



**City Council
October 14, 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. Presentations
 1. Half-Cent Sales Tax Extension: Orange County Public Schools.
- V. Public Hearing
 1. Ordinance No. 1432: Five Year Capital Improvements Program (CIP) 2025-2029.
 2. Ordinance No. 1433: Land Development Code Text Amendments Various Sections.
 3. Ordinance No. 1434: Amending the Land Development Code Article 5 Development Standards, Section 5.6 Residential Tree Protection.
 4. Ordinance No. 1435: Amending Chapter 17.5 Communications of the Maitland City Code.
- VI. Old Business
- VII. Consent Agenda
 1. City Council Meeting Minutes of September 23, 2024.
 2. City Council Special Called Meeting Minutes of September 18, 2024.
 3. Fiscal Year 2024 Auditor Engagement Letter: Carr, Riggs & Ingram, LLC.
 4. Scope of Services Agreement for Comprehensive Development Plan Data Inventory and Analysis for the Evaluation and Appraisal Report: Kimley-Horn.
 5. Signal Maintenance and Repair Agreement Extension: Traffic Engineering and Management LLC (dba Control Specialists).
 6. Professional Services Agreement Grant Application and Administration: Grant Professionals (dba Brooks & Dun Grant Consulting).
 7. Resolution No. 24-2024: Adopting an Approved Tree Stock List.
 8. Resolution No. 25-2024: Local State of Emergency Hurricane Milton.

VIII. Public Period

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
October 14, 2024		Section: Public Hearing
Department/Office : Administration	AGENDA REPORT	Item #: 1.
Subject: Ordinance No. 1432: Five Year Capital Improvements Program (CIP) 2025-2029.		
Requested Action or Motion: Move to adopt Ordinance No. 1432, to approve the FY 2025-2029 Capital Improvements Program (including revised Table 1); update Table 1 within Chapter 7, Governance and Implementation Element, Capital Improvements Sub-Element of the 2035 CDP; 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 Water and Sewer Master Plan. In addition, this CIP considers major projects that have achieved the objectives identified in the CDP, but require continued maintenance to sustain the objectives. The City has also 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. Staff recommends Council adopt Ordinance No. 1432 approving the FY 2025-2029 Capital Improvements Program (including revised Table 1); update Table 1 within Chapter 7, Governance and Implementation Element, Capital Improvements Sub-Element of the 2035 CDP; 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: N/A		
Exhibits: 1. Ordinance No 1432 Five Year CIP 2025-2029 including exhibits		

Commission/Board: City Council
Contact Person: Mark Reggentin 407-539-6220
Reviewed by City Attorney N/A

MEETING DATE		AGENDA
October 14, 2024		Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: 2.
Subject: Ordinance No. 1433: Land Development Code Text Amendments Various Sections.		
Requested Action or Motion: Move to adopt Ordinance No. 1433 amending Article 2, Article 4, Article 5, Article 6, Article 7 and Article 10 of the Land Development Code, as presented.		
Summary Explanation & Background: The proposed ordinance refines several sections of the Land Development Code to provide consistency and clarity. The changes are as follows: • Amending Section 2.5.2(a) - Site Plan Review to provide for approval of minor deviations from the site plan to address technical issues during building permits and site construction permits that could not be reasonably anticipated during the site plan process provided that the changes are minor and do not materially alter drainage, streets or other engineering design, adversely impact stormwater quality or quantity, substantially affect the terms of the original approval and don't result in significant adverse impacts to the surrounding lands or the City. • Amending Section 2.5.4(d) - Appeals to City Council to provide for an appeals process for the issuance or denial of Short-Term Rental Certificates. • Amending Section 4.2.3(b)(3) - Health Care Uses to codify a previous administrative interpretation that freestanding emergency rooms (FSER) are considered outpatient care facilities as a principal use in the permitted uses table. • Amending Section 4.2.3(a)(1) - Classification of Principal Uses. Dwelling Unit with Professional Office Building for Owner or Custodian to replace "housekeeping unit" with "living unit" for consistency in the LDC. • Amending Section 4.3.4(a) - Air Conditioner Compressor Unit to remove an incorrect side yard setback requirement (7.5') for air conditioner units on lots that do not meet the minimum width requirement in the RSF-D zoning district, where the side yard setback is 5'. • Amending Table 5.2.5(a) - Minimum Number of Off-Street Vehicular Parking Spaces to clarify that required visitor parking spaces for multifamily dwellings (0.1 space) are calculated per dwelling unit instead of per resident. • Amending Table 5.14.6(c)(2) - Non-Residential and Mixed-Use Development Sign Standards (Permit Required) to clarify that multi-tenant office buildings with a shared entrance are permitted one wall sign per building frontage. • Amending Section 6.2.3 - Parks and Recreation Sites concerning park land dedication in residential subdivisions to exempt those of 10 lots or smaller from the required dedication of land for park and or recreational purposes or payment of an in-lieu fee. • Amending Section 7.1.19 (Mobility Fees) definition for "Dwelling Unit" to replace "housekeeping unit" with "living unit" for consistency in the LDC. • Amending Section 10.2.3 - Lots and Yards to clarify that street-side yard frontages apply to fences in all zone districts and in the RSF-3 district, only structures.		

- Amending Section 10.3 - Definitions to include:
 - Adding a definition of dwelling unit to include "A room or rooms connected together, constituting a separate independent living unit and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking, sleeping and sanitation facilities".
 - Amending the Minor Home Structure definition to remove the word "home", thereby expanding minor structures to include residential and non-residential uses.
 - Amending the definition of Observation Deck to remove the word "boat" and the prohibition of "freestanding canopies, screened-in areas and roofs" to allow residents to enjoy the deck and view while being protected from the elements.

On June 20, 2024, the Planning and Zoning Commission unanimously recommended forwarding the proposed amendment to Council with a recommendation of approval, subject to the drafted definition of "dwelling unit" being modified to replace "housekeeping unit" with "living unit". Staff agreed with this condition and the proposed Ordinance has been amended accordingly.

Staff recommends Council adopt Ordinance No. 1433 amending Articles 2, 4, 5, 6, and 10 of the Land Development Code, as presented.

Fiscal Impact:

None

Exhibits:

1. Ordinance No. 1433 LDC Text Amendments Various Sections 10142024

Commission/Board: City Council

Contact Person: Dan Matthys 407-539-6211

Reviewed by City Attorney
Drew Smith

MEETING DATE		AGENDA
October 14, 2024		Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: 3.
Subject: Ordinance No. 1434: Amending the Land Development Code Article 5 Development Standards, Section 5.6 Residential Tree Protection.		
Requested Action or Motion: Move to adopt Ordinance No. 1434 amending the Land Development Code, Article 5 Development Standards Section 5.6 Residential Tree Protection, as presented.		
Summary Explanation & Background: City staff is proposing a text amendment to Section 5.6 Residential Tree Protection of the Maitland Land Development Code. The purpose of this text amendment is to clarify the responsibility of the owners of single-family residential properties to maintain a minimum number of trees on their lot, even if existing trees are legally removed without a permit, pursuant to Chapter 163.045, Florida Statutes. The amendment also clarifies situations when a property owner can pay into the City tree replacement account, when it is determined that it is impossible or impractical to plant the required tree quantities on site. The City of Maitland Approved Tree Stock List will be adopted by resolution and consist of trees selected from the list of acceptable plant materials, as maintained by the Community Development Department in the Procedures Manual. On June 20, 2024, the Planning and Zoning Commission unanimously recommended forwarding the proposed amendment to Council with a recommendation of approval. Staff recommends Council adopt Ordinance No. 1434 amending Article 5 Development Standards Section 5.6 Residential Tree Protection, as presented.		
Fiscal Impact: None		
Exhibits: 1. Ordinance 1434 Introduction Amending the LDC Article 5 Sec 5.6 Residential tree standards		
Commission/Board: City Council		
Contact Person: Dan Matthys 407-539-6211		
Reviewed by City Attorney Drew Smith		

MEETING DATE		AGENDA
October 14, 2024		Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: 4.
Subject: Ordinance No. 1435: Amending Chapter 17.5 Communications of the Maitland City Code.		
Requested Action or Motion: Move to adopt Ordinance No. 1435 amending Chapter 17.5 Communications of the City Code, as presented.		
Summary Explanation & Background: Chapter 17.5 Communications is the portion of the Maitland City Code regulating the placement, construction and modification of communication towers and telecommunications facilities (cellular towers). When the Land Development Code was updated on February 28, 2022, the references to zone districts in Chapter 17.5 were not updated. The staff-proposed changes update the references to zone districts in Chapter 17.5 to instead make reference to the zone districts adopted on February 28, 2022. Staff recommends Council adopt Ordinance No. 1435 amending Chapter 17.5-Communications of the City Code, as presented.		
Fiscal Impact: None		
Exhibits: 1. Ord No 1435 Amending Chapter 17.5 City Code 9232024		
Commission/Board: City Council		
Contact Person: Dan Matthys 407-539-6211		
Reviewed by City Attorney Drew Smith		

MEETING DATE		AGENDA
October 14, 2024		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.
Subject: City Council Meeting Minutes of September 23, 2024.		
Requested Action or Motion: Move to approve the City Council meeting minutes of September 23, 2024, as presented.		
Summary Explanation & Background:		
Fiscal Impact: N/A		
Exhibits: 1. CC Draft Minutes 09232024		
Commission/Board: City Council		
Contact Person: Lori Hollingsworth 407-539-6219		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
October 14, 2024		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 2.
Subject: City Council Special Called Meeting Minutes of September 18, 2024.		
Requested Action or Motion:		
Summary Explanation & Background:		
Fiscal Impact:		
Exhibits: 1. CC Special meeting minutes 9182024		
Commission/Board: City Council		
Contact Person:		
Reviewed by City Attorney		

MEETING DATE		AGENDA
October 14, 2024		Section: Consent Agenda
Department/Office : Finance Department	AGENDA REPORT	Item #: 3.
Subject: Fiscal Year 2024 Auditor Engagement Letter: Carr, Riggs & Ingram, LLC.		
Requested Action or Motion: Move to receive the 2024 Auditors Master Services Agreement and Engagement Letter and authorize execution by City Manager, 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. This is the fifth year of a three-year initial agreement and an option for six one-year extensions. The original fees proposed by auditors for the sixth year were \$34,170; however, due to historically high inflation rates, the costs to provide quality audit services have increased, and the auditors are requesting a fee increase to \$40,170 for the FYE 2024 audit. Also included in the original scope of the audit is provision for additional services of \$4,000 for both federal and state single audits. Due to the grants the City received in FY 2024, we are required to have both the federal and state single audits. Given the level of service and audit quality provided to the City, staff finds this request reasonable. 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 • Audit Procedures - Compliance • Other Services • Client (City) Responsibilities • Engagement Administration, Fees, and Other • Reporting Attached to this agenda report is an electronic copy of the Master Services Agreement (MAS) and Engagement Letter, to be signed by the City Manager.		
Fiscal Impact: General Fund 01132513-533200 \$20,370 Utilities Fund 41306536-533200 \$21,600 (includes additional \$8,000 for single audit) Solid Waste Fund 42304534-533200 \$6,200		
Exhibits:		

1. EL 2024 City of Maitland
Commission/Board: City Council
Contact Person: Jerry Gray 407-539-6201
Reviewed by City Attorney Cliff Shepard

MEETING DATE		AGENDA
October 14, 2024		Section: Consent Agenda
Department/Office : Community Development	AGENDA REPORT	Item #: 4.
Subject: Scope of Services Agreement for Comprehensive Development Plan Data Inventory and Analysis for the Evaluation and Appraisal Report: Kimley-Horn.		
Requested Action or Motion: Authorize the City Manager to execute the Scope of Services with Kimley-Horn to prepare our Data, Inventory and Analysis (DIA) for our Evaluation and Appraisal Report and associated amendments.		
Summary Explanation & Background: Pursuant to Florida Statutes, all local governments must review their comprehensive plan once every seven years and determine whether to amend the plan to reflect changes in state requirements since the last comprehensive plan was updated. This response is the Evaluation and Appraisal Report (EAR) letter. Maitland has prepared and provided a letter to the Florida Department of Commerce in response to the review and update of the City's current Comprehensive Development Plan (CDP). The EAR letter is specific to the comprehensive plan review for consistency with local, regional and state standards and is also understood to include other limited Goals, Objectives and Policies (GOPs) updates including the Land Use Element, update and inclusion of Property Rights element and an update/incorporation of amendments following the previous CDP adoption into the current CDP format. This effort also assumes updates of the City's Data Inventory and Analysis (DIA) to prepare the evaluation; and no formal plan amendments (i.e., future land use map amendments or private property amendments). Following submittal of the EAR letter, local governments are required to adopt consistent EAR-based amendments within one year of such a determination. The EAR based amendments will build upon the DIA conducted for the EAR as well as additional DIA needed to support the specific amendments. The City is requesting assistance to complete and assist in coordination with the Florida Department of Commerce, and the subsequent updates of the CDP Elements and EAR-based amendments. The proposed scope consists of four main tasks for a lump sum of \$113,500 and three optional tasks for \$21,500 for a total (if all tasks are needed) of \$135,000.		
Fiscal Impact: The tasks are funded in FY24 & FY25 (optional tasks) Budgets 01151515-533100		
Exhibits: 1. City of Maitland EAR Based Amendments 20040906		
Commission/Board: City Council		
Contact Person: Dan Matthys 407-539-6211		
Reviewed by City Attorney Cliff Shepard		

MEETING DATE		AGENDA
October 14, 2024		Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 5.
Subject: Signal Maintenance and Repair Agreement Extension: Traffic Engineering and Management LLC (dba Control Specialists).		
Requested Action or Motion: Move to authorize the City Manager to execute a one (1) year extension to the Signal Maintenance and Repair agreement with Traffic Engineering and Management LLC (Control Specialists), with a price increase of ten percent (10%) to the current contract rates.		
Summary Explanation & Background: The City of Maitland has utilized Control Specialists for traffic signal maintenance and installation since 1986. The current contract, dated November 10, 2021, allowed for an initial term of three (3) years with two (2) additional one (1) year extensions. The initial three-year term will expire on November 9, 2024. If mutually agreed upon by both parties, the current agreement may be extended at the expiration of the initial term for two (2) additional one (1) year terms upon the same terms and conditions specified. The terms of the most recent contract allowed for a maximum of a ten percent (10%) increase in a given year. Over the past several years, Control Specialists have been able to provide service with little to no increase in service costs. Due to the volatility in the current market, they were not able to stay within the parameters of the current agreement for another year. Traffic Engineering and Management d/b/a Control Specialists have agreed to extend the existing Signal Maintenance and Repair Agreement for an additional one (1) year, with a 10% rate increase to the current agreement. Based on continued quality performance and response time, staff is in support of the extension of the contract and recommends City Council authorize the City Manager to execute a one (1) year extension to the current signal maintenance and repair agreement with Traffic Engineering and Management LLC (Control Specialists) with a ten percent (10%) price increase to current contract rates.		
Fiscal Impact: The funding is budgeted annually in account # 01416541-534660.		
Exhibits: 1. Control Specialists_24-25 Traffic Signal Maintenance Extension		
Commission/Board: City Council		
Contact Person: Kimberley Tracy 407-539-6216		
Reviewed by City Attorney Drew Smith		

MEETING DATE		AGENDA
October 14, 2024		Section: Consent Agenda
Department/Office : Administration	AGENDA REPORT	Item #: 6.
Subject: Professional Services Agreement Grant Application and Administration: Grant Professionals (dba Brooks & Dun Grant Consulting).		
Requested Action or Motion: Move to approve professional services agreement with Brooks & Dun Grant Consulting, as presented.		
Summary Explanation & Background: For the last three years, the City has been fortunate to receive several grants for capital improvement projects. Based upon the number of projects within that capital plan and the variety of funding sources, it has been problematic for staff to both manage the construction of the projects and maintain the challenging and time-consuming grant documentation and reporting requirements. This is especially true of the federal grants received for Independence Land and anticipated for South Keller Road. Based upon these circumstances, staff contacted consultants with experience in these fields. Based upon the responses, Brooks & Dun was the most comprehensive proposal to address the City's needs. Under this agreement, the consultant will take over administration of the current grants the City has received as well as apply for additional grant opportunities that coincide with our current capital and operational plans. This will free up the City's supervisory staff and department heads to oversee the projects and relieve them of the responsibility of grant documentation and reporting to more efficiently utilize their time and expertise. Although the initial contract is within the City Manager's spending authority, additional services may exceed the spending limit.		
Fiscal Impact: \$49,800		
Exhibits: 1. Maitland Agreement 24-25		
Commission/Board: City Council		
Contact Person: Mark Reggentin 407-539-6220		
Reviewed by City Attorney Holli New		

MEETING DATE		AGENDA
October 14, 2024		Section: Consent Agenda
Department/Office : Community Development	AGENDA REPORT	Item #: 7.
Subject: Resolution No. 24-2024: Adopting an Approved Tree Stock List.		
Requested Action or Motion: Adopt Resolution No. 24-2024 Approving the Maitland Tree Stock List, as presented.		
Summary Explanation & Background: This list is to be used in conjunction with the amendments to the Land Development Code adopted in Ordinance No. 1430 to clarify what species of vegetation the City will consider as "trees" when applying residential minimum tree quantities when tree replacement is required. The list was adapted from the City's Landscape Palette Tool in the Land Development Procedures Manual that provides information regarding which vegetation is permitted for certain uses and guides compliance with the City of Maitland's landscape standards. The City's Arborist/Landscape Specialist and Deputy Public Works Director provided input on what species of vegetation should be considered as "trees" for this Resolution. Staff recommends Council adopt Resolution No. 24-2024 Approving the Maitland Tree Stock List.		
Fiscal Impact: NA		
Exhibits: 1. Resolution 24-2024 Approved Tree Stock List 10142024		
Commission/Board: City Council		
Contact Person: Dan Matthys 407-539-6211		
Reviewed by City Attorney Drew Smith		

MEETING DATE		AGENDA
October 14, 2024		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 8.
Subject: Resolution No. 25-2024: Local State of Emergency Hurricane Milton.		
Requested Action or Motion: Move to approve Resolution No. 25-2024 declaring a local state of emergency, as presented.		
Summary Explanation & Background: On October 6, 2024, Governor DeSantis issued Executive Order 24-215 amending Executive Order 24-214, that declared a state of emergency for Orange County and 50 other counties because of the catastrophic threat posed by Hurricane Milton. Mayor Lowndes has since issued a proclamation on October 8, 2024, declaring a local state of emergency pursuant to Chapter 10, Article II, Division 2 States of Emergency Due to Calamity, of the City of Maitland Code of Ordinances. In accordance with Sec. 10-39 of said code, the City council shall, by resolution, proclaim the existence of a state of emergency due to calamity from a natural disaster, Hurricane Milton, effective immediately and shall terminate automatically seven (7) days from this date unless extended or terminated earlier in accordance with applicable laws, Section 252.38(3)(a)(5).		
Fiscal Impact: TBD		
Exhibits: 1. Resolution No 25-2024 Local State of Emergency Hurricane Milton 2. SKM_C45824100817260		
Commission/Board: City Council		
Contact Person: Lori Hollingsworth 407-539-6219		
Reviewed by City Attorney Ryan Knight		