

CITY COUNCIL AGENDA

REGULAR MEETING

Monday, July 15, 2019

6:30 PM

CITY HALL

CALL TO ORDER

ORDER OF BUSINESS

CEREMONIAL ITEMS AND PRESENTATIONS

1. Appreciation Award to Kathy Moore.
2. Donation to the American Cancer Society – Tenth Annual Relay for Life Golf Outing and Appreciation Presentation to Republic Services, Inc.
3. Marc Stockwell Veteran Foundation Check Donation Presentation.

APPROVAL OF MINUTES

4. Approval of Minutes for the June 17, 2019 Regular Session and June 24, 2019 Work Session.

PUBLIC COMMENT

This is the time for the public to come forward with any comments they may have on any subject related to City business not listed under Public Hearings. Complete a request to speak form and provide it to the City Clerk prior to the meeting.

State your Name and Address for the record.

Please Limit Your Comments to 3 Minutes or Less.

5. Citizen Comment.

CONSENT AGENDA

6. Recreation & Parks Proclamation.
7. Resolution No. 3765-19, Acceptance of Dedicated Improvements for Oviedo Point Lots 3 (Oviedo Point Investors, LLC).
8. Resolution No. 3766-19, Agreement with the Seminole County Probation Community Services Program.
9. Resolution No. 3768-19, Resolution No. 3768-19, Call to Artist for Center Lake Park Final Design Award.
10. Resolution No. 3769-19, Change Order to AUE Staffing, Inc.
11. Resolutions No. 3771-19, Architectural Design Order No. 044-19 for Fords Garage Restaurant at Oviedo on the Park.
12. Resolution No. 3772-19, Preferred Materials Concrete Piggyback.
13. Resolution No. 3773-19, New Standard Operating Procedures.
14. Resolution No. 3774-19, Budget Amendment for the City's Sidewalk Fund.

PUBLIC HEARINGS

15. Ordinance No. 1684, Amendment to the City's Official Zoning Map (Oviedo Congregation of Jehovah's Witnesses).

FIRST READING OF ORDINANCES

16. Ordinance No. 1685, Establishment of the City Public Arts' Logo.

RESOLUTIONS

17. Resolution No. 3762-19, Award of RFP 19-32 Risk Management Program.
18. Resolution No. 3763-19, Non-Statutory Development Agreement (NSDA) with an Associated Master Land Use Plan (MLUP) for the Citizens Bank of Florida.
19. Resolution No. 3767-19, Establishing Tentative FY 2019-20 Millage Rates and Scheduling the First Budget Public Hearing.

DISCUSSION ITEMS

20. Appointment to City LPA Board.

CITY MANAGER'S REPORT

City Manager Bryan Cobb

CITY ATTORNEY'S REPORT

COMMUNICATIONS AND REPORTS

Mayor Dominic Persampiere

Deputy Mayor Bob Pollack
Council Member Steve Henken
Council Member Jeff Chudnow
Council Member Keith Britton

FUTURE MEETING DATES

Monday, August 5, 2019, 6:30 p.m. Regular Session
Monday, August 19, 2019, 5:30 p.m. CRA Governing Board
Monday, August 19, 2019, 6:30 p.m. Regular Session
Monday, August 26, 2019, 6:00 p.m. Budget Work Session
Thursday, September 5, 2019, 6:30 p.m. Regular Session
Monday, September 16, 2019, 5:30 p.m. CRA Governing Board (Tentative)
Monday, September 16, 2019, 6:30 p.m. Regular Session

ADJOURNMENT

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, ANY PERSON DESIRING TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. This record is not provided by the City of Oviedo.

ALL SERVICES, PROGRAMS AND ACTIVITIES OF THE CITY OF OVIEDO ARE OFFERED AND SOLICITED WITHOUT REGARD TO RACE, COLOR, NATIONAL ORIGIN, AGE, SEX, RELIGION, DISABILITY OR FAMILY STATUS. FOR INFORMATION REGARDING THE CITY'S TITLE VI NONDISCRIMINATION POLICY, PLAN AND PROCEDURES PLEASE VISIT WWW.CITYOFOVIEDO.NET.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK AT 407-971-5500 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING.

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: **Donation to the American Cancer Society – Tenth Annual Relay for Life Golf Outing and Appreciation Presentation to Republic Services, Inc.**

Introduction: City Council is asked to make a check presentation to the American Cancer Society for the official donation of funds raised during the Relay for Life Golf Outing held April 26, 2019, and a presentation to Republic Services, Inc. for their generous contribution to the Relay For Life Golf Outing.

Discussion: According to the American Cancer Society, the nationwide estimation of cancer deaths is 606,880 annually. The American Cancer Society is trying to lower this number by raising money to fund research and support programs for cancer patients. One of the American Cancer Society's larger fundraising events is Relay for Life, in which the City of Oviedo actively participates.

City Staff has been working with Relay for Life to raise funding for the American Cancer Society for the past several years. The Tenth Annual Relay for Life Golf Outing was held on Friday, April 26, 2019, at the Twin Rivers Golf Course. The golf outing agenda included 18 holes of golf (scramble format), team photos, door prizes, lunch provided by Beef O'Brady and dinner provided by Rock & Brews. Prizes were given for first and second place and for last place, a humor award. Additionally, individual prizes were given for longest drive, closest to the pin. The winning team posted a 51 (21 under par) and donated their winnings of \$400 back to Relay for Life.

Additionally, City Staff also raised funds throughout the year with No Shave November, Chicken Cheesesteaks lunches, and other events.

Republic Services, Inc. was the Title sponsor for the golf outing with a contribution of \$6,000. This is the tenth consecutive year that Republic Services, Inc. has been the title sponsor. At the meeting, City Council will present a plaque to Republic Services, Inc., acknowledging their contribution.

Budget Impact: There is no impact to the budget. All funds raised were held in a suspense account, and expenses were paid from the suspense account. The remaining funds are being donated to the American Cancer Society on behalf of the City of Oviedo.

Recommendation: It is recommended that City Council make the ceremonial check presentation to the American Cancer Society and express the City's appreciation to Republic Services, Inc. for their generous contribution to the golf outing.

Prepared by: Dru D. Boulware, Recreation & Parks Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: **Resolution No. 3765-19**, Acceptance of Dedicated Improvements for Oviedo Point Lots 3 (Oviedo Point Investors, LLC)

Introduction: This is a request for City Council to accept the dedicated improvements for Oviedo Point Lot 3 located on the south side of West Mitchell Hammock Road, east of SR 426.

Discussion: Site Construction Type II Permit Number 17-0512 was issued on May 14, 2018. The dedicated improvement consisting of the water facilities has been reviewed by Public Works Inspectors during the construction process and found to be in compliance with the approved plans. The City Engineer has signed off on the improvements.

All conditions to the Site Construction Type II Permit have been met and installation of the water facilities is complete.

Budget Impact: There is no budget impact to the City upon acceptance of the dedicated improvements.

Strategic Impact: The adoption of Resolution No. 3765-19 is consistent with the Strategic Plan Natural and Built Systems and Economic Vitality and Development goals of ensuring that new development or redevelopment is done in a sustainable manner.

Recommendation: It is recommended that the City Council adopt Resolution No. 3765-19.

Prepared by: Linda Holt, Development Review Coordinator
Reviewed by: Alexis Stewart, City Engineer
Teresa Correa, Development Services Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: Resolution No. 3766-19, Agreement with the Seminole County Probation Community Services Program

Introduction: This is a request for City Council to approve an agreement with Seminole County Probation Department to provide individuals a location to perform pre-trial court ordered community service work at no cost to the City.

Discussion: The Seminole County Probation Department provides a community service work program in which defendants who are charged with a criminal offense by the State Attorney's Office appear before a Seminole County Court Judge for appropriate disposition. There are various judicial actions that can occur on the day one appears before the Court. Those being placed in a probationary status, as an alternative to incarceration, are directed by the Court to accomplish standard and special conditions. These conditions, through proactive case management, serve to fulfill the basic goals in sentencing, deterrence, retribution, rehabilitation, and restitution. Being place on probation is considered a privilege, not a right.

Other local governments who utilize this service include Seminole County, City of Casselberry, City of Sanford, and City of Altamonte Springs. In Seminole County, approximately 3,000 community service individuals have been assigned to different agencies across the County on a monthly basis. Each participant of the program pays \$3.15 for every 50 hours of community service. This fee is used to purchase community service insurance for each individual who is performing the community service hours. The individual working the community service hours must also meet the Code of Conduct of the agency. Violators of the code will not be allowed to complete their court appointed hours and their respective probation officer will be notified of their termination for the City's community service work program.

Community service hours are ordered either as a special condition of probation, or though a pre-trial diversion program without supervision. Traffic Court community service hours are imposed to give something back to the community after an illegal action has occurred, or in lieu of a court ordered fine. Community service must be performed for a tax-supported or tax-exempt entity. Seminole County utilizes over 20 approved sites to refer over 36,000 hours per year of court ordered community service work.

When an individual (adult or juvenile) has been charged with a crime, the State Attorney screens the case to determine eligibility for the Pre-Trial Diversion Program. Eligibility is based upon prior criminal history and the severity of the crime. Once eligibility has been determined, all

individuals are sent to the probation department for placing. The City may request Seminole County to only send individuals that fit requested criteria. The probation department runs a criminal history for all individuals on probation. The City may request for Seminole County not to send individuals with past or current offenses of any level. If staff notices an individual that appears to have been misplaced, City staff will communicate with the probation department to determine eligibility.

Individuals performing community service will assist Recreation and Parks Department staff with duties such as pulling weeds, edging, picking up trash, washing vehicles and equipment, removing exotic plant life, etc., during a predetermined schedule. This would allow Department staff to focus on the more detailed and technical applications within the parks, such as pesticide applications, field maintenance, field preparations, and common daily tasks.

The City may request individuals be sent to designated locations as part of the agreement. Staff proposes that the Oviedo Sports Complex and Shane Kelly Park be the two (2) locations designated for community service hours via Seminole County. The primary work schedule will be from 7am to 3pm Monday through Friday, as there will not be any ongoing activities taking place within the parks during those hours.

Budget Impact: There is no budget impact to the City with entering into an agreement with the Seminole County Probation Department Community Service Supervising Agency. Labor hours will be provided to the City at no cost.

Strategic Impact: The Community Service Work Program is consistent with the “Execute and update the Recreation Master Plan” goal of the “Recreation, Arts and Culture” strategic focus area.

Recommendation: It is recommended that City Council adopt Resolution No. 3766-19.

Attachments: 1. Seminole County Probation Hours Work Tracking Sheet
 2. City of Oviedo Code of Conduct

Prepared by: Paul Belden, Recreation Business Manager
Reviewed by: Dru D. Boulware, Recreation & Park Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: **Resolution No. 3768-19**, Call to Artist for Center Lake Park Final Design Award

Introduction: This is a request for City Council to approve the final design for the Center Lake Park mural design as recommended by the Public Arts Board.

Discussion: On April 1, 2019, the CRA Governing Board adopted Resolution No. 113-19, approving a Call to Artist to request proposals for a mural design to be painted in Center Lake Park with the theme “Oviedo’s Postcard”. The Call to Artist was advertised in the City’s website and applications were accepted from April 19, 2019 through June 7, 2019. Ten (10) mural designs were received by the closing date. A list of the submitting artists and their respective proposed designs is provided in Attachment 1.

On June 12, 2019, the Public Arts Board met to evaluate the design proposals and ranked the candidates, according to the three (3) approved criteria: artistic excellence, creativity, and adherence to the entry requirements. Each criterion could receive a maximum of 10 points. The final scoring was the following:

	Geno Fruet	Brian Smith	Jenifer Webb	Margie Sloane	Bethany Miller	Melissa Sileo	Susan Pierce	Caryn Dahm	Lisa Ramsey	Total	Rank
Constance	21	18	22	20	18	14	19	22	21	175	5
Melissa	25	24	23	25	24	20	22	24	26	213	3
Xavier	22	27	29	27	27	24	27	26	23	232	1
Christian	27	30	28	24	21	21	26	22	30	229	2
Natasha	23	12	22	15	9	15	24	21	20	161	8
Shani	21	15	24	19	6	19	25	22	23	174	6
Al Huggins	14	3	14	15	3	14	12	18	15	108	10
Puente Rivero	24	6	26	21	15	19	16	11	24	162	7
Ilknur	22	9	21	16	12	17	20	15	21	153	9
Simona	23	21	27	26	30	18	28	19	20	212	4

The top three candidates with their respective points according to the ranking recommended by the City’ Public Arts Board is as follows:

- 1) Xavier Moss 232 points
- 2) Christian Stanley 229 points
- 3) Melissa Rudge 213 points

Copies of the top three (3) mural design applications are provided in Attachment 2. Copies of all of the applications are provided in Attachment 3.

Following City Council’s approval, staff will negotiate an agreement with the chosen artist for production of the selected artwork. The agreement will also require the artist to grant the City the right to utilize and dispose of the selected artwork. The agreement will be presented for City

Council approval at a future meeting. The selected artist will receive a payment of \$1,000.00 for the purchase, use and painting of the artwork. The City will reserve a maximum of \$3,000.00 to cover the materials for the execution of the mural by the artist. Should the City and the selected artist be unable to negotiate an agreeable Scope of Services and price, staff will proceed with negotiations with the number two (2) ranked artist.

Staff concurs with the ranking proposed by The Public Arts Board and recommends its approval. The Public Arts Board will invite the chosen artist to discuss possible minor adjustments to the design.

Budget Impact: The CRA Governing Board has budgeted and approved the use of funds to cover the costs of the mural award and painting.

Strategic Impact: Foster and maintain a strong sense of community identity and of place as part of the Community Character strategic goal.

Recommendation: It is recommended that City Council adopt Resolution No. 3768-19.

Attachments: 1. Submitting artists and their respective designs
 2. Top Three Mural Designs
 3. Copy of all applications

Prepared by: Teresa Correa, Development Services Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: **Resolution No. 3769-19**, Change Order to AUE Staffing, Inc.

Introduction: This is a request for City Council to approve a change order in the amount not to exceed \$130,000 to AUE Staffing, Inc. for providing temporary staffing services for recreational programming.

Discussion: The City's Recreation & Parks Department offers a diverse program to the community, ranging from summer camp, youth and adult athletic leagues to lifeguarding, swim instruction, concessions and special events. The City utilizes part-time seasonal staff to coordinate such activities on an annual basis.

On October 1, 2018, City Council adopted Resolution No. 3630-18 approving the selection of four (4) firms to provide Temporary Staffing Services on an as-needed basis. Temporary Staffing Services for recreational programming will be completed on a Work Order basis as needed. The subject agreement is provided in Attachment 1 and will be effective for a period of three (3) years, with two (2) annual renewals for a total of (5) years.

Currently, Recreation & Parks staff has a purchase order in place with AUE Staffing, Inc. in the amount of \$40,000, spread evenly between four divisions. The majority of part-time seasonal staff has been retained as City employees until their assignments have ended. New part-time seasonal staff requested for recreational programming will be processed through AUE Staffing, Inc. Recreation & Parks staff have completed their initial hiring process for temporary staff for the remainder of the fiscal year. After reviewing the budgeted programming hours for the remainder of the year in comparison to last fiscal year, staff anticipate an additional \$90,000, for a total not to exceed \$130,000 in temporary staffing services.

Budget Impact: There are sufficient funds in the FY 2018-19 Budget for temporary staffing services for Recreational Programs in the following accounts.

Strategic Impact: To continue high levels of customer service, productivity, and efficiency while maintaining the fiscal health and affordability of recreational programming.

Recommendation: It is recommended that City Council adopt Resolution No. 3769-19.

Attachment: AUE Staffing, Inc. Agreement

Prepared by: Paul Belden, Recreation Business Manager
Reviewed by: Dru D. Boulware, Recreation & Parks Director
Kelly Jones, Assistant Finance Director & Jerry Boop, Finance Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: Resolution No. 3771-19, Architectural Design Order No. 044-19 for Fords Garage Restaurant at Oviedo on the Park

Introduction: This is a request for the City Council to approve Architectural Design Order (ADO) No. 044-19 for Fords Garage restaurant at Oviedo on the Park.

Discussion: The proposed development is located on the north side of Mitchell Hammock Road and west side of Oviedo Boulevard. The total land area is approximately 4.25 acres. The applicant and property owner is Michael Collard of O.O.T.P., LLC. The architect of record is Charles E. Molnar of Sol Design Studio.

Per LDC Section 2.5 (A)(18), the City Council shall have final approval authority to issue Architectural Design Orders associated with a Site Development Order or Building Permit application associated with a Mixed Use Development, Multifamily Development, Townhome Development, Office Development, and Commercial Development in all zoning districts.

The subject property is designated as Downtown Mixed-Use (DMU) on the City's Future Land Use Map and MUD-VC (Mixed-Use District Village Core) on the City's Official Zoning Map. The applicants propose to develop the property with multiple buildings. Fords Garage restaurant will be 6,224 square feet.

Staff reviewed the proposed architectural design according to the standards of the City's Land Development Code (LDC) Article VIII, Architectural and Urban Design Standards and the Comprehensive Plan. The project consists of a 6,224 square foot restaurant, as part of a larger development on the site with multiple commercial uses. Colored elevations and 3D renderings of the proposed building are provided in Attachment 3.

The Applicant requests the following deviations to the LDC minimum architectural standards.

ARCHITECTURAL DESIGN DEVIATIONS:

1. North Elevation (Secondary Façade):

- a. LDC Sec. 8.7.C(5), Materials: A 79 square-foot deviation to the requirement the maximum percentage of stucco shall be 50% (50% = a maximum of 647 sq. ft. permitted) of a secondary façade to allow the façade to have 725 sq. ft. of stucco, a 12% deviation.

2. South Elevation (Primary Façade):

- a. LDC Sec. 8.7.C(5), Materials: A 69 square-foot deviation to the requirement the maximum percentage of stucco shall be 40% (40% = a maximum of 351 sq. ft. permitted) of a primary façade to allow the façade to have 420 sq. ft. of stucco, a 20% deviation.

3. East Elevation (Primary Façade):

- a. LDC Sec. 8.7.C(4), Fenestration: An 81 square-foot deviation to the requirement that windows, doors and openings shall occupy a minimum of 30% (30% = 311 sq. ft. required) of a primary façade to allow the façade to have 230 sq. ft. of windows, doors and openings, a 26% deviation.
- b. LDC Sec. 8.7.C(5), Materials: A 117 square-foot deviation to the requirement the maximum percentage of stucco shall be 40% (40% = a maximum of 272 sq. ft. permitted) of a primary façade to allow the façade to have 389 sq. ft. of stucco, a 43% deviation.

4. West Elevation (Secondary Façade):

- a. LDC Sec. 8.7.C(4), Fenestration: A 91 square-foot deviation to the requirement that windows, doors and openings shall occupy a minimum of 20% (20% = 207 sq. ft. required) of a secondary façade to allow the façade to have 116 sq. ft. of windows, doors and openings, a 44% deviation.
- b. LDC Sec. 8.7.C(5), Materials: A 101 square-foot deviation to the requirement the maximum percentage of wood shall be 50% (50% = a maximum of 370 sq. ft. permitted) of a secondary façade to allow the façade to have 470 sq. ft. of wood, a 27% deviation.

Per LDC Section 8.3(C), Number of Mitigation Techniques, deviations of LDC Section 8.7 architectural requirements require architectural mitigation techniques, depending on the highest deviation requested. The highest deviation requested is a 44% deviation for fenestration on the West facade. This requires 2 architectural mitigation techniques to be applied to the building. The project has similar treatment on all façades, while also exceeding the minimum required brick or stone percentage on all façades, meeting the minimum mitigation requirement.

A copy of the proposed site plan is provided in Attachment 2. Staff recommends approval of ADO No. 044-19.

Budget Impact: There is no impact to the budget as a result of the approval of the Architectural Design Order No. 044-19.

Strategic Impact: The proposed development is consistent with the Economic and Vitality strategic goal.

Recommendation: It is recommended that City Council adopt Resolution No. 3771-19.

Attachments: 1. Location Map
 2. Proposed Site Plan
 3. Colored Façade Elevations and 3D Rendering

Prepared by: J. Higbee, Development Review Manager
Reviewed by: Teresa Correa, Development Services Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: **Resolution No. 3772-19**, Preferred Materials Concrete Piggyback

Introduction: This is a request for the City Council to approve a piggyback agreement with Preferred Materials, Inc. for concrete, asphalt and flowable materials.

Discussion: The City's Public Works Department is responsible for ensuring all City sidewalks, curbs, gutters and other infrastructure is maintained in a safe and structurally sound manner. While many of the City's "new" concrete projects are contracted out, most of the day to day maintenance work is done in-house, utilizing existing City staff and equipment.

Historically, the City has purchased ready mix concrete via "piggyback" agreements through other agencies with the idea that the bidding of larger quantities results in more competitive pricing for the City. This theory typically holds true as long as the contractor is willing to allow the piggyback for the smaller quantities, and is responsive to the City's needs.

In 2018, staff experienced situations where contractors were not responsive to the City's concrete needs due to larger demands for concrete along the I-4 corridor. In following up, it was discovered that many cities and counties were experiencing the same difficulties obtaining concrete. In fact, staff learned that Maschmeyer Concrete, who has supplied concrete for years to Oviedo, had no desire to renew the contract with Seminole County, which means the City's piggyback contract is also expired. Due to the volatile market, contractors were not interested in locking down pricing in the form of an agreement for any period of time. Seminole County went out for bid twice with no responses.

In September of 2018, the City prepared and advertised its own bid in an effort to reach out to other companies who might prefer the smaller quantities typically ordered by the City. No bids were received. The City re-bid in October and received one submittal. As such, City Council awarded a contract to the one and only bidder, Green Dream International, in January, 2019.

Currently, the City has one supplier for its concrete needs. Seminole County recently bid concrete again and was able to award contracts to two suppliers. One of the awards went to Green Dream International, the same company which Oviedo awarded a contract to. The other contract awarded by Seminole County is with Preferred Materials, Inc. Staff wishes to piggyback the Preferred Materials contract in order to obtain a second vendor. A copy of the proposed piggyback agreement is provided in Exhibit 1 of Resolution 3772-19. The agreement

remains active through May 20, 2022, and may be renewed for two (2) additional one-year terms if mutually agreed upon by the parties.

Budget Impact: There is no impact to the budget by approving this piggyback agreement as materials will be ordered on an as-needed basis as projects occur and are budgeted.

Strategic Impact: Ensure that the infrastructure meets the capacity needs of the City by eliminating existing infrastructure deficits.

Recommendation: It is recommended that City Council adopt Resolution No. 3772-19.

Prepared by: Susan Sheikh, Operational Resources Manager

Reviewed by: Bobby Wyatt, Public Works Director

Kelly Jones, Assistant Finance Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: **Resolution No. 3773-19**, New Standard Operating Procedures

Introduction: This is a request for City Council to approve new Standard Operating Procedures (SOP's) and authorize the City Manager to execute said procedures.

Discussion: Administrative policies, rules, and procedures have been utilized by City Staff at least since 1990. Since 2011, certain administrative policies, rules, and procedures have been annually created or revised. The SOP's provided in Exhibit 1 of Resolution No. 3773-19 reflect the new policies. The recommended new policies are summarized below, with the proposed policy provided in Exhibit 1 of the Resolution:

Title	Approval Date	Policy Description
Sidewalk Fund Policy	New	New SOP establishing procedures for the use of proceeds collected through Article XI of the City's Land Development Code.
Mobility Fund Policy	New	New SOP establishing procedures for the use of proceeds collected from certain property owners/ developers for which mobility strategies, or fee in lieu of, are required pursuant to Goal 2-2 of the Transportation Element of the adopted Comprehensive Plan.

Resolution No. 3773-19 approves the new Standard Operating Procedures; authorizes the City Manager to execute the SOP's; requires annual evaluation of the SOP's and revision if necessary; and requires new and amended SOP's to be adopted by Resolution of the City Council. It is Staff's intent that the SOP not be a static document. The SOP will be evaluated annually and, if necessary, amended. New procedures will also be recommended to City Council from time to time.

Budget Impact: There is no budget impact arising from the adoption of Resolution No. 3773-19.

Strategic Impact: Continue to align organizational structure and practices with the mission.

Recommendation: It is recommended that the City Council adopt Resolution No. 3773-19.

Prepared by: Kelly Jones, Assistant Finance Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: **Resolution No. 3774-19**, Budget Amendment for the City's Sidewalk Fund

Introduction: This is a request for City Council to approve a budget amendment to transfer restricted funds from the Local Option Gas Tax Fund (105) to a newly created Special Revenue Fund, (Fund 114) for the City's Sidewalk Fund.

Discussion: Land Development Code (LDC) Section 11.1(D)(3) states that in lieu of construction, a fee equal to the cost of constructing the sidewalk may be paid into the City's Sidewalk Fund upon review and approval by the City Engineer.

On July 15, 2019, City Council approved Resolution No. 3773-19, which created a new Standard Operating Procedure (SOP) establishing a mechanism to facilitate the use of funds related to LDC Section 11.1(D)(3). Currently, all proceeds collected for the Sidewalk Fund are deposited into a restricted cash account within the Local Option Gas Tax Fund.

Special Revenue Funds account for specific revenue sources that are restricted by law or internal administrative action for a specific purpose. With the creation of the SOP guiding the use of the sidewalk fund proceeds, Staff determined that a new Special Revenue Fund will be the most appropriate way to track both the sources and uses of proceeds.

Budget Impact: A budget amendment is included as Exhibit 1 of Resolution No. 3774-19 which will move the balance of the restricted cash for the Sidewalk funds from the Local Option Gas Tax Fund (Fund 105) Fund to the new Sidewalk Fund (Fund 114).

Strategic Impact: The adoption of Resolution No. 3774-19 is consistent with the Strategic Plan Natural and Built Systems to sustain programs and efforts to conserve natural resources.

Recommendation: It is recommended that the City Council adopt Resolution No. 3774-19.

Prepared by: Kelly Jones, Assistant Finance Director
Reviewed by: Jerry Boop, Finance Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: Ordinance No. 1684, Amendment to the City's Official Zoning Map (Oviedo Congregation of Jehovah's Witnesses)

Procedure: Call Up Item
Mayor asks Attorney to Read Ordinance by Title Only
City Manager Background
Applicant Comments
Public Hearing
Council Motion & Discussion
Council Action

Introduction: This is a request for City Council to amend the City's Official Zoning Map to change the zoning for approximately one point ninety-nine (1.99) acres from the Seminole County Commercial (C-3) zoning district to the City Commercial (C-2) zoning district. The Oviedo Congregation of Jehovah's Witnesses property was voluntarily annexed into the City on July 21, 2003. The subject property is located east of State Road 426 and south of Mitchell Hammock Road.

Discussion: The applicant is West Oviedo, Florida Congregation of Jehovah's Witnesses, represented by Calvin Middlebrooks. Per Land Development Code (LDC) Section 2.5(A)(3), the City Council shall have final approval authority of amendments to the Official Zoning Map.

Per Section 166.041(3)(a), Florida Statutes (F.S.), a privately-initiated ordinance to change the official zoning map of a parcel must be read by title on at least two (2) separate days and shall, at least ten (10) days prior to adoption, be noticed once in a newspaper of general circulation in the City. LDC Sections 2.4(E) and 2.5(B) require a public hearing before the Local Planning Agency (LPA) and a public hearing before the City Council for an amendment to the Official Zoning Map. Thus, the proposed Zoning Map Amendment (ZMA) will undergo two (2) public hearings: one (1) before the LPA and one (1) before City Council.

At its, June 4, 2019, meeting, the Local Planning Agency conducted a public hearing, and thereat, recommended approval of the proposed ZMA. City Council conducted a First Reading of proposed Ordinance No. 1684 at its June 17, 2019 regular meeting. This is the second of the

two (2) required public hearings, and public notice has been provided per Section 166.041(3)(a), F.S.

Comprehensive Plan Policy 1-1.1.4 establishes the “Criteria for Future Land Use Map Amendments and Rezonings”. Policy 1-1.1.4 requires the City to evaluate, at a minimum, the following when considering a zoning map amendment:

1. Consistency with the goals, objectives, and policies of the Comprehensive Plan, and the Future Land Use Map Series.
2. Impact on established and projected levels of service.
3. Compatibility with existing and proposed land uses as defined and determined in Policy 1-1.1.16.
4. Current supply of vacant land already designated for the proposed land use.
5. Funding commitments for required improvements.
6. Impact on natural resources.
7. Consistency with efforts to increase the supply of non-residential lands available for economic use.
8. Consistency with efforts to increase the provision of a viable mixture of land uses in a compact, walkable area that is accessible to the full range of feasible non-motorized and motorized transportation modes.
9. Population impact.
10. Impacts on public schools.

Staff evaluated the proposed zoning map change pursuant to Comprehensive Plan Policy 1-1.1.4. The Supporting Data, Inventory, and Analysis (DIA) provided in Attachment 2 details staff’s findings. A summary of staff’s findings is provided below.

- The proposed C-2 zoning district is consistent with the property’s Commercial (CM) future land use designation.
- Designation of the subject property to a C-2 zoning district aligns with the policies and objectives of the Comprehensive Plan and Land Development Code to place higher intensity commercial uses along arterial or collector roadways. The property fronts on State Road 426, an arterial roadway and is in close proximity to the State Road 417 interchange with Red Bug Lake Road.
- The proposed Commercial (C-2) zoning district is compatible with adjacent zoning districts and existing land uses. The current church/institutional land use is compatible with surrounding commercial land uses and is a permitted use in the C-2 zoning district.
- The proposed zoning map amendment will not increase the maximum development potential on the subject property as the floor area ratio (FAR) remains at 0.5 under the current Commercial future land use designation. Additionally, the current use of the subject property as a church will not change; therefore, there are no additional adverse impacts to transportation facilities or demand on water, sewer, drainage or solid waste facilities.

- The proposed zoning map amendment does not add to the supply of vacant commercial acreage within the City as the property is not vacant and will remain a church use.
- No additional capacity improvements will result from the proposed zoning map amendment. Therefore, funding commitments for capital improvement projects are not required of the applicant.
- The site consists of developed uplands with little to no suitable habitat available to support wildlife listed as threatened or endangered. There are no wetlands on the subject property. The only surface water is an on-site stormwater treatment pond. There are no adverse environmental impacts anticipated.
- The proposed C-2 zoning district allows a diversity of non-residential land uses consistent with the surrounding land uses. Thus, the proposed zoning map amendment supports the City's effort to increase opportunities for a viable mixture of land uses that are accessible by non-motorized and motorized transportation modes.

The City Attorney reviewed Ordinance No. 1684 and identified no concerns relative to content and accuracy. Staff recommends approval of Ordinance No. 1684.

Budget Impact: There are no anticipated budgetary impacts as a result of adoption of the proposed Zoning Map Amendment.

Strategic Impact: The proposed Zoning Map Amendment is consistent with the Economic Vitality and Development Strategic focus area where one of the goals is to promote diversification of the local economy.

Recommendation: It is recommended that City Council read Ordinance No. 1684 by title only, conduct a public hearing, and adopt Ordinance No. 1684.

Attachments: 1. Location Map
 2. Supporting Data, Inventory and Analysis

Prepared by: Anoch P. Whitfield, Planning Manager
Reviewed by: Teresa Correa, Development Services Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: **Ordinance No. 1685**, Establishment of the City Public Arts' Logo

Procedure: Call Up Item
Mayor asks Attorney to Read Ordinance by Title Only
City Manager Background
Council Motion to Schedule Public Hearing on August 5, 2019
Council Action

Introduction: This is a request for City Council to amend the City's Code of Ordinances Section 2-12 to establish the City Public Arts' Logo as one of the official City logos.

Discussion: The Public Arts Board recommended to City Council an official Public Arts Logo to be used to promote the City's Public Arts policy and respective programs. On June 17, 2019, City Council adopted Resolution No. 3761-19, approving the Public Arts Logo design created by Ms. Caryn Dahm, a Public Arts Board member and a well-known local water color artist. The Public Art's Logo design is the following:

Adoption of Ordinance No. 1685 will incorporate the Public Arts logo into the Code of Ordinances, and it will be subject to the same conditions of the other City Logos. Code of Ordinances Sections 2-13 provides for sole use of the various City Logos, including any facsimiles thereof, by authorized officials and officers of the City of Oviedo in conducting the official business of the City. No other person shall be authorized to use the City Public Arts Logo for any other purpose without the City's authorization. In addition, Section 2-14 authorizes the City Attorney to take any actions as may be authorized by controlling law to protect the City Logos, including the Public Arts Logo as the intellectual property of the City.

The City Attorney has reviewed Ordinance No. 1685 and offered no objections. Staff recommends approval of Ordinance No. 1685.

Budget Impact: There are no anticipated budgetary impacts as a result of adoption of Ordinance No. 1684.

Strategic Impact: Foster and maintain a strong sense of community identity and of place as part of the Community Character strategic goal.

Recommendation: It is recommended that City Council read Ordinance No. 1685 by title only and schedule a public hearing for August 5, 2019.

Prepared by: Teresa Correa, Development Services Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: JULY 15, 2019
SUBJECT: **Resolution No. 3762-19**, Award of RFP 19-32 Risk Management Program

Procedure: Call up Item
City Manager Background
Consultant Presentation
Public Comment – Request to Speak Forms submitted prior to beginning of meeting
Council Motion & Discussion
Council Action

Introduction: This is a request for City Council to award RFP 19-32 to Public Risk Management of Florida (PRM) as the Risk Management Program provider for the City.

Discussion: PRM was formed in 1987 as a public agency of the State of Florida for the purpose of creating a risk management and self-insurance association pursuant to the terms of Florida Statutes Sections 768.28(16)(a), 440.57 and 163.01, Florida Interlocal Cooperation Act of 1969. The City awarded its Program to PRM on October 1, 1998, and has not competitively bid risk management services since the original placement. The City's purchasing policy, under Section III 1. Purchasing Thresholds, does not require a competitive bid for services provided by other governmental agencies. At its June 25, 2018, Work Session, City Council discussed the City's Risk Management Program and determined that the Program needed to be competitively bid due to the length of time with PRM and continued annual premium increases. Additional deliberations took place as to how quickly the bid should take place. It was decided that it would be best to wait until after the expiration of the hurricane season, December 1, 2018. There were also additional considerations as the City was entering the second year of a two-year rate guarantee and needed to avoid the penalties for early withdrawal. Due to these considerations, City Council directed Staff to advertise a Request for Proposals (RFP) in early calendar year 2019.

In January 2019, the Human Resources Department began to search for a skilled, independent insurance consulting firm with the internal expertise and integrity to assist with the preparation of the RFP and evaluation of the RFP respondents. The City obtained three (3) proposals from the following consulting firms: E.W. Siver and Associates, Inc., Ben Few and Associates and UIC Inc. As provided in Attachment one (1), following a thorough review of references, Staff determined that E.W. Siver and Associates, Inc. (Siver) was the most responsive to the City's needs. On March 5, 2019, a work order was issued to Siver in an amount not to exceed \$15,000.

With the assistance of Human Resources and Purchasing Staff, Siver developed a comprehensive formal solicitation, RFP 19-32 provided in Attachment eight (8), which was broadcast on VendorLink April 5, 2019 and advertised in the Orlando Sentinel on April 7, 2019. The due date for submittals was May 20, 2019.

The City received the following three (3) submittals which were recorded as responsive in providing the required City Forms:

1. The Florida League of Cities Florida Municipal Insurance Trust (FMIT) and Foundation Risk Partners and Halifax/Acentria Public Risk submitted a proposal with the majority of coverages being provided by FMIT.
2. Risk Management Associates, dba Public Risk Insurance Advisors (PRIA), submitted a proposal with the majority of coverages being provided by the Preferred Government Insurance Trust (PGIT).
3. World Risk Management submitted a proposal with the majority of coverages being provided by Public Risk Management of Florida (PRM).

Bid Opening Minutes are provided in Attachment two (2).

A copy of the submittals was transmitted to Siver via FEDEX to perform an analysis and to provide a review of their findings. Siver compiled a comprehensive Summary of Proposals which is provided in Attachment 3. The comprehensive summary is seventy (70) pages and goes into great detail comparing the different premiums, limits and liabilities provided in each submittal. In addition, the committee developed Hypothetical Loss Claim Scenarios, provided in Attachment 4, and requested Siver to provide an in-depth analysis on the loss outcome of each claim based on the proposals of the three respondents.

Under the facilitation of the City's Purchasing Agent, a committee was formed to review the submittals. It was comprised of the following City employees:

Jerry Boop	Finance Director
Bryan Cobb	City Manager
Jennifer Clark	Sr. Human Resources Coordinator
Connie Collins	Human Resources Director
Susan Sheikh	Operational Resources Manager

The Committee held a public meeting on June 6, 2019, to discuss the RFP responses and Loss Claim scenarios. A conference call was held between the Committee and Siver requesting their guidance in navigating through the information. It was the consensus of the Committee that the next step would be to conduct reference checks as a group, and that Siver would finalize their report and offer a recommendation at a future date. Minutes from this meeting are provided in Attachment 5.

The Committee met on consecutive days to complete the reference check process. Provided in Attachment 6 are the names of the agencies, the individuals contacted, and the questions that were asked. This process permitted the agencies an opportunity to discuss the services they receive and their level of satisfaction with their provider.

The Committee held a public meeting on June 25, 2019, at which, Siver presented the final Summary of Proposals, Attachment 3, and Loss Claim Scenarios Attachment 4. Siver stated that the City received three (3) reputable proposals and were it not for the RFP, the renewal process for the City would likely have resulted in a premium increase due to the current condition of the property market. Overall, the proposals offer the same bundle of services, however, there are certain advantages and disadvantages with each proposal which are provided in Attachment 7, Memorandum, Summary of Key Issues and Proposals. Minutes from this meeting are provided in Attachment 9.

Property Risk Management (PRM)

Advantages

PRM's property policy sub-limits are significantly higher than either FMIT or PGIT. These sub-limits can result in significantly higher recoveries in many potential loss situations which are illustrated in the Loss Claim Scenarios, provided in Attachment 4, and the Memorandum, Summary of Key Issues and Proposals provided in Attachment 7.

PRM offers \$3,000,000 of employer's liability coverage compared to \$1,000,000 in the other two programs.

PRM's structure is vastly different from the other two proposers. They buy layers of insurance and pass on much of the risk to the excess carriers.

PRM and FMIT pay back member dividends so surpluses do not accumulate unnecessarily.

In the Loss Claim Scenarios, PRM had better coverage for business interruption claims, unnamed locations, unintentional errors and omissions, course of construction and additions, money and securities, increased cost of construction, transit and Employers Liability.

Disadvantages

PRM has shared property limits. Although many of the PRM property sub-limits are higher than either FMIT or PGIT, it is important to note that, in a single occurrence (such as a hurricane), these limits would be shared among all program members in that occurrence. If multiple members suffer damage from the same occurrence, the amount of coverage available to the City could be greatly reduced.

The defense costs under the Public Officials Liability coverage erode the available limit of coverage. While these defense costs are included in liability claims limits under the PRM Program, Siver advised that Statutory limits of \$200,000/\$300,000 protect the City in most

scenarios from exceeding the limits of \$5 million per claim. The only instance that would potentially put those limits at risk would be a claim that had support for a Senate Claims Bill.

Of the three proposers, which are all offering insurance through a government insurance pool, PRM is the smallest in terms of members and surplus. Unlike FMIT and PGIT, PRM requires the City to pay for the run-out administration of open claims if the City decides to exit the program. This run-out cost is estimated at a one-time cost of approximately \$60,000. PRM also requires notice be provided prior to any exit from the Program. This is considered by some to be a disadvantage of the Program because it creates potential barriers to testing the market, however, it also results in stability within the membership. In general, this is a much larger concern for entities that are considering joining PRM than it is for entities that are already members. As the City is already a member, it is only a consideration if the City decides to exit the program.

Florida Municipal Insurance Trust (FMIT)

Advantages

Property limits with FMIT are not shared. Although many of FMIT's sub-limits are lower than PRM's, the limits shown in the FMIT policy are guaranteed to be available for each insured.

FMIT offered \$1,000,000 for most crime coverages versus \$500,000 offered by the other programs.

The defense costs under the Public Officials Liability coverage do not erode the available limit of coverage.

Disadvantages

As shown in the chart in the Memorandum, Summary of Key Issues and Proposals provided in Attachment 7, FMIT has significantly lower sub-limits for many coverages when compared to PRM. The FMIT Property Program offered much less coverage than PRM and would result in considerably higher out-of-pocket claim costs to the City as described in the Loss Claim Scenarios provided in Attachment 4, (Scenarios 1, 3, and 4).

Of significant concern was the fact that the FMIT Program will not provide coverage for Public Officials and Employment Practices Liability back to the current retroactive date of October 1, 1990. FMIT will only offer a retroactive date for Public Officials and Employment Practices Liability claims effective October 1, 2015, for an additional premium of \$16,667 per year or \$50,000 spread over the course of three years. There is no option available to provide an earlier retroactive claims coverage date. In Siver's opinion, the loss of coverage for wrongful acts committed by the City between October 1, 1990, and October 1, 2015, is a critical coverage difference.

Preferred Government Insurance Trust (PGIT)

Advantages

PGIT offered to provide a two-year rate option.

Although many of the sub-limits are lower than PRM, the limits shown are guaranteed to be available for each insured. However, there is an overall program shared limit of \$340,000,000.

The PGIT program offers a \$1,000 deductible for equipment breakdown versus \$10,000 in the other programs.

PGIT offers first dollar (\$0) Workers Compensation coverage compared to the current deductible of \$10,000 per occurrence.

PGIT is offering \$2,000,000 limits for most Cyber liability coverages compared to the current \$1,000,000 limits.

The defense costs under the Public Officials Liability coverage do not erode the available limit of coverage.

Disadvantages

As shown in the chart in the Memorandum, Summary of Key Issues and Proposals provided in Attachment 7, PGIT has significantly lower sub-limits for many coverages when compared to PRM. When the Loss Scenarios were analyzed, PGIT's coverage resulted in much higher out-of-pocket costs to the City in Scenarios 3, 4 and 5 as shown in Attachment 4. These out-of-pocket costs were significantly greater than the amount saved by the zero-deductible option.

PGIT did not include a separate proposal for Pollution Liability, but instead stated they would recommend that the City stay with its current XL Pollution Liability policy.

After meeting with the Committee and thoroughly vetting the various reports provided, Siver recommended staying with the current provider, PRM, for the following reasons:

- PRM shared property limits are better than FMIT and PGIT coverages.
- PRM's property coverage will result in higher payouts to the City and significantly lower out-of-pocket costs.
- FMIT does not cover Employment Practices Liability back to the retroactive date of October 1, 1990. This will leave the City unprotected for claims between October 1, 1990, and October 1, 2015. Siver stated that this is a major concern and a significant risk for the City to take.
- FMIT limits unscheduled property coverage to \$1,000,000. PRM has no limit on unscheduled property.
- Overall coverage from the PRM Program is superior.
- PRM offered the most cost-effective and comprehensive Program.
- Change in providers will not result in any savings and in fact would incur additional costs such as the gap insurance and the unplanned cost of added risk of uncovered claims between 1990 and 2015.

- PRM's coverage, customer service, and legal representation has been outstanding since inception.

It was the consensus of the Committee to move forward with Siver's recommendation, which is provided in Attachment 10, Siver's Summary and Recommendation, and accept World Risk Management's proposal of major lines for coverage through the PRM Program.

Budget Impact: Total program cost for the current Fiscal Year 2018-19 is \$1,182,152. If approved, Request for Proposal No. 19-32 will result in a Fiscal Year 2019-20 total program cost of \$861,786, a savings of \$320,366, or 27.1%. In addition to the program cost savings of \$320,366, the City will receive a participation credit of \$31,365 for an overall savings of \$351,731 or 29.8%.

Strategic Impact: Continue high levels of customer service, productivity, and efficiency while maintaining fiscal and organizational health.

Recommendation: It is recommended that City Council adopt Resolution No. 3762-19.

Attachment: 1. Memo and Related Work Order, Selection of Siver
 2. Bid Opening Minutes
 3. Summary of Proposals
 4. Loss Scenarios Comparison
 5. Meeting Minutes, June 6, 2019
 6. Meeting Minutes, June 19, 2019
 7. Memorandum, Summary of Key Issues and Proposals
 8. RFP 19-32 Property & Casualty Insurance
 9. Meeting Minutes, June 26, 2019
 10. Siver's Summary and Recommendation

Prepared by: Jerry Boop, Finance Director and Connie Collins, Human Resources Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: **Resolution No. 3763-19**, Non-Statutory Development Agreement (NSDA) with an Associated Master Land Use Plan (MLUP) for the Citizens Bank of Florida

Procedure: Call Up Item
City Manager Background
Applicant Comments
Council Motion & Discussion
Council Action

Introduction: This is a request for the City Council to approve a Non-Statutory Development Agreement (NSDA) with an associated Master Land Use Plan (MLUP) for the Citizens Bank of Florida. The NSDA includes development standards for the proposed development depicted in the MLUP.

Discussion: The subject property currently consists of 7.75 acres, including an existing bank with drive-through, a building being leased for commercial uses and vacant land. It is located North of E. Broadway Street (CR 419), West of Oviedo Boulevard and South of Geneva Drive. The location is shown in Attachment 1. The applicant/developer is the Citizens Bank of Florida.

Section 3.2(F)(1) of the Land Development Code (LDC) states that the City Council shall review any proposed non-statutory development agreement and the recommendations of the Land Use Administrator (LUA), Land Planning Agency (LPA) and City Attorney and act to approve, approve with revisions, or deny the proposed non-statutory development agreement.

The property is designated Downtown Mixed Use (DMU) and Old Downtown Downtown Mixed Use Subarea on the 2025 Future Land Use Map and Mixed Use Historic Downtown District Perimeter (MUD-HDP) on the Official Zoning Map.

The proposed development agreement includes a mix of residential and non-residential development, as required in the Old Downtown Subarea. The Old Downtown Subarea allows a maximum multi-family density of 18 dwelling units per acre and a maximum FAR of 0.35 for office and commercial uses. The proposal will allow 56 to 112 residential units and 23,632 to 70,894 sq. ft. of commercial development. The current Comprehensive Plan requires a mix of residential and non-residential development, and also prohibits the development of the site as a single use. The proposed development agreement includes language which references potential future changes to the Comprehensive Plan, allowing development with no residential component or as a single use, only if there have been changes to City plans to allow it.

Some NSDA requirements and standards are noted below. Please refer to the NSDA for complete requirements and standards. Not all standards are listed below, and some may be summarized. Some of the proposed NSDA/MLUP requirements and standards include:

- Uses: Those uses permissible under MUD-HDP zoning district, with the addition of hotels and live-work units.
- Shared Infrastructure: The site will be replatted in the future. If the replat results in the sharing of infrastructure between lots, the MLUP will be amended, if needed.
- Non-Residential Floor Area: The gross floor area for non-residential development shall be from 23,632 sq. ft. to 70,894 sq. ft.
- Residential Units: The number of residential units shall be from 56 to 112 units.
- Open Space: Minimum open space shall be 10% of the site. The retention pond shown in the north part of the site shall be designed as an amenity, as described in the Development Agreement.
- Building Setbacks: There are no minimum building setback requirements. On E. Broadway Street, there is a maximum front building setback of 10'.
- Building Height: The maximum building height shall be 45 feet for townhomes, and 60' for multi-family or commercial development.
- Awnings and Signs: These features may overhang rights-of-way, subject to requirements in the Development agreement.
- Traffic and Access: The Transportation Consultant reviewed the Traffic Impact Analysis (TIA), and concluded that the proposed site access driveways will function acceptably as analyzed. The analysis assumes that the segment of SR 426/CR 419 will be widened to 4 lanes from Pine Avenue to Avenue B. FDOT shows this construction to begin in 2021. The addition of a median will force the right-in right-out access on CR 419. However, should construction for this parcel be developed prior to the widening of CR 419, the City may wish to require a raised triangular median at the site access driveway to enforce the right-in right-out movement. Cross-access between lots shall be provided.
- Parking: Off-street parking shall meet LDC standards, with the following exceptions: 1) the number of spaces required for the existing bank with drive-through shall be 3 per 1,000 sq. ft. of gross floor area; 2) some areas of the site would allow multiple rows of parking in front of buildings as detailed in the development agreement; and 3) the minimum parking space dimensions shall be 9' x 18'.
- Landscaping and Buffers: 1) No landscape buffer yard is required where there is a front building setback of 0' to 10'; 2) No landscape buffer yard is required along interior lot lines; and 3) Skyclimber Oak was added as a permissible large tree species for new plantings. Skyclimber Oak is a variety of Live Oak.
- Tree Replacement: Although the site is not heavily tree covered, it has some existing trees. The site is subject to the tree replacement requirements of the LDC.
- Wetlands: The site had a prior SJWMD Permit allowing wetland disturbance. According to the City Environmental Consultant, it is unclear whether some parts of the site were

subsequently altered to the extent that it would no longer be considered a wetland under current State and Federal rules. If this is an issue, it will be determined and addressed with a future Site Development Order.

- **Lighting:** Interior lot lines shall be allowed to have light spillover. Fluted light pole bases are not required.
- **Stormwater:** The development agreement refers to the possibility of public ownership of a future retention area, although this is not required and has not been determined.

Staff reviewed the NSDA/MLUP per the requirements of the LDC and the Comprehensive Plan and recommends approval. The City Attorney has reviewed the NSDA and offers no objection. The applicant addressed the City transportation consultants' comments with a traffic impact analysis which shows that the proposed access points will function acceptably.

The Land Planning Agency considered Resolution No. 3763-19 on June 18, 2019, and thereat, recommended approval, with one recommended change to the documents, regarding the removal of a standard that would have allowed balconies to overhang sidewalks in rights-of-way. The applicant later removed this from the documents that are before City Council.

Budget Impact: There is no budget impact as a result of the proposed NSDA/MLUP.

Strategic Impact: The proposed NSDA/MLUP is consistent with the Strategic Plan's Economic and Vitality Focus Area goal to foster redevelopment of business and commercial areas.

Recommendation: It is recommended that the City Council adopt Resolution No. 3763-19.

Attachments: 1. Location Map
 2. MLUP Site Plan

Prepared by: J. Higbee, Development Review Manager
Reviewed by: Teresa Correa, Development Services Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: Resolution No. 3767-19, Establishing Tentative FY 2019-20 Millage Rates and Scheduling the First Budget Public Hearing

Procedure: Call Up Item
City Manager Background
Mayor asks Attorney to Read Resolution by Title Only
Council Motion to set the Tentative Millage Rate for the General Fund and the General Obligation Bond Millage Rate (Separately and in total), and schedule the first public hearing for September 5, 2019, at 6:30 p.m., City Hall, 400 Alexandria Boulevard, Oviedo Florida 32765.
Council Discussion & Action

Introduction: This is a request for City Council to establish the tentative FY 2019-20 millage rates and schedule the first public hearing for the FY 2019-20 Proposed Budget for purposes of public notification under the Florida Truth in Millage (TRIM) statutes.

Under the TRIM statutes, all property owners must be notified of the tentative millage levies by a mailing from the Seminole County Property Appraiser in August. The City Council may subsequently reduce the tentative millage rate. City Council cannot increase the tentative millage rate without another public notification to all City property owners. For practical purposes, the proposed resolution establishes the maximum property tax millage rate for the next fiscal year.

Discussion: The FY 2019-20 Proposed Budget is balanced using the recommended millage rate of 5.1145 mills or \$5.1145 per \$1,000 of assessed valuation. The debt service for the 2003 General Obligation Bond Issue will be set at 0.1675 mills or 16.75 cents per \$1,000 of assessed valuation. Utilizing the recommended millage rate, a summary of the combined millage rates proposed for FY 2019-20 is as follows:

General Fund	5.1145
GOB Rate	0.1675
Total	5.2820

The millage rate of 5.1145 mills will result in \$14,747,569 in property taxes, less \$505,100 contributed to the CRA, for total property taxes to the General Fund of \$14,242,469. Budgeting at the 95% level as allowed in Section 200.065(2)(a)1, Florida Statutes, the General Fund budget

will increase by \$1,056,947 as compared to the FY 2018-19 General Fund budget. Setting the millage rate for the General Fund at 5.1145 mills will result in a citywide tax increase of 5.10% above the rolled back rate of 4.8663 mills. The maximum millage rate is 5.9811 mills and reflects the maximum tentative millage the City Council can enact, as per TRIM statute, and if approved as the tentative millage rate, can be reduced at the September 5, 2019, Public Hearing. The DR-420 forms for each millage rate calculation are provided in Attachment No. 1.

- FY 2019-20 Proposed Budget: \$14,242,469 – at 5.1145 millage rate
- FY 2018-19 Adopted Budget: \$13,185,522 – at 5.0970 millage rate
- FY 2017-18 Adopted Budget: \$11,959,809 – at 5.0770 millage rate
- FY 2016-17 Adopted Budget: \$11,071,294 – at 5.0566 millage rate
- FY 2015-16 Adopted Budget: \$10,546,895 – at 5.0434 millage rate

At City Council's March 25, 2019, May 29, 2019, and June 24, 2019, Work Sessions, staff presented a series of potential obligations and commitments that would result in prioritizing the funding available in the General Fund for FY 2019-20. Some of the obligations and commitments reflected funding adjustments, while others affect the operations and maintenance of the City. Staff developed a priority list based on the direction provided by the City Council at the work sessions and the director's prioritization workshop.

The FY 2019-20 Proposed Budget, provided in Attachment 2, is balanced using the recommended millage rate of 5.1145 mills with sufficient revenues to accomplish the following:

- ✓ Maintains FY 2018-19 Service Levels,
- ✓ Funds debt service for FY 2019-20,
- ✓ Funds increases in fixed costs,
- ✓ Funds increases in benefits costs,
- ✓ Funds a 3% salary increase for General Employees,
- ✓ Funds the Police bargaining contract,
- ✓ Funds the Fire bargaining contract,
- ✓ Funds a full year of salaries and benefits for the Event Marketing Coordinator position,
- ✓ Funds the following new positions: School Resource Officer, Police Officer, Fire Inspector, Building Custodian,
- ✓ Funds the promotion of a Police Officer to a Police Sergeant,
- ✓ Funds an increase in overtime costs,
- ✓ Funds the Vehicle Replacement Plan,
- ✓ Funds a replacement Fire Rescue Unit,
- ✓ Funds the replacement of 22 Police radios,
- ✓ Funds the following capital items: vehicle extrication equipment, EMS cardiac monitors, hose tester, taser replacement, armored plates, replacement of lasers, replacement of SRT night vision equipment, firefighter rapid escape system bags, AED's, and thermal imaging cameras,

- ✓ Funds the replacement of Parks equipment to include: 2 Toro Reelmaster 5510-D's, Toro Workman HD, 4 Toro Workman's with bench seat; 2 Toro Sand Pro's; and a Toro Workman HDX,
- ✓ Funds capital purchases for IT as recommended by the IT Infrastructure & Organizational Assessment Plan,
- ✓ Funds the Comprehensive Plan Update,
- ✓ Funds a 2% increase to health insurance premium rates,
- ✓ Maintains 15% Reserve Fund Balance as per the Budget and Financial Policy of the City.

However, the following identified operational needs are not funded in the proposed budget:

Personnel

Department	Description	Amount	Millage
Development Svcs	Inspector/Arborist	71,370	0.0248
Public Works	Maintenance Worker I	45,371	0.0157
Public Works	Maintenance Worker I	45,371	0.0157
Public Works	Maintenance Worker I	45,371	0.0157
Public Works	Maintenance Worker I	45,371	0.0157
Rec and Parks	Parks Ranger	44,821	0.0155
Rec and Parks	Maintenance Worker I - Shane Kelly Park	44,778	0.0155
Rec and Parks	Maintenance Worker I - Oviedo Sports Complex	44,778	0.0155
Rec and Parks	Maintenance Worker I - Center Lake Park	44,778	0.0155
Total Personnel		432,009	0.1498

Capital

Department	Description	Amount	Millage
Fire	Wildland Fire Apparatus	165,000	0.0572
Parks	Shane Kelly Park FCT Management Plan	115,000	0.0399
Parks	OSC Parks Maintenance Building	200,000	0.0694
Parks	Riverwoods Park FCT Management Plan	13,000	0.0045
Parks	Shade Structures	350,000	0.1214
Parks	Long Lake Park/Stubbs Property	400,000	0.1387
Parks	Riverwoods Restroom	100,000	0.0347
Parks	Riverside Skate Park Building	20,000	0.0069
Parks	Splash Zone Play Structure Replacement	200,000	0.0694
Parks	Boston Hill Park Master Plan	250,000	0.0867
Parks	New Master Plan consultant	125,000	0.0434
Parks	Trails/Park-to-Park Trails (Master Plan)	500,000	0.1734
Parks	Aquatics Facility Overhang	75,000	0.0260
Parks	Gym Fitness Room Addition	74,750	0.0259
Police	COPS Center Remodel	30,000	0.0104
Public Works	Flip Screen	53,626	0.0186
Public Works	Asphalt Zipper	182,330	0.0632

Public Works	47" Small Double Drum Roller	41,732	0.0145
Public Works	2018 Mauldin 1750C Paver	153,495	0.0532
Total Capital		3,048,933	1.0574

Capital Outlay

Department	Description	Amount	Millage
Fire	Paint/Carpet Replacement Station	489,800	0.0034
Fire	MX6 Industrial Scientific Gas Detectors	6,500	0.0023
Fire	Wellness and Training Equipment	9,500	0.0033
Fire	Fan Cooling System for Sta. 44/46 Bays	16,000	0.0055
Fire	Tornado Siren Replacement - McKinnon	10,500	0.0036
Fire	U Cap It Medication/Supplies Distrib. System	10,600	0.0037
Public Works	20 Ton Capacity 30' Paver Special Trailer	18,999	0.0066
Rec and Parks	Toro 15 HP Kawasaki 36"	12,357	0.0043
Rec and Parks	Self-propelled boom lift	54,570	0.0189
Rec and Parks	Concession Equipment (OSC LW grant)	20,000	0.0069
Rec and Parks	Aquatic Facility Heat Pump Controls	6,800	0.0024
Rec and Parks	Storage Shed(s)	8,000	0.0028
Rec and Parks	Riverside Tennis Court Shade	18,000	0.0062
Rec and Parks	CLP Video Upgrades	20,000	0.0069
Rec and Parks	Boston Hill Park Storage Building	25,000	0.0087
Rec and Parks	OSC bullpens fields B, C and gates	11,980	0.0042
Rec and Parks	Towable Generators	25,000	0.0087
Rec and Parks	Mobile Electronic Message Boards	32,025	0.0111
Rec and Parks	Splash Pad UV System	12,000	0.0042
Total Capital Outlay		327,631	0.1136

Facilities Maintenance

Department	Description	Amount	Millage
Rec and Parks	HVAC Air Handler replacement	449,373	0.1558
Rec and Parks	HVAC bard unit replacement	15,000	0.0052
Rec and Parks	Round Lake Park Building Transport/reno	20,000	0.0069
Rec and Parks	SKP field 2 renovations	34,000	0.0118
Rec and Parks	CLP Splash Pad resurfacing	26,000	0.0090
Rec and Parks	Splash Zone resurfacing	49,000	0.0170
Rec and Parks	City Park playground restoration	25,000	0.0087
Rec and Parks	Riverside Park Pool Deck Resurfacing	32,250	0.0112
Rec and Parks	OSC field reconditioning	75,000	0.0260
Rec and Parks	Aquatic Facility Heat Pump Replacement	24,000	0.0083
Rec and Parks	Aquatics Handicap Lift Replacement	10,000	0.0035
Rec and Parks	OSC scoreboard replacement	12,000	0.0042
Rec and Parks	Gym Fitness Equipment	91,000	0.0316

Rec and Parks	Sports Lighting Transfer	20,000	0.0069
Rec and Parks	Lasel level fields	6,500	0.0023
Rec and Parks	Big Kahuna Pool Deck Shade	45,000	0.0156
Rec and Parks-M	AHU duct cleaning	52,000	0.0180
Rec and Parks-M	Roof repairs	10,000	0.0035
Rec and Parks-M	Parking lot black top resurfacing	45,945	0.0159
Rec and Parks-M	Court resurfacing (Tennis/BB)	7,000	0.0024
Rec and Parks-M	PIP resurfacing	26,225	0.0091
Rec and Parks-M	SKP Dog Park improvements	5,000	0.0017
Rec and Parks-M	Carpet replacement	46,885	0.0163
Rec and Parks-M	Interior painting	21,500	0.0075
Rec and Parks-M	Exterior painting	47,386	0.0164
Rec and Parks-M	Skate Park Fence Repairs	26,000	0.0090
Rec and Parks-M	OSC softball field fence and gates	24,700	0.0086
Rec and Parks-M	OSC windscreens	12,800	0.0044
Rec and Parks-M	Splash Zone Funbrellas	15,000	0.0052
Total Facilities Maintenance		1,274,564	0.4420
GRAND TOTAL		5,083,137	1.7628

As of the completion of this memo, no State Revenue estimates have been received. State revenue projections for FY 2019-20 will be presented to City Council at the next budget work session scheduled for August 26, 2019.

Balancing of the General Fund includes a transfer from the Community Redevelopment Agency (CRA) of \$248,368 to assist with debt service expenses related to the completion of Center Lake Park.

Resolution No. 3767-19 establishes a tentative millage rate of 5.1145 mills and a separate tentative millage rate for the General Obligation Debt of 0.1675 mills for a total millage rate of 5.2820 and schedules the first public hearing date for Thursday, September 5, 2019 at 6:30 p.m. in the City Council Chambers.

Budget Impact: The action required by the City Council does not involve adoption of an annual budget. City Council is only asked to adopt the Tentative Millage Rate as required by Florida State Statute. The FY 2019-20 Proposed Budget reflects funding as City Council directed within the recommended total millage rate of 5.2820 mills. The adoption of the FY 2019-20 Proposed Budget will occur at the conclusion of the public hearings scheduled for September 5th and September 16th.

Strategic Impact: Continue high levels of customer service, productivity, and efficiency while maintaining fiscal and organizational health.

Recommendation: It is recommended that City Council adopt Resolution No. 3767-19. City Council's motion must state the following:

Motion to adopt Resolution No. 3767-19 adopting a Tentative Ad Valorem Millage Rate of 5.1145 mills for FY 2019-20; Adopting a Tentative General Obligation Bond Millage Rate of 0.1675 mills for FY 2019-20; Adopting a Tentative Total Millage Rate of 5.2820 mills which results in a City-Wide tax increase of 5.10% above the rolled back of 4.8663 mills and scheduling the 1st Public Hearing for September 5, 2019 at 6:30 pm, City Hall 400 Alexandria Boulevard, Oviedo Florida 32765.

Attachments: 1. DR 420 Forms FY 2019-20 Proposed Budget
 2. Updated Budget Model reflecting current information

Prepared by: Kelly Jones, Assistant Finance Director
Reviewed by: Jerry Boop, Finance Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 15, 2019
SUBJECT: Appointment to City LPA Board

Introduction: This is a request for City Council to fill the LPA Board vacancy created by the resignation of Kathy Marrs.

Discussion: The term of the LPA Board vacancy created by the resignation of Kathy Marrs expires December 31, 2020. Council will need to appoint a citizen from the list below to complete the term. Copies of interest forms from citizens requesting to serve as an LPA board member are attached.

LPA Board Applicants: Alisha Bryant
Leaf Chery
Nikole Fridenmaker
Amy Kirkland
Pamela Knapp
Art Weaver
Patrick Weise

Budget Impact: There is no budgetary impact to the FY 2018-19 budget.

Strategic Impact: Provide leadership on critical local and regional issues.

Recommendation: It is recommended that City Council appoint a member to the LPA Board to complete the term of the vacated position.

Attachment: LPA Applications

Prepared by: Barbara J. Barbour, City Clerk