City Council
September 12, 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. <u>Please silence all electronic devices during the meeting</u>. 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 the Land Development Code (LDC)
2. Annual Budget Resolution Adopting the Tentative Millage Rate for Fiscal Year 2023 (Tax Year 2022)

V. Old Business

VI. Consent Agenda

1. City Council Meeting Minutes of August 22, 2022
2. Portable Generators Purchase - Tradewinds Power Corp.
3. Janitorial Contract Extension - Florida Cleaning Systems (FCS) Facility Services
4. Third Amendment Florida State Revolving Fund Loan DW480251
5. Purchase Required Structural Firefighting Gear - Bennett Fire Products
6. LifePak 15 Cardiac Monitors (2) Purchase - Stryker Medical
7. Lift Station 12 Rehab Agreement - Cathcart Construction Company
8. 2022 - 2024 School Resource Officer Agreement with The Orange County School Board

VII. Public Period

VIII. Decisions

1. Appointment to Lakes Advisory Board (LAB)
2. Ordinance Introduction Right-of-Way Abandonment - Lake Catherine Drive
3. Ordinance Introduction Right-of-Way Abandonment - Fords Avenue
4. Ordinance Introduction Right-of-Way Abandonment - Howell Branch Road

5. Ordinance Introduction Five Year Capital Improvements Program (CIP) 2023-2027
6. Ordinance Introduction Granting a Non-Exclusive Construction and Demolition (C&D) Debris Removal Franchise Agreement - We Got This Hauling, LLC.
7. Ordinance Introduction Charter Amendments 2023 General Municipal Election

IX. Discussion

1. Best Foot Forward

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
September 12, 2022	MAITLAND FLORIDA	Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: 1.

Subject:
Ordinance Amending the Land Development Code (LDC)

Requested Action or Motion:
Move to adopt an ordinance amending the Land Development Code as presented.

Summary Explanation & Background:

<u>Background</u>

Since the adoption of the updated Maitland Land Development Code (LDC), effective March 1st of this year, staff has utilized the standards and procedures contained in the code and applied them to new development applications and public inquiries. While the document overall has proven effective, staff has also identified a few areas where refinements would make the code more effective or where clarifications or corrections would be useful. For this reason, staff has prepared an ordinance to amend the LDC to make these refinements and edits to the document in several areas.

<u>Proposed Revisions</u>

The changes, in summary, are:

- Restore portions of the Waterfront Structure Permit procedure to remove a new provision which established a minimum time after public notification for staff to render a decision and re-establish the specific appeal procedure for permits of this type;
- Remove "Farmer's Market's" as an allowed accessory use in the West Side zone districts (remaining as a permitted temporary use there and elsewhere);
- Remove a standard in the new outdoor seating standards that prohibits food preparation outside the enclosed principal building containing the eating/drinking establishment;
- Providing an exemption to the Shoreline Protection Standards and Wetland Protection Standard setbacks for legal non-conforming structures;
- Revising a tree replacement standard table to change a requirement measured from "dbh" to "Caliper" as it would be more appropriate for new trees; and
- Editing the definition of Waterfront Structure to revise an incorrect reference to the shoreline protection area.

<u>Process</u>

The updated LDC outlines a procedure for city-initiated LDC updates in Section 2.5.2(c)(2). After recommendation by the Planning and Zoning Commission, the City Council should make its decision based on the following review standards:

The advisability of amending the text of the LDC is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the City Council shall weigh the relevance of and consider whether and the extent to which the proposed text amendment:

1. Is consistent with the comprehensive development plan and furthers its goals, objectives, and policies;
2. Is in conflict with any provision of this LDC and the City Code;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Is consistent with the purpose and intent of the zone districts, or would improve compatibility among uses;
6. Would result in a logical and orderly development pattern;
7. Would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and
8. Would adversely impact the availability of public facilities to accommodate new growth and development.

On August 4, 2022, the Planning and Zoning Commission held a public hearing on the proposed ordinance and unanimously voted to forward the proposed ordinance, as drafted, to the City Council with a recommendation of approval.

On August 22, 2022, City Council voted to introduce the ordinance, but instructed staff to review the proposed exception to the first floor height minimum of 14 feet in the Downtown Maitland zone district for townhouse dwellings to determine the necessity for this amendment. After review, staff determined that the exception was not critical to the overall goals of the Land Development code. Based upon that review, the exception language was removed from this ordinance.

Recommendation

Staff recommends that the City Council adopt the proposed LDC refinement ordinance.

Fiscal Impact:
None

Exhibits:
1. LDC patch Draft (Council Adoption)

Commission/Board: City Council

Contact Person: Dan Matthys 407-539-6211

Reviewed by City Attorney
Drew Smith

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Public Hearing
Department/Office : Administration	AGENDA REPORT	Item #: 2.

Subject:
Annual Budget Resolution Adopting the Tentative Millage Rate for Fiscal Year 2023 (Tax Year 2022)

Requested Action or Motion:
(1) Move to adopt the tentative operating millage for the 2022 tax year as 4.3453, which is 11.30% above the rolled-back rate of 3.9043;

(2) Move to adopt the tentative voted debt millage rate for the 2022 tax year as 0.2180 for a combined total of 4.5633 mills;

(3) Move to adopt the tentative budget for the General Fund in the amount of $33,057,000.

(4) Announce the Final Resolution to adopt will be on September 26, 2022.

Summary Explanation & Background:
On July 18, 2022, the City Council held the General Fund budget workshop. The rolled back rate and proposed operating and voted debt service millage rates for the 2022 tax year were set on July 25th. The proposed operating and voted debt millage and the date and time of the tentative budget public hearing were included in the proposed tax bills sent out by the Orange County Property Appraiser in August.

The Fiscal Year 2023 budget draft was prepared based on the operating millage rate of 4.3453 or $4.3453 per thousand dollars of taxable value, which was the rate adopted for Fiscal Year 2022. The proposed tax rate set at the July 25th Council meeting was 4.3453. The FY 2023 tentative budget is $33,057,000. Attached is the official Resolution to adopt the millage rates and General Fund Budget.

Below are the maximum millage rate options, and the tentative millage requires only a simple majority vote as proposed.

Note: The tentative millage rate cannot exceed the proposed millage rate from July 25, 2022 of 4.3453 unless the Property Appraiser mails each taxpayer a revised TRIM notice at the City's expense.

Maximum Millage Rate Options	**Millage Rate**
Majority Vote (Adjusted rolled back millage rate per State formula)	Up to 5.1536
2/3 Vote of the Governing Board (110% of Majority vote millage rate)	Up to 5.6690
Unanimous vote of the Governing Board or referendum - Any rate up to the statutory limit.	Up to statutory limits

The above motions are required to be read separately and completely to comply with the Truth in Millage (TRIM) process. The TRIM notice will be placed in the newspaper and the tentative budget placed on the City's website prior to the final public hearing on September 26, 2022.

After setting tonight's tentative millage rate, the Council may adopt that rate or any lower rate at the final public hearing.

Fiscal Impact:
General fund budget amount of $33M.

Exhibits:
1. Resolution - Tentative Millage Rate FY 23 TY 22
2. Budget Summary FY 2023

Commission/Board: City Council

Contact Person: Mark Reggentin 407-539-6220

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.

Subject:
City Council Meeting Minutes of August 22, 2022

Requested Action or Motion:
Move to approve the City Council meeting minutes of August 22, 2022.

Summary Explanation & Background:

Fiscal Impact:
N/A

Exhibits:
1. CC Draft Minutes 08222022

Commission/Board: City Council

Contact Person: Lori Hollingsworth 407-539-6219

Reviewed by City Attorney
No

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 2.

Subject:
Portable Generators Purchase - Tradewinds Power Corp.

Requested Action or Motion:
Move to authorize the Interim City Manager to purchase three (3) portable generators and appurtenances from Tradewinds Power Corp. in the amount of $170,244 utilizing Florida Sheriffs' Association Contract No. FSA A20-VEH18.0.

Summary Explanation & Background:
On March 26, 2018, City Council approved the City Manager to submit a grant application to the FEMA Hazard Mitigation Grant Program for the purchase of three portable generators for the Wastewater Division to provide emergency power when needed for any of its 42 lift stations. These lift stations are critical to maintaining adequate sanitary conditions throughout the city. The last hurricane caused 38 lift stations to lose power for more than a week. The city does not have enough portable generators to run all of the lift stations to transfer sanitary waste to prevent the system from overflowing and causing backups and contamination. The City was awarded the grant and expects to receive $111,120 in reimbursements for the purchase of the generators. Matching funds are available within the existing Utility Fund budget.

Tradewinds Power Corp. provided a quote based on the Florida Sheriffs' Association Cooperative Purchasing Contract No. FSA20-VEH18.0 for three (3) 30KW portable generators each with a 200 amp power cord hardwired into the generator. Funds are available at 41351535-566400-EOC05 & 41351535-566400.

Staff recommends the City Council to authorize the purchase of three (3) portable generators and appurtenances from Tradewinds Power Corp. in the amount of $170,244 utilizing Florida Sheriffs' Association Contract No. FSA A20-VEH18.0.

Fiscal Impact:
Funds are available: 41351535-566400-EOC05 - $111,120; 41351535-566400 - $ 59,124

Exhibits:

Commission/Board: City Council

Contact Person: Kimberley Tracy 407-539-6216

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 3.

Subject:
Janitorial Contract Extension - Florida Cleaning Systems (FCS) Facility Services

Requested Action or Motion:
Move to authorize the Interim City Manager to execute a three-month extension to the piggyback agreement with FCS Facility Services for janitorial services in the amount of $50,509.35.

Summary Explanation & Background:
On October 14, 2019, City Council authorized the City Manager to enter a piggyback contract with Florida Cleaning Systems (FCS) Facility Services to provide janitorial services to the City of Maitland. The piggyback contract is based upon square footage prices with Seminole County, RFP-601464-12/BJC. The initial term of the existing Seminole County contract was for a period of five (5) years (renewed in 2017) and the County exercised the option to be renewed for one (1) successive period not to exceed five (5) years. The contract will expire on October 15, 2022.

Staff prepared an invitation to bid (ITB) to advertise for a new janitorial service contract. The ITB was put on hold until a decision was made on the Compressed Work Schedule since janitorial service hours outlined in the ITB would need to reflect the office hours of each facility. The staff is ready to proceed with the bidding process, but due to the time needed to bid for the services, receive Council approval, and execute a new contract may take up to three months past the expiration date of FCS's agreement. FCS has agreed to a three-month extension of the contract; therefore, staff recommends extending the FCS agreement up to three (3) months under the same terms to maintain service until the new contract is in effect. The cost for the three-month extension will be $50,509.35 and will be available in the Facilities Maintenance Budget, contingent upon approval of the FY 23 Budget.

Staff recommends City Council move to authorize the Interim City Manager to execute a three-month extension to the piggyback agreement with FCS Facility Services for janitorial services in the amount of $50,509.35.

Fiscal Impact:
Funds are available in the general fund 01414519-533410 for Facilities Maintenance Janitorial Services.

Exhibits:
1. City of Maitland Contract Extension (1)

Commission/Board: City Council

Contact Person: Kimberley Tracy 407-539-6216

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Finance Department	AGENDA REPORT	Item #: 4.

Subject:
Third Amendment Florida State Revolving Fund Loan DW480251

Requested Action or Motion:
Move to authorize the Mayor to execute the third amendment to the State Revolving Fund Loan DW480251 for the Construction of the 17-92 Water Main Upgrade Project as approved January 13, 2020.

Summary Explanation & Background:
On January 13, 2020, Council approved the $9.6 Million construction loan for the 17-92 water main upgrade project (original, approved agreement attached), and on September 14, 2020, the City executed an amendment to the loan extending the project completion date to April 15, 2022. Public Works has completed phase 1 of the project (Ventris North). The loan is for the full length of 17-92; however, due to easement acquisition issues and ROW conflicts on the southern portion, the project has been delayed. The Florida Department of Environmental Protection (FDEP) sent an amendment to the agreement to extend the time frame to begin repayments to April 15, 2025.

The State requires the City to approve an amendment to the executed loan agreement which will provide:

The Parties hereto agree as follows:
1.Unless repayment is further deferred by amendment of the Agreement, Semiannual Loan Payments as set forth in Section 10.05 shall be received by the Department beginning on April 15, 2025, and semiannually thereafter on October 15 and April 15 of each year until all amounts due under the Agreement have been fully paid.
2.The items scheduled under Section 10.07 of the Agreement are rescheduled as follows:
(1) Completion of Project construction is scheduled for October 15, 2024.
(2) Establish the Loan Debt Service Account and begin Monthly Loan Deposits no later than October 15, 2024.
(3) The first Semiannual Loan Payment in the amount of $281,055 shall be due April 15, 2025.
3. All other terms and provisions of the Loan Agreement shall remain in effect.

Depending on the actual construction progress, repayment could be further deferred by additional amendments to the Agreement.

Staff recommends authorizing the Mayor to execute the amendment.

Fiscal Impact:
N/A

Exhibits:

1. DW480251 A3 - ext
Commission/Board: City Council
Contact Person: Jerry Gray 407-539-6201
Reviewed by City Attorney Cliff Shepard

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Fire/Rescue	AGENDA REPORT	Item #: 5.

Subject:
Purchase Required Structural Firefighting Gear - Bennett Fire Products

Requested Action or Motion:
Move to authorize the purchase of required structural firefighting gear from Bennett Fire Products for $103,990; piggybacking off a contract between Bennett Fire Products and Lake County, Florida (Contract #17-0606B) .

Summary Explanation & Background:
Each year the fire department budgets for structural firefighting, personal protective bunker safety gear. The fire department issued a Purchase Order for $49,990; however, after reviewing departmental needs, it was identified that additional equipment was needed that exceeded the City Manager's purchasing authority, and requested purchasing increase authorization of $54,000 for a total amount of $103,990 for various required safety gear.

Staff recommends the City Council to authorize the purchase of structural firefighting safety gear from Bennett Fire Products for $103,990.

Fiscal Impact:
2022 budgeted funds of $103,990 are available 01221522-535200-FD001

Exhibits:

Commission/Board: City Council

Contact Person: Will Watts 407-644-6345

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Fire/Rescue	AGENDA REPORT	Item #: 6.

Subject:
LifePak 15 Cardiac Monitors (2) Purchase - Stryker Medical

Requested Action or Motion:
Move to authorize the purchase of two (2) LifePak 15 cardiac monitors from Stryker Medical for $65,431.30.

Summary Explanation & Background:
The fire department requests an evaluated / sole source purchasing authorization.

Stryker is the sole-source provider in the Hospital (hospitals and hospital-owned facilities), Emergency Response Services and Emergency Response Training (paramedics, professional and volunteer fire) markets in the U.S. for LIFEPAK 15 V4 Monitor/Defibrillators.

Stryker does not authorize any third-parties to sell these products or services in the markets listed above. Stryker has been notified by their global parts provider that some components used on certain LIFEPAK 15 models are no longer available in the market. Due to this, it is necessary to replace our current models that will no longer be repairable and maintainable.

This purchase authorization allows for the replacement of two, six year old, existing cardiac monitors. These new monitors will bring the latest in technological advancements in cardiac monitoring and advanced life support intervention in the amount of $32,715.65 each for a total of $65,431.30. Note: instead of selling the used Life-Paks at auction, Stryker takes the used Life-Paks back on trade and credits the City with $6,500 each for a net cost of $52,431.30.

Staff recommends the City Council authorize the purchase of two (2) LifePak 15 cardiac monitors from Stryker Medical.

Fiscal Impact:
01221522-566405 - Capital Equipment $65,431.30.
01365000-364410 - Disposal of Fixed Assets $13,000

Exhibits:

Commission/Board: City Council

Contact Person: Will Watts 407-644-6345

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 7.

Subject:
Lift Station 12 Rehab Agreement - Cathcart Construction Company

Requested Action or Motion:
Move to authorize the City Manager to execute an agreement with Cathcart Construction in the amount of $98,500 plus a $10,000 contingency for the repair of lift station 12.

Summary Explanation & Background:
Recently, the Wastewater Division responded to a reported issue at Lift Station #12, which is located along Lake Catherine Drive at Bonyton Drive. The pumps were found to be clogged and required cleaning by a specialized contractor. During this time, staff had to set up a portable pump to by-pass the flow so that the lift station could be cleaned.

During the by-pass pumping, staff were able to inspect the lift station more thoroughly and determined that a recent repair to the discharge pipe within the wetwell was not holding up as expected and must be addressed as soon as possible as failure is imminent. Lift station 12 was constructed in 1967 and still has the original piping. This Lift Station is scheduled for rehab in 2027. However, due to the issues encountered, this portion of the Lift Station rehab is being moved forward and the remaining mechanical portion will be completed as originally scheduled to avoid additional breakdowns.

The Purchasing Policy provides that all contracted construction projects with an estimated basic contract cost of $75,000 or more are considered CATEGORY FIVE purchases and shall be made by competitive bid or design-build procedures except; where, for good cause shown and in the best interests of the City, the City Manager authorizes the procurement of goods or services without strict compliance with the provisions of this Policy in order to best serve the general public health, safety and welfare.

For this purpose, the City did not have time to go through the formal competitive bidding process. Three contractors that currently perform utility work with the City have provided quotes to install a new discharge pipe configuration (consistent with more recently constructed lift stations), which will allow for easier inspection and maintenance.

The quotes are as follows:

Cathcart Construction - $ 98,500
Carr and Collier - $ 105,018
Sanpik - $ 255,020

Construction is expected to take up to a month to complete. During that time, a section of Lake Catherine Drive will be closed to thru-traffic between Boynton Road and Palmetto Street. Funds are available in Utility Fund capital improvements.

Staff recommends City Council approve the agreement with Cathcart Construction in the amount of $98,500 and a contingency of $10,000 and waive the requirement for Category 5 bidding for the rehabilitation of Lift Station 12.

Fiscal Impact:
Funding is available in the Utility Fund 41351535-566300.

Exhibits:

Commission/Board: City Council

Contact Person: Karen McCullen

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Police Department	AGENDA REPORT	Item #: 8.

Subject:
2022 - 2024 School Resource Officer Agreement with The Orange County School Board

Requested Action or Motion:
Move to authorize the Mayor to execute the School Resource Officers agreement with The Orange County School Board.

Summary Explanation & Background:
This is an agreement between the City of Maitland and the Orange County School Board for the School Resource Officers program effective July 1, 2022, through June 30, 2024. This contract provides for three (3) SRO's and two (2) supervisors.

<u>2022 - 2023 School Year</u>
3 SRO's $57,500.00 each
2 Supervisor's $28,750.00 each

<u>2023 - 2024 School Year</u>
3 SRO's $60,000 each
2 Supervisor's $30,000 each

Fiscal Impact:
$230,000 revenue in 2023; $240,000 revenue in 2024

Exhibits:
1. Maitland SRO Agreement 8.25.22 (final)
2. Maitland Exhibit A SRO 2022-2023
3. Maitland Exhibit B_SRO Supervisor Totals 2022-2023
4. Maitland Exhibit C SRO 2023-2024
5. Maitland Exhibit D_SRO Supervisor Totals 2023-2024

Commission/Board: City Council

Contact Person: Dave Manuel

Reviewed by City Attorney
Erin DeYoung

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Decisions
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.

Subject:
Appointment to Lakes Advisory Board (LAB)

Requested Action or Motion:
Council decision to appoint a Lakes Advisory Board (LAB) member.

Summary Explanation & Background:
The Lakes Advisory Board (LAB) has one (1) vacancy. The term of Paul Brennan expires September 13, 2022. In accordance with the LAB constitution, members shall serve for a term of three (3) years and may be re-appointed by council for one (1) successive term. Paul Brennan has served one (1) full term and is eligible for re-appointment. Mr. Brennan is interested in continuing to serve and desires to be considered for re-appointment.

The following applicants reflect the Lakes Advisory Board as their:

First (1st) Choice
Paul Brennan

Second (2nd) Choice
David Guber
Greg Hardwick
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 one (1) appointment to serve for a three-year term, beginning September 13, 2022, and expiring September 13, 2025.

Fiscal Impact:
N/A

Exhibits:
1. Brennan - LAB
2. Guber - LAB
3. Harwick - LAB
4. Lilling - LAB

Commission/Board: City Council

Contact Person: Lori Hollingsworth 407-539-6219

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Decisions
Department/Office : Public Works	AGENDA REPORT	Item #: 2.

Subject:
Ordinance Introduction Right-of-Way Abandonment - Lake Catherine Drive

Requested Action or Motion:
Move to introduce an ordinance to vacate and abandon a portion of Lake Catherine Drive, and set the Public Hearing and action for September 26, 2022.

Summary Explanation & Background:
In 2021, an application was filed by Jon B. and Angela Mendelsohn, property owners of 815 Lake Catherine Drive, to vacate and abandon a portion of the City right-of-way on Lake Catherine Drive. The applicants requested an area of approximately 21 square feet to be vacated in order to rebuild an existing dock. On November 8, 2021, City Council passed Ordinance No. 1391 which vacated the requested portion of Lake Catherine Drive right-of-way.

The applicants have since determined that the portion abandoned was incorrect. They have requested to dedicate this portion back to the city in order to vacate the correct portion of the right-of-way. Staff does not object to the vacating provided the right-of-way deed attached is properly executed and recorded.

After receiving public input, staff is recommending the Council move to introduce an ordinance to vacate and abandon a portion of Lake Catherine Drive and set the public hearing date for September 26, 2022.

Fiscal Impact:
N/A

Exhibits:
1. Ord 1391 ROW Abandonment 815 Lake Catherine
2. Ord - ROW Abandonment Mendelsohn
3. EXHIBIT A - Ord - ROW Abandonment Mendelsohn
4. Right-of-Way Deed - Mendelsohn

Commission/Board: City Council

Contact Person: Alyssa Eide 4078753693

Reviewed by City Attorney
Jacob Schumer

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 3.

Subject:
Ordinance Introduction Right-of-Way Abandonment - Fords Avenue

Requested Action or Motion:
Move to introduce an ordinance to vacate and abandon a portion of Perry Street (known as Fords Avenue), and set the Public Hearing and action for September 26, 2022.

Summary Explanation & Background:
An application has been filed by Thomasina H. Williams of BW Land 132 LLC, property owner of 132 Thompson Avenue, requesting that the City vacate and abandon a portion of the City's right-of-way on Perry Street (known as Fords Avenue). The applicants have requested that an area of approximately 1,500 square feet, be vacated in order to construct a single family home.

The Perry Street right-of-way is partially within Maitland, with a larger portion to the south located within the municipality of Eatonville. The western portion of Perry Street/ Fords Avenue right-of-way was vacated in 2005 for the purpose of constructing a single family home at 850 Mulberry Street. The current application would vacate the remainder of the Perry Street/Fords Avenue right-of way-within the City of Maitland.

In accordance with Article VIII, Right-of-Way/Utility Easement Abandonment of the Code of Ordinances (when this application was received), all requirements for the right-of-way abandonment have been met by the applicant and all applicable utilities and jurisdictions have provided letters of no conflict or objection. At their meeting on January 19, 2022, the Development Review Committee recommended approval of the request to vacate this portion of Perry Street (known as Fords Ave).

Staff Recommendation
Staff recommends the City Council introduce an ordinance to vacate and abandon a portion of Perry Street (known as Fords Avenue); and, set the Public Hearing and action for September 26, 2022.

Fiscal Impact:
NA

Exhibits:
1. Draft ORDINANCE ROW FORDS (DAS rev)
2. EXHIBIT A - FORDS AVE
3. BW Land 132 Petition for Abandonment RE Fords Ave
4. Eatonville Letter
5. Petition No. 2022-01 (ROW) Fords Avenue Signed DRC Report

Commission/Board: City Council

Contact Person: Dan Matthys 407-539-6211
Reviewed by City Attorney Drew Smith

MEETING DATE	MAITLAND FLORIDA	AGENDA
September 12, 2022		Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 4.

Subject:
Ordinance Introduction Right-of-Way Abandonment - Howell Branch Road

Requested Action or Motion:
Move to introduce an ordinance to vacate and abandon a portion of Howell Branch Road, and set the Public Hearing and action for September 26, 2022.

Summary Explanation & Background:
An application has been filed by Matthew Umbers and Annika Umbers, property owners of 1000 Howell Branch Road, requesting that the City vacate and abandon a portion of the City right-of-way on Howell Branch Road at the intersection of Zora Avenue. The applicants have requested an area of approximately 750 square feet to be vacated in order to construct a single family home.

Other 25 ft. portions of Howell Branch Road right-of-way to the south of the constructed asphalt road have been vacated previously. The area of right-of-way that is the subject of this application is the only remaining 25 ft. portion in the vicinity.

In accordance with Section 2.5.3(f) Right-of-Way/Public Easement Abandonment of the Land Development Code, all requirements for the right-of-way abandonment application have been met by the applicant and all applicable utilities and jurisdictions have provided letters of no conflict or objection. At their meeting on June 1, 2022, the Development Review Committee recommended approval of the request to vacate this portion of Howell Branch Road.

Staff recommends City Council introduce an ordinance to vacate and abandon a portion of Howell Branch Road, and set the Public Hearing and action for September 26, 2022.

Fiscal Impact:
N/A

Exhibits:
1. Draft ORDINANCE ROW HOWELL BRANCH
2. EXHIBIT A -- HOWELL BRANCH
3. Petition for ROW Easement Abandonment - Umbers 1000 Howell Branch Rd Winter Park
4. 1000 Howell Branch Road ROW Vacate
5. Signed DRC Petition 2022-02 (ROW) Howell Branch Rd

Commission/Board: City Council

Contact Person: Dan Matthys 407-539-6211

Reviewed by City Attorney
Drew Smith

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 5.

Subject:
Ordinance Introduction Five Year Capital Improvements Program (CIP) 2023-2027

Requested Action or Motion:
Move to introduce an ordinance to approve the FY 2023-2027 Capital Improvements Program (including revised Table 1), to update Table 1 within Chapter 7, Governance and Implementation Element, Capital Improvements Sub-Element of the 2035 CDP, to recognize the annual update of the 5 year CIP; and recognize the annual update of the Orange County Public Schools 10-Year Capital Outlay Plan.

Summary Explanation & Background:
This document summarizes the major capital expenditure projects contemplated by the City of Maitland over the next five years. The projects included are consistent with the City's approved Comprehensive Development Plan ("CDP"). Capital improvement projects, by definition, are physical assets constructed or purchased to provide, improve or replace a public facility and are large scale and high in cost. The cost of a capital improvement is generally non-recurring and may require multi-year financing. For the purposes of the state requirements, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.

This five-year Capital Improvements Program ("CIP") represents the implementation of key master plans within the City; the Stormwater/Lakes Management Plan, the Trails Master Plan, Downtown Maitland Plan, the Parks Master Plan, and the Sewer Master Plan. In addition, this CIP also considers major projects that have achieved the objectives identified in the CDP, but must continue to be maintained to sustain those objectives. An example of this type of project would be the Pavement Treatment Program, which has an achieved result of exceeding the condition rating score above 7. The rating is based on pothole presence, cracking, rutting and other pavement conditions criteria. Funding for resurfacing over the five-year period is **$2.5M**.

The Stormwater Lakes Management Program represents a long-term commitment to improve lake quality and environmental concerns in the City, as emphasized with the adoption of the Stormwater/Lakes Management Master Plan in Fiscal Year 1996. The Lakes Advisory Board reviews technologies annually and the Master Plan was updated in 2016. An updated masterplan is currently under review and will be completed this calendar year. The five-year program includes improvements to several area lakes designed to remove pollution from stormwater inflow, including watershed improvements at Park Lake, Gem Lake, Lake Minnehaha, and Lake Lily, eliminating structural flooding at Gamewell Avenue and Robinhood Drive. The five-year total for this project is currently estimated at **$3.2M**.

Improvements to the Water Transmission & Distribution System include upgrades to the water distribution system to increase pressure to provide for adequate fire protection in residential areas. This includes water plant rehabilitation and water line replacement (upgrade per Master Plan). Improvements in the Sanitary Sewer System element will be focused on implementing the Sewer System Master Plan which includes an increased need for capacity to serve the Downtown area by upgrading the Eastern service area and extension of service to unserved areas. Efforts continue to improve the system by upgrading lift stations to submersible stations. Combined, the capital improvements for utilities total **$27M** over the five-year period.

The implementation of the Parks Master Plan is a five-year program totaling **$1M**. Much of this program is funded from the Parks Trust Fund and projects are completed as funding is available. Construction of improvements to Lake Sybelia Beach and several smaller parks are planned for the five-year period, as well as a Community Park building expansion. The City plans to continue installing pedestrian-friendly paths through the Bicycle/Sidewalk Network Program which is funded at **$4.7M** over the five-year period. The Bicycle/Pedestrian Master Plan was adopted in FY 2020, and the study will guide the selection of sidewalks and bike paths to be designed and constructed by this program.

With the completion of the Space Needs Master Plan in 2012, the City Facilities Program is mostly focused on maintenance of current facilities and parking needs in the downtown area. One parking deck in the downtown core area has been included at **$1.8M** and is anticipated to be funded by development or grants. The projects listed above and detailed in this five-year Capital Improvements Program promote the goals established in the Comprehensive Development Plan, which are to enable Maitland to continue to develop in a positive way, reflecting the City's character as a “community for life.”

In addition, the City has included the Orange County Public Schools (“OCPS”) facilities work program as required supplemental information (Section X). The City does not have responsibility for the financial feasibility of this program, but it is included as required to reflect the coordination efforts between the City and OCPS to address the Public Schools required CIE in the City’s CDP.

Next Step
After receiving public input, move to introduce an ordinance to approve the FY 2023-2027 Capital Improvements Program (including revised Table 1), to replace Table 1 within Chapter 7, Governance and Implementation Element, Capital Improvements Sub-Element of the 2035 CDP, to recognize the annual update of the 5 year CIP; and recognize the annual update of the Orange County Public Schools 10-Year Capital Outlay Plan.

Fiscal Impact:
Total 5 Year 2023-2027 CIP - **$62M**

Exhibits:
1. CIP 2023-2027 Final (4)

Commission/Board: City Council

Contact Person: Mark Reggentin 407-539-6220

Reviewed by City Attorney
Cliff Shepard

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Decisions
Department/Office : Finance Department	AGENDA REPORT	Item #: 6.

Subject:
Ordinance Introduction Granting a Non-Exclusive Construction and Demolition (C&D) Debris Removal Franchise Agreement - We Got This Hauling, LLC.

Requested Action or Motion:
Move to introduce an ordinance granting a non-exclusive franchise agreement to We Got This Hauling LLC., and set the public hearing date for September 26, 2022.

Summary Explanation & Background:
In July 2013, the City Council approved an exclusive franchise with Waste Pro of Florida, Inc., for collection of single and multi-family residential solid waste, yard waste and recycling, and commercial solid waste. The franchise excludes the disposal of solid waste and construction and demolition ("C&D") debris removal and the City established non-exclusive franchises through adoption of City Code Sections 7-32 through 7-37 in August 2013. The non-exclusive franchise program enables residents and businesses to obtain competitive pricing for C&D debris removal services while still maintaining a level of oversight to ensure haulers are properly licensed, insured and qualified to provide services within the City limits. Self-hauling by residents or contractors of C&D debris is not regulated.

Haulers who wish to provide C&D removal services within the City must submit an application and the required documentation outlined by the City Code. Per the City Charter, all franchises must be adopted via ordinance, and the attached non-exclusive franchise agreement was drafted by the City Attorney's office.

We Got This Hauling LLC., has completed the application and submitted all documentation required under Section 7.24, and is qualified to provide C&D debris removal services. This hauler is located in Sanford, Florida, and has been in business since 2021. They currently provide roll off containers utilizing the hauling services for clients and desire to provide services to Maitland residents and businesses.

The staff is recommending the City Council introduce an ordinance granting a non-exclusive franchise agreement to We Got This Hauling LLC., and set the public hearing date for September 26, 2022.

Fiscal Impact:
N/A

Exhibits:
1. Construction CD Ordinance We Got This Hauling

Commission/Board: City Council

Contact Person: Jerry Gray 407-539-6201
Reviewed by City Attorney N/A

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 7.

Subject:
Ordinance Introduction Charter Amendments 2023 General Municipal Election

Requested Action or Motion:
Move to introduce an ordinance providing charter amendments to the voters at the next municipal election, setting the public hearing and adoption date for September 26, 2022.

Summary Explanation & Background:
The City Council has reviewed and considered several recommended charter questions since October 11, 2021. Most recently, at the July 11, 2022, meeting, City Council directed the City Attorney, along with staff, to draft an ordinance to include the six (6) final charter questions. The charter questions shall be submitted to the voters at the next municipal election on March 14, 2023.

1. Clarification of Term Limits: Recommended by the Charter Review Commission to clarify how long a mayor who has served two terms must sit out before being eligible to qualify again. If the mayor has served two (2) consecutive terms in office, either as mayor or council or any combination thereof, they would be ineligible to qualify to run for any council seat until one year after the end of their last term. Example: Mr. Smith's second 3-year term as mayor concluded April 11, 2022. Mr. Smith would be eligible to qualify in January 2024 for the March 2024 election, taking office April 2024.

2. Mayoral Succession: Recommended by the Charter Review Commission to provide succession in the event of a vacancy in the office of the mayor. The vice mayor will become mayor for the remainder of the unexpired term. The vice mayor shall assume all duties of the mayor until the next scheduled municipal election.

3. Availability of Printed Copy: Recommended by staff for cleanup and best practices considering the availability of the code online 24-7. There will be a printed copy available for public inspection at the office of the city clerk.

4. Eliminating Runoffs: Discussed by the Charter Review Commission and recommended by staff. To eliminate the provision for a run-off city election when no candidate receives a majority of the total votes cast (50% + 1 of total votes cast). To establish that the candidate with the highest number of votes cast for an office is elected and when two or more candidates receive an equal number of votes, the drawing of lots will determine the winner.

5. Petitions, Oath, Qualifying: Recommended by staff to utilize the candidate oath nonpartisan office oath provided for in Sec. 99.021(1)(a) Florida Statutes and establishing a petition submittal period prior to the already established qualifying period. This will allow the SOE office adequate time to certify submitted petitions and return the candidate petition certification to the city clerk prior to qualifying. The established qualifying period would remain unchanged.

6. Gender Neutrality: Recommended by the Charter Review Commission to eliminate all references to gender. Instead the charter language would include they, their, them, themselves, themself or refer to the title of position being referenced.

The ordinance and supporting documentation is attached for your review and consideration.

Staff recommends the introduction of the proposed charter amendments ordinance and to set the public hearing and adoption for September 26, 2022.

Fiscal Impact:
TBD - Placed on the ballot for the next General Municipal Election.

Exhibits:
1. Charter Amendment Ordinance 2022-xxxx
2. All PROPOSED Changes

Commission/Board: City Council

Contact Person: Lori Hollingsworth 407-539-6219

Reviewed by City Attorney
Cliff Shepard

MEETING DATE		AGENDA
September 12, 2022	MAITLAND FLORIDA	Section: Discussion
Department/Office : Administration	AGENDA REPORT	Item #: 1.

Subject:
Best Foot Forward

Requested Action or Motion:
No action is required for this discussion item.

Summary Explanation & Background:
Councilmember Wurtzel requested that discussion of this item be placed on the agenda. As requested, attached is the scope of services from Best Foot Forward for your review.

In terms of background, the city has an adopted policy and resolution regarding contributions to not-for-profit organizations. As was discussed in the general fund budget workshop, the city has adopted a series of Policy/Information Transmittals (PITs). These policies are adopted to clarify positions that have been addressed through past budget processes. PIT 1992-2 specifically addresses contributions to not-for-profit organizations. The PIT is attached for your review. To implement this PIT, the City Council adopted Resolution 6-92 to address the process for requesting and granting funding to not-for-profit organizations. Resolution 6-92 is also attached for your review.

The process includes submitting an application for funding as part of the budget process. This year the application was due June 10th. During the budget process in 2016, the City Council decided that they would no longer fund not-for-profit organizations, with the exception of the Maitland Public Library and Art and History Centers of Maitland.

Fiscal Impact:
The proposal from Best Foot Forward includes an annual fee of $5000.00.

Exhibits:
1. Small Partner Scope FY23
2. PIT 1999-2 - Contributions
3. resolution 6-92

Commission/Board: City Council

Contact Person: Mark Reggentin 407-539-6220

Reviewed by City Attorney
N/A