

CITY OF CASSELBERRY CITY COMMISSION MEETING

Monday, February 13, 2023
5:30 PM

City Commission Chambers
1st Floor, Casselberry City Hall
95 Triplet Lake Drive, Casselberry, Florida

TO THE PUBLIC: Persons are advised that, if they decide to appeal any decision made at these meetings/hearings, they will need a record of the proceedings and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105, Florida Statutes. Persons with disabilities needing assistance to participate in any of these proceedings should contact the A.D.A. Coordinator, 48 hours in advance of the meeting at (407) 262-7700, ext. 1150.

Any invocation that may be offered before the official start of the City Commission meeting is the voluntary offering of a private citizen to and for the Commission pursuant to Resolution 15-2808. The views and beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Commission and do not necessarily represent their individual religious beliefs, nor are the views or beliefs expressed intended to suggest allegiance to or preference for any particular religion, denomination, faith, creed, or belief of the City Commission or the City of Casselberry. No person in attendance at this meeting is or shall be required to participate in any invocation, and the decision whether or not to participate will have no impact on his or her right to actively participate in the meeting.

This is a public meeting, and the public is invited to attend. The agenda is subject to change. Please be advised that one (1) or more members of any of the City's Advisory Boards may be in attendance and may participate in the discussions at the meeting.

Persons can obtain an electronic copy of the agenda packet for this meeting by making a public records request to the City Clerk's Office by calling (407) 262-7700, Ext. 1133 or emailing cityclerk@casselberry.org.

AGENDA

1. MEETING CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. MINUTES

A. Minutes of January 23, 2023 - Regular Meeting

6. PRESENTATIONS/ COMMENDATIONS

A. Proclamation: Recognizing the Retirement of Michael E. Johnson

Mayor Henson will present a proclamation in recognition of Michael E. Johnson's retirement from the City of Casselberry with 25 years of dedicated public service as a Police Officer in the Police Department.

B. Best Foot Forward Program Update

Emily Hanna, Executive Director of Bike/Walk Central Florida, will provide an update on the Best Foot Forward Program.

7. CONSENT AGENDA

The action proposed to be taken is stated for each item on the Consent Agenda. Unless one item is removed from the Consent Agenda by a City Commission member, no discussion on individual items will occur and a single motion will approve all items.

A. Approval of Legal Services Invoices

- Garganese, Weiss, D'Agresta & Salzman, P.A., Invoice No. 96444 - \$18,641.00

- Fishback Dominick LLP, Invoice No. 115382 - \$773.25
- Office of State Attorney, Invoice No. CA123122 - \$200.00

B. Resolution 23-3349 - Utility Maintenance Agreement with Pulte Home Company, LLC and Related Bill of Sale

Approval of Resolution 23-3349 provides for a Utility Maintenance Agreement with Pulte Home Company, LLC for the lift station at the Grayson Square subdivision and related Bill of Sale is requested.

C. Amendment No. 3 to the Agreement with Core & Main, LP for Advanced Metering Infrastructure Products

Approval of Amendment No. 3 to the Agreement with Core & Main, LP for Advanced Metering Infrastructure (AMI) products in an amount not to exceed \$150,000 for the term of the Amendment is requested.

D. Amendment No. 2 to the Agreement with M.T. Causley for Building Official Services

Approval of Amendment No. 2 to the Agreement with M.T. Causley for Building Official Services to extend the term for one (1) year with a standard rate of \$125 per hour and an overtime rate of \$188 per hour with a four (4) hour minimum is requested.

E. Amendment No. 7 to the Professional Services Agreement with Dewberry Architects, Inc. for Additional Design Services for the New Casselberry Police Headquarters and Related Budget Amendment #23-025

Approval of Addendum No. 7 to the Professional Services Agreement with Dewberry Architects, Inc., in the amount of \$8,775.00, for the provision of additional design services for the new Police Headquarters and Related Budget Amendment #23-025 is requested.

F. Lighting Services Agreement with Duke Energy for or Secret Lake Park and Related Budget Amendment #23-027

Approval of a Lighting Services Agreement with Duke Energy to install and maintain decorative lighting for Secret Lake Park in the upfront amount of \$29,076.32 and an ongoing monthly amount of \$1,315.74, and related Budget Amendment #23-027 is requested.

G. Agreement with Peoples Gas System, a Division of Tampa Electric Company for the New Police Department Headquarters and Related Budget Amendment #23-029

Approval of an Agreement with Peoples Gas System, a Division of Tampa Electric Company for the New Police Department Headquarters in the amount of \$20,536 and Related Budget Amendment #23-029 is requested.

H. Budget Amendment #23-030 - Consumptive Use Permit Renewal Legal Services

Approval of Budget Amendment #23-030 to provide funding for Consumptive Use Permit (CUP) Renewal Legal Services in the amount of \$100,000 is requested.

I. Single Source Purchase of Fiberglass Bridge for the Casselberry Golf Club from Links Bridges USA, Inc. and Related Budget Amendment #23-031

Approval for the single source purchase of one (1) fiberglass bridge for the Casselberry Golf Club from Links Bridges USA, Inc. in the amount of \$41,250.00 and related Budget Amendment #23-031 is requested.

J. Amendment No. 1 to Agreement with aXisPro Events, Inc. for Stage, Lights and Sound Services

Approval of Amendment No. 1 to the Agreement with aXisPro Events, Inc. for stage, lights, and sound production services for City events for a total not-to-exceed amount of \$50,000 annually, for a cumulative total not to exceed \$210,000 for the term of the Agreement is requested.

K. Authorization for the City Manager to Execute Change Orders Up to a Cumulative Amount of 5% of the Construction Agreement with W.T. Comp Inc. for the Construction of the Sunset Drive Livable Street Improvements Project

Authorization for the City Manager to execute change orders up to a cumulative amount of 5% of the Construction Agreement with W.T. Comp Inc. in the amount not to exceed \$174,411.65 for construction of the Sunset Drive Livable Street Improvements project is requested. (Ref: ITB-2021-0719)

L. Task Authorization No. 10 with CPH, LLC. for Additional Consumptive Use Permit

Renewal Services

Approval of Task Authorization No. 10 with CPH, LLC. for Additional Consumptive Use Permit (CUP) Renewal Services in the amount of \$81,260 is requested.

M. Reorganization of the Public Works & Utilities Department - Distribution & Collection Division

Approval of reorganization of the Distribution & Collection Division in the Public Works & Utilities Department by adding a Lead Utility Line Locator position is requested.

8. DISCUSSION ITEMS

A. Future Agenda Items

9. RESOLUTIONS

A. Resolution 23-3350 - Legislation in Progress Regarding the Buffer and Accessway Requirements in Section 3-13.7 of the Unified Land Development Regulations

Approval of Resolution 23-3350 providing for a recognition of legislation in progress to pursue Code changes within Section 3-13.7 of the Unified Land Development Regulations to allow more flexibility with regard to application of buffers, landscape strips, and accessways within City parks and associated implementation of active transportation components is requested.

10. FIRST READING OF ORDINANCES - None

11. PUBLIC HEARINGS - None

The purpose of a Public Hearing is to receive input regarding the item being considered. Public Hearings are not intended to be a time for the public to obtain information about the subject matter of the hearing. (Hearing Sequence: 1st - Staff; 2nd - Applicant/Requesting Party; 3rd - Public; 4th - opportunity for brief rebuttals, if appropriate; Final - City Commission motion, discussion and action.)

12. OTHER ITEMS - None

13. CITIZENS' COMMENTS

Persons who wish to make comment or make inquiry on any matter NOT ON THIS AGENDA may do so at this time. Please raise your hand and when recognized by the Mayor, come forward to the microphone, give your name and address and speak briefly on the matter. All comments must be directed to the Mayor or City Commission as a whole, not an individual City Commissioner, a City staff member or another member of the audience. Citizens may be heard during PUBLIC HEARINGS or at any time any agenda item is before the City Commission for consideration by following the same procedure described above.

14. CITY MANAGER'S REPORT

A. Procurement Information Report for the Period January 1, 2023 through January 31, 2023

The January 2023 Procurement Information Report is provided for review.

15. CITY ATTORNEY'S REPORT

16. CITY CLERK'S REPORT

17. CITY COMMISSIONER'S REPORTS/COMMENTS

18. ADJOURNMENT

Date

Donna G. Gardner, CMC
City Clerk



CITY MANAGER M E M O R A N D U M

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Minutes of January 23, 2023 - Regular Meeting

Introduction: The City Clerk is presenting the minutes of the January 23, 2023 Regular Meeting for approval.



CITY MANAGER M E M O R A N D U M

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Proclamation: Recognizing the Retirement of Michael E. Johnson

Introduction: Mayor Henson will present a proclamation in recognition of Michael E. Johnson's retirement from the City of Casselberry with 25 years of dedicated public service as a Police Officer in the Police Department.



CITY MANAGER M E M O R A N D U M

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Best Foot Forward Program Update

Introduction: It is no secret Central Florida is one of the most dangerous places to walk and ride a bike, but the City of Casselberry is changing that narrative, one crosswalk at a time. For more than a decade, the City has been changing policy and building infrastructure to better support active modes of transportation. In 2019, the City adopted an updated Complete Streets Policy with a goal to become the most walkable, rollable, and bikeable City in Central Florida. Also in 2019, the City joined Seminole County, City of Longwood, and others in the region's new pedestrian safety program, Best Foot Forward, as supported by MetroPlan Orlando, the region's transportation planning agency. The Best Foot Forward (BFF) program is designed to help modify driver behavior at crosswalks by educating on the driver yield law, enforcing the driver yield law, and installing low cost engineering measures to make it easier to cross the road.

The City of Casselberry has become a leader in the BFF program, having the most productive enforcement operations and successful engineering solutions across the region. Bike/Walk Central Florida, the nonprofit that administers the program, will make a presentation on the summary of last fiscal year's activities in the program and across the region.

Emily Hanna, Executive Director of Bike/Walk Central Florida, will provide an update on the Best Foot Forward Program.



CITY MANAGER M E M O R A N D U M

7.A.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Approval of Legal Services Invoices

Introduction: Consideration for approval of the legal services invoices from the City Attorney, the Code Special Magistrate and the Office of the State Attorney is requested.

Background: Pursuant to Resolution 16-2815, invoice information for attorney fees and legal services must be submitted to the City Commission for approval prior to payment.

Discussion: The following invoices have been reviewed by the affected departments and is being presented for approval:

Garganese, Weiss, D'Agresta & Salzman, P.A.

- City Attorney Services - January 2022 - Invoice No. 96444 - \$18,641.00

Fishback Dominick LLP

- Code Enforcement Special Magistrate Services - January 2023 - Invoice No. 115382 - \$773.25

Office of the State Attorney

- Prosecution of City Ordinances Quarter Oct. - Invoice No. CA123122 - \$200.00

Budget Impact: Funds for the City Attorney's invoice are available in FY 2023 Budget Account No. 001-0140-514-31.01. Funds for the Special Magistrate's invoice are available in FY 2023 Budget Account No. 001-0140-514.31.03. Funds for the State Attorney's Invoice are available in FY 2023 Budget Account No. 001-0140-514.31.05.

Recommendation: The City Manager and staff recommend approval of the legal services invoices as submitted.

Prepared by: Donna Gardner, City Clerk

Attachments:

1. Invoice No. 96444
2. Invoice No. 115382
3. Invoice No. CA123122



CITY MANAGER M E M O R A N D U M

7.B.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Resolution 23-3349 - Utility Maintenance Agreement with Pulte Home Company, LLC and Related Bill of Sale

Introduction: Resolution 23-3349 provides for a Utility Maintenance Agreement with Pulte Home Company, LLC for the lift station at the Grayson Square subdivision and related Bill of Sale.

Background: Pulte Home Company, LLC and the City entered into a Planned Unit Development Agreement recorded on April 23, 2021, in Official Records Book 9911, Page 380, of the Public Records of Seminole County, Florida, for the project known as Slovak Garden Planned Unit Development. On May 9, 2022 via Resolution 22-3307, the City Commission approved the final plat of the property, now known as Grayson Square. The subject property is a parcel of land lying in Section 34 Township 21 South, Range 30 East, Seminole County, Florida in that certain plat of Grayson Square is recorded on the Seminole County Public Record Plat Book 87, Page 83. The water distribution and wastewater collection systems servicing this property were built to the City of Casselberry's Utility Standards with the intention of becoming publicly owned after the Florida Department of Environmental Protection clearance was received. The wastewater collected at this location is transported to the City of Orlando's Iron Bridge Water Reclamation Facility by a South Seminole North Orange County Wastewater Transmission Authority's (SSNOCWTA's) lift station and force main, which were built in accordance with SSNOCWTA's design standards.

Discussion: Since the water distribution and wastewater collection systems constructed within Grayson Square are currently privately owned by Pulte Home Company, LLC, a Bill of Sale is needed to convey the systems to the City of Casselberry. At this time, the water distribution pipelines, gravity sewer system, and force main are fully constructed. However, the permanent generator for the lift station has not arrived yet due to supply chain shortages. SSNOCWTA and the City do not want to take responsibility for the operation and maintenance of the lift station until all components have been installed. In order to put the wastewater system into operation and allow for the Certificate of Occupancy to be issued for the completed buildings, Pulte Home Company, LLC has asked if they could maintain the lift station with a temporary generator onsite until the permanent generator is installed. The Utility Maintenance Agreement ensures that Pulte Home Company, LLC will properly maintain and operate the lift station and temporary generator in accordance with best practices until the permanent generator is installed on site and the City determines the generator is fully functional.

In accordance with SSNOCWTA's Enabling Act, only member entities are permitted to discharge into a SSNOCWTA owned lift station and force main. Therefore, in order to abide by this requirement, Pulte Home Company, LLC has prepared a Bill of Sale granting ownership of the water and wastewater systems, including the lift station and force main to the City of Casselberry. SSNOCWTA will eventually own the lift station and force main, but it will be temporarily owned by the City of Casselberry until the permanent generator is installed at the lift station.

Resolution 23-3349 provides for approval of the Utility Maintenance Agreement and Bill of Sale.

Budget Impact: There is no impact to the City Budget.

Recommendation: The City Manager and the Public Works & Utilities Director recommend approval of Resolution 23-3349.

Prepared by: Tara Lamoureux, Utility Divisions Director

Attachments:

1. Resolution 23-3349
2. Utility Maintenance Agreement
3. Bill of Sale



CITY MANAGER M E M O R A N D U M

7.C.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Amendment No. 3 to the Agreement with Core & Main, LP for Advanced Metering Infrastructure Products

Introduction: Approval of Amendment No. 3 to the Agreement with Core & Main, LP for Advanced Metering Infrastructure (AMI) products is requested. (Ref: ITN-2020-0554)

Background: The City of Casselberry awarded the Construction/Installation Agreement with Core and Main, LP for the Advanced Metering Infrastructure (AMI) Project on March 23, 2020 as a result of Invitation to Negotiate ITN-2020-0554. The construction project was successfully completed on June 19, 2022. The agreement with Core & Main, LP provides annual pricing for the "Sensus" Software as a Service (SaaS) for the AMI Project for a period of three (3) years following the completion of the construction project, with the option of three (3) additional five (5) year renewal periods. This software is required for meter communications and data retrieval. On August 8, 2022 the City Manager approved Amendment No. 1, in the amount of \$12,481.95, which adjusted the first five-year renewal period to align with the commencement of the software and related services and added specific maintenance and support services. On October 17, 2022 the City Manager approved Amendment No. 2, in the amount of \$3,500, which added the development, setup and installation of the Customer Portal.

Discussion: The purpose of Amendment No. 3 is to revise the price schedule for Sensus meters and related parts that may be required for inventory and any expansions to the AMI Project. These meters and related parts are ordered and stored by the Inventory Control Divisions within the Public Works & Utilities Department. Due to supply chain challenges, pricing is valid for only six months and the lead times can range from three to six months. The amount to be paid under this Amendment shall not exceed \$150,0000 for the term of this Amendment.

Standardization of the Sensus meters and related parts was approved by the City Manager on August 5, 2021. In addition, a Sole Source for the purchase of Sensus meters and related parts from Core & Main, LP was posted from May 16, 2022 through May 24, 2022, and no protests were received.

Budget Impact: Various operating accounts will be used within available budgets, on an as-needed basis.

Recommendation: The City Manager, Finance Director, and Public Works and Utilities Director recommend approval of Amendment No. 3 to the Agreement with Core & Main, LP.

Prepared by: Cheryl Olson, Procurement Manager

Attachments:

1. Amendment No. 3



CITY MANAGER M E M O R A N D U M

7.D.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Amendment No. 2 to the Agreement with M.T. Causley for Building Official Services

Introduction: Approval of Amendment No. 2 to the Agreement with M.T. Causley for Building Official Services to extend the term for one (1) year with a rate increase. (Ref. RFP-2020-0579)

Background: In February 2020, the City Commission approved Resolution 20-3150, which authorized the execution of an Agreement with M.T. Causley to provide Building Official Services. This Agreement provides Building Official, plan review, and inspection services. Amendment No. 1 was approved by City Commission on August 22, 2022 to modify the scope and increase the annual not to exceed compensation.

Discussion: This Amendment No. 2 provides for a one (1) year renewal and rate increase as provided in the attached Exhibit "A", Revised Price Schedule, increasing the standard rate from \$120 to \$125 and the overtime rate from \$180 to \$188, with a four (4) hour minimum.

Budget Impact: Sufficient funding is provided for in the FY 2023 budget.

Recommendation: The City Manager and the Community Development Director recommend approval of Amendment No. 2 to the Agreement with M.T. Causley for Building Official Services for a one (1) year term and rate increase.

Prepared by: Christopher Schmidt, Community Development Director

Attachments:

1. Amendment No. 2



CITY MANAGER M E M O R A N D U M

7.E.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Amendment No. 7 to the Professional Services Agreement with Dewberry Architects, Inc. for Additional Design Services for the New Casselberry Police Headquarters and Related Budget Amendment #23-025

Introduction: Approval of Addendum No. 7 to the Professional Services Agreement with Dewberry Architects, Inc., in the amount of \$8,775.00, for the provision of additional design services for the new Police Headquarters and Budget Amendment #23-025 is requested. (Ref. SOQ-2019-0481)

Background: The City of Casselberry has a professional services agreement with Dewberry Architects, Inc. to provide design services for the new Police Headquarters. The agreement was established through contract reference number SOQ-2019-0481. The new Police Headquarters will be located 115 Wilshire Blvd. as part of an ultimate Public Safety Complex with the relocated Fire Station 25 by Seminole County.

Discussion: The purpose of Amendment No. 7 is to add additional design services for the new Police Headquarters in the amount of \$8,775.00 for the following areas:

1. Re-design of the shared dumpster between the PD and the relocated Seminole County Fire Station 25. The dumpster and enclosure will be modified from a single to a double dumpster: \$5,975.00.
2. Re-design of the northwest parking spaces and canopy to accommodate the newly acquired armored vehicle: \$2,800.00.

Budget Impact: Budget Amendment #23-025 provides for funding in the amount of \$8,775.00.

Recommendation: The City Manager and Police Chief recommend approval of Amendment No. 7 to the Professional Services Agreement with Dewberry Architects, Inc. in the amount of \$8,775.00 for additional design services for the new Police Headquarters and related Budget Amendment #23-025.

Prepared by: Cheryl Olson, Procurement Manager

Attachments:

1. Amendment No. 7
2. Budget Amendment #23-025



CITY MANAGER M E M O R A N D U M

7.F.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Lighting Services Agreement with Duke Energy for or Secret Lake Park and Related Budget Amendment #23-027

Introduction: Approval of an Agreement with Duke Energy to install and maintain decorative lighting for Secret Lake Park in the upfront amount of \$29,076.32 and ongoing monthly amount of \$1,315.74 and related Budget Amendment #23-027 is requested.

Background: The vast majority of street lighting on City-owned streets and also in various parks in Casselberry is provided as a service by Duke Energy (Duke). The cost to add service consists of both an upfront cost to assist Duke with the installation (known as a CIAC - contribution in aid of construction) and ongoing monthly billing to cover rental, maintenance, and power for each street light installed. Ongoing monthly lighting costs within parks are paid out of Parks Maintenance operating accounts.

As part of its parks bond initiative, the City has substantially completed construction of project PW 1907 Secret Lake Park Improvements. As part of this, conduit was placed in various locations to facilitate installation of additional lighting by Duke.

Discussion: Duke has since finalized the lighting plan for improvements to Secret Lake Park and provided the City a proposal/agreement for its installation. The plan includes 48 decorative streetlights: 37 of these fixtures match recent City lighting projects, and 11 are slightly different in order to match older installations in close proximity within Secret Lake Park. The agreement (attached) is for an upfront (CIAC) cost of \$29,076.32 and an ongoing monthly cost of \$1,315.74. The contract is for ten years from the date of initiation of service, after which the lights can be changed or removed (if the City so desires) without penalty from Duke.

Funding for additional monthly costs associated with lighting for Secret Lake Park was factored into the Parks Maintenance operating budget for Fiscal Year 2023. However, there is currently no budget set aside to address the upfront cost. Budget Amendment #23-027 proposes to cover the upfront cost using parks bond funding.

Budget Impact: Budget Amendment #23-027 will increase both Parks Master Plan account 307-0000-389.90-00 (Other Non-operating Source) and 307-0410-572.63-40 (Infrastructure) each by \$29,077 in order to sufficiently fund the upfront cost of this item.

Recommendation: The City Manager and Public Works & Utilities Director recommend approval of the Agreement with Duke Energy for lighting of Secret Lake Park and approval of related Budget Amendment #23-027.

Prepared by: Kelly Brock, Public Works & Utilities Director

Attachments:

1. Agreement
2. Budget Amendment #23-027



CITY MANAGER M E M O R A N D U M

7.G.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Agreement with Peoples Gas System, a Division of Tampa Electric Company for the New Police Department Headquarters and Related Budget Amendment #23-029

Introduction: Approval of an Agreement with Peoples Gas System, a Division of Tampa Electric Company for the New Police Department Headquarters in the amount of \$20,536.00 and Related Budget Amendment #23-029 is requested. (Ref. EX-2023-1016)

Background: In order to install a natural gas main and service line for the New Police Department Headquarters, Peoples Gas System, a Division of Tampa Electric Company (TECO) requires the City to sign an Agreement and provide payment in advance of their construction services.

Discussion: TECO provided staff with a construction cost proposal in the amount of \$35,300.00 to install a natural gas main and service line at the New Police Department Headquarters. The City's portion of the construction cost, the contribution in aid of construction (CIAC) is \$20,536.00. The attached Agreement with TECO outlines the details regarding the City's CIAC. The Police Department's budget will fund the gas deposit, turn-on charge, and ongoing utility usage.

Budget Impact: Budget Amendment #23-029 will increase Infrastructure account 001-0610-521.63-40 and decrease Salaries account 001-0610-521.12-01 each by \$20,536 to sufficiently fund the project.

Recommendation: The City Manager and Police Chief recommend approval of the Agreement with Peoples Gas System, a Division of Tampa Electric Company for the New Police Department Headquarters and Related Budget Amendment #23-029.

Prepared by: Cheryl Olson, Procurement Manager

Attachments:

1. Agreement
2. Budget Amendment #23-029



CITY MANAGER M E M O R A N D U M

7.H.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Budget Amendment #23-030 - Consumptive Use Permit Renewal Legal Services

Introduction: Approval of Budget Amendment #23-030 to provide funding for Consumptive Use Permit (CUP) Renewal Legal Services in the amount of \$100,000 is requested.

Background: On March 8, 2011, the City was issued a Consumptive Use Permit (CUP) by St. Johns River Water Management District (SJRWMD), which regulates the amount of water that can be drawn from the City's nine (9) potable water production wells for drinking water purposes. This permit was set to expire on August 8, 2020 but was extended 30 days due to COVID-19 to September 7, 2020. The City entered into a task authorization with CPH, LLC on December 23, 2019 to help prepare the CUP renewal application. On September 4, 2020, the CUP renewal application was submitted. SJRWMD reviewed the City's CUP renewal application and determined additional information was required to complete the application. The City's proposed population projections were questioned since they did not reflect what was shown in the Central Florida Water Initiative Plan, which shows little to no growth occurring within the City's utility system over the next 20 years. SJRWMD also requested groundwater hydraulic modeling analysis be performed based on agreed upon population projections in order to ensure that the proposed water usage would not negatively affect the aquifer. City staff and CPH spent the last two years developing population and water demand projections while conversing with SJRWMD.

On November 18, 2022, SJRWMD sent a Notice of Intended District decision to grant the permit application to the City. The notice included the Consumptive Use Technical Staff Report (TSR) which sets the City's average annual groundwater allocation and other permit conditions for the new CUP. Unfortunately, the TSR contained a lot of language and stipulations that City staff did not agree with, including a 25% decrease in groundwater allocation from 7.022 to 5.297 million gallons per day (MGD), decreasing the duration of the permit from 20 to 10 years, and setting withdrawal limits for both the Upper and Lower Floridan Aquifer zones. City staff have decided to dispute the intended decision with SJRWMD staff. City staff intend on doing this by reevaluating the population and water demand projections with the help of a specialized attorney and through the use of engineering consultant services.

Discussion: Due to the complicated and technical nature of the CUP, City staff decided to seek the services of an attorney who specialized in CUP renewals and requirements. Edward de la Parte, Jr. with De la Parte & Gilbert, P.A., has helped several other Central Florida

utilities ensure that they receive a fair groundwater allocation during the SJRWMD CUP renewal process. City staff asked the City Attorney, Catherine Reischmann with Garganese, Weiss, D'Agresta, & Salzman, P.A., to reach out to Edward de la Parte, Jr. for help with disputing the TSR issued to the City of Casselberry. Mr. de la Parte has already begun helping City staff with this process by acting as a subconsultant under the Garganese, Weiss, D'Agresta, & Saltzman, P.A. contract. Budget Amendment #23-030 provides funding for these services, which includes reviewing the TSR, preparing updated population projections, and attending meetings with SJRWMD staff.

Budget Impact: Budget Amendment #23-030 decreases the Water and Sewer Fund Non-Departmental Contingency Reserves Account #401-0190-536.58-00 and increases the Water and Sewer Fund Legal Division City Attorney Account #401-0140-531.31-03 by \$100,000.

Recommendation: The City Manager and Public Works & Utilities Director recommend approval of Budget Amendment #23-030 for CUP Renewal Legal services in the amount of \$100,000.

Prepared by: Tara Lamoureux, Utility Divisions Director

Attachments:

1. Budget Amendment #23-030



CITY MANAGER M E M O R A N D U M

7.I.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Single Source Purchase of Fiberglass Bridge for the Casselberry Golf Club from Links Bridges USA, Inc. and Related Budget Amendment #23-031

Introduction: Approval for the single source purchase of one (1) fiberglass bridge for the Casselberry Golf Club in the amount of \$41,250.00 from Links Bridges USA, Inc. and related Budget Amendment #23-031 is requested. (Ref: SG-2023-0990)

Background: The City owns and operates the Casselberry Golf Club, one of Central Florida's oldest golf courses. The Casselberry Golf Club has five bridges throughout the course. The bridge connecting holes 10 and 11 has become untraversable following Hurricanes Ian and Nicole and requires a complete replacement.

Discussion: City staff recommend replacing the damaged bridge with one that is made of a long-lasting material in order to reduce the frequency of future bridge replacements. Links Bridges USA, Inc. is a single-source representative that provides a 100% fiberglass bridge that is designed specifically for golf courses. This product has a realistic wood finish, requires limited maintenance, is easy to install, retains its original appearance for decades, has a life span of over 75 years, and has no negative impacts on the environment.

The Single Source Notice of Intent to Enter into a Single Source Purchase was publicly posted on January 10, 2023 (SG-2023-0990). The cost to purchase and install the 100% fiberglass bridge is \$41,250.

Budget Impact: Budget Amendment # 23-031 will provide sufficient funding by increasing both the Casselberry Golf Club Fund Other Non-operating Source account #405-0000-389.90-00 and the Golf Club Fund Infrastructure account #405-0410-572.63-40 each by \$41,250.

Recommendation: The City Manager and Public Works and Utilities Director recommend approval for the purchase and installation of a fiberglass bridge in the amount of \$41,250 and related Budget Amendment # 23-031.

Prepared by: Lenny Barden, Public Works Divisions Director

Attachments:

1. Agreement
2. Public Notice of Intent

3. Bridge Specs
4. Budget Amendment #23-031



CITY MANAGER M E M O R A N D U M

7.J.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Amendment No. 1 to Agreement with aXisPro Events, Inc. for Stage, Lights and Sound Services

Introduction: Approval of Amendment No. 1 to the Agreement with aXisPro Events, Inc. for stage, lights, and sound production services for City events for a total not-to-exceed amount of \$50,000 annually, for a cumulative total not to exceed \$210,000 for the term of the Agreement is requested. (Ref: RFP-2020-0583)

Background: The City's Recreation Division provides stage, lights, and sound production services for all of the music festivals for the Concert Series, including Mardi Gras, Spring Jazz and Art Festival, Rock N' Blues Concert and Car Show, Latin Jazz and Art Show, Country Jam, and the Craft Beer and Blues Festival. Contracted services are necessary to assist with these efforts.

The City issued a Request for Proposals for Stage, Lights, and Sound Services on January 20, 2020 and awarded the Agreement to aXis Pro Events, Inc. on February 24, 2020 for an initial three (3) year term. The agreement may be renewed for two (2) additional one (1) year terms if in the best interest of the City.

Discussion: Staff recommends the first year renewal through February 24, 2024. This renewal includes an increase in various rates and an increase in the annual limit of compensation in the amount of \$10,000 per year. Thus total costs will not exceed \$50,000 per contract year. Future invoices will be based on specific services rendered and will be paid out of appropriate operating accounts, subject to available budgets.

Budget Impact: There is no impact to the City Budget associated with approval of Amendment No. 1.

Recommendation: The City Manager and the Public Works and Utilities Director recommend approval of Amendment No. 1 to the Stage, Lights, and Sound Services Agreement with aXisPro Events, Inc.

Prepared by: Linda Moore, Recreation Manager

Attachments:

1. Amendment No. 1



CITY MANAGER M E M O R A N D U M

7.K.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Authorization for the City Manager to Execute Change Orders Up to a Cumulative Amount of 5% of the Construction Agreement with W.T. Comp Inc. for the Construction of the Sunset Drive Livable Street Improvements Project

Introduction: Authorization for the City Manager to execute change orders up to a cumulative amount of 5% of the Construction Agreement with W.T. Comp Inc. in the amount not to exceed \$174,411.65 for construction of the Sunset Drive Livable Street Improvements project is requested.

Background: In 2012, the City submitted an application to MetroPlan Orlando to fund proposed improvements to Sunset Drive from Button Road to Oxford Road, referred to as the Sunset Drive Livable Street Improvements project. As a result, this project was subsequently added to the MetroPlan Orlando Prioritized Project List and then funded in the Florida Department of Transportation's (FDOT's) Work Program for both design and construction.

This project was also identified in the City's 2016 Multimodal Transportation Master Plan (MTMP) as an unfunded need. Design was federally funded and has been completed. Local funding to assist with construction was budgeted in Fiscal Year (FY) 2022 and has been rolled into FY 2023.

The City's local title for the project is "Project PW 1818 Sunset Drive Livable Street Improvements." For FDOT purposes, the project is "Sunset Drive Livable Streets Project" and the construction phase is under FDOT project #439075-2-58-01.

The project will benefit all road users by providing safer road conditions (utilizing traffic-calming elements) and providing a better pedestrian/bicycle network. The primary intent of the Sunset Drive Livable Street Improvements project is to narrow the travel lanes and provide a shared-use path on the east side of Sunset Drive. It includes driveway reconstruction, curb ramp reconstruction, crosswalk striping, drainage structures and drainage pipe improvements, signing and pavement marking upgrades, improvements to Overbrook Drive, and on-street parking at Sunset Park.

On September 13, 2021, via Resolution 21-3262, the City entered into a Local Agency Program (LAP) Agreement with FDOT to construct the project. The LAP Agreement called for federal funding up to \$2,258,304 and anticipated \$24,182 in local funds in order to construct the project, for a total of \$2,282,487. A separate agreement with FDOT addressed

construction engineering and inspection (CEI) services with a locally funded amount of \$55,249.

On January 9, 2023, via Resolution 23-3347, the City entered into a Supplemental Agreement (SA) #1 to the previous LAP agreement with FDOT to construct the project. The LAP SA #1 called for an additional \$914,000 in federal funding and \$291,746 of local funding in order to construct the project.

On January 9, 2023, the City Commission authorized the award of ITB-2021-0719 and execution of the Construction Agreement with W.T. Comp Inc. in the amount of \$3,488,233 for the construction of the Sunset Drive Livable Street Improvements project and related Budget Amendment #23-024.

Discussion: Construction projects require careful planning and meticulous estimates to ensure the success of the project. Throughout construction, unforeseen risks or challenges may arise that need an immediate resolution. A construction contingency allows the contractor to continue producing high-quality work while making effective decisions, without significantly impacting the project's schedule. A construction contingency helps ensure the project remains within budget and on schedule.

City Staff recommends authorizing the City Manager to execute change orders up to 5% (\$174,411.65) of the awarded construction cost for ITB-2021-0719, should the need arise.

Budget Impact: There is no impact to the City Budget at this time.

Recommendation: The City Manager and the Public Works & Utilities Director recommend approval for authorization for the City Manager to execute change orders up to a cumulative amount of 5% (\$174,411.65) as needed for the project.

Prepared by: Lenny Barden, Public Works Divisions Director

Attachments: None



CITY MANAGER M E M O R A N D U M

7.L.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Task Authorization No. 10 with CPH, LLC. for Additional Consumptive Use Permit Renewal Services

Introduction: Approval of Task Authorization No. 10 with CPH, LLC. for Additional Consumptive Use Permit (CUP) Renewal Services in the amount of \$81,260 is requested.

Background: On March 8, 2011, the City was issued a Consumptive Use Permit (CUP) by St. Johns River Water Management District (SJRWMD), which regulates the amount of water that can be drawn from the City's nine (9) potable water production wells for drinking water purposes. The City entered into a task authorization with CPH, LLC on December 23, 2019 to help prepare the CUP renewal application. This permit was set to expire on August 8, 2020 but was extended 30 days due to COVID-19 to September 7, 2020. On September 4, 2020, the CUP renewal application was submitted. SJRWMD reviewed the City's CUP renewal application and determined additional information was required to complete the application. The City's proposed population projections were questioned since they did not reflect what was shown in the Central Florida Water Initiative Plan, which shows little to no growth occurring within the City's utility system over the next 20 years. SJRWMD also requested that groundwater hydraulic modeling analysis be performed based on agreed upon population projections in order to ensure that the proposed water usage would not negatively affect the aquifer. City staff and CPH spent the last two years developing population and water demand projections to address SJRWMD requests.

On November 18, 2022, SJRWMD sent a Notice of intended District decision to grant the permit application to the City. This notice included the Consumptive Use Technical Staff Report (TSR), which sets the City's average annual groundwater allocation and other permit conditions for the new CUP. The TSR contained language and stipulations that City staff could not support, including a 25% decrease in groundwater allocation from 7.022 to 5.297 million gallons per day (MGD), decreasing the duration of the permit from 20 to 10 years, and setting withdrawal limits for both the Upper and Lower Floridan Aquifer zones. City staff have requested additional time to address unfavorable stipulations. Tasks to be undertaken include reevaluating the population and water demand projections and will require assistance from a specialized attorney and engineering consultant services.

Discussion: On July 27, 2020, the City of Casselberry entered into a Professional Services Agreement with CPH, LLC. for a Continuing Contract for Engineering Services (SOQ-2020-0585). City staff have requested a scope from CPH to provide additional CUP renewal services. CPH Task Authorization No. 10 provides for professional consulting services including reviewing the SJRWMD CUP TSR, updating water demand projections

to a 20-year horizon, and preparing an updated groundwater modeling impact analysis, if needed, based on the updated water demands. Necessary meetings to review and discuss data with City staff, the City's Attorney, and SJRWMD are also included within this scope. CPH's total cost for these services is \$81,260.

Budget Impact: There is no impact to the City Budget as sufficient funding is available in the Water and Sewer Fund Water Production Professional Services Account #401-0754-533.31-00 .

Recommendation: The City Manager and Public Works & Utilities Director recommend approval of Task Authorization No. 10 with CPH, LLC. for Additional CUP Renewal Services for an amount not to exceed \$81,260.

Prepared by: Tara Lamoureux, Utility Divisions Director

Attachments:

1. Task Authorization No. 10



CITY MANAGER M E M O R A N D U M

7.M.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Reorganization of the Public Works & Utilities Department - Distribution & Collection Division

Introduction: Approval of reorganization of the Distribution & Collection Division in the Public Works & Utilities Department by adding a Lead Utility Line Locator position is requested.

Background: Sunshine 811 is an organization designed to provide essential information on safe digging to anyone performing construction related activities in order to prevent damage to underground facilities in Florida. Underground facility owners and operators are required by law to be members of Sunshine 811 and fund its operations. Florida's law requires anyone planning to dig to contact Sunshine 811 at least two business days prior to breaking ground. When Sunshine 811 receives a locate request, it notifies the member entities with underground facilities in the general area of the request so they can mark the location of their utilities prior to digging commencing. Preventing underground utility damage allows member utilities to continue to provide reliable service to their customers by preventing breaks that would cause potential outages.

The City's Public Works & Utilities Department includes the Distribution & Collection Division, which operates and maintains the potable distribution, wastewater collection and reclaimed irrigation systems. These systems provide clean drinking water to approximately 50,000 customers inside and outside City limits, collect wastewater for disposal, and provide reclaimed water for irrigation. There are approximately 222 miles of potable water mains, 135 miles of gravity sewer lines, 70 miles of force mains, and 40 miles of reclaimed water lines in these systems. The Distribution & Collection Division maintains these systems by performing regular repair and maintenance. This Division is also responsible for performing utility line locates for the City's water, wastewater, reclaimed, and fiber lines as required by Florida Law.

The Distribution & Collection Division currently only has one Utility Line Locator. This position is solely responsible for receiving and responding to Sunshine 811 locate tickets as they are received. This process includes prioritizing tickets, identifying the specific location of the request, using the City's GIS mapping system to identify what City-owned utilities are at the location, field locating identified utilities, and then responding to the locate request through the Sunshine 811 platform. Coordination with the ticket originator is sometimes also needed, depending on the length and size of the ticket. Field utility line locating is performed using a combination of methods including Ground Penetrating Radar (GPR), soft-digging, and tracer wire. Once the pipelines are located in the field, they are marked with

the appropriate color paint and/or flags. The number of locate tickets requested on a daily basis fluctuates greatly based on the amount of construction occurring within the City's utility system.

Discussion: Historically, the City had two Utility Line Locators who responded to Sunshine 811 locate tickets. In 2014, there was some staff turnover that resulted in only one Utility Line Locator position being kept. As a result of the recession, construction had decreased dramatically resulting in fewer locate tickets being requested. Over the last several years, having only one Utility Line Locator was fairly sustainable based on the average number of locate tickets being requested on a daily basis. Unfortunately, in recent years, construction within the City's utility system has dramatically increased. This spike in construction activities has increased the number of locate tickets that are requested on a daily basis. The current Utility Line Locator is performing a significant amount of overtime in order to keep up and respond to tickets within the required two day window. The situation is even more dire when this person is out of the office. Other staff members from the Distribution & Collection Division have filled in but are not qualified enough to handle the complexity or volume of tickets coming in. The Public Works & Utilities Department has also considered hiring a surveying firm to help perform the additional locates but ultimately determined that this would not be feasible in the long term due to the extra oversight and cost needed for these services.

Adding the requested Lead Utility Line Locator position will result in two Utility Line Locators on staff who can perform utility line locates based on the 811 Sunshine tickets called in. The Lead Utility Line Locator will receive, prioritize, and distribute tickets between themselves and the additional locator. Having two Utility Line Locators will ensure that tickets are completed on time and that lines are marked properly. This will also allow for redundancy when one of the locators is sick or on vacation. On days when there is a reduced number of locate tickets, the Lead Utility Line Locator will be able to edit GIS to reflect the precise location of utility lines shown in the field. It is anticipated that the current Utility Line Locator will be promoted to Lead Utility Line Locator and then the Utility Line Locator position will be posted for external applicants to apply.

Budget Impact: It is requested that the new Lead Utility Line Locator position be placed within Pay Grade 133. Currently, sufficient funds are available in various personal accounts in the Water and Sewer Fund Distribution & Collection Division (0751).

Recommendation: The City Manager and the Public Works & Utilities Director recommend approval of the reorganization of the Public Works & Utilities Department - Distribution & Collection Division.

Prepared by: Tara Lamoureux, Utility Divisions Director

Attachments: None



CITY MANAGER M E M O R A N D U M

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Future Agenda Items

Introduction: The opportunity to discuss items for placement on future City Commission agendas is provided.



CITY MANAGER M E M O R A N D U M

9.A.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Resolution 23-3350 - Legislation in Progress Regarding the Buffer and Accessway Requirements in Section 3-13.7 of the Unified Land Development Regulations

Introduction: Resolution 23-3350 provides for a recognition of legislation in progress to pursue Code changes within Section 3-13.7 of the Unified Land Development Regulations to allow more flexibility with regard to application of buffers, landscape strips, and accessways within City parks and associated implementation of active transportation components.

Background: Part III of the City's Code of Ordinances, known as the Unified Land Development Regulations (ULDRs), establishes the regulations for all land development within the City of Casselberry. The ULDRs are the primary reference used for developments going through Development Review Committee (DRC) and Planning and Zoning (PNZ) Commission review processes. Section 3-13.7 of the ULDRs specifically addresses landscape and buffer requirements for developments.

As part of a voter-approved parks bond referendum, the City has committed to major improvements for multiple City parks. These parks are subject to the ULDRs, and as part of the design and permitting process, they have been undergoing or will undergo DRC and PNZ reviews/approvals.

The City has also made major commitments to active transportation (e.g., walking and biking) through its *Healthy Community Complete Streets Policy and Design Guidelines*, which set a bold goal for Casselberry to become the most walkable, rollable, and bikeable City in Central Florida by 2040. The City also committed to the "10-minute walk" campaign, which set a goal to have all residents within Casselberry be within a 10-minute safe and comfortable walk of a park. Walking and biking connectivity to and within parks is an essential objective in order to achieve the City's walkability and bikeability goals under these commitments.

Discussion: Under most circumstances, City parks typically abut single family residential neighborhoods. As there is currently no separate category for Recreation and Open Space (ROS) zoned properties like parks under Section 3-13.7 of the ULDRs, staff typically treats parks as a "low impact" use for the purposes of this Code section. In this case, Section 3-13.7.C.1 of the ULDRs typically requires a 20 ft wide landscape buffer between the park and residential properties. In addition, under current Policy, the City does not allow encroachments into this buffer, including sidewalks and shared use paths. Also, Section 3-13.7.C.2 requires landscape strips along street frontage, and while this Section allows

accessways from the public right-of-way through such strips, the current Code language speaks only to vehicular use, not active transportation modes.

Due to the geometry, size, and placement of City parks, staff has found that achieving the required landscape buffers while disallowing encroachment of sidewalks or shared use paths has made it challenging (and in some cases impossible) to achieve both the City's active transportation connectivity needs and the community's vision for the parks, including the various elements that were proposed as part of the planning effort associated with the parks bond referendum. Specifically, connectivity to and within Wirz Park and Dew Drop Park are especially impacted by these constraints, as exemplified in the attached presentation.

Staff acknowledges the need to provide an appropriate buffer from adjacent land uses through the use of landscaping and/or other screening materials. However, especially in light of the City's focus on active transportation, staff is recommending that revisions to Section 3-13.7 be considered to allow for flexibility in placement of active transportation elements while still achieving sufficient buffers within ROS zoned developments like parks.

Resolution 23-3350 provides for recognizing legislation in progress, which will help facilitate the permitting process for Wirz Park while an Ordinance is developed. Upon approval of Resolution 23-3350, it is anticipated an Ordinance will be developed and taken before the Planning and Zoning Commission, followed by first and second readings before the City Commission. It is anticipated second reading could be completed by June 2023.

Budget Impact: There is no impact to the City Budget.

Recommendation: The City Manager, Community Development Director, and Public Works and Utilities Director recommend approval of Resolution 23-3350.

Prepared by: Kelly Brock, Public Works & Utilities Director

Attachments:

1. Resolution 23-3350
2. Presentation



CITY MANAGER M E M O R A N D U M

14.A.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: February 13, 2023
Subject: Procurement Information Report for the Period January 1, 2023 through January 31, 2023

Introduction: A list of contracts, task orders, amendments, and/or emergency procurements issued, approved and signed by the City Manager or Procurement Manager, as applicable, from January 1, 2023 through January 31, 2023 is submitted for the record.

Background: Pursuant to Section 3.0(B)(8) of the Procurement Policy, the City Manager or designee shall provide monthly reports to the City Commission on various procurement activities either as an informational item on the agenda or via electronic communication. The report sets forth all awards for all Agreements, Contracts, Task Authorizations, and/or Amendments approved and executed by the City Manager, Procurement Manager, or designee. When applicable, pursuant to Section 5.5 of the Procurement Policy, the City Manager shall report to the City Commission emergency procurements exceeding his purchasing authority threshold at their next City Commission meeting.

Discussion: Pursuant to the City Purchasing Policy, please find a report outlining the various procurement activities for the month of January 2023.

Budget Impact: There is no impact to the City budget.

Recommendation: The City Manager recommends acceptance of the Procurement Information Report for the stated period.

Prepared by: Cheryl Olson, Procurement Manager

Attachments:

1. January 2023 Procurement Information Report