# City Council
# June 14, 2021
# Council Chambers
# 6:30 PM

**WELCOME to our City Council meeting. In the interest of time efficiency, the following will prevail for comments by the public. Each speaker will be permitted up to 3 minutes to state his/her case. Group presentations will be permitted 3 speakers including the spokesperson - each being limited to up to 3 minutes. No speakers will be interrupted. <u>Please silence all electronic devices during the meeting</u>. THANK YOU for participating in your City Government.**

I. Call to Order

II. Invocation - Dale McDonald

III. Pledge of Allegiance

IV. Presentation

  1. 2045 Master Plan – Central Florida Expressway Authority; Will Hawthorne, Director of Engineering, CFX

V. Public Hearing - None

VI. Old Business

VII. Consent Agenda

  1. Approve the City Council Meeting Minutes of May 24, 2021
  2. Lift Station #1 and Dommerich Hills Sewer Phase I
  3. Lift Station #1 and Dommerich Hills Sewer CEI Services
  4. Lift Station #1 Direct Purchase for Flygt Pumps

VIII. Public Period

IX. Decisions

  1. Appointment - Transportation Advisory Board (2)
  2. Resolution - Board of Adjustment and Appeals
  3. Appointment - Board of Adjustment and Appeals (1)

X. Discussion

XI. City Manager's Report/City Attorney/Council Reports

XII. Adjournment

**Notice: Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office (407-539-6219) 48 hours in advance of the meeting.**

**Disclaimer: Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.**

| MEETING DATE | | AGENDA |
|---|---|---|
| June 14, 2021 | MAITLAND FLORIDA | Section: Presentation |
| Department/Office : Administration | AGENDA REPORT | Item #: 1. |

**Subject:**
2045 Master Plan – Central Florida Expressway Authority; Will Hawthorne, Director of Engineering, CFX

**Requested Action or Motion:**

**Summary Explanation & Background:**

**Fiscal Impact:**

**Exhibits:**
None

**Commission/Board:** City Council

**Contact Person:** Maria Waldrop, City Clerk 407-539-6219

Reviewed by City Attorney

| MEETING DATE | | AGENDA |
|---|---|---|
| June 14, 2021 | MAITLAND FLORIDA | Section: Consent Agenda |
| Department/Office : Administration | AGENDA REPORT | Item #: 1. |

**Subject:**
Approve the City Council Meeting Minutes of May 24, 2021

**Requested Action or Motion:**
Move to approve the City Council meeting minutes of May 24, 2021.

**Summary Explanation & Background:**

**Fiscal Impact:**
N/A

**Exhibits:**
1. CC minutes 05242021

**Commission/Board:** City Council

**Contact Person:** Kathy Sotero, Deputy City Clerk 407-539-2307

Reviewed by City Attorney
No

| MEETING DATE | | AGENDA |
|---|---|---|
| June 14, 2021 | MAITLAND FLORIDA | Section: Consent Agenda |
| Department/Office : Public Works | AGENDA REPORT | Item #: 2. |

**Subject:**
Lift Station #1 and Dommerich Hills Sewer Phase I

**Requested Action or Motion:**
Move to authorize the City Manager to execute the contract for Lift Station #1 Relocation project to SanPik, Inc. in the amount of $5,863,891; authorizing a 10% contingency in the amount of $586,389 for field directives for a total cost of $6,450,280, and approving the additional allocation of $262,102 from the Utility Fund to cover the total project cost.

**Summary Explanation & Background:**
The City of Maitland has committed to providing sanitary sewer services to the Dommerich Hills area of the City. The overall project is divided into four phases, with Phase I inclusive of the relocation of Lift Station 1. The City issued a Request for Bid ITB-21-351-001-0-2021 on February 2021 and held the bid opening on April 20, 2021.

Seven bids were received and six bids were opened for the Contract. One bid was returned to the bidder unopened, as the bid was received after the designated bid due date and time. The final rankings in order from low to high are as follows:

| | |
|---|---|
| Intercounty Engineering, Inc. | $4,230,290.13 |
| SanPik, Inc. | $5,863,891.00 |
| Metro Equipment Services, Inc. | $6,330,540.00 |
| Pospiech Contracting, Inc. | $7,283,905.00 |
| Cathcart Construction Company, LLC | $7,497,575.00 |
| Carr & Collier, Inc. | $8,361,330.00 |

The City sent a Notice to Award to Intercounty Engineering, Inc. on May 5, 2021, with a requested return date of May 15, 2021 for the signed contract and supporting documents, in accordance with the bid documents. Intercounty Engineering responded by sending a request to withdraw from the bid without penalty, sighting an undisclosed error in their bid. As the request was not received within 24 hours of the bid opening as required per the Invitation to Bid documents, the City did not accept the bid withdrawal and issued an Annulment of Notice to Award to Intercounty Engineering, Inc. The City Attorney's Office is currently following up on the bid bond for Intercounty Engineering, Inc.

Once the Annulment was sent to Intercounty, staff moved to the second-lowest bidder, SanPik, Inc. The project design firm, Burgess & Niple, reviewed their bid, performed reference checks and provided a recommendation for award.

On May 25, 2021, Council approved $6 million in Florida State Department of Environmental Protection (FDEP) loan funds based on engineers' estimates of the cost of construction. The current all inclusive costs are $7,500,400; excluding $176,590 sidewalk improvements. SSNOCWTA (South Seminole North Orange County Water Transmission Authority) is contributing $1.2 million towards the construction of Lift Station 1 with the balance coming from FDEP loan proceeds. The City has already reached out to FDEP and informed them of the increase in construction costs and received acknowledgment for inclusion for loan increase approval. When FDEP prepares the loan amendment resolution, we will bring the resolution back to Council for approval. The current approved available project budget is $7,238,298 from WW801 Lift Station 1 and WW901 Dommerich Hills Sewer, therefore request Council appropriate additional required combined sewer project funds of $262,102 to be allocated between the sub-projects as needed. In addition to the sewer improvements, sidewalk improvements are proposed as a part of Phase I Dommerich Hills Sanitary Sewer Installation is estimated at $176,590 based on SanPik's bid and will be funded from available sidewalk funds in the General Fund 01412541-566300.

Staff recommends awarding the Lift Station #1 Relocation project to SanPik, Inc. in the amount of $5,863,891; authorizing a 10% contingency in the amount of $586,389 for field directives for a total cost of $6,450,280, and approving the additional allocation of $262,102 from the Utility Fund to cover the total project cost.

**Fiscal Impact:**
Funds available in 413515535-566300 (Project # WW801 and # WW901) and in General Fund 01412541-566300 for new sidewalk installation.

**Exhibits:**
1. Bid Opening Tabulation 042121
2. Updated Lift Station No. 1 Bid Review-From B&N 060721
3. Maitland LS No.1 Relocation_Agreement_Sanpik Executed
4. Dommerich Hills Septic to Sewer PH 1 SIDEWALK
5. Dommerich Hills Septic to Sewer PH 1

**Commission/Board:** City Council

**Contact Person:** Kimberley Tracy, Public Works Director 407-539-216

Reviewed by City Attorney
Yes

| MEETING DATE | | AGENDA |
|---|---|---|
| June 14, 2021 | MAITLAND FLORIDA | Section: Consent Agenda |
| Department/Office : Public Works | AGENDA REPORT | Item #: 3. |

**Subject:**
Lift Station #1 and Dommerich Hills Sewer CEI Services

**Requested Action or Motion:**
Move to approve the master agreement for Lift Station #1 and Dommerich Hills Sanitary Sewer Installation Construction Engineering and Inspection (CEI) Services with Neel-Schaffer, Inc. for all phases of the project and to authorize City Manager to execute agreement for the Scope of Services for the Lift Station 1 Relocation (Phase I) in the amount of $998,910.

**Summary Explanation & Background:**
On April 26, 2021, City Council approved the ranking of the firms as recommended by staff, and authorized the City Manager to negotiate a contract for Construction Engineering Inspection (CEI) Services for the construction of Lift Station 1 and the Dommerich Hills Sanitary Sewer Installation project with the top ranked firm, Neel-Schaffer, Inc.

Staff has negotiated hourly rates for the Neel-Schaffer and their sub-consultants by following FDOT method of establishing rates. These rates are incorporated into the master agreement for the multi-phased project and will be used for each phase's scope of service.

The scope of services for Phase 1, which includes the relocation of Lift Station #1 and the installation of new gravity sewer and force main, is an hourly, not to exceed (NTE) contract that will include public involvement, project administration, materials testing, inspections, technical assistance and documentation as required for the SRF Loan. The NTE limits for each category was estimated based on the complexity of the project and a project time of 18 months.

Staff recommends authorizing the City Manager to execute the master agreement for Lift Station 1 and Dommerich Hills Sanitary Sewer Installation Construction Engineering and Inspection (CEI) Services with Neel-Schaffer, Inc. for all phases of the project and to execute the agreement for the Lift Station #1 Relocation (Phase I) Scope of Services in the amount of $998,910. Funds are available as noted on Consent #2.

**Fiscal Impact:**
Funds available in 413515535-566300 (Project #WW801)

**Exhibits:**
1. Lift Station #1 Neel-Schaffer rate schedule 5-13-21
2. CEI - RPR Letter Agreement 060721 rev
3. CEI Contract

**Commission/Board:** City Council

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|---|
| **Contact Person:** Kimberley Tracy, Public Works Director 407-539-216 |
| Reviewed by City Attorney<br>Yes |

| MEETING DATE | | AGENDA |
|---|---|---|
| June 14, 2021 | MAITLAND FLORIDA | Section: Consent Agenda |
| Department/Office : Public Works | AGENDA REPORT | Item #: 4. |

**Subject:**
Lift Station #1 Direct Purchase for Flygt Pumps

**Requested Action or Motion:**
Move to authorize the purchase of Lift Station #1 pumps and controls from Xylem Water Solutions in the amount of $227,800.

**Summary Explanation & Background:**
As a part of the Lift Station #1 project, the pumps, control panel, and appurtenances were proposed to be a direct owner purchase from the supplier. A direct purchase will save the City money since there will not be a markup or sales tax by including it in the construction contract.

As approved by the City Council on May 24, 2021, the City has standardized lift station pumps to be Flygt pump systems and approved a perpetual approval of Xylem Water Solutions as the sole provider for Flygt pumps for as long as they are the sole provider in Florida. Xylem Water Solutions has provided a quote of $227,800 for the purchase of the pumps and controls as specified in the construction drawings for Lift Station #1.

Staff recommends authorizing the purchase of the Lift Station #1 pumps and controls from Xylem Water Solutions in the amount of $227,800. Funds are available as noted on Consent Item #2 of this agenda.

**Fiscal Impact:**
Funds are budgeted in Capital Improvement Project WW901

**Exhibits:**
1. City of Maitland LS 1 Relocation Quote R2 042921

**Commission/Board:** City Council

**Contact Person:** Kimberley Tracy, Public Works Director 407-539-216

Reviewed by City Attorney
N/A

| MEETING DATE | | AGENDA |
|---|---|---|
| June 14, 2021 | MAITLAND FLORIDA | Section: Decisions |
| Department/Office : Administration | AGENDA REPORT | Item #: 1. |

**Subject:**
Appointment - Transportation Advisory Board (2)

**Requested Action or Motion:**
Council Decision.

**Summary Explanation & Background:**
Currently, there are two vacancies on the Transportation Advisory Board (TAB). The terms of James Blackford and Cliff Tate expired on May 23, 2021. Both are eligible and wish to be reappointed.

The following applicants reflect this board as their:

**First (1st) Choice**
James Blackford
Cliff Tate

**Second (2nd) Choice**
Kevin dela Cerna
William Duff

Copies of their appointment forms are attached for your review and information. The Council is requested to make two appointments effective May 23, 2021 for a three year term.

**Fiscal Impact:**
N/A

**Exhibits:**
1. Blackford - TAB
2. Tate - TAB
3. delaCerna TAB
4. Duff - TAB

**Commission/Board:** City Council

**Contact Person:** Maria Waldrop, City Clerk 407-539-6219

Reviewed by City Attorney
N/A

| MEETING DATE | | AGENDA |
|---|---|---|
| June 14, 2021 | MAITLAND FLORIDA | Section: Decisions |
| Department/Office : Administration | AGENDA REPORT | Item #: 2. |

**Subject:**
Resolution - Board of Adjustment and Appeals

**Requested Action or Motion:**
Move to pass a Resolution resetting the terms of the Board of Adjustments and Appeals as outlined below.

**Summary Explanation & Background:**
The Board of Adjustments and Appeals was established in accordance with the Florida Building Code. Its duties relate to the interpretation and enforcement of Building Code standards and to hear appeals of decisions and interpretation of the Building Official or Fire Official as applicable. This is a 5-member board and one alternate member that meets only as needed. This Board last met in August of 2009.

Board members should be composed of individuals with knowledge and experience in technical codes such as design professionals, contractors, or building industry representatives.

Members shall each serve on the board for a term of three years and may be reappointed by the Council for one successive term.

The Section 4.7-26(b) code provides for a staggering of terms to ensure that no more than 2 members are appointed or replaced each year. A review of the records of the Board of Adjustments and Appeals has not indicated how this Board's appointment schedule has gotten out of sync with the requirements of the code.

In order to address this, staff is proposing to reset the board similar to the establishment of the Sustainability Advisory Board and the TAB when the number of members was reestablished at five. As is addressed in the attached resolution, the members assigned to the initial terms of one or two years would be treated as fulfilling an unexpired term. This will allow them to serve two complete terms after the initial term expires.

Based upon this, staff is recommending the following appointment schedule:

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|---|---|---|
| Grey Binford | One Year Term | 3/22/2021-3/22/2022 |
| Matt Sloan | Two Year Term | 3/22/2021-3/22/2023 |
| Rob Smith | Two Year Term | 3/22/2021-3/22/2023 |
| Vacancy | Two Year Term | 3/22/2021-3/22/2023 |
| Vacancy & Alternate | Three Year Term | 3/22/2021-3/22/2024 |

**Fiscal Impact:**
N/A

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| **Exhibits:**<br>1. Draft resolution BAA 2021 |
| **Commission/Board:** City Council |
| **Contact Person:** Maria Waldrop, City Clerk 407-539-6219 |
| Reviewed by City Attorney<br>N/A |

| MEETING DATE | | AGENDA |
|---|---|---|
| June 14, 2021 | MAITLAND FLORIDA | Section: Decisions |
| Department/Office : City Clerk | AGENDA REPORT | Item #: 3. |

**Subject:**
Appointment - Board of Adjustment and Appeals (1)

**Requested Action or Motion:**
Council Decision.

**Summary Explanation & Background:**
There are three vacancies (including the Alternate member) on the Board of Adjustment and Appeals. Currently, we only have one application from Manuel Nunez.

A copy of his application is attached for your review and information.

The Council is requested to appoint Mr. Nunez effective March 22, 2021, for a three year term expiring March 22, 2024.

**Fiscal Impact:**
N/A

**Exhibits:**
1. Nunez - BAA

**Commission/Board:** City Council

**Contact Person:** Maria Waldrop, City Clerk 407-539-6219

Reviewed by City Attorney
N/A