



city commission agenda

AMENDED AGENDA Regular Meeting

August 11, 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 Pastor Jeff Arp, Calvary Assembly of God Pledge of Allegiance	
3	Approval of Agenda	
4	Citizens Budget Comments	
5	Mayor's Report	*Projected Time *Subject to change
	a. Proclamation – Graham Zusi Day b. Presentation - Service award to Bill and Carol Swartz for 19 years of volunteering at the Olde Fashion 4 th of July Celebration c. Recognition - Summer Youth Enrichment Program providers and participants d. Recognition - Core value coin recipients (April-June 2014)	20 minutes

6	City Manager's Report	*Projected Time *Subject to change
7	City Attorney's Report	*Projected Time *Subject to change
8	Non-Action Items	*Projected Time *Subject to change
9	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)	
10	Consent Agenda	*Projected Time *Subject to change
	<ul style="list-style-type: none"> a. Approve the minutes of July 28, 2014. b. Approve the following contracts and purchase orders: <ul style="list-style-type: none"> 1. Renewal with Brown & Brown of Florida, Inc., RFP-13-2012 Insurance Agent/Broker of Record (Amendment No. 2); and authorize the Mayor to execute Amendment No. 2 and any subsequent purchase orders. 2. Renewal for remaining option years with Moore Stephens Lovelace, P.A., RFP-26-2013 External Auditor Services, Amendment No. 2 for contract extension until September 25, 2016; and authorize the Mayor to execute Amendment 2 and any subsequent purchase orders. c. Approve the restated Interlocal Cooperation Agreement between Orange County and the City of Winter Park for Community Development Programs under the Urban County Program. 	5 minutes
11	Action Items Requiring Discussion	*Projected Time *Subject to change
	<ul style="list-style-type: none"> a. Refine the visioning scope using assistance by an Urban Land Institute (ULI) Technical Assistance Panel (TAP). b. Budget discussion. 	15 minutes 30 minutes
12	Public Hearings	*Projected Time *Subject to change

13 City Commission Reports

***Projected Time**
***Subject to change**

- a. Commissioner Leary
- b. Commissioner Sprinkel
- c. Commissioner Cooper
- d. Commissioner McMacken
- e. Mayor Bradley

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."



city commission city manager's report

item type

City Manager's Report

meeting date

August 11, 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
Fairbanks Improvement Project	<u>Communication Notices</u> <ul style="list-style-type: none">• Project is complete. Working on settling LD's and workmanship issues prior to closeout.• Working with future customers regarding connection to gravity sewer.	<u>Construction Project</u> Connection to sewer instructions posted on City website. Impact Fee Deferral Program ordinance second reading completed and approved.
Quiet Zones	State funds approved for grant disbursement. City submitted grant applications for City projects on July 23, 2014. Expect to hear update within one month.	Application for funding submitted July 23.
Winter Park Hospital Parking Garage	Under construction. Met with hospital representatives to discuss current and future plans and options for master plan update. Will continue to meet and discuss options.	Ongoing
Mechanisms to encourage owners to place overhead electric service wires underground	Current City ordinances require owners to place overhead electric service wires underground upon: 1) new commercial and residential construction; 2) Renovations that exceed 50% of the appraised value of existing improvements; and 3) change out of electric service equipment caused by code violations. There are 5,000 overhead electric service wires. Our goal is to get all overhead electric service wires placed underground at completion of underground project (10-12 years).	Utilities Advisory Board discussions are ongoing.
Fairbanks electric transmission and distribution undergrounding	Engineering cost estimates have been completed. Staff believes project can be completed within FDOT's available funding contracts between Duke and the City and are currently in negotiation.	City Commission action expected August/September 2014

New Hope Baptist Church Project	All work has proceeded in compliance with our Codes. Plan revision received to change asphalt drive and parking lot to concrete.	Approved Conditional Use will expire in September 2015.
Capen House	Architect Steve Feller and Contractor Frank Roark are working with Polasek curator on interior remodeling plans for various prospective uses.	Completion depending on funds available from contributions.
Education Update: "Education & Economics: The value of great schools"	<p>Thursday, August 21, at 8 a.m., the Winter Park Chamber of Commerce and City of Winter Park will host an Education Update at the Winter Park Community Center located at 721 W. New England Ave. Presented by Rollins College Hamilton Holt School, the event will explore "Education & Economics: The Value of Great Schools," via panel discussion moderated by WESH 2 News reporter Gail Paschall-Brown. Panelists for the breakfast event include:</p> <ul style="list-style-type: none"> • Mark Brewer, president/CEO, Central Florida Foundation • Honorable Sarah Sprinkel, commissioner, City of Winter Park • Honorable Bill Sublette, chairman, Orange County Public Schools • Dr. Harry Kypraios, associate professor of economics, Rollins College • John Caron, former president, Olive Garden 	August 21, 2014
"Art in Transit" dedication ceremony	The City of Winter Park and the Public Art Advisory Board are proud to present the "Art in Transit" sculpture Tree Whisperers at a dedication ceremony Wednesday, August 27, at 9 a.m., at the Winter Park train station located at 148 W. Morse Blvd. City officials and board members will lead the ceremony to present the sculpture which will serve to greet train passengers to Winter Park.	August 27, 2014, 9:00 a.m.

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.

REGULAR MEETING OF THE CITY COMMISSION
July 28, 2014

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:34 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Electric Director Jerry Warren, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley
Vice Mayor Steven Leary
Commissioner Sarah Sprinkel
Commissioner Tom McMacken
Commissioner Carolyn Cooper

Also present:

City Manager Randy Knight
City Attorney Larry Brown
City Clerk Cynthia Bonham
Deputy City Clerk Michelle Bernstein

Approval of the agenda

Motion made by Mayor Bradley to separate Item 11 into two items: a.) set tentative millage rate; and b.) budget discussion; seconded by Commissioner McMacken to accept the agenda with this change and approved by acclamation with a 5-0 vote.

Citizen Budget Comments

Joe Terranova, 151 N. Virginia Avenue, commended staff for presenting a balanced budget. He spoke in favor of the funding allocation for the library and tree removals and urged staff to implement new tree replacements as soon as possible.

Mayor's Report

a. Recognition by Fire Department - Curtis Camron-Walls

Fire Chief Jim White presented Curtis Camron-Walls with the "Fire Chief's Civilian Award of Merit" as a result of his heroic actions where he personally intervened by obtaining emergency medical assistance for his ailing friend who was having a stroke.

City Manager's Report

City Manager Knight announced that Building Director George Wiggins recently celebrated 40 years of service. The Commission thanked Mr. Wiggins for his lengthy service to the community.

City Attorney's Report: - No items.

Non-Action Item:

a. May 2014 Financial Report

Finance Director Wes Hamil summarized the May 2014 financial report. He answered questions pertaining to the communication services tax. For clarity purposes, staff was directed to separate the electrical capital spending line item into two categories; undergrounding and routine capital.

Motion made by Mayor Bradley to approve the financial report as presented; seconded by Commissioner Sprinkel. No public comments were made. **The motion carried with a 5-0 vote.**

Consent Agenda

- a. Approve the minutes of July 14, 2014. – **PULLED FOR DISCUSSION, SEE BELOW**
- b. Approve the following contract with The Davey Tree Expert Company, ITN-6-2014, Utility Vegetation Management Amendment 2, and authorize the Mayor to execute Amendment 2.
- c. Approve the fee waiver request of the Tri-County League of Cities for use of the Civic Center on November 21, 2014.

Consent Agenda Item 'a' - Approve the minutes of July 14, 2014

Motion made by Mayor Bradley to amend page 11 to reflect that Julio de Arcos spoke in opposition and to approve Consent Agenda item 'a'; seconded by Commissioner Sprinkel and approved by acclamation with a 5-0 vote.

Motion made by Commissioner Cooper to approve Consent Agenda items 'b' and 'c'; seconded by Commissioner Sprinkel. No public comments were made. **The motion carried with a 5-0 vote.**

Action Items Requiring Discussion:

a. Set tentative millage rate

City Manager Knight explained that the tentative millage rate set by the Commission today will be published on the TRIM notices that will be sent out in August by the Orange County Property Appraiser's office. City Manager Knight answered questions.

Motion made by Mayor Bradley to approve the tentative millage rate (cap) of 4.0923, plus the voted debt service millages of 0.0965 and 0.2019; 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.

Note: Agenda order was rearranged

PUBLIC HEARINGS:

- a. Request of Georgiana Harkins for the property at 1141/1143 Orange Avenue:

ORDINANCE NO. 2972-14: 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 CHANGE THE FUTURE LAND USE DESIGNATION OF OFFICE TO COMMERCIAL ON THE PROPERTY AT 1141/1143 ORANGE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. Second Reading

ORDINANCE NO. 2973-14: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE OFFICE (O-1) DISTRICT ZONING TO COMMERCIAL (C-3) DISTRICT ZONING ON THE PROPERTY AT 1141/1143 ORANGE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. Second Reading

City Attorney Brown read both ordinances by title.

Motion made by Commissioner Sprinkel to adopt the comprehensive plan ordinance; seconded by Commissioner Leary. 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.**

Motion made by Commissioner Leary to adopt the zoning ordinance; seconded by Commissioner Sprinkel.

Motion amended by Commissioner Cooper to allow Commercial C-3a as the zoning on this property; seconded by Commissioner McMacken.

No public comments were made.

Upon a roll call vote on the zoning 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 main zoning ordinance, Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.

- b. RESOLUTION NO. 2144-14: A RESOLUTION OF THE CITY OF WINTER PARK INDICATING ITS SUPPORT FOR THE CONTINUED USE AND MANAGEMENT OF THE LAKE BALDWIN VETERANS ADMINISTRATION (VA) MEDICAL CLINIC BY THE VA

Attorney Brown read the resolution by title. Mayor Bradley explained that Congressman John Mica asked the City to adopt this in support of the VA Clinic.

Motion made by Mayor Bradley to adopt the resolution; seconded by Commissioner McMacken. 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.**

Action Items Requiring Discussion:

- b. Budget discussion

City Manager Knight announced that today's budget discussions will focus on the following three items: Enterprise Resource Program Software, Organizational Support, and Urban Forestry Inventory.

Enterprise Resource Program Software

Budget and Performance Manager Peter Moore presented a PowerPoint regarding the proposed new Enterprise Resource Program software. He explained that in 1988 the City purchased the Sungard software system which is the backbone of the City's overall computer operations and has not kept up with changes in technology. Two years ago, the IT Governance Council (ITGC) was established and given the task to research this topic and provide recommendations. Based on their findings, the ITGC voted in favor of proposing a new software program. Mr. Moore explained the next steps to develop a Request for Proposal, short list the top vendors and showcase the product to all departments. They would determine the best fit, bring the recommendation to the Commission for final approval and launch the 2-3 year implementation process in fiscal year 2015. City Manager Knight and Mr. Moore answered questions including the estimated costs involved.

Organizational Support

City Manager Knight explained that in an effort to create a sustainable funding mechanism to provide yearly support to outside non-profit organizations, he proposed establishing a set baseline within the budget of 0.25% of the gross revenues from the general fund, electric fund and water/sewer fund. This would provide \$294,500 of available funds to distribute in fiscal year 2015. He provided a PowerPoint listing the funding requests received to date and presented his recommended funding distributions.

Discussion ensued regarding the establishment of set criteria that the non-profit organizations must adhere to, obtaining a summary report listing of how many children/residents are impacted by the contributions, adding an additional fund or

increase the formula by 1% in an effort to meet this year's funding requests, and to possibly establish a cultural board that would assist with the funding requests.

Urban Forestry Inventory

Assistant City Manager Michelle del Valle and Urban Forestry Manager Dru Dennison presented a PowerPoint regarding the Urban Forestry inventory. A brief summary was provided regarding the inventory development through the Urban & Community Forestry Grant, the 2014 inventory summary, estimated cost to complete the right-of-way maintenance cycle, the cost comparison for fiscal years 2013/2014, the current/proposed production schedule, the tree planting specifications and the recommended strategy. Ms. del Valle and Ms. Dennison answered questions.

City Manager Knight advised that today's budget PowerPoint can be accessed via the City's website for public viewing. The Commission was reminded to submit their list of budget recommendations to the City Manager's office no later than August 4.

Public Comment (General 5:00 p.m.)

1. Bee Epley, 151 N. Orlando Avenue, encouraged the Commission to consider constructing a pedestrian walkway overpass on Morse Boulevard and 17/92 due to the increase in traffic from the new Trader Joe's store.
2. Chuck Whittall, UniCorp Development, announced that his company will be conducting a public information meeting at the Rachel D. Murrah Civic Center on Thursday, July 31 at 6:00 p.m. to obtain feedback from the residents concerning the redevelopment of the Mt. Vernon Inn property. He spoke about the previous Lakeside Development conditional use approval in which he is required to provide additional parking for the Blue Cross/Blue Shield office. He explained that their original parking plans have changed; his company is under contract to purchase the Mt. Vernon Inn property and their intent is to utilize this area for the additional parking that is required. He is currently working with staff on the revised conditional use application and will be forthcoming.

Upon request, Director of Planning & Community Development Dori Stone explained that since Mr. Woodall's parking arrangement has changed he will have to submit a formal application for a revision to his conditional use permit. Upon receipt, staff will process the paperwork and bring it before the Commission for consideration. Ms. Stone provided clarity regarding the Trader Joe's parking lot code requirements and said according to code the size of the parking lot is in accordance with the building uses.

3. Cynthia Hasenau, Mead Botanical Garden, 1300 Denning Drive, thanked the City for their support and yearly contributions. She noted that 270 children attended

their facility this summer, they had a waiting list of 85 children, and that attendance has greatly increased in the last four years.

City Commission Reports:

a. Commissioner Leary – No items.

b. Commissioner Sprinkel

Upon inquiry, City Manager Knight explained that staff is in the process of finalizing the City's quarterly newsletter which will be distributed to the residents and includes topics such as the upcoming budget and the City's new website.

Commissioner Sprinkel requested that staff create a plan of action regarding the different ways that we can reach out to the community in an effort to create a positive awareness of all the great things happening in our City including milestone achievements, tree updates, budgetary items, upcoming events, etc.

c. Commissioner Cooper – No items.

d. Commissioner McMacken – No items.

e. Mayor Bradley

Mayor Bradley explained that he attended the Orange County Council of Mayor's meeting this past week where they discussed medical marijuana. A copy of the meeting briefing on the Constitutional Amendment was distributed by the Deputy Clerk. Mayor Bradley advised that Orange County is considering the adoption of a county wide ordinance and if they adopt a countywide ordinance we are not obligated to take any specific action; however, we may want to create something more restrictive. He asked for support that Attorney Brown study this topic, work with Orange County's attorney and to see if it can be applicable based. A majority agreed.

The meeting adjourned at 5:31 p.m.

Mayor Kenneth W. Bradley

ATTEST:

City Clerk Cynthia S. Bonham, MMC



city commission agenda item

item type	Consent Agenda	meeting date	August 11, 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

Contracts

	vendor	item background	fiscal impact	motion recommendation
	Brown & Brown of Florida, Inc.	RFP-13-2012 Insurance Agent/Broker of Record Amendment No. 2	Total expenditure included in FY14 budget.	Commission approve contract renewal with Brown & Brown of Florida, Inc. and authorize the Mayor to execute Amendment 2 and any subsequent purchase orders.
The City utilized a formal solicitation process to award this contract. The City Commission approved contract award to Brown & Brown of Florida, Inc. on August 13, 2012. The contract term was for a period of one (1) year with a total of four (4) one year renewal options, not to exceed five (5) years in total. The current contract term will expire August 27, 2014.				
	Moore Stephens Lovelace, P.A.	RFP-26-2013 External Auditor Services, Amendment No. 2 for contract extension until September 25, 2016.	Total expenditure included in FY14 budget.	Commission approve contract renewal for remaining option years with Moore Stephens Lovelace, P.A. and authorize the Mayor to execute Amendment 2 and any subsequent purchase orders.
The City utilized a formal solicitation process to award this contract. The City Commission approved contract award to Moore Stephens Lovelace, P.A. on September 9, 2013. The contract term was for a period of one (1) year with a total of two (2) one year renewal options, not to exceed three (3) years in total. The current contract term will expire September 24, 2014.				



city commission agenda item

item type	Consent Agenda	meeting date	August 11, 2014
prepared by department division	David Buchheit Planning & Community Development	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: Restated Interlocal Cooperation Agreement.

City Commission approval is requested for the restated interlocal cooperation agreement between Orange County, Florida and City of Winter Park for Community Development Programs Under the Urban County Program.

On June 28, 1994 the County and the City entered into an interlocal agreement to authorize the County to undertake activities to plan and carry out the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and Emergency Solutions Grant (ESG) for the benefit of the residents of Orange County and the City of Winter Park. This request continues the relationship established in the 1994 interlocal agreement.

This agreement allows Orange County to make application for and receive CDBG funds from the United States Department of Housing and Urban Development (HUD), on behalf of the City, and authorizes the County to include the City's population for the purpose of calculating and allocating CDBG funding. The County agrees to provide, at no cost to the City, the staff, resources, and other services necessary to plan and administer the CDBG, HOME, and ESG grants.

The City's officials and citizens will have full and open opportunity to submit projects for funding consideration. The final selection of activities to be funded through the CDBG, HOME, and ESG programs will be made by the County and reported annually as required by HUD.

This agreement will automatically be renewed for participation in successive three year qualification periods, unless the County or the City provides written notice it elects not to participate in the new qualification period. The County will notify the City in writing of its rights to make such election by the date specified in the next urban county qualification notice.

**RESTATED INTERLOCAL COOPERATION AGREEMENT
BETWEEN
ORANGE COUNTY, FLORIDA AND CITY OF WINTER PARK
FOR COMMUNITY DEVELOPMENT PROGRAMS
UNDER THE URBAN COUNTY PROGRAM**

THIS AGREEMENT is entered into by Orange County, Florida, a charter county and political subdivision of the State of Florida (hereinafter referred to as "the County") and the City of Winter Park (hereinafter referred to as "Municipality").

RECITALS

WHEREAS, the Housing and Community Development Act of 1974, as amended, makes provisions whereby urban counties may enter into cooperation agreements with certain units of local government to undertake or assist in undertaking essential activities pursuant to Community Development Block Grants; and

WHEREAS, this Agreement covers the Community Development Block Grant, HOME Investment Partnership Program and Emergency Solutions Grant programs; and

WHEREAS, in 1994 the COUNTY and MUNICIPALITY entered into an interlocal agreement to authorize the COUNTY to undertake activities to plan and carry out the Community Development Block Grant (hereinafter "CDBG"), HOME Investment Partnership (hereinafter referred to as "HOME"), and Emergency Solutions Grant Programs (hereinafter referred to as "ESG"), for the benefit of residents of Orange County; and

WHEREAS, the COUNTY and MUNICIPALITY desire to continue the relationship established in the 1994 interlocal agreement by restating and amending the 1994 agreement; and

WHEREAS, interlocal agreements of this type are fully authorized by Part 1, Chapter 163, Florida Statutes, as well as other applicable local law.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

SECTION 1. RECITALS

The above recitals are true and correct and form a material part of this Agreement upon which the parties have relied.

SECTION 2. MUNICIPALITY'S AUTHORIZATION

- (a) The MUNICIPALITY hereby authorizes the COUNTY to make application for and receive CDBG funds from the United States Department of Housing and Urban Development, hereinafter "HUD", on its behalf and, further, authorizes the COUNTY to include the municipality's population for the purposes of calculating and allocating CDBG funding.
- (b) The MUNICIPALITY agrees to provide the COUNTY with evidence of authorization for execution by proper officials.

SECTION 3. COUNTY ADMINISTRATION

The COUNTY agrees to provide, at no cost to the MUNICIPALITY, the staff, resources, and other services necessary to plan and administer the CDBG, HOME and ESG Grants.

SECTION 4. MUTUAL COOPERATION

The COUNTY and the MUNICIPALITY agree to cooperate to undertake or assist in undertaking community development and affordable housing assistance activities that benefit lower income households.

SECTION 5. PROJECTS FUNDED

- (a) The COUNTY agrees to facilitate, encourage and allow municipal officials and the citizens of the MUNICIPALITY to have the full and open opportunity to submit projects for funding consideration.
- (b) The MUNICIPALITY understands and agrees that the COUNTY will have final and ultimate responsibility for selecting activities to be funded through the CDBG, HOME and ESG programs, and for annual reporting required by HUD.

SECTION 6. MUNICIPALITY OBLIGATIONS

- (a) The MUNICIPALITY and the COUNTY agree that pursuant to that provisions of Title 24, Code of Federal Regulations, including, but not limited to, Section 570.501(b), the MUNICIPALITY is subject to the same requirements applicable to subrecipients, including, but not limited to, the requirement for a written agreement set forth in Title 24, Code of Federal Regulations, Section 570.503.

- (b) The MUNICIPALITY may not apply for grants under the Small Cities or State CDBG Programs from appropriations for fiscal years during the period in which it is participating in the Urban County Program.
- (c) The MUNICIPALITY may receive a formula allocation under the HOME Program only through the Urban County, but neither is precluded from applying to the State for HOME funds, if the State allows.
- (d) The MUNICIPALITY may receive a formula allocation under the ESG Program only through the Urban County Program, but neither is precluded from applying to the State for ESG funds, if the State allows.
- (e) The MUNICIPALITY may not participate in a HOME consortium except through the Urban County Program, regardless of whether the Urban County receives a HOME formula allocation.
- (f) A unit of general local government may not sell, trade or otherwise transfer all or any portion of such funds to a metropolitan city, urban county, unit of local government, or Indian tribe or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended.

SECTION 7. GRANT OF AUTHORITY

- (a) This Agreement covers CDBG, HOME and ESG appropriations for fiscal years 2015, 2016, and 2017, beginning October 1, 2015. This Agreement remains in effect until the CDBG, HOME and ESG funds and any program income received with respect to activities carried out in the three-year qualification period and successive qualification periods, under agreements that provide for automatic renewals, are expended and the funded activities completed. The COUNTY and the MUNICIPALITY may not terminate or withdraw from the Agreement while the Agreement remains in effect.
- (b) This Agreement will automatically be renewed for participation in successive three-year qualification periods, unless the COUNTY or the MUNICIPALITY provides written notice it elects not to participate in a new qualification period. The COUNTY will notify the MUNICIPALITY in writing of its rights to make such election by the date specified in the next urban county qualification notice.
- (c) Failure by either party to adopt an amendment to the Agreement incorporating all changes necessary to meet the requirements for cooperation agreements set forth

in the Urban County Qualification Notice applicable for a subsequent three-year urban qualification period, and to submit such amendment to HUD as provided in the Urban County Qualification Notice, will void the automatic renewal of such qualification period.

SECTION 8. PERFORMANCE OF SERVICES/CONTRACTS

- (a) As to the use of the CDBG, HOME and ESG funds received by the COUNTY, the COUNTY may either carry out the CDBG, HOME and ESG Programs for the MUNICIPALITY or, in the event that the parties jointly determine that it is feasible for the MUNICIPALITY to perform any services in connection with the CDBG, HOME and ESG Programs, the COUNTY may contract with the MUNICIPALITY for the performance of such services.
- (b) Any contracts entered into pursuant to Section 8 (a) above shall contain provisions which obligate the MUNICIPALITY to undertake all necessary actions to carry out the CDBG, HOME and ESG Program and Consolidated Plan, where applicable; within a specified time frame and in accordance with the requirements of Title I of the Housing and Community Development Act of 1974, as amended, and any and all other applicable laws and implementing regulations.
- (c) The MUNICIPALITY agrees to undertake and accomplish all necessary actions, as determined by the County, in order to carry out the Community Development Block Grant Program, the HOME Program, the Emergency Solutions Grant, and the Consolidated Plan.

SECTION 9. APPLICABLE LAWS/COMPLIANCE

- (a) The MUNICIPALITY and the COUNTY agree to take all actions necessary to assure compliance with the COUNTY'S certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including but not limited to, Title VI of the Civil Rights Acts of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, and with The Americans with Disabilities Act of 1990, and all other applicable laws, rules and regulations. The MUNICIPALITY agrees to comply with all auditing requirements imposed by law, rule, regulation or the COUNTY.
- (b) The MUNICIPALITY acknowledges and understands that noncompliance by the MUNICIPALITY with all applicable provisions of laws, rules or regulations may

constitute noncompliance by the entire urban county program, and the COUNTY, as the grantee, and the MUNICIPALITY, assume responsibility therefor.

SECTION 10. FAIR HOUSING

The MUNICIPALITY acknowledges that the COUNTY will prohibit urban county funding for activities in or in support of the MUNICIPALITY if the MUNICIPALITY does not affirmatively further fair housing within the MUNICIPALITY'S jurisdiction and/or if the MUNICIPALITY impedes the COUNTY'S actions to comply with its fair housing certification.

SECTION 11. LAW ENFORCEMENT

The MUNICIPALITY has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations. Furthermore, the MUNICIPALITY has adopted and is enforcing a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction. In furtherance of this provision, specifically, and all other provisions of this Agreement, generally, the MUNICIPALITY agrees to indemnify and hold the COUNTY harmless to the fullest extent provided by law.

SECTION 12. STATUS OF MUNICIPALITY

Pursuant to 24 CFR 570.501(b), as well as all other applicable law, the MUNICIPALITY agrees that it is, at a minimum, subject to the same requirements applicable to grantee subrecipients, including the requirement of a written agreement as described in 24 CFR 570.503.

SECTION 13. PROGRAM INCOME

The MUNICIPALITY and the COUNTY agree to the following provisions:

- (a) The MUNICIPALITY shall inform the COUNTY of any income generated by expenditure of CDBG, HOME or ESG funds.
- (b) The MUNICIPALITY may retain program income subject to requirements set forth in the Agreement.
- (c) Any program income retained by the MUNICIPALITY shall be used for eligible activities in accordance with applicable CDBG, HOME or ESG requirements.

- (d) The COUNTY shall have the responsibility to monitor and report to HUD on the use of any such program income thereby requiring appropriate record keeping and reporting by the MUNICIPALITY as may be needed for this purpose.
- (e) In the event of the COUNTY'S failure to qualify as an urban county, or a change in status of the MUNICIPALITY, any program income shall be paid to the COUNTY.

SECTION 14. REAL PROPERTY

The MUNICIPALITY and the COUNTY agree with the following standards regarding real property acquired or improved in whole or in part using the CDBG, HOME or ESG funds:

- (a) The MUNICIPALITY shall notify the COUNTY, in a timely manner, of any modification or change in the use of real property from that intended at the time of acquisition or improvement including disposition thereof.
- (b) The MUNICIPALITY shall reimburse the COUNTY in an amount equal to the current fair market value (less any portion thereof attributable to expenditure of non-Community Development Block Grant funds) of property acquired or improved with Community Development funds that is disposed of or transferred for use incongruent with CDBG, HOME or ESG regulations.
- (c) In the event of the COUNTY'S failure to qualify as an urban county, or a change in status of the MUNICIPALITY, any program income generated from the disposition or transfer of property shall be paid to the COUNTY.

SECTION 15. EFFECTIVE DATE

This Agreement shall take effect upon the execution of the Agreement by the parties.

SECTION 16. COUNTERPARTS

This Agreement may be executed in counterparts each of which shall be deemed an original.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officials.

ORANGE COUNTY, FLORIDA

BY: Board of County Commissioners

BY: _____
Teresa Jacobs
Orange County Mayor

Date: _____

ATTEST:

Martha O. Haynie, Orange County Comptroller
As Clerk of the Board of County Commissioners

BY: _____
Deputy Clerk

CITY OF WINTER PARK

BY: _____
Kenneth Bradley
Mayor, City of Winter Park

Date: _____

ATTEST:

By: _____

Title: _____

STATE OF FLORIDA
COUNTY OF ORANGE

The aforesaid instrument was acknowledged before me on the ____ day of ____ 2014 by Kenneth Bradley of the City of Winter Park on behalf of the City of Winter Park. He is personally known to me or has produced _____, as identification.

[NOTARY SEAL]

Signature of Notary Public

Commission Expires:

Printed name: _____



city commission agenda item

item type	Action Item Requiring Discussion	meeting date	August 11, 2014
prepared by	Dori Stone	approved by	<input checked="" type="checkbox"/> City Manager
department	Planning & Comm. Development		<input type="checkbox"/> City Attorney
division			<input type="checkbox"/> N/A
board approval		<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A	final vote
strategic objective	<input checked="" type="checkbox"/> Exceptional Quality of Life		<input type="checkbox"/> Fiscal Stewardship
	<input type="checkbox"/> Intelligent Growth & Development		<input type="checkbox"/> Public Health & Safety
	<input type="checkbox"/> Investment in Public Assets & Infrastructure		

subject

Refine visioning scope using assistance by an Urban Land Institute (ULI) Technical Assistance Panel (TAP)

motion | recommendation

Recommend authorization to work with ULI to create a ½ day session in early September to refine the visioning scope of services through Commission consensus

background

In November 2013, staff prepared a draft scope of services for a City Commission discussion regarding community visioning. At the June 23rd meeting, the City Commission directed staff to work on a revised scope as a means to move forward with a citywide visioning process.

During Commission discussion there were a number of items that each commissioner wanted to see in the scope. In an effort to create a scope of work that provides statistical data and that will include as many Winter Park residents in the process as possible, staff reached out to ULI to discuss other visioning efforts that have been successful throughout Florida. The key is defining a scope of services that will accomplish both the services needed and the outreach that is expected. Since this is one of the most significant community projects undertaken by the city, staff and ULI both agreed that it would be worthwhile to bring in outside experts who have participated in community visioning as a technical assistance panel. This would allow the Commission to hear from others about the best practices of visioning, and using their expertise create a scope of services that best meets the needs of Winter Park.

The current makeup of the panel under consideration may include:

- A representative from peer city
- A consultant who has worked on community-wide visioning processes
- A representative from a qualified survey consultant
- An academic expert on community visioning
- A regional business leader who has participated in community vision

This level of expertise should provide the Commission with a well-rounded approach to the visioning process and, working with this panel, create a scope of services that can answer the four primary visioning questions:

1. Where are we now?
2. Where are we going?
3. Where do we want to go?
4. How do we get there?

Staff is recommending that this panel convene the second week of September so that the city can move forward with its visioning process at the start of the new budget year. Staff would recommend that the Commission consider time during the second week of September for the panel to meet and work through the scope.

alternatives | other considerations

Staff would seek Commission consensus on a scope of services for a visioning consultant.

fiscal impact

ULI has estimated the cost of this to be \$10,000 or less. This would include any expenses by the panelists. Staff would use funds reserved for a TAP on Orlando Avenue to pay for this activity.



city commission agenda item

item type	Action Item Requiring Discussion	meeting date	August 11, 2014
prepared by department division	City Management 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		
strategic objective	<input type="checkbox"/> Exceptional Quality of Life <input type="checkbox"/> Intelligent Growth & Development <input checked="" type="checkbox"/> Investment in Public Assets & Infrastructure <input checked="" type="checkbox"/> Fiscal Stewardship <input type="checkbox"/> Public Health & Safety		

subject

Discussion of Commission recommendations on proposed FY 2015 Budget.

motion | recommendation

Review proposed budget changes and vote on ones the Commission want to see included in the budget ordinance scheduled for adoption in September.

background

The attached spreadsheet depicts the budget recommendations turned into City Management along with staff analysis on the impact, if any, for each recommendation. Matching colors were used to show budget recommendations about the same topic.

alternatives | other considerations

Depends on items approved.

fiscal impact

Depends on items approved.

City of Winter Park
2015 Proposed Budget
Combined Spreadsheet of Recommendations
August 11, 2014

Submitted by	Recommendation	Fund (if known)	Financial Impact Decrease/(Increase)	Operational Impact (to be completed by staff)
Suggestions				
Mayor Bradley	Reduce General Fund spending by \$ 500,000 to assure Revenues are more than expenses and to attain positive ending fund balance year over year. I would propose equally distributing the \$500K reduction across all departments proportionately to the department's total % of the General Fund.	General Fund	\$ (500,000)	Operationally I do not believe I can meet this goal without significant layoffs and some reduction in service. The operating budgets are very lean. My first recommendation would be to eliminate the Quiet Zone project instead but that would cost us the matching grant. Or I would eliminate other capital projects and the funding for DPAC.
Mayor Bradley	Reduce allocation for the Pineywood maintenance project and spend this over two budget years. Maintain better year end balance. Transfers to other fund (\$100K for 2014-2015 then add \$100K to 2015-2016).	Cemetery Trust Fund	\$ (100,000)	No operational impact. Would just delay the project one year.
Mayor Bradley	Set 2015 budget to actual 2014. Reduce City Attorney to \$220,000.	General Fund	\$ (25,000)	No problem doing this. If litigation or employee issues arise that cause an overage in this area we would have to do a budget adjustment. Which is one reason we budget a contingency.
Mayor Bradley	Decrease the % increase in Capital spending	Electric	\$ (239,400)	No operational impact. It would just delay some projects.
Mayor Bradley	Decrease the % increase in Capital spending to assure a constant fund	Water and Sewer	\$ (390,107)	No operational impact. It would just delay some projects.
Mayor Bradley	Fund at this amount: Mead Gardens \$75K, Historical Society \$60K, United Arts \$17K, DPAC \$100K. Gradually increase funding over next budget cycles.	General Fund, Water and Sewer, and Electric	\$ (74,000)	The \$74k would not be the actual savings because I did not propose we fund the full requests. I proposed we fund \$294,500 so this would be a savings of \$42,500.
Mayor Bradley	Complete Cady Way Pool improvements	Capital Projects Fund	\$ 125,000	We still have about \$150k of our match money set aside for the project awaiting the YMCA to raise its match.
Mayor Bradley	Hold on MLK park improvements until Cady Way Pool is complete	General Fund (\$50K), Designations Trust Fund (\$50K)	\$ (100,000)	No operational impact.
Commissioner MacMacken	Plant additional trees	Electric	\$ 100,000	
Commissioner MacMacken	Use additional \$100k of bond carry forward money for undergrounding to free up \$100 to spend on trees above	Electric	\$ (100,000)	Another option for funding this would be from the proceeds from selling forestry vehicles and equipment that is not needed now that we have completed the privatization. We are getting final estimates now but believe the proceeds will be in the \$90k range.
Commissioner MacMacken	Provide additional funding for Visioning Study	General Fund	\$ 50,000	Staff believes we will be able to set aside \$100k out of the current year budget toward the visioning. This extra \$50k may be needed depending on the scope determined by the commission.
Commissioner MacMacken	Reduce contingency	General Fund	\$ (50,000)	
Commissioner Sprinkel	Funding for Arts Board	General Fund	\$ 10,000	
Commissioner Sprinkel	Funding for heater at Cady Way Pool	Capital Projects Fund	\$ 60,000	We still have about \$150k of our match money set aside for the project awaiting the YMCA to raise its match.