

Regular Meeting

45 minutes

October 28, 2013 3:30 p.m. Commission Chambers

	comr	nissi	oners	mayor	commissioners				
seat 1	Steve Leary	seat 2	Sarah Sprinkel	Kenneth W. Bradley	seat 3	Carolyn Cooper	seat 4	Tom McMacken	

welcome

Welcome to the City of Winter Park City Commission meeting. The agenda for regularly scheduled Commission meetings is posted in City Hall the Tuesday before the meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's Web site at www.cityofwinterpark.org.

meeting procedures

Persons desiring to address the Commission MUST fill out and provide to the City Clerk a yellow "Request to Speak" form located by the door. After being recognized by the Mayor, persons are asked to come forward and speak from the podium, state their name and address, and direct all remarks to the Commission as a body and not to individual members of the Commission, staff or audience.

Citizen comments at 5 p.m. and each section of the agenda where public comment is allowed are limited to three (3) minutes. The yellow light indicator will remind you that you have one (1) minute left. Large groups are asked to name a spokesperson. This period of time is for comments and not for questions directed to the Commission or staff for immediate answer. Questions directed to the City Commission will be referred to staff and should be answered by staff within a reasonable period of time following the date of the meeting. Order and decorum will be preserved at all meetings. Personal, impertinent or slanderous remarks are not permitted. Thank you for participating in your city government.

agenda

1	Meeting Called to Order	
2	Invocation Reverend Anthony Borka, St. Dorothy Catholic Community Pledge of Allegiance	
3	Approval of Agenda	
4	Mayor's Report	Projected Time
	 a. Proclamation – Feed the Need Month b. Presentation - Finalist Plaque for the 2013 National Gold Medal Awards for Excellence in Park and Recreation Management 	

d. Presentation - National WateReuse Project of the Year - Winter Park Estates Wastewater Treatment Facility Award

e. Presentation - Electric Utility Community Service Award

f. Appointment to MetroPlan Orlando Citizens Advisory Committee

c. Presentation - Achievement for Excellence in Financial Reporting from the Government Finance Officers Association Award

5 City Manager's Report **Projected Time 6** City Attorney's Report **Projected Time** 7 Non-Action Items **Projected Time** 10 minutes a. August 2013 Financial Report Citizen 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 (3) minutes are allowed for each speaker; not to exceed a total of 30 minutes for this portion of the meeting) 9 Consent Agenda **Projected Time** a. Approve the minutes of 10/14/13. b. Cancel the December 23, 2013 Commission meeting due to the holidays. c. Approve the following purchases and contracts: 1. Blanket Purchase Order to Layne Inliner for Sewer Line Rehabilitation cleaning and video recording and authorize the Mayor to execute Piggyback contract; \$6,000,000. 2. Renewal and Purchase Order 151223 to Brown & Brown of Florida, Inc. for Insurance Agent of Record (RFP-13-2012); \$100,000. 3. Purchase request for new tasers and equipment from Taser International and subsequent purchase order for the replacement of tasers using forfeiture funds; \$73,204.67. 4. After the fact PO 151311 to Winter Park Public Library for FY14 organizational support; \$1,364.560. 5. Blanket Purchase Order to Brown, Garganese, Weiss & D'Agresta for attorney services (RFP-21-2009); \$312,000. 6. Blanket Purchase Order to Mead Botanical Garden, Inc. for 5 minutes contribution to capital improvements; \$185,000. 7. Blanket Purchase Order to Winter Park Historical Association for FY14 Organizational Support; \$70,000. 8. Blanket Purchase Order to William J. Peebles for State Lobbyist Services \$52,000. 9. Blanket Purchase Order to BGR Government Affairs for Federal Lobbyist Services; \$56,000. 10. Products and Services Agreement with Centurylink Sales Solutions, Inc. Amendment 3 for RFP-16-2010, Emergency Debris Management Services; and authorize the Mayor to execute the Agreement; \$5,331. 11. Piggybacking the City of Orlando Contract, BI09-2518 with United Site Services of Florida for portable toilet rental and authorize the Mayor to execute the piggyback contract.

d. Authorize the Mayor to execute the First Amendment to the Native Load Firm Fixed Capacity and Partial Requirements Transaction Confirmation between the City of Winter Park, FL and Florida Power & Light Company dated August 12, 2013.

10	Δα	tion Items Requiring Discussion	Projected Time
		City Manager evaluation	15 minutes
		Request for a partial use fee waiver for use of the West Meadow for	15 minutes
	υ.	the Harvest Festival to be held on Saturday, November 23, 2013.	15 minutes
	_	Settlement proposal – City of Winter Park v Maxmedia et al.	10 minutes
	C.	Settlement proposal. City of winter rank v maximedia et al.	10 minutes
11	Pι	ıblic Hearings	Projected Time
		Ordinance - Amending Chapter 26 Article III "Film Industry" to	5 minutes
		streamline the film permitting process and amend certain provisions	
		(2)	
	h.	Ordinance – Amending the Firefighters' Pension Plan (2)	5 minutes
		continued of the contin	
	c.	Request of Windermere Winter Park Ventures LLC:	
	٠.	- Conditional use approval to build a new two story, 15 unit	
		residential condominium project at 472 and 510 W. Swoope	15 minutes
		Avenue, zoned R-3 with a variance for a 10' side setback on the	
		west side in lieu of the required 20'.	
	d.	Request of Windermere Winter Park Ventures LLC:	
		- Amend their conditional use approval to remove the prohibition	10 minutes
		on garage doors versus open carports at the two story, 9 unit	
		residential condominium building under construction at 434-444	
		W. Swoope Avenue, zoned R-3.	
	e.	Request of Aloma Avenue Holdings LLC:	10 minutes
		- Ordinance - Change the existing zoning of Multi-Family	
		Residential (R-3) District to Office (O-2) District at 409 St.	
		Andrews Boulevard. (1)	
	f.	Resolution - Restating and accepting Resolution No. 1978-07	
		regarding rules for the conduct of City Commission meetings, as well	15 minutes
		as other subjects addressed in that resolution; and adding two	
		sections to comply with Chapter 2013-227, Laws of Florida, and	
		authorizing the City Manager to provide for certain areas to remain	
		open during Commission meetings and to prohibit persons not	
		specifically invited by the Commission to address the Commission	
		from certain areas.	
	g.	Ordinance - Amending Section 2-48, General rules applicable to	10 minutes
		subsidiary boards of the City (1)	

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h. Request of Winter Park Hospital:

Approval of the final plans for a new four story, five level parking garage, per the Winter Park Hospital Master Plan approved on April 25, 2005.

30 minutes

12 City Commission Reports a. Commissioner Leary – Morse Boulevard/New York Avenue Parking b. Commissioner Sprinkel c. Commissioner Cooper d. Commissioner McMacken

appeals & assistance

e. Mayor Bradley

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

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

item type

City Manager's Report

meeting date

October 28, 2013

Below are issues of interest to the Commission and community that are currently being worked on by staff, but do not currently require action on the Commission agenda. These items are being tracked to provide the Commission and community the most up to date information regarding the status of the various issues. The City Manager will be happy to answer questions or provide additional updates at the meeting.

issue	update	date
Lee Road Median Update	Permit received. Developing construction schedule and bidding tree acquisition.	Installation to begin in November 2013
Fairbanks Improvement Project	Duke Energy continuing to study transmission/distribution lines between I-4 and 17-92. FDOT has approved funding for PEF project engineering. PEF and FDOT have executed the engineering agreement. Engineering is scheduled for completion Spring 2014. Survey for electric undergrounding started.	Construction Project Contractor behind schedule. Connection to sewer instructions posted on City website.
	 Communication Notices Jackson lift station undergoing startup testing. Working with future customers regarding connection to gravity sewer. 	
Amtrak/SunRail Station	Roof tiling being constructed. Amtrak parking lot improvements underway. Constructing underground utilities.	Building complete January 2014 SunRail complete May 2014
Quiet Zones	FDOT consultant still reviewing concept plans.	Ongoing coordination with MetroPlan and FDOT.
Wholesale Power Supply	Power supply portfolio approved by Commission 6/24. Contract negotiations with 2 remaining suppliers are underway.	November-December 2013
Territory Negotiations	Duke Territorial Agreement on agenda	Completed.
New Hope Baptist Church Project	The Pastor recently authorized additional work with a new project manager who has completed the skirting on the portables, placed the handicap ramp and steps in place, performed grading on the site and hired a new plumber to complete work on the restrooms. The daughter of the Pastor is still pursuing licensing w/DCF as a faith based child care facility.	Fall of 2013 (per Pastor)

Alfond Inn	Additional drainage improvements have been installed to resolve drainage issues.	
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Once projects have been resolved, they will remain on the list for one additional meeting to share the resolution with the public and then be removed.

Financial Report

For the Month of August (92% of fiscal year lapsed)

Fiscal Year 2013

General Fund

Below is an analysis of the General Fund revenues:

	Adjusted Budget	Projected Variance	Comments
Property taxes	14,174,500	variance ()	Comments
Franchise fees	1,103,800	(57,000)	Largest negative variance is electric franchise fee revenues due to lower sales of kWh
Utility taxes	6,768,216	(117,000)	Big negatives are electric utility tax due to lower sales of kWh and communication services tax
Business license tax	472,000	7,000	
Building permits	1,450,500	620,000	Increased construction activity has improved fee permit revenues
Other licenses & permits	21,500	0	
Intergovernmental	6,069,928	51,000	Sales tax revenue has improved nicely in recent months. Gas tax revenues have decreased.
Charges for services	5,010,068	235,000	Fire inspection fee revenues are up as a result of the increased construction activity and ambulance transport revenues have also improved.
Fines and forfeitures	1,397,600	(84,000)	Traffic fines are a bit less than projected
Miscellaneous	683,381	(700,000)	The City invests money in excess of immediate needs in fixed income government bonds. Discussion by the Federal Open Market Committee about "the gradual approach to the end of monetary easing" has driven yields up in the market. Higher market yields mean the market value of fixed income bonds we already own go down. We follow a "buy and hold" investment strategy so we do not expect to actually lose any money at all on our investments. As they approach maturity their market value will go up to equal the par value of the bond. In the meantime, we are experiencing "unrealized" losses as we adjust the value of our portfolio to its estimated market value each month.
Transfers from other funds	8,475,392	108,000	Increases in electric fuel cost recovery rates should improve our electric franchise fee equivalent revenues
	45,626,885	63,000	

Preliminarily, it looks like departmental expenditures will be within budget. We will know more as final invoices for goods and services received by the City in September are received and processed for payment in October and November.

Community Redevelopment Agency Fund

The CRA was credited with tax increment revenue from both the City and County in December. The decrease in comparison to the prior year is due to the 2.05% decrease in valuation.

Planning and Development expenses appear ahead of budget but this is due to some work already having been completed for the full fiscal year such as the ice rink. Costs are expected to be within budget for the fiscal year.

The large debt service expenditure and debt proceeds revenue are from the refunding of the 2003-1, 2003-2, 2005-1 and 2005-2 CRA revenue notes. This refunding is expected to result in annual savings of approximately \$60,000 without extending the maturity of the debt.

Water and Sewer Fund

Water sales in terms of thousands of gallons are down about 6.25% in comparison to the prior year.

Revenues in total are projected to be close to on track with budget. Sewer revenues will exceed the budget estimate and water revenues will be short of the annual estimate.

Projections for annual sales in both dollars and gallons take into consideration the seasonality of water usage trends.

Negative investment earnings of (\$458,726) reflect unrealized losses on the City's investment portfolio. As interest rates have risen in the past few months, the market value of fixed rate investments has decreased. Staff does not expect to realize significant losses as we follow a "buy and hold" investment strategy and only sell securities when extra cash is needed to meet liquidity needs. Usually, the loss on sale is made up by investment earnings received during the time the security was held.

Bottom line for the eleven months ended August 31 is a positive \$1,010,141 and debt service coverage is projected to be a very strong 1.87 for the fiscal year.

Electric Services Fund

Electric sales in kWh are projected to be about 18.8M short of our original estimate. The total projection of 411,802,765 is very close to our final total for the previous fiscal year of 413,795,957.

The benefits of our favorable bulk purchase contracts are evident throughout this report. Our cost of purchasing electricity declined from \$0.0815/kWh in FY 2010 to \$0.0553 in FY 2012.

Both fuel revenues and fuel expenses show a decline as a result of lower natural gas prices. We endeavor to keep fuel costs at breakeven for our customers. In May 2009, the City Commission approved a policy providing for quarterly adjustments to fuel rates to keep them as close to costs as possible. This report shows those costs and revenues have been fairly consistent beginning with FY 2010. Fuel cost recovery rates were adjusted upward effective April 1, 2013 to and again effective July 1, 2013 keep pace with fuel costs.

Annualized sales in terms of both kWh and dollars take into consideration the seasonality of electric sales.

Negative investment earnings of (\$173,677) reflect unrealized losses on the City's investment portfolio. As interest rates have risen in the past few months, the market value of fixed rate investments has decreased. Staff does not expect to realize significant losses as we follow a "buy and hold" investment strategy and only sell securities when extra cash is needed to meet liquidity needs. Usually, the loss on sale is made up by investment earnings received during the time the security was held.

Bottom line for the eleven months ended August 31 a positive \$2,347,704. The bottom line would be stronger except fuel costs were under recovered from October to August by about \$390,000. Fuel cost recovery rates were increased again on July 1 and this will help bring our revenues more in line with our fuel costs.

Debt service coverage is projected to be 2.80 for the fiscal year. Actual debt service coverage should be better as the higher fuel cost recovery rates increase revenues over the next few months. Annual debt service coverage should be in the 2.70 - 2.90 range.

The City of Winter Park, Florida Monthly Financial Report - Budget vs. Actual General Fund Fiscal YTD August 31, 2013 and 2012 92% of the Fiscal Year Lapsed

				Fiscal YTI	Ο Αι	ugust 31, 2	01	3				Fiscal YTD August 31, 2012				2		
		Actual				В	udg	jet				Actual				Budget		
		YTD	YTD %	Original Annual		Adjusted Annual *		Prorated Adj. Annual		Variance from Prorated Adj. Annual	_	YTD	-	Adjusted Annual		Prorated Adj. Annual	_	Variance from Prorated Adj. Annual
Revenues: Property Tax	\$	13,938,024	107%	\$ 14,174,500	\$	14,174,500	\$	12,993,292	\$	944,732	\$	14,004,586	\$	14,265,000	\$	13,076,250	¢.	928,336
Franchise Fees	Φ	894,962	88%	1,103,800		1,103,800	φ	1,011,817	φ	(116,855)	Φ	888,218	φ	1,132,500	φ	1,038,125	φ	(149,907)
Utility Taxes		5,630,655	91%	7,048,216		6,768,216		6,204,198		(573,543)		5,547,364		6,717,000		6,157,250		(609,886)
Occupational Licenses		477,878	110%	472,000		472,000		432,667		45,211		470,479		459,500		421,208		49,271
Building Permits		1,896,817	143%	1,340,500		1,450,500		1,329,625		567,192		1,788,809		1,249,050		1,144,963		643,846
Other Licenses & Permits		24,195	123%	21,500		21,500		19,708		4,487		22,400		21,000		19,250		3,150
Intergovernmental		4,904,802	88%	6,179,928		6,069,928		5,564,101		(659,299)		4,862,049		6,118,315		5,608,455		(746,406)
Charges for Services		4,861,577	106%	5,010,068		5,010,068		4,592,562		269,015		4,441,256		4,939,600		4,527,967		(86,711)
Fines and Forfeitures		1,188,675	93%	1,287,600		1,397,600		1,281,133		(92,458)		852,433		1,030,200		944,350		(91,917)
Miscellaneous		(197,926)	-32%	683,381		683,381		626,433		(824,359)		467,887		556,457		510,086		(42,199)
Fund Balance		(197,920)	-32%	003,30								407,007		,		589,335		
Fund Balance	_	-		·	+	616,788	1	565,389		(565,389)	-	-	-	642,911		589,335	-	(589,335)
Total Revenues		33,619,658	97%	37,321,493	<u>.</u>	37,768,281	_	34,620,925		(1,001,267)	-	33,345,481	-	37,131,533		34,037,239	_	(691,758)
Expenditures:																		
City Commission		20.604	93%	24.077		24.077		22,071		1,467		25,274		22,376		20.511		(4,763)
Legal Services - City Attorney		326,862	148%	240,236		240,236		220,216		(106,646)		205,833		240,236		220,216		14,383
Legal Services - Other		26,119	47%	60,000		60,000		55,000		28,881		97,617		110,000		100,833		3,216
Lobbyists		86,543	80%	118,000		118,000		108,167		21,624		100,490		116,000		106,333		5,843
City Management		440,992	96%	501,161		501,383		459,601		18,609		427,500		487,729		447,085		19,585
Budget and Performance Measurement		68,689	0%	001,101		-		100,001		(68,689)		127,000		107,720		- 117,000		-
City Clerk		172,196	92%	237,843	:	203,145		186,216		14,020		175,326		214,071		196,232		20,906
Communications Dept.		398,982	94%	461,681		463,895		425,237		26,255		379,928		443,574		406,610		26,682
Information Technology Services		994,465	87%	1,212,642		1,241,789		1,138,307		143,842		1,092,601		1,343,592		1,231,626		139,025
Finance		733,333	96%	830,673		831,058		761,803		28,470		724,492		808,588		741,206		16,714
Human Resources		222,181	97%	249,430		250,789		229,890		7,709		227,949		285,245		261,475		33,526
Purchasing		215,839	105%	211,301		225,011		206,260		(9,579)		124,440		206,965		189,718		65,278
Planning & Community Development		424,304	78%	575,441		592,782		543,384		119,080		548,340		643,641		590,005		41,665
Building		844,710	92%	1,375,881		1,002,095		918,587		73,877		1,135,411		1,292,765		1,185,034		49,623
Economic Development		71,813	37%	100,000		211,398		193,782		121,969		1,135,411		163,402		149,785		149,785
Public Works		6,102,591	96%	6,804,278		6,942,130		6,363,619		261,028		6,217,570		6,931,798		6,354,148		136,578
Police		10,804,623	93%	12,739,143		12,717,307		11,657,531		852,908		10,260,548		11,901,252		10,909,481		648,933
Fire		9,354,813	101%	9,858,414		12,717,307		9,275,546		(79,267)		8,516,363		9,351,829		8,572,509		56,146
Parks & Recreation		6,093,525	97%	6,576,086		6,879,703		6,306,394		212,869		5,842,417		6,586,218		6,037,367		194,950
Organizational Support		1,415,597	101%	1,536,560		1,536,560		1,408,513		(7,084)		1,428,111		1,550,212		1,421,028		(7,083)
Non-Departmental		1,415,597	101%	224,000		150,000		1,408,513		137,500		1,428,111		397,500		364,375		364,375
·		20 010 701	96%	42 026 947							_	27 520 240	_	42,006,002		·		
Total Expenditures Revenues Over/(Under)		38,818,781	90%	43,936,847		44,310,135		40,617,624		1,798,843		37,530,210		43,096,993		39,505,577		1,975,367
Expenditures		(5,199,123)	87%	(6,615,354)	(6,541,854)		(5,996,699)		797,576		(4,184,729)		(5,965,460)		(5,468,338)		1,283,609
		(-,,)	J. 70	(2,0.2,00	•	(-,,,)		(-,,)		,		(,, ,, ,, , , , , , , , , , , , , , ,		(-,-20,.30)		(-, -20,000)		,_55,556
Operating transfers in		7,793,638	100%	8,655,392	2	8,475,392		7,769,109		24,529		7,327,589		8,432,000		7,729,333		(401,744)
Operating transfers out	_	(1,763,535)	99%	(2,040,038	3)	(1,933,538)		(1,772,410)		8,875	_	(2,280,995)	_	(2,466,540)		(2,260,995)	_	(20,000)
Other Financing Sources/(Uses)	_	6,030,103	101%	6,615,354		6,541,854		5,996,699		33,404	_	5,046,594	_	5,965,460		5,468,338	_	(421,744)
Total Revenues Over Expenditures	\$	830,980		\$	\$	-	\$	-	\$	830,980	\$	861,865	\$	-	\$		\$	861,865

^{*} As adjusted through August 31, 2013

The City of Winter Park, Florida Monthly Financial Report - Budget vs. Actual Community Redevelopment Fund Fiscal YTD August 31, 2013 and 2012 92% of the Fiscal Year Lapsed

			Fiscal YTD	August 31,	Fiscal YTD August 31, 2012						
	Actu	al		E	Budget		Actual		Budget		
	YTD	YTD %	Original Annual	_		Variance from Prorated Adj. Annual	YTD	Adjusted Annual	Prorated Adj. Annual	Variance from Prorated Adj. Annual	
Revenues:	-				Adj. Annual						
Property Tax Intergovernmental	\$ 2,003,379	108% 0%	\$ 2,024,000	\$ 2,024,000	\$ 1,855,333 -	\$ 148,046 -	\$ 2,090,102	2,107,423	\$ 1,931,804 -	\$ 158,298 -	
Charges for services	205,358	0%	175,940	175,940	161,278	44,080	134,044	162,000	148,500	(14,456)	
Miscellaneous	(99,364)	-428%	· · · · · · · · · · · · · · · · · · ·	25,300	23,192	(122,555)		25,000	22,917	17,960	
Fund Balance	-	0%	37,478	55,845	51,191	(51,191)		1,039,263	952,658	(952,658)	
Total Revenues	2,109,373	101%	2,262,718	2,281,085	2,090,995	18,379	2,265,023	3,333,686	3,055,879	(790,856)	
Expenditures: Planning and Development Capital Projects	716,788	107% 0%	715,435	733,802	672,652	(44,136)	204,191 268,280	605,283 1,145,980	554,843 1,050,482	350,652 782,202	
Debt service	7,283,160	513%	1,547,283	1,547,283	1,418,343	(5,864,817)	,	1,550,823	1,421,588	197,675	
Total Expenditures	7,999,948	383%		2,281,085	2,090,995	(5,908,953)		3,302,086	3,026,913	1,330,529	
Revenues Over/(Under) Expenditures	(5,890,575)	100%	-	-	-	(5,890,575)	568,639	31,600	28,966	539,673	
Debt proceeds Operating transfers out	5,870,000	- 0%				5,870,000	- (10,533)	(31,600)	(28,967)	- 18,434	
Other Financing Sources/(Uses)	5,870,000	0%				5,870,000	(10,533)	(31,600)	(28,967)	18,434	
Total Revenues Over/(Under) Expenditures	\$ (20,575)		\$ -	\$ -	\$ -	\$ (20,575)	\$ 558,106	-	\$ (1)	\$ 558,107	

^{*} As adjusted through August 31, 2013

WINTER PARK WATER AND WASTEWATER METRICS August 31, 2013

	FY 2013							FY 2012		
	FY 2013 YTD		FY 2013 Annualized		FY 2013 Budget		Projected Variance from Budget	FY 2012 YTD	FY 2012 in Total	
Operating Performance:										
Sales (in thousands of gallons)										
Inside City	1,832,750		2,006,354		1,972,529		33,825	1,937,418	2,186,360	
Outside City	1,258,120		1,377,293		1,424,105		(46,812)	1,359,303	1,472,560	
Total	3,090,870		3,383,647		3,396,634		(12,987)	3,296,721	3,658,920	
Operating revenues: ¹										
Sewer - inside city limits	\$ 5,870,847	\$	6,406,983	\$	6,008,000	\$	398,983	6,066,878	6,628,333	
Sewer - outside city limits	6,469,605		7,040,481		6,595,000		445,481	6,702,804	7,337,342	
Water - inside city limits	6,306,676		6,947,038		8,047,000		(1,099,962)	6,466,591	7,264,552	
Water - outside city limits	4,804,751		5,235,109		5,558,000		(322,891)	4,477,605	4,890,304	
Other operating revenues	1,283,163		1,399,814		1,197,000		202,814	1,300,594	1,396,248	
Total operating revenues	24,735,042		27,029,425		27,405,000		(375,575)	25,014,472	27,516,779	
Operating expenses:										
General and adminstration	1,411,001		1,539,274		1,681,263		141,989	1,371,407	1,716,877	
Operations	9,858,941		10,755,208		12,221,999		1,466,791	10,257,769	11,322,930	
Wastewater treatment by other agencies	2,917,846		3,183,105		3,412,000		228,895	2,770,646	3,480,709	
Total operating expenses	14,187,788		15,477,587		17,315,262		1,837,675	14,399,822	16,520,516	
Operating income (loss)	10,547,254		11,551,838		10,089,738		1,462,100	10,614,650	10,996,263	
Other sources (uses):										
Investment earnings	(458,726)		(500,428)		166,850		(667,278)	275,265	184,401	
Miscellaneous revenue	6,482		7,071		-		7,071	7,253	7,253	
Transfer to Renewal and Replacement Fund	(1,835,722)		(2,002,605.82)		(2,002,830)		224	(1,692,121)	(1,846,020)	
Transfer to General Fund	(1,754,592)		(1,914,100.36)		(1,914,100)		(0)	(1,695,467)	(1,849,600)	
Transfer to Capital Projects Fund	(65,083)		(70,999.64)		(71,000)		0	(60,955)	(66,496)	
Debt service sinking fund deposits	(5,429,472)		(5,923,086)		(5,867,532)		(55,554)	(5,351,051)	(5,844,526)	
Total other sources (uses)	(9,537,113)		(10,404,149)		(9,688,612)		(715,537)	(8,517,076)	(9,414,988)	
Net increase (decrease) in funds	\$ 1,010,141	\$	1,147,689	\$	401,126	\$	746,563	2,097,574	1,581,275	
Debt service coverage	1.86		1.87						1.91	

 $^{^{1}}$ The City implemented adjustments to water (increasing) and wastewater (decreasing) effective December 1, 2012

Sewer	Impact	Fees
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_	Beginning Balance	Additions	Deductions	Ending Balance
Beginning balance - 10/01/2012	3,281,868			3,281,868
Sewer impact fee revenues Investment earnings Fairbanks Avenue sewer extension Sewer extension work at Ravadauge		495,138 (99,158)	(2,643,023) (163,672)	495,138 (99,158) (2,643,023) (163,672)
Other sewer main extension work			(95,746)	(95,746)
Ending balance - 08/31/2013	3,281,868	395,980	(2,902,441)	775,407

Water Impact Fees

			.pace. ccs	_
	Beginning Balance	Additions	Deductions	Ending Balance
Beginning balance - 10/01/2012	2,656,637			2,656,637
Water impact fee revenues Investment earnings Water extension work at Ravadauge		234,416 (94,822)	(251,251)	234,416 (94,822) (251,251)
Ending balance - 08/31/2013	2,656,637	139,594	(251,251)	2,544,980

Renewal and Replacement Fund

	Reflewar and Replacement 1 and				
	Beginning			Ending	
	Balance	Additions	Deductions	Balance	
Beginning balance - 10/01/2012	591,342			591,342	
R&R transfer		1,835,722		1,835,722	
Investment earnings		(23,023)		(23,023)	
Upgrade water mains			(781,415)	(781,415)	
Upgrade sewer mains			(527,663)	(527,663)	
Rehab sewer manholes			(85,314)	(85,314)	
Replace asbestos cement force mains			(159)	(159)	
Short line sewer rehab projects			(136,230)	(136,230)	
Sewer main extensions			(4,869)	(4,869)	
Lift station upgrades and repairs			(69,038)	(69,038)	
Utility patch crew work			(272,076)	(272,076)	
Ending balance - 08/31/2013	591,342	1,812,699	(1,876,764)	527,277	

WINTER PARK ELECTRIC UTILITY METRICS

August 31, 2013 Variance

	FY'13 <u>YTD</u>	FY'13 Annualized	FY'13 Budget	from Budget	FY'12 <u>YTD</u>	<u>FY'12</u>	<u>FY'11</u>	FY'10	FY'09	FY'08
Technical Performance										
Net Sales (kWh) Average Revenue/kWh	369,922,423 0.1152	411,802,765 0.1152	430,647,050	(18,844,285)		413,795,957 0.1091	427,601,415 0.1212	438,993,683 0.1306	427,236,273 0.1251	440,100,000 0.1068
Wholesale Power Purchased (kWh)	395,352,000	436,274,553	446,266,000	(9,991,447)		434,514,000	451,951,216	456,911,847	442,159,788	449,100,000
Wholesale Power Cost/kWh	0.0606	0.0606	440,200,000	(9,991,447)		0.0553	0.0674	0.0815	0.0810	0.0794
Gross margin	0.0547	0.0547				0.0538	0.0538	0.0491	0.0441	0.0275
SAIDI (rolling 12 month sum)	89.73					72.73	64.44	80.04	80.04	63.14
MAIFI (rolling 12 month sum)						1.02	0.42	2.55	2.55	2.90
Sold vs. Purchased kWh Ratio	93.57%	94.39%	96.50%			95.23%	94.61%	96.08%	96.62%	98.48%
Income Statement										
Electric Sales:		4504444	40.004.005	(101015		45.500.044		21.521.201		
Fuel Non-Fuel	16,047,646	17,864,462	18,301,327	(436,865)		15,769,044	20,583,619	24,721,381	25,498,612	21,131,479
Other Operating Revenues	26,581,997 411,361	29,591,447 448,757	30,865,793 412,046	(1,274,346) 36,711		29,365,745 407,431	31,244,725 667,604	32,605,878 332,720	27,955,719 1,111,386	25,880,839 819,976
Total Operating Revenues	43,041,004	47,904,666	49,579,166	(1,674,500)		45,542,220	52,495,948	57,659,979	54,565,717	47,832,294
. •	45,041,004	47,704,000	42,372,100	(1,074,300)		43,342,220	32,473,740	31,037,717	34,303,717	47,032,274
Operating Expenses:		4 400 400	4.450.000	10.494		004.454	4.045.000			
General and Administrative	1,016,022	1,108,388	1,158,022	49,634		981,451	1,047,988	1,085,915	1,122,148	982,754
Operating Expenses Purchased Power	5,031,548	5,488,961	6,159,983	671,022		4,939,316	5,136,207	4,880,216	5,055,849	6,139,857
Fuel	16,437,201	18,138,602	18,375,561	236,959		15,992,090	21,212,369	24,786,014	23,183,450	23,802,250
Non-Fuel	7,516,344	8,294,354	8,569,163	274,809		8,043,955	9,256,070	12,437,885	12,618,456	11,840,108
Transmission Power Cost	2.056,951	2,243,947	2,392,180	148,233		2,328,188	2,130,671	2,155,495	2.062.414	1,600,046
Total Operating Expenses	32,058,066	35,274,252	36,654,909	1,380,657		32,285,000	38,783,305	45,345,525	44,042,317	44,365,015
	10,002,020					12.257.220			10.522.400	
Operating Income (Loss)	10,982,938	12,630,414	12,924,257	(293,843)		13,257,220	13,712,643	12,314,454	10,523,400	3,467,279
Nonoperating Revenues (Expenses):										
Investment Earnings (net of interest paid on interfund borrowings)	(173,677)	(189,466)	(40,000)	(149,466)		57,244	33,506	(38,774)	172,488	(168,750)
Principal on Debt	(1,433,333)	(1,720,000)	(1,720,000)	-		(1,620,000)	(1,430,000)			
Interest on Debt	(2,494,843)	(2,721,647)	(3,029,038)	307,391		(2,579,881)	(2,990,613)	(2,303,537)	(2,823,689)	(3,614,713)
Miscellaneous Revenue Proceeds from Sale of Assets	239,891 3,062	261,699 3,340	=	261,699 3,340		126,183 2,655	1,337,683	34,307 57,992	35,038 4,011	49,364 3,560
Capital Spending from Sources other than Bond Proceeds	(3,082,759)	(3,363,010)	(4,940,000)	1,576,990		(2,109,061)	(22,089) (1,621,474)	(1,245,371)	(1,921,374)	(2,641,642)
Grant Reimbursements for Undergrounding	(3,082,739)	(3,303,010)	(4,940,000)	1,370,330		(2,109,001)	(1,021,474)	892,849	(1,921,374)	(2,041,042)
Contributions in Aid of Construction	647,510	706,375	_	706,375		389,419	477,746	212,897		
Capital Contributions for Plug-In Program	46,152	50,348	_	50,348		102,343	59,593	171,940	1,679	15,893
Total Nonoperating Revenues (Expenses)	(6,247,997)	(6,972,361)	(9,729,038)	2,756,677		(5,631,098)	(4,155,648)	(2,217,697)	(4,531,847)	(6,356,288)
Income (Loss) Before Operating Transfers	4,734,941	5,658,054	3,195,219	2,462,835		7,626,122	9,556,995	10,096,757	5,991,553	(2,889,009)
Operating Transfers In	_	_	_	_						
Operating Transfers Out	(2,387,237)	(2,657,505)	(2,757,500)	99,995		(2,537,830)	(2,869,777)	(3,220,605)	(2,931,710)	(2,633,592)
• •				, in the second						
Total Operating Transfers	(2,387,237)	(2,657,505)	(2,757,500)	99,995		(2,537,830)	(2,869,777)	(3,220,605)	(2,931,710)	(2,633,592)
Net Income	2,347,704	3,000,548	437,719	2,562,829		5,088,292	6,687,218	6,876,152	3,059,843	(5,522,601)
Other Financial Parameters	2.55	2.00				2.15	2.11	4.05	2.50	0.50
Debt Service Coverage	2.75	2.80				3.17	3.11	4.85	2.70	0.73
Fixed Rate Bonds Outstanding	58,510,000					59,915,000	61,235,000	57,120,000		
Auction Rate Bonds Outstanding Total Bonds Outstanding	15,585,000 74,095,000					16,610,000 76,525,000	16,910,000 78,145,000	22,410,000 79,530,000	80,010,000	70,760,000
Principal Repayment	2,430,000	2,430,000	1,720,000			1,620,000	1,430,000	480,000	625,000	3,920,000
Capital Spending from Bond Proceeds	130,625	156,750	1,720,000			1,802,511	514,366	2,209,465	6,305,626	6,509,127
Balance Owed on Advance from General Fund	130,023	150,750				-,502,511	405,494	2,241,006	2,743,554	2,856,026
							,	,,	,,	,,

WINTER PARK ELECTRIC UTILITY METRICS

August 31, 2013

Variance FY'13 FY'13 FY'13 FY'12 from YTD FY'12 FY'11 YTD Annualized Budget Budget

956,546

FY'10

(2,589,592)

2,838,999

FY'09

(8,096,129) (10,106,320) (11,118,569)

FY'08

Technical Performance
Cash Balance (borrowed from pooled cash)

Notes
Fiscal Years run from October to September; FY13 is 10/1/12 to 9/30/13
SAIDI is System Average Interruption Duration Index (12-month rolling sum) MAIFI is Momentary Average Interruption Frequency Index (12-month rolling sum)

REGULAR MEETING OF THE CITY COMMISSION October 14, 2013

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:32 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Reverend Jim Govatos, Aloma United Methodist Church, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley Commissioner Steven Leary Commissioner Sarah Sprinkel Commissioner Carolyn Cooper

Commissioner Tom McMacken

Also present:

City Manager Randy Knight City Attorney Larry Brown City Clerk Cynthia Bonham

Deputy City Clerk Michelle Bernstein

Approval of the agenda

Motion made by Commissioner Sprinkel to approve the agenda; seconded by Commissioner McMacken and approved by acclamation with a 5-0 vote.

Mayor's Report

a. Proclamation - Week of the Family

Mayor Bradley proclaimed November 2-9, 2013 as "Week of the Family" in Winter Park. Debbie Pratt, Vice Chair of Week of the Family Foundation and Genean McKinnon, Sponsor from The Church of Jesus Christ of Latter-day Saints was present to accept the proclamation.

b. Presentation - Employee of the Quarter; Luke Dunning, Operator 3, Lakes Division

Mayor Bradley recognized Luke Dunning, Operator 3, Lakes Division, as Employee of the Third Quarter 2013 and thanked him for his hard work and dedication.

- c. Board Appointments:
 - Code Enforcement Board: Jennifer Frank (Appoint to regular position to fill remaining term of Fred Jones to 2014)
 - Keep Winter Park Beautiful and Sustainable Board: Carole Kostick (Appoint to regular position from alternate (to fill the remaining term of Myriam Garzon) to 2015) Mark Roush (Appoint to alternate position)

- Pedestrian and Bicycle Board:
 Susan Pins (Appoint to regular position to fill remaining term of Elizabeth Hemphill to 2015)
- <u>Utilities Advisory Board:</u>
 Richard Jones (Appoint to alternate position)

Motion made by Mayor Bradley to accept the above board appointments as presented; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

City Manager's Report

941 W. Morse Boulevard (former State Office Building)

City Manager Knight noted that while attending the Alfond Inn celebration last week, a representative from Brasfield & Gorrie advised him that the new commercial building is nearly complete. Furniture placement is expected by the first week of November and the certificate of occupancy by December 31, 2013.

Miscellaneous Items

- 1. The City of Winter Park Police SWAT team ranked #5 in the Central Florida Metro SWAT Competition last week.
- 2. The City's Parks and Recreation Department ranked as a finalist of four for the National Recreation Parks Association Gold Medal Award, an honor recognizing the best Parks and Recreation Departments in the Nation.
- 3. Commissioner McMacken said the Autumn Art Festival was a roaring success. He thanked each department and staff members for their outstanding efforts. Commissioner Leary thanked Commissioner McMacken for his assistance with the coordination/organizational efforts for the Autumn Art Festival.

City Attorney's Report

Per the request of City Attorney Larry Brown, an executive session meeting was scheduled for 2:30 p.m. on October 28. This is to discuss the proposed settlement offer in the Max Media Clear Channel billboard litigation and possibly the Capen House litigation pending confirmation that the lawsuit was actually filed.

Non-Action Item - No items.

Consent Agenda

a. Approve the minutes of 9/23/13.

- b. Approve the following purchases, contract and formal solicitation:
 - 1. Blanket Purchase Order to ENCO Utility Services for FY14 professional services (operations and maintenance); \$4,000,000.
 - 2. Blanket Purchase Order to Seminole Electric Cooperative, Inc. for FY14 purchase of bulk power (ITN-33-2010); \$2,300,000.
 - 3. Blanket Purchase Order to Duke Energy for FY14 power transmission for first quarter (ITN-33-2010); \$550,000.
 - 4. Blanket Purchase Order to Duke Energy for FY14 bulk power for first quarter (ITN-33-2010); \$3,700,000.
 - 5. Blanket Purchase Order to Air Liquide Industrial Company for FY14 liquid oxygen for water treatment facilities; \$150,000.
 - 6. Blanket Purchase Order to Odyssey Manufacturing Company for FY14 12.5% sodium hypochlorite for water & wastewater treatment facilities; and authorize the Mayor to execute the piggyback contract; \$150,000.
 - 7. Blanket Purchase Order to Stephen's Technology for FY14 trenchless repairs to sanitary sewer mains; \$185,000.
 - 8. Blanket Purchase Order to Perma-Liner Industries for FY14 lateral lining materials for sewer repairs; \$85,000.
 - 9. Blanket Purchase Order to Masci General Contractor, Inc. for Fairbanks Avenue Roadway and Wastewater System Improvements (IFB-10-2012); \$1,247,148.10.
 - 10. Blanket Purchase Order to City of Altamonte Springs for FY14 wholesale sewer treatment; \$126,500.
 - 11. Blanket Purchase Order to SSNOCWTA for FY14 operation & maintenance; depreciation per Interlocal Agreement; \$600,000.
 - 12. Blanket Purchase Order to City of Orlando for FY14 sanitary sewer charges for McLeod/Asbury; \$385,000.
 - 13. Blanket Purchase Order to Duval Asphalt for E-Z street cold asphalt; \$50,000.
 - 14. Purchase Requisition 153296 to City of Orlando for wastewater system revenue bond series 1984 30th Annual payment Asbury Park Agreement; \$231,493.10.
 - 15. Blanket Purchase Order to CH2M Hill for Fairbanks Avenue roadway & wastewater improvements; \$263,491.00.
 - 16. Blanket Purchase Order to DeYoung Law Firm for legal services under contract signed February 8, 2013; 50,000.
 - 17. Blanket Purchase Order to GATSO USA and to exercise the last renewal option for red light safety enforcement under RFP-13-2009; \$441,600.
 - 18. Piggybacking City of Daytona Beach contract Resolution 13-159 with USA Services, Inc. for mechanical sweeping service and authorize the Mayor to execute the piggyback contract; \$205,247.64.
- c. Authorize purchase orders of \$54,000; \$68,000; \$108,000 and \$150,000 for several independent contractors who provide specialized and confidential investigative services on behalf of the High Intensity Drug Trafficking Agency (HIDTA). Additionally, approve a purchase order of \$110,000 for facility expenses of HIDTA.

- d. Ratify the Winter Park Firefighter's Local 1598 IAFF Labor Contract.
- e. Approve the ground lease for Verizon for co-location of cell antennae on the public safety cell tower; authorize the Mayor to execute the ground lease and Memorandum of Lease (MOL)

Motion made by Commissioner McMacken to approve the Consent Agenda; seconded by Commissioner Sprinkel.

Joe Terranova, 151 N. Virginia Avenue, asked to issue a monitoring program/report showing all of the data that is relevant to the red light camera program and its ongoing management and renewal. This is so the public can gain a better understanding of the program.

The motion was approved by acclamation with a 4-0 vote. Commissioner Leary was not present for the vote.

Action Items Requiring Discussion

a. Senate Bill 50 and Resolution No. 1978-07

Attorney Brown provided a summary regarding the proposed resolution which complies with the recently adopted Senate Bill 50, Chapter 2013-227, Laws of Florida. He responded to questions and spoke about the allowance of a time certain for general public comment being addressed in the proposed resolution. A majority agreed that the specific language pertaining to advisory boards, special boards or any entity that the City creates, such as a task force, should be incorporated into the existing board ordinance (2843-11) so there is a clear understanding of the new law. Attorney Brown agreed.

Discussion ensued concerning Rule 12 whereby public comment may not be heard on emergency issues and quasi-judicial matters. A majority agreed that there should be exceptions to this rule. Attorney Brown acknowledged and suggested that alternative language be included to cover those exceptions.

In summary, Attorney Brown acknowledged the Commission's request to make the proper adjustments to both the resolution and the existing board ordinance and to bring them forward at the next meeting for adoption. City Manager Knight acknowledged the Commission's request to advise all of the advisory boards that they must follow the newly adopted law.

No public comments were made.

b. <u>Urban Forestry Management Plan (UFMP)</u>

Assistant City Manager Michelle del Valle spoke about staff developing and finalizing the Urban Forestry Management Plan (UFPM) during the past year. The draft plan

was presented to the Commission on December 3, 2012 and to the Tree Preservation Board twice for comment and feedback. Individual educational sessions were provided to the Commissioners to gain a better understanding on the pruning and tree removal work that is being done by our contractors.

As of this date, staff has developed and completed the undergrounding rating system as it relates to the electric line conflicts. Implementation is underway. A 14 point tree risk assessment rating system has also been developed to determine tree removal.

Ms. del Valle explained that there are three sets of remaining questions/policy decisions that need to be addressed by the Commission in order to finalize and implement the plan. The three areas revolve around the right-of-way (ROW) maintenance, planting practices and species diversification. On September 30, the City held a community meeting which focused on these three topics. Staff utilized an interactive polling system to solicit feedback on the key policy questions and between 12-14 members of the audience participated.

This is a summary of the policy questions identified, the results of the feedback received at the community meeting and staff's recommendation for each. It should be noted that this citizen input is not a statistical sampling of the community and is for information purposes only.

	Community Meeting Feedback	Staff Recommendation
ROW Tree Maintenance:		
 Who should be responsible for maintenance of the trees in the ROW (including planting& watering, pruning and dead tree removal) 	City – 100%	City
 If the City, How should we fund? 1. Growth in the Budget 2. Tax increase 3. Reduction in other services 	 Growth in the Budget - 25% Tax increase - specific to trees - 67% Reduction in other services - 8% 	Growth in the budget; annual review
 If the adjacent property owner Do we continue to utilize city resources once the tree has been designated a high hazard? Implement more aggressive code enforcement? 	Continue to utilize City resources	Continue to utilize City resources
Planting Practices		
 Should the adjacent property owner have a say in the replanting process? 	Yes – 75% No – 25%	Yes
 Should the adjacent property owner be able to say "I don't want a tree in the ROW in front of my home?" 	Yes – 50% No- 50%	Yes
 Should the adjacent property owner be able to select the species if appropriate for the planting space? 	Yes, from a "pick list" – 89% No – 11%	Yes
 Who should be responsible for watering new trees? 1. The adjacent resident 2. The City 3. The adjacent resident on a voluntary basis 	 The adjacent resident - 29% The City - 7% The adjacent resident on a voluntary basis - 64% 	The adjacent resident on a voluntary basis

Species Diversification		
 Should the City make an effort to diversify our canopy? 	Yes - 69% No - 31%	Yes
 What % of New ROW trees planted should be oak? 1. 10% 2. 25% 3. 50% 4. 75% 5. 100% 	1. 10% - 38% 2. 25% - 23% 3. 50% - 8% 4. 75% - 15% 5. 100% - 15%	A goal of planting no more than 50% oak in the ROW over the next five years. This is not a goal of reducing oaks to 50% of the canopy; it is a short term goal, specific to the planting of new ROW trees, to determine a five year impact of encouraging diversity.
 How should we encourage diversity on private property? We shouldn't; residents should plant what they want Tree give away Educational Material Tree permitting process 	 We shouldn't; residents should plant what they want - 25% Tree give away - 67% Educational Material - 8% Tree permitting process - 0% 	Through a combination of tree giveaway's, educational materials and consultations.

Discussion ensued regarding the above questions. Their feedback included the need for clearer definitions for canopy and ROW trees in the policy, to further educate the residents on the current tree policy and to explain in detail what exactly will change once the UFMP is in place.

Commissioner Cooper asked to place Mr. Lippi's study on the City's website so the residents can gain a better understanding of why certain trees are designated as hazardous versus what category they are in.

Urban Forestry Manager Dru Dennison addressed questions including routine maintenance for tree pruning, tree removal and replacement as well as hazardous mitigation measures that the City is currently undertaking.

In summary, a majority agreed that the UFMP needs to come back in a complete and holistic way. They need to address the three policy issues (right-of-way maintenance, planting practices and species diversification); have the Tree Preservation Board review the policy and provide feedback/recommendations on what should or should not be included in the plan; and then bring the final UFMP back to the Commission for consideration and adoption.

Public comments (5:00 p.m.)

Roberta Willenkin, 1580 Grove Terrace, spoke about the attempts she has made for assistance from the City over the past year regarding the diseased tree in her front yard within the City's ROW easement. City Manager Knight said he would contact her tomorrow.

Joe Terranova, 151 N. Virginia Avenue, provided feedback regarding the diversity of trees and the ROW tree maintenance.

Nancy Shutts, 2010 Brandywine Drive, provided several suggestions on how to obtain resident feedback regarding tree maintenance.

Lurlene Fletcher, 790 Lyman Avenue, asked if the City could trim the trees in her neighborhood and for the City to create alternative parking resources on the Westside for visitors who attend the events in our City.

A recess was taken from 5:10 p.m. to 5:25 p.m.

c. Visioning Planning Process

Planning and Community Development Manager Dori Stone explained that the Economic Development Advisory Board (EDAB) and Planning and Zoning Board (P&Z) have individually begun to review the final Comprehensive Plan Analysis report and recommendations prepared by Wallace, Roberts & Todd (WRT) dated September 2, 2013.

Ms. Stone explained that while the WRT study highlighted a number of recommendations, the principle theme behind the study showed the need for a shared consensus on a community vision. Staff has researched and put together a scope for the visioning process based upon a very usable model that has been used in communities around the state that requires a six to eight month process. The visioning process must have key participants that make the process work to include City of Winter Park citizens and community stakeholders, a Steering Committee made up of nine members that represent key stakeholders from a cross section of Winter Park and a resource team made up of City staff.

Ms. Stone advised that there is no money budgeted for this exercise; however, after speaking with the City's Purchasing Department staff recommends moving forward to see what this particular scope would require and how much it would cost. The Commission can then decide whether or not it is worth the money to move forward with the visioning exercise. She said in the meantime, both EDAB & P&Z would like to work on several of the key points brought out in the WRT study. These include discouraging the proliferation of sprawl, reconciling expectations of principal arterial corridors such as West Fairbanks and Orlando Avenue, any possible modifications to concurrency and addressing the lack of clear economic development goals in the Comprehensive Plan. Both boards have been discussing the study results and are interested in pursuing the recommendations in greater detail. Ms. Stone answered questions and asked for direction.

Discussion included the need for a formal process and to provide a variety of ways to reach out to the community for feedback such as scientific polling surveys, door to door surveys, community forums, social networking and public open houses. They spoke about the makeup of the Steering Committee, the associated benefits and return on investment if we proceed; and the need to make sure we have a

valid visioning statement before moving forward so that it syncs up to our Capital Improvement Plan and address any major deficiencies if there are any.

Following discussion, a motion was made by Mayor Bradley to review the recommendations of the WRT study that we do the following: 1) ask the consultant if our adopted City vision "To be the best place to live, work and play in Florida" could accomplish what is necessary based on their recommendations; 2) ask the consultant if in their belief they believe that it is widespread or not and if they have recommendations on what we would have to do to implement that or embrace what would be necessary; and 3) that we ask staff to review the appropriate recommendations and assign that to advisory boards throughout our City and bring a report back to the Commission within 30 days and as part of the advisory board's recommendations on what should or shouldn't be done with the specific recommendation we would then seek staff input in that process; seconded by Commissioner Leary.

Commissioner McMacken questioned if a formal motion is needed. Mayor Bradley said yes since this is an action item. Commissioner McMacken stated his personal preference would be to vote by acclamation rather than a roll call vote. No public comments were made.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel and Cooper voted yes. Commissioner McMacken voted no. The motion carried with a 4-1 vote.

d. Territorial Agreement with Duke Energy Florida

Electric Utility Director Jerry Warren provided a PowerPoint presentation that included the background, City considerations, Genesis of Territorial Negotiations, City's requests, key elements of the proposed agreement, financial consideration, and options available.

Mr. Warren explained that over the last few years with the development of Ravaudage both the developer and the City informally notified Progress Energy and concluded that it would be best for the developer and the City to serve that area. Although no formal territorial agreement existed at that time portions of the Ravaudage area were included in the City's corporate limits as the boundary existed in December 2002. However, the majority of the area was in Duke's (formerly Progress Energy) service area (located outside the City limits as of December 2002).

With the beginning of development, the developer requested that Duke remove facilities and requested that the City serve the Ale House and future new customers. As a result of the City's and the developer's requests, the City and Progress Energy/Duke have been negotiating a territorial agreement for

approximately nine months. As a part of those negotiations, the City requested the following territorial concessions from Progress Energy/Duke:

- #1) The right to serve Ravaudage;
- #2) The right to serve City residents along Westminster Street and Berkshire Avenue. As a part of the transfer of distribution facilities and customers in 2005, these customers were assigned to then Progress Energy and the customers in unincorporated Orange County located in the Stonehurst area were assigned to the City. Although the Stonehurst area was not located within the City limits in December 2002 and should have been served by Progress Energy, that area is so far from Progress Energy's distribution facilities it was determined to be cost prohibitive for Progress Energy to serve. It should be noted that if Progress Energy were to serve those customers, the City would have been required to pay for the construction of the required facilities;
- #3) The right to serve City owned and operated facilities within reach of the City's electric distribution system.

Mr. Warren concluded that Progress Energy/Duke agreed to item #1 above, but rejected item #2 and #3. He explained that the proposed agreement provides for Duke to continue to serve its existing customers within the Ravaudage area. At such time(s) that the property is developed and new customers are created, the City will be entitled to serve those new customers. Following 12 months of service, the City will be obligated to pay Duke a payment of 2.5 times the electric billings for the preceding 12 months. This prevents the City from having to take the risk of non-development of the Ravaudage area through an estimate of future electric system revenues. The going concern payment of 2.5 times the annual revenues is typical in the electric utility industry when customer swaps take place as a result of territorial agreements.

Mr. Warren explained that there are approximately nine electric service accounts located along Lewis Drive north of Lee Road. These customers are considered temporary customers in that they are Duke's customers but due to the Ravaudage development it was easier for the City to serve this area. He said the City will be required to pay the 2.5 times the annual revenue amounts (estimated to be approximately \$39,000) within 60 days of the approval of the territorial agreement by the Florida Public Service Commission (FPSC). He clarified that the territorial agreement is for 20 years.

Mr. Warren addressed two customers located at 1451 Lee Road, Dry Clean World and Tetra Tech which are served from Winter Park electric lines, but are in Duke's existing territory. Both customers will become Winter Park customers upon approval of the territorial agreement and like the temporary customers will require a going concern payment equal to 2.5 times the annual revenue amounts (estimated to be approximately \$13,000) within 60 days of the approval of the territorial agreement by FPSC.

Discussion transpired regarding the estimated annual revenues and if we would have enough money from those profits to cover the potential expenditures related to our obligations under this agreement related to the Ravaudage development. Mr. Warren responded to questions and provided feedback regarding the risk factors involved.

Motion made by Mayor Bradley to approve the territorial agreement as presented; seconded by Commissioner Sprinkel. The pros and cons with the agreement were discussed. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Public Hearings:

a. ORDINANCE NO. 2940-13: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING SECTION 34-30, TITLE AND OWNERSHIP OF LOTS AND SPACES IN THE CITY CEMETERIES, TO CLARIFY THE OWNERSHIP INTEREST THAT MAY BE CONFERRED AND TO ADD PROVISION FOR THE CITY TO REGAIN OWNERSHIP OF ABANDONED RIGHTS TO BE BURIED WITHIN A MUNICIPAL CEMETERY; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE. Second Reading

Attorney Brown read the ordinance by title.

Motion made by Commissioner McMacken to adopt the ordinance; seconded by Commissioner Sprinkel. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

b. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 26 ARTICLE III "FILM INDUSTRY" TO STREAMLINE THE FILM PERMITTING PROCESS AND AMEND CERTAIN PROVISIONS. First Reading

Attorney Brown read the ordinance by title.

Building Director George Wiggins explained that all governments in the Central Florida area utilize the services of the Metro Orlando Film Commission to process film permits while maintaining any unique features or requirements of those participating governments. This includes Orange, Seminole, Lake and Osceola Counties and cities within these counties. We have reviewed their process and believe this can be accomplished expeditiously and allow us to collect any required fees for the permits. There is no charge for them handling this process. Currently, we electronically route film permits to the respective City Departments for approval and this process will continue and be handled by the Film Commission. Any conditions or limitations unique to the City will still be applicable and must be met by the applicant.

Motion made by Commissioner McMacken to accept the ordinance on first reading; seconded by Commissioner Sprinkel.

Mr. Wiggins answered questions. Several members from Metro Orlando Film Commission were present to show their support and one spoke in favor.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

c. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 74, PERSONNEL, ARTICLE V, RETIREMENT AND PENSION PLANS, DIVISION 4, FIRE FIGHTERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK; AMENDING SECTION 74-201, DEFINITIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE. First Reading

Attorney Brown read the ordinance by title.

Motion made by Commissioner McMacken to accept the ordinance on first reading; seconded by Commissioner Sprinkel. Fire Chief Jim White answered questions. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

City Commission Reports:

a. Commissioner Leary

Commissioner Leary reported that last week he had the privilege of attending the Alfond Inn reception and the Brookshire Homecoming and that both events were great.

b. Commissioner Sprinkel

Commissioner Sprinkel said she had a great time participating in the Center for Independent Living "Stroll and Roll" event last week.

Commissioner Sprinkel suggested that our visioning statement be displayed in the Commission Chambers so as to keep it in the forefront of everyone's mind.

c. Commissioner Cooper

Commissioner Cooper invited everyone to attend her coffee talk this coming Thursday. She spoke about her recent trip to London and provided a brief outline regarding the licensing and auditioning process that street performers must adhere to. She attended Lee Mackin's retirement party today and thanked him for being

CITY COMMISSION MEETING MINUTES OCTOBER 14, 2013 PAGE 12 OF 12

an incredible public servant. She reported that this Saturday morning is the groundbreaking ceremony for the Hannibal Square Community Land Trust.

- d. Commissioner McMacken no items.
- e. Mayor Bradley no items.

The meeting adjourned at 7:13 p.m.

ATTEST:	Mayor Kenneth W. Bradley
ATTEST.	
City Clerk Cynthia S. Bonham	

item type	Consent Agenda	meeting date	October 28, 2013
prepared by department division	Cindy Bonham City Clerk	approved by	■ City Manager□ City Attorney□ N A
board approval		☐ yes ☐ no ■	N A final vote

subject

Cancellation of December 23, 2013 City Commission meeting

motion | recommendation

Cancel the December 23, 2013 Commission meeting that falls the Monday before Christmas Eve.

background

Traditionally, the City Commission has cancelled the second meeting in December.

alternatives | other considerations

Hold the meeting another day.

fiscal impact

N/A

strategic objective

N/A



item type	Consent Agenda	meeting date	October 28, 2013	
prepared by department division	Purchasing Division	approved by	■ City Manager□ City Attorney□ N A	
board approval		☐ yes ☐ no ■	N A final vot	:e

Purchases over \$50,000

	vendor	item background	fiscal impact	motion recommendation
1.	Layne Inliner	Blanket Purchase Order for Sewer Line Rehabilitation	Total expenditure included in	Commission approve Blanket Purchase Order to Layne
			approved FY14 budget. Amount:	Inliner for Sewer Line Rehabilitation cleaning and
			\$6,000,000	video recording and
				authorize the Mayor to execute Piggyback contract.
		ando utilized a formal solicitation r will expire September 30, 2014.		contract. This Blanket
2.	Brown & Brown of	Renewal Option for Insurance Agent of Record (RFP-13-	Total expenditure included in	Commission approve renewal and Purchase Order 151223
	Florida, Inc.	2012)	approved FY14	to Brown & Brown of Florida,
	Tromady Inc.	1012)	budget. Amount: \$100,000	Inc.
	(1) year periods on October 27,		total. The current rene	ewal contract term will expire
3.	Taser International	Purchase of Replacement Tasers.	Total expenditure from forfeiture fund. Amount: \$73,204.67	Commission approve purchase of new Tasers and equipment from Taser International and subsequent purchase order.
	Taser Internati	ional is a Sole Source vendor.		
4.	Winter Park Public Library	Blanket Purchase Order for Annual Organizational Support	Total expenditure included in approved FY14 budget. Amount: \$1,364.560	Commission approve after the fact PO151311 to Winter Park Public Library for FY14 Organizational support.
	This Blanket P	urchase order will expire on Septe	1	
5.	Brown, Garganese, Weiss & D'Agresta	Blanket Purchase Order for Attorney Services (RFP-21- 2009)	Total expenditure included in approved FY14 budget. Amount: \$312,000	Commission approve Blanket Purchase Order to Brown, Garganese, Weiss & D'Agresta for Attorney Services.
		inter Park utilized a competitive ton August 10, 2009. This Blanket		

6.	Mead	Blanket Purchase Order for	Total expenditure	Commission approve Blanket
	Botanical	Contribution to Capital	included in	Purchase Order to Mead
	Garden, Inc.	Improvements .	approved FY14	Botanical Garden, Inc.
			budget. Amount:	
			\$185,000	
	This Blanket Pu	urchase order will expire on Septe	mber 30, 2014.	
7.	Winter Park	Blanket Purchase Order for	Total expenditure	Commission approve Blanket
	Historical	Annual Organizational	included in	Purchase Order to Winter
	Association	Support	approved FY14	Park Historical Association
			budget. Amount:	for FY14 Organizational
			\$70,000	Support
	This Blanket Pu	urchase order will expire on Septe	mber 30, 2014.	
8.	William J.	Blanket Purchase Order for	Total expenditure	Commission approve Blanket
	Peebles	State Lobbyist	included in	Purchase Order to William J.
			approved FY14	Peebles for State Lobbyist
			budget. Amount:	Services.
			\$52,000	
		irchase order will expire on Septe	· ·	
9.	BGR	Blanket Purchase Order for	Total expenditure	Commission approve Blanket
	Government	Federal Lobbyist	included in	Purchase Order to BGR
	Affairs		approved FY14	Government Affairs for
			budget. Amount:	Federal Lobbyist Services.
			\$56,000	
	This Blanket Pu	urchase order will expire on Septe	mber 30, 2014.	

Contracts

10 Ceres Amendment 3 for RFP-16-2010 Total expenditure Commission appro-	
Environmental Services, Inc. Services Emergency Debris Management budget. Amount: Services Services Services Services Solutions, In authorize the Mayor execute the Agreement services	vices Centurylink Inc. and yor to

The City utilized a formal solicitation process to award this contract. The contract term will expire on November 1, 2014.

Piggyback contracts

	vendor	item background	fiscal impact	motion recommendation
11	United Site Services of Florida	Piggyback the City of Orlando contract for Portable Toilet Rental	No fiscal impact unless emergency declaration is declared	Commission approve contract renewal with Ceres Environmental Services and authorize the Mayor to execute Amendment.
	The City of Orl	ando utilized a competitive hiddir	nd process to award th	is contract. The contract term

The City of Orlando utilized a competitive bidding process to award this contract. The contract term expires on May 31, 2014.

item type	Consent Agenda	meeting date October 28, 2013
prepared by department division	Jerry Warren, Director Electric Department	approved by ☐ City Manager ☐ City Attorney ☐ N A
board approval		☐ yes ☐ no ■N A final vote

subject

First Amendment to the Native Load Firm Fixed Capacity and Partial Requirements Transaction Confirmation between City of Winter Park, FL and Florida Power & Light Company dated August 12, 2013

motion | recommendation

1) Authorize the Mayor to execute the First Amendment to the Native Load Firm Fixed Capacity and Partial Requirements Transaction Confirmation between City of Winter Park, FL and Florida Power & Light Company dated August 12, 2013.

background

At its August 12 meeting, the City Commission approved Power Supply agreements with the Orlando Utilities Commission and Florida Power & Light Company (FPL). Under the associated transaction confirmation approved with FPL, FPL is obligated to deliver up to 23 MW from January 1, 2014 through June 30, 2014 and up to 13 MW July 1, 2014 through December 31, 2014. The purchased power amounts from FPL presumed that the City of Winter Park would be purchasing 10 MW from Covanta starting July 1, 2014. Negotiations with Covanta have taken longer than originally anticipated partly because Covanta will not be able to deliver power to the City of Winter Park any earlier than January 1, 2015. The proposed amendment to the Transaction Confirmation with FPL increases FPL's obligation to deliver power from 13 MW to 23 MW for the period July 1, 2014 through December 31, 2014 to offset the deferral of the expected Covanta capacity. Increasing the purchase from FPL for the 6 month period is the best choice since FPL is the least cost provider in the power supply portfolio. Negotiations with Covanta have now been completed and staff expects to bring the Covanta contract to the City Commission for consideration at its November 11 meeting.

Fiscal impact

The expected cost of power supply from the portfolio is shown on the following table. As previously noted in the August 12 agenda item, taken together, the power supply portfolio is expected to provide reliable service to our customers at very favorable rates. Column two of the following table was included in the August 12 agenda item. The third column presents the projected average cost of wholesale power supply including the proposed FPL amendment. As can be seen the deferral of the Covanta capacity taken together with the FPL amendment slightly decreases the projected cost of power in the first year of the portfolio.

To provide context, the average cost of wholesale power experienced during fiscal year 2013 was \$60.24/Mwh. The estimated cost of power indicates an expected decrease in the cost of power in 2015 compared to 2014. This is a result of replacing the Seminole contract with less expensive options such as OUC and FPL.

Estimated all in cost of Wholesale Power

	Cost of Power	Cost of Power
Year	\$/MWh	\$/MWh
	Original	W/Amendment
2014	\$65.18	\$64.64
2015	\$61.34	\$61.34
2016	\$63.38	\$63.38
2017	\$66.72	\$66.72
2018	\$69.56	\$69.56
2019	\$71.97	\$71.97

It is interesting to note that the \$71.97/MWh estimated cost of wholesale power in 2019 is approximately the same price that the City paid for its wholesale power immediately following the formation of the its electric system back in June 2005.

Attachments: FLORIDA POWER & LIGHT COMPANY:

FIRST AMENDMENT TO THE NATIVE LOAD FIRM FIXED CAPACITY AND PARTIAL REQUIREMENTS TRANSACTION CONFIRMATION BETWEEN CITY OF WINTER PARK, FL AND FLORIDA POWER & LIGHT COMPANY DATED AUGUST 12, 2013

FIRST AMENDMENT TO THE NATIVE LOAD FIRM FIXED CAPACITY AND PARTIAL REQUIREMENTS TRANSACTION CONFIRMATION

between City of Winter Park, FL and Florida Power & Light Company dated August 12, 2013

Whereas, Florida Power & Light Company ("Seller") and the City of Winter Park, Florida ("Buyer") entered into a Transaction Confirmation (the "Native Load Firm Transaction" or "Transaction Confirmation") that sets forth the terms and conditions of a transaction between Seller and Buyer pursuant to Florida Power & Light Company's FERC Electric Tariff No. 1 ("Tariff"); and

Whereas, Seller and Buyer desire to amend certain aspects of the Native Load Firm Transaction as set forth below.

Now therefore, for good and valuable consideration the receipt of which is acknowledged, the parties agree as follows:

- 1) Subpart (b) of Section 8, Quantity of Power and Energy, of the Native Load Firm Transaction shall be deleted in its entirety and replaced with the following:
 - b) From July 1, 2014 to December 31, 2014, the Power and Energy furnished by Seller shall be "Fixed Capacity", in that, subject to Force Majeure, Seller shall supply and Buyer shall receive up to 23 MW of Capacity and associated Energy each month at the Point(s) of Delivery to serve Buyer's retail load, with a firmness equivalent to Seller's Native Load customers. The Fixed Capacity shall be scheduled in accordance with Appendix E.
- 2) In Appendix A, Monthly Capacity Payment Calculation, for the definition of "DQ Demand Quantity" (sic, "Quantity") the figure "13,000 kW" shall be replaced with "23,000 kW".
- 3) Except as set forth above, all other rates, terms and conditions of the Native Load Firm Transaction remain in full force and effect.

Agreed to as of October, 2013.	
FLORIDA POWER & LIGHT COMPANY	CITY OF WINTER PARK, FLORIDA
Ву:	Ву:
Title:	_ Title:
Date:	Date:

item type	Action Item Requiring Discussion	meeting date	October 28, 2013
prepared by department division		approved by	■ City Manager□ City Attorney□ N A
board approval		☐ yes ☐ no ■	N A final vote

subject

City Manager evaluation

motion | recommendation

A summary of the evaluations will be provided after received from the entire Commission.

In accordance with the FY 2014 budget, the City Manager is eligible for up to a 2.5% merit increase.

item type	Action Item Requiring Discussion	meeting date	October 28, 2013
prepared by department division	John Holland, Director Parks and Recreation Dept. Administration	approved by	City ManagerCity AttorneyN A
board approval	Parks and Recreation Board	yes □ no ■	N A final vote

subject

Fee Waiver Request for the Harvest Festival in the West Meadow on November 23rd.

motion | recommendation

John Rife III is requesting a partial use fee waiver for the use of the West Meadow for the Winter Park Harvest Festival. The request is for a 50% fee reduction. Current fee \$3,300, requested fee reduction of \$1,650.

background

Mr. John Rife III, Owner/Founder of East End Market received approval from the Parks and Recreation Advisory Board to hold the Winter Park Harvest Festival on November 23rd in the West Meadow. The usual fee for an event of this size is \$1,650. However, because the event holder is charging vendors for spaces at the event the use fee is doubled to \$3,300 as per approved Park Policy. This fee is used to keep the focus of the event in the best interest of the Citizens of Winter Park and not the event promoter.

Mr. Rife asked that the consideration of the issue be taken before the City Commission. Historically, the Parks and Recreation Board has not considered or granted use fee waivers for weekend events and the Parks and Recreation Policy does not provide for consideration of waiving use fees for weekend events.

alternatives | other considerations

Alternatives for consideration include a onetime partial fee waiver, an annual continuing partial fee waiver, or no waiver.

fiscal impact

The fiscal impact to the City is the potential loss of revenue for the rental fee of \$1,650.

long-term impact

Additional fiscal impact to the city's revenue could be realized by the setting of precedent for other fundraising and for-profit event fee waivers.

RE: Fee Reduction for Winter Park Harvest Festival

To our Mayor and City Commissioners,

My name is John Rife III, I am the founder of the Winter Park Harvest Festival. It is a one day event focused on celebrating local food and the farmers, chefs, entrepreneurs and non-profits that bring the harvest of their fields to our tables.

At the August 28th Park and Recreation Board meeting we received approval to run the event in the West Meadow on Saturday November 23rd.

Part of my presentation was a request to have the fee for the use of the West Meadow rolled back from \$3,300 to \$1,650 for our event. The first two years we operated the event we were invoiced \$1,650.

Last year our fee was doubled "Due to charging for vendor spaces". This doubling put us in the red. Our farmers and gardeners can't afford booth rates comparable with other events that utilize Central Park and the West Meadow. For instance the average booth rate for the Fall Art Festival is \$262.50 while the average for our Harvest Fest is \$81.59.

The Harvest Festival is a wonderful family event that engages our community and creates a nice synergy with the adjacent Winter in the Park Ice Skating Rink. A reduction in the fee lets us keep our booth rates reasonable and still covers the City's expenses for parks and rec staff time / efforts.

The Park's Board was inclined to roll back the fee, however they are not at liberty to make concessions like this, but believed the request was reasonable enough to be put to the commission for determination.

At your convenience, I would love to have the opportunity to speak to the commission about the Harvest Festival and my request.

Thank you so much for your time.

John Rife

Owner / Founder, East End Market

E: John@EastEndMkt.com | P: 407.529.9717

Connect with us: Twitter | Facebook | Join Our Mailing List

Other Programs:

Winter Park Harvest Festival
Winter Garden Harvest Festival
Audubon Park Community Market

item type	Action Item Requiring Discussion	meeting date	October 28, 2013
prepared by department division	Cindy Bonham City Clerk	approved by	■ City Manager□ City Attorney□ N A
board approval		☐ yes ☐ no ■	N A final vote

subject

Settlement proposal - City of Winter Park v Maxmedia et al.

motion | recommendation

background

This is a place holder in case there is an action coming forward from the executive session held prior to the meeting.

alternatives | other considerations

fiscal impact

long-term impact

strategic objective

item type	Public Hearing	meeting date	October 28, 2013
prepared by department division	George Wiggins Building & Permitting Services	approved by	■ City Manager■ City Attorney□ N A
board approval		☐ yes ☐ no ■	N A final vote

subject

SECOND READING - Film Ordinance Modification to Streamline the Permitting Process

motion | recommendation

Adopt Ordinance on second reading

summary

It has been brought to our attention that all governments in the Central Florida area utilize the services of the Metro Orlando Film Commission to process film permits while maintaining any unique features or requirements of those participating governments, including Orange, Seminole, Lake and Osceola Counties and cities within these counties. We have reviewed their process and feel this can be accomplished expeditiously and allow us to collect any required fees for these permits. There is no charge for their handling of this process. Currently, we electronically route film permits to the respective City Departments for approval and this process will continue and be handled by the Film Commission. When approved by our departments with conditions (if any) addressed by the applicant, then we will issue the permit as we do now. Any conditions or limitations unique to the City of Winter Park will still be applicable and must be met by the applicant.

board comments

N/A

ORDINANCE NO.	0	RD	INA	\N(CE	NO).				
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AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 26 ARTICLE III "FILM INDUSTRY" TO STREAMLINE THE FILM PERMITTING PROCESS AND AMEND CERTAIN PROVISIONS.

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

SECTION 1. That Chapter 26, Article III "Businesses" of the Code of Ordinances is hereby amended and modified by moving this Chapter 26, Article to Chapter 7 and amending text to read as follows:

Sec. <u>7-1</u> 26-92. Findings of fact.

The motion picture, television and still picture industries can be environmentally clean industries, desirable for the city so long as there is adequate regulation to protect the health, safety and well-being of the local community, atmosphere and environment.

Sec. 7-2 26-91. Definitions.

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

Applicant includes an individual, firm, partnership, corporation, company or any association of joint stock.

City equipment means and includes any tangible property, other than real property, owned or controlled by the city.

City facilities means and includes any public street, sidewalk, park, recreational facility, cemetery, building, lake or other water body or real property owned or controlled by or under the jurisdiction of the city.

Film production means and includes any and all motion picture production, television production, videography and still photography.

Film Commissioner means the Director of the Metro Orlando Film Commission, a Division of the Metro Orlando Economic Development Commission.

Motion picture production means and includes all activity attendant to staging or shooting commercial motion pictures or programs and commercially prepared videotape.

Permittee means any applicant to whom a film production permit is issued by the city.

Production crew means and includes any and all persons who are in any way involved in the production, staging or shooting of commercial motion pictures, videotaping, television shows or programs or still photography.

Production vehicles means and includes any and all vehicles which are in any way involved in the production, staging or shooting of commercial motion pictures, videotaping, television shows or programs or still photography and includes but is not limited to automobiles, trucks, trailers, vessels, motorcycles, helicopters and airplanes.

Still photography means and includes all activity attendant to staging or shooting commercial still photographs.

Television production means and includes all activity attendant to staging or shooting commercial television pictures, shows or programs and commercially prepared broadcasts.

Temporary structures means and includes any and all structures assembled on or near a location attendant to motion picture production, television production or still photography.

Videography means and includes all activity attendant to staging and shooting commercially prepared videotape.

Sec. 26-92. Findings of fact.

The motion picture, television and still picture industries can be environmentally clean industries, desirable for the city so long as there is adequate regulation to protect the health, safety and well-being of the local community, atmosphere and environment.

Sec. 7-3. Film Commissioner.

The Film Commissioner is hereby authorized to act as the agent for the City of Winter Park in the receipt and processing of applications for production permits. After review and approval by the City, the Film Commissioner shall issue the permit. With regard to motion photography production, no other City permits shall be required.

Sec. 7-4 26-93. Exemptions.

- (a) Broadcast studios. The provisions of this article shall not apply to any commercial motion picture, television or videotaping studio or photography studio operating at its established or fixed place of business in the city.
- (b) Current news. The provisions of this article shall not apply to or affect reporters, photographers or cameramen in the employ of a newspaper, news service, television station or similar entity engaged in on-the-spot broadcasting of news events concerning those persons, scenes or occurrences in the news and of general public interest.
- (c) Limited film production. The permitting provisions of this article shall not apply to any film productions conducted entirely on privately owned property and not involving the use of any city facilities or city equipment, but the filming requirements of section 7-5 shall apply.
- (d) Limited videography and still photography. The provisions of this article shall not apply to videography or still photography involving a production crew of five or fewer persons and three or fewer production vehicles.
- (e) Personal-family use. The provisions of this article shall not apply to noncommercial filming or videotaping of motion pictures or still photography which are solely for personal-family use.
- (f) Training, educational and public service use. The provisions of this article shall not apply to any industrial, corporate, charitable or not-for-profit film production intended for in-house training or educational purposes which are not offered for sale or distribution to third persons and which involve a production crew of five or fewer persons and three or fewer production vehicles, but the filming requirements of <u>section 26-94</u> section 7-5 shall apply.

Sec. <u>7-5</u> 26-94. Filming requirements.

The following requirements will be made of all motion picture production, television production and still photography within the limits of the city:

- (1) A film production permit may be issued authorizing filming at more than one location within the city limits.
- (2) Film production or related activity shall be permitted between the hours of 7:30 a.m. and 7:30 p.m. in residential neighborhoods and between 6:00 a.m. and 10:00-12 p.m. in business and commercial areas. Film production or related

P	age	3	
Ordinance	No.		

activity shall not occur at any other time unless the special written prior approval of the city manager is granted.

- (3) No filming or related activity shall take place on Sundays or holidays without the prior written approval of the city manager.
- (4) All parking relating to film production shall be restricted to one side of the street only. All public roadways shall be kept open at all times unless approved by the chief of police. Parking may be prohibited in the area of filming activity if, in the opinion of the city manager, a safety hazard could result.
- (5) There shall be no nude or partially nude performers in the view of the public at any time <u>or within any city park or city facilities</u>.
- (6) There shall be no act of rape, sodomy, bestiality, sexual intercourse or acts of violence portraying the dismemberment of bodies or body parts of humans or animals in view of the public at any time or within any city park or city facilities.
- (7) Waste and refuse disposal, as well as placement of portable toilet facilities, shall be conducted in the manner directed by the director of public works.
- (8) Any damage to public property, private property and landscape shall be fully remedied at the cost of the permittee.
- (9) No film production or any related activity may take place in violation of any federal, state or local law, ordinance or regulation.
- (10) Additional restrictions may be placed on film production within the limits of the city if the city manager or the city commission deems it necessary to protect the public health, safety or general welfare of the community, its citizenry, and its environment. Such restrictions may include the required use of police, fire and other city personnel during the filming.
- (11) At no time shall the noise level resulting from film production or related activities violate Chapter 62, Article IV, Division 2.
- (12) At no time, during film production or related activities, shall lights or lighting be operated in any manner which endangers or injures the safety or health of humans or animals or which annoys or disturbs the reasonable person of normal sensitivities or which endangers or injures personal or real property.

P	age	4	
Ordinance	No.		

(13) Vehicles shall not be parked overnight on or about property or roadways within the city, except property properly zoned therefor, without prior written consent obtained from the property owner of the parking site, a majority of the neighboring residents or occupants or businesses within a 500-foot circumference of the parking site and the city manager.

Sec. 7-6 26-106. Required.

No person shall engage in, conduct or carry on the business of film production, motion picture production, television production or still photography on private or public property within the limits of the city without first applying for or receiving a film production permit from the city except for filming or videotaping of motion pictures or still photography personal use.

Sec. <u>7-7</u> 26-107. City manager's duties.

The city manager is authorized to act as the agent for the city in the receipt and processing of applications for film production permits. The city manager shall issue the film production permits.

Sec. 7-8 26-108. Application; fees.

- (a) Any person seeking the issuance of a film production permit shall complete the written application form provided by the city manager and file that written application with the city manager not less than seven working days and not more than 180 days before the commencement of film production. The application must be signed, under oath, by an authorized representative of the applicant, together with a nonrefundable application fee.
- (b) The <u>city commission eity manager</u> is authorized to establish a schedule of application fees that will defray the city's costs of investigation and review in connection with the application. The fee may be waived or reduced by the city manager upon a <u>determination that the film production provides positive publicity or otherwise advances the goals of the city.</u>

Sec. 7-9 26-109. Contents and effect of application.

- (a) An application for a film production permit shall contain the following specific information:
 - (1) Location of the film production described by a street address or, if necessary, property description.

- (2) Film production dates, including estimates and projections as to the possibility of delays and postponements.
- (3) Hours of filming, which must be consistent with the permit requirements of this division.
- (4) Type of film production.
- (5) Proposed use of temporary structures, including a description of each temporary structure, its proposed use and placement and the dates and duration of each proposed placement.
- (6) Number and type of production vehicles and equipment, as well as the number of production crew and other personnel to be on location with the production.
- (7) Proposed plan for dealing with sanitation, including disposal of waste and refuse as well as placement of portable toilet facilities.
- (8) Necessity for closures of public streets or sidewalks and the proposed dates and necessary duration of such proposed closures.
- (9) Neighborhood consents signed by the majority of proprietors or authorized representatives of any business and residents and occupants of any property located within a 500 foot circumference of each film production site as well as a signed consent from each neighboring business or resident on the immediate right, left, front and rear of the film production site. The consents shall be informed consents reflecting that the signatory party has been advised of the location, duration and nature of the film production, including any special effects and the number and type of production vehicles to be used.
- (10) Proposed utilization of city equipment and city facilities.
- (11) A hold harmless agreement in favor of the city executed by an authorized representative of the applicant.
- (12) Proof of general liability insurance coverage in the amount of at least \$1,000,000.00 naming the city as additional insured.
- (13) Proof of worker's compensation insurance coverage for each and every employee in any way involved with the film production, as required under the laws of the state.

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Ordinance	No.		

- (14) A comprehensive list of special effects to be utilized, the proposed date and site for performance of each special effect or use of explosive devices, accompanied by proof of \$5,000,000.00 of liability insurance therefor, naming the city as additional insured. In addition, the film production permit application shall list the person in charge (pilot or technician) of special effects, together with his qualifications and licensure by the applicable federal and state agencies.
- (b) The application for a film production permit shall constitute an agreement by the applicant to pay for city personnel expenses and extraordinary services provided by the city, including all repairs, renovations and landscaping and turf restoration or replacement which are necessitated by virtue of the production.
- (c) The application for a film production permit shall constitute a covenant between the applicant and the city, specifying that the applicant will halt or interrupt filming upon instruction from a uniformed officer of the police department. The city covenants not to instruct that film production be halted or interrupted unless in its discretion it perceives that the filming shall cause or coincide with interference with traffic movement, disturbance of the peace, destruction of property, violation of the law or a threat to the public peace, health, safety or welfare.

Sec. <u>7-10</u> 26-110. Approval criteria.

The city manager shall approve issuance of a film production permit upon application, unless one of the following circumstances exists:

- (1) The applicant has been convicted of a felony or a misdemeanor involving moral turpitude and has not subsequently demonstrated rehabilitative characteristics.
- (2) The applicant has made a material misrepresentation in the application.
- (3) The proposed film production will substantially disrupt the peace and quiet within any area of the city.
- (4) The proposed film production will have a substantial impact upon traffic within any area of the city.
- (5) The proposed film production in any way damages or degrades the image of the city.

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- (6) The film production fails to comply with any of the criteria designated under this article for issuance of the film production permit or rules and regulations governing the production.
- (7) If the application is for renewal of a film production permit, the applicant has violated conditions of the previous permit or ordinances or regulations of the city in the conduct of the film production.

Sec. 7-11 26-111. Limitations.

- (a) There shall be no more than four film production permits granted with reference to any single residentially zoned property during a given calendar year.
- (b) There shall be no more than ten film production permits granted with reference to any single non-residentially zoned property during a given calendar year.
- (c) No film production permit shall be issued with reference to a particular location if either the city manager or city commission determines that film production at that location would, in any way, adversely affect the public health, safety or general welfare of the citizenry, community and environment of the city.

Sec. 7-12 26-112. Fees; deposit for city personnel and extraordinary service fee.

- (a) Upon issuance of a film production permit, the permittee shall pay to the city the applicable film production permit fees as established by the city.
- (b) At the conclusion of the film production, any additional permit fees required in excess of those paid at the time of issuance of the permit will be paid to the city by the permittee, and any excess permit fees paid by the permittee will be refunded by the city.
- (c) The issuance of a film production permit shall not operate to waive the payment of any prescribed fees for the use of city facilities, and the permittee shall be required to pay the applicable charges and deposits, if any, as established by the city for the use of its city facilities.
- (d) The city shall recover its reasonable expenses for city personnel utilized and extraordinary services rendered in connection with a film production. Such costs shall include but not be limited to charges for personnel and equipment committed in support of the production. Based on the information contained in the permit application and such consultations as may be required between the applicant and the city manager, an estimate of these costs will be provided to the applicant at the time his

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Ordinance	No.	

application for the permit is approved. Prior to issuance of a film production permit, the permittee shall deposit with the city the amount of these estimated costs. At the conclusion of the production, expenses below or in excess of the estimates will be refunded by the city or paid by the permittee, respectively.

Sec. <u>7-13</u> 26-113. Denial; term; revocation or suspension.

- (a) Denial of permit. Where the film production permit is denied, the applicant shall be notified in writing by mail or by electronic email with verification of receipt within ten days of the denial and the reasons therefor.
- (b) *Term.* Film production permits issued pursuant to this article shall be effective for the stated purpose from the date of issuance through the date specified in the permit.
- (c) Revocation or suspension. A film production permit may be revoked or suspended for any of the following reasons:
 - (1) A material false statement contained in the application;
 - (2) Failure to comply with federal, state or municipal laws and regulations;
 - (3) Failure to comply with any conditions imposed by the city on the issuance of the film production permit;
 - (4) Failure to operate the film production in accordance with such ordinances, laws, orders, rules and regulations as may be applicable; or
 - (5) Conducting the film production business or activity in a fraudulent or disorderly manner or in a manner which endangers the public health, safety, welfare or in any manner which disrupts the public peace.

Sec. <u>7-14</u> 26-114. Notice of hearing and grounds for suspension or revocation.

Prior to suspension or revocation of a film production permit, the permittee shall be notified in writing of the grounds for suspension or revocation of the permit, and a hearing shall be held before the city manager thereon. Notice of the hearing shall be given to the permittee at least ten days prior to the hearing.

Sec. 7-15 26-115. Emergency temporary suspension.

If the conduct or activity of the permittee creates an imminent peril to the environment or the public health, safety or welfare, the film production permit may be summarily suspended upon notice to the permittee. The permittee shall be entitled to a hearing within three working days thereafter and any temporary emergency suspension shall not exceed 15 days pending a hearing under section 26-114.

Sec. 7-16 26-116. Conduct of hearing on suspension or revocation.

The hearing before the city manager on the suspension or revocation of a film production permit shall be conducted to allow the permittee the right to be heard and to call witnesses on the permittee's behalf.

Sec. <u>7-17</u> 26-117. Decision after hearing on suspension or revocation.

The decision of the city manager shall be rendered within ten days of the close of the hearing on the suspension or revocation of the film production permit. The decision shall be in writing and shall set forth the findings of fact and conclusions of law underlying the decision, and the permittee shall be notified of the decision in writing within ten days of the date of the decision.

Sec. <u>7-18</u> 26-118. Appeal procedure.

The decision of the city manager upon a denial of a film production permit application or suspension or revocation of a film production permit may be appealed to the city commission by written notice thereof filed with the city manager within 30 days of the date of the written decision of the city manager.

SECTION 2. All ordinances or portions or ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall become effective immediately upon its final passage and adoption.

ADOPTED at a regular meeting of the C	•
Florida, held in City Hall, Winter Park, on this _	day of, 201
	Mayor Kenneth W. Bradley
ATTEST:	
	
City Clerk Cynthia S. Bonham	

item type	Public Hearing	meeting date	October 28, 2013
prepared by department division	Michelle del Valle City Management	approved by	■ City Manager■ City Attorney□ N A
board approval		ges no	N A final vote

subject

SECOND READING - Ordinance amending City of Winter Park Firefighters' Pension Plan

motion | recommendation

Adopt ordinance on second reading.

summary

This Ordinance proposes a change to the definition of salary in the Firefighter's Pension Plan in response to state law adopted in 2011. The law required that the language be modified with the ratification of the first collective barging agreement following its enactment. The FY 2014 agreement between the IAFF and the City of Winter Park ratified earlier tonight was the first agreement to meet this requirement.

The same definition recommended in this ordinance was applied to the Police Pension Plan with the ratification of the FY 2013 collective bargaining agreement between the Teamsters and the City of Winter Park and the adoption of Ordinance No. 2935-13 on August 28, 2013.

board comments

N/A

ORDINANCE NO. -13

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 74, PERSONNEL, ARTICLE V, RETIREMENT AND PENSION PLANS, DIVISION 4, FIRE FIGHTERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK; AMENDING SECTION 74-201, DEFINITIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS;

SECTION 1: That Chapter 74, Personnel, Article V, Retirement and Pension Plans, Division 4, Fire Fighters, of the Code of Ordinances of the City of Winter Park, is hereby amended by amending Section 74-201, Definitions, to amend the definition of "Salary", to read as follows:

* * * * *

Salary means the total compensation for services rendered to the City as a Fire Fighter reported on the Member's W-2 form, except compensation for special details, duty indirectly paid for by private parties, and tuition reimbursement, and emergency payment for unused Personal Leave, but including all tax deferred items of income deferred pursuant to Sections 457 (employee contributions only) and 414(h) of the Code and tax exempt income exempt pursuant to Section 125 of the Code, and tax sheltered items of income derived from elective employee payroll deductions or salary reductions. Notwithstanding the preceding sentence, for Credited Service on and after October 1, 2011, Salary shall exclude payments for overtime in excess of three hundred (300) hours per calendar year, excluding overtime worked as part of a member's regular work schedule, and payments for accrued annual leave, except that payments for accrued annual leave accrued as of October 1, 2011 may be included in Salary for pension purposes even if payment is not actually made until on or after October 1, 2011 provided, however, the amount of accrued annual leave accrued as of October 1, 2011 that may be included in Salary for pension purposes shall be reduced by the actual amount of annual leave used by the Member on or after October 1, 2011 as follows:

- A. For Members with sixteen (16) years or more Credited Service as of October 1, 2011, the amount of accrued annual leave included in Salary shall be calculated by reducing the amount of accrued annual leave as of October 1, 2011 by the actual amount of annual leave used by the Member on or after that date on a last in first out (LIFO) basis; and
- B. For Members with less than sixteen (16) years of Credited Service as of October 1, 2011, the amount of annual leave included in Salary shall be calculated by reducing the amount of accrued annual leave as of October 1, 2011 by the actual amount of annual leave used by the Member on or after that date on a first in first out (FIFO) basis.

* * * * *

SECTION 2: Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Winter Park.

SECTION 3: All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4: If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other

body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5: That this Ordinance shall become effective upon its adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the 28^{th} day of October, 2013.

By: Mayor Kenneth W. Bradley
·

dm/wtp/pol/08-05-13.ord

item type	Public Hearing	meeting date October 28, 2013
prepared by department division	Jeff Briggs Planning Department	approved by
board approval	Planning and Zoning Board	■yes □ no □N A 4-0 final vote

Subject: Request of Windermere Winter Park Ventures LLC for Conditional Use Approval for a 15 unit townhouse project at 472 and 510 W. Swoope Ave.

Windermere Winter Park Ventures LLC is requesting Conditional Use approval for a 15 unit residential townhouse project. These properties are on the opposite side of the street from the Swoope Avenue Water Plant. The combined properties of 472 and 510 W. Swoope Avenue are 150 feet wide by 250 feet deep for a combined site area of 37,500 square feet. This is conditional use because of building size over 10,000 sq. ft.

Planning and Zoning Board Recommendation:

Motion made by Mr. J. Johnston, seconded by Mr. Slocum, to approve the conditional use under the large building ordinance with the requested variances for building and impervious lot coverage and with the staff recommended condition that a landscape plan be approved by the City that incorporates a bamboo screen along the western setback area and increased landscape buffer in the front yard. In addition the Board also encourages the developer to increase the width of the garages on the eastern six units on the property a minimum of eight inches for each unit and supports the increased variances needed to accomplish that. This is to be reviewed at the City Commission public hearing.

Motion carried unanimously with a 4-0 vote.

Summary:

Based on the existing R-3 zoning, a property with more than 15,000 sq. ft., is permitted one unit for each 2,500 square feet of land. So this 37,500 sq. ft. of land in the two combined lots equates to the 15 units requested. The applicant is requesting conditional use approval per the attached plans. Those plans show 15 townhouses arranged in a nine unit building on the east side of the property and a six unit building on the west side of the property with a center common driveway.

The units range in size from 1,750 to 2,600 sq. ft. of living area and all units additionally have an enclosed two car garage. Parking is required at 2.5 spaces per unit (37.5 spaces) and the revised site plan shows 37 parking spaces. There is an enclosed two car garage for each unit and 7 outside common area spaces. The companion public hearing item for the 434/444 townhouse project describes in depth the issue of open carport parking versus enclosed garages.

Architecturally, the design is simple but in scale with the neighborhood. On the street front unit, there is a street front facing front porch to give the building visual street appeal. The project has 5v-crimp metal roof which is an upgrade financially and appearance wise over asphalt shingle.

The project generally meets the R-3 code provisions but there are three variances requested. Two of the variances relate to the maximum building footprint or building lot coverage and the corresponding maximum impervious lot coverage. The R-3 code maximum is 40% building lot coverage (footprint) of the lot area and 70% impervious coverage. This current design (per the P&Z recommendation) is at 43.7% building lot coverage and 71.3% impervious lot coverage. The design challenge for the developer is that the first floor needs to contain the two car garage area and the 'living' spaces of the kitchen and living room. Upstairs are the bedroom spaces. So the design challenge is providing enough usable 'living' space on the first floor and that results in the building (footprint) lot coverage variance request which totals 1,387 sq. ft. (total over code) or 92 sq. ft. over per unit. The impervious lot coverage variance is the result of the same design challenge and the need for 2.5 parking spaces per unit.

The third variance is a request for a 10 foot side setback on the west side of the property in lieu of the required 20 foot side setback. The design purposefully puts the smaller, six unit building on the western side requesting the variance versus the longer nine unit building. On that west side is a 10 unit residential project owned by Chris Heidrich. In your packets is an email from Chris Heidrich consenting to the variance for the ten foot side setback subject to a condition requiring a bamboo hedge screen which staff will incorporate into the staff recommendation.

Staff Appraisal:

It is unfortunate that this 472/510 W. Swoope townhouse project and the companion one at 434/444 W. Swoope is surrounding the modest one story single family home in the middle at 446 W. Swoope Avenue. However, these properties have historically (since 1971) been zoned R-3 for multi-family development and the R-3 zoning was established in recognition of the 250 foot lot depths in this block. The location is across the street from the city's water plant and a half block from the Public Safety complex. As such, multi-family development is compatible with the area and what has been contemplated by the R-3 zoning for many decades.

The variances for the added lot and impervious coverage will be imperceptible. As long as the project provides the bamboo landscape screen requested by the neighbor who is impacted by the side setback variance and the project landscapes the front yard beyond the minimum code, then the visual impact of the added coverage will be mitigated.

REQUEST OF WINDERMERE WINTER PARK VENTURES LLC FOR: CONDITIONAL USE APPROVAL UNDER THE LARGE BUILDING ORDINANCE TO BUILD A 15 UNIT RESIDENTIAL TOWNHOUSE PROJECT AT 472 AND 510 W. SWOOPE AVENUE, ZONED (R-3) WITH VARIANCES BUILDING LOT AND IMPREVIOUS COVERAGE AND FOR A 10 FOOT SIDE SETBACK ON THE WEST SIDE IN LIEU OF THE REQUIRED 20 FEET.

Mr. Briggs presented the staff report and explained that the applicant Windermere Winter Park Ventures LLC is requesting Conditional Use approval for a new 15-unit residential townhouse project on the opposite side of the street from the City's Swoope Avenue Water Plant. He said that the combined properties of 472 and 510 West Swoope Avenue are 150 feet wide by 250 feet deep (37,500 square feet) and based on the existing R-3 zoning, on a property with more than 15,000 square feet, the maximum residential density is one unit for each 2,500 square feet of land. Therefore, this 37,500 square feet of land in the two combined lots equates to the 15 units requested.

He discussed the details of the Conditional Use request and explained that the applicant plans 15 townhouses arranged in a nine-unit building on the east side of the property and a six-unit building on the west side of the property with a center common driveway. The proposed units range in size from 1,750 to 2,600 square feet of living area and all units additionally have an enclosed two car garage. Parking is required at 2.5 spaces per unit (37.5 spaces) and the site plan shows 39 parking spaces. There is an enclosed two car garage for each unit and nine outside common area spaces. Architecturally, the design is simple but in scale with the neighborhood. On the street front unit, there is a street front facing front porch to give the building visual street appeal.

Mr. Briggs discussed the three variances requested. Mr. Briggs explained that two of the variances relate to the maximum building footprint or building lot coverage and the corresponding maximum impervious lot coverage. The R-3 code maximum is 40% building lot coverage (footprint) of the lot area and 70% impervious coverage. This design is at 42.4% building lot coverage and 73.2% impervious lot coverage. The design challenge for the developer is that the first floor needs to contain the two car garage area and the 'living' spaces of the kitchen and living room. Upstairs are the bedroom spaces. So the design challenge is providing enough usable 'living' space on the first floor and that results in the building (footprint) lot coverage variance request which totals 900 square feet (total over code) or 60 square feet over per unit. The impervious lot coverage variance is the result of the same design challenge and the need for 2.5 parking spaces per unit. The 1,215 square feet of impervious coverage over the code limit is again 900 square feet from the building footprint, 175 square feet from the two open front porches and 140 square feet of added pavement which is one parking space.

The third variance is a request for a 10 foot side setback on the west side of the property in lieu of the required 20 foot side setback. The design purposefully puts the smaller, six-unit building on the western side requesting the variance versus the longer nine-unit building. On that west side is a 10 unit residential project owned by Chris Heidrich. In your packets is an email from Chris Heidrich consenting to the variance for the ten foot side setback subject to a condition requiring a bamboo hedge screen which staff will incorporate into the staff recommendation.

Mr. Briggs summarized by stating these properties have historically (since 1971) been zoned R-3 for multi-family development and the R-3 zoning was established in recognition of the 250 foot lot depths in this block. The location is across the street from the city's water plant and a half block from the Public Safety complex. As such, multi-family development is compatible with the area and what has been contemplated by the R-3 zoning for many decades. He noted that the variances for the added lot and impervious coverage will be imperceptible. As long as the project provides the bamboo landscape screen requested by the neighbor who is impacted by the side setback variance and the project landscapes the front yard beyond the minimum code, then the visual impact of the added coverage will be mitigated.

Staff recommended approval of the Conditional Use with the condition that a landscape plan be approved by City that incorporates a bamboo screen along the western setback area and increased landscape buffer in the front yard.

No one else wished to speak concerning the request. Public Hearing closed.

Mr. Slocum addressed the Board and explained that with 18 ft. 8 inch wide interior two car garages, one can park two cars inside but barely be able to open the doors. If we are concerned about cars parked on the streets then we should make sure that the garages are actually wide enough to be usable. He cited best practices guides and other architectural standards to support the matter. Mr. Briggs responded that the City Code does not contain a minimum width standard but it would be a good idea to have one. The Board discussed the matter and was in agreement conceptually. Mr. J. Johnston suggested that the Board offer an alternative as part of the motion that would encourage the applicant to add the 8 inches discussed to the garage width and to have the Board motion support those incrementally increased variances. Ms. De Ciccio and Mr. R. Johnston stated their agreement and also the concurrence that the difference in loot coverage and impervious coverage would not be noticeable. The Board then expressed their concurrence that the project was compatible with the surrounding area and that enclosing the carports is acceptable.

Motion made by Mr. J. Johnston, seconded by Mr. Slocum, to approve the conditional use under the large building ordinance with the requested variances for building and impervious lot coverage and with the staff recommended condition that a landscape plan be approved by the City that incorporates a bamboo screen along the western setback area and increased landscape buffer in the front yard. In addition the Board also encourages the developer to increase the width of the garages on the eastern six units on the property a minimum of eight inches for each unit and supports the increased variances needed to accomplish that. This is to be reviewed at the City Commission public hearing.

Motion carried unanimously with a 4-0 vote.



510 SWOOPE AVENUE

Jeffrey Briggs

To:

Jeffrey Briggs

Subject:

FW: 10 foot setback

From: Chris Heidrich [mailto:cheidrich63@gmail.com]

Sent: Monday, September 09, 2013 3:13 PM

To: Jeff gelman **Cc:** Jeffrey Briggs **Subject:** 10 foot setback

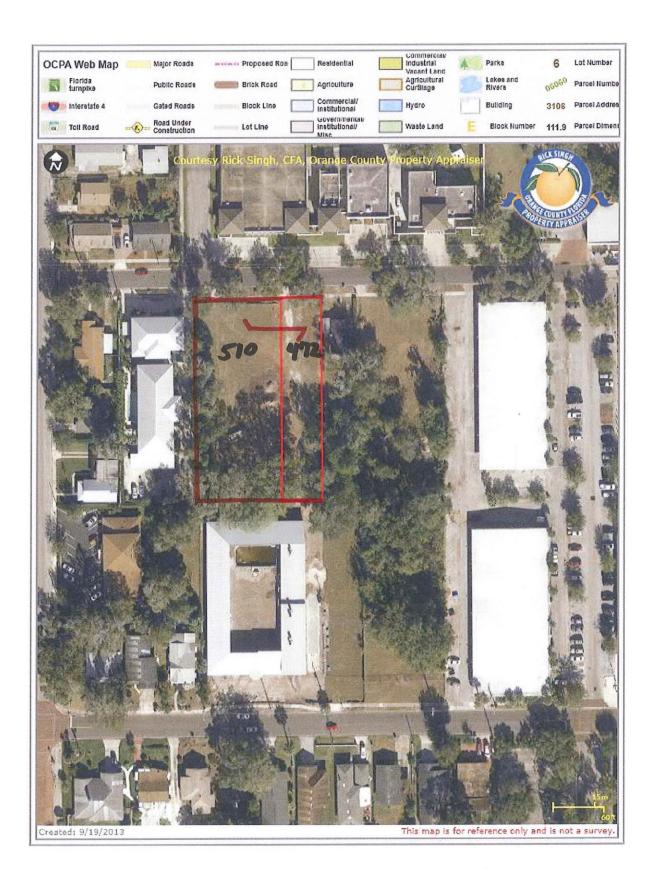
Hi Jeff,

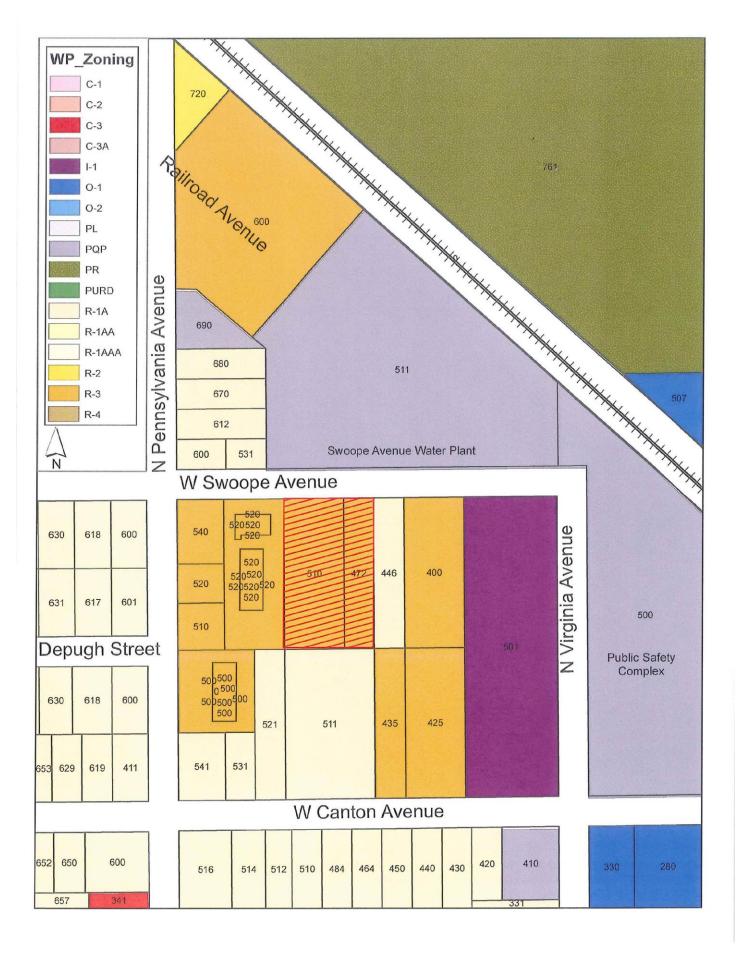
Let this email act as my agreement as the neighboring property owner to your putting the six unit building ten feet from my property line on W. Swoope Ave. in Winter Park. It is also agreed that a bamboo hedge will be planted just inside the property line on your side running the entire length of the building. You've agreed to allow me to pick the bamboo variety, the size plant container, spacing and planting method. Spacing typically is four feet and the planting method shall include the digging of a shallow ditch lined with a plastic material to contain the future growth pattern of the clumping bamboo. The variety will be primarily selected based on maximum growth height, density and low temperature tolerance.

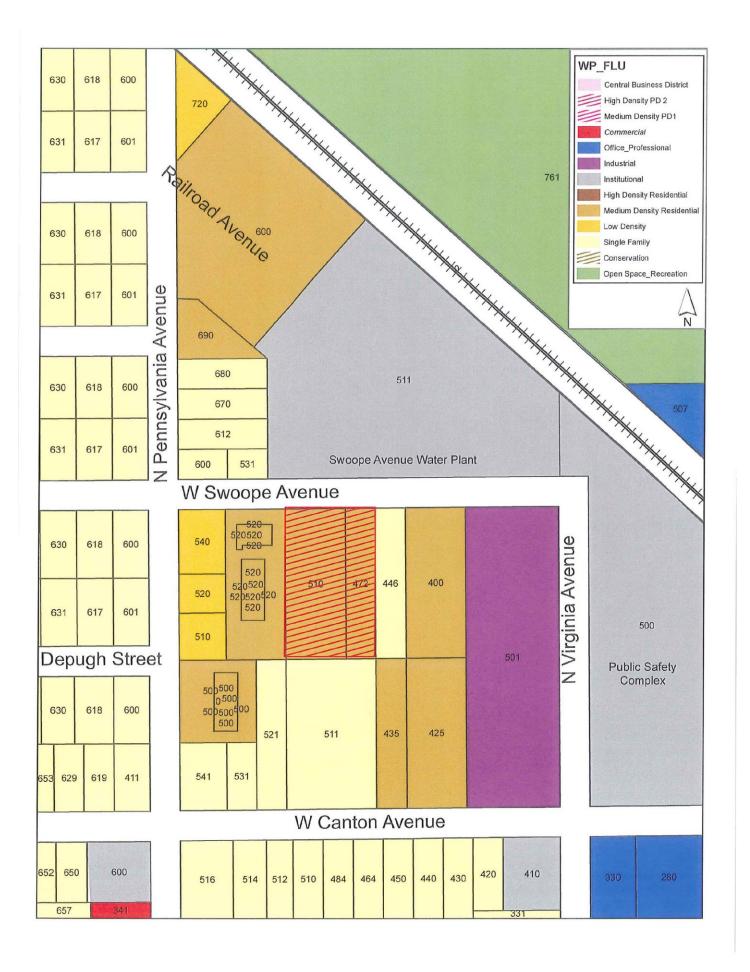
The width of the ditch should be at least 24".

All best,

--Chris Heidrich 321-277-6995 cheidrich63@gmail.com







Custom Townhomes for:

Windermere Winter Park Ventures, L.L.C.

510 West Swoope Ave. Winter Park/Orange County, FL 32789



		DRAWING INDEX						
REVISION	SHEET NO.	DESCRIPTION						
		GENERAL NOTES						
	A0.1	COVER SHEET, DRAWING NOTES, PROJECT TEAM, GENERAL NOTES, CODE INFORMATION						
-		ARCHITECTURAL						
	SPLI	ARCHITECTURAL SILE PLAN						
	A1D	FIRST FLOOR OVERALL PLAN						
17/11/2005	A1,1	SECOND FLOOR OVERALL PLAN						
	A1.2	THIPD FLOOR OVERALL PLAN						
200	ALD	UNIT A and B FRST / SECOND / THIRD FLCOR PLANS						
- 1	41.4	UNIT C and D. FIRST / SECOND ; THIRD FLOOR PLANS						
	A3.1	DITERIOR ELEVATIONS						
	A32	EXTERIOR ELEVATIONS						

	FRU	JECT INFORMATION						
REV.	UEM	DESCRIPTION						
	Parcel I.D.	05-22-30-9400-11-050 & 05-22-30-9403-11-040						
	Legal Description	LOTE 7, 8 and 9, BLOCK 11, REVISED MAP OF THE TOWN OF MINITER PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "A", PAGE 67-72, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.						
	Physical Address	51D WEST SWOOPE AVENUE WINTER PARK						
- 3	City							
	County	ORANGE						
	State	PL .						
	São Atteago	0.8610						
	Sile Stutre Foologe	37500						
-	-	DEVELOPMENT INFORMATION						
	Property : Building Owner	WINDERMERE WINTER PARK VENTURES LLC						
	Property / Building Owner Address	8965 SE BREDGE RD STE 207, HOBE DOUND, FL 33455						
_	1	ZDNING						
	Zeeing Classification	RS						
	Occupancy Type	Ra						

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3920 EDGEWATER DRIVE, SUITE 101 DRLANDO, FLORIDA 32804 PH: 437-647-0938 FAX: 407-647-2499 AA 26001471 PROJECT MANAGER: AMY LUDDY

BUILDER

JAG Group, Inc.
2318 WINDING COVE
OVIEDO, FI. 22785
PH: 407-566-4352
FAX: 407-589-3185
CGC1511327
CONTACT: JESSE HAMMEN

CIVIL

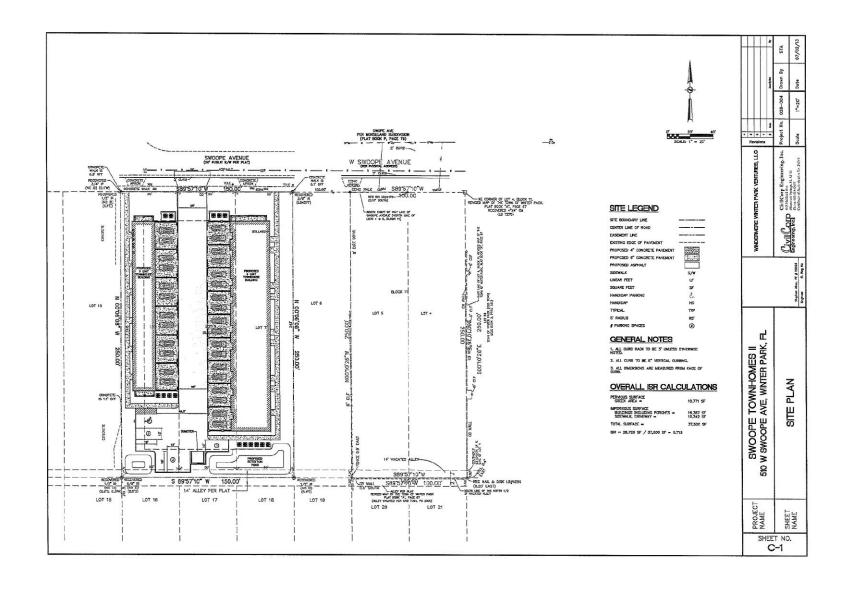
CIVILCORP

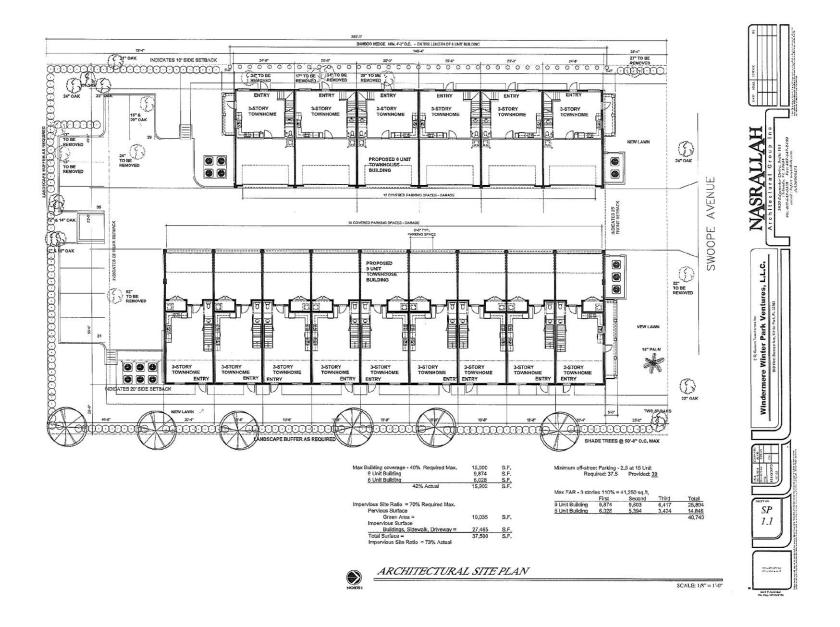
ENGINEERING, INC

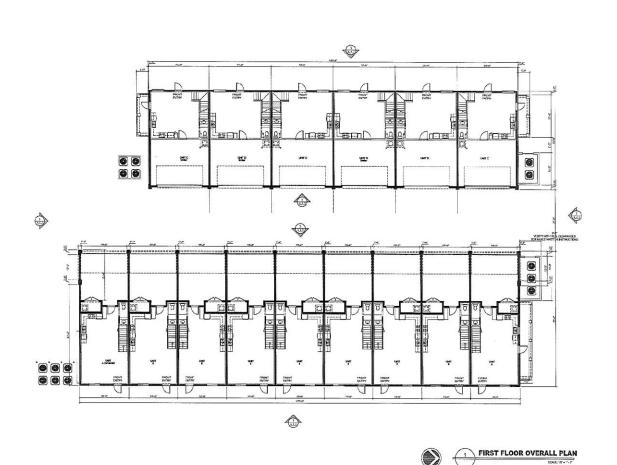
485 MATILAND AVE
ALTAMONTE SPRING, FL 32701
PH: 407-516-0437
CONTACT: STEPHEN ALLEN

MEP ENGINEER

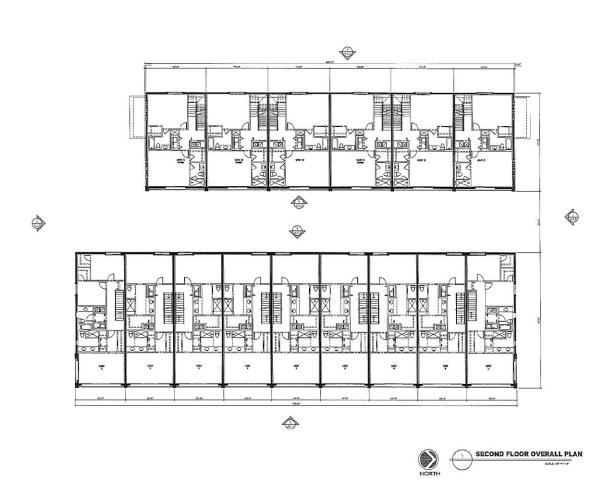




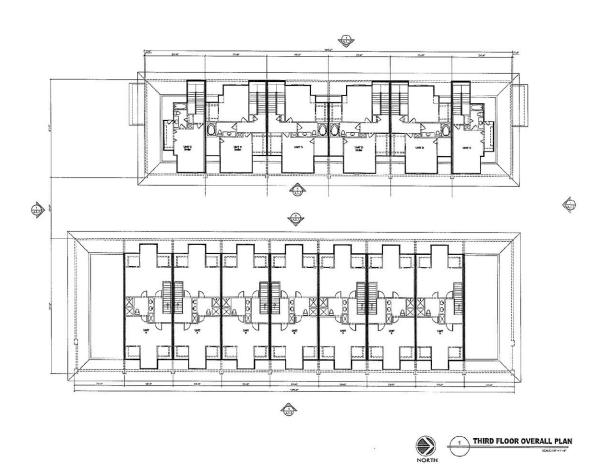




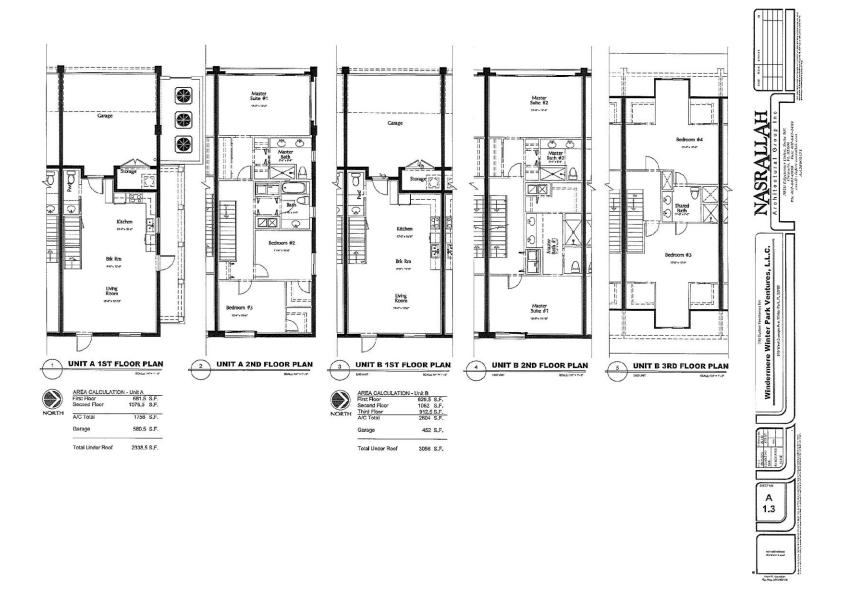


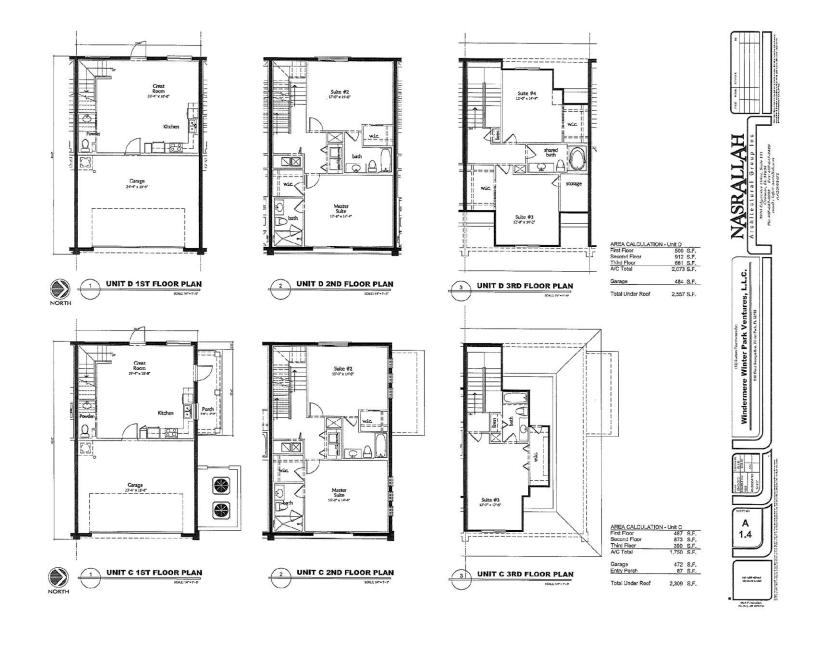


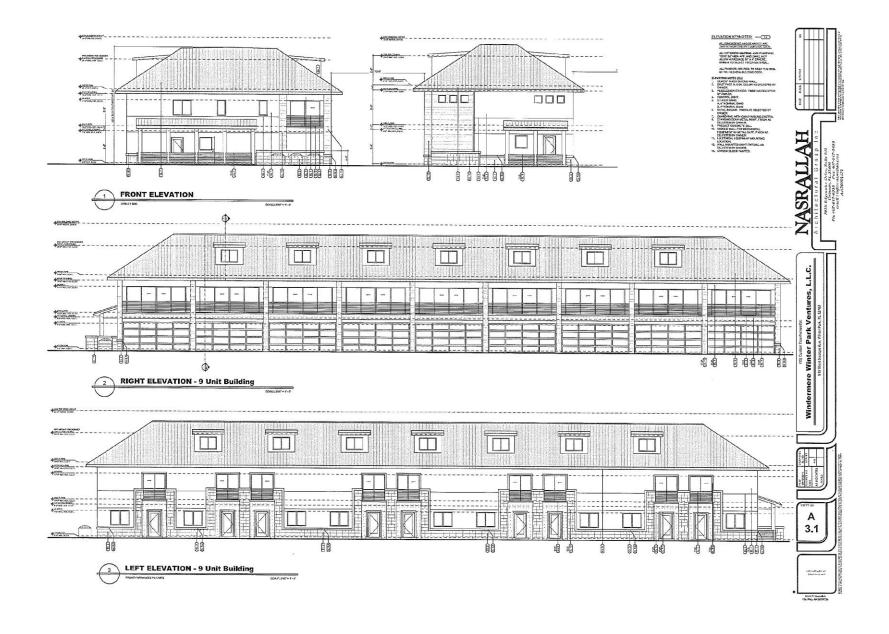














item type	Public Hearing	meeting date October 28, 2013
prepared by department division	Jeff Briggs Planning Department	approved by
board approval	Planning and Zoning Board	■yes □ no □ N A 4-0 final vote

Subject: Request of Windermere Winter Park Ventures LLC to Amend the Conditional Use Approval for a 9 unit townhouse project at 434/444 W. Swoope Ave.

In February, 2012, Windermere Winter Park Ventures LLC received Conditional Use approval for a ten unit residential townhouse project at 434/444 W. Swoope Avenue. (It is soon to be readdressed as the 400 West Swoope Avenue). This project was subsequently revised down to nine units by the developer and is now under construction. As they begin to market the units they are getting a negative response from buyers about having carports for each townhouse unit versus enclosed garage space. The developer is now asking to remove that original condition of approval which required carports so they may complete the project with enclosed garages.

Planning and Zoning Board Recommendation:

Motion made by Mr. J. Johnston, seconded by Mrs. De Ciccio to amend the conditional use approval to remove the prohibition on enclosed garages versus open carports at the two and a half story, nine-unit residential townhouse building under construction and with the further condition that the developer look to maximize the width of the garages. Motion carried unanimously with a 4-0 vote.

Summary:

Garages versus Carports: The specific design feature of carports versus garages was originally requested by the planning staff. The concern was that the two car garages get filled up with "stuff", then you have one car or both cars parked out on the street because the garages are filled up. The same thing happens in single family neighborhoods but typically there is additional driveway area for parking which lessens the on-street parking. In areas of the City developed with a row of townhomes, there are sections of Indiana, Schultz, Kentucky and Aragon Avenues where there are in effect one-way streets at night with long lines of cars parked back to back on-street, so cars can pass only one way at a time. All of these congested street sections are in front of townhouse projects with two car garages. So originally to keep this project from angering the neighbors with cars parked up and down the street, the carport design was required and a specific condition of approval was part of the action by the City.

The applicant has submitted a revised building perspective drawing showing the "look" with garages which they believe to be more attractive. The primary concern cited by the applicant for the change is the added security of an enclosed garage space versus the open carport.

Staff Appraisal:

In these situations where the City experiences numerous cars parked on-street, the City Traffic Division, for traffic safety, designates and posts one side of the street to prohibit on-street parking. In fact, Public Works/Traffic Division had already determined that for this section of Swoope Avenue, in order to keep the optimum free flow of two way traffic on this street section, the north side of Swoope Avenue in this block is designated as 'no on-street parking'. Given the number of driveways that exist on the south side, there will only be about 6-7 on-street parking spaces available. Given that there is only a finite number of on-street parking spaces for the residents to overflow into, the staff has moderated its' position. Residents are not likely to park around the corner on Pennsylvania or Virginia Avenues. This also is not a heavily traveled street so whatever inconvenience is caused by on-street parking will likely be felt largely by the residents of these two townhouse projects.

REQUEST OF WINDERMERE WINTER PARK VENTURES LLC TO: AMEND THEIR CONDITIONAL USE APPROVAL TO REMOVE THE PROHIBITION ON ENCLOSED GARAGES VERSUS OPEN CARPORTS AT THE TWO AND A HALF STORY, 9 UNIT RESIDENTIAL TOWNHOUSE BUILDING UNDER CONSTRUCTION AT 434/444 W. SWOOPE AVENUE, ZONED (R-3).

Mr. Briggs gave the staff report and stated that in February, 2012, Windermere Winter Park Ventures LLC received Conditional Use approval for a new, two-story, ten-unit residential townhouse project at 434/444 W. Swoope Avenue. (It is soon to be re-addressed as the 400 West Swoope Avenue). He said that this project was subsequently revised down to nine units by the developer and is now under construction. As they begin to market the units they are getting a negative response from buyers about having carports for each townhouse unit versus enclosed garage space. The developer is now asking to remove that original condition of approval so they may complete the project with enclosed garages. He noted that the applicant has submitted a revised building perspective drawing showing the "look" with garages which they believe to be more attractive. The primary concern cited by the applicant for the change is the added security of an enclosed garage space versus the open carport.

Mr. Briggs discussed the pros/cons of carports versus garages. He explained that while it may seem unusual, that specific design feature of carports versus garages was originally requested by the planning staff. What the City has learned with townhouse projects is that the two car garages get filled up with "stuff". In areas of the City developed with a row of townhomes, there are sections of Indiana, Schultz, Kentucky and Aragon Avenues, the City often has a one-way street at night with long lines of cars parked back to back on-street, so cars can pass only one way at a time. All of the congested street sections are in front of townhouse projects with two car garages. So originally to keep this project from angering the neighbors with cars parked up and down the street, the carport design was required and a specific condition of approval was part of the action by the City.

Mr. Briggs summarized by stating that the Public Works/Traffic Division had already determined that for this section of Swoope Avenue, in order to keep the optimum free flow of two way traffic, the north side of Swoope Avenue in this block is designated as 'no on-street parking'. Given the number of driveways that exist on the south side, there will only be about 6-7on-street parking spaces available. Given that there is only be a finite number of on-street parking spaces for the residents to overflow into, the staff has moderated its' position. Residents are not likely to park around the corner on Pennsylvania or Virginia Avenues. Staff recommendation is for approval of removal of the prohibition on enclosed garages for this project.

Mark Nasrallah, 3920 Edgewater Drive, represented the owner/applicant on both requests. He explained that the carports limit the market viability of the units. Mr. Nasrallah responded to Board member questions and concerns.

No one else wished to speak concerning the request. Public Hearing closed.

The Board expressed their concurrence that enclosing the carports is acceptable given the limited onstreet parking that is available.

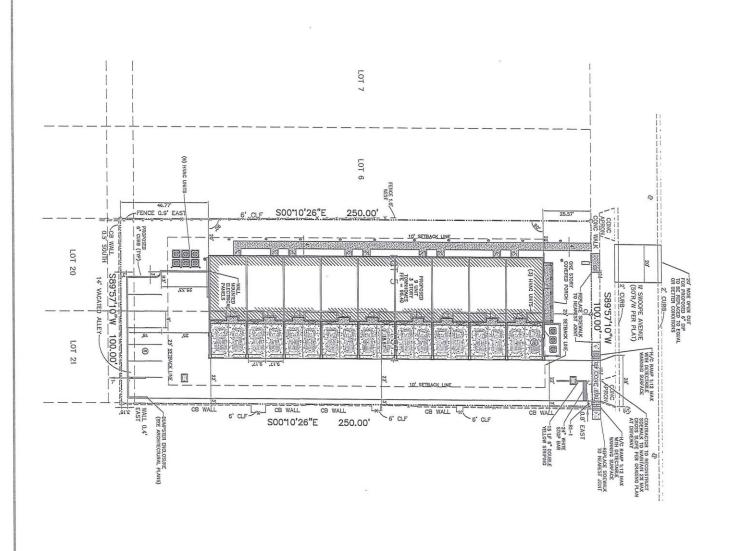
Motion made by Mr. J. Johnston, seconded by Mrs. De Ciccio to amend the conditional use approval to remove the prohibition on enclosed garages versus open carports at the two and a half story, nine-unit residential townhouse building under construction and with the further condition that the developer look to maximize the width of the garages. Motion carried unanimously with a 4-0 vote.



474 SWOOPE AVENUE









City of Winter Park: Planning and Zoning Board 401 South Park Avenue Winter Park, FL 32789

Winter Park Planning and Zoning Board,

Our client has expressed concern regarding the covered parking areas for the Townhome Units at 434 W Swoope Ave, Winter Park, FL 32789. Our client believes that these townhome units would better serve the intended market by providing a secured garage rather than covered parking. We have prepared a proposal to add a garage door to the covered parking area for each unit in order to create a secured 2 car garage. We have recessed the garage doors in such a way that it creates depth and shadows for the elevation of the building, providing texture as opposed to the garage doors aligning in the same plane as the exterior wall of the building. Please review the proposal and consider the option to add a garage door to each unit as indicated. Each unit contains a storage area within the garage and enough space to park 2 cars.

Respectfully Submitted,

Mark Nasrallah

Nasrallah Architectural Group, Inc.

3920 lidgewater Drive Orlando, FL 32804

407-647-0938

item type	Public Hearing	meeting date October 28, 2013
prepared by department division	Jeff Briggs Planning Department	approved by
board approval	Planning and Zoning Board	■yes □ no □ N A 5-0 final vote

Subject: Request of Aloma Avenue Holdings to Rezone 409 St. Andrews Blvd.

Aloma Avenue Holdings LLC (Dr. Shaw) has acquired the former Signature Pharmacy building at 2304 Aloma Avenue and also the property directly behind, to the south, at 409 St. Andrews Blvd. Their intention is to renovate the Signature Pharmacy building into medical office space and to expand the parking onto the 409 St. Andrews Blvd. property. That property is now zoned residential (R-3) and they are requesting rezoning to office (O-2).

Planning and Zoning Board Recommendation:

Motion made by Mr. R. Johnston, seconded by Mrs. De Ciccio to amend Chapter 58 "Land Development Code", Article III, "Zoning" and the official zoning map so as to change the existing zoning of multi-family residential (R-3) district to office (O-2) district on the property at 409 St. Andrews Boulevard.

Motion carried unanimously with a 5-0 vote.

Summary:

The existing development on both of these properties is grandfathered-in from development in Orange County prior to annexation by the City in 1992. The Signature Pharmacy building is developed as medical space on the second floor and general office space on the first floor. The property at 409 St. Andrews Blvd. (while zoned R-3) has general office space downstairs and a residential unit upstairs in the existing building. That office business (in R-3 zoning) was likely approved as a special exception in Orange County. The intention is to demolish that building and redevelop 409 St. Andrews as additional parking which is needed to convert the entire former Signature Pharmacy building to medical use.

The construction plans show the detail of the exterior improvements. Retention is being added to these properties as none exists today. Landscaping is being added where none exists today. A new fence to buffer and screen the new parking lot from the adjacent duplexes will be added as no visual buffer exists today. So from the exterior view, this redevelopment of the site and renovation of the building will be a welcome upgrade. Staff is providing this explanation of the background for this request but the public hearing is just for the rezoning. The agenda item does not include approval of the specific plans which will still be required to meet the applicable zoning and other codes of the City.

Comprehensive Plan Designation:

Another feature inherited from Orange County and incorporated into the City's Comprehensive Plan is "Office" future land use on the 409 St. Andrews Blvd. property. That means office zoning is both anticipated by the City and an entitlement to the owner. This request is just for the zoning change from R-3 to O-2 (not any companion Comp. Plan future land use change). Given that the City's Comprehensive Plan has designated that this property can be zoned office, the City is obligated to follow our Comp. Plan and provide that requested zoning. It is also beneficial to see how that entire property will be improved via this project.

REQUEST OF ALOMA AVENUE HOLDINGS LLC TO: AMEND CHAPTER 58 "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE EXISTING ZONING OF MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT TO OFFICE (O-2) DISTRICT ON THE PROPERTY AT 409 ST. ANDREWS BOULEVARD.

Planning Manager Jeffrey Briggs gave the staff report and explained that Aloma Avenue Holdings LLC (Dr. Shaw) has acquired the former Signature Pharmacy building at 2304 Aloma Avenue and also the property directly behind, to the south, at 409 St. Andrews Boulevard with the intention is to renovate the Signature Pharmacy building into medical office space and to expand the parking onto the 409 St. Andrews Blvd. property. That property is now zoned residential (R-3) and they are requesting rezoning to office (O-2). The existing development on both of these properties is grandfathered-in from development in Orange County prior to annexation by the City in 1992. The Signature Pharmacy building is developed as medical space on the second floor and general office space on the first floor. The property at 409 St. Andrews Boulevard (while zoned R-3) has general office space downstairs and a residential unit upstairs in the existing building.

The intention is to demolish that building and redevelop 409 St. Andrews as additional parking which is needed to convert the entire former Signature Pharmacy building to medical use. The construction plans show the detail of the exterior improvements. Retention is being added to these properties as none exists today. Landscaping is being added where none exists today. A new fence to buffer and screen the new parking lot from the adjacent duplexes will be added as no visual buffer exists today. So from the exterior view, this redevelopment of the site and renovation of the building will be a welcome upgrade. Staff is providing this explanation of the background for this request but the public hearing is just for the rezoning. The agenda item does not include approval of the specific plans which will still be required to meet the applicable zoning and other codes of the City. Staff recommendation is for approval.

Sam Saboli, 5127 South Orange Avenue, represented the applicants. He stated that they are in agreement with the staff recommendations. He stated that he was available to respond to Board member questions and concerns.

Lou Nimcoff, 1870 Aloma Avenue, stated that he owns property on Glenwood Ave and pointed out his property on the map for the Board. He expressed concern with the installation of a privacy buffer. Mr. Briggs responded that where the subject property borders residential property a six-foot vinyl fence will be installed.

No one else wished to speak concerning the request. Public Hearing closed.

Mr. J. Johnston confirmed that this rezoning is in conformance with the Comprehensive Plan future land use designation of 'office' for this property. The Board noted that the project is an upgrade for the area and will be a nice improvement for the area.

Motion made by Mr. R. Johnston, seconded by Mrs. De Ciccio to amend Chapter 58 "Land Development Code", Article III, "Zoning" and the official zoning map so as to change the existing zoning of multi-family residential (R-3) district to office (O-2) district on the property at 409 St. Andrews Boulevard. Motion carried unanimously with a 5-0 vote.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF WINTER PARK, "LAND AMENDING CHAPTER FLORIDA 58. DEVELOPMENT CODE", ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING **DESIGNATION OF MEDIUM DENSITY MULTI-FAMILY (R-3)** DISTRICT TO OFFICE (O-2) DISTRICT ON THE PROPERTY ST. **ANDREWS** BOULEVARD, AT PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the owner of the property more particularly described herein has requested rezoning in compliance with the Comprehensive Plan, and the requested zoning will achieve conformance with the Comprehensive Plan future land use designation for this property, and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board and City Staff of the City of Winter Park have recommended approval of this Ordinance at their October 1, 2013 meeting; and

WHEREAS, the City Commission of the City of Winter Park held duly noticed public hearings on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

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

SECTION 1. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map are hereby amended so as to change the existing zoning designation of medium density multi-family residential (R-3) district to office (O-2) district zoning on the property at 409 St Andrews Boulevard, property being more particularly described as follows:

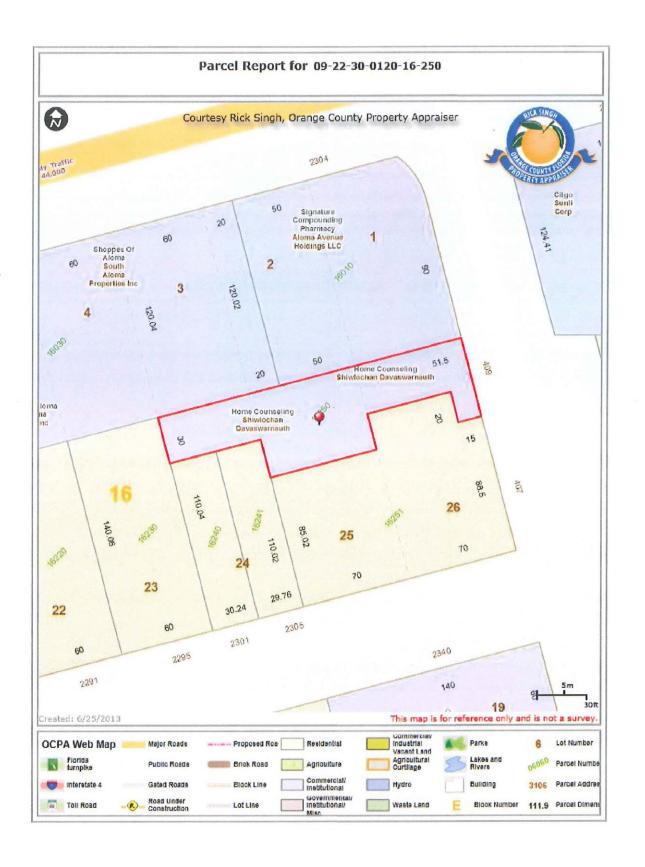
Lot 1 (less the Northerly 20 feet thereof) and the Easterly 50 feet of Lot 2 (less the Northerly 20 feet thereof) AND the North 55 feet of Lot 25 and the North 31.5 feet and the East 15 feet of the South 20 feet of the North 51.5 feet of Lot 26 and the North 30 feet of Lot 24, Block 16, Aloma Section 1, as recorded in Plat Book "O", Page 51of the Public Records of Orange County, Florida.

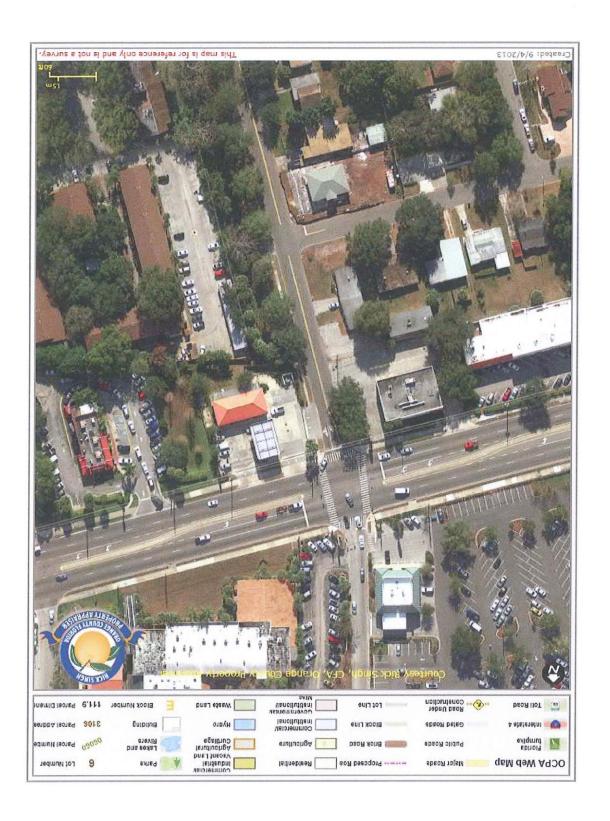
Property Tax ID # 09-22-30-0120-16-250

SECTION 2. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

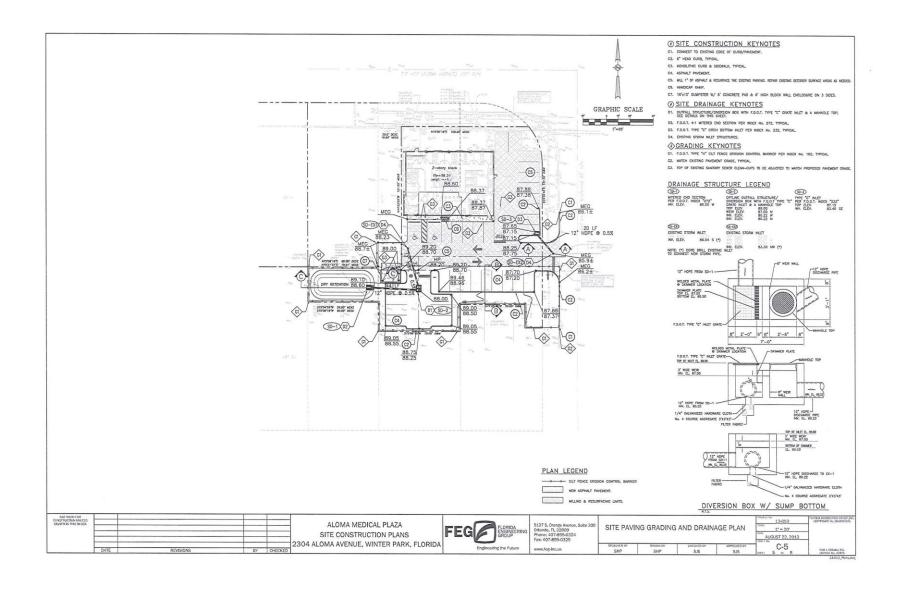
SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

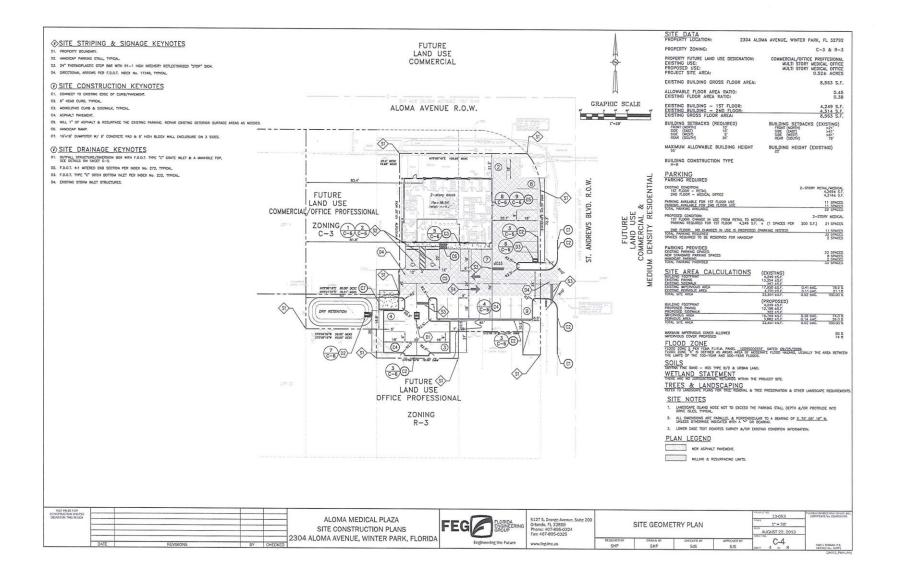
SECTION 4. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance If Ordinance or if either Section of that Ordinance does not become effective, then that Section or this Ordinance shall be null and void.
ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this day of, 2013.
Attest:
City Clerk

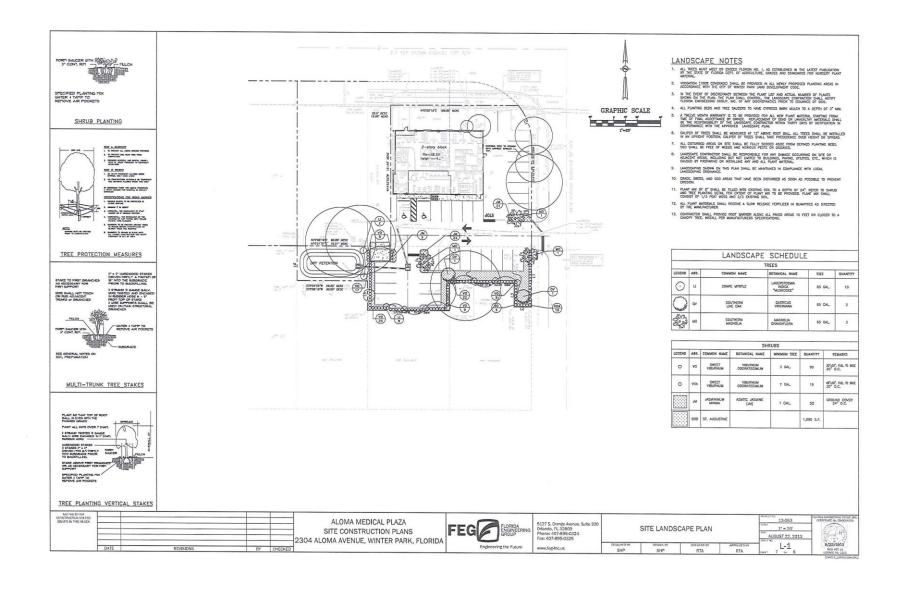












item type	Public Hearing	meeting date	October 28, 2013
prepared by department division	Cindy Bonham City Clerk	approved by	■ City Manager■ City Attorney□ N A
board approval		■yes □ no □	N A final vote

subject

Resolution restating and accepting Resolution No. 1978-07 and adding sections regarding Chapter 2013-227, Laws of Florida (Senate Bill 50).

motion | recommendation

Adopt resolution as provided by the City Attorney.

summary

This was brought forward initially by Attorney Brown regarding Senate Bill 50 and the need for public comment to be allowed across the board at meetings.

board comments

N/A

RESOLUTION NO.	

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, RESTATING AND ACCEPTING PRIOR RESOLUTION NO. 1978-07 REGARDING RULES FOR THE CONDUCT OF CITY COMMISSION MEETINGS AND DECORUM, AS WELL AS OTHER SUBJECTS ADDRESSED IN THAT RESOLUTION, AND SUPPLEMENTING AND AMENDING THAT PRIOR RESOLUTION TO ADD TWO SECTIONS, TO COMPLY WITH CHAPTER 2013-227, LAWS OF FLORIDA, AND AUTHORIZING THE CITY MANAGER TO PROVIDE FOR CERTAIN AREAS TO REMAIN OPEN DURING COMMISSION MEETINGS AND TO PROHIBIT PERSONS NOT SPECIFICALLY INVITED BY THE COMMISSION TO ADDRESS THE COMMISSION FROM CERTAIN AREAS.

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

SECTION 1: Resolution No. 1415, Resolution No. 1463 and Resolution No. 1927-05 were repealed by Resolution 1978-07, and such repeal is reaffirmed here. Resolution 1978-07 is hereby restated in its entirety with certain changes to take into account the requirements of Chapter 2013-227, Laws of Florida, and to add a rule allowing the City Manager to identify areas in the Commission Chambers that will remain free of persons and objects during meetings so as to promote a safe and orderly meeting.

SECTION 2: RULES. It is the duty of the City Commission to make such rules for its own guidance and government as it may deem expedient. The following shall be the rules for the government of the City Commission:

RULE 1. REGULAR MEETINGS: The City Commission shall hold regular meetings on the second and fourth Monday of each month in the City Commission Chambers at the City Hall at 3:30 p.m. or at such time of day as the Commission may decide provided, however, that the City Commission may dispense with any one meeting each month when it is anticipated that the business of the Commission be not urgent.

RULE 2. SPECIAL AND EMERGENCY MEETINGS: Any member of the City Commission may call a special or emergency meeting of the Commission either by written or verbal request to the City Manager. Whenever a special or emergency meeting is called, the Commission shall be notified either via e-mail and/or by telephone at least twenty-four (24) hours before any special meeting and, when practicable at least twelve (12) hours before any emergency meeting. A copy of such notice shall likewise be posted at City Hall and on the City's website.

RULE 3. WORK SESSION MEETINGS: The City Commission may meet informally for study and discussion of the affairs of the City, but no formal or binding action shall be taken at a workshop or work session meeting. The Commission may schedule work sessions at such times as the Commission may decide.

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RULE 4. MEETINGS OPEN TO THE PUBLIC: All meetings of the City Commission for the purpose of transacting city business, whether action is taken or not, shall be held in the City Commission Chambers unless the Commission indicates another advertised location, and shall be open to the public.

<u>RULE 5. AGENDA:</u> The City Manager shall prepare an agenda for all meetings, except emergency meetings when time does not permit.

- (A) Formal Meetings -- The agenda for formal meetings, whether regular or special, shall include only such matters as requested by a member of the Commission, together with such other and subsequent matters as may be recommended for consideration by the City Manager. Any person or persons desiring to appear before the City Commission on a particular subject matter may make a request in writing to the City Manager to be placed on the agenda no later than 10 days prior to the regular Monday meeting of the City Commission, stating the purpose for which such person or persons desire to appear. Requests received after that time will be placed on the next regular Commission meeting agenda.
- (B) Distribution The agenda shall be provided to the public via the City's website no later than the Friday prior to the Monday meeting and shall be posted at City Hall.

RULE 6. PRESIDING OFFICER: The Mayor shall preside at all meetings, if present, and in his/her absence, the Vice-Mayor, and in the absence of both the Mayor and the Vice-Mayor a Mayor pro tem shall be elected to preside.

RULE 7. DECORUM: The presiding officer, and in the absence of a presiding officer the City Manager or the City Manager's designee, is empowered to and shall preserve decorum. Members of the public attending commission meetings also shall observe the same rules of propriety, decorum and good conduct applicable to members of the Commission. Any person making personal, impertinent, and slanderous remarks or who becomes boisterous while addressing the commission or while attending the commission meeting shall be removed from the building and may not return to the meeting from which he or she was removed, or to the building, prior to close or adjournment of the meeting without leave of the presiding officer or the permission of the commission. If the person removed is an applicant for city action or otherwise is the named proponent of a matter which is scheduled to come before the commission, but which has not been decided by the commission at the time of the person's removal, the commission may, but is not required to, postpone consideration of said action or matter until the next regularly scheduled meeting. If consideration of said action or matter is postponed, any fees required to be paid in connection with bringing said action or matter before the commission shall be required to be paid again prior to the subsequent consideration of said action or matter.

The provisions of this Rule 7 shall also apply to Commission work sessions and informal meetings, to the meetings of City boards, and to meetings with City staff which are open to members of the public.

RULE 8. ORDER OF BUSINESS: All meetings (regular or special) of the Commission shall be open to the public promptly at the hour set on the day of each meeting. The business of the Commission shall be taken up for consideration and disposition in substantially the following order.

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- 1. Meeting Called to Order
- 2. Invocation and Pledge of Allegiance
- 3. Approval of Agenda
- 4. Mayor's Report (for non-action items such as proclamations, awards, check presentations, etc. The only action item under this section would be board appointments).
- 5. City Manager's Report
- 6. City Attorney's Report (for updates on litigation or other legal matters).
- 7. Non-action items (for updates on issues, citizen board reports and general discussion items requiring Commission direction, but not official action).
- 8. Citizens' Comments (at 5:00 p.m. or as soon thereafter as possible)
- 9. Consent Agenda (allow Citizen input)
- 10. Action Items Requiring Discussion (allow Citizen input)
- 11. Public Hearings (for all resolutions and ordinances; allow Citizen input)
- 12. City Commission Reports
- <u>RULE 9. ADDRESSING THE COMMISSION</u>: During work sessions, persons may address the Commission only when requested to do so by a member of the Commission or the City Manager. At formal meetings any person desiring to address the Commission shall first be recognized for that purpose by the presiding officer.
 - (A) Written Communications -- Members of the City Commission, taxpayers or residents of the City and other interested parties, or their authorized representatives may address the Commission by written communications in regard to matters then under discussion. A copy shall be provided to the City Clerk.
 - (B) Oral Communications -- Taxpayers or residents of the City and other interested parties, or their authorized legal representatives, may address the Commission by oral communication on any matter concerning the City's business or any matter over which the Commission has jurisdiction or control under New Business (Public).
 - (C) Anonymous Communications -- Unsigned communications shall not be introduced to the Commission.
 - (D) Manner of Addressing Commission; Time Limited -- Each person recognized for the purpose of addressing the Commission shall step forward to the podium with the microphone thereon, and shall give his name and address in an audible tone for the record, and unless further time is granted for the Commission, shall limit his address to four (4) minutes for individuals and fifteen (15) minutes for team presentations, or such additional time as may be deemed appropriate by the Commission. All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Commission and the person having the floor shall be permitted to enter into any debate or discussion, either directly or through a member of the Commission, without the permission of the presiding officer. Further, City Commissioners shall comply with this rule, except that they are permitted to address the Commission from their seat. Copies of all overhead or power point presentations or other information used as part of their discussion shall be provided to the City Clerk either in hard copy or by CD.

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RULE 10. VOTING: Ordinances and resolutions require a roll call vote of the City Commission. All other votes may be done by voice vote. Any time the results of a voice vote is unclear, the City Clerk may request a roll call vote. Whenever a roll call vote is ordered, the City Clerk shall call the roll of Commissioners and record the vote of each member.

RULE 11. PROCEDURE FOR ADOPTION OF ORDINANCES AND RESOLUTIONS:

- (A) Adoption Procedures -- The procedure for adoption of ordinances and resolutions shall be as set forth in Section 166.041, Florida Statutes, and Section 2.11 and 2.12 of the City Charter.
- (B) Preparation and Review of Ordinances, Resolutions, Contracts, Etc.
- 1. Preparation of Ordinances. No ordinance shall be prepared for presentation to the Commission unless ordered by a majority vote of the Commission, or requested by the City Manager, or prepared by the City Attorney on his own initiative.
- 2. All ordinances, resolutions and contract documents shall, before presentation to the Commission, be approved as to form and legality by the City Attorney or his authorized representative, and shall have been examined and approved for administration by the City Manager or his authorized representative, where there are substantive matters of administration involved. All such instruments first shall have been referred to the head of the department under whose jurisdiction the administration of the subject matter of the ordinance, resolution or contract document would devolve and be reviewed by said department head; provided, however, that if approval is not given, then the department head shall provide the City Manager and City Commission with comments and recommendations for consideration by the City Commission in their review and approval of any ordinance, resolution or contract documents. OR THIS: City Attorney or department head shall explain to the City Manager why such approval is withheld.

RULE 12. RULES CONFIRMING COMPLIANCE WITH CHAPTER 2013-227, LAWS OF FLORIDA:

- (A) The agendas for meetings of the Commission should briefly identify all propositions coming before the Commission for discussion or action, so that the public is sufficiently notified of the subject of the proposition.
- (B) "Citizens' Comments" will be included on every agenda (including, by amendment to Section 2-48 of the Municipal Code, the public agendas for subsidiary boards or commissions). The Commission will allow comments by members of the audience regarding all propositions and proposed actions. With respect to those matters that are identified as exempt from these requirements by Statute 286.0114, which include emergencies, ministerial acts (such as the approval of minutes), ceremonial proclamations, a meeting exempt from Sunshine (Section 286.011), and matters in which the City Commission or a subsidiary board acts in a quasi judicial capacity, the Commission reserves the right to allow public comment to the extent such is reasonably possible as determined by the Commission in its discretion, and specifically will allow public comment in such matters where the City has traditionally allowed for such, including quasi judicial proceedings..

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- (C) If a proposition comes before the Commission for action or for a formal vote that was not on the agenda, the Mayor will allow public comment on that proposition before it is voted on.
- (D) If the Commission determines that public comment is not reasonably possible or needed, then public comment may not be heard on:
- 1. Emergency items, meaning an official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with Florida Statutes 286.0114 would cause an unreasonable delay in the ability of the Commission to act.
- 2. Ministerial items, meaning an official act involving no more than a ministerial act, including but not limited to, approval of minutes and ceremonial proclamations. Additionally, any parliamentary vote such as a motion to table, motion to adjourn, motion to extend debate or other similar procedural votes which do not implicate any substantive right but are merely designed to facilitate the conduct of the meeting shall be deemed ministerial and public comment may not be allowed.
- (E) Public comment is allowed for quasi judicial matters but in no event will public comments be considered evidence at a quasi judicial proceeding unless a party properly makes such comment evidence that is admissible under the law.
- (F) Citizens' Comments will not as a matter of normal order be part of a workshop agenda. However, Citizens' Comments will be allowed on any proposition regarding a workshop topic at the first regular or special meeting of the Commission following the workshop, and before a vote on the item is taken by the Commission.
- (G) It is the intent of the Commission that all City boards and subsidiary boards will allow public comment at their meetings except for emergency or ministerial items, and may allow such as quasi judicial hearings so long as the comment is not used as evidence.
- (H) To the extent there is any conflict between the provisions of this Rule, 12, and any other rule of the City Commission, this Rule 12 shall take precedence and shall control.
- (H) The City's Administrative Policies adopted in April, 2011, are still valid and binding, and are incorporated herein by reference. However, no formal action may be taken on any matter discussed at a meeting scheduled under section 10 of the Administrative Policies or otherwise is allowed until after there is an opportunity for Citizens' Comments as set out in this Resolution.
- RULE 13. PROVISION FOR SAFE AND ORDERLY MEETINGS: The City Manager has the authority to provide for and identify areas to remain free of persons and objects during meetings except for those persons invited to address the Commission. This will promote safety, and insure an orderly meeting, free of interruption, and is in the interest of allowing citizens in attendance at the meeting while seated in the area reserved for the audience to observe the dais and Commission activity without having their view obstructed or their attention distracted by persons, objects or activity within such designated areas, including that area between the dais

Page 5 of 6	
Resolution No.	

exhibits or other objects may cross into suc Commission, or by the Mayor at a meeting a	h area(s) when those persons are recognized by the as presiding officer.
SECTION 3. This Resolution shall be and adoption.	pecome effective immediately upon its final passage
ADOPTED at a regular meeting of the on this, 2013.	City Commission of the City of Winter Park, Florida
ATTEST:	Mayor Kenneth W. Bradley

City Clerk Cynthia S. Bonham

and the citizens' seating area. This Rule is subject to the exception that persons and their

item type	Public Hearing	meeting date	October 28, 2013
prepared by department division	Larry Brown City Attorney	approved by	■ City Manager■ City Attorney□ N A
board approval		☐ yes ☐ no ■	N A final vote

subject

Ordinance concerning subsidiary boards of the City

motion | recommendation

Accept on first reading the ordinance as provided by the City Attorney.

summary

This was brought forward initially by Attorney Brown regarding Senate Bill 50 and the need for public comment to be allowed across the board at meetings.

board comments

N/A

ORDINANCE NO.	

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING SECTION 2-48, GENERAL RULES APPLICABLE TO SUBSIDIARY BOARDS OF THE CITY; PROVIDING FOR, SEVERABILITY, CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

RECITALS AND LEGISLATIVE FINDINGS

WHEREAS, the City of Winter Park has taken action necessary to assure compliance with Chapter 2013-227, Laws of Florida;

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

- **Section 1. Recitals.** The foregoing recitals are hereby adopted and confirmed, and constitute the legislative findings of the City Commission of the City of Winter Park acting in its legislative capacity.
- **Section 2.** Section 2-48, General Rules Applicable to Subsidiary Boards of the City shall be amended by adding a new subsection 2-48(u), as follows:
 - "Section 2-48. General Rules Applicable to Subsidiary Boards of the City of Winter Park.

- (u) All subsidiary boards shall allow for public comment in the manner required by Chapter 2013-227, Laws of Florida."
- <u>Section 3</u>. <u>Codification and Incorporation Into the Code</u>. This Ordinance shall 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.
- <u>Section 4</u>. <u>Severability</u>. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid, unlawful or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, facial or other reasons, 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**. All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 6. Effective	e Date Of Ordinance. This Ordinance shall become effective
immediately upon adoption by	the City Commission of the City of Winter Park, Florida.
Adopted by the City Co assembled on the day of	ommission of the City of Winter Park, Florida in a regular meeting, 2013.
	Mayor Kenneth W. Bradley
ATTEST:	
Cynthia S. Bonham, City Clerk	

item type	Public Hearing	meeting date	October 28, 2013
prepared by department division	Jeff Briggs Planning & Community Development	approved by	■ City Manager□ City Attorney□ N A
board approval	Planning and Zoning Board	■ yes □ no □	N A 7-0 final vote

Subject:

Request to approve a parking garage as a component of the Winter Park Hospital Master Plan.

Staff Recommendation:

Staff recommends approval of the 640 space parking garage as an approved phase of the Winter Park Memorial Hospital Master Plan.

Summary:

Background of Master Plan Approval

On April 25, 2005, the Winter Park City Commission granted a Conditional Use Approval for the Conceptual Approval of the Winter Park Memorial Hospital Master Plan and a Conditional Use approval for the first phase of this Master Plan and Conditional Use approval for the East Wing addition to the Hospital (Phase I). The approval of a Master Plan for the Hospital in 2005 was consistent with the 1991 Comprehensive Plan, Policy FL-Q-5 which states that the "City should require a Comprehensive Master Plan for the Hospital to guide the review of their facility expansions." In addition, the 2009 Comprehensive Plan reaffirmed the approved Master Plan through Policy 1.2.5.1 (4)

Redevelopment of Winter Park Hospital Campus. The City shall strive to accommodate the enhancement and redevelopment of the Winter Park Hospital campus and their administrative properties as a paramount public service purpose. To this end, the creation of a Hospital/Medical Arts district shall be considered. Development of the Winter Park Hospital campus and ancillary facilities shall be pursued in accordance with the conceptual Master Plan approved April 25, 2005.

The approved Master Plan highlights five phases of new development or redevelopment options contained within the Hospital campus. These are outlined in the Master Plan document dated November 15, 2004 included as background in this item. Supporting materials also include the staff recommendations from April 5, 2005, the City Commission minutes from April 25, 2005 approving the Master Plan and the approved Master Plan document.

Parking Garage Specification

The need for a parking garage in this study is intended to be driven by the development on the campus. Page 4 of this document highlights anticipated parking counts based on project phasing. At build out, the anticipated parking needs will require about 1,500 spaces on the campus. The proposed parking garage is shown at its proposed location in Phase 2 of the Master Plan document. Drawings representing the elevations of the garage from various street views are included in the background material. In addition, a parking study is included to address the need for additional parking places.

Project Plans

The proposed parking garage is a four story, five level facility with 640 parking spaces. There are existing parking lots where the garage is to be located so the net gain of parking is 570 spaces. This request meets the building fire, life/safety and handicapped accessibility codes. Access from the adjacent streets is from the internal parking lot circulation and the existing driveway access onto Mizell/Loch Lomond.

Architectural and Other Project Plans

Finfrock specializes in parking garage design and development and are experts in this field. They were involved in all the discussions and approvals by the City of the Suntrust parking garage and the new parking garage at the Winter Park Towers. Many of the architectural design elements to improve the exterior façade and appearance from that project have been also incorporated into this design. The Planning and Zoning Board did recommend a condition to add some additional architectural detail to the western elevation/façade based on the visibility from Mizell Avenue. These recommendations are incorporated into this submittal.

Final Site Plan

The new parking garage is situated on the location approved by the Master Plan.

Civil/Stormwater Retention Plan

The parking garage is providing stormwater retention in compliance with City Code and the St. Johns WMD.

Lighting Plan

The plans for this parking garage include rooftop lighting on the fifth level which is similar in design to the SunTrust and Winter Park Towers garage to ensure both lower pole/fixture heights and "dark sky" light fixtures to minimize light spread minimize light from a distance.

Landscape Plan

There are quite a few street oak trees along this frontage street curve of Mizell/Loch Lomond that will screen the parking garage as one drives by. To the degree that there are gaps in the street trees, those gaps are to be filled in and the landscape plan shows five new live oak trees to be added. In addition, the landscape plan provided by the Hospital that shows 35 new palm tree plantings proposed adjacent to the parking garage building to also screen and soften the image of the building.

Notification

Public notices for this meeting were sent to all owners within 1,500 feet (1/3 mile) around the Hospital campus.

P&Z Board comments:

At their meeting on June 24, 2013, the Planning and Zoning Board unanimously approved final approval of the Winter Park Hospital parking garage for 777 spaces, comprised of five stories/six levels. The approval included the conditions that the landscape plan conforms to the number, height and spacing final approval of the Winter Park Hospital parking garage for 777 spaces, comprised of five stories/six levels.

The approval included the conditions that the landscape plan conform to the number, height and spacing of the palm trees indicated and that a greater portion of the west façade elevation incorporate the fenestration details common to the project within a significant portion of the façade between precast columns #3 and #5 so as to more closely match the appearance more prevalent on the other facades.

RECOMMENDATION TO THE CITY COMMISSION OF WINTER PARK FROM THE PLANNING AND ZONING COMMISSION

DATE:

April 5, 2005

CU 7:05

Request of the Winter Park Hospital for Conceptual Approval of the Master Development Plan for the Winter Park Hospital and Conditional Use Approval and Planned Development Approval for the redevelopment of the Winter Park Hospital campus at 200 N. Lakemont Avenue including the initial phase of a four/five story addition on the east side of the main hospital building adding 40 beds to the existing 287 bed hospital.

RECOMMENDATION: The Planning Commission unanimously recommended **APPROVAL** of the request with a 5-0 as follows:

- Conceptual approval of the conditional use for the remote parking lot proposed east of Loch Lomond Drive with condition that the final site plan with redesign pursuant to staff comments landscape plan incorporating tree preservation and lighting plan be reviewed and approved by the Planning Commission. Motion carried unanimously with a 5-0 vote.
- 2. Final conditional use and planned development approval for the east tower (Phase 1A) building conditioned upon concurrent construction of screening of the existing air conditioning compressors at the central energy plant (pursuant to design approved by staff) and landscape replacement (plants and trees) as needed on the hospital campus to meet code. Motion carried unanimously with a 5-0 vote.
- Conceptual approval of the hospital master plan subject to the following conditions and provisions:
 - a) Approval is for a term of 10 years with the provision that phase 1A begin within two years.
 - b) That the floor area ratio be computed based on the land area of the hospital campus pursuant to a master floor area ratio schedule.
 - c) That the final site, civil, architectural, landscape and hardscape plan for each subsequent phase be reviewed and approved by the Planning Commission and City Commission.
 - d) That the parking garage and central energy plant proposed at Phase 1B be of similar architectural quality and materials to similar parking garages in Winter Park's downtown core.
 - e) That coincident with the redevelopment of the Lakemont Avenue frontage (Phase 4 or before) that the hospital in partnership with the City undertake a program of streetscape and hardscape improvements including under grounding of power lines and decorative street lights.
 - f) That the Hospital work to modify the alignment of the emergency room entrance to line up with Benmore Drive to the degree possible.
 - g) That the parking garage phasing be constructed concurrent with their needs and code requirements.

h) That the five-story south tower component be modified to step back and recess the fifth floor level on the Lakemont frontage to a significant degree creating a terrace and reducing the visual impact of that height similar to the design of the Regent Condominium building.

ACTION BY THE CITY COMMISSION:

Commissioner Metcalf inquired whether staff was comfortable with the addition of two more curb cuts onto Howell Branch Road. He asked if it was possible to redevelop with one curb cut. Planner Briggs elaborated on the justification for the two curb cuts. Commissioner Metcalf expressed his concern with excessive curb cuts within the City and the impact on traffic flow. Mr. Crawford explained that one driveway will significantly impact the overall circulation pattern and the functionality of the parking area. Discussion ensued whether the project could move forward with one driveway and the number of parking spaces needed.

Motion by Commissioner Metcalf to approve the request with the following conditions imposed by the Planning and Zoning Commission: that the Planning Commission review and approve final site, civil and landscape plans prior to issuance of building permit; that the civil retention plans be modified to Include a 30 foot setback to the existing 32 inch live oak tree; the landscape plan to include landscaping (both aquatic and upland) to screen the retention wall (which shall be of split block material) adjacent to the lakefront from view and that It also emphasize landscaping along the Chantilly Avenue side (including R/O/W and retention areas) to screen the parking and building; that the Howell Branch Road driveways be modified to reduce their width In order to create one way circulation for the single entrance and exit; that a sidewalk be constructed along Chantilly Avenue for the entire length of the property; and to adhere to Commissioner DeVane's request that the one curb cut on Howell Branch be explored by staff to see if possible and if not, to return the request for reconsideration, seconded by Commissioner DeVane. The motion carried unanimously.

Commissioner Metcalf expressed his preference that the developer move forward with the project if they are able to make satisfactory adjustments with one curb cut.

f) Request of Winter Park Hospital to redevelop the campus at 200 N. Lakemont Avenue: 5:19:33 PM

City Planner Jeffrey Briggs explained the request is to address two issues: 1) the Conceptual Approval of a ten-year Master Development Plan for the Winter Park Hospital campus, and 2) the Conditional Use and Planned Development approvals for the specific redevelopment project to add an east wing tower addition. He noted that they now propose to update and replace that agreement with a new master plan to guide the redevelopment of the hospital campus over the next ten years of which the Planning and Zoning Commission (P&Z) recommended approval of. He said that staff is pleased to see a long range master plan. He stated that part of the proposal is to relocate the emergency room entrance onto Lakemont Avenue.

Mr. Briggs stated the Planning and Zoning Commission recommended approval of the more immediate project; the Phase I, East Tower Addition. Mr. Briggs explained that the first two P&Z recommendations are the final approvals for the east tower with two minor conditions that address landscaping, the air conditioning compressors located along Lakemont Avenue behind the Walgreen, and the secondary parking on Loch Lomond Drive. He explained the P&Z concern with the 5 story tower element that is above the City's 55 foot height limit. Mr. Briggs reported that other than the concern of the south tower, the P&Z endorsed the request.

Winter Park Hospital Administrator Ken Bradley introduced Project Manager John Lowe who presented the Winter Park Hospital Master Development Plan and the Conditional Use request. Discussion ensued whether surrounding neighbors have been informed of the changes proposed.

Mayor Marchman explained that the P&Z recommendation is to approve Phase 1A and to conceptually approve the master plan which will need to return with additional details.

No public comments were provided.

Commissioner Metcalf spoke of the challenge to approve a development concept in a quasi-residential area and other similar requests that have been denied to move forward in more commercial areas. He expressed his preference of presenting the plan to surrounding residents.

Commissioner DeVane inquired into the height of the Regent Hotel and commented that what is presented is comparable to what is proposed for the Regent Hotel. Mayor Marchman elaborated on how there is justification for this approval. There was discussion in support of the approval and that this is an anchor to the medical district of the City.

Motion by Commissioner DeVane to conceptually approve the Master Plan Development and Phase 1A with the conditions imposed by the Planning and Zoning Commission, seconded by Commissioner Eckbert. The motion carried unanimously.

Commissioner Metcalf expressed his preference of further discussion on the uniqueness of this project and other areas that are more appropriate for similar altitudes and densities.

g) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ESTABLISHING RETAIL RATE TARIFFS FOR THE ELECTRIC UTILITY; PROVIDING FOR RATE CHANGES; AND PROVIDING FOR AN EFFECTIVE DATE. First Reading

City Attorney Cheek read the ordinance by title. Assistant City Manager Knight explained that rates have to be submitted 30 days before their final adoption in accordance with Public Service Commission regulations. He said the rates have been submitted to the PSC and their comments have been incorporated into the rate tariffs that are attached to the ordinance. Mr. Knight explained that the proposed ordinance establishes rates for the City for the services provided at the same rate level that Progress Energy charges its customers. Mr. Knight said the proposed ordinance also establishes the methodology of tracking Progress Energy rates for the first three years of operating. He elaborated on the purpose of tracking rates. He said the proposed ordinance will automatically track Progress Energy rates unless the Commission takes action to modify the rates. Lastly, Mr. Knight explained the built-in flexibility component that addresses increases in fuel rates. Discussion ensued whether monthly bills and charges will be identical to the ones received from Progress Energy. Mr. Knight responded affirmatively and explained how the statements may differ due to changes in services not offered by the City.

Retired Plymouth Apartments Administrator Art Crichton expressed his concern with the time of use service that is offered by Progress Energy and not offered by the City.

Motion by Commissioner Eckbert to accept the ordinance on first reading, seconded by Commissioner Metcalf. Upon a roll call vote, Mayor Marchman and Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote.

CITY MANAGER'S REPORT:

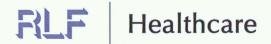


The Skill to Heal. The Spirit to Care.



WINTER PARK MEMORIAL HOSPITAL WOMEN'S SERVICES EXPANSION

Winter Park, Florida Master Plan November 15, 2004



Master Plan:

Winter Park Memorial Hospital has developed a master plan over a period of several years. The plan is comprehensive, documenting existing conditions and providing recommendations for the future growth of the campus. Our goal was to review this information and look for ways to enhance the existing plan.

Upon review, these planning efforts established short, intermediate, and long-term needs. The departments within the hospital which require immediate attention are:

Nursing Units
Radiology Department
Cath Lab / Cardiology
Orthopedic Rehab
Emergency Department

Summary of Issues:

The facility has several issues which need to be addressed both in the short and long term. First, the nursing units are a combination of both private and semi-private patient rooms. Current Florida Hospital trends are for all rooms to be private. The conversion to private rooms will have to take place over a longer period of time beginning with any new phases of work.

The buildings have several physical issues to address. The floor-to-floor heights within the facility severely limit the flexibility and the introduction of newer technologies into the facility. Current floor-to-floor heights vary from 11'- 3" to 12'-6". These varying heights between areas are resolved by the use ramps to connect the buildings.

The building systems in the older buildings present maintenance and operational issues. Current and future renovations will require extensive re-working of the MEP systems.

Building systems are restricted by the floor-to-floor heights. Some existing ducts and lines are currently on the roof requiring constant maintenance attention to these systems. Additionally the central energy plant (CEP) is about to its maximum capacity with the systems and physical space. Its location to the north limits economical distribution of systems.

The parking on the campus was not completely addressed in the master plan. A parking analysis must be completed along with the phasing and future growth to adequately understand the parking needs.

Master Planning Goals:

- Plan for the eventual on-site replacement of the oldest facilities.
- Establish relocation/growth plan for departments with the greatest needs.
- Plan for a conversion to all Private Patient Rooms.
- Establish a plan to align all floor-to-floor heights as new structures are built.
- Improve campus and building wayfinding.
- Plan for the new expansion or eventual relocation of the central energy plant.
- Study the parking counts and plan for a parking garage or other alternatives.

Master Planning Options:

The existing campus master plan was revised to effectively meet these goals. A series of new towers ranging from 4 to 5 floors are planned to replace older, obsolete facilities. The towers are planned in three main phases. The removal of the older facilities will allow new buildings to be built on the south side of the existing hospital.

The planned building replacement on the campus will open the center of the facility for a large courtyard. The courtyard will allow light and views into the center areas of the facility. Additionally it will act as a wayfinding device, allowing all the main public circulation to encircle the courtyard. A main east-west circulation spine will stretch from Lakemont Avenue to the main entry on Edinburgh Street. Major departments and outpatient functions will be accessible from this spine.

Phase One: 91,000 GSF

The first phase shows the eventual build-out of a four story 80-bed tower located south of the main entry. This phase is divided in the two components (1A & 1B). The first component is to build a 12-bed postpartum unit and eventual build-out of 40 beds. The tower will connect back to the existing facility with a three-story connector. The second component would be the build-out of the remainder of the floor plate to accommodate a total of 80 beds. No building demolition will be required in this phase.

Phase Two: 109,000 GSF

This phase shows the expansion of the Emergency Room to the south and a new five story-60-bed tower above. A parking garage will be needed at this phase to increase the parking count. The Bush wing will be demolished at the start of this phase. The new entry lobby and tower along with a portion of the courtyard will be completed with this phase. The new Central Energy Plant (CEP) will be partially constructed with the parking garage.

Phase Three: 146,000 GSF

The south wing will need to be demolished and an infill project will be completed between the new east tower and the ER tower. This project will add a five story-60 bed tower to complete the south tower build-out to 120 beds. This phase will complete the courtyard and the chapel. The second component will be to demolish the old west tower and construct a new west tower of 120 beds. The CEP and parking garage will be fully built out at this phase.

Phase Four: 116,000 GSF

This phase will demolish the old west tower and construct a new five-story west tower of 120 beds.

The CEP and parking garage will be fully built out at this phase.

Phase Five: 91,000 GSF

The future fifth phase has two options at this point in time. A 120-bed north tower can be constructed along the north edge of the campus (not shown) or a 4-floor, 80-bed tower can be built north of the main entry (mirrored) as shown dashed in on our master plan graphics.

New Area Added:

	Area	Cost Per	Phase
	Added	Square Foot	Cost
Phase 1	91,000 GSF	\$266	\$24,206,000
Phase 2	109,000 GSF	\$266	\$28,994,000
Phase 3	146,000 GSF	\$266	\$38,836,000
Phase 4	116,000 GSF	\$266	\$30,856,000
Phase 5	91,000 GSF	\$266	\$24,206,000
Total	553,000 GSF	\$266	\$147,098,000

Bed Count:

Dou Count.			
	Before	During	After
	Construction	Construction	Construction
Existing	287*		
Phase 1 (A)	287	287	299*
' '			
Phase1 (B)	299	299	367*
Phase 2	367	288	348*
Tidage 2	307	200	0-10
Phase 3	348	272	380**
1 11466 6	0.10		
Phase 4	332	260	380**
Phase 5	380	380	460**

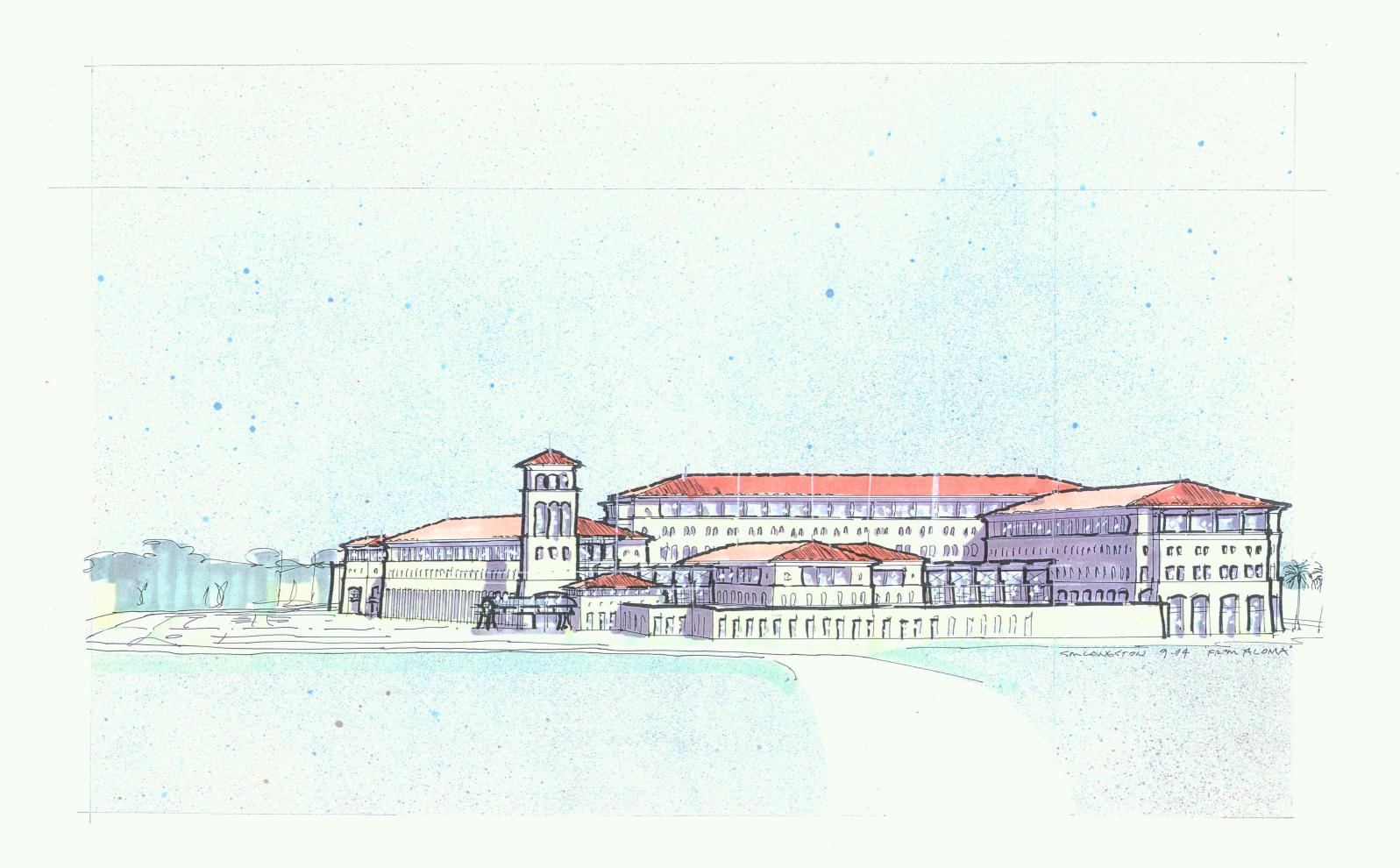
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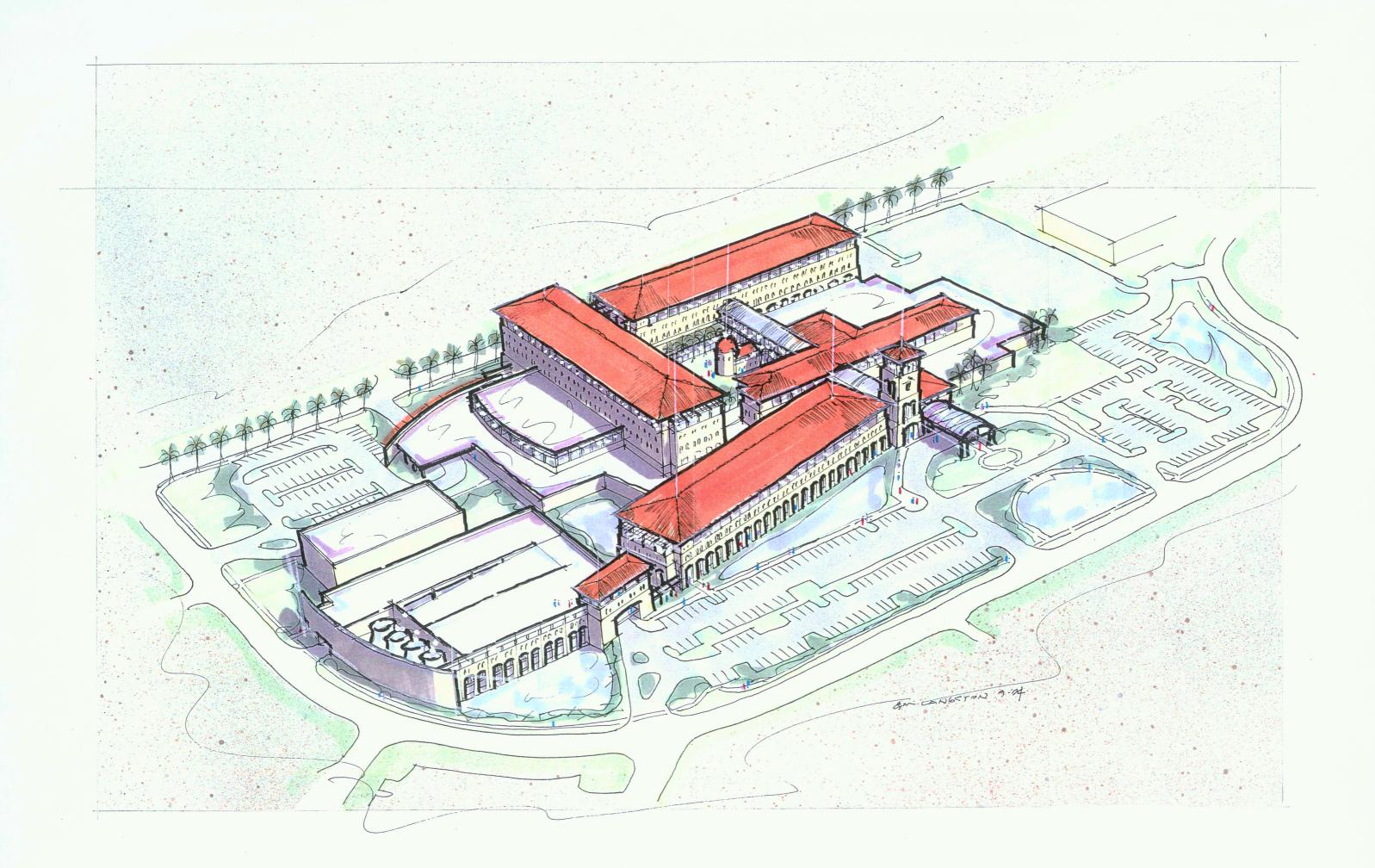
^{*} Assumes current Bed count as both private and semi-private patient rooms.

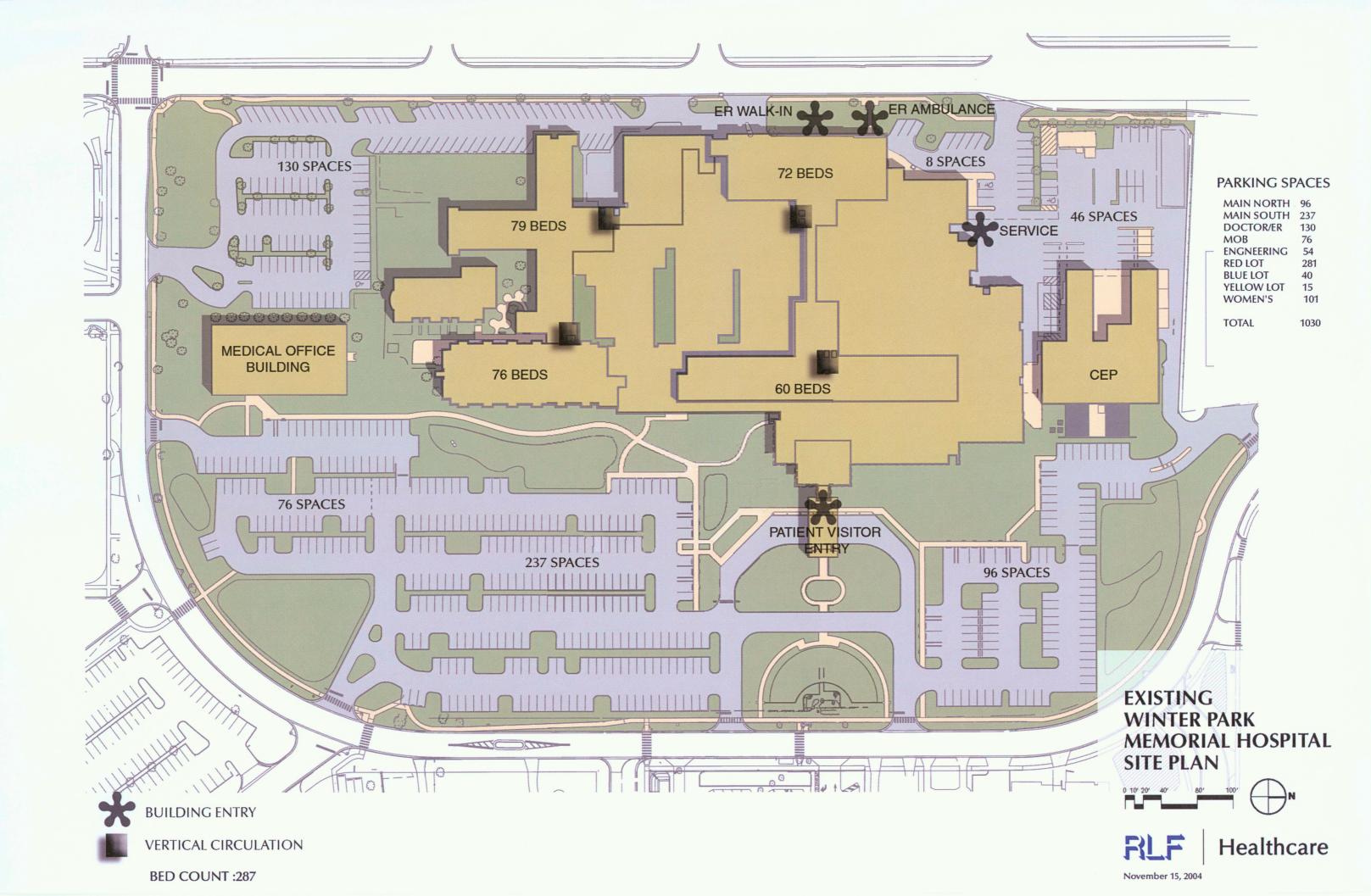
^{**} Assumes all patient beds in private rooms.

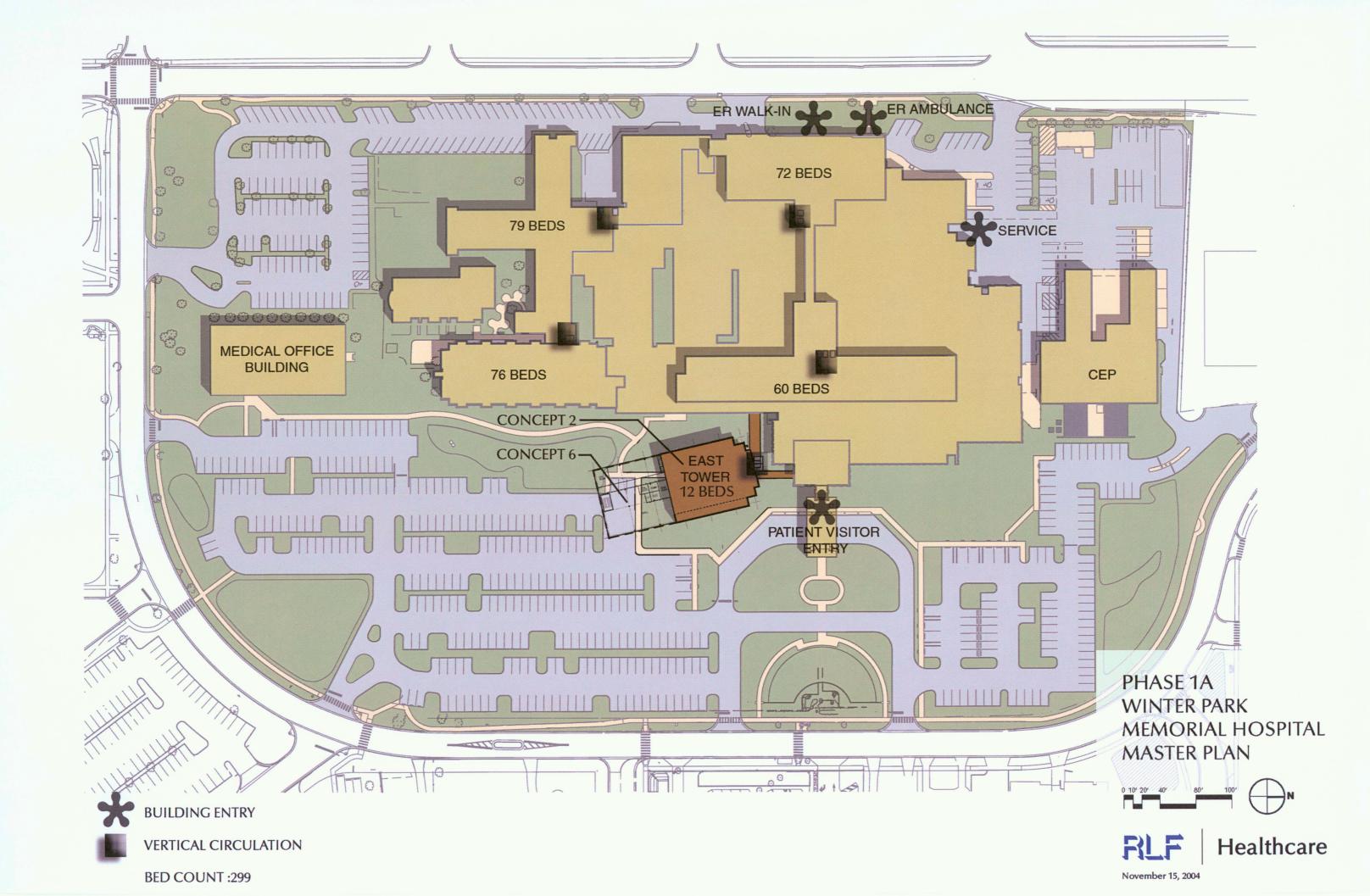
Parking Count:

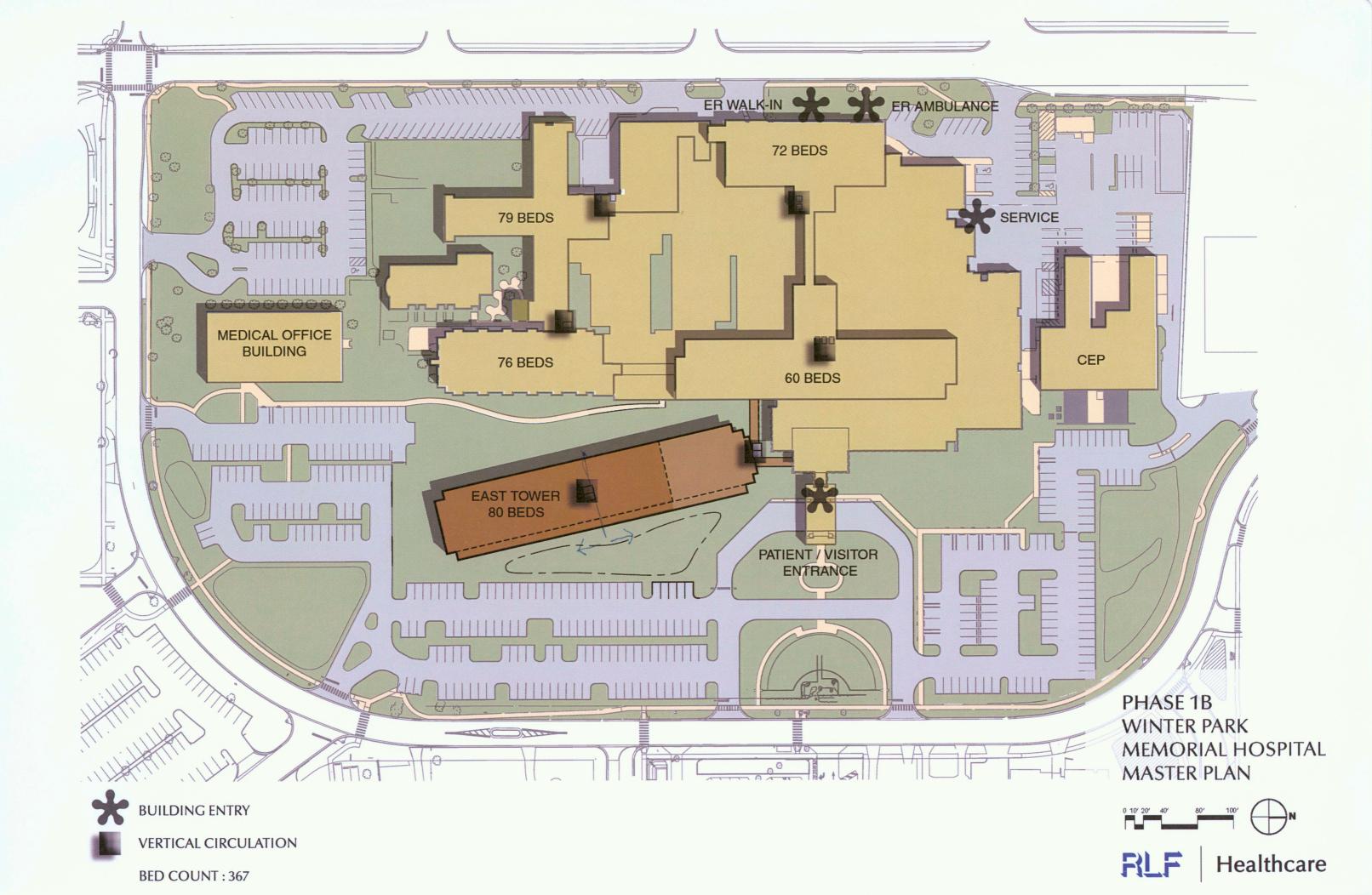
	Patient Beds X 1.5	Employees per shift	ED/ Outpatien	Required Total t	Total Parking Available
Existing	431	590	95	1,115	853
Phase 1(A) Phase 1 (B)	431 449	590 614	95 95	1,115 1,158	864 779
Phase 2	551	754	120	1,424	942
Phase 3	522	754	130	1,406	1,052
Phase 4	498	754	140	1,392	1,052
Phase 5	570	781	150	1,501	1,052

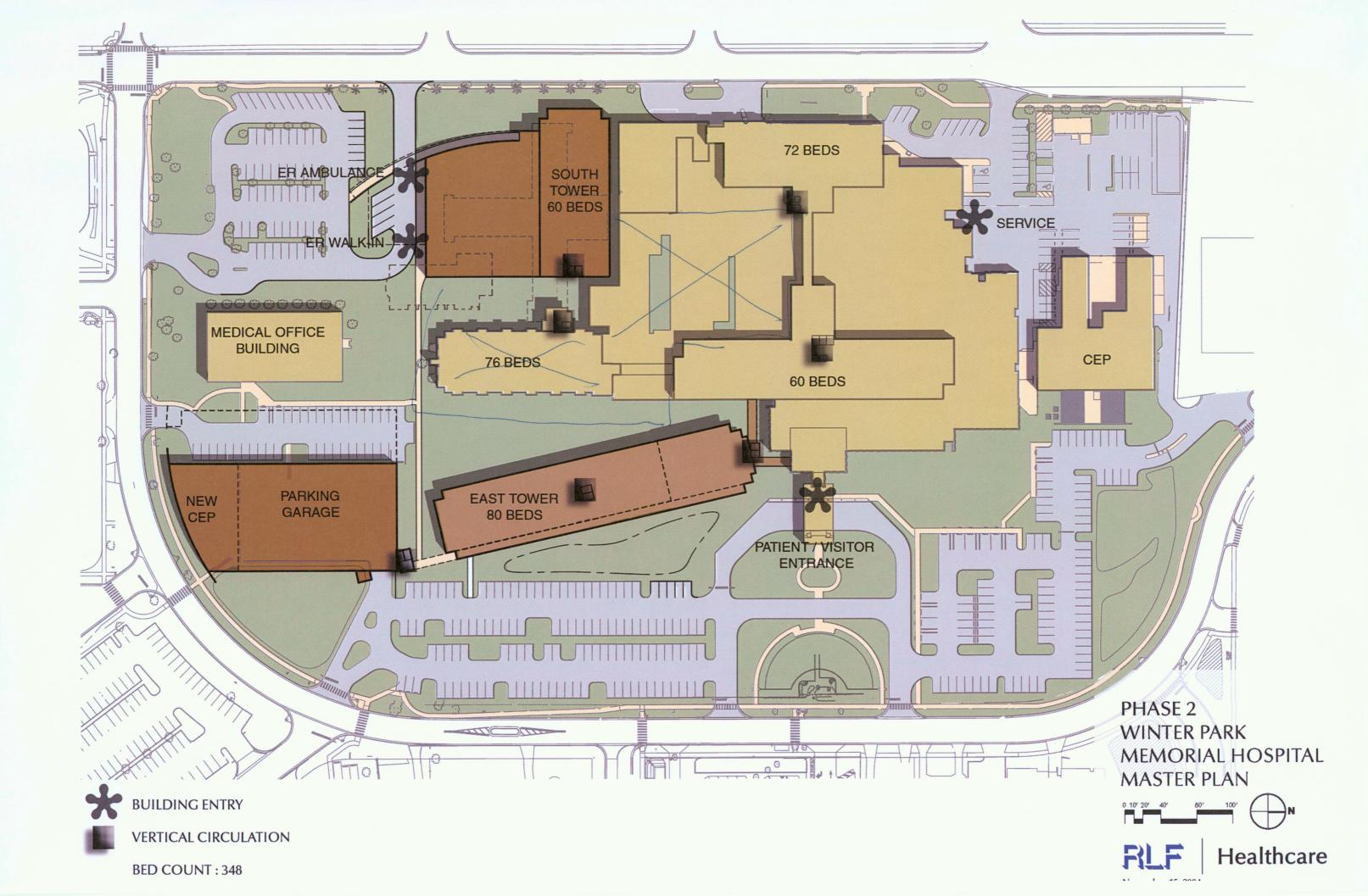


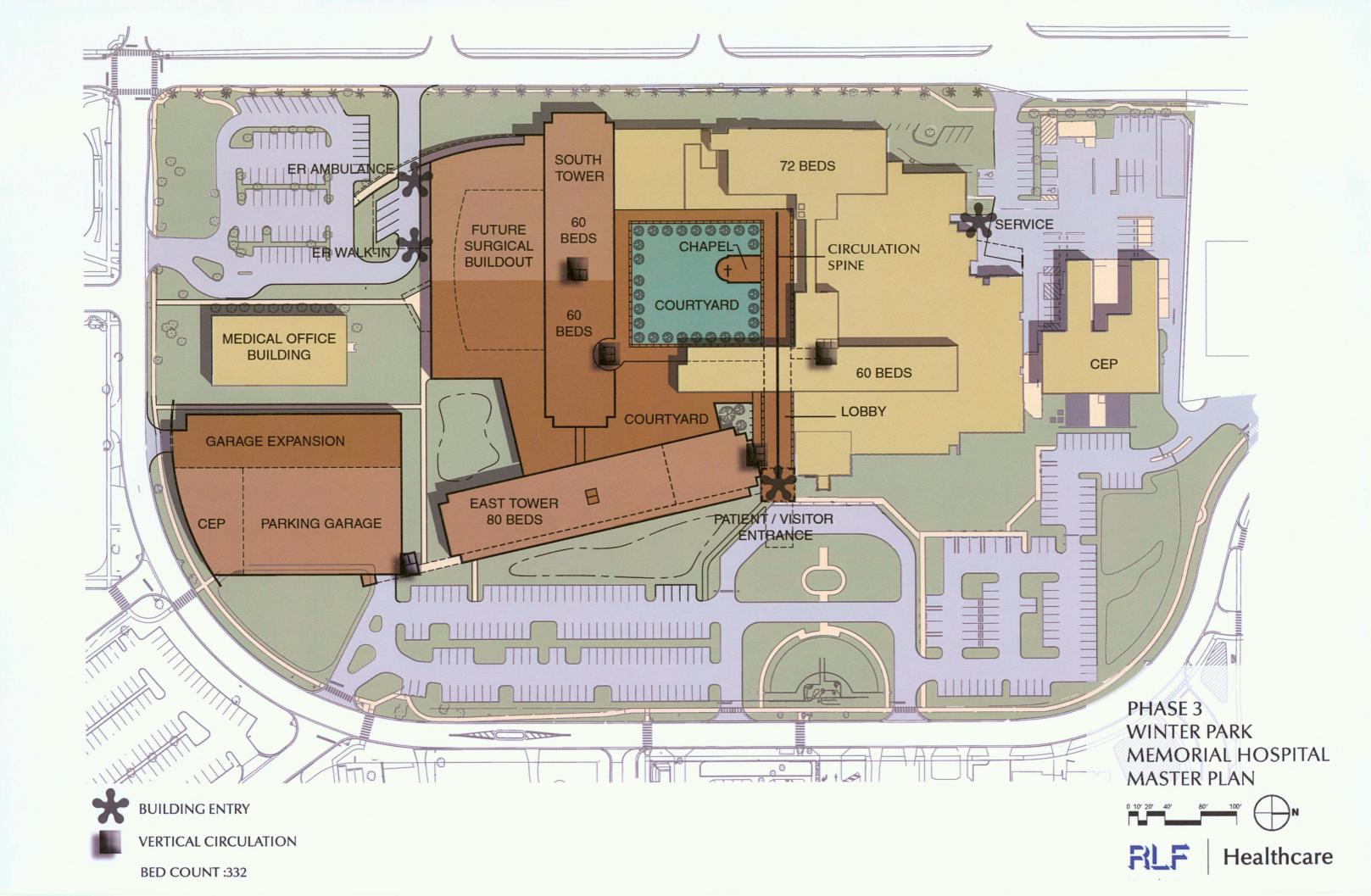


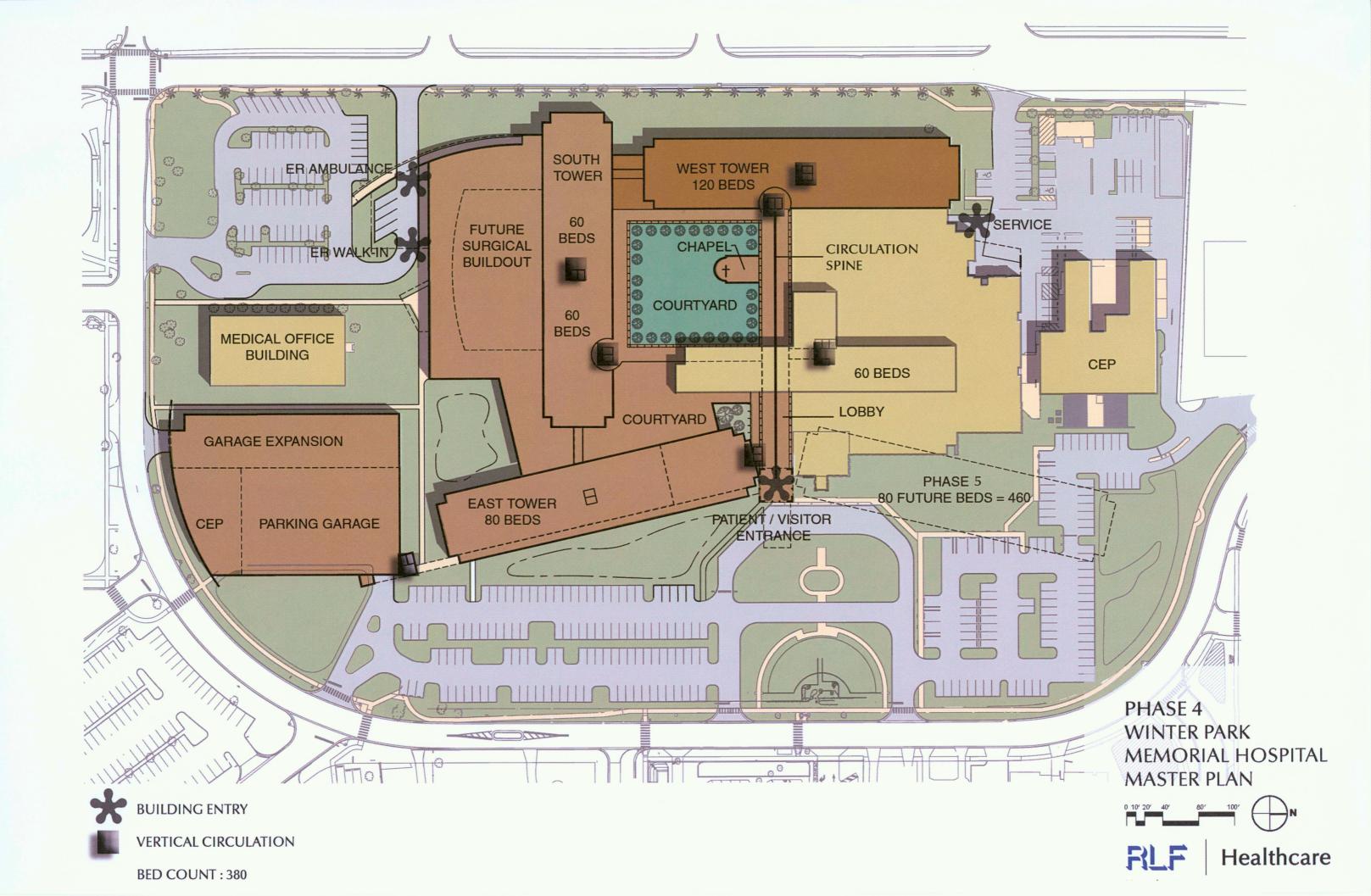














Hospital Ownership

Commerce

Office & Professional

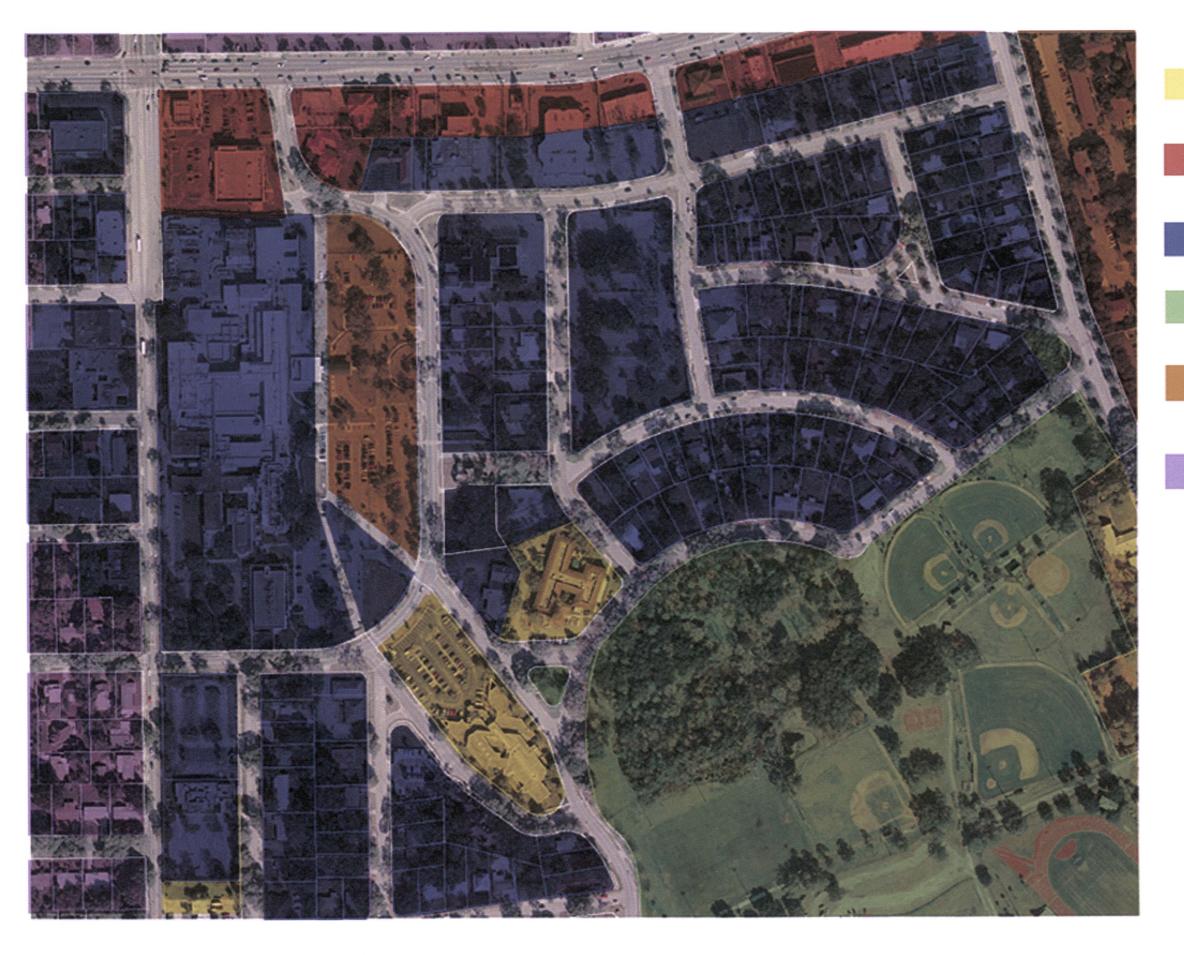
Open Space & Recreation

Multi-family Residential

Single Family Residential

WINTER PARK
MEMORIAL HOSPITAL
LAND OWNERSHIP MAP





Religious, Government Education & Comm. Services

Commerce

Office & Professional

Open Space & Recreation

Multi-family Residential

Single Family Residential

WINTER PARK
MEMORIAL HOSPITAL
FUTURE LAND USE MAP





Office District

Commerce C-1

General Commercial C-3

Open Space & Recreation PR

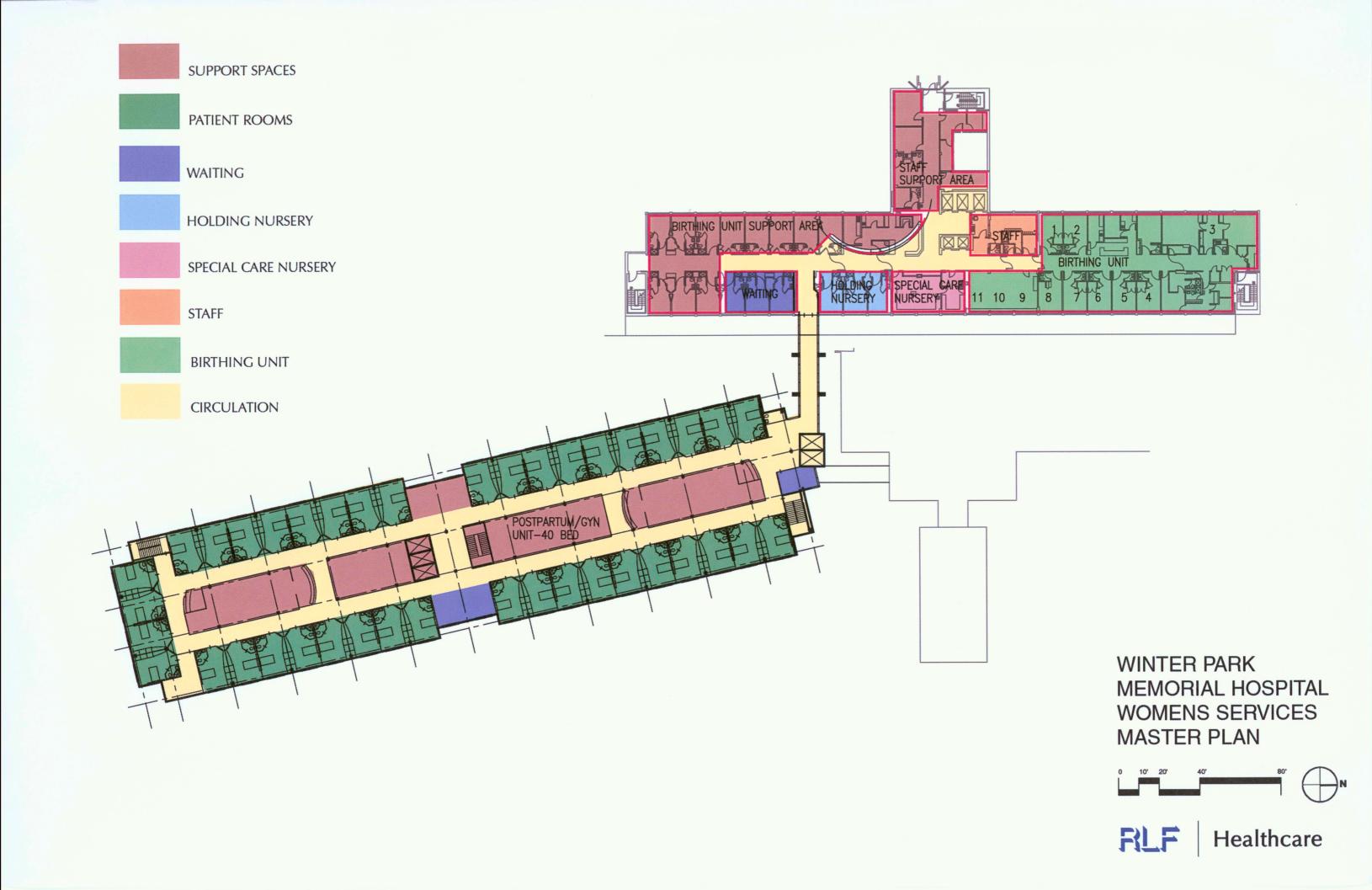
Office & Professional O-2

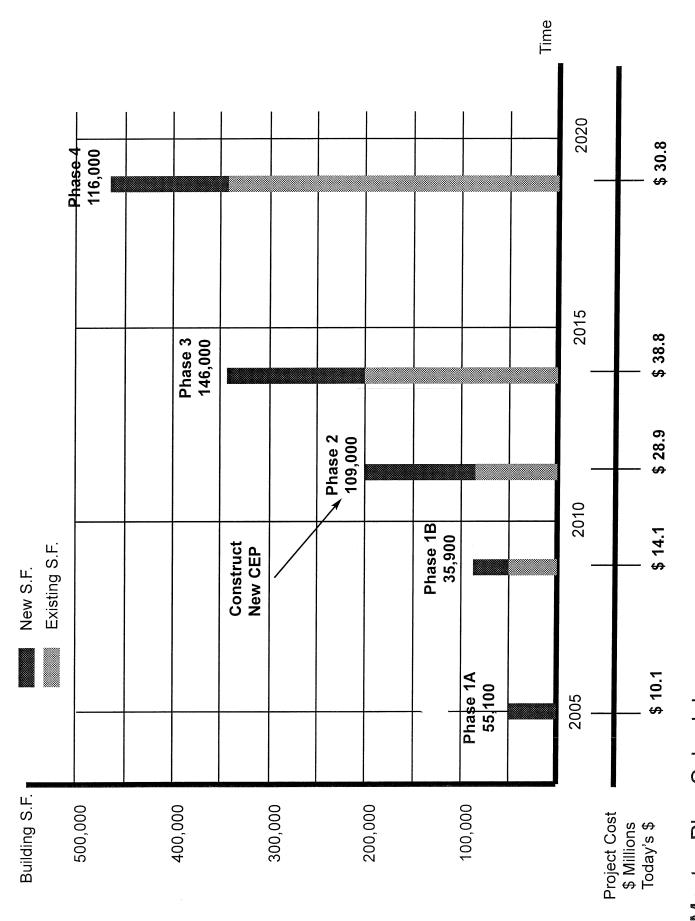
Single Family Residential R-1A

Multi-family Residential R-3

WINTER PARK
MEMORIAL HOSPITAL
ZONING MAP







Winter Park Memorial Hospital - Women's Services Expansion Master Plan Schedule

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				(
				(

Master Plan Schedule

Summary of Mechanical and Electrical Requirements

PHASE 1A

Mechanical:

- 460 ton chiller with 1400 gpm stainless steel cooling tower, one 1400 gpm condenser water pump, one 1100 gpm primary chilled water pump, and one 700 gpm secondary pump.
- 100 bhp hot water boiler with one 200 gpm primary pump and two 100 gpm pumps with variable frequency drives for variable volume pumping.
- Provide a valve from the hot water supply and return for future connection near the 1996 Surgery Addition.

Electrical:

- New 800KW, 480Y/277Vdiesel engine generator set required. Existing CEP will be expanded to house the new generator.
- Underground essential electrical system feeder will be provided from the new engine generator set to the new tower.
- 1500KVA Progress energy pad mount transformer will be provided to serve the tower.
- Automatic transfer switches will be provided to serve the new tower.
- Normal power switchboard will be provided to serve the new tower.

PHASE 1B

Mechanical:

- Disconnect the heat exchangers installed as part of the 1996 Surgery Addition and cap
 the steam lines. Connect the heating system to the hot water supply and return installed
 in part 1a. This action will shift steam from the Surgery Addition the domestic water
 heaters. This will allow the existing water heaters to serve the additional beds added by
 this phase.
 - This work may be required prior to part 1a construction as beds are built out in part 1a, of phase one.

Electrical:

• No additional distribution equipment will be required under this phase.

Master Plan Schedule

Summary of Mechanical and Electrical Requirements

PHASE 1A

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- 460 ton chiller with 1400 gpm stainless steel cooling tower, one 1400 gpm condenser water pump, one 1100 gpm primary chilled water pump, and one 700 gpm secondary pump.
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PHASE 1B

Mechanical:

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 heaters. This will allow the existing water heaters to serve the additional beds added by
 this phase.
 - This work may be required prior to part 1a construction as beds are built out in part 1a, of phase one.

Electrical:

• No additional distribution equipment will be required under this phase.

PHASE 2

This phase requires the construction of a new Central Energy Plant. The plant will contain the following electrical equipment:

Mechanical:

- Chillers (2) 925 ton chillers to meet load and maintain back-up. 1850 tons installed chiller capacity. New three pump vari-prime pumping system expandable to four pumps (1850 gpm each).
- Cooling Towers (2) 2800 gpm stainless steel cooling towers and screen wall for wind protection. (2) Condenser water pumps and sump cleaning system.
- Refrigerant monitoring and ventilation system.
- Boilers (2) 350 bhp steam boilers with stack, deaerator, boiler feedwater system, and condensate collection system. Dual fuel burners on each boiler.
- Heat Exchangers (2) new heat exchanger with steam pressure reducing valves, (2) primary hot water pump and (2) secondary hot water pump. Provide variable volume operation on secondary pumps.
- Domestic Water Heaters (2) storage type water heaters, steam fired.
- Medical air compressors new triplex system sized for phases 1, 2, 3 and piping sized for full master plan.
- Medical vacuum pumps new triplex system sized for phases 1, 2, 3 and piping sized for full master plan.
- Oxygen, nitrous oxide, and nitrogen manifolds provide all new and with piping sized for full master plan.
- Fuel Oil storage tank provide (2) new 20,000 gallon below ground fuel oil storage tanks, double wall type.
- Existing CEP to remain and serve existing portions of the Hospital.

Electrical:

- (2) 2,000KW, 4,160V diesel engine generator sets.
- (2) 200 gallon stand alone day tanks.
- 2,000A, 4,160V paralleling switchgear suitable for four engine generators sets.
- 2,000KVA 4,160V 480Y/277V unit substation in the CEP.
- Automatic transfer switches, one life safety, four equipment branch.
- 4,000A, 480Y/277V double ended normal power distribution switchboard.
- Progress energy pad mount transformers.
- 1,000KVA 4,160V 480Y/277V unit substation in the existing phase 1a and 1b tower. This will allow connection to the new paralleling switchgear.
- 1,000KVA 4,160V 480Y/277V unit substation in the phase 2 building addition.
- Automatic transfer switches for the phase 2 building expansion.
- Underground essential system and control wiring duct banks from the paralleling switchgear in the new CEP to the phase 2 building expansion.
- Underground essential system and control wiring duct banks from the paralleling switchgear in the new CEP to the existing phase 1a and 1b tower.

PHASE 3

Mechanical:

- Chillers (1) 925 ton chiller, connect to existing vari-prime system.
- Cooling Towers (1) 2800 gpm stainless steel cooling tower with (1) condenser water pump.
- Existing CEP to remain and serve the existing portions of the Hospital.

Electrical:

- This phase of construction requires the addition of (1) 2,000KW, 4,160V diesel engine generator set in the CEP. The generator will connected to the paralleling switchgear.
- Essential system feeders and control wiring will be provided from the paralleling switchgear to the phase 3 building addition.
- 1,000KVA 4,160V 480Y/277V unit substation in the phase 3 building addition.
- Automatic transfer switches for the phase 3 building expansion.

PHASE 4

Mechanical:

- Chillers (1) 925 ton chiller, connect to existing vari-prime system.
- Cooling Towers (1) 2800 gpm stainless steel cooling tower with (1) condenser water pump.
- Boilers (1) 350 bhp steam boilers with stack. Connect to existing deaerator, boiler feedwater system, and condensate collection system. Dual fuel burners on each boiler.
- Heat Exchangers (1) new heat exchanger with steam pressure reducing valves, (1) primary hot water pump and (1) secondary hot water pump. Provide variable volume operation on the secondary pump.
- Domestic Water Heaters (1) storage type water heaters, steam fired.
- Medical air compressors new duplex system sized for balance of hospital and manifolded with the existing triplex system.
- Medical vacuum pumps new duplex system sized for balance of hospital and manifolded with the existing triplex system.
- Oxygen, nitrous oxide, and nitrogen manifolds expand capacity by upgrading oxygen tank size and extending existing manifolds.
- Fuel Oil storage tank provide (1) new 20,000 gallon below ground fuel oil storage tank, double wall type.
- Connect areas of the original hospital still remaining to the new CEP. Disconnect equipment in CEP.

Electrical:

- This phase of construction requires the addition of (1) 2,000KW, 4,160V diesel engine generator set in the CEP. The generator will connected to the paralleling switchgear.
- Essential system feeders and control wiring will be provided from the paralleling switchgear to the phase 4 building addition.
- 1,000KVA 4,160V 480Y/277V unit substation in the phase 4 building addition.
- Automatic transfer switches for the phase 4 building expansion.

PHASE 3

Mechanical:

- Chillers (1) 925 ton chiller, connect to existing vari-prime system.
- Cooling Towers (1) 2800 gpm stainless steel cooling tower with (1) condenser water pump.
- Existing CEP to remain and serve the existing portions of the Hospital.

Electrical:

- This phase of construction requires the addition of (1) 2,000KW, 4,160V diesel engine generator set in the CEP. The generator will connected to the paralleling switchgear.
- Essential system feeders and control wiring will be provided from the paralleling switchgear to the phase 3 building addition.
- 1,000KVA 4,160V 480Y/277V unit substation in the phase 3 building addition.
- Automatic transfer switches for the phase 3 building expansion.

PHASE 4

Mechanical:

- Chillers (1) 925 ton chiller, connect to existing vari-prime system.
- Cooling Towers (1) 2800 gpm stainless steel cooling tower with (1) condenser water pump.
- Boilers (1) 350 bhp steam boilers with stack. Connect to existing deaerator, boiler feedwater system, and condensate collection system. Dual fuel burners on each boiler.
- Heat Exchangers (1) new heat exchanger with steam pressure reducing valves, (1) primary hot water pump and (1) secondary hot water pump. Provide variable volume operation on the secondary pump.
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- Medical air compressors new duplex system sized for balance of hospital and manifolded with the existing triplex system.
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- Fuel Oil storage tank provide (1) new 20,000 gallon below ground fuel oil storage tank, double wall type.
- Connect areas of the original hospital still remaining to the new CEP. Disconnect equipment in CEP.

DEPARTMENTAL SPACE PROGRAM Draft

Postpartum/Birthing Center FLORIDA HOSPITAL- WINTER PAKR

RLF #2131.00 01 Sept 04

signature(s):

<u>Oralelisiezedę</u> bystnieni			TOTAL BASE		REMARKS
ROOM NAME	AREAS	NSF PER AREA	NSF	PROPOSED	KEWAKAS
OSTPARTUMEUNIL					
Common Visitor Space	23.14.5.				
Wheelchair Alcove	1	30	30 240		3 opened cho
Family Waiting/Lounge	2	120	240		3 seats ea. May be distributed/consolidate
Phone Alcove	2	10			
Water Fountain	2	10	20		
Vending Area	1	100	100		only located on 4 floors, 4 machines e unisex toi
Public Tollet	2	50	200		Table, chairs, Cabinet/education
Family Consultation/Education Room	1	200	, 200		computer connection, film illumina
Sub-total			710		
ostpartum Rooms					
Universal Private Postpartum Room	30	255	7,650		
ADA Patient Toilet/Shower	27	60	1,620		ADA/HC Accessible, Bedpan rins
ADA Patient Shower/Bath	3	80	240		1 per 100 beds, AIA Guideline
New Born Exam/Treatment Room	1	150	150		
-Sub-total		Page 10 (1)	9,660		
ostpartum Support Space				87	
Central Nurse Workstation/Work Area	2	500	1,000		11 Staff per station
Central Monitor Alcove	1	100	100		At Nurse Station (not facing publ
Pneumatic Tube Station	2	10	20		Located at Nurse Static
Charting Alcove	15	20	300		36" high counter, computer connection
Physician Dictation/PACS Review	2		120		PACS reading unit, counter, ch
Medication Room	2	120	240		4 Pyxis w/slave, prep, sink, IV storag
					upright med refrlg., (2) 30" x 72" cc
Nourishment Room	2	100	200		Ice machine, refrigerator, co
Clean Holding / Linen	2	140	280		Sink, minimal counter, 6 carts (30" x 7;
Soiled Holding	2	80	160		Double sink, carts, dirty trays, pillow hamp
Equipment Storage Room	2	120	240		Full-height shelving, carts, equipment: step walke
Emergency Equipment Alcove	2	10	20		
Portable Equipment Alcove	4	15	60		Crash cart, portable x-ray, e
Housekeeping Closet	1	60	60		Mop sink, mop holder, full-height sh
Sub-total		0.0000000000000000000000000000000000000	2,800		
ostpartum Staff Support Space	West Commission of the Commiss	The second second second	201		
Team Conference Room	1	300	300		20 occupar
Unit Clerk's/Forms Storage	1	120	120		Located w/ Nurse Station, copier, ref. libro
Office: Assigned	3	120	360	1	Nurse Mgr., Asst. Mgr., (Case Mgt/N. Practic.)
Office: Travelers	2	140	280		Nutrition, Clin Specialist, Educator when
Staff Lounge/Break Room	1	220	220		Lounge w/ kichen/pantry, 10 sec
	<u> </u>	160	160		120 box locke
Staff Lockers	<u> </u>		And the American Committee of the Commit		male and femo
Staff Toilet	<u> </u>	50	100	AND CONTRACTOR OF THE PARTY OF	
Sub-ioid Otal NSF Postparium Unit			######################################		
TOTAL DGSF POSTPARTUM UNIT			22.065	1.6	DGSF-1.45-1.55 NET :GROSS FACTOR (1.5)
					BGSF-1.19-1.21 DGSF:BGSF FACTOR (1.2)
TOTAL BGSF POSTPARTUM UNIT	I		26,478	1.2	DG0F-1.19-1.21 DG0F :BG0F FACTOR (1.2)

DEPARTMENTAL SPACE PROGRAM Draft

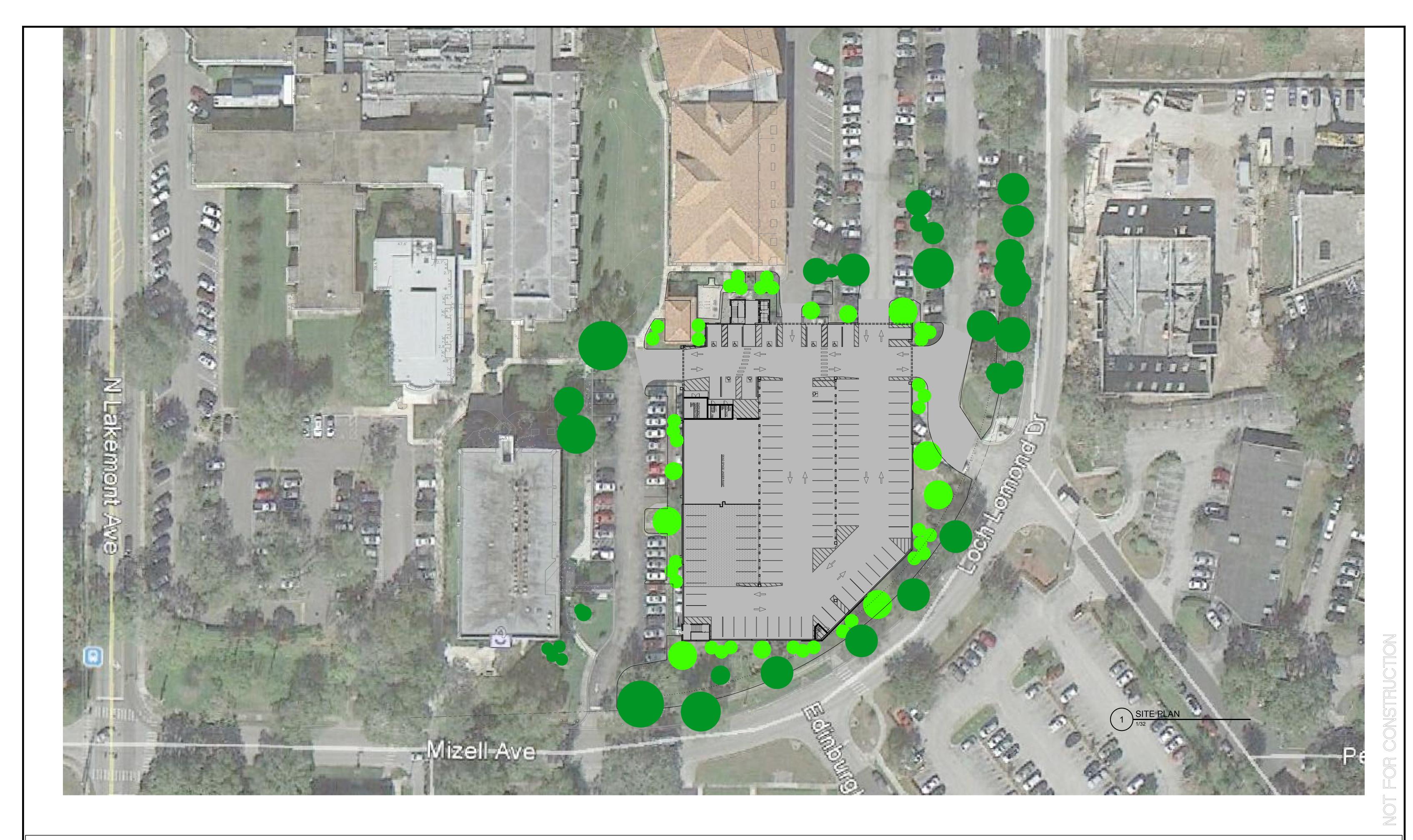
Postpartum/Birthing Center FLORIDA HOSPITAL- WINTER PAKR

RLF #2131.00 01 Sept 04

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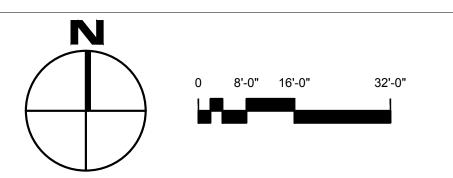
OBSTETRICS DEPARTMENT				The state of the s
BIRTHING UNIT	Sept 18	H 188		1. 10 10 10 10 10 10 10 10 10 10 10 10 10
Birthing Area				
LDR Patrient Room	10	320	3,200	1:350 Non-cescarean
ADA Patient Toilet/Shower	10	60	600	ADA/HC Accessible, Bedpan
Equipment Storage	5	100	500	1 per 100 beds, AIA Guide
Cesarean/Delivery Suite	2	400	800	
Infant Resuscitaton	1	150	150 100	
Sterilizer	1	100		
Scrub Area	2	30	60	
Triage	3	120	360 180	
Toilet	3	60		
Triage Lab	1	120	120	
Family Waiting	1 1	200	200	Includes toilet, phone
Sub-total Sub-total		VOTATION TO SERVI		
lursery		(a. 1977), (b. 4)		
Level 1 Nursery	4	24	96	
Workroom/Control	1	150	150	Includes scrub, equipment storage and vie
Scrub	2	30	60	
Level 2 Nursery	8	50	400	
Isolation Room	1	150	150	
Blood Gas Station	1 1	50	50	
Sub-total			906	
Birthing Unit Support Space	Grand Control			
Nurse Station	1	300	300	
Pneumatic Tube Station	1	10	10	Located at Nurse St
Charting	1	80	80	36" high counter, computer conne
Physician Dictation/PACS Review	2	60	120	PACS reading unit, counter,
Medication Room	1	120	120	4 Pyxls w/slave, prep, sink, IV sto
	ļ			upright med refrig., (2) 30" x 72"
Nourishment Room	1	100	100	Ice machine, refrigerator,
Clean Holding / Linen	1	140	140	Sink, minimal counter, 6 carts (30":
Soiled Holding	1	80	80	Double sink, carts, dirty trays, pillow ha
Equipment Storage Room	1	120	120	Full-height shelving, carts, equipment: s
Anesthesia Storage	1	120	120	·
Housekeeping Closet	1	60	60	Mop sink, mop holder, full-height
Stretcher Storage	1	50	50	<u>'</u>
Multi-Purpose/Breast Feeding	1	150	150	
Sub-total:	92610.553		1,450	
lirthing Unit Staff Support Space	建筑发生的			
Team Conference Room]	300	300	20 occup
Unit Clerk's/Forms Storage	1	120	120	Located w/ Nurse Station, copier, ref. li
Office: Assigned	3	120	360	
Physican Sleep Area	2	70	140	
Staff Lounge/Break Room	1	220	220	Lounge w/klchen/pantry, 10
Staff Showers/Toilets	2	120	240	1 ea. for male and fe
Staff Lockers	2	160	320	XX box lo
Sub-total			1,700	
OTAL NEE BIRTHING UNIT			10,07/6	
		darit ur Albertani fil	Report of the Provident Strategics Contraction Contraction Code and Street	1 5 DOOF 1 45 1 55 NET (DOOGS 54 0700 4)
TOTAL dgsf birthing unit			15,114	1.5 DGSF-1.45-1.55 NET :GROSS FACTOR (1.
TOTAL BGSF BIRTHING UNIT			18,137	1.2 BGSF-1.19-1.21 DGSF :BGSF FACTOR (1.:

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FLORIDA HOSPITAL WINTER PARK MEMORIAL

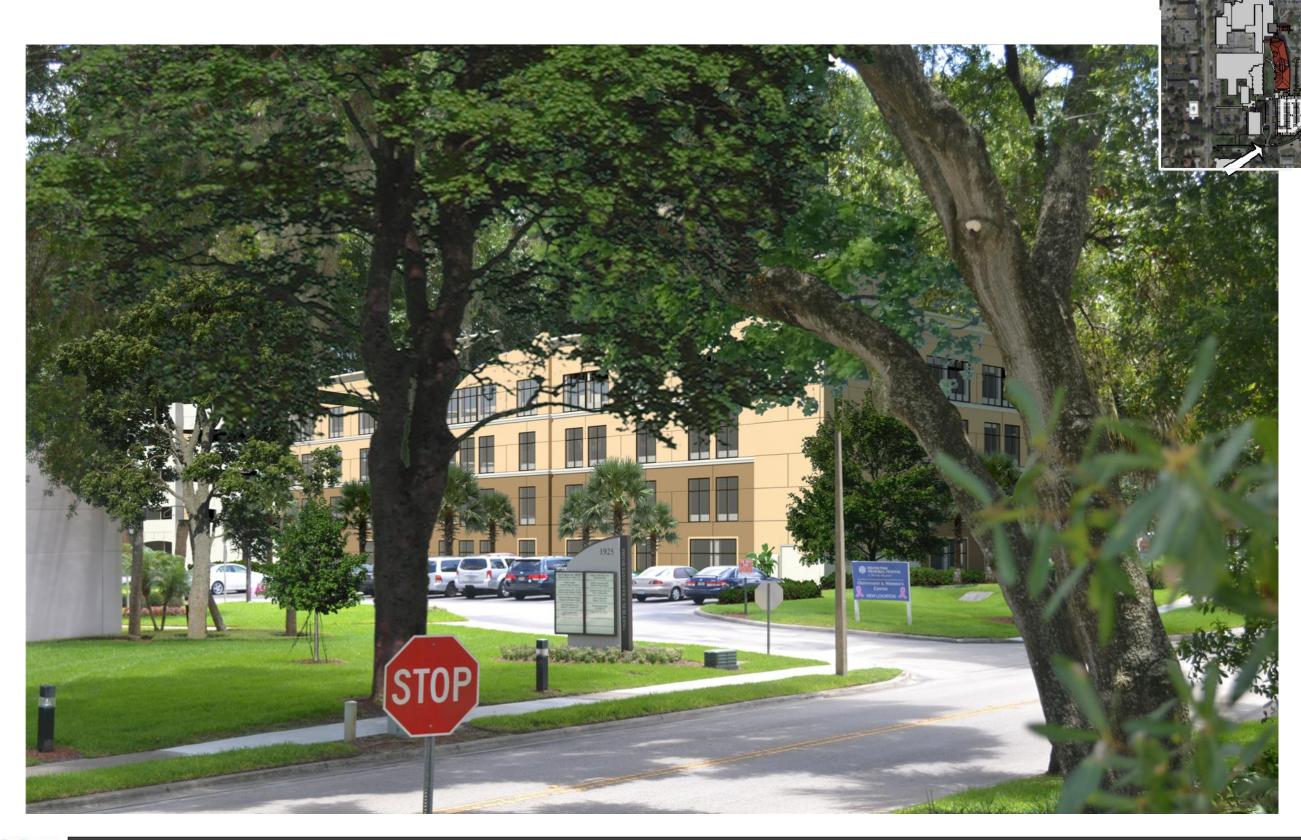
PROPOSED SITE PLAN









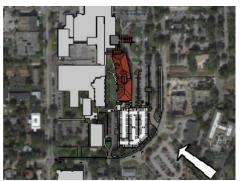




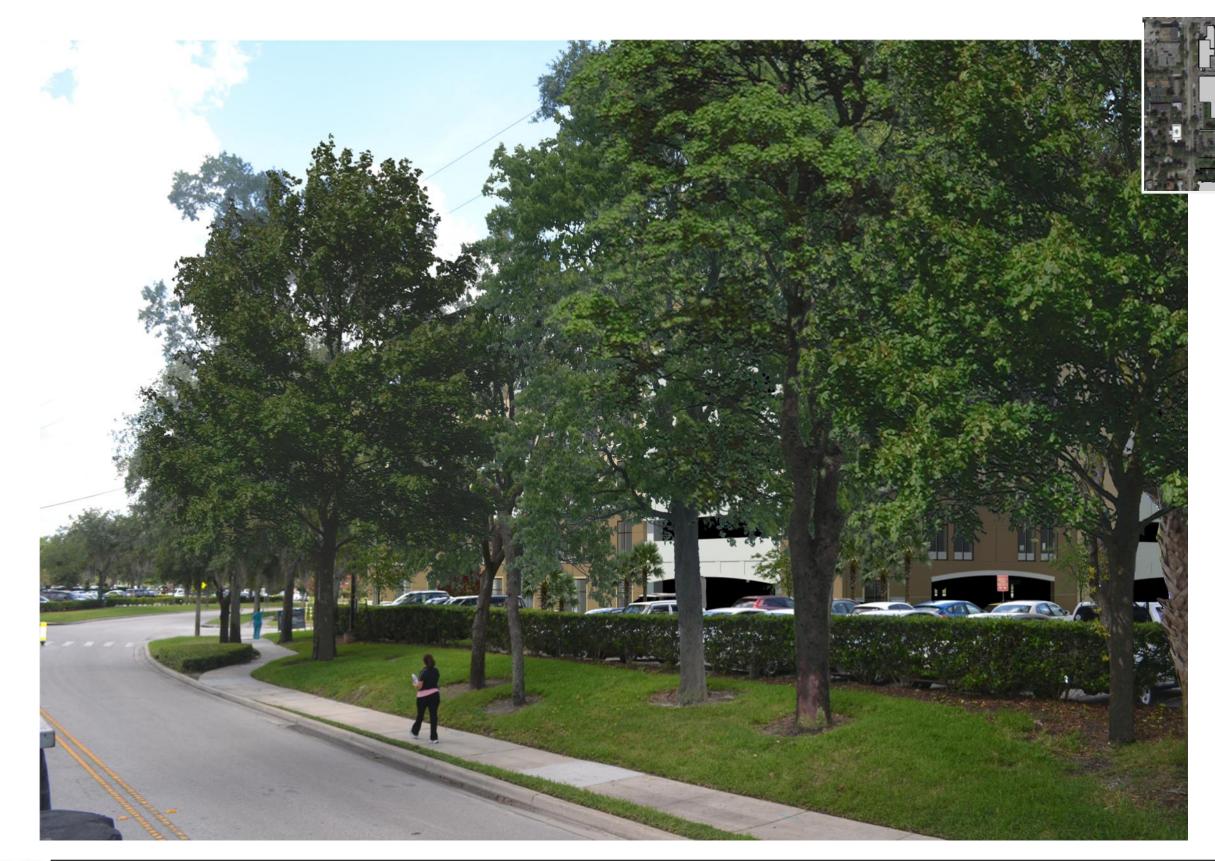






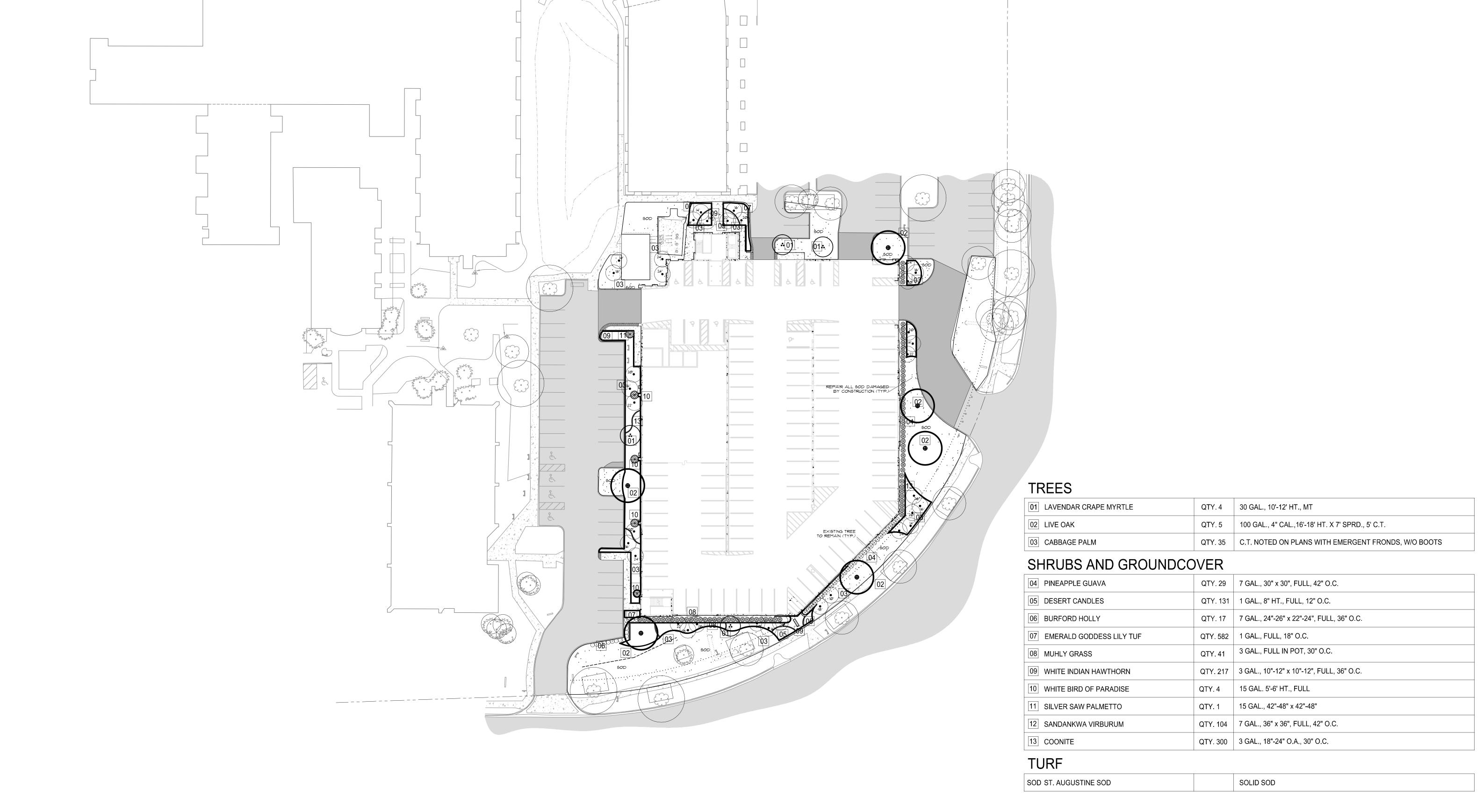














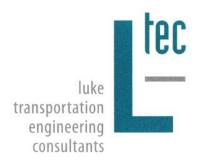
NOTE: FOR INFORMATIONAL PURPOSES. SEE CONSTRUCTION DRAWINGS BY FOSTER CONANT AND ASSOCIATES.



WINTER PARK MEMORIAL HOSPITAL







MEMORANDUM

TO: Borron Owen

FROM: J. Anthony Luke, P.E. **DATE:** September 11, 2013

RE: Florida Hospital- Winter Park Memorial

Parking Plan Evaluation (LTEC #13-0108)

This summary relates to the evaluation of the parking plan for Florida Hospital- Winter Park Memorial. The parking evaluation utilized the following:

- Florida Hospital- Winter Park Memorial Hospital Master Plan (RLF- 11/15/04)- adopted 4/25/05
- Inventory of Winter Park Memorial Hospital uses and existing parking spaces
- Adopted City of Winter Park Code: Off-Street Parking and Loading Requirements (Sec. 58-86)

The parking evaluation focused on the parking requirements and plan within the "Loop" (bounded by Lakemont Avenue, Mizell Avenue, Loch Lomond Drive, Edinburgh Drive and Aloma Avenue). The parking requirements were assessed based on existing hospital uses served by parking within the Loop. These existing hospital uses included the hospital (331 beds), including the emergency department (ED), and the physician office building (POB- 35,000 square feet).

Table 1 (attached) summarizes the existing parking serving the hospital and POB, and existing beds, employees, volunteers, and POB square feet. The existing beds, employees, volunteers, and POB square feet were provided by the Florida Hospital- Winter Park Memorial staff through an inventory of the facilities. An inventory of the existing parking spaces (also provided by the Florida Hospital- Winter Park Memorial staff) identified 600 existing spaces within the Loop. Based on the parking requirements from the City code (Sec. 58-68), the minimum number of spaces prescribed to serve the uses within the Loop is 914 spaces.

The required parking determined by the Florida Hospital-Winter Park Memorial Hospital Master Plan was identified for the existing uses within the Loop. The "Schematic Design" from the Master Plan identified parking requirements developed to meet parking needs based on the Planning Goals developed by RLF, and approved by the City. The Master Plan Schematic Design parking requirements summary was used to calculate parking needs for the hospital beds, employees, and volunteers, as well as the POB employees. Based on that approach, the Master Plan "Required Total" parking was determined to be **1,217 spaces** within the Loop, as summarized in the lower portion of Table 1. This is the parking requirement determined to accommodate the current level of development within the Florida Hospital-Winter Park Memorial Hospital. The current development is within the build-out of Phase 2 patient bed, employees, and ED/Outpatient quantities of the Master Plan.

c.c. Jody Barry Dick Davis Adrienne Downey-Jacks

Florida Hospital - Winter Park Memorial Hospital Parking Plan Evaluation Existing / Master Plan (RLF)

Existing	Parking Inventory ¹ :		600	spaces			
Master Plan Rates ² :							
		Parking S	Spaces	_			
Units	Unit Type	Rate / Unit	Required				
Hospital &	Emergency Department an	d Outpatient	3				
331	Beds	1.500	497	patient parking spaces			
625	Employees & Volunteers	1.000	625	Hosp & ED parking spaces			
95	Employees	1.000	95	Outpatient (POB) parking spaces			
			1,217	spaces			

^{1 -} Per existing parking inventory within "Loop" (bounded by Lakemont Ave, Mizell Ave, Loch Lomond Dr, Edinburgh Dr and Aloma Ave). Source: WPMH Staff, July 2013

LTEC- 9/10/13

^{2 -} WPMH Master Plan - Schematic Design, 11/15/04, p. 4 (RLF) - 'Parking Count' table, prior to Phase 2 buildout; required parking derived from calculations of "Required Total" parking

^{3 -} Based on the WPMH Master Plan, it is assumed that the POB required parking is included within the "ED/Outpatient" (RLF Parking Count Summary Table) "Required Total" calculation.