



**City Council
October 10, 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 Chapter 20 Water, Sewers and Sewage Disposal Rates.
- V. Old Business
- VI. Consent Agenda
 1. City Council Meeting Minutes of September 26, 2022.
 2. Emergency Procurement Debris Removal, Disposal & Monitoring.
- VII. Public Period
- VIII. Discussion
 1. Proposed Electrical Upgrades to the Dommerich Area.
- IX. City Manager's Report/City Attorney/Council Reports
- X. 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
October 10, 2022		Section: Public Hearing
Department/Office : Finance Department	AGENDA REPORT	Item #: 1.

Subject:

Ordinance Chapter 20 Water, Sewers and Sewage Disposal Rates.

Requested Action or Motion:

Move to adopt an ordinance adopting the utility fee schedule as presented.

Summary Explanation & Background:

The City engaged GovRates to perform a Water and Sewer Rate Study and at the July 11, 2022 City Council Meeting, Bryan Mantz from GovRates presented the results of the study. Included was 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, (i.e., 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 service 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.
- Added section 20-63. Adjustments of Water and Sewer Charges

City staff recommends City Council adopt an ordinance implementing GovRate's recommendations to amend Chapter 20 of the City Code, as presented. 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 1414 Water Sewer Rates Strike through Underline (1)

Commission/Board: City Council

Contact Person: Jerry Gray 407-539-6201

Reviewed by City Attorney
Jacob Schumer

MEETING DATE		AGENDA
October 10, 2022		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.
Subject: City Council Meeting Minutes of September 26, 2022.		
Requested Action or Motion: Move to approve the City Council Meeting Minutes of September 26, 2022.		
Summary Explanation & Background:		
Fiscal Impact: N/A		
Exhibits: 1. CC Draft Minutes 09262022		
Commission/Board: City Council		
Contact Person:		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
October 10, 2022		Section: Consent Agenda
Department/Office : Finance Department	AGENDA REPORT	Item #: 2.
Subject: Emergency Procurement Debris Removal, Disposal & Monitoring.		
Requested Action or Motion: Move to approve the Emergency After-the-Fact approval for Debris Contract, Monitoring and Debris Disposal.		
Summary Explanation & Background: This is an After-the-Fact approval due to the timing and development of Hurricane Ian. On July 23, 2018, City Council approved the Debris Hauling and Disposal contract to DRC Emergency Services and the Monitoring contract to True North Emergency Management. Both contracts are for 5 years. Compensation is based on services rendered. The DRC contract rates are pursuant to the proposal pricing included in the RFP Response, including or excluding reimbursable expenses as mutually agreed upon. One cost that is designated as a pass through cost is that of the final disposal site for the debris. Based on the severity and impact of Hurricane Ian and through discussions with DRC, it has been determined that the most cost effective and expedient disposal of debris, is to direct haul the debris to a landfill, bypassing the need to activate a reduction site to accumulate debris, grind to mulch, and transport it to a final disposal site. In evaluating four local debris disposal locations available to the City (Orange County, Seminole County, Waste Management, and Mid-FL Materials), the City attempted to contact all sites and was able to get in contact with Orange County, Waste Management and Mid Florida to determine pricing and access/availability. Primarily, time is of essence as the FEMA reimbursement period for costs associated with Hurricane Ian is limited to the first 30 days to be eligible to receive 100% reimbursement. It was determined that the closer location of all four sites was Waste Management's Vista Landfill in Apopka, which will allow for the debris to be collected and disposed of in the quickest manner. Although the lowest tip fees are at Orange County Landfill, the Operations Manager requested that we find an alternative solution due to the high traffic into/out of their landfill causing at least a 1 hour wait time for each load to get in to dump. Currently, total debris cleanup costs are estimated to be less than \$400,000 for all contracts, we request approval to issue Purchase Orders to the respective contractors in order to return the City to pre-hurricane Ian conditions.		
Fiscal Impact: \$500,000 of which up to 100% may be eligible for reimbursement by Federal and State funding, with the balance coming from the City's Emergency Fund Balance Designation.		
Exhibits: - Debris Disposal - Chapter 20 Emergency Purchase -Landfill		

Commission/Board: City Council
Contact Person: Kimberley Tracy 407-539-6216
Reviewed by City Attorney N/A

MEETING DATE		AGENDA
October 10, 2022		Section: Discussion
Department/Office : City Manager	AGENDA REPORT	Item #: 1.

Subject:

Proposed Electrical Upgrades to the Dommerich Area.

Requested Action or Motion:

Staff is seeking direction regarding how to proceed on the projects referenced below.

Summary Explanation & Background:

City staff have been engaging Duke Energy in conversations on the potential of undergrounding the electric system in the Dommerich Estates neighborhood since 2018. At a meeting in late July, Duke Energy representatives informed the city that they are moving forward with an undergrounding/hardening project for their system within the Dommerich Estates area in early 2023. The project consists of hardening main lines by replacing the existing overhead lines with larger and taller poles and burying distribution lines. The goal of the project is to provide improved reliability to the service area, which includes eliminating many aerial lines currently located in backyards between properties where tree coverage consistently interferes with the system.

Duke Energy will be implementing this plan with their own funding and at no charge to the city. Duke informed staff that if the city prefers to underground the aerial lines that they plan to harden, staff will need to inform them as soon as possible in order for them to include this change in their construction plans. This would require the city to pay for the difference between the cost of their project and the cost to fully underground all of their systems. Attachment 1 shows the extent of the project. The lines shown in green indicate lines that are currently underground. The lines shown in blue indicate the distribution lines that will be buried at Duke Energy's cost. The lines shown in red indicate the lines that will be hardened overhead. Duke Energy's estimated cost for the project is \$6.3 million. Duke Energy's current estimated cost to the city for the burial of the lines that Duke Energy plans to harden is \$900,000. These estimated costs only cover the amount that would be paid to Duke Energy for the burial of the overhead lines that are currently proposed to be hardened.

The second phase of the project is the meter conversion. The city would be responsible for paying for and coordinating all customer meter conversions relating to the lines that the city would pay to bury. Attachment 2 shows the residences that the city would be responsible for meter conversions. If the city were to undertake this portion of the project, it would include soliciting a contract for an electrical contractor or coordinating with the non-regulated division of Duke Energy to provide the service, obtaining rights-of-entry on each property, and ensuring the sites are restored. These costs could range from \$141K – \$178K depending upon the contractors' cost for conversion. Residents served by the Duke Energy portion of the project (blue lines) would not be charged for their meter conversions.

If the city does not take on the meter conversion responsibility, the conversion would be up to the property owner. Duke Energy would coordinate the change out with the owner for the tie-in once the owner completed their meter conversion. If the property owner did not coordinate with Duke Energy

in a timely manner, Duke Energy would place a pole in the right-of-way which would be fed from the underground line in front of the property and tie the line in aerially to the existing meter. Any damage to the line past the pole would be the responsibility of the property owner and any outages at service connections are last in line of Duke Energy's priorities to be fixed.

The third phase of the project is to address joint users on the poles. In Maitland, this is typically Spectrum and Centurylink. At the locations where Duke Energy converts their lines underground, they typically will cut the top off of the existing pole after they have removed their lines and transfer the ownership to one of the other co-locators. If the decision is made to underground the co-locators, the city would also be responsible for working with the co-locators and paying to have them buried. For the Duke Energy poles that are proposed to be hardened, the co-locators are required to relocate to the new poles. Although Duke Energy will remove the poles, there is a process that must be followed and can sometimes take 1-2 years before the poles can be removed.

According to Duke Energy, the greatest benefit of undergrounding the entire system within Dommerich is that the east and west sides of Dommerich Estates will be looped together. This means, in most cases, if an outage occurs on one side, the feed from the other side will pick up the load to maintain power. Staying overhead will not provide the same benefit as Dommerich Drive will be solely on one feeder and Seneca Trail would maintain its existing tie to only one other feeder.

Although undergrounding the entire area would provide the benefit of having a looped system, the incremental benefit in reliability to burying lines that Duke Energy would otherwise rebuild with a hardened overhead line is nominal. While the number of outages would be generally fewer with underground, the time to restore will likely be greater because it's easier to locate and access faults on an overhead line versus an underground line. However, this particular project would also loop the two sides of Dommerich Estates together, allowing for greater flexibility to switch a bad/damaged section of underground line out of the system to maintain power for all during repairs. Due to the wide range of possible events that may cause an outage, Duke Energy cannot provide numerical estimates of the net benefit without a great deal of speculation.

Dommerich Estates should see improved reliability due to Duke Energy's project without any cost expended by the city or the customer. If the City Council chooses to move forward with the additional undergrounding, staff will need to notify Duke Energy immediately and develop a plan on how to fund and accomplish the city's portion of the project.

As you may recall, during the last budget year funds were budgeted for a city-wide undergrounding plan. This issue was discussed with the Duke Energy team during our meetings on the Dommerich project. Based upon these discussions, we learned that developing a city-wide undergrounding project for the electrical system is more complex than other utilities. However, in response to the city's concerns, Duke shared additional plans for undergrounding and hardening scheduled for next year. In addition to the Dommerich project, the following projects are planned:

1. Hardening of Wigwam Pl.
2. Hardening of Minnehaha Shores (Minnehaha Circle and Kyle Drive)
3. Undergrounding of Maitland Isle (Mariner Way, Shell Point East and West)
4. Hardening of Delroy Park (East, West and South Trotters and Adios Ave.)
5. Hardening of West George Ave., West Sybelia Ave., Hillcrest Ave., and Hillman Ave.
6. Undergrounding of Hope Terrace
7. Undergrounding of Lake Sybelia Shores (Pryde Dr. and Wolsey Dr.)
8. Undergrounding of Maitland Woods

9. Undergrounding of Lake Colony
10. Hardening of Sandspur Road
11. Hardening of Maitland Avenue from Horatio to Maitland Boulevard
12. Hardening of Horatio from Maitland Ave. to the city limit

These were provided to determine if and how they could provide guidance on furthering a city-wide undergrounding plan. As Duke Energy evaluated Dommerich Estates, the city requested that they evaluate Minnehaha Shores. Because they were directly adjacent, the city surmised that they would share similar electrical feeds and could be included in the Dommerich project. This turned out not to be the case. However, they provided an estimate of the underground costs for the subdivision of \$200,000. As with portions of Dommerich Estates, the city would be responsible for meter conversions. Cost of meter conversions is estimated between \$87K– \$110K for Minnehaha Shores, based on the number of conversions that would be required.

The staff is seeking direction regarding how to proceed with the above-referenced projects.

Fiscal Impact:

Variable dependent upon the options selected

Exhibits:

1. Att 1 Duke Undergrounding Dommerich
2. Att 2 Dommerich City Meter Conversion

Commission/Board: City Council

Contact Person: Mark Reggentin 407-539-6220

Reviewed by City Attorney

N/A