



**City Council
June 27, 2022
Council Chambers
6:30 PM**



WELCOME to our City Council meeting. In the interest of time efficiency, the following will prevail for comments by the public. Each speaker will be permitted up to 3 minutes to state his/her case. Group presentations will be permitted 3 speakers including the spokesperson - each being limited to up to 3 minutes. No speakers will be interrupted. Please silence all electronic devices during the meeting. THANK YOU for participating in your City Government.

- I. Call to Order
- II. Invocation - Moment of Silence
- III. Pledge of Allegiance
- IV. Public Hearing
 - 1. Ordinance - Amending Chapter 5 Deleting Remaining Portions of Article VI
- V. Old Business
- VI. Consent Agenda
 - 1. Approve the City Council Meeting Minutes of June 13, 2022
 - 2. Contract for the design of improvements to Sybelia Beach Park
 - 3. MetroPlan Orlando Annual Funding Agreement FY2022-2023
 - 4. General Release - Intercounty Engineering, Inc.
- VII. Public Period
- VIII. Decisions
 - 1. Appointments - Parks and Recreation Advisory Board (2)
- IX. Discussion
 - 1. City Council Strategic Priorities
 - 2. Fort Maitland Parking
- X. City Manager's Report/City Attorney/Council Reports
- XI. Adjournment

Notice: Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office (407-539-6219) 48 hours in advance of the meeting.

Disclaimer: Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City

Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

MEETING DATE		AGENDA
June 27, 2022		Section: Public Hearing
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.
Subject: Ordinance - Amending Chapter 5 Deleting Remaining Portions of Article VI		
Requested Action or Motion: Move to adopt an ordinance further amending Chapter 5 by deleting the remaining portions of Article VI, of the Code of Ordinances as presented.		
Summary Explanation & Background: On February 28, 2022, Council approved Ordinance 1396 and the full intent of said ordinance was to repeal Chapter 5 Article VI Signs in its entirety, as now being a part of the newly adopted Land Development Code (LDC). However, Ordinance 1396 listed specific sections of Article VI Signs with the exception of Sec. 5-94, - Purpose, Appendix A Sign Code Standards and Appendix B Sign Code Table. Upon adoption, the proposed ordinance will delete the remaining portions of Chapter 5 that became moot upon the adoption of the updated LDC, cleaning up any conflict between the code and LDC regarding signs. Introduced on June 13, 2022 and the notice of public hearing was duly advertised on June 17, 2022.		
Fiscal Impact: TBD		
Exhibits: 1. Ordinance Chapter 5 Article VI Signs - Deletion		
Commission/Board: City Council		
Contact Person: Lori Hollingsworth 407-539-6219		
Reviewed by City Attorney Reviewed by Jacob Schumer.		

MEETING DATE		AGENDA
June 27, 2022		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.
Subject: Approve the City Council Meeting Minutes of June 13, 2022		
Requested Action or Motion: Approve the City Council Meeting Minutes of June 13, 2022.		
Summary Explanation & Background:		
Fiscal Impact: N/A		
Exhibits: 1. Draft CC Minutes 06132022		
Commission/Board: City Council		
Contact Person: Lori Hollingsworth 407-539-6219		
Reviewed by City Attorney		

MEETING DATE		AGENDA
June 27, 2022		Section: Consent Agenda
Department/Office : Parks & Recreation	AGENDA REPORT	Item #: 2.
Subject: Contract for the design of improvements to Sybelia Beach Park		
Requested Action or Motion: Move to authorize the Interim City Manager to enter in to a contract with CPH, Inc. for the design of improvements to Sybelia Beach Park		
Summary Explanation & Background: As indicated in the FY22 CIP and the City of Maitland Parks and Recreation Master Plan (PRMP), the next park identified for upgrades is Sybelia Beach Park at 201 N. Lake Sybelia Dr. It is anticipated that finalization of this design process will carry on through the 2023 fiscal year and construction will be ready to take place in FY24. This timing should also allow for possible grant funding to be solicited for this particular improvement project. Improvements to this park are slated to include the following: • A new pre-fabricated restroom to replace the current antiquated one • A new kayak/paddleboard launch on to Lake Sybelia • A temporary parking and unloading area off of N. Lake Sybelia Dr. to accommodate a kayak and paddleboard drop-off • ADA improvements to picnic areas and other amenities on the site • Landscape and Hardscape improvements to the site • Extension of a pedestrian walkway on the perimeter of Lake Sybelia as identified by the adopted Bike-Ped Plan A contract has been negotiated with CPH, Inc., one of the City's pre-approved engineering contractors, for the design of the aforementioned improvements. Staff recommends that the Interim City Manager be authorized to enter in to an agreement with CPH, Inc. for the design and engineering services of Sybelia Beach Park for the amount of \$69,870.		
Fiscal Impact: \$69,870 from the General Fund 01272572-566300-PR401		
Exhibits:		
Commission/Board: City Council		
Contact Person: Jay Conn 407-539-6264		

Reviewed by City Attorney
n/a

MEETING DATE		AGENDA
June 27, 2022		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 3.
Subject: MetroPlan Orlando Annual Funding Agreement FY2022-2023		
Requested Action or Motion: Move to accept the FY2022-2023 MetroPlan Orlando annual funding agreement for \$1,335.00, authorizing Mayor Lowndes to execute said agreement.		
Summary Explanation & Background: The Annual Funding Agreement between the City of Maitland and MetroPlan Orlando is the standard agreement with all Municipal Advisory Committee (MAC) members. The annual amount is based on a total of \$25,000 prorated by the population to all members of the MAC. Maitland's funding amount of \$1,335.00 is based on the most current data reported by the University of Florida Bureau of Economic and Business research in their publication of Florida Estimates of Population and the prorated per capita assessment. The said agreement with MetroPlan Orlando provides funding to support the functions necessary to achieve MetroPlan Orlando's role in planning and funding the Orlando Metro Urban Area Transportation System and continuing to formulate regional transportation plans, programs and coordinating transportation issues among local entities and the Florida Department of Transportation (FDOT).		
Fiscal Impact: The FY23 proposed budget account 01110511 535400 MAC line item total \$1,453.00.		
Exhibits: 1. City of Maitland FY2022-2023 Funding Agreement		
Commission/Board: City Council		
Contact Person: Lori Hollingsworth 407-539-6219		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
June 27, 2022		Section: Consent Agenda
Department/Office : City Manager	AGENDA REPORT	Item #: 4.

Subject:
General Release - Intercounty Engineering, Inc.

Requested Action or Motion:
Move to authorize the Interim City Manager to issue a \$50,000 refund check to Randall Construction Holdings.

Summary Explanation & Background:

The City issued a Request for Bid ITB-21-351-001-0-2021 on February 2021 and held the bid opening on April 20, 2021 for the Lift Station #1 Relocation project. Seven bids were received and six bids were opened for the contract. One bid was returned to the bidder unopened, as the bid was received after the designated bid due date and time. The bids received varied between \$4,230,290.13 and \$8,361,330.00, with the low bid of \$4,230,290.13 from Intercounty Engineering, Inc.

The City sent a Notice to Award to Intercounty Engineering, Inc. (ICE) on May 5, 2021, with a requested return date of May 15, 2021 for the signed contract and supporting documents, in accordance with the bid documents. Intercounty Engineering responded by sending a request to withdraw from the bid without penalty, sighting an undisclosed error in their bid. As the request was not received within 24 hours of the bid opening as required per the Invitation to Bid documents, the City did not accept the bid withdrawal and issued an Annulment of Notice to Award to Intercounty Engineering, Inc. This resulted in the contractor forfeiting their bid bond (\$211,514.51).

After multiple attempts to file a claim against ICE's bid bond, the City Attorney filed a Civil Remedy Notice on August 21, 2021 against the bid bond insurer, Arch Insurance Company, in the amount of \$211,514.51. On October 6, 2021, Intercounty Engineering delivered a check to the city. On September 27, 2021 and prior to receiving the check, the city received a public records request from ICE's attorney for a significantly large amount of records which indicated that ICE planned to litigate to have the bid bond amount returned. In an effort to avoid further costs of litigation, the City Attorney was given permission by the City Council to negotiate a settlement to release the city from any further claims regarding the Lift Station #1 Relocation project procurement, bid award process and the city's retention of the bid security from ICE.

The City Attorney presented the terms of the release at the April 11, 2022, meeting and council agreed to accept the terms. Based upon this action, the city will be refunding \$50,000 to Intercounty Engineering, Inc. in exchange for the release.

Council is asked to ratify the release, authorizing the Interim City Manager to issue a refund check.

Fiscal Impact:

Exhibits:

1. General Release ICE
Commission/Board: City Council
Contact Person:
Reviewed by City Attorney Cliff Shepard

MEETING DATE		AGENDA
June 27, 2022		Section: Decisions
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.

Subject:
Appointments - Parks and Recreation Advisory Board (2)

Requested Action or Motion:
Council decision to appoint PRAB board members.

Summary Explanation & Background:
The Parks and Recreation Advisory Board (PRAB) has two (2) vacancies. The terms of Ha Roda and Jenny Wolfe expire June 30, 2022. In accordance with the PRAB constitution, members shall serve for a term of three (3) years and may be re-appointed by council for one (1) successive term. Ha Roda has served two (2) terms and is not eligible for re-appointment. Jenny Wolfe has graciously served but does not wish to continue and is not seeking to be reappointed at this time.

The following applicants reflect the Parks and Recreation Advisory Board as their:

First (1st) Choice
Andrew Smith
Mike Thomas

Third (3rd) Choice
David Guber
Colleen Lilling

Attached are their completed Volunteer to Serve on a Board / Commission forms for your review and consideration.

The City Council is requested to make two (2) appointments each to serve for a three-year term, beginning June 30, 2022, and expiring June 30, 2025.

Fiscal Impact:
TBD

Exhibits:

1. Smith - PRAB
2. Thomas - PRAB
3. Guber - PRAB
4. Lilling - PRAB

Commission/Board: City Council

Contact Person: Lori Hollingsworth 407-539-6219

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
June 27, 2022		Section: Discussion
Department/Office : Administration	AGENDA REPORT	Item #: 1.
Subject: City Council Strategic Priorities		
Requested Action or Motion: No Action Required		
Summary Explanation & Background: On April 28, 2022, City Council and senior management staff participated in a half-day strategic planning session for the upcoming FY 2023 budget and CIP planning process. On May 23rd, the City Council discussed the strategic priorities that came out of that session. Based upon that discussion, the Council requested a reassessment of the priorities. A new scoring sheet was developed and sent to the City Council. It utilized the priorities discussed at the strategic planning session but instead of ranking the top 3 priorities, the top 5 were requested. The following are priorities that have received more than 1 vote: 1. Independence Lane North - 5 2. Library - 4 3. Walkability/Trails/Crossing 17-92 (Bike Ped) - 4 4. Septic to Sewer Conversion - 4 5. Urban Forestry - 2 These priorities align with the capital and operating goals currently being included in the 5 year workplan. Staff will be prepared to discuss the individual initiatives at the meeting. Attached is the revised summary of the FY 2023 one to five year priorities and the existing FY 2022 and 2021 priorities.		
Fiscal Impact:		
Exhibits: 1. Summary of FY 2023 Essential Priorities (002)		
Commission/Board: City Council		
Contact Person: Mark Reggentin 407-539-6220		
Reviewed by City Attorney		

MEETING DATE		AGENDA
June 27, 2022		Section: Discussion
Department/Office : Administration	AGENDA REPORT	Item #: 2.
Subject: Fort Maitland Parking		
Requested Action or Motion: Staff requests direction regarding Fort Maitland parking restrictions.		
Summary Explanation & Background: Upgrades to Ft. Maitland Park was identified in the Parks and Recreation Master Plan to improve park amenities (i.e. a playground and picnic area), to redevelop the existing building, and to improve existing signage. Planning was initiated in 2018 to install these upgrades. However, further planning progression was also considered by the following: 1/19 - Council reviewed initial conceptual plans and expressed the desire to add a boat loading/unloading area and a more formalized kayak/paddleboard launch area in addition to the other amenities. 5/19 - It was determined that the police boathouse was no longer needed and that it was feasible to convert that amenity to a lake viewing deck, which was also added to the planned improvements. 12/20 - Council held a workshop to discuss conditions of a grant received for site improvements to Ft. Maitland. Other discussions involved various parking concerns at the site. It was determined that the number of parking spaces would remain the same and any changes to parking restrictions could be addressed through a change in policy and adoption of an ordinance while the project was under construction. 12/20 - Council accepted a motion to "approve the previously approved list of improvements to Ft. Maitland Park." Those improvements are reflected in the attached plans. These include: 1. Adding a playground and pavilion 2. Adding parking spaces for car parking to accommodate non-motorized access to the lake 2. Adding a kayak drop off and launch area 3. Demolishing and relocating the restrooms 4. Converting the police boathouse to a viewing deck 5. Maintaining the current number of boat parking spaces 6. Repaving the parking and drive aisle areas 7. Improving landscaping and stormwater treatment 8. Adding a paved walkway from the car parking areas to the lake 1/11/21 - Council approved a change order for final design revisions to plans for Ft. Maitland Park.		

During the December 2020 meeting, it was determined that any changes to the parking restrictions could and should be addressed prior to the park reopening. The purpose of this discussion is to provide staff with direction regarding what, if any, additional restrictions should be placed on parking prior to reopening the park. If a consensus can be reached, the new requirements will be included in an ordinance specifically addressing parking at Fort Maitland.

A site plan has been attached of the park as it will be following construction. The 13 boat trailer parking spaces are directly west of the ramp.

Prior to making the decision, some history regarding parking at Fort Maitland should be discussed. In 1980, the City Council attempted to restrict parking at Fort Maitland to residents only. This resulted in a lawsuit from the Orlando Bassmasters Association claiming discrimination between residents and nonresidents (A synopsis is attached). Bassmaster prevailed in Circuit Court. The city appealed to the 5th District Court of Appeals and the Appeals Court upheld the lower court's ruling. The city then appealed to the Florida Supreme Court and they denied the petition for review.

The restriction regarding nonresident parking was lifted and in its place, a fee for lake access was adopted to help fund police patrols and water quality. A version of this fee is currently in place today. However, this fee has nothing to do with parking. The City of Winter Park and Maitland have adopted a boat pass program that requires all users of the lake to have a pass to be on the chain of lakes. This is enforced by both police departments and does not guarantee parking at any access point.

Options for parking that were previously discussed include:

1. Resident Parking only. Sign all spaces for residency parking only.
2. Resident parking for a certain number of spaces. Discussions have varied between three and six spaces to be reserved for residents.
3. Residents only spaces for weekends and holidays. Weekends and holidays are the busiest times for the boat ramps. There is little problem with capacity during normal weekdays.
4. Leave the parking as it is.

The city attorney has advised against restricting parking to residents only based upon the constitutional issues litigated in the Bassmasters case.

If the City Council makes a determination to move forward with a form of restricted parking for residents, an ordinance will need to be drafted to designate the resident/non-resident ratio, develop a system of identifying resident vs. nonresident vehicles, and adjusting the parking fine for violators (currently \$25.00).

Fiscal Impact:
Exhibits: 1. bassmasters lawsuit 2. Maitland v. Orlando Bassmasters Ass_n_ Supreme Court 3. Fort Maitland Site Plan
Commission/Board: City Council
Contact Person: Mark Reggentin 407-539-6220
Reviewed by City Attorney

