



# **CITY COMMISSION**

## REGULAR MEETING AGENDA

**MONDAY, APRIL 22, 2019 AT 6:30 PM**

CITY HALL - COMMISSION CHAMBERS  
1126 EAST STATE ROAD 434, WINTER SPRINGS, FLORIDA

## CALL TO ORDER

Roll Call  
Invocation  
Pledge of Allegiance  
Agenda Changes

## AWARDS AND PRESENTATIONS

100. Recognition of Len Hartman, Public Works Superintendent, Guy Meyers, Construction Project Manager, Ken Miller, Parks and Recreation Maintenance, and Clifton Mullis, Public Works Supervisor, for their leadership and initiative during the construction of the Pamela A. Carroll Memorial Pavilion at Trotwood Park

## INFORMATIONAL AGENDA

200. Current Development Projects Update

Attachments: [Project Map](#)

## PUBLIC INPUT

*Anyone who wishes to speak during Public Input on any Agenda Item or subject matter will need to fill out a "Public Input" form. Individuals will limit their comments to three (3) minutes, and representatives of groups or homeowners' associations shall limit their comments to five (5) minutes, unless otherwise determined by the City Commission.*

## CONSENT AGENDA

300. Acceptance of the 2018 Florida Department of Law Enforcement Edward Byrne Memorial Justice Assistance Grant

Attachments: [Application for Funding Assistance](#)

301. Purchase of a new Dehumidification System for the Senior Therapy Pool

Attachments: None

302. Resolution 2019-06 establishing rental fees for the Pamela A. Carroll Memorial Pavilion at Trotwood Park

Attachments: [Resolution 2019-06](#)

[303.](#) Octopus Car Wash Site Plan Acceptance

Attachments: [Project Closeout List](#)

[304.](#) Resolution 2019-08 in recognition of former City Manager Kevin L. Smith's service to the City of Winter Springs

Attachments: [Resolution 2019-08](#)

[305.](#) Resolution 2019-09 in recognition of former Chief of Police Kevin Brunelle's service to the City of Winter Springs

Attachments: [Resolution 2019-09](#)

[306.](#) Minutes from the Monday, March 25, 2019 City Commission Regular Meeting

Attachments: [Minutes](#)

[307.](#) Minutes from the Monday, April 1, 2019 City Commission Workshop

Attachments: [Minutes](#)

[308.](#) Planning and Community Visioning Services Agreement with the East Central Florida Regional Planning Council

Attachments: [Scope of Services](#)

## **PUBLIC HEARINGS AGENDA**

[400.](#) Public Transmittal Hearing and First Reading of Ordinance 2019-06 regarding EAR based amendments to the Comprehensive Plan related to the Intergovernmental Coordination Element and transmit to the Department of Economic Opportunity and other reviewing agencies

Attachments: [Ordinance 2019-06](#)  
[Legal Advertisement](#)

[401.](#) First Reading of Ordinance 2019-05 a Temporary Moratorium within the jurisdictional limits of the City of Winter Springs regarding the filing, processing, consideration, or decision of conditional uses, special exceptions and waivers ("special zoning permits") under Chapter 20 of the City's zoning code

Attachments: [Ordinance 2019-05](#)  
[Legal Advertisement](#)

[402.](#) First Reading of Ordinance 2019-07 amending Chapter 13, Article II Noise regarding prohibited noise disturbances to include the use of power equipment and power ground maintenance equipment outdoors in residential areas during certain late evening and early morning hours and modifying the emergency exception under Chapter 13, Article II

*Attachments:* [Ordinance 2019-07](#)

[403.](#) First Reading of Ordinance 2019-08 regarding buildings and building administrative regulations and providing for the adoption of Section 6-88 regarding construction site management and related conforming amendments to the City Code

*Attachments:* [Ordinance 2019-08](#)

## **REGULAR AGENDA**

[500.](#) Discussion on preferences for serving on the Florida League of Cities' five Legislative Policy Committees

*Attachments:* None

[501.](#) Seat Two Replacement Appointment to the 2019 Districting Commission

*Attachments:* None

## **REPORTS**

[600.](#) City Attorney Anthony A. Garganese, Esquire

[601.](#) Interim City Manager Shawn Boyle

[602.](#) City Clerk Andrea Lorenzo-Luaces, MMC

[603.](#) Seat One Commissioner Jean Hovey

[604.](#) Seat Two Commissioner/Deputy Mayor Kevin Cannon

[605.](#) Seat Three Commissioner Ted Johnson

[606.](#) Seat Four Commissioner TiAnna Hale

[607.](#) Seat Five Commissioner Geoff Kendrick

[608.](#) Mayor Charles Lacey

## **PUBLIC INPUT**

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## **ADJOURNMENT**

## **PUBLIC NOTICE**

This is a Public Meeting, and the public is invited to attend and this Agenda is subject to change. Please be advised that one (1) or more Members of any of the City's Advisory Boards and Committees may be in attendance at this Meeting, and may participate in discussions.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City of Winter Springs at (407) 327-1800 "at least 48 hours prior to meeting, a written request by a physically handicapped person to attend the meeting, directed to the chairperson or director of such board, commission, agency, or authority" - per Section 286.26 *Florida Statutes*.

"If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or 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" - per Section 286.0105 *Florida Statutes*.



# INFORMATIONAL AGENDA ITEM 200

CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

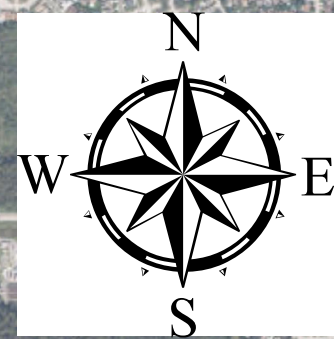
## TITLE

Current Development Projects Update

## SUMMARY

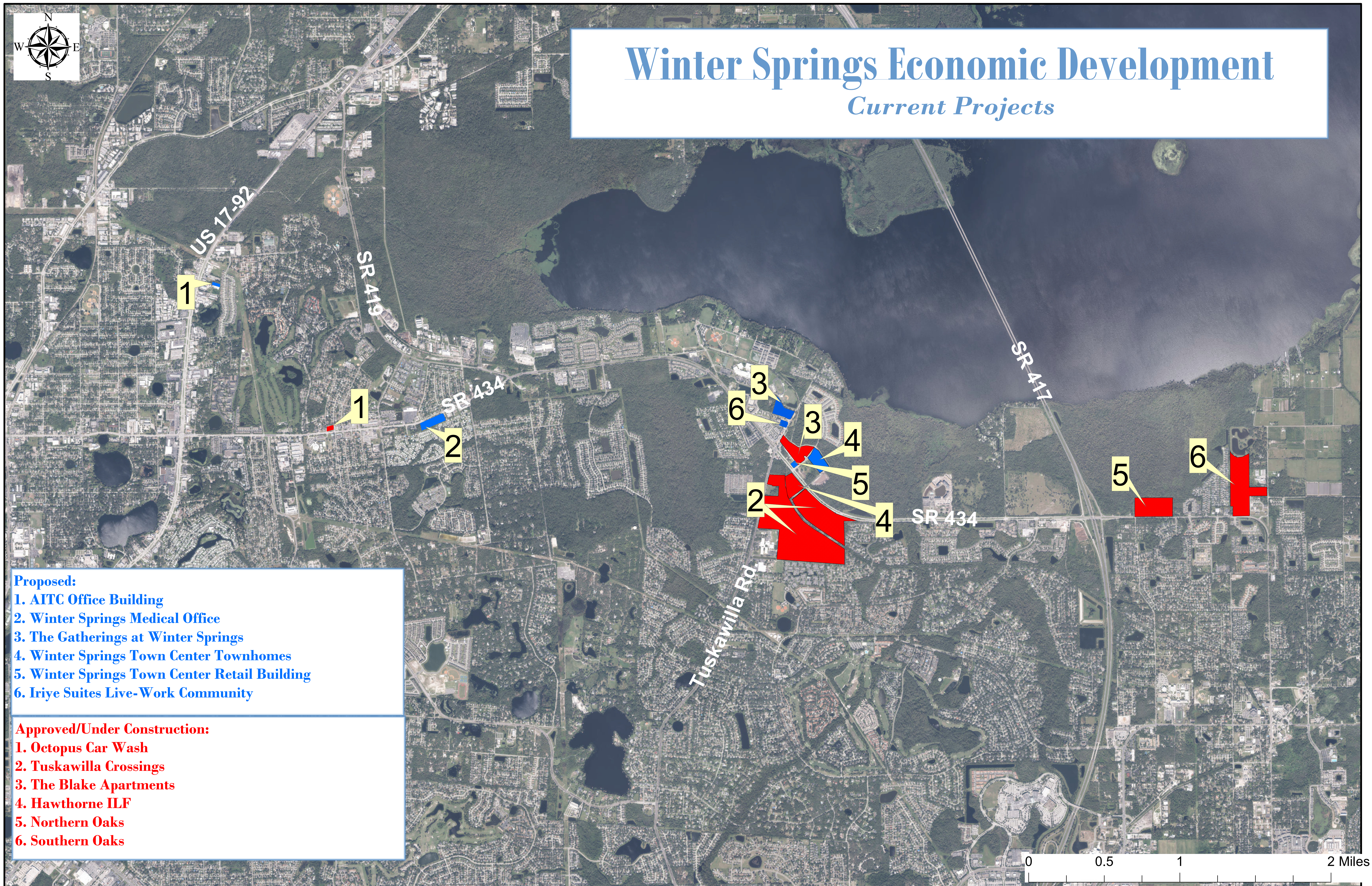
<b>PROPOSED DEVELOPMENT PROJECTS</b>			
<b>PROJECT NAME</b>	<b>LOCATION</b>	<b>LAST ACTION ITEM</b>	<b>CURRENT STATUS</b>
AITC Office Building	863 N US 17-92	N/A	Final Engineering & Aesthetic Plans are under Staff review.
Winter Springs Medical Office	E SR 434 - West of Hacienda Dr.	N/A	Final Engineering Plans are under Staff review. Aesthetic Plans are being prepared.
Beazer Homes Senior (55+) Condominium Project (The Gatherings at Winter Springs- 108 Units)	Town Center - West side of Tuskawilla, north of Blumberg	Special Exceptions approved by City Commission on 8/13/18.	Final Engineering & Aesthetic Plans to be prepared by the developer.
Dream Finders Townhomes (Winter Springs Townhomes) - 114 Units	Town Center - East side of Michael Blake Blvd.	Preliminary Engineering approved by City Commission on 1/8/18.	Final Engineering Plans are under Staff review. Aesthetic Plans are being prepared.
Winter Springs Town Center Retail Building	Town Center	N/A	Final Engineering & Aesthetic Plans are being prepared by the developer.
Iriye Suites Live-Work Community	Town Center	Special Exceptions & Development Agreement approved by City Commission on 1/28/19.	Final Engineering & Aesthetic Plans are being prepared by the developer.

<b>APPROVED DEVELOPMENT PROJECTS / UNDER CONSTRUCTION</b>			
<b>PROJECT NAME</b>	<b>LOCATION</b>	<b>LAST ACTION ITEM</b>	<b>CURRENT STATUS</b>
Octopus Car Wash - Renovation of Existing Mr. Big's Super Car Wash	510 W. SR 434	Final Engineering, Aesthetic Review, & Conditional Use approved by City Commission 2/12/18.	Sitework under construction. Building Permit has been issued.
Tuskawilla Crossings: 379 single-family homes	Town Center	Final Engineering, Development Agreement & Aesthetics approved by City Commission on 4/24/17. Plat approved 8/13/2018. Phase 1 Sitework approved by City Commission on 11/19/18.	Sitework under construction. Permits have been issued for model units.
The Blake Apartments (Catalyst Apartments): 279 apartment units	Town Center	Plat approved 10/23/17. Development Agreement & Final Engineering were approved by City Commission on 1/9/17.	Sitework & Buildings under construction.
Hawthorn ILF (Winter Springs Retirement Residence): 144 independent living suites	Town Center	Final Engineering, Aesthetic Review, & Development Agreement approved by City Commission on 1/22/18.	Developer to schedule preconstruction meeting prior to starting sitework.
Northern Oaks: 35 single-family homes by Dream Finders Homes	North side of SR 434, East of SR 417	Final Engineering & Waivers approved by City Commission on 3/13/17. Preconstruction meeting held 10/17/17. Aesthetic Review approved by City Commission on 4/9/18. Plat is recorded.	Sitework under construction.
Southern Oaks: 54 single-family homes	West of DeLeon St. & North of SR 434	Final Engineering, Aesthetic Review, & Development Agreement approved on 6/22/15. Plat is recorded. City Commission accepted sitework on 8/14/17.	Sitework complete. Homes under construction.



# Winter Springs Economic Development

## Current Projects



### Proposed:

1. AITC Office Building
2. Winter Springs Medical Office
3. The Gatherings at Winter Springs
4. Winter Springs Town Center Townhomes
5. Winter Springs Town Center Retail Building
6. Iriye Suites Live-Work Community

### Approved/Under Construction:

1. Octopus Car Wash
2. Tuskawilla Crossings
3. The Blake Apartments
4. Hawthorne ILF
5. Northern Oaks
6. Southern Oaks





# CONSENT AGENDA ITEM 300

CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

## TITLE

Acceptance of the 2018 Florida Department of Law Enforcement Edward Byrne Memorial Justice Assistance Grant

## SUMMARY

In November 2018, the Police Department was notified that the agency was selected to receive a grant award through the Florida Department of Law Enforcement Edward Byrne Memorial Justice Assistance for \$17,535.00.

The Police Department chose to use this money to retrofit the police vehicle with better gun/rifle locks. Over the past several years, law enforcement officers have seen an increase in their police vehicles being burglarized by criminals to steal tactical equipment. With the rise in active shooter situations, law enforcement agencies have had to equip officers with rifles, heavy ballistic vests, helmets, and complex medical kits. This equipment has to be quickly available for immediate response and keeping it all secure poses inherent challenges. With rifles being the most targeted item by thieves, finding a rifle rack lock that is quick, secure, and cannot be compromised in a short amount of time is paramount.

The implementation of these specialized rifle locks it keeps them secure and accessible. Currently, the City does not have the funds budgeted to retrofit the current fleet and is in need of this grant.

The Police Department received notice from the FDLE Office of Criminal Justice Grants that the grant was awarded and available immediately and closes 9/30/19.

# Attachment A Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 1: Administration

### Subgrant Recipient

**Organization Name:** City of Winter Springs

**County:** Seminole

### Chief Official

**Name:** Charles Lacey

**Title:** Mayor

**Address:** 1126 East State Road 434

**City:** Winter Springs

**State:** FL **Zip:** 32708

**Phone:** 407-327-5956 **Ext:**

**Fax:**

**Email:** clacey@winterspringsfl.org

### Chief Financial Officer

**Name:** Shawn Boyle

**Title:** Finance and Administrative Services Director

**Address:** 1126 East State Road 434

**City:** Winter Springs

**State:** FL **Zip:** 32708

**Phone:** 407-327-5960 **Ext:**

**Fax:**

**Email:** sboyle@winterspringsfl.org

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 1: Administration

### Implementing Agency

**Organization Name:** Winter Springs Police Department

**County:** Seminole

### Chief Official

**Name:** Kevin Brunelle

**Title:** Chief

**Address:** 300 North Moss Road

**City:** Winter Springs

**State:** FL **Zip:** 32708-2510

**Phone:** 407-327-1000 **Ext:** 400

**Fax:**

**Email:** kbrunelle@winterspringsfl.org

### Project Director

**Name:** Doug Seely

**Title:** Lieutenant

**Address:** 300 North Moss Road

**City:** Winter Springs

**State:** FL **Zip:** 32708

**Phone:** 407-327-1000 **Ext:** 457

**Fax:** 407-327-6652

**Email:** DSeely@winterspringsfl.org

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 2: Project Overview

### General Project Information

**Project Title:** VEHICLE GUN LOCK PROGRAM  
**Subgrant Recipient:** City of Winter Springs  
**Implementing Agency:** Winter Springs Police Department  
**Project Start Date:** 10/1/2018      **End Date:** 9/30/2019

### Problem Identification

Over the past several years, law enforcement officers have seen an increase in their police vehicles being burglarized by criminals to steal the tactical equipment. With the rise in active shooter situations, law enforcement agencies have had to equip officers with rifles, heavy ballistic vests, helmets, and complex medical kits. This equipment has to be quickly available for immediate response and keeping it all secure poses inherent challenges.

Most police departments, including ours, have strict policies in place governing the storage of such equipment but solid locking systems add an extra layer of protection. With rifles being the most targeted item by thieves, finding a rifle rack lock that is quick, secure, and cannot be compromised in a short amount of time is paramount. There are many rifle racks on the market and most have shown flaws in their security by either being easily picked, the wires being cut and shorted out compromising the locking mechanism, the use of universal keys to open them, or the rifles being taken apart while in the rack to bypass it. Currently, the City does not have the funds budgeted to retrofit the current fleet and is in need of this grant.

### Project Summary (Scope of Work)

The Winter Springs Police Department would utilize these grant funds to purchase new vehicle gun locks to better secure the rifles. With the implementation of these new proposed gun locks, all of the issues will be resolved. The change is necessary to keep the weapons accessible to the officers and not allowing criminals to steal them endangering the public.

These devices would be immediately installed as the vehicles come in for service. Within a three month period all affected vehicles would be changed over. Training on the new locks would be immediately done upon the officer receiving the vehicle back into their possession.

Documentation of deliverables must be maintained by the sub-recipient and/or implementing agency and made available for monitoring. Example documentation for the purchase of items and services include, but are not limited to procurement records (including quotes, competitive solicitation/bids, etc.), purchase orders, packing slips, delivery/receivable documents, invoices and proof of payment, etc.

Deliverables will be completed in accordance with the contractual agreement(s) between the subrecipient(s) and their vendor/provider. Minimum performance required for drawdown of funds includes the completion of at least one activity described above as attested to on the financial expenditure report.

All activities discussed in the scope of work or project deliverables are for the equipment to be purchased for this project.

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 2: Project Overview

### Section Questions:

Question: What percentage of the total cost of this project is being funded by sources other than this award?

Answer: 2

Question: What is the name of the jurisdiction(s) your agency provides service to. (e.g., City of Miami, Orange County, State of Florida)

Answer: City of Winter Springs, Seminole County, State of Florida

Question: What is the address of the location being used to provide services for this project?

Answer: 300 N. Moss Road, Winter Springs, Florida, 32708+2510

Question: Describe your agency. (e.g., non-profit, community based, government)

Answer: Government

Question: Have you verified that the subgrantee has an active and current registration in SAM.gov?

Answer: Yes

Question: What is the Operating Capital Outlay threshold used by the subgrantee? If the implementing agency is a sheriff's office, indicate the sheriff's office's threshold instead.

Answer: \$1,000 for an individual item.

Question: Does the subgrantee receive a single grant in the amount of \$750,000 or more from the U.S. Department of Justice?

Answer: No

Question: Does the implementing agency receive a single grant in the amount of \$750,000 or more from the U.S. Department of Justice?

Answer: No

Question: In your organization's preceding completed fiscal year, did your organization (the subgrantee) receive at least (a) 80 percent or (b) \$25,000,000 of your annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?

Answer: No

Question: If you answered yes above, does the public have access to information about the compensation of the executives in your organization (the subgrantee) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986? If answer to Part 1, above, was "no," answer N/A.

Answer: No

Question: What is the combined population of the jurisdiction(s) your agency provides services to (according to the 2010 census)?

Answer: 32282

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 3: Performance

### General Performance Info:

**Performance Reporting Frequency:** Quarterly

**Prime Purpose Area:** 01 - Law Enforcement (Includes Task Forces)

**State Purpose Area:** 1G - General Questions

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### Objectives and Measures

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**Objective:** General Questions - General Questions for All Recipients

**Measure:** General 01

Will your organization be using the crimesolutions.gov website during the grant period regardless of JAG funding? Crimesolutions.gov provides information on several crime reduction and prevention programs and practices.

**Goal:** No

**Measure:** General 02

Will your organization be using the The National Training and Technical Assistance Center (NTTAC) during the grant period, regardless of JAG funding? The NTTAC serves as BJA's training and technical assistance center. You can find resources, tools, webinars, and TTA support on a variety of criminal justice issues and initiatives.

**Goal:** No

**Measure:** General 03

Will your organization be using the NCJP.org website during the grant period, regardless of JAG funding? NCJP.org contains resources to support strategic planning, program development, and implementation of evidence-based policy and practice.

**Goal:** No

**Measure:** General 04

Will your organization be using the Evidence-Based Policing Matrix during the grant period regardless of JAG funding? The Evidence-Based Policing Matrix provides information on evidence-based practices for law enforcement.

**Goal:** No

**Measure:** General 05

Will your organization be using the What Works in Reentry Clearinghouse during the grant period regardless of JAG funding? The clearinghouse provides research on the effectiveness of reentry programs and practices.

**Goal:** No

**Measure:** General 06

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 3: Performance

Will your organization be using Research to Practice during the grant period regardless of JAG funding? Research to Practice promotes the dissemination of research on drug courts to practitioners and policymakers.

Goal: No

Measure: General 07

Will your organization be using any other resources during the grant period regardless of JAG funding? If yes, please describe them.

Goal: No

Measure: General 08

During the grant period, will your agency conduct or sponsor (with or without JAG funds) a survey or focus group of citizens on any of the following topics? Enter all that apply from the following list: Public satisfaction with police services; public satisfaction with prosecution services; public satisfaction with public defender/indigent defense services; public satisfaction with courts; public perceptions of crime/disorder problems; personal crime experiences of citizens; none of the above; unsure/don't know.

Goal: Public satisfaction with police services

Measure: General 09

During the grant period, which of the following community activities will your organization be involved in, with or without JAG funds and how often will they each occur (yearly, monthly, etc.)? Choose from the following list: Hosting community meetings; attending community meetings; distributing a newsletter, e-mail, or other bulletin; attending community events; conducting social media activities; conducting outreach to minority populations; other (please describe)

Goal: Hosting community meetings-monthly, attending community meetings-monthly, distributing a newsletter-monthly, e-mail-monthly, other bulletins-monthly, and attending community events-monthly

Measure: General 10

Law Enforcement Agencies ONLY: In which of the following ways has your agency fostered community involvement in the last year? Enter all that apply from the following list: Citizen Review Board or other review board with citizen representation, Citizen's Police Academy, Internships for university or high school students, Volunteer Program, Auxiliary police officer program, Police Cadet Program, k-12 school programs, Youth Athletic Programs, Other (please Describe), None of the above, Unsure/Don't know.

Goal: Citizen Volunteer Program, Internships for College and High School, Auxiliary Police Officer program, Explorer Program, and summer event program.



# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 3: Performance

Citizen Volunteer Program, Internships for College and High School, Auxiliary Police Officer program, Explorer Program, and summer event program.

Measure: General 11

Identify the goal(s) you hope to achieve with your funding. If you have multiple goals, describe each goal separately.

Goal: To secure the rifles with a better locking system so that they cannot be taken by surreptitious means.

Measure: General 12

Are the subrecipient and implementing agency aware that they will be required to report on the status of the identified goals during each reporting period?

Goal: Yes

Measure: General 13

Describe any barriers you may encounter which may prevent you from achieving your identified goal(s).

Goal: None

Measure: General 14

Are you aware that the Office of Criminal Justice Grants encourages recipients to report on any noteworthy accomplishments, success stories, or program results that they would like to showcase?

Goal: Yes

Measure: General 11b

What major activities are planned for each of your goals listed in question 11?

Goal: To purchase the locks, take out the old ones, and replace them with the new and more secure version.

**State Purpose Area:** 3E - Equipment, Supplies, and Technology Enhancements

### Objectives and Measures

**Objective:** Equipment - Questions for all recipients purchasing Equipment, Supplies, and Technology Enhancements.

Measure: Equipment 1

Do the Subrecipient and Implementing agencies understand that they will be required to submit an itemized account of all items purchased during each reporting period as part of their performance reporting?

Goal: Yes

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 3: Performance

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 4: Financial

### General Financial Info:

**Note: All financial remittances will be sent to the Chief Financial Officer of the Subgrantee Organization.**

Financial Reporting Frequency for this Subgrant: Quarterly

Is the subgrantee a state agency?: No

FLAIR / Vendor Number: 591026364

### Budget:

Budget Category	Prime	Match	Total
Salaries and Benefits	\$0.00	\$0.00	\$0.00
Contractual Services	\$0.00	\$0.00	\$0.00
Expenses	\$17,535.00	\$0.00	\$17,535.00
Operating Capital Outlay	\$0.00	\$0.00	\$0.00
Indirect Costs	\$0.00	\$0.00	\$0.00
<b>-- Totals --</b>	<b>\$17,535.00</b>	<b>\$0.00</b>	<b>\$17,535.00</b>
<b>Percentage</b>	<b>100.0</b>	<b>0.0</b>	<b>100.0</b>

### Project Generated Income:

Will the project earn project generated income (PGI)? No

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 4: Financial (cont.)

### **Budget Narrative:**

Expenses:

- (32) BLAC-RAC 1082 gun locks (Each \$552.50) Total of \$17,680.00
- Shipping and Handling (\$174.00)
- 3 yr MFG warranty, 1yr vendor warranty, total 4yr warranty  
(No extra cost)
- Installation cost (\$0) will be done by city mechanics
- Training cost (\$0) will be done by supervisors

Expense Total: (\$17,854)

The City of Winter Springs will be responsible for any overages.

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 4: Financial

### Section Questions:

Question: If the budget contains salaries and benefits, will this project result in a net personnel increase, or continue to fund a prior federally grant funded net personnel increase?

Answer: No

Question: If Expenses or Operating Capital Outlay are included in your budget, what will be the method of procurement for those items? (e.g., competitive bid, sole source, state term contract)

Answer: Sole Source

Question: If indirect cost is included, explain the indirect cost plan. Provide documentation of approval.

Answer: N/A

Question: If contractual services in the budget are based on unit costs, provide a definition and breakdown of cost for each service. Include the methodology for the unit cost plan and when it was approved.

Answer: N/A

# **Application for Funding Assistance**

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## **Section 5: Standard Conditions**

**Insert Standard Conditions Page here.**

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 6: Signatures

In witness whereof, the parties affirm they each have read and agree to the conditions set forth in this agreement, have read and understand the agreement in its entirety and have executed this agreement by their duty authorized officers on the date, month and year set out below.

**Corrections on this page, including Strikeovers, whiteout, etc.  
are not acceptable.**

**State of Florida  
Department of Law Enforcement  
Office of Criminal Justice Grants**

Signature: \_\_\_\_\_

Typed Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Subgrant Recipient  
Authorizing Official of Governmental Unit  
(Commission Chairman, Mayor, or Designated Representative)**

Typed Name of Subgrant Recipient: \_\_\_\_\_

Signature: \_\_\_\_\_

Typed Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Implementing Agency  
Official, Administrator or Designated Representative**

Typed Name of Implementing Agency: \_\_\_\_\_

Signature: \_\_\_\_\_

Typed Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 7: Certifications and Authorizations

**Insert Certifications and Authorizations here.**





# CONSENT AGENDA ITEM 301

CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

## TITLE

Purchase of a new Dehumidification System for the Senior Therapy Pool

## SUMMARY

The senior therapy pool requires a dehumidification system to regulate the humidity and improve the air quality inside the pool room; dehumidifier systems are specialized and used for indoor pools. The current dehumidifier is ten years old and due to the corrosive chemicals the system removes, the unit is damaged and beyond repair.

Staff issued RFP 02/19/GM to receive bids for new dehumidifiers. Comprehensive Energy Services, Inc. was the only vendor to submit a bid. Staff has compared prices of vendor installations of similar systems to determine if the cost is competitive (see comparison below in table)

Installation	Cost	Tons	Cost per Tom	Notes
Winter Springs Therapy Pool	\$99,680	16	\$6,230	Proposed Stainless Steel
St. Maartens Condo Assoc.	\$69,044	8	\$8,630	Includes more ductwork than WS Competitive Bid Process
Gaylord Hospital Therapy Pool	\$164,800	22	\$7,490	Replaced Dectron Unit

Staff recommends Comprehensive Services Energy, Inc. to install a dehumidifier at the Senior Center Therapy Pool. This vendor's bid includes stainless steel, internal parts to increase the life span of the machine. Service and parts are available in Central Florida. The dehumidifier would take approximately 8-10 weeks to build and ship.



# CONSENT AGENDA ITEM 302

CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

## TITLE

Resolution 2019-06 establishing rental fees for the Pamela A. Carroll Memorial Pavilion at Trotwood Park

## SUMMARY

This pavilion is a one-of-a-kind facility in Winter Springs. It will be able to host large events, including corporate picnics, wedding celebrations, and special events. It will be the home of the annual THOA Family Fun Day. We are proposing a rental fee structure for the new pavilion.

This facility will be primarily rented for large groups that will use a rental company for tables and chairs as well as for catering services. Hourly and daily rates with a minimum rental period of four hours. The rate structure was based on location amenities and market comparisons which were extrapolated for increased square footage/capacity. This pavilion is three and one half times the size of a large pavilion. There is discounted pricing for Winter Springs' residents.

The attachment in the Resolution sets forth all the Parks fees. The only additions to the fee schedule relate to the new pavilion. Some fees have been eliminated from the old 2013 fee schedule primarily due to program seasonality and the move toward contracted programs.

<b>Facility Rental</b>	<b>Resident</b>	<b>Non-Resident</b>
Pavilion Deposit - refundable	\$200	\$200
Pavilion (4-hour minimum)	\$75/hr	\$125/hr
Pavilion (full day)	\$600	\$1,000

**RESOLUTION NO. 2019-06**

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, FLORIDA, UPDATING AND REVISING THE SCHEDULE OF FEES FOR PARKS AND RECREATION FACILITY USES AND ACTIVITIES; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT RESOLUTIONS; SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City is granted the authority, under Section 2(b), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, the City Commission has the authority to establish fees pursuant to section 166.201, Florida Statutes; and

**WHEREAS**, the City Commission desires to revise the fees for the City's Parks and Recreation facility uses and activities; and

**WHEREAS**, the City Commission of the City of Winter Springs finds that this Resolution is in the best interests of the public health, safety, and welfare of the citizens of Winter Springs.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, SEMINOLE COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing recitals are deemed true and correct and are hereby fully incorporated herein by this reference.

**Section 2. Fees Established.** The City Commission hereby adopts the fee schedule set forth in **Exhibit "A,"** attached hereto and fully incorporated herein by this reference.

**Section 3. Repeal of Prior Inconsistent Resolutions.** All prior inconsistent resolutions adopted by the City Commission, or parts of prior resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

**Section 4. Severability.** If any section, subsection, sentence, clause, phrase, word, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereto.

**Section 5. Effective date.** This Resolution shall become effective immediately upon adoption by the City Commission.

**DONE AND ADOPTED** in regular session of the City Commission of the City of Winter Springs, Florida, this 22nd day of April, 2019.

\_\_\_\_\_  
**CHARLES LACEY, Mayor**

ATTEST:

\_\_\_\_\_  
**ANDREA LORENZO-LUACES, City Clerk**

Approved as to legal form and sufficiency for  
the City of Winter Springs only:

\_\_\_\_\_  
**ANTHONY A. GARGANESE, City Attorney**

**EXHIBIT "A"**  
**RESOLUTION 2019-06**  
**(Effective April 22, 2019)**

<b>ADULT SPORTS</b> Softball – 1 game a week	<b>RESIDENT</b> \$400 Per Season	<b>NON-RESIDENT</b> \$500 Per Season
<b>ALL BALLFIELDS/TURF FIELDS</b> <b>(Baseball, Softball, Soccer, Football, Lacrosse)</b> Before 5 PM After 5 PM (includes lights) Field Prep Sports Monitor/Parks Staff	<b>RESIDENT</b> \$20 Per Hr* \$30 Per Hr* \$15 Per Hr, Per Rental \$20 Per Hr, Per Field, Per Rental	<b>NON-RESIDENT</b> \$40 Per Hr* \$45 Per Hr* \$25 Per Hr, Per Rental \$30 Per Hr, Per Field, Per Rental
<b>RECREATIONAL CAMPS</b> Spring Break Camp Summer Camp Sunshine	<b>RESIDENT</b> \$70 Per Week \$90 Per Week	<b>NON-RESIDENT</b> \$90 Per Week \$110 Per Week
<b>PAVILION RENTALS</b> Trotwood Family Pavilion Deposit Trotwood Family Pavilion (4 hr min) Trotwood Family Pavilion (full day) Large Pavilion Medium Pavilion Small Pavilion	<b>RESIDENT</b> \$200 refundable \$75 Per Hr* \$600* \$50 Per 4-hour block* \$40 Per 4-hour block* \$30 Per 4-hour block*	<b>NON-RESIDENT</b> \$200 refundable \$125 Per Hr* \$1000* \$70 Per 4-hour block* \$60 Per 4-hour block* \$50 Per 4-hour block*
<b>BLUMBERG BLVD. GAZEBOS</b> Wedding Rentals	<b>RESIDENT</b> \$100 Per 4-hour block* Any road closures will require a special event permit.	<b>NON-RESIDENT</b> \$140 Per 4-hour block* Any road closures will require a special event permit.
<b>CIVIC CENTER RENTALS</b> 1 Hour Rental 2 Hour Rental 3 Hour Rental 4 Hour Rental 5 Hour Rental 8 Hour Rental	<b>RESIDENT</b> \$ 79* \$139* \$207* \$271* \$336* \$390*	<b>NON-RESIDENT</b> \$104* \$164* \$232* \$296* \$361* \$415*
<b>SENIOR CENTER PROGRAMS AND THERAPY POOL</b> The Senior Center offers recreational, cultural, and educational programs as well as aqua aerobics at the therapy pool.	<b>WINTER SPRINGS RESIDENT</b> Senior Center - \$20 Per Year Therapy Pool - \$40 Per Year Guest Fee \$5 per visit for Senior Center & Therapy Pool.	<b>NON-RESIDENT</b> Senior Center - \$60 Per Year Therapy Pool - \$100 Per Year Guest Fee \$5 per visit for Senior Center & Therapy Pool.
<b>SPLASH PLAYGROUNDS</b>	<b>WINTER SPRINGS RESIDENT</b> No charge with proof of residency. Residents will be given seasonal pass.	<b>NON-RESIDENT</b> \$3 Per Person, Per Visit

\*Prices do not include Sales Tax



# CONSENT AGENDA ITEM 303

CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

## TITLE

Octopus Car Wash Site Plan Acceptance

## SUMMARY

Sitework for the Octopus Car Wash project is substantially complete and has been conditionally approved by the applicable City Departments. This agenda item provides the site acceptance necessary before a final certificate of occupancy can be issued by the Building Official.

The Octopus Car Wash project consists of a new 6,271 square foot building on a 1.56 acre lot. The project is located on SR 434, between N. Cortez Avenue and Bombay Avenue. The Final Engineering plans were approved by the City Commission at the February 12, 2018 City Commission Meeting. Sitework commenced in September 2018. The building is expected to be complete and in-service by May 2019.

This agenda item is for the conditional acceptance of the site improvements. The sitework has been constructed in substantial compliance with the Final Engineering plans approved by the City Commission, except as noted on the attached punch list, Exhibit A. All items on the punch list must be complete, subject to staff approval, prior to issuance of the certificate of occupancy.

### Applicable Code:

Section 9-178. Required Improvements to be completed prior to building on lots; exceptions.

(c) Where the building official has an authoritative method of assurance that the improvements will be completed in accordance with approved plans, such as withholding occupancy, the building official may issue building permits upon advising the developer that all or partial occupancy will be restricted until satisfactory completion of the improvements has been accomplished.

(d) ... Certificates of occupancy will not be issued until all improvements are accepted by the city commission.



## City of Winter Springs Project Closeout List for Octopus Car Wash

1. Submit Engineer of Record's Certification Letter to the City
2. Submit a complete set of record drawings to the City (all civil sheets in one digital file in PDF format)
3. Complete all sitework and pass the final engineering inspection. Contact Bryant Smith, P.E. at 407-327-8979 to schedule a preliminary and/or final engineering inspection. The final inspection will occur after receipt of the record drawings from the engineer-of-record.
4. Submit a Bill of Sale for all infrastructure being turned over to the City for ownership and maintenance (streets, utilities, sidewalks, etc.). Use the City's standard Bill of Sale form.
5. Submit 2-Year Maintenance Bond, Letter of Credit, or Cash Escrow Deposit (10% of the value of the improvements to be owned and maintained by the City, as listed on the Bill of Sale)
6. Obtain Approvals from all City Departments and Seminole County Fire Department
7. Submit a copy of the Letter from the Engineer to SJRWMD Certifying Improvements (SJRWMD standard certification form)

### Notes:

- **City Commission site acceptance (in the form of a consent agenda item at a regularly scheduled City Commission meeting) is required before a certificate of occupancy can be issued for any buildings**
- Agenda items for City Commission meetings must be prepared approximately two weeks prior to the meeting date.
- If there are any questions, please call Bryant Smith, P.E. at 407-327-8979

### Additional items to be completed prior to closeout (this is not a complete punchlist):

- Complete paving
- Complete striping and signage
- Complete landscaping and irrigation



# CONSENT AGENDA ITEM 304

CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

## TITLE

Resolution 2019-08 in recognition of former City Manager Kevin L. Smith's service to the City of Winter Springs

## SUMMARY

The City Commission is very appreciative of all of the employees who faithfully serve the citizens and City Commission of the City of Winter Springs. The City Commission has expressed their interest in presenting such employees with a Resolution at a City Commission Meeting. In such cases, a Resolution is submitted first to the City Commission on the Consent Agenda for approval.

Upon approval of such Resolution by the City Commission, the applicable individual is usually presented with a Resolution at a future City Commission Meeting during the "Awards and Presentations" portion of a meeting.

Mr. Smith began his career with the City of Winter Springs on November 28, 2005, as the Director of General Services. On January 12, 2009, he was appointed as Interim City Manager, and then on May 26, 2009, he was appointed as City Manager.

The following highlights under Mr. Smith's leadership are just a few of his many outstanding contributions to the City of Winter Springs as City Manager:

- balanced the budget each year without raising property tax rates (lowered 5 out of 10 years) while preserving reserves
- maintained or improved service levels during this 10-year period as evidenced in part by increased funding in several key service areas including the establishment of a multi-million dollar Perk Up Parks Initiative
- doubled the funding to our annual road infrastructure maintenance program
- provided multi-million dollar improvements to our Water/Sewer Utility System
- remodeled the Commission Chambers at City Hall
- renovated the City's website

In 2014, Mr. Smith was named the "Municipal Executive of the Year" by the Tri-County League of Cities. Mr. Smith is to be applauded for his incredible contributions to the betterment of the City of Winter Springs in guiding the City to unparalleled success.



# RESOLUTION NUMBER 2019-08

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, FLORIDA, RECOGNIZING KEVIN L. SMITH FOR HIS 13 YEARS OF DEDICATED SERVICE AS ONE OF THE MOST VALUED, IMPRESSIVE, AND EXTRAORDINARY EMPLOYEES OF THE CITY OF WINTER SPRINGS; AND EXPRESSING OUR GREAT APPRECIATION ON BEHALF OF THE CITIZENS OF THE CITY OF WINTER SPRINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS, KEVIN SMITH** has provided the residents of the City of Winter Springs with 13 years of excellent, dedicated, and distinguished service, since joining the City of Winter Springs on November 28, 2005 as the Director of the General Services Department, overseeing the Human Resources Division, Risk Management Division, and the Purchasing Divisions; and in addition to these responsibilities, he often stepped in for the City Manager and led numerous special initiatives and budget related projects, to include the unparalleled intensive task of speaking with many, many, many hundreds of Winter Springs residents about a complicated change to the Fire Impact Fee which was an immense undertaking to say the least; and

**WHEREAS, KEVIN SMITH** was Appointed as Interim City Manager on January 12, 2009 and then City Manager on May 26, 2009; and from the beginning and throughout his outstanding tenure with the City of Winter Springs, he has been an incredible asset to the Mayor and City Commission and the numerous citizens, and has been the driver of promulgating many innovative and progressive ideas; and

**WHEREAS, KEVIN SMITH** was responsible for a many impressive fiscal initiatives, to include balancing the Budget each year without raising property tax rates (lowered 5 out of 10 years) while preserving reserves; improved the City's debt position via a 36% reduction in total outstanding debt; provided outstanding community events via partnerships and sponsorships rather than tax dollars; reduced the City's health care costs by 29%; increased the City's credit rating from AA to AA+; and improved the City's Pension (letter) grade from F to B; and

**WHEREAS, KEVIN SMITH**, in concert with our fiscal advances, commensurately maintained or improved service levels during this 10-year period as evidenced in part by increased funding in several key service areas including the establishment of a multi-million dollar Parks Improvement Program; doubled the funding to our annual road infrastructure maintenance program; and provided multi-million dollar improvements to our Water/Sewer Utility System - all helping to set the City of Winter Springs far and above other municipalities; and

**WHEREAS, KEVIN SMITH** during his tenure, has been a valued employee, a high achiever, very intent on doing things differently - all for the betterment of the City of Winter Springs and to that regard, led a drive for top-notch quality service to our Elected Officials, customers, and citizens alike; led a new culture of transparency in government; and through these efforts and so much more, the City of Winter Springs is all the more a better place to work and a fabulous place to call home; and

**NOW THEREFORE, BE IT RESOLVED** by the City Commission of the City of Winter Springs, Florida as follows:

**SECTION I** – Upon the occasion of **KEVIN SMITH's** departure, the Mayor and Commission, and Staff of the City of Winter Springs wish to recognize and honor him for his many contributions and accomplishments through his 13 years of significant and phenomenal public service.

**SECTION II** – That this Resolution commending the services of **KEVIN SMITH** be recorded upon the official Public Records and Minutes of the City Commission of the City of Winter Springs, Florida.

**SECTION III** – That a copy of the Resolution be forwarded to **KEVIN SMITH** with our earnest and sincere gratitude for the innumerable and significant contributions he has imparted on the City of Winter Springs.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, FLORIDA, IN A REGULAR MEETING ASSEMBLED ON THE 22<sup>ND</sup> DAY OF APRIL 2019.**

*In witness whereof, I have hereunto set my hand and caused this seal to be affixed.*

\_\_\_\_\_  
CHARLES LACEY, MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

DATE:



# CONSENT AGENDA ITEM 305

CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

## TITLE

Resolution 2019-09 in recognition of former Chief of Police Kevin Brunelle's service to the City of Winter Springs

## SUMMARY

The City Commission is very appreciative of all of the employees who faithfully serve the citizens and City Commission of the City of Winter Springs. For long-serving employees, the City Commission has expressed their interest in presenting such employees with a Resolution at a City Commission Meeting. In such cases, a Resolution is submitted to the City Commission on the Consent Agenda for approval.

Upon approval of such Resolution by the City Commission, the applicable employee is usually presented with a Resolution at a future City Commission meeting during the "Awards and Presentations" portion of a meeting; however, upon approval of Resolution 2019-09, this Resolution will be presented to Chief Brunelle (Ret.) by the current Police Chief/City Manager at a later date.

Chief Kevin Brunelle has provided the residents of the City of Winter Springs with 31 years of excellent, dedicated, and distinguished service, since joining the City of Winter Springs on May 12, 1988, as a police officer. He served admirably and with honor as the Chief of Police for the last eleven years after his appointment on November 4, 2008.

# RESOLUTION NUMBER 2019-09

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, FLORIDA, RECOGNIZING CHIEF KEVIN BRUNELLE FOR HIS 31 YEARS OF DEDICATED SERVICE TO THE CITY OF WINTER SPRINGS; AND EXPRESSING OUR APPRECIATION ON BEHALF OF THE CITIZENS OF THE CITY OF WINTER SPRINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS, KEVIN BRUNELLE** has provided the residents of the City of Winter Springs with 31 years of excellent, dedicated, and distinguished service, since joining the City of Winter Springs on May 12, 1988 as an officer in the City's Police Department; and

**WHEREAS, KEVIN BRUNELLE** has served admirably and with honor as the Chief of Police for the last eleven years following his appointment on November 4, 2008; and

**WHEREAS, KEVIN BRUNELLE**, has not only completed countless hours of advanced and specialized training in the furtherance of his career, he is the first police officer originally hired by the city in the history of the Winter Springs Police Department to attend and graduate from the prestigious FBI National Academy in Quantico, Virginia as a member of Class 252; and

**WHEREAS, KEVIN BRUNELLE** received several awards and public recognition during his service, which include but are not limited to, the Lifesaving Award, numerous Meritorious Service awards, Unit Citations, and division service awards recognizing his tenure in the Traffic, Investigations, Community Services, Operations, and Operations Support Divisions; and

**WHEREAS, KEVIN BRUNELLE** was instrumental in the creation of the police department's SWAT team through his exhaustive research and implementation to make sure they were the best trained and equipped team ready to serve our residents. Chief Brunelle served as the first commander of that team in the history of the police department; and

**WHEREAS, KEVIN BRUNELLE** served as the chief of police during the internationally renowned Nadia Bloom case where a young child was lost in the woods near her home for nearly five days. During this time, he served as the face of the city, providing detailed and updated information to the community to reassure them the police department was committed to finding her; and

**WHEREAS, KEVIN BRUNELLE** has served this city with incredible professionalism, a positive spirit, and has risen to the highest level of municipal law enforcement by reaching the rank of Chief of Police— his contributions have benefitted the City of Winter Springs in so many ways. Chief Brunelle retires as the first officer in the history of the police department to rise through every rank from Officer to the Chief of Police and to serve for a minimum of thirty years.

**NOW THEREFORE, BE IT RESOLVED** by the City Commission of the City of Winter Springs, Florida as follows:

**SECTION I** — Upon the occasion of **KEVIN BRUNELLE'S** retirement, the Mayor and Commission, City Manager, and Staff of the City of Winter Springs wish to recognize and honor him for his excellent level of distinguished service to the residents of Winter Springs through his 31 years of esteemed exemplary service.

**SECTION II** — That this Resolution commending the services of **KEVIN BRUNELLE** be recorded upon the official Public Records and Minutes of the City Commission of the City of Winter Springs, Florida.

**SECTION III** — That a copy of the Resolution be forwarded to **KEVIN BRUNELLE** with our sincerest and heartfelt thanks for his numerous and valued important contributions.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, FLORIDA, IN A REGULAR MEETING ASSEMBLED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

*In witness whereof, I have hereunto set my hand and caused this seal to be affixed.*

\_\_\_\_\_  
CHARLES LACEY, MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

DATE:

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# CITY OF WINTER SPRINGS, FLORIDA



UNAPPROVED

## CITY COMMISSION

## MINUTES

### **REGULAR MEETING MONDAY, MARCH 25, 2019 – 6:30 P.M.**

**CITY HALL – COMMISSION CHAMBERS  
1126 EAST STATE ROAD 434, WINTER SPRINGS, FLORIDA**

Mayor Charles Lacey  
Commissioner/Deputy Mayor Kevin Cannon - Seat Two  
Commissioner Jean Hovey - Seat One  
Commissioner Ted Johnson - Seat Three  
Commissioner TiAnna Hale - Seat Four  
Commissioner Geoff Kendrick - Seat Five

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## CALL TO ORDER

The Regular Meeting of Monday, March 25, 2019 of the City Commission was called to Order by Mayor Charles Lacey at 6:30 p.m. in the Commission Chambers of the Municipal Building (City Hall, 1126 East State Road 434, Winter Springs, Florida 32708).

### Roll Call:

Mayor Charles Lacey, present  
Deputy Mayor Kevin Cannon, present  
Commissioner Jean Hovey, present  
Commissioner Ted Johnson, present  
Commissioner TiAnna Hale, present  
Commissioner Geoff Kendrick, present  
City Manager Kevin L. Smith, present  
City Attorney Anthony A. Garganese, present  
City Clerk Andrea Lorenzo-Luaces, absent  
Assistant to the City Clerk Antonia DeJesus, present

A moment of silence was held, followed by the Pledge of Allegiance.

Regarding the Agenda, Mayor Lacey remarked, “Commissioners, may we Adopt the Agenda without objection?” Deputy Mayor Kevin Cannon stated, “No objection from me.” Commissioner Geoff Kendrick added, “No objection. Mayor Lacey then said, “Hearing none, it stands Adopted.”

## AWARDS AND PRESENTATIONS

### AWARDS AND PRESENTATIONS

#### 100. Office of the Mayor

#### REQUEST:

**Mayor Charles Lacey is requested to receive a commemorative art poster from the Central Florida British Car Club in recognition of their 35th year of their annual car show that will be held at Central Winds Park on April 6, 2019.**

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*Mr. Jeff Corenblum, 3024 Village Hill Place, Winter Park, Florida:* introduced himself as the President of the Central Florida British Car Club, spoke of the event and organization as a whole, and commented favorably of the new relationship between the City and his organization and that they were looking forward to a long term partnership. Mr. Corenblum noted that this event was free to the public, invited everyone to attend and said that more information was available on their website.

Continuing, Mr. Corenblum presented Mayor Lacey with a commemorative poster.

UNAPPROVED

## **INFORMATIONAL AGENDA**

### **INFORMATIONAL**

#### **200. Parks and Recreation Department**

##### **REQUEST:**

The Parks and Recreation Department wishes to advise the City Commission of changes to the Lynx bus service agreement at the Senior Center.

##### **FISCAL IMPACT:**

Projected savings of \$7,000-\$9,000 annually depending on the number of trips per year.

##### **COMMUNICATION EFFORTS:**

This Agenda Item has been electronically forwarded to the Mayor and City Commission, City Manager, City Attorney/Staff, and is available on the City's Website, LaserFiche, and the City's Server. Additionally, portions of this Agenda Item are typed verbatim on the respective Meeting Agenda which has also been electronically forwarded to the individuals noted above, and which is also available on the City's Website, LaserFiche, and the City's Server; has been sent to applicable City Staff, Media/Press Representatives who have requested Agendas/Agenda Item information, Homeowner's Associations/Representatives on file with the City, and all individuals who have requested such information. This information has also been posted outside City Hall, posted inside City Hall with additional copies available for the General Public, and posted at six (6) different locations around the City. Furthermore, this information is also available to any individual requestors. City Staff is always willing to discuss this Agenda Item or any Agenda Item with any interested individuals.

##### **RECOMMENDATION:**

Staff recommends the City Commission receive and review the information provided.

No discussion.

### **INFORMATIONAL**

#### **201. Parks and Recreation Department**

##### **REQUEST:**

The Parks and Recreation Department wishes to advise the City Commission about Winter Springs becoming a "Gateway Community" through the Florida Trail Association.

##### **FISCAL IMPACT:**

No fiscal impact. All costs are covered by Florida Trail Association.

**UNAPPROVED**

**COMMUNICATION EFFORTS:**

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**UNAPPROVED**

**RECOMMENDATION:**

Staff requests the City Commission receive and review the information provided in this Agenda Item.

---

There was no discussion on this Agenda Item.

**PUBLIC INPUT**

*Mayor Lacey opened “Public Input”.*

*Ms. Gina Shafer, Winter Springs Village, Winter Springs, Florida:* commented on signage and legal advertisements for Public Hearings, remarked that a lot of people do not receive newspapers any more, and hoped that this could change.

Brief comments followed on state and local legal advertisement requirements. Deputy Mayor Cannon suggested this matter could be addressed during future land use discussions and he would keep Ms. Shafer advised when this was to be discussed.

*Mayor Lacey closed “Public Input”.*

**CONSENT AGENDA**

**CONSENT**

**300. Police Department**

**REQUEST:**

The Police Department requests the City Commission approve Resolution Number 2019-05 recognizing Corporal Valarie Riddick upon her retirement.

**FISCAL IMPACT:**

There is no fiscal impact to Resolution 2019-05 being approved.

**COMMUNICATION EFFORTS:**

This Agenda Item has been electronically forwarded to the Mayor and City Commission, City Manager, City Attorney/Staff, and is available on the City's Website, LaserFiche, and the City's Server. Additionally, portions of this Agenda Item are typed verbatim on the respective Meeting Agenda which has also been electronically forwarded to the individuals noted above, and which is also available on the City's Website, LaserFiche, and the City's Server; has been sent to applicable City Staff, Media/Press Representatives who have requested Agendas/Agenda Item information, Homeowner's Associations/Representatives on file with the City, and all individuals who have requested such information. This information has also been posted outside City Hall, posted inside City Hall with additional copies available for the General Public, and posted at six (6) different locations around the City. Furthermore, this information is also available to any individual requestors. City Staff is always willing to discuss this Agenda Item or any Agenda Item with any interested individuals.

**RECOMMENDATION:**

Staff recommends the City Commission approve Resolution Number 2019-05 in honor of Corporal Valarie Riddick.

---

There was no discussion on this Agenda Item.

**CONSENT**

**301. Not Used**

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**CONSENT**

**302. Police Department**

**REQUEST:**

The Police Department requests consent and consideration of the Commission to enter into a Statewide mutual aid agreement allowing the Police Department to render aid as well as request aid from other governmental agencies statewide during times of emergency declarations.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**COMMUNICATION EFFORTS:**

This Agenda Item has been electronically forwarded to the Mayor and City Commission, City Manager, City Attorney/Staff, and is available on the City's Website, LaserFiche, and the City's Server. Additionally, portions of this Agenda Item are typed verbatim on the respective Meeting Agenda which has also been electronically forwarded to the individuals noted above, and which is also available on the City's Website, LaserFiche, and the City's Server; has been sent to applicable City Staff, Media/Press Representatives who have requested Agendas/Agenda Item information, Homeowner's Associations/Representatives on file with the City, and all individuals who have requested such information. This information has also been posted outside City Hall, posted inside City Hall with additional copies available for the General Public, and posted at six (6) different locations around the City. Furthermore, this information is also available to any individual requestors. City Staff is always willing to discuss this Agenda Item or any Agenda Item with any interested individuals.

UNAPPROVED



**RECOMMENDATION:**

**Staff recommends the Commission approve the City to enter into the Statewide mutual aid agreement and authorize the City Manager and City Attorney to execute any and all documentation necessary to enter into this agreement.**

---

No discussion.

**CONSENT****303. Finance and Administrative Services Department****REQUEST:**

Finance and Administrative Services Department is requesting the Commission approve Resolutions 2019-02, 2019-03, and 2019-04 designating the Interim City Manager, Interim Finance Director and Public Works Director as authorized representatives to execute documentation required by 5/3rd and Regions Bank on behalf of the City of Winter Springs.

**FISCAL IMPACT:**

There is no financial impact related to this agenda item.

**COMMUNICATION EFFORTS:**

This Agenda Item has been electronically forwarded to the Mayor and City Commission, City Manager, City Attorney/Staff, and is available on the City's Website, LaserFiche, and the City's Server. Additionally, portions of this Agenda Item are typed verbatim on the respective Meeting Agenda which has also been electronically forwarded to the individuals noted above, and which is also available on the City's Website, LaserFiche, and the City's Server; has been sent to applicable City Staff, Media/Press Representatives who have requested Agendas/Agenda Item information, Homeowner's Associations/Representatives on file with the City, and all individuals who have requested such information. This information has also been posted outside City Hall, posted inside City Hall with additional copies available for the General Public, and posted at six (6) different locations around the City. Furthermore, this information is also available to any individual requestors. City Staff is always willing to discuss this Agenda Item or any Agenda Item with any interested individuals.

Applicable custody agreement and resolution will be sent to 5/3rd and Regions Bank.

**RECOMMENDATION:**

**Staff recommends that the Commission approve Resolutions 2019-02, 2019-03, and 2019-04 which designates the authorized representatives to execute documentation with 5/3rd and Regions Bank.**

---

This Agenda Item was not discussed.

UNAPPROVED

## CONSENT

**304. Office of the City Attorney****REQUEST:**

At the previous direction of the City Commission at the March 11, 2019 meeting, the City Attorney presents a proposed Interim City Manager Employment Agreement by and between Shawn Boyle and the City, effective upon approval by the City Commission and execution by the parties on April 8, 2019.

**FISCAL IMPACT:**

There is a direct fiscal impact related to this Agenda Item as expressly stated in the Interim City Manager Agreement.

**COMMUNICATION EFFORTS:**

This Agenda Item has been electronically forwarded to the Mayor and City Commission, City Manager, City Attorney/Staff, and is available on the City's Website, LaserFiche, and the City's Server. Additionally, portions of this Agenda Item are typed verbatim on the respective Meeting Agenda which has also been electronically forwarded to the individuals noted above, and which is also available on the City's Website, LaserFiche, and the City's Server; has been sent to applicable City Staff, Media/Press Representatives who have requested Agendas/Agenda Item information, Homeowner's Associations/Representatives on file with the City, and all individuals who have requested such information. This information has also been posted outside City Hall, posted inside City Hall with additional copies available for the General Public, and posted at six (6) different locations around the City. Furthermore, this information is also available to any individual requestors. City Staff is always willing to discuss this Agenda Item or any Agenda Item with any interested individuals.

**RECOMMENDATION:**

The City Commission shall consider approval of the attached Interim City Manager Employment Agreement by and between Shawn Boyle and the City.

---

No discussion.

## CONSENT

**305. Finance and Administrative Services Department****REQUEST:**

Finance and Administrative Services Department requests Commission authorization to dispose of surplus assets according to the attached disposition sheet(s).

**FISCAL IMPACT:**

There is no cost to dispose of these surplus assets. The City receives revenue generated from items sold at auction.

UNAPPROVED

**COMMUNICATION EFFORTS:**

This Agenda Item has been electronically forwarded to the Mayor and City Commission, City Manager, City Attorney/Staff, and is available on the City’s Website, LaserFiche, and the City’s Server. Additionally, portions of this Agenda Item are typed verbatim on the respective Meeting Agenda which has also been electronically forwarded to the individuals noted above, and which is also available on the City’s Website, LaserFiche, and the City’s Server; has been sent to applicable City Staff, Media/Press Representatives who have requested Agendas/Agenda Item information, Homeowner’s Associations/Representatives on file with the City, and all individuals who have requested such information. This information has also been posted outside City Hall, posted inside City Hall with additional copies available for the General Public, and posted at six (6) different locations around the City. Furthermore, this information is also available to any individual requestors. City Staff is always willing to discuss this Agenda Item or any Agenda Item with any interested individuals.

**UNAPPROVED**

**RECOMMENDATION:**

Staff recommends that the City Commission approve the disposition of the attached list of surplus asset(s).

---

There was no discussion on this Agenda Item.

**CONSENT**

**306. Office of the City Clerk**

**REQUEST:**

The City Clerk is requesting the City Commission Review and Approve the Monday, March 4, 2019 City Commission Workshop Minutes.

**FISCAL IMPACT:**

There is no fiscal impact related to this Agenda Item.

**COMMUNICATION EFFORTS:**

This Agenda Item has been electronically forwarded to the Mayor and City Commission, City Manager, City Attorney/Staff, and is available on the City’s Website, LaserFiche, and the City’s Server. Additionally, portions of this Agenda Item are typed verbatim on the respective Meeting Agenda which has also been electronically forwarded to the individuals noted above, and which is also available on the City’s Website, LaserFiche, and the City’s Server; has been sent to applicable City Staff, Media/Press Representatives who have requested Agendas/Agenda Item information, Homeowner’s Associations/Representatives on file with the City, and all individuals who have requested such information. This information has also been posted outside City Hall, posted inside City Hall with additional copies available for the General Public, and posted at six (6) different locations around the City. Furthermore, this information is also available to any individual requestors. City Staff is always willing to discuss this Agenda Item or any Agenda Item with any interested individuals.

**RECOMMENDATION:**

**Staff recommends the City Commission review and consider offering their Approval of the Monday, March 4, 2019 City Commission Workshop Minutes.**

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No discussion.

**CONSENT**

**307. Office of the City Clerk**

**REQUEST:**

**The City Clerk is requesting the City Commission Review and Approve the Monday, March 11, 2019 City Commission Regular Meeting Minutes.**

**FISCAL IMPACT:**

**There is no fiscal impact related to this Agenda Item.**

**COMMUNICATION EFFORTS:**

**This Agenda Item has been electronically forwarded to the Mayor and City Commission, City Manager, City Attorney/Staff, and is available on the City's Website, LaserFiche, and the City's Server. Additionally, portions of this Agenda Item are typed verbatim on the respective Meeting Agenda which has also been electronically forwarded to the individuals noted above, and which is also available on the City's Website, LaserFiche, and the City's Server; has been sent to applicable City Staff, Media/Press Representatives who have requested Agendas/Agenda Item information, Homeowner's Associations/Representatives on file with the City, and all individuals who have requested such information. This information has also been posted outside City Hall, posted inside City Hall with additional copies available for the General Public, and posted at six (6) different locations around the City. Furthermore, this information is also available to any individual requestors. City Staff is always willing to discuss this Agenda Item or any Agenda Item with any interested individuals.**

**RECOMMENDATION:**

**Staff recommends the City Commission review and consider offering their Approval of the Monday, March 11, 2019 City Commission Regular Meeting Minutes.**

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This Agenda Item was not discussed.

**“MOTION TO APPROVE CONSENT AGENDA.” MOTION BY DEPUTY MAYOR CANNON. MAYOR LACEY POINTED OUT, SECONDED BY COMMISSIONER KENDRICK. DISCUSSION.**

**REGARDING CONSENT AGENDA ITEM “302”, DEPUTY MAYOR CANNON INQUIRED ABOUT REIMBURSEMENTS. FURTHER REMARKS FOLLOWED ON LOCAL MUTUAL AID AGREEMENTS, AND HURRICANE DAMAGE IN BAY COUNTY, FLORIDA.**

**UNAPPROVED**

**VOTE:**

**COMMISSIONER HOVEY: NAY**  
**COMMISSIONER JOHNSON: AYE**  
**COMMISSIONER KENDRICK: AYE**  
**DEPUTY MAYOR CANNON: AYE**  
**COMMISSIONER HALE: AYE**  
**MOTION CARRIED.**

**UNAPPROVED**

**PUBLIC HEARINGS AGENDA**

**PUBLIC HEARINGS**

**400. Office of the City Attorney**

**REQUEST:**

Office of the City Attorney requests that the City Commission consider adopting Ordinance No. 2019-03 on Second Reading, authorizing the conveyance of land in furtherance of a Developer's Agreement, dated January 8, 2018, and memorializing by ordinance and ratifying a conveyance of land to the State of Florida for the "missing link" for the Cross-Seminole Trail pursuant to an Exchange Agreement, Dated February 12, 2018.

**FISCAL IMPACT:**

There is no direct fiscal impact related to the adoption of the Ordinance other than staff and attorney time to prepare the Ordinance and complete the conveyance of the Nub Property to 419 Metal and Auto Recycling Center, Inc.

**COMMUNICATION EFFORTS:**

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**RECOMMENDATION:**

Staff recommends that the City Commission consider adopting Ordinance No. 2019-03 on Second Reading, authorizing the conveyance of land in furtherance of a Developer's Agreement, dated January 8, 2018, and memorializing by ordinance and ratifying a conveyance of land to the State of Florida for the "missing link" for the Cross-Seminole Trail pursuant to an Exchange Agreement, Dated February 12, 2018.

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City Attorney Anthony A. Garganese read Ordinance 2019-03 by "Title" only.

Deputy Mayor Cannon asked if conveyance was to be via a Quit-Claim Deed to which Attorney Garganese said, “Correct.”

As to the actual location, a map was shown and Mr. Bryant Smith, III, P.E., CFM, City Engineer Community Development Department pointed out the location being addressed. Further remarks.

*Mayor Lacey opened “Public Input” for this Agenda Item.*

No one spoke.

*Mayor Lacey closed “Public Input” for this Agenda Item.*

**“MOTION TO APPROVE ORDINANCE 2019-03 ON SECOND READING.” MOTION BY DEPUTY MAYOR CANNON. SECONDED BY COMMISSIONER HALE. DISCUSSION.**

**VOTE:**

**DEPUTY MAYOR CANNON: AYE  
COMMISSIONER KENDRICK: AYE  
COMMISSIONER HALE: AYE  
COMMISSIONER JOHNSON: AYE  
COMMISSIONER HOVEY: AYE  
MOTION CARRIED.**

**PUBLIC HEARINGS**

**401. Community Development Department**

**REQUEST:**

The Community Development Department requests the City Commission hold a public hearing for the approval of a waiver to Section 20-253(e)(2)(iv) of the City Code of Ordinances, which requires a corner yard setback of 25 feet. The applicant is requesting the waiver in order to construct an attached walk-in closet approximately 19 feet from the corner yard setback in lieu of the required 25 feet. The subject property is located at 677 Cayuga Drive, at the southwest corner of Cayuga Drive and Saranac Drive.

**FISCAL IMPACT:**

Approval of the Waiver will allow the property owner to add additional living area to their home, which may result in a minimal increase in revenue to the general fund.

**UNAPPROVED**

**COMMUNICATION EFFORTS:**

This Agenda Item has been electronically forwarded to the Mayor and City Commission, City Manager, City Attorney/Staff, and is available on the City’s Website, LaserFiche, and the City’s Server. Additionally, portions of this Agenda Item are typed verbatim on the respective Meeting Agenda which has also been electronically forwarded to the individuals noted above, and which is also available on the City’s Website, LaserFiche, and the City’s Server; has been sent to applicable City Staff, Media/Press Representatives who have requested Agendas/Agenda Item information, Homeowner’s Associations/Representatives on file with the City, and all individuals who have requested such information. This information has also been posted outside City Hall, posted inside City Hall with additional copies available for the General Public, and posted at six (6) different locations around the City. Furthermore, this information is also available to any individual requestors. City Staff is always willing to discuss this Agenda Item or any Agenda Item with any interested individuals.

**UNAPPROVED**

**RECOMMENDATION:**

Staff and the Planning and Zoning Board found the request consistent with the Comprehensive Plan and all other applicable sections of the City Code and unanimously recommended approval of the Waiver to Section 205-25(e)(2)(iv) in order to construct an addition approximately 19 feet from the corner yard setback in lieu of 25 feet.

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Mr. Jim Resta, City Planner, Community Development Department presented this Agenda Item for consideration.

*Mayor Lacey opened “Public Input” for this Agenda Item.*

No one addressed the Mayor and City Commission.

*Mayor Lacey closed “Public Input” for this Agenda Item.*

**“MOTION TO APPROVE.” MOTION BY DEPUTY MAYOR CANNON. SECONDED BY COMMISSIONER JOHNSON. DISCUSSION.**

**VOTE:**

- COMMISSIONER HALE: AYE**
- DEPUTY MAYOR CANNON: AYE**
- COMMISSIONER KENDRICK: AYE**
- COMMISSIONER HOVEY: AYE**
- COMMISSIONER JOHNSON: AYE**
- MOTION CARRIED.**

**REGULAR AGENDA**

REGULAR  
**500. Not Used**

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## REPORTS

### REPORTS

#### **600. Office of the City Attorney – Anthony A. Garganese, Esquire**

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No Report was given.

### REPORTS

#### **601. Office of the City Manager – Kevin L. Smith**

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City Manager Kevin L. Smith remarked on the ongoing workshops related to land use issues and noted that Staff was actively working with the direction previously provided by the City Commission. However, given the voluminous nature of the task, Manager Smith noted, “They are not ready with that entire package – which is huge.” Furthermore, Manager Smith wondered if the City Commission preferred for the information to be provided collectively or in phases and mentioned that Mr. Tim McClendon, AICP, Director, Community Development Department also planned to provide the City Commission with the proposed survey questions for consideration.

Deputy Mayor Cannon acknowledged the extensive scope of the work regarding land use issues that needed to be done and mentioned other topics that needed discussion such as construction waste. Manager Smith noted that arbor issues was another item that needed to be addressed.

Manager Smith commented, “Maybe we let Anthony (Garganese) and Tim (McClendon) continue the work on the initial project; we come back with a discussion on construction waste, a Phase 1 discussion on arbor, and I would ask for a discussion also on a Commission review of the survey questions. Is that a meeting that I could get Consensus on?”

Discussion continued.

Commissioner Kendrick expressed agreement with Deputy Mayor Cannon’s comments on arbor and construction waste however he cautioned against getting off track. Manager Smith noted, “To be clear, we are working on the initial direction from our initial Workshop. That is a very voluminous task.”

Manager Smith continued, “The options are A, to come forward with that incomplete, but to start taking it in in phases, or option B, is to wait and get it complete and then still take it in phases. I’m suggesting now, based on the Deputy Mayor’s comments which I tend to agree with, that we don’t address the items that were brought forth at the first Workshop. We continue to let Tim (McClendon) and Anthony (Garganese) work on that. Rather we come back with a 4/1[2019] Workshop and discuss construction waste.”

Furthermore, Manager Smith noted, “The second item for discussion would be something we’ve been talking about for several months, which is Arbor. That being a very detailed discussion, it would probably be just a start of that discussion, just get some input to go from there. And the third item would be my request for you to also take a look at the survey questions.”

UNAPPROVED



Deputy Mayor Cannon suggested that his preference was that Attorney Garganese and Mr. McClendon come to the City Commission when they have a finished product rather than piecemeal. Manager Smith acknowledged this and added, “Even in doing that, at the point in time Anthony (Garganese) and Tim (McClendon) are complete, when we bring that forward, it will still require multiple meetings.”

Commissioner Ted Johnson spoke of the Workshop Agenda and Public Input, which Manager Smith said that Public Input would as always be included.

Commissioner TiAnna Hale expressed her agreement, mentioned some research that she had conducted, and passed out some related visioning information highlighting community involvement.

Manager Smith asked, “Before we move on, do I have Consensus on the format for the April 1 Workshop?” Mayor Lacey noted, “I think so.” No objections were noted.

Next, Manager Smith pointed out, “As you also may recall, we had some significant discussion last time about public involvement and I had suggested that we do something that’s often done, and as a matter of fact, we did it here about ten (10) years ago when I started, and it’s typical to do such when you have a significant change on the dais be it at the administrative level or at the policy making level.” Manager Smith then explained that the Institute of Government facilitated the sessions and then he mentioned some of the attendees.

Continuing, Manager Smith noted, “It seemed to be a very involved and very productive meeting and my suggestion is that we go back to the Institute of Government at UCF and ask them to facilitate a similar workshop which again is - just to give you a little bit of an overview of what it entails, it’s a very, very customer driven approach.” Manager Smith went on to give examples of some of the many activities that were held during the last Visioning Sessions.

Furthermore, Manager Smith noted, “At the end of the day that was put into a report that was an appendix, and was a huge part of the strategic plan that I developed some ten (10) odd years ago which has been completed.”

Manager Smith added, “So, if that is something that may have some synergy or tie into what you have there Commissioner Hale, then what we’re working on now with the Commission’s blessing is Tim (McClendon) has reached out to the Institute of Government.” Manager Smith mentioned that City Staff is waiting to hear back about some possible dates, hopefully in April or May which would then be provided to the Mayor and City Commission for consideration, and also noted that Staff would market the event on social media. Deputy Mayor Cannon said that he personally would prefer an April date for the Visioning Session(s).

Deputy Mayor Cannon added, “My understanding is this is this Visioning process is going to focus primarily on the Land Use issues or is it going to include everything from budgetary and personnel?”

Manager Smith responded, “It’s more geared towards Land Use, it would be but it would get down to the nitty-gritty if you will” and would encompass what people would like and what they would not like.

UNAPPROVED

Deputy Mayor Cannon asked if the City needed to consider a larger venue for the Visioning Sessions to which Manager Smith mentioned that last time, City Hall was used and everything worked out fine. It was then noted that with the recent renovations at City Hall, the logistics should work even better this time around.

Deputy Mayor Cannon was in agreement and suggested this be finalized so residents could be notified.

Commissioner Kendrick explained that he and Mayor Lacey had been in touch with the Institute of Government and that based on their current schedule, the months of May or June may actually be when they have available openings.

In terms of a Consensus, Mayor Lacey asked the City Commission, “Any dissent from anyone to the path that the City Manager’s got?” No objections were voiced. Manager Smith added, “We’ll certainly bring back the closest date that we possibly can, so we can get this thing moving.”

UNAPPROVED

**REPORTS**

**602. Office of the City Clerk – Andrea Lorenzo-Luaces, MMC**

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Assistant to the City Clerk Antonia DeJesus said, “No Report.”

**REPORTS**

**603. Office of the Mayor - The Honorable Charles Lacey**

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No Report was given.

**REPORTS**

**604. Office of Commissioner Seat One - The Honorable Jean Hovey**

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Commissioner Jean Hovey asked about the format of the visioning survey to which Manager Smith indicated, “Internet based.” Brief remarks followed on marketing which would also include social media.

Next, Commissioner Hovey spoke about increasing access to meeting agenda items on the City’s website. Assistant to the City Clerk DeJesus noted that this was in the works.

Continuing her Report, Commissioner Hovey mentioned the Trotwood Pavilion being dedicated to the late Commissioner Pam Carroll. While acknowledging that honor, Commissioner Hovey noted that former Commissioner Joanne M. Krebs had served much longer as a member of the City Commission and also as a Board Member and asked where we were in terms of honoring others.

Manager Smith responded that such dedications typically came from City Commission directives, referenced some past examples, and pointed out, “If there is direction to do so, we’ll certainly bring something back.”

Deputy Mayor Cannon suggested that he would ask that Staff bring some recommendation to the City Commission to include input from Mr. Chris Caldwell, Director, Parks and Recreation Department and his Staff. Manager Smith added that Staff was working on a project at Central Winds Park that for discussion purposes, could be called a “Walk of Fame”. Manager Smith said that he understood the interest in possibly recognizing a long standing Elected Official like former Commissioner Joanne M. Krebs in a more distinct manner.

With further remarks about current and future projects, Manager Smith added that the City could “Come up with something that would be worthy of the recognition of - the longest standing...” Deputy Mayor Cannon noted, “...Very supportive of that idea.” Deputy Mayor Cannon then suggested that Staff could bring back some different options for the City Commission to consider.

Summarizing, Mayor Lacey asked, “Any objection from the Commission to the City Manager bringing back just a laundry list of available topics?” Commissioner Kendrick and Commissioner Hovey stated, “Okay.” No objections were heard.

Lastly, Commissioner Hovey emphasized the importance of residents communicating with their Legislators in order to cultivate change on important issues, and spoke of a situation that she personally had been involved with.

#### REPORTS

#### **605. Office of Commissioner Seat Two/Deputy Mayor - The Honorable Kevin Cannon**

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Deputy Mayor Cannon referenced past discussions regarding the City being more proactive in lobbying for more funds. Deputy Mayor Cannon noted that Winter Springs’ resident David Smith who had recently been elected to the Florida House of Representatives had assisted the City of Oviedo and the City of Sanford with lobbying efforts; and as a result, the City of Sanford was being considered for funds for their wastewater plant.

On a related note, Deputy Mayor Cannon hoped that via the Visioning process, the City could determine ways to reach out to Representative David Smith and others for assistance in advancing spending bills for funding City capital projects.

Secondly, Deputy Mayor Cannon recalled a visit to Mount Pleasant, South Carolina and mentioned that this community had effectively blended big businesses with the aesthetics of their town center. Deputy Mayor Cannon noted that he would provide photographs for the City Commission to review.

Deputy Mayor Cannon then mentioned a couple of upcoming events that he was looking forward to.

UNAPPROVED

Commissioner Hovey asked if an invitation could be sent to Representative David Smith to attend the City's Visioning Session(s). Mayor Lacey stated, "I agree."

Furthermore, Commissioner Hovey mentioned that due to a previous family commitment, Commissioner Hovey would not be able to attend the dedication of the Trotwood Pavilion this weekend.

#### REPORTS

##### **606. Office of Commissioner Seat Three – The Honorable Ted Johnson**

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Commissioner Johnson referenced a ribbon cutting ceremony he attended at CareNow Urgent Care and noted that he was impressed that the facility had an x-ray technician on staff throughout the week, including weekends.

Next, Commissioner Johnson recognized Mr. Shawn Boyle, Director, and Mr. Guy Meyers, Construction Project Manager, both from the Finance and Administrative Services Department for their excellent work on the pavilion at Trotwood Park.

Commissioner Johnson also complimented Mr. Caldwell and Mr. Mike Barclay, Recreation Superintendent, Parks and Recreation Department for their many efforts and ideas for the upcoming Dedication Ceremony of the Commissioner Pamela A. Carroll Memorial Pavilion to be held on Sunday, March 31, 2019.

#### REPORTS

##### **607. Office of Commissioner Seat Four – The Honorable TiAnna Hale**

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Commissioner Hale said that she had attended a couple of advocacy classes, and mentioned a Capitol Connection trip which the Oviedo-Winter Springs Regional Chamber of Commerce was coordinating. It was noted that Deputy Mayor Cannon would be going on this Capitol Connection trip and Commissioner Hale said she also would be interested in also participating. Furthermore, Commissioner Hale pointed out that on Wednesday, April 3, 2019 at the local VFW (Veterans of Foreign Wars), Ms. Stephanie Murphy, United States House of Representatives for Florida's 7<sup>th</sup> Congressional District would be in attendance and available to meet with the community.

On another note, Commissioner Hale asked about the status of livestreaming City Commission meetings. Manager Smith responded, "The truth is, the list is so voluminous, it's not near the top. That's the honest answer, and to expand on that just a little bit more, it's been significantly complicated by recent actions relative to ADA (Americans with Disabilities Act) requirements."

UNAPPROVED

**REPORTS****608. Office of Commissioner Seat Five - The Honorable Geoff Kendrick**

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Commissioner Kendrick hoped that everyone had a good Spring Break.

Next, Commissioner Kendrick commended Ms. Lena Rivera, P.E., D.WRE, Director, Public Works/Utilities Department and Mr. Boyle for their efforts in repairing a damaged part of the Oak Forest wall.

Commissioner Kendrick sincerely thanked Chief of Police, Kevin Brunelle, Police Department for his and his Department's efforts and pointed out that the City of Winter Springs was named one of the safest cities in Florida. Commissioner Kendrick further offered his thanks to Chief Brunelle, Captain Matt Tracht, Operations Bureau, Police Department, and all of the staff of the Winter Springs Police Department and added, "For your work, your service and everything you do."

Continuing with his Report, Commissioner Kendrick then referenced a proposed development that did not move forward through the review process

Mr. (Bryant) Smith spoke of a potential retail project which did not meet set-back requirements and other criteria and did not materialize.

Commissioner Kendrick referenced another possible retail project, and asked if there had been any other recent Applications to which Mr. (Bryant) Smith said there had not been any multi-family Applications and mentioned a medical office which was going through the review process.

Furthermore, Commissioner Kendrick mentioned a proposed Moratorium, and hoped we would not miss any Application opportunities, and remarked, "We don't want to miss any more opportunities that this potential Moratorium might make and since there are no other Applications, what I propose is shelving what we are talking about as far as C-1, C-2 or Special Exceptions - it is very redundant and it is very confusing and say a one (1) year Moratorium on multifamily, all definitions of multifamily in Winter Springs and get it behind us." Discussion continued.

Deputy Mayor Cannon remarked about rules of procedure for City Commission meetings. With further comments, Deputy Mayor Cannon spoke of Pre-Application development meetings, and whether any Developers had told Staff that a proposed Moratorium was causing any issues, to which none were noted by Staff. Discussion.

Mayor Lacey inquired if there was Consensus for Staff to possibly bring forth an Ordinance related to multifamily housing. Mayor Lacey noted he did not see a Consensus.

**PUBLIC INPUT**

*Mayor Lacey opened "Public Input".*

*Ms. Gina Shafer, Winter Springs, Florida:* commented on the issue of trash on the Blake Apartment's site, and suggested that for future construction sites, the City ensure project sites are secured during storm/hurricane events.

**UNAPPROVED**

Much discussion followed on construction waste specifically at the Blake Apartment complex and Deputy Mayor Cannon suggested that Ms. Shafer and her neighbors attend the upcoming Workshop on April 1, 2019 and offer any comments, as this matter should specifically be addressed.

Commissioner Johnson noted he had walked the site and agreed this site should be monitored.

Captain Tracht indicated that a Code Enforcement Case was still open and the situation was being observed. Discussion.

Commissioner Hale thanked Ms. Shafer for her input.

*Mr. James Evans, 217 Almaden Court, Winter Springs, Florida:* suggested stiffer/tiered Code Enforcement Fines for trash/debris violations, and commented favorably on Commissioner Kendrick’s idea of a Moratorium prohibiting multifamily development. From a business consultant perspective, Mr. Evans indicated that he had clients who were in favor of the Workshops, some had suggested the Town Center District be abolished, and noted he had received some input about avoiding Winter Springs for business opportunities.

*Mayor Lacey closed “Public Input”.*

Mr. Caldwell pointed out that the “Explore Outdoors” event was scheduled for Saturday, April 6, 2019. Brief comments ensued on schedules.

## **ADJOURNMENT**

Mayor Lacey adjourned the Regular Meeting at 7:55 p.m.

*RESPECTFULLY SUBMITTED:  
ANDREA LORENZO-LUACES, MMC, CITY CLERK AND*

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ANTONIA DEJESUS  
ASSISTANT TO THE CITY CLERK

*APPROVED:*

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MAYOR CHARLES LACEY

**UNAPPROVED**

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# CITY OF WINTER SPRINGS, FLORIDA



**UNAPPROVED**

## CITY COMMISSION

## MINUTES

### **WORKSHOP**

**MONDAY, APRIL 1, 2019 – 6:30 P.M.**

**CITY HALL – COMMISSION CHAMBERS  
1126 EAST STATE ROAD 434, WINTER SPRINGS, FLORIDA**

Mayor Charles Lacey  
Commissioner/Deputy Mayor Kevin Cannon - Seat Two  
Commissioner Jean Hovey - Seat One  
Commissioner Ted Johnson - Seat Three  
Commissioner TiAnna Hale - Seat Four  
Commissioner Geoff Kendrick - Seat Five

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## CALL TO ORDER

The Workshop of Monday, April 1, 2019 of the City Commission was called to Order by Mayor Charles Lacey at 6:30 p.m. in the Commission Chambers of the Municipal Building (City Hall, 1126 East State Road 434, Winter Springs, Florida 32708).

### Roll Call:

Mayor Charles Lacey, present  
Deputy Mayor Kevin Cannon, present  
Commissioner Jean Hovey, present  
Commissioner Ted Johnson, present  
Commissioner TiAnna Hale, absent  
Commissioner Geoff Kendrick, present  
City Manager Kevin L. Smith, present  
City Attorney Anthony A. Garganese, present  
City Clerk Andrea Lorenzo-Luaces, present

Regarding the Agenda, Mayor Lacey stated, “Commissioners, may we Adopt the Agenda?” Deputy Mayor Kevin Cannon said, “No objection.” As no objections were voiced, Mayor Lacey then noted, “Hearing none, it stands Adopted.”

Further brief comments.

## PUBLIC INPUT

*Mayor Lacey opened “Public Input”.*

There were no Speakers.

*Mayor Lacey closed “Public Input”.*

## REGULAR AGENDA

### REGULAR

#### **500. Community Development Department**

#### **REQUEST:**

**The Community Development Department requests the City Commission to receive a presentation on construction site debris management and provide direction as deemed necessary.**

Mr. Tim McClendon, AICP, Director, Community Development Department began the discussion, referenced Section 9-181. from the City’s Code of Ordinances, and mentioned what was required.

UNAPPROVED



Continuing, Mr. McClendon noted, “What we do on the enforcement side of this – Staff actually performs a weekly inspection on construction sites. We actually do request Contractors clean up any trash/debris within forty-eight (48) hours if they are found to be out of compliance. We typically provide a warning and then a follow-up with usually - either holding building inspections or issue stop work orders.” Mr. McClendon mentioned that those steps had typically failed in the past; however, when Code Enforcement was involved and Fines were imposed, then usually they would see results.

Mr. McClendon then explained that going forward, “The two (2) big requirements that we’re going to push on new developments is requiring six foot (6') chain-link fence with either the green or the black screening around the entire perimeter of the construction site, and then also require stormwater pollution prevention plan, and either cash deposit or a letter of credit for - it is one percent (1%) of the total construction cost or five thousand dollars (\$5,000.00), whatever is less; that would be refundable at the time of the final C.O. (Certificate of Occupancy), provided we haven’t pulled that Bond and used that money to clean up the site.”

Mr. McClendon then noted, “Bryant Smith (City Engineer, Community Development Department) also - reached out to a couple other surrounding municipalities - found out Seminole County has a pretty good structure in place for fining construction sites. Seminole County has the ability to issue written warnings from an Inspector; that includes possible Fines and Penalties if the issue isn’t solved within forty-eight (48) hours.”

Next, Mr. McClendon mentioned that through his research he found from the City of Winter Park, “They actually require a detailed Site Management Plan – it’s basically listing out some very specific items – where construction worker parking is located, the location of construction equipment, material storage locations, temporary structure locations, along with there are requirements for traffic routes to and from the project site, pedestrian safety barriers that we’re actually implementing now, and that a Developer is actually required to keep that Site Management Plan on site, and if they’re found not following those rules, that’s when Code comes and starts fining immediately.”

With brief comments, Mayor Lacey asked Mr. McClendon if he thought an Ordinance was necessary to which Mr. McClendon responded, “If you’re looking for teeth.” Mayor Lacey said, “We want teeth.”

Deputy Mayor Cannon referenced some documents which were then distributed. Deputy Mayor Cannon then referenced page 8 of the City of Winter Park’s Ordinance, noted as “2653-05”, and said he thought the section noted with a star [106.2.2] made sense. Deputy Mayor Cannon mentioned that for some storm events, screening would need to be released so it did not become airborne and this could be shared with Developers.

Next, Deputy Mayor Cannon inquired if screening could have promotional information as seen in other jurisdictions.

City Attorney Anthony A. Garganese suggested that such signage would be part of the Sign Code to which Deputy Mayor Cannon noted he was in favor of a Developer being able to advertise/promote an upcoming project. Attorney Garganese added that Temporary Signage provisions in the Code would need to be reviewed.

UNAPPROVED

Commissioner Geoff Kendrick pointed out that Developers or General Contractors often have project information visible on screening. Deputy Mayor Cannon thought the City could look into screening which would also contain trash. Commissioner Ted Johnson noted that this was already being done at the Blake Apartments.

In Winter Park's Ordinance, Mayor Lacey referenced on page 8, section 106.2.2; and Deputy Mayor Cannon noted Section 105.19.1 as well as Section 105.5 which he thought would be helpful if combined with the City's Section 9.181., as noted in the Code of Ordinances.

Deputy Mayor Cannon then mentioned there was a difference between construction debris and food wrappers and thought perhaps having a trash receptacle might help. With continued comments on food wrappers, beverage containers and whether that could be codified, Attorney Garganese referred to this as "On site litter control."

Mayor Lacey stated, "We are looking for Consensus on directing Anthony (Garganese) to take the three (3) paragraphs that we have referenced here out of the Winter Park Ordinance, plus the food source litter that we just spoke about and modify our Ordinances to incorporate those concepts." City Manager Kevin L. Smith inquired, "Could I add the word 'accordingly' at the end?" Mayor Lacey said that Attorney Garganese could incorporate language as applicable.

Commissioner Johnson referenced the Blake Apartments project and noted, "In some areas, the fencing did not extend all the way down and apparently a lot of the trash was coming from underneath." Commissioner Johnson wondered if this was something that also should be included. Manager Smith said to Commissioner Johnson, "I would certainly think, Commissioner, that there would be a proper maintenance of those fences incorporated into the Code and the Ordinances."

Further remarks followed on silt fencing and if the Police Department had noticed a link between secured and non-secured constructions sites and stolen equipment. Brief discussion.

Captain Matt Tracht, Operations Bureau, Police Department said there did not seem to be an issue and then showed an image related to a fenced construction site.

With additional comments, Commissioner Kendrick said he thought that fencing and screening would assist with security, that a dedicated waste container on site would be helpful, and agreed this could be included in the Code.

Continuing, Commissioner Kendrick added that what he would like to see included in the Code was for "Contractors and other responsibilities, if in fact something happens and they have that ten to fourteen (10-14) day period they go under or something happens and no one is going to be at that site, because, in that case, if you have that minimal window of fourteen (14) days or whatever it is, if it goes past that and there is a storm coming, good luck getting any of that stuff moved; nothing is going to be secured. So, I think that is very important just in case someone for whatever reason has to shut down their construction site – mid-project."

Deputy Mayor Cannon stated, "I totally agree with you." Commissioner Johnson nodded in agreement.

UNAPPROVED

Furthermore, Deputy Mayor Cannon suggested that “We really need to make sure that when we adopt this, that we have a Hurricane Contingency Plan for them to lay the fences down and stake them into the ground with rebar or something to keep them going airborne, removing the screen off of them. I am sure that other cities have got something that they have figured out, probably from the Emergency Management standpoint.”

Regarding hurricane preparedness, Commissioner Kendrick remarked, “I would like to see what other cities do before we get into something like that, that might all of a sudden, we put it in the Code and it is onerous.”

Deputy Mayor Cannon pointed out, “I think it should be more from the Emergency Management standpoint. I don’t think we need to codify it - my thought is if we codify it but, say they have to take appropriate measures to prevent the fence from blowing over, and so forth, and then, appropriate measures if our Emergency Manager says you may have to remove it or whatever.” Deputy Mayor Cannon added that he thought there should be flexibility should Emergency Management be involved.

Mayor Lacey confirmed with Attorney Garganese that he understood what the City Commission wanted and asked the City Commission, “Is there any objection to directing Anthony (Garganese) to prepare an Ordinance based upon this discussion?” No objections were voiced. Attorney Garganese added that he would be able to provide a good draft.

REGULAR

**501. Community Development Department**

**REQUEST:**

**The Community Development Department requests the City Commission to receive a presentation from staff on current arbor regulations and provide direction as deemed necessary.**

Deputy Mayor Cannon referenced some documents from Seminole County which were passed out to those on the dais.

Mr. McClendon pointed out that he had submitted documents for the City to maintain its status as Tree City USA for the 30<sup>th</sup> year.

Referencing the Tree Protection Ordinance, which was in Chapter 5 of the City’s Code of Ordinances, Mr. McClendon stated, “I believe the last time this topic was discussed before this Commission, it was either late November/early December. The topics covered at that meeting I believe focused around a two (2) page plan/approach if you will.

The first phase was more of an Arbor Master Plan update. That discussion centered on restoring tree canopy and habitat from the loss of large trees due to the site clearing that has been occurring due to development. The idea for that was to include a four (4) point Master Plan that would use available mitigation funds that exist and plant new trees around the City, in public areas.

UNAPPROVED

The first point of that four (4) point plan was to identify city properties and conservation lands to locate areas to place trees. Staff has identified quite a few locations. There's a couple of canal sites, there is Sam Smith Park, there's a perc pond at Hayes and Bahama, Moss Park. There's a few city-owned pond sites, and of course, any of the City parks.

The second point phase, or the second point of that four (4) point plan was to place appropriate size trees in the City right-of-ways, including - Staff identified Winter Springs Boulevard, Moss Road, Dolphin Road, Hayes (Road), Panama, and Trotwood Boulevard.

Third point was to work with HOA's (Homeowner's Associations) and homeowners that actually requested trees within their public right-of-way areas as well.

The fourth point which I am happy to point out was more of an internal Arbor Outreach Program and that's actually being done through the 'Explore Outdoors' event, that's going to be held this weekend. So, that public outreach program is actually being done now.

The second phase under that Arbor Plan was to tackle a wider range of Code changes or issues. I believe the first idea was, Staff was looking to almost create like a two (2) tier system, sort of residential versus non-residential.

Basically it's lowering the cost structure for residential or HOA (Homeowner's Association) areas; and raising those Fees on the - new construction costs. We're also looking at lowering the replacement costs or the mitigation cost of a tree on a residential homeowner. That's currently about two hundred and fifty dollars (\$250.00) but we'd also look to raise that replacement or the mitigation fee for any new development.

Ideas that we've also been kicking around, is how to further incentivize Developers to keep larger trees and certainly not just clear-cut land; and how you would approach that is, just incentivizing the heck out of keeping larger specimen trees; those are those trees that are twenty-four inches (24") and bigger.

There is also just a number of things that we've been looking at, and toying around with - adjustments to the Permit Fee structure. The residential side of this - to remove a tree, it's twenty-five dollars (\$25.00). We'd hopefully lower that; and then again, just the opposite, raise that for any new construction.

We also are looking to update, simplify the tree replacement table, delete some tree replacement exemptions that exist and then also update the desirable and undesirable tree list. Basically make it more Florida friendly or Florida native friendly.

If this Commission is content with those ideas, we would just keep moving forward on the Staff end of this. Otherwise again, I would kick it back to the Commission here and look for direction."

Deputy Mayor Cannon asked if anyone was aware of the number of trees transplanted from construction sites to City property, over the last ten (10) years.

Continuing, Deputy Mayor Cannon suggested that during the early stages of development of a project, that any of the larger trees that could be transplanted, would be transplanted to City parks or other lands.

UNAPPROVED

Discussion followed on either buying equipment to do such transplanting, a cost-share arrangement, or hiring a company if needed.

Commissioner Kendrick thought that in such a case, the City should work with an Arborist on logistics, to which Mayor Lacey agreed with the need for expert advice. Commissioner Johnson suggested the City definitely discourage clear-cutting, and to especially not allow a Developer to clear-cut right up to a nature preserve or trail area.

Furthermore, Commissioner Kendrick mentioned that with the installation of underground utilities, anything near where any underground utilities would be installed, would need to be removed; so he would like to know on a fully wooded lot, what amount would typically be expected to be saved, before we set any rules.

Commissioner Johnson recommended the City could set guidelines and that nature trails should be kept natural. Commissioner Johnson also thought that there was interest in softening the Blake Apartments site with landscaping, however, he did not really see any room for plantings and that this was a lesson learned.

Deputy Mayor Cannon spoke of the Comprehensive Plan and the allure of Winter Springs which included tree canopy, eagles, and that the City should include this in the Comprehensive Plan as much as possible.

Commissioner Kendrick asked if the City could find out how large of a tree could be planted, and noted he would like to see larger trees planted rather than twig-type trees, hoped to see crape myrtles along State Road 434 pruned as applicable, improving tree canopy, and that he would like to see a written plan with what was desired.

Discussion followed on tree sizes and traffic accident concerns. Deputy Mayor Cannon then noted that on U.S. Highway 17/92 going into Maitland, he recalled seeing what he thought were decent size magnolia trees and wondered how such trees were planted on that highway, and inquired where in the City of Winter Springs could larger trees be planted.

Manager Smith remarked, “If I have Consensus on that Mayor, we’ll certainly move forward with that.” Manager Smith then spoke of area roads and stated, “We’ll look for opportunities to do that. Another point quickly, on the ‘stick’ trees, we’ve already moved away from that.”

Next, Commissioner Johnson spoke of pine beetles damaging pine trees in the area with some trees needing to be removed. Commissioner Johnson then mentioned, “I think Mr. Kendrick is on the right track. I think we do have areas where we could really put an emphasis on planting these significant species that will help us support the wildlife and the habitat. But the pine trees, sadly I think are coming down so there will be a need for replanting.”

Mayor Lacey addressed the City Commission and commented, “A lot of discussion here. Tim (McClendon) started with his proposed changes that are forthcoming. Is there any specific direction you want to give to Staff or are you content to let them hear this discussion and incorporate that?”

UNAPPROVED

Commissioner Kendrick remarked, “I just want to see – some sort of direction on potential planting sites of pushing the envelope on as large a tree indigenous population oak trees, not pine trees. Pine trees are fine but people can cut down pine trees and put them up, no matter what. There are no rules and regulations on those, but the shade trees, the oak trees on all of our right-of-ways, where can we put it, where can we plant the big ones, or as close to it as possible. Of course, we know how long it takes for them to grow.”

Continuing, Commissioner Kendrick added, “I just want to see designated planting sites, where we could try to establish canopy and show the citizens what we’re doing with that money, and if you see a couple come down, well, this is what we’re going to do to put more up.”

Deputy Mayor Cannon asked Attorney Garganese, “If we have a property owner that is willing to let the City plant an oak tree or something, maybe three feet (3') over the property line in order to get it far enough back, is that something that we could do legally, with the consent of the property owner?”

Attorney Garganese said, “Sure.” Attorney Garganese added that the City Commission could authorize such a program.

With further comments, Manager Smith noted, “We had a similar program a few year’s back Deputy Mayor, and there were some challenges there, but that’s something we can certainly dust off, if it’s the will of this body.”

Continuing, Deputy Mayor Cannon remarked, “The long-standing challenges that we have is in the historic area of our City which is on the west side of town; and because of the way that highway was laid out so many years ago, the overall right-of-way to right-of-way line is much narrower. And so, perhaps that would be a good location for someone to enhance with some of these plantings and so forth.”

Deputy Mayor Cannon added, “Clearly, the right-of-way on the east side of town seems to be broader than it is on the west side of town and so that would be another area we might look at - that’s an area of town we need to spruce up.”

Manager Smith noted, “I heard Commissioner Johnson speak about preserving canopy along nature trails on Seminole County Trails; and heard Commissioner Kendrick speak about maybe we can create some type of map showing opportunity sites for increased forestation along our City roads, the ones we can and can’t control; and then Tim (McClendon) also had some Staff initiated items that we wanted to bring forth for the Commission’s consideration. Is that a decent summary of direction from this body going forward?”

Mayor Lacey asked, “Everybody content?” Deputy Mayor Cannon stated, “Yes.” No objections were voiced.

Deputy Mayor Cannon said to Manager Smith, “What is your best estimate of timeframe for this process? I know there’s a lot of things in play right now.” Manager Smith mentioned that much work was going on at the present time and added, “If I could just say, as soon as possible and in short order.”

UNAPPROVED

REGULAR

**502. Community Development Department**

**REQUEST:**

**The Community Development Department requests the City Commission to review and approve the community survey question list and provide alternative questions as deemed necessary.**

Mr. McClendon spoke of a past discussion about surveys and referenced five (5) proposed questions which were being suggested.

A draft survey was then shown to the Mayor and the City Commission. Comments followed on the availability of the survey, planned marketing efforts, and security parameters.

Commissioner Kendrick pointed out, “One thing that I wanted to make sure was to make it fun and interactive - to ask people, ‘What do they want to see?’ ‘What specifically?’ ‘Give us some specifics.’ ‘Do you have any specific retailers you want to see?’”

Deputy Mayor Cannon suggested this be postponed as he wanted to review the questions first. Manager Smith agreed.

Continuing the discussion, Deputy Mayor Cannon stated, “The other thing is, I agree we need some open ended ideas and phrasing it like, ‘In other communities that you’ve driven through or lived in, are there some aspects that you wish could be incorporated here?’ Something open ended and also ask them about types of employers, types of retail businesses, types of restaurants. I think we need to include employers in that.” Manager Smith mentioned that ranking questions was helpful.

Deputy Mayor Cannon agreed and suggested, “On a scale of 1 to 5, how important is this to you?” Furthermore, Deputy Mayor Cannon added, “We do need to ask them about, ‘How long do they think is an unreasonable commute to a job?’ Have a ranking there. For example, ‘Would you like to have more employers closer in the City so that your commute time is reduced?’ And also have a breakdown on different types of employment opportunities in the City and then of course, different types of businesses, whether it’s healthcare, whether it’s different kinds of restaurants/food/retail. All of that as well.”

Manager Smith noted, “Maybe we could bring that back to you all. If anyone has anything tonight Mayor, I would ask if there were any of these, let’s call them the open-ended questions.” Manager Smith added, “Certainly, we’re going to bring this back and give you all another opportunity.”

Commissioner Kendrick pointed out, “I want to see specifically – ‘What kind of retailers or employers – destinations, would you like to see?’”

Brief comments followed on data, rankings, and past Visioning sessions.

Commissioner Johnson noted that the City of Longwood had hired the Gibbs Planning Group and spoke of their data and research. Commissioner Johnson shared a document related to the Gibbs Planning Group.

UNAPPROVED

Continuing, Commissioner Johnson thought the City also needed to hire an outside organization to provide an analysis, and offer recommendations related to which retailers/businesses should be considered for the City of Winter Springs, and thought that Staff should get with the City of Longwood regarding this study by the Gibbs Planning Group. Commissioner Johnson suggested that this should come back as an Agenda Item at a future meeting. Deputy Mayor Cannon nodded.

Commissioner Jean Hovey asked if Commissioner Johnson envisioned this as part of the Visioning process. Commissioner Johnson noted that a similar study would probably be completed a number of months beyond the expected date of any proposed Visioning sessions. Commissioner Hovey then suggested that if this did come back as an Agenda Item, that associated costs would be included. Commissioner Johnson agreed and remarked, “Yes.”

Regarding survey questions, Commissioner Hovey recommended, “Maybe we could phrase it something like, ‘If money/times/size, etc. were no object, what would you like to see in the City of Winter Springs?’ That covers all of it. We all want more retail but “Do you want to see doctor’s offices, clothing stores, big box stores, little box stores - what do we want to see in the City of Winter Springs?” Commissioner Kendrick stated, “I agree with you.”

With further remarks, Commissioner Kendrick referred to Commissioner Johnson’s suggestion and thought it was great. Further, Commissioner Kendrick noted, “I think it should come back on a future Agenda Item and it can run like you said, it might take a little time to set up. It can run concurrent with what we’re talking about doing and it would be great to see the results of everything that we’re planning and probably in short order, in the next six (6) months or so, with everything that we’re talking about.”

Deputy Mayor Cannon pointed out, “We had some discussions earlier on and I’ve had many discussions. I think we should engage a firm to do a study such as Longwood. Longwood focused on retail but I do think we should also include in that study like professions and employers. We can’t cover everything and I think we need to do that sooner rather than later.”

Continuing, Deputy Mayor Cannon added, “This is where we bring in the realities - kind of a reality check for us where they can tell us this is the pallet of what is a realistic expectation for a bedroom community like Winter Springs, and this is not.

So, my thought is that we hold off on pushing out that survey until we get some input from somebody like this group because it brings us into a preliminary focus, and a realistic primary focus; and then solicit from that point, what’s realistic; because as we’ve all discussed up here, it is fine for us to say, ‘Well, we want more of this or that’ but if economics – if it is not going to happen, if it’s not realistic economically, it’s not realistic, because of the way our existing traffic and roadways and the physical layout of the lake on the north side of the City.”

Deputy Mayor Cannon then pointed out the economics and market viability that such a study would provide the City Commission with real world marketability, which would help guide any survey that might be issued.

Further remarks followed on the Gibbs Planning Group.

UNAPPROVED



Commissioner Kendrick pointed out, “I see value in running the two (2) concurrent; the survey as well as what Commissioner Johnson has said with hiring the professional outsourcing to understand a market and this is why. I don’t see that the survey would and I don’t want to use the word ‘bias’ - I wouldn’t want - it to filter the professional results but professional results might put a filter on the survey from our citizens; because now they see what a professional organization came back with and maybe it cuts down on the expression of what they want to talk about.”

Furthermore, Commissioner Kendrick noted, “I would love to hear them both and then marry the two (2). I don’t want to take the ideas out of our citizens’ heads, that because maybe they misread the survey or not the survey but they misread the report that Commissioner Johnson was talking about.”

Commissioner Kendrick added, “I want them to say this is what we want or this is what a professional organization has said, now let us marry the two (2). That is the only thing that I see. I see value in concurrency.” Deputy Mayor Cannon commented, “I guess there is something to be said for that; I see your perspective.”

Referencing the proposed survey, Deputy Mayor Cannon mentioned that he wanted to make sure the survey only allowed for one (1) address to Vote only once and he was not sure an address was secure enough; and then suggested perhaps having Driver’s Licenses and an address for proof of who was taking the survey; and further, Deputy Mayor Cannon also suggested having Voters Registration numbers for verification. Commissioner Hovey thought that City Utility account numbers might help substantiate who was taking a survey.

Mayor Lacey asked Attorney Garganese if he was agreeable to the City asking for City Utility account numbers to which Attorney Garganese said he did not see any issue with using such that information.

Regarding apartments, Mr. Shawn Boyle, Director, Finance and Administrative Services Department stated, “Most of our apartment complexes are what we call ‘master metered’ and they don’t have account numbers. They have one (1) master account number so you wouldn’t get individual feedback from them.”

Deputy Mayor Cannon then remarked, “But by going with the water meter, that would also pick up businesses which is important too; because I want to hear from the businesses.”

Continuing the discussion, Deputy Mayor Cannon noted that he was in favor of Commissioner Hovey’s idea of using City Utility account information.

Further remarks.

Mr. Ed DeJesus, IT Manager, Finance and Administrative Services Department spoke of email addresses, authentication, ensuring privacy while collecting data, telephone calls, and possibilities versus probabilities of security breaches.

UNAPPROVED

Deputy Mayor Cannon suggested that the City make it clear that only one (1) survey could be submitted and added that he was not in favor of telephone calls to which other Members of the City Commission agreed.

Mayor Lacey then said to Manager Smith, “Are you good?” Manager Smith responded, “I think so Mayor.”

## **PUBLIC INPUT**

*Mayor Lacey opened “Public Input”.*

*Mr. Kevin McCann, 1109 Pheasant Circle, Winter Springs, Florida:* commended the efforts being made on the proposed survey and asked if City Utility bills would not readily be accessible to the general public and hoped the City Commission would take the security of such a survey very seriously in order to obtain accurate information.

Referencing the Tusawilla Homeowners Association (THOA), Mr. McCann spoke of large commercial waste dumpster and port-a-lets in the front yards of homeowner’s properties for a long period of time and asked that this matter be considered.

Deputy Mayor Cannon mentioned to Mr. McClendon about the Ordinance he had distributed and suggested that if there was a period of construction inactivity on a property, then waste containers and such should be removed. Deputy Mayor Cannon hoped that Staff could include this in building regulations.

Attorney Garganese said he could include related language.

With further discussion, Commissioner Johnson also agreed that this be included and commented about blue tarps on roofs being visible for extended periods of time and wondered if this could be addressed similarly.

Commissioner Kendrick noted, “In all of our discussions, I don’t think we were limiting this to commercial. I think we all are in agreement that residential is certainly part of this.”

Deputy Mayor Cannon stated, “Yes.”

Commissioner Kendrick added, “This is certainly part of that of what I believe Deputy Mayor Cannon passed out, the 105.19 (Contractor/owner responsibility). I believe this can certainly be incorporated when we marry this with our own Ordinance to have timelines, simple timelines and responsibility timelines; and that is not onerous, it is not unreasonable whatsoever. And I think that will curtail a lot of these problems.”

Deputy Mayor Cannon suggested to Attorney Garganese, “There should be some timelines.”

UNAPPROVED

Discussion continued on tarps and also boards on broken windows. Commissioner Kendrick pointed out that regarding tarps, “There might be a preemption clause with the State.” Comments continued on tarps and that there did not seem to be any communication with the City, permit requirements, nor tracking methods and these would be helpful. Commissioner Kendrick added that he had not seen any Ordinances related to tarps. Manager Smith stated, “Give us an opportunity at Staff to look into that.”

Mayor Lacey pointed out, “There is a clear Consensus on that.”

*Ms. Gina Shafer, Winter Springs, Florida:* mentioned she had seen screening and signage on projects in the City of Winter Park, referenced the Blake Apartments, and suggested that while anything was being built along Michael Blake Boulevard, that such projects should be maintained and she thought screening would be a positive idea.

Ms. Shafer agreed with Commissioner Johnson’s comments on adding bushes or trees near trails, especially near the Cross Seminole Trail behind the Blake apartments.

Further remarks.

*Mr. Ryan Stahl, 630 South Maitland Avenue, Suite 100, Maitland, Florida:* spoke of the Workshop and that he thought it would have been more of a round-table discussion, complimented the City Commission on the proposed survey, referenced comments made about the Gibbs Planning Group and that they were a great company. Mr. Stahl did note that four (4) local experts had attended tonight’s Workshop and suggested the City Commission reach out to local experts for assistance.

*Mayor Lacey closed “Public Input”.*

In other City related business, Commissioner Hovey spoke highly of departing Chief of Police Kevin Brunelle, Police Department and offered her appreciation. Commissioner Hovey then complimented Manager Smith on his efforts as City Manager.

Next, Commissioner Kendrick echoed Commissioner Hovey’s remarks about Chief Brunelle and Manager Smith.

Commissioner Kendrick then referenced what Mr. Stahl had mentioned and spoke of the importance of input from residents, outside professionals, as well as businesses.

Continuing, Commissioner Johnson offered his thanks to Manager Smith, then referenced a situation that involved Chief Brunelle and pointed out how helpful Chief Brunelle and his staff had been when they had handled a difficult situation.

Deputy Mayor Cannon also mentioned a previous difficult occurrence that Chief Brunelle was able to control. Continuing with his comments, Deputy Mayor Cannon shared his sincere gratitude and thanks to Manager Smith.

Lastly, Mayor Lacey complimented Chief Brunelle on his service and friendship over the past ten (10) years; and spoke of Manager Smith leaving.

UNAPPROVED

## ADJOURNMENT

Mayor Lacey adjourned the Workshop at 8:22 p.m.

*RESPECTFULLY SUBMITTED:*

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ANDREA LORENZO-LUACES, MMC  
CITY CLERK

*APPROVED:*

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MAYOR CHARLES LACEY

UNAPPROVED

NOTE: These Minutes were approved at the \_\_\_\_\_, 2019 City Commission Regular Meeting.



# CONSENT AGENDA ITEM 308

CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

## TITLE

Planning and Community Visioning Services Agreement with the East Central Florida Regional Planning Council

## SUMMARY

The East Central Florida Regional Planning Council (ECFRPC) presented to the City Commission during the April 15, 2019 Commission Workshop for services related to facilitating a community visioning exercise. At the conclusion of the presentation, the City Commission reached consensus to move forward with ECFRPC.

The ECFRPC will facilitate community visioning sessions, which will include the following activities:

- Reviewing the adopted vision and trend analysis with case studies
- Conducting community workshops
- Developing and releasing a community survey
- Presenting findings and recommendations to the City Commission

Case studies will be compiled for three communities of similar size and community assets to assess successful programs, development and other parameters identified. Staff is requesting an amount not to exceed \$30,000 to commence this project.

In addition to the services above, City staff is requesting Commission approve a continuing services agreement to supplement current staffing deficiencies. The ECFRPC will provide technical planning assistance to the City of Winter Springs as requested by City planning staff. Technical assistance activities include, but are not limited to application reviews, research, zoning inquiries, data analysis, GIS, and other requests by the staff.

The ECFRPC will work with City Planning staff to obtain access to all necessary planning documents, codes, data and procedures for requested tasks. Upon request, the ECFRPC staff will be available to attend board and meetings as needed. Typical response time for a review, depending on the scope and size, is 5-7 business days. If a review will require additional time, based on the level of review, the ECFRPC will notify City staff within two days of receipt. Staff is requesting an amount not to exceed \$25,000 to engage ECFRPC for technical assistance.



# East Central Florida Regional Planning Council

455 N. Garland Avenue, Orlando, FL 32801  
 Phone 407.245.0300 • Fax 407.245.0285 • www.ecfrpc.org

Hugh W. Harling, Jr. P.E.  
 Executive Director

## Quote for Services: City of Winter Springs Technical Assistance and Community Visioning By East Central Florida Regional Planning Council (ECFRPC)

### I. Technical Planning Assistance

The ECFRPC will provide technical planning assistance to the City of Winter Springs as requested by City planning staff. Technical assistance activities include, but are not limited to application reviews, research, zoning inquiries, data and analysis, GIS, and other requests by the staff. If the RPC is unable to complete task due to level of required expertise (Ex: engineer or surveying), RPC will request either the appropriate City staff review or receive authorization to contract the task to an outside source.

The ECFRPC will work with City Planning staff to obtain access to all necessary planning documents, codes, data and procedures for requested tasks. Upon request, the ECFRPC staff will be available to attend board and meetings as needed. Typical response time for a review, depending on scope and size, is 5-7 business days. If a review will require additional time, based on level of review, the ECFRPC will notify City staff within two days of receipt.

The ECFRPC will invoice monthly on an “actual cost” basis and provide a per task cost. The table below comprises the **maximum** cost per position.

Position	Max Cost per Hour (2019-2021)*
Administrative Assistant	\$62
Economic Development Manager	\$79
Emergency Preparedness Manager	\$67
Emergency Preparedness Planner I	\$42
Planner I (No Benefits)/Intern	\$25
Planner I	\$44
Planner II	\$58
Planner III	\$70
Planning Director	\$98
Project Coordinator	\$104

*The ECFRPC will invoice monthly based on the personnel costs above. As chart represents the maximum cost for each position, the actual cost may be lower due to the staff member assigned to the task, fringe and indirect rates.*

### Executive Committee

<b>Chair</b> John Lesman Gubernatorial Appointee Seminole County	<b>Vice Chair</b> Sean Parks County Commissioner Lake County	<b>Secretary</b> Emily Bonilla County Commissioner Orange County	<b>Treasurer</b> Ed Kelley County Councilmember Volusia County	<b>Immediate Past Chair</b> Lee Constantine County Commissioner Seminole County	<b>Member at Large</b> Dina Sweatt Mayor of Groveland Lake Cty League of Cities	<b>Member at Large</b> David Moore County Commissioner Marion County
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## II. Community Visioning

The ECFRPC will furnish the personnel and resources to conduct the following activities and provide the associated deliverables for each task noted below.

### Task 1: Adopted Vision and Trend Analysis with Case Studies

The ECFRPC will review the currently adopted vision of the City of Winter Springs and projects and programs developed in support of the plan, conduct a trends analysis and make a determination as to the status of implementation of the adopted vision. The review will include data and analysis, research via the City website, and interviews with City staff as necessary. The trend analysis will include, but not be limited to comparison of trends in growth and development, future land use, demographics and economic development. Case studies will be compiled for three communities of similar size and community assets to assess successful programs, development and other parameters identified.

Findings from this analysis will be presented to City Council.

**Deliverable:** Adopted Vision and Trend Analysis with Case Study Report; Presentation to City Council

**Timeframe:** May 1- June 14; Draft Deliverable of report and presentation – June 3; Final deliverable – June 14

**Cost:** \$10,000

### Task 2: Community Workshop

- 1) A workshop will be held in the community to discuss the findings of Task 1 and engage the community in a discussion on priorities, opportunities and needs within the City. The workshop will include a presentation and breakout group discussions. The information derived from this workshop will be utilized to develop Task 3.
  - a) The City will provide the public notice of the workshop and outreach to the community. The ECFRPC will develop and provide the following: agenda, sign-in sheets, presentation, interactive survey, breakout group activities and meeting summary.
- 2) A business workshop will be held to discuss the findings of Task 1 and engage the community in a discussion on business and economic development within the City. The workshop will include a presentation and breakout group discussions. The information derived from this workshop will be utilized to develop Task 3.

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### Executive Committee

<b>Chair</b> John Lesman Gubernatorial Appointee Seminole County	<b>Vice Chair</b> Sean Parks County Commissioner Lake County	<b>Secretary</b> Emily Bonilla County Commissioner Orange County	<b>Treasurer</b> Ed Kelley County Councilmember Volusia County	<b>Immediate Past Chair</b> Lee Constantine County Commissioner Seminole County	<b>Member at Large</b> Dina Sweatt Mayor of Groveland Lake Cty League of Cities	<b>Member at Large</b> David Moore County Commissioner Marion County
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- a. The City will provide the public notice of the workshop and outreach to the business community. The ECFRPC will develop and provide the following: agenda, sign-in sheets, presentation, interactive survey, breakout group activities and meeting summary. The ECFRPC will coordinate the format, agenda, and presentation with City staff to ensure their approval.

**Deliverable:** 2 workshops, agendas, sign-in sheets, presentation, meeting summary

**Timeframe:** June 3 -June 28; Deliverables due June 28.

**Cost:** \$7,000

**Task 3: Community Survey**

Using the Metroquest platform and input from Task 2, an online survey will be developed to engage the community in a greater capacity. The ECFRPC will work with the City staff to design the survey to cover topics such as opportunities, priorities and direction for the City to move. The survey will be released to the public when approved by the City. The City will be responsible for pushing announcements of the survey through various mechanisms. The survey will be available to the community for 30 days. After the survey is closed, the ECFRPC will develop a findings report which will analyze the results and include all comments made by participants.

**Deliverable:** Survey, Survey Findings Report

**Timeframe:** June 17 – August 23; Deliverables due August 23.

**Cost:** \$5,000 (Metroquest Platform – Free)

**Task 4: City Council Presentation and Recommendations**

Develop recommendations for next steps. Present findings from the public workshop and survey as well as recommendations for next steps to the City Council.

**Deliverable:** Recommendations document; Presentation to the Board

**Timeframe:** August 23 – September 30; Deliverables due September 30

**Cost:** \$1,500

*Community Visioning Total - \$23,500*

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**Executive Committee**

<b>Chair</b> John Lesman Gubernatorial Appointee Seminole County	<b>Vice Chair</b> Sean Parks County Commissioner Lake County	<b>Secretary</b> Emily Bonilla County Commissioner Orange County	<b>Treasurer</b> Ed Kelley County Councilmember Volusia County	<b>Immediate Past Chair</b> Lee Constantine County Commissioner Seminole County	<b>Member at Large</b> Dina Sweatt Mayor of Groveland Lake Cty League of Cities	<b>Member at Large</b> David Moore County Commissioner Marion County
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# PUBLIC HEARINGS AGENDA ITEM 400

## CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

### TITLE

Public Transmittal Hearing and First Reading of Ordinance 2019-06 regarding EAR based amendments to the Comprehensive Plan related to the Intergovernmental Coordination Element and transmit to the Department of Economic Opportunity and other reviewing agencies

### SUMMARY

Effective June 2, 2011, local governments have more discretion in determining whether they need to update their local comprehensive plan. As such, local governments no longer need to submit evaluation and appraisal reports to the department for a sufficiency determination. Instead, local governments must follow these new provisions:

1. At least every seven years, pursuant to Rule Chapter 73C-49, Florida Administrative Code, **determine whether the need exists to amend the comprehensive plan to reflect changes in state requirements since the last time the comprehensive plan was updated.**
2. Notify the state land planning agency by letter of this determination.
3. If the local government determines amendments to the comprehensive plan are necessary, the local government shall prepare and transmit the proposed amendments to the State Land Planning Agency within one year of such determination. For guidance and more information about these processes, see
4. Any local government failing to timely submit a notification letter or proposed amendments within one year of notification may not amend its comprehensive plan until it complies with the requirements.
5. The evaluation and appraisal should address changes in state requirements since the last update of the comprehensive plan and update the plan based on changes to local conditions.

The attached documents include EAR (Evaluation and Appraisal Report) based Comprehensive Plan amendments, specifically to the Intergovernmental Coordination Element. **The purpose of the proposed Ordinance and related amendments is to update the Intergovernmental Coordination Element to reflect to changes in state requirements since the last time the comprehensive plan was updated.** Subsequent EAR based amendments to other Comprehensive Plan Elements will follow in the next few months during upcoming public hearings in order to reflect changes in state requirements.

The Local Government Comprehensive Planning Act requires local comprehensive plans to be consistent with the goals of the state and regional policy plans. Local governments need to provide for this consistency in the goals, objectives, and policies of their comprehensive plans. The City's interpretation of the legislative

intent of the consistency requirement is to provide for all comprehensive plans, adopted locally, to coordinate into a statewide framework for "growth management." One tool that the Act mandated to meet this legislative intent was for local comprehensive plans to adopt an Intergovernmental Coordination Element.

In order to provide for this consistency, coordination among state, regional, and local governments and agencies is essential. This coordination provides not only the method for the plans to be consistent, but also allows for more efficient delivery of services to the City residents. Mechanisms to meet this consistency requirement include, but are not limited to:

- Intergovernmental agreements
- Joint planning and service agreements
- Special legislation
- Joint meetings, public hearings
- Work groups or governmental programs designed to further intergovernmental coordination

In addition, this Element can act as a catalyst for the smooth operation of the rest of the plan elements. By defining and creating tests of consistency within this Element, deficiencies within and among elements can be identified for the purpose of correcting them.

This Element can also be used as a mechanism to provide direction to the City for future implementation of federal, state, and regional programs, grants and assistance. Numerous government programs exist which can be used by the City in the implementation of the City's Comprehensive Plan. In addition, these programs can be used to meet the growing demands of the population growth on the City's services and public infrastructure.

The revised language will allow the Element to come into compliance with the Evaluation and Appraisal Report that was due in 2017.

On April 3, 2019, the City's Land Planning Agency unanimously recommended approval of Ordinance No. 2019-06.

#### Proposed Timeline

- |                          |   |
|--------------------------|---|
| 1. March 24, 2019        | Ad runs in Orlando Sentinel (10 days prior to LPA)          |
| 2. <b>April 3, 2019</b>  | <b>Local Planning Agency/Planning &amp; Zoning Board</b>    |
| 3. <b>April 22, 2019</b> | <b>City Commission - 1<sup>st</sup> Reading/Transmittal</b> |
| 4. May 6, 2019           | Transmit to Dept. of Economic Opportunity                   |
| 5. May 13, 2019          | Dept. of Economic Opportunity Receipt Confirmation          |
| 6. June 28, 2019         | Adoption Ad runs in Orlando Sentinel                        |
| 7. <b>July 8, 2019</b>   | <b>City Commission - 2<sup>nd</sup> Reading/Adoption</b>    |
| 8. July 22, 2019         | Adopted Plan Amendment submittal to State                   |
| 9. August 21, 2019       | Dept. of Economic Opportunity 30 day review                 |
| 10. September 22, 2019   | Effective Date (no petitions filed)                         |

**ORDINANCE NO. 2019-06**

**A ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, SEMINOLE COUNTY, FLORIDA, SETTING FORTH AMENDMENTS TO THE CITY OF WINTER SPRINGS COMPREHENSIVE PLAN, INTERGOVERNMENTAL COORDINATION ELEMENT BASED ON THE CITY'S EVALUATION AND APPRAISAL OF THE COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3191, FLORIDA STATUTES; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; INCORPORATION INTO THE COMPREHENSIVE PLAN; LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENTS; SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Legislature intends that local planning be a continuous and ongoing process; and

**WHEREAS**, section 163.3161 et. seq., Florida Statutes, established Community Planning Act; and

**WHEREAS**, consistent with the Community Planning Act, the City Commission has adopted the City of Winter Springs Comprehensive Plan; and

**WHEREAS**, as required by section 163.3191, Florida Statutes, the City has conducted an evaluation of its Comprehensive Plan, Intergovernmental Coordination Element, to determine if plan amendments are necessary to reflect changes in state requirements since the last update of the City's Comprehensive Plan, which is required to be adopted every seven (7) years to assess the progress of implementing the City's Comprehensive Plan; and

**WHEREAS**, the Local Planning Agency has reviewed the amendments to the Comprehensive Plan, Intergovernmental Coordination Element, set forth herein, held an advertised public hearing, provided for participation by the public in the process, and rendered its recommendations to the City Commission; and

**WHEREAS**, the City Commission, after considering the Local Planning Agency's review comments and recommendations for amendments to the Intergovernmental Coordination Element, desires to adopt the amendments set forth herein; and

**WHEREAS**, the City Commission of the City of Winter Springs, Florida, hereby finds this

ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Winter Springs.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS HEREBY ORDAINS, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing recitals are true and correct and are fully incorporated herein by this reference.

**Section 2. Authority.** This Ordinance is adopted in compliance with, and pursuant to, the Community Planning Act, Sections 163.3184 and 163.3191, Florida Statutes.

**Section 3. Purpose and Intent.** The purpose and intent of this ordinance is to adopt text amendments to the City's Comprehensive Plan as set forth herein, which are based on the City's evaluation and appraisal of the Comprehensive Plan pursuant to Section 163.3191, Florida Statutes.

**Section 4. Adoption of Text Amendments to the Comprehensive Plan, Intergovernmental Coordination Element.** The Winter Springs Comprehensive Plan, Intergovernmental Coordination Element is hereby amended only as specifically enumerated and set forth in **Exhibit "A"** attached hereto and fully incorporated herein by this reference. (Underlined type indicates additions and ~~strikeout~~ type indicates deletions). It is intended that the text in the Comprehensive Plan not specifically enumerated and set forth in this Exhibit shall remain unchanged from the language existing prior to adoption of this Ordinance).

**Section 5. Transmittal to the Department of Economic Opportunity.** The City Manager or his designee is hereby designated to sign a letter transmitting the adopted Comprehensive Plan Amendment to the Florida Department of Economic Opportunity for expedited state review, in accordance with Section 163.3184(2), Florida Statutes.

**Section 6. Repeal of Prior Inconsistent Ordinances and Resolutions.** All prior inconsistent ordinances and resolutions adopted by the City Commission of the City of Winter Springs, or parts of ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

**Section 7. Severability.** If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 8. Incorporation Into Comprehensive Plan.** Upon the effective date of the Comprehensive Plan Amendments adopted by this Ordinance, said Amendments shall be incorporated into the City of Winter Springs Comprehensive Plan and any section or paragraph

number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

**Section 9. Effective Date and Legal Status of the Plan Amendment.** The effective date of the Comprehensive Plan Amendments adopted by this Ordinance shall be the date a final order is issued by the Florida Department of Economic Opportunity, or the Administration Commission finding the Amendments in compliance with section 163.3184, Florida Statutes. No development orders, development permits, or land use dependent on these Amendments may be issued or commenced before it has become effective. If a final order of noncompliance is issued by the Administration Commission, the Amendments may nevertheless be made effective by adoption of a resolution affirming its effective status. After and from the effective date of these Amendments, the Comprehensive Plan Amendments set forth herein shall amend the City of Winter Springs Comprehensive Plan and become a part of that plan and the Amendments shall have the legal status of the City of Winter Springs Comprehensive Plan, as amended.

**ADOPTED** by the City Commission of the City of Winter Springs, Florida, in a regular meeting assembled on the \_\_\_\_ day of \_\_\_\_\_, 2019.

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**Charles Lacey, Mayor**

**ATTEST:**

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**Andrea Lorenzo-Luaces, City Clerk**

Approved as to legal form and sufficiency for  
the City of Winter Springs only:

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**Anthony A. Garganese, City Attorney**

Transmittal Hearing: \_\_\_\_\_

Adoption Hearing: \_\_\_\_\_

Effective Date: \_\_\_\_\_

## EXHIBIT “A”

Changes are shown utilizing ~~strikethrough~~ for deletions and underline for additions to existing Comprehensive Plan sections.

### CHAPTER VIII INTERGOVERNMENTAL COORDINATION ELEMENT

**1. Policy 1.1.5**

Coordinate with the resource protection efforts of the St. Johns River Water Management District (SJRWMD) for Lake Jesup and participate in the implementation efforts and development of strategies to improve water quality, such as the SJRWMD ~~January 2002 Surface Water Improvement and Management~~ 2002 Middle St. Johns River Basin Surface Waters Improvement and Management (SWIM) plan, the 2008 Lake Jesup Interagency Restoration Strategy, and the 2010 Lake Jesup Basin Management Action Plan ~~currently under development~~.

**2. Policy 1.1.6**

Coordinate the City's Water Supply Work Plan (Exhibit IV-B-1) with the *Seminole County's Water Supply Plan 2007*, *SJRWMD's District Water Supply Plan* ~~2005 and 2006~~ 2017 Fifth Addendum and the East Central Florida Regional Planning Council (ECFRPC)'s *Strategic Regional Policy Plan* ~~1998-2013~~. (Cross Reference: See Conservation Element, Policy 1.2.9).

**3. Policy 1.2.4.**

Continue Pursue collaborating ~~opportunities to collaborate~~ on the regional Seminole Way initiative.

**4. Policy 1.4.4**

Coordinate with the SJRWMD to ensure implementation of the District Water Supply Plan 2017 Fifth Addendum ~~2005~~ and its subsequent updates. (Cross Reference: See Conservation Element, policy 1.2.9)

**5. C. INVENTORY OF EXISTING INTERGOVERNMENTAL COORDINATION MECHANISMS 2. Regional (a)**

**Central Florida Regional Planning Council (ECFRPC)**

The ECFRPC is the regional planning agency responsible for the implementation of powers and duties, pursuant to Chapter 186, F.S., for Seminole County and the City. The ECFRPC, located in ~~Maitland~~ downtown Orlando, Florida, also has regional planning jurisdiction in the Counties of Volusia, Orange, Lake, Osceola and Brevard.

The ECFRPC is the agency responsible for the development and implementation of the Regional Policy Plan. The ECFRPC has the responsibility, pursuant to Section 163.3184, F.S., to review local comprehensive plan amendments related to their relationship and

effect on the Regional Policy Plan. As such, the ECFRPC may submit recommendations to the State requesting modifications.

~~Pursuant to Section 380.06 F.S., the ECFRPC also has the authority to regulate Developments of Regional Impact (DRI). DRI are developments that have a substantial effect on the health, safety, welfare, and quality of life of citizens in more than one county. The ECFRPC has the authority to ensure that these developments are consistent with accepted LOS standards and the Regional Policy Plan, and the ECFRPC's recommendations are incorporated in any development orders for the DRI.~~

The Mayor currently serves as a member of the ECFRPC on behalf of the Seminole County League of Cities. The purpose of the membership is to provide policy direction and manage regional policy issues to fulfill the ECFRPC's powers and duties.

## **6. C. INVENTORY OF EXISTING INTERGOVERNMENTAL COORDINATION MECHANISMS 2. Regional (c)**

### **St. Johns River Water Management District (SJRWMD)**

Created in 1972, the SJRWMD is responsible for flood control and water conservation in the St. Johns River region. The City is within the jurisdiction of the SJRWMD.

This authority has regulatory control over all water based resources within its jurisdiction. The SJRWMD has the following responsibilities:

- Permitting of consumptive use of water;
- Regulation of wells;
- Management and storage of surface water; and
- Water storage.

All new developments and utility services may be required to obtain a permit from the SJRWMD, prior to the issuance of a development order.

Generally, a development is exempt from formal drainage review and permitting if the site meets the following criteria:

- Less than two (2) acres of impervious area, and;
- Ten (10) acres or less of total area.

The SJRWMD has a local office in Altamonte Springs that reviews development plans in Seminole County and may require plan modifications, prior to granting approval. The Public Works Department is the principal liaison in these reviews. The SJRWMD is also a primary reviewer of local comprehensive plan amendments and as such, conveys their comments to the Community Development Department- Planning Division.

The City coordinates SJRWMD regarding a variety of water resources-related issues, including wetlands permitting, stormwater management, Lake Jesup restoration, creation and maintenance of conservation areas, and regional projects. One regional stormwater project in the City is the Solary Canal project, located at the northeast corner of the City on the east side of DeLeon St. Solary Canal is a stormwater treatment facility that will

consist of a wet detention pond and wetland treatment area. The project will intercept and treat stormwater from “Sweetwater Creek,” which collects stormwater runoff primarily from properties within the City of Oviedo.

#### *Water Supply Planning and Coordination*

Subsection 163.3191(2)(L), F.S. requires coordination between water supply planning and future land use planning in order to ensure an adequate supply of water to support future development. In 2004, the City entered into an interlocal agreement with Seminole County and the other cities within the County to develop a county-wide water supply plan (County Plan). The City’s Water Supply Work Plan must be coordinated with the County Plan, as well as with the SJRWMD District Water Supply ~~2005 and 2006~~ [2017 Fifth](#) Addendum and the ECFRPC Strategic Regional Policy Plan 1998. The County Plan was completed in 2007; the City’s Water Supply Work Plan was also updated in 2007.

These plans identified a number of projects including a recommendation to proceed with the design of the Lake Jesup Reclaimed Water Augmentation Project and to negotiate with adjacent cities to partner in the project. Information on the status of the City’s design and development plans for the facility are presented in the Infrastructure Element. In addition, the City will participate in the joint planning process for the St. John’s River Regional Surface Water Supply Plant at S.R. 46.

## **7. C. INVENTORY OF EXISTING INTERGOVERNMENTAL COORDINATION MECHANISMS 2. State**

State agencies such as the Florida Fish and Wildlife Conservation Commission (FWCC), and the Department of Environmental Protection (DEP) are instrumental in helping the City meet the goals, objectives and policies of the City’s Conservation, Recreation and Open Space, Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Elements. The Department of [Economic Opportunity \(DEO\)](#) ~~Community Affairs (DCA)~~ is the agency charged with the administration of the Comprehensive Plan and the determination of compliance of local plans with Chapter 163, Florida Statutes (F.S.) and Rule 9J-5, Florida Administrative Code (F.A.C.). ~~In addition, the DCA and the Department of Children and Families (DCF) can aid in the implementation of the City’s Housing Element.~~ The DEP will monitor and approve all policies respective to the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element. [DEO](#) ~~The DCA~~ provides direction regarding the Future Land Use Element and the ability of the City’s Comprehensive Plan to provide for an efficient and effective economic base for State and local growth. The effectiveness of the City’s Transportation Element will be affected greatly by the actions and policies of the Florida Department of Transportation (FDOT).

The actions of the state legislature will also impact the effectiveness of the City’s Comprehensive Plan; specifically, future funding needs of the State of Florida. Coordination and cooperation between the state and local governments is necessary to ensure public policy efficiency and to address the economic implications of public policy funding issues. Funding is extremely critical for smaller, rapidly growing communities



especially in the current economic environment. In order for the City to effectively meet the requirements of Chapter 163, and other state-mandated policies, future state funding resources will continue to be critical in providing a safe and livable community.

**a. Department of Economic Opportunity (DEO) ~~Community Affairs (DCA)~~**

~~DEO DCA~~ is the primary state agency responsible for review of local comprehensive plans and land use map amendments. The Community Development Department - Planning Division is the principal liaison with ~~DEO DCA~~ to ensure local compliance with the comprehensive planning statute (Chapter 163, F.S.) and administrative rule (9J-5, F.A.C.).

~~DEO DCA~~ also provides technical assistance and administers grant programs available to local governments. The agency provides assistance in the areas of housing, community development, resource planning and management, community services, land and water management, public safety, while promoting economic growth and prosperity by supporting talent and business development, promoting Florida’s innovation, pro-business climate and opportunity, and promoting great quality of life and quality of places by providing safe, health and resilient communities. ~~emergency management preparedness and post-disaster recovery. In addition, DCA is the state agency responsible for coordination and review of Developments of Regional Impact.~~

~~DCA administers the state’s handicap accessibility regulations, set forth in Chapter 11 of the Florida Building Code. The Florida handicap accessibility requirements are typically more stringent than the Federal Americans with Disabilities Act (ADA) requirements and super-cedes them in Florida.~~

~~DCA also administers FEMA programs: when the President declares an emergency or a major disaster, federal assistance is authorized to the state, administered by DCA with its Division of Emergency Management (DEM) as the grantee. All applicants applying for federal aid are sub-grantees. The DEM has the authority under the Federal declaration to act on behalf of all sub-grantees under the Federal program.~~

~~DCA has signed agreements with most jurisdictions and the Building Officials Association of Florida (BOAF) regarding mutual aid in the event of a disaster or emergency for damage assessment and habitability inspections. This is coordinated with county emergency management.~~

~~DCA administers energy efficiency provisions through the Florida Building Code, Chapter 13.~~

**8. Table VII – 1: Intergovernmental Coordination Contacts**

Name of Agency	Address	Phone	City Coordinating Office
<b>LOCAL:</b>			

SEMINOLE COUNTY SCHOOL BOARD	400 E. Lake Mary Blvd. Sanford, FL 32773	(407) 320-0000	Community Development, Public Works, and Parks & Recreation
Seminole County	1101 E. First St. Sanford, FL 32771	(407) 665-7219	Mayor, Community Development, Public Works, and Parks & Recreation
City of Oviedo	400 Alexandria Blvd. Oviedo, FL 32765	(407) 971-5555	Community Development and Public Works
City of Longwood	175 W. Warren Ave. Longwood, FL 32765	(407) 260-3440	Community Development and Public Works
City of Casselberry	95 Lake Triplet Dr. Casselberry, FL 32707	(407) 262-7700	Community Development and Public Works
<b>REGIONAL:</b>			
East Central Florida Regional Planning Council	<del>631 N. Wymore Rd. Maitland, FL 32751</del> <a href="#">455 N Garland Ave. Orlando, FL 32801</a>	(407) 623-1075	Community Development
St. Johns River Water Management District	<del>975 Keller Rd. Altamonte Springs, FL 32714</del> <a href="#">601 S Lake Destiny Rd. STE 200, Maitland, FL 32751</a>	(407) 659-4800	Public Works / Utilities
LYNX	455 N. Garland Ave. Orlando, FL 32801	(407) 841-2279	Community Development and Public Works
METROPLAN ORLANDO	<del>315 E. Robinson St. Orlando, FL 32801</del> <a href="#">250 S Orange Ave #200, Orlando, FL 32801</a>	(407) 4881480	Public Works
<b>STATE:</b>			
<a href="#">Department of Economic Opportunity Community Affairs</a>	<del>2555 Shumard Oak Blvd. Tallahassee, FL 32399</del> <a href="#">107 E Madison St., Tallahassee, FL 32399</a>	<del>(850) 488-8466</del> <a href="#">(850) 204-2418</a>	Community Development
Florida Department of Transportation – District 5	719 S. Woodland Blvd. DeLand, FL 32720	(386) 943-5475	Public Works
Florida Department of Environmental Protection	3319 Maguire Blvd., Suite 232 Orlando, FL 32803	(407) 894-7555	Community Development and Public Works
Florida Fish & Wildlife Conservation Commission	Southwest Region 3900 Drane Field Rd. Lakeland, FL 32811-1299	(863) 648-3202	Community Development
<del>Department of Children &amp; Families</del>	<del>400 W. Robinson St. Orlando, FL 32801</del>	<del>(407) 245-0400</del>	<del>City Manager</del>

Florida State Division of Historical Resources	500 S. Bronough St. Tallahassee, FL 32399-0250	(850) 245-6300	Community Development
<b>FEDERAL:</b>			
ARMY CORPS OF ENGINEERS	P.O. Box 4970 Jacksonville, FL 322232;	(904) 323-2255	Public Works
Environmental Protection Agency	Sam Nunn Atlanta Federal Center 61 Forsyth St. SW Atlanta, GA 30303-8960	(404) 562-9900	Public Works
Florida Department of Agriculture & Consumer Services	The Capitol Tallahassee, FL 32399-0800	(850)488-3022	Community Development
<b>UTILITIES:</b>			
BRIGHT HOUSE NETWORKS	85 N. Keller Rd # 551 Maitland, FL 32751	(407) 215-0000	Finance
Sprint-United Telephone-Florida	P.O. Box 3348 Greenwood, SC 29648	(800) 733-9045	Finance
Bell South	501 W. 9th St. Sanford, FL 32771	(407) 323-4720	Finance
Florida Public Utilities Company	450 S. U.S. 17-92, DeBary, FL 32713	(386) 668-2600	Finance
Progress Energy	P.O. Box 33199 St. Petersburg, FL 33733-8199	(727) 824-6400	Finance and Community Development
Waste Pro	2101 W. S.R. 434 # 315 Longwood, FL 32779	(407) 869-8800	Finance and General Services

**9. Table VII – 1: Inventory of Existing Interlocal Agreements**

10. Agreement Between	Type of Agreement	Details of Agreement	Agreement Dates
<b>DRAINAGE</b>			
Seminole County and the City	Letter of Understanding related to Florida Yards and Neighborhood Program (FYN)	Funds educational instruction through the FYN Program to address the serious problems of pollution, water shortages, and disappearing habitats by enlisting Floridians help in reducing stormwater runoff, conservation of water and improving home and landscape management practices.	Oct. 1, 2008 exp Sept. 30, 2013

10. Agreement Between	Type of Agreement	Details of Agreement	Agreement Dates
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs	Interlocal Agreement related to Total Maximum Daily Load	Provides intergovernmental cooperation on stormwater TMDL related implementation activities by streamlining intergovernmental cooperation on regional TMDL issues, increasing the effectiveness in seeking and obtaining matching funds from outside sources, and allowing local governments to share knowledge and resources on TMDL issues by creating a TMDL Technical Coordination Group TCG.	July 6, 2007
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs	Memorandum of Agreement for Mosquito Abatement	Implements a countywide mosquito control program focused on integrated pest management.	Oct. 29, 2006 <del>3-year</del> program
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs	Interlocal Agreement for the Watershed Atlas, First Amendment	Provides joint funding for the watershed atlas.	Mar. 28, 2006
School Board, Seminole School Board Leasing Corp., and the City	Interlocal Agreement for Stormwater Project and Easement	City to design, permit, construct and maintain a modification of the existing stormwater pond on school board property. Preserves and protects the stormwater value of the property in perpetuity.	July 5, 2001
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs, and FDOT	Interlocal Agreement for Joint Control of Pollutants between Municipalities, Seminole County and FDOT within Seminole County	Sets forth general responsibilities in controlling the contribution of pollutants from one city, department, or county storm sewer system to another	July 11, 1996
<b>EDUCATION</b>			
School Board, Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs	2007 Interlocal Agreement for Public School Facility Planning and School Concurrency As Amended January 2008	Includes definitions and procedures to be followed in coordinating land use, public school facilities planning, and school concurrency.	Jan. 14, 2008 effective Jan. 1, 2008
School Board, Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs	2003 Interlocal Agreement for Public School Facility Planning	Establishes a formal coordination framework for joint meetings, coordination, and sharing of information regarding development impacts on school enrollment and collaborative planning and decision making related to coordination of land use and public school facility planning.	Apr. 15, 2003

10. Agreement Between	Type of Agreement	Details of Agreement	Agreement Dates
School Board and the City	Grant of Easement	Provides School Board with the right to use the easement area without limitation for parking areas, driveways, and landscaping.	Jan. 16, 2001
School Board and the City	Educational System Impact Fee Interlocal Agreement	Authorizes the City to collect School Board imposed impact fees for schools for an administrative fee.	Aug. 1996 self renewing annually, Oct 1
<b>OTHER</b>			
School Board and the City	Interlocal Agreement for Fueling of city Vehicles and Equipment	Provides the City access to fueling facilities owned and maintained by School Board.	Jan. 1, 2007 to June 30, 2007 thereafter self renewing annually
Seminole County and the City	Interlocal Agreement related to Business Tax Receipts, First Amendment	Transfers administrative responsibilities relative to collection and enforcement of County business tax receipts for businesses domiciled within the City.	Dec. 13, 2006
Seminole County and the City	Interlocal Agreement related to Occupational License Taxes	Transfers administrative responsibilities relative to collection and enforcement of County business tax receipts for businesses domiciled within the City.	Oct. 13, 2003
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Oviedo, Sanford, and Winter Springs, and the School Board	Intergovernmental Planning Coordination Agreement of 1997	Establishes framework for coordination, communication and notification of proposed land use actions, to build cooperation between affected local governments and School Board and creates an opportunity and process to resolve potential disputes and to serve as an interim step until the County and cities adopt JPAs.	Feb. 22, 1999
Seminole County and the municipalities of Casselberry, Lake Mary, Sanford, Winter Springs, and the U.S. 17-92 CRA	Interlocal Agreement establishing the U.S. 17-92 Corridor Redevelopment Planning Agency	Establishes U.S. 17-92 Corridor Redevelopment Planning Agency (RPA); provides for City participation in the effort to redevelop U.S. 17-92 through the collection of tax increment financing and provides for participation in the decisions made by the Community Redevelopment Agency (CRA).	Oct. 21, 1998
Seminole County and the City	Interlocal Agreement and Agreement Relating to Design, Construction, and Maintenance of Wall Project	Sets appropriation of funds between the jurisdictions for construction of wall along Tuskawilla Road (Oak Forest Subdivision).	June 10, 1997

10. Agreement Between	Type of Agreement	Details of Agreement	Agreement Dates
Seminole County and the City	Library System Impact Fees	Authorizes the City to collect County library system impact fees.	Oct. 4, 1996
Seminole County and the City	Interlocal Agreement for Utility Engineering Design	Authorizes the County to perform services in the City. City to pay County all costs for performance of services (Tuscawilla Phase IV).	Mar. 14, 1996
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs, and the School Board	Interlocal Agreement on Mediation and Intergovernmental Coordination	Provides a mechanism to resolve interlocal disputes when informal negotiations have failed.	Jan. 25, 1995
Seminole County, Seminole County Supervisor of Elections and the municipalities of Casselberry, Lake Mary, Longwood, Oviedo, and Winter Springs	Poll Worker and Election Assistance Interlocal Agreement	Enhances the electoral process by causing voter access to polling places to be facilitated at the least possible cost to the public for countywide and city elections.	June 16, 1988 self renewing annually
Seminole County and the City	Interlocal Agreement	Provides government services (fire protection, public safety, emergency law enforcement, and road maintenance) to County citizens residing in defined "areas of concern". County to encourage property owners to seek annexation. Annexation of any parcels within this area is subject to this agreement.	Feb. 9, 1987
<b>PARKS AND RECREATION</b>			
Seminole County and the City	2nd Amendment to Interlocal Agreement for Design, Construction and Maintenance of the Cross Seminole Trail within the Town Center	Extends the City's maintenance responsibilities for the Cross Seminole Trail for one additional mile, from Central Winds Park to Layer Elementary and provides for the installation and maintenance of additional trees.	Nov. 7, 2006
Seminole County and the City	1 <sup>st</sup> Amendment to Interlocal Agreement for Design, Construction and Maintenance of the Cross Seminole Trail within the Town Center	Allows for realignment of Florida National Scenic Trail/Cross Seminole Trail. City to acquire land and maintain trail; county to design and construct trail; County to design, construct, and maintain SR 434 trail overpass.	Oct. 24, 2002 self renewing annually
Seminole County and the City	Black Hammock Trailhead Restroom Facility	Establishes maintenance and cleaning responsibility for the restroom facilities located at the Black Hammock trailhead.	Oct. 12, 1999
Seminole County and the City	Design, Construction, and Maintenance of certain sections of the Cross Seminole Trail within the City of Winter Springs Town Center	Allows for realignment of Florida National Scenic Trail/Cross Seminole Trail. City to acquire land and maintain trail; county to design and construct trail; County to	May 13, 1999 self renewing annually

10. Agreement Between	Type of Agreement	Details of Agreement	Agreement Dates
		design, construct, and maintain SR 434 trail overpass.	
<b>POTABLE WATER &amp; SANITARY SEWER</b>			
Seminole County and the City	Interlocal Agreement for Wholesale Water and Wastewater Service	Allows the City to connect to the County water and wastewater system and purchase 4,500 GPD water service capacity plus an additional 33,500 GPD and purchase 4,500 GPD wastewater capacity allocation at the Iron Bridge Regional Wastewater Treatment Plant plus an additional 30,000 GPD, on a wholesale basis from the County to serve the City's future customers.	Oct. 2, 2007 exp Oct. 2017 self renewing to 2027
Longwood and the City	Interlocal Agreement for U.S. 17-92 Establishing Municipal Service Area	Establishes a U.S. 17-92 Municipal Service Area and provides for the maximum efficient use of public infrastructure in the delivery of water and sewer service along the U.S. 17-92 Corridor and identifies corresponding annexation boundary for the City.	Sept. 8, 2005 for 30 years
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Oviedo, Sanford, and Winter Springs	Countywide Water Supply Planning Interlocal Agreement	Develops a countywide water supply planning document.	Oct. 12, 2004
<b>PUBLIC SAFETY</b>			
<del>School Board and the City</del>	<del>Seminole County Public Schools School Resource Officer Agreement</del>	<del>Provides three full-time law enforcement personnel to perform the duties and responsibilities of School Resource Officers in certain Seminole County Public Schools.</del>	<del>July 1, 2008 exp June 30, 2009</del>
Seminole County and the City	Interlocal Agreement Consolidating the Winter Springs and Seminole Co. Fire Departments	Seminole County to provide the City with fire, rescue, and emergency medical services. Agreement details among other things, the financial considerations, transfer of employees, equipment and property.	June 23, 2008 effective Oct. 2, 2008
Seminole County and the City	Interlocal Agreement for Fiber Optic Communication Network, First Amendment	Provides for the shared use of a Fiber Optic Communication Network (FOCN) which will enhance the ability of the parties to serve the residents and citizens of Seminole County through improved local government resources.	Oct. 14, 2003

10. Agreement Between	Type of Agreement	Details of Agreement	Agreement Dates
Seminole County Sheriff's Office and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Maitland, Oviedo, Sanford, and Winter Springs.	Law Enforcement Mutual Aid Agreement	Provides assistance in the form of law enforcement services and resources to adequately respond to continuing, multi-jurisdictional law enforcement problems, so as to protect the public's peace and safety, and preserve the lives and property of the people.	<del>2001-2005</del> <a href="#">March 25, 2019</a>
State of Florida, <a href="#">Department Economic Opportunity of Community Affairs</a> and the City	Statewide Mutual Aid Agreement for Catastrophic Response and Recovery	Enhances the State's ability to plan for, respond to, and recover from a future disaster and allows the City to request assistance for major catastrophic disasters.	2001 self renewing annually
Seminole County and the City	Interlocal Agreement for Fiber Optic Communication Network	Provides shared use of a Fiber Optic Communication Network (FOCN) which will enhance the ability of the parties to serve the residents and citizens of Seminole County through improved local government resources.	Oct. 13, 2000
Drug Enforcement Administration and the City	Federal Equitable Sharing Agreement	Agrees to receive and share with the Treasury Department impounded equipment and forfeited money. City provides agent for DEA on heroin task force.	2000 self renewing annually
U.S. Government and the City	COPS Grant Equipment Federal Protective Armor Replacement	Provides the City with 50% reimbursement for protective body armor.	2000 self renewing annually
Orange County, Osceola County, and Seminole County and the municipalities of Altamonte Springs, Apopka, Casselberry, Kissimmee, Longwood, Maitland, Orlando, Oviedo, St. Cloud, Winter Springs and Winter Park.	Interlocal Agreement for Shared Use of Traffic Pre-Emption Systems	Provides assistance in obtaining the quickest and safest response to calls for emergency services and outlines the circumstances under which emergency vehicles of one party may utilize the traffic preemption system on public roads within another party's jurisdiction to preempt traffic signalization during an emergency response.	July 10, 1995
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs.	Interlocal Agreement for Seminole County's 911 Emergency Phone System	Establishes participation in the County 911 emergency system and coordination in assigning addresses.	1995 (est.)
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs.	Interlocal Mutual Aid Agreement	Provides reciprocal mutual aid assistance between the First Response Group and the City.	1989 self renewing annually
<b>SOLID WASTE</b>			



10. Agreement Between	Type of Agreement	Details of Agreement	Agreement Dates
Seminole County and the City	Interlocal Agreement for Solid Waste Management	Executing a ten year interlocal agreement with Seminole County committing the solid waste generated in Winter Springs to the Seminole County Landfill and receiving a Three Dollar per ton discount in consideration of that commitment. Includes recycling and amnesty days for residents.	Mar. 1, 2006 for 10 years then self renewing annually
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs.	Interlocal Agreement	Establishes a management plan for the construction, operation and maintenance of solid waste facilities countywide.	1994
<b>TRANSPORTATION</b>			
Seminole County and the City	Interlocal Agreement for Maintenance of Landscaping, Hardscaping and Streetlighting, First Amendment	Revises funding of City's maintenance of landscaping, hardscaping and streetlighting for the SR 434 access management improvements under the County's Local Agency Program Agreement (LAP) with the FDOT.	June 15, 2006
Seminole County and the City	Interlocal Agreement for Traffic Signal Maintenance	Provides maintenance service by the County for traffic signals owned or partially owned by the City as identified and located along SR 419, SR 434 and Tuscawilla Rd.	Sept. 5, 2006
Seminole County and the City	Interlocal Agreement Relating to the Transfer of Orange Avenue	Transfers the ownership and maintenance of Orange Ave. to the City.	Jan. 5, 2005
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs.	Interlocal Agreement relating to the Optional One-Cent Fuel Tax Authorized by Florida Statutes Section 336 025 1 B	Imposes an additional one cent fuel tax upon every gallon of motor fuel sold in Seminole County for the purpose of funding ADA Transportation Fixed Bus Route Service and Public Transit.	2005
Seminole County and the City	Interlocal Agreement for Maintenance of Landscaping, Hardscaping and Streetlighting	Designates maintenance of landscaping, hardscaping and streetlighting for the SR 434 access management improvements under the County's Local Agency Program Agreement (LAP) with the FDOT to the City.	Mar. 23, 2004
FDOT and the City	Interlocal Agreement for Maintenance of Median Landscaping	Designates maintenance of median landscaping (SR 434 Access Management Program) to the City.	Dec. 8, 2003
FDOT and the City	Interlocal Agreement for State Highway Lighting, Maintenance and Compensation	Reimburses the City for state road street lighting costs.	July 10, 2002

10. Agreement Between	Type of Agreement	Details of Agreement	Agreement Dates
FDOT and the City	Interlocal Agreement for Traffic Signal Maintenance and Compensation	Reimburses the City for state road traffic signal costs.	July 10, 2002
Seminole County and the City	Interlocal Agreement Relating to Spring Avenue Paving and Maintenance	Authorizes the County to pave and maintain Spring Avenue.	June 10, 2002
Seminole County and the City	Interlocal Agreement for Road Transfers	Transfers road ownership, operation and maintenance to the City: Shepard Road, Brantley Avenue, Railroad Avenue, Milky Way, Natures Way, Old Sanford Oviedo Road, Nursery Road, and Magnolia Street. To the County: Boat Club Road, Jessup Road, Lake Street, Nancy Drive, Springs Avenue, Spring Drive, and Orange Avenue.	June 10, 2002
<del>Seminole County and the City</del>	<del>Interlocal Agreement funding design through construction of certain City streets including construction and maintenance of the Tuskawilla Rd. stamped asphalt project</del>	<del>Uses local government infrastructure sales surtax for road improvements by the City.</del>	<del>Oct 2001 expires 2011</del>
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs.	Seminole County Transportation and Education Infrastructure Plan Interlocal Agreement	Provides for the distribution of the local government infrastructure surtax. The County and municipalities may use the money received to finance, plan, construct, and improve transportation projects (similar agreement adopted in 1996).	June 28, 2001 expires 2011
FDOT and the City	Highway Maintenance Memorandum of Agreement	Reimburses maintenance activities on SR 434 (Contract No. AJ479)	Feb. 14, 2001
Seminole County and the City	Design, Construction, and Maintenance of Wall Project	Provides for the development of transportation improvements and enhancement of the quality of life for the benefit of the residents of the County and the City.	June 10, 1997
Seminole County and the City	Road Impact Fee Interlocal Agreement	Authorizes the City to collect County imposed impact fees for transportation for an administrative fee.	August 1996 self renewing annually on 10/1

10. Agreement Between	Type of Agreement	Details of Agreement	Agreement Dates
Seminole County and the City	Utility Engineering Design	Allows the performance of utility engineering services. City may contract for payment of utility services performed under the County's contract with a private engineering firm and the County is agreeable to providing services under the terms and conditions of the agreement.	March 14, 1996
Seminole County and the City	Interlocal Agreement for Traffic Signal Maintenance	Develops a coordinated effort for the repair of traffic signals whereby the County will maintain certain traffic signals installed by the City at a cost basis.	March 20, 1989
Seminole County and the municipalities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, Winter Springs	Interlocal Agreement (Local Option Gas Tax)	Provides for the distribution of local option gas tax proceeds according to the agreement. Proceeds to be divided and distributed among the County government and eligible municipalities in accordance with the provisions of Section 336.025, Florida Statutes.	Sept. 3, 1986 in effect for the life of the taxes

Source: City of Winter Springs, February ~~2009~~ 2019.





# PUBLIC HEARINGS AGENDA ITEM 401

## CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

### TITLE

First Reading of Ordinance 2019-05 a Temporary Moratorium within the jurisdictional limits of the City of Winter Springs regarding the filing, processing, consideration, or decision of conditional uses, special exceptions and waivers ("special zoning permits") under Chapter 20 of the City's zoning code

### SUMMARY

On February 11, 2019, the City Commission adopted Ordinance No. 2019-02 establishing a moratorium regarding certain special zoning permits in several zoning districts in the R-3 Multi-Family Dwelling, C-1 Neighborhood Commercial, C-2 General Commercial, C-3 Highway 17-92, CC Commerce Center, I-1 Industrial, Greenway Interchange, and Town Center Zoning Districts. The Ordinance was vetoed by the Mayor, and the City Commission failed to override the veto by a 3-2 vote. Since the veto, the City Commission directed that the proposed moratorium be readopted with a revision to allow an exception for waivers of the sign Code under the Town Center Code.

The moratorium is of short duration and expires 90 days from adoption unless the City Commission extends for one additional 90-day period by resolution. The proposed temporary moratorium would be limited in scope only to Special Zoning Permits, i.e., Conditional Uses, Special Exceptions, and Waivers, in the specific zoning districts described in Paragraph 1, for the purpose of allowing the City Commission the opportunity to review and streamline the criteria and procedures for processing such Special Zoning Permits.

The following Special Zoning Permit applications are exempt from this temporary moratorium:

- Special zoning permit applications for conditional uses, special exceptions, and waivers which were formally filed with, and deemed complete by, the City on or before December 10, 2018.
- Special zoning permit applications for variances pursuant to Section 20-32 of the City Code.
- Special zoning permit applications for special exceptions and waivers related only to the design and aesthetics of projects of which final engineering plans were formally filed with and under review by the City on or before December

10, 2018. This exemption is intended to allow existing applicants to complete the final design and approval of final engineering plans and aesthetic review of their respective projects during the temporary moratorium. This exemption is not intended to allow existing applicants for final engineering plans to substantially modify their pending application for purposes of obtaining a special exception or waiver to support approval of a different kind or type of land development activity than the activity that was originally requested when the final engineering application was initially filed with the City. In addition, this exemption is not intended to allow new applications for special exceptions or conditional uses in order to seek authorization for an enumerated land use requiring a special exception or conditional use permit.

- Special zoning permit applications for special exception sign waivers under the Town Center Code.

The City Commission is currently conducting workshops to comprehensively review, and update if necessary, the City's requirements and procedures for special zoning permit land use decisions including, but not limited to, special exceptions, condition uses, waivers and variances. The City Manager and Staff, in consultation with the City Attorney, will evaluate, develop and recommend, as necessary, land development regulations consistent with the direction provided by the City Commission during the upcoming workshops during the temporary moratorium period.

Ordinance 2019-05 will apply to the following City of Winter Springs Code of Ordinances:

- Ch 20, Sec. 20-32. Variances.
- Ch 20, Sec. 20-33. Conditional Uses.
- Ch 20, Sec. 20-34. Waivers
- Ch 20, Sec. 20-208. Conditional Uses. (R-3 Multiple Family Dwelling District)
- Ch 20, Sec. 20-234. Conditional Uses. (C-1 Neighborhood Commercial District)
- Ch 20, Sec. 20-254. Conditional Uses. (C-2 General Commercial District)
- Ch 20, Sec. 20-346.3. Conditional Uses. (C-3 Highway 17-92 Commercial District)
- Ch 20, Sec. 20-345.3. Conditional Uses. (CC Commerce Center District)
- Ch 20, Sec. 20-261. Conditional Uses. (I-1 Light Industrial District)
- Ch 20, Sec 20-330. Permitted Uses, Conditional Uses, Incidental Uses Within Buildings. (Greenway Interchange District)
- Ch 20, Sec. 20-323. Permitted Uses. (Town Center District)
- Ch 20, Sec. 20-231(c). Special Exceptions. (Town Center District)

At the January 15, 2019 Planning and Zoning Board/Local Planning Agency meeting, the Board voted 4-1 recommending the City Commission approve Ordinance 2019-02, which was substantially similar to the proposed Ordinance No. 2019-05. At the April 3, 2019 Planning and Zoning Board/Local Planning Agency meeting, the Board voted 3-2 recommending the City Commission approve Ordinance 2019-05 altering the time period from 90 days to 60 days.

Applicable Law and Public Policy

Home Rule Powers

Chapter 20, City Code (Zoning Regulations)

**ORDINANCE NO. 2019-05**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, SEMINOLE COUNTY, FLORIDA; ADOPTING A TEMPORARY MORATORIUM WITHIN THE JURISDICTIONAL LIMITS OF THE CITY OF WINTER SPRINGS REGARDING THE FILING, PROCESSING, CONSIDERATION, OR DECISION OF CONDITIONAL USES, SPECIAL EXCEPTIONS AND WAIVERS (“SPECIAL ZONING PERMITS”) UNDER CHAPTER 20 OF THE CITY’S ZONING CODE IN THE R-3 MULTI-FAMILY DWELLING, C-1 NEIGHBORHOOD COMMERCIAL, C-2 GENERAL COMMERCIAL, C-3 HIGHWAY 17-92, CC COMMERCE CENTER, I-1 INDUSTRIAL, GREENEWAY INTERCHANGE, AND TOWN CENTER ZONING DISTRICTS; PROVIDING THAT SAID MORATORIUM PERIOD SHALL EXTEND NO LATER THAN 90 DAYS, WITH THE OPTION FOR THE CITY COMMISSION TO EXTEND THE MORATORIUM PERIOD AS MORE SPECIFICALLY AUTHORIZED IN THIS ORDINANCE IF NECESSARY TO ALLOW THE CITY COMMISSION, CITY LAND PLANNING AGENCY, CITY STAFF AND CITY ATTORNEY TO DETERMINE WHETHER CHANGES TO CHAPTER 20 ARE NECESSARY TO IMPROVE THE SPECIAL ZONING PERMIT REQUIREMENTS AND PROCEDURES; DIRECTING THE CITY MANAGER TO SCHEDULE CITY COMMISSION WORKSHOPS AS NECESSARY FOR THE CITY COMMISSION TO TIMELY CONSIDER ADOPTING IMPROVEMENTS TO THE SPECIAL ZONING PERMIT REQUIREMENTS AND PROCEDURES PRIOR TO THE EXPIRATION OF THE EXTENDED MORATORIUM PERIOD; PROVIDING FOR PENALTIES, REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, CONFLICTS WITH STATE AND FEDERAL LAW AND SEVERABILITY, NON-CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City is granted the authority, under § 2(b), Art. VIII of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, the City’s Zoning Code (Chapter 20) allows a property owner to make application for a variety of special zoning permits including conditional use, special exception, variance and waiver permit and, by law, these permit applications require a quasi-judicial hearing before the City Commission; and

**WHEREAS**, applicable laws require an applicant in a quasi-judicial matter to demonstrate competent substantial evidence that an application satisfies all procedures, conditions and



requirements enumerated in the City Code and other applicable law, and then requires a city to demonstrate that its decision to approve or deny the permit application is supported by substantial evidence; and

**WHEREAS**, applicable law requires a public hearing be held on special zoning permit applications and authorizes applicants and other interested parties with standing to appeal the City Commission's decision to grant or deny a permit application to the circuit court; and

**WHEREAS**, applicable law also allows the City Commission to impose reasonable conditions and safeguards upon the issuance of special zoning permits in order to ensure compliance with applicable law, reduction or elimination of adverse impacts of land uses and development on surrounding property and the community, acceptable levels of service related to public facilities such as transportation, sewer, parks and recreation, solid waste, water, stormwater, and schools, and the general protection of the public health, safety and welfare of the community; and

**WHEREAS**, the Town Center Zoning District Code was adopted by the City Commission in the year 2000 and contains separate procedures and requirements for certain special zoning permits that are different and sometimes less complete than similar special permit requirements that are applied in other City zoning districts; and

**WHEREAS**, in recent years the City has processed a significant number of development permit applications for property located within the City's Town Center; and

**WHEREAS**, the City Commission desires to streamline and improve the special permit requirements in the Town Center for future development by consolidating such requirements with similar provisions that are applicable for other zoning districts so the City has one, comprehensive set of procedures and requirements for similar special permit requests; and

**WHEREAS**, having one set of special permit procedures and requirements will be less confusing and more efficient for City staff and future applicants; and

**WHEREAS**, in conjunction with streamlining and consolidating the Town Center requirements for obtaining special zoning permits, the City Commission hereby determines that it will be an appropriate time to comprehensively review, and update if necessary, the City's other special zoning permit requirements in the other named zoning districts, and that such review by the City Commission has already commenced; and

**WHEREAS**, a temporary moratorium allows such review to occur and continue unhindered by developments that could frustrate the objective of the review, and eliminate the race of diligence that may occur while such reviews are underway; and

**WHEREAS**, the City Commission of the City of Winter Springs, Florida, hereby finds

this Ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Winter Springs.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS HEREBY ORDAINS, AS FOLLOWS:**

**Section 1.**     **Recitals.** The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the City Commission of Winter Springs.

**Section 2.**     **Adoption of Temporary Moratorium.** Beginning on the effective date of this Ordinance and continuing until no later than ninety (90) days from the effective date of this Ordinance, or sooner if provided by an ordinance by the Winter Springs City Commission, a temporary moratorium is hereby imposed upon filing, processing, considering, and decision making related to special zoning permit applications for conditional uses, special exceptions and waivers (“special zoning permits”) under Chapter 20 of the City’s Zoning Code in the R-3 Multi-Family Dwelling, C-1 Neighborhood Commercial, C-2 General Commercial, C-3 Highway 17-92, CC Commerce Center, I-1 Industrial, Greenway Interchange, and Town Center zoning districts, except for the special permit applications exempt from the temporary moratorium as expressly set forth in Section 3 of this Ordinance. The temporary moratorium adopted herein may be extended by the City Commission for up to an additional ninety (90) days by Resolution.

**Section 3.**     **Exemptions from Temporary Moratorium.** The following special zoning permit applications are exempt from the temporary moratorium:

A. Special zoning permit applications for conditional uses, special exceptions and waivers which were formally filed with, and deemed complete by, the City on or before December 10, 2018.

B. Special zoning permit applications for variances pursuant to Section 20-32 of the City Code.

C. Special zoning permit applications for special exceptions and waivers related only to the design and aesthetics of projects of which final engineering plans were formally filed with and under review by the City on or before December 10, 2018. This exemption is intended to allow existing applicants to complete the final design and approval of final engineering plans and aesthetic review of their respective projects during the temporary moratorium. This exemption is not intended to allow existing applicants for final engineering plans to substantially modify their pending application for purposes of obtaining a special exception or waiver to support approval of a different kind or type of land development activity than the activity that was originally requested when the final engineering application was initially filed with the City. In addition, this exemption is not intended to allow new applications for special exceptions or conditional uses in order to seek authorization for an enumerated land use requiring a special exception or conditional use permit.

D. Special zoning permit applications for special exception sign waivers under the Town Center Code.

**Section 4. Workshops; Recommendations for Land Development Regulations.** The City Manager is directed to schedule workshops for the City Commission to comprehensively review, and update if necessary, the City's requirements and procedures for special zoning permit land use decisions including, but not limited to, special exceptions, conditional uses, waivers and variances. The City Manager and staff, in consultation with the City Attorney, are hereby requested to evaluate the aforementioned requirements and procedures and develop and recommend, as may be deemed advisable by the City Manager and City Attorney, land development regulations consistent with the direction provided hereunder and given by the City Commission during the upcoming workshops held during the temporary moratorium period.

**Section 5. Penalties.** Violations of this Ordinance are punishable as provided by Section 1-15 of the City Code of Winter Springs, Florida or other applicable Code provisions.

**Section 6. Repeal of Prior Inconsistent Ordinances and Resolutions.** All prior inconsistent ordinances and resolutions adopted by the City Commission, or parts of prior ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

**Section 7. Non-Codification.** This Ordinance shall not be incorporated into the Winter Springs City Code.

**Section 8. Conflicts with State and Federal Law; Severability.** No provision herein is intended to impose a moratorium on the processing of land use applications required to be processed within certain time frames by state or federal law. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**Section 9. Effective Date.** This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Springs, Florida, and pursuant to City Charter.

**[Adoption Page Follows]**

**ADOPTED** by the City Commission of the City of Winter Springs, Florida, in a regular meeting assembled on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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**CHARLES LACEY, Mayor**

**ATTEST:**

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**ANDREA LORENZO-LUACES**  
City Clerk

**APPROVED AS TO LEGAL FORM AND SUFFICIENCY  
FOR THE CITY OF WINTER SPRINGS ONLY.**

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**ANTHONY A. GARGANESE**  
City Attorney

First Legal Ad Published:  
First Reading:  
Second Legal Ad Published:  
Effective Date:

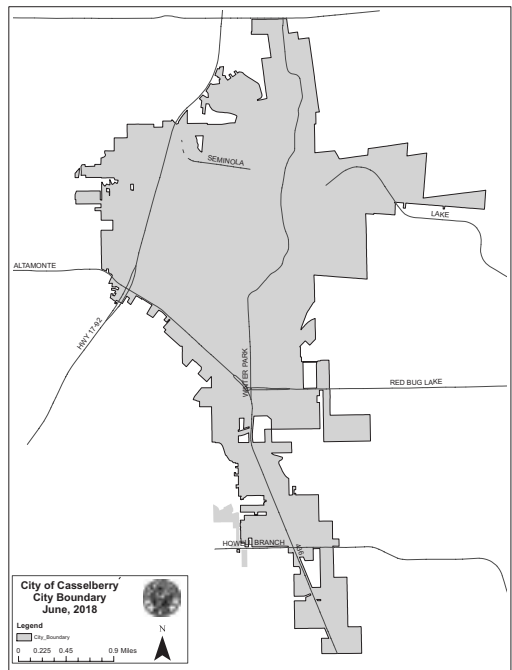
## CITY OF CASSELBERRY, FLORIDA NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED ORDINANCE FOR UNIFIED LAND DEVELOPMENT REGULATIONS AMENDMENTS

TO WHOM IT MAY CONCERN:

**NOTICE IS GIVEN** by the City of Casselberry, Florida, that the Planning and Zoning Commission, acting as the Local Planning Agency (LPA), will hold a public hearing to consider enactment of an ordinance entitled:

**LPA 19-08**

**AN ORDINANCE OF THE CITY OF CASSELBERRY, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES, PART III, UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE XIV, TREE PROTECTION, SECTION 3-14.3; PERMIT REQUIRED FOR REMOVAL, TO REMOVE THE PERMIT EXEMPTION FOR SINGLE FAMILY DWELLINGS AND DUPLEXES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.**



This notice is pursuant to the provisions of Chapter 166, Florida Statutes, and the Charter and Ordinances of the City of Casselberry, Florida, as amended and supplemented.

The Planning and Zoning Commission will consider the proposed Ordinance on **Wednesday, April 10, 2019 at 6:30 p.m.** or as soon thereafter as possible, in the Casselberry City Hall Commission Chambers, 95 Triplet Lake Drive, Casselberry, Florida. At the meeting, interested parties may appear and be heard with respect to the proposed Ordinance. This hearing may be continued from time to time until final action is taken by the Commission. Copies of the proposed Ordinance are available at City Hall with the City Clerk and the same may be inspected by the public.

Publish Date: March 28, 2019 Donna G. Gardner, CMC, City Clerk

**Please be advised that one (1) or more members of the City Commission may be in attendance and may participate in the discussions at the meeting.**

**"Persons are advised that, if they decide to appeal any decision made at these meetings/hearings, they will need a record of the proceedings and for such purpose, they may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105, Florida Statutes."** **"Persons with disabilities needing assistance to participate in any of these proceedings should contact the A.D.A. Coordinator 48 hours in advance of the meeting at (407) 262-7700 Ext. 1150."**

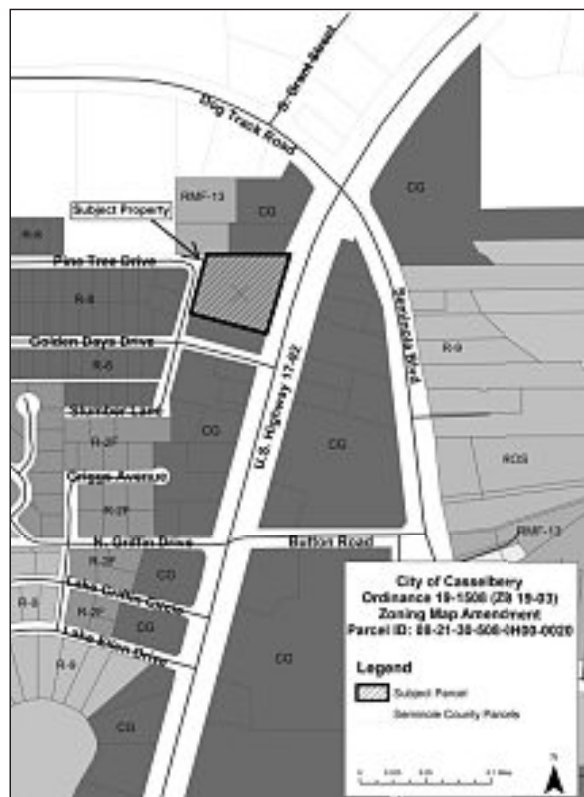
## CITY OF CASSELBERRY, FLORIDA NOTICE OF PUBLIC HEARING TO CONSIDER ZONING AMENDMENT

TO WHOM IT MAY CONCERN:

**NOTICE IS GIVEN** by the City of Casselberry, Florida, that the City Commission will hold a public hearing to consider enactment of the following ordinance:

**ORDINANCE 19-1508**

**AN ORDINANCE OF THE CITY OF CASSELBERRY, FLORIDA, AMENDING THE CITY OF CASSELBERRY OFFICIAL ZONING MAP AS ESTABLISHED IN CHAPTER II, ARTICLE IV, SECTION 2-4.3, UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF CASSELBERRY, FLORIDA, AS AMENDED AND SUPPLEMENTED; AMENDING THE ZONING CLASSIFICATION FROM CG (COMMERCIAL GENERAL) TO PMX-MID (PLANNED MIXED-USE: MEDIUM RISE) FOR THE APPROXIMATELY 1.88-ACRE PARCEL LOCATED AT 2610 S. U.S. HIGHWAY 17-92, CASSELBERRY, FLORIDA, AS DESCRIBED IN SECTION I OF THIS ORDINANCE; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**



This notice is pursuant to the provisions of Chapter 166, Florida Statutes, and the Charter and Ordinances of the City of Casselberry, Florida as amended and supplemented.

The City Commission will consider Ordinance 19-1508 on second reading on **Monday, April 8, 2019 at 5:00 p.m.** or as soon thereafter as possible, in the Casselberry City Hall Commission Chambers, 95 Triplet Lake Drive, Casselberry, Florida. At the meeting, interested parties may appear and be heard with respect to the proposed Ordinance. This hearing may be continued from time to time until final action is taken by the City Commission. Copies of the proposed Ordinance are available at City Hall with the City Clerk and the same may be inspected by the public.

Publish Date: March 28, 2019 Donna G. Gardner, CMC, City Clerk

**"Persons are advised that, if they decide to appeal any decision made at these meetings/hearings, they will need a record of the proceedings and for such purpose, they may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105, Florida Statutes."** **"Persons with disabilities needing assistance to participate in any of these proceedings should contact the A.D.A. Coordinator 48 hours in advance of the meeting at (407) 262-7700 Ext. 1150."**

## SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED LARGE SCALE FUTURE LAND USE MAP AMENDMENT TO THE SEMINOLE COUNTY COMPREHENSIVE PLAN AND ASSOCIATED REZONING APRIL 9, 2019 AT 1:30 P.M.

Notice is hereby given that the Seminole County Board of County Commissioners will conduct a public hearing on April 9, 2019, beginning at 1:30 p.m., or as soon thereafter as possible, in the County Services Building, 1101 East First Street, Sanford, Florida, Room 1028 (Board Chambers). The purpose of this hearing is to consider recommendations of the Seminole County Local Planning Agency/Planning and Zoning Commission, receive public input, and consider adoption of a proposed Large Scale Future Land Use Map Amendment to the Seminole County Comprehensive Plan described below.

The proposed amendment and associated rezoning are available for review on the Internet at

<http://www.seminolecountyfl.gov/departments-services/board-of-county-commissioners/meetingagenda-landing.stml>

approximately one week prior to the public hearing.

**General Location of Proposed Large Scale Future Land Use Map Amendment and Associated Rezoning**



**Celery Pointe - LSFUA and PD Rezone** – Consider adoption of a Large Scale Future Land Use Map Amendment from Suburban Estates to Low Density Residential, and a Rezone from A-1 (Agriculture) to PD (Planned Development) on 31.85 acres, located on the north side of Celery Avenue, approximately ½ mile west of Beardall Avenue; (Z2018-036) (Nash Hooda, Applicant) District 5 - Carey (Danalee Petyk, Project Manager)

**AN ORDINANCE FURTHER AMENDING THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY BY VIRTUE OF A LARGE SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM SE (SUBURBAN ESTATES) TO LDR (LOW DENSITY RESIDENTIAL); PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

All interested persons are encouraged to appear at this hearing and present input regarding the proposed item in accordance with the procedures used by the Board, or submit written comments to [plandesk@seminolecountyfl.gov](mailto:plandesk@seminolecountyfl.gov), or at the Seminole County Planning and Development Division Office at the address above, Room 2028, telephone 407-665-7371; FAX 407-665-7385. Input received in a timely manner will be forwarded to the Board for consideration at the public hearing.

These hearings may be continued from time to time as found necessary. Additional information regarding this item, and any comments received, are available for public review at the address above, Room 2028, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays. Persons with disabilities needing assistance to participate in any of these proceedings should contact the County's Human Resources Department ADA Coordinator 48 hours in advance of the hearing at 407-665-7941. Persons are advised that if they decide to appeal any decisions made at this hearing, they will need a record of the proceedings, and for such purpose they may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (Florida Statutes, Section 286.0105).

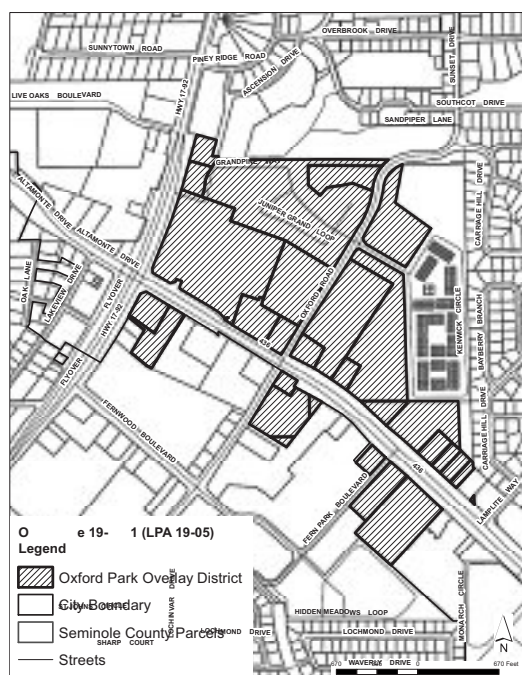
## CITY OF CASSELBERRY, FLORIDA NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF PROPOSED ORDINANCE FOR UNIFIED LAND DEVELOPMENT REGULATIONS AMENDMENTS

TO WHOM IT MAY CONCERN:

**NOTICE IS GIVEN** by the City of Casselberry, Florida, that the City Commission will hold a public hearing to consider enactment of the following ordinance:

**ORDINANCE 19-1511**

**AN ORDINANCE OF THE CITY OF CASSELBERRY, FLORIDA, AMENDING ARTICLE VII "GENERAL REGULATIONS" OF THE CITY'S UNIFIED LAND DEVELOPMENT REGULATIONS TO ADD SECTION 2-7.34, "OXFORD PARK OVERLAY DISTRICT STANDARDS", TO ESTABLISH DESIGN STANDARDS; AMENDING THE OFFICIAL ZONING MAP, AS ESTABLISHED IN ARTICLE IV, SECTION 2-4.3, AS AMENDED AND SUPPLEMENTED, TO INCLUDE THE PARCELS DESCRIBED IN SECTION I OF THIS ORDINANCE INTO THE "OXFORD PARK OVERLAY DISTRICT"; AMENDING ARTICLE XXI, SECTION 5-21.2 "DEFINITION OF TERMS" TO INCLUDE VARIOUS DEFINITIONS; AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.**



This notice is pursuant to the provisions of Chapter 166, Florida Statutes, and the Charter and Ordinances of the City of Casselberry, Florida, as amended and supplemented.

The City Commission will consider Ordinance 19-1511 on first reading on **Monday, April 8, 2019 at 5:00 p.m.** or as soon thereafter as possible, in the Casselberry City Hall Commission Chambers, 95 Triplet Lake Drive, Casselberry, Florida. At the meeting, interested parties may appear and be heard with respect to the proposed Ordinance. This hearing may be continued from time to time until final action is taken by the City Commission. Copies of the proposed Ordinance are available at City Hall with the City Clerk and the same may be inspected by the public.

Publish Date: March 28, 2019 Donna G. Gardner, CMC, City Clerk

**"Persons are advised that, if they decide to appeal any decision made at these meetings/hearings, they will need a record of the proceedings and for such purpose, they may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105, Florida Statutes."** **"Persons with disabilities needing assistance to participate in any of these proceedings should contact the A.D.A. Coordinator 48 hours in advance of the meeting at (407) 262-7700 Ext. 1150."**

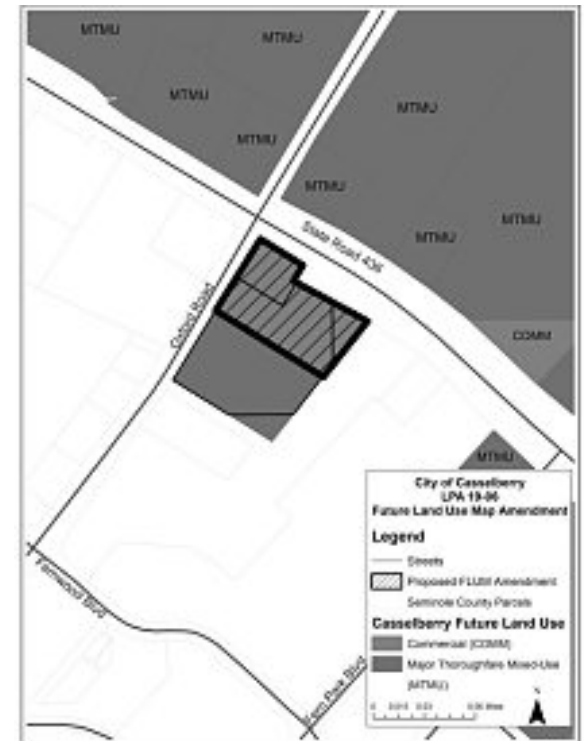
## CITY OF CASSELBERRY, FLORIDA NOTICE OF PUBLIC HEARING TO CONSIDER SMALL SCALE FUTURE LAND USE AMENDMENT

TO WHOM IT MAY CONCERN:

**NOTICE IS GIVEN** by the City of Casselberry, Florida, that the Planning and Zoning Commission, acting as the Local Planning Agency (LPA), will hold a public hearing to consider enactment of an ordinance entitled:

**LPA 19-06**

**AN ORDINANCE OF THE CITY OF CASSELBERRY, FLORIDA, TO AMEND THE CITY OF CASSELBERRY COMPREHENSIVE PLAN BY PROVIDING FOR A CHANGE OF THE FUTURE LAND USE DESIGNATION FROM MAJOR THOROUGHFARE MIXED-USE TO COMMERCIAL FOR APPROXIMATELY 2.306-ACRES GENERALLY LOCATED ON THE SOUTHEAST CORNER OF STATE ROAD 436 AND OXFORD ROAD, AS DESCRIBED IN SECTION I OF THIS ORDINANCE; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**



This notice is pursuant to the provisions of Chapter 166, Florida Statutes, and the Charter and Ordinances of the City of Casselberry, Florida as amended and supplemented.

The Local Planning Agency will consider the amendment on **Wednesday, April 10, 2019 at 6:30 p.m.** or as soon thereafter as possible, in the Casselberry City Hall Commission Chambers, 95 Triplet Lake Drive, Casselberry, Florida. At the meeting, interested parties may appear and be heard with respect to the proposed Ordinance. This hearing may be continued from time to time until final action is taken by the Commission. Copies of the proposed Ordinance are available at City Hall with the City Clerk and the same may be inspected by the public.

Publish Date: March 28, 2019 Donna G. Gardner, CMC, City Clerk

**Please be advised that one (1) or more members of the City Commission may be in attendance and may participate in the discussions at the meeting.**

**"Persons are advised that, if they decide to appeal any decision made at these meetings/hearings, they will need a record of the proceedings and for such purpose, they may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105, Florida Statutes."** **"Persons with disabilities needing assistance to participate in any of these proceedings should contact the A.D.A. Coordinator 48 hours in advance of the meeting at (407) 262-7700 Ext. 1150."**

## NOTICE OF PUBLIC HEARING CITY OF WINTER SPRINGS

NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY AND CITY COMMISSION PROPOSE TO CONSIDER:

**ORDINANCE NO. 2019-05**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, SEMINOLE COUNTY, FLORIDA; ADOPTING A TEMPORARY MORATORIUM WITHIN THE JURISDICTIONAL LIMITS OF THE CITY OF WINTER SPRINGS REGARDING THE FILING, PROCESSING, CONSIDERATION, OR DECISION OF CONDITIONAL USES, SPECIAL EXCEPTIONS AND WAIVERS ("SPECIAL ZONING PERMITS") UNDER CHAPTER 20 OF THE CITY'S ZONING CODE IN THE R-3 MULTI-FAMILY DWELLING, C-1 NEIGHBORHOOD COMMERCIAL, C-2 GENERAL COMMERCIAL, C-3 HIGHWAY 17-92, CC COMMERCE CENTER, I-1 INDUSTRIAL, GREENWAY INTERCHANGE, AND TOWN CENTER ZONING DISTRICTS; PROVIDING THAT SAID MORATORIUM PERIOD SHALL EXTEND NO LATER THAN 90 DAYS, WITH THE OPTION FOR THE CITY COMMISSION TO EXTEND THE MORATORIUM PERIOD AS MORE SPECIFICALLY AUTHORIZED IN THIS ORDINANCE IF NECESSARY TO ALLOW THE CITY COMMISSION, CITY LAND PLANNING AGENCY, CITY STAFF AND CITY ATTORNEY TO DETERMINE WHETHER CHANGES TO CHAPTER 20 ARE NECESSARY TO IMPROVE THE SPECIAL ZONING PERMIT REQUIREMENTS AND PROCEDURES; DIRECTING THE CITY MANAGER TO SCHEDULE CITY COMMISSION WORKSHOPS AS NECESSARY FOR THE CITY COMMISSION TO TIMELY CONSIDER ADOPTING IMPROVEMENTS TO THE SPECIAL ZONING PERMIT REQUIREMENTS AND PROCEDURES PRIOR TO THE EXPIRATION OF THE EXTENDED MORATORIUM PERIOD; PROVIDING FOR PENALTIES, REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, CONFLICTS WITH STATE AND FEDERAL LAW AND SEVERABILITY, NON-CODIFICATION, AND AN EFFECTIVE DATE.**

**PLANNING AND ZONING BOARD/  
LOCAL PLANNING AGENCY PUBLIC HEARING  
WILL BE HELD ON**

**WEDNESDAY, APRIL 3, 2019  
AT 5:30 P.M. OR SOON THEREAFTER IN THE  
COMMISSION CHAMBERS LOCATED AT  
WINTER SPRINGS CITY HALL  
1126 EAST STATE ROAD 434  
WINTER SPRINGS, FLORIDA**

**CITY COMMISSION FIRST READING  
PUBLIC HEARING WILL BE HELD ON  
MONDAY, APRIL 22, 2019**

**AT 6:30 P.M. OR SOON THEREAFTER IN THE  
COMMISSION CHAMBERS LOCATED AT  
WINTER SPRINGS CITY HALL  
1126 EAST STATE ROAD 434  
WINTER SPRINGS, FLORIDA**

**THE CITY COMMISSION RESERVES THE RIGHT TO POSTPONE OR CONTINUE THE PUBLIC HEARING ON THIS ORDINANCE AT THIS MEETING WITHOUT FURTHER NOTICE.**

The proposed ordinance may be inspected by interested parties between 8 a.m. and 5 p.m., Monday through Friday, at the City's Clerk's Office, located at 1126 East State Road 434, Winter Springs, Florida. For more information call (407) 327-1800, Extension 227. Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. Persons with disabilities needing assistance to participate in any of these proceedings should contact the Employee Relations Department Coordinator, 48 hours in advance of the meeting at (407) 327-1800, Extension 236. These are public hearings. If you decide to appeal any recommendation/decision made by the City Commission with respect to any matter considered at this meeting, you will need a record of the proceedings, and for such purposes, you may need to ensure that a verbatim record of the proceedings is made upon which the appeal is based. Interested parties are advised that they may appear at the meeting and be heard with respect to the proposed ordinance.



# PUBLIC HEARINGS AGENDA ITEM 402

## CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

### TITLE

First Reading of Ordinance 2019-07 amending Chapter 13, Article II Noise regarding prohibited noise disturbances to include the use of power equipment and power ground maintenance equipment outdoors in residential areas during certain late evening and early morning hours and modifying the emergency exception under Chapter 13, Article II

### SUMMARY

During the City Commission workshop process, which has been taking place this past month, the City Commission expressed a desire to adopt modifications to the City noise ordinance to specifically prohibit noise generated by power equipment and power ground maintenance equipment during certain hours of the day in residential areas. Additionally, the City Commission expressed a desire to clarify the emergency exception under the City's noise ordinance to specifically include the City's use of emergency management declarations and the emergency use of generators.

Ordinance No. 2019-07 was preliminarily reviewed at the Commission workshop on April 15, 2019. At that meeting, the consensus of the City Commission was to proceed with the public hearing and adoption process of Ordinance No. 2019-07, with additional modifications being made to the Ordinance regarding the emergency exception.

Relevant to the proposed Ordinance No. 2019-07, the existing Noise ordinance, Chapter 13, Article II, defines the following applicable terms:

- **Residential area** means those areas zoned and designated for residential uses on the city's official zoning map (including, but not limited to, R-1AAA, R-C1, R-1AA, R-1A, R-1, R-3 and PUD residential) and/or future land use map or areas where residential uses exist.
- **Emergency** means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage that demands immediate action.
- **Emergency work** means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

If Ordinance No. 2019-08 is adopted, the Ordinance will prohibit the following noise in residential areas:

**Power Tool Equipment and Power Ground Maintenance Equipment.** It shall be unlawful to operate or permit to be operated any power tool equipment or power ground maintenance equipment in residential areas outdoors between the hours of 10:00 p.m. and 7:00 a.m. the following day, with the exception that the outdoor use of ground maintenance equipment on public recreational fields and golf courses within residential areas shall be unlawful under this subsection between the hours of 10:00 p.m. and 6:30 a.m. the following day.

The terms “power tool equipment” and “power ground maintenance equipment” will be defined as follows:

- **Power tool equipment** shall mean a tool that is actuated by an additional power source and mechanism other than the solely manual labor used with hand tools. The most common types of power tools use electric motors, internal combustion engines, and compressed air. Power tools may be stationary or portable and are used in industry, in construction, in the garden, for housework tasks such as cleaning and power washing, and around the house for purposes of driving (fasteners), drilling, mixing, cutting, shaping, sanding, grinding, routing, polishing, painting, heating, cooling and more.
- **Power ground maintenance equipment** shall mean stationary or portable specialty equipment and vehicles that are actuated by an additional power source and mechanism other than the solely manual labor used with hand tools. The most common types of such power equipment and vehicles use electric motors, internal combustion engines and compressed air including, but not limited to, lawn and other mowers, trimmers, blowers, edgers, rotary brushes, tractor mounted devices, mechanical rakes, chainsaws, hydraulic lifts, mechanical sprayers, construction trucks, mechanical sod cutters, chippers, and trenchers. Such equipment does not include ground and plant irrigation equipment.

In addition, the proposed Ordinance No. 2019-07 modifies the existing emergency exception in the Noise Ordinance to clarify that emergencies include:

- (1) exemptions enacted pursuant to an emergency declaration under Chapter 2, Article VII of the City Code;
- (2) emergency use of a generator.

**ORDINANCE NO. 2019-07**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, FLORIDA; AMENDING THE CITY OF WINTER SPRINGS CODE OF ORDINANCES, CHAPTER 13, ARTICLE II REGARDING PROHIBITED NOISE DISTURBANCES TO INCLUDE THE USE OF POWER EQUIPMENT AND POWER GROUND MAINTENANCE EQUIPMENT OUTDOORS IN RESIDENTIAL AREAS DURING CERTAIN LATE EVENING AND EARLY MORNING HOURS; MODIFYING THE EMERGENCY EXCEPTION UNDER CHAPTER 13, ARTICLE II; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; INCORPORATION INTO THE CODE; SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City is granted the authority, under Section 2(b), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, the City Commission previously adopted comprehensive noise regulations as provided in Chapter 13, Article II of the City Code to address excessive sound which constitutes a serious hazard to the public health and welfare, safety, and the quality of life of the citizens of the City of Winter Springs; and

**WHEREAS**, the citizens of the City of Winter Springs should continue to have a right to and should be ensured an environment free from excessive sound and vibration that may jeopardize their health or welfare or safety or degrade the quality of life; and

**WHEREAS**, the regulation of sound and noise in public areas is an important function of government. See Davis v. State, 710 so. 2d 635 (Fla. 5th DCA 1998); and

**WHEREAS**, protecting the public from excessively loud noise is a compelling state interest. See Grayned v. City of Rockford, 408 U.S. 104 (1972) (“If overamplified loudspeakers assault the citizenry, government may turn them down.”) (citing Kovacs, 336 U.S. at 80, 69 S.Ct. 448, and Saia, 334 U.S. at 562, 68 S.Ct. 1148); and

**WHEREAS**, the amendments to the City’s Noise Ordinance set forth herein are based on a significant number of citizen complaints regarding the operation of power and grounds maintenance equipment in residential areas during unreasonable hours of the day that negatively impact the peace, serenity and repose of residents in their homes; and

**WHEREAS**, the amendments set forth herein have been recommended by the City’s Police Chief, whose department is primarily responsible for enforcing the provisions of the City’s Noise Ordinance; and

**WHEREAS**, the City Commission finds that the limitations on noise within the City of Winter Springs, as provided herein, are unrelated to viewpoint and the content of any message, and will further the City’s legitimate and substantial government interest in minimizing noise pollution; and



**WHEREAS**, the City Commission finds that the goals of this Ordinance are unrelated to the suppression of free expression; and

**WHEREAS**, the City Commission finds that the amendment to Section 13-31 provided herein is intended to be a specific prohibited noise disturbance that is applicable at the time prescribed herein notwithstanding the decibel-based standards set forth elsewhere in Chapter 13, Article II; and

**WHEREAS**, the City Commission of the City of Winter Springs, Florida, hereby finds this Ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Winter Springs

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, SEMINOLE COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing recitals are hereby fully incorporated herein by this reference as legislative findings and the intent and purpose of the City Commission of the City of Winter Springs.

**Section 2. Code Amendment – Definitions.** Section 13-27 of the City Code is hereby amended to add the following new definitions (underlined type indicates additions):

Power tool equipment shall mean a tool that is actuated by an additional power source and mechanism other than the solely manual labor used with hand tools. The most common types of power tools use electric motors, internal combustion engines and compressed air. Power tools may be stationary or portable and are used in industry, in construction, in the garden, for housework tasks such as cleaning and power washing, and around the house for purposes of driving (fasteners), drilling, mixing, cutting, shaping, sanding, grinding, routing, polishing, painting, heating, cooling and more.

Power ground maintenance equipment shall mean stationary or portable specialty equipment and vehicles that are actuated by an additional power source and mechanism other than the solely manual labor used with hand tools. The most common types of such power equipment and vehicles use electric motors, internal combustion engines and compressed air including, but not limited to, lawn and other mowers, trimmers, blowers, edgers, rotary brushes, tractor mounted devices, mechanical rakes, chainsaws, hydraulic lifts, mechanical sprayers, construction trucks, mechanical sod cutters, chippers, and trenchers. Such equipment does not include ground and plant irrigation equipment.

**Section 3. Code Amendment - Prohibitions.** Sections 13-31 and 13-32 of the City Code are hereby amended as follows (underlined type indicates additions and ~~strikeout~~ type indicates deletions):

**Sec. 13-31. - Specific—Noise disturbances prohibited.**

The following acts, and the causing thereof, are declared to be in violation of this article:

(a) *Electronic device; musical instruments.* Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which produces, reproduces, or amplifies sound:

(1) Between the hours of 10:00 p.m. and 7:00 a.m. the following day in such a manner as to create a noise disturbance across a real property boundary or within a noise sensitive zone, except for activities open to the public and for which a special event variance has been issued by the city according to the criteria set forth in section 13-33;

(2) In such a manner as to create a noise disturbance at twenty-five (25) feet from such device, when operated in or on a motor vehicle on a public right-of-way or public space, or in a boat on public waters;

(3) In such a manner as to create a noise disturbance to any person other than the operator of the device, when operated by any passenger on a common carrier.

(b) *Loud speakers.* Using or operating any loudspeaker, public address system, or similar device:

(1) Between the hours of 10:00 p.m. and 7:00 a.m. the following day, such that the sound therefrom creates a noise disturbance across a real property boundary or within a noise sensitive zone;

(2) Between the hours of 10:00 p.m. and 7:00 a.m. the following day on a public right-of-way or public space.

(c) *Animals; birds.* Having control and possession of any animal or bird which frequently or for continued duration, howls, barks, meows, squawks, or makes other sounds which create a noise disturbance across a residential real property boundary or within a noise sensitive zone. (This provision shall not apply to public zoos and public paw parks).

(d) *Construction.* Operating or permitting the operation of any mechanically powered tools or equipment used in construction, drilling, or demolition work between the hours of 10:00 p.m. and 7:00 a.m. the following day. Sound levels created by construction, drilling, or demolition activities shall not cause a noise disturbance at or across a real property boundary, except for bona fide emergency work of or by special variance issued pursuant to this article;

(e) *Vehicle and boat repairs.* Repairing, rebuilding, modifying, or testing any motor vehicle, motorcycle, or motorboat in such a manner as to cause a noise disturbance across a residential real property boundary or within a noise sensitive zone.

(f) *Places of public entertainment.* Operating, playing, or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which produces, reproduces, or amplifies sound in any place of public entertainment at a sound level greater than the maximum permissible limit measure at the property line for commercially zoned areas.

(g) *Explosives.* Using or firing explosives or similar devices which create impulsive sound so as to cause a noise disturbance across a real property boundary or on a public space or right-of-way, without first obtaining a special variance pursuant to this article.

(h) *Model vehicles.* Operating or permitting the operation of powered model vehicles so as to create a noise disturbance across a residential real property boundary, in a public space or within a noise sensitive zone between the hours of 10:00 p.m. and 7:00 a.m. the following day.

(i) *Motorboats.* Operating or permitting the operation of any motorboat in any lake, river, stream, or other waterway in such a manner as to create a noise disturbance at fifty (50) feet or the nearest shoreline, whichever distance is less.

(j) *Noise sensitive zones.* Creating or causing the creation of any sound within any noise sensitive zone designated pursuant to this article so as to disrupt the activities normally conducted within the zone or that exceeds the maximum permissible sound level established for said zone pursuant to section 13-43, provided that conspicuous signs are displayed indicating the presence of the zone.

(k) *Power Tool Equipment and Power Ground Maintenance Equipment.* It shall be unlawful to operate or permit to be operated any power tool equipment or power ground maintenance equipment in residential areas outdoors between the hours of 10:00 p.m. and 7:00 a.m. the following day, with the exception that the outdoor use of ground maintenance equipment on public recreational fields and golf courses within residential areas shall be unlawful under this subsection between the hours of 10:00 p.m. and 6:30 a.m. the following day.

**Sec. 13-32. - Emergency exception.**

The provisions of this article shall not apply to the emission of sound for the purpose of alerting persons to the existence of any emergency, or the emission of sound in the performance of emergency work, or exemptions enacted pursuant to an emergency declaration under Chapter 2, Article VII of the City Code, or to the emergency use of a generator.

**Section 4.** **Repeal of Prior Inconsistent Ordinances and Resolutions.** All prior inconsistent ordinances and resolutions adopted by the City Commission, or parts or ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

**Section 5.** **Incorporation into Code.** This Ordinance shall be incorporated into the Winter Springs City Code and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this ordinance and the City Code may be freely made.

**Section 6.** **Severability.** If any section, subsection, sentence, clause, phrase, word, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**Section 7.** **Effective Date.** This Ordinance shall become effective upon adoption by the City Commission of the City of Winter Springs, Florida, and pursuant to City Charter.

**[Adoption Page Follows]**

**ADOPTED** by the City Commission of the City of Winter Springs, Florida, in a regular meeting assembled on the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
**Charles Lacey, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Andrea Lorenzo-Luaces, City Clerk**

**APPROVED AS TO LEGAL FORM  
AND SUFFICIENCY FOR THE CITY  
OF WINTER SPRINGS ONLY:**

\_\_\_\_\_  
**Anthony A. Garganese, City Attorney**

Legal Ad: \_\_\_\_\_  
First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_



# PUBLIC HEARINGS AGENDA ITEM 403

## CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

### **TITLE**

First Reading of Ordinance 2019-08 regarding buildings and building administrative regulations and providing for the adoption of Section 6-88 regarding construction site management and related conforming amendments to the City Code

### **SUMMARY**

During the City Commission workshop process, which has been taking place this past month, the City Commission expressed a desire to adopt a more comprehensive and centrally codified set of reasonable construction site management requirements to mitigate against the negative effects construction sites may sometimes cause to surrounding properties and neighborhoods.

Ordinance No. 2019-08 was preliminarily reviewed at the Commission workshop on April 15, 2019. At that meeting, the consensus of the City Commission was to proceed with the public hearing and adoption process of Ordinance No. 2019-08.

Ordinance No. 2019-08 is intended to provide a reasonable set of construction site management rules that contractors and property owners can follow. By consolidating these rules in one City Code section, the intention is that all affected parties (contractors, property owner, neighborhoods) will have advance notice of what is expected during the construction process. Ordinance No. 2019-08 generally addresses several categories of construction related issues that could, if not reasonably monitored and controlled with reasonable rules, cause negative effects on the construction site and surrounding properties and neighborhoods. The categories are as follows:

- (a) Construction Management Plan
- (b) Temporary toilet facilities for workers
- (c) Contractor/Owner Responsibility
- (d) Final site clean-up; Repair damage to Public Property
- (e) Requirements during weather emergency
- (f) Temporary construction fence
- (g) Erosion and run-off control

The details for each category are set forth in Ordinance No. 2019-08 and not repeated in the Agenda Item.

In addition, Ordinance No. 2019-08 also provides for enforcement and penalties. Specifically, the Ordinance provides:

- (1) The contractor and property owner shall be joint and severally responsible and liable for the requirements of this section and any violation thereof.
- (2) Failure to abide by the provisions of this section shall constitute a violation of the City Code, and are subject to the enforcement procedures and penalties set forth in chapter 2, Division 2 of the City Code. Each day a violation continues shall be deemed a separate violation.
- (3) A violation may be enforced by the building official or designee through the issuance of a stop work order in accordance with the procedures in the Florida Building Code; or an order to repair, restore or demolish the work, to vacate the premises, or otherwise abate the violation.
- (4) Any violation of this section is subject to abatement as a public nuisance.
- (5) The provisions of this subsection are cumulative with and in addition to any other remedy provided by law.
- (6) The city may recover as costs of repairs or compliance, the costs associated with the city securing job sites and correcting any violation of this section. Failure of the contractor or owner to reimburse the city for said costs within thirty (30) days of written notice by the City, the city may collect said costs in accordance with law and the costs shall also constitute a lien on the property until paid in full.

**ORDINANCE NO. 2019-08**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, FLORIDA, REGARDING BUILDINGS AND BUILDING ADMINISTRATIVE REGULATIONS; PROVIDING FOR THE ADOPTION OF SECTION 6-88 REGARDING CONSTRUCTION SITE MANAGEMENT AND RELATED CONFORMING AMENDMENTS TO THE CITY CODE; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; INCORPORATION INTO THE CODE; SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City is granted the authority, under Section 2(b), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, the enforcement of the Florida Building Code is the responsibility of local governments; and

**WHEREAS**, the City of Winter Springs actively participates in the enforcement of building construction regulations for the benefit of the public health, safety and welfare; and

**WHEREAS**, the City of Winter Springs desires to facilitate the enforcement of the Florida Building Code by enacting administrative and technical amendments which meet the needs of the citizens and businesses of Winter Springs and protect the public health, safety and welfare; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, SEMINOLE COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing recitals are hereby fully incorporated herein by this reference as legislative findings and the intent and purpose of the City Commission of the City of Winter Springs.

**Section 2. Code Amendment.** Section 6-88 of the City Code is hereby created to read as follows: (underlined type indicates additions to the City Code and ~~strikeout~~ type indicates deletions, while asterisks (\* \* \*) indicate a deletion from this Ordinance of text existing in Chapter 6. It is intended that the text in Chapter 6 denoted by the asterisks and set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance):

## Chapter 6 – BUILDING AND BUILDING REGULATIONS

\* \* \*

### Article III. – BUILDING CONSTRUCTION STANDARDS

\* \* \*

**Sec. 6-88. – Construction Site Management.** Unless otherwise preempted by state or federal law, the following construction site management requirements shall apply to construction projects within the jurisdictional limits of the city:

(a) Construction Management Plan. The building official may require a detailed management plan and completion schedule prior to the approval of a building permit or during the process of completing any active or inactive construction or demolition project. The management plan shall, at a minimum, provide specific information outlining the location of construction worker parking, construction equipment, material storage and temporary structures on the site under construction or on nearby properties, and methods of debris removal including compliance with the city's waste franchise agreement. Additionally, traffic routes to and from the site, pedestrian safety barriers and fencing shall be included on the management plan and shall be identified for approval. The management plan must also reflect where displaced public or private parking is temporarily located during the term of the project to the maximum extent feasible. The plan is subject to review and approval by the building official. Failure to comply with the approved management plan shall constitute a violation of this section. The approved management plan must be kept at the construction site and be available at all times during the construction process and be made available to the building official or city inspectors.

(b) Temporary toilet facilities for workers. Suitable temporary toilet facilities as determined by the building official in reliance upon normal industry standards shall be provided and maintained in a sanitary condition for the use of workers during construction. Such facilities may only be located on the construction site after the building permit has been issued and construction has commenced. If construction becomes inactive on the site for more than a two week time period, the building official may require that the temporary toilet be removed from the site until such time reasonable assurances have been provided that active construction has resumed on the site. Such facilities shall be regularly cleaned and provided in a well-ventilated location and shall be placed at least 15 feet from the side property line of the lot on which it is located where practical, may not be placed in the public right-of-way and shall be screened from view when required and to the extent practicable. The location of temporary toilet facilities on the property may be changed by the building official to recognize unique conditions or a less offensive location for pedestrians and neighbors.

(c) Contractor/Owner Responsibility. The contractor and owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles during the entire duration of the construction project and prior to receiving final inspection approval. Construction job sites must be kept clean, free of overgrown weeds and grass over 12 inches in height, and the accumulation of construction debris must not remain on the property for a period of time exceeding 10 days. The accumulation of trash and litter and other miscellaneous discarded articles not constituting construction debris (e.g., cans, bottles, food products and containers, papers, towels, clothing, plastics, etc.) must also be cleaned daily and placed in a separate on-site receptacle. Trash and litter



shall not be discarded in construction debris containers and roll-offs. The on-site litter/trash receptacle service must be paid for by the contractor and emptied at least once a week by the city's solid waste franchise hauler or more often in a timely fashion so there is no overflow of trash and litter. Off-site trash and litter generated by the contractor and workers must be picked-up and cleaned daily and placed in the on-site trash/litter receptacle. Public trash receptacles are not intended to handle trash and litter generated from construction sites so the contractor and workers shall not use such receptacles for their trash. The contractor is responsible for their workers overburdening public off-site trash receptacles located near the construction site. Dust created during construction or demolition must be contained on the site or close proximity to building or structure through wetting down the dust or materials or through the use of any alternate means that prevents dust from leaving the property. Violation of any of these conditions shall authorize the building official to place a stop work order on such jobs in violation of this section and require removal of debris and overgrowth, and correction of dust accumulation on site and adjacent properties or streets.

(d) *Final site clean-up; Repair damage to Public Property.* The contractor and owner, upon completion of a building or construction project, shall immediately remove all walkways, debris and all other obstructions and leave such public property in as good a condition as it was before work was commenced and shall replace all broken curbs, sidewalks or other damaged public utilities or property to the satisfaction of the building official prior to obtaining a certificate of occupancy/completion or within 14 calendar days from notification if no certificate of occupancy/completion is issued. Failure to correct damaged public property will result in the city taking action to make corrections and all costs incurred will be charged to the contractor and owner, and a lien will be placed against the property for the costs of repairs.

(e) *Requirements during weather emergency.* It is the responsibility of the owner and contractor to have removed construction materials from the project site or secured construction materials at the project site at least 48 hours prior to the predicted landfall of a tropical storm or hurricane until the time set forth in subsection (8) below.

(1) *Applicability.* At least 48 hours prior to the predicted landfall of a tropical storm or hurricane for any portion of Seminole County Florida, as determined by the National Weather Service, National Hurricane Center or appropriate weather agency or as provided in the city's emergency plan; or upon order of the building official in anticipation of a storm emergency; all construction materials, including roof tiles, on all project sites within the city shall be secured and stored onsite in a safe manner or removed so that no material can become a safety hazard with hurricane or tropical storm force winds.

(2) *Notice.* Media broadcasts or notices issued by the National Weather Service or National Hurricane Center of an approaching tropical storm or a hurricane is hereby deemed notice to the owner or contractor. The owner and contractor are responsible for the project site by securing on-site or removing from the site any construction materials or debris or trash and litter to protect against the effect of hurricane or tropical storm force winds. By holding a building permit during hurricane season, the contractor shall monitor the National Weather Service and the National Hurricane Center for weather emergencies.

(3) *Inspection.* A pre-storm inspection shall be required for all active construction sites involving exterior work and/or exterior storage of materials. The owner and contractor shall be responsible for insuring that the construction site has passed inspection prior to the issuance of a

tropical storm warning or hurricane warning. The owner or contractor shall be available by phone until the site has passed the pre-storm inspection.

(4) *Materials stockpiled on site.* Materials stockpiled on any construction site shall be handled as follows:

a. Band construction materials together and fasten them to the structure in such a manner to prevent the material from becoming airborne during a tropical storm or hurricane; or

b. Remove construction materials from the top of the structure and secure them to the ground;  
or

c. Remove construction materials from the project site; or

d. Store construction materials inside a structure if said structure is secure from tropical or hurricane force wind loads.

(5) *Dumpsters.* The contents of construction site dumpsters must be removed or weighted and secured with rope, mesh or other durable, wind resistant material.

(6) *Temporary toilets.* Temporary portable toilets shall be secured to the structure, dumpster or emptied and laid horizontal and secured to the ground.

(7) *Roofing Materials – Hurricane Season.* During the National Weather Service designated hurricane season, building or roofing materials shall not be loaded on a roof earlier than ten working days prior to the permanent installation of the materials.

(8) *Material capable of becoming airborne.* Construction materials, debris or any material capable of becoming airborne shall remain secured and stored on the project site or shall be removed from the project site until the National Weather Service, National Hurricane Center, or the city through local action has removed all portions of the city from those areas included in a tropical storm warning or hurricane warning. Contractors shall not resume construction on any construction site until the site is brought into compliance with the construction site management plan.

(f) *Temporary construction fence.* A temporary construction fence screening the construction site shall be erected and maintained in good order at all times. The temporary construction fence shall be erected and completely in place as a requirement for the issuance of a building permit and prior to the beginning of construction activities. The temporary construction fence shall be removed when construction has been completed. The temporary construction fence shall be six feet chain link fence with a screening material attached to visually screen and minimize impact to neighboring properties which may be affected by construction site dust and debris. The chain link and screening material must be constructed and maintained at ground level to mitigate against ground level windblown dust and materials being blown off-site. If the construction site is located on an arterial or collector road, and is not located within an existing residential area, the screening material facing the arterial or collector road may temporarily depict on-site information about the project, provided the information is limited on no more than 25% of the screening material facing the arterial or collector road. A fence permit is required to be issued for the temporary construction fence, and the fence installed, inspected, and the fence permit must be closed-out by the building official prior to the issuance of a building permit.

(1) A temporary construction fence will be required for all new construction, demolitions and substantial renovations unless the building official determines all or portion of the fencing is not required to protect or screen neighboring properties.

(2) Work being done within the unit is exempt from this requirement.

(3) Individual lots being constructed in a new residential or commercial subdivision are exempt from being individually screened under the requirements of this section. However, the outer perimeter of the new subdivision is subject to the requirements unless otherwise determined by the building official pursuant to subsection (1) above.

(4) Work on pools, pool installations or substantial renovations will require a temporary construction fence at all times to avoid health and safety hazards. Also pools undergoing renovations and new pools being installed must be emptied of accumulated water at all times.

(g) *Erosion and run-off control.* In compliance with the city's National Pollution Discharge Elimination System (NPDES) permit requirements, prior to beginning any clearing, grubbing, or construction activities, as part of the building permit process, the contractor shall submit a plan (Erosion and Sediment Control Plan) detailing the location and handling of materials, soils and outlining the actions to be taken to prohibit run-off of dirt, sand, fluids, vegetation or any other item into the city's stormwater system or onto adjacent property, roadways and waterways. Piles of soil, erected barriers, temporary detention areas, or any other methods approved by the city, shall provide for a containment area to reduce run-off.

(h) *Violations; Enforcement.*

(1) The contractor and property owner shall be joint and severally responsible and liable for the requirements of this section and any violation thereof.

(2) Failure to abide by the provisions of this section shall constitute a violation of the City Code, and are subject to the enforcement procedures and penalties set forth in chapter 2, Division 2 of the City Code. Each day a violation continues shall be deemed a separate violation.

(3) A violation may be enforced by the building official or designee through the issuance of a stop work order in accordance with the procedures in the Florida Building Code; or an order to repair, restore or demolish the work, to vacate the premises, or otherwise abate the violation.

(4) Any violation of this section is subject to abatement as a public nuisance.

(5) The provisions of this subsection are cumulative with and in addition to any other remedy provided by law.

(6) The city may recover as costs of repairs or compliance, the costs associated with the city securing job sites and correcting any violation of this section. Failure of the contractor or owner to reimburse the city for said costs within thirty (30) days of written notice by the City, the city may collect said costs in accordance with law and the costs shall also constitute a lien on the property until paid in full.

\* \* \*

**Section 3. Conforming Amendments to Section 6-31 of the City Code.** Sec. 6-31. - Administrative amendments to Chapter 1 of the Florida Building Code, Subsection 110.3 of the City Code is hereby amended to read as follows: (underlined type indicates additions to the City Code and ~~strikeout~~ type indicates deletions, while asterisks (\* \* \*) indicate a deletion from this Ordinance of text existing in Section 6-31 and Subsection 110.3. It is intended that the text in Section 6-31 and Subsection 110.3 denoted by the asterisks and set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance):

**Sec. 6-31. - Administrative amendments to Chapter 1 of the Florida Building Code**

\* \* \*

**110.3 Required inspections.** The building official, upon notification from the permit holder or his or her agent shall make the following inspections, and such other inspections as deemed necessary and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

\* \* \*

**Site Debris**

~~1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean up and removal of all construction debris or any other miscellaneous discarded articles prior to receiving final inspection approval. Construction job sites must be kept clean.~~

~~2. All debris shall be kept in such a manner as to prevent it from being spread by any means.~~

\* \* \*

**Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions.** All prior inconsistent ordinances and resolutions adopted by the City Commission, or parts or ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

**Section 5. Incorporation into Code.** This Ordinance shall be incorporated into the Winter Springs City Code and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this ordinance and the City Code may be freely made.

**Section 6. Severability.** If any section, subsection, sentence, clause, phrase, word, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**Section 7. Effective Date.** This Ordinance shall become effective upon adoption by the City Commission of the City of Winter Springs, Florida, and pursuant to City Charter.

**ADOPTED** by the City Commission of the City of Winter Springs, Florida, in a regular meeting assembled on the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
**Charles Lacey, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Andrea Lorenzo-Luaces, City Clerk**

**APPROVED AS TO LEGAL FORM  
AND SUFFICIENCY FOR THE CITY  
OF WINTER SPRINGS ONLY:**

\_\_\_\_\_  
**Anthony A. Garganese, City Attorney**

Legal Ad: \_\_\_\_\_  
First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_



# REGULAR AGENDA ITEM 500

CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

## TITLE

Discussion on preferences for serving on the Florida League of Cities' five Legislative Policy Committees

## SUMMARY

The Florida League of Cities (FLC) has five Legislative Policy Committees which are open to city officials (usually elected officials) to serve on. These committees are led by League staff who work with committee members on various kinds of pending legislation that could affect municipalities and Home Rule in the State of Florida. Membership typically includes attendance at meetings during the year, as well as other types of communication and involvement as applicable.

Around the March-May timeframe, the Florida League of Cities invites Municipal Officials to submit an application to potentially serve on a specific Legislative Policy Committee. Appointments to the five committees are typically decided on by the incoming new FLC President in August 2019. Usually, besides interest, the only major stipulation is that only one Elected Official from a City may serve on one (1) Legislative Policy Committee in consideration of Florida's Sunshine Law.

Currently, the following are the 5 Legislative Policy Committees (with whom from our City has been Appointed for the current Terms):

1. "Finance, Taxation & Personnel" Policy Committee: Mayor Charles Lacey
2. "Land Use & Economic Development" Policy Committee:
3. "Municipal Administration" Policy Committee: Commissioner Jean Hovey
4. "Transportation and Intergovernmental Relations" Policy Committee: Commissioner Geoff Kendrick
5. "Utilities, Natural Resources & Public Works" Policy Committee: Deputy Mayor Kevin Cannon

The deadline to submit an entry is May 6, 2019.



# REGULAR AGENDA ITEM 501

CITY COMMISSION AGENDA | APRIL 22, 2019 | REGULAR MEETING

## TITLE

Seat Two Replacement Appointment to the 2019 Districting Commission

## SUMMARY

Pursuant to Section 4.02 of the Charter of the City of Winter Springs, the Mayor and City Commissioners must make appointments to the seven (7) member Districting Commission. As previously stipulated, by February 1, 2019, the City Commission appointed seven (7) city electors determined from the registration of the last election; one (1) to be appointed by each Commissioner from their respective district, and two (2) appointed by the Mayor from the city at large.

All seven (7) appointed electors on the Districting Commission must be Winter Springs residents and registered voters as of the last regular election in November 2018. Each of the five (5) Commissioner-appointed electors must live in their respective Commission District. Electors appointed shall not be employed by the City in any capacity.

At the January 14, 2019 City Commission Regular Meeting, Seat Two Commissioner/Deputy Mayor Kevin Cannon Appointed resident Colleen Murphy, however, for personal reasons, Ms. Murphy has recently resigned.

This Agenda Item is providing the Seat Two Commissioner, Deputy Mayor Kevin Cannon with another opportunity to have an Appointee on the 2019 Districting Commission.