



## **LAKE MARY CITY COMMISSION**

**Lake Mary City Hall  
100 N. Country Club Road**

**Regular Meeting  
AGENDA**

**THURSDAY, FEBRUARY 04, 2016 7:00 PM**

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Approval of Minutes: January 7, 2016**
- 6. Special Presentations**
  - A. 2015 Police Officer of the Year - Pfc. Claudia Umana**
  - B. 2015 City Employee of the 4th Quarter - Bobbie Jo Keel, Permit/Zoning Coordinator**
  - C. Central Florida (Green) Workplace Challenge - Jeff Daniels, President, Green Destination Orlando**
- 7. Citizen Participation - This is an opportunity for anyone to come forward and address the Commission on any matter relating to the City or of concern to our citizens. This**

also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda and public input will be taken when the item is considered.

**8. Unfinished Business**

**9. New Business**

**A. Ordinance No. 1536 - Amending Firefighters' Pension Ordinance Providing for Purchase of Prior Military Service at any time Prior to Retirement - First Reading (Public Hearing) (Dianne Holloway, Finance Director)**

**B. Ordinance No. 1537 - Amending Section 50,142, Sewer Impact Fee, and Section 53.31(A), Rates and Charges, to correct scrivener's errors (no change in rates) - First Reading (Public Hearing) (Dianne Holloway, Finance Director)**

**C. Resolution No. 978 - Supporting an Innovative Traffic Signal Technologies Pilot Project (Jackie Sova, City Manager)**

**10. Other Items for Commission Action**

**11. City Manager's Report**

**A. Items for Approval**

**a. Water Treatment Plant High Service Pump Improvements**

**b. Lake Mary Little League proposal for batting tunnels**

**c. Surplus item - baseball pitching machines**

**B. Items for Information**

**a. None**

**C. Announcements**

**12. Mayor and Commissioners Report**

**A. Reappointments to Code Enforcement Board**

**13. City Attorney's Report**

#### **14. Adjournment**

**THE ORDER OF ITEMS ON THIS AGENDA IS SUBJECT TO CHANGE**

**Per the direction of the City Commission on December 7, 1989, this meeting will not extend beyond 11:00 P. M. unless there is unanimous consent of the Commission to extend the meeting.**

**PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY ADA COORDINATOR AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT (407) 585-1424.**

**If a person decides to appeal any decision made by this Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Per State Statute 286.0105.**

**NOTE: If the Commission is holding a meeting/work session prior to the regular meeting, they will adjourn immediately following the meeting/work session to have dinner in the Conference Room. The regular meeting will begin at 7:00 P. M. or as soon thereafter as possible.**

**UPCOMING MEETINGS: February 18, 2016**

1 MINUTES OF THE LAKE MARY CITY COMMISSION WORK SESSION held January  
2 7, 2016, 5:30 P.M., Lake Mary City Commission Chambers, 100 North Country Club  
3 Road, Lake Mary, Florida.

4  
5 The work session was called to order by Mayor David Mealor at 5:35 P.M.

6  
7 Mayor David Mealor Jackie Sova, City Manager  
8 Commissioner Gary Brender Carol Foster, City Clerk  
9 Deputy Mayor George Duryea Dianne Holloway, Finance Director  
10 Commissioner Sidney Miller John Omana, Community Development Dir.  
11 Commissioner Jo Ann Lucarelli Steve Noto, City Planner  
12 Bruce Paster, Public Works Director  
13 Bryan Nipe, Parks & Recreation Director  
14 Tom Tomerlin, Economic Development Mgr.  
15 Wanda Broadway, Human Resources Mgr.  
16 Steve Bracknell, Police Chief  
17 Bruce Fleming, Sr. Code Enforcement Officer  
18 Katie Reischmann, City Attorney  
19 Mary Campbell, Deputy City Clerk  
20

21 ITEMS FOR DISCUSSION

22  
23 I. Seminole County Urban Bear Management Ordinance

24  
25 Mayor Mealor said the one item for discussion is the Seminole County Urban Bear  
26 Management Ordinance and can be referred to as County Chapter 258. He thanked  
27 Chairman Horan and County Manager Nicole Guillet for taking time to meet with us this  
28 evening. He said he knew they had county staff with them as well as the FWC (Florida  
29 Wildlife Commission) representatives. The most important thing we can do right now is  
30 to recognize that the county was under pressure to get something done. The purpose  
31 of this meeting is to collaboratively address some of the concerns and see if there is a  
32 way we can get to where we want to be. He recognized the City Manager.  
33

34 Ms. Sova said in the memo in the agenda packet we outlined several of our concerns  
35 with this ordinance as they apply to the City of Lake Mary and the inclusion of the City of  
36 Lake Mary in the urban bear management area. Yesterday she received some basic  
37 numbers for the potential costs for residents and the potential costs for the commercial  
38 establishments in this area. We have an automated system with 64-gallon and 96-  
39 gallon garbage carts and those carts come to each household in two's. We have 351  
40 households affected here.

41  
42 Mayor Mealor said our district county commissioner was unaware that any residential  
43 units would have been impacted with this particular ordinance. He thought that was an  
44 important consideration. It is important to note that we went with a new franchise  
45 provider under the premise that we could reduce the rates to our residents. We have

1 been able to do that. However, the unintended consequences of this is there will be a  
2 significant upcharge should we have to go forward.

3  
4 Ms. Sova said we have within our ordinance a residential charge for bear carts but less  
5 than a year ago when we negotiated with our new contractor we had one such cart in  
6 the City and that cart is located near Longwood-Lake Mary Road. Until a week ago we  
7 haven't had any requests for any other ones. We adopted a rate of \$2.00 per  
8 household to collect that bear proof cart. You have to realize with our automated  
9 system the driver has to get out of the truck, unlatch the lid, get back in the truck and  
10 put the clamps around the cart and dump the cart, put it back down, get the clamps off  
11 of it, get back out of his truck, and seal the cart back up. If he also has to do that for  
12 recycle carts that is twice at every household. Though this ordinance does not speak  
13 closely to recycling we know that pizza boxes, McDonald's bags, milk cartons, and soda  
14 jugs are in recycle carts. It's just a different form of garbage available to a bear. That  
15 has the potential to cost about \$182,000 to our residents. Those carts are only  
16 guaranteed for three years. For those carts owned by the City of Lake Mary we would  
17 be in a position to have to replace them about every three years or they wouldn't be  
18 guaranteed to be bear proof anymore because the latching mechanisms tend to get  
19 compromised after that length of time.

20  
21 Ms. Sova said commercial is a little bit different. Commercial garbage dumpsters are  
22 provided by the garbage hauler. They didn't know when they could get a sufficient  
23 quantity of dumpsters to handle our city's needs with what is marked in the urban bear  
24 management area, but they do know they can't meet the timetable in the presented  
25 ordinance. The additional cost to our customers would be about \$50 per month per  
26 dumpster. That turns into nearly \$80,000 a year in the entire urban bear management  
27 area. If we were to go back to what we saw in a draft originally, which would be only the  
28 west side of I-4, there would be 27 accounts and about \$16,000 a year.

29  
30 Mayor Mealor said the County was under a great deal of pressure for a number of  
31 reasons. The draft ordinance that came to us the City of Lake Mary had no problem  
32 with that because it did deal with the west side of I-4 and we acknowledge that our  
33 commercial areas are already equipped to address that ordinance. We know there is  
34 potential for new development and any new development on the west side will  
35 automatically meet the expectations of this particular county ordinance. At no time in  
36 the draft ordinance was the east side ever mentioned or there certainly would have  
37 been discussion.

38  
39 Ms. Sova said that is what I have for potential cost impacts. Everything else that we as  
40 staff were able to notice to be concerned with is outlined in the memo.

41  
42 Mayor Mealor said he thought the real dilemma we are facing with the ordinance is the  
43 inclusion of that eastern boundary in the urban bear management overlay. If that was  
44 something that could be addressed or worked around then we have no issue. We have  
45 partnered with the County in so many areas and this is an area that we would continue  
46 to partner with them as it relates to the west side.

1  
2 Deputy Mayor Duryea said the ordinance as it is written he didn't see any teeth in it. He  
3 asked what was going to happen.

4  
5 Mayor Meador said there is a significant fiscal penalty should you not comply. He  
6 thought that was secondary or even tertiary to the concern we have about the frontend  
7 initial cost to implement it.

8  
9 Deputy Mayor Duryea said that was a different issue and was asking what happens if  
10 you don't comply.

11  
12 Mayor Meador said there are penalties per day. In a fairness issue how can we say that  
13 the Tilted Kilt is going to be held accountable yet across the street Chick-Fil-A, Arby's,  
14 and Burger King are not. That is problematic and is some of the unintended  
15 consequences.

16  
17 Deputy Mayor Duryea said he knew there were problems with the bears and had seen  
18 them on the west side of I-4. He asked what kind of complaints we have gotten within  
19 the City of Lake Mary.

20  
21 Chief Bracknell said traditionally our complaints are generated towards the Huntington  
22 area and down south towards Longwood is the majority of our calls for the bears.

23  
24 Commissioner Miller asked if we have had some in the Wood Street area across the  
25 street from Lake Mary High School.

26  
27 Chief Bracknell answered affirmatively. They will come up that whole swatch towards  
28 the high school in the Eagle Creek area.

29  
30 Commissioner Brender said that is one of the problems with the lines we have. In his  
31 neighborhood on the east side of I-4 in Feather Edge we have had two confirmed  
32 reports. He questioned where they are crossing I-4. He had no idea how they get over  
33 there but they do. The bottom line is the number of reports is what you have to look at.  
34 If you want to draw a line it looks like now we have to go all the way over to Lake Mary  
35 High School and didn't think we wanted to field that in either. He was thinking the  
36 majority of these reports are west of I-4. A lot of people that move there or a lot of  
37 businesses that go in there are in the same position that they know they are out there  
38 and it is not a surprise that something has got to be done.

39  
40 Commissioner Brender said as far as the ordinance of the current time, there are a lot of  
41 empty parts. It's like playing pickup sticks. You touch one stick then all of a sudden  
42 everything else starts to move. Now we have our own garbage hauler, we have our own  
43 automatic haulers and now everything has started moving so we have to figure out how  
44 to delay this to a point where we can accommodate it, at least for the west side, and  
45 then maybe make some addendums or changes to the limits and put it west of I-4. He  
46 said that would be his suggestion.

1  
2 Commissioner Miller said he went to the Internet and discovered in 2009 the Fish and  
3 Wildlife Commission attached a tracker to a black bear way south of here. It traveled  
4 500 miles and they have the path it actually took. The interesting thing in that video was  
5 when it reached Interstate 4, it couldn't cross. It turned around and went back.  
6 Interstate 4 is what turned it.

7  
8 Commissioner Miller said he also did some inquiries from people he knows in Lake  
9 Mary east of Lake Mary High School and they said they have had bear sightings and  
10 there are a significant number and not just a few. Somebody said there was a bear  
11 running down the No. 3 fairway at Timacuan but he didn't believe it. He didn't believe  
12 the bears were crossing into there. When he read what we were doing with this, his  
13 primary question was are they really crossing I-4. Why do we need to come on this side  
14 of I-4. If we are doing something to force the bears to cross I-4 then that's not a good  
15 thing either because now we are going to have them in the middle of the interstate and  
16 hitting a bear is not like hitting an armadillo. That is the kind of concern he had initially  
17 looking at it. He felt re-educated that there probably are bears in this area and his first  
18 opinion was why did you cross I-4.

19  
20 Commissioner Miller said he didn't know how you enforce the 5:00 A.M. putting the  
21 garbage cans on the street. The residential requirement is you can't put your garbage  
22 can on the street until 5:00 A.M. the morning of the garbage pickup. He didn't know  
23 how people are going to do that. That looked like a requirement that was impossible to  
24 meet. He would like to know why they did that and how they think the people are going  
25 to get that done. There are people who work in hospitals and all over who aren't home  
26 at 5:00 in the morning. There are people who get home at 11:00 at night and they have  
27 to get up at 4:00 A.M. to put their garbage can on the street at 5:00 A.M. so it can get  
28 picked up at 7:00 A.M. He said he had a lot of questions and concerns. His first  
29 thought was the bears were here first, we moved into their territory, and we have some  
30 responsibility to try and accommodate that. He said he knew they had signed that  
31 (ordinance) already but didn't know how fast you need to have all of these things put in  
32 place. If we have a year or 18 months then maybe we're not looking at anything that is  
33 an issue. He didn't recall in the write up when the new cans have to be put in place and  
34 when these requirements go into effect.

35  
36 Mayor Meador said 30 days for residential and 60 for commercial after signing and it was  
37 signed on December 8, 2015.

38  
39 Commissioner Lucarelli said what you had mentioned about our own district  
40 commissioner didn't know it crossed I-4 disturbed her.

41  
42 Mayor Meador said she was unaware that there were any residential units impacted by  
43 the adoption of this ordinance west of I-4.

44  
45 Commissioner Lucarelli said she lived in Huntington for 20 years and never saw a bear.  
46 She was on the HOA, started a neighborhood watch, and was in that neighborhood at

1 all hours and never saw one. She said she had a raccoon problem in her trash can.  
2 Her concerns are the fact that we weren't included in all these changes and  
3 consideration wasn't given to the costs to our residents and businesses, and we weren't  
4 allowed to be part of that negotiation or discussion. We have to deal with it and that's  
5 not fair to us and is not a spirit of cooperation.

6  
7 Commissioner Lucarelli said bears are everywhere and didn't think they were crossing I-  
8 4. That's not to say there isn't a population of them on this side. They are everywhere  
9 just like every other animal. We have invaded their home and their territory. If it  
10 becomes more of a problem on this side then obviously we need to deal with it but she  
11 wasn't seeing that it is right now. Most of what she's seeing is on that side of I-4 with  
12 that bear population. Her thoughts are to end the boundary at I-4. If we want to talk  
13 over the next year or 18 months about what to do about this side then let's do that.

14  
15 Commissioner Miller asked if there was a thought on the part of the county  
16 commissioners that taking the action we are taking on the west side of Interstate 4 will  
17 drive the bears to the east side of Interstate 4 because that is part of the thought  
18 process.

19  
20 Mayor Meador said in the spirit of collaboration and cooperation for whatever reason, the  
21 three initiatives that went to the Seminole County residents on the penny sales tax  
22 started in the early '90's. In all three of those he was actively engaged by either the title  
23 or being in the State Legislature asking to bring the groups together. One thing that  
24 struck him is that after '96 we established the Mayors and Managers group. That  
25 became the primary sounding board for any countywide public policy discussion. If you  
26 look at how this was done, whether there was a County Attorney review or not, this is a  
27 Harvard case study in how not to craft a public policy. The reason he says that is the  
28 last thing that Seminole County would do is to talk about imposing a tax without a lot of  
29 input. We are not talking about a penny sales tax. We are talking about a dramatic  
30 percentage increase in the out-of-pocket expenses to our residents and businesses.  
31 That sends the wrong message. There is a way to get there but it would have been  
32 easier had we done what has been requested of our County Chairman and our County  
33 Manager to come to the Mayors and Managers meeting on January 19<sup>th</sup> with this being  
34 a topic of discussion. The dilemma he had is it is already signed.

35  
36 Mayor Meador asked the County Manager or the County Chairman to come forward. He  
37 said he talked with our district county commissioner and the County Manager and was  
38 pleased with the response he had on both ends.

39  
40 County Chairman John Horan came forward. He congratulated the City of Lake Mary  
41 because he received information from Metroplan that in the entire region the fastest  
42 growing city in the entire region is in Seminole County, which is not the fastest growing  
43 county but the slowest growing county, but the fastest growing city in the entire region is  
44 the City of Lake Mary.

1 Chairman Horan said what we are trying to address is a countywide problem that you  
2 are going to have in Lake Mary, whether it be with your address or whether it be within  
3 your legal restrictions. You have a growing population of bears. You don't have any  
4 responsibility for the bear population and he had no responsibility for the bear  
5 population. The Florida Wildlife Commission is the entity of the state that has  
6 jurisdiction over that conservation area. The reason we are all here tonight discussing  
7 this is because we had a very good thing happen. The Florida Wildlife Commission  
8 years ago started a conservation effort to restore a stable population of bears. When he  
9 got here in 1983 there were several hundred bears in the State of Florida and now are  
10 in the neighborhood of 5,000 bears. There is a dynamic number in Central Florida  
11 which is the epicenter of the bear/human conflict. We all know what has happened in  
12 terms of the human conflict and the bear conflict. We have been looking at this situation  
13 for two years.

14  
15 Chairman Horan said he might take issue with the Mayor on the collaborative aspect.  
16 We collaborate well all of the time. When we were considering this ordinance, we did  
17 something that we always do and that you do. We decided to have a workshop. We  
18 had one in October. He didn't recall representatives from the City of Lake Mary.

19  
20 Mayor Meador said for Chairman Horan to keep in mind that before one attends it might  
21 help to be invited.

22  
23 Chairman Horan said we had a workshop and we understood that you had a workshop.  
24 That's why we came because you are addressing this particular issue. It's not a  
25 situation where we tried to spring something on the City. We have been working on this  
26 particular issue since it became a public safety problem back in 2013 and the early part  
27 of 2014. When we were passing this ordinance and we were considering this  
28 ordinance, we considered a lot of different situations about a volunteer program. We  
29 tried to implement that for a year. We tried to implement other types of programs. What  
30 we decided to do with this particular ordinance is we decided that we weren't going to  
31 do something punitive but were going to be more instructive. What we are talking about  
32 here is a public safety problem. When we have a public safety problem and it's multi-  
33 jurisdictional, we decided to act. We decided to act within an ordinance that was going  
34 to be instructive, that was going to identify behaviors and not only protect people in their  
35 own homes but also appeals to the responsibility that each one of us has about our own  
36 behaviors to protect our neighbors and also to protect other businesses.

37  
38 Chairman Horan said he was fully cognizant of our home rule charter. We are fully  
39 cognizant of the fact that there are different conditions in this very diverse county. It  
40 was brought up the injustice of the fact that across the street there might be different  
41 restrictions. We were highly cognizant of the fact that there were portions of the urban  
42 bear management area that would be in cities and a portion of it wouldn't be in the city  
43 and there would be other situations where that would create a conflict. That line was  
44 drawn not because we thought it was a good place to put it. That line was drawn  
45 because the Florida Wildlife Commission said this is the area of conflict that you have to  
46 address first. The choice for us was do we pass an ordinance for the entire county. He

1 said he lived on the east side of the county in Tuscowilla and has a bear resistant can.  
2 He said he knew it was a burden to have a bear resistant can.

3  
4 Chairman Horan said we knew there would be conflicts within the city. Our home rule  
5 charter clearly points out that your ordinances take precedence over our ordinances in  
6 your city. If you want to pass something that covers a portion of your city, adopt a  
7 portion of our ordinance, opt out of our ordinance and pass your own ordinance. You  
8 have every right to do so. He said he would encourage you to craft something that suits  
9 your needs. At this particular time we have a public safety issue and that public safety  
10 issue is very serious. You didn't create it, we didn't create it. It was created because of  
11 successful conservation. We have more bears now than we can successfully manage  
12 within the environment we have. It's going to take a lot of cooperation, it's going to take  
13 a lot of collaboration, and it's going to take a lot of sacrifice over a period of time until we  
14 get the situation so that we don't have a public safety problem we have today.

15  
16 Chairman Horan said we didn't try in any way, shape or form to do this in secret. We  
17 knew that there would be conflicts with certain portions of the cities and we would like to  
18 work with you. If you want to opt out of the ordinance you can opt out and pass your  
19 own ordinance that relates to a portion of your city or relates to your entire city, or takes  
20 a portion of our ordinance. There are a number of different things that are actionable  
21 under our particular ordinance that you may not want to include. We have already gone  
22 through that process. He said Deputy Mayor Duryea pointed out there may not be  
23 enough teeth in it. One of the things about being a county or city is there is a limit to  
24 what you can do. You can't stop everybody all of the time. It's not going to be perfect  
25 and it's not going to be 100%. All we have are fines. That's all we can do. Even  
26 though we might knock on doors as we all do running for office and we get questions  
27 about our position on the death penalty, we don't have that kind of power in the law.

28  
29 Chairman Horan said what we are trying to do with this ordinance is we are trying to  
30 identify and encourage those particular behaviors that people have to exercise now in  
31 order to protect themselves and to protect each other. If you don't want the ordinance  
32 for your city, that's fine. Under the home rule you have the option to opt out and pass  
33 your own ordinance or pass none at all. We have the option of including and expanding  
34 that urban bear management area. If we don't address this public safety problem now,  
35 if we don't address it in a way that is effective, there's going to continue to be human  
36 and bear conflicts. You don't have to ask Commissioner Miller about the anecdotal  
37 evidence of it. The Florida Wildlife Commission has a great map where they have dots  
38 all over the place about where there has been human and bear conflict, including over  
39 on the east side of the county.

40  
41 Chairman Horan said we are not trying to impose anything on you that puts an  
42 unreasonable burden on your residents. You know your residents and you know your  
43 business situations better than we do. In those unincorporated areas of the county, we  
44 are going to have to take a measured mile and adjust our own ordinance in such a way  
45 that it addresses those particular situations. He said he would encourage you to take a  
46 good, close hard look at the public safety problem. This is going to be with us awhile.

1 The unfortunate reality is there's no quick solution to it. If you have bears in conflict with  
2 humans, bears are going to win that encounter. We are going to do as much as we  
3 can, imperfect as it may be, to try to encourage those particular types of behaviors that  
4 will protect themselves and protect each other. That is what we have been trying to do.

5  
6 Chairman Horan said he hears about the inconsistencies and injustices that might exist  
7 because of where the line is drawn. The line was drawn in accordance to what  
8 professionals said you need. They said we needed a buffer along the east side of I-4  
9 and to create that buffer so that there is no encouragement to go across I-4. There is  
10 something on the Internet where they were able to get a camera on one of the urban  
11 bears where the bear looked left, looked right, looked left and crossed the road. These  
12 bears have developed behaviors where they will be able to get across.

13  
14 Mayor Meador said Chairman Horan's points are well taken and he is very articulate. He  
15 said he and Nicole (Guillet) have spoken and he addressed a concern. While Chairman  
16 Horan did a wonderful job of articulating the why, it's problematic in a number of ways.  
17 He asked Nicole what input she had related to what she had heard from us.

18  
19 Nicole Guillet, County Manager, came forward. She said she would like the opportunity  
20 to speak more to the technical elements of the ordinance and maybe clarify. She  
21 thought there might be some confusion as to what is required. She gave a history of  
22 how they landed when they did in December.

23  
24 Ms. Guillet said back in August, Commissioner Constantine advanced a proposal  
25 wherein we did a mandatory bear can ordinance where we provided bear cans to all of  
26 the residents (24,000 households) on the west side of I-4. It was going to be mandatory  
27 and was going to be at a significant cost. It was almost a \$4 million capital cost plus  
28 ongoing operating costs. That's what we workshopped in October. At that meeting we  
29 heard people testify. In the weeks preceding that we had a significant number of  
30 residents contact us via e-mail, there was a petition with 6,000 signatures and about  
31 3,000 of them were from Seminole County residents, indicating this was a significant  
32 concern from a public safety standpoint. There was a concern for human safety but  
33 also bear safety. We had the fortunate coincidence of having a bear hunt occur during  
34 this time.

35  
36 Ms. Guillet said the Board of County Commissioners at that workshop in October said  
37 staff needed to put something together and come up with a proposal on how we are  
38 going to minimize bear/human conflicts, and you need to do this as expeditiously as  
39 possible. In October we started researching and looked at 15 to 20 different ordinances  
40 from across the nation. Although Florida has never had an ordinance in place to deal  
41 with bears, there are states out west that have been dealing with this issue for a long  
42 time and they've figured out some ways to deal with it. It seems the best practices on a  
43 national basis are to require people to secure their garbage. There are a lot of different  
44 ways you can do that. You can do it through the imposition of mandatory bear cans, but  
45 securing the garbage doesn't necessarily mean it has to be in a bear can. What this  
46 ordinance does is it gives residential customers the option of securing their garbage

1 until 5:00 A.M. in a shed, garage, etc. If they are unable to secure their garbage and  
2 unable to keep it secure until 5:00 A.M., their alternative is to get a bear resistant can  
3 and roll that can out. The ordinance does not require that everybody purchase a bear  
4 resistant can. She said she has problems with raccoons so she keeps her garbage in  
5 the garage until the morning time. A lot of people employ that practice already. The  
6 ordinance as it is written for residential customers it doesn't have to cost them anything.  
7 They just secure their garbage. If they are unable to wait until 5:00 A.M. to put their  
8 garbage out they do have the option of using a bear resistant can.

9  
10 Ms. Guillet said it is a requirement that commercial establishments have a bear resistant  
11 container. We understand from FWC that you can modify an existing dumpster for  
12 about \$140.

13  
14 Ms. Guillet said there are other bear resistant practices such as don't put bird feed and  
15 pet feed out. Those types of things will also discourage bear activity. We wanted to  
16 eliminate entrapments. It doesn't have to cost anybody anything if they want to hold  
17 their garbage until 5:00 A.M. We were trying to give people an option that wasn't going  
18 to put a financial burden on them. We are bringing forward at the Board of County  
19 Commissioners meeting next week a hardship assistance program because there are  
20 some who don't have garages or sheds or a place to secure their garbage and may not  
21 have the financial means to purchase a bear resistant can. We are requesting the  
22 board put aside a fund for folks who can demonstrate a hardship so they can comply  
23 with this ordinance.

24  
25 Ms. Guillet said with respect to the eastern boundary which is the biggest concern here,  
26 she stepped back to the timing. She said we were directed to bring something forward  
27 in an expeditious fashion because it was a public safety issue.

28  
29 Mayor Meador said he took exception with the County Commission. He said he  
30 understood the timing matter and they both know the difficult situation they all were put  
31 in for the action of one who claims this is cost neutral, which is not true. The issue goes  
32 back to a common courtesy. This is something we should have sat down and talked  
33 about. If it is a critical public policy issue that is countywide, we have always sat down  
34 and talked. We find a way to reach consensus whether it is about how to deal with the  
35 school board and their dilemmas from a decade ago up until the most recent successful  
36 passage of the penny sales tax. The first time he heard about this was after it had been  
37 signed. There is a better way to do business.

38  
39 Ms. Guillet said the process in developing this ordinance we looked at the national best  
40 practices and we coordinated closely with the FWC. As soon as we had an ordinance  
41 the FWC said was workable, appropriate and a good approach, we sent it to the  
42 affected cities on November 23<sup>rd</sup>. We also sent a map. She apologized there was  
43 confusion. The map they sent did show properties on the east side. It was drawn with  
44 a straight line. We had been given an estimate of the appropriate boundary and it is just  
45 a straight line that went down the corridor which bisected properties and didn't make a  
46 lot of sense. We tried to communicate that we were still adjusting that line and we

1 probably could have done a better job with that. We were attempting to get feedback as  
2 quickly as we could before the public hearing.

3  
4 Ms. Guillet said with respect to that eastern boundary and going east of I-4, that was  
5 done at the recommendation of the FWC. They felt very strongly that we needed to  
6 have a buffer area on the east side of I-4. We have already seen significant bear  
7 activity on the east side of I-4 in the Sanford area. They like McDonald's and Cracker  
8 Barrel. It is easy for them to get under that overpass. The concern was when they can't  
9 get anything to eat on the west side then they are going to go to the east side. They  
10 have a very wide range. She said Mike Orlando is here from the FWC and he could talk  
11 about the science of this more succinctly and clearly than she could. The concern is  
12 they may be driven from the west side to the east side if they are not getting food. If  
13 they are not able to forage as effectively on the west side, they will venture over to the  
14 east side. They are very resourceful. The thinking is when they get to the east side we  
15 don't want them to have anything there to cause them to want to venture any further.  
16 We want them frustrated when they get to the east side.

17  
18 Mayor Mealor asked if when they get to the Tilted Kilt they are going to say I'm not  
19 going to Chick-Fil-A because it's on the other side of the line.

20  
21 Ms. Guillet said you draw the line somewhere and would leave it to the FWC to talk  
22 about the science behind that. She said she was just explaining why we have an  
23 eastern boundary. Since we have adopted the ordinance, the majority of the comments  
24 we have gotten on it have been relative to the east side. We have been working the last  
25 several weeks with the FWC to see what we can do to revise that boundary and pull it  
26 tighter to I-4 in a way the FWC is comfortable with. She said she was not a bear  
27 biologist and nobody at the county is a bear biologist and she was not in a position to  
28 recommend to the Board of County Commissioners where they should draw that line.  
29 We are relying on the FWC. Remember the point here is to keep people safe. We want  
30 to put the line in the right place that is going to keep people safe.

31  
32 Ms. Guillet said when we adopted the ordinance in December, the board extended the  
33 compliance period. This ordinance allows them to establish multiple bear management  
34 areas as the need exists. For this first bear management area they extended the  
35 compliance period for an additional 30 days to give everyone the opportunity to learn.  
36 We knew this was going to be a learning exercise for everyone. They also authorized  
37 her office to develop SOPs for enforcement. It is not the desire of the county to go out  
38 and start writing citations and fining people. We want people to be safe. That is what  
39 this ordinance is about. If people aren't complying, the first step in these SOPs is to  
40 make contact, find out why they are not complying, and see if there is a way we can  
41 help them gain compliance. The compliance effort is focused on education and helping  
42 people achieve compliance.

43  
44 Ms. Guillet said with respect to the haulers and them being able to provide commercial  
45 containers within that 60-day period, she has spoken to the folks at Waste Pro. She  
46 told them they were going to stick with 60 days for now and come see her in 60 days if

1 you haven't been able to fully comply and we will work with you. We want compliance  
2 but we want folks to understand that this is an important issue and you need to be  
3 working towards compliance.

4  
5 Ms. Guillet said we are trying to work through these issues. She told the commission  
6 when they considered this ordinance before they adopted it that we are foraging new  
7 ground in Seminole County. We are the first people in Florida to tackle this issue. We  
8 are going to have to tweak the ordinance and are going to have to make some  
9 adjustments. She said she was warning them up front that they would have to bring this  
10 back and make some adjustments once we start trying to implement it. It is new  
11 ground. We are open to talking to all of our cities about where we need to go and how  
12 we can serve all the citizens. As Commissioner Horan said, if you need to make some  
13 tweaks that the commissioners may not be comfortable with, we'll help you if you want to go  
14 your own way. We will give you all the resources we have to help you do that. She  
15 knew the FWC would be more than willing to work with you. They have been a  
16 wonderful partner in all of this.

17  
18 Mayor Meador said he knew it was an issue because you sent out 20,000 postcards to  
19 see if there would be a voluntary effort. With the exception of two subdivisions, you  
20 may have had a response of right at 300.

21  
22 Ms. Guillet said we had a \$20,000 grant program to help underwrite the cost of that and  
23 thought we had about 500. Just in recent months have we had all takers come to the  
24 table and we expended money on that voluntary program. The volunteer program  
25 wasn't much of a success.

26  
27 Mayor Meador said the sheer reaction of the voluntary program of the number sent out  
28 and the number responded is less than a chance occurrence. The dilemma he is facing  
29 is your own residents don't view it as that critical of a problem. We want to work with  
30 you and the dilemma we have right now is the unintended consequences. We  
31 appreciate yours and Chairman Horan's willingness to go back to the ordinance and  
32 look at it. He thought it could be tweaked. He said he didn't like the concept of opting  
33 out because it appears it is adversarial and we don't want that. We want to work with  
34 the county. We acknowledge the west side is a concern and that's why all of our  
35 commercial activity already meets those standards on the west side. Any new  
36 development will be expected to meet the intent of Chapter 258.

37  
38 Mayor Meador said where you and your team can be helpful to us because we want to  
39 be helpful to you, we've got a problem. We have identified it. The problem is what was  
40 created in Chapter 258 in adopting the ordinance without any input from us. We could  
41 have avoided a lot of this. We wouldn't even have to have a meeting right now had we  
42 had the opportunity to provide input on this or the FWC in this process. That's the  
43 concern. The rub here is that just simply wasn't taken into account.

44  
45 Ms. Guillet said she was not going to argue with you on that but that's done.

1 Commissioner Brender thought we could probably adopt within the confines of the  
2 county ordinance an ordinance that adjusts or fits it to Lake Mary. If you need to tweak  
3 some of the conflicts, severability and effect dates you can tweak them to allow the  
4 cities to make exceptions here and there. He thought that may be a way out of this as  
5 of now.

6  
7 Commissioner Brender said he had a place in Colorado and we deal with Colorado  
8 grizzlies. They are the size of a car. People have gotten accustomed to living with  
9 them, and we're not. We live in an urbanized county but we haven't taught people yet.  
10 We get along as long as we don't put food out. They find things to eat. Occasionally  
11 they are going to find somebody's toy fox terrier or something and it's going to be  
12 terrible and is going to make the news, but at the same time you have to live with them.  
13 He didn't think anyone wanted to get rid of them. He thought we had some education to  
14 do but liked the idea of going after an ordinance within the cities that will allow us to  
15 tweak what the county has done. That way we take away the conflict and the idea that  
16 we are being conflict because he didn't think that was the intent.

17  
18 Chairman Horan said the way their home rule charter is set up is that we pass  
19 ordinances that have general applications, but our home rule charter gives each one of  
20 the cities precedence for their ordinances over ours. When we are passing an  
21 ordinance, it's a general application. We know the cities can pass their own ordinances  
22 that take precedence in their cities and your City Attorney is more than competent in  
23 advising you on how to go about doing that. One of the problems we would have in  
24 "tweaking" our ordinance is that it is incumbent upon the cities to tweak our ordinance  
25 and adopt what fits their particular situation.

26  
27 Mayor Meador said one of the biggest dilemmas and confrontational points back when  
28 we were going to be a charter county and all of that initiative focused on the fact that at  
29 no time would the county pass an ordinance that superseded a municipal ordinance.  
30 Unfortunately the component parts of Chapter 258 do just that.

31  
32 Chairman Horan asked what portion supersedes.

33  
34 Mayor Meador said we have a sole source franchise provider with a system in place and  
35 you come in now and set rules that require us to completely go back to the drawing  
36 board with less than a year in place. Those are the kinds of things we find problematic.  
37 That's a dilemma he has with this as much as anything else. It's just the way it was  
38 done.

39  
40 Chairman Horan said he got what Mayor Meador was saying but didn't agree with it.  
41 The reason he didn't agree with it is we didn't pass a garbage franchise for you. We  
42 passed a public safety ordinance. We passed a public safety ordinance to deal with a  
43 public safety problem. He said he could detect Mayor Meador took umbrage and he  
44 took umbrage in the fact that he's thinking we tried to do something.

45  
46 Mayor Meador said semantically we both agree to disagree.

1  
2 Chairman Horan said that was not what we were trying to do at all. We have a charter  
3 that sets up a situation where the cities can take an ordinance and say we are going to  
4 adopt this on our own or we are going to accept this on our own. He asked Mayor  
5 Mealor to put himself in his situation. He has an emergent public safety issue that has  
6 been pending for more than a year. People have been injured and he has to take some  
7 action on that public safety issue. Is it perfect? Certainly not. Is it going to be  
8 something that will impose different and diverse burdens on cities? We understood  
9 those particular issues would have to be worked out. But under our home rule charter it  
10 is incumbent upon the cities to take that and say we want to opt out entirely or we want  
11 to take that and fashion it so it fits our particular city. He said the Mayor would feel the  
12 same way if he were confronted with a public safety issue that required action. We  
13 were trying to do something that was reasonable, something that was measurable, and  
14 something that wasn't compulsive and costs millions of dollars. He said he wasn't sure  
15 he would be waiting to ask permission of the cities in order to address the public safety  
16 problem knowing that the cities can go ahead and address those issues on their own.  
17

18 Chairman Horan said he hoped you don't feel like we were trying to act in an arbitrary or  
19 capricious manner in trying to pass this. We were trying to address a public safety  
20 issue that had been pending for some time and try to address it in a reasonable fashion.  
21 As the County Manager pointed out, we're here to work with you on whatever you want  
22 to do. But for us to adjust our ordinance, we may find at some particular point that we  
23 need to expand the urban bear management area. We may find at some particular  
24 point that we have to extend it to the entire county. If you look at the Florida Wildlife  
25 Commission map and the incidents over on the east side of the county, it's only a matter  
26 of time before something is going to happen there. It's going to require a lot of  
27 cooperation of the state, of the local governments, and of our people in order to make  
28 sure that we have something where people are going to be safe because it is a public  
29 safety issue. This is not an ordinance about garbage collection. This is an ordinance  
30 about public safety.  
31

32 Mayor Mealor said you have identified an area with an identified problem and that  
33 problem doesn't exist in this area at this time. He asked Chairman Horan and Ms.  
34 Guillet what we can do to be helpful. You know you are going to make some changes  
35 because you have the hardship issues and a couple of others. He asked if they would  
36 be willing as you are going through that to let representatives sit down with them and  
37 FWC to find out if that eastern boundary could be re-evaluated as it currently exists here  
38 in Lake Mary.  
39

40 Chairman Horan said certainly.  
41

42 Mayor Mealor said to him that is the collaborative process and right now it addresses  
43 our primary concern. It involves the experts and it involves our staff with the type of  
44 input that would be helpful in crafting this. We may come back and determine that  
45 maybe it is in our best interest to keep what's there.  
46

1 Chairman Horan said as he understood it, if we eliminated every part of the urban bear  
2 management area that is east of I-4 there would still be portions of Lake Mary in that  
3 area.

4  
5 Mayor Mealor answered affirmatively. What we are saying is there might be a better  
6 way to craft this. That is all we are asking.

7  
8 Chairman Horan said it begs the question wouldn't it be easier to just do your own  
9 ordinance.

10  
11 Mayor Mealor said we would not have to do that had we been consulted on the front  
12 end. That's the insulting part. You do have a public safety issue. This is the unintended  
13 consequences. You are trying to solve a public safety health issue and creating a  
14 dilemma for the City of Lake Mary in the process where at this time none exists.

15  
16 Chairman Horan said possibly the issue here is you think the City of Lake Mary is  
17 immune to the human/bear conflict problem.

18  
19 Mayor Mealor said absolutely not. We are mitigating. Isn't that what we are attempting  
20 to do? Isn't there a way it might can be done without the fiscal potential? Think about a  
21 sole source franchise provider and all of a sudden we are very efficient, very effective  
22 and are saving our residents a lot of money. If we go to a system that requires taking  
23 the time to do a delivery and increasing it by a factor of three, how does that help?  
24 That's the type of thing if we had talked about we probably could have worked around.  
25 He said to take Chapter 258 and if they are willing to allow our staff to sit down with  
26 county staff and FWC and see if there is a way that eastern boundary could be re-  
27 evaluated. If it can't be then we'll come back and see what we can do.

28  
29 Ms. Guillet said we are in the process of doing that. We are working with them right  
30 now on that and you are welcome to be part of that conversation.

31  
32 Mayor Mealor asked the City Manager if there was a point person we could identify for  
33 this.

34  
35 Ms. Sova said she had been working with Dr. Tomerlin so it would be the two of them.

36  
37 Mayor Mealor said our Economic Development Manager and City Manager will serve as  
38 liaisons as you are starting because you are going to have to make some tweaks to it.  
39 That's the great thing about it. You are willing to do it and that's all we can ask.

40  
41 Chairman Horan said of course we are going to be willing to do it but keep in mind that  
42 we can make it applicable to the cities or not make it applicable to the cities. The  
43 immediate problem here is why would we make it applicable to just a portion of the City  
44 of Lake Mary.

45

1 Mayor Mealor said because that is the only area that is currently impacted. There is not  
2 a problem and if there is a potential for a problem we can re-evaluate it.

3  
4 Ms. Guillet said from a staff standpoint her recommendation will be that we draw the  
5 boundary line based on the recommendation of the FWC. We haven't talked with them  
6 about pulling in further east to I-4. It may or may not be something we can support.  
7 She said let's look at it and see if it is and we can figure out another way.

8  
9 Chairman Horan said in speaking on behalf of the County Commission, if we have a  
10 public safety issue we will be responsive to it.

11  
12 Commissioner Brender said when he said tweak your ordinance, the only thing he was  
13 asking is make sure that your ordinance contains an addendum or some kind of  
14 recognition and not just this thing that says home rule that allows us to make exceptions  
15 within the city.

16  
17 Mayor Mealor said with Ms. Sova and Dr. Tomerlin we can do this. We get input from  
18 you and your team and FWC and we'll see where we take it. You are going to make  
19 tweaks to it anyway. If it's simply the boundary line then end of story.

20  
21 Commissioner Lucarelli asked what was to stop the bears going further west as well as  
22 east. She asked the percentage and how do they determine that. She said she wanted  
23 that considered because it's not like there's a giant Wall of China over there that is  
24 going to keep them from going to Lake County looking for food. There is already bear  
25 preservation and habitat over there.

26  
27 Ms. Guillet said they probably will, but we can't do anything in Lake County.

28  
29 Commissioner Miller said we're not happy that there wasn't collaboration and we found  
30 out at the last minute that we have 351 residents who have to incur expense and  
31 change their lifestyle and we have a garbage issue with it. We're not happy that it  
32 wasn't collaboration and the Mayor has articulated that extremely well. He said he  
33 shared the Mayor's dissatisfaction with that.

34  
35 Commissioner Miller said throughout this whole process you talk about it as public  
36 safety. He believed this started when some people were injured in the Wingfield  
37 Preserve area by bears when they were walking pets and the bears injured people.  
38 Those bears were destroyed. At least they reported that the bears that hurt people  
39 were destroyed. The public safety issue with the bears that hurt people was fixed and  
40 then we killed 298 of them during hunting season too. The bears that are here now are  
41 not bears that hurt people. On the west side of I-4 those bears are the same ones that  
42 are in Oviedo. They are the same ones that are in Wood Street. We've got bears all  
43 around us so why are we picking one little area just because some people were hurt  
44 walking their dog and we killed those bears. The bears that are walking around in  
45 Magnolia Plantation, Alaquá, and Wingfield Reserve haven't hurt anybody yet, just like

1 the bears in that map. The problem we are trying to solve is a ubiquitous problem and  
2 we are trying to put a target on a particular area.

3  
4 Chairman Horan said he thought Mr. Orlando should address the issue of how to tell the  
5 difference between the bears that hurt people and the bears that don't.

6  
7 Mayor Meador said he thought they were at a point now that can be helpful. He thanked  
8 the FWC and knew they had input and used expertise. Unfortunately when you do a  
9 boundary it's not something in isolation. Those are the kinds of things we have to deal  
10 with.

11  
12 Mayor Meador said we will work together and try to get to the same place. He asked  
13 Ms. Guillet to ask her team to communicate with Ms. Sova and Dr. Tomerlin. We will  
14 get together with your staff and FWC and we will find a way to craft this. If not then we  
15 will follow the Chairman's recommendation as to next steps. He thanked Chairman  
16 Horan and Ms. Guillet for being here. This is an important community issue that has  
17 tremendous impact to be very disruptive and that is not what we are about. We've  
18 formed one of the better partnerships in the region and we want to continue in that  
19 nature.

20  
21 Ms. Reischmann pointed out that historically the cities and the county have had their  
22 differences. In the long time she had been working in Seminole County it has always  
23 been the case that the charter provision has been interpreted to mean that if there is a  
24 public safety concern, there is not going to be an onus on the cities to opt out of  
25 something but that there is going to be consensus. If there is not consensus then the  
26 county does not pass a countywide ordinance. That is how it's always worked.  
27 Gambling and adult entertainment was consensus.

28  
29 Mayor Meador said that was a big area of discussion back when the vote for  
30 consideration of a charter county was brought before the public, and it was reassuring  
31 at the time.

32  
33 Mike Orlando, Assistant Bear Program Coordinator with the Florida Fish and Wildlife  
34 Commission, said he would love to come back and give a presentation about bears in  
35 front of the Commission and the general public about what is going on in the  
36 neighborhoods and woods. He said he would be happy to come back and do  
37 something specific. He said he would work with the city and county.

38  
39 Commissioner Miller asked Mr. Orlando if he thought what we were doing is adequate.

40  
41 Mr. Orlando said as being the lead biologist on the four bear attacks we have had over  
42 the last two and a half years, he thought everybody needs a bear resistant garbage can.  
43 He thought we need to lock the whole place up. He is dealing with some very serious  
44 issues. He could show pictures of bears ripping off house doors and cars. This is a  
45 public safety issue that the cities and counties need to take very seriously.

1 Mayor Meador said and we want to work in partnership. That is the dilemma with the opt  
2 out. It sends the wrong message.

3  
4 Mayor Meador asked Ms. Guillet to coordinate the meeting with Ms. Sova and Dr.  
5 Tomerlin. He asked Chairman Horan to communicate to the County Commission that  
6 we appreciate their willingness to listen. We stand ready to work with you. If it is  
7 something that can't be resolved we do have an alternative.

8  
9 Ms. Guillet said we mentioned we were doing this hardship program and that is going to  
10 the board next week. She didn't want anyone to think we are taking that and forgetting  
11 about the rest of this. It was already scheduled to go. We are going to take that  
12 forward. She anticipated if we could work out the issues on a map we would bring that  
13 to the first meeting in February. If we are still working issues out it doesn't have to be  
14 then. She wanted the Commission to be aware of the timeline. We will continue to work  
15 with city and county residents with respect to compliance. We want to educate. We will  
16 work quickly but if we need to take more time we may go to the second meeting in  
17 February.

18  
19 There being no further business, the work session adjourned at 6:45 P.M.

20

DRAFT

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held January 7, 2016,  
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake  
3 Mary, Florida.

4  
5 1. Call to Order  
6

7 The meeting was called to order by Mayor David Mealor at 7:17 P.M. He explained we  
8 were underway later than usual because we had a very productive work session with  
9 the county and the FWC representatives. He thanked the Commission and staff for  
10 their input.

11  
12 2. Moment of Silence  
13

14 3. Pledge of Allegiance  
15

16 4. Roll Call  
17

18 Mayor David Mealor  
19 Commissioner Gary Brender  
20 Deputy Mayor George Duryea  
21 Commissioner Sidney Miller  
22 Commissioner Jo Ann Lucarelli

Jackie Sova, City Manager  
Carol Foster, City Clerk  
Dianne Holloway, Finance Director  
John Omana, Community Development Dir.  
Steve Noto, City Planner  
Bruce Paster, Public Works Director  
Bryan Nipe, Parks & Recreation Director  
Tom Tomerlin, Economic Development Mgr.  
Wanda Broadway, Human Resources Mgr.  
Steve Bracknell, Police Chief  
Frank Cornier, Fire Chief  
Katie Reischmann, City Attorney  
Mary Campbell, Deputy City Clerk

23  
24  
25  
26  
27  
28  
29  
30  
31  
32 5. Approval of Minutes: December 17, 2015  
33

34 **Motion was made by Commissioner Lucarelli to approve the minutes of the**  
35 **December 17, 2015, meeting, seconded by Commissioner Brender and motion**  
36 **carried unanimously.**  
37

38 6. Special Presentations  
39

40 There were no special presentations at this time.  
41

42 7. Citizen Participation – This is an opportunity for anyone to come forward and  
43 address the Commission on any matter relating to the City or of concern to our  
44 citizens. This also includes: 1) any item discussed at a previous work session;  
45 2) any item not specifically listed on a previous agenda but discussed at a  
46 previous Commission meeting; or 3) any item on tonight’s agenda not labeled as

1 a public hearing. Items requiring a public hearing are generally so noted on the  
2 agenda and public input will be taken when the item is considered.

3  
4 No one came forward at this time and citizen participation was closed.

5  
6 8. Unfinished Business

7  
8 There was no unfinished business to discuss at this time.

9  
10 9. New Business

11  
12 A. Request for a Conditional Use for a Private and Retail Recreational Facility,  
13 D-1 Fitness, in the M-1A, Office and Light Industrial, zoning district, 30  
14 Skyline Drive; Nine Six Holdings, Mr. Josh Marinov, applicant (Public  
15 Hearing) (Steve Noto, City Planner)

16  
17 Mr. Noto said this conditional use was before the Commission a couple of years ago.  
18 The D-1 Sports folks opened their existing facility at 940 Williston Park Point a couple of  
19 summers ago. They have been very successful at their current location and as a result  
20 are looking to move to 30 Skyline Drive. The process they have to go through is the  
21 same process they went through before. The subject property has the same zoning and  
22 land use category as their current home on Williston Park with M-1A for zoning and  
23 Industrial for land use.

24  
25 Mr. Noto said the subject property is 3.7 acres and was approved by the Commission in  
26 1989. It is a 42,000 S.F. building. D-1 would own and utilize the entire square footage  
27 of the building. Part of the building will be utilized as their workout facility and their  
28 indoor football field, and some of the equipment they have at their current facility would  
29 move over. The rest would be office space utilized by D-1 for their other activities.

30  
31 Mr. Noto said there are 8 to 12 full time employees who will work as part of the D-1  
32 operation. They will have classes throughout the day with different exercise activities.  
33 The average class size is 8 to 12 people. Operating hours are 6:00 A.M. to 9:00 P.M.  
34 Monday through Friday and 9:00 A.M. to 5:00 P.M. on Saturdays. For early risers there  
35 is a 5:00 A.M. class held on Mondays and Wednesdays. We look at that type of detail  
36 for conditional uses so we can review it under the findings of fact how it impacts the  
37 neighboring businesses in the zoning area. We looked at parking which is usually a top  
38 concern. The site has 138 parking spaces that was provided as part of the original site  
39 plan in 1989 and D-1 would need 94 per code.

40  
41 Mr. Noto said the Planning & Zoning Board heard this at their regular December 8,  
42 2015, meeting and voted unanimously 5 – 0 to recommend approval of the proposed  
43 conditional use with the stated findings of fact.

44  
45 Mr. Noto said staff finds the request to operate a private recreational facility at 30  
46 Skyline Drive in the M-1A does not adversely affect the public interest and is a

1 reasonable request based on the aforementioned findings of fact. We recommend  
2 approval. He noted the applicant was present.

3  
4 Commissioner Miller said the numbers don't seem to add up under the description. He  
5 asked if he was missing something. It says there is 24,000 S.F. of office and then it  
6 says 22,000 S.F. It says 18,000 S.F. of warehouse and then it says 17,000 S.F.

7  
8 Mr. Noto said under the background, the building was 42,000 S.F. and then they have  
9 the previous split of 24,000 S.F. of office and then 18,000 S.F. for the warehouse. The  
10 breakout in the description is a little unclear. The warehouse space they will have  
11 (17,000 S.F. – 18,000 S.F.) will be their workout facility with the infield football area and  
12 then the gym equipment and such. The remaining square footage would be office and  
13 would equal up to the square footage of 42,000.

14  
15 Commissioner Brender asked if the office space was just for the people working in that  
16 fitness center.

17  
18 Josh Marinov came forward on behalf of D-1, 555 West Winter Park Street, Orlando,  
19 Florida 32804. To clarify on the split between the office and the warehouse, right now  
20 there are existing leases in place for office users within that 22,000 S.F. office space.  
21 D-1 intends to honor those leases and as they expire they will determine at that time  
22 whether or not to renew them, lease it to others, or take additional space for  
23 themselves. The immediate need is for the 17,000 S.F. of fitness facility in the back.  
24 They don't intend to evict any of the existing tenants and will let those leases play out.

25  
26 Commissioner Miller asked the owner of D-1.

27  
28 Mr. Marinov said the entity is called Nine Six Holdings and the managing partner is  
29 Barry Cofield who is a current professional football player.

30  
31 Mayor Mealar said he thought Commissioner Miller was referring to the grand opening  
32 on Williston when we had Tim Tebow here.

33  
34 Mr. Marinov said Barry acquired the D-1 franchise from the folks that originally started it.

35  
36 Mayor Mealar asked if anyone wanted to speak in reference to this request for a  
37 conditional use. No one came forward and the public hearing was closed.

38  
39 **Motion was made by Commissioner Miller to approve the Conditional Use for D-1**  
40 **Fitness, 30 Skyline Drive, with the stated findings of fact, seconded by**  
41 **Commissioner Lucarelli and motion carried unanimously.**

42  
43 Mayor Mealar asked Mr. Marinov to let his team know we appreciate their investment in  
44 Lake Mary.

1 B. Site Plan with Variances for two 4,500 S.F. buildings, 138 West Crystal Lake  
2 Avenue; Shaw Construction and Management Services, applicant (Public  
3 Hearing) (Steve Noto, City Planner)  
4

5 Mr. Noto said this property was recently before the Commission in the form of a  
6 rezoning to DC, Downtown Centre. It is owned by Mr. Shaw. There is currently a  
7 single-family home on the property that has been there for a number of years. The  
8 plans are to demolish the house and build two 4,500 S.F. office buildings. The  
9 architecture of the buildings would be similar to the white brick building currently on  
10 Fourth Street. The subject property is .35 acres. He showed the site plan sheet on the  
11 overhead. The building on the right is the future. The plan is to start construction of the  
12 left building within the next 30 to 60 days. One of the existing tenants in the two-story  
13 yellow building in front of City Hall is moving into the building on the left so that will be  
14 the first part of the construction.  
15

16 Mr. Noto said there will be some new on-street spaces that will be constructed but with  
17 the existing parking on West Crystal Lake and the other parking in the Downtown, per  
18 code there is an excess of parking in the Downtown. When we have events it gets  
19 pretty busy. The parking that is available now allows for this type of redevelopment and  
20 utilization of the existing parking spaces without having to provide new spaces in the  
21 right-of-way or on site. This site plan has been in our system for a couple of years. If  
22 someone was to come in new, there are new codes in effect that have different  
23 requirements for on-site parking. For this request, two handicapped spaces will be  
24 installed as part of the construction.  
25

26 Mr. Noto said at the end of the staff report there was mention of the P&Z  
27 recommendation. They had discussion about some of the trees that will or will not be  
28 saved within the right-of-way as a result of the handicapped spaces being placed at the  
29 requested location. We worked with Mr. Shaw and his engineer and they have come up  
30 with a preliminary plan to shift the handicapped spaces to the east, save the oaks, take  
31 out the camphor trees, and it would make for a nicer streetscape versus taking out the  
32 oak trees and keeping the camphor trees.  
33

34 Mr. Noto said there are two variances associated with this request: (1) a variance from  
35 the required rear setback of 20 feet to allow for a 12-foot setback and (2) a variance  
36 from the required front setback of 10 feet to allow a 2-foot front setback.  
37

38 Mr. Noto said we have seen these types of variance requests throughout the  
39 redevelopment of Downtown along Fourth Street, Lakeview, and other areas. As a  
40 result of the size of the lots, variances are commonly needed. In the staff report is a  
41 brief history outlining how many similar variances have been approved by the  
42 Commission within the Downtown. There are six criteria having to do with special  
43 conditions of the lot, special privileges and things of that nature. It is a unique situation  
44 in the Downtown with 33-foot wide lots. Some have been aggregated. You can see on  
45 the overhead that the westernmost parcel is likely made up of two 33-foot wide lots and

1 on the eastern side two more 33-foot wide lots. The variances met all seven Findings of  
2 Fact and staff recommends approval.

3  
4 Mr. Noto said the P&Z heard this item at their regular December 8, 2015, meeting and  
5 voted unanimously 5 – 0 to recommend approval of the proposed site plan with  
6 variances with staff's one condition. They had the request for us to look further into  
7 saving the trees and shifting the handicapped parking spaces which has been done.

8  
9 Mr. Noto said we continue to work through that with the applicant. The one condition  
10 staff had was prior to the issuance of a site construction permit, the applicant shall  
11 update the datum information to NAVD 88 from NGVD 29 and to have the survey  
12 updated. That has been done. Staff is recommending approval as the request is  
13 consistent with the Code of Ordinances and the Comprehensive Plan.

14  
15 Deputy Mayor Duryea said one of the things he regretted was the situation that has  
16 occurred on Lakeview. He said he couldn't fault the developer but was concerned that  
17 the situation will develop in the same way in the sense that Crystal Lake will become  
18 populated by buildings with no place to put any cars. He heard Mr. Noto say that  
19 current situation allows for so many parking spaces.

20  
21 Mr. Noto said a couple of years ago we did a code amendment to require developers as  
22 they come into the Downtown to do one of a couple of things. You have to construct  
23 on-street parking in front of your property. If that parking is not enough to meet your  
24 needs, you have to provide parking on your property, whether it is a parking lot or a  
25 parking structure. If you are unable to do that and the City finds there is excess parking  
26 in the Downtown, you can buy spaces to meet your parking demand. At this point we  
27 haven't received any applications post that code amendment to see how that would  
28 impact anybody. Mr. Shaw submitted his application for this project before we did the  
29 code amendment so we anticipate as developers come in east of this project and  
30 maybe south of the project we will start to see some on-site parking and potentially  
31 some requests for purchase of right-of-way parking in order to meet the parking  
32 requirements.

33  
34 Deputy Mayor Duryea asked about the stormwater and drainage.

35  
36 Mr. Noto said this project falls within the stormwater area that has been planned through  
37 Mr. Shaw's work on Fourth Street and Lakeview. In working with Public Works, this all  
38 falls within the existing stormwater area. All the infrastructure he has constructed will  
39 accept the runoff from this project.

40  
41 Commissioner Brender asked how many parking spaces we have numbers-wise.

42  
43 Mr. Noto said we have in excess of 87 over what the code requires. Back at the office  
44 we have a large site plan that has broken out the different sectors. We have  
45 approximately 200 spaces.

1 Commissioner Brender said this is going to be built as an office.  
2  
3 Mr. Noto said that was correct.  
4  
5 Commissioner Brender said depending on what type of office comes will vary the  
6 parking requirement. He questioned how somebody would feel if they have to park a  
7 block away. We already have a parking problem here and it's not just events. He has  
8 driven down here at 3:00 in the afternoon and Fourth Street is full. He said he was  
9 nervous about just how far people are going to be willing to walk and whether or not we  
10 should be starting this parking requirement retroactively.  
11  
12 Mr. Noto said this project is required to have 14 parking spaces. Our Downtown code is  
13 3.33 spaces per 1,000 S.F. and there is a discount built into that based upon being in  
14 the Downtown. Our regular office/retail is four spaces per 1,000 S.F.  
15  
16 Commissioner Brender said a 4,500 S.F. building would need 16 so this would need 35  
17 or 36 spaces.  
18  
19 Mr. Noto said the total project is required to have 14 utilizing the discount.  
20  
21 Commissioner Brender said for 9,000 S.F. of building which is 9 times 4 is 36 and we  
22 are telling them that 14 is okay.  
23  
24 Mr. Noto said we have the excess of 87. If we went with the four per 1,000, utilizing our  
25 existing spaces and the code we had when he submitted, he would still be able to utilize  
26 our existing infrastructure.  
27  
28 Commissioner Brender asked where the infrastructure was. If they are going to be  
29 parking on Fourth Street where there's no parking now then they will end up in the City  
30 parking lot by the health center. He wasn't sure how the office people are going to feel  
31 about having to walk four blocks to get to work every morning.  
32  
33 Mr. Noto said there are two handicapped spaces in front and there are some that go to  
34 the west of Fourth and some to the south side of Crystal. We continually look for  
35 options for parking beyond this application. As we continue to develop going east  
36 towards Country Club on Crystal, we will have that built out with on-street parking all the  
37 way. It's likely we will see an increase in on-site parking lots not only in that area but  
38 other parts of Downtown.  
39  
40 Commissioner Brender said because he came in under the old requirements we can't  
41 change that. We have a problem. Even if it's not a requirement he would say we have  
42 a problem and have to start doing something about it now and not after it already  
43 develops and we're still at 3.5 per 1,000 because we want the Downtown to develop.  
44  
45 Mr. Noto said understood.  
46

1 Commissioner Miller asked if that is an action item we should have for more public  
2 parking like what's behind the Fourth Street Bar. He asked Commissioner Brender if  
3 that was what he was suggesting.

4  
5 Commissioner Brender said we are going to have to do something whether it is going to  
6 be the City buying property for public parking or whether it involves a developer to  
7 develop a parking center on his property. The problem is cumulative. The fact that a  
8 guy meets the requirements for his property doesn't address the cumulative portion of  
9 how much parking is needed in the entire area.

10  
11 Mayor Meador asked if anyone wanted to speak in reference to this site plan with  
12 variances.

13  
14 Deputy Mayor Duryea asked if the alley had been vacated.

15  
16 Terry Shaw of Shaw Construction and Management Services, 386 Pine Tree Road,  
17 Lake Mary, Florida, came forward. He said we did not vacate the alleyway. It is an  
18 active alleyway and could see some benefits to that down the road so we'll see how that  
19 plays out.

20  
21 Mr. Shaw said parking, he agreed 100%. He said he thought about this back in 2000  
22 when we started building. When we designed the 130 buildings, which are Fourth  
23 Street Bar & Grill down to Sophie & Trey, that was designed as a 29,000 S.F. two-story  
24 building. We decided to put three 5,000 S.F. We studied other cities about parking and  
25 to put 29,000 S.F. there the parking would be horrible. He said the same thing with the  
26 152 buildings. We have reduced that down to 15,000 S.F. versus 30,000 S.F. We have  
27 taken this problem and at our cost we are going to put less square footage and are  
28 adjusting the parking. We are always looking at parking and we've talked to the City  
29 about this issue. Behind the two-story building at 142, we acquired the yellow house  
30 and would like to put another parking lot behind there. We think about it every day.

31  
32 Mr. Shaw said we think this will work because right now the parking on Crystal was  
33 assigned to the 152 buildings. We reduced the square footage there to build this. It is  
34 office so it will be during the day. In the evenings the bar and restaurants ramp up. He  
35 said he was very adamant about tenants. We look at parking all the time. He said  
36 Winter Park Avenue has several owners and they don't care. Fortunately we have all  
37 this and he can work his tenants where he thinks the parking works and it has done real  
38 well. We have to think about this when it's something we're not involved in and  
39 somebody comes in and may not think about the parking the same as we. Parking is  
40 critical.

41  
42 Commissioner Brender said it's probably going to take some partnerships between  
43 developers, i.e. you and us, to figure out where we can start pushing parking.

44  
45 Mr. Shaw said when a new developer comes in to call him and he would be glad to sit  
46 down and help. Let's sit down and figure a game plan out.

1  
2 Commissioner Brender said we have to address the cumulative part of it.

3  
4 Mr. Shaw said we have to. He felt right now we are in a good situation. We reduced  
5 square footage. It's all right now but it's coming.

6  
7 Deputy Mayor Duryea said the variance in front goes down to 2 feet. He asked if that  
8 would make it look like the building is sticking out in the middle of the road.

9  
10 Mr. Shaw said it is zero on 152. You have a six-foot sidewalk and then you are going to  
11 have another two feet and then the entry. You want to push your buildings out towards  
12 the sidewalk to give that Fourth Street feel. You don't want the buildings 15 or 20 feet  
13 back.

14  
15 Commissioner Brender said these will be six-foot sidewalks.

16  
17 Mr. Shaw said the City already has a six-foot sidewalk. We will be adding another two  
18 feet and then there's four feet to the door. It gives you eight feet of sidewalk before you  
19 get to the building.

20  
21 Mr. Shaw said this project is one of the first things we have done. We have had a long  
22 term tenant and he is buying this building. That's what we are going to start doing in the  
23 next two or three blocks back. A lot of our tenants started from nothing and want to own  
24 their own buildings in our Downtown. It is CEU which is a medical training company.

25  
26 Mayor Mealor said what is a compliment to what Mr. Shaw and the City have been able  
27 to do in partnership is some of your existing tenants are asking for more space. It is a  
28 wonderful problem to have.

29  
30 No one else came forward and the public hearing was closed.

31  
32 **Motion was made by Commissioner Lucarelli to approve the Site Plan with**  
33 **variances for 138 West Crystal Lake Avenue including the seven Findings of Fact**  
34 **and one condition, seconded by Commissioner Miler and motion carried by roll-**  
35 **call vote: Commissioner Brender, Yes; Deputy Mayor Duryea, Yes;**  
36 **Commissioner Miller, Yes; Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

37  
38 Mayor Mealor said we appreciate Mr. Shaw's commitment to our community.

39  
40 10. Other Items for Commission Action

41  
42 There were no items to discuss at this time.

43  
44 11. City Manager's Report

45  
46 A. Items for Approval

1  
2 a. FY 2016 Milling and Paving Program Change Order #2  
3

4 Ms. Sova said this is the Fiscal Year 2016 Milling and Paving Program, Change Order  
5 #2. In November we entered into a contract for the milling and paving of the roads. Our  
6 semi-annual program with Range Construction. We were over \$400,000 under budget  
7 so we back and took another look. We had a request of a commissioner to look at a  
8 road and we feel adding Pine Circle Drive, Greenleaf Lane, North Palmetto Street,  
9 North Lake Street, North Hollis Street, and North High Street is recommended at this  
10 time. All the sections of these roads warrant resurfacing. We have some problems at  
11 the edges of some of them and some driveways where we need to take care of matters.  
12

13 Ms. Sova recommended the Commission authorize the approval of Change Order #2 in  
14 the amount of \$101,359.20 to Ranger Construction.  
15

16 Deputy Mayor Duryea said Palmetto is already done.  
17

18 Mr. Paster said right now with the sewer project and Palmetto turn lane, the very bottom  
19 portion of Palmetto Street is being widened for the turn lane. It is being resurfaced  
20 where the sewer is put in. It is less than half of Palmetto. This will pick up where the  
21 sewer project ends and bring it all the way up to Greenleaf. During the construction  
22 there is a lot of heavy equipment. Some of these roads are the old cold mix roads.  
23 With all the heavy equipment and age of the road, it kind of turns to gravel. This will do  
24 the whole neighborhood around where we are doing the sewer project.  
25

26 Commissioner Brender said depending on what happens on that street, he asked if they  
27 should be thinking about designing parking into this.  
28

29 Mr. Paster said right now the impetus is to provide utilities in that area, thus the sewer  
30 project, to entice a developer to buy up multiple lots. We don't want to do anything to  
31 hedge them in in any way. We want to let them develop what they would wish in those  
32 areas. As long as they follow the code for parking at that time and put in what's needed  
33 we should be okay.  
34

35 **Motion was made by Commissioner Brender to authorize the City Manager to**  
36 **approve Change Order #2 to Ranger Construction Industries in an amount not to**  
37 **exceed \$101,359.20, seconded by Deputy Mayor Duryea and motion carried**  
38 **unanimously.**  
39

40 B. Items for Information - None  
41

42 C. Announcements  
43

44 Ms. Sova said the final nights for the lights in Central Park will run through Sunday  
45 evening. Parks & Recreation will begin taking them down on Monday. The white lights  
46 along Fourth Street and Lakeview will stay on to run from dusk and all night.

1  
2 Ms. Sova reminded everyone that the Shred-A-Thon will be held January 30<sup>th</sup> from 9:00  
3 A.M. to 1:00 P.M. at 400 Rinehart Road (formerly Siemens). They need additional  
4 space this year because the Shred-A-Thon continues to be more and more successful.  
5 The first two boxes or bags are free and each additional is \$5.00 each. Hard drives can  
6 be destroyed as long as they have been removed from the computer at \$10.00 each.  
7

8 Ms. Sova said we had a water main break on Broadmoor Road yesterday and we have  
9 to have a boil water for 40 homes. They should be lifted tomorrow. We haven't had any  
10 problem with the bacteriologicals. Each of those homes will be delivered a rescission  
11 notice when appropriate to do so.  
12

13 Ms. Sova said unless we want to continue the discussion about the bears, we have  
14 nothing coming forward for January 21<sup>st</sup> so we can either meet again about tonight's  
15 topic or we can cancel that meeting.  
16

17 Commissioner Brender said that is only two weeks and questioned if that was enough  
18 time to do anything.  
19

20 Ms. Sova said she didn't think so. She would like to get Mike Orlando with FWC here.  
21 It would give staff more time to interact with the County and ourselves to meet with Mike  
22 about the eastern boundary.  
23

24 Mayor Mealor said we can allow staff to meet with the County and maybe have Mr.  
25 Orlando come back in a work session format and present to us.  
26

27 **Motion was made by Commissioner Brender to cancel the January 21, 2016, City**  
28 **Commission meeting, seconded by Commissioner Lucarelli and motion carried**  
29 **unanimously.**  
30

31 12. Mayor and Commissioners' Reports  
32

33 Mayor Mealor had no report at this time.  
34

35 Commissioner Miller said that Metroplan Orlando has moved its location to 250 Orange  
36 and they are having an open house on January 13<sup>th</sup> from 2:00 P.M. to 4:00 P.M.  
37

38 Commissioner Lucarelli thanked the Lake Mary PD for hosting this month's Domestic  
39 Violence Task Force meeting. She thought that was an awesome partnership and is  
40 doing a lot of good in our Central Florida community. We are having an event on  
41 January 25<sup>th</sup> at 2:00 P.M. at Orlando City Hall. She said she wanted to get law  
42 enforcement support. Carol Wick will be there, Roland Clee from Orange County  
43 Domestic Violence Task Force, Mayor Buddy Dyer is going to read our annual National  
44 Stalking Awareness Month proclamation, and they will be mentioning her organization,  
45 the Alliance to Unstalking. If they could be there to support that event would be great.  
46

1 Mayor Mealor asked that the City Clerk send them the notice.

2  
3 Commissioner Brender said CALNO was canceled due to the funeral for former school  
4 board member Jeanne Morris. He extended condolences to the family.

5  
6 Deputy Mayor Duryea had no report at this time.

7  
8 13. City Attorney's Report

9  
10 Ms. Reischmann said she was sure they had all seen the Florida League blurb about  
11 this bill making its way through on public records reform and changing the "shall" award  
12 attorney's fees to "may". Unfortunately it doesn't give standards which is causing some  
13 heartburn. It is requiring five business days' notice before you file suit because you  
14 know there is this cottage industry of people that go around trying to do a "gotcha" on  
15 people. She wanted to be sure the Commission was aware of that if you want to  
16 support it. It's not perfect but is a big step forward. The League is supporting it.

17  
18 Mayor Mealor thanked Ms. Reischmann for her input to the City Manager and staff  
19 related to the workshop issues this evening. It was crafted nicely and presented  
20 effectively.

21  
22 Mayor Mealor thanked the Forest liaisons for being with us this evening. There is an  
23 upcoming board meeting on the 19<sup>th</sup> of January. He asked them to thank the members  
24 for their input in the Crystal Reserve. He thought that proved to be effective.

25  
26 14. Adjournment

27  
28 There being no further business, the meeting adjourned at 8:00 P.M.

29  
30  
31  
32  
33 \_\_\_\_\_  
34 David J. Mealor, Mayor

35  
36  
37 \_\_\_\_\_  
38 Mary Campbell, Deputy City Clerk

39  
40 ATTEST:  
\_\_\_\_\_  
Carol A. Foster, City Clerk



## MEMORANDUM

DATE: February 4, 2016

TO: Mayor and City Commission

FROM: Dianne Holloway, Finance Director

VIA: Jackie Sova, City Manager

SUBJECT: Ordinance No. 1536 – Amending Firefighters’ Pension Ordinance  
Providing for Purchase of Prior Military Service at any time Prior to  
Retirement

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### **DISCUSSION:**

Proposed amendments to the City of Lake Mary Firefighters’ Retirement System require change by ordinance. Please find the attached memo from the pension plan attorney, Christiansen & Dehner, P.A., outlining the proposed change.

This amendment eliminates current language that restricts the purchase of prior service to the first six months of employment or reemployment. This change will enable members to purchase prior service at any time prior to retirement. The Police Officers’ Retirement System currently offers the same provision.

Because purchases are made such that the entire actuarial cost of the purchase is paid by the member, there is no funding impact to the City in adopting this ordinance. A letter from the Firefighters’ Retirement System actuary, Gabriel Roeder Smith & Company, is attached which states that there is no actuarial impact on the cost of the Retirement System for advance funding purposes.

### **RECOMMENDATION:**

Request Commission adopt Ordinance No. 1536 amending the City of Lake Mary Firefighters’ Retirement System.

**ORDINANCE NO. 1536**

**AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA, FURTHER AMENDING THE CITY OF LAKE MARY FIREFIGHTERS' RETIREMENT SYSTEM, ADOPTED PURSUANT TO ORDINANCE 1209, AS SUBSEQUENTLY AMENDED; BY AMENDING SECTION 26, MILITARY SERVICE PRIOR TO EMPLOYMENT; AMENDING SECTION 27, PRIOR FIREFIGHTER SERVICE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.**

**IT IS HEREBY ENACTED BY THE CITY OF LAKE MARY, FLORIDA:**

**SECTION 1:** That the City of Lake Mary Firefighters' Retirement System, adopted pursuant to Ordinance No. 1209, as subsequently amended, is hereby further amended by amending Section 26, Military Service Prior to Employment, to read as follows:

**SECTION 26. MILITARY SERVICE PRIOR TO EMPLOYMENT.**

The time that a Firefighter serves or has served on active duty in the military service of the Armed Forces of the United States, the United States Merchant Marine or the United States Coast Guard, voluntarily or involuntarily and honorably or under honorable conditions, prior to first and initial employment with the City Fire Department shall be added to his years of Credited Service provided that:

1. The Member contributes to the Fund the sum that he would have contributed, based on his Salary and the Member contribution rate in effect at the time that the Credited Service is requested, had he been a Member of the System for the time for which he is requesting credit plus amounts actuarially determined such that the crediting of service does not result in any cost to the Fund plus payment of costs for all professional services rendered to the Board in connection with the purchase of years of Credited Service.

2. Multiple requests to purchase Credited Service pursuant to this Section may be made at any time prior to Retirement. The request shall be made only once and made by the Member on or before the later of twelve (12) months from the effective date of the ordinance adopting this Section or six (6) months from the date of his employment or reemployment with the City Fire Department, whichever is later.

3. Payment by the Member of the required amount shall be made within six (6) months of his request for credit and shall be made in one (1) lump sum payment upon receipt of which Credited Service shall be given.

4. The combined maximum credit under this Section and Section 27, for service with an employer other than the City of Lake Mary, shall be five (5) years.

5. Credited Service purchased pursuant to this Section shall count for all purposes, except vesting and eligibility for not-in-line of duty disability benefits.

**SECTION 2:** That the City of Lake Mary Firefighters' Retirement System, adopted pursuant to Ordinance No. 1209, as subsequently amended, is hereby further amended by amending Section 27, Prior Firefighter Service, to read as follows:

**SECTION 27. PRIOR FIREFIGHTER SERVICE.**

Unless otherwise prohibited by law, and except as provided for in Section 1, the years or fractional parts of years that a Member previously served as a Firefighter with the City during a period of previous employment and for which period Accumulated Contributions were withdrawn from the Fund, or the years and fractional parts of years that a Member served as a Firefighter for any other municipal, county, state or special district fire department in the State of Florida shall be added to his years of Credited Service provided that:

1. The Member contributes to the Fund the sum that he would have contributed, based on his Salary and the Member contribution rate in effect at the time that the Credited Service is requested, had he been a Member of the System for the time for which he is requesting credit plus amounts actuarially determined such that the crediting of service does not result in any cost to the Fund plus payment of costs for all

professional services rendered to the Board in connection with the purchase of years of Credited Service.

2. ~~Multiple requests to purchase Credited Service pursuant to this Section may be made at any time prior to Retirement. The request shall be made only once and made by the Firefighter on or before the later of twelve (12) months from the effective date of the ordinance adopting this Section or six (6) months from the date of his employment or reemployment with the City Fire Department, whichever is later.~~

3. Payment by the Firefighter of the required amount shall be made within six (6) months of his request for credit and shall be made in one (1) lump sum payment upon receipt of which Credited Service shall be given.

4. The maximum credit under this Section for service other than with the City of Lake Mary, when combined with Credited Service purchased pursuant to Section 26, shall be five (5) years and shall count for all purposes, except vesting and eligibility for not-in-line of duty disability benefits. There shall be no maximum purchase of credit for prior service with the City of Lake Mary and such credit shall count for all purposes, including vesting.

5. In no event, however, may Credited Service be purchased pursuant to this Section for prior service with any other municipal, county or state law enforcement department, if such prior service forms or will form the basis of a retirement benefit or pension from a different employer's retirement system or plan as set forth in Section 15, subsection 11.B.

6. For purposes of determining credit for prior service as a Firefighter as provided for in this Section, in addition to service as a Firefighter in this state, credit may be purchased by the Member in the same manner as provided above for federal, other state, county or municipal service if the prior service is recognized by the Division of State Fire Marshal, as provided under Chapter 633, Florida Statutes, or the Firefighter provides proof to the Board that such service is equivalent to the service required to meet the definition of a Firefighter under Section 1, Definitions.

**SECTION 3:** Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Lake Mary.

**SECTION 4:** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 5:** If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

**SECTION 6:** That this Ordinance shall become effective upon adoption.

PASSED ON FIRST READING, this 4<sup>th</sup> day of February, 2016.

PASSED AND ADOPTED ON SECOND READING, this 18th day of February, 2016.

CITY OF LAKE MARY, FLORIDA

\_\_\_\_\_  
DAVID MEALOR, MAYOR

ATTEST:

\_\_\_\_\_  
CAROL A. FOSTER, CITY CLERK

Approved as to form:

\_\_\_\_\_  
CATHERINE D. REISCHMANN, CITY ATTORNEY

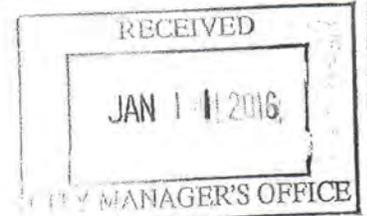
cc: Dianne

Law Offices

**Christiansen & Dehner, P.A.**

63 Sarasota Center Blvd. Suite 107 Sarasota, Florida 34240 • 941-377-2200 • Fax 941-377-4848

January 7, 2016



Ms. Jacqueline Sova, City Manager  
City of Lake Mary  
P.O. Box 958445  
Lake Mary, FL 32795-8445

Re: City of Lake Mary Firefighters' Retirement System

Dear Ms. Sova:

As you know, I represent the Board of Trustees of the City of Lake Mary Firefighters' Retirement System. Enclosed please find a proposed ordinance amending the City of Lake Mary Firefighters' Retirement System, which is recommended by the Board for adoption by the City Commission. This ordinance amends Section 26, Military Service Prior To Employment and Section 27, Prior Firefighter Service, to allow the purchase of prior service at any time prior to retirement as is currently provided for in the Police Officers' Retirement System. The current language in the Firefighters' plan unnecessarily limits the purchases to the first twelve months of employment. Since the purchases are always made such that the entire actuarial cost of the purchase is paid by the member, there is no funding impact to the City in adopting this ordinance.

By copy of this letter to the plan's actuary, Gabriel Roeder Smith & Company, I am requesting that they provide you with a letter confirming that there is no cost associated with the adoption of this ordinance.

If you or any member of your staff have any questions with regard to this ordinance, please feel free to give me a call.

Yours very truly,

A handwritten signature in black ink, appearing to read "Scott R. Christiansen".

Scott R. Christiansen

SRC/dm  
enclosure

cc: Jeffrey Amrose, with enclosure  
Audrey Ross, with enclosure



January 13, 2016

Ms. Audrey Ross  
The Resource Centers, LLC  
4360 Northlake Blvd., Suite 206  
Palm Beach Gardens, FL 33410

**Re: City of Lake Mary Firefighters' Retirement System**

Dear Audrey:

As requested, we have reviewed the proposed ordinance for the City of Lake Mary Firefighters' Retirement System which would amend Section 26, Military Service Prior to Employment, and Section 27, Prior Firefighter Service, by removing the requirement that the Member must request to purchase prior service within six months of employment or reemployment with the City Fire Department.

In our opinion, these changes will not have an actuarial impact on the cost of the Retirement System for advance funding purposes. Therefore, it is our opinion that a formal Actuarial Impact Statement is not required. However, we recommend that you send a copy of this letter and the ordinance to the Bureau of Local Retirement Systems.

The undersigned is a member of the American Academy of Actuaries and meets the Qualification Standards of the American Academy of Actuaries to render the actuarial opinions contained herein. The undersigned actuary is independent of the plan sponsor.

We welcome your questions and comments.

Sincerely yours,

Jeffrey Amrose, EA, MAAA  
Senior Consultant & Actuary

JA/ta

This communication shall not be construed to provide tax advice, legal advice or investment advice.



## MEMORANDUM

DATE: February 4, 2016

TO: Mayor and City Commission

FROM: Dianne Holloway, Finance Director

VIA: Jackie Sova, City Manager

SUBJECT: Ordinance No. 1537 - Amending Section 50,142, Sewer Impact Fee, and Section 53.31(A), Rates and Charges, to correct scrivener's errors (no change in rates) - First Reading (Public Hearing) (Dianne Holloway, Finance Director)

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**DISCUSSION:** On November 6, 2014, the City Commission approved Ordinance No. 1518 amending Title V, Public Works of the Lake Mary Code of Ordinances. As you may recall, this was a comprehensive amendment that brought our forty (40) year old code for our water and wastewater systems up to date. Subsequently, staff has discovered a couple of scrivener errors that need to be corrected.

In § 50.142 (A) Sewer Impact Fee, the City charge of \$1.45 per gallon of wastewater, was unintentionally struck-through and we must accurately reflect the charge per gallon in the code.

Additionally in § 53.31 (A) Water System Rates and Charges, we need to clarify that the minimum bill for Individually Metered Residential, Residential Irrigation and Multi-Unit customers includes a usage charge of 3,000 gallons per ERU.

When Ordinance No. 1518 was written and adopted, there was never an intention to change any rates or charges.

**RECOMMENDATION:** Request Commission adopt Ordinance No. 1537 amending Ordinance No. 1518 to correct scrivener errors.

**ORDINANCE NO. 1537**

**AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA, AMENDING SECTION 50.142, SEWER IMPACT FEE, AND SECTION 53.31(A), RATES AND CHARGES, OF TITLE V, PUBLIC WORKS, OF THE LAKE MARY CODE OF ORDINANCES, TO CORRECT SCRIVENER'S ERRORS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, on November 6, 2014, the City Commission approved Ordinance No. 1518 which amended Title V, Public Works of the Lake Mary Code of Ordinances; and

**WHEREAS**, the intention of Ordinance No. 1518 was to reorganize existing code into different sections, repeal obsolete text, and not change any rates or charges; and

**WHEREAS**, there was a scrivener's error in Ordinance No. 1518, resulting in a need to amend § 50.142, Sewer Impact Fee, to add back in the pre-existing city charge per gallon of wastewater, since it was inadvertently deleted; and

**WHEREAS**, there was another scrivener's error in Ordinance No. 1518, in § 53.31 (A), Rates and Charges, in that Ordinance No. 1518 inadvertently deleted a pre-existing provision stating that the minimum bill for Individually Metered Residential, Residential Irrigation and Multi-Unit customers includes a usage charge of 3,000 gallons per ERU, and it needs to be added back to that code section; and

**WHEREAS**, the sole purpose of this ordinance is to correct those scrivener's errors, and not to change any rates that existed before or after the adoption of Ordinance No. 1518; and

**WHEREAS**, words with double underlined, bold type shall constitute changes to the original text from the language existing prior to adoption of this ordinance.

**NOW THEREFORE, IT IS HEREBY ENACTED BY THE CITY OF LAKE**

**MARY AS FOLLOWS:**

**SECTION 1.** § 50.142, Sewer Impact Fee, is hereby amended as indicated in Exhibit "A" attached hereto and made a part hereof.

**SECTION 2.** § 53.31 (A), Rates and Charges, is hereby amended as set forth in Exhibit "B" attached hereto and made a part hereof.

**SECTION 3. Codification.** The Code of Ordinances of the City of Lake Mary, Florida, be and the same is hereby amended in accordance with the terms, provisions and conditions of this ordinance. Further, that the sections of this ordinance may be renumbered or re-lettered to accomplish said amendment; "Ordinance" may be changed to "Section", "Article", or other appropriate word.

**SECTION 4. Conflicts.** All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of any conflict.

**SECTION 5. Severability.** If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 6. Effective Date.** This Ordinance shall take effect immediately after passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

FIRST READING: February 4, 2016

SECOND READING: February 18, 2016

CITY OF LAKE MARY, FLORIDA

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MAYOR, DAVID J. MEALOR

ATTEST:

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CITY CLERK, CAROL A. FOSTER

For the use and reliance of the City  
of Lake Mary only. Approved as to  
form and legal sufficiency.

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CATHERINE REISCHMANN, CITY ATTORNEY

## EXHIBIT A

### § 50.142 SEWER IMPACT FEE.

(A) The City hereby adopts and establishes a sewer impact fee equal to the product of the sum of: (1) the amount actually charged to the City by Seminole County for providing sewage treatment and effluent disposal capacity per gallon of wastewater and (2) a City charge of \$1.45 per gallon of wastewater as established by City Commission; multiplied by the volume of sewage estimated by the City to be generated by a given customer or project as defined in § 50.143. All fees and charges paid pursuant to this Section shall be nonrefundable.

## EXHIBIT B

### § 53.31 RATES AND CHARGES.

The rates and charges adopted hereby shall apply to each customer of the city's water system. These rates may be amended by resolution of the City Commission.

(A) City potable water system monthly retail service rates:<sup>1</sup>

|   | ERU Factor | Rates   |
|---|------------|---------|
| <b>INDIVIDUALLY METERED RESIDENTIAL</b>                               |            |         |
| Readiness to Serve Charge/Base Fee                                    | 1.0        | \$4.20  |
| Usage Charge per 1,000 gallons:                                       |            |         |
| 0-3,000 gallons per ERU <u>(minimum bill includes 3,000 gallons)</u>  |            | \$0.75  |
| 3,001-10,000 gallons per ERU  |            | \$1.15  |
| 10,001-20,000 gallons per ERU   |            | \$1.55  |
| 20,001 - 30,000 gallons per ERU                                       |            | \$2.15  |
| 30,001 - 40,000 gallons per ERU                                       |            | \$ 3.05 |
| 40,001 - 50,000 gallons per ERU                                       |            | \$4.25  |
| Above 50,000 gallons per ERU  |            | \$5.45  |
| <b>RESIDENTIAL IRRIGATION</b>   |            |         |
| Readiness to Serve Charge/Base Fee                                    | 1.0        | \$4.20  |
| Usage Charge per 1,000 gallons:                                       |            |         |
| 0-3,000 gallons per ERU <u>(minimum bill includes 3,000 gallons)</u>  |            | \$1.15  |
| 3,001-20,000 gallons per ERU  |            | \$1.55  |
| 20,001 - 30,000 gallons per ERU                                       |            | \$2.15  |
| 30,001 - 40,000 gallons per ERU                                       |            | \$3.05  |
| 40,001 - 50,000 gallons per ERU                                       |            | \$4.25  |
| Above 50,000 gallons per ERU  |            | \$5.45  |
| <b>MULTI-UNIT</b>   |            |         |
| Readiness to Serve Charge/Base Fee (per unit) [1]                     | 0.5        | \$1.75  |
| Usage Charge per 1,000 gallons:                                       |            |         |
| 0-1,500 gallons per unit <u>(minimum bill includes 1,500 gallons)</u> |            | \$0.75  |

|   |       |          |
|---|-------|----------|
| 1,501-5,000 gallons per unit              |       | \$1.15   |
| 5,001-10,000 gallons per unit             |       | \$1.55   |
| Above 10,000 gallons per unit             |       | \$2.15   |
| <b>COMMERCIAL SERVICE <sup>2</sup></b>    |       |          |
| Readiness to Serve Charge/Base Fee        |       |          |
| 5/8 x 3/4"                                | 1.0   | \$4.20   |
| 1"  | 2.5   | \$9.45   |
| 1½"                                       | 5.0   | \$18.20  |
| 2"  | 8.0   | \$28.70  |
| 3"  | 16.0  | \$56.70  |
| 4"  | 25.0  | \$88.20  |
| 6"  | 50.0  | \$175.70 |
| 8"  | 80.0  | \$281.70 |
| 10"                                       | 115.0 | \$404.80 |
| Usage Charge per 1,000 gallons:           |       |          |
| 0-3,000 gallons per ERU                   |       | \$0.75   |
| 3,001 - 10,000 gallons per ERU            |       | \$1.15   |
| 10,001-20,000 gallons per ERU             |       | \$1.55   |
| Above 20,000 gallons per ERU              |       | \$2.15   |
| <b>COMMERCIAL IRRIGATION <sup>2</sup></b> |       |          |
| Readiness to Serve Charge/Base Fee        |       |          |
| 5/8 x 3/4"                                | 1.0   | \$4.20   |
| 1"  | 2.5   | \$9.45   |
| 1½"                                       | 5.0   | \$18.20  |
| 2"  | 8.0   | \$28.70  |
| 3"  | 16.0  | \$56.70  |
| 4"  | 25.0  | \$88.20  |
| 6"  | 50.0  | \$175.70 |
| 8"  | 80.0  | \$281.70 |
| Usage Charge per 1,000 gallons:           |       |          |

|                              |  |        |
|------------------------------|--|--------|
| 0-3,000 gallons per ERU      |  | \$1.15 |
| 3,001-20,000 gallons per ERU |  | \$1.55 |
| Above 20,000 gallons per ERU |  | \$2.15 |

<sup>1</sup> All consumers outside of the City limits shall pay a surcharge of 25% in addition to the above-listed rates.

<sup>2</sup> This table applies to all customers not considered as individually metered residential, residential irrigation, or multi-unit.

[1] One unit is considered to be 0.5 ERU.



## MEMORANDUM

DATE: February 4, 2016

TO: Mayor and City Commission

FROM: Tom Tomerlin, Economic Development Manager

VIA: Jackie Sova, City Manager

SUBJECT: Resolution No. 978 - Supporting an Innovative Traffic Signal Technologies Pilot Project (Jackie Sova, City Manager)

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### **BACKGROUND:**

MetroPlan Orlando hosted a workshop for Congressman John Mica in November 2015, where he spoke about conducting one or more pilot projects using adaptive traffic signal technology on major arterials to improve traffic congestion. It is expected that discretionary grant opportunities will be included in the new federal transportation bill approved by Congress and signed into law by the President on December 4, 2015. The attached resolution addresses the City's support for pursuing and participating in such a grant.

### **RECOMMENDATION:**

Request Commission approve Resolution No. 978 supporting the development of one or more pilot projects in the MetroPlan service area.

### **ATTACHMENTS:**

Resolution supporting a Pilot Project for Adaptive Traffic Signal Technology.

## RESOLUTION NO. 978

### **A RESOLUTION OF THE CITY OF LAKE MARY, FLORIDA, SUPPORTING AN INNOVATIVE TRAFFIC SIGNAL TECHNOLOGIES PILOT PROJECT; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Orlando metropolitan area (which includes Orange, Seminole and Osceola Counties) now has more than two million residents and the population is expected to continue growing at a rate of 2-3% each year; and

**WHEREAS**, the metropolitan area is the nation's top visitor destination with more than 62 million visitors in 2014 (which is more than 500,000 visitors on a typical day) and strong growth from domestic and international markets is expected to continue; and

**WHEREAS**, the metropolitan area's continued growth and prosperity depends on a transportation system that can safely and efficiently move an ever greater volume of people and goods; and

**WHEREAS**, there are limited opportunities for building new roads in densely developed, urbanized areas while further expanding existing arterials may not be cost feasible in terms of right-of-way and can be contrary to community interests; and

**WHEREAS**, to meet these challenges, more emphasis is being placed on other solutions such as transit, non-motorized transportation and the use of transportation system management and operations strategies to optimize utilization of existing arterials; and

**WHEREAS**, traffic signals play a critical role in moving vehicles on arterials while also providing for the safety of pedestrians and bicyclists; and

**WHEREAS**, advances in traffic signal technology and related traffic management practices have been shown to improve utilization of urban arterials and reduce travel time delays, which is the goal of an effective transportation system management and operations program; and

**WHEREAS**, one such advance has been made with adaptive traffic signal technology which results in traffic signals being operated based on information from roadside devices whose effectiveness can be confirmed with probe vehicle technology such as electronic toll transponders or Bluetooth-enabled devices within vehicles; and

**WHEREAS**, the Orlando metropolitan area currently has six independently controlled traffic management centers (Florida Department of Transportation/District 5, Florida's Turnpike Enterprise, Seminole County, Orange County, Osceola County and the City of Orlando) and opportunities exist to improve connectivity, collaboration and coordination that could benefit the region's transportation system and possibly reduce costs; and

**WHEREAS**, for operating and maintaining traffic signals there are immediate opportunities for streamlining work processes between FDOT/District 5, counties and cities that should begin with reworking existing agreements; and

**WHEREAS**, making improvements to interoperability among the six traffic management centers and reworking agreements for operating and maintaining traffic signals would be positive steps to enhance the region's transportation system that demonstrate our commitment to collaboration and the efficient use of resources; and

**WHEREAS**, MetroPlan Orlando is embarking on the development of an Intelligent Transportation System (ITS) Master Plan where the aforementioned topics, among others, will be addressed and an important factor in prioritizing strategies in the Plan will be the identification and application of emerging and innovative technologies to improve mobility and reliability of the transportation network, especially on arterial roadways; and

**WHEREAS**, the Intelligent Transportation System (ITS) Master Plan will serve as the basis for making prudent investment decisions with federal, state and local funds that will improve transportation system management and operations; and

**WHEREAS**, a new federal transportation bill is being drafted by Congress to replace MAP-21 and it is expected to include funding for one or more pilot projects to accelerate the deployment of innovative traffic signal technologies; and

**WHEREAS**, Congressman Mica has called this opportunity to our attention and has offered to lend his support with obtaining federal discretionary funds to conduct one or more pilot projects using innovative traffic signal technologies throughout the metropolitan area; and

**WHEREAS**, there are a number of prospective arterials in the Orlando metropolitan area that are considered to be promising corridors for possible pilot projects such as US 17-92, US 192, US 441, SR 414, SR 50, SR 426, SR 434, SR 436 and SR 438; and

**WHEREAS**, once a new federal transportation bill is approved by Congress and the President, it is expected that the United States Department of Transportation will develop specific information on pilot projects such as criteria that will be used for evaluation/selection, procedures for submitting grant applications, funding match requirements, etc.; and

**WHEREAS**, the United States Department of Transportation's discretionary grant programs are highly competitive and applications selected for funding must be well-defined, have a broad base of support and hold promise for delivering positive results that can be replicated elsewhere.

**NOW, THEREFORE, BE IT RESOLVED** that in anticipation of this new funding opportunity, it is in the best interests of the City of Lake Mary to join together at both the policy and technical levels to prepare for submitting a region-wide grant application for an innovative traffic signal technology pilot program; and

**BE IT FURTHER RESOLVED** that MetroPlan Orlando and the Florida Department of Transportation/District 5 will take the lead, working closely with the City of Lake Mary and other local governments, to develop one or more pilot projects that conform to the criteria established for the discretionary grant program by the United States Department of Transportation; and

**BE IT FURTHER RESOLVED** that the City of Lake Mary is in full support of its staff working closely with MetroPlan Orlando and the Florida Department of Transportation/District 5, along with other local governments, to develop a competitive grant application to obtain federal funding for one or more pilot projects to evaluate the benefits of innovative traffic signal technologies; and

**BE IT FURTHER RESOLVED** that it would be advantageous to have a centralized traffic management center that is managed by multiple users in a collaborative manner to allow for shared staffing through centrally held contracts, greater interoperability, developing operating and maintenance standards, enhancing security, sharing software through centralized licensing, disseminating multimodal data, having one call-in number for the public to use in reporting incidents and for improved coordination of incident response through the development of MetroPlan Orlando's Intelligent Transportation System (ITS) Master Plan; and

**BE IT FURTHER RESOLVED** that the City of Lake Mary will be open to considering a future recommendation that financial resources in the form of a local match be committed to the pilot project once the opportunity is better defined by the United States Department of Transportation and the specifics of the pilot project(s) have been identified.

**EFFECTIVE DATE.** This Resolution shall become effective immediately upon passage and adoption.

Passed and duly adopted at a regular meeting of the Lake Mary City Commission on the 4<sup>th</sup> day of February 2016.

CITY OF LAKE MARY, FLORIDA

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MAYOR, DAVID J. MEALOR

Attest:

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CITY CLERK, CAROL A. FOSTER

December 14, 2015

Honorable David Mealor  
Mayor  
City of Lake Mary  
P.O. Box 958445  
Lake Mary, FL 32795

Dear Mayor Mealor:

MetroPlan Orlando hosted a workshop for Congressman Mica on November 9, 2015 where he spoke about conducting one or more pilot projects using adaptive traffic signal technology on major arterials to improve traffic conditions.

Congressman Mica asked the MetroPlan Orlando Board to approve a Resolution in support of the concept. He also asked that we provide a template to our region's local governments so they too could express their support.

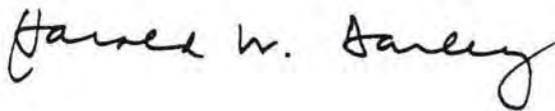
Enclosed is a copy of Board Resolution No. 15-19 that was approved by a unanimous vote of the MetroPlan Orlando Board on December 9, 2015. Also enclosed is a template to help you with preparing a document for your Commission's consideration.

A new federal transportation bill was approved by Congress and signed into law by President Obama on December 4, 2015. Congressman Mica expected this bill to include discretionary grant opportunities for projects such as adaptive traffic signals. We do not have any specific information yet on grant opportunities but we routinely monitor releases from USDOT.

If you would like an electronic copy of the enclosed template to format in your style, this can be obtained by contacting Mrs. Lena Tolliver, Senior Board Services Coordinator, at 407.481.5672 x307 or at [ltolliver@metroplanorlando.com](mailto:ltolliver@metroplanorlando.com).

When your Commission has approved a Resolution, please provide us with a copy. These will demonstrate our region's interest and show how we work together in Central Florida. This, in turn, will strengthen our grant application.

Sincerely,



Harold W. Barley  
Executive Director

315 East Robinson Street

Suite 355

Orlando, Florida 32801

Ph: 407-481-5672

Fx: 407-481-5680

[www.metroplanorlando.com](http://www.metroplanorlando.com)





**metroplan orlando**

**A REGIONAL TRANSPORTATION PARTNERSHIP**

**CERTIFICATION**

**STATE OF FLORIDA**

**§**

**COUNTY OF ORANGE**

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of **Resolution No.15-19** approved in a regular meeting of the MetroPlan Orlando Board on **December 9, 2015**. The original copy of this document is on file in the Administrative Offices of MetroPlan Orlando, 315 East Robinson Street, Suite 355, Orlando, Florida.

**IN WITNESS WHEREOF**, I have hereunto set my hand and official seal of the MetroPlan Orlando Board, this **9th** day of **December, 2015**.

By:

Lena E. Tolliver, Sr. Board Services

Coordinator Board Services and Recording Secretary



**metroplan orlando**

A REGIONAL TRANSPORTATION PARTNERSHIP

**RESOLUTION NO. 15-19**

**SUBJECT:**

**Support for Innovative Traffic Signal Technologies Pilot Project**

**WHEREAS**, the Orlando metropolitan area (which includes Orange, Seminole and Osceola Counties) now has more than two million residents and the population is expected to continue growing at a rate of 2-3% each year; and

**WHEREAS**, the metropolitan area is the nation's top visitor destination with more than 62 million visitors in 2014 (which is more than 500,000 visitors on a typical day) and strong growth from domestic and international markets is expected to continue; and

**WHEREAS**, the metropolitan area's continued growth and prosperity depends on a transportation system that can safely and efficiently move an ever greater volume of people and goods; and

**WHEREAS**, there are limited opportunities for building new roads in densely developed, urbanized areas while further expanding existing arterials may not be cost feasible in terms of right-of-way and can be contrary to community interests; and

**WHEREAS**, to meet these challenges, more emphasis is being placed on other solutions such as transit, non-motorized transportation and the use of transportation system management and operations strategies to optimize utilization of existing arterials; and

**WHEREAS**, traffic signals play a critical role in moving vehicles on arterials while also providing for the safety of pedestrians and bicyclists; and

**WHEREAS**, advances in traffic signal technology and related traffic management practices have been shown to improve utilization of urban arterials and reduce travel time delays, which is the goal of an effective transportation system management and operations program; and

**WHEREAS**, one such advance has been made with adaptive traffic signal technology which results in traffic signals being operated based on information from roadside devices whose effectiveness can be confirmed with probe vehicle technology such as electronic toll transponders or Bluetooth-enabled devices within vehicles; and

**WHEREAS**, the Orlando metropolitan area currently has six independently controlled traffic management centers (Florida Department of Transportation/District 5, Florida's Turnpike Enterprise, Seminole County, Orange County, Osceola County and the City of Orlando) and opportunities exist to improve connectivity, collaboration and coordination that could benefit the region's transportation system and possibly reduce costs; and

**WHEREAS**, for operating and maintaining traffic signals there are immediate opportunities for streamlining work processes between FDOT/District 5, counties and cities that should begin with reworking existing agreements; and

**WHEREAS**, making improvements to interoperability among the six traffic management centers and reworking agreements for operating and maintaining traffic signals would be positive steps to enhance the region's transportation system that demonstrate our commitment to collaboration and the efficient use of resources; and

**WHEREAS**, MetroPlan Orlando is embarking on the development of an Intelligent Transportation System (ITS) Master Plan where the aforementioned topics, among others, will be addressed and an important factor in prioritizing strategies in the Plan will be the identification and application of emerging and innovative technologies to improve mobility and reliability of the transportation network, especially on arterial roadways; and

**WHEREAS**, the Intelligent Transportation System (ITS) Master Plan will serve as the basis for making prudent investment decisions with federal, state and local funds that will improve transportation system management and operations; and

**WHEREAS**, a new federal transportation bill is being drafted by Congress to replace MAP-21 and it is expected to include funding for one or more pilot projects to accelerate the deployment of innovative traffic signal technologies; and

**WHEREAS**, Congressman Mica has called this opportunity to our attention and has offered to lend his support with obtaining federal discretionary funds to conduct one or more pilot projects using innovative traffic signal technologies throughout the metropolitan area; and

**WHEREAS**, there are a number of prospective arterials in the Orlando metropolitan area that are considered to be promising corridors for possible pilot projects such as US 17-92, US 192, US 441, SR 414, SR 50, SR 426, SR 434, SR 436 and SR 438; and

**WHEREAS**, once a new federal transportation bill is approved by Congress and the President, it is expected that the United States Department of Transportation will develop specific information on pilot projects such as criteria that will be used for evaluation/selection, procedures for submitting grant applications, funding match requirements, etc.; and

**WHEREAS**, the United States Department of Transportation's discretionary grant programs are highly competitive and applications selected for funding must be well-defined, have a broad base of support and hold promise for delivering positive results that can be replicated elsewhere;

**NOW, THEREFORE, BE IT RESOLVED** that in anticipation of this new federal funding opportunity, it is in the best interests of the region for MetroPlan Orlando to join with our partners at both the policy and technical levels to prepare for submitting a region-wide grant application for an innovative traffic signal technology pilot program; and

**BE IT FURTHER RESOLVED** that the Florida Department of Transportation/District 5 and MetroPlan Orlando will take the lead, working closely with local governments, to develop one or more pilot projects that conform to the criteria established for the discretionary grant program by the United States Department of Transportation; and

**BE IT FURTHER RESOLVED** that the MetroPlan Orlando Board is in full support of its staff working closely with the Florida Department of Transportation/District 5, along with the region's local governments, to develop a competitive grant application to obtain federal funding for one or more pilot projects to evaluate the benefits of innovative traffic signal technologies; and

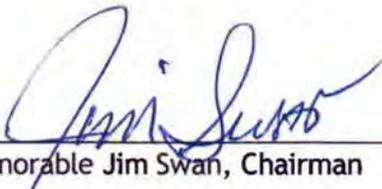
**BE IT FURTHER RESOLVED** that it would be advantageous to have a centralized traffic management center that is managed by multiple users in a collaborative manner to allow for shared staffing through centrally held contracts, greater interoperability, developing operating and maintenance standards, enhancing security, sharing software through centralized licensing, disseminating multimodal data, having one call-in number for the public to use in reporting incidents and for improved coordination of incident response through the development of MetroPlan Orlando's Intelligent Transportation System (ITS) Master Plan; and

**BE IT FURTHER RESOLVED** that MetroPlan Orlando will be open to considering a future recommendation that financial resources in the form of a local match be committed to the pilot project once the opportunity is better defined by the United States Department of Transportation and the specifics of the pilot project(s) have been identified.

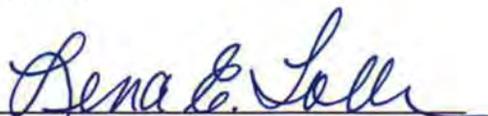
Passed and duly adopted at a regular meeting of the MetroPlan Orlando Board on the 9<sup>th</sup> day of December, 2015.

**CERTIFICATE**

The undersigned duly qualified serving as Chairman of the MetroPlan Orlando Board certifies that the foregoing is a true and correct copy of a Resolution adopted at a legally convened meeting of the MetroPlan Orlando Board.

  
\_\_\_\_\_  
Honorable Jim Swan, Chairman

Attest:

  
\_\_\_\_\_  
Lena E. Tolliver,  
Senior Board Services Coordinator

(Local government logo)

**RESOLUTION NO. XX-XX**

**SUBJECT:**

**Support for Innovative Traffic Signal Technologies Pilot Project**

**WHEREAS**, the Orlando metropolitan area (which includes Orange, Seminole and Osceola Counties) now has more than two million residents and the population is expected to continue growing at a rate of 2-3% each year; and

**WHEREAS**, the metropolitan area is the nation's top visitor destination with more than 62 million visitors in 2014 (which is more than 500,000 visitors on a typical day) and strong growth from domestic and international markets is expected to continue; and

**WHEREAS**, the metropolitan area's continued growth and prosperity depends on a transportation system that can safely and efficiently move an ever greater volume of people and goods; and

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**WHEREAS**, the Orlando metropolitan area currently has six independently controlled traffic management centers (Florida Department of Transportation/District 5, Florida's Turnpike Enterprise, Seminole County, Orange County, Osceola County and the City of Orlando) and opportunities exist to improve connectivity, collaboration and coordination that could benefit the region's transportation system and possibly reduce costs; and

**WHEREAS**, for operating and maintaining traffic signals there are immediate opportunities for streamlining work processes between FDOT/District 5, counties and cities that should begin with reworking existing agreements; and

**WHEREAS**, making improvements to interoperability among the six traffic management centers and reworking agreements for operating and maintaining traffic signals would be positive steps to enhance the region's transportation system that demonstrate our commitment to collaboration and the efficient use of resources; and

**WHEREAS**, MetroPlan Orlando is embarking on the development of an Intelligent Transportation System (ITS) Master Plan where the aforementioned topics, among others, will be addressed and an important factor in prioritizing strategies in the Plan will be the identification and application of emerging and innovative technologies to improve mobility and reliability of the transportation network, especially on arterial roadways; and

**WHEREAS**, the Intelligent Transportation System (ITS) Master Plan will serve as the basis for making prudent investment decisions with federal, state and local funds that will improve transportation system management and operations; and

**WHEREAS**, a new federal transportation bill is being drafted by Congress to replace MAP-21 and it is expected to include funding for one or more pilot projects to accelerate the deployment of innovative traffic signal technologies; and

**WHEREAS**, Congressman Mica has called this opportunity to our attention and has offered to lend his support with obtaining federal discretionary funds to conduct one or more pilot projects using innovative traffic signal technologies throughout the metropolitan area; and

**WHEREAS**, there are a number of prospective arterials in the Orlando metropolitan area that are considered to be promising corridors for possible pilot projects such as US 17-92, US 192, US 441, SR 414, SR 50, SR 426, SR 434, SR 436 and SR 438; and

**WHEREAS**, once a new federal transportation bill is approved by Congress and the President, it is expected that the United States Department of Transportation will develop specific information on pilot projects such as criteria that will be used for evaluation/selection, procedures for submitting grant applications, funding match requirements, etc.;

**WHEREAS**, the United States Department of Transportation's discretionary grant programs are highly competitive and applications selected for funding must be well-defined, have a broad base of support and hold promise for delivering positive results that can be replicated elsewhere;

**NOW, THEREFORE, BE IT RESOLVED** that in anticipation of this new funding opportunity, it is in the best interests of (name of local government) to join together at both the policy and technical levels to prepare for submitting a region-wide grant application for an innovative traffic signal technology pilot program; and

**BE IT FURTHER RESOLVED** that MetroPlan Orlando and the Florida Department of Transportation/District 5 will take the lead, working closely with (name of local government) and other local governments, to develop one or more pilot projects that conform to the criteria established for the discretionary grant program by the United States Department of Transportation; and

**BE IT FURTHER RESOLVED** that the (name of local government) is in full support of its staff working closely with MetroPlan Orlando and the Florida Department of Transportation/District 5, along with other local governments, to develop a competitive grant application to obtain federal funding for one or more pilot projects to evaluate the benefits of innovative traffic signal technologies; and

**BE IT FURTHER RESOLVED** that it would be advantageous to have a centralized traffic management center that is managed by multiple users in a collaborative manner to allow for shared staffing through centrally held contracts, greater interoperability, developing operating and maintenance standards, enhancing security, sharing software through centralized licensing, disseminating multimodal data, having one call-in number for the public to use in reporting incidents and for improved coordination of incident response through the development of MetroPlan Orlando's Intelligent Transportation System (ITS) Master Plan; and

**BE IT FURTHER RESOLVED** that (name of local government) will be open to considering a future recommendation that financial resources in the form of a local match be committed to the pilot project once the opportunity is better defined by the United States Department of Transportation and the specifics of the pilot project(s) have been identified.

Passed and duly adopted at a regular meeting of the (name of local government) on the \_\_\_<sup>th</sup> day of \_\_\_\_\_, 20\_\_.

**CERTIFICATE**

The undersigned duly qualified serving as (insert title) of (name of entity) certifies that the foregoing is a true and correct copy of a Resolution adopted at a legally convened meeting of the (name of entity).

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Attest:

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## CITY MANAGER'S REPORT

DATE: February 4, 2016  
TO: Mayor and City Commission  
FROM: Jackie Sova, City Manager  
SUBJECT: City Manager's Report

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### **ITEMS FOR COMMISSION ACTION:**

1. Water Treatment Plant High Service Pump Improvements.
2. Lake Mary Little League proposal for batting tunnels.
3. Surplus item – baseball pitching machines.

### **ITEMS FOR COMMISSION INFORMATION:**

1. None



## CITY MANAGER'S REPORT

DATE: February 4, 2016  
TO: Mayor and City Commission  
FROM: Bruce Paster P.E., Director of Public Works  
VIA: Jackie Sova, City Manager  
SUBJECT: Water Treatment Plant High Service Pump Improvements

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**DISCUSSION:** The City's Water Treatment Plant utilizes seven high service pumps to deliver potable water from the plant to the distribution system and to ensure adequate water pressure throughout the City. During times of very low demand when only one pump is required to be on, the pump continuously cycles on and off to maintain pressure. This on/off cycling can prematurely wear out a pump and motor. The best solution to this problem is the addition of a variable speed drive to the pump. A variable speed drive allows the pump to match demand and run continuously.

A design for two variable frequency drive (VFD) units, an appropriate type of variable speed drive, for the two smallest high service pumps was designed and bid per BID 16-01. On January 6, 2016, we received one submittal from:

Chinchor Electric, Inc.

The bid amount was \$76,391. The budget for this project is \$80,000. Chinchor Electric meets all the bidding requirements of the City and references checked were all positive.

**RECOMMENDATION:**

Request Commission authorize City Manager to enter into an agreement with Chinchor Electric, Inc. in an amount not to exceed \$76,391 for the purchase and installation of two variable frequency drive units per BID 16-01.



## *CITY MANAGER'S REPORT*

DATE: February 4, 2016

TO: Mayor and City Commission

FROM: Gunnar Smith, Recreation Supervisor /Events Center Manager

THRU: Bryan Nipe, Director of Parks and Recreation

VIA: Jackie Sova, City Manager

SUBJECT: Lake Mary Little League proposal for batting tunnels

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As participation continues to grow in the Lake Mary Little League baseball and softball programs the need for more practice time and field space increases. The Little League Board of Directors have identified a solution which will provide more opportunities for practice time and better use of the facility for their teams.

The proposal is for the City to purchase and provide installation of two batting cage tunnels at the Lake Mary Sports Complex. These batting cage tunnels are a very common amenity at baseball and softball complexes and provide opportunities for teams to hold hitting practice in place of field practice, which in turn frees up field space for more teams. These tunnels also allow teams to warm-up prior to games by having their coaches pitch to the players.

Estimates to this point range between \$16,000 and \$19,000 for the two tunnels permitted and installed. We are waiting for a 3<sup>rd</sup> quote.

Lake Mary Little League will contribute a maximum of \$10,000 to the project and have asked if the City will waive the spring 2016 field rental of \$6,250 paid to the City to use these funds to complete the project. Staff will purchase and manage the project.

**RECOMMENDATION:**

Request Commission approve Lake Mary Little League proposal to build 2 batting cage tunnels. The City will waive rent for six months in exchange for Little League's contribution to the project.

Attachments:

1. Proposal from Lake Mary Little League with sample pictures of batting tunnel.
2. Quotes for batting tunnel.

January 12, 2016

City of Lake Mary  
100 N Country Club Rd  
Lake Mary, FL 32746



RE: Batting Tunnel Investments for Lake Mary Sports Complex

Dear Mayor Mealor, City Commission, Mrs. Sova & Mr. Nipe,

I hope you and your families all had a wonderful Christmas and are excited about the New Year. As you know our LMLL Board and families are extremely thankful for the continued support and partnership we have with the City of Lake Mary. As you all know the Lake Mary Little League has been trying to make continuous improvements to our organization. Our most recent success this past year was the installation of 2 New Scoreboards which were graciously sponsored by Top Dawg Car Wash and Challenge My Rate Insurance Agency. As you know this was a joint investment by the City and LMLL and will be a nice capital improvement for the City at Lake Mary Sports Complex.

As the league continues to grow and enhances our brand and community, our board has recognized the need for a very important capital improvement that will not only help further develop our players, but will significantly help with a massive field scheduling problem we have been fighting for years. Our vision is to install 2 Batting Tunnels behind field #2. Our league is continuing to grow and a large factor to this growth is the softball divisions which is exciting. Any growth will continue to apply pressure to not only our game schedule, but significantly impacts our practice schedule. With the 2 new tunnels, this would allow us to shorten some of our practices schedules and split regular field practice with the mix of Batting Tunnels and Field practice. Our older divisions AA and above, have practices which run longer than an hour. With the cages, this would allow for these teams to limit their on field practice time to 45-60 mins and compliment it with Batting Tunnel time.

LMLL knows that the City of Lake Mary Parks and Recreation Department is committed to seeking how they can continue to make the Park System in Lake Mary be a leader in it's class. As Bryan and his team continue to inspect other local government's parks and gain vision for ours, I believe that both of

us agree that the Batting Tunnels would be a relatively inexpensive capital improvement that would bring great value not only to the Sports Complex itself, but to the families of LMLL.

Our board has continued to work hard at growing corporate partnerships with local Lake Mary business and with this have been successful in our ongoing sponsorship opportunities. The additional funds raised has been earmarked for future investments into the league. The Parks department assisted us in seeking multiple quotes for 2 new batting tunnels and the pricing ranged from \$16,000 - \$19,000 (including installation). At our last board meeting, our board approved to provide \$10,000 towards the new tunnels if the City could help with the remainder. Our goal is to have these two new tunnels set up and ready for the beginning of our Spring Season (end of February). This would allow us to further accommodate growth to the league and practice scheduling. Our board knows funding is limited with the City and budgets are very tight and don't take this request lightly. These tunnels are pretty basic and not overly complicated as you can see by photos attached. In effort to lower cost or contribution for the City, ideas our board had that would help in the remaining cost/contribution are:

1. Could the City manage the installation with their own tools and staff? The approx. installation fee included in the proposals is \$3,000-\$5,000
2. Would the City be willing to waive our rental fees for one of our seasons (\$6,250). This was done when we installed the Scoreboards and helped with the cost.

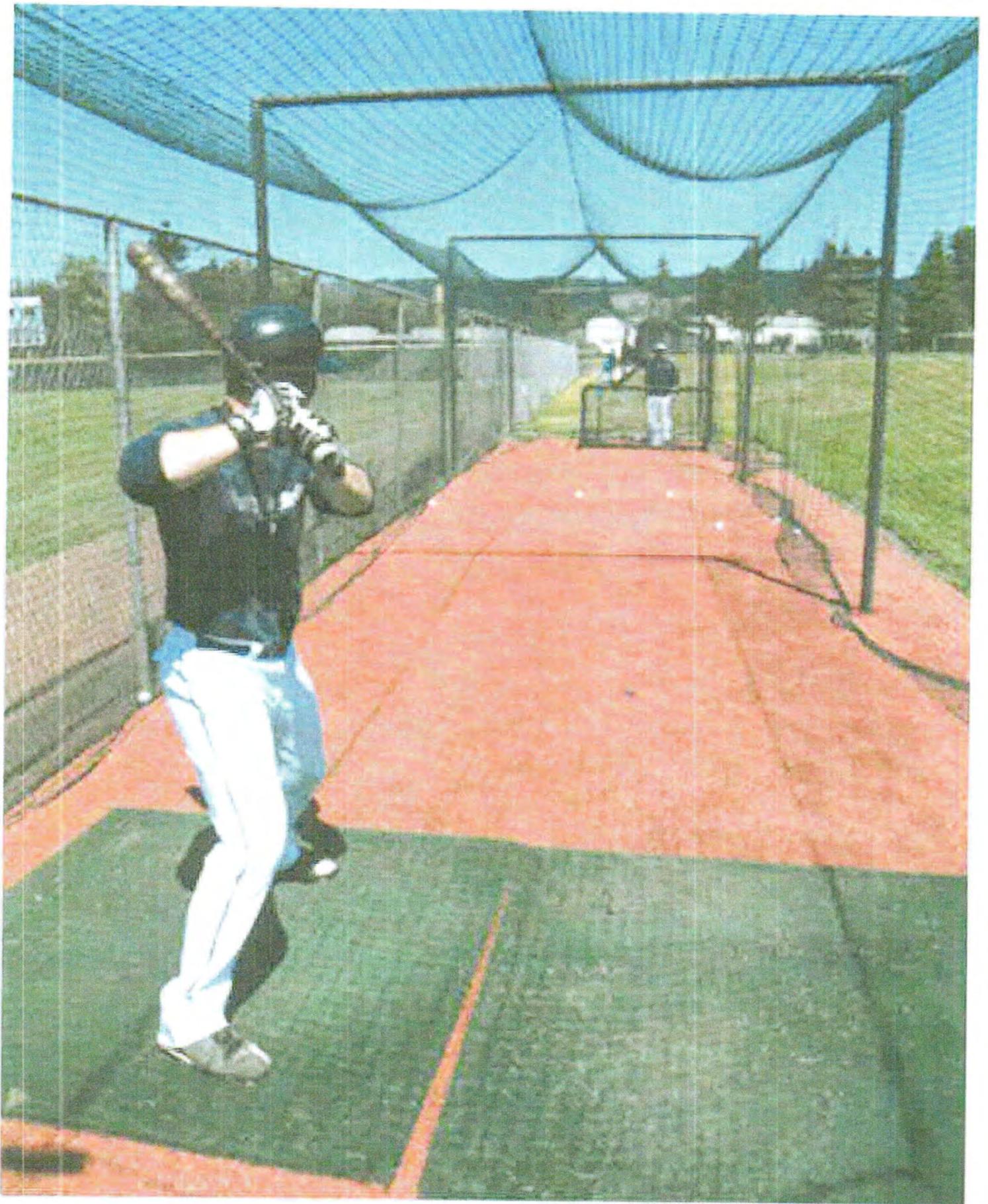
Our board would like to move quickly if we can so we don't lose any more time for the Spring Season. We feel this project would be relatively easy to execute in short order while adding significant value to our Little League logistics, development opportunities for our children and add an asset to the Park that would strengthen both brands. We really appreciate your thoughts surrounding this and would be happy to discuss further if needed.

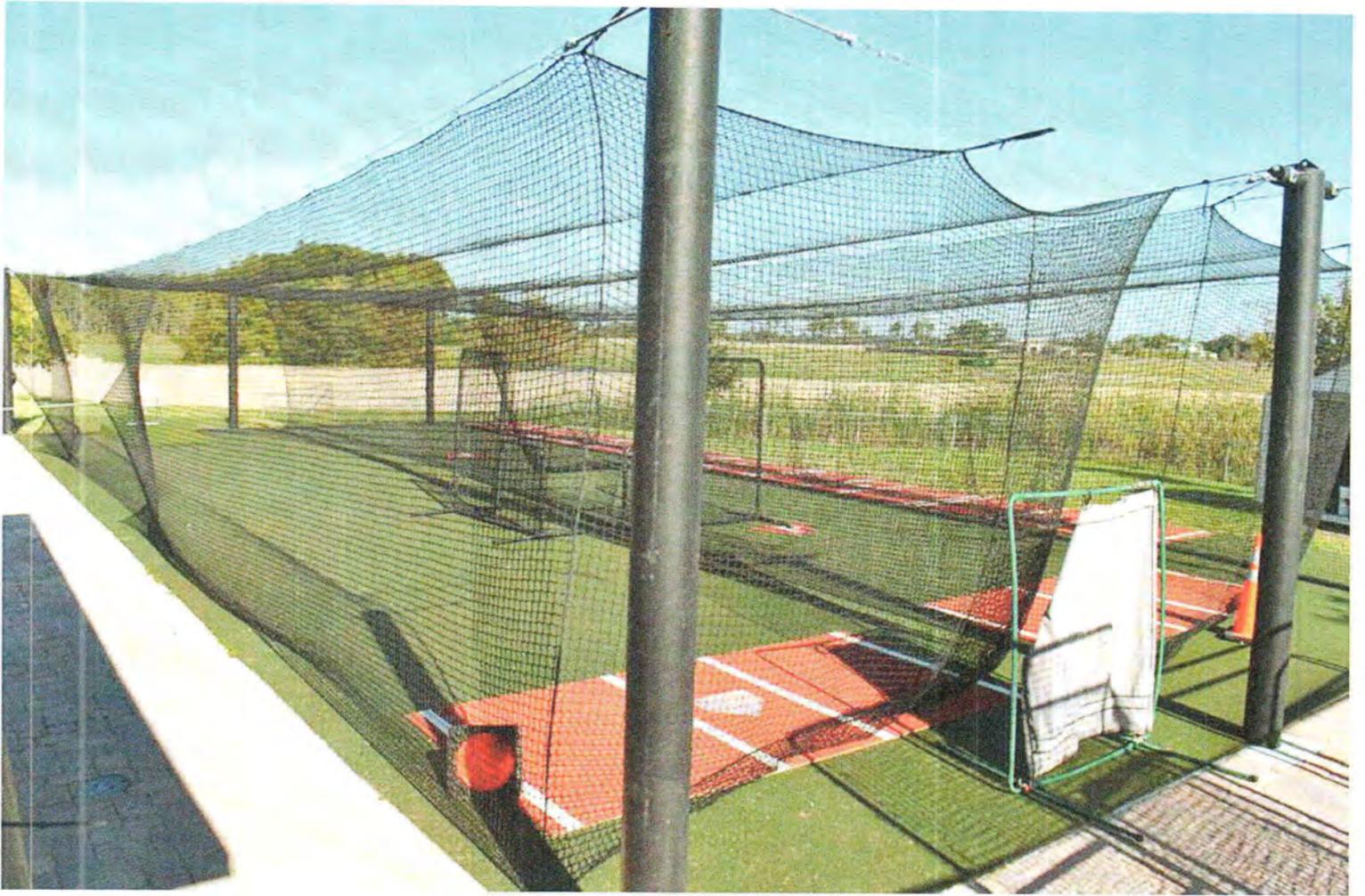
Sincerely,

Adam Balls  
Vice President – Lake Mary Little League  
City Liaison – Lake Mary Little League









QUOTATION – QUOTATION - QUOTATION

QUOTATION  
#G985

THE NET HOUSE  
415 COX RD.  
COCOA, FL 32926  
Toll Free: (888) 631-6387  
Fax: (321) 631-6771  
Email: [gcampbell@thenethouse.net](mailto:gcampbell@thenethouse.net)

TO: Attn: Radley Willimas  
Re: batting cages  
Email / Fax #: [rwillimas@lakemaryfl.com](mailto:rwillimas@lakemaryfl.com)  
Phone #: 407-585-1456



[www.thenethouse.net](http://www.thenethouse.net)

| F.O.B.    | Terms                                       | Date       | Estimated Ship Date |
|-----------|---|------------|---------------------|
| Cocoa, FL | Visa / MC / Amex / Disc. / Check with Order | 11/11/2015 | Per schedule        |

| QUANTITY | DESCRIPTION  | PRICE        | TOTAL                     |
|----------|--|--------------|---------------------------|
| 1        | <p>Labor and materials to provide and install a double batting cage setup around customer supplied concrete/dirt area. Netting used will be K42T-1 ¾ netting and poles will be sched 40 steel poles with a OD of approx. 8"-9". The will be concreted in place and be a total of 6ea. poles. poles will be painted black unless otherwise asked and addtl. price may be involved to be painter other color.</p> <p>Price is based on complete access to the jobsite.</p> <p>Price Includes: Poles delivered to the jobsite, all netting, cable, hardware machinery and labor to install the above described barrier netting cage.</p> <p>Price Excludes: Hard rock or unstable soil condition drilling, hole de-watering, hole casings, utility repair, irrigation system repair, tax, bonds, licenses, engineering, union wages or fees, prevailing wages, permits, off haul of spoils or turf damage unless noted above.</p> <p>Customer is also responsible for the following:</p> <ol style="list-style-type: none"> <li>1. Locating and marking any and all underground facilities in the work area.</li> <li>2. All necessary tree trimming and / or removals (prior to our arrival).</li> <li>3. Select use of the area to accommodate all TNH work crews &amp; equipment.</li> <li>4. Repair of all lawn / turf and sprinkler damage caused during construction.</li> </ol> <p><i>Sales tax must be collected for orders in CA, AZ, FL, IN, WA, &amp; IL.</i><br/><i>Recalls certificate must accompany order for tax exempt and order processing.</i></p> | \$18,750.00  | \$18,750.00               |
|          |  | <b>TOTAL</b> | <b>+ S&amp;H<br/>+TAX</b> |

Above Prices Good For 30 Days

Signature: Greg Campbell



# BallFabrics

510 W. Arizona Ave  
 DeLand, FL 32720  
 Toll Free-866.360.1008  
 Fax - 386.740.7206  
 www.ballfabrics.com

## Estimate

|            |            |
|------------|------------|
| Date       | Estimate # |
| 11/12/2015 | 22593      |

|   |
|---|
| Name / Address  |
| Lake Mary, City of<br>260 N. Country Club Road<br>Lake Mary, FL 32746 |
| Fax<br>Phone  |
| (407) 585-1494  |

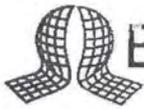
|                       |
|-----------------------|
| Ship To               |
| Delivered & Installed |

|           |                         |
|-----------|-------------------------|
| Quoted By | Project                 |
| LB        | New Double Batting Cage |

| Item                | Description  | Qty   | U/M  | Rate     | Total     |
|---------------------|--|-------|------|----------|-----------|
| #42 Knotted Nyl...  | #42 BASEBALL Batting Cage. Two Cages side by side, w/ approx. 2' space in between. Each Cage will be 15' W x 12' H x 55' L   | 5,010 | sqft | 0.42     | 2,104.20T |
| 3/16" Galvanize...  | 3/16" Galv Cable   | 360   | ft   | 0.28     | 100.80T   |
| 3/8" Turnbuckles    | 3/8" Turnbuckles   | 12    | ea   | 12.00    | 144.00T   |
| Add Rope 5/16"      | 5/16" Poly rope  | 150   | ft   | 0.25     | 37.50T    |
| Metal Spring Cli... | Metal Spring Clips (6mm)   | 250   | ea   | 0.45     | 112.50T   |
| Netting             | Installation of Netting and Hardware   | 1     | ea   | 2,550.00 | 2,550.00  |
| Speciatly           | Steel Columns for Batting Cage, 6 Columns 6" Sch 40 (Anchor Base) x 12' Ht. Powder Coated, Anchor Bolts Included   | 1     | LOT  | 6,580.00 | 6,580.00T |
| Netting             | Installation for Columns and Foundations<br>**Ball Fabrics will not be responsible for any underground obstructions or damage to any underground such as utilities, irrigation, etc. Ball Fabrics will perform a locate and will make every attempt to avoid any under ground obstacles but will not be responsible if any damage is incurred. | 1     | LOT  | 3,300.00 | 3,300.00  |
| Netting             | Certified Engineered Drawings  | 1     | ea   | 500.00   | 500.00T   |

WE LOOK FORWARD TO WORKING WITH YOU

|                         |
|-------------------------|
| <b>Subtotal</b>         |
| <b>Sales Tax (0.0%)</b> |
| <b>Total</b>            |



# BallFabrics

510 W. Arizona Ave  
 DeLand, FL 32720  
 Toll Free-866.360.1008  
 Fax - 386.740.7206  
 www.ballfabrics.com

## Estimate

|            |            |
|------------|------------|
| Date       | Estimate # |
| 11/12/2015 | 22593      |

|   |              |
|---|--------------|
| Name / Address  |              |
| Lake Mary, City of<br>260 N. Country Club Road<br>Lake Mary, FL 32746 |              |
| (407) 585-1494  | Fax<br>Phone |

|                       |
|-----------------------|
| Ship To               |
| Delivered & Installed |

|           |                         |
|-----------|-------------------------|
| Quoted By | Project                 |
| LB        | New Double Batting Cage |

| Item                                 | Description                               | Qty | U/M | Rate                    | Total       |
|--------------------------------------|---|-----|-----|-------------------------|-------------|
| Netting                              | Permit Fee                                | 1   | ea  | 500.00                  | 500.00T     |
| ESTIMATED S...                       | ESTIMATED SHIPPING COSTS on Steel Columns |     |     | 352.00                  | 352.00      |
| WE LOOK FORWARD TO WORKING WITH YOU! |   |     |     | <b>Subtotal</b>         | \$16,281.00 |
|                                      |   |     |     | <b>Sales Tax (0.0%)</b> | \$0.00      |
|                                      |   |     |     | <b>Total</b>            | \$16,281.00 |



## CITY MANAGER'S REPORT

DATE: February 4, 2016  
TO: Mayor and City Commission  
FROM: Bryan Nipe, Director of Parks and Recreation  
VIA: Jackie Sova, City Manager  
SUBJECT: Surplus item - baseball pitching machines

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The Parks and Recreation Department has the following items to be considered for surplus:

### **3 MA-5 baseball pitching machines – Batting Cages at the Sports Complex**

These pitching machines have aged past their useful mechanical life and are being replaced.

### **RECOMMENDATION:**

Request Commission declare baseball pitching machines surplus and authorize City Manager to dispose of same.



## MEMORANDUM

DATE: February 4, 2016  
TO: Mayor and City Commission  
FROM: Carol Foster, City Clerk  
VIA: Jackie Sova, City Manager  
SUBJECT: Reappointments to Code Enforcement Board

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The terms of Linda Binkley, Taylor Tremel, and Allan Hall on the Code Enforcement Board will expire the end of February. All have expressed an interest in serving another term.

### **RECOMMENDATION:**

Request Commission reappoint Ms. Binkley, Mr. Tremel and Mr. Hall for three year terms.