



city commission agenda

Regular Meeting

October 10, 2016
3:30 p.m.
Commission Chambers

commissioners				mayor		commissioners			
seat 1	Gregory Seidel	seat 2	Sarah Sprinkel	Steve Leary		seat 3	Carolyn Cooper	seat 4	Pete Weldon

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 website at 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 Mark Rickman, Director of Fellowship of Christian Athletes of Central Florida Pledge of Allegiance

3 Approval of Agenda

4 Mayor's Report

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

- a. Business Recognition Award Recipient – Third Quarter 2016 – Chez Vincent

5 minutes

5 City Manager's Report

***Projected Time**
***Subject to change**
5 minutes

6	City Attorney's Report	*Projected Time *Subject to change
7	Non-Action Items	*Projected Time *Subject to change
	a. Financial Report – August 2016	10 minutes
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 *Subject to change
	a. Approve the minutes of September 26, 2016. b. Approve the following purchases and contracts: <ol style="list-style-type: none"> Blanket Purchase Order to South Seminole & North Orange County Wastewater for operational maintenance; \$839,627. Blanket Purchase Order to City of Altamonte Springs for wholesale sewer treatment; \$221,806. Blanket Purchase Order to City of Orlando for Asbury sanitary sewer; \$500,000. Blanket Purchase Order to City of Orlando for Iron Bridge sanitary sewer; \$2,640,000. Blanket Purchase Order to Air Liquide Industrial Company for liquid oxygen for water treatment facilities; \$160,000. Blanket Purchase Order to GATSO USA for red light safety enforcement; \$403,000. Contract with The Pizzuti Companies, RFP-13-2016, Owners Representative Services; \$535,000; and authorize Mayor to execute contract. Contract with Leidos Engineering, LLC, RFQ-15-2016, Distribution Engineering & Substation Consultant; and authorize Mayor to execute contract; amount as needed basis. Piggyback contract with City of Daytona Beach Contract No. 13-159 and blanket purchase order for mechanical sweeping services with USA Services, Inc.; and authorize Mayor to execute contract; \$205,247.64. Piggyback contract Pasco County Tax Collector Contract No. IFB-KB-16-109 with Owens, Renz & Lee Company, Inc. d/b/a Owens Realty Services for janitorial services; \$169,698. c. Cancel the December 26, 2016 Commission meeting due to the holiday.	5 minutes
10	Action Items Requiring Discussion	*Projected Time *Subject to change
	a. Settlement agreement between United States Department of Justice, the City of Winter Park, and Winter Park Scenic Boat Tour, Inc. regarding boat launch access	10 minutes

11	Public Hearings	*Projected Time *Subject to change
a.	<u>Request for acceptance of offer to purchase City property:</u> - Ordinance – Authorizing the conveyance of the City owned property located between 652 and 700 West Morse Boulevard (2)	5 minutes
b.	Resolution – Designating 1167 Lakeview Drive as a historic resource on the Winter Park Register of Historic Places	10 minutes
12	City Commission Reports	*Projected Time *Subject to change
a.	Commissioner Seidel	10 minutes total
b.	Commissioner Sprinkel	
c.	Commissioner Cooper	
d.	Commissioner Weldon	
e.	Mayor Leary	

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 October 10, 2016

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
Railroad crossing update	Four of Winter Park's street crossings are included in FDOT's CIP for installing concrete panels. Denning North is complete. Left are South Denning, Pennsylvania North and South.	Holt/Pennsylvania was completed October 3. The remaining crossing improvements are to be completed by August 2017.
Ward Park restrooms	Block work is underway with roof framing.	Both the soccer field restroom and the baseball field restroom should be completed by the end of October 2016.
Cady Way Pool	Notice to proceed has been given to the contractor on the pool heat. Anticipate pool heat operational in December. Currently evaluating upgrades to locker rooms including hot water and air conditioning. Cost estimates are not completed.	Pool heat expected to be completed in December.
Comprehensive Plan Update	Staff is updating the data, inventory and analysis for each element. Staff has scheduled a citywide transportation meeting to discuss the element and proposed policies.	Citywide Transportation Meeting is scheduled for October 19 th from 5:00 p.m. – 8:00 p.m. in the City Commission Chambers. The Plan update is due to the Department of Economic Opportunity by February 1, 2017. Schedule is available at www.cityofwinterpark.org/comp-plan

Once projects have been resolved, they will remain on the list for one additional meeting to share the resolution with the public and then be removed.

Financial Report

For the Month of August (92% of fiscal year lapsed) Fiscal Year 2016

General Fund

With only one month remaining in FY 2016 the following items are noteworthy:

1. Property tax revenues will be right on target with the budget projection.
2. The communications services tax continues to decline. Even though we budgeted \$132,000 less than the prior year, it is looking like we will be short of our FY 2016 projection by about \$225,000. Electric and water utility taxes will offset about \$120,000 of this shortfall.
3. Building permit revenues will exceed the annual budget by at least \$300,000.
4. Golf course revenues will be about \$250,000 below budget due to closure of the course mid-way through the fiscal year.
5. After a decrease in the prior year, red light traffic camera revenue is on track to be back at the fiscal 2014 level and will likely exceed the budget projection by \$250,000.
6. Miscellaneous revenue is largely made up of investment earnings which reflect market value swings in the City's investment portfolio. These values tend to bounce around quite a bit and it looks like this revenue source will be about \$65,000 below the budget projection. The City follows a buy and hold investment strategy in which the swings neither benefit nor harm the City as the Treasury and Agency securities invested in are paid off at par when the investment matures.
7. Electric franchise fee equivalent revenues from the City's electric utility will likely be about \$85,000 short of the budget estimate due to lower fuel costs.
8. There are several large uses of reserves planned for FY 2016. Budgeted uses are as follows:

Purchase of bowling alley property	\$1,900,000
Golf course renovation	\$1,200,000
Showalter Field improvements	\$180,000
Additional funding for track at Showalter Field	\$99,000
Additional funding for thicker cool play turf at Showalter Field	\$38,759
Application of building permit reserves to purchase of new computer system	\$133,284
FY 2015 purchase orders re-appropriated to FY 2016	\$384,243
Total planned uses of reserves	\$3,935,286

Overall, revenues appear to be very close to the annual projections with a positive variance in total. Departmental expenditures are also in line with budgetary projections in total.

Community Redevelopment Agency Fund

The CRA was credited with the annual tax increment revenue from both the City and County in December. The County portion is on the Intergovernmental revenue line item and the City portion is reflected in the Operating Transfers In.

Charges for services revenue is primarily associated with the ice rink.

Miscellaneous revenue includes the first of fourteen annual \$30,000 payments related to the Heritage Park property (formerly State Office Building).

Transfers out includes \$1,000,000 from CRA reserves for the purchase of the bowling alley property.

Water and Sewer Fund

The bottom line reflects a positive \$2,677,038 and debt service coverage is projected to be a strong 2.02 for the fiscal year.

Electric Services Fund

Electric kWh sales are projected to be ahead of forecast by about 3%.

Our fuel over-recovery for the eleven months ended August 31 is about \$400,000. Fuel cost recovery rates were reduced November 1 and again on February 1 in an effort to return some of that to the customers. Fuel costs will be adjusted downward effective October 1 in an effort to return approximately \$150,000 over the October to December time frame. Rates will likely be adjusted again January 1, 2017 to adopt annual rates.

The bottom line with only one month remaining in the fiscal year is a positive \$382,327. The cash balance at the end of August is a positive \$162,861. We are projecting cash to be about \$500,000 at fiscal year end which will be a very nice improvement from the deficit of (\$916,075) in the prior year.

Debt service coverage is forecast at 2.36.

The City of Winter Park, Florida
Monthly Financial Report - Budget vs. Actual
General Fund
Fiscal YTD August 31, 2016 and 2015
92% of the Fiscal Year Lapsed

	Fiscal YTD August 31, 2016						Fiscal YTD August 31, 2015				
	Actual		Budget				Actual		Budget		
	YTD	YTD %	Original Annual	Adjusted Annual *	Prorated Adj. Annual	Variance from Prorated Adj. Annual	YTD	Adjusted Annual	Prorated Adj. Annual	Variance from Prorated Adj. Annual	
Revenues:											
Property Tax	\$ 17,906,321	109%	\$ 17,927,507	\$ 17,927,507	\$ 16,433,548	\$ 1,472,773	\$ 16,543,371	\$ 16,489,478	\$ 15,115,355	\$ 1,428,016	
Franchise Fees	1,110,214	102%	1,181,603	1,181,603	1,083,136	27,078	1,063,407	1,122,850	1,029,279	34,128	
Utility Taxes	5,979,583	98%	6,680,726	6,680,726	6,123,999	(144,416)	5,965,531	6,728,400	6,167,700	(202,169)	
Business Taxes	484,170	107%	494,975	494,975	453,727	30,443	495,718	481,500	441,375	54,343	
Building Permits	2,294,983	131%	1,918,000	1,918,000	1,758,167	536,816	1,702,260	1,988,000	1,822,333	(120,073)	
Other Licenses & Permits	37,655	164%	25,000	25,000	22,917	14,738	22,796	24,000	22,000	796	
Intergovernmental	6,677,355	102%	7,145,937	7,145,937	6,550,442	126,913	6,345,600	6,758,307	6,195,115	150,485	
Charges for Services	5,179,511	101%	5,604,608	5,604,608	5,137,557	41,954	5,112,072	5,396,450	4,946,746	165,326	
Fines and Forfeitures	1,150,358	134%	937,797	937,797	859,647	290,711	897,776	1,300,100	1,191,758	(293,982)	
Miscellaneous	565,081	87%	710,700	710,700	651,475	(86,394)	1,349,695	621,700	569,892	779,803	
Fund Balance	-	-	1,513,284	3,935,286	3,607,346	(3,607,346)	-	2,173,350	1,992,238	(1,992,238)	
Total Revenues	41,385,231	97%	44,140,137	46,562,139	42,681,961	(1,296,730)	39,498,226	43,084,135	39,493,791	4,435	
Expenditures:											
City Commission	22,229	92%	26,432	26,432	24,229	2,000	20,568	22,927	21,016	448	
Legal Services - City Attorney	231,712	84%	301,000	301,000	275,917	44,205	205,303	435,297	399,022	193,719	
Legal Services - Other	39,789	72%	60,000	60,000	55,000	15,211	76,867	10,042	9,205	(67,662)	
Lobbyists	83,500	77%	118,000	118,000	108,167	24,667	73,340	13,661	12,523	(60,817)	
City Management	516,714	96%	585,051	585,051	536,297	19,583	504,691	562,255	515,400	10,709	
Budget and Performance Measurement	135,231	0%	160,998	160,998	147,582	12,351	134,768	141,514	129,721	(5,047)	
City Clerk	122,393	73%	182,470	182,470	167,264	44,871	178,918	214,407	196,540	17,622	
Communications Dept.	448,923	88%	551,944	558,409	511,875	62,952	449,163	548,406	502,706	53,543	
Information Technology Services	1,114,783	87%	1,405,288	1,405,288	1,288,181	173,398	1,088,236	1,234,967	1,132,053	43,817	
Finance	753,421	93%	886,496	886,496	812,621	59,200	765,941	865,294	793,186	27,245	
Human Resources	293,629	96%	332,059	332,059	304,387	10,758	295,314	341,130	312,703	17,389	
Purchasing	192,757	75%	279,527	279,527	256,233	63,476	170,507	269,479	247,022	76,515	
Planning & Community Development	726,254	87%	769,373	911,522	835,562	109,308	744,350	847,209	776,608	32,258	
Building	1,069,421	96%	1,212,538	1,212,538	1,111,493	42,072	1,014,331	1,126,927	1,033,016	18,685	
Economic Development	22,373	-	-	-	-	(22,373)	9,731	-	-	(9,731)	
Public Works	6,425,389	97%	7,042,811	7,262,207	6,657,023	231,634	6,111,374	6,882,529	6,308,985	197,611	
Police	11,260,385	92%	13,385,918	13,388,511	12,272,802	1,012,417	11,510,605	13,421,633	12,303,164	792,559	
Fire	10,654,033	98%	11,814,541	11,828,181	10,842,499	188,466	10,372,601	11,185,044	10,252,957	(119,644)	
Parks & Recreation	6,295,478	94%	7,315,293	7,315,293	6,705,685	410,207	6,301,641	6,935,157	6,357,227	55,586	
Organizational Support	1,423,872	109%	1,422,472	1,422,472	1,303,933	(119,939)	1,394,580	1,394,580	1,278,365	(116,215)	
Non-Departmental	-	-	255,000	255,000	233,750	233,750	-	190,000	174,167	174,167	
Total Expenditures	41,832,286	94%	48,107,211	48,491,454	44,450,500	2,618,214	41,422,829	46,642,458	42,755,586	1,332,757	
Revenues Over/(Under) Expenditures	(447,055)	25%	(3,967,074)	(1,929,315)	(1,768,539)	1,321,484	(1,924,603)	(3,558,323)	(3,261,795)	1,337,192	
Operating transfers in	8,023,662	99%	8,871,531	8,871,531	8,132,237	(108,575)	7,782,848	8,532,487	7,821,446	(38,598)	
Operating transfers out	(6,595,258)	104%	(4,904,457)	(6,942,216)	(6,363,697)	(231,561)	(4,571,025)	(5,128,532)	(4,701,154)	130,129	
Other Financing Sources/(Uses)	1,428,404	81%	3,967,074	1,929,315	1,768,540	(340,136)	3,211,823	3,403,955	3,120,292	91,531	
Total Revenues Over Expenditures	\$ 981,349		\$ -	\$ -	\$ 1	\$ 981,348	\$ 1,287,220	\$ (154,368)	\$ (141,503)	\$ 1,428,723	

* As adjusted through August 31, 2016

The City of Winter Park, Florida
Monthly Financial Report - Budget vs. Actual
Community Redevelopment Fund
Fiscal YTD August 31, 2016 and 2015
92% of the Fiscal Year Lapsed

	Fiscal YTD August 31, 2016						Fiscal YTD August 31, 2015				
	Actual		Budget				Actual	Budget			
	YTD	YTD %	Original Annual	Adjusted Annual *	Prorated Adj. Annual	Variance from Prorated Adj. Annual	YTD	Adjusted Annual	Prorated Adj. Annual	Variance from Prorated Adj. Annual	
Revenues:											
Intergovernmental	\$ 1,550,967	112%	\$ 1,506,764	\$ 1,506,764	\$ 1,381,200	\$ 169,767	\$ 1,243,644	1,257,232	\$ 1,152,463	\$ 91,181	
Charges for services	161,985	79%	225,000	225,000	206,250	(44,265)	183,327	225,000	206,250	(22,923)	
Miscellaneous	71,982	131%	60,000	60,000	55,000	16,982	55,008	76,000	69,667	(14,659)	
Fund Balance	-	0%	806,257	1,956,568	1,793,521	(1,793,521)	-	987,713	905,404	(905,404)	
Total Revenues	1,784,934	52%	2,598,021	3,748,332	3,435,971	(1,651,037)	1,481,979	2,545,945	2,333,784	(851,805)	
Expenditures:											
Planning and Development	846,466	116%	1,630,823	794,897	728,656	(117,810)	856,491	1,233,501	1,130,709	274,218	
Capital Projects	58,061	0%	806,257	1,792,494	1,643,120	1,585,059	-	663,662	608,357	608,357	
Debt service	1,494,054	109%	1,494,053	1,494,053	1,369,549	(124,505)	1,498,378	1,498,378	1,373,513	(124,865)	
Total Expenditures	2,398,581	64%	3,931,133	4,081,444	3,741,324	1,342,743	2,354,869	3,395,541	3,112,579	757,710	
Revenues Over/(Under)											
Expenditures	(613,647)	201%	(1,333,112)	(333,112)	(305,353)	(308,295)	(872,890)	(849,596)	(778,795)	(94,095)	
Operating transfers in	1,435,305	113%	1,390,428	1,390,428	1,274,559	(160,746)	1,147,624	1,160,162	1,063,482	(84,142)	
Operating transfers out	(1,052,540)	109%	(57,316)	(1,057,316)	(969,206)	83,334	(45,740)	(49,898)	(45,740)	-	
Other Financing Sources/(Uses)	382,765	0%	1,333,112	333,112	305,353	77,412	1,101,884	1,110,264	1,017,742	84,142	
Total Revenues Over/(Under)											
Expenditures	\$ (230,882)		\$ -	\$ -	\$ -	\$ (230,882)	\$ 228,994	260,668	\$ 238,947	\$ (9,953)	

* As adjusted through August 31, 2016

WINTER PARK WATER AND WASTEWATER METRICS
August 31, 2016

	FY 2016 YTD				FY 2015	
				Projected		
	FY 2016 YTD	FY 2016 Annualized	FY 2016 Budget	Variance from Budget	FY 2015 YTD	FY 2015 in Total
Operating Performance:						
Water and Irrigation Sales (thousands of gallons)						
Sewer - inside city limits	920,824	1,004,662	975,866	28,796	887,557	968,105
Sewer - outside city limits	741,610	808,773	866,331	(57,558)	786,500	859,202
Water - inside city limits	1,403,193	1,529,019	1,423,463	105,556	1,305,403	1,420,561
Irrigation - Inside City	523,420	570,150	550,217	19,933	509,145	553,164
Water - outside city limits	1,096,496	1,193,150	1,216,104	(22,954)	1,113,570	1,214,394
Irrigation - Outside City	103,372	112,282	108,773	3,509	101,696	111,009
Total	4,788,915	5,218,035	5,140,754	77,281	4,703,871	5,126,433
=====						
Operating revenues:						
Sewer - inside city limits	\$ 5,824,775	\$ 6,354,300	\$ 6,061,843	\$ 292,457	5,468,788	5,937,909
Sewer - outside city limits	6,192,430	6,755,378	6,658,009	97,369	5,935,213	6,452,195
Water - inside city limits	8,014,420	8,743,004	8,471,951	271,053	7,882,009	8,533,847
Water - outside city limits	5,125,204	5,591,132	5,743,337	(152,205)	5,344,872	5,808,230
Other operating revenues	1,338,949	1,460,672	1,295,668	165,004	1,257,511	1,413,555
Total operating revenues	26,495,778	28,904,485	28,230,808	673,677	25,888,393	28,145,736
Operating expenses:						
General and adminstration	1,550,578	1,691,540	2,049,203	357,663	1,472,708	1,686,928
Operations	9,675,255	11,610,306	12,168,286	557,980	10,119,600	11,442,338
Labor costs capitalized	522,981	570,525	570,525	-	447,805	492,904
Wastewater treatment by other agencies	3,767,619	4,110,130	3,958,280	(151,850)	3,336,557	3,751,047
Total operating expenses	15,516,433	17,982,501	18,746,294	763,793	15,376,670	17,373,217

WINTER PARK WATER AND WASTEWATER METRICS
August 31, 2016

	FY 2016 YTD			FY 2015	
			Projected		
	FY 2016 YTD	FY 2016 Annualized	FY 2016 Budget	Variance from Budget	FY 2015 YTD
					FY 2015 in Total
Net Operating income	10,979,345	10,921,984	9,484,514	1,437,470	10,511,723
					10,772,519
Other sources (uses):					
Investment earnings	419,995	458,176	198,700	259,476	330,834
Miscellaneous revenue	8,340	8,340	5,000	3,340	72,722
Transfer to Renewal and Replacement Fund	(1,533,310)	(1,672,702)	(1,672,701)	(1)	(1,510,607)
Transfer to General Fund	(1,644,779)	(1,794,304)	(2,193,038)	398,734	(1,912,992)
Transfer for Organizational Support	(50,179)	(54,741)	(66,905)	12,164	(55,776)
Transfer to Capital Projects Fund	(71,250)	(77,727)	(95,000)	17,273	(516,040)
Debt service sinking fund deposits	(5,431,124)	(5,924,930)	(5,827,930)	(97,000)	(5,428,008)
					(5,922,530)
Total other sources (uses)	(8,302,307)	(9,057,887)	(9,651,874)	593,987	(9,019,867)
					(9,789,717)
Net increase (decrease) in funds	\$ 2,677,038	\$ 1,864,097	\$ (167,360)	\$ 2,031,457	1,491,856
					982,802
Debt service coverage		2.02			2.02

WINTER PARK ELECTRIC UTILITY METRICS

August 31, 2016

	<u>FY'16</u> <u>YTD</u>	<u>FY'16</u> <u>Annualized</u>	<u>FY'16</u> <u>Budget</u>	Variance from <u>Budget</u>	<u>FY'15</u>
<u>Technical Performance</u>					
Net Sales (kWh)	394,981,116	439,698,448	426,504,060	13,194,388	428,482,496
Average Revenue/kWh	0.1060	0.1052			0.1093
Wholesale Power Purchased (kWh)	410,024,127	452,465,379	448,951,642	3,513,737	447,757,800
Wholesale Power Cost/kWh	(0.0505)	(0.0505)			(0.0522)
Gross margin	0.1564	0.1557			0.1615
Sold vs. Purchased kWh Ratio	96.33%	97.18%	95.00%		95.70%
 <u>Revenues and Expenses Directly Related to</u> <u>Sales of Electricity:</u>					
Electric Sales:					
Fuel	13,182,483	14,331,496	15,197,553	(866,057)	16,112,377
Non-Fuel	28,678,051	31,924,804	31,105,642	819,162	30,719,848
Purchased Power :					
Fuel	(12,760,652)	(14,081,496)	(15,197,553)	1,116,057	(15,003,619)
Non-Fuel	(7,931,604)	(8,752,598)	(8,348,952)	(403,646)	(8,381,995)
Transmission Power Cost	(2,922,711)	(3,188,412)	(3,345,582)	157,170	(3,254,741)
Net Revenue from Sales of Electricity	18,245,567	20,233,794	19,411,108	822,686	20,191,870
 <u>Other Operating Income (Expenses):</u>					
Other Operating Revenues	234,892	256,246	357,000	(100,754)	466,831
General and Administrative Expenses	(1,382,828)	(1,508,540)	(1,176,351)	(332,189)	(1,217,200)
Operating Expenses	(6,695,367)	(7,304,037)	(6,876,749)	(427,288)	(6,740,317)
Total Other Operating Income (Expenses)	(7,843,303)	(8,556,331)	(7,696,100)	(860,231)	(7,490,686)
Net Operating Income	10,402,264	11,677,463	11,715,008	(37,545)	12,701,184

WINTER PARK ELECTRIC UTILITY METRICS

August 31, 2016

	<u>FY'16</u>	<u>FY'16</u>	<u>FY'16</u>	Variance	
	<u>YTD</u>	<u>Annualized</u>	<u>Budget</u>	<u>from</u>	<u>FY'15</u>
				<u>Budget</u>	
Nonoperating Revenues (Expenses):					
State Funding for Fairbanks Distribution Lines	-		3,077,000	(3,077,000)	-
Undergrounding Fairbanks Distribution Lines	(4,050)	(4,050)	(3,077,000)	3,072,950	-
Investment Earnings	3,414	3,724	41,950	(38,226)	53,483
Principal on Debt	(1,897,500)	(2,070,000)	(2,070,000)	-	(1,735,000)
Interest on Debt	(2,635,008)	(2,874,554)	(2,858,204)	(16,350)	(3,317,845)
Miscellaneous Revenue	22,612	22,612	-	22,612	220,733
Proceeds from Sale of Assets	30,209	32,955	-	32,955	55,717
Routine Capital	(1,606,249)	(1,752,272)	(864,188)	(888,084)	(2,017,352)
Undergrounding of Power Lines	(2,359,302)	(2,573,784)	(3,500,000)	926,216	(4,473,252)
Contributions in Aid of Construction	857,239	935,170	-	935,170	579,798
Residential Underground Conversions	94,381	102,961	16,000	86,961	17,200
Capital Contributions for Plug-In Program	52,095	56,831	-	56,831	35,131
Total Nonoperating Revenues (Expenses)	(7,442,159)	(8,120,406)	(9,234,442)	1,114,036	(10,581,387)
Income Before Operating Transfers	2,960,105	3,557,057	2,480,566	1,076,491	2,119,797
Operating Transfers Out:					
Transfers to General Fund	(2,310,509)	(2,572,091)	(2,639,000)	66,909	(2,582,126)
Tranfers for organizational support	(107,062)	(116,795)	(116,795)	-	(109,604)
Tranfers to capital projects	(160,207)	(174,771)	(174,771)	-	(1,187,271)
Total Operating Transfers	(2,577,778)	(2,863,657)	(2,930,566)	66,909	(3,879,001)
Net Change in Working Capital	382,327	693,400	(450,000)	1,143,400	(1,759,204)

WINTER PARK ELECTRIC UTILITY METRICS

August 31, 2016

	<u>FY'16</u>	<u>FY'16</u>	<u>FY'16</u>	<u>Variance</u>	<u>FY'15</u>
	<u>YTD</u>	<u>Annualized</u>	<u>Budget</u>	<u>from</u>	
				<u>Budget</u>	
<u>Other Financial Parameters</u>					
Debt Service Coverage		2.36			2.87
Fixed Rate Bonds Outstanding	67,010,000				69,065,000
Auction Rate Bonds Outstanding	1,205,000				1,220,000
Total Bonds Outstanding	68,215,000				70,285,000
Principal Retired	2,070,000				1,735,000
Balance Owed on Advance from General Fund	-				-
Cash Balance	162,861				(916,075)
Current year change in cash balance	1,078,936				
<u>Fuel Cost Stabilization Fund Balance:</u>					
Beginning Balance	1,687,784				
Fuel Revenues	13,145,736				
Fuel Expenses	(12,760,652)				
Ending Balance	<u>2,072,868</u>				
Current year change in fuel stabilization fund	385,084				

Notes

Fiscal Years run from October to September; FY'16 is 10/1/15 to 9/30/16

REGULAR MEETING OF THE CITY COMMISSION
September 26, 2016

The meeting of the Winter Park City Commission was called to order by Mayor Steve Leary, at 3:35 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Orangewood Christian School, 3rd Grade Enrichment Class, followed by the Pledge of Allegiance.

Members present:

Mayor Steve Leary
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper (via telephone)
Commissioner Pete Weldon

Also present:

City Manager Randy Knight
City Clerk Cynthia Bonham
City Attorney Kurt Ardaman

Approval of the agenda

Motion made by Commissioner Sprinkel to approve the agenda; seconded by Commissioner Weldon and carried unanimously with a 5-0 vote.

Mayor's Report

a. Presentation – Fire Department accreditation

Fire Chief Jim White presented Mayor Leary with the award of accreditation plaque. This was the fourth time since 2001 and every five years subsequent to that where the Fire Department has received this accreditation. He addressed the site visit that occurred this summer and the department review. Chief White recognized Accreditation Manager Lt. Dan Hagedorn for his work and the other fire department employees who were instrumental in this accreditation.

Adjourn Commission Meeting and convene as the CRA Agency:

The Commission meeting adjourned to convene as the CRA Agency to consider the item concerning SunRail's "Get On Board" support request for Saturday operations between October 1, 2016 through February 4, 2017. Upon completion, the CRA Agency adjourned and the Commission meeting reconvened.

City Manager's Report

City Manager Knight reminded the Commission of the Board appreciation event on Thursday, the grand reopening of the golf course on Saturday with the tournament to follow, and the National Night Out at the Public Safety Building on October 4.

Mayor Leary addressed the letter received from OCPS signed by all Board members thanking City Manager Knight and Communications Director Clarissa Howard for their efforts in helping them with their strategic planning.

City Attorney's Report

City Attorney Ardaman addressed the bond validation lawsuit and the motions filed as of this time by the State Attorney that they will respond to. He also spoke about the Commission decision upholding the City Clerk's determination with respect to the filing of the Petitioner's Committee Writ of Certiorari (lawsuit) to ask that a three judge panel review the City Commission's decision. He also spoke about the drone ordinance that is still in process that will be brought before the Commission at a later time.

Non-Action Item

a. Presentation – GIS system

City consultant Keith Gerhardt provided a PowerPoint presentation summarizing the GIS system and answered questions of the Commission. In conclusion, Mr. Gerhardt stated he would be happy to set up individual meetings with everyone to demonstrate the system.

Consent Agenda

- a. Approve the minutes of September 12, 2016.
- b. Approve the following purchasing contracts:
 - 1. Renewal with Aetna for medical insurance, RFP-6-2007; and authorize the Mayor to execute the contract; \$860,096.
 - 2. Renewal with MetLife for Group PPO dental benefits, RFP-19-2008; and authorize the Mayor to execute the contract; \$377,676.
 - 3. Contract renewal and subsequent purchase order with Cigna Group Insurance, RFP-19-2008 Group Term Life; AD&D; Voluntary Term Life for Employee, Spouse and Children; Long Term Disability; and Voluntary Short Term Disability; and authorize the Mayor to execute the renewal package documents; \$162,283.
- c. Authorize the City Manager, in consultation with the City Attorney, as needed, to sign purchase orders for payment of HIDTA personnel and operations, subject to the condition that the HIDTA grant funds will be the sole source of money to pay these obligations.
- d. Appoint Abby Gulden, Sustainability/Permitting Coordinator as the alternate to SSNOCWTA to replace Jeff Briggs.

Motion made by Commissioner Sprinkel to approve the Consent Agenda; seconded by Commissioner Weldon and carried unanimously with a 5-0 vote. No public comments were made.

Action Items Requiring Discussion

No action items.

Public Hearings:

- a. ORDINANCE NO. 3047-16: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING ARTICLE I OF CHAPTER 18 OF THE CITY CODE RELATING TO ANIMALS IN CITY PARKS; TO PROHIBIT THE FEEDING OF FERAL CATS IN MEAD BOTANICAL GARDEN, CORRECTING THE FLEET PEEPLES PARK NAME TO LAKE BALDWIN PARK, PROHIBITING THE ADANDONING OF PETS IN CITY PARKS, PROVIDING FOR FINES FOR VIOLATIONS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE Second Reading

Attorney Ardaman read the ordinance by title.

Deltona Commissioner Heidi Herzberg (also runs the City's cat program) spoke in opposition to the ordinance. She provided information as to what has been successful in Deltona. She commended the Commission on addressing the abandoning of animals and spoke about the issues they have had. She spoke about people wanting to feed the animals but will not neuter/spay them. She stated their feeding ban did not work for the last 20 years because people would find a way to get around the feeding ban by feeding late at night.

Commissioner Herzberg addressed their one year pilot program in place, "Trap, Neuter, Release Program" through a grant received through the Humane Society through PetSmart Charities that has reduced their intake. She stated they are trying to work with the community with holding meetings with the feeders. She spoke about the 46 acres in Mead Gardens and the difficulties with enforcing the ordinance because of the large park. She addressed the cruelty/abandonment statutes that she provided for the Commission. She offered to hold a workshop here in Winter Park for the feeders to go ahead and try to get a control as to what is going on at the park or other areas because you want to have best practices, be on the same page and do not want a population to get out of control.

Carol Reynolds, 1083 Vanderbilt Drive, Eustis (used to live on Granville Drive, Winter Park) spoke in opposition to the ordinance and addressed Mt. Dora's cat problem that was solved in 3-4 weeks. She spoke about the difference between feral cats and cats being dropped off that only have about a month to live without food. She spoke about it being inhumane to the cats dropped off that were used to being sheltered and fed. Mayor Leary stated that staff will review Mt. Dora's program.

Commissioner Seidel stated it sounds reasonable to look at a transition plan as opposed to closing the door so that some of the things heard this evening does not happen.

Commissioner Weldon stated he is interested in finding a longer term solution. He spoke about being troubled the last time to vote yes but is prepared to vote on this because in large part he is doing it to assist the staff because it is their wish that we try this and that we approve it with the understanding that at the end of March staff

will provide a report back as to their experience and reconsider it. Commissioner Cooper commented that she did not consider feral versus dropped off cats and that she is happy that Commissioner Herzberg is willing to come and do workshops with our feeders. She asked if this is adopted that a sunset be put on the law of one year so that legislation is not being created forever if it is not the answer.

Parks Director John Holland addressed the large amount of information they have received including from Bill Gaskin regarding the Care Feline Trap Neuter and Release Program. He contacted him who is willing to assist the City with performing the program in our parks that goes hand in hand with not feeding the cats. He stated they will provide a report in March and hope to stop the devastation of the birds and wildlife in Mead Gardens. He spoke about the feeders being belligerent when told that they can no longer feed the cats. He stated he does not want to starve the cats out but that this step has been recommended to do and want to see what happens.

Commissioner Sprinkel spoke about the Trap Neuter Release Program we tried before that did not solve our problem by itself which is why she wanted to try this but did not want to give up that program. She addressed the need to educate more people on this.

Motion made by Commissioner Sprinkel to adopt the ordinance; seconded by Mayor Leary (with the understanding that Commissioner Weldon is willing to proceed on the basis of review at the end of March and at that time depending on the results of the 6 month period they may remove the fine for feeding or not.). Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

- b. ORDINANCE NO. 3048-16: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 74, PERSONNEL, ARTICLE V, RETIREMENT AND PENSION PLANS, DIVISION 4, POLICE OFFICERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK; AMENDING SECTION 74-202, MEMBERSHIP; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE Second Reading

Attorney Ardaman read the ordinance by title.

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

- c. Request of Osprey Custom Homes, Inc.: Conditional use approval to redevelop the vacant 0.93 acre property at the northeast corner of Michigan and Schultz Avenues with a new development of 12 two-story townhouses

Planning Manager Jeff Briggs summarized the location and size of the project known as Park Shore Townhomes. He stated this project meets all the R-3 code requirements with one exception of a location of one visitor parking spot. He added that it received a positive recommendation by the Planning and Zoning Board.

Attorney Becky Wilson, representing the applicant, addressed the 2014 approvals of the rezoning and comprehensive plan amendment of this property and the binding development agreement that they are in compliance with where they limited the height to 35 feet (proposing today is 30 feet), limited the height to two stories, agreed to a maximum of 12 units and that the square footage of the building would be a maximum of 36,000 square feet (proposing 28,520 square feet). She addressed the architectural style, the site plan, the variance for the one visitor parking space and other spaces, their proposal to build six on-street parking spaces in the right-of-way, and the addition of street right-of-way trees that do not currently exist. She requested approval of their request.

Commissioner Cooper inquired about the width of the parking spaces. Mr. Briggs stated 20' works and are striped at that. Upon questioning, Mr. Briggs spoke about a comprehensive plan change for future consideration regarding the size and scale of R-3 development when the project is located on the edge and adjacent to R-2 neighborhoods with typically much smaller building sizes to insure design compatibility. She spoke about the development agreement in 2014 in place that she was unsure of so she will have to vote for this project because of that whether she agrees or not.

Upon questioning by Commissioner Seidel regarding the water flow and where it drains, Civil Engineer for the project Steve Allen addressed this item. Mr. Briggs stated it flows to the retention area on Minnesota. Commissioner Seidel spoke about his preference not to see retention holes filling the greenspace between the sidewalk and homes and wanted to see more modern techniques to treat the stormwater. Ms. Wilson stated they looked at an exfiltration system but that the problem is the water table and they would have to elevate the site by 2 feet which they believed would not be attractive coming into the neighborhood.

Upon questioning by Commissioner Cooper, Mr. Briggs stated staff is still supportive of the policy that says from Shultz going to the west it will remain Low Density Residential.

Motion made by Commissioner Sprinkel to approve the conditional use request; seconded by Commissioner Weldon. No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

Public Comments (items not on the agenda)

No public comments were made.

d. Request for acceptance of offer to purchase City property:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE CONVEYANCE OF THE CITY OWNED PROPERTY LOCATED BETWEEN 652 AND 700 WEST MORSE BOULEVARD PURSUANT TO THE PROPOSAL APPROVED BY THE CITY COMMISSION ON SEPTEMBER 26, 2016, SUBJECT TO RESERVATION OF DEVELOPMENT RIGHTS AND DEED RESTRICTIONS; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE. First Reading

Attorney Ardaman read the ordinance by title. Planning Manager Jeff Briggs spoke about the townhouse project at 652 Morse and the City's park directly to the west with the pavilion on Morse and also a pathway to the back since the redesign of the Community Center as a path to nowhere. He spoke about the Notice of Disposal and that they received an offer for \$100,000 for the property. He stated the property is remaining zoned Parks and Recreation and selling it with a deed restriction that is cannot be used for anything but open space and cannot use the land area to build bigger buildings off-site on adjacent properties.

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

Motion amended by Commissioner Cooper that we place the revenues in the Parks Acquisition Fund; seconded by Commissioner Seidel. Commissioner Weldon addressed the several properties for sale and his preference to make determinations at that time as to how to allocate the funds. He also talked about the restrictions on the parks funds which is for acquisition only, not for improvement of property and that some should be dedicated to improvements.

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

No public comments were made. **Upon a roll call vote on the main motion to accept the ordinance on first reading, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

e. Fee Schedule effective October 1, 2016.

Finance Director Wes Hamil presented the fee schedule. Commissioner Cooper expressed her preference to keep the fees down for children-related activities.

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

- f. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING SECTION 42-1 OF THE CITY CODE AS TO THE DEFINITION OF "QUALIFICATION DEADLINE"; PROVIDING FOR AN EARLIER QUALIFICATION DEADLINE AND QUALIFICATION PERIOD FOR CITY ELECTIONS; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE First Reading

Attorney Ardaman read the ordinance by title. City Manager Knight commented that this is a staff driven ordinance because under the current schedule with the qualifying period being 35 days ahead of the primary date it often falls in the week between Christmas and New Year's. He spoke about the state statute where ballots are to be sent out 45 days prior to the primary date to military overseas voters. If we have a primary, this state statute cannot be met. He spoke about the possibility of a referendum eliminating the primary election and going with a runoff system as with all other cities in the county.

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

Commissioner Weldon spoke about not having an understanding as to any possible impact this may have yet and would rather fix the Charter first. Commissioner Cooper agreed to pursue a Charter amendment to eliminate the primary. Commissioner Seidel spoke about this affecting the length of the campaign season. Mayor Leary and Commissioner Sprinkel spoke about the need to support staff (even though she is impacted this year) but asked that it be effective after this year.

No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioner Sprinkel voted yes. Commissioners Seidel, Cooper and Weldon voted no. The motion failed with a 3-2 vote.**

Millage/Budget Public Hearings

- a. ORDINANCE NO. 3049-16: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING A 4.0923 MILL AD VALOREM TAX LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE GENERAL OPERATING EXPENSES OF THE CITY, AND A 0.1715 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2011 Second Reading
- b. ORDINANCE NO. 3050-16: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN; APPROPRIATING FUNDS FOR THE GENERAL FUND, DESIGNATIONS TRUST FUND, STORMWATER UTILITY FUND, COMMUNITY REDEVELOPMENT FUND, FEDERAL FORFEITURE FUND, POLICE GRANT FUND, DEBT SERVICE FUND, WATER AND SEWER FUND, ELECTRIC UTILITY FUND, FLEET MAINTENANCE FUND, EQUIPMENT REPLACEMENT FUND, EMPLOYEE INSURANCE FUND, GENERAL INSURANCE FUND, CEMETERY TRUST FUND, GENERAL CAPITAL PROJECTS FUND AND STORMWATER CAPITAL PROJECTS FUND; PROVIDING FOR

MODIFICATIONS; PROVIDING FOR AMENDMENTS TO SAID ANNUAL BUDGET TO CARRY FORWARD THE FUNDING OF PURCHASE ORDERS OUTSTANDING AND UNSPENT PROJECT BUDGETS AS OF SEPTEMBER 30, 2016; AND AUTHORIZING TRANSFER OF FUNDS HEREIN APPROPRIATED BETWEEN DEPARTMENTS SO LONG AS THE TOTAL FUND APPROPRIATIONS SHALL NOT BE INCREASED THEREBY Second Reading

Mayor Leary made the following opening comments:

"The millage rate needed for Fiscal Year 2017 to generate the same property tax revenue for the City as in 2016, based on the Property Appraiser's certification, is 3.9239 mills.

The budget proposed by the staff with amendments generally agreed to by the City Commission requires a millage of 4.0923 mills which has been the rate levied by the city for the last eight years. The proposed millage of 4.0923 mills would represent an increase in property taxes, not counting new construction and the City's dedicated increment value payment to the Community Redevelopment Agency of 4.29%. This increase in property taxes levied over the prior year is not due to any change in tax rate but is due to the increase in assessed values of properties.

In addition, a 0.1715 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 2011 approved by the citizens of Winter Park at the May 16, 2000 bond referendum."

This hearing was a simultaneous public hearing on both ordinances. Attorney Ardaman read both ordinances by title.

Motion made by Commissioner Sprinkel to adopt the millage ordinance; seconded by Commissioner Seidel. No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Cooper voted yes. Commissioner Weldon voted no. The motion carried with a 4-1 vote.** Commissioner Weldon asked that his comments from the first reading to reduce the millage rate be attached to these minutes as well.

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

City Commission Reports:

a. Commissioner Seidel – Addressed his appreciation for the GIS presentation. He spoke about the four pillars from the last meeting conversation and if anything is happening with that. City Manager Knight commented it will be part of the agenda title sheets and are working on that. Commissioner Seidel spoke about the electric plan and his preference to come forward with a more definitive plan moving

forward. He stated he is not asking for this at this time but to keep this in mind so maybe this can be accomplished sooner.

b. Commissioner Sprinkel – Spoke about the library fundraiser and wonderful evening, attended Mead Gardens Clyde Butcher presentation, the upcoming Art Festival, and thanked City Manager Knight for helping out with a family in need. She asked if an alternate to serve on the Community Action Board could be appointed in her absence, if they could consider doing something to focus on families, and if Joie Cadle (OCPS) could provide an update to the Commission regarding how the schools are doing in our community. She also asked about the turf for Showalter and if it will be ready for the football games. City Manager Knight stated it will be ready for the games.

c. Commissioner Cooper – Thanked the Commission for accommodating her this evening. She mentioned the program at Rollins College this week (Greenspace Foundation with part of the Global Peace Film Festival) that was very enjoyable.

d. Commissioner Weldon – Thanked staff for a great job throughout the year.

e. Mayor Leary – Spoke about the library fundraiser event he attended that was well done and the re-opening of the golf course event on Saturday. He thanked Vice Mayor Sprinkel for attending events on his behalf that he cannot attend.

The meeting adjourned at 6:02 p.m.

Mayor Steve Leary

ATTEST:

City Clerk Cynthia S. Bonham, MMC

**Impact of Lowing the 2016-17 Millage Rate
(Source: City Staff)**

MILLAGE THRESHOLDS	RATE	GROSS TAX REV	CH FROM CURRENT PROPOSED	FINAL EST. PROPERTY TAX REV	CH FROM CURRENT
CURRENT MILLAGE	4.0923	20,067,681	-	19,441,569	-
RATE 1	4.08	20,007,365	(60,316)	19,383,135	(58,434)
RATE 2	4.07	19,958,327	(109,354)	19,335,627	(105,942)
RATE 3	4.06	19,909,289	(158,392)	19,288,120	(153,450)
RATE 4	4.05	19,860,252	(207,429)	19,240,612	(200,958)
RATE 5	4.04	19,811,214	(256,467)	19,193,104	(248,465)
RATE 6	4.03	19,762,176	(305,505)	19,145,597	(295,973)
RATE 7	4.02	19,713,139	(354,542)	19,098,089	(343,481)
RATE 8	4.01	19,664,101	(403,580)	19,050,581	(390,988)
RATE 9	4	19,615,063	(452,618)	19,003,073	(438,496)
ROLLED-BACK RATE	3.9239	19,241,887	(825,794)	18,641,540	(800,029)

Fellow Commission Members:

I will be voting against the fiscal year 2016-17 proposed millage rate of 4.0923 sent to the county appraiser. I believe it is in the best interest of our city and our citizens to lower the millage rate from 4.0923 to 4.00. A millage rate of 4.00 results in total ad valorem taxes of approximately \$19,000,000, a year to year revenue increase of approximately \$1,075,000, a 6% increase in a 1.6% inflation environment. A millage rate of 4.00 will generate approximately \$440,000 less in tax revenue than proposed, \$40,000 of which relates to the CRA. I support a vote to lower the millage rate with the \$400,000 property tax reduction related to the general fund applied to lowering general fund reserves.

The reasons for my vote are many and are sourced in our fiduciary responsibly to Winter Park property owners. When the resources coming into our city exceed our plans and ability to responsibly expand the services we offer, and our reserves are ample, we have a duty to return some of those resources to the people who pay the bills.

- The General Fund budget represents both record revenue and record spending levels, even with my proposed millage rate reduction.
- The adjusted budget at the lower millage rate fully funds the level of service our residents expect; including a 3.5% pool for staff merit increases and funding for new initiatives such as direct support of historic preservation, janitorial services for our park rest rooms, additional staff to maintain our newly renovated golf course, and updating all street signs to the new design.

- A modest decrease in the millage rate is a responsible response to current valuation increases. Valuation increases do not represent realizable value, but taxes do represent real out of pocket cash to our property owners.
- A modest decrease in the millage rate will moderate the impact of the coming library bonds and demonstrate to that portion of our residents who voted against the referendum for monetary reasons, that we hear them.
- Reserves do not need to be increased by \$500,000 from current year revenues as City owned properties worth several million dollars are expected to be sold, adding further funds to city reserves.

Times are good for the City of Winter Park and my recommendation supports a balanced approach, using over \$1,000,000 in new property tax revenue supporting our employees and our city, while returning \$440,000 to our property owners. It is responsible, as elected officials, to act in the best interest of the people we represent and return a small portion of their hard earned income that is not needed to fund current city services.

For the above reason I will vote against any millage rate above 4.0000.

Pete Weldon
City Commissioner
September 12, 2016



city commission agenda item

item type	Consent Agenda	meeting date	October 10, 2016
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 \$75,000

	vendor	item background	fiscal impact	motion recommendation
1.	S. Seminole & N. Orange County Wastewater	Blanket Purchase Order for Interlocal Agreement - Operational Maintenance	Total expenditure included in approved FY17 budget. Amount: \$839,627	Commission approve Blanket Purchase Order to S. Seminole & N. Orange County Wastewater for Operational Maintenance
This Blanket Purchase Order will expire September 30, 2017.				
2.	City of Altamonte Springs	Blanket Purchase Order for Wholesale Sewer Treatment	Total expenditure included in approved FY17 budget. Amount: \$221,806	Commission approve Blanket Purchase Order to City of Altamonte Springs for Wholesale Sewer Treatment
This Blanket Purchase Order will expire September 30, 2017.				
3.	City of Orlando	Blanket Purchase Order for Asbury Sanitary Sewer	Total expenditure included in approved FY17 budget. Amount: \$500,000	Commission approve Blanket Purchase Order to City of Orlando for Asbury Sanitary Sewer
This Blanket Purchase Order will expire September 30, 2017.				
4.	City of Orlando	Blanket Purchase Order for Iron Bridge Sanitary Sewer	Total expenditure included in approved FY17 budget. Amount: \$2,640,000	Commission approve Blanket Purchase Order to City of Orlando for Iron Bridge Sanitary Sewer
This Blanket Purchase Order will expire September 30, 2017.				
5.	Air Liquide Industrial Company	Blanket Purchase Order for Liquid Oxygen for Water Treatment Facilities	Total expenditure included in approved FY17 budget. Amount: \$160,000	Commission approve Blanket Purchase Order to Air Liquide Industrial Company for Liquid Oxygen.
This Blanket Purchase Order will expire September 30, 2017.				
6.	GATSO USA	Blanket Purchase Order for Red Light Safety Enforcement	Total expenditure included in approved FY17 budget. Amount: \$403,200	Commission approve Blanket Purchase Order to GATSO USA for Red Light Safety Enforcement
This Blanket Purchase Order will expire September 30, 2017.				

Contracts

	vendor	item background	fiscal impact	motion recommendation
7.	The Pizzuti Companies	RFP-13-2016 – Owners Representative Services	Total expenditure will be funded from voter approved bond referendum for the Library/Events Center project. Amount \$535,000	Commission approve contract with The Pizzuti Companies and authorize Mayor to execute contract.
On August 22, 2016, the City Commission approved staff to enter into negotiations with the top ranked firm from the formal solicitation. Staff have negotiated a contract that is deemed to be most advantageous to the city. Work will not begin on contract until project is confirmed to proceed.				
8.	Leidos Engineering, LLC	RFQ-15-2016 – Distribution Engineering & Substation Consultant	Total expenditure included in approved FY17 budget. Amount: As Needed Basis	Commission approve contract with Leidos Engineering, LLC and authorize Mayor to execute contract.
On August 22, 2016, the City Commission approved staff to enter into negotiations with the top ranked firms from the formal solicitation. Staff have negotiated a contract that is deemed to be most advantageous to the city.				

Approval of contract shall constitute approval for all subsequent purchase orders made against contract

Piggyback Contracts

	vendor	item background	fiscal impact	motion recommendation
9.	USA Services, Inc.	Piggyback City of Daytona Beach Contract No. 13-159 & Blanket Purchase Order for Mechanical Sweeping Services	Total expenditure included in approved FY17 budget. Amount: \$205,247.64	Commission approve piggyback contract with USA Services, Inc., Blanket Purchase Order and authorize Mayor to execute Contract.
The City of Daytona Beach issued a formal solicitation to award this contract. The contract will expire October 1, 2018.				
10.	Owens, Renz & Lee Company, Inc. d/b/a Owens Realty Services	Piggyback Pasco County Tax Collector Contract No. IFB-KB-16-109 for Janitorial Services	Total expenditure included in approved FY17 budget. Amount: \$169,698	Commission approve piggyback contract with Owens, Renz & Lee Company, Inc. d/b/a Owens Realty Services for Janitorial Services
Pasco County Tax Collector issued a formal solicitation to award this contract. The contract will expire September 30, 2019.				

Approval of contract shall constitute approval for all subsequent purchase orders made against contract



city commission agenda item

Item type	Consent Agenda	meeting date	October 10, 2016
prepared by	Cindy Bonham	approved by	<input checked="" type="checkbox"/> City Manager
department	City Clerk		<input type="checkbox"/> City Attorney
division			<input type="checkbox"/> N/A
board approval		<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	final vote
vision themes	<input type="checkbox"/> Cherish and sustain city's extraordinary quality of life.		
	<input type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character.		
	<input type="checkbox"/> Enhance city's brand through flourishing arts and culture.		
	<input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.		

Subject

Cancellation of December 26, 2016 Commission meeting

motion | recommendation

Cancel the December 26, 2016 Commission meeting due to the holiday that falls that day. City Hall is closed.

background

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

alternatives | other considerations

Schedule for another day.

fiscal impact

N/A



city commission agenda item

Item type	Action Item Requiring Discussion	meeting date	October 10, 2016
prepared by	Butch Margraf	approved by	<input checked="" type="checkbox"/> City Manager
department	Public Works Department		<input checked="" type="checkbox"/> City Attorney
division	Engineering		<input type="checkbox"/> N/A
board approval		<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A	final vote
vision themes	<input checked="" type="checkbox"/> Cherish and sustain city's extraordinary quality of life.		
	<input checked="" type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character.		
	<input checked="" type="checkbox"/> Enhance city's brand through flourishing arts and culture.		
	<input checked="" type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.		

subject

Settlement Agreement between the United States Department of Justice, the City of Winter Park, and Winter Park Scenic Boat Tour, Inc.

motion | recommendation

The Public Works Department recommends the City of Winter Park execute the agreement between the United States of America, the City of Winter Park, and Winter Park Scenic Boat Tour, Inc. to construct and maintain ADA compliant access to the Scenic Boat Tour attraction.

background

The City of Winter Park was notified by letter from a disabled Boat Tour customer that use of the Boat Tour was inaccessible to them. This person is confined to a wheelchair. Many disabled boat tour customers have been assisted by Boat Tour personnel down steps to participate on the boat ride. This customer was unable to be assisted to the boat.

By a recommendation of a previous City Attorney a temporary alternate access was provided by the Boat Tour at the Dinky Dock Park dock. A design by the City of Winter Park of a concrete ADA compliant ramp system was evaluated. This concrete ramp would result in substantial degradation of the green space and aesthetics at the Boat Tour site at an estimated cost of \$122,000. A second design for ADA access of the boat tour consisting of a wood ramp and an elevator was evaluated. The

difficulty in maintaining of an outdoor elevator that is exposed to sun and bad weather caused Public Works to continue evaluating ideas for ADA compliant access to the boat tour. The estimated cost of the elevator is \$45,000. A third design of a wood ramp system through an unutilized area of shrubs that would also provide ADA access to the Boat Tour site bathrooms was evaluated and selected as the best choice to provide ADA access to the Scenic Boat Tour attraction. The estimated cost of the wood ramp is \$45,000.

Through the process of finding the best ADA access choice for the boat tour the Department of Justice (DOJ) was notified by the customer. The DOJ became involved to insure compliance with the ADA laws for access to the boat tour.

This Settlement Agreement between the United States of America, the City of Winter Park, and Winter Park Scenic Boat Tour, Inc. expressly details required actions of all three parties.

alternatives | other considerations

Four alternatives were considered.

1. Offsite access at the Dinky Dock Park dock.
2. Concrete ramp system.
3. An elevator and wood ramp system.
4. A wood ramp system.

fiscal impact

The current contract between the City of Winter Park and the Winter Park Scenic Boat Tour, Inc. to conduct the boat tour business requires the Scenic Boat Tour, Inc. to pay for the construction of the ADA access ramp system.

The City of Winter Park owns the Scenic Boat Tour property. The City will incur future maintenance costs of the wood ramp system.

Settlement Agreement between the United States of America,

the City of Winter Park,

and

Winter Park Scenic Boat Tour, Inc.

Regarding Boat Launch Access

Under the Americans with Disabilities Act

USAO # 2015V05310/DJ # 202-17M-483

BACKGROUND AND JURISDICTION

1. This Agreement (the “Agreement”) is made and entered into by the United States of America (the “United States”), the City of Winter Park, Florida (the “City”) and Winter Park Scenic Boat Tour, Inc. (“Scenic Boat Tour”).

2. This Agreement resolves an investigation conducted by the United States Department of Justice (the “United States”) of the City and Scenic Boat Tour under Titles II and III of the Americans with Disabilities Act, 42 U.S.C. §§ 12131-12165, 12181-12189 (2000) (the “ADA”). Scenic Boat Tour operates from a dock located at 312 East Morse Blvd. Winter Park, Florida (the “Boat Launch”). The dock is owned by the City of Winter Park and is leased to Scenic Boat Tour.

3. Scenic Boat Tour offers guided cruises of Winter Park lakes from the Boat Launch on a fleet of six eighteen-passenger pontoon boats.

4. This matter was commenced when the United States received a complaint filed by a person with a disability against the City and Scenic Boat Tour. The complaint alleged that the Boat Launch is not accessible to people with disabilities because the Boat Launch is only accessible by use of a set of stairs from the parking lot. The United States investigated that complaint pursuant to the Attorney General’s authority under 42 U.S.C. § 12188(b)(1)(A)(i)(2000). The United States requested information from the City and Scenic Boat Tour, and discussed the issue with both parties, who acknowledge there is no ramp or other accessible route to the Boat Launch.

5. The ADA applies to the City of Winter Park because it is a “public entity” as defined by title II of the ADA. 42 U.S.C. § 12131, 28 C.F.R. § 35.104.

6. The Attorney General is authorized under 28 C.F.R. Part 35, Subpart F, to determine compliance with title II of the ADA and the Attorney General’s title II implementing

regulation, and where appropriate, to seek resolution through informal means, such as through this settlement agreement. If resolution is not achieved, the AG is authorized to issue a letter of finding. Furthermore, under 42 U.S.C. § 12133, the AG is authorized to bring a civil action enforcing title II of the ADA, if unable to secure voluntary compliance pursuant to Subpart F.

7. Under title II, no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity. 28 C.F.R. § 35.130(a).

8. The ADA applies to Scenic Boat Tour because it is a private entity that owns, leases, or operates a boat tour company, and its operations affect commerce. It is a place of public accommodation covered by title III of the ADA. 42 U.S.C. § 12181(7) and 28 C.F.R. § 36.104. Accordingly, Scenic Boat Tour is subject to the requirements of Title III of the ADA, 42 U.S.C §§ 12181-12189, and its implementing regulations, which are found at 28 C.F.R. Part 36.

9. Title III requires that Scenic Boat Tour ensure that individuals with disabilities are provided an equal opportunity to participate in or benefit from its goods and services. 42 U.S.C. § 12182(a) and 28 C.F.R. § 36.201(a). Title III also requires a public accommodation to make reasonable modifications to its policies, practices and procedures when such modifications are necessary to afford such goods, services, facilities, privileges, advantages or accommodations to individuals with disabilities unless the public accommodation can demonstrate that taking those steps would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations being offered. 42 U.S.C. § 12182(b)(2)(A)(ii) and 28 C.F.R. § 36.302 (2006). Further, a public accommodation must maintain in operable working condition those features that are required to be accessible 28 C.F.R. § 36.211(a).

INVESTIGATION

10. In the course of its investigation, the United States identified violations of the ADA Standards for Accessible Design, § 35.104. Attached as Appendix A to this Agreement is the complete list of elements surveyed by the United States which fail to comply with the ADA.

TERMS OF AGREEMENT

11. In order to avoid potential litigation, the parties agree to the terms of this Agreement. These terms are intended to redress the alleged violation of the ADA that has been identified by the United States. This Agreement does not constitute an admission by the City or Scenic Boat Tour of liability under the ADA or of any violation of the ADA as described in this Agreement, in Attachment A, or otherwise.

12. The City and Scenic Boat Tour agree to correct the violation identified in Attachment A no later than 12 months after the effective date of this Agreement.

13. The City and Scenic Boat Tour will construct either an elevator or a ramp to provide wheelchair access to the Boat Launch from the parking lot located at 312 East Morse Blvd. Winter Park, Florida. The City and Scenic Boat Tour will also construct a ramp as required to provide wheelchair access to the boats from the Boat Launch. These elements will be constructed to comply with the 2010 ADA Standards for Accessible Design.

14. Scenic Boat Tour has agreed to provide wheelchair access to its services via an alternate location while the modifications in paragraph 12 are being constructed. Within 30 days of the signing of this Agreement, the policy, with the alternate location sites, shall be posted in a prominent location at the ticket office and on Scenic Boat Tour's website. Also, a patron making reservations by telephone will be asked if he or she requires an accessible site. Alternate access shall be provided from the western dock at Dinky Dock Park, located at 410 Ollie Avenue, Winter Park, Florida (Attachment B). A sign will be displayed close to the accessible parking spaces directing patrons to the western dock within 30 days of approval and execution of this Agreement by the City Commission. A patron shall be required to give at least two non-holiday weekdays' notice in order to schedule a tour that departs from the alternative site. A tour may be scheduled to depart at either 9:00 AM or 5:00 PM, and other departure times may be available at Scenic Boat Tour's discretion. Tours may only be scheduled for the benefit of one or more disabled persons, but non-disabled persons may attend. Tours shall be substantially identical to those offered from the main site.

15. In consideration of the terms of this Agreement, the Attorney General agrees to refrain from undertaking further investigation and from filing a civil suit regarding all matters contained within this Agreement and its attachments, except as provided in Paragraph 16.

IMPLEMENTATION AND ENFORCEMENT

16. During the term of this Agreement, the City and Scenic Boat Tour shall provide a report every four months to the United States, from the date of the effective date of this Agreement, regarding the City and Scenic Boat Tour's progress with respect to the completion of its responsibilities pursuant to Paragraphs 11-13 of this Agreement. The City and Scenic Boat Tours shall provide the United States with written documentation evidencing its completion of all corrective actions required by Appendix A in sufficient detail for the DOJ to independently confirm that all work has been done in conformance with the parties' agreement. Such evidence may include, but is not limited to, color photographs, purchase orders, permits, and/or architectural drawings, if necessary. The report shall also identify and document any ADA-related policies and procedures that the City and Scenic Boat Tour have adopted.

17. The United States may review compliance with this Agreement at any time and may enforce this Agreement or file a lawsuit under title II and III of the ADA if the United States believes that this Agreement or any requirement thereof has been Violated. If the United States believes that this Agreement or any portion of it has been violated, it will raise its concern(s) with the City and Scenic Boat Tour and the parties will attempt to resolve the concern(s) in good faith. If the parties are unable to reach a satisfactory resolution of the issue or issues raised within thirty (30) days of the date the United States provides notice to the City and Scenic Boat Tour,

the United States may institute a civil action in federal district court directly to enforce title II and III of the ADA or to enforce the terms of this Agreement.

18. Failure by the United States to enforce any provision or deadline of this Agreement shall not be construed as a waiver of its right to enforce other provisions or deadlines of this Agreement.

19. This Agreement constitutes the entire agreement between the parties relating to USAO # 2015V05310/DJ # 202-17M-483 and no other statement, promise, or agreement, either written or oral, made by any party or agents of any party, that is not contained in this written Agreement, including its attachments, shall be enforceable.

20. This agreement shall be binding on the City and Scenic Boat Tour, their agents and employees. In the event the City or Scenic Boat Tour seeks to transfer or assign all or part of its interest in any facility covered by this agreement, and the successor or assign intends on carrying on the same or similar use of the facility, as a condition of sale the City and/or Scenic Boat Tour shall obtain the written accession of the successor or assign to any obligations remaining under this Agreement for the remaining term of this Agreement.

21. All notices, demands, reports, or other communications to be provided pursuant to this Agreement shall be in writing and delivered by fax or overnight mail to the following persons and addresses (or such other persons and addresses as any party may designate in writing from time to time):

For the City of Winter Park:

City of Winter Park
c/o Randy Knight, City Manager
401 Park Ave. South
Winter Park, FL 32789

For Scenic Boat Tour:

Winter Park Scenic Boat Tour, Inc.
c/o Ron Hightower
431 Fletcher Place
Winter Park, FL 32789

For the United States:

Jennifer Waugh Corinis
Assistant United States Attorney
400 N. Tampa Street
Tampa, FL 33602
(813) 274-6200 (fax)

22. If any provision of this Agreement is determined by any court to be unenforceable, the other terms of this Agreement shall nonetheless remain in full force and effect, provided however, that if the severance of any such provision materially alters the rights or obligations of the parties, the United States, the City and Scenic Boat Tour shall engage in good faith negotiations in order to adopt such mutually agreeable amendments to this Agreement as may be necessary to restore the parties as closely as possible to the initially agreed-upon relative rights and obligations.

23. This Agreement is limited to the matters described herein and does not purport to remedy any other potential violations of the ADA or any other federal law. This Agreement does not affect the City's and Scenic Boat Tour's continuing responsibility to comply with all aspects of the ADA not covered by this Agreement.

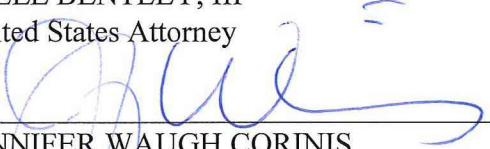
24. Neither the City nor Scenic Boat Tour shall be liable for breach of this Agreement caused by the other's failure to meet its obligations under this Agreement or any other obligation, or to cooperate in good faith.

25. A signatory to this document in a representative capacity for a partnership, corporation, or other entity, represents that he or she is authorized to bind such partnership, corporation, or other entity to this Agreement.

26. The effective date of this Agreement is the date of the last signature below. This Agreement shall remain in effect for three years from the effective date.

FOR THE UNITED STATES:

A. LEE BENTLEY, III
United States Attorney

By: 
JENNIFER WAUGH CORINIS
Assistant United States Attorney
Florida Bar No. 0049095
400 North Tampa St., Suite 3200
Tampa, Florida 33602
Telephone No. (813) 274-6000
Facsimile No. (813) 274-6200
Email: jennifer.corinis@usdoj.gov

Date: Sept. 21, 2016

FOR THE CITY OF WINTER PARK,
FLORIDA:

By: _____
Print: _____
Title: _____
Date: _____

FOR SCENIC BOAT TOUR, INC.:

By: _____
Print: _____
Title: _____
Date: _____

THE CITY OF WINTER PARK AND SCENIC BOAT TOURS
ATTACHMENT A

Note: All citations are to the 2010 ADA Standards for Accessible Design (“ADA Standards”).

1. There is no accessible route from the parking lot located at 312 East Morse Blvd. Winter Park, Florida to the dock from which Scenic Boat Tours launches its boats. The ADA Standards for Accessible Design require entities providing public accommodations to provide an accessible route to all recreational boating facilities, including boat slips and boarding piers at boat launch ramps. See 2010 ADA Standards for Accessible Design.

THE CITY OF WINTER PARK AND SCENIC BOAT TOURS
ATTACHMENT B

The alternate access site described in paragraph 13 is located at Dinky Dock Park, 410 Ollie Avenue, Winter Park, Florida, and is depicted below:



Winter Park Scenic Boat Tour ADA Access





Scenic Boat
Tour Office

Morse Blvd
Parking

Lake
Osceola

Boats

Lawn, shrubs
and trees

Existing Site

Cloisters
Condominiums

Agenda Packet Page 38





Morse Blvd
Parking

Scenic Boat
Tour Office

Concrete ramp
system estimated
cost **\$122,000**

Lake
Osceola

Boats



Cloisters
Condominiums

Alternative 1





Morse Blvd
Parking

Scenic Boat
Tour Office

Elevator and wood
ramp system estimated
cost **\$45,000**

Boats

Lake
Osceola

Cloisters
Condominiums

Agenda Packet Page 40

Alternative 2





Bathrooms

Scenic Boat
Tour Office

Wood ramp
system estimated
cost **\$45,000**

Morse Blvd
Parking

Lake
Osceola

Boats

Cloisters
Condominiums

Agenda Packet Page 4

Alternative 3





Dinky Dock
Park

Ollie Ave

Rollins
College

Lake
Virginia

Temporary Boat Tour ADA Access



city commission public hearing

item type	Public Hearing	meeting date	October 10, 2016
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" 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: Request for Acceptance of Offer to Purchase City Property for \$100,000 and First Reading of the Ordinance to Authorize the Sale. SECOND READING OF ORDINANCE

With the City Commission's direction, the staff advertised for sale, through the required Notice of Disposal process, a portion of the Morse Blvd. walkway/park area that is adjacent to the townhouse project at 652 W. Morse Blvd. That Notice of Disposal (attached) was advertised for 30 days to meet the requirements of Chapter 163. The City Charter also requires the adoption of an Ordinance for the sale of any city property.

The decision to offer this property for sale was based on the fact that the public does not use this "park" property and that it is no longer a pathway to the Community Center given the redesign of that facility. Thus, as it is not serving any public purpose and the City can insure that it remains as open space, then a sale could be advantageous to the City.

The City received one offer to purchase for \$100,000 from the Morse and Pennsylvania LLC, who are the developers of the proposed 10 unit townhouse project on the adjacent property at 652 W. Morse Blvd.

The proposed sale was advertised with notice that the zoning on this property would remain parks and recreation (PR). Furthermore, a deed restriction would be placed upon the sale that the land could not be used for the development of any future buildings and also that the land itself may not be used in floor area ratio calculations to increase the development potential of any adjacent or nearby properties.

Appraisals are based on "comparable sales" and there are no "comparable sales" to use for this property that is deed restricted to prohibit buildings and which has no development potential.

Staff Recommendation:

Staff recommendation is to accept the offer to sell the property for \$100,000 based upon the restrictions outlined. If approved at first reading, the city attorney will review and approve a vacant land contract submitted by the buyer that can be signed by the City following adoption at second reading. Proceeds from the sale can be designated to the general fund reserve or the parks acquisition trust fund at the discretion of the Commission.

Notice of Intent to Dispose of City Property Between 652 & 700 West Morse Boulevard,
Winter Park, Florida

The City of Winter Park, Florida, intends to dispose of a portion of its property that is located between the properties at 652 & 700 West Morse Boulevard, Winter Park, Florida. The property is zoned Parks and Recreation (PR), and the City is interested in disposing of this property in return for a cash offer and a commitment to maintain the property as open space.

The intention of the CITY is to dispose of this property which is approximately 242 feet long and 30 feet wide while maintaining the current Open Space and Recreation future land use designation and Parks and Recreation (PR) Zoning. The location of the Property is shown on the attached map. It is furthermore the intent to sell this property with a perpetual deed restriction such that the property may be used only as open space and may not be used for the development of any future buildings or structures and that the land area itself may not be used to increase the future development potential of any adjacent or nearby properties.

The CITY reserves the right to reject any or all proposals for any reason and the amount of the monetary bid shall not be the exclusive determinate of any decision to sell. The decision by the City is expected to rely upon a conclusion as to the most appropriate proposer that will maintain this property for open space purposes. The CITY per the City Charter must also adopt an ordinance, following advertisement and public hearings for this transaction to proceed.

Sealed proposals, shall be delivered to the Office of the City Clerk, in City Hall, 401 Park Avenue South, Winter Park, Florida 32789 on or before Tuesday, September 6, 2016 at 4:00 PM or they will not be considered. It is the sole responsibility of the respondent to see that the company or individual's proposal is in the hands of the City, stamped and dated by personnel in the Clerk's office before the due date and time indicated herein.

It is the respondent's responsibility to be sure that all information submitted is correct and complete and that the requirements for the proposal have been met. Failure to do so may cause the proposal to be rejected from consideration. The City reserves the right to accept or reject any or all proposals, in part or in total, as deemed in the best interests of the City. The City accepts no responsibility for any costs incurred during the preparing or presenting of the proposals. All proposals must be submitted in writing; no fax, email or telephone proposals will be accepted. ALL PROPOSALS MUST BE MARKED ON THE OUTSIDE OF THE ENVELOPE WITH THE PROPOSAL NAME AND THE TIME AND DATE OF THE OPENING.

This public notice complies with Florida Statutes Section 163.380. Further information is available in the Community Redevelopment Office at City Hall and by calling the Community Redevelopment Manager at 407-599-3217. The notice of the CRA's ultimate disposition of the subject real property to a specific party, and the terms and conditions of the disposition, will be made at a duly noticed public meeting.

/s/ Cindy Bonham, CMC, City Clerk

PUBLISH: Thursday, August 4, 2016 (Winter Park Observer)

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA,
AUTHORIZING THE CONVEYANCE OF THE CITY OWNED
PROPERTY LOCATED BETWEEN 652 AND 700 WEST MORSE
BOULEVARD PURSUANT TO THE PROPOSAL APPROVED BY
THE CITY COMMISSION ON SEPTEMBER 26, 2016, SUBJECT
TO RESERVATION OF DEVELOPMENT RIGHTS AND DEED
RESTRICTIONS; PROVIDING FOR CONFLICTS AND AN
EFFECTIVE DATE.**

WHEREAS, Section 2.11 of the Charter of the City of Winter Park, Florida, authorizes the City Commission, by ordinance to convey or authorize by administrative action the conveyance of any lands of the City; and

WHEREAS, the City undertook an advertised and notice of disposal solicitation for the purchase of a portion of the city owned property between 652 and 700 west Morse Boulevard, and consistent with the requirements of Chapter 163, Florida Statutes which was subsequently approved by the City Commission on September 26, 2016; and

WHEREAS, the City has determined that there is not a municipal park use of this property and that the proposed use as dedicated open space will be of benefit to the City and the Community Redevelopment Area; and

WHEREAS, the City Commission deems it advisable to convey City property to the Morse and Pennsylvania LLC, pursuant to the terms of the proposal approved by the City Commission on September 26, 2016.

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

SECTION 1. The recitals stated hereinabove are incorporated herein by reference and are made fully a part of this Ordinance.

SECTION 2. The property that is authorized to be conveyed by the City to is the property identified in Exhibit "A" attached hereto and made a part hereof by reference.

SECTION 3. The City Commission of the City of Winter Park hereby approves the transfer and conveyance of this property to the Morse and Pennsylvania LLC, conditioned upon maintaining the existing Open Space and Recreation future land use designation and the existing Parks and Recreation district zoning and subject to a deed restriction that the land area of this parcel may not be utilized to contribute to the development potential of any adjacent property pursuant to the terms of the proposal approved by the City Commission on September 26, 2016.

SECTION 4. This Ordinance shall constitute the authorization by the City Commission pursuant to Section 2.11 of the Charter of the City of Winter Park, Florida, for the transfer and conveyance of the property set forth above, and the City Commission of the City of Winter Park hereby authorizes the Mayor to execute such contract and deed on behalf of the City, as may be required.

SECTION 5. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2016.

Mayor Steve Leary

ATTEST:

City Clerk, Cynthia S. Bonham

EXHIBIT "A"
CITY PROPERTY

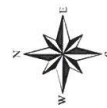
The East 15.00 feet, (less the North 64.00 feet) of Lot 4, Block "K" and The West 15.00 feet, (less the North 64.00 feet) of Lot 3, Block "K", CAPEN'S ADDITION TO WINTER PARK, according to the plat thereof, as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida; AND: Commencing at the Southwest corner of said Lot 3, Block K, CAPEN'S ADDITION TO WINTER PARK, for a point of reference; thence East, 15.00 feet along and with the South line of said Lot 3 to the Southwest corner of the tract being described and the POINT OF BEGINNING; thence North, parallel to the West line of said Lot 3, 15.00 feet to the Northwest corner of the tract being described ; thence East, parallel to the South line of said Lot 3, 6.00 feet; thence South, parallel to the West line of said Lot 3, 9.00 feet; thence East, parallel to the South line of said Lot 3, 24.00 feet; thence South parallel to the West line of said Lot 3, 6.00 feet to the South line of said Lot 3; thence West, along and with the South line of said Lot 3, 30.00 feet to the POINT OF BEGINNING.



NOTICE OF DISPOSAL

Property Between
652 & 700 W Morse Blvd

**City of Winter Park
Florida**





city commission public hearing

item type	Public Hearing	meeting date	October 10, 2016
prepared by department division	Brooks Weiss, Planning & Community Development Department	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> N/A
board approval	Historic Preservation Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	7-0 final vote

Subject:

Todd and Alexandra Magargee, the Owners of 1167 Lakeview Drive, have requested the listing of their property on the Winter Park Register of Historic Places.

Motion | Recommendation:

The Historic Preservation Board voted unanimously on September 14, 2016 to recommend listing 1167 Lakeview Drive in the Winter Park Register of Historic Places. The listing is finalized by resolution of the City Commission (attached).

Background:

1167 Lakeview Drive is associated with the development of Virginia Heights and College Quarter. The house is an excellent example of the California Bungalow style in Winter Park built in 1927 and written about by Professor Jack Lane in his essay "*In Praise of the Humble Bungalow*". It retains its historic integrity, and the property is in excellent condition.

Alternatives | Other Considerations:

None

Fiscal Impact:

None

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING 1167 LAKEVIEW DRIVE, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

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

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

WHEREAS, there is the desire to foster awareness of and civic pride in the accomplishments of the past; and

WHEREAS, the Winter Park Historic Preservation Board determined that 1167 Lakeview Drive meets the criterion for historic resource status through its association with the development of downtown Winter Park during the post Florida Land Boom period, and as an example of California Bungalow vernacular architecture in Winter Park.

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

The City Commission of the City of Winter Park hereby supports and endorses the designation of 1167 Lakeview Drive as a historic resource on the Winter Park Register of Historic Places.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park held in City Hall, Winter Park on this 10th day of October 2016.

Steve Leary, Mayor

ATTEST:

City Clerk Cynthia S. Bonham



**CITY OF WINTER PARK
HISTORIC PRESERVATION BOARD**

**Staff Report
September 14, 2016**

**HDA 16-006 Request by 1167 Lakeview Drive, LLC (Todd and Alexandra Magargee, Owners) to designate their home at 1167 Lakeview Drive, Winter Park, Florida as an Historic Building on the Winter Park Register of Historic Places.
Zoned R-1AA.
Parcel #07-22-30-8908-01-220.**

Background. The property is located on Lakeview Drive, overlooking the western shore of Lake Virginia. The home was built in 1927 during the Florida Land Boom. It was one of several bungalows written about in Professor Jack C. Lane's piece, entitled "*In Praise of the Humble Bungalow*", in *Preservation Winter Park*, September 19, 2014. Jack Lane is the Wendell Professor of American History, Emeritus and College Historian of Rollins College.

In this essay, Professor Lane writes:

Winter Park is justly celebrated for its over one hundred years of eclectic architectural styles, ranging from Queen Anne to Spanish-Revival to Modern. One of the city's most interesting and charmingly designed styles is the Bungalow, an architectural form that dominated American housing in the first two decades of the twentieth century. Thousands of bungalows, constructed mostly between 1900 and 1930, can be found throughout American cities in historic districts designated as Bungalow Villages. Although no such designation exists in Winter Park, a large collection of bungalows, built between 1920 and 1926, have been preserved in three neighborhoods southeast of city center. In this brief essay, I want to identify a select few that I consider some of the most architecturally attractive.

The convergence of three historic trends in the 1920s made the concentration of the Bungalow style in southeast Winter Park no coincidence. For several decades after 1900 American cities and towns had been expanding haphazardly from the town center, causing serious service problems for city governments. Many saw the need for a more comprehensive, orderly approach to this expansion. Responding to these national concerns, the Calvin Coolidge administration issued a Standard State Zoning and Planning publication in the early 1920s which led city and town governments to pass ordinances regulating what were now called "subdivisions." The publication defined this new approach to land development as "the division of a parcel of land into lots for the purpose of sale." Subdivision developers were required to apply to the city for a permit, to conform to certain regulations and to provide a name for each subdivision.

1167 Lakeview Drive, Winter Park, Florida

This new national land development practice coincided with the real estate boom that engulfed Florida in the period between 1920 and 1926. Although much of the boom resulted from greedy, unscrupulous speculators (creating illusionary housing developments that were nothing more than elaborate gates), many of the subdivisions were designed to meet genuine housing needs and became permanent communities within the cities and towns. In the early 1920s, developers platted three Winter Park “subdivisions” within walking distance of city center. They named them College Quarter, Virginia Heights and Ellno Willo.

The Bungalow style arrived in the United States at the turn of the century from India via Great Britain. American architects then made alterations that included many regional variations. By the time the bungalow appeared in Winter Park, several well-defined characteristics of the America-style bungalow had been established: low sloping roofs either gabled (front or side) or hipped, often with side overhangs; exposed roof beams and rafters; exterior proportions both balanced and asymmetrical; large front porches; open, informal floor plans; prominent hearths; built-ins, and interior wood details.

The bungalows discussed in this essay are perhaps best described as “California Bungalows,” but this classification is somewhat arbitrary because identifying the various bungalow styles is a mystifying endeavor. This style originated in California (hence its designation) in the first decade of the 20th century and spread rapidly to the Midwest, particularly Chicago, and then to the South and the East. The distinguishing exterior characteristics of the California bungalow include one, one-and-one half or two stories, and a low-pitched roof with deep over-hanging eaves, supported by substantial brackets. They include dormers and a wide front porch anchored by slender or solidly placed pillars. Buyers were drawn to the California style because even the two story design had the low appearance of one story and therefore appeared to settle pleasingly into the landscape. The first floor interior of the California style differed little from the open access and convenience of other bungalow designs. Three of this design are located in the College Quarter, two in Virginia Heights and two in Ellno Willo. Although only a few were built in Winter Park, by 1920 this California design was nationally the most popular of all bungalow styles.

Description. Built about 1927, 1167 Lakeview Drive was designed in the California Bungalow Style. It is a two-story stucco residence in a rectilinear footprint with attic. The roof is a combined pitched gambrel roof variation, with a wide dormer running across the front facade at the center of the main body of the house. The eaves have a wide overhang. The foundation is raised and continuous. The home appears to be a one-story with dormer from Lakeview Drive.

The house is in good condition and retains most of its original windows. One outstanding feature of the home is the use of large coquina stones as original integral elements of the columns and the surrounding retaining walls around the home. The stone is original, as confirmed by Professor Lane from his research at Rollins Library. Coquina stone is rarely seen, especially in Central Florida and is no longer readily available for construction. There is a full

width front porch within the lower pitched roof on the façade. The porch has full height glazed arched openings. The entry to the porch is centered within an arch.

1167 Lakeview Drive, Winter Park, Florida

The owners are restoring the house and preserving its original character and distinctive features.

Architecture. The California Bungalow Style is ably described in Professor Lane's essay above. In addition, Professor Lane further defines the specifics of this particular home as follows:

The bungalow at 1167 Lakeview (1927) was the most popular early bungalow design in Florida. Its gambrel roof variation gives the bungalow its most distinctive and attractive quality. The symmetrical two-sided roof, with two slopes on each side, was popular not only for its artistic qualities but also for the additional head room it provided on the second floor. The dormer, double the size of traditional California bungalows, gives the house its other distinctive quality. The large glassed porch, supported by four substantial rock pillars, was originally screened or open.

The Owners have consulted with Professor Lane on their restoration of this home.

Significance. 1167 Lakeview Drive is significant for its association with the Florida Land Boom period of development in Winter Park. It is an uncommon good example of the California Bungalow Style in Winter Park.

1167 Lakeview Drive, the Wetherell House is listed in these accepted resources as follows:

- Page 45, *Winter Park Architectural Survey*, May 7, 2001
- Page 11, *City of Winter Park Historic Resources*, 2013
- *Florida Master Site File*, Number OR0692

Certificate of Review Request. The Applicants are requesting the following:

1. Replacing all windows and doors- to be more consistent with the style of the original 1927 home and gain greater energy efficiency.
2. Replacing the existing one-story, two car garage with a two-story, three car garage and guesthouse. See attached survey and architectural Site Plan.
3. Replacing the existing side porch with one more consistent with the architecture of the original 1927 home- using the same footprint.
4. New Floor Area Ratio (FAR) of 45.8% (5,938 sf divided by 12,963 sf, area of the site).
Code maximum area of a home on a lot of 11,600 sf to 13,600 sf is 5,200 sf or 40.1% FAR.
Existing area of home is 4,434 sf or 34.2% FAR.

Variances Requested:

1. **Garage/Carriage House-** to build a new three car garage with second floor guesthouse (existing and new garage is built partially below grade at the rear of the property (some 6' +/- below grade at rear, see attached image).
 - a. Existing North Side Setback is 5'+/- for existing one story garage will be reused.
 - b. New garage side setback should require 15' for two story building.

1167 Lakeview Drive, Winter Park, Florida

- c. **Side Setback Variance requested: 5+' in lieu of 15'.** Building is shown as an 832 sf footprint The HP Ordinance No. 3024-15, Section 58-469 *Guidelines for review states "Garage apartments or accessory cottages shall not exceed 1,000 square feet in size"*.
 - d. **Rear Setback Variance requested: 15' in lieu of 25' (one story) or 35' (two story)-** remember that the height of the rear of the garage will be reduced by some 6', or some 19' of total height at the rear grade (see West Elevation, Page 2 of Architectural Drawings).
2. **Side Porch (Main House)-** to rebuild a new Side Porch, as shown on Page 2 of the Architectural Plans, South Elevation.
 - a. New South Side Porch will occupy the same footprint as the existing porch.
 - b. South Side fronts on to the previous owner of 1167 Lakeview Drive, so we do not anticipate any unfavorable comments from the only neighbor who may be concerned (the new Owner has solicited a letter to this affect).
 - c. **Side Setback Variance- 6' in lieu of 11'** (standard setback for one story).

3. Floor Area Ratio (FAR) Variance requested: 45.8% in lieu of 40.1%

The existing home has a third level attic space which the Owner would like to make into habitable living area. This area is contained within the FAR calculations by the Architect (see Architectural Plans attached). No exterior changes will be needed to accomplish this, as the existing dormer will remain as is. The first level of the home is not visible from the front of the home. Also, the property extends across Lakeview Drive and includes the lakefront approx. 45' x 75' portion with Boat Dock, which doesn't count toward FAR, but does make the overall property larger (see survey attached).

As defined by Winter Park Setback/Coverage Worksheet, Page 3, states *"For properties with lot areas between 11,600 to 13,600 square feet, a gross floor area of up to 5,200 sf is **permitted**. Homes qualified to receive this additional special floor area allowance may provide roof dormers with a maximum width of 8 feet, occupying up to 45% of the roof area within the same roof area within the same roof plane and the dormer(s) must be placed at least 2.5 feet back from the required setback of the home"*.

STAFF RECOMMENDATIONS:

- 1. Recommend approval for listing as a Historic Building on the Winter Park Register of Historic Places.**
- 2. Recommend approval of Variance 1 for New Garage/Carriage House new build and setbacks.**
- 3. Recommend approval of Variance 2 for Side Porch rebuild and side setback.**
- 4. Recommend approval of Variance 3 for proposed New FAR of 45.8%.**