City Council
September 26, 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. Resolution Ad Valorem Tax Rate Fiscal Year 2023.
2. Resolution Fiscal Year 2023 Annual Budget.
3. Ordinance Right-of-Way Abandonment - Lake Catherine Drive.
4. Ordinance Right-of-Way Abandonment - Perry Street (Fords Avenue).
5. Ordinance Right-of-Way Abandonment - Howell Branch Road.
6. Ordinance Five Year Capital Improvements Program (CIP) 2023-2027.
7. Ordinance Non-Exclusive Franchise Agreement Construction and Demolition (C&D) Debris Removal - We Got This Hauling, LLC.
8. Ordinance Charter Amendments 2023 General Municipal Election.

V. Adjourn Council Meeting Convene CRA Meeting

VI. Old Business

VII. Consent Agenda

1. City Council Meeting Minutes of September 12, 2022.
2. Fiscal Year 2022 Auditor Communication Letter - Carr, Riggs & Ingram, LLC.
3. Art and History Museum Roof Repairs - Johnson-Laux Construction, LLC.
4. Ft. Maitland Park Easement Agreement - Duke Energy Florida, LLC.
5. FY 2023 Utility Fund Replacement Vehicle - Alan Jay Fleet Sales.
6. Recreation Instructor Contractual Payments - McGinnis Tennis.

VIII. Public Period

IX. Decisions

1. Hill Recreation Park Award - Florida Recreation Development Assistance Program (FRDAP).

2. Ordinance Introduction - Chapter 20 Water, Sewers and Sewage Disposal Rates.

X. Discussion

XI. City Manager's Report/City Attorney/Council Reports

XII. 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 26, 2022	MAITLAND FLORIDA	Section: Public Hearing
Department/Office : Administration	AGENDA REPORT	Item #: 1.

Subject:
Resolution Ad Valorem Tax Rate Fiscal Year 2023.

Requested Action or Motion:
After receiving public input, move to adopt a resolution:

(1) Setting the operating millage for the 2022 tax year as 4.3453, which is 11.30% above the rolled-back rate of 3.9043 and

(2) Setting the voted debt millage rate for the 2022 tax year as 0.2180 for a combined total millage rate of 4.5633 mills.

Summary Explanation & Background:
On July 25th, the City Council set the proposed millage rate at 4.3453 and the voted debt millage rate at 0.2180. The rolled back millage rate was set at 3.9043. 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. On September 12, 2022, the City Council held the first public hearing required by TRIM requirements and set the tentative millage rate at 4.3453 and the voted debt millage rate of 0.2180 for a total millage rate of 4.3453. This millage rate only requires a majority vote under the maximum millage rate requirements.

The tentative millage rate of 4.3453 is 11.30% above the rolled back rate of 3.9043.

After taking public input, the Council may adopt the final operating millage rate at or below the tentative millage rate of 4.3453.

Fiscal Impact:
An operating millage rate of 4.3453 generates $14.5M for the General Fund and $1.7M for the CRA Trust Fund. A voted debt millage rate of 0.2180 will generate $812K exclusively for the payment of debt service on the Limited Tax General Obligation Note.

Exhibits:
1. Resolution Millage FY 2023
2. Budget Summary FY 2023
3. TRIM ADS - OSA7269072-1
4. TRIM ADS - OSA7269075-1

Commission/Board: City Council

Contact Person: Mark Reggentin 407-539-6220

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Public Hearing
Department/Office : Administration	AGENDA REPORT	Item #: 2.

Subject:
Resolution Fiscal Year 2023 Annual Budget.

Requested Action or Motion:
After receiving public input, move to approve a resolution adopting the General Fund Budget of $33,057,000; Utilities Fund Budget of $19,607,000; Solid Waste Budget of $3,050,200; and, Stormwater Environmental Utility Budget of $2,057,300; Voted Debt Service Budget of $818,575; and Position Authorization Table for FY 2023.

Summary Explanation & Background:
The General Fund budget workshop was held on July 18th and the Enterprise and Miscellaneous Funds workshop was held on August 1st. On Monday, September 12, 2022, the City Council tentatively adopted a General Fund budget of $33,057,000, an operating millage of 4.3453 and voted debt millage of 0.2180 for a combined millage rate of 4.5633.

General Fund

The tentative General Fund budget for FY 2023 (tax year 2022) is balanced with a tax rate of 4.3453 established by the Council on September 12th. See the attached General Fund budget summary which outlines the revenue and expenditures, as well as the impact on fund balance. The General Fund budget of $33,057,000 is the same as the tentative budget set by the Council. The budget funds one additional Transportation Trades Worker and the changes to the Health Insurance Plan.

Other Budgeted Funds

The **Utilities Fund** budget of $19,607,000 includes capital outlay of $9.5 million, including water line replacement, Water Treatment Plant #6 upgrades and Dommerich Hills Phase 2-4 sewer. The balance of the budget are operating expenses of $8.7 million (personnel costs, wastewater treatment costs at Iron Bridge and Altamonte Springs treatment plants, repair and maintenance, depreciation, and supplies) and $1.4 million for estimated debt service obligations.

The **Solid Waste Fund** budget of $3,050,200 includes $2.2 million in contractual services for solid waste and recycling, hauling and disposal. Contractual services account for 73% of the fund's budget, with the balance consisting of administrative costs, materials and supplies and a payment in lieu of franchise fees to the General Fund.

The **Stormwater Environmental Fee Fund** budget of $2,057,300 includes $660 thousand in capital outlay (32% of the budget), $454 thousand in personnel costs (22% of the budget) and $0.9 million in operating expenditures (46% of the budget). Operating expenditures include: chemicals, drainage repair and maintenance, contracted street sweeping, solid waste disposal, lab and professional fees for

water quality monitoring, aquatic weed control, fuel and power costs, administrative fees, and equipment repair and maintenance.

The **Voted Debt Millage Fund** budget of $816,000 consists entirely of debt service costs related to the Limited General Obligation Note. Fiscal 2023 debt service consists of $254 thousand of interest expense and $565 thousand in principal payments.

Position Authorization Table

There are 253 authorized positions (231 existing full-time, 17 existing part-time, and 5 new full-time positions)
General Fund – 1 Transportation Trades worker
Stormwater Fund - 1 Environmental Specialist
Utilities Fund - 1 GIS Analyst, 1 Project Manager and 1 Wastewater Technician

Two positions remain unfunded:
General Fund - 1 Accountant and 1 Building Inspector

After receiving public input, staff is recommending Council adopt the budget resolution for FY 2023.

Fiscal Impact:
General Fund Budget of $30,466,000; Utilities Fund Budget of $11,761,000; Solid Waste Budget of $2,833,000, and Stormwater Environmental Utility Budget of $1,915,970; and Voted Debt Service Budget of $820,900.

Exhibits:
1. Resolution Budget 2023
2. Budget_Worksheet_23 1 yr

Commission/Board: City Council

Contact Person: Mark Reggentin 407-539-6220

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Public Hearing
Department/Office : Public Works	AGENDA REPORT	Item #: 3.

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

Requested Action or Motion:
Move to adopt an ordinance to vacate and abandon a portion of Lake Catherine Drive, as presented.

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 the public hearing, staff recommends the Council move to adopt an ordinance to vacate and abandon a portion of Lake Catherine Drive, as presented.

Fiscal Impact:
N/A

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

Commission/Board: City Council

Contact Person: Kimberley Tracy 407-539-6216

Reviewed by City Attorney
Jacob Schumer

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: 4.

Subject:
Ordinance Right-of-Way Abandonment - Perry Street (Fords Avenue).

Requested Action or Motion:
Move to adopt an ordinance to vacate and abandon a portion of Perry Street (known as Fords Avenue), as presented.

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 Avenue).

On September 12, 2022, the City Council introduced an ordinance to vacate the referenced portion of Perry Street (known as Fords Avenue).

Staff Recommendation
Staff recommends Council adopt the ordinance to vacate and abandon a portion of Perry Street (known as Fords Avenue).

Fiscal Impact:
NA

Exhibits:
1. ORDINANCE 1409 ROW FORDS (DAS rev)
2. EXHIBIT A - FORDS AVE
3. 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		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: 5.

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

Requested Action or Motion:
Move to adopt an ordinance to vacate and abandon a portion of Howell Branch Road, as presented.

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.

On September 12, 2022, City Council introduced an ordinance to vacate and abandon a portion of Howell Branch Road.

Staff Recommendation

Staff recommends Council adopt the ordinance to vacate and abandon a portion of Howell Branch Road.

Fiscal Impact:
N/A

Exhibits:
1. ORDINANCE ROW HOWELL BRANCH
2. EXHIBIT A - HOWELL BRANCH
3. 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 26, 2022	MAITLAND FLORIDA	Section: Public Hearing
Department/Office : Administration	AGENDA REPORT	Item #: 6.

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

Requested Action or Motion:
Move to adopt 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, as presented.

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

Staff recommends Council adopt 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 Ord.

Commission/Board: City Council

Contact Person: Mark Reggentin 407-539-6220

Reviewed by City Attorney
Cliff Shepard

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Public Hearing
Department/Office : Finance Department	AGENDA REPORT	Item #: 7.

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

Requested Action or Motion:
Move to adopt an ordinance granting a non-exclusive franchise agreement to We Got This Hauling LLC., as presented.

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 approve the ordinance granting a non-exclusive franchise agreement to We Got This Hauling LLC.

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 26, 2022	MAITLAND FLORIDA	Section: Public Hearing
Department/Office : Administration	AGENDA REPORT	Item #: 8.

Subject:
Ordinance Charter Amendments 2023 General Municipal Election.

Requested Action or Motion:
Move to adopt an ordinance providing charter amendments to the voters at the next municipal election, scheduled on March 14, 2023, as presented.

Summary Explanation & Background:
The City Council has reviewed and considered several recommended charter questions since October 11, 2021. Most recently, on September 12, 2022, the City Council introduced an ordinance providing the six (6) final charter questions. These six (6) 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 (ineligible for one election cycle). Example: Jane Smith's second 3-year term as mayor concluded April 11, 2022. Jane 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 initial statement in this section of the Charter states that the vice mayor will become mayor for the remainder of the unexpired term. The last sentence of the section states that vice mayor shall assume all duties of the mayor until the next scheduled municipal election for the mayoral seat. By removing the last sentence, the conflict will be addressed and the vice mayor will take the place of the Mayor and serve out the remainder of his or her term as mayor.

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. Providing for Run-offs, Timing thereof and Tie-Breaking: Discussed by the Charter Review Commission and recommended by staff to eliminate the provision for a run-off election and allow candidates to be elected by purality. After discussion by the Council, the direction was to provide a minimum percentage of at least 35% of votes cast to be elected. The current amendment would only eliminate a run-off election when a candidate receives 35% or more of votes cast. If no candidate receives the 35% minimum, there would be a run-off between the two candidates receiving the highest total number of votes cast. In the event that two candidates receive the same number of votes during

any election, the drawing of lots would be used to break the tie.

5. Petitions, Oath, Qualifying: Recommended by staff to utilize the statutory candidate 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 Supervisor of Elections 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 and themselves or refer to the title of position being referenced.

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

Staff recommends the adoption of the proposed charter amendments ordinance and submission to the voters at the next municipal election scheduled for March 14, 2023.

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

Exhibits:
1. Charter Amendment Ordinance 1413 - September 26
2. All PROPOSED Changes September 26

Commission/Board: City Council

Contact Person: Lori Hollingsworth 407-539-6219

Reviewed by City Attorney
Cliff Shepard and Jacob Schumer.

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.

Subject:
City Council Meeting Minutes of September 12, 2022.

Requested Action or Motion:
Move to approve the City Council Meeting Minutes of September 12, 2022.

Summary Explanation & Background:

Fiscal Impact:
N/A

Exhibits:
1. Draft CC Minutes 9122022

Commission/Board: City Council

Contact Person: Lori Hollingsworth 407-539-6219

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Finance Department	AGENDA REPORT	Item #: 2.

Subject:
Fiscal Year 2022 Auditor Communication Letter - Carr, Riggs & Ingram, LLC.

Requested Action or Motion:
Move to receive 2022 Auditors Communication Letter, as presented.

Summary Explanation & Background:
The City Council engaged the independent certified public accounting firm of Carr, Riggs & Ingram (Auditors), to perform the annual audit of the City of Maitland.

Auditors are required to make certain communications to "those charged with governance" – that is, the elected officials with responsibility for overseeing the strategic direction of the City and obligations related to the accountability of the City.

The engagement letter covers:

- Audit Scope and Objectives
- Auditors' Responsibilities for the Audit of the Financial Statements and Single Audit
- Audit Procedures - Internal Control
- Audit Procedures - Compliance
- Compliance with Chapter 10.550, Rules of the Auditor General
- Other Services
- Responsibilities of Management for the Financial Statements and Single Audit
- Engagement Administration, Fees, and Other
- Reporting

Attached to this agenda report is an electronic copy of the engagement letter, to be signed by the Interim City Manager.

Fiscal Impact:
n/a

Exhibits:

Commission/Board: City Council

Contact Person: Jerry Gray 407-539-6201

Reviewed by City Attorney
n/a

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 3.

Subject:
Art and History Museum Roof Repairs - Johnson-Laux Construction, LLC.

Requested Action or Motion:
Move to authorize the Interim City Manager to execute a contract with Johnson-Laux Construction, LLC for replacement and repairs of multiple roofs throughout Art and History Museum complex, in the amount of $139,663.46 plus a 10% contingency.

Summary Explanation & Background:
On February 28, 2022, City Council authorized a contract with Johnson-Laux Construction, LLC for Job Order Contracting (JOC) on multiple City projects. Johnson-Laux Construction, LLC has provided a proposal based on this contract for multiple roof replacement and skylight repair projects for Art and History buildings. Staff recommends moving forward with this proposal to address needed roof replacements/repairs for the Mactes building, main garden restrooms, breezeway, chapel, carport, and the gallery skylight . The combined cost of these projects in this proposal is $139,663.46 and does not include a contingency. Due to recent material and supply fluctuations, staff is recommending a 10% contingency fund be added to the project in the amount of $13,966.54, for a total project cost of $153,630.00.

Staff recommends City Council to authorize the Interim City Manager to execute the contract with Johnson-Laux Construction, LLC for the roof replacements and repairs at the Art and History Museum, in the amount of $139,663.46 and approving a 10% contingency.

Fiscal Impact:
Funds are available in General Fund 01731573-53460 Project # CF001.

Exhibits:

Commission/Board: City Council

Contact Person: Christopher Kennedy (407) 539-6217

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Parks & Recreation	AGENDA REPORT	Item #: 4.

Subject:
Ft. Maitland Park Easement Agreement - Duke Energy Florida, LLC.

Requested Action or Motion:
Move to authorize the Mayor to execute the Ft. Maitland Park easement agreement with Duke Energy Florida, LLC., as presented.

Summary Explanation & Background:
Ft. Maitland Park, currently under reconstruction, has not had significant upgrades since the property was first acquired by the City in 1977. Part of the updates at the park include improved electrical service to the site to adequately provide for all current and foreseeable future needs. These updates are to the primary service line to feed the park which is required to be installed by Duke Energy. As part of any Duke Energy project, a 10 ft. easement area over the installed line is required so that Duke staff and equipment can access the electrical infrastructure if the line is in need of repair or replacement. The attached schematic shows the location of the new underground line in yellow at the southern boundary of the property. An easement agreement has been prepared to address this requirement and has been attached for review.

This easement agreement has been reviewed by staff and legal counsel and it is recommended that the Mayor be authorized to execute the Duke Energy Easement Agreement for Ft. Maitland Park.

Fiscal Impact:
n/a

Exhibits:
1. Ft. Maitland Electric Schmatic
2. Duke Energy Easement

Commission/Board: City Council

Contact Person: Jay Conn 407-539-6264

Reviewed by City Attorney
Jacob Schumer

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 5.

Subject:
FY 2023 Utility Fund Replacement Vehicle - Alan Jay Fleet Sales.

Requested Action or Motion:
Move to authorize the purchase of a FY23 scheduled Utility replacement vehicle for $50,255.00, through Alan Jay Fleet Sales utilizing Sourcewell contract # 2023-091521 NAF and 060920 NAF awarded to National Auto Fleet Group.

Summary Explanation & Background:
The FY 2023 budget includes funding for a Utility Fund scheduled replacement service vehicle #195 Line Item 41303533-566400-VE001. However, due to current supply chain issues of receiving vehicles, we are requesting approval to purchase the replacement in advance. The replacement is proposed to be a 2023 GMC Sierra 2500HD Double Cab.

This vehicle can be purchased through a Sourcewell contract with Alan Jay Fleet Sales, which is the authorized dealer for National Auto Fleet Group in Central Florida. Approving the purchase of this vehicle at this time allows the City to reserve this specific vehicle from Alan Jay's projected inventory during the current purchasing window as designated by the manufacturer. This reduces the additional delay in ordering, lessening the impact of the growing lead time due to supply shortages. Capital funds will be reallocated in the FY 2022 budget to cover the FY 2022 Purchase Encumbrance and transfer the Capital Vehicle funds in FY 2023 when FY 2023 budget becomes available.

In consideration of our City's sustainability program, the Public Works Department has evaluated the availability of electric or hybrid electric vehicles for consideration for City vehicle purposes. There is not currently an electric or hybrid option for a vehicle this size and capabilities; therefore, staff recommends moving forward with the purchase of the gas-powered GMC Sierra.

Staff recommends approval for the purchase of this vehicle from Alan Jay Fleet Sales utilizing Sourcewell contract # 2021-120716 NAF, 2022-120716 NAF, and 060920 NAF for the amount of $50,255.

Fiscal Impact:
Capital Funding is available in FY22 Utilities Fund capital.

Exhibits:

Commission/Board: City Council

Contact Person: Christopher Kennedy (407) 539-6217

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Parks & Recreation	AGENDA REPORT	Item #: 6.

Subject:
Recreation Instructor Contractual Payments - McGinnis Tennis.

Requested Action or Motion:
Move to approve all payments to Donnie McGinnis not to exceed 85% of the total fees received for the Parks and Recreation Department tennis instructional program.

Summary Explanation & Background:
The City of Maitland purchasing policy requires that all purchases in excess of $50,000 be approved by the City Council. Department requests After-The-Fact approval for payments and commitments to program instructor in the Parks and Recreation Department requiring Council approval during the 2022 fiscal year.

Donnie McGinnis provides tennis instruction to youth and adult groups and individuals and is contracted to be paid 85% of the program registration fees received for this instruction. Staff requests City Council to authorize disbursement of funds to Mr. McGinnis which exceeded the $50,000 threshold but will not be in excess of 85% of the total registration fees received for the tennis program. All recreation contractor payments are revenue neutral to the general fund and are only paid in accordance with the fees received for each program.

Fiscal Impact:
Budgeted in 01276575-535230-TN###

Exhibits:

Commission/Board: City Council

Contact Person: Jay Conn 407-539-6264

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Decisions
Department/Office : Parks & Recreation	AGENDA REPORT	Item #: 1.

Subject:
Hill Recreation Park Award - Florida Recreation Development Assistance Program (FRDAP).

Requested Action or Motion:
Move to authorize the Mayor to accept the $50,000 award from the Florida Recreation Development Assistance Program (FRDAP) for Hill Recreation Park.

Summary Explanation & Background:
The City of Maitland has been awarded $50,000 to reimburse a portion of the expenses of the recent improvements to Hill Recreation Park by the Florida Recreation Development Assistance Program (FRDAP), a grant funding program for local governments managed by the Florida Department of Environmental Protection. Execution of the attached agreement is required to accept these funds. It should be noted that one of the requirements in accepting this award is that the entirety of the site must be dedicated in perpetuity as an outdoor recreation site (please see agreement Attachment 6, page 2, item #10). The site is a designated Heritage Land under the Charter. With this designation, the use of recreation may not be changed without receiving prior approval from the citizens of Maitland via referendum. Because this site is in the middle of a tightly condensed residential neighborhood which is accessible only by narrow residential roads, it is not envisioned that another more intense use such as a fire station or public works compound would ever be appropriate at this location. Additionally, if the city were to propose a sale of the property, that must also be approved by the residents of Maitland through a referendum. The current use of the site as a neighborhood park is the most appropriate use of this particular site based upon its location and the limited park land available in this area of the city.

Staff recommends that the Mayor be authorized to execute the agreement with the Department of Environmental Protection to accept the FRDAP grant award.

Fiscal Impact:
Addition of $50,000 to the General Fund

Exhibits:
1. A3065 - Hill Rec. Park Imprvmnts - MERGED AGREEMENT

Commission/Board: City Council

Contact Person: Jay Conn 407-539-6264

Reviewed by City Attorney
Cliff Sheppard

MEETING DATE		AGENDA
September 26, 2022	MAITLAND FLORIDA	Section: Decisions
Department/Office : Finance Department	AGENDA REPORT	Item #: 2.

Subject:
Ordinance Introduction - Chapter 20 Water, Sewers and Sewage Disposal Rates.

Requested Action or Motion:
Move to introduce an ordinance adopting the utility fee schedule and set the public hearing date for October 10, 2022.

Summary Explanation & Background:
The City engaged GovRates to perform a Water and Sewer Rate Study and attached is a summary of the study results. At the July 11, 2022 City Council Meeting, Bryan Mantz from GovRates presented the results of the study, which included an overview of the City's utility and current rate structure, as well as rate guiding principles, a survey of surrounding municipality rates and proposed rate recommendations for recurring monthly charges and connection fees. GovRate's rate study concluded that revenues under existing rates are insufficient to meet all the revenue requirements of the Utility Fund and recommended adoption of rates.

As a part of the presentation, it was recommended to adopt the new rates and charges through a resolution rather than by ordinance and on August 8, 2022, Council adopted the respective ordinance and resolution. However, subsequently, while staff was performing a City Charter review, it was noted that City Charter Sec. 2.12 - Action requiring an ordinance (5) Regulate the rate charged for its services by a public utility, does not permit the utility rates by Resolution; therefore, staff is bringing forth the attached ordinance and Fee Schedule with revisions shown in Strike-through (deletions) and Underline (additions).

With the exception of the items noted below, there are no changes to rates previously approved. This is an administrative change to re-establish the rates charged by the public utility, previously adopted by Resolution, to an Ordinance, and to address the following:

- Sections 20-18 and 20-62, added Deposit, and provision is added to round up the deposit amount to an increment of $5.00. This avoids amending deposit amounts annually and simplifies the customer experience when opening an account while providing a simpler accounting within the utility fund.
- In Section 20-19, a paragraph is added to provide the Public Works Director with the authority to determine an appropriate base service charge when there are multiple services provided by the same Primary Line, (ie. Water and Fire Line). This allows the city to adjust availability fees for customers that share a fire line for potable water supplies.
- Sections 20-19 and 20-57, added the 25% out of City surcharge; added Cost Index increase for FY 2028 and beyond.

- The schedule was missing the AMI monthly read fee of $30.00. This fee was previously adopted for customers that opted out of the radio read meter system and require manual reading of meters.
- The schedule added a third party billing fee (services billed by other entity) to allow for actual costs.

City staff recommends City Council introduce an ordinance implementing GovRate's recommendations to amend Chapter 20 of the City Code, and to set the public hearing and adoption date for October 10, 2022. Once adopted, rates will become effective November 1, 2022.

Fiscal Impact:
The fee structure adopted will fund the water and sewer operating and capital fund.

Exhibits:
1. Ordinance 140_ Water Sewer Rates Strike through Underline

Commission/Board: City Council

Contact Person: Jerry Gray 407-539-6201

Reviewed by City Attorney
Jacob Schumer