



**City Council
January 10, 2022
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. Please silence all electronic devices during the meeting. THANK YOU for participating in your City Government.

- I. Call to Order
- II. Invocation - Central Florida Freethought Community
- III. Pledge of Allegiance
- IV. Presentations
 1. Retirement Resolution - Martin Wohltmann
 2. Retirement Resolution - Richard Crandall
- V. Public Hearings
 1. Ordinance - Pension Fund Composition
 2. Ordinance - Water, Sewers and Sewage Disposal
- VI. Old Business
- VII. Consent Agenda
 1. Approve the City Council Meeting Minutes of December 13, 2021
 2. Approve additional CEI Services to CPH for 17-92 Watermain Project
 3. Resolution - Election March 8, 2022
- VIII. Public Period
- IX. Decision
 1. Appointments - Lakes Advisory Board (2)
- X. Discussion
 1. Recommendation from Sustainability Advisory Board - Right to Clean Water Charter Amendment
- 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
January 10, 2022		Section: Presentations
Department/Office : Fire/Rescue	AGENDA REPORT	Item #: 1.
Subject: Retirement Resolution - Martin Wohltmann		
Requested Action or Motion:		
Summary Explanation & Background:		
Fiscal Impact:		
Exhibits: 1. Wohltmann - Resolution		
Commission/Board: City Council		
Contact Person:		
Reviewed by City Attorney		

MEETING DATE		AGENDA
January 10, 2022		Section: Presentations
Department/Office : Administration	AGENDA REPORT	Item #: 2.
Subject: Retirement Resolution - Richard Crandall		
Requested Action or Motion:		
Summary Explanation & Background:		
Fiscal Impact:		
Exhibits: 1. Resolution - Richard Crandall		
Commission/Board: City Council		
Contact Person:		
Reviewed by City Attorney		

MEETING DATE		AGENDA
January 10, 2022		Section: Public Hearings
Department/Office : Administration	AGENDA REPORT	Item #: 1.
Subject: Ordinance - Pension Fund Composition		
Requested Action or Motion: After receiving public input, move to adopt an ordinance amending Chapter 2, Administration, Article IV, Pensions and Retirement, Division 4, Police Officers and Firefighters.		
Summary Explanation & Background: At the Maitland Police Officers and Firefighters Pension Board ("Board") meeting on September 8, 2021, the Board unanimously approved and directed the plan administrator to forward the attached ordinance and no impact statement to the City Council for their consideration. The ordinance would allow either the Police or Fire Chief to appoint a designee to serve on the Board in their place. The designee must be a present or past member of the plan and can be appointed or reappointed to a four year term and can be removed by the respective Chief. This maintains the general make up of the Board (three police representatives, three fire representatives, two citizens, and the finance director), but allows the Chiefs the flexibility of appointing someone to serve in their place. There is no financial impact to the plan as per the attached statement from the actuary and the ordinance was provided by the Board attorney. This item was introduced at the December 13, 2021 City Council meeting.		
Fiscal Impact: None.		
Exhibits: 1. 03-05-21 Letter of No Impact (2) 2. Ordinance - Pension Re Trustees - Jan 2022		
Commission/Board: City Council		
Contact Person: Will Watts 407-644-6345		
Reviewed by City Attorney Reviewed by Pension Board Attorney.		

MEETING DATE		AGENDA
January 10, 2022		Section: Public Hearings
Department/Office : Administration	AGENDA REPORT	Item #: 2.
Subject: Ordinance - Water, Sewers and Sewage Disposal		
Requested Action or Motion: After receiving public input, move to adopt an ordinance amending Chapter 20 - Water, Sewers and Sewage Treatment.		
Summary Explanation & Background: In 2018, the City adopted the equivalent residential unit calculations used by Altamonte Springs for sewer capacity. Because sewer capacity (impact) fees in the Altamonte Springs sewage treatment plant service area are a pass-through cost, the City adopted the ERU calculations to ensure there is no discrepancy between what is collected and what is remitted. When the ERU schedule was adopted for sewerage, a portion of the code contained calculations for water connection which is in conflict with the City's current methodology for water connection fees. The City's water connection fees are collected based upon meter size and not ERU. Staff is recommending that the two sentences referencing ERU's for water connection be deleted from Chapter 20. After receiving public input, staff is recommending that Council adopt the ordinance.		
Fiscal Impact: N/A		
Exhibits: 1. Ordinance Chapter 20 Water sewers and sewage Sec 20-2 b		
Commission/Board: City Council		
Contact Person: Sharon Anselmo 407-539-6221		
Reviewed by City Attorney Yes.		

MEETING DATE		AGENDA
January 10, 2022		Section: Consent Agenda
Department/Office : Administration	AGENDA REPORT	Item #: 1.
Subject: Approve the City Council Meeting Minutes of December 13, 2021		
Requested Action or Motion:		
Summary Explanation & Background:		
Fiscal Impact:		
Exhibits: 1. Minutes 12132021		
Commission/Board: City Council		
Contact Person:		
Reviewed by City Attorney		

MEETING DATE		AGENDA
January 10, 2022		Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 2.

Subject: Approve additional CEI Services to CPH for 17-92 Watermain Project
Requested Action or Motion: Move to authorize the City Manager to execute an amendment to the contract with CPH Engineering for CEI Services for the 17-92 Watermain Project.
Summary Explanation & Background: On February 24, 2020, City Council approved the contract with CPH, Inc. to provide engineering oversight and construction observation services to ensure the requirements were met for both the Florida Department of Environmental Protection (FDEP) Clean Water State Revolving Fund (CWSRF) loan for the Lift Station #6 Force Main Improvements Project and the Drinking Water State Revolving Fund (DWSRF) loan for 17-92 Phase I Water Main Improvements Project. Due to the congestion of additional utilities (including underground electric, fiber and telephone) in the US 17-92 right-of-way since the design of the watermain project, the north and center sections of pipe required alternate routes. The new routes for the watermain were permitted through FDOT and the redesign, permitting and exploration of unknown utilities extended the original schedule proposed by the Contractor approximately six (6) months. Directional drills and construction within the 17-92 roadway were added to the project. Extension of the three tasks (construction administration services, DWSRF Administrative Services, and DWSRF Technical Services) approved in the original time and materials contract is needed to complete the required final inspections, documentation and certifications required by the Drinking Water State Revolving Fund. CPH, Inc. has provided a proposal for additional services in an amount not to exceed \$35,431. Staff recommends approving scope of service with CPH, Inc. for additional CEI services and FDEP State Revolving Fund oversight for the 17-92 Watermain Project in the total amount not to exceed \$35,431.
Fiscal Impact: Funds available within CIP in the contingency allocation for the 17-92 Watermain Project
Exhibits: 1. Phase I WM CA Scope DWSRF_dec
Commission/Board: City Council
Contact Person: Kimberley Tracy 407-539-6216
Reviewed by City Attorney N/A

MEETING DATE		AGENDA
January 10, 2022		Section: Consent Agenda
Department/Office : Administration	AGENDA REPORT	Item #: 3.
Subject: Resolution - Election March 8, 2022		
Requested Action or Motion: Move for passage of a resolution designating places of polling, opening and closing times of polls and form of ballot; for the general municipal election to be held on Tuesday, March 8, 2022.		
Summary Explanation & Background: Pursuant to Section 5.5-2 Maitland Code of Ordinances, this resolution designates the places of polling, the time of opening and closing of polls and form of the ballot for the General Municipal Election to be held on Tuesday, March 8, 2022.		
Fiscal Impact: N/A		
Exhibits: 1. Resolution Election 2022		
Commission/Board: City Council		
Contact Person: Kathy Sotero 407-539-2307		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
January 10, 2022		Section: Decision
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.

Subject: Appointments - Lakes Advisory Board (2)
Requested Action or Motion: Council Decision.
Summary Explanation & Background: The terms of Juliet Demaree and Lee Hale on the Lakes Advisory Board expired on January 4, 2022. Both Mrs. Demaree and Mr. Hale are eligible and wish to be considered for reappointment. The following applicants reflect this board as their: <u>1st Choice</u> Juliet Demaree Lee Hale <u>2nd Choice</u> Carl Hanlon Copies of their respective appointment forms are attached for your review and information. Council is requested to make (2) appointments effective January 4, 2022, each for a three-year term.
Fiscal Impact: N/A
Exhibits: 1. Demaree- LAB 2. Hanlon - LAB 3. Hale - LAB
Commission/Board: City Council
Contact Person: Kathy Sotero 407-539-2307
Reviewed by City Attorney N/A

MEETING DATE		AGENDA
January 10, 2022		Section: Discussion
Department/Office : Administration	AGENDA REPORT	Item #: 1.
Subject: Recommendation from Sustainability Advisory Board - Right to Clean Water Charter Amendment		
Requested Action or Motion: Discussion Only.		
Summary Explanation & Background: On December 8, 2021, the Sustainability Advisory Board (the “Board”) voted unanimously (4-0) to forward the attached charter amendment ordinance to the City Council for consideration. Initially, the Board wanted to consider an amendment similar to the Orange County amendment that passed with 89% voting yes in November 2020. When Governor Ron DeSantis signed the Clean Waterways Act, SB 712, in June of 2020, the law preempted what the voters ultimately approved in the November election. Currently, there is litigation challenging the law. A memorandum from the City Attorney, which was drafted for the Charter Review Committee, is attached for additional information regarding the preemption. Attached is a recommendation from the Board and a potential draft ordinance, which has not yet been reviewed by the City Attorney. The amendment, if approved, would add a right to clean water in the City's charter as outlined below: 7.07. – Right to clean water. (a) The citizens of the city have a right to clean water, which shall include the right to prevent pollution that affects the enjoyment of a private or public property. (b) The city and citizens of Maitland shall have standing to bring an action in their own name to enforce provisions of this section as outlined 7.07(c). (c) It shall be unlawful and a violation for any governmental agency, non-natural person or corporate entity to violate the citizen's right to clean water or intentionally or negligently pollute any body of water within the boundaries of the city. (d) The city council shall establish, by ordinance, the definitions, rights, remedies and other components necessary to ensure the citizens' rights to clean water.		
Fiscal Impact: TBD		
Exhibits:		

1. Memo Clean Water Rights
2. Board Recommendation 12082021
3. Charter Right to Clean Water Revised 12-2021

Commission/Board: City Council

Contact Person: Sharon Anselmo 407-539-6221

Reviewed by City Attorney
N/A