



city commission agenda

Regular Meeting

January 13, 2014
3:30 p.m.
Commission Chambers

commissioners				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 Finance Director, Wes Hamil Pledge of Allegiance	
3	Approval of Agenda	
4	Mayor's Report	Projected Time
	a. 2014 Election Proclamation	
	b. Re-appointment to the Orange County Community Action Board- Tom McMacken	5 minutes
5	City Manager's Report	Projected Time
6	City Attorney's Report	Projected Time

7 Non-Action Items	Projected Time
8 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
<ul style="list-style-type: none"> a. Approve the minutes of December 9, 2013. b. Approve the following purchases, contracts and formal solicitation: <ul style="list-style-type: none"> 1. Purchase to HD Supply Waterworks, LTD for Stormtech Stormwater Chamber System for Park North Stormwater Exfiltration System; \$86,805.88. 2. PR153926 to Hydra-Stop for Pressure Pipe Maintenance Repair System; \$68,968.05. 3. Purchase and subsequent purchase order to Duval Ford & Isuzu to replace vehicles; \$144,861.00. 4. Purchase and subsequent purchase order to Nortrax for two (2) new tractors; \$155,768.00. 5. Piggybacking the City of Tallahassee contract #1555 and subsequent purchase order to Ring Power Utility Corporation for Buck & Boom Bodies and Equipment for a utility bucket truck; \$99,294.00. 6. Blanket purchase order for External Audit Services to Moore Stephens Lovelace, PA; \$62,000.00. 7. Contract renewal with ADPI/Intermedix for Fire Services Billing contract (RFP-16-2009) and authorize the Mayor to execute Amendment 7; \$72,000.00. 8. Contract renewal with Gerhartz and Associates, Inc. for RFQ-16-2012 for continuing contract for GIS services and authorize the Mayor to execute Amendment 1. 9. Contract renewal with GATSO USA, Inc. for Red Light Safety Enforcement System (RFP-13-2009) and authorize the Mayor to execute Amendment 3. 10. Contract renewal with Universal Engineering Sciences for RFQ-2-2012 Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Geotechnical Services) and authorize the Mayor to execute Amendment 1. 11. Contract renewal with Ardaman & Associates, Inc. for RFQ-2-2012 Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Geotechnical Services) and authorize the Mayor to execute Amendment 1. 12. Award to HD Supply Waterworks, Ltd. (IQ-1-2014) HDPE Pipe – 6" & 8" and approve PR154026; \$97,125.00. 	<p>5 minutes</p>

10 Action Items Requiring Discussion a. 90 Day Plan b. Urban Forestry Management Plan c. Discussion of process for evaluating the opportunity for minor league baseball in Winter Park.	Projected Time 15 minutes 30 minutes 30 minutes
11 Public Hearings a. Ordinance – Annexing 612 E. Lake Sue Avenue (1) b. Ordinance – Vacating and abandoning the electric utility easement at 470 W. New England Avenue (1) c. Resolution – Notice of Intent to use the uniform method for collecting special assessments within the platted area defined as Seminole Drive to fund the City’s undergrounding of the neighborhood electrical/BHN facilities.	Projected Time 10 minutes 10 minutes 10 minutes
12 City Commission Reports a. Commissioner Leary b. Commissioner Sprinkel c. Commissioner Cooper d. Commissioner McMacken e. Mayor Bradley	Projected Time 10 minutes each

appeals & assistance

“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.”

PROCLAMATION OF ELECTION

The City Commission of the City of Winter Park, Florida, hereby proclaims a General Election to be held on Tuesday, March 11, 2014, for the purpose of electing a City Commissioner for Seat 1 and a City Commissioner for Seat 2. Qualifying was held from noon, December 30, 2013 and ended at noon, January 7, 2014.

The polling places shall be open for voting from 7:00 a.m. on the day of said election until 7:00 p.m. on the same day:

PRECINCT NO. 9102:	Winter Park Christian Church 760 N. Lakemont Avenue, Winter Park
PRECINCT NO. 9202:	St. Andrews Methodist Church 100 St. Andrews Blvd., Winter Park
PRECINCT NO. 9302:	Winter Park Presbyterian Church 400 S. Lakemont Ave., Winter Park
PRECINCT NO. 9402:	First Baptist Church 1021 New York Ave., Winter Park
PRECINCT NO. 9502:	Azalea Lane Recreation Center 1045 Azalea Lane, Winter Park

ALL POLLING PLACES ARE HANDICAPPED ACCESSIBLE.

Mayor Kenneth W. Bradley

ATTEST: /s/City Clerk Cynthia S. Bonham



city commission city manager's report

item type

City Manager's Report

meeting date

January 13, 2014

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	Irrigation installation ongoing.	Tree installation will begin upon irrigation installation completion.
Fairbanks Improvement Project	<p><u>Communication Notices</u></p> <ul style="list-style-type: none"> Working with future customers regarding connection to gravity sewer. 	<p><u>Construction Project</u></p> <p>Connection to sewer instructions posted on City website.</p> <p>Contractor working on punch list items including pavement markings and as-built drawings.</p>
Amtrak/SunRail Station	Amtrak parking lot improvements and interior build out underway. Underground utilities complete.	Building complete February 2014. SunRail complete May 2014.
Quiet Zones	FDOT consultant still reviewing concept plans.	Ongoing coordination with MetroPlan and FDOT.
New Hope Baptist Church Project	No changes since the last report from the Pastor. No activity over the holidays.	
Alfond Inn	Additional drainage improvements have been installed to resolve drainage issues.	Completed.
Grant Chapel	Building was successfully moved and placed above foundation slab in early December. Contractor has now constructed walls of basement to underside of the Chapel building. The basement will be accessible by steps down from front plaza where receptions can be held for weddings or other events. The steel beams under the building must be removed and final infill of block work and connection to foundation must be completed. Completion may take 30 to 60 days.	
Capen House	Both of the halves of the home were floated across Lake Virginia and are now placed on the Polasek Museum site in two locations. The portion of the home closest to the lake is	

	in the final location and the other portion will be connected to the home after construction of a foundation. We are awaiting plans for the foundation plus any other interior modifications to the home. The Pokorny property has been restored so that the redevelopment of that home site may proceed. Completion may take 60 to 90 days depending on funds available from contributions.	
Statistics on # of people listening live on-line for public meetings for the last 12 months.	Commission Meetings – Average 4.3, high 22, low zero Planning and Zoning – Average 0.5, high 3, low zero CRA – Average zero, high zero, low zero CRA Advisory – Average 0.8, high 4, low zero Historic Preservation – Average 0.5, high 1, low zero Board of Adjustments – Average 0.1, high 1, low zero	
Winter Park Hospital Parking Garage	Submitted construction plans. Will start discussion about master plan in January.	Schedule to be determined.

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.



2013 YEAR END REVIEW

Below is a recap of the commercial development projects that completed or began construction in 2013:

Rollins College: Leading the way was the Alford Inn @ Rollins College that began construction in May 2012 and was completed in August 2013 with 112 rooms, 250 seat restaurant/bar and 8,900 square feet of ballroom/meeting space. Also noteworthy was the reconstruction of the 35,000 square foot Bush Science Center and the demolition and rebuilding of Strong Hall with Phase I completed in August and Phase II now underway. At present, an expansion to the campus parking is under construction at the corner of Osceola and Chase by Dinky Dock park.

Winter Park Village: The redevelopment of the former Borders Books began in October 2013 which includes a new Chase Bank on the corner of Webster Avenue and to the south a separate new building with a Starbucks coffee shop with drive-thru and Versona, a 7,000 sq. ft. woman's fashion store. Both projects are expecting completion in April/May 2014. The other major project at the Winter Park Village is the start of the Apartments at Winter Park Village, the 204 unit apartment project at the former DMV property which began construction in November 2013 with completion expected in September 2014.

Heritage Park, the 85,000 square foot office building by CNL Commercial at 941 W. Morse Blvd. was completed in October 2013 at the site of the former State Office building.

New Restaurants in Winter Park: An important component of the 2013 commercial construction were nine new restaurants opening or under construction in 2013:

Opening in 2013 were the new 315 seat Winter Park Ale House (1251 Lee Road); the new 210 seat Carmel Café (200 N. Orlando Avenue); the new 180 seat Marlow's Tavern (1008 S. Orlando Avenue); the new 130 seat Italio Modern Italian Kitchen (276 S. Orlando Avenue); and the new 150 seat First Watch restaurant (2215 Aloma Avenue). Also renovations were completed transitioning Spice into "Blu on the Avenue" (276 S. Park Avenue) and Circa into "Matilda's" (358 N. Park Avenue). Now under construction is "The Porch" at the former Levan's Catering building (643 Orange Avenue) as a new 165 seat restaurant by the same owners as the adjacent Meat House. Also under construction is "The Coop" restaurant, the new concept from John Rivers at 610 W. Morse Blvd. Just in for building permit in 2014 is a new "Another Broken Egg" breakfast and lunch restaurant at 430 N. Orlando Avenue in the Winter Park Village former location of Truffles near Publix. In 2014, the City will also likely see the re-use of the former Hot Olives and Shipyard restaurant spaces on Fairbanks Avenue.

Atlantic Housing has temporary occupancy permits and is finishing the completion of the 105 senior apartments begun in April, 2013 at 550 N. Denning Drive.

Winter Park Hospital and Dr. Bruce Breit (Women's Care Florida) started in October 2012 and completed in September, 2013, the new 22,000 sq. ft. medical office at 100 Edinburgh Drive behind the Hospital.

Winter Park Hospital – Cancer Care Center expansion at 2100 Glenwood Drive of 8,000 sq. ft. was also started in 2013.

Lakeside Winter Park was started in September, 2013 at 111 N. Orlando Avenue which will be 36,000 square feet of new retail, restaurant and office space including the much anticipated Trader Joe's. Completion anticipated in June, 2014.

Winter Park YMCA (1201 N. Lakemont Avenue) completed their new zero depth children's swimming pool and parking lot addition in November, 2013.

Zane Enterprises started in April and completed in November, 2013, a new two-story, 4,500 sq. ft. office building at 271 N. Pennsylvania Avenue.

Phil Keen has purchased and is renovating the three properties at 900, 912 and 952 W. Fairbanks Avenue including the former Café 906, Sadler's Tailoring and the adjacent building into his business offices.

First Green Bank at 862 S. Orlando Avenue on the corner of Minnesota Avenue began construction in October, 2013 as has the new TD Bank at 810 N. Orlando Avenue, on the corner of Webster Avenue, which began construction in December 2013.

400 West, a nine unit townhouse project at 400 W. Swoope Avenue across from the City's Water Plant, began construction in April, 2013 and is ongoing.

Sestiere Santa Croce, the residential condo home at 200 E. Canton Avenue across from St. Margaret Mary Church was under construction in 2013. The first floor offices for Atlantic Housing have been completed and occupied and the second and third floor residence for the building owner is nearing completion in 2014.

Liquidation Station closed and vacated their three buildings at 347/349/351 N. Orlando Avenue and the northernmost building at the corner of Trovillion and Orlando Avenues has been converted to a Performance Bicycle business and the other buildings will hold a 1-800- Flowers store and a Mattress store.

Wawa Store at 901 N. Orlando Avenue was completed in November 2013.

Coming in 2014: Redevelopment of the Corporate Square/WP Dodge property for a Whole Foods and another major retailer plus out-parcels; a new 18,000 square foot building next to the Ale House in Ravaudage to hold a Tony Roma's and possible Bonefish restaurant. Construction starting on the new parking garage at the Winter Park Hospital. Construction starting on the 25,000 sq. ft. medical building at the Jewett Clinic at 1285 Orange Avenue. Redevelopment of the ABC store on Orlando Avenue. A new Lombardi's retail store with café on Fairbanks Avenue. Additional development within Ravaudage. A decision by K-Mart to stay or go in 2014.

For more information on these or other projects, please contact Jeff Briggs, Planning Manager at jbriggs@cityofwinterpark.org or at (407) 599-3440.

REGULAR MEETING OF THE CITY COMMISSION
December 9, 2013

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Building Director George Wiggins, 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 Cindy Bonham
Deputy City Clerk Michelle Bernstein

Approval of the agenda

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

Mayor's Report

a. Presentation – "Feed the Need"

Patrick Chapin, Chamber of Commerce President, announced the success of the "Feed the Need" campaign for Second Harvest Food Bank of Central Florida. Over \$96,000 was raised in an effort to help end hunger in Central Florida. Mr. Chapin and Mayor Bradley thanked everyone for supporting this worthy cause.

b. Recognition of artist Blair Sligar – Art in Chambers

Mayor Bradley introduced local artist Blair Sligar and thanked him for displaying his art work in the Commission Chambers for public viewing.

Mayor Bradley thanked City staff for their outstanding contributions this week with the numerous holiday events and for the creative display of new decorations and lights on Park Avenue.

City Manager's Report

City Manager Knight mentioned the tremendous amount of teamwork that is involved with the holiday displays throughout the City and thanked staff for their outstanding efforts.

City Manager Knight announced that on December 17 at 10:00 a.m. the City will be testing the switchover of the electrical system which will create approximately a five minute outage on two circuits. The formal switchover is scheduled for January 2,

2014. A detailed map was presented showing the specific areas that will be impacted. He noted that staff has been working with the major businesses within the specific quadrants and that formal advance notice is being provided to the community via the City's website, media alerts, telephone, etc.

City Manager Knight acknowledged the following requests:

- Over the holiday period, provide the Commission with a brief overview of what is to come before them next year (90 day plan)
- Community Block Grant Fund research and the use of funds for infrastructure

Per the Commission's request, City Manager Knight provided an update on the Senior Citizen shuttle for the Orlando Philharmonic Orchestra Concert and the 35th annual Christmas in the Park by noting that there were zero participants.

Commissioner Cooper spoke about the need to establish a process for master planning. Planning Manager Jeff Briggs noted that the WRT Study referenced the need for master plans, staff will be bringing this forward in the first half of 2014, and the parking garage design standards are currently underway.

In response to an email inquiry from residents to expand the holiday lights into the Hannibal Square and Morse Boulevard area, Commissioner Leary felt they should bring it up next year for consideration. A majority agreed.

City Attorney's Report

Max Media

Attorney Brown said a conference call is scheduled for tomorrow with all of the attorneys to finalize the remaining issues and that he will keep them posted.

Capen House

Attorney Brown provided an update by explaining that the judge recently agreed that the Capen House non-profit organization does not have valid standing. However, pending litigation is underway with regard to the other party that is involved in the suit. He will provide further updates as they transpire.

City Manager Knight advised that part of the Capen House will be moved across the lake tomorrow morning weather permitting. A brief discussion transpired regarding safety and security measures.

Non-Action Item

a. Downtown Parking Update – Part 2

Public Works Director Troy Attaway explained that on November 11 the Commission expressed interest in utilizing the Blake Street yard and the old Swoope Water Treatment Plant as parking lots. He advised that the Blake Street yard would yield approximately 28-31 parking spaces and the Swoope Water Treatment Plant could be designed for 79 spaces. In the interim of a final solution, the City has opened up 29 new public parking spaces just west of City Hall on Lyman Avenue. This lot was previously designated for City Hall employee parking only. However, due to the busy holiday season, the City has repurposed these spaces to 3-hour public parking.

Staff recommended the monitoring of our existing parking facilities during the busy months of December and January and to document what the utilization is at each facility. Staff will then brief the Commission in February regarding the upcoming employee parking program which will include an assessment of these two lots, the use of the City Hall lot, the existing parking spaces in Lot A and the Park Place Garage.

Mayor Bradley mentioned that several citizens have suggested that we look into possibly changing our existing downtown parking ordinance or policies as it relates to the number of available spaces in public/private and the Central Business District. Mr. Attaway acknowledged the request.

Consent Agenda

- a. Approve the minutes of 11/11/13 and 11/25/13.
- b. Approve the following purchases and contracts:
 - 1. Blanket Purchase Order to Awarded Firm for Lake Killarney Outfall Dredging Project; \$100,000.
 - 2. Purchase Requisition PR153848 to Don Reid Ford, Inc. for the replacement of 4 police vehicles; \$100,032.
 - 3. Purchase Requisition PR153846 to Duval Ford and Isuzu for the replacement of utility crew trucks; \$253,896.
 - 4. After the fact Blanket Purchase Order #151633 to Waste Pro of Florida under RFP-6-2009 for \$2,150,000.
 - 5. Award and subsequent Purchase Orders to Pine Lake Nursery for IFB-1-2014, Lee Road Median Tree Project; \$51,079.
 - 6. Piggybacking City of Boca Raton contract for Wastewater Lift Station(s) Rehabilitation Bid No. 2010-038 and authorize the Mayor to execute Purchase Orders for services on an as needed basis.
- c. Approve the budget adjustment to appropriate \$25,000 for street paving materials.

- d. Approve the Second 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 made by Commissioner McMacken to approve the Consent Agenda; seconded by Commissioner Sprinkel. No public comments were made. **The motion carried unanimously with a 5-0 vote.**

Action Items Requiring Discussion

- a. Approval of Notice to Dispose advertisements of two parcels of land located at 300 N. Pennsylvania Avenue and 321 Hannibal Square W. located within the CRA for possible development options.

Planning Manager Jeff Briggs explained that the CRA staff has received multiple requests to consider development options to include the purchase of the City owned property located at 300 N. Pennsylvania Avenue. The CRA staff has also received inquiries about the property located at 321 Hannibal Square W. Staff feels that the most equitable way to evaluate each request is through the solicitation of offers through a Notice of Disposal (NOD) process.

The CRA Advisory Board recommended moving forward with both NODs. They also requested that the City Commission allow them to review and make a recommendation about the proposals prior to City Commission review.

Mr. Briggs advised that the property located at 300 N. Pennsylvania Avenue will come back to the Commission around March or April for a decision. Staff's intent is to ensure that adequate public notice/signage is given to also allow the public with a significant amount of time to submit their proposals.

Mr. Briggs explained that both parcels are noted in the 2007 Memorandum of Understanding (MOU) between the City and the Hannibal Square Community Land Trust (HSCLT) as parcels of interest. In the MOU, the HSCLT has the right to petition for a Notice of Disposal (NOD) to develop either site at a point of time that would be advantageous to their organization. In an evaluation from the CRA Agency attorney, the MOU does not prohibit the CRA or the City from advertising the properties for redevelopment. The issuance of a NOD does not prohibit the HSCLT from submitting a development proposal on either parcel.

Commissioner Cooper shared concerns regarding the current Commercial zoning classification for the 300 N. Pennsylvania Avenue property and if it should possibly be advertised as Office zoning so that the public can be aware of the compatibility.

A brief discussion followed regarding the appropriate steps that would need to be taken in order to rezone the property, if this parcel should be designated as

Parkland and to possibly have the Parks and Recreation Board investigate this option prior to advertising.

Motion made by Commissioner Cooper to table. Motion failed for lack of a second.

Mr. Briggs addressed questions regarding the 321 Hannibal Square W. property and clarified that the disposal is for the South 34 feet of Lot 16.

Motion made by Commissioner Leary to approve the NOD advertisement for the 321 Hannibal Square W. property; seconded by Commissioner McMacken.

Motion made by Commissioner Leary to approve the NOD advertisement for the 300 N. Pennsylvania Avenue property; seconded by Mayor Bradley.

Motion amended by Commissioner Cooper (regarding 300 N. Pennsylvania Avenue) to delete the following "the property is zoned O-1 Office District" and replace with "the City will be zoning the property O-2 Office District". Motion failed for lack of a second.

Motion amended by Commissioner Cooper; (regarding 300 N. Pennsylvania Avenue), to add a statement that says "Development on this property shall comply with the code requirements Hannibal Square Neighborhood Commercial District."; seconded by Commissioner McMacken.

Denise Weathers, HSCLT, 2265 Lee Road, explained that the HSCLT has always been and is currently interested in acquiring the 300 N. Pennsylvania Avenue property for future development.

Lurlene Fletcher, 790 Lyman Avenue, felt that the HSCLT should be allowed to have exclusive rights to acquire this parcel of land.

Motion amended by Mayor Bradley (regarding 300 N. Pennsylvania Avenue property) that if the NOD passes that the Parks Advisory Board will also look at this to see whether or not it would be a City park as part of the neighborhood; seconded by Commissioner Leary.

Motion amended by Commissioner Cooper to ask the Planning and Zoning to look at the property to determine the appropriate compatible zoning on the property. Motion failed for lack of a second.

Upon a roll call vote (to approve the NOD advertisement for the 321 Hannibal Square W. property); Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the first amendment, Mayor Bradley and Commissioners Leary and Sprinkel voted no. Commissioners Cooper and McMacken voted yes. The motion failed with a 3-2 vote.

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

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

PUBLIC HEARINGS:

- a. Request of Request of Ramber Arlington LLC: Subdivision or Lot Split approval to divide the property at 1280 Arlington Place, Zoned R-2, into two single family lots.

Planning Manager Jeff Briggs explained that the owner and applicant, Alan Berman of Ramber Arlington, LLC is requesting to split the property into separate 45 foot wide lots so they may be used for two independent single family homes. The applicant believes that they will be more successful marketing their product as 'stand-alone' single family homes versus attached townhouse units. Even though they are giving up one added unit (three townhouses versus two single family homes) they believe the market is stronger for this type of product.

In the R-2 zoning, the minimum lot width for a single family lot is 50 feet and the minimum lot size is 6,000 sq. ft. of lot area. Each of these proposed lots will have 6,750 sq. ft. of lot area but only 45 feet of lot width, thus the variance request. From staff's perspective the lot width variance is immaterial given that the request represents less unit density and is compatible with the street character. Mr. Briggs answered questions.

Applicant Alan Berman distributed copies of the preliminary architectural drawings and addressed questions/concerns with regard to the 45 foot lot width.

Motion made by Commissioner Leary to approve; 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.

Public Comment (5:00 p.m.)

David Leavitt, Libertarian Party of Florida, spoke in opposition to surveillance cameras and red light camera use within the City.

Mark Schmidter, 3609 Shader Road, spoke in opposition to allowing red light cameras in the City.

Eric Nielson, 499 Westchester Avenue, spoke about the curbing on Fairbanks Avenue, the safety issues created and a possible acquisition of the FDOT right of way easement that could be used for future parking. City Manager Knight acknowledged the Commission's request to coordinate with FDOT and to follow up with Mr. Nielson.

Rick Vimmerstedt, Orlando Federal Credit Union, asked the Commission to reconsider allowing the credit union to occupy office space within the City Hall area.

John Neusaenger, Orlando Federal Credit Union, spoke in favor of allowing an OFCU to operate within City Hall.

b. Request of Nort Northam:

ORDINANCE NO. 2945-13: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO ESTABLISH COMMERCIAL FUTURE LAND USE ON THE ANNEXED PROPERTY AT 656 OVERSPIN DRIVE AND TO INDICATE THE ANNEXATION OF THIS PROPERTY ON THE OTHER MAPS WITHIN THE COMPREHENSIVE PLAN, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

ORDINANCE NO. 2946-13: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO ESTABLISH COMMERCIAL (C-3) ZONING ON THE ANNEXED PROPERTY AT 656 OVERSPIN DRIVE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

Attorney Brown read both ordinances by title.

Motion made by Commissioner McMacken to adopt the ordinance (Comprehensive Plan); seconded by Commissioner Sprinkel.

Motion made by Commissioner McMacken to adopt the ordinance (Zoning); seconded by Commissioner Sprinkel.

No public comments were made on both ordinances.

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

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

- c. ORDINANCE NO. 2947-13: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THAT PORTION OF GAINES WAY LYING BETWEEN 610 GAINES WAY AND 1760 GAINES WAY, MORE PARTICULARLY DESCRIBED HEREIN BUT RETAINING AND RESERVING TO THE CITY A UTILITY EASEMENT OVER THE ENTIRE AREA THEREOF. Second Reading

Attorney Brown read the ordinance by title.

Motion made by Commissioner Sprinkel to adopt the ordinance; seconded by Commissioner Cooper. 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 thanked Mr. Bellows for his efforts in saving and moving the Grant Chapel Church. He announced that tomorrow he will be attending the swearing in of State Senator Andy Gardiner and that it is an honor to have him represent our community.

- b. Commissioner Sprinkel

Commissioner Sprinkel wished everyone happy holidays. She thanked staff for their efforts with displaying the many holiday ornaments.

- c. Commissioner Cooper

Commissioner Cooper thanked staff for the wonderful parade and holiday lights.

- d. Commissioner McMacken

Commissioner McMacken wished everyone a safe holiday season.

- e. Mayor Bradley

Mayor Bradley requested that City Manager Knight provide a status update in January regarding quiet zones. The request was acknowledged.

A majority agreed with Mayor Bradley's request to place the 90 day plan on the January agenda.

The meeting adjourned at 5:28 p.m.

Mayor Kenneth W. Bradley

ATTEST:

City Clerk Cynthia S. Bonham

DRAFT



city commission agenda item

item type	Consent Agenda	meeting date	January 13, 2014
prepared by department division	Purchasing Division	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A		
		final vote	

Purchases over \$50,000

	vendor	item background	fiscal impact	motion recommendation
1.	HD Supply Waterworks, LTD	Stormtech Stormwater Chamber System for Park North Stormwater Exfiltration System.	Total expenditure included in approved FY14 budget with 60% FDEP Grant Funded G0340 Amount: \$86,805.88	Commission approve purchase to HD Supply Waterworks, LTD. for Stormwater Chamber System.
This purchase will be made utilizing Piggyback Contract with Orlando Utilities Commission approved November 12, 2012.				
2.	Hydra-Stop	PR153926 for Purchase for Pressure Pipe Maintenance Repair System for Water and Wastewater	Total expenditure included in approved FY14 budget. Amount: \$68,968.05	Commission approve PR153926 to Hydra-Stop for Pressure Pipe Maintenance Repair System.
This is a Sole Source Purchase. Sole Source approval on file in Purchasing.				
3.	Duval Ford & Isuzu	Purchase to Replace Vehicles	Total expenditure included in approved FY14 budget. Amount: \$144,861.00	Commission approve purchase and subsequent Purchase Order to Duval Ford & Isuzu
This purchase will be made utilizing Florida Sheriff's Association Contract #13-21-0904.				
4.	Nortrax	Purchase of Two (2) New Tractors	Total expenditure included in approved FY14 budget. Amount: \$155,768.00	Commission approve purchase and subsequent Purchase Order to Nortrax
This purchase will be made utilizing Florida Sheriff's Association Contract #13-21-0904.				
5.	Ring Power Utility Corporation	Piggybacking the City of Tallahassee contract #1555 for Buck & Boom Bodies and Equipment for the purchase of a utility bucket truck.	Total expenditure included in approved FY14 vehicle replacement budget. Amount: \$99,294.00	Commission approve piggybacking the City of Tallahassee contract #1555 and subsequent Purchase Order.
This purchase will be made utilizing Florida Sheriff's Association Contract #13-11-0904 and The City of Tallahassee Contract#1555.				

	vendor	item background	fiscal impact	motion recommendation
6.	Moore Stephens Lovelace, PA	Blanket Purchase Order for External Audit Services	Total expenditure included in approved FY14 budget: \$62,000.00	Commission approve Blanket Purchase Order for External Audit Services
The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on September 9, 2013. This Blanket Purchase Order will expire on September 30, 2014.				

Contracts

	vendor	item background	fiscal impact	motion recommendation
7.	ADPI/ Intermedix	Amendment 7 to Fire Services Billing contract (RFP-16-2009)	Total expenditure included in approved FY14 budget: \$72,000.00	Commission approve contract renewal with ADPI/Intermedix and authorize the Mayor to execute the Amendment 7 and subsequent purchase orders.
The City utilized a competitive bidding process to award this contract. The contract was awarded on September 14, 2009 for a period of one (1) year, with options to renew upon mutual agreement. This is the last renewal option.				
8.	Gerhartz and Associates, Inc.	Amendment 1 for RFQ-16-2012 for Continuing Contract for GIS Services	Total expenditure included in approved FY14 budget.	Commission approve contract renewal with Gerhartz and Associates, Inc. and authorize the Mayor to execute Amendment 1.
The City utilized a formal solicitation process to award this contract. The contract was awarded on January 13, 2012. The contract term was for a period of one (1) year, with the option to renew upon mutual agreement, not to exceed five (5) years in total.				
9.	GATSO USA, Inc.	Amendment 3 for RFP-13-2009 Red Light Safety Enforcement System	Total expenditure included in approved FY14 budget.	Commission approve contract renewal with GATSO USA, Inc. and authorize the Mayor to execute Amendment 3.
The City utilized a formal solicitation process to award this contract. The contract term was for a period of three (3) consecutive years after first installation (January 22, 2011), with the option to renew upon mutual agreement.				
10	Universal Engineering Sciences	Amendment 1 for RFQ-2-2012 Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Geotechnical Services)	Total expenditure included in approved FY14 budget.	Commission approve contract renewal with Universal Engineering Sciences and authorize the Mayor to execute Amendment 1.
The City utilized a formal solicitation process to award this contract. The contract was awarded on November 26, 2012. The contract term was for a period of one (1) years, with the option to renew upon mutual agreement, not to exceed five (5) years in total.				
11	Ardaman & Associates, Inc.	Amendment 1 for RFQ-2-2012 Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Geotechnical Services)	Total expenditure included in approved FY14 budget.	Commission approve contract renewal with Ardaman & Associates, Inc. and authorize the Mayor to execute Amendment 1.
The City utilized a formal solicitation process to award this contract. The contract was awarded on November 26, 2012. The contract term was for a period of one (1) years, with the option to renew upon mutual agreement, not to exceed five (5) years in total.				

Formal Solicitation

	vendor	item background	fiscal impact	motion recommendation
12	HD Supply Waterworks, Ltd.	IQ-1-2014 HDPE Pipe – 6' & 8'	Total expenditure included in approved FY14 budget. Amount: \$97,125.00	Commission approve award to HD Supply Waterworks, Ltd. and approve PR154026.
The City utilized a formal solicitation process to award this contract. A total of ten (10) bids were received, HD Supply Waterworks, Ltd. is the low bidder.				

City of Winter Park
90 Day Plan
January – March 2014

January	
Urban Forestry Management Plan	January 13 th
Video Broadcasting of Commission Meetings Begins	January 13 th or 27 th
State of the City (Alfond Inn)	January 17 th
Strategic Plan Draft/ Workshop with Commission	January 27 th
Baseball Stadium	January
February	
Lee Road Extension	February
March	
Train Station Grand Opening	March 3, 2014 @ 10:30am
Whole Foods Development	March
Unscheduled Key Issues	
Sign Ordinance	
Large Scale Comprehensive Plan Amendments Cycle	
Ravaudage Development Order Revisions	
CRA Strategic Plan (2014-2019)	
NOD - Review and Recommendations	
West Fairbanks Ave Grand - Reopening	
Flood Ordinance	
MLK/Rollins Restroom Project	
Farmers Market Solicitation Ordinance	
Baseball	
Lease Agreement Amtrak	
Historic Preservation Recommendations	Depends on HPB & P&Z completing their review and recommendations



city commission agenda item

item type	Action Item Requiring Discussion	meeting date	January 13, 2014
prepared by department division	Michelle del Valle and Dru Dennison Urban Forestry Management	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Tree Preservation Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	6-0 final vote

subject

Urban Forestry Management Plan

motion | recommendation

Adopt the Urban Forestry Management Plan as presented by staff, approved by the Tree Preservation Board and reviewed by the City Attorney.

background

Over the past year City Staff has been building an Urban Forestry Management Plan. The draft plan was previously presented to the Tree Preservation Board and the City Commission. The Commission asked that a sample area be prepared in accordance with the recommended practices and individual educational session were conducted. The plan was presented to the Tree Preservation Board with the key policy decisions identified. The Tree Preservation Board made recommendations on how to improve participation and education at the Community Meeting to discuss UFMP. In September 2013, the City Commission recognized the City's Urban Forest as one of their top five priorities for FY 14, however, did not provide direction on any of the key policy discussions as the Community Meeting was already scheduled.

On September 30, the City held the Community Meeting to discuss the UFMP at the Community Center. There were approximately 15 community members in attendance. Staff utilized an interactive polling system to solicit feedback from the community members on the key policy questions and had between 12-14 members of the audience participate. Results of the Community workshop were presented to the Commission on October 14, 2013. After a discussion of several policy issues, the Commission requested that staff prepare a comprehensive document which makes final recommendations regarding the policy issues based on feedback from the Tree Preservation Board.

The Urban Forestry Management Plan was presented to the Tree Preservation Board on November 21, 2013 with a series of identified policy recommendations. The Board unanimously approved the policies (see pg. 19 of the UFMP) section by section. The Board also asked that the City Attorney review all of the policies for legal sufficiency. The Board's final concern related to managing expectations. They were concerned that without proper language in the Ordinance community members would have false expectations

about the level of service being provided by the City. On December 11, 2013 Mr. Brown provided a letter acknowledging his review of the policies and also provided a recommended strategy for addressing the expectation concern at the time the ordinance is modified. Further, as part of the recommended strategies, a section titled *Evaluation* was included which recommends, "Immediately upon adoption and annually, set realistic expectations for residents regarding work expected to be performed."

The finalized UFMP is proposed to serve as a guide to efficiently and effectively maintain the urban canopy. As with any program designed to manage a living thing, this plan will require modification and update from time to time. The plan as prepared celebrates the vision of past community leaders to build Winter Park's beautiful canopy and provides a practical roadmap towards maintaining and renewing the canopy so that future generations may be proud of the future canopy.

alternatives | other considerations

Many alternatives were considered in the development of the UFMP. Clearly there are many opportunities to customize the plan to meeting our Community's needs.

fiscal impact

The estimated annual cost to contract for services that include ROW maintenance responsibilities are approximately \$950K annually (to complete one full cycle in seven years, recognizing the first cycle would be more costly than subsequent cycles). The FY 2014 budget includes \$310K for general contracted labor, \$250K for dead tree removal and hazardous limb mitigation.

long-term impact

Trees are a renewable resource. Through increasing age and species diversity as well as increasing routine maintenance, the City would be enhancing the canopy of today and ensuring these important assets are well established for future generations.

strategic objective

Quality Infrastructure



City of Winter Park



Urban Forest Management Plan

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This draft Urban Forest Management Plan has been developed and is recommended by the City of Winter Park Tree Team. Dru Dennison's efforts in writing and developing the initial drafts of the document are acknowledged.

OUR TREES - YESTERDAY AND TODAY



Piney Woods

Long before Winter Park founders Oliver Chase and Loring Chapman stepped foot on land we now call Winter Park, our city was already home to its first trees – pines. Pines were so prevalent in this area during the 1800s that the main canals that currently join our lakes were built to ship logs to the city's first saw mill on Lake Virginia. Log transportation needs are long gone and now those canals serve us for our leisure boating needs between our chain of lakes.

As Winter Park began establishment in 1882 and officially incorporated into the “Town of Winter Park” in 1887, more and more northerners found refuge from the harsh winters and made Winter Park their home. The warm Florida climate was conducive to growing citrus. Slowly but surely our pine forest became prolific with citrus groves as a lucrative business for its northern settlers.

In December 1894, the town experienced “The Big Freeze” where temperatures dropped to 24 degrees. In February 1895, a second freeze hit at 17 degrees killing all of the crops of oranges and all the trees as well. It wasn't until 1911-1912 that the first prosperous orange crop reappeared in Winter Park.



The Big Freeze



Summerfield Road

Yesterday's pine and orange trees transitioned into today's oak trees. In the 50s and 60s, laurel oaks (*quercus laurifolia*) began sprouting throughout the town. Laurel oaks were widely available at the nurseries, known to grow fast and bear attractive leaves, therefore providing the canopy we enjoy and treasure today.

In addition to The Big Freeze, another act of Mother Nature that forever changed our urban forest was the hurricanes of 2004. Over 8,000 trees were destroyed in those series of storms and Winter Park is still feeling the impact of that natural occurrence.

Even with the natural effects of Mother Nature and time, we are still able to enjoy the benefits of approximately 75,000 - 85,000 trees in our rights of way, parks and on private property, with the city's rights of way being the most visible and home to the thousands of laurel and live oaks (*quercus virginiana*) that beautifully line our city streets and neighborhoods.

A healthy population for trees and people should always include diversity in age and species. This Urban Forest Management Plan will help ensure the longevity, vitality, healthy growth and management of one of Winter Park's most treasured assets – its trees.

BENEFITS OF A HEALTHY URBAN FOREST

Before discussing an urban forest management plan, one must first understand what an urban forest is. An urban forest, as defined by “American Forests”, is an ecosystem composed of trees and other vegetation that provide environmental, economic and social benefits. This includes street and yard trees, vegetation within parks and along public rights of way and waterways.

More than 80 percent of Americans live in an urban environment. In an urban forest many of those benefits of trees are directly related to humans, in fact, there are numerous studies that have proven trees provide economic, social, and environmental benefits to our daily lives. Urban trees are a vital part of a functioning ecosystem.

Trees provide the following benefits to an urban environment:

- Create shade and protection from weather
- Improve air quality by helping to filter pollution
- Provide areas for recreation and solace
- Protect water quality by filtering pollutants
- Absorbing stormwater runoff
- Moderate local climate by mitigating urban heat islands
- Reduce summer cooling and winter heating costs, thereby reducing energy demands from buildings
- Reduce the carbon footprint
- Provide food/habitat for wildlife
- Buffer noise/wind/land use changes
- Increase real estate value
- Traffic calming
- Aid in crime reduction
- Increase economic activity
- Assist in healing processes by providing calmness and tranquility

Given the identified benefits of trees mentioned above, it is appropriate that a community put in place an urban forest management plan designed to protect and ensure a healthy and thriving urban forest.

WHAT IS AN URBAN FOREST MANAGEMENT PLAN?



The purpose of an urban forest management plan is to:

- provide a framework for ensuring that the trees and forests of the city are appropriately cared for according to community goals
- provide guidelines when making decisions about trees and the green infrastructure which contributes to the city ecosystem based upon scientific research and identified industry standards
- help improve and coordinate management of trees and tree canopy
- direct the practices for tree planting, removals, canopy development, utility line clearance, roadway and street sign clearance, and parks tree maintenance
- provide equitable forest benefits including recreation, education, improved human and environmental health, and monetary savings generated by maintaining a healthy tree canopy
- justify budget requirements to maintain and sustain a healthy urban forest now and for future generations

An urban forest management plan is a holistic approach to enhancing and managing the entire urban forest and the community in which we live. This document will change and evolve as environmental factors that affect the urban forest are identified, conditions change, and research progresses. Much like the urban forest itself, this plan is a renewable resource.

OUR URBAN FOREST MANAGEMENT PLAN

MISSION

Strategically maintain Winter Park's urban forest through utilizing best management practices, and scientific research to maintain existing trees and replace and plant a variety of species over time to create a renewable and sustainable forest for today and future generations.

Key goals:

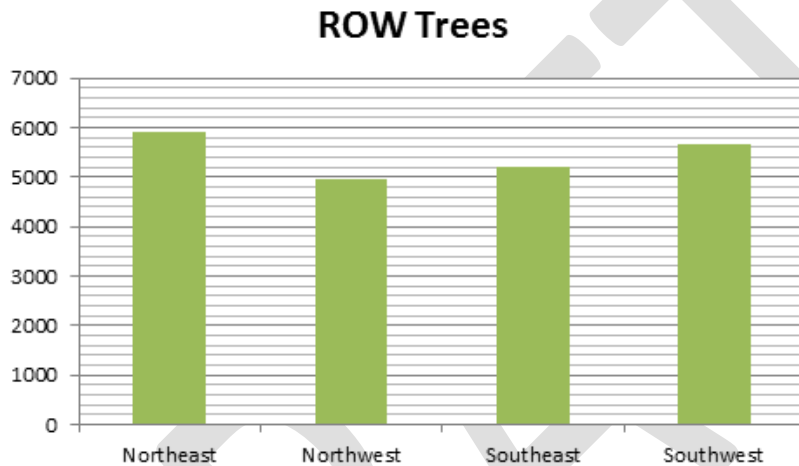
- Preserve and protect existing tree canopy
- Reduce risk, prevent injuries to people and damage to their property
- Mitigate tree hazards in public areas
- Enhance and restore forest quality through species and age diversity
- Maintain and plant trees to coexist with urban services
- Expand forested areas
- Create appropriate infrastructure areas to allow for sufficient space for mature trees to grow
- Provide community outreach and education
- Promote interdepartmental coordination on the care of city trees



OUR URBAN FOREST

In 2005, the city hired ArborPro, Inc., a full service urban forestry and software consulting company to perform an inventory of right of way (ROW) trees. The survey found:

- there are approximately 25,500 ROW trees
- ROW trees are fairly evenly dispersed in each quadrant
- condition of the trees within each quadrant is fairly consistent: reaching the end of useful life and are beginning to decline
- almost half of the ROW trees were two oak species:
 1. 29 percent laurel oak
 2. 20 percent live oak



Laurel oaks are the prominent trees located in our ROW. Laurel oaks have a life span of approximately 50-70 years depending upon site conditions (streets, pavement, sidewalks, etc.) and other environmental factors. The laurel oaks in Winter Park:

- are predominately between 20" to 50" diameter at breast height (DBH) - measured at 4 ½ feet above the ground
- are between 45-60 years of age (middle-aged to maturing/declining)

Based on the 2005 survey and an increasing demand of removal of dead/dying ROW trees, an additional study was requested during the summer of 2012 to:

- perform a risk assessment on a sample of 300 ROW trees, 75 trees per quadrant
- provide an assessment tool
- prescribe treatment for each tree in accordance with ANSI A300 standards and ISA Best Management Practices

The study was awarded to Mr. Chuck Lippi, Board Certified Master Arborist, president/owner of Advanced Tree Care, Inc. City arborists' agree the trees selected for risk assessment were consistent with the other trees in the ROW.

The tree assessments were conducted in accordance with:

- *ANSI A300 Standards on Tree Risk Assessment*
- *Best Management Practice on Tree Risk Assessment* as recommended by two leading arboricultural researchers: DR. Ed Gilman, University of Florida and Dr. Kim Coder, University of Georgia.

Each tree received:

- “Level 2 Basic Assessment” which includes a detailed visual inspection of the tree and its surroundings and a sound testing of the lower trunk and root flares with a rubber mallet.
- measurement on the Clark-Matheny rating system which identifies three characteristics:
 1. probability of failure
 2. size of the tree part that may fail
 3. target (person or property) that could be injured or damaged if the tree failed
- A fourth characteristic, tree species, was added to Winter Park’s rating model. Each tree identified in the study was then measured on the 14-point risk assessment and a specific treatment was prescribed.

As the city works toward building an inventory for purposes of prioritizing and planning work, each of the city’s arborists will use the 14-point rating scale and categories to assess trees. (*See appendix for Mr. Lippi’s full report.*)

The results of the study found:

- the tree population is reaching maturity
- the tree population is exhibiting signs of increased decay
- weak branch structure leads to leading to higher failure rates
- 45 percent of the trees in the sample contained extensive decay, which is much higher than most surveys in other communities.

Because our trees are in a declining and maturing state, leaving the decay and weak branch structure accelerates the demise of the tree and introduces risk to humans, therefore pruning is suggested. The rating system for ROW tree removals and pruning is provided in greater detail in the appendix.

THE IMPORTANCE OF DIVERSITY

The science of arboriculture and urban forestry has changed drastically since the City of Winter Park's urban forest canopy was originally established in the mid-1900s. Urban foresters were not aware of the potential detriment of a monoculture of species or the importance and benefits of age diversity. Urban Foresters have also learned that routine maintenance is essential to maintaining vigor and vitality in the development and enhancement of the urban forest.

While the United States Forest Service suggests cities should have no less than 40 percent canopy cover (private and public trees), our urban forest consists of 55 percent of tree canopy coverage. With a majority of trees being planted at the same time and roughly the same species (laurel and live oaks), our tree canopy is in a critical stage. Renewal and maintenance is necessary to preserve and expand its beauty and benefits to our community. In addition to maintaining the goal of at least 40 percent canopy cover, there are two key elements to preserving and enhancing the canopy: age diversity and species diversity.

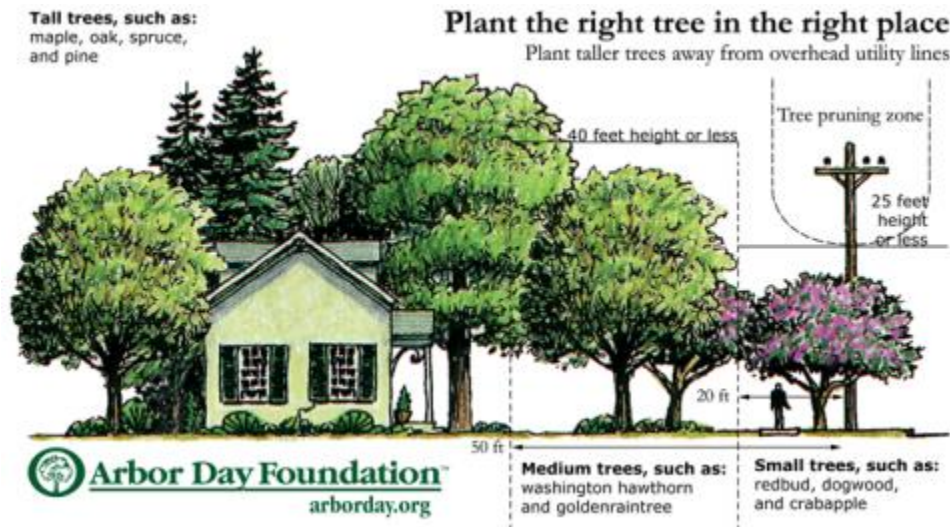
Age Diversity

A healthy canopy is a lot like a healthy community, it benefits from trees of all ages just as a community benefits from having residents of all ages. Luckily, Winter Park has always placed high in importance the planting of new trees. Trees from both the ROW and private property contribute to the beauty of the canopy. The city provides giveaway trees and has offered many opportunities for residents and children to learn about planting trees through programs like the Arbor Day, Trees for Peace, Run for the Trees, and Earth Day. The city has also partnered with good neighbors, such as the Winter Park Live Oak Fund that helped replant over 700 ROW trees after the 2004 hurricanes. In addition, the city has aggressively replanted ROW trees in each of the four quadrants within the city between 2009-2012. All of these efforts have prepared us well to continue to build on establishing an evenly distributed age to the canopy.

In addition to actively replacing trees on the city's ROW, the city maintains an ordinance 2895-12 that requires tree removals on private property be replanted. The ordinance was recently modified and requires the following:

- Removal of trees determined by the city to be dead, hazardous or beyond recovery requires replacement with one approved shade tree having a minimum caliper of 3"
- Removal of healthy trees having a DBH of at least 9" and less than 19" requires replacement with one approved shade tree having a minimum caliper of 3"
- Removal of healthy trees having a DBH of 19" or greater requires a replacement with two approved shade trees having a minimum caliper of 3"

If a balance between removals and replacements continues as the dying and declining trees are removed the city will move toward having a well age diversified urban forest within ten years.



Species Diversity

Urban forests compete with many other human needs in a built environment, such as buildings, homes, sidewalks, roads, size of planting strip, and utility facilities. It is important to put “the right tree in the right place” or the tree will either fail to thrive or create a myriad of side-effects that will be costly and detrimental to human habitation. The United States Forest Service recommends the urban forest be comprised of mostly species native to the region focusing on age, size, and species diversity. United States Forest Service research has proven to avoid species monoculture, the urban forest should have a species composition of no one species comprising more than 10 percent of the population. Species diversity, wood type, wind resistance, and insect/disease resistance should be considered.

The potential for deforestation can be detrimental and in epidemic proportions in urban environments due to insect and disease infestations. Historically many cities have experienced deforestation at different levels. For example,

- Denver, Colo., was nearly deforested in 1948 due to Dutch elm disease
- The City of Winnipeg, Manitoba spends \$3 million annually just to combat the deadly Dutch Elm Disease
- Emerald Ash Borer was the killer of millions of ash trees in Minnesota and Michigan

The City of Winter Park is not immune to these types of deforestations, in fact urban trees are more susceptible to disease than those in a natural, undisturbed environment. The following are examples of the most common diseases that can be a threat to the city’s trees:



- **Hypoxylon Canker** is a secondary fungus that causes cankers and eventually death of oak and other hardwood trees. Relatively healthy trees are not invaded by the fungus; however the fungus is known to be

present in many healthy trees and lies dormant in the inner bark. The hypoxylon fungus will readily infect the sapwood of a tree that has been damaged, stressed, or weakened. Hyxpoxyton is considered a weak pathogen in that it is not aggressive enough to invade healthy trees. Several trees are weakened and stressed within the City of Winter Park and many trees have been diagnosed with hypoxylon canker and removed. There is no known control or cure for the disease.

- **Oak Wilt** is yet another disease that threatens many areas of the country by killing oak trees. It was identified in the early 1940's and has been verified in 24 states. Oak wilt is killing oak trees, including live oaks at an epidemic rate in central Texas and occurs in South Carolina. Oak wilt is caused by a fungal pathogen which invades the water conducting tissues. It is a potential future threat to Florida, but to date the disease has not been identified in the state. According to the University of Florida there is great concern regarding oak wilt since live oak, laurel oak, shumard oak, and willow oak are high risk species. All of these trees exist in the City of Winter Park and comprise over 50 percent of our species.
- **Sudden Oak Death** has recently been introduced and is capable of causing symptoms from leaf spots, to bleeding cankers, to plant death. It is at this time restricted to coastal areas, but has the potential to spread. Several host species can be attacked by sudden oak death. In 2002 sudden oak death had 29 host species; in 2008 there were 45 host species noted and as of 2012 up to 100 species could be affected. The fungus can spread by movement of infected host material, infested soil, irrigation water, and wind-blown rain. Because this is a new pathogen, the best option in controlling spread of this disease is preventing the introduction and establishment of the pathogen in new areas. Currently only foliar dieback disease has occurred in Florida and no oaks have died from sudden oak death in Florida.
- **Laurel Wilt** has caused serious damage to red bay, avocado, and other trees in the laurel family in Florida as well as other southern states. Laurel wilt continues to expand at a rapid pace in Florida. This disease was first detected in the United States in 2002 and in Florida in 2005. In July of 2011, Laurel wilt had been identified in only a few counties, but today it is a widespread killer of the native red bay.

(See appendix for additional discussion regarding tree diseases and insect infestations associated with species monocultures)

In urban areas, foresters must choose to diversify rather than chancing devastation and deforestation as a result of a species monoculture. Maintaining healthy trees and planting different species are key aspects of preventing forest devastation.

EXAMPLES OF ALTERNATIVE SPECIES TO ESTABLISH A DIVERSE CANOPY* <i>*This is not a complete list, only examples of alternative species</i>		
Canopy Shade Trees	Medium Trees	Understory Trees
Trees with a mature height of 50 -70 + feet that cannot be planted under overhead electric utility facilities and must have a minimum of 6' planting strip.	Trees with a mature height at 30-45 feet and can be managed if planted near overhead electric utility facilities and must have a minimum of 4' planting strip.	Trees with a mature height of 15 to 25 feet tall that can be maintained under overhead electric utility facilities and must have a minimum of a 3' planting strip.
<ul style="list-style-type: none"> • Cultivars of live oak • Cathedral • Highrise • Parkside • Millennium • Nuttall Oak • Shumard Oak • Sand Live Oak • Willow Oak • Bald Cypress • Ash • Red Maple & cultivars • Sweetgum • Southern Magnolia • Winged Elm • Sycamore • Tulip Poplar • Swamp Chestnut Oak 	<ul style="list-style-type: none"> • Riverbirch (Duraheat) • Sweet Bay Magnolia • Chinese Elm (Drake, Allee) • Little Gem Magnolia • Southern red cedar • Bracken's Brown Beauty Magnolia • DD Blanchard Magnolia • Redbud • East Palatka Holly • Savannah Holly 	<ul style="list-style-type: none"> • Chickasaw Plum • Nellie Stevens Holly • Eagleston Holly • Dahoon Holly • Pear (cultivars) • Cherry (cultivars) • Crepe Myrtle • Japanese Blueberry • Flowering Dogwood • Golden Trumpet • Fringe Tree • Loquat

MAINTAINING TREES IN THE RIGHTS OF WAY



Right of way trees (ROW) are trees planted close to the road, generally between the sidewalk and the road on city property. According to the existing city code 58-296, the adjacent property owner is responsible for the maintenance and care of the tree. This portion of the ordinance has remained in place for many years, while other sections have been modified.

Two factors, the 2004 hurricanes and the acquisition of the electric utility system, encouraged a more thorough evaluation of pruning and management of its trees.

Prior to the 2004 hurricanes, the city's forestry crews were able to supplement the work of residents by courtesy pruning to:

- lift the canopy
- clear for line-of-sight
- dead wooding trees
- remove hazardous trees

While the urban forest was beginning to see signs of aging, the hurricanes caused much damage and increased the rate of aging and decay for many trees.

The damage from the hurricanes, combined with an increased work load and multiple years of non-growth budgets, limited the city's forestry crews ability to continue to provide pruning of ROW trees, as a courtesy to the residents, causing further deterioration. Forestry staff has been primarily focused on hazard mitigation and dead tree removal. Because the city provided pruning, as a courtesy for the residents, for many years in the past and the city has planted many trees within the ROW in recent years, many residents are unclear about their responsibility to maintain trees adjacent to their property. According to current code, the adjacent property owner is responsible for the maintenance and care of the tree.

In addition, after acquiring the electric utility system, the city became hands-on on the day-to-day management of its tree trimming especially around power lines. Recently, the city has enhanced its arborists' knowledge bank and team to better understand and manage its urban forest. It can now use the combined experience and education of staff to address the appropriate prescriptions for its maturing trees.

Removal of dead/diseased trees

Trees throughout the ROW and in city parks and facilities are assessed for risk and prioritized for removal. Currently, trees are identified for evaluation by concerned residents, business owners, or city employees. The trees are being assessed and prioritized based on the scientific criteria previously identified. A value is identified for each tree ranging from highest risk to lowest risk. The trees with the highest risk rating are prioritized to the top of the removal list.

The scientific approach to evaluating the trees helps determine the value of pruning vs. removal. It is often better for the canopy, budget and overall quality of the urban forest to remove and replant verses pruning, then later removing. Removal of diseased trees is sometimes recommended rather than pruning to prevent spread of the disease and fight the inevitable. In addition, pruning is recommended due to budget restrictions and aesthetic purposes.

Pruning and dead wooding

As previously mentioned, city code calls for the adjacent property owner to maintain the ROW trees, however, currently the city will remove dangerous or potentially hazardous limbs from trees in the ROW. The remainder of the tree is left unpruned and is the responsibility of the adjacent property owner to prune and maintain.

There are several benefits to the city potentially taking responsibility for ROW tree maintenance:

- Consistency in treatment and maintenance of the trees would be accomplished by establishing a maintenance cycle and a pruning program consistent with ANSI A300 and ISA Best Management Practices
- Improve the health and longevity of the trees and reduce potential hazards
- Implementation of a pruning policy for small trees. Routinely pruning a small tree will result in the following:
 - correct structural problems
 - reduce/eliminate co-dominant leaders, unbalanced crowns, rubbing/crossing branches
 - remove dead branches
 - correct growth patterns which have the potential to obstruct line of sight, interfere with overhead electric utilities, or even buildings and other structures
 - maintenance of trees conducted under supervision of certified arborists

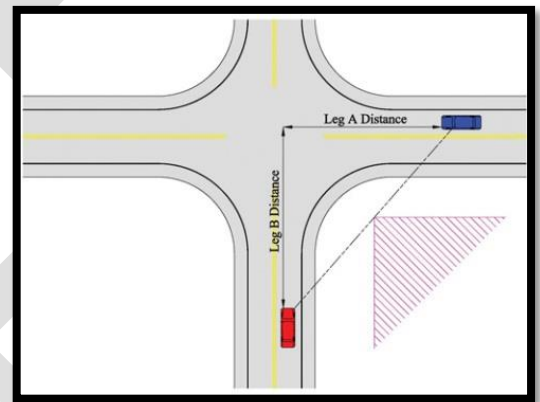
Maintenance of ROW trees is no small task and certainly comes with significant costs. While budget will be discussed in a later section, it is important to note that the city's current forestry budget does not include funding for maintenance of ROW trees.

CLEARING VEGETATION (*tree limbs, branches, leaves*)

In addition to standard ROW maintenance, it is necessary in an urban environment to prune the trees to coexist with modern day conveniences such as electric lines and roadways. To protect the trees as much as possible and to minimize the impact on the trees health related to the pruning, all trees are pruned according to ISA Best Management Practices and ANSI A300 Standards. Each tree is different, therefore, each tree requires a different prescription as to how it will be pruned.

Street Tree Clearance

In order for fire trucks, garbage trucks and general delivery trucks to safely pass through the streets of Winter Park, limb heights are required to be above 13'6" and for a clear triangular line of sight (see graphic to the right). Similarly, the city code also mandates a clearance of 8' above sidewalks. In both cases, ISA Best Management Practices and ANSI A300 Standards are utilized to properly prune the tree. As a result, there will be situations where the tree will be pruned closely to the standards set and at other times it may require removing the limb at the trunk. Each tree will be handled individually and the minimum cut necessary will be made to provide a safe clearance while utilizing proper arboricultural pruning methods.



Triangular line of sight

Utility Line Clearance



The city has a municipal owned electric utility where overhead power lines are forced to coexist with lush tree canopies. A standard function of an above ground utility operation is to clear conflicts within a safe distance of the utility lines in order to keep utility employees and people safe, minimize interruption of service and equipment failures as a result of limb or small animal conflict. Most electric utility companies (investor- or municipal-owned) in the United States including Florida operate under specific clearance guidelines of 10 feet.

Winter Park does not prune based strictly on a given distance from the electric equipment, but rather considers the individual tree and equipment that are in conflict and makes the minimum cut necessary and prunes in accordance with ANSI A300 Standards and ISA Best Management Practices. Decisions are also based on safety of the utility workers and residents, and the potential for power failure. Electric line clearance is currently on an approximately three year schedule (depending on species).

In addition to pruning to eliminate conflict, the Electric Utility Department recently proposed a program to the City Commission to underground its overhead primary (7,200 volts) wires within a 12-20 year period.

Placing electric overhead wires underground will eliminate conflicts between electric facilities and trees and will significantly reduce and ultimately eliminate the electric system's need to prune trees. Seventy five undergrounding projects have been identified and prioritized based on the following quantitative criteria:

Criteria	Point System			
Tree density per mile of primary conductor	0-40 points based on ranking of tree density			
Visibility of overhead electric facilities	arterial roads <i>20 points</i>	collector roads <i>15 points</i>	other local roads <i>10 points</i>	rear lots <i>0 points</i>
Type of construction	3-phase mainline feeder <i>20 points</i>	3-phase non-mainline feeder <i>10 points</i>	2-phase lateral <i>5 points</i>	Single-phase lateral <i>2 points</i>
Electric System reliability experience	Poor reliability <i>20 points</i>	Average reliability <i>10 points</i>		Good reliability <i>0 points</i>

Using the above criteria each line segment that makes up a project is evaluated and is weighted by length and the points are summarized by project. The project with the most points is ranked number one in priority for undergrounding. The application of the above criteria results in assigning the highest priority for undergrounding to the overhead line segments with the most tree conflicts, serving the most customers (construction type), with the most visibility, and experiencing the worst reliability. The full list is available on the city's website cityofwinterpark.org > Departments > Electric Utility > [Electric Undergrounding Priority List](#)

During the interim period, i.e. until undergrounding is complete, the electric department will adhere to the following standards with regard to pruning trees in conflict with overhead electric facilities:

1. On a tree by tree basis, prune trees to the minimum clearance necessary for safe and reliable operation of the electric system, while maintaining proper pruning techniques as identified by ANSI A300 Standards and ISA Best Management Practices" Utility Pruning of Trees" ISA pruning standards. If a line is scheduled for undergrounding in less than 5 years, prune as follows:
 - a. If a line is scheduled for undergrounding in less than 3 years, line clearance pruning will be carried out only if absolutely required.
 - b. Coordinate line clearance pruning such that lines that are scheduled for undergrounding in the 3-5 year timeframe be scheduled for only one pruning.
 - c. Coordinate line clearance pruning such that lines that are scheduled for undergrounding in the 5-8 year timeframe be scheduled for only two prunings,
 - d. Electric lines that are scheduled for underground after 8 years will be pruned approximately every 3 years to achieve electric system reliability and in accordance with ANSI A300 Standards and ISA Best Management Practices.
2. In addition to line clearance pruning, the removal and replacement of declining trees will be coordinated with the undergrounding program.

FUNDING

Historically, arboriculture functions have been separated into three sections:

1. Forestry Division
2. Code Enforcement Division
3. Electric Utility Department

Each division or department was responsible for their individual tasks, but there was little coordination among teams. In 2011, an internal tree team was created to begin developing strategies to manage the growing needs of the urban forest from a better coordinated approach. The team consisted of members from forestry, code enforcement, electric and administration. Many changes have been implemented as a result of the tree team's work, the most significant being the reorganization of the individual divisions to a single division and the development of the electric undergrounding master plan. From this report, policy decisions are expected and additional operating adjustments are also anticipated.

Development of a budget and work plan that supports the recommendations of this plan are critical to its success.

Budget

Below is a chart of city resources spent on the various arbor tasks. Funding for electric utility pruning comes from electric utility revenues while the forestry and code enforcement functions are funded with General Fund resources. On average, over the last five years, the city collectively has spent just over \$1.5 million on tree care.

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Forestry Division	930,184.19	898,656.71	1,078,982.18	1,071,361.76	1,072,138.18	984,404.73	904,184.09	978,363.68	744,323.83	1,040,076.94
Code Enforcement				48,500.00	58,193.00	61,066.00	28,870.00	37,850.00	52,000.00	52,000.00
Electric Tree Maint.	*	133,261.15	605,065.43	605,744.28	559,327.84	533,075.85	549,302.57	521,941.81	574,844.79	509,342.15
	930,184.19	1,031,917.86	1,684,047.61	1,725,606.04	1,689,659.02	1,578,546.58	1,482,356.66	1,538,155.49	1,371,168.62	1,601,419.09
		* Partial Year								

Fees collected for private tree removals have been used to offset the cost of planting, education, and in 2012 and 2013, to assist with dead tree removal.

Summary of Activity for Tree Preservation Fund (TREEFD)						
	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Beginning balance	186,776.51	396,867.92	439,832.33	493,489.60	499,246.54	286,693.17
Revenues:						
Grant funds	133,950.31		18,000.00			
Tree removal compensation	148,106.00	71,059.38	44,799.75	53,933.50	(5,854.25)	11,555.00
Donations (mostly payments from residents wanting to upgrade the size of replacement trees they were required to plant)	7,332.57	5,470.00	25,825.00	1,442.25	125.00	14,601.81
	289,388.88	76,529.38	88,624.75	55,375.75	(5,729.25)	26,156.81
Expenses:						
Grounds maintenance	3,161.60					
Promotional activities		5,362.60		50.00		
General operating supplies	76,135.87	28,202.37	34,967.48	49,568.81	106,824.12	97,990.54
Transfer to General Fund for removal of dead trees					100,000.00	99,999.96
	79,297.47	33,564.97	34,967.48	49,618.81	206,824.12	197,990.50
Ending balance	396,867.92	439,832.33	493,489.60	499,246.54	286,693.17	114,859.48

Currently within the General Fund Forestry Division, the following services are provided:

- Planting and watering of new trees
- Tree evaluation/demand trimming
- Emergency tree work (both in-house and contracted)
- Parks and other city property tree care and maintenance
- Contracted ROW - dead tree removal, street tree clearance
- Special projects (holiday decorations, etc.) and educational opportunities (Arbor Day, Trees for Peace, etc.)

To consider the additional costs associated with full maintenance for the ROW trees, the Tree Risk Assessment study performed by Mr. Lippi, was used to extrapolate the findings of that report over the estimated entire ROW canopy of approximately 25,000 trees. His findings were specific to laurel oak, which represent approximately 29 percent of the canopy.

To identify the cost for the remainder of the ROW maintenance, costs were reduced by 15 percent for live oaks (20 percent of the species) and 50 percent for other remaining species (51 percent of the species).

	ROW Tree Removal				
	Priority 1	Priority 2	Priority 3	Estimated Total	
ROW Maintenance Laurel Oak (29%)	73,000	299,000	353,000	\$ 725,000	
ROW Maintenance Live Oak (20%)	42,000	174,000	205,000	\$ 421,000	
ROW Maintenance All Other (51%)	63,000	260,000	307,000	\$ 630,000	
	\$ 178,000	\$ 733,000	\$ 865,000	\$ 1,776,000	
	ROW Tree Pruning				
	Priority 1	Priority 2	Large Tree	Small Tree	Estimated Total
ROW Maintenance Laurel Oak (29%)	267,000	467,000	1,261,000	62,000	\$ 2,057,000
ROW Maintenance Live Oak (20%)	155,000	271,000	732,000	36,000	\$ 1,194,000
ROW Maintenance All Other (51%)	232,000	407,000	1,098,000	54,000	\$ 1,791,000
	\$ 654,000	\$ 1,145,000	\$ 3,091,000	\$ 152,000	\$ 5,042,000

(See appendix for ROW tree removal & pruning priority levels)

The total costs to complete a full cycle of maintenance of the ROW trees, based on their current condition, and is estimated at just over \$6.8 million. Below are three potential options while there are several options that could be considered:

- Continue operating with existing resources
 - Hypothetically, this would equate to a 24-year pruning cycle, however, to actually complete the pruning cycle would be difficult because high priorities would continue to dictate how the budget is spent.
- Enforce the existing code
 - In this scenario residents would be forced to maintain the trees more aggressively. Any work not completed by the residents would be completed by the city and a lien would be placed on the property (similar to the lot clean up procedure).
- Include ROW tree maintenance as standard city services
 - This would require additional funding and resources.

URBAN FOREST MANAGEMENT POLICIES

ROW Tree Maintenance

- City will implement, over time as the budget allows, ROW tree maintenance as a standard city service. This shall include pruning, planting & watering, and dead tree removal. Initially, the focus of the program will be on dead tree removal, hazard mitigation and replanting.
- All ROW Trees will be pruned in accordance with city code 59-298, ANSI A300 and ISA Best Management Practices for street clearance to include lifting the canopy on the roadway and sidewalks and triangular line of site clearance for traffic signs and devices.
- The City, at the discretion of its Urban Forestry Manager or designee, using the identified risk assessment tool will prune and remove trees from ROW as necessary to mitigate hazards and reduce risk to the community.
- The City will implement routine maintenance pruning for small trees to establish proper growth and structure thereby reducing future maintenance costs.
- The City's Urban Forestry Manager or designee will work with neighborhoods that want to maintain their ROW trees more frequently than prescribed by the City to coordinate efforts with their private contractor to create efficiencies and minimize cost to the neighborhood.

Electric Utility Vegetation Management

- The City will prune trees in conflict with electric utility line in accordance with City of Winter Park Utility Vegetation Management Guidelines, ANSI A300 and ISA Best Management Practices
- The City, at the discretion of its Urban Forestry Manager or designee, will make final decisions regarding prescribed treatment of the area based on safety, mitigation of hazards and reduction of risk where tree limbs and/or brush are conflicting with electric lines.
- Continue to underground electric utility lines in accordance with the Undergrounding Master Plan.

Planting Practices

- Where possible, the City will replant a variety of shade tree species near the place of a removal in the city ROW. If there is a conflict, such as a power line, sidewalk, etc. consider replanting an appropriately sized tree near the removal site "Right Tree, Right Place"
- The City will coordinate with the adjacent property owner regarding replanting
 - The property owner may select a tree from list of trees that are available to the City, grow with success in this region, and is "Right Tree, Right Place"
 - The property owner may decline a replacement tree
- Property owners will be encouraged to take responsibility for watering and nurturing the tree with oversight and assistance from City staff.



- The City will continue to plant and replace trees in City Parks and other public spaces
- The City will continue to require replanting of private trees as outlined in City Code 59-286

Species Diversification

- The City will establish 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.
- The City will work to maintain a 50 percent canopy cover which is 10 percent above the United States Forest Service suggestion that cities should have no less than 40 percent canopy cover (private and public trees).
- The City will continue to implement species and age diversity in city-owned park land and public spaces.
- The City will Utilize Arbor Day and other tree giveaways to introduce under represented species in an effort to diversify and offer special planting opportunities for residents and businesses willing to diversify.

Evaluation

- Immediately upon adoption and annually, set realistic expectations for residents regarding work expected to be preformed
- Annually evaluate operational efficiencies and make adjustments as necessary
- Annually evaluate costs and make recommendation for budget
- In five years, evaluate the impact of diversification and make adjustments as necessary
- At the conclusion of the first full maintenance cycle, evaluate condition of the urban forest and prepare for a more routine maintenance program.

CONCLUSION

From the very first day our city founders stepped foot on Winter Park land, this community has always valued its trees and its urban forest. The Urban Forest Management Plan (UFMP) has been created to chart a future for a healthy urban forest and to assist members of the community to keep it healthy and thriving for years to come. The UFMP, like the urban forest, is as a living document that will continue to grow and adapt to the community's ever-changing needs.

The protection of the city's natural resources through the management of the urban forest allows its natural functions of recharging ground water, protecting streams, reducing heat islands, providing shade and wildlife habitat, and sequestering carbon and other pollutants, to flourish. The UFMP ensures the priority and importance of the safety of the city's residents and its tree canopy's green infrastructure.

Winter Park was established 1882 and now after 130 years of transformation and growth, the City of Winter Park's urban forest requires the attention of its community to properly and strategically restore, revitalize and enhance it to its maximum potential.

City staff and the citizens of our community can use this UFMP to accomplish its mission to "strategically maintain Winter Park's urban forest through utilizing best management practices, and scientific research to maintain existing trees and replace and plant a variety of species over time to create a renewable and sustainable forest for today and future generations."

APPENDIX

ADDITIONAL TREE DISEASES AND INSECT INFESTATION EXAMPLES

- **Chestnut Blight** defoliated much of the northeastern United States in the early 1900's by the infestation and attack on the American chestnut. The American chestnut comprised nearly 50% of the eastern hardwood forest. Many foresters believed that the American chestnut was the perfect tree. It was used for lumber, source of food for humans and wildlife, and furniture to name a few. It was first observed in 1904 in a New York zoo; and by 1940 the American chestnut had been destroyed as a commercial species. The fungus spread up to 50 miles a year wiping out American chestnuts in its native range. The American chestnut still sprouts from old stumps, but it is short lived as the disease attacks before it can become mature. It will be several hundred years before the American chestnut could thrive again.
- **Dutch Elm Disease (DED)** was first found in the United States in the 1930's in Ohio. It was a major epidemic from the 1930's to 1960's killing hundreds of thousands of elms. New Haven "The Elm City" became nearly treeless, the disease continued to spread reaching Detroit in 1950, Chicago in 1960, and Minneapolis by 1970. Denver was practically deforested in 1948 due to Dutch elm disease that attacked American elms. Denver, much like the City of Winter Park wanted a beautiful, uniform tree canopy quickly and started aggressively planting American Elms in 1904. The American elm was the predominant shade tree of choice throughout the Midwest. It was planted in yards, along streets, and in parks reaching from New England west to Colorado and north to Canada. Minnesota had about 140 million elms by 1950. Dutch elm disease has spread over 50% of the American elm population and has been reported in all states except the desert southwest. The largest surviving urban forest of elm trees in North America is believed to be in the city of Winnipeg, Manitoba where close to 200,000 elms remain. The City of Winnipeg spends \$3 million annually to aggressively combat the disease. They continue to lose 1500-4000 elms per year to Dutch elm disease. Minnesota lost 8,000 diseased elms in 2004 and 3800 in 2003. The American elms that were lost thirty years ago were replanted with ash, honey locust, linden, and maples. What we have found is that these trees often times have problems too.
- **The Bronze Birch Borer** has negatively affected the urban landscape and forests by attacking all native and introduced birch species including white birch and river birch especially in the Northeastern United States, Midwest, and Canada. Records from the late 1800's describe widespread damage. Today the bronze birch borer often contributes to mortality of woodland birch during severe drought or other stress. Silvicultural (silviculture is the practice of managing the establishment of growth, composition, health, and quality forest to meet diverse needs and values) practices that increase stand health and vigor should reduce bronze birch borer attacks, as is the case with most insect/disease infestations.
- More recently the **Emerald Ash Borer** has adversely impacted many ash trees in cities in the Midwest including Minneapolis, MN. Minneapolis has lost several thousand ash trees due to the Emerald ash borer. Michigan replanted ash after losing elms in the 1960's. Now, Michigan has lost 7 million ash trees to the Emerald ash borer.

ROW TREE REMOVAL & PRUNING PRIORITY LEVELS

Trees that were marked for some form of maintenance received one of the following descriptive classifications. All work should follow ANSI A300 Pruning Standards 6:

ROW tree removal priority level

Priority 1 Removal Trees designated for removal have defects that cannot be cost-effectively or practically treated. The majorities of the trees in this category have a large percentage of dead crowns, decay and/or pose an elevated level or risk for failure. Any hazards that could be seen as potential dangers to persons or property and seen as potential liabilities to the client would be in this category. Large dead and dying trees that are high liability risks are included in this category. These trees are the first ones that should be removed.

Priority 2 Removal Trees that should be removed but do not pose a liability as great as the first priority will be identified here. This category would need attention as soon as "Priority 1" trees are removed and "Priority 1 Prune" is done.

Priority 3 Removal Trees that should be removed, but pose minimal liability to persons or property, will be identified in this category.

ROW tree pruning priority level

Priority 1 Prune Trees that require priority one pruning are recommended for trimming to remove hazardous deadwood, hangers, or broken branches. These trees have broken or hanging limbs, hazardous deadwood, and dead, dying, or diseased limbs or leaders greater than four inches in diameter.

Priority 2 Prune These trees have dead, dying, diseased, or weakened branches between two and four inches in diameter and are potential safety hazards.

Large Tree Routine Prune These trees require routine pruning to correct structural problems, shorten sprawling branches with excessive end weight, remove dead branches or vines, or correct growth patterns which would eventually obstruct traffic or interfere with utility wires or buildings. End weight reduction pruning is considered part of "Routine" pruning. Trees in this category are large enough to require bucket truck access or manual climbing.

Small Tree Routine Prune These trees require routine pruning to correct structural problems, remove dead branches or vines, or correct growth patterns which would eventually obstruct traffic or interfere with utility wires or buildings. Trees in this category are small enough to use a ladder or pole saw.

Training Prune These are generally smaller trees that can benefit from early structural pruning that will improve the structure by reducing or eliminating co-dominant leaders, unbalanced crowns and other structural problems.

RISK ASSESSMENT FORM

Address:

Tree #:

Species:

Size:

Health condition (decay fungi, sparse foliage, declining)
excellent, good, fair, poor, dead

Structural Condition (co-dominant leaders, dead branches, decay/cavities)
excellent, good, fair, poor

1. **Probability of failure** of the tree or part of the tree
(1=low probability, 2=moderate probability, 3=moderate to high probability, 4=high probability)
2. **Size of the tree part** that may fail
(1=smaller branch, 2=large branch, 3=entire tree)
3. **Target** (person or property) that could be injured or damaged if the tree failed
(1=low target value, 2=moderately occupied or valued target, 3=moderate to high target value, 4=high target value such as busy street, occupied home, playground)
4. **Tree species**
(1=strong, decay and wind resistant species such as live oak, 2=moderate decay and wind resistance such as sweet gum, 3=weaker, decay prone species such as laurel oak)

Hazard Score:

Work Priority Rating:

Urgency/Overhead Utility/Notes:

Date:

Name:



city commission agenda item

item type	Action Items for Discussion	meeting date	January 13, 2014
prepared by department division	City Manager Administration	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A final vote		

subject

Discussion of process for evaluating the opportunity for minor league baseball in Winter Park.

motion | recommendation

Authorize the Mayor and staff to enter into a 45 day discussion period with the team owner, Rollins and various property owners to explore the options for bringing a minor league baseball team and stadium to Winter Park.

background

Over the past several months staff has been exploring various options of building a baseball stadium along with Rollins that would facilitate bringing minor league baseball to the community. For the last few months the focus has been on the Harper Shepherd Field site (current Rollins baseball stadium) and Rollins was leading the effort. Recently, the Rollins executive board voted to discontinue being the lead on this effort. They have said that if a stadium is built they would be interested in being a tenant.

The cost of a stadium construction is in the \$15 to \$22 million range. Land acquisition cost, if any, would be in addition that that cost.

Staff is currently studying four possible sites; Martin Luther King, Jr. Park; Ravaudage; the UP Development/Votech area; and the former tree farm.

Staff is proposing that the next 45 days be used to further explore the possibilities of each of the above sites. During that period staff would also meet with the Economic Development Advisory Board, the Parks and Recreation Advisory Board and the Community Redevelopment Advisory Board for additional input and advice. Staff will also begin preliminary negotiations with the team owner.

At the end of the 45 day period staff would bring a report back to the Commission as to whether or not continuing the process makes sense for the community.

fiscal impact

To be determined.



city commission public hearing

item type	Public Hearing	meeting date	January 13, 2014
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	N/A	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	final vote

Subject: Annexation of 612 E. Lake Sue Avenue

The public hearing is a request from Mr. & Mrs. Truby, the owners of the property at 612 E. Lake Sue Avenue to annex their property into the City. The Truby's home occupies this lot. This is a part of the "Stonehurst" enclave that the City desires to annex.

Recommendation:

The staff recommendation is for approval. Annexations do not go to P&Z. P&Z will make a recommendation on the Comp. Plan FLU and Zoning when the City establishes the same single family residential zoning (R-1AA) as presently exists in Orange County. The property has to be annexed first in order to have jurisdiction to take that step.

Summary:

The one Comprehensive Plan policy that governs this annexation request is as follows:

Policy 1-3.13.1: Actively Pursue the Annexation of Enclaves. Winter Park shall actively pursue the annexation of enclaves as these additions provide economies and efficiencies in service delivery to both Orange County and the City of Winter Park.

Prepared by and return to:
Jeff Briggs, Planning Director
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

ORDINANCE NO. 2948-14

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING THE PROPERTY AT 612 EAST LAKE SUE AVENUE; MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR THE AMENDMENT OF THE CITY OF WINTER PARK'S CHARTER, ARTICLE I, SECTION 1.02, CORPORATE BOUNDARIES TO PROVIDE FOR THE INCORPORATION OF THE REAL PROPERTY DESCRIBED HEREIN; PROVIDING FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 171, Florida Statutes provides the exclusive method of municipal annexation, in order to insure sound urban development and efficient provision of urban services; and

WHEREAS, the City has determined that the area to be annexed is contiguous and reasonably compact, is developed for urban purposes, is not within the boundaries of another municipality, and has met all other requirements of Chapter 171, Florida Statutes, including but not limited to the prerequisites for annexation; and

WHEREAS, the City Commission hereby finds that the annexation of said property will not result in the creation of any enclaves, and it is further determined that the property otherwise fully complies with the requirements of State law; and

WHEREAS, The owner of the property has provided their voluntary consent and petitioned the City of Winter Park for this annexation as described in Exhibit "A" and shown on Exhibit "B", which is the area to be annexed; and:

WHEREAS, pursuant to, and in compliance with the law, notice has been given by publication once a week for two consecutive weeks in a newspaper of general circulation notifying the public of this proposed Ordinance and of public hearings to be held at City Hall in the City of Winter Park; and

WHEREAS, the City Commission has determined that the annexation of the subject area has met all procedural requirements and that it will promote sound urban development and efficient provision of urban services; and

WHEREAS, the annexation is in compliance and consistent with the goals and objectives of the City of Winter Park Comprehensive Plan, Charter and Municipal Code; and

WHEREAS, in the best interest of the public health, safety, and welfare of the citizens of Winter Park, the City Commission of the City of Winter Park desires to annex the real property generally described below into the municipal boundaries of the City of Winter Park; and

WHEREAS, upon adoption of this Ordinance, the municipal boundaries lines of the City of Winter Park, shall, for purposes of Article I, Section 1.02 of the Municipal Charter, shall be redefined to include the subject real property.

NOW, THEREFORE, be it enacted by the City Commission of the City of Winter Park, Florida as follows:

Section 1. Annexation of Real Property. The real property described herein shall be, and is hereby annexed into the City of Winter Park, Florida. This real property is described in Exhibit “A” and illustrated in Exhibit “B”. These Exhibits are incorporated herein by reference. The described real property shall be existing within the boundaries of the City of Winter Park, Florida and known to be existing within said boundaries from the effective date of this Ordinance.

Section 2. Incorporation of Recitals. The recitals to this Ordinance are hereby incorporated herein by reference and are fully effective as part of this Ordinance.

Section 3. City Boundaries Redefined; Winter Park Charter Amended. Pursuant to Section 166.031(3), Florida Statutes and Section 171.091, Florida Statutes, the City of Winter Park Charter, Article I, Section 1.02 is hereby amended to redefine the corporate boundaries of the City of Winter Park to include the real property described in Section 1 and Exhibits “A” and “B” of this Ordinance. The City Clerk shall file the revised Winter Park Charter, Article 1, Section 1.02 with the Department of State within seven days after the effective date of this Ordinance. Section 1.02 provides that the corporate boundaries of the City of Winter Park shall remain as they exist on the date the amended Charter took effect, and provides that the City has the power to change its boundaries in the manner prescribed by law. The amendment to the Charter will provide that after the effective date of the adoption of Section 1.02, the property subject to this Ordinance was annexed, and the legal description of the property will not be included in the Charter but the Ordinance number shall be included so that the public is on notice that a description of the corporate boundaries, including the property annexed hereby, is on file in the City Clerk’s office.

Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions. All Ordinances and Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed to the extent of conflict.

Section 5. Severability. Should any section or provision of this Ordinance or any portion hereof, including any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereto as a whole, and the invalid portion shall be severed from the remainder of this Ordinance and the remainder of this Ordinance shall be continue to be lawful, enforceable and valid.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

ADOPTED by the City Commission of the City of Winter Park, Florida at a regular meeting assembled on the _____ day of _____, 2014.

Kenneth W. Bradley, Mayor

Attest: _____
Cynthia S. Bonham, City Clerk

First Reading: _____, 2014

Second Reading: _____, 2014

Effective Date: _____, 2014

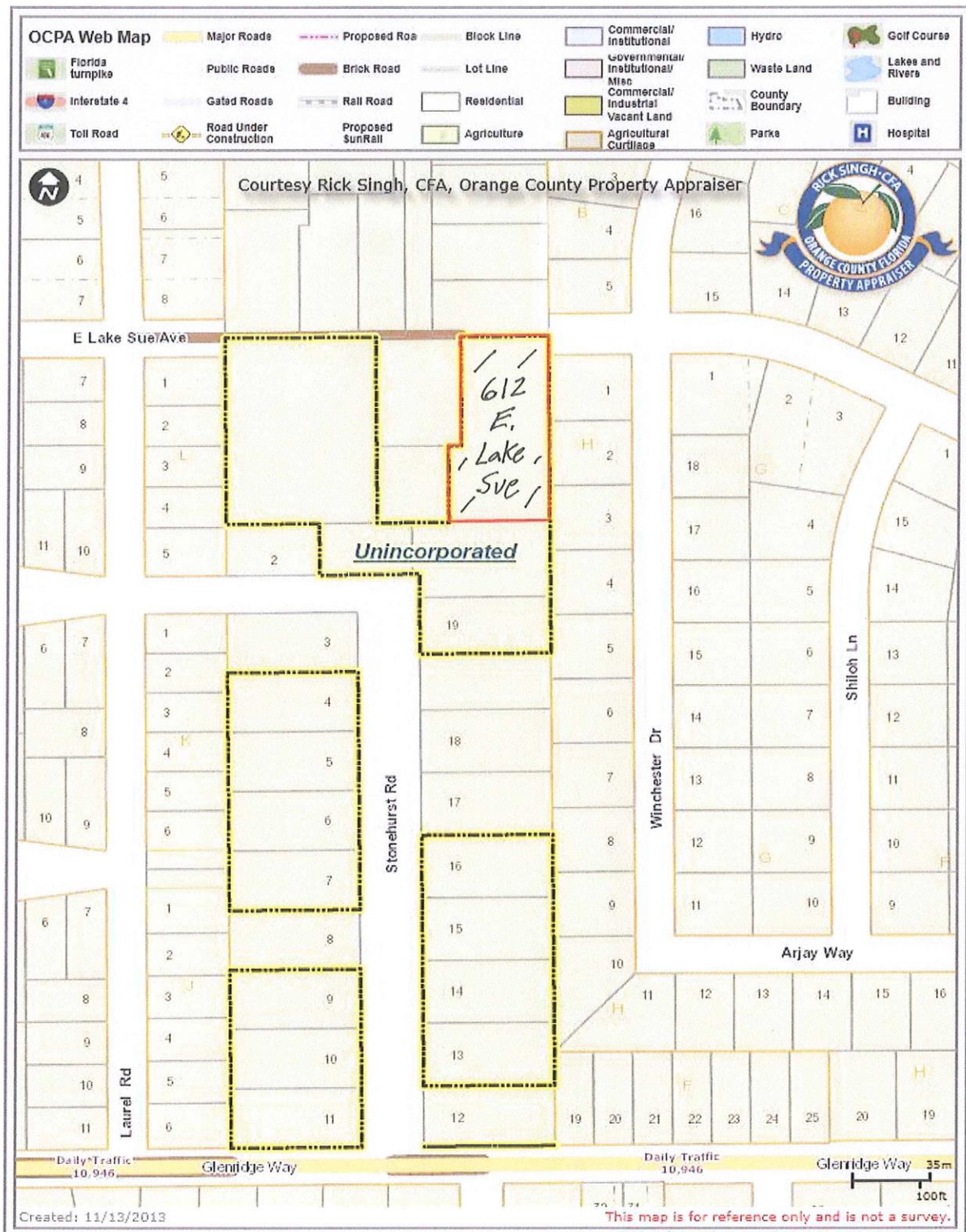
Exhibit A

612 East Lake Sue Avenue Annex

PROPERTY TAX ID# 17-22-30-4788-00-015

Metes and Bounds Legal Description:

BEGIN 361.00 FEET EAST OF THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 22 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 175.00 FEET; THENCE WEST 20.00 FEET; THENCE SOUTH 123.00 FEET; THENCE EAST 154.00 FEET; THENCE NORTH 298.00 FEET; THENCE WEST 134.00 FEET TO THE POINT OF BEGINNING, BEING A PART OF THE REPLAT OF LAKE VIRGINIA SHORES, AS RECORDED IN PLAT BOOK "Q", PAGE 53, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.





CITY OF WINTER PARK

401 Park Avenue South

Winter Park, Florida

32789-4386

www.cityofwinterpark.org

December 4, 2013

Board of the Orange County Commission
Orange County Administration
PO Box 1393
Orlando, FL 32801

RE: Annexation of 612 E. Lake Sue Avenue

Dear Board of County Commissioners:

Pursuant to Chapter 171, Florida Statutes, the City of Winter Park has received a voluntary annexation petition from the owner of the property at 612 E. Lake Sue Avenue to annex that property. Enclosed is a copy of the legal advertisement and ordinance. The legal advertisements will run in the Orlando Sentinel for two consecutive weeks on Sunday, December 22, 2012 and Sunday, December 29, 2012.

The ordinance for this annexation will be heard at public hearings on January 13, 2014 and January 27, 2014 at 3:30 pm in the Commission Chambers of City Hall, 401 S. Park Avenue, Winter Park.

If you have other questions, please contact me at jbriggs@cityofwinterpark.org or at (407) 599-3440.

Sincerely,



Jeffrey Briggs,
Planning Director

Enclosures

NOTICE OF ANNEXATION

CITY OF WINTER PARK
PUBLIC NOTICE

TO CONSIDER THE ANNEXATION OF 612 E. LAKE SUE AVENUE

NOTICE is hereby given that public hearings will be held by the Winter Park City Commission on Monday, January 13, 2014 at 3:30 p.m. and on Monday, January 27, 2014 at 3:30 pm in the Winter Park City Hall, Commission Chambers at 401 S. Park Avenue, Winter Park, Florida, to consider the following:

ORDINANCE NO. 2948-14

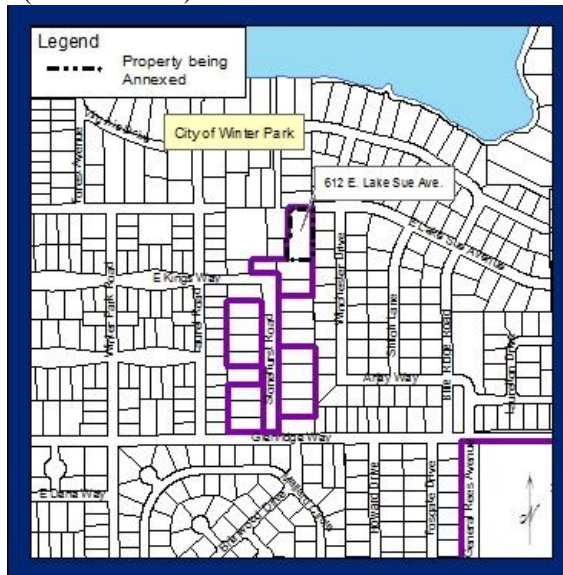
AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING THE PROPERTY AT 612 EAST LAKE SUE AVENUE.

The complete legal description by metes and bounds as well as a complete copy of this proposed Ordinance No. 2948-14 may be obtained and inspected at the office of the City Clerk at 401 Park Avenue, South, Winter Park, Florida during regular business hours.

All interested parties are invited to attend and be heard. Additional information is available in the City Clerk's office so that citizens may acquaint themselves with each issue and receive answers to any questions they may have prior to the meeting.

NOTE: If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he/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.



Cynthia S. Bonham, CMC
City Clerk

Publish: Sunday, December 22, 2013 and Sunday, December 29, 2013, Orlando Sentinel



city commission agenda item

item type	Public Hearing	meeting date	January 13, 2014
prepared by department division	Mark P Brown Public Works Electric Utility	approved by	<input type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A final vote		

subject

Request to abandon/vacate City easement at 470 W. New England Avenue

motion | recommendation

Approve the vacation/abandon request.

background

The property is being sold. Part of the existing building is in the easement. Staff does not object to the vacate/abandon request.

alternatives | other considerations

n/a

fiscal impact

None

strategic objective

n/a

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA
VACATING AND ABANDONING THAT CERTAIN ELECTRIC
UTILITY EASEMENT AT 470 W. NEW ENGLAND AVENUE,
WINTER PARK, FL, AS MORE PARTICULARLY DESCRIBED
HEREIN, PROVIDING FOR CONFLICTS, CORRECTION OF
ANY SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.**

RECITALS AND LEGISLATIVE FINDINGS

WHEREAS, the City of Winter Park by custom will abandon an easement no longer needed for municipal purposes; and

WHEREAS, the City has determined that the subject easement hereinafter identified is no longer needed by the City of Winter Park.

**NOW, THEREFORE, BE IT ENACTED AND 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. The City of Winter Park, Florida hereby vacates and abandons that certain utility easement located at 470 W. New England Ave., Winter Park, FL, more particularly described as follows:

- A. Distribution easement in favor of Florida Power Corporation d/b/a Progress Energy Florida, Inc. recorded in the Public Records of Orange County on June 13, 2005 in O.R. Book 8017, Page 1132. The City hereby acknowledges and certifies that it is the purchaser and successor of interest in certain utility infrastructure and distribution facilities previously owned in the City by Florida Power Corporation d/b/a Progress Energy Florida, Inc., including ownership of this easement.
- B. Attached as Exhibit "A" and incorporated by reference is that certain boundary survey prepared by HLSM, LLC, dated October 17, 2013, which more particularly shows the subject easement being abandoned and vacated hereby by the City of Winter Park.

Section 3. All Ordinances or portions thereof in conflict are hereby repealed.

Section 4. The parties intend that any error in legal description or in depiction of the easement rights being vacated and abandoned shall be corrected by subsequent curative document if the owner of the real property at such time agrees with the City that

there was an error in the survey or description provided said curative document does not provide the City any rights underneath any building on the property. A certified copy of this Ordinance may be recorded in the Public Records of Orange County, Florida. The cost of such corrective document and recording shall be the responsibility of the party who caused the error and need for such corrective document. In the event there are any existing service lines situated beneath the Southerly side of the building on the attached survey, the City hereby waives any rights to access said service lines through any portion of the existing physical building, and will not require removal of any portion of the existing building to access said service lines, and upon request of the property owner will remove said service lines permanently.

Section 5. Incorporation Into the Code. This Ordinance shall be deemed incorporated into the Winter Park City Code in an appropriate appendix, but will not be codified with a section number in the Municipal Code of Ordinances. Any section, paragraph number, letter and/or any heading herein may be changed or modified as necessary to correct scrivener's errors. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations and omissions not affecting the construction or meaning of this Ordinance may be freely made.

Section 6. Severability. 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 7. Conflicts. All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 8. Effective 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 Commission of the City of Winter Park, Florida in a regular meeting on the ____ day of _____, 2014.

Mayor Kenneth W. Bradley

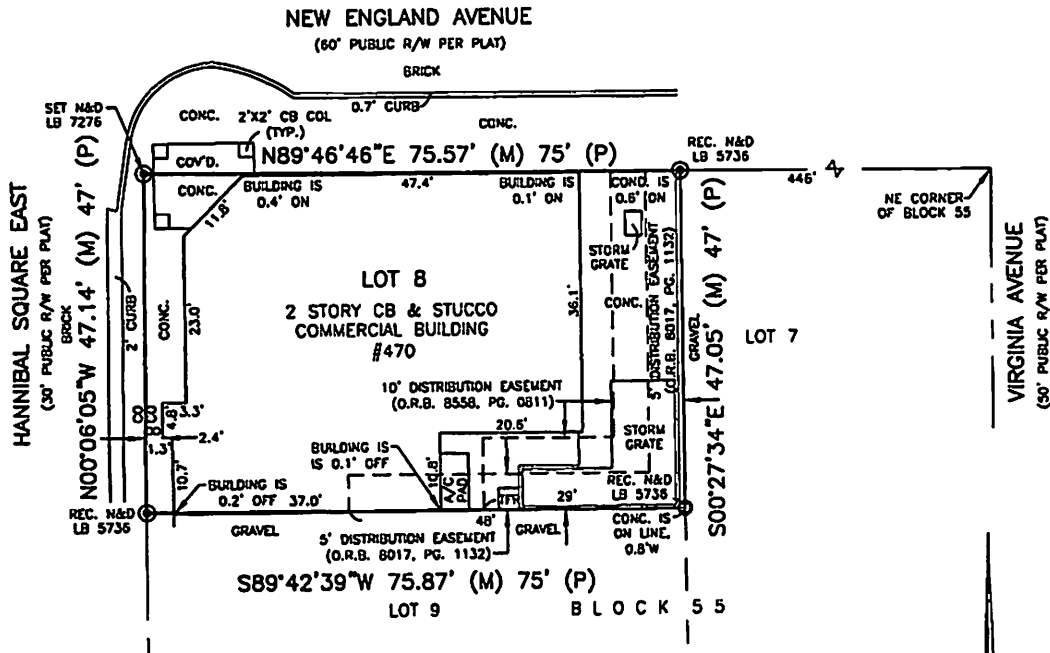
ATTEST:

Cynthia S. Bonham, MMC, City Clerk

BOUNDARY SURVEY FOR WINTER PARK LAND CO.

DESCRIPTION:

LOT 8 IN BLOCK 55, TOWN OF WINTER PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK A, PAGES 67 THROUGH 72, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.



LEGEND

A/C	AIR CONDITIONER
CB	CONCRETE BLOCK
CO	CLEANOUT
COL	COLUMN
CONC.	CONCRETE
COVD.	COVERED
LB	LICENSED BUSINESS
M	MEASURED
N&D	NAIL AND DISK
O.R.B.	OFFICIAL RECORDS BOOK
P	PER PLAT
PG.	PAGE
R/W	RIGHT-OF-WAY
REC.	RECOVERED
TFR	TRANSFORMER
TYP.	TYPICAL

CERTIFIED TO:

MICHAEL AND GAIL WINN
MANZO & ASSOCIATES, P.A.
CHICAGO TITLE INSURANCE COMPANY

THAT THIS SURVEY WAS PERFORMED IN THE
FIELD ON THE DATE(S) SHOWN HEREON

SURVEY REPORT:

- The above described land lies within Section 5, Township 22 South, Range 30 East, Orange County, Florida.
- This survey represents a survey made on the ground under the supervision of the signing surveyor, unless otherwise noted.
- This survey does not reflect or determine ownership.
- All easements of which the surveyor has knowledge of, or has had furnished to him, has been noted on the survey map.
- Underground improvements or underground foundations have not been located except as noted on survey map.
- According to the Federal Insurance Rate Map, this property lies in Zone(s) "X", Map number 12095C0255 F Dated: September 25, 2009.
- Basis of Bearings: South Right of Way Line of New England Ave, N89°46'46"E (Assumed).
- This surveyor has reviewed the title commitment issued by Chicago Title Insurance Company, Order No. 4559378, Effective Date: September 24, 2013.

SHEET 1 OF 1

HLSM LLC
Henrich-Luke-Swaggerty-Menard
Professional Surveyors & Mappers
165 Middle Street, Suite 1101
Lake Mary, Florida 32746
P. (407) 847-7346
P. (407) 847-8087
www.FloridaLandSurveyor.com
Licensed Business No. 7276

Rev. Title Review Date: 10/17/13
Job No: E-9396
Field Date: 9/17/13
Drawn By: ADA
Field By: JH/MS
Scale: 1"=20'

THIS SURVEY MAP AND REPORT OR THE
COPIES THEREOF ARE NOT VALID WITHOUT THE
SIGNATURE AND THE ORIGINAL RAISED SEAL OF
A FLORIDA LICENSED SURVEYOR AND MAPPER.

William F. Menard
Professional Surveyor & Mapper
Florida Registration #5625

EXHIBIT

A



city commission public hearing

item type	Public Hearing	meeting date	January 13, 2014
prepared by department division	Terry Hotard Electric Utility	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A final vote		

subject

Undergrounding of Electric/CATV Facilities
Notice of Intent Resolution
Seminole Drive

motion | recommendation

Approve resolution setting forth the intent to use the uniform ad valorem method of collection of a non-ad valorem assessment pertaining to the undergrounding of electric/CATV facilities in the area of Seminole Drive. Staff recommendation is to approve resolution calling for the Public Hearing.

summary

Winter Park Electric's PLUG-IN program was approved by the city commission to provide neighborhoods with a method of accelerating the undergrounding of neighborhood overhead facilities. Through the PLUG-IN Program the city provides homeowners within the Neighborhood Electric Assessment District (NEAD) a 50% match of the electric undergrounding. Bright House Network has agreed to a 5% contribution. Homeowners have the option of a onetime lump sum or 10 year repayment schedule. Annual assessment will be placed on the property tax bill. 87% (66% required) of the 8 homeowners within the Seminole Drive NEAD have voted in favor of this project.

board comments

N/A

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, SETTING FORTH THE CITY'S INTENT TO USE THE UNIFORM AD VALOREM METHOD OF COLLECTION OF A NON-AD VALOREM ASSESSMENT FOR PROPERTIES LYING IN THE CITY OF WINTER PARK, CONSISTING OF PROPERTIES ABUTTING SEMINOLE DRIVE AS MORE PARTICULARLY INDICATED IN EXHIBIT "A" ATTACHED HERE, TO FUND CERTAIN PUBLIC IMPROVEMENTS OF THE INSTALLATION OF UNDERGROUND ELECTRICAL/BHN FACILITIES; PROVIDING THAT A COPY OF THIS RESOLUTION SHALL BE FORWARDED TO THE PROPERTY APPRAISER, TAX COLLECTOR AND THE FLORIDA DEPARTMENT OF REVENUE IN ACCORDANCE WITH SECTION 197.3632(3)(a), FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park, Florida, intends to replace the existing overhead electrical/BHN facilities with underground electrical/BHN facilities in the City of Winter Park to impose assessments ("Assessments") against the real property therein to fund the installation of underground electric/BHN facilities within said above-described boundaries; and

WHEREAS, in accordance with Ordinance 2249 and Section 197.3632(3)(a), Florida Statutes, the City advertised its intent to use the uniform method for collecting the assessments weekly in a newspaper of general circulation for four (4) consecutive weeks preceding the Public Hearing held the day hereof; and

WHEREAS, in accordance with Section 197.3632(3)(a), Florida Statutes, the City desires to hereby set forth its intent to use the uniform method for collecting the Assessments levied against the real property within the above-described area, more particularly indicated in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the City Commission of the City of Winter Park, Florida directs the City Clerk to provide copies of the Resolution to the Property Appraiser, Tax Collector and the Florida Department of Revenue on or prior to January 1, 2014;

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

Section 1. The foregoing "Whereas" clauses are true and correct, are hereby ratified and confirmed by the City Commission, and are incorporated herein and made a part hereof.

Section 2. The City Commission of the City of Winter Park hereby confirms its intent to use the uniform method for collecting the Assessments levied against real property located on Seminole Drive more particularly indicated in Exhibit "A", attached hereto and made a part

hereof, all lying within the municipal boundaries of the City of Winter Park, to fund the City's underground of electric/BHN facilities within the above-described area as referenced in "Exhibit A".

Section 3. The City Commission of the City of Winter Park, Florida hereby directs the City Clerk to provide copies of this Resolution to the Property Appraiser, Tax Collector and the Florida Department of Revenue on or prior to January 1, 201, by the United States mail, in accordance with Section 197.3632(3)(a), Florida Statutes.

Section 4. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

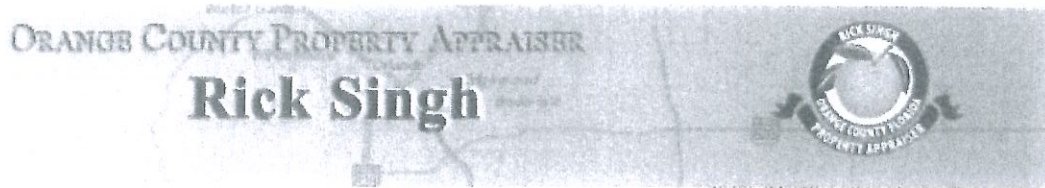
Section 5. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or application of this Resolution.

Section 6. This Resolution shall become effective immediately upon its passage and adoption.

ADOPTED at regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the 13th of January, 2014.

Kenneth W. Bradley, Mayor

Attest: _____
Cynthia S. Bonham, City Clerk



SEMINOLE DRIVE NEAD MAP

"EXHIBIT A"



This map is for reference only and is not a survey.

Created on 10/17/2013 Copyright 2007 Orange County Property Appraiser