



**City Council
December 9, 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.1437: Amending Chapter 10 Offenses Miscellaneous prohibiting Camping and Sleeping on Public Property.
- V. Old Business
- VI. Consent Agenda
 1. City Council Meeting Minutes of November 11, 2024.
 2. Resolution No. 28-2024: Repealing and Replacing Resolution 19-2023, Amending the Schedule of Fees.
 3. Resolution No. 29-2024: Grant Application Authorization New Public Library Construction.
 4. Resolution No. 30-2024: Solid Waste Fund Budget Amendment and FY25 Vehicle Replacement Purchase.
 5. Resolution No. 31-2024: Chapter 196.1978 Live Local Act Opt Out Ad Valorem Tax Exemption.
 6. Generator Replacement FD 47: Tradewinds Power Corp.
 7. FY25 Vehicle Replacement Purchases: DeLand Nissan
 8. City-wide Janitorial Services Contract Award: Clean Space, Inc.
 9. Westside Trails Project Design Change Order: CPH, Inc.
 10. Recreation Instructor Contractual Payments.
 11. Notice of General Municipal Election March 11, 2025.
 12. 4th Quarter 2024 Financial Summary.
 13. Fund Balance Designations.
 14. Florida Department of Environmental Protection (FDEP) Grant Award: Dommerich Drive Culvert and Lift Station Resiliency Project.

- 15. Fire Equipment, Supplies and Services: Bennett Fire Products Company, Inc.
- VII. Public Period
- VIII. Decisions
 - 1. Lakes Advisory Board (LAB) Appointments.
 - 2. Waterfront Structure Appeal: 928 Versailles Circle (WSP-06-24-50575).
 - 3. Ordinance No. 1438 Introduction: LDC Text Amendment: Waterfront Structure Review Standards.
 - 4. Ordinance No. 1439 Introduction: LDC Text Amendment: Shoreline Protection Standards and Shoreline Alteration.
 - 5. Performance Evaluation & Compensation: City Clerk.
 - 6. Performance Evaluation & Compensation: City Manager.
- 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
December 9, 2024		Section: Public Hearing
Department/Office : Police Department	AGENDA REPORT	Item #: 1.
Subject: Ordinance No.1437: Amending Chapter 10 Offenses Miscellaneous prohibiting Camping and Sleeping on Public Property.		
Requested Action or Motion: Move to adopt Ordinance No. 1437 amending Chapter 10, Offenses Miscellaneous, by adding new sections to Article I In General, of the Code of Ordinances, and set the public hearing and action date for November 11, 2024.		
Summary Explanation & Background: On March 20, 2024, the Governor approved House Bill 1365 creating a new Section 125.0231, Florida Statutes. This bill prohibits cities and counties from "authoriz[ing] or otherwise allow[ing] any person to regularly engage in public camping or sleeping on any public property" under the jurisdiction of the county or municipality as applicable. There is one exception allowed within the statute. The County may designate public property for camping and sleeping for a period of 1 year if the property is certified by DCF and meets certain minimum standards including safety and security, sanitation, behavioral health services, and enforcement of a prohibition on illegal substance and alcohol use. The County may designate property that is owned by the County or a municipality. However, if the designated property is within the boundaries of a municipality, then the County's designation is contingent upon the municipality's concurrence. The County currently has no plans to establish such a facility. Beginning January 1, 2025, a resident, business owner, or the Attorney General can bring a civil action against the County or a municipality for violating the Statute. 1. The complaint must include an affidavit attesting that the County or municipality "... failed to take all reasonable action within the limits of its governmental authority to cure the alleged violation within 5 business days after receiving written notice... " 2. If a resident or business owner prevails in a civil action, a court may award reasonable expenses incurred in bringing the civil action, including court costs, reasonable attorney fees, investigative costs, witness fees, and deposition costs. Based upon these statutory provisions and to avoid the potential for civil litigation, the Police Department's legal advisor has drafted an ordinance which prohibits camping or sleeping on public property or rights-of-way. Ordinance No. 1437 is intended to bring the city's code into compliance with the new statutory requirements and provide a method for the City to prohibit any person from camping or sleeping in a public area, except as permitted. Staff recommends Council introduce Ordinance No. 1437 amending Chapter 10, Offenses Miscellaneous,		

by adding new sections to Article I In General, of the Code of Ordinances, and set the public hearing and action date for November 11, 2024.

Fiscal Impact:

TBD

Exhibits:

1. Ordinance 1437 Chapter 10 11112024

Commission/Board: City Council

Contact Person: David Manuel 407-539-6243

Reviewed by City Attorney
Cliff Shepard

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.
Subject: City Council Meeting Minutes of November 11, 2024.		
Requested Action or Motion: Move to approve the City Council meeting minutes of November 11, 2024, as presented.		
Summary Explanation & Background:		
Fiscal Impact: N/A		
Exhibits: 1. CC Draft Minutes November 11 2024		
Commission/Board: City Council		
Contact Person: Lori Hollingsworth 407-539-6219		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : Community Development	AGENDA REPORT	Item #: 2.
Subject: Resolution No. 28-2024: Repealing and Replacing Resolution 19-2023, Amending the Schedule of Fees.		
Requested Action or Motion: Move to adopt Resolution 28-2024 repealing and replacing Resolution 19-2023, amending the schedule of fees, as presented.		
Summary Explanation & Background: Resolution 28-2024 addresses a recent change to Section 553, Florida Statutes. The Statute was amended to state that a local jurisdiction may not charge fees for building inspections if the fee owner or contractor hires a private provider to perform such services; however, the local jurisdiction may charge a reasonable administrative fee, which shall be based on the cost that is actually incurred, including the labor cost of the personnel providing the service, by the local jurisdiction or attributable to the local jurisdiction for the clerical and supervisory assistance required, or both. The proposed resolution merely amends Section 2(A)(2), Private Provider Services, of our Building and Building-related Permit Fee schedule as follows: "Property and structure owners or their contractors who choose to use private provider services for building plans review and or inspections in accordance with 553.79, Florida Statutes, will receive a 50% reduction in the <u>applicable review and or inspection associated fee(s)</u> ." This amendment allows staff to continue to exercise our statutory right to perform periodic inspection audits as well as perform fire and zoning inspections (not typically contracted for PPI) on permits and recuperate the cost associated with inspections and clerical staff. Due to increased transactor fees, this resolution will increase the convenience fee for applicants paying via credit or bank debit cards to two and one-half <u>three and one quarter</u> percent (2½ <u>3.25</u> %) of the building permit fees and other related charges being paid, <u>effective March 9, 2025</u> . All other fees within the schedule remain unchanged. Staff recommends Council approve Resolution No. 28-2024, as presented		
Fiscal Impact: TBD		
Exhibits: 1. Resolution No. 28-2024 December 9 2024		
Commission/Board: City Council		
Contact Person: Dan Matthys 407-539-6211		

Reviewed by City Attorney
Drew Smith

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 3.
Subject: Resolution No. 29-2024: Grant Application Authorization New Public Library Construction.		
Requested Action or Motion: Move to approve Resolution 29-2024 authorizing the City Manager to submit a grant application for the Public Library Construction Grant requesting \$500,000 and sign all related documents and certifications as necessary, approve of the assurances contained within the agenda item, and approve required 50% grant matching from library bond proceeds.		
Summary Explanation & Background: The Department of State, Division of Library and Information Services, provides state funds to governments to construct public libraries. Funds are awarded on a dollar-for-dollar match of the grant amount (up to 50%) to selected governments after evaluation of applications submitted by the application deadline. The Legislature determines the amount appropriated annually for the program. The average award amount is \$500,000. The city's new public library project would qualify for this grant. Since the project is in the early stages of design, it would be appropriate to apply for the 2025 grant cycle. In order to meet the November 21, 2024 application deadline, staff has already begun the application process, but this also requires Council approval for the application process to proceed. In order to meet the minimum qualifications for this grant, the City Council must provide the following assurances: 1.The required match of a dollar-for-dollar of the grant request will be available and unencumbered at the time of grant award. 2. That funding is sufficient and will be available in order that the project will result in a completed library building. 3. That upon completion of the project, sufficient funds will be available to operate the facility 4. That the building will be used exclusively for the public library purposes for which it was constructed or altered and submission of proposed changes in use to the Division for approval if within 20 years of the completion of the construction project. Staff recommends that, if the City Council is comfortable with the above referenced assurances, the City Council move to approve Resolution 29-2024 authorizing the City Manager to apply for the 2025 Public Library Construction Grant in the amount of \$500,000 and authorize him to sign all related documents and certifications as necessary.		
Fiscal Impact: \$500,000 match funding from Council Contingency fund balance (01-284709) and transfer to Library capital project fund (339)		

Exhibits:

1. Resolution No. 29-2024 Library Grant Application

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

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 4.
Subject: Resolution No. 30-2024: Solid Waste Fund Budget Amendment and FY25 Vehicle Replacement Purchase.		
Requested Action or Motion: Move to approve Resolution No. 30-2024 Solid Waste Fund budget amendment and authorize the purchase of one (1) replacement vehicle from Terry Taylor DeLand Nissan \$36,000.00.		
Summary Explanation & Background: When developing the FY 2025 Solid Waste Fund budget, the availability of vehicles and replacement recommendations was not fully formulated and therefore not included in the Original Budget. The Solid Waste vehicle (Vehicle #4) replacement has been incrementally funded through depreciation expense each year with the reserves accumulated in Net Position (enterprise fund terminology of Fund Balance); therefore, this is an appropriation from Net Position. Staff is recommending purchasing a 2024 Nissan Ariya FWD fully electric vehicle from DeLand Nissan to replace the existing vehicle utilizing the Florida Sheriff's Association Contract FSA 24-VEL32.0 in the amount of \$36,000.00. This purchase requires a resolution to amend the budget to include an additional appropriation of \$36,000 for vehicle replacement. The Solid Waste Vehicle #4 is a Ford Explorer used by Solid Waste Customer Service employees. When evaluating replacement and considering sustainability goals, it was determined this function could be serviced with an EV option. This purchase meets the goals of the city's sustainability program as the proposed vehicle is fully electric. Since the existing vehicle is in good condition and still has usable life, staff plans to transfer the current fully depreciated Ford Explorer to the Police Department to replace Vehicle #319. Staff recommends adopting the resolution to amend the Solid Waste budget and approving the purchase of the replacement vehicle from DeLand Nissan in the amount of \$36,000.00.		
Fiscal Impact: Funds are available in 42304534-566430.		
Exhibits: 1. Resolution 30-2024 Solid Waste budget Amendment 2025		
Commission/Board: City Council		
Contact Person: Kimberley Tracy 407-539-6216		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : City Manager	AGENDA REPORT	Item #: 5.
Subject: Resolution No. 31-2024: Chapter 196.1978 Live Local Act Opt Out Ad Valorem Tax Exemption.		
Requested Action or Motion: Move to adopt Resolution No. 31-2024 enacting the opt-out provision of Chapter 196.1978, as presented.		
Summary Explanation & Background: The City Council introduced Ordinance No. 1430 (Live Local Exemption) at the September 9, 2024, meeting and set the public hearing for September 23, 2024. The required advertisement was provided to the Orlando Sentinel for publication of the adoption hearing. Although the proof of the advertisement was provided to the city for publication, an internal audit revealed that the Orlando Sentinel failed to send a publisher's affidavit affirming the public hearing notice was duly published as requested, approved and authorized on September 10, 2024. Further review indicated that the Sentinel did not publish the advertisement as instructed and verified by the city. Therefore, the public hearing held on September 23, 2024, did not meet statutory requirements. To rectify the situation and meet the deadline for adoption of the Live Local exemption, a second public hearing notice was submitted and requested to run on November 27, 2024, for action/re-adoption of Ordinance No. 1430 on December 9, 2024. The Orlando Sentinel again failed to duly advertise the public hearing notice as submitted/requested. Adequate time was not available to provide the lead time for advertising the ordinance for re-adoption. Chapter 196.1978 provides for a local government to opt out by either, ordinance or resolution, as long as, prior to adoption of said ordinance or resolution, notice is advertised in accordance with Section 50.011 Florida Statutes. Resolution No. 31-2024 was duly advertised on December 4, 2024, so it could be considered at the December 9th meeting to ensure meeting the statutorily set deadline of January 1, 2025.		
<u>Live Local Act</u> The Live Local Act was passed into law during the 2023 Legislative Session as Senate Bill 102, which became Chapter 2023-17, Laws of Florida, upon becoming a law. This bill created a new exemption from ad valorem taxation by creating subsection (2)(b) of section 196.1978, Florida Statutes, which provides an exemption for certain multifamily properties which contain more than 70 units that are used to provide affordable housing to persons or families meeting extremely-low to moderate-income limits.		
<u>2024 Legislative Amendment</u> During the most recent Legislative session, the Legislature passed House Bill 7073, which became Chapter 2024-158, Laws of Florida upon signature by Governor DeSantis. The bill amended section 196.1978, Florida Statutes, to allow taxing authorities (which includes municipalities) to elect, via approval of an ordinance or resolution approved by a two-thirds vote of the governing body, to opt out of the exemption. Taxing authorities may only opt out of the taxing authority's metropolitan statistical area (MSA) has a greater number of affordable and available units than the number of rental		

households in the 0-120 percent area median income (AMI) according to the most recent Shimberg Center survey. The survey in Appendix 4 on Page 32 notes that this applies to the Orlando-Kissimmee MSA.

Resolution to Enact Opt-Out

This resolution contains a finding that the Orlando-Kissimmee MSA qualifies for the opt-out, and directs the Orange County Property Appraiser to not grant any exemptions between January 1, 2025, and January 1, 2027, in accordance with the requirements of the statute. By statute, this Resolution requires a 2/3 majority vote, which means that there must be four yes votes in order to enact the resolution.

This resolution does not affect any exemptions that were lawfully granted prior to the adoption of this resolution.

Fiscal Impact:

The Live Local Act, approved during the 2023 session of the Florida Legislature, established an ad valorem tax exemption for newly constructed multifamily developments that provide affordable housing within certain income thresholds. Any exemption would reduce the City's ad valorem tax collections. However, during the 2024 session, the Legislature approved a bill that allows certain local governments to opt out of the exemption. The City of Maitland qualifies for the opt-out. By opting out, future developments will not be able to avail themselves of the tax exemption.

Two apartment complexes in the city have taken advantage of this statute, resulting in a significant negative impact on ad valorem revenues.

Exhibits:

1. Resolution No. 31-2024 Maitland LLA Opt Out Chapter 196.1978
2. Shimberg_annual_report_Dec_2023 (1)

Commission/Board: City Council

Contact Person: Mark Reggentin 407-539-6220

Reviewed by City Attorney
Cliff Shepard

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 6.
Subject: Generator Replacement FD 47: Tradewinds Power Corp.		
Requested Action or Motion: Move to approve the purchase and installation of a replacement generator at Fire Station 47 from Tradewinds Power Corp for the amount of \$83,490.00		
Summary Explanation & Background: Fire Station 47 was built in 2004, at which time the existing generator for the building and lift station was installed. Earlier this year, the generator failed, requiring a portable generator to be connected while it was being repaired. The repairs to date have not been successful. Since the generator is at the end of its useful life and many replacement parts are not readily available, staff requested a quote for a new generator. Tradewinds Power Corp has provided a quote for the installation of a 100kw replacement generator utilizing the Florida Sheriff's Cooperative Purchasing Contract FSA23-EQU21.0, Spec #155 in the amount of \$83,490. Funds are available in the Facilities Operating Budget. Staff recommends authorizing the purchase and installation of the replacement generator for Fire Station 47 from Tradewinds Power Corp in the amount of \$83,490.00.		
Fiscal Impact: Funds are available in the Facilities Operating Budget #01414519-534630-CF001 Repairs to 01414519-566400 (capital) Machinery & Equipment		
Exhibits:		
Commission/Board: City Council		
Contact Person: Kimberley Tracy 407-539-6216		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 7.
Subject: FY25 Vehicle Replacement Purchases: DeLand Nissan		
Requested Action or Motion: Move to approve the purchase of three (3) replacement vehicles from Terry Taylor DeLand Nissan utilizing the Florida Sheriff's Association contract FSA 24-VEL32.0 for a total of \$97,110.40.		
Summary Explanation & Background: The FY 2025 budget includes funding for the scheduled replacement of two (2) CID Vehicles (#317 and #318) for the Police Department. There is also carry forward funds available for a Public Works Administration vehicle (Vehicle #12), which was a 2014 Chevy Volt that was sold at auction in 2023 due to mechanical failure and has been temporarily replaced with a leased vehicle while the City evaluated replacement options. Both CID vehicles are to be replaced with 2025 Nissan Pathfinders from DeLand Nissan utilizing the Florida Sheriff's Association contract FSA 24-VEL32.0 at a cost of \$32,055.20 each for a total of \$61,110.40. The Public Works vehicle is proposed to be replaced with a 2024 Nissan Ariya for \$36,000.00. In consideration of the city's sustainability program, the Public Works Department along with the Police Department, evaluated the availability of electric or hybrid electric options for the CID vehicles. Although there is a hybrid option available for both the CID vehicles, neither one is recommended due to the nature and duty of the vehicle usage, as well as the cost differential. Vehicle #12 replacement, is determined could be serviced with an EV option. This purchase meets the goals of the city's sustainability program as the proposed vehicle is fully electric. Staff recommends approving the purchase of these three (3) replacement vehicles for a total cost of \$97,110.40.		
Fiscal Impact: Funds are available in 01211521-566430-VE001 / 01410541-566430-VE001.		
Exhibits:		
Commission/Board: City Council		
Contact Person: Kimberley Tracy 407-539-6216		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA																						
December 9, 2024		Section: Consent Agenda																						
Department/Office : Public Works	AGENDA REPORT	Item #: 8.																						
Subject: City-wide Janitorial Services Contract Award: Clean Space, Inc.																								
Requested Action or Motion: Move to award the City-wide Janitorial Services (ITB 414-2024-01) contract to Clean Space, Inc. and authorize the City Manager to execute said agreement, as presented.																								
Summary Explanation & Background: The City's initial term of the current contract for City Wide Janitorial Services will expire on January 1, 2025. The city has elected not to extend the current contract with Halo Building Services, LLC for an additional term period. Public Works staff issued an invitation to bid (ITB 414-2024-01) on October 21, 2024, for a qualified vendor to provide janitorial services assuring the overall cleanliness and professional appearance for the listed City facilities throughout the city. The ITB also included unit prices for additional services outside the routine maintenance defined in the bid documents. The city received notice that thirty-eight (38) registered vendors accessed the ITB and downloaded the bid specifications. Out of the thirty-eight (38) planholders for the ITB, the city received fourteen (14) bids. The fourteen (14) bids were reviewed for completeness of the required forms and submittals. The bids deemed responsive to the ITB are as follows:																								
<table><tr><td>Contractor Name</td><td>Total Cost of All Services</td></tr><tr><td>AK Building Services, Inc.</td><td>\$252,219.37</td></tr><tr><td>Alpha Building Maintenance Service, Inc.</td><td>\$299,712.00</td></tr><tr><td>American Facility Services, Inc.</td><td>\$194,171.88</td></tr><tr><td>Clean Space, Inc.</td><td>\$151,071.85</td></tr><tr><td>D&A Building Services, Inc.</td><td>\$305,966.10</td></tr><tr><td>Eco Clean Maintenance, Inc.</td><td>\$284,674.00</td></tr><tr><td>Executive Building Services</td><td>\$297,617.87</td></tr><tr><td>Florida Cleaning Systems, Inc.</td><td>\$230,778.00</td></tr><tr><td>Green Facility, Inc.</td><td>\$270,885.38</td></tr><tr><td>Grosvenor Building Services</td><td>\$315,920.00</td></tr></table>			Contractor Name	Total Cost of All Services	AK Building Services, Inc.	\$252,219.37	Alpha Building Maintenance Service, Inc.	\$299,712.00	American Facility Services, Inc.	\$194,171.88	Clean Space, Inc.	\$151,071.85	D&A Building Services, Inc.	\$305,966.10	Eco Clean Maintenance, Inc.	\$284,674.00	Executive Building Services	\$297,617.87	Florida Cleaning Systems, Inc.	\$230,778.00	Green Facility, Inc.	\$270,885.38	Grosvenor Building Services	\$315,920.00
Contractor Name	Total Cost of All Services																							
AK Building Services, Inc.	\$252,219.37																							
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Florida Cleaning Systems, Inc.	\$230,778.00																							
Green Facility, Inc.	\$270,885.38																							
Grosvenor Building Services	\$315,920.00																							

Halo Building Services	\$358,329.06
Marsden Services	\$231,272.63
SCSI	\$441,343.92
Xtremely Clean Janitorial Service, LLC	\$343,879.00

The apparent low bidder was determined to be Clean Space, Inc. with a bid in the amount of \$151,071.85. Staff performed reference checks for the firm, which were favorable.

Based on the bid reviews, staff finds Clean Space, Inc. to be the lowest responsive, responsible bidder, and therefore recommends awarding Clean Space, Inc. with a two (2) year contract, with an option to extend the contract for three (3) more consecutive one (1) year periods.

Fiscal Impact:

Funds are budgeted in accounts ***-533410.

Exhibits:

1. Memo-Bid Review_ITB 414-2024-01

Commission/Board: City Council

Contact Person: Christopher Kennedy (407) 539-6217

Reviewed by City Attorney
Drew Smith/ Cliff Shepard

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : Parks & Recreation	AGENDA REPORT	Item #: 9.
Subject: Westside Trails Project Design Change Order: CPH, Inc.		
Requested Action or Motion: Move to authorize the City Manager to execute the additional scope of work with CPH, Inc., for CEI services for the Westside Trails Project, as presented.		
Summary Explanation & Background: The Westside Trail project was approved by City Council earlier this year and a notice to proceed was issued for the portion of the project along Lake Destiny Drive. The city received a \$500,000 grant from the Florida Department of Transportation's (FDOT) SFGA grant program and \$350,000 grant from the Recreational Trail Program (RTP) administered through Florida Department of Environmental Protection (FDEP). Staff has negotiated a price of \$28,600 with CPH, Inc., the Engineer of Record, to provide shop drawing reviews, respond to RFIs (requests for information), and inspections as required by the FDOT and FDEP grants. This is an after-the-fact approval due to delays from FDOT providing the Notice to Proceed for their section of the project, for staff to know the complete scope of the CEI services that would be required. Staff recommends authorizing the City Manager to execute the additional scope of work with CPH, Inc., for CEI services for the Westside Trails Project, as presented.		
Fiscal Impact: \$28,600 transferred from professional services to project account 01412541-566300-BS704		
Exhibits: 1. Westside Trails CA Scope		
Commission/Board: City Council		
Contact Person: Kimberley Tracy 407-539-6216		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : Parks & Recreation	AGENDA REPORT	Item #: 10.
Subject: Recreation Instructor Contractual Payments.		
Requested Action or Motion: Approve payments to recreation instructors Donald McGinnis and Whitney Tossie provided that the payments do not exceed 80% of the total revenue received for each respective recreation program.		
Summary Explanation & Background: The City of Maitland purchasing policy requires that all purchases in excess of \$50,000 be approved by City Council. The Parks and Recreation Department requests approval for payments to program instructors in the Parks and Recreation Department that may exceed this amount if revenue received is in excess of \$62,500. All recreation contractor payments are revenue neutral to the general fund and are only paid according to the fees received for each respective program. Two such instructors that are likely to exceed this threshold are Donnie McGinnis, who provides tennis instruction and Whitney Tossie who provides basketball instruction to youth and adult groups and individuals. Both instructors provide recreational instruction to the City of Maitland that is in accordance with Parks and Recreation Department contractual regulations and standards. Staff requests City Council to authorize disbursement of funds to Mr. McGinnis and Ms. Tossie, the total of which may exceed the \$50,000 threshold, but will not exceed the contracted rate of 80% of the total registration fees received for these programs.		
Fiscal Impact: Funding is budgeted 01277575-533400-TN*** and 01277575-533400-BB***		
Exhibits:		
Commission/Board: City Council		
Contact Person: Jay Conn 407-539-6264		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 11.
Subject: Notice of General Municipal Election March 11, 2025.		
Requested Action or Motion: Move to receive the Notice of General Municipal Election, as presented.		
Summary Explanation & Background: The City of Maitland will hold a municipal election on March 11, 2025, for the purpose of electing a Councilmember for Seat One and Seat Three. Pursuant to Section 100.021 of the Florida Statutes, a Notice of Municipal Election shall be published two times before the beginning of candidate qualifying. Each candidate is required to file the following forms/documents with the City Clerk (Qualifying Officer). • DS-DE 9 - Appointment of Campaign Treasurer and Designation of Campaign Depository • DS-DE 84 - Statement of Candidate forms These forms must be filed with the City Clerk before a candidate actively campaigns. This includes soliciting signatures for petition forms and accepting/expending any campaign contributions. Petition filing period begins 12:00 Noon Monday, January 6, 2025, and ends 12:00 Noon Friday, January 10, 2025. Not less than 50 Candidate Petition forms (DS-DE 104), signed by qualified electors of the city must be provided to the City Clerk. The candidate must also take the Candidate Oath (DS-DE 302NP) with the City Clerk. Additionally, Pursuant to Section 99.097(4)(a) each candidate shall pay 10 cents for each signature verification and the check must be issued from their campaign account. The Candidate qualifying period begins 12:00 Noon, Monday, January 20, 2025, and ends 12:00 Noon, Friday, January 24, 2025. The election assessment must be paid at the time of qualifying in an amount equal to 1% percent of the annual salary (\$5,145.48) of the office sought (F.S. 99.093). Candidates must issue a check from their campaign account, made out to the City of Maitland in the amount of \$51.45. The Notice of Municipal Election and 2025 General Information for Candidates are attached and available @ https://itsmymaitland.com. The duly elected Councilmembers shall be seated on Monday, April 28, 2025. <i>If no candidate receives a majority of total votes cast, a run-off election will be held on April 8, 2025.</i>		
Fiscal Impact: General Fund City Clerk Election Expense 001191519/534905		

Exhibits:

1. OS Notice of Election - Qualifying
2. General Information For Candidate 2025 - New Campaign Finance Reports

Commission/Board: City Council**Contact Person:** Lori Hollingsworth 407-539-6219

Reviewed by City Attorney
Drew Smith

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : Finance Department	AGENDA REPORT	Item #: 12.
Subject: 4th Quarter 2024 Financial Summary.		
Requested Action or Motion: Move to receive the 4th Quarter 2024 Financial Summary and Investment Schedule as presented.		
Summary Explanation & Background: See attached 4th Quarter 2024 Financial Summary and Investment Schedule.		
Fiscal Impact: NA		
Exhibits: 1. Q4 2024 Financial Summary		
Commission/Board: City Council		
Contact Person:		
Reviewed by City Attorney NA		

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : Finance Department	AGENDA REPORT	Item #: 13.

Subject:

Fund Balance Designations.

Requested Action or Motion:

Move to approve the allocation of FY 2024 Fund Balance to the following designations effective September 30, 2024:

	Beginning	Change	Ending
Operating Contingency	\$ 2,000,000	\$ 1,828,000	\$ 3,828,000
Vehicle Replacement	4,534,000	0	4,534,000
Matching Grants	350,000	0	350,000
Council Capital	8,459,101	(2,381,918)	6,077,183
Building Code	(139,416)	32,000	(107,419)
IT / Radios	250,000	170,000	420,000
Space Needs	1,232,000	0	1,232,000
Emergency Disasters	6,100,000	0	6,100,000
*Undesignated	8,766,537	228,441	* 8,994,978
TOTAL	\$ 31,552,219	\$ (123,477)	\$ 31,428,742

*2024 Ending is an estimated amount; actual amount may vary depending on actual 2024 expenditures and revenues still to be entered for ACFR.

Summary Explanation & Background:

During the budget process staff presented recommendations to increase fund balance designations to better prepare for future expenditures such as vehicle replacement, information technology and emergencies and disasters. The vehicle replacement fund, is used to plan for near term large capital purchases such as emergency vehicles for both police and fire departments. Council approved the purchase of the Fire Rescue box funded from the vehicle designation, however with current year savings, *we were able to replenish the vehicle designation.* To properly maintain the City's technology infrastructure and for radio replacements for first responders, \$170,000 is being placed in the Radios/IT designation. The Emergency Disaster designation is to maintain a consistent ratio to the overall operating budget and have adequate funds in the face of increasing frequency and intensity of seasonal weather events.

For the City to remain competitive in the employment market, salary increases have been implemented. However, required pension plan funding is actuarially calculated using the level dollar funding method, which has a delayed impact when compared to actual pensionable wages. Therefore, when the actuarial analysis of the city's police and fire pension fund aligns with the current compensation plan, it is believed there will be a significant increase in the City's contribution to the plan. Staff is recommending increasing the Operating Contingency to address the actuarially determined pension funding requirements. The City is currently in union negotiations with the fire union and as of November 21, the exact impact is unknown. However, staff recommends increasing the Operating Contingency to have the funding available to draw from. As with the City's other designations, the intent is to take a conservative approach to long-term budgeting and avoid a large budgetary impact within any single year.

The year-end close and audit are still underway, however overall, fund balance is projected to increase by \$123 thousand. Of that amount, \$2,381,918 came from planned, Council Capital to fund the design of the Library. When that planned drawdown of council capital is taken into consideration, there is an operational increase in fund balance of \$2.1M primarily due to favorable interest income of \$1.5M, and \$600K operating savings.

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
December 9, 2024		Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 14.
Subject: Florida Department of Environmental Protection (FDEP) Grant Award: Dommerich Drive Culvert and Lift Station Resiliency Project.		
Requested Action or Motion: Move to accept and authorize the City Manager to execute a grant amendment, and other grant related administrative items, with the Florida Department of Environmental Protection for the Dommerich Drive Culvert and Lift Station Resiliency Project		
Summary Explanation & Background: The city's FY 2025-209 Capital Improvement Plan includes the Dommerich Drive Culvert Replacement and Drainage Improvement that is slated to begin evaluation and design in FY25. The goal of the project is to increase the resiliency of Dommerich Drive where it crosses Lake of the Woods Creek and the adjacent sanitary sewer lift station, both of which are susceptible to flooding. The roadway and lift station were flooded during and after Hurricane Ian. This project would replace the crossing with a new culvert to be designed based on current design standards and rainfall frequencies. The project will also address any redesign of the lift station to reduce the risk of being flooded. The city has been awarded a Florida Department of Environmental Protection grant for the project through state appropriations in FY25 budget. The grant has been awarded for up to \$150,000 in reimbursement costs for the design. Staff recommends accepting the grant and authorizing the City Manager to execute a grant amendment, and all other grant related administrative items.		
Fiscal Impact: \$150,000 grant funds to reimburse expenditures from the Stormwater Fund		
Exhibits: 1. 25RCP05 L0068 Maitland - grant agreement draft		
Commission/Board: City Council		
Contact Person: Kimberley Tracy 407-539-6216		
Reviewed by City Attorney Drew Smith		

MEETING DATE		AGENDA
December 9, 2024		Section: Consent Agenda
Department/Office : Fire/Rescue	AGENDA REPORT	Item #: 15.
Subject: Fire Equipment, Supplies and Services: Bennett Fire Products Company, Inc.		
Requested Action or Motion: Move to authorize the purchase of fire equipment, supplies and services from Bennett Fire Products Company, Inc., for \$91,590.00 as approved in the FY25 budget.		
Summary Explanation & Background: Each fiscal year the fire department budgets for fire equipment, supplies and services, including bunker safety gear. The fire department is requesting the approval to issue a Purchase Order to Bennett Fire Products in the amount \$91,590.00; which exceeds the City Manager's purchasing authority. On October 23, 2023, Council approved a piggyback contract off of a contract (#22-730B) between Lake County Florida and Bennnett Fire Products Company, Inc., for personal protective equipment (PPE). Terms of the contract were modified on August 1, 2023, by Lake County and Bennett, extending the contract period to July 31, 2025. Staff recommends that City Council authorizes the required purchases of fire equipment, supplies and services from Bennett Fire Products Company, Inc., for \$91,590.00.		
Fiscal Impact: 2025 budgeted funds of \$91,590.00 are available from 01221522-535200-FD001		
Exhibits:		
Commission/Board: City Council		
Contact Person: Chris Morton 407-539-0774		
Reviewed by City Attorney NA		

MEETING DATE		AGENDA
December 9, 2024		Section: Decisions
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.
Subject: Lakes Advisory Board (LAB) Appointments.		
Requested Action or Motion: Council decision to appoint two (2) Maitland residents to serve on the Lakes Advisory Board for a 3-year term beginning January 2025.		
Summary Explanation & Background: The Lakes Advisory Board (LAB) has two (2) vacancies as Lee Hale resigned from the board on August 21, 2024 and Juliet Demaree's second term ends December 2024. Ms. Demaree is ineligible for re-appointment at this time in accordance with LAB Constitution Section B. The following applicants reflect the Lakes Advisory Board as their: <u>First (1st) Choice</u> Stevens Burr Samantha Levine Ben Shepard <u>Second (2nd) Choice</u> Paul Bennett Ashley Moore Attached are their completed Volunteer to Serve on a Board / Commission forms for your review and consideration. The City Council is requested to make two (2) resident appointments to serve 3-year terms, beginning January 2025, and expiring December 2027.		
Fiscal Impact: TBD		
Exhibits: 1st Choice LAB - Stevens, Burr 02.21.2024 1st Choice LAB - Levine, Samantha 01.03.2023 1st Choice LAB - Shepherd, Ben 04.02.2024 2nd Choice LAB - Bennet, Paul 08.21.2024 2nd Choice LAB - Moore, Ashley 04.05.2024		
Commission/Board: City Council		
Contact Person: Lori Hollingsworth 407-539-6219		

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
December 9, 2024		Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 2.
Subject: Waterfront Structure Appeal: 928 Versailles Circle (WSP-06-24-50575).		
Requested Action or Motion: Move to affirm, reverse, or modify the decision of the reviewing staff. Staff has found that the waterfront structure permit meets all code requirements and recommends that the decision to issue the permit is affirmed.		
Summary Explanation & Background: On June 22, 2024, Sheila Cichra submitted a Waterfront Structure Permit application (WSP-06-24- 50575) on behalf of 928 Versailles Circle property owners Andy and Marlena Jahn for the demolition and construction of a boat dock. On June 26, 2024, initial letters were sent to adjacent residents, in accordance with Section 2.5.3, LDC, informing residents that an application for a waterfront structure permit located at 928 Versailles Circle was submitted and in review. When reviewing the waterfront structure permit (in this case a boat dock), staff applied the criteria contained in section 2.5.3(d) of the Land Development Code (attached for reference). Staff found that the application met all criteria contained in the code and approved and issued the permit on October 22, 2024. On October 23, 2024, a second letter was sent to adjacent residents, in accordance with Section 2.5.3, LDC, informing residents that the proposed waterfront structure permit was approved. The letter also informed residents that any party aggrieved or adversely affected by a final staff decision may appeal the decision in accordance with the procedures and standards described in LDC, Section 2.5.3(d)(3)(K). On November 4th, 2024, staff received an appeal from Mr. Shubin Wang, property owner of 930 Versailles Circle, regarding the approved permit. In his email, Mr. Wang expressed concerns about the relocation of the existing boat house, <u>specifically citing Chapter 403, Section 813 1.S(d), F.S. regarding relocation of existing docks.</u> Additionally, Mr. Wang cited in his appeal that "the new proposed location will obstruct his water view and also add traffic to existing 3 docks within a 50-foot span". The above referenced statute is regulated by the Florida Department of Environmental Protection (FDEP), not the City of Maitland. In relation to Mr. Wang's assertion that the dock is not in compliance with Chapter 403 F.S., per Chapter 166, Section 033 (5) and (6), F.S.it is stated " No local municipality shall require approval from any state or federal agency prior to issuing a development permit." In addition, the issuance of the city building permit does not absolve the applicant from applying and receiving any other applicable regulatory permits. If Mr. Wang feels that the dock requires additional DEP permitting, the issue needs to be taken up with the appropriate permitting agency for enforcement. It is incumbent upon the property owner to ensure that any additional permits are obtained, if required. The city cannot require or condition local permit issuance upon receipt of State permitting. This application does appear to be able to meet all local and state requirements. It is the responsibility of the property owner/contractor to obtain any other additional permits required for the proposed work. This application's proximity of dock locations can be found similarly on the northeast side of the lake, and meets local code side setback criteria.		

Council may move to affirm, reverse, or modify the decision of the review staff.

Fiscal Impact:

N/A

Exhibits:

1. Details and Specifications - WSP 50575
2. C-Site Plan-WSP 50575
3. WSP 50575 first notice (06-26-24)
4. WSP 50575 notice (10-23-24)
5. WSP 50575 appeal email (11-7-2024)
6. Land Development Code WSP approval criteria
7. Ordinance-1407-Amendment to the Land Development Code – LDC Refinement – 9_2022

Commission/Board: City Council

Contact Person: Dan Matthys 407-539-6211

Reviewed by City Attorney
Drew Smith

MEETING DATE		AGENDA
December 9, 2024		Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 3.
Subject: Ordinance No. 1438 Introduction: LDC Text Amendment: Waterfront Structure Review Standards.		
Requested Action or Motion: Introduce Ordinance 1438 amending LDC Article 2, Section 2.5.3(d)(4) - Waterfront Structure Review Standards and set the public hearing and action date for January 13, 2025.		
Summary Explanation & Background: Since August 10, 2009 (Ord. No. 1189), the City of Maitland has required applicants, constructing or replacing waterfront structures such as docks, to plant their shoreline with native aquatic plants so that no more than 50 feet, or 50 percent (whichever is less) of the shoreline remains clear of vegetation. Prior to the City's 2022 LDC update, this standard was explicitly stated in <i>Sec. 11-79 - Application for permit</i> of the City Code, that for any person "desiring to construct a boat dock, boathouse, boat ramp, boardwalk or seawall" they were required to plant native aquatic plants accordingly. As part of the City's 2022 LDC update, these requirements were moved to <i>Section 5.3.7 (b) (2) - Shoreline Alteration Standards</i> and <i>Section 5.3.7 (d) - Shoreline Alteration Standards</i>. However, staff believes that including this requirement directly within the waterfront structure permit review standards makes this requirement more explicit to applicants. On November 7, 2024, the Planning and Zoning Commission discussed this ordinance and voted to forward it to City Council with a recommendation of approval. Staff recommends that City Council Introduce Ordinance 1438 amending LDC Article 2, Section 2.5.3(d)(4) - Waterfront Structure Review Standards and set the public hearing and action date for January 13, 2025.		
Fiscal Impact: TBD		
Exhibits: 1. Ordinance Introduction Amending the LDC waterfront structures (DAS rev)		
Commission/Board: City Council		
Contact Person: Dan Matthys 407-539-6211		
Reviewed by City Attorney Drew Smith		

MEETING DATE		AGENDA
December 9, 2024		Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 4.
Subject: Ordinance No. 1439 Introduction: LDC Text Amendment: Shoreline Protection Standards and Shoreline Alteration.		
Requested Action or Motion: Forward Ordinance 1439 amending LDC Article 5, Section 5.3.7 - Shoreline Protection Standards and Article 10, Section 10.3.2 - Definitions and set the public hearing and action date for January 13, 2025.		
Summary Explanation & Background: The purpose of the proposed ordinance is to clarify language in <i>Section 5.3.7 Shoreline Protection Standards</i> of the Land Development Code, which requires applicants to bring the entire property shoreline up to current required standards at the time of any shoreline alteration or construction of a waterfront structure. In addition, the proposed ordinance clarifies the distinction between a seawall and a retaining wall near a body of water. The definition of "SEAWALL" is being revised to the original definition contained in Ordinance 1189, adopted August 10, 2009, which was slightly altered in the adoption of the 2022 Land Development Code. On November 7, 2024, the Planning and Zoning Commission discussed this ordinance and voted to forward it to City Council with a recommendation of approval. Staff recommends Council introduce Ordinance 1439 amending LDC Article 5, Section 5.3.7 - Shoreline Protection Standards and Article 10, Section 10.3.2 - Definitions and set the public hearing and action date for January 13, 2025.		
Fiscal Impact: NA		
Exhibits: 1. Ordinance Introduction Amending the LDC seawall (DAS rev 102224)		
Commission/Board: City Council		
Contact Person: Dan Matthys 407-539-6211		
Reviewed by City Attorney Drew Smith		

MEETING DATE		AGENDA
December 9, 2024		Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 5.
Subject: Performance Evaluation & Compensation: City Clerk.		
Requested Action or Motion: Based on the City Clerk's average performance evaluation of 4.8 on a 5 point scale, we move to approve a salary increase of XX%, effective January 2025.		
Summary Explanation & Background: On an annual basis, employees are evaluated by their supervisors, and merit increases are awarded at that time. The evaluation and compensation of the City Clerk rests with the Council. Evaluation forms were circulated to the City Council. The completed performance evaluations received by agenda publication have been tallied and include any comments from the narrative evaluation. 2024 Evaluation Tally Sheet is attached.		
Fiscal Impact: TBD		
Exhibits: 1. 2024 EVALUATION TALLY SHEET City Clerk 12-24		
Commission/Board: City Council		
Contact Person: Mark Reggentin 407-539-6220		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
December 9, 2024		Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 6.
Subject: Performance Evaluation & Compensation: City Manager.		
Requested Action or Motion: Based on the City Manager's average performance evaluation score of 4.97 on a 5 point scale, we move to approve a salary increase of XX%, effective January 2025.		
Summary Explanation & Background: On an annual basis, employees are evaluated by their supervisors, and merit increases are awarded at that time. The evaluation and compensation of the City Manager rests with the Council. Evaluation forms were circulated to the City Council. The completed performance evaluations received by agenda publication have been tallied and include any comments from the narrative evaluation. 2024 Evaluation Tally Sheet is attached.		
Fiscal Impact: TBD		
Exhibits: 1. 2024 EVALUATION TALLY SHEET City Manager 12-24		
Commission/Board: City Council		
Contact Person: Lori Hollingsworth 407-539-6219		
Reviewed by City Attorney N/A		