

CITY OF CASSELBERRY CITY COMMISSION MEETING

Monday, March 27, 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 March 13, 2023 - Regular Meeting

6. PRESENTATIONS/ COMMENDATIONS

A. Proclamation: Education and Sharing Day

Mayor Henson will present a proclamation to Rabbi Tzviky Dubov, Director at Chabad of Greater Orlando, proclaiming April 2, 2023 as Education and Sharing Day.

B. Proclamation - Water Conservation Month

Mayor Henson will present Kelly Brock, Public Works & Utilities Director, with a proclamation designating April as Water Conservation Month in the City of Casselberry.

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

- Fishback Dominick LLP, Invoice No. 115382 - \$632.50

- B. **Resolution 23-3553 - Utility Easement Agreement with Rebecca Reitzel for Parcel ID: 34-21-30-525-0000-2680 (2339 Antilles Drive)**
Approval of Resolution 23-3553 authorizing a Utility Easement Agreement with Rebecca Reitzel for utilities located on Parcel ID: 34-21-30-525-0000-2680 (2339 Antilles Drive) is requested.
- C. **Resolution 23-3554 - Utility Easement Agreement with Angela Boatwright for Parcel ID: 34-21-30-525-0000-2980 (2329 Antilles Drive)**
Approval of Resolution 23-3554 authorizing a Utility Easement Agreement with Angela Boatwright for utilities located on Parcel ID: 34-21-30-525-0000-2980 (2329 Antilles Drive) is requested.
- D. **Resolution 23-3555 - Utility Easement Agreement with Brian Petrasko and Cheryl Petrasko for Parcel ID: 34-21-30-525-0000-2690 (2337 Antilles Drive)**
Approval of Resolution 23-3555 authorizing a Utility Easement Agreement with Brian Petrasko and Cheryl Petrasko for utilities located on Parcel ID: 34-21-30-525-0000-2690 (2337 Antilles Drive) is requested.
- E. **Resolution 23-3556 - Local Agency Program Agreement with Florida Department of Transportation for the Southcot Drive Bicycle / Pedestrian Improvements Project and Related Budget Amendment #23-040**
Approval of Resolution 23-3556 authorizing a Local Agency Program Agreement with the Florida Department of Transportation to construct Project 439064-1-58-01, Southcot Drive Bicycle / Pedestrian Improvements (from Sunset Drive to South Triplet Lake Drive) Project, with an estimated construction cost of \$550,358 including up to \$112,962 in federal funds, and related Budget Amendment #23-040 is requested.
- F. **Resolution 23-3557 - Locally Funded Agreement with Florida Department of Transportation to provide Shortfall Funding for Construction Engineering and Inspection Services for the Southcot Drive Bicycle / Pedestrian Improvements Project**
Approval of Resolution 23-3557 authorizing a Locally Funded Agreement with the Florida Department of Transportation to provide for shortfall funding in the estimated amount of \$61,688 for construction engineering and inspection (CEI) services for the Southcot Drive Bicycle / Pedestrian Improvements Project is requested.
- G. **Resolution 23-3558 - Three Party Escrow Agreement with Florida Department of Transportation and Department of Financial Services to provide for Construction Engineering and Inspection Services for the Southcot Drive Bicycle / Pedestrian Improvements Project.**
Approval of Resolution 23-3558 authorizing a Three Party Escrow Agreement with the Florida Department of Transportation and the Florida Department of Financial Services Division of Treasury to provide for construction engineering and inspection (CEI) services for the Southcot Drive Bicycle / Pedestrian Improvements Project is requested.
- H. **Resolution 23-3559 - Locally Funded Agreement with the Florida Department of Transportation to provide Funding for Non-Federal Portion of Construction Engineering and Inspection Services for the Southcot Drive Bicycle / Pedestrian Improvements Project**
Approval of Resolution 23-3559 authorizing a Locally Funded Agreement with the Florida Department of Transportation to provide for funding for the non-federal portion of construction engineering and inspection (CEI) services for the Southcot Drive Bicycle/Pedestrian Improvements (from Sunset Drive to South Triplet Lake Drive) Project, including an initial advance deposit of \$20,563 is requested.
- I. **Resolution 23-3561- Residential Solid Waste CPI Rate Adjustment**
Approval of Resolution 23-3561 providing for a rate adjustment for Waste Pro of Florida for residential solid waste collection services based on the 2022 Consumer Price Index effective January 1, 2023 to June 30, 2023 is requested. The rate increases 6.32% from \$17.10 to \$18.18 per month for residential collection. Rates charged to customers are not impacted by this resolution.
- J. **Amendment No. 2 to Agreement with Etech-360, Inc. for Utility Customer Portal Software and Support to Add a Unified Payment Solution and Related Budget Amendment #23-037**
Approval of Amendment No. 2 to Agreement with Etech-360, Inc. for utility customer portal software and support development costs to add a unified payment solution in the amount of \$19,864.80 and related Budget Amendment #23-037 is requested.

K. **Task Authorization No. 10 with Vanasse Hangen Brustlin, Inc. for Project PW 2309 Road Rehabilitation - Various Streets**

Approval of Task Authorization No. 10 with Vanasse Hangen Brustlin, Inc. for Project PW 2309 for complete design of road rehabilitation along 8.66 miles of roadway for the amount of \$183,948 is requested.

L. **Award of Bid for RFP-2022-0866 and Agreement with Risk Management Associates Inc. for Insurance Agent/Broker Consultant Services for Employee Benefits and Insurance**

Consideration of an Agreement with Risk Management Associates, Inc. in the amount of \$42,500 annually for three years to provide insurance agent/broker consultant services to the City for employee benefits and insurance is requested.

M. **Donation from State Law Enforcement Trust Funds to Ali's Hope Foundation and Related Budget Amendment #23-036**

Approval of a donation in the amount of \$1,000 from accumulated funds pursuant to the Florida Contraband Forfeiture Act and related Budget Amendment #23-036 is requested.

N. **Budget Amendment #23-039 Removal of Construction Funding for Sunnyside Park Improvements**

Approval of Budget Amendment #23-039 to remove \$1,947,260 in Fiscal Year 2023 parks bond funding for construction of Sunnyside Park is requested.

O. **Excuse Absence of Commissioner Andrew Meadows**

8. DISCUSSION ITEMS

A. **Future Agenda Items**

9. RESOLUTIONS

A. **Resolution 23-3560 - Annual Comprehensive Financial Report for Fiscal Year 2022**

Approval of Resolution 23-3560 which provides for the acceptance of the Annual Comprehensive Financial Report (ACFR) for the fiscal year ending September 30, 2022 is requested.

10. FIRST READING OF ORDINANCES

A. **First Reading of Ordinance 23-1581 - Amending the Official Zoning Designation for the Property Located at 5803 S. U.S. Hwy. 17-92 and Approving the Associated PUD Agreement (ZB 22-08)**

Approval of Ordinance 23-1581 on first reading, amending the official zoning designation of one (1) parcel located at 5803 S. U.S. Hwy. 17-92 from PMX-H (Planned Mixed-Use: High Intensity) to PMX-HIGH (Planned Mixed-Use: High Rise) and the associated PUD (Planned Unit Development) Agreement is requested.

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 February 1, 2023 through February 28, 2023**

The February 2023 Procurement Information Report to the City Commission pursuant to the Procurement Policy 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: March 27, 2023
Subject: Minutes of March 13, 2023 - Regular Meeting

Introduction: The City Clerk is presenting the minutes of the March 13, 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: March 27, 2023
Subject: Proclamation: Education and Sharing Day

Introduction: Mayor Henson will present a proclamation to Rabbi Tzviky Dubov, Director at Chabad of Greater Orlando, proclaiming April 2, 2023 as Education and Sharing Day.



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

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: March 27, 2023
Subject: Proclamation - Water Conservation Month

Introduction: Mayor Henson will present Kelly Brock, Public Works & Utilities Director, with a proclamation designating April as Water Conservation Month in the City of Casselberry.



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: March 27, 2023
Subject: Approval of Legal Services Invoices

Introduction: Consideration for approval of the legal services invoice from the Code Special Magistrate 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 invoice has been reviewed by the affected departments and is being presented for approval:

Fishback Dominick LLP

- Code Enforcement Special Magistrate Services - February 2023 - Invoice No. 115610 - \$632.50

Budget Impact: Funds for the Special Magistrate's invoice are available in FY 2023 Budget Account No. 001-0140-514.31.03.

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

Prepared by: Donna Gardner, City Clerk

Attachments:

1. Invoice No. 115610



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: March 27, 2023
Subject: Resolution 23-3553 - Utility Easement Agreement with Rebecca Reitzel for Parcel ID: 34-21-30-525-0000-2680 (2339 Antilles Drive)

Introduction: Resolution 23-3553 provides for a Utility Easement Agreement with Rebecca Reitzel for utilities located on Parcel ID: 34-21-30-525-0000-2680 (2339 Antilles Drive).

Background: The City of Casselberry owns and operates a potable water distribution system made up of different materials and sized water mains. The Potable Water Master Plan proposed a capital improvements program for the water distribution system. One of these projects includes the replacement of approximately 13,500 linear feet of water main in the Windward Square subdivision due to its age and pipe material. The water mains were built in 1974 and are made up of asbestos cement pipe which the City has been proactively removing from the system. The Windward Square Subdivision is made up of private roadways which are owned by Windward Square Homeowners Association, Inc. At the time the utility lines and subdivision were built, utility easements were developed and dedicated to the City of Casselberry for the operation and maintenance of the distribution and collection systems located throughout this community.

On October 14, 2019, City Commission approved Task Authorization No. 2 with Hazen and Sawyer for the design of the Windward Square Water Main Replacement Project. On the same date, City Commission approved Task Authorization No. 3 with Southeastern Surveying and Mapping for utility surveying services associated with this project. After surveying was performed, it was determined that the majority of the existing water lines are outside of the previously recorded easements. On March 28, 2022, City Commission approved Resolution 22-3301 for the Utility Easement Agreement with Windward Square Homeowners Association (HOA), Inc. for the Windward Square Subdivision, which includes a blanket easement to the City through the Windward Square Subdivision for the construction, installation, operation, maintenance and repair of public water and sewer utility lines, mains, pipes, pumps, valves, wires, structures, electrical controls, cables and similar appurtenances. This Utility Easement Agreement allowed the City to continue the design of the Windward Square Water Main Replacement. Through the surveying and design process, it was determined that additional water lines are located outside of the designated utility easements and outside the executed Utility Easement Agreement with Windward Square Homeowners Association.

Discussion: Through surveying, a city water line was found at the property of 2339 Antilles Drive. In order to maintain and replace the water main, a Utility Easement

Agreement is required to be recorded. Rebecca Reitzel, the owner of 2339 Antilles Drive, has executed a Utility Easement Agreement in favor of the City. The agreement grants and conveys a utility easement at 2339 Antilles for the installation and maintenance of water infrastructure located within the property.

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

Recommendation: The City Manager and Public Works & Utilities Director recommend approval of Resolution 23-3553 approving the Utility Easement Agreement with the owner of 2339 Antilles Drive.

Prepared by: Jiovani Charres, Utility Engineer

Attachments:

1. Resolution 23-3553
2. Utility Easement Agreement



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: March 27, 2023
Subject: Resolution 23-3554 - Utility Easement Agreement with Angela Boatwright for Parcel ID: 34-21-30-525-0000-2980 (2329 Antilles Drive)

Introduction: Resolution 23-3554 provides for a Utility Easement Agreement with Angela Boatwright for utilities located on Parcel ID: 34-21-30-525-0000-2980 (2329 Antilles Drive).

Background: The City of Casselberry owns and operates a potable water distribution system made up of different materials and sized water mains. The Potable Water Master Plan proposed a capital improvements program for the water distribution system. One of these projects includes the replacement of approximately 13,500 linear feet of water main in the Windward Square subdivision due to its age and pipe material. The water mains were built in 1974 and are made up of asbestos cement pipe which the City has been proactively removing from the system. The Windward Square Subdivision is made up of private roadways which are owned by Windward Square Homeowners Association, Inc. At the time the utility lines and subdivision were built, utility easements were developed and dedicated to the City of Casselberry for the operation and maintenance of the distribution and collection systems located throughout this community.

On October 14, 2019, City Commission approved Task Authorization No. 2 with Hazen and Sawyer for the design of the Windward Square Water Main Replacement Project. On the same date, City Commission approved Task Authorization No. 3 with Southeastern Surveying and Mapping for utility surveying services associated with this project. After surveying was performed, it was determined that the majority of the existing water lines are outside of the previously recorded easements. On March 28, 2022, City Commission approved Resolution 22-3301 for the Utility Easement Agreement with Windward Square Homeowners Association (HOA), Inc. for the Windward Square Subdivision, which includes a blanket easement to the City through the Windward Square Subdivision for the construction, installation, operation, maintenance and repair of public water and sewer utility lines, mains, pipes, pumps, valves, wires, structures, electrical controls, cables and similar appurtenances. This Utility Easement Agreement allowed the City to continue the design of the Windward Square Water Main Replacement. Through the surveying and design process, it was determined that additional water lines are located outside of the designated utility easements and outside the executed Utility Easement Agreement with Windward Square Homeowners Association.

Discussion: Through surveying, a city water line was found at the property of 2329 Antilles Drive. In order to maintain and replace the water main, a Utility Easement

Agreement is required to be recorded. Angela Boatwright, the owner of 2329 Antilles Drive, has executed a Utility Easement Agreement in favor of the City. The agreement grants and conveys a utility easement at 2329 Antilles for the installation and maintenance of water infrastructure located within the property.

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

Recommendation: The City Manager and Public Works & Utilities Director recommend approval of Resolution 23-3554 approving the Utility Easement Agreement with the owner of 2329 Antilles Drive.

Prepared by: Jiovani Charres, Utility Engineer

Attachments:

1. Resolution 23-3554
2. Utility Easement Agreement



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: March 27, 2023
Subject: Resolution 23-3555 - Utility Easement Agreement with Brian Petrasko and Cheryl Petrasko for Parcel ID: 34-21-30-525-0000-2690 (2337 Antilles Drive)

Introduction: Resolution 23-3555 provides for a Utility Easement Agreement with Brian Petrasko and Cheryl Petrasko for utilities located on Parcel ID: 34-21-30-525-0000-2690 (2337 Antilles Drive).

Background: The City of Casselberry owns and operates a potable water distribution system made up of different materials and sized water mains. The Potable Water Master Plan proposed a capital improvements program for the water distribution system. One of these projects includes the replacement of approximately 13,500 linear feet of water main in the Windward Square subdivision due to its age and pipe material. The water mains were built in 1974 and are made up of asbestos cement pipe which the City has been proactively removing from the system. The Windward Square Subdivision is made up of private roadways which are owned by Windward Square Homeowners Association, Inc. At the time the utility lines and subdivision were built, utility easements were developed and dedicated to the City of Casselberry for the operation and maintenance of the distribution and collection systems located throughout this community.

On October 14, 2019, City Commission approved Task Authorization No. 2 with Hazen and Sawyer for the design of the Windward Square Water Main Replacement Project. On the same date, City Commission approved Task Authorization No. 3 with Southeastern Surveying and Mapping for utility surveying services associated with this project. After surveying was performed, it was determined that the majority of the existing water lines are outside of the previously recorded easements. On March 28, 2022, City Commission approved Resolution 22-3301 for the Utility Easement Agreement with Windward Square Homeowners Association (HOA), Inc. for the Windward Square Subdivision, which includes a blanket easement to the City through the Windward Square Subdivision for the construction, installation, operation, maintenance and repair of public water and sewer utility lines, mains, pipes, pumps, valves, wires, structures, electrical controls, cables and similar appurtenances. This Utility Easement Agreement allowed the City to continue the design of the Windward Square Water Main Replacement. Through the surveying and design process, it was determined that additional water lines are located outside of the designated utility easements and outside the executed Utility Easement Agreement with Windward Square Homeowners Association.

Discussion: Through surveying, a city water line was found at the property of 2337 Antilles Drive. In order to maintain and replace the water main, a Utility Easement Agreement is required to be recorded. Brian Petrasko and Cheryl Petrasko, the owners of 2337 Antilles Drive, have executed a Utility Easement Agreement in favor of the City. The agreement grants and conveys a utility easement at 2337 Antilles for the installation and maintenance of water infrastructure located within the property.

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

Recommendation: The City Manager and Public Works & Utilities Director recommend approval of Resolution 23-3555 approving the Utility Easement Agreement with the owners of 2337 Antilles Drive.

Prepared by: Jiovani Charres, Utility Engineer

Attachments:

1. Resolution 23-3555
2. Utility Easement Agreement



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: March 27, 2023
Subject: Resolution 23-3556 - Local Agency Program Agreement with Florida Department of Transportation for the Southcot Drive Bicycle / Pedestrian Improvements Project and Related Budget Amendment #23-040

Introduction: Resolution 23-3556 provides for approval of a Local Agency Program Agreement with the Florida Department of Transportation to construct Project 439064-1-58-01, Southcot Drive Bicycle / Pedestrian Improvements (from Sunset Drive to South Triplet Lake Drive) Project (City project number PW 1702), with an estimated construction cost of \$550,358 including up to \$112,962 in federal funds, and related Budget Amendment #23-040. (Ref. ITB-2022-0954)

Background: This project was identified in the City's adopted Multimodal Transportation Master Plan. Design of this project was initiated in late 2016 and was brought to 90% completion. Design of the project was paused and construction was delayed in anticipation of federal funding. The project was programmed into the Florida Department of Transportation's (FDOT's) 5 year Work Program for construction utilizing federal funding in State Fiscal Year 2022-2023.

The City's project number is PW 1702, and the construction phase is under FDOT project #439064-1-58-01. For FDOT purposes, this is referred to as the "Southcot Drive Sidewalk from Sunset Drive to Lake Triplett Drive" project.

Design of the project has now been completed. Consistent with the City's updated Complete Street design guidelines, the project will narrow Southcot Drive's travel lanes to 10 ft in each direction, provide a wide multi-use recreational path along the north side of Southcot Drive, and add traffic calming improvements such as speed cushions and a raised midblock crossing. Together with separately proposed improvements to Sunset Drive, this will effectively extend the City's trail system to Button Road.

\$276,696 in local funding (sales tax) is currently budgeted for this project in the Fiscal Year 2023 Budget.

Discussion: Resolution 23-3556 provides for a Local Agency Program (LAP) Agreement between FDOT and the City to construct the project using federal funding. The estimated construction cost for this project is \$550,358, of which \$302,785 is federally eligible to cover certain items. However, the current federal budget available for construction of this project is limited to \$112,962 (which may be increased or decreased depending on the actual bid results). City staff is coordinating with MetroPlan Orlando to obtain financial assistance

to cover the remaining federally eligible portion. As stipulated in the LAP agreement, local funding in the amount of \$437,396 is required to cover the remaining construction costs. It should be noted that due to the volatility of the current construction market, bids may come in higher than originally budgeted, thus requiring additional local funding in order to proceed with the project.

It is anticipated the project will be released for bid in May 2023, with construction to begin in fall 2023 pending favorable bid results.

Related Budget Amendment #23-040 provides for recognition of the federal funds for the construction of the project and additional local funding needed to help cover construction costs, construction engineering and inspection (CEI) costs, as well as a 5% overall construction contingency. Agreements regarding construction engineering and inspection (CEI) services for this project are addressed by separate items on this same agenda. In total, \$188,358 in federal funding and \$547,165 in local funding is proposed for the project.

Budget Impact: Budget Amendment #23-040 recognizes federal revenue for construction and allocates expenditures for the same in the amount of \$112,962 within the Infrastructure Surtax (Sales Tax) Fund Infrastructure Account 114-0710-541.63-46. Budget Amendment #23-040 also allocates an additional \$270,469 in local sales tax funds within Infrastructure Surtax (Sales Tax) Fund Infrastructure Account 114-0710-541.63-40 to cover the anticipated local share of construction and CEI costs, as well as provide a 5% overall construction contingency.

Recommendation: The City Manager and Public Works and Utilities Director recommend approval of Resolution 23-3556 and related Budget Amendment #23-040.

Prepared by: Lenny Barden, Public Works Divisions Director

Attachments:

1. Resolution 23-3556
2. Agreement
3. Budget Amendment #23-040



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: March 27, 2023
Subject: Resolution 23-3557 - Locally Funded Agreement with Florida Department of Transportation to provide Shortfall Funding for Construction Engineering and Inspection Services for the Southcot Drive Bicycle / Pedestrian Improvements Project

Introduction: Resolution 23-3557 provides for approval of a Locally Funded Agreement with the Florida Department of Transportation to provide for shortfall funding in the estimated amount of \$61,688 for construction engineering and inspection (CEI) services for the Southcot Drive Bicycle /Pedestrian Improvements Project (City project number PW 1702). (Ref. ITB-2022-0954)

Background: This project was identified in the City's adopted Multimodal Transportation Master Plan. Design of this project was initiated in late 2016 and was brought to 90% completion. Design of the project was paused and construction was delayed in anticipation of federal funding. The project was programmed into the Florida Department of Transportation's (FDOT's) 5 year Work Program for construction utilizing federal funding in State Fiscal Year 2022-2023.

The City's project number is PW 1702; the construction phase is under FDOT project #439064-1-58-01; the construction engineering and inspection (CEI) phase is under two FDOT projects: #439064-2-62-01 and #439064-2-62-02. For FDOT purposes, this is referred to as the "Southcot Drive Sidewalk from Sunset Drive to Lake Triplett Drive" project.

Design of the project has now been completed. Consistent with the City's updated Complete Street design guidelines, the project will narrow Southcot Drive's travel lanes to 10 ft in each direction, provide a wide multi-use recreational path along the north side of Southcot Drive, and add traffic calming improvements such as speed cushions and a raised midblock crossing. Together with separately proposed improvements to Sunset Drive, this will effectively extend the City's trail system to Button Road.

\$276,696 in local funding (sales tax) is currently budgeted for this project in the Fiscal Year 2023 Budget.

A Local Agency Program (LAP) Agreement with FDOT, which is necessary for the City to be able to construct the project using federal funds, and a related budget amendment are addressed by a separate and preceding item on this agenda.

Discussion: The project will need CEI services, which FDOT proposed to undertake and partially fund with up to \$75,395 in federal funds. The total negotiated CEI cost is \$137,083. Therefore, a Locally Funded Agreement (LFA) with FDOT is necessary for the City to be able to provide local funds to FDOT to cover the estimated shortfall of \$61,688 in CEI funding. It should be noted the actual cost split for CEI services between federal and local funds will be based on the relative share of the cost of federal ("participating") and local ("non-participating") items based on final construction bid results, subject to available federal funding. The required local share may therefore exceed \$61,688. A separate item on this same agenda commits up to an additional \$20,563 in local funding to help cover the non-participating portion of CEI costs.

An advance deposit in the amount of \$61,688 will be due within 14 days of execution of this LFA. A related Three-Party Escrow Agreement with FDOT and the Florida Department of Financial Services Division of Treasury is also necessary to facilitate the transfer of local funds. The Three Party Escrow Agreement is addressed by a separate item on this agenda.

Resolution 23-3557 provides for approval of the Locally Funded Agreement with FDOT to provide shortfall funding for CEI services.

Budget Impact: Sufficient funding has been budgeted in the Fiscal Year 2023 Infrastructure Surtax (Sales Tax) Fund Infrastructure Account #114-0710-541.63-40 to cover the estimated cost of \$61,688 associated with this item.

Recommendation: The City Manager and Public Works and Utilities Director recommend approval of Resolution 23-3557 to provide for shortfall funding in the estimated amount of \$61,688 for CEI services for the Southcot Drive Bicycle/Pedestrian Improvements project.

Prepared by: Lenny Barden, Public Works Divisions Director

Attachments:

1. Resolution 23-3557
2. Agreement



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: March 27, 2023
Subject: Resolution 23-3558 - Three Party Escrow Agreement with Florida Department of Transportation and Department of Financial Services to provide for Construction Engineering and Inspection Services for the Southcot Drive Bicycle / Pedestrian Improvements Project.

Introduction: Resolution 23-3558 provides for approval of a Three Party Escrow Agreement with the Florida Department of Transportation and the Florida Department of Financial Services Division of Treasury to provide for construction engineering and inspection (CEI) services for the Southcot Drive Bicycle / Pedestrian Improvements Project (City project number PW 1702). (Ref. ITB-2022-0954)

Background: This project was identified in the City's adopted Multimodal Transportation Master Plan. Design of this project was initiated in late 2016 and was brought to 90% completion. Design of the project was paused and construction was delayed in anticipation of federal funding. The project was programmed into the Florida Department of Transportation's (FDOT's) 5 year Work Program for construction utilizing federal funding in State Fiscal Year 2022-2023.

The City's project number is PW 1702; the construction phase is under FDOT project #439064-1-58-01; the construction engineering and inspection (CEI) phase is under two FDOT projects: #439064-2-62-01 and #439064-2-62-02. For FDOT purposes, this is referred to as the "Southcot Drive Sidewalk from Sunset Drive to Lake Triplett Drive" project.

Design of the project has now been completed. Consistent with the City's updated Complete Street design guidelines, the project will narrow Southcot Drive's travel lanes to 10 ft in each direction, provide a wide multi-use recreational path along the north side of Southcot Drive, and add traffic calming improvements such as speed cushions and a raised midblock crossing. Together with separately proposed improvements to Sunset Drive, this will effectively extend the City's trail system to Button Road.

\$276,696 in local funding (sales tax) is currently budgeted for this project in the Fiscal Year 2023 Budget.

A Local Agency Program (LAP) Agreement with FDOT, which is necessary for the City to be able to construct the project using federal funds, and a related budget amendment are addressed by a separate and preceding item on this agenda

Discussion: The project will need CEI services, which FDOT proposed to undertake and partially fund. To address the local funding anticipated to be needed for CEI, two Locally Funded Agreements (LFAs) with FDOT are proposed via separate items on this same agenda. A related Three-Party Escrow Agreement with FDOT and the Florida Department of Financial Services Division of Treasury is also necessary to facilitate the transfer of local funds.

Resolution 23-3558 provides for approval of the Three Party Escrow Agreement associated with the aforementioned LFAs.

Budget Impact: There is no FY 2023 Budget impact associated with this item. However, as addressed by separate items on this same agenda, sufficient funding is included in the adopted FY 2023 Budget for the anticipated initial local contributions for CEI services in the Infrastructure Surtax (Sales Tax) Fund Infrastructure Account #114-0710-541.63-40.

Recommendation: The City Manager and Public Works and Utilities Director recommend approval of Resolution 23-3558 and provide approval of the Three Party Escrow Agreement with FDOT and the Florida Department of Financial Services Division of Treasury.

Prepared by: Lenny Barden, Public Works Divisions Director

Attachments:

1. Resolution 23-3558
2. Agreement



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: March 27, 2023
Subject: Resolution 23-3559 - Locally Funded Agreement with the Florida Department of Transportation to provide Funding for Non-Federal Portion of Construction Engineering and Inspection Services for the Southcot Drive Bicycle / Pedestrian Improvements Project

Introduction: Resolution 23-3559 provides for approval of a Locally Funded Agreement with the Florida Department of Transportation to provide funding for the non-federal portion of construction engineering and inspection (CEI) services for the Southcot Drive Bicycle/Pedestrian Improvements (from Sunset Drive to South Triplet Lake Drive) Project (City project number PW 1702), including an initial advance deposit of \$20,563. (Ref. ITB-2022-0954)

Background: This project was identified in the City's adopted Multimodal Transportation Master Plan. Design of this project was initiated in late 2016 and was brought to 90% completion. Design of the project was paused and construction was delayed in anticipation of federal funding. The project was programmed into the Florida Department of Transportation's (FDOT's) 5 year Work Program for construction utilizing federal funding in State Fiscal Year 2022-2023.

The City's project number is PW 1702; the construction phase is under FDOT project #439064-1-58-01; the construction engineering and inspection (CEI) phase is under two FDOT projects: #439064-2-62-01 and #439064-2-62-02. For FDOT purposes, this is referred to as the "Southcot Drive Sidewalk from Sunset Drive to Lake Triplett Drive" project.

Design of the project has now been completed. Consistent with the City's updated Complete Street design guidelines, the project will narrow Southcot Drive's travel lanes to 10 ft in each direction, provide a wide multi-use recreational path along the north side of Southcot Drive, and add traffic calming improvements such as speed cushions and a raised midblock crossing. Together with separately proposed improvements to Sunset Drive, this will effectively extend the City's trail system to Button Road.

\$276,696 in local funding (sales tax) is currently budgeted for this project in the Fiscal Year 2023 Budget.

A Local Agency Program (LAP) Agreement with FDOT, which is necessary for the City to be able to construct the project using federal funds, and a related budget amendment are addressed by a separate and preceding item on this agenda.

Discussion: The project will need CEI services, which FDOT proposed to undertake and partially fund with federal funds. The total negotiated CEI cost is \$137,083. FDOT's current policy is to require a Locally Funded Agreement (LFA) for 15% of the negotiated CEI cost, which in this case equates to \$20,563, in order to cover anticipated non-federal ("non-participating") portion of CEI services. It should be noted the actual cost split for CEI services between federal and local funds will be based on the relative share of the cost of federal ("participating") and local ("non-participating") items based on final construction bid results, subject to available federal funding. Staff anticipates the required local share will therefore exceed the \$20,563 upfront cost required in this LFA. A separate item on this same agenda commits an additional \$61,688 in local funding to help cover the shortfall in funding of CEI costs.

An advance deposit in the amount of \$20,563 will be due within 14 days of execution of this LFA. A related Three-Party Escrow Agreement with FDOT and the Florida Department of Financial Services Division of Treasury is also necessary to facilitate the transfer of local funds. The Three Party Escrow Agreement is addressed by a separate item on this agenda.

Resolution 23-3559 provides for approval of the Locally Funded Agreement with FDOT to provide shortfall funding for CEI services.

Budget Impact: Sufficient funding has been budgeted in the Fiscal Year 2023 Infrastructure Surtax (Sales Tax) Fund Infrastructure Account #114-0710-541.63-40 to cover the initial estimated cost of \$20,563 associated with this item.

Recommendation: The City Manager and Public Works and Utilities Director recommend approval of Resolution 23-3559 to provide for funding for the non-federal portion of CEI services for the Southcot Drive Bicycle/Pedestrian Improvements project, including an initial advance deposit of \$20,563.

Prepared by: Lenny Barden, Public Works Divisions Director

Attachments:

1. Resolution 23-3559
2. Agreement



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: March 27, 2023
Subject: Resolution 23-3561- Residential Solid Waste CPI Rate Adjustment

Introduction: Resolution 23-3561 provides for a rate adjustment for Waste Pro of Florida for residential solid waste collection services based on the 2022 Consumer Price Index effective January 1, 2023 to June 30, 2023.

Background: On January 22, 2018 via Resolution 18-3005, the City Commission approved a piggyback agreement with Waste Pro of Florida, Inc. (Waste Pro) to provide residential solid waste collection services (PBA-2018-0274). The agreement includes consideration for a Consumer Price Index (CPI) rate adjustment once a year (January) and twice a year (January and July) for fuel inflation. As stipulated in the contract, Seminole County uses data published by the U.S. Department of Labor, Bureau of Labor Statistics and the U.S. Energy Information Administration to perform the necessary calculations and provides the information to the City.

Resolution 22-3335, approved by City Commission on September 26, 2022, provided for an increase in costs for solid waste collection from \$16.34 to \$17.10/home per month for regular and special collection services and from \$32.68 to \$34.20 for side-door collection services. These rates were effective from July 1, 2022 through December 31, 2022.

Discussion: Based on the 2022 data, the amount payable to Waste Pro per home per month for solid waste services will increase from \$17.10 to \$18.18/home per month for regular and special collection services and from \$34.20 to \$36.36 for side-door collection services. This represents a 6.32% increase in the cost for this service. Seminole County's calculations include a bear service escalator that was omitted as it does not apply to the City.

The total increase in monthly costs to the City for solid waste collection from January 1, 2023 to June 30, 2023 will be \$52,170.48 $\{ \$1.08 \times 8,049 \text{ (regular/special collection customers)} \times 6 \text{ months} \} + \{ \$2.16 \times 1 \text{ (side-door customer)} \times 6 \text{ months} \}$. The adjusted rate will be retroactive to January 1, 2023.

Resolution 23-3561 provides for approval of the rate adjustment for Waste Pro.

It should be noted that the rates the City charges to residents were established by the City Commission, via Resolution 21-3242, which adopted a residential solid waste fee schedule that annually updates rates each October 1st. The current rate charged to residents is \$21.58 for regular service and \$31.58 for side-door service. This agenda item does not propose any

changes to rates charged to residents. Any adjustments to this fee schedule will be reviewed and considered by the City Commission at a later date as needed.

Budget Impact: Sufficient funding is currently available in the Solid Waste Other Contractual Services account #118-0730-534.34-00. However, staff will continue to monitor the Fiscal Year 2023 budget for these services and recommend adjustments as necessary.

Recommendation: The City Manager and Public Works & Utilities Department Director recommend approval of Resolution 23-3561 to provide for a rate adjustment for Waste Pro of Florida for residential solid waste collection services.

Prepared by: Kenna Henry, Public Works & Utilities Business Analyst

Attachments:

1. Resolution 23 -3561
2. Hauler Rates - Eff. January 1, 2023



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: March 27, 2023
Subject: Amendment No. 2 to Agreement with Etech-360, Inc. for Utility Customer Portal Software and Support to Add a Unified Payment Solution and Related Budget Amendment #23-037

Introduction: Approval of Amendment No. 2 to Agreement with Etech-360, Inc. for utility customer portal software and support to add a unified payment solution in the amount of \$19,864.80 (Ref. RFP-2021-0817) and related Budget Amendment #23-037 is requested.

Background: On April 25, 2022, the City Commission approved the purchase of a new customer utility portal through Etech-360 which would provide a multitude of new features such as:

- Mobile-friendly website.
- Ability to sign-up or disconnect water service online.
- Custom alerts for when a water bill hits a certain monetary threshold.
- Analytics on water consumption for both potable and irrigation.
- Alerts and notifications (high consumption, boil water notices, payment failure).

This purchase included hosting, implementation, integration and support costs for the next five (5) years.

On November 14, 2022, City Commission approved Amendment No. 1 in the amount of \$11,160 for data integration and annual cloud storage costs for Sensus Data.

Discussion: In an effort to help streamline the reconciliation and management of credit card payments, the City is consolidating all credit card processing onto a single vendor. This change will allow the City's Finance Department the ability to see, manage and reconcile all credit card transactions through a single application. Currently, all credit card payments are being managed by Core Business Transactions, LLC, excluding utility payments. Amendment No. 2 proposes the cost and time needed for E-Tech360 to integrate the Util360 utility customer portal with Core Business Transactions payment processing software so that the City can unify all credit payments onto a single platform. The proposed cost is a one-time fee of \$19,864.80 and is expected to take 4-6 weeks.

Budget Impact: Budget Amendment #23-037 provides funding for this one-time fee of \$19,865 for Professional Services for the remainder of FY 2023 by increasing the Finance Department's Professional Services Account #401-0135-513.31-00 and decreasing Utility Non-departmental Contingency Reserve Account #401-0190-536.58-00 each by \$19,865.

Recommendation: The City Manager and Finance Director recommend approval of Amendment No. 2 to the Agreement with Etech-360, Inc. in the amount of \$19,864.80 and Related Budget Amendment #23-037.

Prepared by: Ed DeJesus, Information Technology Manager

Attachments:

1. Amendment No. 2
2. Budget Amendment #23-037



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: March 27, 2023
Subject: Task Authorization No. 10 with Vanasse Hangen Brustlin, Inc. for Project PW 2309 Road Rehabilitation - Various Streets

Introduction: Approval of Task Authorization No. 10 with Vanasse Hangen Brustlin, Inc. for Project PW 2309 Road Rehabilitation - Various Streets in the amount of \$183,948 is requested. (Ref: SOQ-2017-0225)

Background: The City's adopted Multimodal Transportation Master Plan calls for a series of road rehabilitation projects that will preserve the City's infrastructure and make accessibility improvements that bring the City closer to the 2040 goal of becoming the most walkable, bikeable, and rollable City in Central Florida.

In Fiscal Year (FY) 2018, the City budgeted for a Citywide pavement evaluation to assist with planning and budgeting for future pavement rehabilitation projects. This evaluation determined that the next three major pavement rehabilitation projects should take place in FY 2019, 2023, and 2025.

The City relies on consultants to provide design services for various roadway projects that exceed current in-house resources. On December 11, 2017, the City Commission approved agreements with four (4) vendors, one of which being Vanasse Hangen Brustlin, Inc. (VHB), to provide professional transportation planning and engineering services for the City. The contract term was for a period from December 11, 2017 to December 10, 2022. Amendment No. 1 to the Agreement with VHB extended the contract to December 10, 2023. VHB has successfully completed similar roadway rehabilitation projects for the City in previous years.

Discussion: City staff requested and VHB submitted Task Authorization No. 10, in the amount of \$183,948, to complete design of roadway rehabilitation along 8.66 miles of roadways throughout the City, in accordance with the 2018 Citywide Pavement Evaluation Plan. In addition to microsurfacing and/or milling and resurfacing, the project parameters will include inspection and improvement of existing curb ramps, intersections, and sidewalks, and will address accessibility concerns along the roadways.

Notably, this scope extends beyond the original 2018 Pavement Plan by incorporating components from the City's ADA Transition Plan as well as other pedestrian-oriented improvements that have been identified by City staff and/or separate studies. Examples of additional components include a raised intersection on Plumosa Avenue at N Cypress Way, a raised crosswalk across Plumosa Avenue near the Culver's driveway, connectivity improvements in the Quail Pond Circle/Sculpture House vicinity (including a raised

crosswalk near the Art House), intersection improvements at Wyndham Way and Bridle Path, and new raised crosswalks to serve Dew Drop Park (Avalon), Wirz Park (Mark David), and "Wheel Park" (N Winter Park Drive).

Budget Impact: Sufficient funding is budgeted and available in FY 2023 Infrastructure Surtax Fund Infrastructure Account #114-0710-541.63-40 to cover the cost of \$183,948 associated with this item.

Recommendation: The City Manager and Public Works & Utilities Director recommend approval of Task Authorization No. 10 with Vanasse Hangen Brustlin, Inc. (VHB) to provide design services for project PW 2309 Road Rehabilitation - Various Streets in the amount not to exceed \$183,948.

Prepared by: Lenny Barden, Public Works Divisions Director

Attachments:

1. Task Authorization No. 10



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: March 27, 2023
Subject: Award of Bid for RFP-2022-0866 and Agreement with Risk Management Associates Inc. for Insurance Agent/Broker Consultant Services for Employee Benefits and Insurance

Introduction: Consideration of an Agreement with Risk Management Associates, Inc. in the amount of \$42,500 annually to provide insurance agent/broker consultant services to the City for employee benefits and insurance is requested.

Background: The City's current contract with Risk Management Associates, Inc., d/b/a Public Risk Insurance Agency (PRIA), will expire on April 22, 2023. As a result, a new contract for employee benefits and insurance agent/broker services for the City is required.

Discussion: A request for proposal, RFP-2018-0301, was completed in 2018 and resulted in City Commission approval of an agreement that began April 23, 2018 continuing through April 22, 2020, which was then extended twice through April 22, 2023 at a rate of \$42,500 per year.

A request for proposal, RFP-2022-0866, was issued on January 5, 2023, requesting proposals from qualified firms interested in providing insurance agent/broker consultant services for employee benefits and insurance. Four (4) firms responded to the RFP. The firms were evaluated and ranked by the Evaluation Committee based on the evaluation criteria that included cost. The proposal from Risk Management Associates, Inc. maintained the cost of \$42,500 each year. The Evaluation Committee selected Risk Management Associates, Inc. as the top ranked firm and recommends an award to them. The recommended agreement is for three years (total cost of \$127,500) with the option to renew for two one-year terms (total cost of \$212,500).

If approved, Risk Management Associates, Inc. will continue to provide insurance agent/broker services, including health insurance renewal management (medical, dental, vision, life, short-term disability and long-term disability), assistance with open enrollment, claims mitigation and assistance for the City and participating employees, strategic planning, and preparation of federally mandated informational materials.

Budget Impact: Funds to cover the cost of insurance agent/broker consultant services for employee benefits and insurance are budgeted and available in the General Fund/Human Resources Professional Services account #001-0150-513.31-00.

Recommendation: The City Manager and Administrative Services Director recommend approval of the agreement with Risk Management Associates, Inc. for the provision of insurance agent/broker consultant services for employee benefits and Insurance in the amount of \$42,500 annually for three years with option to renew for two one-year terms is requested.

Prepared by: Andy Brooks, Administrative Services Director

Attachments:

1. Agreement



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: March 27, 2023
Subject: Donation from State Law Enforcement Trust Funds to Ali's Hope Foundation and Related Budget Amendment #23-036

Introduction: Approval of the donation from State Law Enforcement Trust Funds to Ali's Hope Foundation in the amount of \$1,000 and related Budget Amendment #23-036 is requested.

Background: According to Florida State Statute 932.7055, "Any local law enforcement agency that acquires at least \$15,000 pursuant to the Florida Contraband Forfeiture Act within a fiscal year must expend or donate no less than 25 percent of such proceeds for the support or operation of any drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood, or school resource officer program or programs. The local law enforcement agency has the discretion to determine which program or programs will receive the designated proceeds." The Casselberry Police Department has received approximately \$9,321 in funds in fiscal year 22-23, thus bringing the State Law Enforcement Trust Fund account to a current balance of approximately \$135,938 for the current fiscal year 22-23.

Discussion: Ali's Hope Foundation inspires and improves the quality of life for adolescents and young adults living with mental health concerns through education, support, and advocacy. There will be no budget impact to the General Fund. The approval of this donation will result in the reduction of \$1,000 from the State Law Enforcement Trust Fund account. The Chief of Police certifies that this request complies with the provisions of Florida State Statute 932.7055 5 (b).

Budget Impact: Budget Amendment #23-036 will establish the budget for this expenditure. The State Law Enforcement Trust Fund will increase the Aids to Private Organizations account #104-0610-521.82-00 and the Other Non-Operating Sources account #104-0000-389.90-00 by \$1,000.

Recommendation: The City Manager and Police Chief recommend Commission approval of the donation to Ali's Hope Foundation in the amount of \$1,000 and related Budget Amendment #23-036.

Prepared by: Brandy Medeiros, Administrative Services Coordinator

Attachments:

1. Budget Amendment #23-036



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

7.N.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: March 27, 2023
Subject: Budget Amendment #23-039 Removal of Construction Funding for Sunnytown Park Improvements

Introduction: Approval of Budget Amendment #23-039 to remove \$1,947,260 in Fiscal Year 2023 parks bond funding for construction of Sunnytown Park is requested.

Background: In March 2020, Casselberry voters approved a parks bond referendum, which proposed to fund major improvements to five existing parks (including Sunnytown Park) and construction of one new park.

Sunnytown Park is the lowest priority of the proposed improvements, as established by the City Commission. The parks bond conceptual package for the park included a new playground, pavilion, restroom, detention pond, fitness court, pedestrian loop trail, upgraded multi-purpose fields, pedestrian access improvements, and additional parking. Design, permitting, and construction was estimated at \$2.1 million as part of the original parks bond package.

Design of project PW 2112 Sunnytown Park Improvements was initiated, and preliminary "30%" design plans were developed. \$1,947,260 in parks bond funding has been budgeted in Fiscal Year 2023 for construction of the park.

During the development of the 30% plans for Sunnytown Park, several site issues and constraints came to light that had not been identified during preliminary conceptual planning. The presence of wetlands onsite would significantly hinder the construction of parking as originally proposed; at a minimum, wetland mitigation in excess of \$100,000 would be required. The conceptual plan also significantly underestimated the size of stormwater pond(s) that would be needed in order to address City and St. Johns River Water Management District requirements and site constraints. Moreover, the construction cost estimate based on the preliminary 30% plans is \$3.3 million. Adding to this the anticipated design costs would bring the project cost to over \$3.5 million, well in excess of the parks bond \$2.1 million estimate.

In addition, to date, all other higher priority parks bond projects have or are anticipated to significantly exceed their original parks bond cost estimates. This is in large part due to the highly inflationary construction environment experienced over the past two years, despite significant measures taken to cut costs.

This project was discussed at the January 10, 2023 Parks and Recreation Advisory Board

(PRAB), at which the PRAB made a recommendation to the City Commission to consider reallocating funds for Sunnyside Park to other park projects and instead focus on basic maintenance items that need to be addressed for Sunnyside Park. The project was also discussed at the January 23, 2023 City Commission meeting, at which the City Commission passed a motion to suspend development of the project and free up encumbered funds, which could then be later directed to higher priority parks bond projects.

Discussion: In light of City Commission direction to suspend development of Sunnyside Park, Budget Amendment #23-039 provides for removal of the \$1,947,260 budgeted for construction of Sunnyside Park from the Fiscal Year 2023 Budget. These funds may be reallocated to other parks bond projects in the future, subject to City Commission approval.

For tracking purposes this agenda item is associated with project PW 2112 Sunnyside Park Improvements.

Budget Impact: Budget Amendment #23-039 will decrease Parks Master Plan Fund Improvements - Other Account #307-0410-572.63-24 and Parks Master Plan Other Non-operating Source Account #307-0000-389.90-00 each by \$1,947,260 to remove construction funding for Sunnyside Park from the Fiscal Year 2023 budget.

Recommendation: The City Manager and Public Works & Utilities Director recommend approval of Budget Amendment #23-039 to remove \$1,947,260 in Fiscal Year 2023 parks bond funding for construction of Sunnyside Park.

Prepared by: Kelly Brock, Public Works & Utilities Director

Attachments:

1. Budget Amendment No. 23-039



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

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: March 27, 2023
Subject: Excuse Absence of Commissioner Andrew Meadows

Introduction: Commissioner Andrew Meadows has advised that he will be out of town and unable to attend the March 27, 2023 Regular City Commission meeting. He has respectfully requested that his Excuse of Absence be placed on the Consent Agenda for consideration.



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

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: March 27, 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: March 27, 2023
Subject: Resolution 23-3560 - Annual Comprehensive Financial Report for Fiscal Year 2022

Introduction: Resolution 2023-3560 provides for acceptance of the Annual Comprehensive Financial Report (ACFR) for the fiscal year ending September 30, 2022. The ACFR has been audited by the CPA firm of MSL, P.A., and has been given an Unmodified Opinion. This is the highest level of auditor opinion that can be given in a financial statement audit.

Background: Florida Statutes requires that all general purpose local governments publish a complete set of financial statements annually. The publication is called an Annual Comprehensive Financial Report. It is prepared in conformity with General Accepted Accounting Principles (GAAP) and must be audited by a firm of licensed certified public accountants. The purpose of the independent audit is to provide reasonable assurance that the financial statements prepared by the City for a given fiscal year are in conformity with GAAP and are free of material misstatements.

Discussion: The ACFR for Fiscal Year 2022 has been prepared by the Finance Department and examined by the City's independent auditors. The auditors concluded that there was a reasonable basis for rendering an Unmodified Opinion that the City's financial statements for the fiscal year ended September 20, 2022 are fairly represented in conformity with GAAP and that these statements are free of material misstatements.

Alan Ricafort of the auditing firm MSL, P.A. will give a short presentation to review the results of the audit and will answer any questions Commissioners may have about the audit and the City's complete financial statements.

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

Recommendation: The City Manager and the Finance Director recommend approval of Resolution 23-3560.

Prepared by: Gladymir Ortega, Finance Director

Attachments:

1. Resolution 23-3560
2. FY22 Annual Comprehensive Financial Report



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

10.A.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: March 27, 2023
Subject: First Reading of Ordinance 23-1581 - Amending the Official Zoning Designation for the Property Located at 5803 S. U.S. Hwy. 17-92 and Approving the Associated PUD Agreement (ZB 22-08)

Introduction: Approval of Ordinance 23-1581 on first reading, amending the official zoning designation of one (1) parcel located at 5803 S. U.S. Hwy. 17-92 from PMX-H (Planned Mixed-Use: High Intensity) to PMX-HIGH (Planned Mixed-Use: High Rise) and the associated PUD (Planned Unit Development) Agreement is requested.

Background: The subject property is approximately 15.66 acres in size and is located at the northeast corner of the intersection of S. U.S. Hwy. 17-92 and SR 436. The site is located within the Community Redevelopment District (CRD) and the Oxford Park Overlay District (OPOD). The subject property, also known as the Casselberry Exchange, was developed in phases between 1999 and 2002. There are three outparcels on-site, as well as a ±98,862 sq. ft. multi-tenant commercial building, which has been predominantly vacant since the departure of the two major tenants in recent years. As such, the Applicant is proposing to demolish the existing structure and redevelop the subject property with a ±103,111 sq. ft. large retail establishment. However, the current zoning of the subject property, PMX-H (Planned Mixed-Use: High Intensity), is not consistent with the existing Future Land Use Map (FLUM) designation of Major Thoroughfare Mixed-Use (MTMU). Therefore, the Applicant is requesting an amendment to the Official Zoning Map to rezone the property to PMX-HIGH (Planned Mixed-Use: High Rise) in order to correct the inconsistency so that the site can be redeveloped.

The proposed zoning district, PMX-HIGH, is classified as a PUD zoning district and must therefore adhere to the requirements of Article XX, Planned Unit Development. In addition to following the standard zoning map amendment procedures established in Section 66-58 and Section 1-2.9 of the ULDR, all PUD applications require the submission of a concept plan and the execution of a PUD Agreement as part of the rezoning process. The City's Development Review Committee (DRC) approved the concept plan for ZB 22-08 on January 19, 2023.

Notices for the proposed amendment to the Official Zoning Map were posted on the subject property on February 22, 2023; a notification letter was sent that same day to all property owners within 500 ft. of the subject property. The Planning and Zoning Commission, the City's Local Planning Agency (LPA), recommended approval of this item to the City Commission on March 8, 2023, with a 5-0 vote.

Discussion: Staff finds that the request to amend the Official Zoning Map from PMX-H (Planned Mixed-Use: High Intensity) to PMX-HIGH (Planned Mixed-Use: High Rise) and the associated PUD (Planned Unit Development) for the subject property is:

1. Consistent with the City's Comprehensive Plan and the Major Thoroughfare Mixed-Use Future Land Use designation;
2. Compatible and consistent with the adjacent land uses and zoning districts; and
3. That connections for City water and sanitary sewer services are available to the subject property.

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

Recommendation: The City Manager and Community Development Director recommend approval of Ordinance 23-1581 on first reading.

Prepared by: Antonia DeJesus, Planner II

Attachments:

1. Ordinance 23-1581 and PUD Agreement



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: March 27, 2023
Subject: Procurement Information Report for the Period February 1, 2023 through February 28, 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 February 1, 2023 through February 28, 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 Procurement Policy, please find a report outlining the various procurement activities for the month of February 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. February 2023 Procurement Information Report