



**City Council
Amended Approved
Minutes
December 12, 2022
Council Chambers
6:30 PM**



I. CALL TO ORDER

Present: 5 - Councilmember Lori Wurtzel, Councilmember Vance Guthrie, Councilmember Michael Wilde, Vice-Mayor Lindsay Hall Harrison, Mayor John Lowndes

Absent: 0 -

Mayor Lowndes called the December 12, 2022 meeting to order at 6:32pm. Staff also in attendance: Interim City Manager Reggentin, City Clerk Hollingsworth, City Attorney Shepard, Finance Director Gray, Parks and Recreation Director Conn, Public Works Director Tracy, Community Development Director Matthys, Human Resources/Risk Management Director Gondar, Fire Chief Watts, Police Chief Manuel, Public Information Officer Sargent, and Fiscal Assistant Cordero.

II. INVOCATION - DALE MCDONALD

Dale McDonald gave the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Lowndes led the Pledge of Allegiance.

IV. PRESENTATIONS

1. EMPLOYEE OF THE QUARTER JULY 1 - SEPTEMBER 30, 2022

Mayor Lowndes read aloud a short biography introducing Senior Accountant Jason Johnson, who was unable to attend, as the Employee of the 3rd Quarter. He thanked and congratulated Senior Accountant Johnson for his ongoing efforts as a superb representative of the City of Maitland. Accepting on behalf of Jason Johnson, Finance Director Gray expressed gratitude and admiration for Jason's commitment to the City of Maitland and will convey City Council's best wishes to Jason.

V. OLD BUSINESS

There was none to report.

VI. CONSENT AGENDA

Mayor Lowndes opened the public comment period for Consent items #2 through #8.

There being no one who wished to speak, Mayor Lowndes closed the public comment period.

A motion was made to approve the Consent agenda as presented.

RESULT:	Approve
MOVER:	Councilmember Vance Guthrie
SECONDER:	Councilmember Michael Wilde
AYES:	Lori Wurtzel, Vance Guthrie, Michael Wilde, Lindsay Hall Harrison, John Lowndes
NAYS:	None

- 1. CITY COUNCIL MEETING MINUTES OF NOVEMBER 14, 2022**
Approve the City Council meeting minutes of November 14, 2022.
- 2. PROFESSIONAL SERVICES AGREEMENT AMENDMENT FOR SCHOOL ZONE CROSSING BIDDING AND CONSTRUCTION SERVICES - NEEL-SCHAFFER**
Authorize the Interim City Manager to execute an amendment to Neel-Schaffer's contract for School Zone Signing and Pavement Marking Design for a time and materials cost, not to exceed \$10,000.
- 3. PROFESSIONAL SERVICES AGREEMENT AMENDMENT FOR ART & HISTORY CENTER - DRMP, INC.**
Authorize the Interim City Manager to execute the professional engineering services amendment with DRMP, Inc. for additional structural design for Art & History Center in the amount of \$14,103.50.
- 4. PROFESSIONAL SERVICES AGREEMENT COMPUTER NETWORK UPGRADES - GREYSON TECHNOLOGIES**
Authorize the Interim City Manager to execute the professional services agreements with Greyson Technologies for the implementation of City Hall computer network upgrades including design, engineering, acquisition and installation of equipment and software in the amount of \$581,775.88.
- 5. CITY-WIDE JANITORIAL SERVICES CONTRACT - HALO BUILDING SERVICES, LLC**
Authorize the Interim City Manager to execute a term contract with Halo Building Services, LLC for two (2) years, with an option to renew for three (3) additional one (1) year periods.
- 6. INTERLOCAL AGREEMENT WITH CITY OF APOPKA - FIREARMS RANGE**
Authorize the Mayor to execute the Interlocal Agreement with the City of Apopka for the use of their firearms range as presented.
- 7. RECREATION INSTRUCTOR CONTRACTUAL PAYMENTS**
Approve payments to Donald McGinnis and Whitney Tossie that may exceed \$50,000 for the youth tennis and basketball programs in the 2023 fiscal year.
- 8. FY 2023 REPLACEMENT VEHICLES - ENTERPRISE FM TRUST**

Authorize lease of 13 vehicles (10 scheduled FY23 vehicle replacements and 3 temporary leases) utilizing Enterprise Leasing in the amount not to exceed \$603,000 for replacements and \$105,000 for temporary leases for the Police Department.

VII. PUBLIC PERIOD

Mayor Lowndes requested public comment.

Shirley Welch, 530 Pawnee Trail, had inquiries regarding the hardening / undergrounding project. Ms. Welch was advised by Mayor Lowndes this public period is for items not on tonight's agenda and she would have the opportunity to speak during the public comment period for Decision item # 3 Storm Protection Plan Undergrounding / Hardening Project - Duke Energy.

There being no one who wished to speak, Mayor Lowndes closed the public comment period.

VIII. DECISIONS

1. LAKES ADVISORY BOARD APPOINTMENT (2)

City Clerk Hollingsworth advised that the Lakes Advisory Board (LAB) has two (2) vacancies. The term of Doris Houck will expire in December, 2022, and the term of Gary Bosses will expire in January, 2023. In accordance with the LAB bylaws, members shall serve for a term of three (3) years and may be re-appointed by council for one (1) successive term. Doris Houck has served as appointed a vacant unexpired term and one (1) full term. She is not seeking re-appointment on LAB at this time. Gary Bosses has served two full terms on the LAB and is not eligible for re-appointment at this time.

The following applicants reflect the Lakes Advisory Board as their:

Second (2nd) Choice

David Guber
Gregory Hardwick
Colleen Lilling

The City Council is requested to make two (2) appointments to serve for a three-year term, beginning January 2023, and expiring December 2026 2025.

Mayor Lowndes requested nominations for the first appointment to LAB. Councilmember Guthrie nominated Colleen Lilling. The nomination received a second from Vice Mayor Hall Harrison and a third from Councilmember Wilde. Mayor Lowndes declared Colleen Lilling appointed to the Lakes Advisory Board to serve for a three-year term, beginning January 2023, and expiring December 2026 2025.

Mayor Lowndes requested nominations for the second appointment to LAB, Councilmember Guthrie nominated Gregory Hardwick. The nomination received a second from Councilmember Wurtzel and a third from Councilmember Wilde. Mayor Lowndes declared Gregory Hardwick appointed to the Lakes Advisory Board to serve for a three-year term, beginning January 2023, and expiring December 2026 2025.

2. ORDINANCE INTRODUCTION CREATING ARTICLE V SPECIAL ASSESSMENTS WITHIN CHAPTER 2 ADMINISTRATION

City Clerk Hollingsworth read aloud, by title, an ordinance of the City of Maitland, Florida, creating Article V, Special Assessments, within Chapter 2 of the Code of Ordinance; providing for findings; providing for conflicts; providing for severability; providing for codification; and providing for an effective date.

Interim City Manager Reggentin stated that as requested by the City Council at the November 14th meeting, the City Attorney has prepared an ordinance to provide the city with the opportunity to assess property owners for infrastructure improvements. The ordinance follows the same basic procedures as outlined in Chapter 170 of the Florida Statutes. As discussed at the November meeting, this ordinance provides an additional tool in the city's tool box to recoup costs associated with capital improvements.

Mayor Lowndes opened the public comment period.

Dale McDonald, 108 Tangelo Court, posed a question as to the existing ordinance that allowed for special assessments, in particular for Greenwood Gardens.

Mayor Lowndes affirmed that this is an ordinance introduction and there is no ordinance currently enacted for special assessments.

City Attorney Shepard stated Florida Statutes allowed for the special assessment of Greenwood Gardens.

There being no one else, Mayor Lowndes closed the public comment period.

A discussion ensued by the Council.

After a brief discussion, a motion was made to introduce an ordinance creating Article V Special Assessments within Chapter 2 Administration, and setting the public hearing and action date for January 9, 2023.

RESULT: Introduce

MOVER:	Councilmember Lori Wurtzel
SECONDER:	Councilmember Vance Guthrie
AYES:	Lori Wurtzel, Vance Guthrie, Michael Wilde, Lindsay Hall Harrison, John Lowndes
NAYS:	None

3. STORM PROTECTION PLAN UNDERGROUNDING / HARDENING PROJECT - DUKE ENERGY

At the City Council meeting on November 14, 2022, the City Council discussed several options regarding the proposed Duke Energy undergrounding and hardening projects scheduled for 2023. Staff requested that the Council provide staff direction regarding a policy approach to addressing the projects. The three options presented were:

1. Allow Duke Energy to proceed with the identified projects per their design.
2. Address each project/street independently and fund them individually.
3. Establish/develop an undergrounding program for all lines that are proposed to be hardened and provide funding.

The direction of the Council was to focus on options 1 and 3. However, there were several questions that the Council wanted answered prior to making a decision. The questions are:

1. Why were the streets to the north of the Dommerich project area not included?
2. Was there any opportunity for funding through the Infrastructure Investment and Jobs Act (IIJA)?
3. What are the costs of undergrounding the Horatio Avenue, Maitland Avenue and Sandspur Road corridors?
4. Was there any flexibility in the December 31st deadline for a decision?
5. What would be the cost of a public involvement process to gauge interest in participating in the projects?

These first 4 questions were presented to Duke Energy for response. The responses are outlined below.

1. The streets north of the Dommerich project area (Thunderbird, Geronimo, Mojave and Tuckaseegee Trails) are fed from a different substation. Duke Energy is coordinating projects based on the substation that feeds the system. These streets are fed from

the Casselberry substation. Improvements to the Casselberry substation system are scheduled in the future.

2. City staff spoke with Duke Energy's Lead for the Infrastructure Investment and Jobs Act (IIJA). Much of the funding through the IIJA is to assist in the transition to clean renewable energy sources and to reduce the impact on the environment. However, there is funding available for resiliency programs. Section 40103 (b) of the IIJA is known as the Grid Resiliency and Innovation Partnerships (GRIP) program. This program has grant opportunities for resilience and innovation projects nationwide. Local governments are eligible to apply. In general, the program is described as follows:

- Section 40103(b): Grid Innovation Program - Provide financial assistance to one or multiple states, tribes, local governments, and public utility commissions to collaborate with electric sector owners and operators to deploy projects that use innovative approaches to transmission, storage, and distribution infrastructure to enhance grid resilience and reliability.
 - The Federal allocation for the program is \$50-\$250 million (4-40 awarded nationwide; very competitive)
 - DOE is interested in both technical and non-technical approaches that improve grid reliability and resilience on a local, regional, and interregional scale.
 - The applicant must demonstrate innovative approaches to transmission, storage, and distribution infrastructure to harden and enhance resilience and reliability.
 - The following domestic entities are eligible to apply: a state; a combination of 2 or more states; an Indian Tribe; a unit of local government; and a public utility commission.
 - 50% cost share requirement.

The deadline to apply for these grants is December 16, 2022. The initial step in the application process is to provide a Concept Paper to the Department of Energy. The requirements for the Concept Paper are included. The DOE strongly suggests that the initial step in the application (Concept Paper) be submitted 48 hours prior to the deadline. Rules and requirements for the entire GRIP program are included.

3. Cost estimates for corridor undergrounding are as follows:

- a. Horatio Avenue - \$1.5 million
- b. Maitland Avenue - \$800,000
- c. Sandspur Road - \$1.9 million

4. Duke Energy has indicated that there is some flexibility with the December 31st deadline. Based upon discussions with their contractors, project commencement can be delayed until April 30th. In the interim, if the city were to decide to move forward with any projects, Duke Energy would require the city to sign a letter of commitment to do the projects. If a letter of commitment is signed, the Council would determine which, if any, projects to move forward and when. However, this would take the projects off of the 2023 project schedule. Duke Energy has stated that they are willing to work with the city on the scheduling of the projects. However, if the city were to commit to a project and later determine not to fund it, no improvements would be made to the neighborhood and the existing poles would remain without hardening or undergrounding.

Staff contacted the company that assisted with the public opinion assessment for the library project.

5. Within either timeframe outlined by Duke Energy, there is little opportunity for a meaningful public outreach process. They indicated that they could provide us with a similar service to gauge public opinion. The cost of this service would be approximately \$20,000.

The City Council discussed the option of assessing residents for undergrounding of the electrical system. Based upon the information that Duke Energy has provided, staff has evaluated the approximate assessment per home. This is included in the table below.

Neighborhood	# of Homes	Cost for Undergrounding	Cost Per Home*
Minnehaha Shores	56	\$200,000	\$3,571
Delroy Park	49	\$315,000	\$6,428
W. George Avenue	12**	\$28,000	\$2,333
W. Sybelia Aavenue	16**	\$32,000	\$2,000
Hillcrest Avenue	18**	\$65,000	\$3,611
Hillman Avenue***	3**	\$220,000	\$73,333
Dommerich (Blue Lines)	341	\$0	\$0
Dommerich (Red)	99	\$900,000	\$9,090
Dommerich (All)	440	\$900,000	\$2,045
Gem Lake Drive	14	\$50,000	\$3,571
TOTAL		\$1,810,000****	

* Cost does not include meter conversion.

** Number of homes estimated.

*** Hillman Avenue appears to function primarily as a branch line with few direct connections.

****Does not include Grove Street or Grove Court

Both Duke Energy and the city have contacted Spectrum and they have indicated that they will underground their service if Duke Energy undergrounds the power at their (Spectrum's) cost. However, CenturyLink/Lumen is classified as an Incumbent Local Exchange Server. This status provides them with rights to remain on and take ownership of the Duke Energy poles. They cannot be forced to relocate their lines underground with any given project. It is the city's (not Duke Energy's) responsibility to compel CenturyLink/Lumen to relocate their lines from the poles. This includes all poles in any project area that includes undergrounding. In a discussion with a representative from Duke Energy's Joint Use Group, his experience was that Incumbent Local Exchange Servers typically will not voluntarily relocate their lines. If this is the case, the city would be responsible for funding the relocation of the CenturyLink/Lumen lines. To date, CenturyLink/Lumen has not responded to the city's requests for information regarding their position on relocation. If all joint users were to relocate from the lines, Duke Energy has stated that they would remove the poles.

Staff is requesting direction on how to proceed with a policy regarding electric utility undergrounding.

A discussion ensued. Interim City Manager Reggentin and Duke representatives answered questions posed by the Council.

The following Duke Energy representatives were present and available to answer project related questions: Engineering Manager Eva Loosier, Director of Government and Community Relations Kari Conley, and Government and Community Relations Manager Kris Tietig.

Mayor Lowndes opened the public comment period.

The following residents made inquiries regarding the hardening/undergrounding project:

Shirley Welch, 530 Pawnee Trail
Curtis Kunihiro, 106 Kyle Drive
Dale McDonald, 108 Tangelo Court
Allen Thatcher, 1685 E. Horatio Avenue

There being no one else who wished to be heard, Mayor Lowndes closed the public comment period.

Inquiries posed by the public were discussed by the Duke Energy Representatives, Interim City Manager Reggentin, City Council, and City Attorney Shepard.

A council discussion ensued.

After council discussion, a motion was made to allow Duke Energy to proceed with the identified storm protection plan undergrounding and hardening projects per their design.

RESULT:	Approve
MOVER:	Councilmember Lori Wurtzel
SECONDER:	Vice-Mayor Lindsay Hall Harrison
AYES:	Lori Wurtzel, Vance Guthrie, Lindsay Hall Harrison
NAYS:	Michael Wilde, John Lowndes

IX. CITY MANAGER'S REPORT/CITY ATTORNEY/COUNCIL REPORTS

City Attorney Shepard informed the City Council that the Peacock Ford hearing scheduled for December 5th was rescheduled for February 2023.

Interim City Manager Reggentin expressed sincere appreciation to the staff for the excellent job last week. They seamlessly coordinated four great events; GetDown Downtown, the Season of Light, the Farmer's Market and the Santa Parade.

City Clerk Hollingsworth confirmed Councilmembers' attendance at the Employee Recognition and Holiday Party on Tuesday, December 13, 2022.

Councilmember Wurtzel expressed gratitude for the Police and Fire Department's mementos she shared during the Dommerich Elementary School career day. She also thanked Stacey Larson, Director of the Maitland Public Library, for planning and organizing the awesome Polar Express Event.

X. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 9:18pm.