Meeting Called to Order

Invocation
Reverend Alison Harrity, St. Richard’s Episcopal Church
Pledge of Allegiance

Approval of Agenda

Mayor’s Report
a. Proclamation – Purchasing Month

City Manager’s Report

City Attorney’s Report

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

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

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

agenda

1 Meeting Called to Order

2 Invocation Reverend Alison Harrity, St. Richard’s Episcopal Church
Pledge of Allegiance

3 Approval of Agenda

4 Mayor’s Report
   a. Proclamation – Purchasing Month

5 City Manager’s Report

6 City Attorney’s Report

*Projected Time
*Subject to change
5 minutes

*Projected Time
*Subject to change

*Projected Time
*Subject to change

*Projected Time
*Subject to change
## Non-Action Items

*Projected Time  
*Subject to change

## Citizen Comments

<table>
<thead>
<tr>
<th>5 p.m. or soon thereafter</th>
<th>(if the meeting ends earlier than 5:00 p.m., the citizen comments will be at the end of the meeting)</th>
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<tbody>
<tr>
<td></td>
<td>(Three (3) minutes are allowed for each speaker; not to exceed a total of 30 minutes for this portion of the meeting)</td>
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## Consent Agenda

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### a. Approve the minutes of February 24, 2014.

### b. Approve the following contracts and purchases:

1. Blanket purchase order to Duke Energy for FY14 Power Transmission (ITN-33-2010); $1,950,000.
2. Authorize the Mayor to execute Contract No. IFB-2-2014 with DS Waters, Inc. for water services and subsequent blanket purchase order for services on an as needed basis.
3. Authorize the Mayor to execute Contract No. IFB-8-2014 with multiple vendors and subsequent blanket purchase order for underground utility services.
4. Blanket purchase order to Florida Power and Light for FY14 bulk power supply (ITN-33-2010); $7,250,000.
5. Blanket purchase order to Orlando Utilities Commission for FY14 Power Transmission (ITN-33-2010); $4,390,000.
6. Blanket purchase order to Seminole Electric Cooperative for FY14 Bulk Power Supply (ITN-33-2010); $8,000,000.

c. Waive the collection of various fees associated with providing utility services to the Grant Chapel.

## Action Items Requiring Discussion

### Public Hearings

### a. Ordinance – Authorizing the issuance of not exceeding $16,000,000 Electric Revenue Bonds to finance its outstanding electric revenue bonds, Series 2005A tendered for purchase by the holders thereof and pay the costs of issuance thereof; providing for the payment of such bonds from the net revenues derived from the electric system on parity with the City’s outstanding electric revenue bonds; providing for the sale of such bonds pursuant to a private negotiated sale, a competitive public sale or a negotiated public sale (2)

### b. Ordinance – Vacating and abandoning the easement located at 2020 W. Fawsett Road (1)

### c. Ordinance – Authorizing the conveyance of the City owned property at 321 Hannibal Square, West in exchange for the property located at 325 South Pennsylvania Avenue. (1)
d. **Resolution** – Authorizing the City Manager to enter into an Urban and Community Forestry Grant Memorandum of Agreement with the Florida Department of Agriculture and Consumer Services

### City Commission Reports

<table>
<thead>
<tr>
<th>12</th>
<th>City Commission Reports</th>
<th><em>Projected Time</em></th>
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<tbody>
<tr>
<td>a.</td>
<td>Commissioner Leary</td>
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<td>b.</td>
<td>Commissioner Sprinkel</td>
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<td>c.</td>
<td>Commissioner Cooper</td>
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<td>d.</td>
<td>Commissioner McMacken</td>
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<tr>
<td>e.</td>
<td>Mayor Bradley</td>
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*Subject to change*

10 minutes each

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**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.”
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.

<table>
<thead>
<tr>
<th>issue</th>
<th>update</th>
<th>date</th>
</tr>
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<tbody>
<tr>
<td>Lee Road Median Update</td>
<td>Irrigation installation ongoing.</td>
<td>Tree installation will begin upon irrigation installation completion.</td>
</tr>
<tr>
<td>Fairbanks Improvement Project</td>
<td><strong>Communication Notices</strong>&lt;br&gt;• Working with future customers regarding connection to gravity sewer.</td>
<td><strong>Construction Project</strong>&lt;br&gt;Connection to sewer instructions posted on City website.&lt;br&gt;Contractor working on punch list items including pavement markings and as-built drawings.&lt;br&gt;The City is working on project closeout and permit approval.</td>
</tr>
<tr>
<td>City of Winter Park Train Station</td>
<td>Building is substantially complete. Punch list items remain.</td>
<td>Completed.</td>
</tr>
<tr>
<td>Quiet Zones</td>
<td>Funds approved for design.</td>
<td>Ongoing coordination with Orlando, MetroPlan, and FDOT.</td>
</tr>
<tr>
<td>Winter Park Hospital Parking Garage</td>
<td>Submitted construction plans. Met with hospital representatives to discuss current and future plans and options for master plan update. Will continue to meet and discuss options.</td>
<td>June 2014</td>
</tr>
<tr>
<td>Refunding of Electric Revenue Bonds, Series 2005A (Variable rate bonds in auction rate mod)</td>
<td>City Bond Counsel, Bryant Miller Olive are preparing an ordinance authorizing the issuance of refunding bonds. Final approval of ordinance will occur in March. Globic Advisors has been retained to facilitate a tender offer program for the bond holders. Number of bondholders willing to sell their bonds at a favorable price will determine which financing alternative is most advantageous.</td>
<td>May 2014</td>
</tr>
<tr>
<td>Mechanisms to encourage owners to place overhead electric service wires underground</td>
<td>Current City ordinances require owners to place overhead electric service wires underground upon: 1.) new commercial and residential construction 2.) Renovations that exceed 50% of the appraised value of existing improvements 3.) change out of electric service equipment caused by code violations. There are 5,000 overhead electric service wires. Our goal is to get all overhead electric service wires placed underground at completion of underground project (10-12 years).</td>
<td>Currently being discussed by the Utilities Advisory Board</td>
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<tr>
<td>Fairbanks electric transmission and distribution undergrounding</td>
<td>Engineering of Duke transmission underground project is underway. Boring of test holes along Fairbanks should begin this week. City of Winter Park is designing the distribution project in coordination with Duke.</td>
<td>Engineering and cost estimates for both the transmission and distribution projects should be complete around the end of March.</td>
</tr>
<tr>
<td>New Hope Baptist Church Project</td>
<td>All work has proceeded in with compliance with our Codes. Recent mechanical and framing inspections were approved.</td>
<td>Approved Conditional Use will expire in September, 2015</td>
</tr>
<tr>
<td>Alfond Inn</td>
<td>Project complete except for final drainage improvements to be signed off by project civil engineer. (Not being held up by City).</td>
<td>Operating under a TCO (Temporary Certificate of Occupancy)</td>
</tr>
<tr>
<td>Grant Chapel</td>
<td>Works continues expeditiously and in compliance with our codes.</td>
<td>Completion expected within 30 days.</td>
</tr>
<tr>
<td>Capen House</td>
<td>The halves of the home are now placed on the Polasek Museum site in two locations. Foundation permit has been approved and completion of relocation of city sewer is proceeding in a timely manner.</td>
<td>Completion may take 60 to 90 days depending on funds available from contributions.</td>
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</table>

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.
The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Mayor Kenneth Bradley, followed by the Pledge of Allegiance.

Members present:  Also present:
Mayor Kenneth Bradley  City Manager Randy Knight
Commissioner Steven Leary  City Attorney Bill Reischmann
Commissioner Sarah Sprinkel  City Clerk Cynthia Bonham
Commissioner Carolyn Cooper  Deputy City Clerk Michelle Bernstein
Commissioner Tom McMacken

Approval of the agenda

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

Mayor’s Report

Mayor Bradley mentioned that the City’s Electric Utility Department, in partnership with Clean Footprint, LLC, has completed the installation of the 100kW rooftop solar panels at our Public Works Compound. Several Commission members attended the official celebration on February 14.

City Manager’s Report

City Manager Knight addressed the March 6 Economic Update meeting being hosted by the Chamber of Commerce and the need to contact his office for advanced seating.

City Manager Knight explained that last week the developer submitted to the City a copy of their traffic study report for the proposed redevelopment of the Winter Park Corporate Square property located at the northeast corner of Lee Road and US 17-92. This report was sent to the Commission and to our traffic consultant for an independent review. In approximately two weeks, our consultant will be issuing a findings report which will then be presented to the Commission for discussion.

City Manager Knight further explained that the original Lee Road extension project is currently ranked #10 on MetroPlan Orlando’s project list which is scheduled to be funded around 2018. As a result of the current developer wanting access to the traffic light at Lee Road, FDOT has asked the developer to forward fund his project and go ahead with the street cut through now as part of his development; otherwise, he will not have access to this traffic light. At this point in time, no
formal project application has been submitted by the developer to the City for processing. City Manager Knight answered questions.

**City Attorney’s Report**

Upon request, Attorney Reischmann addressed the question related to our possible legal obligation concerning previous discussions held by the Commission in 2003 regarding the issuance of a resolution in support of the Lee Road extension.

**Non-Action Item** – No items.

**Consent Agenda**

a. Approve the minutes of February 10, 2014.

b. Approve the following piggyback contracts:
   1. Piggybacking City of Ocala Contract No. FAC12/-009 with Cubix, Inc. for dry method carpet cleaning; and authorize the Mayor to execute purchase orders for services on an as needed basis.
   2. Piggybacking Orange County Contract No. Y12-135 with Ace Staffing, Inc. for temporary labor; and authorize the Mayor to execute purchase orders for services on an as needed basis.
   3. Piggybacking City of Titusville Contract No. CN1B003 with Layne Inliner LLC for sanitary sewer systems; and authorize the Mayor to execute purchase orders for services on an as needed basis.
   4. Piggybacking City of Orlando Contract No. BI09-2475 with Flowers Chemical Laboratories for analytical services for wastewater treatment; and authorize the Mayor to execute purchase orders for services on an as needed basis.

c. Authorize the Mayor to execute the Interlocal Agreement between the City of Winter Park, Florida and the City of Gainesville, Florida d/b/a Gainesville Regional Utilities

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

**Action Items Requiring Discussion**

a. Approval of ULI Technical Assistance Panel Scope and Funding for US 17-92 Corridor

Planning & Community Development Director Dori Stone provided background and answered questions. She explained that staff is asking for approval of the scope of work and budget of $25,000 to the Central Florida Chapter of ULI to host a Technical Assistance Panel on redevelopment alternatives along the US 17-92/Orlando Avenue corridor. This will move forward in April and a recommendation will be brought forward to the Commission in May for approval.
Commissioner McMacken asked if they move ahead tonight with the baseball stadium, if the TAP study could also include the potential baseball stadium sites. Ms. Stone said yes. She acknowledged Mayor Bradley’s request to also include the Denning Drive corridor. Commissioner Cooper expressed her desire to host a community visioning exercise and allow the public the opportunity to provide feedback to establish a consensus on visioning and growth.

Upon request, Ms. Stone provided a brief summary regarding the previous TAP panel report and the visioning session held last year by Marilyn Crotty & UCF. She acknowledged the request to put together an executive summary regarding these exercises and to place it on the City’s website.

**Motion made by Commissioner Leary to approve; seconded by Commissioner Sprinkel.**

Amy Schuemann, Unicorp National Development, spoke in favor of the ULI study.

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

b. **Opportunity for a minor league baseball stadium in Winter Park**

City Manager Knight provided a brief summary regarding the work session that was held on February 17 and asked for approval as follows:

Authorize staff to:
1. Continue exploration of bringing Minor League baseball to and constructing a stadium in Winter Park at these possible sites: Martin Luther King, Jr. Park; Ravaudage; the UP Development/Votech area; and the Harper Shepherd Field site.
2. Utilize the Madison Group, LTD to assist the City in negotiating deal points and to update the facility assessment study.
3. Pursue potential funding sources for the project on behalf of the City. (Acceptance of any funding source will require City Commission approval)
4. Bring recommendations to the City Commission in the August 2014 timeframe including the above information and appropriate traffic studies.

**Motion made by Commissioner McMacken to approve (staff’s recommendation as noted above); seconded by Commissioner Leary.**

City Manager Knight explained that the final report will be issued in August and will include the cost to replace our youth sports fields, the cost for the land, and the parking.

No public comments were made.
Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

City Manager Knight acknowledged the request to keep the Commission informed as the deal progresses regarding the site selection and the funding opportunities.

c. City assistance with gravity sewer relocation to accommodate the Capen House at the Albin Polasek Museum location

City Manager Knight explained that the City received a request for assistance with the gravity sewer relocation to accommodate the Capen House at the Albin Polasek Museum location. Two bids were obtained to do the work using outside contractors ranging from approximately $24,000 to $28,000. The Utility Department has estimated that our cost to do the relocation using in-house utility construction crews is $11,579.43.

Staff asked to authorize the City Utilities Department to relocate the existing gravity sewer that is in conflict with the new location of the Capen House and to bill the actual cost of materials and labor to the Polasek Museum.

**Motion made by Commissioner Sprinkel to approve (to authorize the City Utilities Department to relocate the existing gravity sewer that is in conflict with the new location of the Capen House and to bill the actual cost of materials and labor to the Polasek Museum; in the amount of $11,579.43 with a 10% variance cap); seconded by Commissioner McMacken.**

**Motion amended by Commissioner McMacken to also include that the City would pick up the cost of the installation of the sewer line; seconded by Commissioner Cooper.**

Debbie Komanski, Polasek Museum, provided an update and addressed questions.

Water & Wastewater Utility Director David Zusi answered questions. He clarified that this sewer line serves numerous lakefront properties and that normal protocol is for the homeowner to pay for these services.

No public comments were made.

**Upon a roll call vote on the amendment (to also include that the City would pick up the cost of the installation of the sewer line); Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**
Upon a roll call vote (to authorize the City Utilities Department to relocate the existing gravity sewer that is in conflict with the new location of the Capen House that the City would pick up the cost of the installation of the sewer line; in the amount of $11,579.43 with a 10% variance cap); Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

d. Appointment of Canvassing Board for March 11, 2014 election

City Clerk Cynthia Bonham explained that per our Charter, the Commission must appoint three (3) of its members to the Canvassing Board. For any disqualified City Commissioner or Mayor, the City Clerk can act as the alternate Canvassing Board member. Upon request, Attorney Reischmann provided clarity regarding the Charter provisioning language.

Motion made by Mayor Bradley to appoint the following three members to the Canvassing Board: Mayor Bradley, Commissioner Leary and Commissioner McMacken and that City Clerk Cynthia Bonham be appointed as the alternate; seconded by Commissioner McMacken. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to accept the canvassing criteria as set by the state and used by Orange County for canvassing the absentee ballots; seconded by Commissioner Leary. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to allow the Orange County Supervisor of Elections to open and run all absentee ballots through the tabulator ahead of time that are not questionable and are valid (without ascertaining the results until 7:00 p.m. on the day of the election); seconded by Commissioner Leary. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

e. Cancel or reschedule the Commission meeting scheduled for Monday, May 26, 2014 due to the Memorial Day Holiday.

Motion made by Mayor Bradley to cancel the meeting scheduled for May 26, 2014; seconded by Commissioner Sprinkel. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.
PUBLIC HEARINGS:

a. **RESOLUTION NO. 2135-14**: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, DECLARING THAT THE CITY IS TO FUND CAPITAL IMPROVEMENTS IN AND FOR THE CITY, TO-WIT: UNDERGROUND ELECTRIC/CATV (BHN) FACILITIES ALONG SEMINOLE DRIVE; FURTHER DECLARING THAT THE COST OF SAID IMPROVEMENTS SHALL BE PARTIALLY PAID BY SPECIAL ASSESSMENTS LEVIED AGAINST REAL PROPERTY SPECIALY BENEFITTED BY SAID IMPROVEMENTS; SPECIFYING THE MANNER OF AND TIME FOR PAYING THE SPECIAL ASSESSMENTS; AND INVITING THE PUBLIC TO REVIEW THE PROJECT PLANS AND SPECIFICATIONS AND THE ASSESSMENT PLAT, ALL OF WHICH ARE ON FILE AT THE OFFICE OF THE CITY CLERK OF THE CITY OF WINTER PARK; CONFIRMING THE SPECIAL ASSESSMENTS FOR THE UNDERGROUNDBENING OF ELECTRIC/CATV (BHN) FACILITIES WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK, CONSISTING OF PROPERTIES ADJACENT TO SEMINOLE DRIVE; PROVIDING AN EFFECTIVE DATE.

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

b. **RESOLUTION NO. 2136-14**: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 1873 GLENCOE ROAD, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Attorney Reischmann read the resolution by title. Since this was a quasi-judicial proceeding, communications were disclosed. Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken noted that there were no ex-parte communications.

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

Planning & Community Development Director Dori Stone acknowledged the request to provide information regarding additional incentives/benefits with registering a home and if this particular property would qualify for federal registry.

No public comments were made.

**Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**
c. Request of the City of Winter Park:

ORDINANCE NO. 2950-14: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING SECTION 58-84, RELATING TO NON-RESIDENTIAL ZONING DISTRICTS AND THE CONDITIONS REQUIRED FOR A SPECIAL EVENT; PROVIDING FOR, SEVERABILITY, CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.  
Second reading.

Attorney Reischmann read the ordinance by title.

Motion made by Commissioner McMacken to adopt the ordinance; seconded by Commissioner Sprinkel. No public comments were made.

Mayor Bradley explained that he will be voting in opposition since he does not want to deny a school or church’s request to host an art event during this timeframe.

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

d. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE ISSUANCE OF NOT EXCEEDING $16,000,000 ELECTRIC REVENUE BONDS OF THE CITY TO FINANCE ITS OUTSTANDING ELECTRIC REVENUE BONDS, SERIES 2005A TENDERED FOR PURCHASE BY THE HOLDERS THEREOF AND PAY THE COSTS OF ISSUANCE THEREOF; PROVIDING FOR THE PAYMENT OF SUCH BONDS FROM THE NET REVENUES DERIVED FROM THE ELECTRIC SYSTEM OF THE CITY ON PARITY WITH THE CITY’S OUTSTANDING ELECTRIC REVENUE BONDS; PROVIDING FOR THE SALE OF SUCH BONDS PURSUANT TO A PRIVATE NEGOTIATED SALE, A COMPETITIVE PUBLIC SALE OR A NEGOTIATED PUBLIC SALE; AND PROVIDING AN EFFECTIVE DATE.  
First reading.

Attorney Reischmann read the ordinance by title.

City Manager Knight explained the ordinance and the cost savings advantages. He stated that a resolution approving the specific terms of the borrowing will be presented to the Commission for approval at a future meeting. Completion of the tender offer, borrowing and purchase of bonds is anticipated to be completed in May.

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

Jay Glover, Public Financial Management, and City Manager Knight answered questions.

No public comments were made.
Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

e. Request of English and Swoope Investment LLC and Village Park Senior Housing Partners Ltd.: To amend the conditional use and development agreement for the Village Park Senior Housing project at 550 N. Denning Drive to add the property at 796 W. Swoope Avenue to the project; permitting an increase in density from 105 to 108 apartments.

Since this was a quasi-judicial proceeding, communications were disclosed. Mayor Bradley and Commissioners Sprinkel and McMacken spoke with the applicants counsel. Commissioner Leary received a voice mail from the applicants counsel but did not speak to them. Commissioner Cooper spoke with Dan Bellows.

Planning Manager Jeff Briggs provided a brief history of the property, the details of the current request and an overview of the code requirements. He explained that even though the amended Development Agreement serves as record in the public records, it is a challenge for the City’s Building Department and Planning staff to remember the terms and conditions. Therefore, on February 4 staff recommended to the Planning and Zoning (P&Z) Board to rezone 796 W. Swoope Avenue from R-3 to R-2 so that the four unit maximum density becomes inherent in the R-2 zoning. After a lengthy discussion by P&Z concerning staff’s recommendation to downzone the property to R-2 and the impact on development of that property in the future, P&Z decided against the recommendation to downzone.

Mr. Briggs responded to questions including the difference in R-2 and R-3 height requirements. He clarified that P&Z voted in favor of the request to amend the conditional use and Development Agreement for the Village Park Senior Housing Project at 550 North Denning Drive to add the property at 796 West Swoope Avenue to the project. This would permit an increase in density from 105 to 108 apartments within the senior housing project (without the rezoning to R-2).

Rebecca Wilson of the Lowndes, Drosdick, Kantor & Reed Law Firm, spoke on behalf of the applicant and answered questions.

Motion made by Commissioner McMacken (to approve the request to amend the conditional use and Development Agreement) with the inclusion of staff’s recommendation that the subject property be rezoned to R-2; seconded by Commissioner Cooper.

Motion amended by Mayor Bradley (to approve the request to amend the conditional use and Development Agreement) that we would not have in the main motion the R-2; but rather keep the R-3 zoning that the Planning & Zoning Board passed; seconded by Commissioner Leary.
Attorney Reischmann clarified that if the original motion passes without the amendment, they would be approving the change to the Developer’s Agreement and directing staff to move forward with the process of amending our Land Development Code to change the zoning.

Dan Bellows, 411 W. New England Avenue, spoke in favor of the project but urged the Commission not to consider downzoning the property to R-2.

**Upon a roll call vote (to approve the request to amend the conditional use and Development Agreement) that we not have in the main motion the R-2; but rather keep the R-3 zoning that the Planning & Zoning Board passed);** Mayor Bradley and Commissioner Leary voted yes. Commissioners Sprinkel, Cooper and McMacken voted no. The motion failed with a 3-2 vote.

Commissioner Sprinkel asked for clarification of the above motions and asked for reconsideration of the above motion where she voted no. Attorney Reischmann provided legal counsel regarding the reconsideration process.

**Motion made by Commissioner Sprinkel for reconsideration of the above motion; seconded by Mayor Bradley.** Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote (to approve the request to amend the conditional use and Development Agreement that we not have in the main motion the R-2; but rather keep the R-3 zoning that the Planning & Zoning Board passed); Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.

Upon a roll call vote as amended (to approve the request to amend the conditional use and Development Agreement and to keep the R-3 zoning); Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

**Motion made by Commissioner Cooper that we give policy direction to staff to review the appropriate list of R-2 zoning on this piece of property and if they believe that it is appropriate to move forward with an administrative rezoning on the property.** Commissioner McMacken felt there is no need for this motion since staff has already been directed to perform this task according to his previously approved motion. **Motion failed for lack of a second.**
Public Comments (5:00 p.m.)

Deidre MacNab, 1860 Summerland Avenue, agreed that a visioning process needs to take place with the involvement of the residents and business owners.

Dan Bellows, 411 W. New England Avenue, spoke on behalf of Traditional Neighborhoods Inc., a 501c3 non-profit organization. He explained that an entity donated the Grant Chapel Church to Traditional Neighborhoods Inc. and currently there is an outstanding $5,200 power bill for the underground transformer and $1,000 bill for connection fees for water/sewer resulting from moving the church. He asked on behalf of the non-profit organization if the City would contribute the $6,200. He also asked if the City would remove the chain link fence and shade cloth around the Blake Yard so the area can be improved. City Manager Knight acknowledged the directive to handle this request.

Marilyn Miller, 1631 Diana Drive, spoke about the potential traffic impact regarding the Lee Road extension and asked if a traffic study has been done. City Manager Knight responded to questions and recommended that she petition FDOT for appeal since this is a state road project.

Rosalee Levy, 850 Juanita Rail, shared concerns with the traffic congestion that will be created with the extension of Lee Road.

Jeffrey Blydenburgh, 204 Genius Drive, urged the Commission to move forward with creating a master plan for the community.

Mary Randall, 1000 S. Kentucky Avenue, spoke in opposition to the Lee Road extension and agreed that a visioning/master planning process needs to be implemented.

A recess was taken from 5:27 p.m. to 5:45 p.m.

f. Request of the City of Winter Park:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CERTAIN PROVISIONS OF ARTICLE IV, SIGN REGULATIONS OF THE CITY OF WINTER PARK LAND DEVELOPMENT CODE; TO PROVIDE MORE SPECIFICITY AND TO ADD CLARITY; AND AMENDING SECTION 1-24, SCHEDULE OF VIOLATIONS AND PENALTIES, RELATING TO SNIPE SIGNS; SEVERABILITY; AND PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE. First reading.

Attorney Reischmann read the ordinance by title.

Planning Manager Jeff Briggs explained that staff requested the City Attorney’s office to help make several changes to the sign ordinance to make it more easily enforceable. He explained that some of the changes relate to the enforcement of the A-frame signs, animated signage, snipe signs, free expression signs, variance
signs for churches and Lee Road commercial signage. Mr. Briggs explained that these revisions were reviewed in detail by the Planning and Zoning (P&Z) Board in a work session and then in a formal meeting on February 4 where they voted unanimously for approval. He answered questions including the sign permitting process and regulation of banner signage.

Attorney Reischmann provided a brief introduction and answered questions including signage aesthetics and how it relates to freedom of speech. He recommended that there be fewer and smaller signs, limit the location of where they are to be displayed, regulate the signage so that it is content neutral and make it known that these rules will apply to everyone within the City limits.

A majority agreed that we need to have uniform regulations throughout the community and that the rules should apply to residential, commercial and non-profit organizations.

**Motion made by Mayor Bradley to accept the ordinance on first reading; seconded by Commissioner McMacken.**

Commissioner Leary suggested that they bring back their thoughts and ideas at a work session so they can be better prepared in making a formal decision on what is or is not to be changed.

**Motion made by Commissioner Leary to table; seconded by Commissioner Cooper. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

A majority agreed for the City Manager to arrange the date and time of the work session. Mayor Bradley requested that a significant amount of visual examples be presented by staff for this work session. He also asked that several concepts be provided by our legal counsel and staff that include recommendations on what kind of a process other communities have gone through.

Mayor Bradley commented that during the next month or two while they are finalizing this ordinance if a situation arises that puts the City in some sort of jeopardy that they should expedite that part of the code. Fire Chief White (Code Enforcement) said as of this date there are no pressing issues. He agreed that a work session would be helpful since staff is looking for feedback and direction from the Commission.

Attorney Reischmann stated that staff is trying to make the current sign code better, more enforceable, more specific and more legal. What it does not do is change our policy.
City Commission Reports:

a. Commissioner Leary

Commissioner Leary congratulated Mayor Bradley for recently being inducted into the UCF Business Hall of Fame.

b. Commissioner Sprinkel

Commissioner Sprinkel reminded everyone about the upcoming Chili Festival being held this Wednesday evening; she was honored to attend the flag ceremony for Lieutenant Charles Nadd this past week; she mentioned the next quarterly strategic planning meeting and suggested that afterwards we share the Commission’s long term plan with the community.

c. Commissioner Cooper

Commissioner Cooper felt it would be advantageous to send out surveys to the residents so they can provide input.

d. Commissioner McMacken

Commissioner McMacken announced that this Sunday is the St. Patrick’s Day parade and next Monday is the Winter Park Train Station grand opening event.

Commissioner McMacken asked the Commission to look at the current location of the irrigation pump house in Central Park during the train station event and provide feedback regarding possible relocation. City Manager Knight said staff is in the process of obtaining a price quote to relocate it.

e. Mayor Bradley

Mayor Bradley mentioned that the Historical Society has used the corporate square office gratis for storage and if that building is to be demolished, we need to find out what their intentions are regarding the safekeeping of City antique items. City Manager Knight was directed to contact them on behalf of the City to find out what their plans are and if they need storage space so we can then determine how we can assist. Mayor Bradley mentioned that the library might possibly be able to assist with single storage of items.

The meeting adjourned at 6:35 p.m.

____________________________
Mayor Kenneth W. Bradley

ATTEST:

____________________________
City Clerk Cynthia S. Bonham
### Consent Agenda

**Meeting Date:** March 10, 2014

**Prepared by Department Division:** Purchasing Division

**Board Approval:** N/A

### Contracts

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Item</th>
<th>Background</th>
<th>Fiscal Impact</th>
<th>Motion</th>
<th>Recommendation</th>
</tr>
</thead>
</table>

The City utilized a competitive formal solicitation process to award this contract. The City Commission approved this contract on October 25, 2010. This Blanket Purchase Order will expire September 30, 2014.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Item</th>
<th>Background</th>
<th>Fiscal Impact</th>
<th>Motion</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>DS Waters, Inc.</td>
<td>Contract for DS Water Services for City of Winter Park, Contract No. IFB-2-2014</td>
<td>Total expenditure included in approved FY14 budget.</td>
<td>Commission approve and authorize the Mayor to execute Contract No. IFB-2-2014 and Blanket subsequent Purchase Order for services on an as needed basis.</td>
<td></td>
</tr>
</tbody>
</table>

The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on February 17, 2014.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Item</th>
<th>Background</th>
<th>Fiscal Impact</th>
<th>Motion</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Multiple Vendors will be used</td>
<td>Contract for Underground Utility Services, Contract No. IFB-8-2014</td>
<td>Total expenditure included in approved FY14 budget.</td>
<td>Commission approve and authorize the Mayor to execute Contract No. IFB-8-2014 and subsequent Blanket Purchase Order for Underground Utility Services.</td>
<td></td>
</tr>
</tbody>
</table>

The City of Winter Park utilized a competitive bidding process to award this contract. The contract will be awarded to the overall low bidder. The Blanket Purchase Order pending issue will expire September 30, 2014.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Item</th>
<th>Background</th>
<th>Fiscal Impact</th>
<th>Motion</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Florida Power and Light</td>
<td>Blanket Purchase Order for Bulk Power Supply (ITN-22-2010)</td>
<td>Total expenditure included in approved FY14 budget. Amount: $7,250,000</td>
<td>Commission approve Blanket Purchase Order to Florida Power and Light for FY14 Bulk Power Supply</td>
<td></td>
</tr>
</tbody>
</table>

The City utilized a competitive formal solicitation process to award this contract. The City Commission approved this contract on October 01, 2013. This Blanket Purchase Order will expire September 30, 2014.
<table>
<thead>
<tr>
<th>vendor</th>
<th>item</th>
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<th>motion</th>
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<td></td>
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<td></td>
<td></td>
<td>The City utilized a competitive formal solicitation process to award this contract. The City Commission approved this contract on October 25, 2010. This Blanket Purchase Order will expire September 30, 2014.</td>
</tr>
<tr>
<td>6 Seminole Electric Cooperative</td>
<td>Blanket Purchase Order for Bulk Power Supply (ITN-33-2010)</td>
<td>Total expenditure included in approved FY14 budget. $8,000,000</td>
<td>Commission approve Blanket Purchase Order to Seminole Electric Cooperative for FY14 Bulk Power Supply</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>The City utilized a competitive formal solicitation process to award this contract. The City Commission approved this contract on October 25, 2010. This Blanket Purchase Order will expire September 30, 2014.</td>
</tr>
</tbody>
</table>
Subject:
Utility Services to the Grant Chapel

Motion | Recommendation:
Waive the collection of various fees associated with providing utility services to the Grant Chapel

Background:
Under the city’s various fee schedule, providing utility services to the Grant Chapel requires payment of $9,067.97 as detailed in the following table. Historically, the City has often waived connection fees for 501c (3) type organizations. Examples include Habitat for Humanity homes and recently the City Commission waived fees for the relocation of a wastewater lateral caused by the relocation of the historic Capen House to the Polasek Museum property. Policy considerations for waiving fees for the relocation of the Grant Chapel appear to be similar.

<table>
<thead>
<tr>
<th>Fee</th>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electric Connection Charges</td>
<td></td>
<td>$5,256.97</td>
</tr>
<tr>
<td>Sewer Lateral Construction Fees</td>
<td></td>
<td>3,443.00</td>
</tr>
<tr>
<td>Disconnect/Reconnect fees associated with relocation of Grant Chapel</td>
<td></td>
<td>368.00</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$9,067.97</td>
</tr>
</tbody>
</table>

Alternatives | Other Considerations:
Do not waive the utility fees associated with the relocation of the Grant Chapel

Fiscal Impact:
Sufficient money exists in the water/wastewater and electric routine capital budgets to fund the waiver of these fees.
Subject:
Authorize the issuance of not exceeding $16,000,000 electric revenue bonds to finance the refunding of all or a portion of the Electric Revenue Bonds, Series 2005A.

SECOND READING OF ORDINANCE

Motion | Recommendation:
Approve ordinance authorizing the issuance of not exceeding $16,000,000 electric revenue bonds to finance the refunding of all or a portion of the Electric Revenue Bonds, Series 2005A.

Background:
The Electric Revenue Bonds, Series 2005A are auction rate security bonds issued in 2005 for the purpose of acquiring a portion of the electric distribution system in the City. A large portion of the original bond issue was refunded with fixed rate bonds in 2009 through a tender offer program. The tender offer gave bondholders an opportunity to provide a price at which they would be willing to sell their bonds. This process resulted in the City purchasing $25,110,000 of the electric bonds back at $0.91 per $1.00.

Since then, the City has purchased an additional $900,000 in bonds at similar discounts from bondholders contacting the City through their brokers. Presently, the balance outstanding is $15,260,000. The interest rate on these bonds is the default rate defined by a formula in the original bond documents. This formula is 175% of the one month LIBOR. Since 2009, this rate has consistently been 0.50% or less.

The concern is that once rates begin rising, our interest rate will increase exponentially. Staff is working with the City’s financial advisor, PFM, and bond counsel, Bryant Miller Olive, as well as Globic Advisor on preparing a tender offer similar to the approach taken in 2009. We are hopeful we can repurchase a significant portion of the remaining bonds outstanding at a discount and finance this purchase with a bank loan. Competitive rate bids will be obtained to determine the most...
advantageous financing terms available. A resolution approving the specific terms of the borrowing will be presented to the Commission for approval at a future Commission meeting. Completion of the tender offer, borrowing and purchase of bonds is anticipated to be completed in May.

**Alternatives | Other Considerations:**

Leave the bonds in their current auction rate mode. The default rate has averaged less than 0.30% in fiscal year 2014.

**Fiscal Impact:**

Higher interest costs on the portion of the bonds refunded with a fixed rate loan. A fixed rate loan will likely have a rate between 2.50% and 3.00%. However, the risk of even higher interest costs due to exponential increases in the default rate will have been reduced.
ORDINANCE NO. [____]-14

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE ISSUANCE OF NOT EXCEEDING $16,000,000 ELECTRIC REVENUE BONDS OF THE CITY TO FINANCE ITS OUTSTANDING ELECTRIC REVENUE BONDS, SERIES 2005A TENDERED FOR PURCHASE BY THE HOLDERS THEREOF AND PAY THE COSTS OF ISSUANCE THEREOF; PROVIDING FOR THE PAYMENT OF SUCH BONDS FROM THE NET REVENUES DERIVED FROM THE ELECTRIC SYSTEM OF THE CITY ON PARITY WITH THE CITY’S OUTSTANDING ELECTRIC REVENUE BONDS; PROVIDING FOR THE SALE OF SUCH BONDS PURSUANT TO A PRIVATE NEGOTIATED SALE, A COMPETITIVE PUBLIC SALE OR A NEGOTIATED PUBLIC SALE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AUTHORITY FOR THIS ORDINANCE. This ordinance is enacted pursuant to the provisions of Chapter 166, Parts I and II, Florida Statutes; Chapter 86, Article III, of the Code of Ordinances of the City of Winter Park, Florida (the “City”); and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared that:

A. Under current municipal bond market conditions, and to hedge against anticipated increases in short term interest rates, the City desires to seek the tender of its outstanding Electric Revenue Bonds, Series 2005A of the City (the “2005A Bonds”) and finance such tender with proceeds to be derived from the sale of one or more series of its electric revenue bonds issued under Resolution No. 1898-05 duly adopted by the City on May 9, 2005 (the “Original Resolution”).

B. It is necessary and desirable by the City to issue electric revenue bonds to be designated by the City in an amount not exceeding $16,000,000 to finance the tender offer of all or a portion of its outstanding 2005A Bonds and to pay the costs of issuance thereof (the “Bonds”).

C. The City may solicit tender offers from the holders of the 2005A Bonds and issue the Bonds to finance the cost of the purchase of all or a portion of the outstanding 2005A Bonds.

SECTION 3. AUTHORIZATION OF BONDS. The issuance by the City of not exceeding $16,000,000 electric revenue bonds for the purpose described above; to bear interest at a rate or rates not exceeding the maximum legal rate per annum, to be payable, to mature, to be subject to redemption and to have such designations and other characteristics as shall be provided by subsequent resolution or resolutions of the Commission prior to their delivery; and to be secured on a parity with the lien of the holders of its outstanding electric revenue bonds.
under the Original Resolution upon and pledge of the net revenues derived by the City from its electric system; is hereby authorized. The Commission may adopt a specific bond resolution (including any necessary resolutions supplemental to the Original Bond Resolution) supplemental to this ordinance, setting forth the maturities (or a mechanism for determining such maturities on or prior to the sale of such Bonds) and the fiscal details and other covenants and provisions necessary for the marketing, sale and issuance of such Bonds. In addition the bond resolution may authorize various interest rate modes and appropriate agreements for such modes, and may establish special accounts and include provisions for the sole benefit of the holders of such Bonds, as circumstances dictate, in order to fully protect the rights of the holders of such Bonds.

SECTION 4. GENERAL AUTHORITY. The Mayor, City Manager, Director of Electric Utilities and Finance Director of the City, or any of them, are hereby authorized, pending adoption of the above resolutions, to do all things and to take any and all actions on behalf of the City, without further action by the Commission, to provide for the tender of the 2005A Bonds; to furnish disclosures, representations, certifications and confirmations concerning the City; to solicit bids from financial institutions for the purchase of the Bonds; and to execute and deliver any commitments from financial institutions regarding the Bonds and all other documents and instruments deemed appropriate by any of such officers, the approval of the City and all corporate power and authority for such actions to be conclusively evidenced by the execution and delivery thereof by any of such officers.

SECTION 5. REPEALER. All ordinances, resolutions or parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect immediately upon its final passage and enactment.

ENACTED after reading by title at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, Florida, on this 10th day of March, 2014.

Mayor Kenneth W. Bradley

ATTEST:

City Clerk Cynthia S. Bonham
**Subject:**
Request to vacate City easement at 2020 W. Fawsett Rd.

**Motion | Recommendation:**
Approve the vacation request.

**Background:**
Letters of no objection received from utilities serving the neighborhood. (See Attached)
No objection from City Engineer.

**Alternatives | Other Considerations:**
N/A

**Fiscal Impact:**
None
AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT LOCATED AT 2020 W. FAWSETT ROAD, WINTER PARK, FLORIDA, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE.

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

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

NOW, THEREFORE, BE IT ENACTED by the People of the City of Winter Park, Florida as follows:

Section 1. The City Commission of the City of Winter Park, Florida, hereby vacates and abandons that certain easement granted in the Plat of FORREST HILLS, as recorded in Plat Book K, Pages 90, 91 and 92, Public Records of Orange County, Florida located at 2020 W. Fawsett Road, Winter Park, Florida, more particularly described by legal description as follows:

Lot 10, Less a strip 10 feet wide off the Southerly side, Block E, FORREST HILLS, according to the map or plat thereof as recorded in Plat Book K, Page 90, 91 and 92, Public Records of Orange County, Florida.

ALSO, the Westerly 17 feet of the Southerly 58 feet of Lot 8, Block E, Forrest Hills, according to the Plat thereof as recorded in Plat Book K, Pages 90, 91 and 92, Public Records of Orange County, Florida. ALSO DESCRIBED AS: Begin at the Southwest corner of Lot 8, Block E, Forrest Hills, run thence in a Northwesterly direction along the Westerly lot line of Lot 8 to the Northeast corner of Lot 10, Block E, thence in a Northeasterly direction and along an extension of the Lot line between Lots 9 and 10, Block E, a distance of 17 feet, thence Southeasterly to a point on the Southeast boundary of Lot 8, 17 feet Northeasterly from the point of beginning; thence Southwest along the Southeast boundary of said Lot 8, 17 feet to the Point of Beginning.

Section 2. All ordinances or portions of ordinances in conflict herewith are hereby repealed.
Section 3. The parties intend that any error in legal description or in depiction of the portion of the easement vacated and abandoned may be corrected by subsequent curative document if the parties agree that there was an error in the survey or description.

Section 4. This ordinance shall take effect immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the ____ day of March, 2014.

________________________________________
Mayor Kenneth W. Bradley

ATTEST:

________________________________
City Clerk Cynthia S. Bonham
VIA U.S. MAIL & EMAIL

Donald J. Marcotte, P.E.
City Engineer
City of Winter Park
180 West Lyman Avenue
Winter Park, Florida 32789

RE: Requesting an Ordinance of the City of Winter Park, Florida Vacating and Abandoning certain Easements Located at 2020 W. Fawsett Road, Winter Park, Florida

Dear Mr. Marcotte:

My clients, Mr. and Mrs. Philip Anderson, desire to remove certain unused easements located along the rear of 2020 W. Fawsett Rd. in Winter Park (the “Subject Property”). Therefore, we are requesting that the City of Winter Park issue an ordinance which vacate and abandon said easements located at the rear of the residence which was Florida.

The reason for requesting the release of the easements is that these easements are no longer in use by the City of Winter Park, nor by any of the other service providers. Attached are copies of “no objection” letters from each of the five (5) service providers relating to this matter.

Also, attached is a Survey which shows the three 4 foot easements (the “Easements”) in red which are located at the rear of the Subject Property. The Easements were established by the recording of the Forrest Hills Plat in the mid-1920s at Plat Book K at page 90, et. seq. Also in red is an outline of the footprint of the residence. You will note that a portion of the building (a 1987 garage extension) was built over two of the unused 4 foot easements. The Easements ran across the original rear lot lines of the platted lots.

The original rear lot line changed in 1951 upon conveyance of the 58 foot (north/south) by 17 feet (east/west) parcel from the original Lot 8 to the Subject Property owners by deed.

In addition, the 4 foot easement running north/south towards Lot 11(2050 W. Fawsett Road) to the south of the Subject Property is not in use. Since 1946, Lot 11 has been deeded...
with Lot 20 (which Lot 20 is to the rear of Lot 11 and also abuts the rear of both Lot 8 and the Subject Property). The residence at 2050 W. Fawsett Road (Lots 11 and 20) is also built over a portion of the same north/south easements established in Plat Book K, Page 90.

Attached please find the no objection letters from the following five utility contact providers with respect to the three 4 foot Easements we are seeking to have vacated and abandoned by the City of Winter Park.

1. No objection letter from City of Winter Park Water & Wastewater Department Utility dated February 10, 2014.


We therefore respectfully request that the City of Winter Park issue an ordinance to vacate and abandon the Easements with respect to the Subject Property.

For your convenience, also enclosed is a draft Ordinance based on a form of recorded ordinance relating to a similar easement issue.

Thank you on behalf of my clients for your prompt attention to this matter. Please do not hesitate to contact me should you have any questions, concerns or comments regarding the above or the enclosed.

Best regards,

Taylor D. Ward

Encls.
c: Mr. Philip Anderson (with encls., via email)
February 10, 2014

Ward Law Firm
450 North Wymore Road
Winter Park, FL 32789-2825

Attn: Taylor Ward

Re: 2020 W. Fawsett Rd. Easement Abandonment
Parcel I.D. 18-22-30-2844-05-101

Dear Mr. Ward:

The Water & Wastewater Utility Department of the City of Winter Park (City) has researched your request for abandonment of the platted utility easement at the above referenced address more particularly described in the attached survey. The easement was originally used for a City water main but an upgrade was recently performed that relocated the water main into the City Right of Way (ROW). The sanitary sewer main was constructed originally in the public ROW.

The subject parcel is within the Water & Wastewater Department Utility Service Area. We do not have any facilities within the easement. Therefore, the Water and Wastewater Utility Department has no objection to the abandonment of the easement.

Please do not hesitate to contact me if you require additional information or input from the Water & Wastewater Utility Department.

Sincerely,

E. Phillip Daniels
Assistant Utility Director
Water & Wastewater Utility
February 7, 2014

Mr. Taylor D. Ward
Ward Law Firm
450 North Wymore Road
Winter Park, Florida 32789

RE: Vacation of easements
2020 W. Fawsett Road
Winter Park, FL 32792

To Whom It May Concern:

CenturyLink has no objection to the abandonment of the three utility easements lying within the property of 2020 West Fawsett Road and as further described and illustrated in your correspondence dated January 27, 2014.

The parcel is within our jurisdiction. We do not have any facilities within the easement described above.

If you need any further assistance, please call Candace Crim, engineer, at 407-830-3650.

Candace C. Crim
CenturyLink
OSP Engineer II
407-830-3650
Taylor Ward

From: Taylor Ward
Sent: Monday, January 27, 2014 12:17 PM
To: Godek, Rob M
Cc: Crim, Candace C; O'Brien, Steve P; Collins, Jerrold B
Subject: RE: 2020 W. Fawsett Rd, WNPK - Abn Easement

Candy/Steve:

The Eastern portion of the Subject Property (the back yard) has a 58 foot by 17 foot section (formerly part of Lot 8, Block E) which was transferred in 1951 to the owners of Lot 10, Block E (who purchased Lot 10 in 1947). The 1925 Plat of Forrest Hills PB K 90 granted a 4 foot easement at the rear lot line of lots 8 and 10 and along the west side of lot 8, Block E.

Attached please find pdf’s of:

1. The 1987 “bad” survey which did not include two 4 foot easements which runs across the original eastern boundary of Lot 10 and a portion of Lot 8’s original western boundary which is the source of this problem and the need to abandon this portion of the Easement.

2. Plat Book K Pg. 90. [original Lots 10 and 8 are shown on page 2 near the bottom of page 2 ~ showing the Easements.] Note that the electricity line for Lots 8, 9 [and 10?] appear to come from the north across Reading Way. [See pages 3 and 4, the electricity line for Lots [10?], 11, 12 and 13 (all are lots on Fawsett) appear to come from the South across Dana Way. In addition, the 4 foot easements running east-west along the rear of Block E 1 through 8 (and along the 17 feet of the South East portion of the Subject Property apparently is where the power has always been provided the Subject Property (from the east).

3. The current survey (ID-14632 .pdf) shows the easement on the Subject Property in red. [Please note that this survey does not include Lot 20’s 4 foot easement which is to the south of Lot 8 and east of Lot 10. [it is possible that your company’s access may be within the 8 foot easement area coming from the east.].

As you will see on the current Survey a building (garage addition) sits above the 2 two 4 foot easements along the original east (rear) lot line of Lot 10 on the Subject Property. If needed, we will not request the abandonment of the southern 4 feet north of the 17 feet formerly on Lot 8.

Please call me if you have any questions or concerns.

Taylor D. Ward
WARD LAW FIRM
407 790-7699

From: Godek, Rob M [mailto:Rob.M.Godek@centurylink.com]
Sent: Monday, January 27, 2014 10:09 AM
To: Taylor Ward
Cc: Crim, Candace C; O'Brien, Steve P; Collins, Jerrold B
Subject: 2020 W. Fawsett Rd, WNPK - Abn Easement

Taylor,
Per our conversation, I have cc’d a couple of the OSP engineers for the Winter Park area.

Please send the documentation for the Easement Abandonment (4-ft Rear Lot Line) so they can review it and see if any existing CenturyLink facilities are impacted in regards to: 2020 W. Fawsett Rd, Winter Park, FL

Candy / Steve – Here is Taylor’s contact info regarding this matter:

Taylor Ward – Attorney  
Ph: 407-790-7699  
Email: taylor.ward@ward-law.net

Thanks.  
-Rob

******************************************************************************

Robert Godek  
Senior Engineer  
Altamonte Springs, FL  
ECI/CENTURY LINK  
Office: (407) 830-3421  
Fax: (407) 260-2683  
******************************************************************************
PLAT OF SURVEY

Legal Description: Lot 10 less the Southerly 10.00 ft. of block "E" FORREST HILLS.

As recorded in Plat Book "O" Page 90, 91, 92 Public Records of Orange County, Florida and the westerly 17.00 ft. of the Southerly 58.00 ft. of lot 8 block "N" of said FORREST HILLS.

Also all that part of the West 1/2 of the NE 1/4 of Section 18 T 22 S R 30 E lying Southwesterly of above described property, and between an extension of the Northerly line and an extension of the Southerly line of said described property to the West line of the West 1/2 of the NE 1/4 of said Section 18, together with full riparian rights in an to Lake Sue, subject to an easement for street as shown by said plat of FORREST HILLS.

Certified to

Scale 1"=40'

Date March 7, 1987

Type of Survey Final mortgage survey
O Denotes Corner O Denotes E.P. Pd. hot in a flood prone area
O Denotes E.P. Pd. Zone "C"

ROBERT M. GABIoud
Robert M. GABIoud
ROBERT M. GABIoud
Surveying
1422 Illinois Street
Orlando, FL 32803
(305) 998-2748

I hereby certify that the survey represented hereon meets or exceeds the minimum standards established pursuant to section 472.027, Florida Statutes.

ROBERT M. GABIoud
Registered Land Surveyor #2448

1987 Survey
Forrest Hills 'continued'
February 11, 2014

Taylor D. Ward
Ward Law Firm

RE: Easement vacate for 2020 W. Fawsett Rd. Described As: Lot 10, less a strip 10 feet wide off the Southerly side, together with the Westerly 17 feet of the Southerly 58 feet of Lot 8, Block E, Forrest Hills, according to the plat thereof as recorded in Plat Book K, pages 90,91, and 92. Public Records of Orange County, Florida.

To whom it may concern;

Please be advised that TECO Peoples Gas has no objection to vacating the easement on the rear of the above referenced address. If you have any questions or concerns please contact me at 407-420-2674.

Sincerely,

[Signature]
Brad Guagliardo
South Region Engineering
January 24, 2014

Mr. Taylor D. Ward
Ward Law Firm
450 North Wymore Road
Winter Park, Florida 32789

Re: 2020 West Fawsett Road (Exhibit A)

Dear Mr. Ward;

The City of Winter Park Electric Utility has no facilities located within the platted utility easement therefore has no objection to its vacation. If you have any questions please feel free to give me a call.

Sincerely;

Terry Hotard—
Assistant Director
Winter Park Electric Utility
Lot 10, LESS a strip 10 feet wide off the Southerly side, Block II, FOREST HILLS, according to the Plat thereof as recorded in Plat Book X, Pages 90, 91, and 92, Public Records of Orange County, Florida;

ALSO, all that part of the West 1/2 of the Northeast 1/4 of Section 18, Township 22 South, Range 30 East, lying Southeasterly of above described property, and between an extension of the Southerly line of above described property and the Southerly line of the above described property to the West line of West 1/2 of Northeast 1/4 of said section, together with full riparian rights in and to Lake Apopka, subject to an easement for street as shown by said plat of FOREST HILLS,

ALSO, the Northerly 17 feet of the Southerly 40 feet of Lot 9, Block B, FOREST HILLS, according to the Plat thereof as recorded in Plat Book X, Pages 90, 91, and 92, Public Records of Orange County, Florida, ALSO DESCRIBED AS: Begin at the Southeast corner of Lot 8, Block B, FOREST HILLS. Run thence in a Northwesterly direction along the Northerly lot line of Lot 8 to the Northeast corner of Lot 10, Block B, thence in a Northwesterly direction and along an extension of the lot line between Lots 9 and 10, Block B, a distance of 17 feet; thence Southeasterly to a point on the Southeast boundary of Lot 9, 17 feet Southeasterly from the point of beginning; thence Southwest along the Southeast boundary of said Lot 9, 17 feet to the point of beginning.
January 28, 2014

Mr. Taylor D. Ward  
Ward Law Firm  
Sent Via Email

RF: Vacation of Easements - 2020 W. Fawsett Road, Winter Park  
   Section 18, Township 22, Range 30

Dear Mr. Ward:

Bright House Networks has reviewed your request regarding the vacation of certain easements. Please be advised that we have no objection to the vacation of those three (3) 4’ easements lying within the property of 2020 W. Fawsett Road and as further described and illustrated in your correspondence dated January 27, 2014.

If you should have any additional questions regarding this matter, please do not hesitate to contact me at (407) 532-8508.

Sincerely,

[Signature]

P.J. King  
Sr. Const. Mgr.  
Bright House Networks

cc: Marvin L. Usry, Jr., Bright House Networks
Subject: Ordinance for the land swap of 321 Hannibal Square, West for the property at 325 S. Pennsylvania Avenue.

On February 10, 2014, pursuant to the Notice of Disposal, City Commission approved the proposed land swap with Morney Partnership, Ltd. of the city property at 321 Hannibal Square, West (south 34 feet of Lot 16, Block 50) for the property at 325 S. Pennsylvania Avenue (south 30 feet of Lots 5 & 6, Block 53), subject to the Morney Partnership covering all closing costs.

The City Charter requires an Ordinance to be adopted to sell (or swap) city owned land and the attached ordinance has been prepared and advertised for that purpose.

Under the terms approved by the City Commission, the applicant pays all of the closing costs.

Staff Recommendation: Approval
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA,
AUTHORIZING THE CONVEYANCE OF THE CITY OWNED
PROPERTY DESCRIBED AS THE SOUTH 34 FEET OF 321
HANNIBAL SQUARE, WEST, WINTER PARK, FLORIDA, IN
EXCHANGE FOR THE PROPERTY LOCATED AT 325 SOUTH
PENNSYLVANIA AVENUE, SUBJECT TO MINIMUM
REQUIREMENTS AS SET FORTH HEREIN; 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, pursuant to an advertised Notice of Disposal, the City is working to
implement an exchange or swap of the City owned property which is the south 34 feet of 321
Hannibal Square, West for the Morney Partnership, Ltd. property at 325 S. Pennsylvania; and

WHEREAS, the City Commission deems it advisable to convey City property pursuant
to the terms of the Notice of Disposal provided that the Morney Partnership Ltd, will pay all
closing costs.

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

SECTION 1. The recitals stated hereinafore 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 the Morney
Partnership Ltd., is the property generally identified as “The South 34.20 feet of Lot 16, Block
50, Revised Map of the Town of Winter Park, as recorded in Plat Book “A”, Pages 67-72”,
being a portion of Parcel ID# 05-22-30-9400-50-160 and more particularly described in Exhibit
“A” attached hereto in return for the land to be conveyed by the Morney Partnership, Ltd. to the
City which is “Lots 5 & 6, Block 53, Revised Map of the Town of Winter Park, as recorded in
Plat Book “A”, Pages 67-72.” which is Parcel ID# 05-22-30-9400-53-051”.

SECTION 3. 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 the Deed and other such required closing
documents on behalf of the City.

SECTION 4. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of
the provisions of this Ordinance are hereby repealed.
SECTION 5. 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 __________________, 2014.

____________________________
Mayor Kenneth W. Bradley

ATTEST:

_______________________________
City Clerk, Cynthia S. Bonham
SKETCH OF DESCRIPTION

(THESE IS NOT A SURVEY)

LOT 1

POINT OF COMMENCEMENT

NE CORNER OF LOT 16, BLOCK 50
REVISED MAP OF THE TOWN OF WINTER PARK
(PLAT BOOK "A", PAGES 67-72)

POINT OF BEGINNING

REMAINDER OF LOT 16

N69°54'19"E 75.08'

SOUTHERLY LINES OF LOT 16

N00°46'12"W 34.59'

PORTION OF LOT 16

SOUTH LINE OF LOT 16

N69°50'35"E 75.11'

LOT 17

DOUGLAS AVENUE

(30' PUBLIC RIGHT-OF-WAY
PER PLAT BOOK "A", PAGES 67-72)

SURVEYOR'S REPORT:

1. The land as shown herein lies within Section 5, Township 22 S., Range 30 E., Orange County, Florida.
2. All measurements of which the surveyor has knowledge of, or has been furnished, have been noted on this map.
3. No title data has been provided to this surveyor unless otherwise noted.
4. Bearings shown herein are assumed to be the West right-of-way line of Homeland Square West, said bearing being 500°51'06"N.

HLSM LLC
Professional Surveyors & Mappers

105 Middle Street, Suite 1101
Lake Mary, Florida 32746
P: (407) 847-2346
F: (407) 847-9097
Www.FloridalandSurveyor.com

Job No: E-9078
Date: 5/30/2013
Drawn By: AEA
Scale: 1"=20'

SEE SHEET 1 OF 2
FOR SIGNATURE & SEAL
RESOLUTION NO. _____-14

A RESOLUTION OF THE CITY OF WINTER PARK
AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM
OF AGREEMENT BETWEEN THE CITY OF WINTER PARK AND
THE FLORIDA DEPARTMENT OF AGRICULTURE AND
CONSUMER SERVICES

WHEREAS, trees are an important part of our community; and

WHEREAS, the City of Winter Park desires to apply for an Urban and
Community Forestry Grant which would provide monies in which to help fund
development of an Urban Forestry Management Plan through updating and
expanding the City’s tree inventory, and

WHEREAS, the City of Winter Park wishes to enter into an Urban and
Community Forestry Grant Memorandum of Agreement between the City of Winter
Park, Florida and the Florida Department of Agriculture and Consumer Services;

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the
Winter Park,
Orange County, Florida:

Section 1. The City Commission supports the development of an Urban
Forestry Management Plan to maintain, protect, preserve, and renew the City’s
canopy

Section 2. The City Commission hereby authorizes the City Manager to enter
into an Urban and Community Forestry Grant Memorandum of Agreement between
the City of Winter Park, Florida and Florida Department of Agriculture and
Consumer Services.

Section 3. This Resolution 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 at City Hall, Winter Park, Florida on the 10th day of March, 2014.

_____________________________
Mayor Kenneth W. Bradley

ATTEST:

_____________________________
Cynthia S. Bonham, MMC City Clerk