

CITY OF CASSELBERRY CITY COMMISSION MEETING

Monday, September 28, 2026
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.

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. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. MINUTES - None

6. PRESENTATIONS/ COMMENDATIONS

A. Mayor's Proclamation: 80th Anniversary of Community Global Methodist Church

7. 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: Resolution 26-3598 - Adoption of Fiscal Year 2026-2027 Final Millage Rate and Voted Debt Millage Rate

Approval of Resolution 26-3598 adopting the tentative millage rate of 4.2613 mills as the final millage rate and the voted debt millage rate at 0.5911 mills for the Fiscal Year 2026-2027 (FY 2027) is requested.

B. Public Hearing: Resolution 26-3599 - Adoption of Final Operating Budget for Fiscal Year 2026-2027

Approval of Resolution 26-3599 to adopt the final budget for the Fiscal Year 2026-2027 (FY 2027) in the amount of \$101,811,992 is requested.

8. 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. 128178 - \$1,236.07

9. DISCUSSION ITEMS

A. Future Agenda Items

10. RESOLUTIONS - None

11. FIRST READING OF ORDINANCES

A. First Reading of Ordinance 26-1638 - Amending the Future Land Use Map Designation for 535 Queens Mirror Circle and 700 South Lost Lake Lane

Approval of Ordinance 26-1638 on first reading to amend the City's Future Land Use Map (FLUM) designation of two (2) parcels located at 535 Queens Mirror Circle (Parcel ID 16-21-30-504-0D00-014A) and 700 South Lost Lake Lane (16-21-30-504-0D00-0140 from Low Density Residential (LDR) to Recreation and Open Space (ROS) is requested.

B. First Reading of Ordinance 26-1639 - Roadway and Utility Construction, Article IV – Communications Rights-of-Way

Approval of Ordinance 26-1639 - Amending City Code Chapter 68 – Roadway and Utility Construction, Article IV – Communications Rights-of-Way upon first reading is requested.

12. OTHER ITEMS

A. Award of Bid for ITB-2026-1468 and Construction Agreement with Blue Terra LLC for Construction of PW 2516 Gee Creek Erosion Control Projects

Consideration of approval to award an agreement to Blue Terra LLC in the total amount of \$604,430.50 for repairs to two (2) drainage ditches damaged by Hurricane Milton is requested. These are NRCS grant funded projects. The agreement includes \$146,116.00 for repairs to the ditch adjacent to The Palms at Casselberry and \$458,314.50 for repairs to the ditch adjacent to 190 S. Triplet Lake Drive.

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 August 1, 2026 through August 31, 2026

Procurement Information Report for the Period August 1, 2026 through August 31, 2026

15. CITY ATTORNEY'S REPORT

16. CITY CLERK'S REPORT

17. CITY COMMISSIONER'S REPORTS/COMMENTS

18. ADJOURNMENT

Date

Donna G. Gardner, CMC, FCPC
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: September 28, 2026
Subject: Mayor's Proclamation: 80th Anniversary of Community Global Methodist Church

Introduction: Mayor Henson will present a proclamation to members of Community Global Methodist Church's Leadership Council and 80th Anniversary Committee recognizing October 8, 2026 as the 80th Anniversary of Community Global Methodist Church.



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: September 28, 2026
Subject: Public Hearing: Resolution 26-3598 - Adoption of Fiscal Year 2026-2027
Final Millage Rate and Voted Debt Millage Rate

Introduction: Resolution 26-3598 provides for adoption of the tentative millage rate of 4.2613 mills as the final millage rate and the voted debt millage rate at 0.5911 mills for the Fiscal Year 2026-2027 (FY 2027).

Background: Florida Statutes require that the City Commission must hold two public hearings to adopt a millage rate and a budget for the next fiscal year. The first of the two public hearings was advertised within the 2026 Notice of Proposed Property Taxes (TRIM Notice) mailed to all taxpayers by the Seminole County Property Appraiser in August, 2026. The first public hearing was held at the City Commission meeting on September 14, 2026 when a tentative millage rate of 4.2613 and a voted debt millage rate of 0.5911 were approved. It was followed by a separate vote for a tentative budget.

In compliance with "Truth in Millage" (TRIM) rules promulgated by the Florida Department of Revenue, the time and place of the second public hearing was advertised in the Orlando Sentinel on September 24, 2026 and is scheduled for the City Commission meeting on September 28, 2026. The tentative tax levy was compared to the aggregate rolled-back taxes calculated under (TRIM) rules and reported on Form DR-420. If the tentative levy is greater than aggregate rolled-back taxes, then a Notice of Tax Increase is advertised. If the tentative levy is less, then a "Notice of Budget Hearing" is advertised. In this case, a "Notice of Tax Increase" was advertised. If Resolution 26-3598 is approved, the result will be the final adoption of the millage rates followed by a separate vote for the adoption of the final budget for Fiscal Year 2026-2027.

Discussion: It is requested that the City Commission adopt the tentative millage rate of 4.2613 mills as its final millage rate and 0.5911 as its voted debt millage rate for the Fiscal Year 2026-2027. The final millage rate of 4.2613 will yield a tax levy which is more than "rolled-back" taxes. The requested rate requires a 4-1 vote.

Budget Impact: The final millage rate of 4.2613 mills is expected to deliver \$11,752,132 (at 97% of the total tax levy) in ad valorem tax revenue to the General Fund.

The voted debt millage rate of 0.5911 is expected to produce \$1,630,181 (at 97% of the total tax levy).

Recommendation: The City Manager and the Finance Director recommend approval of Resolution 26-3598 to set the final adopted millage rate for Fiscal Year 2026-2027 at 4.2613 mills and the voted debt millage rate at 0.5911 mills.

Prepared by: CJ Kaawach, Senior Budget Accountant

Attachments:

1. Resolution 26-3598
2. Adopted Millage Budget Presentation FY2027



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: September 28, 2026
Subject: Public Hearing: Resolution 26-3599 - Adoption of Final Operating Budget for Fiscal Year 2026-2027

Introduction: Resolution 26-3599 provides for the adoption of the final budget for the Fiscal Year 2026-2027 (FY 2027) in the amount of \$101,811,992.

Background: The City adopts a budget each September for the next fiscal year. The budget serves as a public policy document where the City Commission makes funding decisions to be implemented by the City Manager. The budget is also a financial plan where inflows of resources are estimated to ensure that they are adequate to meet the funding needs of the City. Lastly, the budget is a fiscal control tool that limits authorized spending during the year to that which the City Commission has approved.

Florida State Statutes require that the City Commission must hold two public hearings to adopt a millage rate and a budget for the next fiscal year. The first of the two public hearings was advertised within the 2026 Notice of Proposed Property Taxes mailed to all taxpayers by the Seminole County Property Appraiser in August, 2026, in accordance with Truth in Millage (TRIM) requirements as set by Florida State Statute. The first public hearing was held at the City Commission meeting on September 14, 2026 when a vote was taken to approve the tentative operating budget in the amount of \$101,811,992 (The total tentative City-wide budget was presented at \$101,847,992. The City Commission voted to remove Flock Safety from the FY 2026-2027 budget in the Amount of \$36,000).

The second public hearing is scheduled for the City Commission meeting on September 28, 2026. The time and place of the second public hearing, as well as a summary budget, was advertised in the Orlando Sentinel on September 24, 2026 in compliance with TRIM rules promulgated by the Florida Department of Revenue. Approval of Resolution 26-3599 will result in the adoption of the final operating budget for Fiscal Year 2026-2027.

Discussion: The City Commission held a budget workshop on July 13, 2026, at which time the City Manager presented and explained the proposed budget for Fiscal Year 2026-2027 totaling \$102,069,596. Following the budget workshop, at its meeting on July 27, 2026 the City Commission approved the proposed budget in that amount. Since that time, however, new information was learned that warranted modification to the proposed budget which resulted in a decrease of \$(257,604). Therefore, the tentative budget approved at the first public hearing on September 14, 2026 totaled \$101,811,992. The changes by fund are as follows:

General Fund	\$(304,156) Decrease
Stormwater Utility Fund	\$(13,118) Decrease
Solid Waste Fund	\$30,000 Increase
Building Safety Fund	\$(12,000) Decrease
Water & Sewer Fund	\$42,170 Increase

A detailed analysis is attached.

Budget Impact: The final budget requested for FY 2026 for the City of Casselberry remains at \$101,811,992. Attached are schedules that summarize expenditures by Department, sources and uses of funds, and budgeted personnel by Department and Division.

Recommendation: The City Manager and the Finance Director recommend approval of Resolution 26-3599 adopting the operating budget for the City of Casselberry for the Fiscal Year 2026-2027 totaling \$101,811,992.

Prepared by: CJ Kaawach, Senior Budget Accountant

Attachments:

1. Resolution 26-3599
2. Changes Proposed to Adopted Budget FY27
3. Expenditures by Object FY27
4. Sources and Uses FY27
5. Personnel Summary FY27



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

8.A.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: September 28, 2026
Subject: Approval of Legal Services Invoices

Introduction: Consideration for approval of the legal services invoice from the Code Enforcement 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 - September 2026 - Invoice No. 128178 - \$1,236.07

Budget Impact: Funds for the Code Enforcement Special Magistrate's invoice are available in FY 2026 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. 128178



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

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: September 28, 2026
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

11.A.

To: The Honorable Mayor and City Commissioners
From: The City Manager
Date: September 28, 2026
Subject: First Reading of Ordinance 26-1638 - Amending the Future Land Use Map Designation for 535 Queens Mirror Circle and 700 South Lost Lake Lane

Introduction: Approval of Ordinance 26-1638 on first reading to amend the City's Future Land Use Map (FLUM) designation of two (2) parcels located at 535 Queens Mirror Circle and 700 South Lost Lake Lane from Low Density Residential (LDR) to Recreation and Open Space (ROS) is requested. (Ref: FLU 26-01)

Background: The Community Development Department's Planning Division requests that the City Commission consider Ordinance 26-1638 to amend the City's *Future Land Use Map* (FLUM) designation of two properties from Low Density Residential (LDR) to Recreation and Open Space (ROS).

On Wednesday, July 8, 2026, the City's Planning and Zoning Commission/Local Planning Agency (PZC) voted unanimously, 4-0, to recommend that the City Commission approve Ordinance 26-1638.

On Monday, August, 24, 2026, the item was continued.

On Monday, September, 14, 2026, the item came before the Commission to request clarification regarding the continuance date for the First Reading of Ordinance 26-1638. The Commission voted 3-2 to hear this item on September 28, 2026.

Discussion: This administrative future land use designation change in anticipation of a future recreational site at the subject properties. This is a necessary first step as the sites currently have a FLUM designation of Low Density Residential, which is intended solely for single family residential uses per ULDR Section 2-5.2, Purpose and Intent of Zoning Districts both parcels are owned by the City and total approximately 11.6 acres. Specifically, 535 Queens Mirror Circle is ±2.70 acres and 700 South Lost Lake Lane is ±8.93 acres. The rezoning of these properties will assist to facilitate future grant funding opportunities.

Currently, the parcel located at 535 Queens Mirror Circle is vacant. The other parcel, located at 700 South Lost Lake Lane, is formally known as the Brightwater property and served as the Hibbard Casselberry family estate. In short, the property was purchased by the City for \$1.25 million in 2021 (see *Resolution 21-3243*) to improve blighted conditions resulting from long-term vacancy on a historically significant property, benefiting both the City and residents. More recently, it has undergone several different interior and exterior renovations (such as roof repairs) following the approval of the Brightwater Final Conceptual Master

Plan (see *Resolution 22-3306*) in May 2022. Consistency with Comprehensive Plan

The proposed FLUM amendment is consistent with the following policies and objectives found in the City's Comprehensive Plan:

- *Objective FLU 1 - Coordinate Future Land Use. The City shall establish land use categories and policies which will ensure the coordination of future land use with the appropriate topography, soil condition, availability of facilities and services, and contrasting land use. The City shall adopt zoning districts that correspond to specific land use categories and define allowable densities and intensities in each zoning district.*

The proposed amendment would change the Future Land Use of the subject properties to Recreation and Open Space (ROS). The purpose and intent of this designation is to accommodate existing and future needs for recreational sites and all other land uses for the ROS zoning district provided in *ULDR Section 2-5.3, Land Uses by District*. In general, the ROS zoning district precludes substantial development of any kind considering the restrictive building criteria provided for it in *ULDR Table 2-5.4, Size and Dimension Criteria*. In other words, the designation typically reflects an environment similar to, or less intensive than, the average single family zoning district. As such, staff has no concerns about adverse impacts on adjacent parcels.

- *Policy FLU 1.1 – Low Density Residential. Low Density Residential areas shall be served by sidewalks and where practical, bikeways. They should have convenient access to recreation, schools, libraries, and shopping. Flexibility for sidewalks may be appropriate for parcels of one acre or more that are not located in residential subdivisions.*

The Comprehensive Plan expressly recognizes that low density residential areas should have convenient access to recreation. This policy establishes that recreational uses are intended to be integrated with and serve low density residential neighborhoods. Recreation and Open Space future land use designation is compatible with and supportive of the Low Density Residential future land use category.

- *Policy FLU 1.13 – Recreation and Open Space. Properties in this designation shall consist of public or private recreational facilities, park lands, and open space preservation areas. Recreational areas shall be designated to ensure their protection, proper development, and future public use. A maximum of 30% impervious area shall be allowed in areas designated as Recreation and Open Space. Development in recreation/open space areas must meet applicable State rules, provide appropriate mitigation, must be in the public interest and must be consistent with any adopted recreation master plans.*

While no official plans for development have been confirmed, all future design proposals will prioritize the preservation of the natural environment in perpetuity. Additionally, development will first require Site Plan Review and will be reviewed according to the building criteria provided for the ROS zoning district in *ULDR Table 2-5.4, Size and Dimension Criteria*.

- *Objective 2 – Blighted Area Renewal and Redevelopment. The City shall encourage the redevelopment and renewal of economically underutilized or blighted areas.*

Both the purchase of this property and subsequent approval of the Brightwater Conceptual Master Plan was grounded in the notion that the main structure on historically significant property was in physical decline and that the City needed to play a more active role in addressing this situation. Future facilities on the property will be open to the public and will provide a new recreational amenity for residents and visitors alike.

- *Policy FLU 2.3 – Pursuit of Funding. The City shall continue to pursue Community Development Block Grant funding and other funding sources as a tool to address the redevelopment and renewal of economically underutilized or blighted areas.*

The City may look to seek funding from Community Development Block Grant (CDBG), should the proposed redevelopment align with CDBG requirements and the City's redevelopment goals.

- *Policy FLU 8.1 – Future Land Use Map Amendments. Unless otherwise provided by law, the Comprehensive Plan of the City of Casselberry may be amended in accordance with Sections 163.3184 and 163.3187 Florida Statutes.*

This application and public hearing process will adhere to all requirements provided in the above sections of the Florida Statutes.

- *Policy FLU 11.1 – Neighborhood Intrusion. Encroachment due to incompatible development shall be discouraged in areas of the City of Casselberry which are predominately Low Density Residential as seen on the Future Land Use Map.*

Given the restrictive nature of the uses and building criteria provided for the ROS zoning district, in addition to the overall combined size of the subject properties, staff has no concerns about incompatibility with neighboring residential uses.

- *Policy FLU 13.2(a) – Arbor Regulations. The City shall continue to generally require the preservation of trees on development sites and require the replacement of trees removed during development activities through provisions in the Unified Land Development Regulations.*

The subject properties are home to numerous healthy trees consisting of a variety of species and sizes. Preservation of said trees will be a priority during any future development and will adhere to *ULDR Article XIV, Tree Protection*.

- *Policy MTE 3.1 – Preserve Residential Character through Design. During site plan review, either residential or non-residential development, the City shall require neighborhood traffic considerations to limit or prohibit cut-through traffic in neighborhoods. This will be primarily accomplished through site design that discourages non-residential traffic from using residential neighborhoods for cut-through. Developers shall be required to evaluate the traffic impacts of their development on adjacent neighborhoods. The City can mandate to developers conditions for approval that will mitigate transportation impacts from their development on adjacent neighborhoods. This policy shall not be construed, however, to prohibit valid multimodal connections between residential and non-residential developments that are appropriately considering context and the goals of a balanced, safe, and efficient multimodal transportation system.*

During future development of the site, it will be a priority to ensure that access to and from

the site does not adversely impact traffic flow in the nearby neighborhood. Given the combined size of the subject properties, staff is confident that providing adequate parking away from the roadway and efficient ingress/egress for pedestrians and motorists are achievable goals.

- *Objective RO 1 – Public Access to Identified Recreation Sites. The City of Casselberry shall take specific action to ensure that the public has access to identified recreation sites.*

Staff will ensure during the design phase that access is provided for both motorists and pedestrians alike. Additionally, staff will work to update the City's Comprehensive Plan during the next revision to include the Brightwater properties as being formally identified as a recreation site, as it is currently not on the list (see "Map ROE-M1: City Recreation and Open Space Areas").

- *Objective RO 2 – Adequate and Efficient Provision of Open Space, Parks, Recreation Facilities and Programs. The City of Casselberry shall take specific action to adequately and efficiently provide public open space and recreation facilities and to expand those opportunities for the residents of Casselberry.*

As mentioned previously, changing the FLUM of these properties is the first step in establishing a new recreational amenity for residents and visitors.

- *Policy RO 3.1 – Designate/Acquire Open Space. Sufficient public open space shall be designated or acquired by the City through the annual Capital Improvements Program such that the adopted level of service for recreation areas is maintained and/or achieved.*

The City acquired this property from the Casselberry Family in 2021 with an overall intent of turning it into a public space or recreational site of some kind, and these plans are slowly coming to fruition.

- *Policy RO 3.3 – Level of Service. The City of Casselberry shall, based on relevant analysis in the Comprehensive Plan Recreation and Open Space Element, provide recreation areas and facilities to the public at a level of service at least equal to or in excess of a level of service of 5.00 acres per 1000 population concurrent with the impacts of development.*

According to "MAP ROE M3: Location and Service Radii of Parks By Type," this is one of only a few areas in the City that does not have any recreational amenities within the specified radius. Thus, redevelopment of this site would fill that gap in the City's park system.

- *Policy RO 3.6 – Greenways and Recreational Trail Systems. The City will seek recreational opportunities that create, and/or enhance, greenways and trailways, or link into existing recreational trail systems.*

The subject properties are located in adjacent to the City's golf course, and the redevelopment could enhance the aesthetic and atmosphere of an existing amenity. Additionally, while no direct trail connections are present from the subject properties, the roadways adjacent to them are marked with shared bicycle lanes. With both of these considerations in mind, this project that will ultimately benefit greenways and pedestrian facilities alike.

- *Policy RO 5.3 – Educational Events. The City shall promote and encourage educational events that explain the history of the Casselberry Community.*

Changing the land entitlements for these properties will help to preserve a unique piece of the City's history that would otherwise be lost and ultimately developed for profit. As such, this is an opportunity to help educate residents and visitors regarding the history of the City.

Land Use Compatibility

To the north, east and south of the subject properties are single family homes belonging to the Lost Lake Subdivision, Triplet Lake Shores Subdivision and Queens Mirror Circle Subdivision. To the west of the properties is Triplet Lake and on the other side is the Casselberry Golf Course. As mentioned previously in this report, staff does not have a concern from a compatibility perspective given the restrictive nature of the ROS FLUM and zoning district. However, it should be acknowledged that rezoning properties of this size in a single-family neighborhood will have a lasting impact on the appearance and functionality of this part of the City and will be a positive impact for the community. Lastly, the site plan review process will assess site conditions for compatibility such as landscape buffers, lighting, parking, and connectivity.

Adequate Public Facilities

Police services are provided to the subject properties by the City of Casselberry, and fire services are currently provided by Seminole County. The locations for vehicular and pedestrian access have not been determined, but the existing rights of way provide an abundance of good options for this. Regarding a school impact analysis from Seminole County Public Schools demonstrating school concurrency prior to rezoning the subject properties, this is not necessary given that the proposed FLUM designation is non-residential. City water and sanitary sewer services are available to the subject properties.

Natural Environment

The site plan review processes will ensure that environmental impacts (i.e., such as tree removal, shoreline impacts, etc.) associated with any development of the subject properties are mitigated. Therefore, the proposed FLUM amendment is not anticipated to have any negative effect on the natural environment.

Orderly Development

The proposed FLUM amendment will require that the properties be rezoned to an appropriate zoning designation. The applicant has expressed their intent to rezone to ROS (Planned Mixed-Use: Low Intensity), which is consistent with the Recreation and Open Space (ROS) FLUM designation per ULDR Section 2-4.2, Future Land Use Map Designations and Corresponding Zoning Districts. Additionally, all plans to develop the subject properties will be reviewed and shall adhere to the requirements of the City's ULDR and Code of Ordinances.

Budget Impact: This item does not have an impact on the budget.

Recommendation: The City Manager and Community Development Director recommend approval of Ordinance 26-1638 on first reading.

Prepared by: Christopher Schmidt, Community Development Director

Attachments:

1. Ordinance 26-1638
2. Proposed FLU Map
3. Business Impact Estimate



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: September 28, 2026
Subject: First Reading of Ordinance 26-1639 - Roadway and Utility Construction, Article IV – Communications Rights-of-Way

Introduction: First Reading of Ordinance 26-1639 - Amending City Code Chapter 68 – Roadway and Utility Construction, Article IV – Communications Rights-of-Way

Background: The City of Casselberry is granted the authority, under Section 2(b), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law. Through City Code of Ordinances Chapter 68, Roadway and Utility Construction, Article IV.- Communications Rights-of-Way, the City protects the public health, safety, and general welfare of the community by establishing reasonable rules and regulations necessary to manage the placement or maintenance of communications facilities in the public rights-of-way by all communications services providers and minimizing disruption to the public rights-of-way. In the fall of 2025, the City Commission approved several updates to Chapter 68 to provide additional flexibility for communications services providers to (1) perform their own utility locates in the right-of-way to expedite their projects, which is ordinarily a responsibility of the City pursuant to Chapter 556, Florida Statutes; and (2) allow for projects exceeding 1,000 linear feet at a time, which the City has historically not permitted due to staff time constraints in performing utility locates and managing the projects, risks of damage to underground utilities, and disruption to city residents, pedestrians, and motorists.

Discussion: During the 2026 State Legislative session, the legislature passed SB 488 which restricts a municipality's ability to limit the number of permits in any way, including by project size or by limiting the number of open permits or applications, provided that the permit is closed out within 45 days after the provider's completion of work. These changes are effective October 1, 2026. Other provisions include:

- It further provides that a municipality or county may require the submission or maintenance of a bond or other financial instrument as set out in this section but may not require a cash deposit or other escrow, payment, or exaction as a condition of issuing a permit.
- A municipality or county may not require that a provider locate or perform a survey of any facilities except its own or any right-of-way boundary when requesting a permit consistent with chapter 556. If the owner of a facility fails to locate their facilities as required under chapter 556, a provider may proceed with the work but must use reasonable care and detection equipment or other acceptable means to avoid damaging existing underground facilities.

The proposed Ordinance 26-1639 addresses these new requirements to ensure the City code is in compliance with State Statute. Specifically, the changes include:

- * A permit is currently active for one year. This amendment will change the duration to 180 days from issuance. If no work has started by the 120th day, then the permit becomes void. Work must be completed by the completion date indicated on the application, which shall not be longer than 180 days from the date of issuance, or a new permit shall be required to complete the project. If the permit is not closed out within 45 days from project completion, subsequent permit applications will be denied.
- * Language has been added to allow that the City may require placement of communications facilities in a location that does not interfere with a future City project identified in the CIP.
- * References to the maximum number of permits that may be issued at one time and maximum length of a project have been eliminated as required by the change in state law.
- * Clarified that the City will perform its locates within two business days. If the City is unable to complete them timely, staff may negotiate for a new schedule or direct applicant to use the third-party locates agreement option.
- * Added language that establishes a minimum three-foot horizontal and one-foot vertical separation from any existing water, sewer and/or stormwater line.
- * The amount of the letter of credit (to provide for any restoration needed due to applicant damage to City infrastructure) is no longer determined by a specific project length of either 1,000 linear feet or less (currently \$25,000.000) or between 1,000 and 5,000 linear feet (currently \$150,000.00). The amount of the letter of credit will instead be calculated at \$30 per linear foot of the total project. A cash deposit may be accepted in lieu of a letter of credit. In addition, an option for a bond in the minimum amount of \$15,000.00 is available only for the installation of small wireless facilities as required by the changes to state law.

Budget Impact: There is no financial impact associated with this Ordinance.

Recommendation: The City Manager, Assistant City Manager, Public Works Director, and Utilities Director recommend approval of Ordinance 26-1639 on first reading.

Prepared by: Lorie Mertens, Assistant City Manager

Attachments:

1. Ordinance 26-1639
2. Business Impact Estimate



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: September 28, 2026
Subject: Award of Bid for ITB-2026-1468 and Construction Agreement with Blue Terra LLC for Construction of PW 2516 Gee Creek Erosion Control Projects

Introduction: Consideration of approval to award an agreement with Blue Terra LLC in the amount of \$146,116.00 for the Base Bid to repair the ditch next to The Palms at Casselberry, and \$458,314.50 for the Base Bid to repair the ditch next to 190 S. Triplet Lake Dr., for a total of \$604,430.50 Due to Hurricane Milton.(Ref: ITB-2026-1468)

Background: Following Hurricane Milton, Public Works staff observed significant erosive damage and debris buildup at multiple locations within the Gee Creek drainage basin. Staff determined that there is potential for risk to public and private property associated with these areas, especially if they are exposed to additional major storms without repairs and reinforcing the creek banks to prevent further erosion and protect surrounding properties.

In December 2024, the City submitted a request to the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) for funding assistance for impacts due to Hurricane Milton. NRCS and City staff conducted damage surveys together, which resulted in a Damage Survey Report (DSR) in February 2025, for the Gee Creek Basin. This DSR identified erosion issues, debris removal and proposed fixes (with cost estimates) within the Gee Creek basin.

Based on the original cost estimate, NRCS agreed to provide \$1,058,462.00 (100% of the estimated construction cost) for technical assistance, total reimbursable funds of \$105,846.20. The total amount allocated by NRCS was \$1,164,308.20. In Fiscal Year (FY) 2024-25, the City budgeted \$1,164,308.00 through Budget Amendment #25-023 to cover estimated design and construction services for these projects (PW 2516, PW 2517). Reimbursement will be provided by NRCS at the conclusion of the projects. Budget Amendment #25-026 provided an additional \$130,403.00 for technical assistance and design outside of funding by NRCS.

Discussion: The engagement addressed by this agenda item provides for the repair of the ditch next to The Palms at Casselberry and the repair of the ditch next to 190 S. Triplet Lake Dr. Erosion Control due to Hurricane Milton. A solicitation, ITB-2026-1468, was issued on July 20, 2026. The solicitation was appropriately advertised on July 20, 2026, publicly broadcast on Vendorlink, LLC with an original due date of August 20, 2026. A mandatory pre-bid conference on the projects was held on August 4, 2026. Due in part to delays in providing answers to questions, the solicitation due date was extended to August 25, 2026. A total of eight (8) submittals were received.

Blue Terra LLC submitted the lowest, responsive, and responsible bid submittal meeting the City's specifications for a subtotal amount of \$146,116.00 for the Base Bid for the repair of the ditch next to The Palms at Casselberry, and \$458,314.50 for the Base Bid of the ditch repair next to 190 S. Triplet Lake Dr., for a total of \$604,430.50.

City staff recommends providing an additional \$39,031.50 for contingency. This will bring the final project budget to \$643,462.00.

Budget Impact: A budget has been established for the erosion control projects.

Recommendation: The City Manager and Public Works Director recommend approval of the General Construction Agreement with Blue Terra LLC for the award of the ditch repair next to The Palms at Casselberry and the ditch repair next to 190 S. Triplet Lake Dr. Erosion Control Due to Hurricane Milton in the amount of \$146,116.00 for the Base Bid for The Palms at Casselberry location, and \$458,314.50 for the Base Bid of 190 S. Triplet Lake Dr. location, for a total of \$604,430.50; authorization for the City Manager to execute change orders as needed up to the contingency amount of \$39,031.50.

Prepared by: Martin Butcher, Special Projects Manager

Attachments:

1. BlueTerra LLC Agreement
2. Bid Price Summary
3. Solicitation
4. Blue Terra Submittal
5. Cathcart Submittal
6. Close Construction Submittal
7. Landshore Submittal
8. Prime Construction Submittal
9. Proshot Concrete Submittal
10. TSI Disaster Submittal



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: September 28, 2026
Subject: Procurement Information Report for the Period August 1, 2026 through August 31, 2026

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 August 1, 2026 through August 31, 2026 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 August 2026.

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: Elsie Burgess, Procurement Manager

Attachments:

1. Procurement Information Report