



CITY OF WINTER GARDEN

City Commission BUDGET HEARINGS & REGULAR MEETING MINUTES

September 28, 2023

BUDGET HEARINGS & REGULAR MEETING of the Winter Garden City Commission was called to order by Mayor Rees at 6:31 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. An Opening Invocation and Pledge of Allegiance were given.

Present:

Mayor John Rees
Commissioner District 2 - Ron Mueller
Commissioner District 3 - Mark A. Maciel
Commissioner District 4 - Colin Sharman

Also Present:

City Manager Jon C. Williams
City Attorney A. Kurt Ardaman
City Clerk Angee Grimmage

Absent:

Commissioner District 1 - Lisa L. Bennett

BUDGET HEARINGS

1. **SECOND READING AND PUBLIC HEARINGS TO ADOPT PROPOSED BUDGETS AND MILLAGE RATE FOR FISCAL YEAR 2023/2024**
 - A. **Ordinance 23-22:** AN ORDINANCE LEVYING TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2023, AND ENDING ON SEPTEMBER 30, 2024

City Attorney Kurt Ardaman read Ordinance 23-22 by title and an excerpt from Section 1 stating that the City Commission of the City of Winter Garden hereby adopts, establishes and levies a millage rate for ad valorem taxation of real and tangible personal property within the City of Winter Garden for the Fiscal Year beginning October 1, 2023, and ending on September 30, 2024, at the rate of 4.5000 mills (\$4.5000 for every \$1,000 of assessed valuation) upon the assessed valuation of property within the corporate limits of the City of Winter Garden, Florida. This millage rate is greater than the rolled-back rate of 4.0908 mills by 10.00 percent.

Finance Director Laura Zielonka stated that this is the second reading and public hearing of Ordinance 23-22, which sets the millage rate for the next fiscal year. Staff recommends approval.

Mayor Rees opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Mueller to adopt Ordinance 23-22. Seconded by Commissioner Sharman and carried unanimously 4-0.

- B. **Ordinance 23-23:** AN ORDINANCE APPROPRIATING AND ALLOCATING ALL REVENUE AND FUNDS OF THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2023, AND ENDING ON SEPTEMBER 30, 2024

City Attorney Kurt Ardaman read Ordinance 23-23 by title and an excerpt stating that it is anticipated that there will be available for use and disbursement from the general funds of said City, revenue in the following amounts:

Collection of Ad Valorem	\$24,081,464
Revenue other than Ad Valorem	<u>58,687,446</u>
TOTAL REVENUES AVAILABLE FOR EXPENDITURES	\$82,768,911

Finance Director Laura Zielonka stated that this is the second reading and public hearing for Ordinance 23-23 for general fund revenue for the next fiscal year. Staff recommends approval.

Mayor Rees opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Maciel to adopt Ordinance 23-23. Seconded by Commissioner Sharman and carried unanimously 4-0.

- C. **Ordinance 23-24:** AN ORDINANCE APPROPRIATING AND ALLOCATING ALL REVENUE AND FUNDS OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA) OF THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2023, AND ENDING ON SEPTEMBER 30, 2024

City Attorney Kurt Ardaman read Ordinance 23-24 by title and an excerpt stating that it is anticipated that there will be available for use and disbursement from the CRA funds of said City, revenue in the following amounts:

Collection of Ad Valorem	\$1,531,646
Revenue other than Ad Valorem	<u>1,385,435</u>
TOTAL REVENUES AVAILABLE FOR EXPENDITURES	\$2,917,081

Finance Director Laura Zielonka stated that this is the second reading and public hearing of Ordinance 23-24, which allocates the anticipated CRA revenues for 2024. She noted that this was presented to the CRA Advisory Board, which unanimously approved it. Staff recommends approval.

Mayor Rees opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Maciel to adopt Ordinance 23-24. Seconded by Commissioner Sharman and carried unanimously 4-0.

- D. **Ordinance 23-25** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, AUTHORIZING THE APPROPRIATIONS OF CITY FUNDS FOR FISCAL YEAR 2023-24 IN ACCORDANCE WITH ARTICLE 3 SECTION 30 (5) OF THE CITY CHARTER OF THE CITY OF WINTER GARDEN, FLORIDA, AND FLORIDA STATUTE 166.241 FOR THE PURPOSE OF FULFILLING THE FINANCIAL OBLIGATIONS OF THE CITY

City Attorney Kurt Ardaman read Ordinance 23-25 by title only. Finance Director Laura Zielonka noted that the proposed budget is the same as presented at the first hearing with no noted changes, and staff recommends approval.

Mayor Rees opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Mueller to adopt Ordinance 23-25. Second by Commissioner Sharman and carried unanimously 4-0.

REGULAR MEETING

2. **APPROVAL OF MINUTES**

- A. **Motion by Commissioner Maciel to approve regular meeting minutes for September 14, 2023, as submitted. Seconded by Commissioner Sharman and carried unanimously 4-0.**
- B. **Motion by Commissioner Sharman to approve workshop meeting minutes for September 14, 2023, as submitted. Seconded by Commissioner Maciel and carried unanimously 4-0.**

3. **SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCE**

- A. **Ordinance 23-18:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 11.34 ± ACRES LOCATED AT STONEYBROOK WEST PARKWAY (PARCEL ID 36-22-27-0000-00-085) GENERALLY LOCATED SOUTH OF STATE ROAD 429, WEST OF WINDERMERE ROAD, EAST OF SCARLETT SAGE COURT, AND NORTH OF STONEYBROOK WEST PARKWAY FROM C-2 (ARTERIAL COMMERCIAL DISTRICT) TO PCD (PLANNED COMMERCIAL DEVELOPMENT); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Kurt Ardaman read Ordinance 23-18 by title only. Planning Director Kelly Carson stated that this is a request for PCD rezoning of a property located on the northwest side of Stoneybrook West Parkway and Windermere Road. Ms. Carson spoke of the property's size and current zoning and land use designation. She noted the

applicant's intent to rezone to PCD to permit the development of 13 new commercial buildings. She described the proposed use, size, height, and safety. Staff reviewed the application and recommended approval.

Commissioner Maciel addressed eight items that were of community concern. Planning Director Carson noted that these items would be addressed at the site plan review, which she believes has not been submitted to date.

Mayor Rees opened the public hearing.

Kelly Morphy, 149 Blue Stone Circle, Winter Garden, Florida, spoke on behalf of the Safe Streets West Orange Coalition. She described the organization and its purpose and spoke favorably of this project. She mentioned its walkability and that it is bike-friendly. Ms. Morphy addressed a roundabout, vehicle speeds, pedestrians, yield rates, raised crosswalks and the addition of a right turn lane, which would be terminated by a physical barrier. Also discussed was the placement of a pork chop island for safety.

Hearing and seeing no additional request for public comment, Mayor Rees closed the public hearing.

Commissioner Maciel inquired if there were any issues with concerns presented by Ms. Morphy. Planning Director Carson responded that extending the pork chop island should not pose a problem as there is already one there. The raised crosswalk is entirely in the City's purview and would be addressed.

Commissioner Maciel thanked Kelly Morphy and City staff for their efforts on this item.

Motion by Commissioner Maciel to adopt Ordinance 23-18. Seconded by Commissioner Mueller and carried unanimously 4-0.

4. **REGULAR BUSINESS**

A. Recommendation to approve Interlocal Agreement between the City of Winter Garden and Orange County for limited transfer of jurisdiction over Oak Street Lots

Planning Director Kelly Carson stated that this is an interlocal agreement between the City and Orange County. She explained that the non-profit organization Homes in Partnership recently built two homes in an area on Oak Street. She described how a surveyor's error led to the homes being built in the wrong locations. Furthermore, she explained how both properties would need to be annexed into the City, but the County would finish out the permitting and issue the Certificate of Occupancy (COs). There was discussion that the City would annex the property, clear up zoning issues, and then go back and get the COs with the County. There was discussion about the annexation and the properties receiving City water, but they already have septic tanks installed as there is no sewer service available in that area.

Motion by Commissioner Maciel to approve interlocal agreement between the City of Winter Garden and Orange County for limited transfer of jurisdiction over Oak Street Lots. Seconded by Commissioner Sharman and carried unanimously 4-0.

B. Recommendation to approve purchase of new Panasonic Projection System from Alchemy Controls Inc. in the amount of \$120,268

Fleet and Facilities Division Manager Mike Caines stated that staff is requesting to replace our current projection system with a new Panasonic digital projection system. He noted that one of the City's current projectors has failed and is no longer repairable. In addition, the technology of our current system is over 8 years old. The new system would be compatible with our current show formats and would have improved 4K quality. It would also provide additional enhancement capabilities. He noted that the City received a quote for the new system from Alchemy Controls, Inc. the Panasonic distributor for \$120,268. He gave a history of the current projectors, their cost and one that is still functioning and in use. Furthermore, he spoke of the former \$900 bulbs, maintenance, new uses, and the extended life of the projectors. There was discussion about the cost.

Motion by Commissioner Mueller to approve purchase of new Panasonic Projection System from Alchemy Controls Inc. in the amount of \$120,268. Seconded by Commissioner Sharman and carried unanimously 4-0.

Mr. Caines noted that he was informed they should be available by Halloween.

C. Recommendation to approve Purchase Order for design services for permanent Fire Station 21 to Bentley Architects and Engineers, Inc. in the amount of \$398,063.94

City Engineer Jim Monahan stated that Bentley Architects and Engineers, Inc. was the selected firm to complete the final plans and specification for the Permanent Fire Station 21. He noted that the design includes civil, architectural, structural, mechanical/electrical and landscape disciplines. Staff recommended approval of a purchase Order to Bentley Architects and Engineers, Inc. in the amount of \$398,063.94

Motion by Commissioner Sharman to approve purchase order for design services for permanent Fire Station 21 to Bentley Architects and Engineers, Inc. in the amount of \$398,063.94. Seconded by Commissioner Maciel and carried unanimously 4-0.

D. Recommendation to approve Purchase Order for Construction Manager At Risk (CMAR) Pre-Construction Services for Permanent Fire Station 21 to McCree Design Builders, Inc., in the amount of \$51,545

City Engineer Jim Monahan stated that McCree Design Builders, Inc. was the selected contractor to assist in the design of the final plans and specifications for Fire Station 21. Their assistance includes cost estimates at 30%, 60%, and 90% and the Guaranteed

Maximum Price (GMP) at the final design stage. They will also participate in the design to provide quality control, value engineering and constructability evaluations. Staff recommends approval of a Purchase Order for Construction Manager At Risk (CMAR) Pre-Construction Services for the Permanent Fire Station 21 to McCree Design Builders, Inc., in the amount of \$51,545.

Commissioner Sharman inquired as to why not also design-build when the City is hiring an engineer to do all the drawings and design work. Mr. Monahan explained the benefits of value engineering and the firm's better knowledge of products and methodologies for building, which results in an overall cost savings. Commissioner Sharman inquired about the City Manager's favorability on this issue. City Manager Jon C. Williams noted that he is good with this process and noted that one of the benefits that CMAR would provide is working together with the Engineer through the design process and offering a guaranteed maximum price for the construction. He noted that this is certainly an effort to control the cost, and the City anticipates seeing enough savings to cover the value of the contract. Commissioner Maciel noted that this is an opportunity to offload that responsibility, removing it from staff and utilizing someone who does this every day.

Motion by Commissioner Maciel to approve purchase order for Construction Manager At Risk (CMAR) pre-construction services for permanent Fire Station 21 to McCree Design Builders, Inc., in the amount of \$51,545. Seconded by Commissioner Sharman and carried unanimously 4-0.

- E. Recommendation to approve Request for Quote (RFQ 23-002) rankings and awarding continuing services contracts for Professional Surveying Services to Allen & Company, Halff, L & S Diversified and SMA Surveying & Mapping (Schwartz, Maylone and Associates, LLC)

Assistant City Manager Stephen Pash stated that this is a Request for Quote (RFQ23-002) for Professional Surveying Services. He informed that on September 8, 2023, the City received four responses that have been reviewed and ranked by staff. He noted that based on the amount of survey work that the City has, all four are recommended for approval.

Mayor Rees inquired if these would be chosen for the work based on their ranking and then move to the next one. Mr. Pash responded yes.

Motion by Commissioner Maciel to approve Request for Quote (RFQ 23-002) rankings and awarding continuing services contracts for Professional Surveying Services to Allen & Company, Halff, L & S Diversified and SMA Surveying & Mapping (Schwartz, Maylone and Associates, LLC). Seconded by Commissioner Sharman and carried unanimously 4-0.

- F. Recommendation to approve revised Change Order to Southern Development and Construction (SDC) for Marsh Road Traffic-Calming Improvement Project in the amount of \$179,680.50

City Engineer Jim Monahan stated that this is a change order originally approved on May 11th, 2023, for \$798,200.28. He noted that while discussing this change order with the contractor, the City made some additional changes regarding the constructability and safety of the improvements. He noted the increased cost of those improvements and shared some of the changes Engineering requested the contractor make. Staff recommends approval of the revised change order to SDC for an additional amount of \$179,680.50, with an addition to be included in the cost of the already approved resurfacing budget. Discussion ensued, and it was determined that an addition to the amount would be less than \$500,000.

Motion by Commissioner Sharman to approve revised Change Order to Southern Development and Construction (SDC) for Marsh Road Traffic-Calming Improvement Project in the amount of no more than \$500,000. Seconded by Commissioner Mueller and carried unanimously 4-0.

- G. Recommendation to approve SPECIAL EVENT for West Orange High School Homecoming Parade on Tuesday, October 10, 2023 from 6:00 – 7:00 p.m.

Planning Director Kelly Carson stated that this is a special event request for the West Orange High School annual homecoming parade, which would be held on Tuesday, October 10, 2023, from 6:00–7:00 p.m. She noted the route and street closure. Staff recommends approval.

Mayor Rees noted that there would be no vehicles allowed with only an exception for Mr. Turner’s golf cart. Ms. Carson responded yes.

Motion by Commissioner Mueller to approve SPECIAL EVENT for West Orange High School Homecoming Parade on Tuesday, October 10, 2023 from 6:00–7:00 p.m. Seconded by Commissioner Sharman and carried unanimously 4-0.

- H. BOARD APPOINTMENT: General Employees’ Pension Board

City Clerk Grimmage stated that a board appointment is required to fill an expiring term for a trustee on the General Employees’ Pension Board. She noted that the new term would expire September 30, 2027. Ms. Grimmage informed that the City Commission-appointed trustee for this position is currently Gretchen Tope, who has expressed her desire to continue serving this board. Furthermore, she informed of board appointment interest applications in the agenda packet for consideration. Staff recommended the appointment of one board member for the General Employees’ Pension Board for a 4-year term.

Motion by Commissioner Mueller to appoint Gretchen Tope to the General Employees' Pension Board. Seconded by Commissioner Maciel and carried unanimously 4-0.

5. MATTERS FROM PUBLIC

Norine Dworkin, VoxPopuli Winter Garden, inquired if the City's had interest in the annexation of Tildenville.

There was discussion that this topic had been reviewed in the past but never worked out. It was stated that the residents have been in communication with their Orange County Commissioner, Nicole Wilson. Additionally, City Manager Jon C. Williams stated that no formal application has been submitted.

6. MATTERS FROM CITY ATTORNEY – There were no items.

7. MATTERS FROM CITY MANAGER

Best Drinking Water Award

City Manager Jon C. Williams shared that the City has participated in a blind drinking water competition, and the City of Winter Garden took the honor of winning first place. He gave special recognition to David Jones, the City's Chief Operator, and to all the utility operators, Public Service staff and utility workers that work hard to provide the highest quality and most delicious drinking water for our businesses, residents and visitors.

Upcoming Events

City Manager Jon C. Williams listed some of the upcoming events within the City.

Introduction of Business Analyst - Veronica Spooner

City Manager Jon C. Williams introduced Veronica Spooner, the new Business Analyst, and shared some of her background and noted that she is a Winter Garden resident.

Recognition of Finance Director and staff

City Manager Jon C. Williams recognized Finance Director Laura Zielonka and staff for all they did in preparing this year's budget.

8. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Mueller echoed comments to Finance Director Laura Zielonka and staff for their work on the budget and for answers to his questions. He express that it was a nice job.

Commissioner Maciel also thanked Finance Director Laura Zielonka and staff, noting that the binders were amazing and made life easier.

