

Tape 1/Side B

Continuing, Mr. Koza commented on a Seminole County Commissioner; Soldiers Creek Park; that this is not the best location for a project of this type; and also remarked about other similar facilities in the area.

Mr. Jim Bradley, 132 Redtail Place, Winter Springs, Florida: spoke about domestic tranquility and our Constitutional rights.

Ms. Lona Darroch Love, 132 Peregrine Court, Winter Springs, Florida: noted that her property backs up to the Trail; mentioned her concern with security; and referenced an article from 2002 related to the proposed Jetta Point Park project.

Deputy Mayor Krebs mentioned that years ago, this was a differently proposed project.

Ms. Andrea Champagne, 114 Redtail Place, Winter Springs, Florida: remarked that the proposed Jetta Point Park project is a sports facility and that we don't have the infrastructure to support this; and that this is not the location for such a project.

Ms. Donna Hogan, 105 Arrowhead Court, Winter Springs, Florida: mentioned there were overgrown tall weeds near the property that was the Winter Springs Golf Course, and also near the Tuscawilla Country Club on Winter Springs Boulevard; and noted that the proposed Jetta Point Park project is not suited for the Winter Springs community.

Commissioner Bonner said to Manager Smith, "I have had a number of neighbors comment to me about how high the grass is getting at the Tuscawilla Greens; and I too have noticed the overgrowth at the former Winter Springs Golf Club. I wonder if our Code Enforcement has paid attention to those matters."

Manager Smith responded, "Actually, I have had conversations about this issue previously and I just need to follow up with Staff to see where we are, because I had asked Staff to reach out to the Owner to mow the grass. Obviously they haven't done that, so I will follow up."

Ms. Carol Koza, 121 Goshawk Terrace, Winter Springs, Florida: spoke about the great community of Winter Springs; eagles; and that if the proposed Jetta Point Park project is approved, then their community will be totally changed. Ms. Koza then commented on transportation; noise; congestion related to the proposed Jetta Point Park project; and thought that this project would negatively affect property values.

Mr. Arsenio Calle, 110 Arrowhead Court, Winter Springs, Florida: commented on problems if the proposed Jetta Point Park project goes through; and mentioned quality of life concerns.

Mr. Don Morrison, 670 Saranac Drive, Winter Springs, Florida: commented on the letter and responses related to the City Manager's letter to Seminole County regarding the proposed Jetta Point Park project. Mr. Morrison also noted that he had received and read a Study by Dr. John L. Compton, Seminole County's Expert, which addressed issues with traffic, crime, noise, and lighting. Mr. Morrison suggested we use Dr. Compton's Study and expertise.

Ms. Tara Boyle, 172 Nandina Terrace, Winter Springs, Florida: commented on less desirable areas in the area, and noted that if the proposed Jetta Point Park project goes through, then this community will be more like the noisier and less desirable communities in the area.

Mayor Bush asked Mr. Morrison to let the City Clerk make a copy of the Report he had acquired. Mayor Bush suggested Seminole County read the document that Mr. Morrison referenced.

Ms. Roberta Huston, 170 Nandina Terrace, Winter Springs, Florida: commented on changes to the proposed Jetta Point Park project and remarked about traffic impacts; Reports submitted by Seminole County related to a new design; funding; and that this is now a destination sports facility.

Ms. Gladys A. Gallo, 131 Goshawk Terrace, Winter Springs, Florida: commented on all the attention by the City Commission; and Dog Parks.

Ms. Ann Barretta, 158 Peregrine Court, Winter Springs, Florida: commented on the proposed Jetta Point Park project; tourist dollars; and that this park would not be available to local children when needed.

Mr. Chris Waguespark, 676 Lamoka Court, Winter Springs, Florida: as the President of the Chelsea Woods Homeowners Association, Mr. Waguespark said his community supports their neighbors; addressed concerns with property values and noise; and asked for alternative options to the proposed Jetta Point Park project.

Mr. Kevin Cannon, 174 Nandina Terrace, Winter Springs, Florida: commented on Amendment 4; the United States Constitution; and asked the City Commission to deny the proposed Jetta Point Park project.

Deputy Mayor Brown and Commissioner Bonner thanked those in attendance for sharing their comments with the City Commission.

Mayor Bush noted, "There were twelve (12) other people who voiced objection to Jetta Point - they did not wish to address the Commission."

Discussion followed on the Sunshine Law and City Commissioners attending local Meetings.

Manager Smith suggested that interested individuals check out the City's Website for further information; to sign up for updates; and that they were welcome to call him.

Commissioner Krebs also suggested that individuals sign up for eAlerts.

Mr. James Hansberger, 111 Cherry Creek Circle, Winter Springs, Florida: commented on the proposed Town Parke Apartment project; and spoke of the Cabrini-Green project in Chicago, Illinois.

Mr. John M. Walts, 157 Peregrine Court, Winter Springs, Florida: spoke about noise pollution in relation to the proposed Jetta Point Park project; and referenced Ordinance 2005-16 and previous Ordinances.

Tape 2/Side A

Mr. Walts continued by addressing City Ordinances; sound levels; and suggested the City Commission change our Zoning to include noise sensitive areas.

Mayor Bush closed "Public Input".

PUBLIC HEARINGS AGENDA

PUBLIC HEARINGS

500. Office Of The City Attorney

REQUEST: Requests That The City Commission Pass On First Reading Ordinance No. 2010-13, Which Implements The Provisions Of The Mark Wandall Safety Act (2010) Regarding The Enforcement Of Red Light Traffic Infraction Detectors.

FISCAL IMPACT: The Precise Fiscal Impact Is Yet To Be Determined. It Is Likely The City Will Receive Less Revenue For Every Violation Because Of The New State Revenue Sharing Requirement Under The Act. Moreover, Contract Changes With ATS (American Traffic Solution), Who Currently Receives \$40.00 Of Every Violation Collected By The City Will Need To Be Renegotiated To Factor In The Changes Of Law.

COMMUNICATION EFFORTS:

RECOMMENDATION: The City Attorney Recommends That The City Commission Pass Ordinance No. 2010-13 On First Reading, And Advertise The Ordinance For Second And Final Reading At The Next Regular Commission Meeting.

Mayor Bush asked, "Can we have a Motion to read by 'Title' only?"

"SO MOVED." MAYOR BUSH REMARKED, "MOTION BY COMMISSIONER BROWN, SECONDED BY COMMISSIONER McGINNIS." DISCUSSION.

VOTE:

COMMISSIONER KREBS: AYE

COMMISSIONER BONNER: AYE

COMMISSIONER HOVEY: AYE

DEPUTY MAYOR BROWN: AYE

COMMISSIONER McGINNIS: AYE

MOTION CARRIED.

Attorney Garganese read the Ordinance by "Title" only.

Mayor Bush opened the "Public Input" portion of the Agenda Item.

No one spoke.

Mayor Bush closed the "Public Input" portion of the Agenda Item.

"MOTION TO APPROVE" (FIRST READING OF ORDINANCE 2010-13). MAYOR BUSH STATED, "MOTION TO APPROVE BY COMMISSIONER McGINNIS. SECONDED BY DEPUTY MAYOR BROWN." DISCUSSION.

VOTE:**COMMISSIONER MCGINNIS: AYE****COMMISSIONER KREBS: AYE****COMMISSIONER HOVEY: AYE****DEPUTY MAYOR BROWN: AYE****COMMISSIONER BONNER: AYE****MOTION CARRIED.****REGULAR AGENDA****REGULAR****600. Land Design Innovations, Inc. – City Consultant****REQUEST: Land Design Innovations, Inc. (City Consultant) Is Presenting A Summary Report For Economic Development Incentives Available For Utilization Within The City Of Winter Springs.****FISCAL IMPACT: There Is No Fiscal Impact Associated With This Agenda Item.****COMMUNICATION EFFORTS: No Communication Efforts Beyond The Advertising Of The Commission Agenda Are Necessary In Conjunction With This Agenda Item.****RECOMMENDATION: The City Commission Is Being Asked To Review And Accept The Information Contained In This Agenda Item And To Give Direction As To Which Incentives To Pursue Further.**

Mr. John M. Jones, AICP, Senior Planner, Land Design Innovations, Inc., 1770 Fennel Street, Suite 200, Maitland, Florida: addressed the City Commission with a PowerPoint presentation.

Mayor Bush left the Commission Chamber at 6:59 p.m. - the gavel was passed to Deputy Mayor Brown.

Discussion followed on Seminole Economic Enhancement Districts (S.E.E.D.), economic programs, what programs are available, and Bonds.

Regarding the Community Redevelopment Agency (CRA), Commissioner Bonner stated, "I do know that that does accumulate dollars. Is there any available funding – do we know how much money is in the CRA (Community Redevelopment Agency) bank?" Mr. Jones stated, "I can contact Mr. John Metsopolus (Seminole County) to see what their current balance at the (US Highway) 17-92 CRA (Community Redevelopment Agency)."

Discussion followed on Winter Springs' services such as rapid permitting, incentives, short term recommendations, and Micro Loans.

Mr. Jones commented, "With regards to the Winter Springs Jobs Growth Incentive program, is to receive direction from the Commission to proceed; and then if direction is given to proceed, to sit down with the City Attorney and review the legal agreements that need to be implemented; identify potential funding sources for the program; bring all that information back to City Commission, present it to you all so you can digest it and then come back again, if you all wish to proceed further with regards to adopting an Ordinance to implement the program. That would require two (2) Public Hearings."

Continuing, Mr. Jones noted, “With regard to the CRA (Community Redevelopment Agency) based (US Highway) 17-92 Tax Increment Fund Rebates; if I receive direction from the City Commission to proceed, I will contact with (US Highway) 17-92 CRA (Community Redevelopment Agency) Director to present this at their next meeting – September 16th, (2010) this year.

And the Micro Loan program – same issue. If I am directed to proceed, I will continue to coordinate with the partner banks in Seminole County and make a formal proposal to the US (Highway) 17-92 CRA (Community Redevelopment Agency) at their September 16th, (2010) Meeting.”

Deputy Mayor Brown asked if we move forward, “How will we make this known to potential investors in our City, that these programs are available?”

Mr. Jones stated, “First off, it will be included in your marketing and - print brochure documents. It would also be included on your Website. It would also be made - public and notification would be given to the Metro-Orlando EDC (Economic Development Commission) and also to Seminole County, that you have this additional tool.” Further, Mr. Jones noted, “It’s something that would also be posted on the EDC’s (Economic Development Commission) website as well.”

Mayor Bush returned to the Commission Chambers at 7:06 p.m. - the gavel was returned to Mayor Bush.

Commissioner Bonner said to Manager Smith, “In the case of the JGI (Jobs Growth Incentives), clearly that has Budget written all over it – I wonder if you have had any preliminary thoughts, or you have already done some brainstorming on some strategy about potential funding sources to bring that project forward. I won’t ask you to get into all those details today, but I assume if we are going to toss this over towards you and you have already looked at this, and it is not really a no-go for us, we probably need to know that before we possibly give you that assignment.”

Manager Smith stated, “We’re prepared to proceed. Some of the programs that John (Jones) has presented utilize other dollars other than the City’s dollars. Those programs that utilize City dollars as you may recall, we’ve taken the approach of earmarking some portion of our reserves for Economic Development purposes and that would be the funding source that would be recommended herein.”

Further discussion.

“I WOULD MAKE A MOTION THAT WE PURSUE ALL INCENTIVES.” MOTION BY DEPUTY MAYOR BROWN. SECONDED BY COMMISSIONER McGINNIS. DISCUSSION.

VOTE:

DEPUTY MAYOR BROWN: AYE

COMMISSIONER McGINNIS: AYE

COMMISSIONER HOVEY: AYE

COMMISSIONER BONNER: AYE

COMMISSIONER KREBS: AYE

MOTION CARRIED.

Commissioner Krebs asked Mr. Jones, “Where are you on that logo?”

Mr. Jones responded, “I will have to defer to the City Manager with regards to the status of the logo. We have prepared a range of different logo motifs and alternates and they are all under consideration at this time.”

Manager Smith stated, “The logo that John (Jones) is referring to is the logo for the Economic Development website, not a City logo.” Commissioner Krebs noted, “I am talking a City...” Manager Smith then remarked, “...The City logo concept has just recently been brought back to the forefront of discussions to be honest; so, I am working with Staff at this point and will come back to you in relatively short order for some discussions on that topic.”

Commissioner Krebs asked why Manager Smith was working on the City logo and remarked, “I thought that Land Development (Innovations, Inc.) was going to be working on it?” Manager Smith said, “Land Development (Innovations, Inc.) was working on an Economic Development logo.” Deputy Mayor Krebs added, “That wasn’t the conversation I had here with Tracy (Crowe), the very night that they were voted to be our Development...” Manager Smith added, “...I will have to discuss that with Tracy (Crowe).” Mayor Bush suggested this be cleared up by the next Meeting.

On a related note, Mayor Bush also suggested that a Podcast be done on Economic Development. Further discussion followed on Podcasts.

Mr. Jones mentioned, “The Winter Springs Economic Development program is one of the topics listed on “Central Florida Matters” website and - a presentation was given at the Oviedo-Winter Springs (Regional) Chamber of Commerce.” Mayor Bush then asked, “Do we have a link to that on our Website – I think we should. Commission?” Deputy Mayor Brown stated, “Okay.” Commissioner Bonner nodded in agreement. No objections were voiced.

Mayor Bush then said to Mr. Jones, “Why don’t you work with the Manager.” Mr. Jones responded, “Yes Sir.”

REGULAR

601. Community Development Department

REQUEST: Requests The City Commission Review And Provide Comments For The Revised Sonesta Pointe Subdivision Concept Plan.

FISCAL IMPACT: The Potential Tax Revenue Of The Proposed Project Is As Follows:

Townhouse (60 Units)

Units (1500 Square Feet) Assessed At \$90.00/Square Foot: \$8,100,000.00 Assessed Tax Value
 \$8,100,000.00/1000 = 8,100
 8,100 (2.5814) = \$20,909.34
 \$20,909.34 (Less The 4% Statutory Discount) = \$20,072.97 Tax Revenue

Bungalow (133 Units)

Units (1800 Square Feet) Assessed At \$100.00/Square Foot: \$23,940,000.00 Assessed Tax Value
 \$21,280,000.00/1000 = 21,280
 23,940 (2.5814) = \$61,798.72
 \$61,798.72 (Less The 4% Statutory Discount) = \$59,326.77 Tax Revenue

Estate/Single Family (60 Units)

Units (2200 Square Feet) Assessed At \$100.00/Square Foot: \$13,200,000.00 Assessed Tax Value
 \$13,200,000.00/1000 = 13,200
 13,200 (2.5814) = \$34,074.48
 \$34,074.48 (Less The 4% Statutory Discount) = \$32,711.50 Tax Value

Total Potential Tax Revenue \$112,111.24

COMMUNICATION EFFORTS: No Communication Efforts Beyond The Advertising Of The Commission Agenda Are Necessary In Conjunction With This Agenda Item.

RECOMMENDATION: Staff Recommends That The City Commission Consider The Findings And The Comprehensive Plan/Code Considerations Detailed Above And Approve The Revised Sonesta Pointe Concept Plan, Subject To Resolving The Issues Staff Has Identified In The “Considerations” Section And The Waivers Requested By The Applicant. (E.G. Block Size, Front Loaded Garages, “Front-Back” Issue)

Mr. Stevenson began the discussion on this Agenda Item.

Discussion ensued on parking, to which Deputy Mayor Brown said, “There will be ample room in that driveway to park a vehicle so it does not overlap the sidewalk or...?” Mr. Stevenson responded, “...We feel like we have it here. We have to work with them on this number right here, when we get down to looking at the architectural.”

With further discussion on parking and a previous issue related to parking at Heritage Park, Deputy Mayor Krebs said to Mr. Stevenson, “I don’t know how you get them to incorporate additional spaces.”

Much discussion followed on parking and density issues. Mr. Stevenson stated, “I think the on-street parking is scattered substantially. I mean we can take another look at that with the Developer.” Commissioner McGinnis asked Mr. Stevenson, “Do you think that is sufficient?” Discussion.

Discussion followed with Mr. Kip Lockcuff, P.E., Director, Public Works/Utility Departments.

Commissioner Bonner suggested that in consideration of parking in the Heritage Park community, could Staff provide comparative ratios and added, “I look forward to learning that detail.” Commissioner Bonner added, “In your follow up studies, if you have got some comparables, that would really help – with our primary concern here.”

Tape 2/Side B

Regarding lot sizes, Mr. Stevenson commented, “One of the other things they’re - asking for tonight in this Concept Plan – these lots average fifty feet (50’) wide. Some of them may be wider as you see depending upon the final layout. Your Section 20-324. (2) talks about the lots need to be at least fifty-five feet (55’) wide to use front-loaded garages. That would be a Waiver that they would be looking for if we move forward with this Plan.”

Discussion followed on trash receptacles and what kind of mailboxes would be used. Mr. Stevenson noted, “That’s a question I would have to put forward to the Developer.”

Mr. Stevenson then reviewed the Findings with the City Commission, and remarked, “They’re also asking for a Waiver on the twenty feet (20’) behind the front façade of the unit itself, not the porch, but the unit itself. They’re also asking for a Waiver for I believe three (3) of the blocks to be – larger than the quarter (1/4) of an acre.”

Continuing, Mr. Stevenson explained, “They have indicated a willingness to work with us to put in the accessory dwelling units to bump the density up towards seven (7) and again, if the Commission does move forward with this Concept Plan, please be aware that they will have to re-submit the Engineering, Final Subdivision Plans, Aesthetic Review package, and to Amend the Development Agreement.”

Discussion followed on the requested Waivers.

Mr. Michael Wadley, Carnahan Proctor Cross, 14 East Washington Street, Suite 500, Orlando, Florida: introduced himself for the Record and said, “We’re only asking for three (3) Waivers – the setback from the garage; and again, we actually have twenty-five feet (25’) from the right-of-way shown. We’re asking for the garage to only be fifteen feet (15’) but we’re willing to work with Staff on that condition. The other one, the fifty (50) – we were challenged to bring density up on this and we really wanted to meet the market conditions and meet the Town Center requirements, so we came up with a mix of housing that we thought really gave more variety to the City in the Town Center versus just a monoculture of townhomes that are cookie-cutter.

So, we have the single family – and to get density up – you really need to go more to the fifty foot (50’) lots and I think it will have a very nice streetscape. The architecture of the units are going to be very nice. And the third one was – the blocks. We’re going to work with Staff on that to reduce - those block sizes.”

Commissioner McGinnis said to Mr. Wadley, “So, you are amenable to that?” Mr. Wadley responded, “Yes.”

Mr. Wadley then noted, “Just to address the parking, we far exceed and that’s not to say there are never parking problems, but each unit has four (4) spaces. The average with the off-street takes it up to 4.9 which is almost 5. That means there are – almost 250 additional parking spaces over and above what you would have in a traditional neighborhood – but, we’re willing to work with Staff.”

Commissioner Krebs said to Mr. Wadley, “It is possible that you would only be asking for one (1) Waiver rather than three (3) – you’re willing to work on 8...” Mr. Wadley stated, “...Yes...” Deputy Mayor Krebs continued, “...And number 6.?” Mr. Wadley remarked, “8. and 6., yes. We’re willing to work on the twenty foot (20’) and the block sizes. Yes.”

Further comments.

Attorney Garganese said to Mr. Stevenson, “My understanding of the recommendation is the only thing the City Commission is considering approving is a preliminary Approval of a Concept Plan. You’re not asking the City Commission to approve any Waiver this evening correct?”

Mr. Stevenson responded by saying, “These are Waivers they have requested and they’ve already indicated they’d be willing to work with us on two (2) of those...” Attorney Garganese then commented for the Record, “...What the Commission is being asked to Approve is simply a preliminary review subject to further review, so the comments from the Commission regarding the Waivers and the Applicants’ representation that they want to go back and work on them - I mean they have time to work on them because the Town Center Code requires a Special Exception to approve a Waiver, so you’re not there yet. This is just preliminary review.”

“UNDER DISCUSSION FROM MY CITY ATTORNEY, I MOVE FOR APPROVAL.” MOTION BY DEPUTY MAYOR BROWN. SECONDED BY COMMISSIONER MCGINNIS. DISCUSSION.

VOTE:

COMMISSIONER HOVEY: AYE

COMMISSIONER MCGINNIS: AYE

COMMISSIONER KREBS: AYE

DEPUTY MAYOR BROWN: AYE

COMMISSIONER BONNER: AYE

MOTION CARRIED.

Mr. Stevenson said, “If we can’t work our way through these Waivers, in other words, so that they meet them, my understanding is they will be back before you for a formal request, Special Exception for a Waiver from those that they cannot meet – just to clarify that.”

REGULAR

602. Community Development Department

REQUEST: Requests The Commission Consider The Request To Designate A Prominent Site Within The Town Center As A “Civic Site,” Subject To Conditions.

FISCAL IMPACT: Development Of The Site As A School Would Remove The Property From The Tax Rolls. The Urban Land Institute Notes That Neighborhood Schools Are A Primary Consideration For Many Home Buyers And Are Often A Significant Factor In Residential Development Demand And Sales Price. If Parents Patronize Local Merchants, While Waiting For Their Children, And The School Incorporates Local Dance, Martial Arts, Or Music Classes, These Could Be An Additional Significant Positive Effect On The Local Economy.

The Potential Tax Revenue For The Property Has Been Accessed For Both A Residential As Well As A Commercial Development Scenario. Since The Property, If Used As A Charter School, Would Be Removed From The Tax Rolls, The City Commission Needs To Be Aware Of The Potential For Lost Tax Revenue When Considering Designation Of The Property As A Civic Site And When Entertaining Any Statements From The Applicant Relative To Ancillary Revenues As A Result Of The Location Of The School.

Tax Revenue Scenarios Are As Follows:

- The Undeveloped Property Currently Pays \$20, 643.00 In Property Taxes.
- Townhomes (76 Units). As Proposed In A 2006 Design Submittal
 Units (1,200 Square Feet) – Assessed At \$90.00/Square Foot: \$8,208,000.00
 $\$8,208,000.00/1000 = 8208$
 $8,208 (2.5814) = \$21,188.13$
 $\$21,188.13 \text{ (Less The 4\% Statutory Discount)} = \qquad \qquad \qquad \$20,340.61 \text{ Tax Revenue}$
- Commercial (Floor Area Ratio Of 20%)
 8.7 Acres (43,560 Square Feet) = 378,972 Square Feet
 FAR Of 20% = 75,794 Square Feet Of Commercial Development
 75,794 Square Feet Assessed At \$105.00/Square Foot = \$7,958,412.00
 $\$7,958,412.00/1000 = 7,958.41$
 $7,958.41 (2.5814) - \$20,543.84$
 $\$20,543.84 \text{ (Less The 4\% Statutory Discount)} = \qquad \qquad \qquad \$19,722.09 \text{ Tax Revenue}$

The Tax Revenue Estimates For The Residential And The Commercial Scenarios Would Be Added To The Tax Revenue For The Vacant Property, Thereby Generating Tax Revenues Of \$40,983.61 For The Residential Scenario And \$40,365.09 For The Commercial Scenario.

COMMUNICATION EFFORTS: No Communication Efforts Beyond The Advertising Of The Commission Agenda Are Necessary In Conjunction With This Agenda Item.

RECOMMENDATION: Staff Recommends That The City Commission (1) Designate The 8.7 Acres As A Civic Site, Conditioned Upon The Applicant Closing On The Property And Upon The City And Property Owner Entering Into A Development Agreement Ensuring That The Proposed Use (Charter School), Location, And Building Become A Civic-Oriented Site; And (2) Direct The City Manager And City Attorney To Draft A Development Agreement To Be Proposed To The City Commission At A Later Date Which Memorializes The Civic Site Commitments, Requires The Development To Comply With Town Center Requirements, And Addresses Other Relevant Development Issues Deemed Necessary By The City.

Mr. John Baker, AICP, Senior Planner, Community Development Department introduced this Agenda Item with comments on historical and planning information.

Discussion.

Mr. Matt Breen, President, Breen Construction Services, 205 West State Road 434, Suite D, Winter Springs, Florida: explained to the City Commission that they were hired to perform a Feasibility Study.

Much discussion followed on this proposed project and Charter Schools.

Tape 3/Side A

Discussion followed on the possibility that a Civic site could be used for a Library; to which Commissioner Bonner asked, "How many of these sites do we really have to do something with and what is on that - list that we would have as a City of things we want to do - a Civic Center, a Library, and so on. So, are we going to run out of space and not be able to accomplish our goals."

Regarding the Civic designation, Manager Smith noted, "One of the hopes that we had with this designation is that we could work with the Developer and with the Charter School to perhaps jointly share, through some type of Development Agreement some facilities for community center purposes or other civic related purposes. As you all well know, we've had conversations all too often unfortunately about the lack of meeting space here at the City and we're hopeful that maybe through the Development Agreement, this may be an opportunity to have a win-win situation, in that respect." "

Commissioner McGinnis asked if we could have an Agreement to share spaces? Mr. Breen remarked, "I think there will be some good opportunities for us to mutually share spaces."

Attorney Garganese explained, "At this stage, the first issue for the Commission is whether or not you want to designate it a Civic site. If you're inclined to do that, then we would have to go back and work with the Applicant and kind of memorialize what all that's going to mean. As you know, under the Town Center Code, you're limited to 20,000 square foot buildings unless you have a Special Exception approved by the Commission, and that's an outstanding issue because what they're proposing is a 50,000 square foot building; so if the Commission was inclined to move forward with a Civic site designation, we'd have to come back and address that issue. We'd have to come back and address aesthetics, the Civic designation" for the Commission's Approval at a forthcoming Meeting.

Commissioner McGinnis noted, "So we can designate this as civic land with conditions in the event that all these other things fall into place. Correct?" Attorney Garganese responded, "Yes, it would be subject to conditions and further Approvals."

"I WILL MOVE FOR THAT." MOTION BY COMMISSIONER MCGINNIS. SECONDED BY COMMISSIONER HOVEY. DISCUSSION.

DEPUTY MAYOR BROWN ASKED MANAGER SMITH, "CAN YOU FIND OUT FROM THE CITY OF LONGWOOD WHAT THE POSITIVE ECONOMIC IMPACT IS FROM HAVING THE SCHOOL LOCATED IN THEIR CITY; OR IN THEIR CASE, WHAT THEY WILL BE LOSING IN DIRECT ECONOMIC IMPACT TO THEIR CITY BY THIS SCHOOL RELOCATING." MANAGER SMITH SAID, "I CAN CERTAINLY REACH OUT TO THEM. THESE GENTLEMEN MAY ALSO HAVE SOME OF THAT INFORMATION AVAILABLE, BUT CERTAINLY."

VOTE:

COMMISSIONER MCGINNIS: AYE

COMMISSIONER KREBS: AYE

DEPUTY MAYOR BROWN: AYE

COMMISSIONER BONNER: AYE

COMMISSIONER HOVEY: AYE

MOTION CARRIED.

REGULAR

603. Not Used.

REGULAR

604. Office Of The City Manager

REQUEST: Requesting The City Commission To Receive A Presentation On The Status Of The City's FY (Fiscal Year) 2011 Budget And To Set Workshop Dates For A "Town Hall" Budget Workshop And Commission Budget Workshop(s) For Review Of The FY (Fiscal Year) 2011 Budget.

FISCAL IMPACT: None.

COMMUNICATION EFFORTS: Communication Efforts For The "Town Hall" Budget Workshop Are Provided In Agenda Item 203.

RECOMMENDATION: The City Manager Recommends That The City Commission Receive A Presentation On The Status Of The City's FY (Fiscal Year) 2011 Budget And Set Workshop Dates For A "Town Hall" Budget Workshop And Commission Budget Workshop(s) For Review Of The FY (Fiscal Year) 2011 Budget.

Manager Smith began the discussion on this Agenda Item.

Attorney Garganese left the Commission Chambers at approximately 8:26 p.m.

Manager Smith stated, "We're balanced this year – the Budget is balanced." Continuing, Manager Smith added, "There are things that are in that Budget and are not in that Budget that still need to be discussed."

Further comments followed on the current study of the City's Pension Plan and a potential expense of approximately six hundred thousand dollars (\$600,000.00)." Manager Smith also suggested that a possible recommendation could be that "We utilize the Medical Transport monies to cover this shortfall in Fiscal Year 2011 while we concurrently examine and study the Plan to see what changes and what the long term viability of the Plan, if any will be."

Discussion followed on the Pension Plan; actuarial issues; and recurring costs.

Attorney Garganese returned to the Commission Chambers at 8:48 p.m.

With further comments, Commissioner Bonner inquired of Manager Smith, "I sense that you are telling us that by the time we get to this point next year, you will feel you are going to have your hands around it." With further comments, Commissioner Bonner said, "You think you will be back before us with that presentation and discussion in January timeframe?" Manager Smith remarked, "Before that, Sir." With continuing discussion, the upcoming Election and possibly new Elected Officials for the next Fiscal Year, Manager Smith said, "In the August/September timeframe, these discussion will begin – looking at options to ensure the fiscal health and the ongoing viability of our Plan, or to take a different route. Those discussions in the August/September timeframe will begin."

Commissioner Bonner then stated, "So, assuming a September time frame, given our fiscal cycle – it is too late for Budget, but still early enough to begin to address with the current Board as well as the future Board, as its composition changes post Election?" Manager Smith said, "Yes. I would also just like to again be clear – that depending on the route that we take, any changes or Amendments to the Plan need not wait for the next year's Budget cycle. They could be implemented mid-year and that's another reason I would feel comfortable utilizing the Medical Transport monies."

Manager Smith continued, "This is something that Shawn (Boyle, Director, Finance and Administrative Services Department) has been working on, diligently on a daily basis with our new Actuary. There is a possibility that this six hundred thousand dollars (\$600,000.00) shortfall will need to be implemented this Fiscal Year. Now, there is justification and supporting valid data that states that we would not have to do that. And that's what we're trying to be legally and actuarially comfortable with, at this point in time."

Mayor Bush stated, "I think you have done a good job." Commissioner McGinnis added, "Yes." Deputy Mayor Brown remarked, "Awesome."

Manager Smith then remarked, "Again, let me remind you that I will be transmitting your Budget to you on July 1, (2010), per Charter. We had talked about having a Town Hall Workshop for folks to come in and talk about the Budget and then we need to set the traditional Workshops that we set with the City Commission. I believe my understanding if I remember it correctly, was that you all wanted to have this presentation from me first, then hear from our citizens, and then go into the sleeve-rolling on our Budget Workshops."

Discussion followed on having a Town Hall Meeting and the date of Monday, July 19th, 2010 was suggested. With further comments, Commissioner Krebs and Deputy Mayor Brown stated, "I am available." Commissioner Bonner said, "I am good on the 19th (of July 2010). Commissioner McGinnis added, "I am." No objections were voiced. Mayor Bush mentioned, "I will attend by telephone."

Further comments ensued on the Millage Rate; possibly setting follow-up Budget Workshop Dates at the July 19th, 2010 Town Hall Meeting; and Public Hearings. Commissioner Bonner suggested, "I would think we can refine those dates as everyone's calendar gets a little bit more refined and – even at the Meeting on the 26th, when we set the Millage cap – to solidify those follow-up dates." Mayor Bush summarized, "TRIM (Truth in Millage) Notice on the 26th; Workshops some time after that."

Manager Smith noted that, "The issues that are going to be in front of you in my mind at these Budget Workshops will be: an update on the Pension; how are we going to proceed with our Economic Development efforts; how we're going to proceed with the Incubator funding; City Events conversation; and I would like to talk to you about a discussion on the Capital which will come to you on an a la carte basis as it did last year; and I'd like to have a conversation with you all about renewal of our Garbage Contract with Waste Pro."

Discussion.

Related to Water Rates, Commissioner Bonner then said to Manager Smith, “I assume your Budget is going to include a reference to any possible changes to those rates that are incorporated in that Ordinance or items that we did not Adopt. I think we sort of pushed that matter off as a future decision, but undoubtedly that has to be a component of the Budget process. So, I will be interested to see which way you go in your planning process, whether those are increases and/or holding the line on rates.” Commissioner Bonner added, “Water, Sewer, Utility.”

Mayor Bush said, “Good job!”

REGULAR

605. Office Of The City Manager

REQUEST: Requesting The Commission To Review Information Regarding The City Manager’s Annual Performance Evaluation And The Proposed New City Manager Performance Evaluation Form, For The Evaluation Period Ending May 25, 2010.

FISCAL IMPACT: Due To Budget Constraints, City Employees Were Not Given Merit Increases And No Funds Are Allocated For This Purpose In FY (Fiscal Year) 2010.

COMMUNICATION EFFORTS: No Additional Communication Efforts Are Needed At This Time. The Commission May Wish To Consider Additional Efforts To Notify Citizens Of The (Recommended) June 28, 2010 Evaluation Of The City Manager’s Performance And Welcome Them To Provide Input In This Matter.

RECOMMENDATION: The City Manager Recommends That The City Commission Review The Proposed Evaluation/Performance Metrics (Form Provided Herein) And Determine If It Is Acceptable For Utilization. If So, The City Manager Requests The Commission Utilize The Information Provided In This Agenda Item (As Well As Any Other Data/Information It Deems Appropriate) And Complete The City Manager Performance Evaluation Form Over The Next 2 Weeks. The City Manager Will Then Agenda This Item For Action At The June 28, 2010 Commission Meeting (If The Commission Feels It Needs More Time To Evaluate Or Complete The Form, We Can Move The “Action Date” To A Later Date).

Manager Smith began the discussion on this Agenda Item and stated, “I would like to ask your consideration on the attached Performance Evaluation Form.” Discussion.

Tape 3/Side B

With further comments, Manager Smith said to the Mayor and City Commission, “Are you at all comfortable with the Evaluation Form?”

Commissioner McGinnis noted she thought the City Manager should have an Evaluation suited for a CEO and commented on criteria being established and noted, “Are we all evaluating with the same criteria?” Commissioner McGinnis then stated, “Would we do this as a group or individually. To me it should be a Consensus as a group.”

Mayor Bush mentioned, “Isn’t the criteria the Master Plan?” Deputy Mayor Brown said “Yes.” Commissioner Hovey, Commissioner Bonner, and Commissioner Krebs nodded in agreement.

Mayor Bush remarked “We have the Strategic Plan which the Commission has approved. Kevin’s (Smith) job is to execute the Plan.”

Manager Smith commented further on the Performance Evaluation Form and stated, "In my personal opinion, I think a lot of these things are good attributes of a good Manager."

Discussion followed on getting input from Staff. Commissioner McGinnis spoke of her concerns with taking the word of Staff about their opinion of the City Manager.

Mayor Bush suggested there be an option for "No opinion" on the Evaluation Form.

Further discussion.

Deputy Mayor Brown remarked, "I think we have our criteria; it is the Master Plan. I think these questions really effectively give an opinion of how we think the Manager is doing. I think it should be by Consensus, but I think we should all complete it individually with our own thoughts and then match them up and come to a conclusion."

Furthermore, Deputy Mayor Brown suggested a "Staff Satisfaction Survey..." Commissioner Krebs noted, "...Absolutely..." Deputy Mayor Brown continued, "...Which is anonymous and the Staff gets to provide input back on the executive's performance on a purely anonymous basis." Commissioner Bonner also noted, "Yes."

Deputy Mayor Brown continued, "So, I think this is wholly appropriate and I applaud you for the effort. And, I think it is a great tool for the Commission to have; and I am not so sure if the Commission is so inclined, that we don't adopt a similar process for each of our Constitutional Officers. I think it gives us some very objective tools to use in measuring the effectiveness of the executive position to which we have entrusted to make sure it is executed."

Manager Smith then remarked, "I don't want to be treated differently than the employees, and if I am rating them, I should be rated too." Further comments.

Commissioner Krebs noted, "You have known from before that it was very difficult to evaluate anybody and especially our City Manager without some sort of metrics; and you have given us that. And I think they are very good! And I think we should reach Consensus to Commissioner Brown's remark." Commissioner Krebs added, "I think we should individually do this and you can always average it or you can reach the Consensus on it, throw out the highest, throw out the lowest. I mean there are many ways to do that."

Deputy Mayor Brown suggested, "We could even come back in a Workshop after the fact with just us and put them together and come to a Consensus." Commissioner Krebs noted, "Exactly. I don't have any problem talking to Staff."

With additional comments, Commissioner Krebs stated, "I appreciate this and I am good with it."

Commissioner Bonner remarked, "I echo that this approach is appropriate with a CEO. This is the subjective portion of the Review. I am looking for a little - addition to this, some objectivity; certainly performance to our fiscal responsibility is an area that merits that. Maybe some milestones if we have not set those appropriately with you for accomplishing things within the review cycle. We need to shore that up. It wouldn't be too hard to pluck a few out of the Budget and especially on the Capital side; and really take a look at getting those things done that we set out to get done; so, those would be additions potentially for the next cycle. I absolutely endorse the concept of incorporating, developing, figuring out how to do a silent Staff Review."

Commissioner Bonner then commented, "I also think it would be a great step forward in our continuing efforts of communications to ask our citizens to participate in some way. Not necessarily at this depth, but there could certainly be some form of citizen feedback in a simplified questionnaire that we could get a read from them on; how they feel about the direction; how they feel about changes; what they have noticed; what they think is missing; what they view as important."

With additional comments, Commissioner Bonner stated, "I like this. This is a great first cut. It handles the subjectivity component. I would encourage you to grow this with some objectivity and find ways to engage the Staff and the citizens for feedback, so it can grow you and our City."

"I WILL MAKE A MOTION THAT WE ACCEPT AND APPROVE THE FORMAT AND THE PROPOSAL BY THE CITY MANAGER AND THAT WE ALSO EXTEND THE LIKE PROPOSAL AND FORMAT TO REVIEW OUR OTHER TWO (2) CONSTITUTIONAL OFFICERS AT THE APPROPRIATE TIME, WHEN THEY COME DUE." MOTION BY DEPUTY MAYOR BROWN. SECONDED BY COMMISSIONER HOVEY. DISCUSSION.

ATTORNEY GARGANESE COMMENTED ON HIS ROLE AS AN ADVISOR TO THE CITY COMMISSION AND MENTIONED THAT SOME OF HIS INTERACTIONS ARE ATTORNEY-CLIENT PRIVILEGE RELATED.

MAYOR BUSH ADDED, "THE CLERK'S FORMAT WOULD BE DIFFERENT TOO - SO, I AGREE WITH YOU TOO, ANTHONY. I THINK WE ALL DO. BUT, I THINK THE EVALUATION IDEA IS THE IDEA HERE." COMMISSIONER KREBS NOTED, "THE EVALUATION PROCESS."

DEPUTY MAYOR BROWN ADDED, "THE TIME FRAMES THAT ARE LAID OUT IN THE AGENDA ITEM MAY HAVE TO BE TWEAKED A BIT."

MAYOR BUSH SAID TO MANAGER SMITH, "I THINK THAT YOU KNOW THE COMMISSION THINKS THE EMPLOYEE PROBABLY THINKS THE EVALUATION BY THE EMPLOYEES IS A GOOD IDEA; SO YOU COULD WORK ON THAT AND I DON'T THINK THERE IS A HUGE DEADLINE HERE."

MANAGER SMITH NOTED, "THIS WAS CONCERTEDLY THE FIRST AVAILABLE AGENDA DATE AFTER MY ANNIVERSARY DATE, AND THAT WAS PURPOSEFULLY DONE."

DISCUSSION.

"I WILL MAKE A MOTION TO AMEND THE OPTION THAT COMMISSIONER BROWN MADE TO REMOVE THE REFERENCE TO THE OTHER CONSTITUTIONAL OFFICERS BEING TREATED BY THIS SAME PROCESS. MOTION BY COMMISSIONER BONNER. SECONDED BY COMMISSIONER KREBS. DISCUSSION.

DEPUTY MAYOR BROWN ADDED "I WOULD STILL LIKE TO SEE A MORE FORMALIZED REVIEW PROCESS FOR BOTH ANTHONY (GARGANESE) AND ANDREA (LORENZO-LUACES, CITY CLERK)."

VOTE: (ON THE AMENDMENT)**COMMISSIONER HOVEY: AYE****COMMISSIONER McGINNIS: AYE****COMMISSIONER KREBS: AYE****COMMISSIONER BONNER: AYE****DEPUTY MAYOR BROWN: AYE****MOTION CARRIED.****VOTE: (ON THE MOTION AS AMENDED)****COMMISSIONER McGINNIS: AYE****COMMISSIONER KREBS: AYE****COMMISSIONER HOVEY: AYE****DEPUTY MAYOR BROWN: AYE****COMMISSIONER BONNER: AYE****MOTION CARRIED.**

“I WOULD LIKE TO SEE AN EVALUATION FORMAT DEVELOPED FOR THE CONSTITUTIONAL OFFICERS AND I WOULD MAKE THAT MOTION.” MOTION BY COMMISSIONER KREBS.

ADDITIONAL COMMENTS FOLLOWED ON FORMATTING AND MAYOR BUSH NOTED, “I THINK THIS IS WHERE BOTH ANTHONY (GARGANESE) AND ANDREA (LORENZO-LUACES) WOULD HAVE SOME INPUT INTO THIS.”

SECONDED BY COMMISSIONER HOVEY. DISCUSSION.

COMMISSIONER KREBS SUGGESTED, “THEY COULD DEVELOP IT.” MAYOR BUSH THEN SAID, “KEVIN (SMITH), YOU WILL WORK WITH BOTH OF THEM ON THAT, TO DO THAT AND BRING IT BACK.” MANAGER SMITH STATED, “SURE.”

ON A TIMELINE, MAYOR BUSH SUGGESTED, “NEXT MEETING, KEVIN (SMITH) CAN GIVE US SOME IDEAS.” COMMISSIONER HOVEY OFFERED, “START THE PROCESS.”

VOTE:**DEPUTY MAYOR BROWN: AYE****COMMISSIONER McGINNIS: AYE****COMMISSIONER HOVEY: AYE****COMMISSIONER BONNER: AYE****COMMISSIONER KREBS: AYE****MOTION CARRIED.**

Deputy Mayor Brown said, “Do we want to set a Workshop date to get back together after filling out these...” Commissioner Krebs stated, “...Yes, I think so.” Commissioner McGinnis remarked, “I think we need to.” Mayor Bush then commented, “Can we set the Workshop at the next Meeting?”

Manager Smith responded, “You certainly can. I need to know if I should be proceeding with any other type of employee survey or anything?” Mayor Bush stated, “Yes. I think so.” Deputy Mayor Brown added, “I think the Consensus was ‘Yes’.” Commissioner Hovey and Commissioner Krebs also stated, “Yes.”

REGULAR

606. Not Used.

REGULAR

607. Office Of The City Manager And Finance Department

REQUEST: Requesting That The City Commission Consider Refinancing Outstanding Capital Debt Related To The Oak Forest Wall And Beautification District Assessment Area, In The Amount Of \$317,262.33, Plus Related Closing Costs, From Funds Available In The City's General Fund Reserve.

FISCAL IMPACT: If The Commission Approves Refinancing Of The Outstanding OFWBD (Oak Forest Wall And Beautification District) Capital Debt From The City's General Fund Reserves, A *Draw Down* From The General Fund Reserves Equal To Approximately \$332,000.00 Will Be Transferred To Bank Of America On Or Before July 1, 2010 To Settle The Remaining Debt On Behalf Of The OFWBD (Oak Forest Wall And Beautification District).

As A Result Of This Debt Obligation, The City Will Realize An Additional \$24,721.00 Of Interest Income Over A 7 Year Period. The OFWBD (Oak Forest Wall And Beautification District) Assessment Area Will Realize An Interest Expense Reduction Of Approximately \$22,385.00 Over The Next 7 Years While Retiring Their Debt 13 Years Ahead Of Plan (*Assumption Made With No Additional Principle Payments Considered - See Attachment 'A'*).

COMMUNICATION EFFORTS: The Oak Forest Wall And Beautification District Advisory Board At A Special Meeting On May 20, 2010 Voted *Unanimously* To Support Refinancing Of The Outstanding Capital Debt Related To The OFWBD (Oak Forest Wall And Beautification District) From The City's General Fund Reserves. If This Proposal Is Approved, The Enabling Resolution Of The City Commission And Debt Instrument 'Note' Will Be Posted On The City's Website Once Available.

RECOMMENDATION: It Is The Recommendation Of The City Manager And The Finance Department That The City Commission Approve The Refinancing Plan For The OFWBD (Oak Forest Wall And Beautification District) Assessment Area Capital Improvement Revenue Note, Series 2004A, With An Internal Note From The City's General Fund Reserve. The Debt Instrument Will Be A Simple Interest Loan At The Stated Rate Of 2.75%, With Quarterly Installments For The Next 7 Years (*See Attachment 'A'*), Starting On September 30, 2010 And Ending June 30, 2017. There Will Be No Prepayment Penalties.

Mr. Boyle briefly addressed the City Commission.

"MOTION TO APPROVE." MOTION BY COMMISSIONER McGINNIS. SECONDED BY DEPUTY MAYOR BROWN. DISCUSSION.

VOTE:

COMMISSIONER BONNER: AYE

COMMISSIONER HOVEY: AYE

COMMISSIONER McGINNIS: AYE

DEPUTYMAYOR BROWN: AYE

COMMISSIONER KREBS: AYE

MOTION CARRIED.

REGULAR

608. Office Of The City Manager And Office Of The City Clerk

REQUEST: Request That The City Commission To Consider The Information In This Agenda Item Related To A Session That The City Of Winter Springs Will Be Hosting At The August 2010 Florida League Of Cities Annual Conference; And Requesting The City Commission To Consider Whether They Wish To Hold A Workshop To Work Through The Planning And Presentation Of This Session, And If So, To Set A Date For This Workshop.

FISCAL IMPACT: If The City Commission Wishes To Go With Distributing DVD's (And Personalized DVD Labels To Session Attendees, This Cost Would Approximately Be Around \$150.00 And The 1100-54800 (Promotional Expenses) Line Code Which Currently Has Appropriate Funds Could Be Used. Otherwise, No Additional Costs Other Than Staff Time Will Be Needed.

COMMUNICATION EFFORTS: This Agenda Item Has Been Distributed To The Mayor And City Commission, City Manager, And City Attorney; Placed In Press Packets; Placed In The Lobby Binder; And Will Be Available On The City's Website, Laserfiche, And The City's Server.

RECOMMENDATION: The Mayor And City Commission Are Being Asked To Consider This Agenda Item And Decide If They Wish To Provide Staff With Further Direction Pursuant To A Review Of Attachment "A" And If Holding A Workshop Is Deemed Beneficial, To Then Determine A Workshop Date.

With discussion on possible dates, adding this to the currently scheduled Workshop for next Monday, June 21, 2010 was recommended.

Commissioner Bonner mentioned, "I will suggest we extend on the 21st of (June 2010)." Commissioner Krebs stated, "I am good for doing it on the 21st (June 2010)." Deputy Mayor Brown stated, "Yes." No objections were voiced.

❖❖ **AGENDA NOTE: THE FOLLOWING REGULAR AGENDA ITEM "609" WAS DISCUSSED NEXT, AND LATER IN THE MEETING, AS SHOWN ON PAGES 30-31 OF THESE MINUTES.** ❖❖

REGULAR AGENDA**REGULAR**

609. Office Of The City Attorney And Office Of The City Clerk

REQUEST: Request That The City Commission Assign Members Of The Code Enforcement Board To A Specific Seat.

FISCAL IMPACT: None.

COMMUNICATION EFFORTS:

RECOMMENDATION: The City Attorney And The City Clerk Request That The City Commission Assign Members Of The Code Enforcement Board To Specific Seats Numbered One Through Seven.

Attorney Garganese began the discussion on this Agenda Item.

Mayor Bush noted, "I think the Commission at a previous Meeting decided that where citizens lived and what District, didn't matter." Commissioner Krebs suggested the names be drawn randomly. Deputy Mayor Brown and Commissioner Hovey also agreed. Commissioner Bonner said that this would be for the incumbents.

Attorney Garganese explained, "You have to only assign the permanent Members – not the Alternates. Then, you will Appoint five (5) or assign five (5) to a certain Seat and then the remaining Members including the Alternates will be at large, where any Commissioner or the Mayor can nominate somebody. That's the new Ordinance that is in effect. So, if you want to put the seven (7) permanent Members in a hat, and pick a name, who will be designated to your Seat, that is certainly your prerogative." Commissioner Krebs stated, "That is fine with me."

Attorney Garganese then inquired, "Do you want us to do it randomly?" Commissioner Krebs remarked, "Yes." Attorney Garganese then said, "And we will advise you at the next Meeting?" Commissioner Bonner commented, "That is perfect."

"I MAKE A MOTION TO THAT EFFECT." MOTION BY COMMISSIONER HOVEY. SECONDED BY DEPUTYMAYOR BROWN. DISCUSSION.

VOTE:

DEPUTY MAYOR BROWN: AYE

COMMISSIONER McGINNIS: AYE

COMMISSIONER BONNER: AYE

COMMISSIONER KREBS: AYE

COMMISSIONER HOVEY: AYE

MOTION CARRIED.

In other City business, Commissioner Krebs congratulated Chief of Police Kevin Brunelle on his recent achievement of receiving his Master's Degree.

Commissioner Krebs then commented on her recent idea about adult playground equipment and noted, "Some of that adult equipment can be used and I think we should incorporate those that are physically challenged, whether they be children or adults or teenagers." Commissioner Krebs added, "I would just like to ask you to consider that in Budget as well."

Mayor Bush suggested, "I think that would be something Kevin (Smith) would work with Chuck (Pula) on."

Further discussion.

❖❖ **AGENDA NOTE: REGULAR AGENDA ITEM "609" WAS DISCUSSED AGAIN, IN ADDITION TO WHAT WAS PREVIOUSLY NOTED ON PAGES 29-30 OF THESE MINUTES.**

❖❖

REGULAR AGENDA

REGULAR

609. Office Of The City Attorney And Office Of The City Clerk

REQUEST: Request That The City Commission Assign Members Of The Code Enforcement Board To A Specific Seat.

FISCAL IMPACT: None.

COMMUNICATION EFFORTS:**RECOMMENDATION: The City Attorney And The City Clerk Request That The City Commission Assign Members Of The Code Enforcement Board To Specific Seats Numbered One Through Seven.**

Discussion followed further on Code Enforcement Board Seat assignments. Attorney Garganese noted, "The Commission can nominate whoever they want for their specific Seat and it has to be ratified by the Commission. So even though somebody doesn't get termed out, that Commissioner may nominate somebody new for that Seat. That nominee can be one of the Alternates to fill the Seat position – and then the other two (2) Regular Members that are not assigned, are subject to nomination by the whole Commission at large; any one (1) of you, or the Mayor."

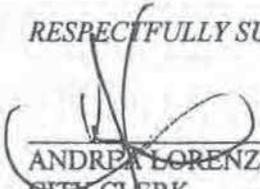
Furthermore, Attorney Garganese explained, "Mr. (Gregory) Roero is going to be Termed out - it is going to be an open Seat and - whoever is the Commissioner who has that open Seat, can nominate an Alternate Member or somebody from the Application pool."

Commissioner Bonner then commented, "Alternates per se are nominated at large." Attorney Garganese stated, "Yes."

ADJOURNMENT

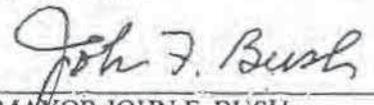
Mayor Bush adjourned the Regular Meeting at 9:39 p.m.

RESPECTFULLY SUBMITTED:



ANDREA LORENZO-LUACES, MMC
CITY CLERK

APPROVED:



MAYOR JOHN F. BUSH

NOTE: These Minutes were approved at the June 28, 2010 City Commission Regular Meeting.

CITY OF WINTER SPRINGS, FLORIDA



CITY COMMISSION AGENDA

**WORKSHOP
MONDAY, JUNE 21, 2010 - 6:00 P.M.**

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

Mayor John F. Bush
Commissioner Jean Hovey - Seat One
Deputy Mayor Rick Brown - Seat Two
Commissioner Gary Bonner - Seat Three
Commissioner Sally McGinnis - Seat Four
Commissioner Joanne M. Krebs - Seat Five

❖❖ NOTE: IT IS NOT UNCOMMON THAT THERE MAY BE
CHANGES TO THIS AGENDA, INCLUDING ADDITIONAL INFORMATION TO
BE PROVIDED TO THE MAYOR AND CITY COMMISSION. ❖❖

**PLEASE SILENCE CELLULAR TELEPHONES
AND/OR PAGERS DURING THE MEETING**

CALL TO ORDER

The Workshop of Monday, June 21, 2010 of the City Commission was called to Order by Deputy Mayor Rick Brown at 6:00 p.m. in the Commission Chambers of the Municipal Building (City Hall, 1126 East State Road 434, Winter Springs, Florida 32708).

Roll Call:

Mayor John F. Bush, present via telephone
Deputy Mayor Rick Brown, present
Commissioner Jean Hovey, present
Commissioner Gary Bonner, present via telephone
Commissioner Sally McGinnis, present
Commissioner Joanne M. Krebs, present
City Manager Kevin L. Smith, present
City Attorney Anthony A. Garganese, arrived at 6:08 p.m.

The Pledge of Allegiance followed a moment of silence.

Discussion followed on "Public Input".

PUBLIC INPUT

City Attorney Anthony A. Garganese arrived at 6:08 p.m.

Deputy Mayor Brown noted that Mr. John Bean and Ms. Evelyn Bean did not wish to address the City Commission.

Ms. Melissa Roudi, 108 Redtail Place, Winter Springs, Florida: commented on how the process works; and possible meeting with Seminole County.

Commissioner Joanne M. Krebs stated, "Call me." Deputy Mayor Brown added, "Yes, give one of us a call. We would be glad to discuss it with you."

Mr. Jim Lewis, 109 Golden Crest Court, Winter Springs, Florida: commented that the proposed Jetta Point Park project would impact all in Winter Springs and suggested that the City Commission has the power to stop the proposed Jetta Point project going forward.

Mr. Jim Bradley, 132 Redtail Place, Winter Springs, Florida: commented on the rights in the Constitution; hoped to deliver copies of the Preamble to Seminole County; and noted concerns with diminishing property value and domestic tranquility.

Ms. Rose Jenson, 109 Peregrine Court, Winter Springs, Florida: noted being against the proposed Jetta Point Park project.

Ms. Janet Altenhoff, 104 Redtail Place, Winter Springs, Florida: also said she was opposed to the proposed Jetta Point Park project and suggested it be relocated.

Ms. Madeline Wanesbury, 108 Peregrine Court, Winter Springs, Florida: commented that she was concerned with crime, lights, and parking if the proposed Jetta Point Park project went through.

Ms. Pam Carroll, 865 Dyson Drive, Winter Springs, Florida: spoke about Text Amendments; Rezoning in terms of the proposed Jetta Point Park project and the proposed Town Parke Apartments project; problems on the SeminoleWAY website and how Winter Springs was not marketed well; and suggested the City Commission help Seminole County relocate the proposed Jetta Point Park project.

The telephone connection with Mayor Bush was lost at approximately 6:19 p.m.

Mr. Don Morrison, 670 Saranac Drive, Winter Springs, Florida: commented on the suggested lighting for the proposed Jetta Point Park project and showed some photographs from Seminole County's website; and mentioned that he had contacted another County.

Mr. Jim Mathews, 1824 Seneca Boulevard, Winter Springs, Florida: spoke about the economy, possible blight; and that the proposed Jetta Point Park project would not be favorable to Winter Springs.

Mayor Bush was reconnected telephonically at approximately 6:26 p.m.

Mr. Tom Koza, 121 Goshawk Terrace, Winter Springs, Florida: remarked about the proposed Jetta Point Park project; monies already spent; and suggested that the current project not go through.

Ms. Carol Koza, 121 Goshawk Terrace, Winter Springs, Florida: opposed the proposed Jetta Point Park project for the negative impact it would have on property values; issues with noise; and suggested that this planned project be relocated.

Mr. Randy Nelson, 106 Shell Flower Cove, Winter Springs, Florida: asked why the proposed Jetta Point Park project is being considered at all; and commented for the Record about the planned project.

Mr. Keith Shiflett, 653 Saranac Drive, Winter Springs, Florida: spoke about correspondence related to the proposed Jetta Point Park project; growing population base; and costs with no benefits.

Deputy Mayor Brown stated for the Record, "The following individuals are in opposition and do not wish to speak: Tracy and Ruby Norris, William Tillman, Jamie Alba, Maria Alba, Deborah Boyarsky, Mary Ann Lubline, Sal Barretta, Gladys Gallo, Anne Barretta, Flo Kramer – Henry Foresta, and Gloria Foresta, Jay Clay, Inge Clay, Ted Connolly, Ray Schmit, Roberta Huston."

Mr. Mark Wylie, 654 Cayuga Drive, Winter Springs, Florida: commented that the proposed Jetta Point Park project had changed; spoke about liability issues; and suggested a compromise be reached.

Deputy Mayor Brown closed "Public Input".

Furthermore, Deputy Mayor Brown suggested to those in attendance that they contact the City Commission should they have any questions on any issues.

REGULAR AGENDA

REGULAR

600. Community Development Department

REQUEST: Requests That The City Commission Consider Certain Proposed Text Amendments Regarding The Development Of Small, Irregular-Shaped Lots Within The Town Center Zoning District.

FISCAL IMPACT: Fiscal Impacts Would Be Assessed On A Case-By-Case Basis For Each Site Where Allowances Were Requested. However, Studies Have Shown That Properties Developed Pursuant To Traditional Neighborhood Development (TND) Standards, As Promoted In The Town Center Code, Generate Significantly More Ad Valorem Taxes Than The Same Site Developed Pursuant To Euclidean Zoning Codes.

COMMUNICATION EFFORTS: The Commission Agenda Has Been Posted On The Bulletin Board Outside City Hall, On The City's Electronic Sign, The Agenda Is Electronically Posted According To The City Clerk's Procedure.

RECOMMENDATION: The Planning And Zoning Board Was Not Supportive Of Automatically Waiving The Code For Small Irregularly Shaped Lots, Although It Did Support Shared Infrastructure. Staff Recommends That The Commission Consider The Enclosed Considerations In Drafting A Text Amendment To Deal With The Issue Of Small, Irregularly-Shaped Lots.

Mr. Randy Stevenson, ASLA, AICP, Director, Community Development Department began the discussion on this Agenda Item.

Tape 1/Side B

Discussion.

Further discussion followed on Text Amendments; one (1) and two (2) story buildings, "Missed opportunities" and shelled out second story buildings; various kinds of developments; and irregular shaped lots.

Commissioner Krebs asked Ms. Tracy Crowe, "Did you have an opportunity to speak with our Economic Development group, and if they have opinions on any of this?" Mr. Stevenson stated, "We haven't spoken to them in detail Commissioner, but I think Tracy (Crowe) has been briefed a little bit on this." Commissioner Krebs added, "I would be very interested to hear what Tracy (Crowe) might have to say regarding the value of Text Amendments."

Ms. Tracy Crowe, Land Design Innovations, Inc., 1770 Fennel Street, Suite 200, Maitland, Florida: remarked about difficulties and 'Form-based Code'; opportunities, possibly revising signage constraints, and noted, "I really haven't gotten into the details about irregular sites."

Continuing, Ms. Crowe stated, "You can start looking at maybe some exceptions around the Town Center perimeter but if you start doing that in your heart of your Town Center you're going to lose that pedestrian; you're going to lose that density so – I really don't recommend it around your major core intersection there; you just have to be willing to accept that some uses just aren't going to fit."

Discussion.

Commissioner Krebs mentioned, "I don't like false façades." Furthermore, Commissioner Krebs said to Ms. Crowe, "Would you really recommend reducing the height or would you think, given the economic conditions and I understand what they are, but we also know that this is a cycle and things will turn around again - do we wait?"

Ms. Crowe responded by saying, "You have to look – it's a Vision; it's twenty (20) years." Ms. Crowe added, "You're looking at build-out, what your Town Center core is going to look like, so you really have to stand your ground on some of your issues like that. And, like I said, I'm more inclined to look at signage that is something that you can fix easily in the future, but not so much the building size, and type, and where it is located on the site."

Discussion continued.

Mr. Stevenson noted, "As the economy comes back, these smaller lots will become more valuable and I think there is a business that would like to do infill development at some point in time, on any of these lots – this one or any of the others that we have identified."

With further comments on the Town Center, Deputy Mayor Brown noted, "I would like to see some kind of discussion around how long are we willing to wait?"

Next, Commissioner Krebs commented, "I think we are going to have to make some compromise – I think like the sidewalks, and things like that; but I think what we have to do is measure what it is we are willing to say 'Okay' to."

Deputy Mayor Brown noted, "Kevin (L. Smith, City Manager) has done miraculous work with the Budget and how many more years we can continue to do that is really the question."

Further comments.

Mr. Stevenson explained, "The reason that Staff went in and defined and identified on the map for you, what we would consider these small irregularly shaped lots is, so you could consider the context within which you were looking at these potential changes. As Deputy Mayor Brown brought up – I'm not in favor of it in the core of the Town Center. I don't think you will see any of it in the core of the Town Center. It would be limited to what we have defined as these lots so there is not a precedent being set and there is not a proliferation of these types of considerations. Again, you have to look at it contextually."

With further comments, Mr. Stevenson explained that rather than doing Text Amendments on an as-needed basis, "If we're going to amend the Code and I stress, 'If', let's do it on a holistic basis." Commissioner McGinnis stated, "I agree, however I have heard you discuss the possibility that there could be unique extenuating circumstances."

Discussion.

Commissioner Krebs remarked about deviations and noted, "It seems like sometimes there are potential Developers that come up and ask for multiples and you find yourself in a place, 'Well, what do I do with this' – then you are told, we will bring it to the Commission and they want us to make a decision; however, you are the expert in this and we rely on you, but we need to know when this happens and here is everything we have done."

Mayor Bush commented on the proposed Jetta Point Park location and said, “Let us make the assumption the Park is not going to be there. If we allow multiple story buildings on that site, I think you are going to have the people back in there again; so, I think that somehow that needs to be taken into consideration, in restricting the height limits on that piece of property anyway.”

With discussion on the footprint of the Town Center, Deputy Mayor Brown suggested attractive one (1) story buildings be allowed at the ends. Further discussion followed on one (1) story buildings, building issues, density, and “critical mass”.

Tape 2/Side A

Commissioner Krebs pointed out, “We don’t like the false facades.”

Continuing, Commissioner McGinnis added, “Staff has done a great job with this!”

Discussion.

With further comments, Commissioner McGinnis asked, “Is the next step for you to bring this back as an Agenda Item?” Mr. Stevenson said, “The next step would be again, after this discussion would be for us to bring it to you – sitting as the DRC (Development Review Committee) for the Town Center, for two (2) Public Hearings for Text Amendments. We would also have to incorporate into that whatever Comprehensive Plan changes might be necessary on the two (2) story, and the sidewalk issue.” Commissioner McGinnis added, “I would support that.”

Commissioner Gary Bonner noted, “Within the Town Center design concept, are there types or uses of buildings that might lend itself to a compromise of these smaller lots; and I am just thinking back for example – a small lot might contain a church and the church might not necessarily be a two (2) story building but it might look appropriate in the context of the adjacent buildings. And I am just wondering if other Town Centers, whether they are historic in nature, such as Winter Park or have been developed such as our Town Center – are there certain circumstances where particular buildings that have a specific function or specific civic purpose make sense to be fit into the community in that way and – they are exceptions to the design of the adjacent buildings?”

Mr. Stevenson said, “If I understand the question, are there buildings because of their civic significance or just because of their use would appear as two (2) or three (3) story buildings but in fact may be – a church comes to mind. You have a – for lack of a better observation – there are a lot of gothic cathedrals that are many, many stories high but in fact they’re really only one (1) usable story. I think there probably are some Uses Commissioner that would lend themselves to that, I’m just not sure how amenable those Uses would be to some of the smaller lots that we’re talking about; and what the ability would be to locate those Uses on these less than one (1) acre lots.

Commissioner Bonner suggested, “Just trying to find a compromise here because I do embrace and agree with the look and the feel of the Town Center with the two (2) story concept and I do have concerns eroding that look, but there are also certainly applications.”

Mr. Stevenson added, “I wanted to go back to a quote that I mentioned earlier, it says, ‘Oddly shaped parcels are generally less efficient but do provide opportunities and I’ll use it for signature buildings’ which I think may be part of what we’re talking about – and this was a discussion that came up at P and Z (Planning and Zoning [Board/Local Planning Agency]) as well. Under the consideration of a single story building, what could we do architecturally that makes that a significant building.”

Continuing, Commissioner Bonner remarked, “A suggestion is, if we were to have some examples of buildings of that nature, that we could see deployed and in service in other communities, as a comparable, we might be able to embrace some of the alternate Uses or alternate structures going on these smaller parcels and it would actually enhance the overall Town Center appeal because of the character they would add to the Town Center.”

Further comments.

Mr. Stevenson noted, “There has to be something unique, something about this that makes it a signature building. I think that possibility is there and if so directed, Staff can certainly, I believe, provide some opportunity or some examples of not only signature buildings but multi-use buildings. Again, when we think in the Town Center, don’t forget that we have the option for that Mixed-Use - that vertically integrated Mixed-Use on some of these buildings so that we recapture some of what I termed earlier as ‘Lost opportunity’.”

Commissioner Krebs added, “That by precluding that one (1) Text Amendment and leaving out the one (1) story, that doesn’t prevent us from having a one (1) story should that unique building come.” Mr. Stevenson suggested that should that occur, Staff would have to work with the Comprehensive Plan language for the Town Center, and noted, “That’s doable as well.”

Continuing, Commissioner Krebs then suggested, “Maybe your Text Amendment has something to do with that we do have the two (2) stories but that there is somehow an opportunity that some unique kind of a building comes in, and it is only one (1), that it would go before us...” Mr. Stevenson responded, “...I think we could look at that. Yes. Again, we would have to also appropriately Amend any Comp[rehensive] Plan language because right now, it calls for two (2) stories. We would have to Amend that, such that we still limited ourselves to signature and architecturally enhanced buildings; and again, understanding that if we do that again, we may be adding more cost to the building than would be the factor if we just had the second story, so there is a balancing act that we have to do here.”

Commissioner Krebs suggested, “It may be something so unique that it would be – an icon of some sort, at some point, identifiable icon for Winter Springs.” Commissioner Krebs added, “But the possibility exists. You are not eliminating that possibility; and I think that is what Commissioner Bonner and Deputy Mayor Brown are saying; that - there may be those opportunities that we don’t want to give up, if they really are something special.”

With further comments, Commissioner Bonner stated, “I would support pursuing whatever Comp[rehensive] Plan language in that, that might be necessary in order to create the opportunity for ‘Signature buildings’ – I like your term ‘Signature buildings’...” Commissioner Krebs added, “...I do too.” Commissioner Bonner continued, “...That would give you the understanding that when that unique opportunity comes along and someone wants to bring the ‘Signature building’ into one of our irregular shaped parcels and it doesn’t necessarily look as the balance of the Town Center does, but it creates a unique appeal, a unique signature addition to the Town Center. I would want you to certainly have - the latitude to feel comfortable to be bringing that forward to us and for us to Amend the Comp[rehensive] Plan as necessary to embrace those special cases.”

Mr. Stevenson then said, “Just to clarify, this would only be applicable to what we have defined as small, irregularly shaped lots. Is that correct?” Commissioner Krebs responded, “Correct.” Commissioner Bonner added, “From my perspective, yes.” No one voiced an objection.

Commissioner McGinnis suggested, “We just have to be really careful that all of this is very clearly defined, which is not going to be easy.”

Mr. Stevenson remarked, "A lot of it will fall back on our Aesthetic Review." Further, Mr. Stevenson noted, "We will probably be using some Consultant to help determine 'Signature buildings'." Commissioner McGinnis said, "I urge you to do that..." Mr. Stevenson added, "...If we move forward in that vein."

In conclusion, Mr. Stevenson explained, "My understanding is that the results of this Workshop - that you want us to look at specifically the two (2) Code Amendments and whatever associated Comp[rehensive] Plan Amendments may be required for the sidewalks and the two (2) story; tie that second story or the elimination of a two (2) story building to a 'Signature building' or something architecturally noteworthy and move forward with obviously strengthening the Code language on those options that we currently have at our disposal but maybe are not as detailed in our Code as they should be; and bring that back to you in a comprehensive Agenda Item." Commissioner Krebs remarked, "Yes." Commissioner McGinnis stated, "That is good." Commissioner Bonner also said, "Yes." No objections were voiced.

REGULAR

601. Office Of The City Manager And Office Of The City Clerk

REQUEST: Request That The City Commission To Consider The Information In This Agenda Item Related To A Session That The City Of Winter Springs Will Be Hosting At The August 2010 Florida League Of Cities Annual Conference.

FISCAL IMPACT: If The City Commission Wishes To Go With Distributing CD/DVD's (And Personalized CD/DVD Labels To Session Attendees, This Cost Would Approximately Be Around \$150.00 And The 1100-54800 (Promotional Expenses) Line Code Which Currently Has Appropriate Funds Could Be Used. Otherwise, No Additional Costs Other Than Staff Time Will Be Needed.

COMMUNICATION EFFORTS: This Agenda Item Has Been Distributed To The Mayor And City Commission, City Manager, And City Attorney; Placed In Press Packets; Placed In The Lobby Binder; And Will Be Available On The City's Website, Laserfiche, And The City's Server.

RECOMMENDATION: The Mayor And City Commission Are Being Asked To Consider This Agenda Item And The Information In Attachment "A" And Decide How They Wish To Design This Session.

Manager Smith began the discussion on this issue and explained that the Session in question would be approximately an hour and fifteen minutes long. Continuing, Manager Smith added, "How we see that structured - what we have done is laid out some talking points for you all and the thought process on our end, on Staff's end, was that we'd formulate this into a PowerPoint presentation, summarize it into appropriate PowerPoint slides to tell this story about the things that we've done, and then present it.

So, a couple of things we need to talk about is - 'Do you all agree with what you see in the talking points? Do some things need to come out? Do some things need to be added?' And then maybe have a discussion on how we see the presentation going as far as someone leading the presentation; everybody having the opportunity to speak on maybe one particular subject or more subjects, and take that type of team approach."

Deputy Mayor Brown noted, "I don't think you missed anything as far as what the intent of the Session is." Manager Smith asked, "Are you all comfortable with a PowerPoint presentation? I think that is typical. I don't know if it means that we be necessarily be typical, but I think that's a good way to disseminate the information."

Commissioner Krebs asked, "In this item – where it says 'City Manager' and it says 'City Departments', we are going to have our City Arborist there? How does this work?" Manager Smith explained, "No. We would not have our City Arborist there. This would just be an example of how we try to proactively get out in the community. For example, if you have a Stormwater Drainage issue, Zynka (Perez, Stormwater Utility Manager, Public Works Department) or Brian (Fields, P.E., City Engineer, Public Works Department) will go out and meet with you. If you have a tree issue, our City Arborist will go out and meet with you. That we take that type of customer service approach and this was just an example of doing that."

With further comments, City Clerk Andrea Lorenzo-Luaces stated, "Mr. Smith was suggesting that we have slides of maybe - Zynka (Perez) or Brian Fields or Mike Mingea (Arborist, Community Development Department) out in the field talking to the residents so that we could illustrate that." Manager Smith added, "Our new Water Conservation Coordinator does irrigation audits for our citizens, trying to show them how to save money on their irrigation, and things such as that."

Commissioner Krebs asked, "How are we going to open it?" Manager Smith replied, "Well, again I think that is something we need to discuss. Who would be the lead? Does everyone want to take an opportunity maybe to speak on a subject? For example, not to be presumptuous, but I know that the 'Lock Box' program came from you Commissioner, so that may be something that you want to take an opportunity to speak on. So, if everyone wanted to speak - I don't know if it is the Mayor or someone else to take the lead, just to kind of lay the framework of basically what Andrea (Lorenzo-Luaces) has laid out here on page 1; that - here is what we feel that we're doing that is different. Here is how we are walking the walk, so to speak. An overall general opening statement about what we are trying to do as far as our Strategic Plan, communication, so on and so forth."

Continuing, Commissioner Krebs suggested, "And I definitely think the Mayor should take the lead on this. I mean, that is what our Commission is about - a Mayor and five (5) Commissioners and a City Manager, City Attorney, and our City Clerk. So, yes I think he should. And I think he should probably have an outline where we go down our talking points and then under this outline, he would be able to call on whomever. I personally would like to speak. I am thinking probably you like to say something Rick (Brown). There are many things that you could talk about - your coffee with the citizens. There are other things in here too."

With additional discussion, Commissioner Krebs commented, "I think we should join in on this." Deputy Mayor Brown replied, "That sounds good."

Mayor Bush stated, "I think what might work best and once we see the whole outline here, but for instance, the thing you just talked about – so, I am kind of leading the thing and then I would say 'Well Commissioner Krebs, why don't you tell us about the 'Lock Box' program; and then Commissioner Brown, you tell us about the Coffees (With Citizens) you have. Kind of do it that way, because I think that you should talk..." Commissioner Krebs commented, "...Right." Mayor Bush then added, "And so, the others whatever else we come up with, we will just direct it to a different Commissioner."

Commissioner Krebs suggested, "And I would love our City Manager to talk about - last year and this year, what he did different to put us in the position that we are where we didn't have to lay off people, we didn't have to do certain things." Deputy Mayor Brown said, "Now, he has completely made us transparent to the citizens too." Commissioner Krebs commented, "Well, I think this whole Commission – yes..." Deputy Mayor Brown added, "...As far as what is on the Website, the Bank Book, Podcast..." Commissioner Krebs then mentioned, "...We have gone so transparent and I think he will agree that it was a collaborative effort by everybody up here as well as we kept saying all along, 'Transparency, transparency, accountability, accountability'. I mean every one of us up here ran on that."

Mayor Bush stated, "I am not taking anything away from Kevin (Smith), because he has done a great job; but he is doing it because you insisted on it." Commissioner Krebs replied, "That's right. But he is doing it." Mayor Bush then commented, "And I think that needs to be brought out that the Commission made these decisions and the Manager responded appropriately – it is not that I don't think we ought to give the Manager all kinds of credit, it is just that I think on this kind of a program, I think people want to hear - there are going to be Commissioners at this meeting; there are not going to be many City Managers. Okay? That is what I mean."

Commissioner Krebs stated, "I think that we challenged him and he came back to us with how he was going to do it and he showed us a way and he did it. He did what we asked – and I think he should get credit for that." Deputy Mayor Brown stated, "One of the lessons is 'Hire a good City Manager'." Commissioner Krebs reiterated, "One of the lessons Deputy Mayor Brown just said, 'One of the lessons is to hire a good City Manager'." Mayor Bush commented, "I was going to say that too."

Commissioner Jean Hovey stated, "I think we need to emphasize too, is our Police Department; how proactive they are." Manager Smith commented, "We do have a section on that where I think it would be appropriate to talk about the Citizens Advisory Committee that started with Chief (Dan) Kerr and has continued through Chief (Kevin) Brunelle and has been extremely successful, and so on and so forth. I think there are several opportunities on page 3 that discuss those type things. I think we should."

If I may Deputy Mayor, to go back to what Commissioner Krebs was saying. I think that when we talk about - what we have done, I think it does go back to the Strategic Plan and our core values of transparency, customer service, fiscal responsibility, excellence, and team work. I think without a team approach and that goes all the way down to the bottom of the organizational chart with Staff. They all have got to buy in to what you have demanded. Otherwise, it is not going to work and I think that's one of the reasons we have been successful."

Commissioner Krebs added, "To your point – when I was talking with Chief (Kevin) Brunelle, I think they have less than a one percent (1%) turnover rate over at the Police Department. Now, yes that does speak to the way the Police Department is run, but I have also heard that and understand that without the support of the Commission, the Police Department would not run the way it is and they would not feel the support and they would have a huge turnover. And that happens over and over again."

Manager Smith pointed out, "I think Mayor - that we will obviously put a PowerPoint together and bring it back to you all, but I would think if the Mayor would talk about our Strategic Plan and those core values and how you all have demanded it and what we have put in place, then all of this just flows from that. These are just example, after example, after example."

Commissioner Gary Bonner commented, "One of the items that I would be proud to bring forward is our new Police Academy. I have had the opportunity to go through that program and I think another item again, back to our citizen involvement is we have our new 'Citizens On Patrol' program which I believe that Mr. Manager is about to launch." Commissioner Krebs stated, "You will see it next time."

Commissioner McGinnis stated, "This goes back so far. Remember when people use to call City Hall and the phone calls would go to the Police Department. I mean that is even a good place to start. That whole communication rerouting was really a beginning of the change."

Commissioner Hovey commented, "The other thing we need to include is - I look at Pam Carroll, is the Event Committee. Look at our citizens who stepped up to the plate to help us with running some of our Events. I mean that shows what the citizens think about the government in Winter Springs too." Commissioner Krebs replied, "Right. Some of the things where we held that Meeting about our gems."

Commissioner McGinnis departed the Workshop at approximately 8:02 p.m.

Continuing, Commissioner Krebs further commented on the Community Visioning Workshop and said, "I think Kevin (Smith) you used that for your Strategic Plan, part of it." Manager Smith replied, "Absolutely, it was a basis."

Commissioner Krebs commented, "To talk about that is a good thing too, if somebody can get that in about those Meetings that we held. That included our citizens." Commissioner Hovey added, "Town Hall Meetings." Commissioner Krebs added, "And we may have demanded or I guess you might say transparency, but Kevin (Smith) has carried through with that all the way through with Staff as well; so you know, he gets credit for that."

Commissioner Bonner suggested, "I think another good example of communicating is our recent road repaving or road paving project out in the Ranchlands. And really, the terrific efforts that were made to reach out to the citizens; to do the polling; to involve in the decision of pave/no pave; all of the follow up; all of the endless meetings - our employees taking steps, meeting one on one with the citizens. I mean that is just a terrific example of communicating, and I think that would be one worthy of highlighting." Commissioner Krebs also added, "Right and we had the polling for the Events as well if you recall."

Mayor Bush commented, "Those are all good ideas by the way. We just need to format it so we can get it all in." Manager Smith said, "Again, we just wanted to make sure our thought process was consistent with you all." Manager Smith added, "If there are no other comments, we will work to put this information and your additional comments into a PowerPoint, polish it up, and..." Commissioner Krebs stated, "...You can send it to us if you would, when it is done, and..." Manager Smith replied, "...We will be happy to do that..." Commissioner Krebs then added, "...We can still send back feedback. So that we don't necessarily have to come to a Workshop, but - somehow you can run that by us." Manager Smith replied, "Absolutely." Deputy Mayor Brown commented, "I think it is a good effort."

Commissioner Bonner added, "We are not without our shortcomings or failures and I am also looking back at our recent appropriate and consumptive change in our Water Rates and how our communication process although in the development at the time in my opinion, we really let ourselves down and let our citizens down in not properly informing them of such a material item." Commissioner Bonner added, "We do have our learning curves and I think it is appropriate to point those out as well."

Manager Smith noted, "Absolutely, and I think that we can point out that we are proactive as much as we can. Sometimes we have to react to situations, but we improve from those. As a result of that, we put in some policies and procedures at the Staff level. That was one of the key things that put us in the position of adding the communication section to our Agenda Items - is the fact that maybe we could communicate better so, again we added that to our Agenda Item. That was one of the reasons. So yes, absolutely."

Commissioner Krebs then commented, "And don't you think as the process breaks down, that is when you review it and you look at where the fix needs to be, so that as it goes down that process trail again, it either goes one way or another. In other words, there is a fix involved." Manager Smith said, "Absolutely. That is how you improve."

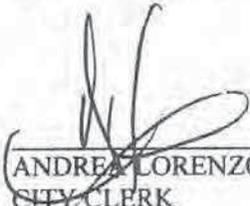
In other City business, Manager Smith commented on the Town Hall Meeting set for Monday, July 19, 2010 and noted that as no time was set, a possible time to begin could be seven o'clock. Commissioner Krebs stated, "Let us do it at 7:00 p.m." Manager Smith added, "Seven o'clock it is then, hearing no objections."

Lastly, Manager Smith advised the City Commission that he would be sending a draft of the Summer Newsletter for the Commission to review, either this evening or in the morning.

ADJOURNMENT

Deputy Mayor Brown adjourned the Workshop at 8:09 p.m.

RESPECTFULLY SUBMITTED:



ANDREA LORENZO-LUACES, MMC
CITY CLERK

APPROVED:



MAYOR JOHN F. BUSH

NOTE: These Minutes were approved at the July 12, 2010 City Commission Regular Meeting.

CITY OF WINTER SPRINGS, FLORIDA

UNAPPROVED



CITY COMMISSION

MINUTES

**REGULAR MEETING
MONDAY, JUNE 28, 2010 - 5:15 P.M.**

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

Mayor John F. Bush
Commissioner Jean Hovey - Seat One
Deputy Mayor Rick Brown - Seat Two
Commissioner Gary Bonner - Seat Three
Commissioner Sally McGinnis - Seat Four
Commissioner Joanne M. Krebs - Seat Five

CALL TO ORDER

The Regular Meeting of Monday, June 28, 2010 of the City Commission was called to Order by Mayor John F. Bush at 5:15 p.m. in the Commission Chambers of the Municipal Building (City Hall, 1126 East State Road 434, Winter Springs, Florida 32708).

Roll Call:

Mayor John F. Bush, present
Deputy Mayor Rick Brown, present
Commissioner Jean Hovey, present
Commissioner Gary Bonner, present
Commissioner Sally McGinnis, present
Commissioner Joanne M. Krebs, present
City Manager Kevin L. Smith, present
City Attorney Anthony A. Garganese, present

The Pledge of Allegiance followed a moment of silence.

Mayor Bush suggested that Regular Agenda Item "606" be the first Regular Agenda Item as it relates to one of the Public Hearings Agenda Items. There were no objections by the City Commission.

INFORMATIONAL AGENDA

INFORMATIONAL

100. Community Development Department

REQUEST: Advising The City Commission Of The Status Of Various Current Planning Projects.

FISCAL IMPACT: There Is No Fiscal Impact Associated With This Agenda Item.

COMMUNICATION EFFORTS: No Communication Efforts Beyond The Advertising Of The Commission Agenda Are Necessary In Conjunction With This Agenda Item.

RECOMMENDATION: The City Commission Is Being Asked To Review And Accept The Information In This Agenda Item.

No discussion.

INFORMATIONAL

101. Information Services Department

REQUEST: Wishes To Update The Commission On The Results Of Selling Computer Equipment Online Via eBay.

FISCAL IMPACT: There Is No Fiscal Impact Associated With This Agenda Item Other Than The Revenues Gained Via The Sale Of Surplus Assets.

COMMUNICATION EFFORTS: The Surplus Assets Disposal List Is Posted Monthly To The City's Website Under Public Notices; No Other Communication Efforts Are Needed At This Time.

UNAPPROVED

RECOMMENDATION: This Agenda Item Is For Informational Purposes Only.

There was no discussion on this Agenda Item

102. Office Of The City Attorney

REQUEST: Desires To Inform The City Commission That, With The Assistance Of The City Clerk Office, It Has Randomly Assigned The Current Members Of The Code Enforcement Board To A Specific Seat Number, Pursuant To City Commission Directive.

FISCAL IMPACT: None.

COMMUNICATION EFFORTS:

RECOMMENDATION: This Item Is For Informational Purposes Only.

This Agenda Item was not discussed.

"MOTION TO APPROVE (INFORMATIONAL AGENDA)." MOTION BY COMMISSIONER McGINNIS. SECONDED BY DEPUTY MAYOR BROWN. DISCUSSION.

VOTE:

COMMISSIONER BONNER: AYE

COMMISSIONER HOVEY: AYE

COMMISSIONER McGINNIS: AYE

COMMISSIONER KREBS: AYE

DEPUTY MAYOR BROWN: AYE

MOTION CARRIED.

CONSENT AGENDA**CONSENT****200. Community Development Department - Development Services Division**

REQUEST: Requests That The City Commission Approve Resolution Number 2010-35 Recognizing The Retirement Of Building Official David Alamina.

FISCAL IMPACT: There Is No Fiscal Impact If Resolution Number 2010-35 Is Approved.

COMMUNICATION EFFORTS: Copies Or Access To This Agenda Item And Resolution Have Been Provided To The Mayor And City Commission, City Manager, City Attorney, And Department Directors; Placed In Press Packets; Placed In The Lobby Binder; And Are Available On The City's Website, Laserfiche, And The City's Server.

Community Development Staff Are Currently Working Together To Ensure That A Seamless Transition Occurs During This Change So There Is No Impact To The Plan Review And Permitting Process. Notification Of An Official Retirement Gathering Party Will Be Forthcoming.

UNAPPROVED

RECOMMENDATION: The Community Development Director Is Requesting That The City Commission Approve Resolution Number 2010-35 In Honor Of David Alamina, Building Official. If This Resolution Is Approved Under The Consent Agenda, A Presentation Of The Resolution To Mr. Alamina Will Then Be Made At This Same City Commission Meeting During "Awards And Presentations".

There was no discussion on this Agenda Item.

CONSENT

201. Office Of The City Manager And The Finance And Administrative Services Department REQUEST: Requesting That The City Commission Authorize The City Manager To Exercise The First Of Three One Year Renewals For The Contract For Audit Services With The Firm Of McDirmit Davis & Company, LLC.

FISCAL IMPACT: The Budget For FY (Fiscal Year) 2011 will Include \$44,500.00 For Audit And CAFR (Comprehensive Annual Finance Report) Preparation Services Which Will Cover The Fees Proposed By McDirmit Davis & Company, LLC For The Fiscal Year Ending September 30, 2010.

COMMUNICATION EFFORTS: Contract Will Be Mailed Back To McDirmit Davis & Company, LLC For Counter Signing.

RECOMMENDATION: It Is The Recommendation Of The City Manager And The Finance And Administrative Services Department That The City Commission Authorize The City Manager To Execute The First Of Three One Year Extensions To Engage The Audit Firm Of McDirmit Davis & Company, LLC For Fiscal Year End September 30, 2010. The Fees Would Be As Stated In The Agenda Item Above.

This Agenda Item was not discussed.

CONSENT

202. Office Of The City Manager REQUEST: Requests City Commission Consider Partnering With Boy Scout Troop 197 To Solicit Donation At This Year's July 4th Fireworks Celebration. The City Manager And City Attorney Request Authorization To Prepare And Execute Any And All Applicable Documents.

FISCAL IMPACT: The City Of Winter Springs Will Receive 75% Of All Donations Collected At The 4th Of July (2010) Celebration. 100% Of The Donated Funds Will Be Used To Offset The Cost Of This Event.

COMMUNICATION EFFORTS: Stands With Signs Explaining The Donation Drive Will Be Placed At Strategic Entry Points To Central Winds Park. Several Announcements Will Be Made Throughout The Celebration Over The Intercom By The Boy Scouts Requesting Participation In The Donation Drive. A Minimum Of Two Boy Scouts And A Leader Will Be Stationed At Each Stand Soliciting Donations From Passersby.

RECOMMENDATION: Approve The 2010 Boy Scout Agreement As Presented That Will Allow The City Of Winter Springs To Enter Into A Contractual Agreement With Boy Scout Troop 196 To Solicit Donation At The Annual 4th Of July Celebration.

No discussion.

UNAPPROVED

CONSENT**203. Office Of The City Clerk****REQUEST: Requesting The City Commission Approve The June 14, 2010 City Commission Regular Meeting Minutes.****FISCAL IMPACT: There Is No Specific Fiscal Impact To This Agenda Item.****COMMUNICATION EFFORTS: These Minutes Have Been Distributed To The Mayor And City Commission, City Manager, City Attorney, And Department Directors; Placed In Press Packets; Placed In The Lobby Binder; And Are Available On The City's Website, LaserFiche, And The City's Server.****RECOMMENDATION: The City Commission Is Respectfully Requested To Approve The June 14, 2010 City Commission Regular Meeting Minutes.**

There was no discussion on this Agenda Item

"MOTION TO APPROVE (CONSENT AGENDA)." MOTION BY DEPUTY MAYOR BROWN. SECONDED BY COMMISSIONER KREBS. DISCUSSION.**VOTE:****COMMISSIONER MCGINNIS: AYE****DEPUTY MAYOR BROWN: AYE****COMMISSIONER HOVEY: AYE****COMMISSIONER BONNER: AYE****COMMISSIONER KREBS: AYE****MOTION CARRIED.****AWARDS AND PRESENTATIONS****AWARDS AND PRESENTATIONS****300. Office Of The Mayor****Presentation Of A Certificate Of Recognition To Winter Springs Babe Ruth In Honor Of Their Contributions As A Valued Youth Sports Partner.**

Mayor Bush presented Mayor a Certificate of Recognition to the Winter Springs Babe Ruth organization for their many contributions to the City.

Discussion.

AWARDS AND PRESENTATIONS**301. Office Of The City Manager****Presentation Of Resolution Number 2010-35 Recognizing David Alamina For His 22 Years Of Dedicated Service As An Employee Of The City Of Winter Springs And Expressing Our Appreciation On Behalf Of The Citizens Of The City Of Winter Springs.**

Mayor Bush presented Resolution Number 2010-35 to Mr. David Alamina for his dedicated service to the City of Winter Springs.

UNAPPROVED

Mr. David Alamina, Building Official, Community Development Department addressed the City Commission and the City Manager.

AWARDS AND PRESENTATIONS

302. Police Department

Requesting The Mayor And City Commission Receive A Presentation From The Police Department On The Status Of The Volunteers In Police Services Program.

Chief of Police Kevin Brunelle, Police Department and Captain Kevin Presley, Police Department advised the City Commission about the Citizens on Patrol (COP's) program.

Mr. Bob Henderson, Mr. Paul Krebs, and Mr. Jim Pitts were introduced as participants in the Citizens on Patrol (COP's) program.

Commissioner Gary Bonner stated, "Congratulations Chief." Mayor Bush noted, "Thanks Chief." Commissioner Joanne M. Krebs added, "Thank you very much."

AWARDS AND PRESENTATIONS

303. Office Of The Mayor And The City Commission

Presentation Of A Certificate Of Recognition To The Winter Springs All Star 8U A Team, "Wild Boyz" – (Baseball) In The Winter Springs Babe Ruth, Rookie Division.

This Agenda Item was not heard at this point in the Meeting.

REPORTS

REPORTS

400. Office Of The City Attorney – Anthony A. Garganese, Esquire

Related to Consent Agenda Item "202", City Attorney Anthony A. Garganese remarked, "I wanted to advise you that the contracting party name changed – rather than the Boy Scouts, it will be the Winter Springs Post 5405, Veterans of Foreign Wars, a Florida Not For Profit Corporation within which the Boy Scouts operate under." With further comments, Attorney Garganese added, "It doesn't change the intent of the Agreement."

Related to the Contract negotiations with American Traffic Solutions, LLC (ATS), Attorney Garganese said that he would discuss the status of negotiations during Public Hearings Agenda Item "500".

Next, Attorney Garganese noted that an additional Attorney-Client Session might be needed sometime in July and said, "We're still working on that other Settlement and we may have something next month."

Attorney Garganese then said to the City Commission, "You will be seeing that Volunteer Policy coming to you, likely the first Meeting in July."

UNAPPROVED

Mayor Bush asked about the status of the Annexation Agreement with Seminole County. Attorney Garganese mentioned Resolutions that he had prepared and had sent to Seminole County. City Manager Kevin L. Smith added, "My understanding is that they are still reviewing the details of what I would consider a well laid out Agreement from Anthony (Garganese), and we're awaiting word back from them. We'll advise the Commission at that time."

REPORTS**401. Office Of The City Manager - Kevin L. Smith**

Manager Smith noted that the proposed Fiscal Year 2011 Budget will be transmitted to the City Commission this evening.

Secondly, Manager Smith also mentioned to those in attendance about the July 19th, 2010 Town Hall Meeting, and welcomed all to attend.

Manager Smith then commented on his schedule.

Mayor Bush asked if the Budget will be on the City's Website? Manager Smith added that Staff was working on this and noted, "It will be available on the Website tomorrow."

REPORTS**402. Office Of The City Clerk - Andrea Lorenzo-Luaces, MMC**

Related to the recently cancelled Oviedo-Winter Springs Joint Meeting, City Clerk Andrea Lorenzo-Luaces asked the City Commission if they wanted to suggest some dates. Discussion followed that a Wednesday might be best. Commissioner Sally McGinnis suggested that since Oviedo is hosting, that they provide suggested dates. Mayor Bush then said to City Clerk Lorenzo-Luaces, "So, you will let the Clerk know Andrea - they need to give us some dates." City Clerk Lorenzo-Luaces responded, "Okay, thank you."

REPORTS**403. Office Of Commissioner Seat Five - The Honorable Joanne M. Krebs**

Commissioner Krebs commented, "I wanted to thank the Clerk's Department for doing such a great job in putting together the Appreciation Dinner that we had last Friday night. It was really, really nice. So, thank you."

Much discussion followed on Appointments and Alternates on the Code Enforcement Board and whether Alternates were needed anymore.

Captain Glenn Tolleason, Police Department addressed the City Commission on this matter.

"MOTION TO ELIMINATE THE ALTERNATES." MOTION BY COMMISSIONER HOVEY. SECONDED BY DEPUTY MAYOR BROWN. DISCUSSION.

UNAPPROVED

UNAPPROVED**VOTE:****DEPUTY MAYOR BROWN: AYE****COMMISSIONER MCGINNIS: AYE****COMMISSIONER KREBS: AYE****COMMISSIONER HOVEY: AYE****COMMISSIONER BONNER: AYE****MOTION CARRIED.****REPORTS****404. Office Of The Mayor – The Honorable John F. Bush**

Mayor Bush stated, "Thank you Andrea (Lorenzo-Luaces) for the hard work you and your Staff did for the Appreciation Banquet. It went very well and you always do a great job."

Mayor Bush read a letter from Chairman Bob Dallari with the Seminole County Board of County Commissioners related to Jetta Point.

REPORTS**405. Office Of Commissioner Seat One – The Honorable Jean Hovey**

Commissioner Jean Hovey remarked, "I too would like to thank Andrea (Lorenzo-Luaces) and the Clerk's Office" for the Advisory Board and Committee Appreciation Dinner.

Next, Commissioner Hovey complimented Manager Smith on the patriotic Banners.

Lastly, Commissioner Hovey asked about the status of the proposed Ordinance for Electronic Signs. Attorney Garganese stated, "That is in Randy's (Stevenson, Director, Community Development Department) court." Manager Smith noted that he would assist with this.

REPORTS**406. Office Of Commissioner Seat Two/Deputy Mayor – The Honorable Rick Brown**

Deputy Mayor Rick Brown said, "Great job Andrea (Lorenzo-Luaces). Wonderful Event Friday."

REPORTS**407. Office Of Commissioner Seat Three – The Honorable Gary Bonner**

Commissioner Bonner remarked, "Wonderful Event for celebrating our citizen's for their volunteering – thank you."

Further brief discussion followed about the Code Enforcement Board.

REPORTS

408. Office Of Commissioner Seat Four- The Honorable Sally McGinnis

Commissioner McGinnis commented on the Advisory Board and Committee Appreciation Event and spoke about expanding our Volunteer base.

❖❖ **AGENDA NOTE: THE FOLLOWING AWARDS AND PRESENTATIONS AGENDA ITEM WAS DISCUSSED NEXT, AS DOCUMENTED.** ❖❖

AWARDS AND PRESENTATIONS

AWARDS AND PRESENTATIONS

303. Office Of The Mayor And The City Commission

Presentation Of A Certificate Of Recognition To The Winter Springs All Star 8U A Team, "Wild Boyz" – (Baseball) In The Winter Springs Babe Ruth, Rookie Division.

Mayor Bush presented Mayor a Certificate of Recognition to the Winter Springs All Star 8U A Team, "Wild Boyz" – (Baseball) who play in the Winter Springs Babe Ruth, Rookie Division.

Discussion.

Tapc 1/Side B

PUBLIC INPUT

Ms. Pamela Carroll, 865 Dyson Drive, Winter Springs, Florida: thanked the City Commission and the Seminole County Commission for listening to the citizens and working together.

Ms. Janet Altenhoff, 104 Redtail Place, Winter Springs, Florida: also thanked the City Commission and Seminole County Commission for their decision; asked about the land swap, negotiations, and upcoming meetings; mentioned that she hoped this was not a stall until after the Elections; and suggested a low density Office Park be considered as a replacement project.

Mayor Bush explained to those in attendance that the land swap would be handled by Seminole County and suggested that residents keep track of Seminole County Commission Agendas for further information and actions.

Mr. Jim Bradley, 132 Redtail Place, Winter Springs, Florida: thanked the City Commission.

Mr. James Hansberger, 111 Cherry Creek Circle, Winter Springs, Florida: said that common sense worked for the proposed Jetta Point Park project and hoped it would be the same for the proposed Town Parke Apartments project; asked if anyone in attendance was in favor of the Atlantic Housing project; and noted there was opposition to this planned project.

Ms. Sarita Forbes, 302 Heatherwood Court, Winter Springs, Florida: commented on the proposed Town Parke Apartments project; that she did not think that Workforce Housing was needed in Winter Springs; then spoke about property values and the Trail; asked the City Commission to reconsider the planned Town Parke Apartments project; and suggested the City Commission attend the Reserve at Tusawilla Homeowner's Association meeting scheduled to be held in July.

UNAPPROVED

UNAPPROVED

With further comments, Ms. Forbes noted the Homeowner's Association meeting would be held on July 13th and would begin at seven o'clock in the evening.

Mr. Wayne Nelson, 106 Shell Flower Cove, Winter Springs, Florida: commented on low income housing; and complimented Chief Brunelle and Detective Valerie Mendelson, Police Department for their assistance with helping his granddaughters learn about safety.

Mayor Bush then said, "Several people who filled out papers, did not wish to address the Commission: Rose Jenson, she was opposed to Jetta Point; Tracy and Ruby Norris, also opposed - and Carol Koza also on Jetta Point; Connie Hicks, Doris Norris, Florence Kramer, and Inge Clay." Mayor Bush further commented on Seminole County's interest in a land swap.

Commissioner Bonner asked Manager Smith if any information on land swaps or property transactions could be added to the City's Website. Manager Smith responded, "I have already contacted the County Manager - I have asked him to keep me in the loop on these transactions. I trust that they will do so and any information I have I will transmit it to this Commission and post it on our Website." Commissioner Bonner also suggested that such information be sent out via our distribution list.

Further comments followed on an email distribution list which sends out information to the public including the Presidents of Homeowner's Associations.

Discussion followed with a member of the audience who mentioned she did not get the recent email. Mayor Bush suggested, "Why don't you send one out tomorrow Kevin (Smith)." Mayor Bush suggested that if the resident does not get the email, to then contact the City Manager.

Mr. Jay C. Clay, 144 Peregrine Court, Winter Springs, Florida: spoke about the suggested land swap.

PUBLIC HEARINGS AGENDA

PUBLIC HEARINGS

500. Office Of The City Attorney

REQUEST: Requests That The City Commission Adopt On Second Reading Ordinance No. (Number) 2010-13, Which Implements The Provisions Of The Mark Wandall Safety Act (2010) Regarding The Enforcement Of Red Light Traffic Infraction Detectors.

FISCAL IMPACT: The Precise Fiscal Impact Is Yet To Be Determined. It Is Likely The City Will Receive Less Revenue For Every Violation Because Of The New State Revenue Sharing Requirement Under The Act. Moreover, Contract Changes With ATS (American Traffic Solutions), Who Currently Receives \$40.00 Of Every Violation Collected By The City, Will Need To Be Renegotiated To Factor In The Changes Of Law.

COMMUNICATION EFFORTS:

RECOMMENDATION: The City Attorney Recommends That The City Commission Adopt Ordinance 2010-13 On Second Reading.

Attorney Garganese read the Ordinance by "Title" only.

Commissioner Bonner asked about problems with the collection of Fees at Seminole County's Clerk of the Courts Office and inquired, "Are you aware of any of that and does that have any bearing at all on this item?" Attorney Garganese responded, "That issue is definitely an issue that needs to be resolved. It's not related to the issue on the Ordinance which opts the City into the new State Law for Red Light Camera Infractions."

Mayor Bush opened the "Public Input" portion of the Agenda Item.

No one spoke.

Mayor Bush closed the "Public Input" portion of the Agenda Item.

"MOTION TO APPROVE (ORDINANCE 2010-13)." MOTION BY COMMISSIONER KREBS. SECONDED BY COMMISSIONER McGINNIS. DISCUSSION.

VOTE:

COMMISSIONER McGINNIS: AYE

COMMISSIONER KREBS: AYE

COMMISSIONER HOVEY: AYE

DEPUTY MAYOR BROWN: AYE

COMMISSIONER BONNER: AYE

MOTION CARRIED.

Much discussion continued on the ATS (American Traffic Solutions, LLC) Contract issue; collections; Citations; issuance of tickets.

Chief Brunelle addressed the City Commission on this matter.

Further comments followed on empowering the City Manager to negotiate a short term Contract; safety; the appearance of collecting funds; negotiations; possibly going out to Bid; continuity of service and safety; and Police Department tools.

Chief Brunelle further addressed the City Commission and spoke about safety and the ATS (American Traffic Solutions, LLC) Contract.

Discussion.

"MOTION TO EMPOWER THE MANAGER TO ENTER INTO A SHORT-TERM CONTRACT WITH ATS (AMERICAN TRAFFIC SOLUTIONS, LLC), THROUGH THE COMMISSION MEETING OF AUGUST 9, (2010)." MOTION BY COMMISSIONER BONNER. SECONDED BY DEPUTY MAYOR BROWN. DISCUSSION.

VOTE:

COMMISSIONER BONNER: AYE

COMMISSIONER KREBS: AYE

COMMISSIONER HOVEY: AYE

COMMISSIONER McGINNIS: AYE

DEPUTY MAYOR BROWN: AYE

MOTION CARRIED.

UNAPPROVED

PUBLIC HEARINGS

501. Community Development Department

REQUEST: Requests The Commission, In Its Capacity As The Development Review Committee For The Town Center, Hold A Public Hearing To Consider The Special Exception For A Building With At Least A 25,000 SF (Square Foot) Building Footprint And Make A Recommendation To The City Commission.

FISCAL IMPACT: The Undeveloped Site Currently Has An Approximately \$20,000.00 Tax Bill. Staff Estimates Of 76 Townhomes Averaging 1,200 SF (Square Feet) Each Would Yield Approximately \$20,000.00 Additional To The Total Tax Bill From The Site (As Would A Commercial 0.20 Floor Area Ratio).

The Applicant States That The School Had A 2009-2010 Operating Budget Of \$3.6 Million, Payroll (And Associated Taxes) For 45 Employees Of \$2,000,000.00 Million, Revenue For Procured Services Of \$1.6 Million, Finished Its 2009-2010 Year At Least \$450,000.00 In The Black, \$1,350,000.00 In The Bank (On 04/30/10), And No Debt.

They Project An Operating Budget Of \$5.1 Million, A Payroll For 60 (Sixty) Employees (15 [Fifteen] New Jobs) Of \$2.46 Million, And Debt Payment On The New Facility Of \$700,000.00.

Planning Literature States, As A General Rule, That A Small High Quality Elementary School Boosts Residential Property Values At The Neighborhood And Often Community Level.

COMMUNICATION EFFORTS: A Substantial And Conspicuous Sign Has Been Erected At The Site To Notice The Public Hearing And Property Owners Within 150 Feet Of The Site Have Been Notified By Mail In Addition To The Postings By The City Clerk's Office.

RECOMMENDATION: Staff Recommends That The City Commission, In Its Capacity As The Town Center DRC (Development Review Committee), Recommend Approval Of The Special Exception For A Building With Footprint Larger Than 20,000 Square Feet (SF), Subject To The Applicant Closing On The Site And Executing A Binding Development Agreement With The City.

Tape 2/Side A

Mr. John Baker, AICP, Senior Planner, Community Development Department introduced this Agenda Item and spoke about cooperation.

Mr. Matt Breen, President, Breen Construction Services, 205 West State Road 434, Suite D, Winter Springs, Florida: reviewed a PowerPoint presentation with the City Commission.

With further comments, Mr. Breen noted, "Joint Use opportunities. John has done an excellent job of already setting up discussions with Chuck Pula for the Parks and Recreation overflow events. The proximity will service the Parks and Recreation area very, very well. When we're not utilizing our parking, we would certainly welcome the opportunity for you to utilize the parking space during the 4th of July for instance or the Highland Games or whatever major event that might be going on. These are things that we would like to work out with you. The potential for conference space, potential activity space as well and we're also dedicating a certain amount of - our site to green space which we'd like to share with you."

Discussion.

Mr. Aranya Mom, Architect, Burk Hogue Mills, Inc., 1130 Business Center Drive, Lake Mary, Florida: also reviewed a PowerPoint presentation on this project.

UNAPPROVED

Discussion.

Commissioner Hovey asked about the reference to this being a “Neighborhood school” and then inquired, “How many students do you have now and what is the size of your building, and what is the plan for the new building – the students?” Discussion followed with Mr. Breen.

Furthermore, Commissioner Hovey asked about a Traffic Study and mentioned issues with other schools and would other schools impact this school. Mr. Breen noted, “The Traffic Study will be conducted in the next Phase, after the Concept Review.” With discussion, Mr. Breen added, “We haven’t done the Traffic Study yet. That’s the next stage after the Concept is approved. You get to look at the Engineering again, at that point in time. We don’t believe that it is going to be an impact.”

Commissioner Hovey remarked, “I really want us to address that before anything is done.”

Discussion followed on the focus of Charter Schools.

Commissioner Krebs commented on the number of students from Winter Springs who might attend this school; and whether the utility building was possibly going to be relocated.

Tape 2/Side B

Commissioner Bonner remarked about tree canopy and said, “I for one look forward to hearing in the future about how you are planning to mitigate that impact and help us to maintain our tree canopy.”

Additionally, Commissioner Bonner suggested, “It is going to take a really special terminating vista civic building to make it work, so I am very anxious and looking forward to the day when you are ready to share.” Further, Commissioner Bonner noted, “I know this is all conceptual. I for one am going to look forward to you showing me that, with views from the east, views from the west, views from the rear.”

Commissioner Bonner then suggested, “I need to see it in context – context to what it will look like from a distance, up close, while I am driving by it at 45 mph (miles per hour) which is the speed limit in that area and - how I am enjoying it while I am at the Park.” Commissioner Bonner added, “I look forward to seeing that.”

Commissioner McGinnis inquired, “How many of your students walk to your school now?” Mr. Breen responded, “I don’t have that answer for you. I can research it.” With further comments, Mr. Breen noted, “I don’t have the exact number for you but I could find that out and have that information forwarded to you through John (Baker).”

Mayor Bush opened the “Public Input” portion of the Agenda Item.

Ms. Barbara Crosswell, 472 Tradition Lane, Winter Springs, Florida: asked if this was a school for Special Education students; and noted her concern with Special Education students walking to/from school.

Mr. George McKenzie, President, Board of the Directors for Choices in Learning: noted that this was a mainstream school and spoke of some of the merits and features of this school.

Mayor Bush closed the “Public Input” portion of the Agenda Item.

UNAPPROVED

With further comments, Commissioner Hovey remarked, "I would hope by the next time that we see this group, that we could have a percentage of the students that walk and ride from the current school."

Further discussion.

"I WILL MOVE THAT WE APPROVE THE SPECIAL EXCEPTION WITH THE STIPULATIONS IDENTIFIED BY STAFF WHICH WOULD DEPEND ON THE DEVELOPMENT AGREEMENT." MOTION BY COMMISSIONER McGINNIS. SECONDED BY COMMISSIONER HOVEY. DISCUSSION.

RELATED TO THE SPECIAL EXCEPTION, ATTORNEY GARGANESE EXPLAINED, "THE WAY THIS AGENDA ITEM IS STRUCTURED, IT IS GOING TO BE CONTINGENT UPON A DEVELOPMENT AGREEMENT BEING APPROVED. THE DEVELOPMENT AGREEMENT PROCESS WILL CONSTITUTE THE SECOND PUBLIC HEARING PROCESS UNDER THE TOWN CENTER CODE WHICH IS NECESSARY TO GRANT THE SPECIAL EXCEPTION."

COMMISSIONER BONNER ADDED, "SO, WE ARE NOT CREATING A PERMANENT EXCEPTION FOR THIS TRACT." ATTORNEY GARGANESE STATED, "NO."

VOTE:

COMMISSIONER HOVEY: AYE

COMMISSIONER McGINNIS: AYE

COMMISSIONER KREBS: AYE

COMMISSIONER BONNER: AYE

DEPUTY MAYOR BROWN: AYE

MOTION CARRIED.

❖❖ AGENDA NOTE: THE FOLLOWING REGULAR AGENDA ITEM "606" WAS DISCUSSED NEXT, AS DOCUMENTED, FOLLOWED BY THE REST OF THE AGENDA.
❖❖

REGULAR AGENDA

REGULAR

606. Community Development Department

REQUEST: Requests The Commission Consider The Request To Grant Concept Approval Of A Proposed 50,000 Square Foot (SF) 2-Story Charter School On An 8.7 Acre Crescent Shaped Site Within The Town Center, Subject To Conditions.

FISCAL IMPACT: Development Of The Site As A School Would Remove The Property From The Tax Rolls. The Urban Land Institute Notes That Neighborhood Schools Are A Primary Consideration For Many Home Buyers And Are Often A Significant Factor In Residential Development Demand And Sales Price. If Parents Patronize Local Merchants, While Waiting For Their Children, And The School Incorporates Local Dance, Martial Arts, Or Music Classes, These Could Be An Additional Significant Positive Effect On The Local Economy. Please See The Attachment, Which Addresses The History And Economics Of The School.

UNAPPROVED

The Potential Tax Revenue For The Property Has Been Accessed For Both A Residential As Well As A Commercial Development Scenario. Since The Property, If Used As A Charter School, Would Be Removed From The Tax Rolls, The City Commission Needs To Be Aware Of The Potential For Lost Tax Revenue When Considering Designation Of The Property As A Civic Site And When Entertaining Any Statements From The Applicant Relative To Ancillary Revenues As A Result Of The Location Of The School.

Tax Revenue Scenarios Are As Follows:

- The Undeveloped Property Currently Pays \$20, 643.00 In Property Taxes.
- Townhomes (76 [Seventy-Six] Units), As Proposed In A 2006 Design Submittal
Units (1,200 Square Feet) – Assessed At \$90.00/Square Foot: \$8,208,000.00
 $\$8,208,000.00/1000 = 8208$
 $8,208 (2.5814) = \$21,188.13$
 $\$21,188.13$ (Less The 4% Statutory Discount) = \$20,340.61 Tax Revenue
- Commercial (Floor Area Ratio Of 20%)
8.7 Acres (43,560 Square Feet) = 378,972 Square Feet
FAR (Floor Area Ratio) Of 20% = 75,794 Square Feet Of Commercial Development
75,794 Square Feet Assessed At \$105.00/Square Foot = \$7,958,412.00
 $\$7,958,412.00/1000 = 7,958.41$
 $7,958.41 (2.5814) = \$20,543.84$
 $\$20,543.84$ (Less The 4% Statutory Discount) = \$19,722.09 Tax Revenue

The Tax Revenue Estimates For The Residential And The Commercial Scenarios Would Be Added To The Tax Revenue For The Vacant Property, Thereby Generating Tax Revenues Of \$40,983.61 For The Residential Scenario And \$40,365.09 For The Commercial Scenario.

COMMUNICATION EFFORTS: No Communication Efforts Beyond The Advertising Of The Commission Agenda Are Necessary In Conjunction With This Agenda Item. A Sign At The Site And Mailing To Abutting Property Owners Was Provided For The Public Hearing For The Associated Special Exception.

RECOMMENDATION: Staff Recommends That The City Commission Approve The Concept Plan, Subject To (1) Special Exception Approval And Any Associated Conditions, (2) The Applicant And Staff Working Out The Issues Outlined Above, During Site Plan And Aesthetic Review And (3) Approval Of A Development Agreement.

Mr. Baker addressed this Agenda Item with the City Commission.

Discussion ensued on economic impact; and neighborhood schools.

Further comments followed with Mr. Chuck Pula, Director, Parks and Recreation Department regarding sharing of City Park facilities and school facilities.

“I WILL MOVE THAT WE APPROVE THE CONCEPT PLAN SUBJECT TO ALL THE CONDITIONS IDENTIFIED BY STAFF.” MOTION BY COMMISSIONER MCGINNIS. SECONDED BY COMMISSIONER HOVEY. DISCUSSION.

UNAPPROVED

VOTE:

COMMISSIONER BONNER: AYE
COMMISSIONER KREBS: AYE
DEPUTY MAYOR BROWN: NAY
COMMISSIONER HOVEY: AYE
COMMISSIONER MCGINNIS: AYE
MOTION CARRIED.

Mayor Bush suggested, "From Commissioner Bonner's question to Chuck (Pula) that we might want to put that into the Development Plan about what we can get, so we don't get shut out." Commissioner McGinnis added, "It will be." No objections were noted.

REGULAR**600. Office Of The City Attorney**

REQUEST: Requests That The City Commission Approve Resolution No. (Number) 2010-34, Establishing A City Dog Park Banner Program To Help Fund The Operation And Maintenance Of The City Of Winter Springs Hound Ground Dog Park.

FISCAL IMPACT: The Precise Fiscal Impact Is Yet To Be Determined. It Is Intended That The City Will Receive Increased Revenues To Help Offset The Cost Of Operating And Maintaining The City Dog Park.

COMMUNICATION EFFORTS:

RECOMMENDATION: The City Attorney Recommends That The City Commission Approve Resolution 2010-34, Establishing A City Dog Park Banner Program.

Attorney Garganese spoke first on this Agenda Item and remarked, "Section 3, at the beginning would be reworded to State, Corporate, or Patron sponsors of the Dog Park may apply to the City to install one (1) Banner on the Dog Park fence and then a (or two [2] identical Banners to be installed back to back at the same location, on both sides of the Dog Park fence)."

Discussion.

"MOTION TO APPROVE (INCLUDING RESOLUTION 2010-34)." MOTION BY COMMISSIONER HOVEY. SECONDED BY COMMISSIONER BONNER. DISCUSSION.

VOTE:

COMMISSIONER KREBS: AYE
COMMISSIONER BONNER: AYE
COMMISSIONER HOVEY: AYE
COMMISSIONER MCGINNIS: AYE
DEPUTY MAYOR BROWN: AYE
MOTION CARRIED.

UNAPPROVED

REGULAR

601. Office Of The City Manger

REQUEST: Requesting The Commission To Set A Workshop Date To Discuss The City Manager's Annual Performance Evaluation For The Evaluation Period Ending May 25, 2010.

FISCAL IMPACT: Due To Budget Constraints, City Employees Were Not Given Merit Increases And No Funds Are Allocated For This Purpose In FY (Fiscal Year) 2010.

COMMUNICATION EFFORTS: No Additional Communication Efforts Are Needed At This Time.

RECOMMENDATION: The City Manager Recommends That The City Commission Set A Workshop Date For Purposes Of A Collective Discussion Of The Individual Results Of Each Commissioner/Mayor's Execution Of The New City Manager Performance Evaluation Form, For The Evaluation Period Ended May 25, 2010.

Discussion ensued on possible dates for a Workshop, Mayor Bush stated, "I would like to see it come later than July because I am going to be gone most of the month of July." Further comments followed about whether a delay might impact the City Manager. Manager Smith commented on previous situations related to when Reviews were due to the City Commission and stated, "I wanted to be timely."

Regarding scheduling and with consideration of the Elected Officials' absences, Commissioner Bonner suggested, "I would say as early in August as possible." Deputy Mayor Brown recommended, "Monday the 2nd." Mayor Bush then said, "I am not back in town until the 8th (Of August 2010)."

Deputy Mayor Brown recommended, "Monday the 16th (Of August)." Mayor Bush said, "Fine." Commissioner Hovey added, "The 16th (Of August) might work because then if we had any last minute stuff for the Florida League of Cities." No objections were voiced.

Commissioner Krebs suggested starting the Workshop at 7:00 p.m. Mayor Bush asked, "Is seven o'clock okay with everybody?" Commissioner Bonner stated, "I am good with that." There were no objections noted. Mayor Bush summarized, "August "16th at 7:00 p.m."

REGULAR

602. Office Of The City Manager, Finance And Administrative Services Department And Information Services Department

REQUEST: Requests The City Commission Consider The Expansion Of Master Card And Visa For Development Service And Utility Billing As An Acceptable Payment Method For City Services. The City Manager And City Attorney Request Authorization To Prepare And Execute Any And All Applicable Documents.

FISCAL IMPACT: Option 1 - City Passes The Customer Convenience Fee (\$2.70) Onto The Public Both For Development Services And Utility Billing. There Would Be No Cost For Equipment Or Transaction Fees To The City.

Option 2 - City Absorbs The Convenience Fees For Both Development Services And Utility Billing. The Total Cost For Year One Would Be Approximately \$675.00 (450 Transactions @ \$1.50) For Development Services And \$27,000.00 (18,000 Transactions @1.50) For Utility Billing.

Option 3 - Absorb The Fee For Development Services And Charge A Convenience Fee For Utility Billing Customers. Total Cost In The First Year Would Be Only \$675.00 For Development Service Customers.

UNAPPROVED

COMMUNICATION EFFORTS: Master Card And Visa Stickers Would Be Placed On The Doors Of City Hall Along With Counter Top Advertising Tents. The City Would Advertise On Its Website The Ability To Pay With Master Card And Visa. The New Payment Method Will Be Advertised On The City Hall Sign.

RECOMMENDATION: City Manager And Finance Department Recommend The Commission Consider Option 1 For A Period Of 12-18 Months At Which Time A Full Cost Benefit Analysis Can Be Performed On Data Collected. This Analysis Will Steer Any Price Structure Changes.

Mr. Shawn Boyle, Director, Finance and Administrative Services Department began the discussion on this Agenda Item.

Mr. Joe Alcalá, IT Coordinator/Security Administrator, Information Services Department addressed the City Commission on some of the specifics of this project.

Tape 3/Side A

Discussion followed on whether auto drafts could be used; third party costs; and using credit cards for payments with no fees.

Deputy Mayor Brown asked, "Can we eliminate the need for customers to come all the way into City Hall to get a pin number to then having the convenience of paying online in the first place?" Mr. Boyle responded, "We are - I know I.S. (Information Services Department) right now is working on e-Commerce websites where people wouldn't have to come in anymore."

Commissioner Bonner asked if we were considering forming partnerships with collection merchants. Manager Smith stated, "Absolutely."

Attorney Garganese stated, "There is an exception in Florida Law for local governments, as well as State governments. They can impose a surcharge to recover the costs. If the Commission ultimately want to reconsider imposing the Surcharge and absorb it, then the City Commission will have to make a Finding that absorbing it serves a public purpose, because the City in essence would be paying for that surcharge; so the track record may be important for determining what that public purpose is or how you are going to consider it."

"I WILL MAKE A MOTION TO GO WITH - 'Option 1'." MOTION BY COMMISSIONER KREBS. SECONDED BY COMMISSIONER BONNER. DISCUSSION.

MAYOR BUSH ADDED, MOTION THAT "WE APPROVE 'Option 1' AS PRESENTED, FOR THE PERIOD OF TWELVE - EIGHTEEN (12 - 18) MONTHS."

VOTE:

COMMISSIONER MCGINNIS: AYE

COMMISSIONER KREBS: AYE

COMMISSIONER HOVEY: AYE

DEPUTY MAYOR BROWN: AYE

COMMISSIONER BONNER: AYE

MOTION CARRIED.

UNAPPROVED

REGULAR

603. Not Used.

REGULAR

604. Office Of The City Clerk

REQUEST: Requests That Members Of The City Commission (Depending On The Applicable Advisory Boards And Committees) Make Appointments/Reappointments Related To The Terms Of Office Which Will Be Expiring In July 2010 - Specifically Regarding Members Of The Beautification Of Winter Springs Board; The Code Enforcement Board; The Planning And Zoning Board/Local Planning Agency; The Tusawilla Lighting And Beautification District Advisory Committee; And The Terms Of Office Which Will Be Expiring In August 2010 For The Oak Forest Wall And Beautification District Advisory Committee.

FISCAL IMPACT: There Is No Fiscal Impact To This Agenda Item. Additionally, As A Courtesy Reminder, With The Adoption Of Ordinance 2010-14, Twenty-Five Dollar (\$25.00) Payments To Board Members Have Been Repealed.

COMMUNICATION EFFORTS: The Board And Committee Members Referenced In This Agenda Item Have Been Notified. Additionally, Copies And/Or Access To This Agenda Item Have Been Provided To The Mayor And City Commission, City Manager, City Attorney, Department Directors; Placed In Press Packets; Placed In The Lobby Binder; And Is Available On The City's Website, Laserfiche, And The City's Server.

RECOMMENDATION: Members Of The City Commission Are Requested To Make Their Respective Appointments/Reappointments Regarding The Board And Committee Members That Are Noted In This Agenda Item - With Consideration That Board And Committee Members Will Be Needed For Quorums For Meetings In July And Onwards.

Individuals Being Appointed Would Begin No Earlier Than Mid-July 2010, Depending On The Board Or Committee.

The City Commission Is Respectfully Requested To Make Individual Motions For Each Seat, On Each Board/Committee.

*With The Passage Of Ordinance 2010-14, The Beautification Of Winter Springs Board Has Gone To A Five (5) Member Board. As Noted In This Agenda Item, Two (2) Of The Current Seven (7) Members Are Not Asking To Be Reappointed. The City Commission May Wish To Move The Two (2) "Mayoral Appointments" To Seat Three And Seat Five Respectively.

Members Of The City Commission Are Respectfully Requested To Make Appointments/Reappointments To The Code Enforcement Board With Consideration Of Current Alternate(s).

Please Note The Following Names And Respective Seats Are Just Noted As The Individual Currently Appointed To The Following:

UNAPPROVED

Appointments To Be Made By Commissioner Jean Hovey:

- Seat Currently Held By Lorry Roero – Beautification Of Winter Springs Board
- Seat Currently Held By Gregory Roero – Code Enforcement Board [Pursuant To Ordinance 2010 10, Mr. Roero Has Reached Permitted Term Limits]
- Seat Currently Held By Mary Brook – Tusawilla Lighting And Beautification District Advisory Committee

Appointments To Be Made By Deputy Mayor Rick Brown:

- Seat Currently Held By Jim Pitts – Code Enforcement Board
- Seat Currently Held By Brian Oliver – Oak Forest Wall And Beautification District Advisory Committee
- Replacement Appointment For Robert Heatwole Who Is NOT Asking To Reappointed – Planning And Zoning Board/Local Planning Agency

Appointments To Be Made By Commissioner Gary Bonner:

- Replacement Appointment For Kathryn Fairchild Who Is NOT Asking To Reappointed – Beautification Of Winter Springs Board*
- Vacant Seat – Oak Forest Wall And Beautification District Advisory Committee
- Seat Currently Held By Luci Coker – Tusawilla Lighting And Beautification District Advisory Committee

Appointments To Be Made By Commissioner Sally McGinnis:

- Seat Currently Held By Raquel Santana – Oak Forest Wall And Beautification District Advisory Committee
- Seat Currently Held By Bill Poe – Planning And Zoning Board/Local Planning Agency

Appointments To Be Made By Commissioner Joanne M. Krebs:

- Replacement Appointment For Cara Lynn Roesner Who Is NOT Asking To Reappointed – Beautification Of Winter Springs Board*
- Seat Currently Held By Laura-Leigh Wood – Code Enforcement Board
- Seat Currently Held By Donald Gilmore – Tusawilla Lighting And Beautification District Advisory Committee

**“FOR THE CODE (ENFORCEMENT) BOARD, I WOULD LIKE TO REAPPOINT JIM PITTS.”
MOTION BY DEPUTY MAYOR BROWN. SECONDED BY COMMISSIONER HOVEY.
DISCUSSION.**

COMMISSIONER KREBS ASKED ABOUT “COP’S” (CITIZENS ON PATROL) SERVING ON THE CODE (ENFORCEMENT) BOARD AND ASKED IF IT WOULD BE A CONFLICT? ATTORNEY GARGANESE STATED, “POTENTIALLY, IF THE ‘COP’S’ (CITIZENS ON PATROL) PROGRAM FALLS INTO SOME SORT OF CODE ENFORCEMENT TYPE OF ACTIVITY AND DUTY, THEN THEY CAN’T SERVE AS HELPING THE PROSECUTION OF A CODE CASE.”

DISCUSSION FOLLOWED WITH CHIEF BRUNELLE.

ATTORNEY GARGANESE ADDED, “IF YOU’RE GOING TO ASSIGN GENERAL DUTIES TO THE ‘COP’S’ (CITIZENS ON PATROL) TO BE INVOLVED IN CODE ENFORCEMENT, THEN I WOULD RECOMMEND TO THE COMMISSION NOT TO APPOINT ANY ‘COP’S’ (CITIZENS ON PATROL) TO THE CODE ENFORCEMENT BOARD, JUST TO AVOID THE APPEARANCE OF A CONFLICT.”

DEPUTY MAYOR BROWN STATED, “I WILL WITHDRAW MY MOTION ON THAT.”

UNAPPROVED

"BRIAN OLIVER" - NOMINATED TO CONTINUE SERVING ON THE OAK FOREST WALL AND BEAUTIFICATION DISTRICT ADVISORY COMMITTEE. MOTION BY DEPUTY MAYOR BROWN. SECONDED BY COMMISSIONER HOVEY. DISCUSSION.

VOTE:

**COMMISSIONER HOVEY: AYE
COMMISSIONER McGINNIS: AYE
COMMISSIONER KREBS: AYE
COMMISSIONER BONNER: AYE
DEPUTY MAYOR BROWN: AYE
MOTION CARRIED.**

"BART PHILLIPS" - NOMINATED TO SERVE ON THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY. MOTION BY DEPUTY MAYOR BROWN. SECONDED BY COMMISSIONER HOVEY. DISCUSSION.

VOTE:

**COMMISSIONER McGINNIS: AYE
COMMISSIONER KREBS: AYE
COMMISSIONER HOVEY: AYE
DEPUTY MAYOR BROWN: AYE
COMMISSIONER BONNER: AYE
MOTION CARRIED.**

Deputy Mayor Brown added, "I will be prepared with my Code Enforcement (Board) nomination, next Meeting."

"LORRY ROERO" - NOMINATED TO CONTINUE SERVING ON THE BEAUTIFICATION OF WINTER SPRINGS BOARD." MOTION BY COMMISSIONER HOVEY. SECONDED BY COMMISSIONER KREBS. DISCUSSION.

VOTE:

**COMMISSIONER KREBS: AYE
COMMISSIONER BONNER: AYE
DEPUTY MAYOR BROWN: AYE
COMMISSIONER HOVEY: AYE
COMMISSIONER McGINNIS: AYE
MOTION CARRIED.**

"GARY BROOK" - NOMINATED TO SERVE ON THE CODE ENFORCEMENT BOARD." MOTION BY COMMISSIONER HOVEY. SECONDED BY COMMISSIONER KREBS. DISCUSSION.

IT WAS NOTED THAT MR. BROOK WAS BEING NOMINATED TO REPLACE THE SEAT HELD BY MR. GREGORY ROERO.

UNAPPROVED

VOTE:

COMMISSIONER KREBS: AYE
COMMISSIONER McGINNIS: AYE
COMMISSIONER BONNER: AYE
DEPUTY MAYOR BROWN: AYE
COMMISSIONER HOVEY: AYE
MOTION CARRIED.

"MARY BROOK" - NOMINATED TO CONTINUE SERVING ON THE TUSCAWILLA LIGHTING AND BEAUTIFICATION DISTRICT ADVISORY COMMITTEE. MOTION BY COMMISSIONER HOVEY. SECONDED BY DEPUTY MAYOR BROWN. DISCUSSION.

VOTE:

COMMISSIONER BONNER: AYE
COMMISSIONER McGINNIS: AYE
COMMISSIONER HOVEY: AYE
DEPUTY MAYOR BROWN: AYE
COMMISSIONER KREBS: AYE
MOTION CARRIED.

"RAQUEL SANTANA" - NOMINATED TO CONTINUE SERVING ON THE OAK FOREST WALL AND BEAUTIFICATION DISTRICT ADVISORY COMMITTEE. MOTION BY COMMISSIONER McGINNIS. SECONDED BY DEPUTY MAYOR BROWN. DISCUSSION.

VOTE:

COMMISSIONER HOVEY: AYE
COMMISSIONER McGINNIS: AYE
COMMISSIONER KREBS: AYE
COMMISSIONER BONNER: AYE
DEPUTY MAYOR BROWN: AYE
MOTION CARRIED.

"BILL POE" - NOMINATED TO CONTINUE SERVING ON THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY. MOTION BY COMMISSIONER McGINNIS. SECONDED BY COMMISSIONER KREBS. DISCUSSION.

VOTE:

COMMISSIONER McGINNIS: AYE
COMMISSIONER KREBS: AYE
COMMISSIONER HOVEY: AYE
DEPUTY MAYOR BROWN: AYE
COMMISSIONER BONNER: AYE
MOTION CARRIED.

UNAPPROVED

"LAURA LEIGH (WOOD)" - NOMINATED TO CONTINUE SERVING ON THE CODE ENFORCEMENT BOARD. MOTION BY COMMISSIONER KREBS. SECONDED BY DEPUTY MAYOR BROWN. DISCUSSION.

VOTE:

COMMISSIONER KREBS: AYE
DEPUTY MAYOR BROWN: AYE
COMMISSIONER HOVEY: AYE
COMMISSIONER MCGINNIS: AYE
COMMISSIONER BONNER: AYE
MOTION CARRIED.

"DONALD GILMORE" - NOMINATED TO CONTINUE SERVING ON THE TUSCAWILLA LIGHTING AND BEAUTIFICATION DISTRICT ADVISORY COMMITTEE." MOTION BY COMMISSIONER KREBS. SECONDED BY COMMISSIONER MCGINNIS. DISCUSSION.

VOTE:

COMMISSIONER BONNER: AYE
COMMISSIONER KREBS: AYE
COMMISSIONER MCGINNIS: AYE
COMMISSIONER HOVEY: NAY
DEPUTY MAYOR BROWN: AYE
MOTION CARRIED.

"LARRY CHMURA" - NOMINATED TO MOVE FROM A BEAUTIFICATION OF WINTER SPRINGS BOARD MAYORAL APPOINTMENT TO SERVE ON THE BEAUTIFICATION OF WINTER SPRINGS BOARD AS THE NEW SEAT FIVE REPRESENTATIVE. MOTION BY COMMISSIONER KREBS. SECONDED BY COMMISSIONER HOVEY. DISCUSSION.

VOTE:

COMMISSIONER MCGINNIS: AYE
COMMISSIONER HOVEY: AYE
DEPUTY MAYOR BROWN: AYE
COMMISSIONER BONNER: AYE
COMMISSIONER KREBS: AYE
MOTION CARRIED.

"JOANN MATTIE" - NOMINATED TO MOVE FROM A BEAUTIFICATION OF WINTER SPRINGS BOARD MAYORAL APPOINTMENT TO SERVE ON THE BEAUTIFICATION OF WINTER SPRINGS BOARD AS THE NEW SEAT THREE REPRESENTATIVE. MOTION BY COMMISSIONER BONNER. SECONDED BY COMMISSIONER KREBS. DISCUSSION.

VOTE:

COMMISSIONER HOVEY: AYE
COMMISSIONER MCGINNIS: AYE
COMMISSIONER KREBS: AYE
COMMISSIONER BONNER: AYE
DEPUTY MAYOR BROWN: AYE
MOTION CARRIED.

UNAPPROVED

REGULAR

605. Office Of The City Manager

REQUEST: Requesting That The City Commission Agree That The City Commission Designates That Mayor John F. Bush Is Our “Voting Delegate” (And Deputy Mayor Rick Brown Would Be Alternate), To Represent The City Of Winter Springs At The Upcoming Florida League Of Cities Annual Conference; And Is Asking If The City Commission Has Any Issues (Commemorative, Constitutional, Or Federal) They Wish To Be Brought Forward To The Florida League Of Cities In The Form Of A Resolution.

FISCAL IMPACT: There Is No Fiscal Impact To This Agenda Item, As Presented.

COMMUNICATION EFFORTS: Copies And/Or Access To This Agenda Item Have Been Provided To The Mayor And City Commission, City Attorney, Department Directors; Placed In Press Packets; Placed In The Lobby Binder; Is Available On The City’s Website, Laserfiche, And The City’s Server; And Through All Other Actions Completed Via The City Clerk’s Posting Procedure

RECOMMENDATION: It Is Recommended That The City Commission Confirm That Mayor John F. Bush Would Be The City Of Winter Springs’ “Voting Delegate” (And Deputy Mayor Rick Brown Would Be Alternate), At The 84th Florida League Of Cities Annual Conference, Being Held This August 19-21, 2010 In Hollywood, Florida; And Agree That The City Manager Or The City Clerk May Complete The Required Documentation (As Shown In This Agenda Item) And Submit It.

It Is Also Recommended That The City Commission Address Any Issues (Commemorative, Constitutional, Or Federal) They Would Like Considered In A Possible Resolution To Be Forwarded To The Florida League Of Cities; And If So, To Direct Staff To Prepare A Resolution And Forward To The Florida League Of Cities, With A Copy To The Mayor And City Commission.

“SO MOVED.” MOTION BY COMMISSIONER HOVEY. SECONDED BY COMMISSIONER McGINNIS. DISCUSSION.

VOTE:

COMMISSIONER KREBS: AYE

DEPUTY MAYOR BROWN: AYE

COMMISSIONER BONNER: AYE

COMMISSIONER HOVEY: AYE

COMMISSIONER McGINNIS: AYE

MOTION CARRIED.

In other City business, Commissioner Krebs referenced Resolution 2009-10 and commented on Public Input at City Commission Workshops.

Discussion.

“I WOULD LIKE TO MAKE A MOTION THAT AT THE BEGINNING OF EVERY MEETING, WHETHER A WORKSHOP OR OFFICIAL CITY MEETING, THAT ANY CITIZENS THAT ARRIVE THAT WOULD LIKE TO ADDRESS THE COMMISSION ON ANY SUBJECT BE ALLOWED TO DO SO.” MOTION BY DEPUTY MAYOR BROWN. SECONDED BY COMMISSIONER BONNER. DISCUSSION.

FURTHER COMMENTS ENSUED ON WHEN “PUBLIC INPUT” SHOULD BE HELD.

UNAPPROVED

Commissioner Bonner commented, "Point of Order" and referenced the Motion on the floor.

ATTORNEY GARGANESE NOTED, "I TAKE IT FROM THE COMMISSION THAT YOU WANT TO AMEND THE POLICY TO ALLOW 'PUBLIC INPUT' DURING ALL MEETINGS OF THE COMMISSION, NOT JUST REGULAR MEETINGS..." DEPUTY MAYOR BROWN STATED, "...YES." ATTORNEY GARGANESE CONTINUED, "THAT WILL REQUIRE THE COMMISSION TO ADOPT A RESOLUTION AND WE WILL GO AHEAD AND TAKE YOUR COMMENTS, PREPARE THAT RESOLUTION, PUT IT ON AN AGENDA, AND THEN YOU WILL FORMALLY APPROVE IT."

DEPUTY MAYOR BROWN STATED, "I WILL WITHDRAW THE MOTION."

"I WOULD LIKE TO MAKE A MOTION THAT WE ADD 'PUBLIC INPUT' AT THE BEGINNING OF ANCILLARY MEETINGS OF THE COMMISSION SUCH AS WORKSHOPS OR SPECIAL MEETINGS TO INCLUDE AN OPEN OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION ON ISSUES THAT ARE IMPORTANT TO THEM, NOTWITHSTANDING THE EXISTING 'PUBLIC INPUT' PERIOD THAT OCCURS DURING REGULAR CITY COMMISSION MEETINGS." MOTION BY DEPUTY MAYOR BROWN. SECONDED BY COMMISSIONER BONNER. DISCUSSION.

VOTE:

COMMISSIONER McGINNIS: AYE

DEPUTY MAYOR BROWN: AYE

COMMISSIONER KREBS: AYE

COMMISSIONER HOVEY: AYE

COMMISSIONER BONNER: AYE

MOTION CARRIED.

Manager Smith said, "If it pleases the Commission we'll bring that back in the form of a Resolution to memorialize further."

Commissioner Bonner commented on Regular Agenda Item "601" and said to Manager Smith, "There were a number of discussion items, in particular the ones that I brought forward that I feel I laid out some clear expectation of what I am expecting to see the next time they come before this Commission with any updates or progress on that plan. So, when you meet - at least on my behalf, when you meet with that Applicant, I would like you to reiterate that I really do, from my perspective, I don't want them to waste their time to come before us again until they are ready to provide that additional amount of specificity." Manager Smith stated, "Understood."

Mayor Bush noted, "They have to follow the procedures." Manager Smith added, "All of the things that were brought up will be addressed at that time; but as we go over the Minutes of this Meeting, we will ensure that those are addressed."

With further comments, Commissioner Bonner noted, "I don't want them to show up unprepared to address all the details we provided them tonight, of expectations." Manager Smith said to Commissioner Bonner, "I think you are just asking if those items that you brought up would be considered in the normal scope of the process, and yes they would."

UNAPPROVED

ADJOURNMENT

Mayor Bush adjourned the Regular Meeting at 8:53 p.m.

RESPECTFULLY SUBMITTED:

ANDREA LORENZO-LUACES, MMC
CITY CLERK

APPROVED:

MAYOR JOHN F. BUSH

UNAPPROVED

NOTE: These Minutes were approved at the _____, 2010 City Commission Regular Meeting.

DRAFT

Exhibit 3-12

**CITY OF WINTER SPRINGS, FLORIDA
UNAPPROVED MINUTES
PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY
REGULAR MEETING
JULY 14, 2010
(RESCHEDULED FROM JULY 7, 2010)**

CALL TO ORDER

The Regular Meeting of Wednesday, July 14, 2010 of the Planning And Zoning Board/Local Planning Agency (Rescheduled from July 7, 2010) was called to Order at 7:00 p.m. by Chairman Charles Lacey in the Commission Chambers of the Municipal Building (City Hall, 1126 East State Road 434, Winter Springs, Florida 32708).

Roll Call:

Chairman Charles Lacey, present
Vice Chairman William H. Poe, absent
Board Member Howard Casman, present
Board Member Robert Heatwole, present
Board Member Rosanne Karr, present

A moment of silence preceded the Pledge of Allegiance.

Chairman Lacey noted, "We will have Reports before Public Input – and then when we get through the main Agenda, Randy (Stevenson, ASLA, AICP, Director, Community Development Department) has some information for us regarding process improvement that relates back to our discussion of – two (2) months ago where we had some recommendations for the City Commission about how this Board could be more effectively used."

INFORMATIONAL AGENDA

**INFORMATIONAL
100. Not Used.**

CONSENT AGENDA

CONSENT

200. Office Of The City Clerk

Requesting Approval Of The June 9, 2010 (Rescheduled From June 2, 2010),
Planning And Zoning Board/Local Planning Agency Regular Meeting Minutes.

"I MOVE THAT WE APPROVE THE MINUTES FROM JUNE 9TH, [2010] MEETING." MOTION BY BOARD MEMBER KARR. SECONDED BY BOARD MEMBER CASMAN. DISCUSSION.

VOTE:

CHAIRMAN LACEY: AYE

BOARD MEMBER HEATWOLE: AYE

BOARD MEMBER KARR: AYE

BOARD MEMBER CASMAN: AYE

MOTION CARRIED.

AWARDS AND PRESENTATIONS

AWARDS AND PRESENTATIONS

300. Not Used.

400. REPORTS

No Reports were given.

PUBLIC INPUT

Mr. Lee Jensen, 134 Nandina Terrace, Winter Springs, Florida: spoke on behalf of Howell Creek Reserve Homeowner's Association and the current Zoning of the proposed Jetta Point park and suggested a neighborhood park as an amenity which would maintain property values.

Mr. Scott Wasmund, 118 Goshawk Terrace, Winter Springs, Florida: commented on the Zoning designation of the Jetta Point property.

With further discussion, Mr. Stevenson displayed a Seminole County GIS Map dated June 2010.

Mr. Jim Mathews, 1824 Seneca Boulevard, Winter Springs, Florida: thanked the Planning and Zoning Board/Local Planning Agency and spoke of the upcoming Primary Election 2010 and the candidates running for Re-Election; and remarked about the status of the proposed Jetta Point property.

Ms. Janet Altenhoff, 104 Redtail Place, Winter Springs, Florida: noted she would like to be informed of any changes in the Zoning of the Jetta Point property; currently registered for eAlerts/eCitizen and was concerned with preserving the eagle nests.

In regards to informing the public, Mr. Stevenson noted, "The mailing list, eAlerts, our Website – a lot of different things are going to be used to continue to communicate." Related to the proposed Jetta Point Park, Mr. Stevenson added, "We will continue to update everybody if we get any requests. To date we have received no requests from the (Seminole) County relative to this property."

Chairman Lacey commented for the Record that Ms. Deborah Bojarsky, 670 Saranac Drive, Winter Springs, Florida would like to see a plan for the proposed Jetta Point property and conservation of wetlands and eagle nest areas.

Chairman Lacey spoke for the Record that Mr. Don Morrison, 670 Saranac Drive, Winter Springs, Florida would like to see a plan for the proposed Jetta Point property which includes permanent protection of the wetlands.

Mr. William Tillmann, 119 Goshawk Terrace, Winter Springs, Florida: asked about the future Use of the proposed Jetta Point property.

Mr. Jay Clay, 144 Peregrine Court, Winter Springs, Florida: spoke of the April 28th, 2010 Public Meeting and asked to be notified of any Zoning changes in the future.

Mr. Jim Bradley, 132 Redtail Place, Winter Springs, Florida: spoke about domestic tranquility and our Constitutional rights and wanted to state that for the Record.

Chairman Lacey commented for the Record that Mr. Randy W. Nelson, 106 Shellflower Cove, Winter Springs, Florida was opposed to the proposed Jetta Point Park.

Chairman Lacey spoke for the Record that Ms. Judy V. Nelson, 106 Shellflower Cove, Winter Springs, Florida is opposed to the proposed Jetta Point Park.

Ms. Pamela Carroll, 865 Dyson Drive, Winter Springs, Florida: spoke of the 1990 Settlement Agreement and other Uses for the proposed Jetta Point property.

The 1990 Settlement Agreement was shown to the Board Members.

Chairman Lacey read an email into the Record from Ms. Marilyn Kastory.

Mr. Greg Smith, 669 Saranac Drive, Winter Springs, Florida: suggested a portion of the Jetta Point property be used for Commercial for the tax base; spoke of various Uses such as a neighborhood park and conservation, and preserving the eagles nests.

Chairman Lacey noted that the Public Input information from tonight's Meeting will be referred to the City Commission and City Manager.

In regard to the 1990 Settlement Agreement and Text Amendment, Mr. Stevenson stated, "I would suggest you give Staff time to research both of these items and we will get back with you on that."

"I MAKE A MOTION THAT WE DIRECT STAFF TO RESEARCH THE POSSIBILITY OF REVERSING THE 2006 TEXT AMENDMENT AND LOOK AT THE PERMITTED USES IN THE PUD (PLANNED UNIT DEVELOPMENT) RELATIVE TO THE PROPERTY BEING USED FOR THE FORMER JETTA POINT PARK." MOTION BY CHAIRMAN LACEY. SECONDED BY BOARD MEMBER CASMAN. DISCUSSION.

VOTE:

BOARD MEMBER KARR: AYE

CHAIRMAN LACEY: AYE

BOARD MEMBER HEATWOLE: AYE

BOARD MEMBER CASMAN: AYE

MOTION CARRIED.

❖❖ **AGENDA NOTE: THE FOLLOWING PUBLIC INPUT WAS HEARD AGAIN, FOLLOWED BY THE REST OF THE AGENDA, AS DOCUMENTED.**
❖❖

PUBLIC INPUT

Mr. William Tillmann, 119 Goshawk Terrace, Winter Springs, Florida: asked about the proposed Town Parke Apartments project and noted his opposition to this proposed property.

Discussion.

Tape 1/Side B

PUBLIC HEARINGS AGENDA

PUBLIC HEARINGS

500. Community Development Department – Planning Division Requests That The Local Planning Agency Hold A Public Hearing For Consideration Of Ordinance 2010-18, Amending The Comprehensive Plan To Create A Citywide Transportation Concurrency Exception Area (TCEA) For The City Of Winter Springs.

Ms. Eloise Sahlstrom, AICP, ASLA, Senior Planner, Community Development Department presented this Agenda Item and stated, "It is a Comprehensive Plan Amendment" and continued to inform the Board Members on this topic.

Continuing, Ms. Sahlstrom noted that, "We are planning to take this to the Commission at our last Commission Meeting in July [2010] so it can be Transmitted and we will get it back barely in time to put it out there for Adoption."

The Future Land Use Element was discussed.

Mr. Brian Fields, P.E., City Engineer, Public Works Department addressed the Board Members to further explain the Citywide Transportation Concurrency Exception Area (TCEA).

The Transportation Concurrency Exception Area (TCEA) Zones were displayed.

Chairman Lacey asked, "How different is the red version we have here than what you sent us?" Ms. Sahlstrom replied, "The main portion that is different is the part that deals with the Transportation Element which is beginning on page 4. There were a few minor tweaks to other Elements, but primarily the majority are in this part, the Transportation Element."

Discussion ensued on Intergovernmental Coordination Element, Objective 1.3: Transportation Coordination.

Regarding street lighting along Tuskawilla Road, Mr. Fields stated, "I think to -- research the history on that, we probably have to get with Steve Richart (Urban Beautification Services Division Manager, Community Development Department). He really is probably the single person who is most informed about street lights throughout Winter Springs both in the public streets and State and County roads. I will be glad to get with Steve (Richart) tomorrow and see what he knows about that. Maybe he can provide some insight that we do not have here tonight and we can get back to you on that."

Further discussion.

Ms. Sahlstrom stated, "As we move forward in defining what future costs we will have, we will probably want to revisit our Transportation Impact Fee and broaden it so it is not just related to building roads."

The Transportation Element was discussed next.

Mr. Fields stated, "This plan deliberately does not specify the detail in which these Mobility Strategies will be funded and where that burden will fall on the City. Will it be by Grant money, by Impact Fees or new Fees? It does not specifically say that. I would look at the Mobility Strategies more as mitigation."

Continuing, Mr. Fields said, "We do not know what the State is expecting as far as funding, but we are going to work our way through with the Strategies at least and then hopefully detail that process at another time. You are not being asked to Approve any new Impact Fees - it is just the conceptual framework for Strategies, which we feel like by Law we are required to implement."

Ms. Sahlstrom explained the term "BRT" or Bus Rapid Transit to the Board Members.

Photographs of Transit Preferential Treatments were shown.

Tape 2/Side A

In regard to Policy I.11.9: Annually determine the City's percentage of achievement of mobility strategies and multimodal O/LOS (Quality/Level of Service)., Ms. Sahlstrom stated, "We will continue to work with Seminole County and the Cities to ensure that we are coordinating with them and coordinating Mobility Strategies and we are also coordinating opportunities and looking at our personal needs within the City."

Mr. Fields asked, "They are getting a lot tonight and they are being asked to act on this, would it be acceptable even after tonight if they had more time to review this or if they had questions or comments, could they get those to us before the next Commission Meeting on the 26th (July 2010)?" Ms. Sahlstrom replied, "What I will do is, I will need a recommendation from you tonight, but then if you find other things that you question or that you have comments about, I can include that in my Agenda Item to the Commission."

Ms. Sahlstrom noted that, "We absolutely need to go forward on the 26th (July 2010) and to get Transmittal to get this to the State."

Chairman Lacey then asked Ms. Sahlstrom, "Did you want to address specifically the Intergovernmental (Coordination Element) or Capital Improvements Element?" Ms. Sahlstrom responded, "That has not changed that much since from what I previously sent out, but I can go over it if you like." Chairman Lacey replied, "Not necessary."

Chairman Lacey opened the "Public Input" portion of this Agenda Item.

No one spoke.

Chairman Lacey closed the "Public Input" portion of this Agenda Item.

"I WILL MAKE THE MOTION THAT BASED ON OUR PUBLIC HEARING TONIGHT WE MAKE A FAVORABLE RECOMMENDATION TO THE CITY COMMISSION FOR ORDINANCE 2010-18 AMENDING PORTIONS OF THE CITY'S COMPREHENSIVE PLAN TO IDENTIFY MOBILITY STRATEGIES AND TO DESIGNATE A TRANSPORTATION CONCURRENCY EXCEPTION AREA OVER THE ENTIRE CITY AND LEAVING THE OPTION OPEN THAT IF WE HAVE QUESTIONS BETWEEN NOW AND THE 26TH (JULY 2010) WE SHOULD SUBMIT THEM TO YOU." MOTION BY BOARD MEMBER KARR. SECONDED BY BOARD MEMBER HEATWOLE.

VOTE:

BOARD MEMBER CASMAN: AYE

BOARD MEMBER KARR: AYE

CHAIRMAN LACEY: AYE

BOARD MEMBER HEATWOLE: AYE

MOTION CARRIED.

PUBLIC HEARINGS

501. Community Development Department – Planning Division

Requests That The Local Planning Agency Hold A Public Hearing For Consideration Of Ordinance 2010-20, Amending The Comprehensive Plan Related To The GreeneWay Interchange District (GID).

Ms. Sahlstrom presented this Agenda Item and stated, "The Attorney felt that we needed to separate this from the other because the other one dealt with Mobility. This item really is talking about the Residential portion of the GreeneWay Interchange District and as I mentioned in the Agenda Item, it was brought to the attention of Staff by discussions with the – primary property owner that they may need some tweaks to a few of the policies to give better flexibility."

Discussion.

Mr. Stevenson stated, "We did want to make it a Conditional Use. We did want to limit it to Vertically Integrated. We have allowed up to seventy-five percent (75%) of any one building to try to be flexible in that area while not allowing a one hundred percent (100%) residential building or a one hundred percent (100%) residential community because we do not think that is the intent of our GID (GreeneWay Interchange District).

But, there was a request to allow certain incidental Residential Uses associated with the primary use and that is where we want to go with this at this point in time. Again, this would all have to be detailed more in the Code but this is the basic framework for Residential in the GID (GreeneWay Interchange District)."

Referencing the Future Land Use Policy, Ms. Sahlstrom stated, "The other item - we are adding a line to is *Policy 3.2.4 Intensity and Building Height* just saying that 'Ancillary buildings may be excluded from the two story minimum by action of the City Commission'."

Discussion.

Chairman Lacey opened the "Public Input" portion of this Agenda Item.

No one spoke.

Chairman Lacey closed the "Public Input" portion of this Agenda Item.

"I MOVE THAT WE RECOMMEND TO THE CITY COMMISSION BASED ON THIS PUBLIC HEARING, WE FAVORABLY RECOMMEND TO THE CITY COMMISSION ORDINANCE 2010-20 AMENDING THE FUTURE LAND USE ELEMENT OF THE CITY'S COMPREHENSIVE PLAN RELATED TO THE GREENEWAY INTERCHANGE DISTRICT INCORPORATING THE CHANGES THAT WAS VERBALLY MENTIONED IN THIS HEARING." MOTION BY BOARD MEMBER KARR. SECONDED BY BOARD MEMBER HEATWOLE. DISCUSSION.

VOTE:

CHAIRMAN LACEY: AYE

BOARD MEMBER CASMAN: AYE

BOARD MEMBER KARR: AYE

BOARD MEMBER HEATWOLE; AYE

MOTION CARRIED.

In other business, Deputy City Clerk Joan Brown reminded the Board Members of the Town Hall Meeting on Monday, July 19, 2010 at 7:00 p.m. at City Hall.

Discussion ensued on the responsibilities and duties of the Planning and Zoning Board/Local Planning Agency Board and suggested changes to the Application and Review Process.

Chairman Lacey said, "My primary goal in any of this is that we reduce the process for Applicants coming through so the people don't come to the Planning and Zoning and possibly be paying an Engineer or possibly be paying an Attorney to sit through this and have this process basically be nothing but a dry run for them to take the same exact thing and go forward and do it a second time in front of the Commission.

So, if there is essentially some delegation of authority down to Staff at a certain level then down to Planning and Zoning (Board/Local Planning Agency) at another level where someone can come forth and feel like they accomplished something when they get an Approval or they get a denial or a request for changes out of this Board which I don't think is the case today.

And then - my second goal was to take away - where we have one (1) set of rules for the Town Center or one (1) set of processes for the Town Center and another set of processes for outside the Town Center."

For the Record, Board Member Howard Casman noted his agreement with the Application and Review process discussed by Chairman Lacey.

With further discussion on suggested changes, Chairman Lacey stated, "I discussed with Randy (Stevenson) reengaging on the topic to figure out what the best approach should be. So, we can continue down that path, but I think it might be better if we can get Staff engaged so that we can schedule this as an Agenda Item and then present it jointly from this Board with Staff's support to lay out a process for them. Any comments on that process?" There were no objections voiced.

In regard to preparing an Agenda Item to propose suggestions on the duties and responsibilities of the Planning and Zoning Board/Local Planning Agency and the Application and Review Process, Mr. Stevenson stated, "Staff will work diligently to try to get that back before you sooner rather than later. Mr. Chairman - we really don't want to wait for another Meeting - and we are still working on that. What would be your preference for Staff to get that proposed Agenda Item language to the members of this body?"

Chairman Lacey replied, "I think you know from this discussion and previous what we are interested in doing, so I am comfortable with you preparing that Item and putting it on the Commission and then we will handle verbally as part of that presentation our own take on it." Mr. Stevenson replied, "Okay." Chairman Lacey asked, "Agreed?" There were no objections from the Board.

Continuing, Chairman Lacey said, "So, can you be ready for the Meeting twelve (12) days from now?" Mr. Stevenson said, "No." Chairman Lacey then asked, "Can you be ready for the first Meeting in August?" Mr. Stevenson said, "It is my target, yes. That would be August 9th [2010]."

Deputy City Clerk Brown asked, "I just had a question as far as do you feel that that should be a Vote for Randy (Stevenson) to take that information to the City Manager?" Chairman Lacey replied, "I don't think it is necessary. Do you think you need a Vote from this Board?" Mr. Stevenson replied, "Do I have Consensus?" Board Member Karr replied, "Yes." Board Member Casman said, "Yes." Chairman Lacey replied, "Yes, you have Consensus. Are you satisfied?" There was no objection.

ADJOURNMENT

Chairman Lacey adjourned the Regular Meeting at 9:15 p.m.

RESPECTFULLY SUBMITTED:

JOAN L. BROWN
DEPUTY CITY CLERK

APPROVED:

CHARLES LACEY, CHAIRMAN
PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Bulleted Item 4

- **Clarification of the proposed park design that resulted in the alleged community objections and wetland protection concerns**

Seminole County's Response:

The Jetta Park development project from the beginning was to develop a facility that was a mix of active and passive uses. Seminole County's intent has been clearly outlined from the beginning of the project – to build a park facility that consisted of both active and passive recreation elements. The original application for the project included the following regarding Seminole County's purpose for the project:

“This site will become a multi-use property with a mixture of active recreational uses and passive uses...”

“The 1998 Seminole County Recreation and Open Space Master Plan identifies that facility deficiencies in the existing active parks program could be lessened if the disturbed areas of the [Jetta] site can be developed into multipurpose fields, pavilions, and playgrounds... The ability to offer a mixed recreational experience that includes passive, active and trail-based recreation provides tremendous appeal and potential for the Jetta Point acquisition.”

The original Management Plan for the Park (Exhibit 4-1) dated October 28, 2004 further described the intent of the project as the following:

#1 Management Objective – To increase the County's recreational level of service via the addition of multipurpose sports fields and expansion of the Cross-Seminole Trail's Black Hammock Trailhead...”

#2 Management Objective – To provide a recreational venue for family oriented activities consistent with approved land uses. Both passive and active recreation will be provided in the form of nature trails, bike trailheads, playground (tot lot) and multi-use fields...”

The proposed park program and design was consistently described with refinements reported within the following documents (attached):

- Stewardship Report for 2005 – Dated January 11, 2006 (Exhibit 4-2)
- Stewardship Report for 2006 – Dated January 18, 2007 (Exhibit 4-3)
- Revised Park Management Plan – Dated February 27, 2007 (Exhibit 4-4)
- Stewardship Report for 2008 – Dated January 30, 2009 (Exhibit 4-5)

The planning and design timeline illustrated within the above documents includes approval by the Board of County Commissioners (BCC) of a Conceptual Plan in 2005. In July of 2005, the County purchased three additional interior outparcels to complete the park property acquisition.

After several months of planning, on February 14, 2006 the BCC approved a formal Site Plan for the Jetta Point Property. Jurisdictional issues were identified with the Cities of Oviedo and Winter Springs during preliminary engineering starting in May 2006. These issues included land use and zoning changes required for project approval.

On October 2, 2006 a neighborhood meeting was held by the City of Winter Springs to discuss with area residents the County's conceptual plan for the park to be located at the Jetta Point property as depicted on the plan included in Exhibit 4-3. The meeting was attended by two County Commissioners, the County's

design consultant, City of Winter Springs Commissioners and residents. Documented discussion topics were specific to elements within the design and issues and concerns were generally addressed.

As jurisdictional issues were continued to be addressed and detailed design commenced, the Great Recession resulted in significant budgetary constraints for the project. Once a new funding strategy was in place after several very challenging budget years, work continued in earnest to complete the design and permitting on the project.

Once the permitting process for the project resumed, the project was met with an increasing number of community objections as documented in the response to Bulleted Item 3. It is important to note that between the time of the October 2, 2006 neighborhood meeting and the resumption of the permitting process in 2009, the plans for the park development essentially remained the same.

Exhibit 4-6 depicts an illustration of the final site plan for the park.

Exhibit 4-1
MANAGEMENT PLAN
JETTA POINT PROPERTY
FCT PROJECT # 03-055-FF3

October 28, 2004

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