

**REGULAR MEETING OF THE CITY COMMISSION
MARCH 12, 2018**

The meeting of the Winter Park City Commission was called to order by Mayor Steve Leary, at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Reverend Dr. Jason T. Micheli, Winter Park Presbyterian Church, followed by the Pledge of Allegiance.

Members present:

Mayor Steve Leary
Commissioner Pete Weldon
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper

Also Present:

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

Approval of agenda

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

Mayor's Report

No report.

City Manager's Report

a. Update on the status of the Orange Avenue traffic investigation

Public Works Director Troy Attaway provided an update on the process and the progress to date. He stated they reviewed recent crashes and that the DOT has undertaken a study to look at the speeds and factors resulting from the crashes. He stated that the DOT has drafted information but have not yet finalized their report. Police Chief Deal addressed accidents at the intersection as compared to other State road intersections. Mr. Attaway spoke about de-widening the road and that the DOT wanted to understand if the Commission agrees to that and if not it would not be part of their recommendations. He summarized the number of vehicles per day on Orange Avenue. After discussion, there was no consensus for de-widening the road.

b. Video Presentation – "Living the Senior Life"

Communications Director Clarissa Howard presented the video from the Community Center and recognized the women present that participated in the video.

Other issue

Mayor Leary asked about the lighting installed on Denning Drive. Electric Director D'Alessandro explained they are LED lights and tried to match the lights throughout the City. Public Works Director Attaway explained the lights are a different style

fixture and that they are progressing to a new LED white light. He explained being cognizant of the residents when choosing the lighting to avoid shining in their homes.

City Attorney's Report

Attorney Ardaman summarized the legislation that did not pass the Senate to include trimming trees, vacation rentals, municipal elections, CRA, and impact fees.

Non-Action Items

No items.

Consent Agenda

- a. Approve the minutes of February 26, 2018.
- b. Approve the easement conveyance from Orange County for the St. Andrews canal.
PULLED FROM CONSENT AGENDA BY COMMISSIONER COOPER. SEE BELOW.
- c. Approve the following solicitation award and authorize the Mayor to execute the contract: **PULLED FROM CONSENT AGENDA BY COMMISSIONER SEIDEL DUE TO A CONFLICT OF INTEREST. SEE BELOW.**
 - 1. Tetra Tech, Inc. - RFP-4-2018 - Emergency Debris Monitoring Services; as-needed basis.

Motion made by Commissioner Sprinkel to approve Consent Agenda item a; seconded by Commissioner Cooper. There were no public comments. **The motion carried unanimously with a 5-0 vote.**

Consent Agenda Item b:

Commissioner Cooper asked if the Four Seasons is in agreement with the issue of the wall. Public Works Director Attaway stated it is looking positive that they will be able to have the trail over the ditch and portion that is on the Four Seasons property and that a wall is going to be built. Attorney Ardaman clarified that the license agreement will come back for approval where all documents associated with the agreement will be provided to the Commission. City Manager Knight explained that their Board has not voted yet but the City has an indication by the Board that they are in favor of it.

Motion made by Commissioner Sprinkel to approve Consent Agenda 'b'; seconded by Commissioner Weldon. There were no public comments. **The motion carried unanimously with a 5-0 vote.**

Consent Agenda Item c:

Motion made by Commissioner Cooper to approve Consent Agenda 'c'; seconded by Commissioner Sprinkel. There were no public comments. **The**

motion carried unanimously with a 4-0 vote with Commissioner Seidel abstaining from voting due to a conflict of interest. Form 8B is attached.

Action Items Requiring Discussion

a. May 28, 2018 Commission meeting cancellation/rescheduling

City Manager Knight explained this meeting falls on Memorial Day when City Hall is closed. He asked if the Commission wanted to cancel or reschedule this meeting to May 29.

Motion made by Commissioner Weldon to cancel the meeting unless the City Manager comes back in April to reconsider; seconded by Commissioner Cooper. There were no public comments made. **The motion carried unanimously with a 5-0 vote.** There was clarification that this could change if staff brings forward items that cannot wait until June.

b. Proposed Winter Park Tennis Center Operation Model

Jason Seeley, Parks and Recreation Department, provided a PowerPoint presentation regarding the proposed contract and business model modification for the Winter Park Tennis Center. He summarized the current operation model with High Performance Sports Management; the fiscal performance of the current contract model; the public input process including meetings and surveys; public feedback concerning current operational challenges with communication, soft court maintenance, customer service, instruction and instructors; and fees and costs. Mr. Seeley summarized the participation regarding the member survey. Addressed was the proposed operational model to include the modification of the scope, the division of duties for the City and the contracted Tennis Programming Provider as well as the fiscal impact to include staffing. In conclusion, Mr. Seeley addressed the expected outcomes to include the positive impacts of the proposed changes.

Mr. Seeley answered questions of the Commission. **Motion made by Commissioner Weldon to approve the operation model; seconded by Commissioner Cooper.** John Reker, 1660 Joeline Court, Winter Park, spoke in favor of approval. **The motion carried unanimously with a 5-0 vote.**

c. Solar Project Power Sales agreement between Florida Municipal Power Agency, Solar Power Project and the City of Winter Park

Electric Director Dan D'Alessandro presented the solar project information that was jointly developed by FMPA and OUC. He explained the contractual arrangement, the other participating utilities (preliminary list), economics of the project, the estimated savings based on 10 MW, the risks involved, and the benefits to include additional renewable energy for Winter Park among other benefits. He asked for Commission action to include approving Winter Park participation in the project at

10 MW, and to approve the Solar Project Power Sales Agreement between the Florida Municipal Power Agency, the Solar Power Project and the City substantially in the form presented this evening.

Frank Gafney, FMPA, clarified concerns and questions of the Commission.

Jerry Warren was present and commented about his concern with a 20 year agreement versus a 10 year agreement.

Motion made by Commissioner Sprinkel to approve the agreement; seconded by Commissioner Seidel.

The following spoke in favor of the agreement:

Michael Perelman, 1010 Greentree Drive

Todd Weaver, 1051 Lake Bell Drive

The motion carried unanimously with a 5-0 vote.

Public Hearings:

- a. ORDINANCE NO. 3105-18: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING A PORTION OF THE LOREN AVENUE RIGHT-OF-WAY FROM ELVIN AVENUE TO THE CITY LIMIT LINE, DEDICATED BY HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "M", PAGE 97, OF THE PUBLIC RECORDS OF ORANGE COUNTY, MORE PARTICULARLY DESCRIBED IN EXHIBIT A; PROVIDING FOR CONFLICTS, RECORDING AND AN EFFECTIVE DATE Second Reading

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Sprinkel to adopt the ordinance; seconded by Commissioner Cooper. There were no public comments. **Upon a roll call vote, the motion carried unanimously with a 5-0 vote.**

City Commission Reports:

Commissioner Seidel – Spoke about gun control, the NRA, and the need to address gun safety. He thanked the Governor for his legislation.

Commissioner Sprinkel – No report.

Commissioner Cooper – Spoke about the street bricking policy. City Manager Knight stated that staff is working on this to bring back to the Commission. She spoke about the Florida League of Cities webinar scheduled for March 28, from 2-3:00 where they will recap the legislative session.

Commissioner Weldon – No report.

Mayor Leary - Spoke about the home rule issue before the legislators and thanked the residents for contacting Tallahassee to oppose their proposed legislation regarding home rule.

PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

Hazel Walker, Winter Park resident, spoke about receiving a red light ticket. Staff will address this issue with Ms. Walker.

Michael Perelman, 1010 Greentree Drive, asked the Commission to mandate that every candidate for public office provide to the City their vision, what they want to do and stand for and to expand the website to include that information. Mayor Leary expressed his belief that it is the candidate's responsibility to inform the public and expressed concerns with possible issues with the City participating.

The meeting adjourned at 5:00 p.m.



Mayor Steve Leary

ATTEST:



City Clerk Cynthia S. Bonham, MMC

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME SEIDEL GREGORY STEPHEN		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CITY OF WINTER PARK CITY COMMISSION	
MAILING ADDRESS 1250 RICHMOND ROAD		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY WINTER PARK	COUNTY ORANGE	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED		NAME OF POLITICAL SUBDIVISION: CITY OF WINTER PARK	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, GREGORY S. SEIDER, hereby disclose that on MARCH 12, 20 18:

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

q.c.

3/12/18
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.