

CITY OF CASSELBERRY CITY COMMISSION MEETING

Monday, December 11, 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 August 28, 2023 - Regular Meeting**

B. **Minutes of August 31, 2023 - Special Meeting**

6. PRESENTATIONS/ COMMENDATIONS

A. **Proclamation: Recognizing the Retirement of Richard Mihalich**

Mayor David Henson will present a proclamation in recognition of Richard Mihalich's retirement from the City of Casselberry with 18 years of dedicated public service, retiring as a Utility Specialized Equipment Operator in the Public Works & Utilities Department.

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. 99301 - \$17,097.80

- B. **Piggyback Purchase of Chiller from Trane U.S. Inc. for City Hall and Related Budget Amendment #24-017**
Approval to piggyback Omnia Partners Trane Contract #3341 for purchase and installation of a replacement chiller for City Hall from Trane U.S. Inc. in the amount of \$309,747 and related Budget Amendment #24-017 is requested.
- C. **Amendment No. 1 to Piggyback Agreement with Cintas Corporation for Work Uniform Rental**
Approval of Amendment No. 1 to the piggyback agreement with Cintas Corporation for work uniform rental services, on an as-needed basis, in order to renew the term through October 31, 2027 and increase the cumulative contractual limit to \$180,000 is requested.
- D. **Piggyback Purchase of a Vac-Con truck for the Lift Stations Division and Related Budget Amendment #24-010**
Approval to piggyback Florida Sheriff's Association Contract FSA23-EQU21.0 for the purchase of a Vac-Con truck for the Lift Stations Division of the Public Works & Utilities Department in the total amount of \$551,073 and related Budget Amendment #24-010 is requested.
- E. **Change Order No. 6 to Agreement with U.S. Water Services Corporation for the Sausalito Force Main Replacement Project and Related Budget Amendment #24-013**
Approval of Change Order No. 6 to the agreement with U.S. Water Services Corporation for additional work related to the construction of the Sausalito Force Main Replacement Project in the amount of \$209,161.30 and related Budget Amendment #24-013 is requested.
- F. **Piggyback Purchase of a Flatbed Rolloff Truck for the Distribution & Collection Division and Related Budget Amendment #24-011**
Approval to piggyback Florida Sheriffs Association Contract FSA23-VEH21.0 for purchase of a flatbed rolloff truck for the Distribution & Collection Division of the Public Works and Utilities Department in the amount of \$240,350 and related Budget Amendment #24-011 is requested.
- G. **Piggyback Purchase of Elevator Equipment from Nichols Contracting, Inc. and Related Budget Amendment #24-016**
Approval to piggyback Sourcewell's Contract #FL-R6-E02-111821-NIC for purchase and installation of modernized elevator equipment from Nichols Contracting, Inc. for City Hall in the amount of \$235,864.97 and related Budget Amendment #24-016 is requested.
- H. **Resolution 23-3391 - Approving and Accepting Donation of Branch Tree Park and Stormwater Pond Properties**
Approval of Resolution 23-3391 providing for approval and acceptance of the donation of a park (parcel ID 28-21-30-511-0P01-0000) and stormwater pond (parcel ID 28-21-30-511-0A00-0000) parcels from the Branch Tree Homeowners Association to the City of Casselberry is requested.
- I. **Resolution 23-3392 - Naming of the Casselberry Arts Center**
Approval of Resolution 23-3392 providing for the naming of the Lake Concord Park/Art House Expansion facility as the Casselberry Arts Center is requested.
- J. **Budget Amendment #24-012 - Fiscal Year 2023 to 2024 Budget Rollover**
Approval of Budget Amendment #24-012 to amend the Fiscal Year 2024 Budget in the amount of \$23,125,111 is requested.
- K. **Resolution 23-3390 - Agreement with Florida Department of Environmental Protection for a Florida Recreation Development Assistance Program Grant to Develop "Wheel Park" - Phase 2**
Approval of Resolution 23-3390 authorizing execution of an Agreement with the Florida Department of Environmental Protection for a Florida Recreation Development Assistance Program (FRDAP) Grant valued at \$200,000 to develop "Wheel Park" - Phase 2 which requires an equal local matching investment, is requested.
- L. **Piggyback Purchase of One Ford Maverick Truck for the Building Division and Related Budget Amendment #24-015**

Approval of the purchase of one Ford Maverick truck for the Building Division at a cost of \$26,238.50 by piggybacking the Florida Sheriff's Association Contract # FSA23-WEL31.0 and approval of related Budget Amendment #24-015 is requested.

M. **Piggyback Agreement with Sourcewell Cooperative to Purchase Ten (10) Chevy Tahoes, Purchase of Associated Safety Equipment and Related Budget Amendment #24-014**

Approval to piggyback Sourcewell National Auto Fleet Contract 060920-NAF to purchase ten (10) Chevy Tahoes; for purchase and installation of associated safety equipment; and related Budget Amendment #24-014 which provides funding through the use of ARPA funds in the total amount of \$706,386.80 is requested.

8. DISCUSSION ITEMS

A. **Future Agenda Items**

9. RESOLUTIONS

A. **Resolution 23-3393 Interlocal Agreement with Seminole County for the Oxford Road Drainage & Sidewalks and English Estates Water Main Replacement Phase I Projects**

Approval of Resolution 23-3393 authorizing execution of an Interlocal Agreement with Seminole County for the combination of the County's Oxford Road Drainage & Sidewalks Project and the City's English Estates Water Main Replacement Phase I Project is requested.

10. FIRST READING OF ORDINANCES - None

11. PUBLIC HEARINGS

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.)

A. **Public Hearing: Second Reading of Ordinance 23-1585 - Providing for the Annexation of One (1) Property Described with Parcel Identification Number 26-20-30-5AR-0D00-055B (ANX 23-01)**

Adoption of Ordinance 23-1585 providing for the voluntary annexation of one (1) property described with Parcel Identification Number 26-20-30-5AR-0D00-055B on second reading is requested.

B. **Public Hearing: Second Reading of Ordinance 23-1586 - Amending the City's *Unified Land Development Regulations* to Provide Standards for Multifamily Developments and to Address the 2023 Live Local Act (LPA 23-02)**

Adoption of Ordinance 23-1586 (LPA 23-02), on second reading, to amend the City's *Unified Land Development Regulations* to provide standards for multifamily developments and address the 2023 Live Local Act, is requested.

C. **Public Hearing: Second Reading of Ordinance 23-1589 - Providing for the Annexation of One (1) Property Described with Parcel Identification Number 33-21-30-300-007B-0000 (ANX 23-02)**

Adoption of Ordinance 23-1589 (ANX 23-02) on second reading for the annexation of one (1) property, described with Parcel Identification Number 33-21-30-300-007B-0000 and generally located 525 ft. south of the intersection of Howell Branch Road and S.R. 436, is requested.

D. **Public Hearing: Second Reading of Ordinance 23-1590 - Charter Amendments**

Adoption of Ordinance 23-1590 on second reading providing for eight (8) proposed amendments to the City Charter to be placed on the August 20, 2024 City Election ballot is requested.

12. OTHER ITEMS

A. **Amendment No. 1 to Supplemental Agreement No. 5 with Wharton-Smith, Inc. for a Guaranteed Maximum Price to Construct Wirz Park and Related Budget Amendment #24-018**

Approval of Amendment No. 1 to Supplemental Agreement No. 5 to the Contractual Agreement with Wharton-Smith, Inc. for Construction Manager at Risk (CMAR) for Parks Construction Projects for a Guaranteed Maximum Price (GMP) in the amount of \$7,861,772 to construct project PW 2109 Wirz Park Improvements and related Budget Amendment #24-018 is requested.

B. Amendment No. 1 to Supplemental Agreement No. 3 with Wharton-Smith, Inc. for a Guaranteed Maximum Price to Construct "Wheel Park" - Phase 1 and Related Budget Amendment #24-019

Approval of Amendment No. 1 to Supplemental Agreement No. 3 to the Contractual Agreement with Wharton-Smith, Inc. for Construction Manager at Risk (CMAR) for Parks Construction Projects for a Guaranteed Maximum Price (GMP) in the amount of \$4,605,204 to construct project PW 2001 "Wheel Park" - Phase 1 Improvements and related Budget Amendment #24-019 is requested.

C. Amendment No. 1 to Supplemental Agreement No. 4 with Wharton-Smith, Inc. for a Guaranteed Maximum Price to Construct "Wheel Park" - Phase 2 and Related Budget Amendment #24-020

Approval of Amendment No. 1 to Supplemental Agreement No. 4 to the Contractual Agreement with Wharton-Smith, Inc. for Construction Manager at Risk (CMAR) for Parks Construction Projects for a Guaranteed Maximum Price (GMP) in the amount of \$6,813,936 to construct project PW 2102 "Wheel Park" - Phase 2 Improvements and related Budget Amendment #24-020 is requested.

D. Presentation and Discussion of Preliminary Prioritized Project List for the Casselberry Mobility and Access Plan

City staff will present and facilitate discussion regarding a preliminary prioritized project list for the Casselberry Mobility and Access Plan.

E. Annual Selection of Vice Mayor

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 November 1, 2023 through November 30, 2023

The November 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: December 11, 2023
Subject: Minutes of August 28, 2023 - Regular Meeting

Introduction: The City Clerk is presenting the minutes of the August 28, 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: December 11, 2023
Subject: Minutes of August 31, 2023 - Special Meeting

Introduction: The City Clerk is presenting the minutes of the August 31, 2023 Special 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: December 11, 2023
Subject: Proclamation: Recognizing the Retirement of Richard Mihalich

Introduction: Mayor David Henson will present a proclamation in recognition of Richard Mihalich's retirement from the City of Casselberry with 18 years of dedicated public service, retiring as a Utility Specialized Equipment Operator in the Public Works & Utilities Department.



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: December 11, 2023
Subject: Approval of Legal Services Invoices

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

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

- City Attorney Services - November 2023 - Invoice No. 99301 - \$17,097.80

Budget Impact: Funds for the City Attorney's invoice are available in FY 2024 Budget Account No. 001-0140-514-31.01.

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. 99301



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: December 11, 2023
Subject: Piggyback Purchase of Chiller from Trane U.S. Inc. for City Hall and Related Budget Amendment #24-017

Introduction: Approval to piggyback Omnia Partners Trane Contract #3341 for purchase and installation of a replacement chiller for City Hall from Trane U.S. Inc. in the amount of \$309,747 and related Budget Amendment #24-017 is requested. (Ref. PBA-2024-1105)

Background: The Fiscal Year (FY) 2024 Adopted Budget allocated \$332,128 within the Equipment Replacement Fund to replace the chiller that provides HVAC (heating, ventilation, and air conditioning) service for City Hall and the Public Works and Utilities Administration Building.

Discussion: The Public Works & Utilities Department has obtained a quote from Trane U.S. Inc. in the amount of \$309,747 to provide turnkey replacement of the chiller. This quote is based on a piggyback agreement with Omnia Partners (Trane Contract #3341).

Budgeting for this project within the Equipment Replacement Fund anticipated the need to take out a capital lease to fund the project. Staff is proposing instead to use ARPA (American Rescue Plan Act) funding for this purchase. Budget Amendment #24-017 reflects use of ARPA funds, allocating a total of \$325,234 to the chiller replacement, which includes a 5% contingency.

Budget Impact: Budget Amendment #24-017 will provide for this purchase and a 5% contingency by increasing the ARPA Fund Facilities Equipment Other account #124-0722-519.67-35 and the ARPA Other Non-operating Source account# 124-0000-389.90-00 each by \$325,234.

Recommendation: The City Manager and Public Works and Utilities Director recommend approval to piggyback Omnia Partners Trane Contract #3341 for purchase and installation of a replacement chiller for City Hall from Trane U.S. Inc. in the amount of \$309,747, approval of related Budget Amendment #24-017, and authorization for the City Manager to execute change orders up to a cumulative total of 5% of the contract amount as needed.

Prepared by: Kelly Brock, Public Works & Utilities Director

Attachments:

1. Agreement

2. Exhibit A
3. BA 24-017



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: December 11, 2023
Subject: Amendment No. 1 to Piggyback Agreement with Cintas Corporation for Work Uniform Rental

Introduction: Approval of Amendment No. 1 to the piggyback agreement with Cintas Corporation for work uniform rental services, on an as-needed basis, in order to renew the term through October 31, 2027 and increase the cumulative contractual limit to \$180,000 is requested. (Ref: PBA-2019-0478)

Background: The City typically relies on contracted suppliers to provide certain uniforms and other supplies. Cintas Corporation has been providing such services to the City for several years. In 2019, the City entered into a piggyback agreement (PBA-2019-0478) with Cintas to piggyback contract R-BB-19002 with Prince William County Public Schools in Manassas, Virginia, which commenced on December 13, 2018 and was set to expire October 31, 2023. The City's piggyback agreement had a cumulative spending limit of \$80,000 (\$20,000 per year). The source contract R-BB-19002 has since been renewed through October 31, 2027.

Discussion: Amendment No. 1 is proposed in order to extend the City's piggyback agreement to match the new term ending October 31, 2027. Amendment No.1 also increases the spending limit to a cumulative total of \$180,000. It also provides the option for additional renewals.

It should be noted that the not-to-exceed amount threshold was established as a means to provide for the maximum authorization. However, it does not imply actual expenditures, since various departments must work within their budget parameters and availability of funds is verified prior to issuance of a purchase order. In addition, appropriations beyond Fiscal Year 2024 are subject to future City Commission approval.

Budget Impact: There is no impact to the City budget. Various City Operating accounts, subject to available budget, will be used as needed for these services.

Recommendation: The City Manager and Public Works and Utilities Director recommend approval of Amendment No. 1 to the piggyback agreement with Cintas Corporation in order to renew the term through October 31, 2027 and increase the cumulative contractual limit to \$180,000.

Prepared by: Kelly Brock, Public Works & Utilities Director

Attachments:

1. Amendment 1
2. Exhibit A



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: December 11, 2023
Subject: Piggyback Purchase of a Vac-Con truck for the Lift Stations Division and Related Budget Amendment #24-010

Introduction: Approval to piggyback Florida Sheriff's Association Contract FSA23-EQU21.0 for the purchase of a Vac-Con truck for the Lift Stations Division of the Public Works & Utilities Department in the amount of \$551,073 and related Budget Amendment #24-010 is requested. (Ref: PBA-2024-1118)

Background: Vac-Con trucks are used for various purposes when performing repair and maintenance on the wastewater collection system, including gravity sewer, manhole, and lift station cleaning. This piece of equipment can also be used to perform vacuum excavation while performing point repairs within the utility system. The Public Works & Utilities Department Lift Stations Division has a Vac-Con truck that is over 19 years old. In recent years, this vehicle, along with associated equipment, has needed a significant amount of repair due to its age. Although scheduled to be replaced in Fiscal Year (FY) 2025, City staff decided to accelerate the purchase of this item due to the frequency of costly repairs. Subsequently, the FY 2024 Budget included the replacement of the Vac-Con truck in the amount of \$400,000.

Discussion: Public Works & Utilities staff obtained a proposal meeting the City's specification requirements from Southern Sewer Equipment Sales for the purchase of a Vac-Con truck for the amount of \$551,073. The price proposal is based on pricing from Florida Sheriff's Association Contract FSA23-EQU21.0 and is \$151,073 higher than the FY 2024 Budget allocated for this item. Budget Amendment #24-010 is necessary to cover the budget shortfall.

Budget Impact: Budget Amendment #24-010 will provide the necessary funding for this purchase by increasing the Water and Sewer Fund Lift Stations Vehicles account #401-0752-535.67-22 and the Water and Sewer Other Non-operating Source account# 401-0000-389.90-00 each by \$151,073.

Recommendation: The City Manager and Public Works & Utilities Director recommend approval to piggyback Florida Sheriff's Association Contract FSA23-EQU21.0 for the purchase of a Vac-Con truck for the Lift Stations Division of the Public Works & Utilities Department in the amount of \$551,073 and related Budget Amendment #24-010.

Prepared by: Jiovani Charres, Utility Engineer

Attachments:

1. Quote
2. BA #24-010



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: December 11, 2023
Subject: Change Order No. 6 to Agreement with U.S. Water Services Corporation for the Sausalito Force Main Replacement Project and Related Budget Amendment #24-013

Introduction: Approval of Change Order No. 6 to the agreement with U.S. Water Services Corporation for additional work related to the construction of the Sausalito Force Main Replacement Project in the amount of \$209,161.30 and related Budget Amendment #24-013 is requested. [Ref. ITB-2022-0826]

Background: The City of Casselberry owns and operates a wastewater collection and transmission system made up of gravity sewer lines, lift stations, and force mains. The Wastewater and Reclaimed Water Master Plan proposed a capital improvement program for the wastewater collection and transmission system. One of the projects included replacing the Sausalito Force Main due to its age and the increasing frequency of breaks. On December 9, 2019, the City Commission awarded Task Authorization #7 with CHA Consulting (formerly Reiss Engineering), which provided for preliminary design, subsurface utility engineering, topographical survey, geotechnical services, final design, permitting, bidding services, and limited construction services for the Sausalito Force Main Replacement Project.

On January 24, 2022, City Commission approved an agreement with U.S. Water Services Corporation for the construction of the Sausalito Force Main Replacement Project for \$1,456,568. The first five change orders remained below the cumulative maximum of 5% of the original contract price, and were all able to be approved by the City Manager. On November 17, 2022, Change Order #1 was approved for an additional 212 days in contract time due to long lead times for materials. On March 9, 2023, Change Order #2 was approved for an additional 82 days in contract time, which was due to errors by the contractor in procuring the correct pipe for the force main project. On June 19, 2023, Change Order #3 was approved for a deduction of contract price by -\$18,073 due to the change in pipe installation method from pipe bursting to horizontal directional drilling as a result of pipe bursting conflicts. On September 18, 2023, Change Order #4 was approved to increase the contract price by \$62,775.90 due to discovered field conditions, including unusually thick asphalt and underground conflicts. Change Order #5 was approved as the final time extension, allotting an additional 79 days to contract time, extending the contract final completion date to January 31, 2024.

Discussion: Construction of the Sausalito Force Main Replacement Project is nearing completion, and a final change order is necessary to provide for quantity clean-up as well as

additional asphalt mill and overlay for the Sausalito Community impacted by the project. U.S. Water Services Corporation has submitted Change Order No. 6, in the amount of \$209,161.30, which encapsulates the final changes and is itemized as follows:

- Bonds, Insurance, and Permit Requirements (\$2,319)
- 251 SY of Asphalt Removal and Replacement (\$29,919.20)
- Asphalt Milling and Paving at Desoto Drive (\$137,319.60)
- 44 LF of Concrete Curb and Gutter Removal and Replacement (\$4,892.80)
- 12 SY of Sidewalk and Driveway Removal and Replacement (\$1,632)
- Landscape Restoration and Sodding (\$6,582.50)
- 115 LF of HDPE Pipe Bursting (\$19,550)
- Deduction of 296 LF of HDPE Open Cut (-\$28,149.60)
- 249 LF of HDPE HDD (\$29,232.60)
- 349 LF of Grout Existing Force Main (\$5,863.20)

Remaining contingency funds in the amount of \$100,954.10 are available in the FY 2023 budget for this project. However, Budget Amendment #24-013 is necessary to rollover the FY 2023 budget of \$421,154.00 to be expended in FY 2024 for the Sausalito Force Main Replacement Project and provide an additional \$108,207 to fully fund Change Order No. 6. This rollover includes both committed and uncommitted project funds.

For tracking purposes, this item is associated with Project PW 2007 Sausalito Force Main Replacement.

Budget Impact: Budget Amendment #24-013 will rollover FY 2023 budgeted funds that will instead be expended in FY 2024 and increase the FY 2024 Renewal/Replacement Distribution & Collection Infrastructure account #402-0751-536.63-40 in the amount of \$108,207.

Recommendation: The City Manager and Public Works & Utilities Director recommend approval of Change Order No. 6 to the agreement with U.S. Water Services Corporation for the Sausalito Force Main Replacement Project in the amount of \$209,161.30 and approval of related Budget Amendment #24-013.

Prepared by: Jiovani Charres, Utility Engineer

Attachments:

1. Change Order No. 6
2. BA 24-013



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: December 11, 2023
Subject: Piggyback Purchase of a Flatbed Rolloff Truck for the Distribution & Collection Division and Related Budget Amendment #24-011

Introduction: Approval to piggyback Florida Sheriffs Association Contract FSA23-VEH21.0 for purchase of a flatbed rolloff truck for the Distribution & Collection Division of the Public Works and Utilities Department in the amount of \$240,350 and related Budget Amendment #24-011 is requested. (Ref: PBA-2024-1119)

Background: The Distribution & Collection Division has a cattle truck containing a dump bed that is used to move materials, such as pipe and sod, around the utility service area to various job sites. The cattle truck is over 20 years old and past its useful life. A replacement flatbed rolloff truck was included in the FY 2024 Budget in the amount of \$200,000.

Discussion: Public Works & Utilities staff obtained a proposal from SBL Freightliner for the purchase of a flatbed rolloff truck for an amount of \$240,350. The pricing is based on the Florida Sheriffs Association Contract FSA23-VEH21.0 and is approximately \$40,350 higher than what was allocated in the FY 2024 Budget for this item. Therefore, Budget Amendment #24-011 is necessary to provide additional funding to cover this shortfall.

Budget Impact: Budget Amendment #24-011 will provide necessary funding by increasing the Water and Sewer Fund Distribution & Collection Vehicles account #401-0751-536.67-22 and the Water and Sewer Fund Other Non-operating Source account #401-0000-389.90-00 each by \$40,350.

Recommendation: The City Manager and Public Works & Utilities Director recommend approval to piggyback Florida Sheriffs Association Contract FSA23-VEH21.0 for the purchase of a flatbed rolloff truck for the Distribution and Collection Division of the Public Works and Utilities Department in the amount of \$240,350 and related Budget Amendment #24-011.

Prepared by: Giovanni Charres, Utility Engineer

Attachments:

1. Quote
2. BA #24-011



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: December 11, 2023
Subject: Piggyback Purchase of Elevator Equipment from Nichols Contracting, Inc. and Related Budget Amendment #24-016

Introduction: Approval to piggyback Sourcewell's Contract #FL-R6-E02-111821-NIC for purchase and installation of modernized elevator equipment from Nichols Contracting, Inc. for City Hall in the amount of \$235,864.97 and related Budget Amendment #24-016 is requested. (Ref. PBA-2023-0981)

Background: The previous Fiscal Year (FY) 2023 Adopted Budget allocated \$110,000 for the modernization of the elevator equipment in City Hall under City Facilities account #001-0722-519.67-35.

The current elevator in City Hall was installed back in 1982 and has undergone repairs as needed over the years. However, a recent evaluation of the equipment and its operation has revealed several issues:

- Outdated and obsolete relays that control the elevator
- A leaking elevator jack
- Non-functioning and outdated phone communication system
- Slow operation of the elevator car
- The existing ceiling hatch does not meet current code requirements
- Undetectable hydraulic leaks in the underground pipe leading to the pump room

Discussion: The Public Works & Utilities Department has obtained a quote from Nichols Contracting, Inc. (Nichols) in the amount of \$235,864.97 to modernize the elevator equipment in City Hall. This quote is based on a piggyback agreement with Sourcewell (Indefinite Delivery-Indefinite Quantity Construction Contract #FL-R6-E02-111821-NIC).

The proposed amount exceeds the initially approved budget of \$110,000 for the elevator repair and modernization in City Hall. Rather than rolling forward this previous budget, staff is proposing instead to use ARPA (American Rescue Plan Act) funding for this purchase. Budget Amendment #24-016 reflects use of ARPA funds, allocating a total of \$247,658 to the elevator modernization, which includes a 5% contingency.

Budget Impact: Budget Amendment #24-016 will provide sufficient funding for this project by increasing the ARPA Fund Facilities Equipment Other account# 124-0722-519.67-35 and the ARPA Other Non-operating Source account# 124-000-389.90-00 each by \$247,658.

Recommendation: The City Manager and Public Works & Utilities Director recommend approval to piggyback Sourcewell's Contract #FL-R6-E02-111821-NIC for purchase and installation of modernized elevator equipment from Nichols Contracting, Inc. for City Hall in the amount of \$235,864.97, approval of related Budget Amendment #24-016, and authorization for the City Manager to execute change orders up to a cumulative total of 5% of the contract amount as needed.

Prepared by: Kelly Brock, Public Works & Utilities Director

Attachments:

1. Nichols Agreement
2. Nichols Exhibit A
3. Nichols Exhibit G
4. BA 24-016



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: December 11, 2023
Subject: Resolution 23-3391 - Approving and Accepting Donation of Branch Tree Park and Stormwater Pond Properties

Introduction: Resolution 23-3391 provides for approval and acceptance of the donation of park (parcel ID 28-21-30-511-0P01-0000) and stormwater pond (parcel ID 28-21-30-511-0A00-0000) parcels from the Branch Tree Homeowners Association to the City of Casselberry. The City has historically maintained both parcels.

Background: The Branch Tree neighborhood contains both a park (parcel ID 28-21-30-511-0P01-0000) and a stormwater pond (parcel ID 28-21-30-511-0A00-0000) that have been historically maintained by the City of Casselberry. However, the City has never been provided clear title to the properties, which have remained listed on Seminole County tax rolls as under the ownership of the Branch Tree Homeowners Association, Inc (HOA).

Discussion: City staff and Branch Tree HOA representatives have coordinated the transfer of the aforesaid parcels to the City. Officially transferring ownership of these properties will have potential benefits for both the City and the Branch Tree HOA. This should help make the park property eligible for potential future grants, and it may help lower the HOA's insurance costs, as these properties will be covered under the City's insurance instead.

In October 2023, the Branch Tree HOA executed a Quit-Claim Deed, Bill of Sale, and Corporate Resolution (attached as Exhibit A) to convey the property. Resolution 23-3391 provides for approval and acceptance of the donation of the two parcels.

Budget Impact: There is no Fiscal Year 2024 Budget impact associated with this item.

Recommendation: The City Manager and Public Works and Utilities Director recommend approval of Resolution 23-3391.

Prepared by: Kelly Brock, Public Works & Utilities Director

Attachments:

1. Resolution 23-3391
2. Exhibit A



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: December 11, 2023
Subject: Resolution 23-3392 - Naming of the Casselberry Arts Center

Introduction: Resolution 23-3392 provides for the naming of the Lake Concord Park/Art House Expansion facility as the Casselberry Arts Center.

Background: In 2018, the City Commission identified and prioritized six park projects, and the Lake Concord Park/Art House Expansion project received a #2 ranking. All six projects were brought forward to the community as a vote for a \$24 million bond referendum that would improve and develop the six parks. On March 17, 2020, the voters approved the referendum. The Lake Concord Park/Art House Expansion project was substantially completed in October 2023, and a ribbon cutting ceremony scheduled to be held on December 11, 2023 will officially open the facility to the public.

Discussion: For the past two and a half decades, the City has established itself as a leader in the arts community with the successes of the Art House, City Hall art exhibits, sculpture garden at Lake Concord Park, and the Sculpture House. The new contemporary 3,000 square foot facility built as part of the Art House Expansion project will offer a new opportunity to further activate Lake Concord Park by bringing people together through all art forms, including visual, digital, dance, music, theater, film, design, multimedia, and many other hybrid forms. The new space, with its lofty ceilings and floor-to-ceiling glass wall facing the lakefront park, will provide a great backdrop for gallery exhibits, smaller ticketed concerts and performances that will target visitors throughout the year. Naming the facility the Casselberry Arts Center will improve the marketing efforts of the City and further strengthen the identity of the City as a regional destination for arts and culture.

The Parks and Recreation Advisory Board approved to recommend that the Lake Concord Park/Art House Expansion facility be named the Casselberry Arts Center during their regular scheduled meeting held on November 14, 2023. Resolution 23-3392 provides for the naming of the building as the Casselberry Arts Center.

Budget Impact: There is no budget impact associated with this item.

Recommendation: The City Manager and Public Works and Utilities Director recommend approval of Resolution 23-3392.

Prepared by: Kelly Brock, Public Works & Utilities Director

Attachments:

1. Resolution 23-3392



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: December 11, 2023
Subject: Budget Amendment #24-012 - Fiscal Year 2023 to 2024 Budget Rollover

Introduction: Approval of Budget Amendment #24-012 to amend the Fiscal Year 2024 Budget in the amount of \$23,125,111 is requested.

Background: Budget Amendment #24-012 amends the Fiscal Year 2024 Budget in the amount of \$23,125,111 to allow for the completion of ongoing projects and the purchase of equipment or services that were budgeted in Fiscal Year 2023 but were not started or completed within that fiscal year.

Budget Amendment #24-012 is necessary to roll forward funds that were appropriated and approved by the City Commission for Fiscal Year 2023. Upon the end of Fiscal Year 2023, the budgets lapsed and the associated funds closed into the fund balance reserves for each responsible Fund. In order to continue authorization for these approved priorities and meet contractual obligations already incurred, the City must re-budget these funds in the new fiscal year. This is a routine annual occurrence. These appropriations have been reviewed with Department Directors and Managers and will occur in Fiscal Year 2024.

Discussion: Upon approval of Budget Amendment #24-012, the Fiscal Year 2024 Adopted Budget will be amended to re-appropriate a total of \$23,125,111 in unexpended appropriations from Fiscal Year 2023. Funding is mostly provided through the use of Fund Balance Reserves for each fund. This means funds are in place already.

Some major projects contained herein are:

New Police Station - \$2,271,528
Windward Square Water Main Replacement - \$3,538,862
Sunset Dr. Livable Street Improvements - \$1,453,957
New Public Works Department Complex - \$1,28,788
Northgate 1 Water Main Replacement - \$1,918,055
English Estates Water Main Replacement - \$2,923,713
Quintuplet Lift Station Renovation - \$1,568,915

Budget Impact: A detailed list of affected funds and accounts is included as part of Budget Amendment #24-012.

Recommendation: The City Manager and the Finance Director recommend approval of Budget Amendment #24-012.

Prepared by: CJ Kaawach, Senior Budget Accountant

Attachments:

1. BA 24-012



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: December 11, 2023
Subject: Resolution 23-3390 - Agreement with Florida Department of Environmental Protection for a Florida Recreation Development Assistance Program Grant to Develop "Wheel Park" - Phase 2

Introduction: Resolution 23-3390 provides for approval of an Agreement with the Florida Department of Environmental Protection (FDEP) for a Florida Recreation Development Assistance Program (FRDAP) Grant for the development of a new park in northern Casselberry under the working name "Wheel Park" - Phase 2 in the amount of \$200,000 with a required local match of \$200,000.

Background: FRDAP is a state competitive grant program that provides financial assistance to local governments to develop and/or acquire land for public outdoor recreational purposes. The City has benefited from multiple FRDAP grants in the past, including significant funding towards Lake Concord Park. FRDAP is administered by the Florida Department of Environmental Protection.

In October 2021, the City applied for and received a FRDAP grant to develop a portion of the eastern half of the former "Northeast Industrial Park" in north Casselberry under the working name "Wheel Park" - Phase 1. This grant application was for total project funding of \$400,000, consisting of \$200,000 of grant funding assistance and \$200,000 as City local match. This project is focused on children 12 and under and includes playgrounds and bicycle playgrounds with other elements such as a nature study area, pavilion/picnic area, bathroom(s), and a trail connector.

The City applied for a second FRDAP grant, in August 2022, to assist with partial development of a second phase of "Wheel Park" - Phase 2. This second phase would develop a portion of the western half of the former Northeast Industrial Park. This grant application was for total project funding of \$400,000, consisting of \$200,000 requested as grant funding assistance and \$200,000 as City local match. The City was recently notified of the award.

Elements of the grant include:

- A hybrid skate and bike park
- A pavilion structure/picnic area
- Restroom
- Car parking
- Water fountains
- Bike racks

- Benches
- Sidewalks
- Landscaping

Discussion: The City's application was approved and scored 10th statewide, and FDEP has provided the City a proposed Agreement to provide the \$200,000 in requested funding.

Per the Agreement, the required Project Completion Date will be April 30, 2026. The project requires a \$200,000 local match, which is being addressed under a separate agenda item on this same agenda. It should be noted that it is anticipated the actual cost of construction will significantly exceed \$400,000. Construction and associated funding for this project is addressed by separate items on this same agenda.

For tracking purposes this is associated with project PW 2102 Wheel Park Phase 2.

Budget Impact: A Budget Amendment recognizing the grant revenue of \$200,000, and the local match of \$200,000, will be presented on this same agenda, under a separate item. Grant funding will be received on a reimbursement basis at the conclusion of the project.

Recommendation: The City Manager and Public Works & Utilities Director recommend approval of Resolution 23-3390.

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

Attachments:

1. Resolution 23-3390
2. Agreement



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: December 11, 2023
Subject: Piggyback Purchase of One Ford Maverick Truck for the Building Division and Related Budget Amendment #24-015

Introduction: This item seeks approval of the purchase of one Ford Maverick truck for the Building Division at a cost of \$26,238.50 by piggybacking the Florida Sheriff's Association Contract # FSA23-WEL31.0 and approval of related Budget Amendment #24-015.

Background: Previously, building services were outsourced to a private contractor. Over the last few years, the City has hired a Building Official and Building Inspector and reduced reliance upon the contractor. Since the contractor provided vehicles as part of the building services, the City did not have vehicles assigned to the division. Building staff are currently using vehicles borrowed from the Code Enforcement Division. Vehicles were available due to staffing shortages in the Code Enforcement Division.

Discussion: The Code Enforcement Division is in the process of hiring Officers and requires the borrowed vehicles. Therefore, the Community Development Department is seeking to acquire new vehicles for the Building Division in order to return the borrowed vehicles to the Code Enforcement Division. Staff has received a proposal from Mullinax Ford for one Ford Maverick at a cost of \$26,238.50 based off Florida Sheriff's Association Contract #FSA23-WEL31.0 Item 119, Ford Maverick 4x2, WSA. Funding is available in the Building Fund to purchase this vehicle. (PBA-2024-1125)

Budget Impact: Budget Amendment # 24-015 provides for an allocation from the Building Fund in the amount of \$26,238.50.

Recommendation: The City Manager and Community Development Director recommend approval to piggyback the Florida Sheriff's Association Contract FSA23-WEL31.0 to purchase one Ford Maverick and for related Budget Amendment #24-015.

Prepared by: Lorie Mertens, Executive Assistant to City Manager

Attachments:

1. Proposal
2. BA 24-015



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: December 11, 2023
Subject: Piggyback Agreement with Sourcewell Cooperative to Purchase Ten (10) Chevy Tahoes, Purchase of Associated Safety Equipment and Related Budget Amendment #24-014

Introduction: Consideration to piggyback an agreement with Sourcewell National Auto Fleet Contract 060920-NAF for the purchase of ten (10) vehicles and for the purchase and installation of associated safety/security equipment and registration, and approval of related Budget Amendment #24-014 which provides funding through the use of American Rescue Plan Act (ARPA) funds in the total amount of \$706,386.80. (Ref: PBA-2024-1120).

Background: In preparing the FY 23-2024 budget, the Police Department analyzed fleet inventory in conjunction with existing fleet replacement plans and determined it was necessary to replace ten (10) patrol vehicles in FY 23-2024 due to the age/condition of the vehicles and/or high mileage. In September 2023, the City Commission approved the FY 23-2024 budget, which contained the request to purchase the ten (10) patrol vehicles and associated emergency equipment.

Discussion: The Police Department is requesting to utilize ARPA funds, in the amount of \$706,386.80 for the purchase of ten (10) Chevy Tahoes and necessary upgrades to adapt the vehicles to the Casselberry Police Department's marked patrol unit standards. The Tahoes are available through piggybacking Sourcewell National Auto Fleet Contract 060920-NAF. Staff is also proposing to piggyback Seminole County Sheriff's Contract with Dana Safety Supply, Inc. for associated emergency equipment and safety/security upgrades in the amount of \$179,717. Additional safety/security upgrades, striping, tinting, etc will be purchased. Budget Amendment #24-014 provides funding for this purchase through the use of ARPA funds in a total amount of \$706,387.

Budget Impact: Budget Amendment #24-014 increases funding in the Vehicle account 124-0610-521.67-22 and Other Non-Operating Source account 124-0000-389.90-00 in the amount of \$706,387.

Recommendation: The City Manager and the Chief of Police recommend approval of a piggyback agreement with Sourcewell National Auto Fleet Contract 060920-NAF for the purchase of ten (10) Chevy Tahoes, approval of purchase and installation of related safety equipment and related Budget Amendment #24-014.

Prepared by: Brandy Ramirez, Administrative Services Coordinator

Attachments:

1. Piggyback Agreement
2. Quote
3. Quote
4. Quote
5. Quote
6. BA 24-014



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

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: December 11, 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: December 11, 2023
Subject: Resolution 23-3393 Interlocal Agreement with Seminole County for the Oxford Road Drainage & Sidewalks and English Estates Water Main Replacement Phase I Projects

Introduction: Resolution 23-3393 provides for the approval and execution of an Interlocal Agreement with Seminole County for the combination of the County's Oxford Road Drainage & Sidewalks Project and the City's English Estates Water Main Replacement Phase I Project.

Background: The English Estates Community is a well-developed neighborhood in Unincorporated Seminole County that is over fifty (50) years old. The City and CPH Consulting have been in the process of designing the English Estates Water Main Replacement Project which involves removal of asbestos cement (AC) pipe in the community, including the area along Oxford Road and Derbyshire Road. Due to Seminole County regulations, this project was originally designed to remove the AC pipe via open-cut methods. This requires the contractor to remove and replace any sidewalk, driveways, and landscaping impacted by the open cut trenches, causing a significant disturbance to the community.

Concurrently, Seminole County has been designing the Oxford Road Drainage & Sidewalks Project, which involves new stormwater structures and sidewalk installation along Oxford and Derbyshire Roads. This project would require the contractor to remove and reinstall old concrete driveways, and install new concrete sidewalks to provide Americans with Disabilities Act (ADA) Complaint sidewalks to the community. Similar to the English Estates Water Main Replacement Project, the Oxford Road Drainage & Sidewalks Project is anticipated to cause a disturbance to the community due to the need to remove existing sidewalks, driveways, and landscaping.

On February 27, 2023, City staff and CPH met with Seminole County Public Works staff to discuss coordination and determine the methods that would reduce the impact on the English Estates Community for the English Estates Water Main Replacement Project. At the time, the Seminole County Public Works staff required the City to proceed with the English Estates Water Main Replacement Project using the open-cut method. To minimize the disturbance of both projects, City staff and Seminole County Public Works staff decided to combine the two projects. In order to do this City staff decided to break the English Estates Water Main Replacement Project into three (3) phases.

Discussion: The Interlocal Utility Relocation agreement provides for the City's English Estates Water Main Replacement Phase 1 Project to be constructed in conjunction with Seminole County's Oxford Road Drainage & Sidewalks Project. Seminole County will conduct all tasks associated with bidding and awarding of the construction contract, and will allow the City to evaluate all submittals prior to proceeding further with construction. However, the final decision for the respective bidder will be made by Seminole County. Once the contractor is determined, the construction contract will be brought to City Commission for the allocation of funding. The Interlocal agreement additionally provides for Construction Engineering Inspection (CEI) services by a qualified third-party for the combined project, paid for by both the City and County.

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

Recommendation: The City Manager and Public Works & Utilities Director recommend approval of Resolution 23-3393 approving the Interlocal Agreement with Seminole County for the Oxford Road Drainage & Sidewalks and English Estates Water Main Replacement Phase I Projects.

Prepared by: Jiovani Charres, Utility Engineer

Attachments:

1. Resolution 23-3393
2. Interlocal Agreement



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

11.A.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: December 11, 2023
Subject: Public Hearing: Second Reading of Ordinance 23-1585 - Providing for the Annexation of One (1) Property Described with Parcel Identification Number 26-20-30-5AR-0D00-055B (ANX 23-01)

Introduction: Approval of Ordinance 23-1585 providing for the voluntary annexation of one (1) property described with Parcel Identification Number 26-20-30-5AR-0D00-055B is requested. (ANX 23-01)

Background: The applicants, David Auerbach and Frances M. Pscuik-Auerbach, with David Drive, LLC, are the owners of the subject property (Parcel Identification Number 26-20-30-5AR-0D00-055B), measuring approximately 4.85 acres. The subject property is currently vacant and located east of an unimproved right-of-way, identified as David Drive; it is also bordered by the City of Casselberry and the City of Winter Springs. Presently unincorporated and under the jurisdiction of Seminole County, the subject property has inconsistent land entitlements with Industrial Future Land Use Map (FLUM) and A-1 (Agriculture) zoning designations.

To the subject property's north, east, and south are single-family detached homes located in the City of Winter Springs and have a Medium Density Residential FLUM designation and either R1 or R1-A zoning, both considered single-family dwelling districts. To the west, two parcels are within the municipal bounds of the City of Casselberry. The first parcel, 1085 Belle Avenue, is the northernmost one, containing Marucci Clubhouse Orlando, a baseball training facility; this parcel has a Commercial (C) FLUM designation and is in the CS (Commercial Service) zoning district. The second parcel, located further south, is a vacant retention area owned by the City of Casselberry; this parcel has a Public Service (PUB) FLUM designation and is zoned PS (Public Service).

Discussion: When preparing to extend territorial limits, staff referenced State law for procedures for voluntary annexation, which are outlined in Chapter 171.044 of the Florida Statutes. Therefore, as a Statement of Certification, staff finds: the owners of the subject property, located in Seminole County, is contiguous to the City of Casselberry municipal boundary; the subject property is well-defined and is a reasonably compact area; the subject property is not included within the boundary of any other municipality; and the proposed annexation does not create an enclave as defined by Chapter 171.031(13) of the Florida Statutes. Additionally, staff has provided the following required notifications: Seminole County was notified via email of the City's intent on June 2, 2023, at least ten days before advertising the scheduled second reading of the proposed ordinance. The City Commission's first reading of Ordinance 23-1585 was held on July 24, 2023, and passed

unanimously. Seminole County was notified again on November 13, 2023, via certified mail regarding the proposed ordinance and its scheduled second reading. Notices of the scheduled second reading were published in the Orlando Sentinel for two consecutive weeks (November 23, 2023, and November 30, 2023). If Ordinance 23-1585 is adopted, the City Clerk will notify the Seminole County Clerk of the Circuit Court, Seminole County's Chief Administrative Officer, and the Florida Department of State within seven (7) days of the adoption.

According to Chapter II, Article IV, Section 2-4.2 of the City's Unified Land Development Regulations (ULDR), any changes or amendments to the City's Official Zoning Map shall be consistent with the Comprehensive Plan. The applicants intend to apply to the City for the following land entitlements that are consistent with ULDR Section 2-4.2 to support their plans for a future multifamily development. Proposed Future Land Use Map Designation - Medium Density Residential (MDR) Proposed Zoning District - RMF-13 (Medium Density Multifamily).

The attached Business Impact Statement is provided in accordance with Section 166.041(4), Florida Statutes.

Budget Impact: There is no anticipated immediate impact on the City Budget. However, the property is privately owned and is subject to taxation. As a result, tax revenue will be generated over time.

Recommendation: The City Manager and Community Development Director recommend adoption of Ordinance 23-1585 on second and final reading.

Prepared by: Antonia DeJesus, Chief Planner

Attachments:

1. Ordinance 23-1585
2. Business Impact Statement



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

11.B.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: December 11, 2023
Subject: Public Hearing: Second Reading of Ordinance 23-1586 - Amending the City's *Unified Land Development Regulations* to Provide Standards for Multifamily Developments and to Address the 2023 Live Local Act (LPA 23-02)

Introduction: Approval of Ordinance 23-1586 (LPA 23-02), on second reading, amending the City's *Unified Land Development Regulations* (ULDR) of the City's Code of Ordinances to provide standards for multifamily developments and address the Live Local Act (Act) adopted in the 2023 Legislative Session, amending Fla. Stat. 166.04151, is requested.

Background: The City of Casselberry continuously monitors upcoming and pending legislative changes and evaluates their potential impact. After careful consideration, the City may revise its ULDR as necessary to provide appropriate regulations for development and zoning within the City. While the City recognizes the need for affordable housing, the ULDR currently does not contemplate or address the recently adopted Act.

Taking effect July 1, 2023, the Act intends to streamline and incentivize affordable housing developments within Florida. This goal is accomplished by preempting certain use, density, and height regulations for such qualifying developments in commercial, industrial, or mixed-use zoning districts. The Act also provides that if a municipality has designated less than 20% of the land area within its jurisdiction for commercial or industrial use, any proposed qualifying affordable housing development authorized by Fla. Stat. 166.04151 must be mixed-use. The proposed amendment provides equitable and thoughtful regulations for affordable housing developments related to the Act. Additionally, the proposed amendment establishes criteria for multifamily developments and provides definitions consistent with Fla. Stat. 166.04151.

At an advertised public hearing, the Planning and Zoning Commission, the City's Local Planning Agency (LPA), unanimously voted to recommend approval of the proposed ordinance to the City Commission on October 11, 2023. On November 27, 2023, the City Commission unanimously approved Ordinance 23-1586 upon first reading. A notice for the second reading of Ordinance 23-1586 was advertised in the *Orlando Sentinel* on November 30, 2023.

Discussion: The proposed ordinance contains three distinct amendments to the City's ULDR:

1. Amending ULDR Article V to add Section 2-5.5, Affordable Housing under the Live Local Act, including:

- Applicability of regulations, including zoning districts and affordability commitment
- Development standards per Fla. Stat. 166.04151
- Eligibility for administrative site plan review and approval

2. Amending ULDR Article X to add Section 3-10.14, Multifamily Development Design Standards, including:

- Conformance with off-street parking, lighting, and landscape requirements
- Minimum living areas, setbacks, and other standards
- Architectural controls

3. Amending ULDR Article XII to modify Section 5-21.2, Definition of Terms, including:

- Providing consistent definitions with Fla. Stat. 166.04151

Additionally, the proposed amendments to the City's ULDR are consistent with specific goals, objectives, and policies outlined in the City's *Comprehensive Plan*, including the following:

- Policy HOE 1.1 Lawful Housing Development.
- Policy HOE 1.2 Adequate Housing for the Existing and Future Population.
- Policy HOE 1.4 Wide Range of Sites and Alternative Housing Types.
- Policy HOE 5.1 Regulatory and Permitting Processes Improvement.
- Policy HOE 5.5 Urban Design Standards.
- Policy HC 1.1B Mixture of Incomes and Housing Types.

This Ordinance is exempt from the requirement for a Business Impact Statement as provided in accordance with Section 166.041(4), Florida Statutes.

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

Recommendation: The City Manager and Community Development Director recommend adoption of Ordinance 23-1586 on second and final reading.

Prepared by: Antonia DeJesus, Chief Planner

Attachments:

1. Ordinance 23-1586



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

11.C.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: December 11, 2023
Subject: Public Hearing: Second Reading of Ordinance 23-1589 - Providing for the Annexation of One (1) Property Described with Parcel Identification Number 33-21-30-300-007B-0000 (ANX 23-02)

Introduction: Approval of Ordinance 23-1589 (ANX 23-02) on second reading for the voluntary annexation of one (1) property, described with Parcel Identification Number 33-21-30-300-007B-0000 and generally located 525 ft. south of the intersection of Howell Branch Road and S.R. 436, is requested.

Background: The applicant, Minesh Patel, with Plumstead Common, LLC, is the owner of the subject property, which consists of a sushi restaurant and bar. Sized approximately 0.82 acres, the parcel is adjacent to City limits and is presently under the jurisdiction of Seminole County, with a Commercial (C) Future Land Use Map (FLUM) designation and C-1 (Retail Commercial) zoning. The applicant has signed a contract with the City of Casselberry, committing to annex the property into City limits prior to its sale. The property currently receives City water and sewer services, and as such, the contract states that annexation is required in order to continue receiving said services.

To the north and east of the subject property are two commercial properties located in the City of Casselberry; both have a Major Thoroughfare Mixed-Use (MTMU) FLUM designation and are in the CG (Commercial General) zoning district. Across S.R. 436, to the west, is another City property that has a Commercial (C) FLUM and is located in the CG (Commercial General) zoning district. To the south is a multifamily residential complex located in the jurisdiction of Seminole County; it has a High-Density Residential (HDR) FLUM designation and is in the R-3 (General Commercial and Wholesale) zoning district.

Discussion: When preparing to extend territorial limits, staff referenced State law for procedures for voluntary annexation, which are outlined in Chapter 171.044 of the *Florida Statutes*. Therefore, as a Statement of Certification, staff finds that:

1. The owners of the subject property, located in Seminole County, is contiguous to the City of Casselberry municipal boundary,
2. The subject property is well-defined and is a reasonably compact area,
3. The subject property is not included within the boundary of any other municipality, and
4. The proposed annexation does not create an enclave as defined by Chapter 171.031(13) of the *Florida Statutes*.

Additionally, staff has pursued the following required notifications:

- Seminole County was notified via email of the City's intent on November 8, 2023, and via certified mail on November 13, 2023, at least ten days before advertising the scheduled second reading of the proposed ordinance.
- The City Commission's first reading of Ordinance 23-1589 was held on November 27, 2023, and passed unanimously.
- Notices of the scheduled second reading were published in the Orlando Sentinel for two consecutive weeks (November 23, 2023, and November 30, 2023).

If Ordinance 23-1589 is adopted, the City Clerk will notify the Seminole County Clerk of the Circuit Court, the Chief Administrative Officer of the County, and the Department of State within seven (7) days of the adoption.

According to Chapter II, Article IV, Section 2-4.2, of the City's *Unified Land Development Regulations* (ULDR), any changes or amendments to the City's Official Zoning Map shall be consistent with the *Comprehensive Plan*. The applicants intend to apply to the City for the following land entitlements that are consistent with ULDR Section 2-4.2 to support their plans for a future multifamily development.

- Proposed Future Land Use Map Designation – Major Thoroughfare Mixed-Use (MTMU)
- Proposed Zoning District – PMX-MID (Planned Mixed-Use: Medium Rise)

The attached Business Impact Estimate is provided in accordance with Section 166.041(4), Florida Statutes.

Budget Impact: There is no anticipated immediate impact on the City Budget. However, the property is privately owned and is subject to taxation. As a result, tax revenue will be generated over time.

Recommendation: The City Manager and Community Development Director recommend adoption of Ordinance 23-1589 on second and final reading.

Prepared by: Antonia DeJesus, Chief Planner

Attachments:

1. Ordinance 23-1589
2. Business Impact Statement



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

11.D.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: December 11, 2023
Subject: Public Hearing: Second Reading of Ordinance 23-1590 - Charter Amendments

Introduction: Ordinance 23-1590 provides for eight (8) proposed amendments to the City Charter to be placed on the August 20, 2024 City Election ballot.

Background: Article XI, Section 11.07 of the City Charter provides that amendments to the Charter may be submitted to the electors as provided by Section 166.031, Florida Statutes, by a majority vote of the City Commission, and if the proposed amendments are approved by a majority of the electors, the amendments shall become law.

Discussion: The amendments, as proposed by the Charter Review Advisory Committee in its Final Report, were considered and accepted by the City Commission on October 24, 2023. A copy of the Final Report is attached for reference. The Commission gave direction for some revisions of the recommended questions and titles at the October 24, 2023 meeting and gave additional direction at a Workshop held on October 31, 2023 for the City Attorney to prepare the appropriate ordinance in accordance with State law. If Ordinance 23-1590 is adopted by the City Commission, the proposed amendments will be considered by voters on August 20, 2024.

On November 27, 2023, the City Commission unanimously approved Ordinance 23-1586 upon first reading by a 4-0 vote. The notice of public hearing for the second reading of Ordinance 23-1586 was advertised in the *Orlando Sentinel* on Thursday, November 30, 2023.

The attached Business Impact Statement is provided in accordance with Section 166.041(4), Florida Statutes.

Budget Impact: This item has no additional budget impact at this time. All related election expenses for required advertisements and ballot question translation have been anticipated and budgeted accordingly in various line items in the Commission's and Non-Departmental budgets.

Recommendation: The City Manager, City Attorney, and City Clerk recommend adoption of Ordinance 23-1590 on second reading.

Prepared by: Donna Gardner, City Clerk

Attachments:

1. Ordinance 23-1590
2. Business Impact Statement
3. Charter Review Advisory Committee Final Report



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

12.A.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: December 11, 2023
Subject: Amendment No. 1 to Supplemental Agreement No. 5 with Wharton-Smith, Inc. for a Guaranteed Maximum Price to Construct Wirz Park and Related Budget Amendment #24-018

Introduction: Approval of Amendment No. 1 to Supplemental Agreement No. 5 to the Contractual Agreement with Wharton-Smith, Inc. for Construction Manager at Risk (CMAR) for Parks Construction Projects for a Guaranteed Maximum Price (GMP), in the amount of \$7,861,772, to construct project PW 2109 Wirz Park Improvements and related Budget Amendment #24-018 is requested. (Ref. SOQ-2021-0715)

Background: In March 2020, after an extensive parks planning effort was completed by the City, City of Casselberry voters approved a Parks Bond Referendum to fund six parks, which have been broken into the following seven projects (due to phasing of "Wheel Park"), listed in priority order by park:

- PW 1907 Secret Lake Park Improvements
- PW 2111 Lake Concord Park - Art House Expansion
- PW 2109 Wirz Park Improvements
- PW 2001 "Wheel Park" - Phase 1
- PW 2102 "Wheel Park" - Phase 2
- PW 2110 Dew Drop Park Improvements
- PW 2112 Sunnyside Park Improvements

Design of all of these parks was budgeted for Fiscal Year 2021, and construction is currently programmed across multiple years.

The City determined that using a Construction Manager at Risk (CMAR) to complete construction of all of these parks had some potential benefits, including a more compressed overall construction timeline, value engineering opportunities during design, as well as improved overall cost and quality controls. A request for Statement of Qualifications SOQ-2021-0715 was issued in December 2020; and, after evaluating proposals, Wharton-Smith, Inc. (WSI) was recommended for award of the contract, which was approved by City Commission on March 22, 2021. Actual work for each park under the CMAR Agreement with WSI is authorized by separate Supplemental Agreements. On March 22, 2021, the City Commission also approved Supplemental Agreement No. 5 with WSI to provide pre-construction services for Wirz Park, including assistance during the design process and development of a Guaranteed Maximum Price (GMP).

The final design of Wirz Park has been completed, and WSI has developed a GMP.

Discussion: WSI has assembled a GMP proposal, in the amount of \$7,861,772, as reflected in Amendment No. 1 to Supplemental Agreement No. 5. This GMP is the result of a competitive bidding process among subcontractors for various trades associated with the project. The GMP also provides for Owner Direct Purchases (ODP), which will yield sales tax savings, and a 5% contingency (\$360,025) to cover unanticipated additional work if needed.

As the name suggests, the GMP is the maximum potential price to construct the project, and WSI will continue to work to reduce costs throughout the project. Any cost savings will be reapportioned back to the appropriate funding sources.

Budget Amendment #24-018 is necessary to provide sufficient funding for the GMP. Additional funding, in the amount of \$319,695 will be included to allow for City-direct purchases outside of the ODP process. This will bring the final project budget to \$8,181,467. Funding for this project is derived from available American Rescue Plan Act (ARPA) funding, the Tree Fund, and the Parks Bond.

Construction is expected to begin in late January 2024 and conclude near the end of April 2025, subject to no extended supply chain issues.

Budget Impact: Budget Amendment #24-018 will provide sufficient funding for this project.

Recommendation: The City Manager and the Public Works & Utilities Director recommend approval of Amendment No. 1 to Supplemental Agreement No. 5 to the Contract Agreement with Wharton-Smith, Inc. for Construction Manager at Risk for Parks Construction Projects for a Guaranteed Maximum Price (GMP) in the amount of \$7,861,772 to construct project PW 2109 Wirz Park Improvements, approval of related Budget Amendment #24-018, and authorization for the City Manager to execute change orders up to \$360,025.

Prepared by: Martin Butcher, Special Projects Manager

Attachments:

1. Amendment No. 1
2. BA 24-018



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

12.B.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: December 11, 2023
Subject: Amendment No. 1 to Supplemental Agreement No. 3 with Wharton-Smith, Inc. for a Guaranteed Maximum Price to Construct "Wheel Park" - Phase 1 and Related Budget Amendment #24-019

Introduction: Approval of Amendment No. 1 to Supplemental Agreement No. 3 to the Contractual Agreement with Wharton-Smith, Inc. for Construction Manager at Risk (CMAR) for Parks Construction Projects for a Guaranteed Maximum Price (GMP), in the amount of \$4,605,204 to construct project PW 2001 "Wheel Park" - Phase 1 Improvements and related Budget Amendment #24-019 is requested. (Ref. SOQ-2021-0715)

Background: In March 2020, after an extensive parks planning effort was completed by the City, City of Casselberry voters approved a Parks Bond Referendum to fund six parks, which have been broken into the following seven projects (due to phasing of "Wheel Park"), listed in priority order by park:

- PW 1907 Secret Lake Park Improvements
- PW 2111 Lake Concord Park - Art House Expansion
- PW 2109 Wirz Park Improvements
- PW 2001 "Wheel Park" - Phase 1
- PW 2102 "Wheel Park" - Phase 2
- PW 2110 Dew Drop Park Improvements
- PW 2112 Sunnytown Park Improvements

Design of all of these parks was budgeted for Fiscal Year 2021. "Wheel Park" - Phase 1 is partially funded by a Florida Recreation Development Assistance Program (FRDAP) grant, which has a deadline requiring the project to be completed by April 2025. Elements to be included in the grant are:

- Restroom
- Pavilion Structure/ Picnic Area
- Inclusive Playground
- Nature Study Area
- Bicycle Safety Training Playground for 2-5 year olds
- Trail Connectors/Sidewalks

The City determined that using a Construction Manager at Risk (CMAR) to complete construction of all of these parks had some potential benefits, including a more compressed

overall construction timeline, value engineering opportunities during design, as well as improved overall cost and quality controls. A request for Statement of Qualifications SOQ-2021-0715 was issued in December 2020; and, after evaluating proposals, Wharton-Smith, Inc. (WSI) was recommended for award of the contract, which was approved by City Commission on March 22, 2021. Actual work for each park under the CMAR Agreement with WSI is authorized by separate Supplemental Agreements. On March 22, 2021, the City Commission also approved Supplemental Agreement No. 3 with WSI to provide pre-construction services for "Wheel Park" - Phase 1, including assistance during the design process and development of a Guaranteed Maximum Price (GMP).

The final design of "Wheel Park" - Phase 1 has been completed and a GMP has been developed.

Discussion: WSI has assembled a GMP proposal, in the amount of \$4,605,204, as reflected in Amendment No. 1 to Supplemental Agreement No. 3. This GMP is the result of a competitive bidding process among subcontractors for various trades associated with the project. The GMP also provides for Owner Direct Purchases (ODP) that will yield sales tax savings, and a 5% contingency (\$211,282) to cover unanticipated additional work if needed.

As the name suggests, the GMP is the maximum potential price to construct the project, and Wharton-Smith will continue to work to reduce costs throughout the project. Any cost savings will be reapportioned back to the appropriate funding sources.

Budget Amendment #24-019 is necessary to recognize grant funding provided by the FRDAP Grant and will also provide sufficient funding for the GMP. Additionally, funding in the amount of \$532,278, which includes \$10,000 for in-house construction of a Nature Study area, is included to allow for City-direct purchases outside of the ODP process. This will bring the final project budget to \$5,137,482. Funding for this project is derived from a FRDAP grant, the Tree Fund, the Parks Bond, and a considerable donation made by the estate of Mr. Anthony Tizzio.

Construction is expected to begin in late January 2024 and conclude near the end of April 2025.

Budget Impact: Budget Amendment #24-019 will provide sufficient funding for this item.

Recommendation: The City Manager and the Public Works & Utilities Director recommend approval of Amendment No. 1 to Supplemental Agreement No. 3 to the Contract Agreement with Wharton-Smith, Inc. for Construction Manager at Risk for Parks Construction Projects for a Guaranteed Maximum Price (GMP) in the amount of \$4,605,204 to construct project PW 2001 "Wheel Park" - Phase 1 Improvements, approval of related Budget Amendment #24-019, and authorization for the City Manager to execute change orders up to \$211,282.

Prepared by: Martin Butcher, Special Projects Manager

Attachments:

1. Amendment No. 1
2. BA 24-019



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

12.C.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: December 11, 2023
Subject: Amendment No. 1 to Supplemental Agreement No. 4 with Wharton-Smith, Inc. for a Guaranteed Maximum Price to Construct "Wheel Park" - Phase 2 and Related Budget Amendment #24-020

Introduction: Approval of Amendment No. 1 to Supplemental Agreement No. 4 to the Contractual Agreement with Wharton-Smith, Inc. for Construction Manager at Risk (CMAR) for Parks Construction Projects for a Guaranteed Maximum Price (GMP), in the amount of \$6,813,936, to construct project PW 2102 "Wheel Park" Phase 2 Improvements and related Budget Amendment #24-020 is requested. (Ref. SOQ-2021-0715)

Background: In March 2020, after an extensive parks planning effort was completed by the City, City of Casselberry voters approved a Parks Bond Referendum to fund six parks, which have been broken into the following seven projects (due to phasing of "Wheel Park"), listed in priority order by park:

- PW 1907 Secret Lake Park Improvements
- PW 2111 Lake Concord Park - Art House Expansion
- PW 2109 Wirz Park Improvements
- PW 2001 "Wheel Park" - Phase 1
- PW 2102 "Wheel Park" - Phase 2
- PW 2110 Dew Drop Park Improvements
- PW 2112 Sunnytown Park Improvements

Design of all of these parks was budgeted for Fiscal Year 2021. "Wheel Park" - Phase 2 is partially funded by a Florida Recreation Development Assistance Program (FRDAP) grant, which has a deadline requiring the project to be completed by April 2026. (The FRDAP grant agreement is addressed by a preceding item on this same agenda.) Elements to be included in the grant are:

- Hybrid Skate & Bike Park
- Pavilion Structure/Picnic Area
- Car Parking
- Restroom
- Water Fountains
- Sidewalks
- Landscaping, Benches and Bike Racks

The City determined that using a Construction Manager at Risk (CMAR) to complete construction of all of these parks had some potential benefits, including a more compressed overall construction timeline, value engineering opportunities during design, as well as improved overall cost and quality controls. A request for Statement of Qualifications SOQ-2021-0715 was issued in December 2020; and, after evaluating proposals, Wharton-Smith, Inc. (WSI) was recommended for award of the contract, which was approved by City Commission on March 22, 2021. Actual work for each park under the CMAR Agreement with WSI will be authorized by separate Supplemental Agreements. On March 22, 2021, the City Commission also approved Supplemental Agreement No. 4 with WSI to provide pre-construction services for "Wheel Park" - Phase 2, including assistance during the design process and development of a Guaranteed Maximum Price (GMP).

The final design of "Wheel Park" - Phase 2 has been completed and a GMP has been developed.

Discussion: WSI has assembled a GMP proposal, in the amount of \$6,813,936, as reflected in Amendment No. 1 to Supplemental Agreement No. 4. This GMP is the result of a competitive bidding process among subcontractors for various trades associated with the project. The GMP also provides for Owner Direct Purchases (ODP) that will yield sales tax savings, and a 5% contingency (\$312,180) to cover unanticipated additional work if needed.

As the name suggests, the GMP is the maximum potential price to construct the project, and Wharton-Smith will continue to work to reduce costs throughout the project. Any cost savings will be reapportioned back to the appropriate funding sources.

Budget Amendment #24-020 is necessary to recognize grant funding provided by the FRDAP Grant and will also provide sufficient funding for the GMP. Additionally, funding in the amount of \$132,585 will be included to allow for City-direct purchases outside of the ODP process. This will bring the final project budget to \$6,946,522. Funding for this project is derived from a FRDAP Grant, the Tree Fund, Recreation Impact Fees, and available Parks Bond funding.

Construction is expected to begin in late January 2024 and conclude near the end of April 2025.

Budget Impact: Budget Amendment #24-020 will provide sufficient funding for this item.

Recommendation: The City Manager and the Public Works & Utilities Director recommend approval of Amendment No. 1 to Supplemental Agreement No. 4 to the Contractual Agreement with Wharton-Smith, Inc. for Construction Manager at Risk for Parks Construction Projects for a Guaranteed Maximum Price (GMP) in the amount of \$6,813,936 to construct project PW 2102 "Wheel Park" - Phase 2 Improvements and approval of related Budget Amendment #24-020, and authorization for the City Manager to execute change orders up to \$312,180.

Prepared by: Martin Butcher, Special Projects Manager

Attachments:

1. Amendment No. 1

2. BA 24-020



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

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: December 11, 2023
Subject: Presentation and Discussion of Preliminary Prioritized Project List for the Casselberry Mobility and Access Plan

Introduction: City staff will present and facilitate discussion regarding a preliminary prioritized project list for the Casselberry Mobility and Access Plan.



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

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: December 11, 2023
Subject: Annual Selection of Vice Mayor

Introduction: Nominations and selection of a Commissioner to serve as the next Vice Mayor for 2024 is requested.

City Charter Section 4.05 provides for the annual election of the Vice Mayor by the City Commission from among its members to occur at the first regular meeting of December. The Vice Mayor shall hold office for a term of one year or until a successor is elected. If a vacancy occurs, the office of Vice Mayor shall be filled by the City Commission for the completion of the unexpired term. The Vice Mayor shall act as the Mayor during the absence or disability of the Mayor.



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: December 11, 2023
Subject: Procurement Information Report for the Period November 1, 2023 through November 30, 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 November 1, 2023 to November 30, 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 November 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: Fernando Lopes, Procurement Specialist

Attachments:

1. November 2023 Procurement Information Report