.

Action Item c): Approve the amended interlocal agreement for Public School Facility Planning and Implementation of Concurrency.

Beth McGee, Executive Director of the Homebuilders Association of MetroPlan stated that their Association has been actively engaged with the School Board, Orange County and several committees appointed to assess the implementation of school concurrency. They believed that what the Commission is being asked to approve is deficient and in certain respects is contrary to the Growth Management Act. For the record, she submitted their objections to specific portions of the proposed amendment to the comprehensive plan and the interlocal agreement.

Planning Director Jeff Briggs explained that Florida Statutes requires that the School Board and local governments enter into interlocal agreements to implement statutory school concurrency requirements. The City participated on the Technical Planning Committee to ensure consistency with the School Board, Orange County and all non-exempt Orange County municipalities. He stated the required comprehensive plan amendments were included in the transmitted Winter Park plan amendments and the amended interlocal agreement for Public School Facility Planning and Implementation of Concurrency must be executed before the comprehensive plan amendments can be adopted.

Mr. Briggs commented that they recently received the ORC on the comprehensive plan and were not in compliance with the State law because they have not adopted this interlocal agreement. The interlocal agreement has been adopted by Orange County and Orlando, and has been or will be adopted by the other Orange County municipalities. He stated this will go into effect in March 2009 when we receive the notice of intent from the DCA to find our comprehensive plan in compliance. He addressed that the School Board and all local governments must update or adopt interlocal agreements consistent with the requirements of the Florida Statutes to ensure that plans for construction and opening of new schools are coordinated in time and place with the plans for residential development and concurrently with necessary services.

He commented that presently we have school capacity but schools without capacity will have to go to the School Board and enter into a Capacity Enhancement Agreement. He explained it will require that developers pay closer to the full cost of the classroom construction than the impact fees which do not cover 100% of the cost of classroom construction. Mr. Briggs answered questions and announced that Orange County Public Schools representative Julie Salvo was also present for questioning.

Commissioner Diebel commented that if the citizens desire to financially support the new Brookshire School then she wants to know that this board can increase impact fees as a measurement of participating in the new school. She commented that she would like to retain control at this board's level to increase or decrease impact fees in order to improve public schools in the City. Mayor Strong commented it was worth exploring. Attorney Cheek will look into this. Mayor Strong suggested they discuss this at their next Commission meeting on December 8 after they have a chance to review the Home Builders Association of MetroPlan document.

Motion made by Commissioner Diebel to table this item until December 8; seconded by Commissioner Anderson. Mayor Strong commented that they would like staff's response to the objections. Mr. Briggs agreed. **The motion carried unanimously with a 5-0 vote.**

Please note that Items g and h were discussed next.

Action Item g): Approve the contract with the Federal lobbyist.

Building Director George Wiggins reached Federal lobbyist's Skip Bafalis, Jim Davenport and Maurice Kurland of Alcalde and Fay by phone for this item. Mr. Wiggins explained that Alcalde and Fay have successfully obtained \$1.4 million in Federal funded projects on behalf of the City in recent years. He provided the Commission an updated list of project's the Federal lobbyist would work to secure funding for during the 2009 Legislative session. This included: 1) U.S. 17-92/Denning Drive Master Plan: \$16 million; 2) Fairbanks Improvement Project: \$3.6 million; 3) Winter Park Community Center: \$5 million; 4) Stormwater Treatment Projects: \$1 million; 5) Wetland property: \$1 million; 6) Bike/Pedestrian Plan Implementation: \$600k; 7) Interconnection of State Road traffic signals to create better traffic flow including undergrounding of conduits for SR426: \$200k; and 8) Quiet Zones: \$3 million.

Mr. Bafalis commented that they have all worked on Winter Park projects and represent other cities as well. Mr. Kurland explained that they anticipate that Congress will reauthorize the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in 2009. He stated this will present the opportunity to submit many transportation projects to be funded for Winter Park. He addressed that the 2005 SAFETEA-LU authorized \$286 billion in spending for the six-year period of 2004 to 2009 for numerous surface transportation programs and projects such as highways, transit, freight, safety and research. The bill included funding for approximately 7,000 projects for local governments and transportation authorities. He also spoke about the economic stimulus bill and commented that it is difficult to predict the specifics of this since it is still in the early phases.

Discussion ensued regarding the project list, what was achievable and items they should not spend their time and efforts on. Mr. Davenport recommended prioritizing the transportation projects and giving them their top three choices and to choose between having the Community

Center or the wetland property acquisition. Alcalde and Fay answered questions posed by the Commission.

Commissioner Bridges commented that some of these projects are joint ventures such as 17/92, the bike/pedestrian plan and wetland property acquisition and wanted to know if it would benefit the City to increase the likelihood to receive funding if they have more than one community such as Maitland looking at these projects. Mr. Davenport stated it was a possibility. Commissioner Diebel asked to compare the City of Oviedo's priorities on roads (specifically S.R. 426) with our priorities because they put significant amounts of pressure on our traffic and roads. Mr. Davenport suggested the Commission speak with other cities and ask what they are doing and see if they are willing to partner with them on a project.

Mr. Bafalis suggested that either the Mayor or Commission members come to Washington yearly and make a request for projects to show their interest. He stated this would be helpful to them and it will bring back great rewards to the City. Mr. Wiggins ended the teleconference phone call with the lobbyist's.

Motion made by Commissioner Diebel to approve the Federal lobbyist budget of \$5,000 per month, not to exceed \$50,000 in the current fiscal year; seconded by Commissioner Anderson.

Commissioner Anderson advocated being represented by the Federal lobbyist. Commissioner Bridges believed that staff could handle this for less cost and that the \$50,000 could be better spent in the City. She stated if the Federal government implements the types of transportation funding they are discussing, the City will be the beneficiary of these projects anyway.

Mayor Strong gave his insight on his participation with MetroPlan. He disclosed that he may have a conflict of interest with the U.S. 17-92/Denning Master Plan because it has a direct financial impact with property he owns. Attorney Cheek clarified that it will not affect him voting on whether or not to retain the lobbyist. Commissioner Dillaha commented that it would great if they could measure how many projects the lobbyist has accomplished for us. Mayor Strong commented that they can look at what they have spent and what they have received in dollars.

Commissioner Bridges asked if the motion could be amended to include our Commission/staff approaching the two other adjacent cities like Maitland and Oviedo and prioritize the effort they want these lobbyists to spend their time and our money on to be more unified in their approach. Commissioner Diebel asked if she would support the motion on the table and either Commissioner Bridges brings forth a motion subsequent or give specific direction to the City Manager to arrange the appropriate discussions with the other City Commissions of Maitland and Oviedo with the ultimate goal of prioritizing projects together. Commission Bridges agreed.

Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Commissioner Bridges to direct staff to meet with our adjacent cities that are impacted by this, the City of Oviedo specifically regarding State Road 426 and Maitland specifically regarding 17-92, the bike/pedestrian plan and wetland property acquisition; seconded by Commissioner Diebel. The motion carried unanimously with a 5-0 vote. Mayor Strong clarified that staff is to return with a prioritization or a feasibility of working with those communities.

Action Item h): Approve the legislative agenda for the State lobbyist.

The City's State Lobbyist Bill Peebles stated that last year they succeeded in having the legislator appropriate \$1.6 million to Winter Park for projects but the likelihood that there will be appropriations during this legislative session is very slim. Mayor Strong commented that he met with Mr. Peebles last week in Tallahassee and he made it clear they should not expect anything. He added that he discussed obtaining legislation that will allow for a dedicated funding source for commuter rail which would be worth Mr. Peebles efforts if that is a reasonable expectation for this coming year. Mr. Peebles responded that commuter rail was part of the discussions last year and will be discussed this year as well.

Commissioner Dillaha stated that MetroPlan has put together a committee that consists of all the funding partners; this is their priority and believed they should work on this project and not spend the City's money on that effort. She commented on prioritizing the Fairbanks Improvement project that is critical for economic development in the City along with the Stormwater Treatment projects. She believed it may be better to approach the Community Center at the Federal level rather than the State level. Commissioner Anderson commented that the ability to get the local commuter rail tax is important for our long term success and to maintain the City's right to use TIF revenues without referendum.

Motion made by Commissioner Diebel to approve the 2009 State legislative agenda; seconded by Commissioner Anderson. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote. Mr. Wiggins asked for clarification about the Community Center being on the agenda. Mr. Peebles commented that it was fine to leave it on. Commissioner Anderson added it is important to pursue taking it from a standard building to a LED certified building and there is 'green' funding available. Mr. Peebles agreed.

Action Item d): Approval to allow the City Manager to execute and the Fire Chief to manage the agreement with the State of Florida to house and operate the Mutual Aid Radio Cache (MARC) unit for Region 5.

Commissioner Dillaha asked why Winter Park was hosting this as opposed to Orange County. Fire Chief White responded.

Motion made by Commissioner Diebel to approve the City Manager to execute and the Fire Chief to manage the agreement with the State of Florida to house and operate the Mutual Aid Radio Cache (MARC) unit for Region 5; seconded by Commissioner Dillaha. The motion carried unanimously with a 5-0 vote.

Action Item e): Consideration of Fire Rescue Staffing – Overtime Reduction Action.

Commissioner Dillaha asked how this will work and if the cost of three additional entry level Firefighter EMT positions with benefits of approximately \$166,747.23 includes pension or refers to salary and benefits. Fire Chief White responded and both he and City Manager Knight answered further questions.

Motion made by Commissioner Diebel to approve the Fire Rescue staffing; seconded by Commissioner Anderson. The motion carried unanimously with a 5-0 vote.

Action Item f): Approve the Business Recognition Award Program.

City Manager Knight stated that CRA Manager Sherry Gutch had to leave but this could be rescheduled for the next Commission meeting.

Motion made by Commissioner Diebel to table this item until the December 8 meeting; seconded by Commissioner Dillaha. The motion carried unanimously with a 5-0 vote.

There was a recess taken from 5:28 – 5:42 p.m.

Action Item i): Approve the fee waiver policy as recommended by the Parks and Recreation Commission

Parks and Recreation Director John Holland explained the new Fee Waiver Policy that has been approved by the Parks and Recreation Board. He stated that it allows for the phasing out of the existing policy in the elimination of the affiliated group waivers. The new Fee Waiver Policy, if adopted, will allow for a continuance of current approved fee waivers through December 31, 2008. During 2009, all current approved fee waivers will be reduced by 33%; in 2010, all current approved fee waivers will be reduced by 66%; as of January 1, 2011 no fee waivers will be in effect.

He stated that staff supports the Fee Wavier Policy and recommends establishing an approved list of event exemptions for longstanding public park events that meet specific criteria and serve the City's vision statement such as the holiday tree lighting, Wildcat Roar, Chamber events, etc. He also made a correction to the Rules and Standards for Rate Adjustments under Youth Leagues stating that 25% of the participants must be City residents and that a roster is required. Mr. Holland answered questions.

Commissioner Diebel did not support the policy because it excluded the AARP members in Winter Park to have met there for over 20 years but that she would support this if they could grandfather in this organization.

Commissioner Dillaha stated that the Parks Board was going through this to reduce the number of fee waivers in dollar amounts per year and to make it a fair and equitable process. She commended the Parks Board, liked the phased out approach, and agreed with the recommendation to designate certain annual events as City events. She added that there are probably a lot of other different locations for groups to meet.

Debra Hendrickson, Vice President, Winter Park Chamber of Commerce, speaking on behalf of the Board of Directors, addressed the fee waivers they have received in the past. She stated that their graduates from the youth and adult programs have a graduation ceremony at the Civic Center and asked that this continue as a fee waiver. She also explained the Chamber's mission and how it operates.

Mary Daniels, 650 Canton Avenue, provided a letter in reference to the Welbourne Avenue Day Nursery and asked the Commission not to phase this out completely. She asked to consider continuing to waive at least half the fee for any of the City's venues for Welbourne to have an event once a year going forward beyond 2010.

Bridgebuilder's President Janie Baker, 650 Northwood Circle, commented that they could not pay the fees that the City is going to charge for them to have functions in these facilities.

Carole Moreland, Co-President of the Winter Park Sidewalk Art Festival, commented that they always believed that the City was their partner in this and the festival has given many benefits to the City. She stated that currently they have fee waivers for their meetings and opposed the new fee waiver policy. She ask the Commission to consider what they are doing if they approve this.

Motion made by Commissioner Diebel to table acceptance of the Parks Board recommendation based on asking for some rework to consider what these speakers from the public asked for tonight and to bring this to the Commission's attention in a subsequent meeting; seconded by Commissioner Dillaha.

Commissioner Dillaha commented that she would like this to go back to the Parks Board and see what they consider as annual events and to understand their rationale on how they came to a decision. Commissioner Bridges added that the recommendation from the Parks Board was of their own making and they need to provide clear direction to the Parks Board of how to evaluate these various groups. She also asked that the Parks Board consider other locations for meetings. Commissioner Anderson supported the motion to table and believed that if they are advancing the cause of the City and there is an asset that would otherwise go idol then it was a good use of the City's assets.

Mayor Strong's approach was to pass a no waiver policy and identify entities/organizations or an event that the Commission believes merits an exemption. He stated that he did not want to discount the Park Board's effort to find consistency in what they do and that they should focus on more substantive issues. He also asked who received waivers to use City's facilities in 2008, what facilities are being used, and the cost. Mr. Holland stated he would provide that information. **The motion carried unanimously with a 5-0 vote.**

Commissioner Bridges suggested that the Parks Board use their Strategic Plan (values and vision) as a starting point as a measure of determining exempted events or organizations. Commissioner Diebel agreed. Commissioner Dillaha recommended the Commission give their thoughts to Mr. Holland, take it back to the Parks Board for consideration and to come back to the Commission in January. Commissioner Diebel volunteered to serve as the liaison for the Parks Board to take up this issue. Mayor Strong charged each Commissioner to communicate to Mr. Holland their opinion on this policy and possible exemptions so Mr. Holland and Commissioner Diebel can then make the presentation. There was a consensus.

Commissioner Dillaha commended the Parks Board on the work they have done. She asked how much it costs to have the Champs Bowl. Mr. Holland explained it is approximately \$4,500 and that money is allocated in their special events fund. He expressed that they are hoping to have sponsors this year to assist with some of the costs. Commissioner Dillaha believed they should reevaluate this and the event should be sponsored as opposed to the City funding it. Commissioner Diebel stated she will bring that forth in the January presentation.

Action Item k): Approval of the memorandum to be sent to the Orange County Commission regarding commuter rail.

Attorney Cheek explained that he drafted two letters using the list of topics approved by the Commission at the previous meeting and as suggested by the Commission reviewed this with Commissioner Anderson. He stated the first letter addresses things that it appears the County may be willing to consider as clarifications and the second is more likely to be construed as changes to the language. Commissioner Anderson requested adding verbiage in the second letter of item B), the last sentence regarding the farebox revenues generated that should be \$555,000 in 2017.

Pat Clem, 765 Via Lombardy, spoke in favor of commuter rail and asked the Commission to move forward on commuter rail.

Carolyn Cooper, 1047 McKean Circle, stated that as they readdress the Capital Improvement Element (CIE) they have been asked to include commitments to the regional mobility issues. She requested the numbers be annotated to reflect dedicated funding.

Will Graves, 3048-D George Mason Avenue, commented that the panel is not trying to stop commuter rail and there was a big difference between a Central Park stop and a Florida Hospital stop and do not need to be served by two stops in Winter Park.

City Manager Knight called for a point of order that the subject matter is whether to send these letters and not a referendum of commuter rail and asked the speakers to only address the letters. Mayor Strong agreed.

Agatha Frances, 790 Douglas Avenue, spoke in favor of commuter rail and public transportation.

Motion made by Commissioner Anderson to approve the memorandum to be sent to the Orange County Commission regarding commuter rail; seconded by Commissioner Bridges.

Commissioner Anderson stated this was not about killing commuter rail but is clarifying our contractual rights with Orange County. He believed commuter rail was a good thing and wanted to preserve our right to terminate in 2017.

Commissioner Dillaha expressed that they need solutions to their transportation problems and this is about the financial implications of the current terms of the agreement. Commissioners Dillaha and Anderson offered further suggestions to the cover letter which received a consensus among the Commission. City Attorney Cheek will amend the letter as agreed upon.

Attorney Cheek asked for clarification of the exact number for the fairbox number on the second letter and asked if the Commission wanted to have a deadline for a response time. There was consensus for January 15, 2009. Mayor Strong suggested Attorney Cheek use the same language as the first letter since it was more accommodating. Attorney Cheek agreed.

The motion carried with a 4-1 vote. Commissioner Diebel voted no.

Public Hearings:

- a) ORDINANCE NO. 2753-08: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING WITHIN THE CHARTER LAWS OF THE CITY OF

WINTER PARK, SECTION 1.02, "CORPORATE LIMITS DESCRIBED" SO AS TO ANNEX THE PROPERTIES AT 1812, 1911 STONEHURST ROAD, 528 E. LAKE SUE AVENUE, 441 EAST KINGS WAY AND THE STONEHURST ROAD RIGHT OF WAY THEREOF, MORE PARTICULARLY DESCRIBED HEREIN.
Second Reading

Attorney Cheek read the ordinance by title. Planning Director Jeff Briggs informed the Commission that the residence of 1802 Stonehurst has decided not to annex so they were stricken from the ordinance. A revised ordinance was provided. No public comments were made.

Motion made by Commissioner Bridges to adopt the ordinance; seconded by Commissioner Anderson. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, and Dillaha voted yes. Commissioner Diebel voted no. The motion carried with a 4-1 vote.

- b) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO WATERWAYS; AMENDING SECTION 114-1-DEFINITIONS; AMENDING SECTION 114-6 TO ADOPT STATE CODE RELATING TO SHORELINE OR WATERFRONT VEGETATION REMOVAL, TO INCREASE PENALTY FOR REMOVAL OF VEGETATION WITHOUT PERMIT, UPDATING STATE NAMED DEPARTMENT FROM DEPARTMENT OF NATURAL RESOURCES TO DEPARTMENT OF ENVIRONMENTAL PROTECTION, MODIFYING THE CONSTRUCTION OF RETAINING WALLS, SEA WALLS AND REVETMENTS; PROVIDING AN EFFECTIVE DATE. First Reading

Attorney Cheek read the ordinance by title. No public comments were made. Public Works Director Troy Attaway explained that the revision is to modify access corridor allowances, increase slope requirements for new revetments and require re-vegetation of shorelines to current standards in conjunction with any seawall/revetment construction or repair permits.

Discussion ensued regarding the proposed revisions. Mr. Attaway answered questions.
Motion made by Commissioner Diebel to accept the ordinance on first reading; seconded by Commissioner Anderson.

Commissioner Dillaha commented that she provided the Commission with a sheet for discussion about their strategic initiatives to maintain or improve our City lakes. She asked Mr. Attaway to review, make comments and involve the Board. Mr. Attaway agreed.

Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.

New Business (City Commission):

1. Commissioner Diebel suggested to reduce the carry over vacation for employees to two months for next year's budget (2009-2010), determining the current liability on the City's current balance sheet and fund a pay out of unused vacation to reduce the liability. She asked City Manager Knight and Fire Chief White to reconcile the numbers and bring it before the Commission to understand the total liability that exists and what exists among the Firefighter Union and the general employee base. She commented that the intent of the policy change is for City employees to use their vacation to rest; reduce the liability that is presently on the City's financial statement; it is specific to the Fire Rescue team to rest and to test this overtime theory they have been debating; and to have a more consistent Human Resources policy that would benefit City employees. There was consensus among the Commission for the City Manager to explore this issue for presentation at a future meeting. Commissioner Dillaha commented that maybe it should be a comprehensive review of benefits and everything in general.
2. Commissioner Diebel commented that there is a header on the Strategic Map entitled "Good Government Practices" and believed the City already employs good government practices. She ask the City Manager to bring forward a recommendation to the Commission on changing that title and consider Finance Director Wes Hamil as an advisor on that. There was consensus among the Commission regarding that request.
3. Commissioner Anderson suggested they try to prioritize the projects for the Federal lobbyist by the December 8 meeting and that the City Manager report on the conversations with the surrounding communities, if possible. Mayor Strong asked that they send City Manager Knight their individual priorities by Wednesday, November 26.
4. Commissioner Dillaha commented that Keith Gardner wanted to address the issue of the Emergency Debris Management Plan but had to leave. Mayor Strong suggested it be placed on the agenda for the next Commission meeting.
5. Commissioner Dillaha asked about closing City Hall for staff on December 26 since it falls on a Friday. Mr. Knight expressed that staff would greatly appreciate that and typically it is a very slow time. He answered questions about closing City Hall. Commissioner Diebel stated she would support employee's taking a vacation day rather than paying overtime to cover City services and would not support closing City Hall. City Manager Knight explained this has been done before and the Police, Fire, and Water and Sewer Plants have employees that have to work anyway and the cost would be \$28,000. Mayor Strong stated they would take action at the next Commission meeting and wants the City Manager's recommendation. Mr. Knight agreed.
6. Commissioner Dillaha asked they review their strategic initiatives at some point and get more detail on it.
7. Mayor Strong asked Attorney Cheek to look at ordinances that have arisen from a UCF study to address underage drinking and the associated problems. He suggested considering two ordinances; one to penalize locations that have proven to serve underage consumers of alcohol by reducing their hours of operation; and one to consider penalizing landlords of houses that rent and who allow parties at those houses. There was consensus for Attorney Cheek to review these ordinances. Mayor Strong added that the City needs to work closer with Rollins College because they now have an alcohol free campus.

- c) Request of Strollo's Market and Café at 200 West Fairbanks Avenue to amend the previous conditional use approval to extend their hours of operation from 9 a.m.-9 p.m. to 9 a.m.-12:00 midnight to include on-site consumption.

Planning Director Jeff Briggs stated the request is to amend the conditional use that Strollo's Market and Café was granted in April 2008. He added that the conditional use was required due to this location being within 300 feet of residential properties when there is a sale and consumption of alcoholic beverages. Mr. Briggs reviewed details of the previous request and stated it was approved based upon the conditions that the hours of sale and consumption of alcoholic beverages ends at 9:00 p.m. and that no amplified musical entertainment is permitted. He explained that the applicant now wants to extend the hours for the sale and consumption of alcoholic beverages until midnight. He discussed issues that the adjacent residential neighborhood has faced with Urban Flats, Fiddlers and O'Boys due to late night noise, vandalism and nuisances from the patrons. Mr. Briggs commented that P&Z agreed to extend their sale and consumption of alcohol time until 10:00 p.m. for a one year period. Mr. Briggs answered questions.

Applicant Jim Strollo, 777 French Avenue, commented that beer and wine sales at their establishment will be secondary and complimentary to patrons who are dining and it will not become a bar type setting. He believed that P&Z's recommendation of 10:00 p.m. was confining and asked that it be extended to 11:00 p.m.

Motion made by Commissioner Diebel to adopt the ordinance with the modification to allow the establishment to serve beer and wine until 11:00 p.m.; seconded by Mayor Strong for discussion.

Mayor Strong addressed Fiddlers staying open till 2:00 a.m. and was not concerned with the 11:00 request because Strollo's has a different clientele. Mr. Briggs commented that if this is amended, the Commission may want to tie it to the particular applicant of Strollo's Management since the conditional use runs with the land.

Commissioner Dillaha commented that she supported P&Z's recommendation and addressed the amount of noise complaints on Fairbanks Avenue for years because of the close proximity to the neighborhoods behind it. Commissioner Bridges was also concerned with the conditional use running with the land and supported the temporary one year position by P&Z to extend the hours to 10:00 p.m.

Mayor Strong commented that there are places open until 2:00 a.m. and maybe they should be looking harder at those establishments. He reiterated the nature of this market does not lend itself to the same clientele as the places open till 2:00 a.m. Commissioner Bridges commented that if they allow this, they are setting another opportunity for someone else to open up something different that would be open past 10:00 p.m. at night. Commissioner Anderson commented that he also agreed with P&Z's recommendation. There was further discussion on the hours of operation.

Mayor Strong clarified that his second to the motion was subject to it being for a one year period only. Commissioner Diebel accepted that.

Commissioner Diebel amended her motion to include that only Friday and Saturday night the sale and consumption hour is extended to 11:00 p.m. for a period up to one year;

seconded by Mayor Strong. Upon a roll call vote, Commissioners Bridges, Dillaha and Anderson voted no. Mayor Strong and Commissioner Diebel voted yes. The motion failed with a 3-2 vote.

Motion made by Mayor Strong to adopt P&Z's recommendation for a one year period; seconded by Commissioner Dillaha. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, and Dillaha voted yes. Commissioner Diebel voted no. The motion carried with a 4-1 vote.

There was a recess taken from 8:27 – 8:34 p.m.

- d) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING REGULATIONS" SECTION 58-82 "GENERAL PROVISIONS" SO AS TO ESTABLISH STANDARDS AND CRITERIA FOR BED AND BREAKFAST INNS AND AMENDING SECTION 58-91 "DEFINITIONS" SO AS TO REVISE THE DEFINITION OF A BED AND BREAKFAST INN. First Reading

Attorney Cheek read the ordinance by title. Planning Director Jeff Briggs addressed the previous request by Mr. Trovillion that was not approved. He stated that in general, bed and breakfast inns are a great concept but neighbors do not want that kind of business close to them and all R-3 and R-4 zoning is within residential neighborhoods. He stated that P&Z concluded that they have dealt with this in a number of locations over the years and have not been able to find a location that the neighbors would accept. P&Z decided to take it out of the code as a business that is permitted in a residential area and restrict it to office or commercial properties. He stated they recommended not proceeding with this ordinance and proceeding with a different ordinance which would take that provision out of R-3 and R-4 all together in lieu of this new code. Mr. Briggs answered questions.

Carolyn Cooper, 1047 McKean Circle, explained that she made the P&Z motion and asked to remove bed and breakfasts from all zoning designations. She stated that decision was made based on history that no matter where they tried to put it, it caused uproar in the community and ended up being denied.

Motion made by Commissioner Dillaha to table this ordinance and send back to Planning Zoning Commission for their review and recommendation. Commissioner Bridges asked for clarification.

Motion restated by Commissioner Dillaha to table this ordinance to go back to P&Z to create an ordinance to repeal all references to bed and breakfasts in all zoning designations; seconded by Commissioner Bridges. Mayor Strong believed that they should continue to allow bed and breakfasts in commercial zoning categories and does not preclude a small hotel in commercial zoning. Mr. Briggs agreed and clarified it will not be called a bed and breakfast in a commercial area but will be called a hotel. **Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, and Dillaha voted yes. Commissioner Diebel voted no. The motion carried with a 4-1 vote.**

e) Request of Eucalyptus Properties:

To request a vertical zoning special exception/conditional use for up to 25% of the interior non-Park Avenue frontage floor space within the building at 212-218 N. Park Avenue. 1) Conditional Use: Approved by P&Z (5-0) for 25% non-retail on the first floor; 2) Exception to the Conditional Use: Approved 3-2 to continue to exclude real estate offices from the ground floor within the 25% non-retail.

Planning Director Jeff Briggs explained the request was for approval to permit a portion of the interior of the building at 212-218 N. Park Avenue to obtain a vertical zoning special exception that would allow non-retail tenants. He showed the floor plan of the redevelopment of the space that was formerly occupied by Jacobsen's. He stated Larry Williams owner of Eucalyptus Properties is undertaking a project called "The Shoppes of Park Avenue" to create an interior walkway, pedestrian arcade corridor with Koi ponds and a waterfall feature that is linking into the Garden Gate building. He added it is a great enhancement to Park Avenue and these types of buildings help to provide the Avenue with its unique charm.

Mr. Briggs stated that Mr. Williams is willing to give up 3,125 square feet of leasable space to create the open pedestrian walkway. He explained the special exception process in the zoning code since the mid 1980's that states up to 25% of the floor area that does not front on Park Avenue may be approved via special exception for non-retail use. The applicant would like the ability to rent two of the non Park Avenue frontages for non-retail tenants which will likely be a beauty salon type business which P&Z was supportive of and recommended that approval.

Mr. Briggs explained a request to use one of the front spaces as real estate office which caused considerable emotion from other real estate firms about the fairness of letting any new real estate office have a Park Avenue address which was denied by P&Z and withdrawn. However, the space can be rented to any real estate office on the second floor. He summarized the two issues as: 1) conditional use for 25% non-retail on the first floor; and 2) exception to the conditional use to continue to exclude real estate offices from the ground floor within the 25% non-retail.

Steve Grossman, representing Eucalyptus Properties, spoke about the issues that have limited the property from leasing along Park Avenue.

Charles Gibson, representing Engel Volkers Real Estate Company, provided background information on his company. He added that they like the ambiance of Winter Park's market and spoke in favor of the Eucalyptus Properties project.

Motion made by Commissioner Diebel to approve the conditional use for 25% non-retail on the first floor; seconded by Commissioner Bridges. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.

Commissioner Diebel asked P&Z member Carolyn Cooper why she denied the exception to the conditional use. Ms. Cooper responded.

Commissioner Bridges commented that she is supportive of allowing the real estate office to be behind the frontage of Park Avenue. **Motion made by Commissioner Bridges to approve allowing a real estate office at this property site as long as it does not front Park Avenue on the first floor to comply with our vertical zoning; seconded by Commissioner Diebel.**

She clarified that it was to allow the real estate office of non-retail on the back parcels not fronting Park Avenue.

Commissioner Diebel suggested a motion. **Motion made by Commissioner Diebel to override the P&Z exception to the conditional use with one modification to strike the prohibition of real estate offices from locating on the first floor of Park Avenue and be specific that real estate offices are allowed to locate on the first floor of Park Avenue and not the frontage that is concerning Commissioner Bridges. This project will comply with the 25% non-retail. Motion was seconded by Commissioner Bridges.** Attorney Cheek clarified the motion relates to the conditional use for this property.

Mayor Strong disclosed that he has a financial relationship with Mr. Williams with another property he owns and that Attorney Cheek did not believe there is a conflict of interest because he is a limited partner. He also stated he spoke to Mr. Williams about this prior to this meeting. Commissioner Anderson commented that in terms of a retail mix (first floor) he would be more comfortable limiting one space to a real estate user instead of two. He asked Commissioner Diebel to amend her motion. Upon further discussion, **Commissioner Diebel amended her motion to limit one space to a real estate office instead of two on the first floor; seconded by Commissioner Bridges. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

City Attorney's Report:

No items to report.

Non-Action Items:

a) City Manager's Report.

City Manager Knight provided updates on Villa View Park and the Fire Union. He commented that they are on schedule with their Comprehensive Plan.

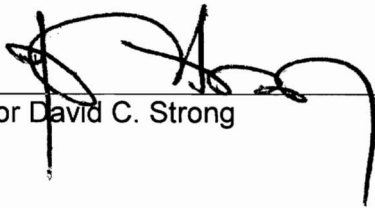
b) Ethics Board Update

Assistant City Manager Michelle de Valle commented that Chairman Barry Greenstein was ill and could not attend. She addressed the Ethics Board being charged by the Commission with developing a Winter Park Code of Ethics with the first two subjects to be addressed being campaign finance reform and conflicts of interest. She stated that the Board is currently working toward finalizing a recommendation for campaign finance reform and then plans to address conflicts of interest. Ms. de Valle answered questions. Mayor Strong commented that when the Board is ready with their recommendations they will schedule a work session.

New Business (Public):

No items.

The meeting adjourned at 10:01 p.m.



Mayor David C. Strong

ATTEST:



Cynthia S. Bonham, City Clerk

REGULAR MEETING OF THE CITY COMMISSION
December 8, 2008

The meeting of the Winter Park City Commission was called to order by Mayor David Strong at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was given by Pastor Jeff Fair, Aloma Baptist Church, followed by the Pledge of Allegiance.

Members present:

Mayor David Strong
Commissioner Margie Bridges
Commissioner Phil Anderson
Commissioner Beth Dillaha
Commissioner Karen Diebel (via phone)

Also present:

City Manager Randy Knight
City Attorney Trippe Cheek
City Clerk Cynthia Bonham
Deputy City Clerk Nancy McLean

Mayor's Report:

- a) Board appointment – Environmental Review Board (due to resignation of Linda Jennings).

Mayor Strong nominated Rob Smith for the Environmental Review Board (ERB). **Motion made by Commissioner Bridges to approve the board appointment; seconded by Commissioner Dillaha and carried unanimously with a 5-0 vote.**

Non Agenda Item

Mayor Strong introduced Alice Laughlin as the honorary Mayor in the 56th annual Winter Park Christmas parade last week.

- b) Presentation of the 2008 resident survey results.

Phillp Downs, Kerr & Downs Research Senior Partner, presented the results for the 2008 Resident Survey. He spoke about the study objectives; study methods, time line, executive summary, observations and recommendations, and the demographics. Mr. Downs answered questions and stated that their final report is due December 12.

Action Items:

- a) Approve the Neighborhood Council Matching Grant recommendations for the Fall 2008 cycle.
- b) Approve the award of IFB-8-2009 Purchase of Electrical Materials for Lakemont and Osceola Projects to Gresco Utility Supply, Inc.; \$43,777.88.
- c) Approve the request of the Winter Park Sidewalk Art Festival 50th Committee to fly a banner across Park Avenue for three weeks prior the Sidewalk Art Festival.
PULLED FOR DISCUSSION. SEE BELOW.
- d) Approve budget adjustment carrying forward \$83,256 in funding budgeted for various City facility projects.

- e) Approve budget adjustment rolling over \$9,959,478 in capital project budget balances from FY 2008 to FY 2009. **PULLED FOR DISCUSSION. SEE BELOW.**
- f) Approval of the Interlocal Agreement with Lynx to install and operate bus shelters within Winter Park and allow plaque advertising on the shelters and amenities.
- g) Approval of a temporary motorized vehicle for-hire permit to O-Cartz to start a pilot "green" transportation program in Winter Park.
- h) Appeal to remove a Live Oak tree located at 1411 Via Tuscany.
- i) Approve the Business Recognition Award Program.
- j) Approve the amended interlocal agreement for Public School Facility Planning and Implementation of Concurrency. **PULLED FOR DISCUSSION. SEE BELOW.**
- k) Approve the prioritization for Federal funding requests. **PULLED FOR DISCUSSION. SEE BELOW.**
- l) Discuss closing City Hall on December 26. **PULLED FOR DISCUSSION. SEE BELOW.**

Mayor Strong announced that Action Item b) was pulled from the agenda. **Motion made by Commissioner Anderson to approve Action Items a, d, f, g, h and i; seconded by Commissioner Dillaha.** Commissioner Anderson disclosed (item h) that he is a minority stockholder in one of the companies with which the petitioner is on the board. **The motion carried unanimously with a 5-0 vote.**

The following Action Items were pulled for discussion c, e, j, k and l. Mayor Strong announced that item j) would be discussed first due to scheduling issues.

Action Item j): Approve the amended interlocal agreement for Public School Facility Planning and Implementation of Concurrency.

Planning Director Jeff Briggs explained that the amended interlocal agreement provides for the consistent and coordinated implementation of school concurrency and school facility planning among and between the School Board, Orange County and Orange County municipalities. He added that it is a requirement for the comprehensive plan and for compliance with the State.

He explained that before developers come before P&Z or the City Commission they need to check in with the School Board and (with capacity) will receive the capacity reservation to move forward. However, without capacity they will enter into a Capacity Enhancement Agreement which means the developer will pay more of an impact fee of what the classrooms actually cost than the current impact fee structure.

He stated that the Commission received information at the last meeting from the Homebuilder's Association of MetroPlan Orlando and they have been philosophically different from others in their view of concurrency and its implementation. He explained those issues have been vetted through this process via the Technical Planning Committee, Legal Committee and the Political Committee. Commissioner Anderson asked if it is common to have an expiration or sunset provision in these types of agreements. Mr. Briggs commented that they could do a continual renewable rollover provision and if something happens they can deal with it.

Motion made by Commissioner Anderson to approve the amended interlocal agreement for public school facility planning and implementation of concurrency with the addition of some kind of sunset or the ability to terminate the agreement and leave counsel the opportunity to negotiate that provision; seconded by Mayor Strong for discussion.

Attorney Cheek voiced concerns that this interlocal agreement is the same form document that will be entered into by all the municipalities and the School Board. He stated they are required to have an interlocal agreement as part of the comprehensive planning process and believed the School Board would not look favorably upon us wanting our provision to be different than everyone else. He commented that if they approve this and have a problem then they could pass a resolution and this can start the process to withdraw.

Mr. Briggs stated the only way out is if school concurrency is abandoned as a concept by the Legislature. Commissioner Bridges' only concern about the motion was that she did not want to do anything to hinder the adoption of the comprehensive plan. Commissioner Anderson asked for an evergreen provision with a ten year term and an automatic renewal unless the parties call for a renegotiation. **Motion amended by Commissioner Anderson to add "subject to an evergreen provision acceptable to our counsel and School Board." Mayor Strong agreed. The motion with amendment carried unanimously with a 5-0 vote.**

Action Item c): Approve the request of the Winter Park Sidewalk Art Festival 50th Committee to fly a banner across Park Avenue for three weeks prior the Sidewalk Art Festival.

Alice Moulton, Winter Park Sidewalk Art Festival 50th Committee, stated that she originally requested approval to fly a banner across Park Avenue for three weeks prior to the Sidewalk Art Festival but now believes it will not work. She found an alternate location that would make for a better display in the park near the corner of Park Avenue and Morse Boulevard. She asked to revise her request to that particular location as opposed to across the street. Ms. Moulton answered questions.

Parks and Recreation Director John Holland stated that staff has no objection but recommends (if approved) a policy be established to control future requests. Commissioner Dillaha commented that since this is a unique event it could be a onetime allowance and suggested the Parks Board review it. She added that she is fine with the Board deciding the action and it does not need to come back to the Commission.

Motion made by Commissioner Bridges to approve the placement of the banner in the park, subject to the approval of the Parks Board; seconded by Commissioner Dillaha. The motion carried unanimously with a 5-0 vote.

Action Item e): Approve budget adjustment rolling over \$9,959,478 in capital project budget balances from FY 2008 to FY 2009.

Commissioner Anderson asked that three projects be put on hold to include the quiet zones for railroad crossings; (three) GIS projects; and form based code. He explained that he would like a hold placed on the first two until they get through the bond reissues and are underway with the meter reading project. Mayor Strong agreed with the quiet zones. City Manager Knight and staff answered questions on the carry forward capital projects (September 30, 2008).

Commissioner Anderson suggested a 6-12 month hold with the ability for the City Manager to come back to the Commission and ask for an earlier release. Commissioner Diebel commented that if Mr. Knight needs to commence a project prior to a bond issue then he could place it on the agenda versus putting a moratorium on the funds. Mr. Knight agreed with Commissioner Diebel that it be frozen and come back to the Commission for approval to spend that money.

Motion made by Commissioner Anderson to approve this budget adjustment, subject to coming back to the Commission before monies are spent on those three projects of the quiet zones, GIS projects and the form based code; seconded by Commissioner Bridges. The motion carried unanimously with a 5-0 vote.

Action Item k): Approve the prioritization for Federal funding requests.

Building Director George Wiggins provided the Commission an email regarding the Commission's input on their priority list of various projects that will be submitted for Federal funding. Commissioner Anderson had questions regarding the Lee Road extension component and was uncomfortable making it part of this request. Commissioner Bridges commented that the numeric rating of her priority list was based in part that it would involve the City of Maitland or the City of Oviedo. City Manager Knight explained that they contacted these cities however, Maitland was still working on their priorities and Oviedo wanted to widen Aloma Avenue. He stated that none of the projects seem to cross with anything that Winter Park is doing. He added that staff will continue to work with Maitland as they prepare their list and see if there are any joint projects that make sense.

Motion made by Commissioner Bridges to identify Fairbanks Avenue, Interconnection of traffic signals, the Community Center and the bike/pedestrian plan implementation as our four priorities and are prioritized as stated; seconded by Commissioner Dillaha. The motion carried unanimously with a 5-0 vote.

Action Item l): Discuss closing City Hall on December 26.

Motion made by Commissioner Diebel to approve the staff recommendation not to close City Hall on December 26; seconded by Commissioner Anderson. The motion carried unanimously with a 5-0 vote.

Public Hearings:

- a) ORDINANCE NO. 2755-08: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO WATERWAYS; AMENDING SECTION 114-1-DEFINITIONS; AMENDING SECTION 114-6 TO ADOPT STATE CODE RELATING TO SHORELINE OR WATERFRONT VEGETATION REMOVAL, TO INCREASE PENALTY FOR REMOVAL OF VEGETATION WITHOUT PERMIT, UPDATING STATE NAMED DEPARTMENT FROM DEPARTMENT OF NATURAL RESOURCES TO DEPARTMENT OF ENVIRONMENTAL PROTECTION, MODIFYING THE CONSTRUCTION OF RETAINING WALLS, SEA WALLS AND REVETMENTS; PROVIDING AN EFFECTIVE DATE. Second Reading

Attorney Cheek read the ordinance by title. No public comments were made.

Motion made by Commissioner Dillaha to adopt the ordinance; seconded by Commissioner Anderson. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried with a 5-0 vote.

- b) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO TRAFFIC LIGHT SAFETY; ADDING A NEW ARTICLE VI TO CHAPTER 98 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK ENTITLED "TRAFFIC LIGHT SAFETY ACT"; PROVIDING DEFINITIONS, INTRODUCTORY PERIOD, NOTICE OF VIOLATION/INFRACTION, APPEAL PROCEDURE; PENALTIES; EXCEPTIONS; PROVIDING FOR EXCEPTIONS; PROVIDING AN EFFECTIVE DATE. First Reading

Attorney Cheek read the ordinance by title. Police Chief Ball commented that there was a State law pending regarding this issue but the State Legislature did not take action or pass a State law. He explained that since that time, several communities have adopted City ordinances regarding the use of red light cameras at certain intersections within municipal boundaries. He asked the Commission to adopt this as they are seeking voluntary compliance with red lights to reduce accidents at intersections that have the highest number of violations occurring. He stated they have studied ordinances drafted by other communities and mirrored our ordinance with those that have already been adopted. He explained that in reviewing the statistical data from those communities with these ordinances they received a significant reduction in the number of violations occurring at those intersections where camera technology is being used. He commented that if approved, staff will issue a Request for Proposal to select a vendor for the equipment and software, perform the financial analysis and work out the details of establishing a hearing officer. Chief Ball answered questions.

Joe Terranova, 700 Melrose Avenue, spoke in favor of the ordinance.

Bob Stoccardo, 1949 Strathaven Road, spoke in favor of the ordinance and believed that State Road 436 and Aloma Avenue should be one of the priority intersections for red light cameras.

Motion made by Commissioner Bridges to accept the ordinance on first reading; seconded by Commissioner Dillaha. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.

- c) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA PROPOSING AN AMENDMENT TO THE CITY CHARTER OF THE CITY OF WINTER PARK, FLORIDA BY AMENDING SECTIONS 1.02, 2.04, 2.08 (b), 3.03, 3.04 (d) AND (e) OF THE CHARTER; PROVIDING A BALLOT TITLE AND WORDING FOR THE SUBSTANCE OF THE PROPOSED AMENDMENTS; PROVIDING FOR REFERENDUM BY THE ELECTORS OF THE CITY OF WINTER PARK FOR APPROVAL OR REJECTION OF THE CHARTER AMENDMENT PROPOSALS; PROVIDING AN EFFECTIVE DATE. First Reading

City Manager Knight explained these are "clean up items" in the Charter. He stated the second reading will be in January and this will be on the March 2009 ballot along with the Mayoral election.

Carolyn Cooper, 1047 McKean Circle, asked for further explanation of the changes being made. Mr. Knight and Attorney Cheek explained the six proposed changes in more detail. Mr. Knight

added that at the next meeting the specific ballot language will come before the Commission for their approval.

Motion made by Commissioner Anderson to accept the ordinance on first reading; seconded by Commissioner Dillaha. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.

- d) RESOLUTION NO. 2018-08: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, ADOPTING THE 2008 WINTER PARK EVALUATION AND APPRAISAL REPORT FOR THE EXISTING 1991 COMPREHENSIVE PLAN; STATING THE INTENT OF THE WINTER PARK CITY COMMISSION TO AMEND THE EXISTING 1991 COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT AND APPROVING TRANSMITTAL OF THE REPORT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTES.

Attorney Cheek read the resolution by title. Planning Director Jeff Briggs stated that in August of 2008 they transmitted the comprehensive plan to the State Department of Community Affairs (DCA) and their new 2008 comprehensive plan submission is undergoing the review via the ORC and modifications. He commented that another evaluation and appraisal report is due in December 2008. He stated they put together this document that outlines they will prepare and transmit a comprehensive plan. He added that this is not a policy document; it is illustrating the things that have changed in the City and why the comprehensive plan needs to be readopted. He stated that P&Z reviewed it last week who provided productive comments and changes were made. He addressed having gone through the procedures and hopefully will find themselves with a sufficient document when DCA reviews it.

Commissioner Diebel asked if there was anything in the EAR that references residential buildings codes. Mr. Briggs responded that there was not, but there was discussion about the need to do it and it being an ongoing process.

Motion made by Commissioner Dillaha to adopt the resolution; seconded by Commissioner Bridges. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, and Dillaha voted yes. Commissioner Diebel voted no. The motion carried with a 4-1 vote.

- c) ORDINANCE NO. 2756-08: AN EMERGENCY ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 10 "ALCOHOLIC BEVERAGES" SECTION 10-33 "HOURS OF SALE" SO AS TO AMEND THE HOURS OF SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ONLY FOR DECEMBER 31st NEW YEAR'S EVE.

Attorney Cheek read the ordinance by title. Planning Director Jeff Briggs explained that the Hannibal Square neighborhood establishments are limited to 11:00 p.m. weekdays and 12:00 a.m. on weekends. He stated this emergency ordinance will allow establishments to be open until 1:00 a.m. due to New Year's Eve. He added that they did this last year and may need to put it permanently in the code. Mr. Briggs and City Manager Knight answered questions.

Lurline Fletcher, 790 Lyman Avenue, opposed extending the hours of sale and consumption of alcoholic beverages.

April Kirsheman, on behalf of St. Michael Limited, spoke in favor of the ordinance and reported that last year there were no complaints or incidents as a result of the extension of hours.

Vincent Gagliano, Chez Vincent Restaurant, 533 W. New England Avenue, asked that his business hours of operation be extended.

Joe Terranova, 700 Melrose Avenue, spoke in favor of the ordinance and urged the Commission to support it.

Motion made by Commissioner Anderson to adopt the emergency ordinance; seconded by Commissioner Dillaha. Commissioner Anderson stated he spoke to Mr. Knight and confirmed that last year there were no significant repercussions. **Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

City Attorney's Report:

Commissioner Bridges addressed the earlier work session where she inquired about the status of the memorandum of understandings for the Friends of Mead Gardens and Friends of Fleet Peeples. Mr. Holland explained the memorandum of understanding for Friends of Mead Garden will be on the Parks and Recreation agenda. Mayor Strong suggested that each Commissioner communicate with Mr. Holland about their thoughts for the Parks Board to consider in this memorandum concerning performance standards and/or timeframes. Commissioner Dillaha stated that the Parks Board can discuss this and then come back to the Commission.

Attorney Cheek commented that there could be a standard type of provision that gives the City the right to evaluate whether the organization is meeting its commitments to the City as agreed on a regular basis. He added that he could have that ready before the next meeting and move forward. There was consensus for Attorney Cheek to proceed.

Non-Action Items:

- a) City Manager's Report.

City Manager Knight provided updates on the bond financing, Villa View Park, and the Fire Union. Mr. Briggs answered questions on the parking study update.

New Business (Public):

1. Lurline Fletcher, 790 Lyman Avenue, spoke against the asphalt being used at the Mount Moriah parking lot and against extending the hours of sale and consumption of alcoholic beverages on New Year's Eve.
2. Joe Terranova, 700 Melrose Avenue, spoke about Chez Vincent's request of extending the hours of operation and believed it should be looked at again. He stated they were not talking about converting restaurants into bars after a certain hour and should be on a trial basis.

He did not believe that Hannibal Square restaurant owners should be penalized and the hours should be the same as other establishments throughout the City.

3. Alice Laughlin, 719 Via Contessa, spoke in favor of extending the hours for businesses.
4. Vincent Gagliano, Chez Vincent Restaurant, 533 W. New England Avenue, agreed with extending the operating hours for businesses.
5. April Kirsheman, on behalf of St. Michael Limited, asked the Commission to facilitate a project at 354 East Hannibal Square regarding the rebuilding of a convenient store from one side of the road to the other. She stated they have a foundation permit issued for this property but it cannot be built until the new comprehensive plan is in place, then the Building Department can issue the vertical permit. She asked for a mechanism to allow them to issue that permit because she fears they will lose their financing. She explained the comprehensive plan entitles them to the zoning they need to build this building.

Building Director George Wiggins explained they can allow vertical construction that complies with the current R-3 zoning but until the ordinance is changed to the C-2 zoning to allow the development they are proposing he cannot authorize legal vertical construction in violation of our current code. Ms. Kirsheman expressed they cannot build an R-3 building and have it be in compliance with what has been adopted. Mr. Wiggins suggested that staff confer with Ms. Kirsheman and see if there is any type of interim ordinances that can be created to allow the vertical construction to comply with both the existing code and what will take place after the comprehensive plan is adopted. Ms. Kirsheman agreed.

6. Beth Lewis, adjacent owner to Villa View Park, 1241 Oaks Boulevard, objected to a six foot concrete stucco wall being built along the side of her house. It was her understanding that there was going to be a black wrought iron fence with shrubbery and greenery and brick posts every six feet. She voiced concerns that the view from the two bedroom side windows would be the wall (showed pictures) and air flow will be cut off to the large tree in the back yard. She asked the Commission to consider an alternative to the wall.

Shay Silver, 735 Pansy Avenue, spoke in favor of the wall being built and stated they are conforming to code. She also read a letter written by Michelle Rodriguez regarding the process they have gone through for Villa View Park and urged the Commission to move forward with the build out.

Shelly Silver, 735 Pansy Avenue, stated the plans have been approved and they need to move forward.

Betty Talon, 1170 Kenwood Avenue, asked the City to follow through with the park and spoke in favor of having the park somewhat enclosed with the wall.

Randy Lewis, 1241 Oaks Boulevard, expressed that they did not see the wall rendering and realtors have told them this will affect the value of their property. He stated that he has seen walls that are not maintained and it will devalue his property.

Parks and Recreation Director John Holland stated the City wants to be a good neighbor and explained that the design of the park incorporates the wall as a feature within the park. He presented an illustration and explained that he spoke to Ms. Lewis about other options but told

her it would still be a wall. He stated the project is underway and it will be a visual park with extensive landscaping, a fountain in the middle, and the tree covering. He added that the wall will create privacy and be considered more of a benefit than a deterrent and it will be maintained by the City. He commented that it is usually a common practice to screen parks from private residential areas. He asked the Commission for guidance and stated they will either make changes with their direction or continue with the plan as is. Mr. Holland answered questions.

Betty Talon, 1170 Kenwood Avenue, spoke about the design of the park and that the wall is for privacy for both the neighbors and the people in the park.

Mayor Strong commented that if a house was being built there could be a wall. He stated it is something that could be there in any circumstance and believed they were revisiting something that staff already spent a lot of time on and this was not a matter for the Commission to go over again. He stated he had no objection if staff wants to find a compromise that everyone can live with and is confident with whatever staff decides. Commissioner Dillaha commented that it is a neighborhood park and it would be great to find resolution that works for everyone.

Mr. Holland recommended the wall be 6 foot high to a point just past the rear of the house, five (5) foot high to the front porch, then a four (4) foot high wrought iron fence to the sidewalk. Mayor Strong suggested they give staff the authority to complete the design and construct it as they feel most appropriate, after having explored possible compromises. There was consensus on the directive to staff.

New Business (City Commission):

1. Commuter rail follow up discussion of the December 1 work session.

Commissioner Dillaha commented that she wanted to follow up with Mr. Bellows presentation on commuter rail from the December 1 work session, but realized there was nothing to discuss about his proposal given that there is no project that exists there right now.

2. Commissioner Anderson commented that he wanted to have a casual work session with Mr. Bellows to speak about the Home Acres project. Commissioner Bridges believed that the work session with Mr. Bellows will also help facilitate an understanding of the commuter rail/electric infrastructure discussion.

3. Commissioner Anderson commented that there will be a work session on December 15 to discuss the CRA and possibly discuss people's different perceptions of a pilot program for the merchants.

4. Commissioner Anderson asked for a staff report on Fleet Peoples Park and to look at the maintenance and operation, if it meets our environmental issues, and if the people using it are being respectful of the property, etc. Mr. Holland explained that on December 10 the Parks and Recreation Board will set a date to discuss that issue. Mayor Strong asked they be informed so they can attend, if they choose.

5. Commissioner Bridges asked that the economic development information also be included on the December 15 work session discussion.

6. Commissioner Dillaha asked about considering drafting a resolution for the next meeting to go to Tallahassee regarding using cell phones and sending text messages while driving. Mayor Strong stated he would like to hear staff's input before they draft anything.

7. Commissioner Dillaha commented that she attended the last MetroPlan meeting who had an updated report on dedicated funding. She will provide that to the Commission.

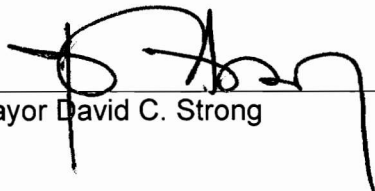
8. Commissioner Diebel commented that from our survey results there is no clear mandate to take up any revision in the residential building codes and would like the Commission to consider re-diverting Planning and Zoning and staff resources away from those discussions until the comprehensive plan is adopted.

Building Director George Wiggins explained he has contacted a consultant and is waiting to hear a proposal for a Residential Code work session in January. He stated they need to proceed in a timely manner because there is an exact Floor Area Ratio (FAR) that is dictated at 38% within the proposed comprehensive plan. He stated that whether or not there are any modifications it would be helpful to have this work session in advance of the adoption of the comprehensive plan.

Commissioner Diebel reiterated that she would like to defer these discussions so that the comprehensive plan can be adopted in a timely manner. Mr. Briggs explained that right now the rules permit under the alternate 43% FAR and the Commission in the comprehensive plan put 38% pending whether to keep it 38% or 43% by the time they adopt the comprehensive plan. He stated if they go forward as it is written now at 38% they will not be able to issue a building permit up to 43% even though the zoning will say that. Commissioner Diebel commented that her motion for consideration at the next meeting will be to repeal what was adopted with this one element and stay with the 43% until we can appropriately consider both the consultants work and the communities input.

Peter Weldon, 700 Via Lombardy, stated he agreed with the process of reviewing the residential codes and supports Commissioner Diebel's suggestion that they consider changing the comprehensive plan from 38% to 43% so that it is consistent with our current code structure.

The meeting adjourned at 7:19 p.m.



Mayor David C. Strong

ATTEST:



Cynthia S. Bonham, City Clerk



Lakes and Waterways Board Minutes

July 13, 2021 at 12:00 p.m.

Beary Room
500 N Virginia Ave. | Winter Park, Florida

Present

Debbie Cunningham, Warren Bloom, Paul Missigman, Chase Heavener, Ed Webman

Absent

Lindsay Eriksson Siddiqui

Robert Bendick

Call to order

Meeting called to order by Chairwoman Debbie Cunningham at 12:05pm

Consent Agenda

Approve Minutes 0608.21- Motion made by Ed Webman to approve the minutes seconded by Paul Missigman motion carries unanimously.

Staff Updates

- **Sustainability - Vanessa Balta Cook**

Sustainability has now been placed under the communications department. Litter clean up in person events are set for September 26th and November 6th. NPDES yearly report will reflect 62 clean ups majority being self-directed, with nearly a ton of liter collected by 155 volunteers.

- **Winter Park Police - Luke Hofer**

Police are out patrolling the water, completed 21 safety inspections, 23 vessels stopped, 6 warning, and 1 citation issued over the course of 10 patrols. Police and the Lakes Department have suggested Sea Tow to residents to assist with vessel towing.

- **Stormwater Management - Don Marcotte**

Don presented the board with the 5 year plan for the City's Stormwater accounts. Discussed what is funded through the stormwater drainage account. Board has requested to see the overall context of money as it refers to Lakes. Motion to approve the Capital Projects budget by Warren Bloom and seconded by Ed Webman.

- **Lakes Management - Megan Johansson**

Megan has continued the phasing out process of the door hangers regarding herbicide treatments in the lakes. Residents have been receiving information about the Lakes e-notifications. A letter is being sent to all lake front property owners showing October 1st as the active date for the e-notifications. Board inquired if the e-notifications will be used for other things. Board also asked

about water testing and if that could be put through the e-notifications. Communications is also putting the information on the City's website. Herbicide treats have been difficult lately due to increased rain.

Citizen Comments - items that are not currently on the Agenda

Action Items

- **Revetment Slope Code**

Staff presented the board with details regarding revising the current 3:1 slope code back to the original 2:1 slope. State requirements are 2:1 which is what is used in most municipalities. The current 3:1 slope is not practical as it makes it hazardous to boats as well as difficult to abide to the plant code. ***Motion made by Paul Missigman to recommend for City Commission approval; seconded by Warren Bloom. Motion passed unanimously.***

- **Revision to boathouse/dock permitting process**

Staff suggested moving single resident code compliant boathouse applications to Planning and Zoning Department. Applications needing a variance will still be brought to the Lakes & Waterways Board for their approval. Vegetation compliance will continue to be reviewed by Lakes. By changing the permitting process this allows the board to focus more on aquatic matters like water quality, aquatic plant management, stormwater projects, education and outreach. ***Motion made by Warren Bloom to table until more specific language is presented; seconded by Paul Missigman. Motion passed unanimously.***

Public Hearings

- **SAP-2021-0029: Request by Taylor Kessel new boathouse application for 2023 Venetian Way**

Staff provided details of the application, answered questions and recommends approval. After discussion; ***motion made by Warren Bloom to approve the application as presented; seconded by Ed Webman. Motion passed unanimously.***

- **BLDR 2021-1729: Request by Linda Cegelis new boathouse application for 1200 Lakeview Drive**

Staff provided details of the application, answered questions and recommends approval. After discussion; ***motion made by Ed Webman to approve the application as presented; seconded by Chase Heavener. Motion passed unanimously.***

- **1128 Preserve Point: Request by Thomas and Jana Landreth new boathouse application for 1128 Preserve Point Drive**

Staff provided details of the application, answered questions and recommends approval. After discussion; ***motion made by Warren Bloom to approve the application as presented; seconded by Ed Webman. Motion passed unanimously.***

- **540 Country Club Drive: Request by Lawrence Moskowitz new boathouse application for 540 Country Club Drive**

Staff provided details of the application, answered questions and recommends approval. After discussion; ***motion made by Chase Heavener to approve the application as presented; seconded by Paul Missigman. Motion passed unanimously.***

Board Comments

Adjournment

Meeting adjourned at 1:53pm

Next meeting scheduled for August 10, 2021 at 12pm.

Revision Change Request – Revetment

Sec. 114-1 & 114-6 – Lakeshore Protection

Revision: change revetment slope from 3:1 to 2:1

Rule was changed from 2:1 to 3:1 in 2010 without basis, over staff recommendation. There is no scientific basis stating 3:1 is better than 2:1. In some cases, like vertical seawall, 3:1 is impractical due to the distance out from the seawall if the seawall is 3' or greater. A 3' seawall means the riprap would go out 9' out into water potentially posing a hazard to the Army Corps of Engineers recommends and enforces a 2:1 slope.

FDEP 62-330.431 General Permit for Installation of Riprap.

(1) A general permit is granted to any person to install riprap:

(a) At the toe of an existing vertical seawall, provided the slope of the riprap is no steeper than two horizontal to one vertical and the horizontal distance from the toe of the seawall to the toe of the riprap is no more than 10 feet;

Changes are seen below, text to be removed is in red font and strikethrough, and text to be added has been underlined.

- ☐ 114-1 Definitions. - *Revetment* means any sloped structure with a horizontal to vertical slope of 2~~3~~:1 or greater that is constructed of rock, other aggregate material, or concrete intended to protect the shoreline against erosion or water action.
- ☐ 114-6(b)(3) Lakeshore Protection. - Applications for seawalls or revetments should be considered favorably only when the structure is a dire necessity to stem erosion that is markedly different from that experienced in general. On lakefronts, vertical seawalls shall be disallowed in favor of sloped riprap revetments (minimum slope shall be 2:1) that allow wave energy dissipation and allow shoreline vegetation to propagate. Vertical sheet pile, with a nonvertical riprap face, may be allowed on a case-by-case basis if the riprap is placed on a minimum slope requirement, or vegetation disturbance during construction provided that the entire face of the vertical component is covered by the sloped riprap component, the minimum slope requirement, and the elevation of the vertical component does not exceed the natural ground elevation. Vertical seawalls may be allowed on a case-by-case basis if other altered water bodies where sloped revetments could interfere with navigation, or where conditions make the construction of sloped revetments impractical for reasons is not sufficient justification. The review by the city advisory boards and city commission shall include the environmental ramifications of the request, if the request is for the lake or stream as a whole and the specific shoreline characteristics of the property involved. Approvals of any shoreline modification shall be the minimum condition of the seawall/revetment permit, shorelines that do not meet the vegetation standards of this section (subsection 114-6(a)) shall be required to be placed on a minimum of 50 feet, or 50 percent (whichever is less) of the shoreline remains clear of vegetation.



City Commission **agenda item**

item type	Public Hearings	meeting date	January 26, 2022
prepared by	Nicholas Lewis	approved by	
board approval			
strategic objective			

subject

Request of Z Properties for: Approval to grant an easement to enlarge and maintain the city-owned retention pond located behind 341 N. Pennsylvania Avenue and to route stormwater retention from previously approved office building located at 301 N. Pennsylvania Avenue to the city-owned retention area. This item was continued from the December 8, 2021 meeting. **(Staff is requesting continuance to February 9, 2022)**

motion / recommendation

background

alternatives / other considerations

fiscal impact