



**City Council
August 12, 2024
Council Chambers
6:30 PM**



**WELCOME to our City Council meeting. All speakers must complete and submit a Speaker Card, preferably prior to the start of the meeting. A member of the public wishing to address the Council must be a Maitland resident or the owner of property or business in Maitland or their representative. The time limit for each speaker shall be three (3) minutes per agenda item. 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. Moment of Silence
- III. Pledge of Allegiance
- IV. Public Hearing
 - 1. Ordinance No. 1429: Right-of-Way Abandonment Ellington Drive
- V. Old Business
- VI. Consent Agenda
 - 1. City Council Meeting Minutes of July 22, 2024
 - 2. City Council FY25 Budget Workshop Minutes of August 5, 2024
 - 3. Resolution No. 14-2024 Adopting an Amended Fiscal Year 2024 Solid Waste Fund Budget
 - 4. Resolution No. 15-2024 Establishing an Equivalent Residential Unit Rate (ERU) for Environmental Stormwater Utility Fees
 - 5. Community Park Boardwalk and Lake Avenue Boardwalk Rehabilitation Project GMP
- VII. Public Period
- VIII. Decisions
 - 1. Downtown Maitland Density
 - 2. 17-92 Mobility Improvements
- 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.

MEETING DATE		AGENDA
August 12, 2024		Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: 1.
Subject: Ordinance No. 1429: Right-of-Way Abandonment Ellington Drive		
Requested Action or Motion: Move to adopt Ordinance No. 1429 vacating and abandoning a portion of Ellington Drive, as presented.		
Summary Explanation & Background: The applicants, Wendy and Eric Thompson of 1039 Quinwood Lane, have requested the City of Maitland to abandon 3,337 square feet of unopened platted Ellington Drive right-of-way, lying east of 1039 Quinwood Lane. A stormwater easement is required to be signed and executed concurrent with the right-of-way vacation. The application for right-of-way abandonment was evaluated by the Development Review Committee (DRC) and was found to meet the standards set forth in Sec. 2.5.3(f)(4): Right-of-way/Public Easement Abandonment Review Standards of the Land Development Code. Criteria is as follows: Right-of-Way/Public Easement Abandonment Review Standards. A request to close, vacate, or abandon a right-of-way or public easement shall be approved only on a finding there is competent substantial evidence in the record that all of the following standards are met: (A) The right-of-way or public easement is no longer required for public use and the abandonment will not adversely affect the City. (B) The closing, vacation, or abandonment will not hinder public access to a body of water. (C) All utilities or other entities that use the right-of-way or public easement do not object to the proposed closing, vacation, or abandonment. The DRC, on May 15, 2024, found that the request met the criteria outlined in the code and made a unanimous recommendation to forward the application to the City Council for approval with the condition that a drainage easement be retained over the vacated right-of-way. The DRC report and draft ordinance and easement are attached. Staff recommends Council adopt ordinance 1429 to vacate and abandon a portion of Ellington Drive.		
Fiscal Impact: N/A		
Exhibits: - Ordinance No. 1429 Vacating and Abandoning Portion Ellington Drive 1039 Quinwood Lane - Petition No. ABND (2023) - 0001 -1039 Quinwood Lane DRC Signed Report - Perpetual Drainage, Maintenance and Access Easement Agreement (witness) - Order ID 7670798		
Commission/Board: City Council		

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

MEETING DATE		AGENDA
August 12, 2024		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.
Subject: City Council Meeting Minutes of July 22, 2024		
Requested Action or Motion: Move to approve the City Council meeting minutes of July 22, 2024, as presented.		
Summary Explanation & Background:		
Fiscal Impact: N/A		
Exhibits: 1. CC draft minutes 07222024		
Commission/Board: City Council		
Contact Person: Lori Hollingsworth 407-539-6219		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
August 12, 2024		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 2.
Subject: City Council FY25 Budget Workshop Minutes of August 5, 2024		
Requested Action or Motion: Move to approve the City Council workshop minutes of August 5, 2024, as presented.		
Summary Explanation & Background:		
Fiscal Impact: N/A		
Exhibits: 1. CC FY25 budget workshop draft min 852024		
Commission/Board: City Council		
Contact Person: Lori Hollingsworth 407-539-6219		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
August 12, 2024		Section: Consent Agenda
Department/Office : Administration	AGENDA REPORT	Item #: 3.
Subject: Resolution No. 14-2024 Adopting an Amended Fiscal Year 2024 Solid Waste Fund Budget		
Requested Action or Motion: Move to adopt Resolution No.14-2024 amending the Fiscal Year 2024 Solid Waste Fund Budget with an additional appropriation of \$100,000.		
Summary Explanation & Background: When the FY 2024 budget was proposed and adopted, the operating budget was balanced and finalized based on the best available information at the time. However, due to higher recycling fees and disposal fees at both Seminole and Orange Counties, we need to appropriate additional funding to cover these costs. Due to favorable interest rates in the investment markets, the Solid Waste Fund realized favorable investment returns sufficient to cover the additional costs of the solid waste disposal fees.		
Fiscal Impact: Increases Solid Waste expenditure appropriation by \$100,000.		
Exhibits: 1. Resolution No. 14-2024 Adopting an Amended FY24 Solid Waste Fund Budget 8122024		
Commission/Board: City Council		
Contact Person: Mark Reggentin 407-539-6220		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
August 12, 2024		Section: Consent Agenda
Department/Office : Finance Department	AGENDA REPORT	Item #: 4.
Subject: Resolution No. 15-2024 Establishing an Equivalent Residential Unit Rate (ERU) for Environmental Stormwater Utility Fees		
Requested Action or Motion: Move to adopt Resolution No. 15-2024 establishing a rate of \$16.72 per equivalent residential unit (ERU) per month for environmental stormwater utility fees, as presented, and providing an effective date of October 1, 2024.		
Summary Explanation & Background: As discussed at the August 5, 2024, budget workshop, the Stormwater Utility Fund has been funded at a level that will fail to provide funding for the capital program after FY 2026. Due to inflation, along with supply chain and labor issues, costs have far outpaced the modest increases we have seen in this fund. This is especially true of escalating construction costs. In order to fund operations and preserve fund balance in FY 2025 to allow for funding of projects in FY 2026, an increase of \$6.00 per equivalent residential unit (ERU) is required. As was noted at the workshop, the next three years are very capital intensive. Staff has placed projects in 2028-2029 that are yet to be determined. They are both water quality projects that are based upon an update to the Stormwater Lakes Master Plan scheduled for FY 2027. The plan references Park Lake and Lake Minnehaha because those lakes are the lowest ranking in the City in terms of water quality. However, as noted in the budget workshop presentation on August 5th, none of the City's lakes are impaired. The further out in the 5-year CIP we look, the more speculative the plan becomes. That is the reason that 5-year plans are reevaluated every year as new and updated information becomes available. Even in the short term, we have seen changes in design and construction time frames that necessitate future adjustments to the 5-year plan. For example, if the design for the Dommerich Drive/Lake of the Woods Creek project indicated that an 18-month construction time frame is required, an adjustment to the capital plan would be made the following year to push out a FY 2027 project to allow for the construction to be completed. Conversely, if the preliminary design indicated that the project is infeasible, a project that is already designed (i.e., Thistle/Goldwater) could be advanced. The potential for grant funding will also affect the cost and timing of potential projects. Long range capital planning contains many variables, all of which cannot be taken into account in year 1 of the plan. From this perspective, the capital plan for FY 2025 is relatively small, with the purchase of a street sweeper and the design of the Dommerich/Lake of the Woods project. The FY 2026 plan assumes the construction of the Lake of the Woods project along with an update to the Stormwater Lakes Master Plan, Sandspur Road drainage improvements and beginning of design for the Cypress/Northwind flooding project (see proposed 5-year plan below). Based upon our current outlook, we will have a project in FY 2026, whether it is Dommerich Drive/Lake of the Woods Creek or Thistle/Goldwater. The		

proposed increase will provide funding through this period.

FY 2025

Dommerich Drive Culvert Replacement & Drainage Improvement Design - Design of drainage improvements to increase the level of service for the area for construction of the replacement and upsizing of the Culvert at Dommerich Drive at Lake of the Woods Creek.

FY 2026

Dommerich Drive Culvert Replacement & Drainage Construction - Construction for the replacement and upsizing of the culvert on Dommerich Drive at Lake of the Woods Creek.

Sandspur Road Improvements Construction - Paving project for Sandspur Road also includes drainage improvements.

Northwind/Westwind Drainage Improvement Design - Design of drainage improvements to increase the level of service for the area of Northwind Road, Westwind Court, and Cypress Lane.

Citywide Stormwater/Lakes Master Plan Update - Consultant services to aid in updating of the Stormwater/Lakes Master Plan.

FY 2027

Keller Road South Improvements Construction - Drainage improvements related to Keller Road South Improvement project.

Northwind/Westwind Drainage Improvements Construction - Construction of drainage improvements to increase the level of service for the area of Northwind Road, Westwind Court, and Cypress Lane.

FY 2028

Stormwater/Lakes Master Plan Project Design - Design project identified for Park Lake in the Stormwater Lakes Master Plan.

North Thistle Lane Drainage Improvements Construction - Upsizing and extension of pipe along Thistle Lane from 200' south of Dyan Way to Mohawk Trail.

FY 2029

Stormwater/Lakes Master Plan Project Design - Design of project identified for Lake Minnehaha in the updated Stormwater Lakes Master Plan.

Stormwater/Lakes Master Plan Project Construction - Construction of project identified for Park Lake in the updated Stormwater Lakes Master Plan.

The question arose regarding future increases to fund the plan. Based upon our current priority capital projects, with no changes to scheduling, no grant deferrals, no increases in operating expenses beyond the amount projected, no policy changes by future City Councils, and the assumption that all projects pass the feasibility test, an increase of 30% in FY 2026 and 30% in FY 2027 would provide adequate funding. A summary of the Stormwater program is attached.

On August 25, 2008, the City Council adopted Ordinance No. 1168 which established an Environmental Stormwater Utility Fee Fund ("Stormwater Fund"). This ordinance requires the City Council to adopt the stormwater fee annually prior to September 15th.

Fiscal Impact:

Generates \$2,340,000 in Environmental Stormwater Utility Fees for FY 2025

Exhibits:

1. Resolution No. 15-2024 Establishing an Equivalent Residential Unit Rate (ERU) for Environmental Stormwater Utility Fees
2. FY 2025 Proposed Stormwater Rate Increase

Commission/Board: City Council

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

MEETING DATE		AGENDA						
August 12, 2024		Section: Consent Agenda						
Department/Office : Public Works	AGENDA REPORT	Item #: 5.						
Subject: Community Park Boardwalk and Lake Avenue Boardwalk Rehabilitation Project GMP								
Requested Action or Motion: Move to authorize the City Manager to execute the GMP contract with A ² Group, Inc. for the Community Park Boardwalk and Lake Avenue Boardwalk Rehabilitation Projects in the amount of \$1,802,914 and authorizing a City project contingency of \$99,960.								
Summary Explanation & Background: As part of the City's continuing efforts to expand and improve the bicycle and pedestrian network within the City, and improve aging infrastructure, the capital budget included funding for the design and replacement of the Maitland Community Park (MCP) Boardwalk from the intersection of Arapaho and Thunderbird Trails to the tennis courts. This project will replace and widen the boardwalk from eight (8) to ten (10) feet to accommodate shared bicycle and pedestrian traffic. The current CIP plan also includes the rehabilitation of the Lake Avenue Boardwalk (from Lake Avenue north along the west side of the SunRail tracks spanning approximately 300 feet). The two projects were combined to provide a larger project for bidding purposes, to attract more contractors, and to garner better pricing due to the larger quantities. Both projects were designed by DRMP and then assigned to one of the City's continuing Construction Management at Risk (CMAR) companies, A² Group, Inc., to submit a Guaranteed Maximum Price (GMP) contract. A² has provided a Guaranteed Maximum Price (GMP) construction contract in an amount of \$1,802,914. DRMP has reviewed the GMP proposal and found it to be acceptable and recommends the City move forward with the contract. The contract includes the removal of existing lighting and installation of the new electrical conduit for the MCP boardwalk, but does not include a cost proposal for light poles, as the lighting is to be installed, owned, and maintained by Duke Energy. Duke has coordinated with A² and is currently finalizing the lighting design. Staff recommends approving a contingency of \$99,960 (7%) to cover the Duke lighting installation for MCP and any unforeseen circumstances that arise with either project for a total of \$1,902,874. Staff recommends City Council authorize the City Manager to execute the GMP contract with A² Group, Inc., for the Community Park Boardwalk and Lake Avenue Boardwalk Rehabilitation Projects in the amount of \$1,802,914 and authorizing a project contingency of \$99,960.								
Fiscal Impact: Funds are available for the Lake Avenue Boardwalk portion in 041412541-536300 BS302. Full funding for the MCP portion of the project will require budget transfers as follows: <table> <tr> <td>041412541-534635-PV001</td><td>R&M Streets</td><td>\$481,810</td></tr> <tr> <td>041412541-536300-BS302</td><td>Lake Avenue Boardwalk</td><td>\$130,080</td></tr> </table>			041412541-534635-PV001	R&M Streets	\$481,810	041412541-536300-BS302	Lake Avenue Boardwalk	\$130,080
041412541-534635-PV001	R&M Streets	\$481,810						
041412541-536300-BS302	Lake Avenue Boardwalk	\$130,080						
Exhibits:								

1. MCP & Lake Ave Boardwalk Rehab-GMP Amendment for City of Maitland
Commission/Board: City Council
Contact Person: Kimberley Tracy 407-539-6216
Reviewed by City Attorney N/A

MEETING DATE		AGENDA
August 12, 2024		Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 1.
Subject: Downtown Maitland Density		
Requested Action or Motion: Provide staff with direction on establishing a tentative maximum density for the Main Street Future Land Use (FLU) designation to proceed forward with the required Evaluation and Appraisal Report (EAR) letter to the State.		
Summary Explanation & Background: On April 22, 2024, staff brought to Council a discussion item on the residential density and Floor Area Ratio (FAR) within the Main Street Future Land Use (FLU) designation. The intent of the discussion was to get Council thinking about density and FAR in our downtown in preparation for our upcoming Evaluation and Appraisal Report (EAR), which is required by Florida Statutes, Section 163.3191. During this discussion, staff presented Council with three (3) problems: • The Density Incentive for Community Enhancement (also known as DICE) program is ineffective and discouraging downtown redevelopment. No developer has opted to go through the DICE program and therefore has passed on investing in our downtown. • Without DICE, by-right densities/FAR are difficult to make projects viable. If Council elects to eliminate DICE, then densities and FAR should be adjusted upwards if the goal is redevelopment. • The Density and FAR for Main Street FLU based on parcel size (as currently approved) is causing Maitland to miss out on some quality redevelopment projects. Adjacent properties downtown are not easy to accumulate, thereby leaving only by-right densities and FAR, which are too low to attract developments. As we continue to get closer to our required EAR letter to the State, staff is seeking Council direction on the following topics: The elimination of the DICE program in Main Street FLU designation. Staff recognizes that the DICE program is unsuccessful and has deterred redevelopment in our Main Street FLU and Community Redevelopment Area (CRA). To this end, staff feels that the City should eliminate the DICE program and reset the densities back to the pre-DICE maximum. The elimination of a minimum contiguous lot size to achieve a maximum by-right density and FAR in Main Street FLU. Currently, the maximum density and FAR in the Main Street FLU is depicted in the table below.		

Parcel Size (acres)	Maximum Total Site FAR	Maximum Residential Density
.001 - < 0.50	0.30 (up to 0.45 with DICE)	19.8 DU/Acre (up to 30 with DICE)
.50 - < 2.00	1.20 (up to 1.40 with DICE)	20 DU/Acre (up to 45 with DICE)
2.00 - < 3.00	1.40 (up to 1.75 with DICE)	30 DU/Acre (up to 55 with DICE)
+ 3.00	2.00 (up to 2.40 with DICE)	40 DU/Acre (up to 67 with DICE)

These maximum density/FAR rates have been in place for approximately 25 years and were intended to incentivize the accumulation of adjacent properties to build larger and denser projects to support the CRA. With the successful redevelopment over the past 10 years, the ability to assemble three (3) or more contiguous acres has dramatically declined. Developers are finding it more difficult to assemble land within the Main Street designation, making project viability more difficult. Redeveloping smaller lots into more dense/intense modern projects will reduce underutilized properties and allow for a better, more sustainable use of the land.

Staff would like Council to consider eliminating the maximum density/FAR based on parcel size, providing consistency throughout the City. No other FLU designation/zoning district in Maitland regulates density/FAR based on contiguous assembled land size. Staff has found no other jurisdiction that regulates or provides density incentives based on contiguous assembled land size. Developments on smaller parcels within the Main Street designation will still be limited to what a design professional can reasonably fit on the site in conformance with the development standards in the LDC (i.e., building placement and orientation, public frontage standards, parking, stormwater, open space, height, traffic and pedestrian circulation).

If DICE and property size considerations are eliminated, setting a maximum density/FAR within the Main Street designation for the purpose of the EAR.

Setting a maximum density and FAR at this time is equivalent to the process of setting a millage rate in that we can set it high and reduce it after the EAR and before the final transmittal and adoption of any EAR-based CDP amendments. However, we cannot set it low and then choose to go higher after the EAR and before the final transmittal and adoption of any EAR-based CDP amendments. For this reason, the direction Council provides now may not be the final determination in establishing maximum density and FAR.

Staff Recommendation

Staff recommends Council direct staff to inform the Department of Economic Opportunity of the city's intention to eliminate the DICE program, eliminate the maximum density/FAR based on accumulated adjacent parcel size, and set the by-right density at maximum of 65 dwelling units per acre and FAR at 2.4 throughout the entire Main Street Future Land Use designation.

Fiscal Impact:

n/a

Exhibits:

Commission/Board: City Council

Contact Person: Dan Matthys 407-539-6211

Reviewed by City Attorney
Cliff Shepard

MEETING DATE		AGENDA
August 12, 2024		Section: Decisions
Department/Office : City Manager	AGENDA REPORT	Item #: 2.
Subject: 17-92 Mobility Improvements		
Requested Action or Motion: Provide direction to staff whether the City Council would like to participate with the Department of Transportation (DOT) to make pedestrian improvements to the US 17/92 intersections with Greenwood Drive/Mayo Avenue and E. Packwood Avenue as part of the 2027 repaving project.		
Summary Explanation & Background: As has been discussed over the last several months, the DOT has been evaluating options for the downtown area to improve pedestrian and vehicular movement. Although the Maitland Areawide Study fell short of expectations, the DOT has offered a partnership opportunity for the city as part of the 17/92 repaving project that is scheduled to take place in 2027. The intersections of Greenwood Drive/Mayo Avenue and E. Packwood Avenue at 17/92 are problematic as they do not provide all four legs of a crosswalk. The intersection of Greenwood Drive/Mayo Avenue and 17/92 provides crosswalks for both Greenwood Drive and Mayo Avenue, but not 17/92. The intersection of E. Packwood Avenue has three crosswalks but is missing the crosswalk from the northeast to the northwest corner of the intersection. The DOT has offered a partnership as part of the repaving project to add the remaining crosswalk at E. Packwood Avenue and include a crosswalk at Greenwood Drive/Mayo Avenue on the south side of the intersection. This would improve the E. Packwood Avenue intersection to provide all four pedestrian crossing movements and provide a third crossing to provide safe pedestrian crossing movement across 17/92 at Greenwood Drive/Mayo Avenue and improve the north-south crosswalk at Greenwood Drive (See attachments). The estimate for design and construction of these two projects is \$700,000. This funding would be \$300,000 for design in 2025 and \$400,000 for construction in 2027. These are eligible costs and funds are available within the Community Redevelopment Agency. If the City Council chooses to move forward with these projects, a Local Funding Agreement will be prepared for approval.		
Fiscal Impact: \$700,000 from the CRA; \$300,000 in 2025 and \$400,000 in 2027.		
Exhibits: 1. Greenwood-Packwood Agenda Exhibit		
Commission/Board: City Council		
Contact Person: Mark Reggentin 407-539-6220		
Reviewed by City Attorney N/A		