



# CITY OF WINTER GARDEN

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## CITY COMMISSION REGULAR MEETING MINUTES

June 27, 2013

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Rees at 6:00 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. The invocation and Pledge of Allegiance were given.

**Present:** Mayor John Rees, Commissioners Bob Buchanan, Kent Makin (*arrived at 6:22 p.m.*), Robert Olszewski and Colin Sharman

**Also Present:** City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Kathy Golden, Assistant to City Manager - Public Services Don Cochran, Assistant to City Manager – Administrative Services Frank Gilbert, Community Development Director Ed Williams, Finance Director Laura Zielonka, Police Chief George Brennan, Building Official Skip Lukert, Economic Development Director Tanja Gerhartz, Recreation Director Jay Conn, and West Orange Times Reporter Kelsey Tressler

*Mayor Rees welcomed everyone and acknowledged that Ocoee Mayor Scott Vandergrift was in attendance.*

### 1. **APPROVAL OF MINUTES**

**Motion by Commissioner Olszewski to approve the regular meeting minutes of June 13, 2013 as submitted. Seconded by Commissioner Buchanan and carried unanimously 4-0.**

### 2. **PRESENTATIONS**

#### A. **Community Redevelopment Area Advisory Board (CRAAB)**

CRAAB Chairman Larry Cappleman acknowledged those members of the advisory board that were in attendance. He noted that the CRA is approximately two-thirds finished. In ten years the board will have completed its 30 years (2023) and will sunset. Mr. Cappleman gave a PowerPoint presentation on the board's purpose, history, past projects, current status, and the direction they are going. He requested the City Commission's feedback.

The following CRAAB members addressed the City Commission:

John Kirby stated that in his opinion, the money has been very well spent in the CRA and has contributed to the rebirth of the downtown area that helps everyone.

Sandy Shupp stated she thinks that entertaining the idea of a new downtown garage will be a great help to downtown and will take us to the next level.

Ron Sikes stated the list of projects the CRAAB has submitted is long and asked for the City Commission to prioritize the projects because there is more expense than there is funding. He perceives that the CRA can't do them all; they all have merit.

Charles Roper stated that we now have a huge economic engine and the CRAAB has looked at what, out of the listed projects, will keep that economic engine going. When the CRA sunsets in 10 years, we will need our own tax revenue base to continue doing the projects we are now doing downtown. We need to expand in order to provide services that businesses need to be able to grow our tax base; so when the CRA is no longer here, we have a good strong tax base to support businesses and residents.

Mayor Rees asked if the CRAAB was going to try and prioritize the list. Mr. Cappleman responded that the CRAAB has already narrowed it down to infrastructure for downtown being the most affective return on investment of the CRA funds. He stated there will still be funds available to do other projects and named a few.

*Commissioner Makin arrived during Mr. Cappleman's presentation.*

Commissioner Olszewski commended the CRAAB for all their efforts. He noted there are seven districts depicted on the presentation and the focus has been on one district and he understands the need for infrastructure; but there are other important areas, as the one he represents, when looking at the definition of what is a CRA is for. He emphasized that the other six areas deserve focus as well.

Mr. Cappleman completely agreed with Commissioner Olszewski. He gave some examples of their efforts in East Winter Garden and agreed there is more to be done.

Commissioner Buchanan asked how the CRAAB decides on where they focus. Mr. Cappleman responded they look to staff and with their own experiences and discussions as a board.

#### **B. Parking Garage**

Community Development Director Williams shared that the downtown area has become very successful. He noted items such as the hard work and investment of the businesses, the infrastructure investments the City has made in items such as the Pavilion, farmer's market, theatre, and interactive fountain. He noted that the parking downtown can be very scarce. In order to continue the success of our downtown, the parking needs to be addressed. Mr. Williams displayed a map and offered options for accommodating four parking locations and various structure styles.

Mr. Williams stated that the process to get a structure or additional lots is going to be at least a year long process. Staff is asking that the City Commission allow staff to get a design build consultant to help staff come up with the criteria and to get a proposal out for a facility that would be the most appropriate location and style. Then it could be brought back to the City Commission.

City Manager Bollhoefer noted that the key point is the matter of timing. If the goal is to build a parking garage next summer, the process would have to be started now. Initially, the process is to select a design build project manager, which is a two month process. He

noted that all of the businesses were consulted and agreed the summertime for construction would have the least negative impact on them because it is the slowest time for businesses.

Mayor Rees noted that he feels everyone is in agreement that parking is needed downtown but the most important decision and biggest challenge is the location in order to preserve the small town image. He'd like the pros and cons presented for each area proposed so they can weigh in on the decision.

Mr. Williams noted that the City may at some point need two or possibly three structures and explained that there is a proposal for a retail and residential facility at the corner of Dillard and Plant and if residential is on the second and third floors, the only way parking can be accommodated will be with a parking structure.

Commissioner Olszewski wanted to clarify that the decision tonight is not for picking a site or budgeting items, but to allow a study for the design. Mr. Williams responded yes. Commissioner Olszewski asked Mr. Williams what, in his professional opinion, would be the estimated cost for the citizens to have a parking garage in downtown Winter Garden. Mr. Williams replied that it could run between six and eight million dollars depending on the architectural style. Commissioner Olszewski noted that Mr. Williams stated in his presentation that the City does not have a problem today and he wholeheartedly agrees with that statement. Commissioner Olszewski asked what's been done as a City to look for other alternatives when it comes to parking. He noted that there was mention of parking areas that sit empty and wanted to know if there is something the City could do to encourage parking along Plant Street rather than invest six to eight million dollars. Mr. Williams responded no; the City will have to invest that kind of money whether it is a parking garage or buying land and building parking lots. He suggested this will no longer be Winter Garden if you have to buy that much land for parking lots. The most efficient means would be in the parking structure and leave the excess land for development.

City Manager Bollhoefer shared how he went to each downtown business and their biggest issue is parking and they receive complaints from their customers. He thinks the key thing people are looking for when parking is how convenient it is to where they are spending their money. He is asking the Commission to give staff the go ahead to move forward with the bid documents to hire the design build project manager who creates the design criteria standards.

Commissioner Olszewski stated that he knows the vision for the future is to have a parking garage and tonight he is comfortable with getting a design to see what it would mean for the City of Winter Garden. From his standpoint, he would like to hear from developers and those planning on building and what it would mean if we provide them with parking. He stated he has not heard anything from any citizen or resident on this issue that would cause us to invest upwards of \$8 million dollars.

**Motion by Commissioner Buchanan to direct staff to begin the process to develop plans for a parking garage in the downtown area. Seconded by Commissioner Makin and carried unanimously 5-0.**

**C. Tri-City Partnership recommendation for economic development services**

Economic Development Director Gerhartz stated that staff is requesting approval to hire a consultant so we can begin work on our Tri-City Partnership. She stated that over the last year the City has been working diligently to lay a good foundation for our three cities and for our region. She noted that Russ Wagner, with the City of Ocoee, was present representing the Tri-City Partnership. Ms. Gerhartz stated that David Moon with the City of Apopka was not available but has provided a letter of support for a recommendation. Ms. Gerhartz stated that a request for qualifications was sent out and 21 firms responded with information. She noted that four firms were interviewed, one withdrew, leaving only three firms. Ms. Gerhartz stated that the cities would like to move forward with Angelou Economics which ranked number one. She stated that staff recommends Angelou Economics to perform Phase 1 of the scope of work. Staff feels that both of the top two firms have the in-house capacity to complete all of the work for Phase 1. Staff is asking permission to negotiate with the first firm but also give the City Manager the authority to negotiate with the second firm, Boyette Strategic Partners, should negotiations with the first firm fail. Ms. Gerhartz noted that as the City gets into this process, especially Phase II, it is the Tri-City partnership's intention to use local firms, wherever possible, to complete some of the Phase 2 work.

Mr. Olszewski asked with all the local talent available why it was the committee's decision to not have any local firms represented on their final list. Ms. Gerhartz responded that of the 21 firms there was only a handful that had national experience. The firm they ranked number one has completed four hundred of these studies. She added that a lot of the packets they received represented a consortium of consultants. It is a patchwork of those who can meet the scope of work. They were looking for a firm that could provide all of activities of phase 1 within the single firm.

**Motion by Commissioner Buchanan to approve the Tri-City Partnership Selection Committee recommendation as submitted (see Exhibit A). Seconded by Commissioner Sharman and carried unanimously 5-0.**

**3. LITIGATION MATTER**

**A. Recommendation by the City Manager and City Attorney that the City Commission approve a Settlement Agreement between the City of Winter Garden, Ivan and Mala Lindsay, Waterside at John's Lake, LLC, McKinnon Corporation and McKinnon Groves, LLP**

City Attorney Ardaman noted that the revised agenda outlines the settlement for this item. It resolves all of the litigation which includes multiple pieces, not just local litigation, but appeals and administrative proceedings. This is a win-win and the City does not have to put out any money to make this settlement happen. Approval of the settlement is recommended.

**Motion by Commissioner Olszewski to approve the settlement agreement between the City of Winter Garden Ivan and Mala Lindsay, Waterside at John's Lake, LLC, McKinnon Corporation and McKinnon Groves, LLP as submitted. Seconded by Commissioner Makin and carried unanimously 5-0.**

4. **PUBLIC HEARING MATTER**

A. **Appeal of Planning and Zoning Board's denial of a variance request to reduce the 10-foot side yard setback to 6.86 feet and to reduce the minimum 10-foot wide landscaping around the building to no more than 50 percent landscaping around the building at 1089 Walker Street; Applicants George L. and Maria P. Bori (AutoZone parts store CPH Engineers, Inc.**

Community Development Director Williams stated that they were unable to address trucks access issues sufficiently to get support of the project from our traffic engineer. The appellant is requesting the matter be put on the July 11, 2013 agenda.

**Motion by Commissioner Sharman to postpone this matter until July 11, 2013 at 6:30 p.m. Seconded by Commissioner Makin and carried unanimously 5-0.**

5. **SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

A. **Ordinance 13-27: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING CHAPTER 118, ARTICLE IV, DIVISION 8, SECTIONS 118-532, 118-533 AND 118-534 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN CONCERNING PERMITTED USES AND STRUCTURES, PERMITTED ACCESSORY USES AND STRUCTURES AND SPECIAL EXCEPTIONS WITHIN THE C-1 (CENTRAL COMMERCIAL DISTRICT) ZONING DISTRICT; AMENDING CHAPTER 118, ARTICLE IV, DIVISIONS 9 & 10, SECTIONS 118-579 & 118-629 OF THE CODE OF ORDINANCES CONCERNING THE SPECIAL EXCEPTION USES IN THE C-2 (ARTERIAL COMMERCIAL DISTRICT) AND C-3 (PROFESSIONAL OFFICE DISTRICT) ZONING DISTRICTS; AMENDING CHAPTER 118, ARTICLE I, SECTION 118-7 OF THE CODE OF ORDINANCES REGARDING THE NOTICE REQUIREMENTS FOR AMENDING CHAPTER 118, APPEALS AND PUBLIC HEARINGS; PROVIDING FOR CODIFICATION, CONTROL IN EVENT OF CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE**

City Attorney Ardaman read Ordinance 13-27 by title only. Community Development Director Williams highlighted staff's suggested changes as underlined in the ordinance as submitted. Staff recommended approval of the changes.

Mayor Rees asked about educational facilities as accessory use to a church as related to the kindergarten through 12 schools. Mr. Williams responded that anything K-12 would have to do a special exception due to the parking requirements and traffic issues. It is best that the City have more scrutiny of that particular use.

Commissioner Sharman noted that he received two emails from Steven Jett and asked if this person is the litigant. Mr. Ardaman responded no, this is not the party named in the lawsuit.

Mayor Rees opened the public hearing.

Jay Cummings, 112 N. Lakeview Avenue, Winter Garden, Florida, stated that he is the litigant. Mr. Cummings stated that he was present to oppose the change in the zoning code that concerns columbarium at churches. He stated that a year ago the City Commission approved the special exemption permit to allow the United Methodist Church to erect a columbarium on its property. He stated that they filed a judicial challenge to the City's decision and it has been in the courts since that time. He noted that this ordinance proves to them that the City was not correct in following the law when they approve it. The proposed change in the zoning code allows columbaria at churches; it still violates the comprehensive plan. He stated that the City of Winter Garden's Comprehensive Land Use policies 1-2.3.2 and 1-2.13.11 and goal 1-2 states that incompatible and/or undesirable uses should not be permitted. Winter Garden's future land use element policy 1-2.3.2 dictates that single family residential areas shall be protected from the encroachment of incompatible use. The Winter Garden future land use element policy 1-2.13.11 instructs the City Commission to prevent potential undesirable land uses from establishing in or adjacent to existing neighborhoods.

Mr. Cummings spoke to some churches who no longer allow columbaria and similar installations on their property. They have found that if they must close a parish/church these properties are not saleable, are idle and can't get rid of them. He noted that in the long run it would not be good for the church, the neighborhood, and the City of Winter Garden.

Stephen Jett, 205 N. Lakeview Avenue, Winter Garden, Florida, stated that he was present to voice his opposition to the proposed Ordinance 13-27 as it is written, specifically the portion referring to the columbarium. He stated that it would appear that this ordinance is to mitigate the lawsuit in which the City is now involved. He suggested that the City talk to the litigants and save the City some money. He noted that he thinks this ordinance gives churches carte blanche to build whatever they want anywhere on their property. He stated the Commission keeps asking the wrong question; could we do this, but should be asking should we do this.

Deborah Arnold, 205 N. Lakeview Avenue, Winter Garden, Florida, stated that the proposed Ordinance 13-27 as it is currently written in effect undermines Ordinance 10-05 which was created to preserve the historic center of Winter Garden, particularly the residential area. She noted that the First Methodist Church on Lakeview Avenue is the only church affected by this ordinance. To build the planned columbarium with no requirement of buffering a view from the public road or the adjacent property is an unreasonable imposition upon the residential neighbor. She spoke of the black granite niches, plantings, which are shown but can be removed with no consequences. The new

ordinance places no limitations on the columbarium. The private activity of housing human remains in a structure is a new activity in this historic area. She noted that this historic residential neighborhood could be shielded by relocating the entrance of the planned columbarium and/or using a solid surface gate such as wood. She asked that the niches of the columbarium be buffered from view of the public road and/or adjacent property before passing this new ordinance.<sup>1</sup>

Mayor Rees closed the public hearing.

Commissioner Olszewski asked City Attorney Ardaman if the City Commission's approval on this issue a year ago that permitted the building of the columbarium followed the law. Mr. Ardaman replied yes.

Commissioner Olszewski asked Mr. Ardaman if with the proposed ordinance before the City Commission would also be following the law under the jurisdiction of our City Charter. Mr. Ardaman responded certainly, the City is not prevented from modifying its code merely because it may be involved in litigation. In fact, he believes that this will bring litigation to a prompt close. This is something that local governments do that is certainly a benefit to the City and the taxpayers. This ordinance does not just do that but addresses some other problems with the ordinance. This is a clarification in his mind.

Commissioner Olszewski asked the City Manager if this ordinance gives the church carte blanche to do whatever they want with the design on their property. Mr. Bollhoefer deferred the question to Mr. Williams. Mr. Williams stated the ordinance does not give them carte blanche, but the right to have a columbarium after they get building permits and provide the necessary information so buffering, landscaping, lighting, and parking are addressed.

There was discussion that the City is not at the point of discussing the details of the aesthetics because we are not yet at the building permit level.

**Motion by Commissioner Buchanan to adopt Ordinance 13-27. Seconded by Commissioner Makin.**

Commissioner Sharman stated that he would like a condition added that the City can require that the columbarium not be visible. Mr. Williams replied yes, this can be accomplished. When the building permit comes in we can make sure that the plans show a solid closed gate with the fountain still in place for when the gate is open.

**Motion carried unanimously 5-0.**

- B. **Ordinance 13-28:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 5.826 ± ACRES LOCATED AT 17925 MARSH ROAD ON THE NORTH SIDE OF MARSH ROAD,

WEST OF WILLIAMS ROAD AT THE WEST BOUNDARY OF ORANGE COUNTY INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

- C. **Ordinance 13-29:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 5.826 ± ACRES LOCATED AT 17925 MARSH ROAD ON THE NORTH SIDE OF MARSH ROAD, WEST OF WILLIAMS ROAD AT THE WEST BOUNDARY OF ORANGE COUNTY FROM ORANGE COUNTY VILLAGE TO CITY URBAN VILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE –

City Attorney Ardaman read Ordinances 13-28 and 13-29 by title only. Community Development Director Williams stated that this is a voluntary request for annexation and future land use designation. This has been reviewed by the Planning and Zoning Board and staff. This request is consistent with the other requests the City has had in the area. Staff recommends approval of both ordinances.

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

**Motion by Commissioner Makin to adopt Ordinances 13-28 and 13-29. Seconded by Commissioner Olszewski and carried unanimously 5-0.**

- D. **Ordinance 13-30:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 5.9 ± ACRES LOCATED NORTH OF THE INTERSECTION OF NORTH FULLERS CROSS ROAD AND EAST FULLERS CROSS ROAD INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- E. **Ordinance 13-31:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 5.9 ± ACRES LOCATED NORTH OF THE INTERSECTION OF NORTH FULLERS CROSS ROAD AND EAST FULLERS CROSS ROAD FROM ORANGE COUNTY RURAL/AGRICULTURAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 13-30 and 13-31 by title only. Community Development Director Williams stated that this is a voluntary annexation and request for future land use designation. He noted that the map shows that it is adjacent to the

property that is under consideration for a planned unit development. There was a potential for a conflict between the two properties. The larger property's owner has decided to purchase this property and annex it to become part of theirs, which will not result in any additional units on the property.

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

**Motion by Commissioner Makin to adopt Ordinances 13-30 and 13-31. Seconded by Commissioner Sharman and carried unanimously 5-0.**

6. **REGULAR BUSINESS**

A. **Recommendation to authorize the police department to trade in two, old and obsolete, portable radios as a \$1,500 credit towards the purchase of two new mobile radios**

Police Chief Brennan stated that he was seeking authorization to dispose of two old Motorola MTS-2000 portable radios, which have been obsolete for several years. Motorola is allowing these items as trade-ins as a credit of \$750 per radio for the purchase of two mobiles; for a \$1,500 total credit.

**Motion by Commissioner Olszewski to authorize the Police department to trade in two, old and obsolete portable radios as a \$1,500 credit towards the purchase of two new mobile radios. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

B. **Recommendation to approve the 2013 MusicFest to be held on Plant Street on October 4, 5 and 6, 2013 to include blocking Plant Street from Woodland Street to Highland Avenue, serving of alcohol, waiving event fees, and providing city staff as necessary**

Parks and Recreation Director Conn stated that this is the annual request from the Winter Garden Heritage Foundation for their 8<sup>th</sup> Annual MusicFest in the downtown area and mirrors the last several years as far as the hours and the nature of the event. They intend on having a couple of stages downtown. They are also requesting to serve alcohol and this is an event that the City has historically allowed to be held throughout the downtown area. He noted that there has been major success in the past years and staff recommends approval.

**Motion by Commissioner Makin to approve the 2013 MusicFest to be held on Plant Street on October 4, 5, and 6, 2013 to include blocking Plant Street from Woodland Street to Highland Avenue, serving of alcohol, waiving fees, and providing city staff as necessary. Seconded by Commissioner Olszewski and carried unanimously 5-0.**

City Manager Bollhoefer asked Parks and Receptions Director Conn to give a briefing on the upcoming 4<sup>th</sup> of July events. Mr. Conn stated that it begins at 5:30 p.m. with the

fireworks starting at 9:15 p.m., the kid's parade will start at 10:00 a.m., and the breakfast starts at 8:00 a.m.

**C. Appointments to the Election Canvassing Board; two regular members, first and second alternates for a one year term**

City Clerk Golden stated that this is the annual appointment for the Canvassing Board members and there is an election scheduled in 2014 for Districts 1 and 5. In addition to the current members there are three additional residents interested in appointment. She noted that it is important that the City Commission designate the appointments as regular, and first and second alternate.

Commissioner Olszewski asked City Attorney Ardaman if one of members is the spouse of a candidate, would this open the City up to anything. Mr. Ardaman responded that if that happens then we can look at it, but at this point that is not a consideration for appointment. Mr. Ardaman noted that this issue would be reviewed if and when it should arise.

**Motion by Commissioner Olszewski to appoint to the Canvassing Board Andy Bruns and Moraima "Mimi" Ortiz as regulars, with Sherrie Jackson as 1<sup>st</sup> Alternate and Lee Douglas as 2<sup>nd</sup> Alternate. Seconded by Commissioner Makin and carried unanimously 5-0.**

7. **MATTERS FROM CITIZENS** – There were no items.
8. **MATTERS FROM CITY ATTORNEY** – There were no items.
9. **MATTERS FROM CITY MANAGER** – There were no items.

**10. MATTERS FROM MAYOR AND COMMISSIONERS**

**Commissioner Buchanan** asked Police Chief to address the issue of how many air conditioners are being stolen for scrap because he was recently made aware of how often this is occurring. Chief Brennan stated that he did not have a number or percentage but this is a problem that is prevalent not only in the City of Winter Garden but throughout Orange County and our bordering counties. Chief Brennan shared some commercial and residential locations where this has happened. Commissioner Buchanan stated that he has had conversations with County Commissioner Scott Boyd concerning this issue and evidently the County has an ordinance that he would like the City Commission to look into to make it more difficult for businesses to just take in scrap metals with no scrutiny. Mr. Bollhoefer noted that he would bring the County ordinance to the next meeting.

**Commissioner Olszewski** thanked City staff and the Community Redevelopment Agency Advisory Board for their efforts.

Andy Bruns, 3 Palm Drive, Winter Garden, Florida, spoke of recent events in Trailer City whereby storm winds blew aluminum around that did damage to his truck. He stated he

wanted to thank City staff member Gary, Fire, and Police for their quick assistance. He thanked the City Manager for his direction and asked him to get the message to staff.

The meeting adjourned at 7:37 p.m.

APPROVED:

\_\_\_\_/S/\_\_\_\_\_  
Mayor John Rees

ATTEST:

\_\_\_\_/S/\_\_\_\_\_  
City Clerk Kathy Golden, CMC

## **EXHIBIT A**

### **AGENDA ITEM**

**From:** Tanja Gerhartz, Economic Development Director

**Via:** Mike Bollhoefer, City Manager

**Date:** June 21, 2013

**Meeting Date:** June 27, 2013

**Subject:** RFQ for Economic Development Services for the Tri Cities Partnership - Selection Committee Recommendation

**Discussion:** The Request for Qualifications (RFQ) for Economic Development Services selection committee has reviewed all twenty-one submittals. Four firms were chosen for interviews. The firms chosen were: Angelou Economics (Austin, Texas), Avalanche Consulting (Austin, Texas), Boyette Strategic Partners (Little Rock, Arkansas) and Garner Economics (Atlanta, Georgia).

Garner Economics requested to be withdrawn from the process after the interviews. After much consideration and due diligence, the committee ranked the firms interviewed to perform all or portions of the services outlined in the scope of work as follows:

1. Angelou Economics
2. Boyette Strategic Partners
3. Avalanche Consulting

The committee unanimously recommends the services of Angelou Economics to perform all or parts of the scope of work. The Cities of Apopka and Ocoee participated as part of the selection committee and the decision was unanimous. The selection committee was very impressed with the experience and qualifications of the firm being recommended. Angelou Economics demonstrated significant experience with economic development strategic planning for similar municipal and regional clients. Also, the President of the firm, Angelos Angelou stated that he would personally manage the work for the Tri Cities Partnership.

The top two firms have the capacity to complete Phase I tasks in-house. If, for whatever reason, the City is unable to reach an agreement with Angelou Economics, the City, on behalf of the Tri Cities Partnership, would begin negotiations with Boyette Strategic Partners. The third firm, Avalanche Consulting, was going to use a sub consultant to manage the project that did not possess the qualifications and experience of the other firms and project managers.

The City reserves the right on behalf of the Tri Cities Partnership to select a firm from the Request for Qualifications to perform implementation work tasks during Phase 2.

### **SCOPE OF WORK**

The City of Winter Garden, acting as agent for the Tri Cities Partnership, intends to hire an economic development consultant team to serve as a continuing services provider to conduct studies and help formulate strategies which will promote the Tri City area as a viable location for new and expanded workforce creation. The tasks highlighted below indicate the initial scope of services to be addressed. Each consultant, in their response, should identify how they would undertake each of these tasks and offer recommendations for any other work tasks that may be necessary

over time. All or parts of the following work tasks shall be completed over a two year period. Additional work tasks may be added and the City and the consultant shall agree upon fees to be charged.

- Assist in formulating an Economic Development Strategy for the Tri-City Partnership
- Prepare a work program in six-month timeframes.
- Validate the Industry Cluster Analysis that was completed and provide further refinement of the Industry Clusters and potential niches.
- Develop an inventory of the Tri City Partnership's assets and liabilities as they relate to economic development, including interviews with local businesses
- Provide recommendations for an organizational structure for long term growth
- Analysis and recommendations regarding workforce and education issues.
- Site selection and business recruitment services
- Prepare and submit a budget for the anticipated services.
- Labor market analysis
- Evaluation and development strategies for business parks or commerce centers
- Marketing, branding and website services. (Phase 2)
- Attend meetings as requested.

#### **SELECTION CRITERIA**

Submittal packages will be reviewed and evaluated by a selection committee and a short list of qualified firms may be invited to make a formal presentation. Submittal packages will be reviewed and evaluated in accordance with the following criteria:

1. References
2. Experience with similar projects
3. Qualifications of project team and past performance
4. Ability to meet schedules and budget requirements
5. Project workload of the firm
6. Location of the office and proximity to the City of Winter Garden
7. Response to the Scope of Work

#### **Recommended Action:**

Recommend approval of the ranking and authorize the City Manager to negotiate a contract with Angelou Economics for all or portions of Phase I for an amount not to exceed \$90,000. Authorize the City Manager to negotiate a contract with the second firm, Boyette Strategic Partners, as needed to complete Phase I of the scope of work. Each City has budgeted \$30,000 for FY 2013-14.

#### **Attachments/References:**

Request for Qualifications for the Tri Cities Partnership  
Submittals are available upon request  
RFQ Summary