

**CITY COUNCIL AGENDA
REGULAR MEETING
Monday, July 20, 2020
6:30 PM
CITY HALL**

CALL TO ORDER

ORDER OF BUSINESS

CEREMONIAL ITEMS AND PRESENTATIONS

1. **None.**

APPROVAL OF MINUTES

2. **Approval of Minutes for the June 29, 2020 Work Session and July 6, 2020 Regular 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.

3. **Citizen Comment.**

CONSENT AGENDA

4. **Resolution No. 3932-20**, Change Order to CPH, Inc. related to the West Mitchell Hammock Road Water Treatment Facility 2018 Improvements Project, PW1903.
5. **Resolution No. 3933-20**, Approving the submittal of Community Development Block Grant Applications.
6. **Resolution No. 3934-20**, Greg Brown Painting Company, LLC Piggyback Agreement.
7. **Resolution No. 3937-20**, Intergovernmental/Interagency Agreement with the Oviedo Community Redevelopment Agency.

PUBLIC HEARINGS

8. **None.**

FIRST READING OF ORDINANCES

9. None.

RESOLUTIONS

10. None.

DISCUSSION ITEMS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

COMMUNICATIONS AND REPORTS

- Council Member Keith Britton
- Deputy Mayor Bob Pollack
- Council Member Jeff Chudnow
- Council Member Judith Dolores Smith
- Mayor Megan Sladek

FUTURE MEETING DATES

- Monday, July, 27, 2020, 6:30 p.m. Special Session
- Monday, August 3, 2020, 6:30 p.m. Regular Session
- Monday, August 17, 2020, 5:30 p.m. CRA Governing Board
- Monday, August 17, 2020, 6:30 p.m. Regular Session
- Tuesday, September 10, 5:30 p.m. CRA Governing Board
- Tuesday, September 10, 6:30 p.m. Regular Session
- Monday, September 21, 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.

To: Honorable Mayor and City Council Members

From: Bryan Cobb, City Manager

Date: July 20, 2020

Subject: Resolution No. 3932-20, Change Order to CPH, Inc. related to the West Mitchell Hammock Road Water Treatment Facility 2018 Improvements Project, PW1903.

Procedure: Consent Agenda

Introduction: This is a request for City Council to approve a change order in the amount of \$95,110 to the Work Order and Purchase Order issued to CPH, Inc. for design services related to the West Mitchell Hammock Road Water Treatment Facility (WMHWTF) Improvements 2018, Project No. PW1903.

Discussion: On December 3, 2018, City Council approved a Work Order in the amount of \$91,182 to CPH, Inc. (CPH) for design of the West Mitchell Hammock Water Treatment Facility (WMHWTF) Improvements 2018 Project, Project No. PW1903. The project is the result of a study and preliminary design report by CPH to expand the plant's clear well volume to optimize the disinfection of the drinking water and to maximize the use of the existing 2.5 MGD ground storage tank. The project includes adding a downstream large (36-inch) pipe and modifying the existing power distribution system with the addition of a new 600 kw generator. CPH's original scope of services included design, surveying, permitting, geotechnical, electrical and bidding. On September 16, 2019, City Council adopted Resolution No. 3813-19 approving a Change Order to CPH in the amount of \$13,550 for additional electrical design services. This change order (CO01) addressed the need to replace aging switch gears with an automatic switch scheme to improve system reliability. The current purchase order amount for design is \$104,732.

The subject Change Order (CO02) in the amount of \$95,110 is to add Construction Administration Services. CPH's proposal and Scope of Services for the additional work is provided in Exhibit 1 of Resolution No. 3932-20. Staff has reviewed the proposal and scope and recommends approval. Because the change amount exceeds \$50,000, City Council approval is required in accordance with the City's Purchasing Policy.

Budget Impact: Sufficient funding is budgeted in Fund 401 to accommodate the change order.

Strategic Impact: Maintain public health protections while ensuring that the infrastructure meets the capacity and safety needs of the City.

Recommendation: It is recommended that City Council adopt Resolution No. 3932-20.

Prepared by: Susan Sheikh, Contract 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 20, 2020
Subject: **Resolution No. 3933-20**, Approving the submittal of Community Development Block Grant Applications

Procedure: Consent Agenda

Introduction: This is a request for City Council to approve the submittal of two (2) Community Development Block Grant (CDBG) – Mitigation Applications to the Florida Department of Equal Opportunity for capital projects at the City’s water and wastewater treatment plants.

Discussion: On July 1, 2020, staff submitted two (2) CDBG mitigation grant applications to the Florida Department of Equal Opportunity. The grant is a part of the Rebuild Florida Critical Facility Hardening Program for mitigation of disaster risks (i.e. Hurricanes). Public Works Staff produced and submitted two (2) applications to increase power resilience at the West Mitchell Hammock Water Treatment Facility (WMHWTF) and Oviedo Water Reclamation Facility (OWRF). Staff applied for the following two (2) projects:

- West Mitchell Hammock Water Treatment Facility – Electrical Improvements Funding Requested: \$973,000
- Oviedo Water Reclamation Facility – Generator Enclosure Funding Requested: \$172,500

No match is required for either grant application, but more points are provided during the evaluation phase should an applicant provide local matching funds to fund portions of the project.

Staff was late in learning of this grant opportunity and was therefore not able to seek City Council approval in advance of the July 1st submittal deadline. However, the applications were submitted with the idea that they could be withdrawn if City Council did not approve the submittals at the next available Council meeting.

Budget Impact: There is no impact to the budget by submitting the application. There is no required City match should the City’s applications be approved.

Strategic Impact: Continue to construct or modify City facilities to improve water treatment and maximize sustainability, while continuing to pursue Federal and State financial resources.

Recommendation: It is recommended that City Council adopt Resolution No. 3933-20.

Prepared by: Susan Sheikh, Contract Manager

Agenda Memorandum

To: Honorable Mayor and City Council Members
From: Bryan Cobb, City Manager
Date: July 20, 2020
Subject: **Resolution No. 3934-20**, Greg Brown Painting Company, LLC Piggyback Agreement

Procedure: Consent Agenda

Introduction: This is a request for City Council to approve the piggyback of a City of Altamonte Springs agreement currently in place with Greg Brown Painting Company, LLC, for painting and pressure washing services for City-wide properties.

Discussion: The City's Public Works Department, as well as other City departments, has the need for painting and pressure washing services from time to time. Although small painting projects can often times be accomplished in-house, the need exists to engage an outside contractor for major painting projects requiring trained personnel and specialty equipment to properly perform the work. The City has been piggybacking Altamonte Springs' contracts with Greg Brown Painting Company, LLC (Greg Brown) since 2006. The most recent contract which was awarded in 2015 has expired. The City of Altamonte Springs re-bid these services early in 2020 and awarded a new contract to Greg Brown Painting on March 4, 2020. The contract is effective until March 3, 2023 and can be renewed for two (2) additional one-year periods. Staff desires to piggyback the newly awarded contract for as-needed painting and pressure washing services.

The proposed piggyback agreement has been approved for use by the Purchasing Agent and is also approved by Risk Management as to the appropriate insurance lines and limits in place with Altamonte Springs.

Budget Impact: There is no impact to the budget related to this piggyback agreement. Painting or pressure washing services will be deducted from the appropriate budget category on a work order/purchase order basis as the need for such services arises.

Strategic Impact: Approval of this item facilitates the goals and objectives of the City's Natural and Built Systems Strategic Focus Area.

Recommendation: It is recommended that City Council adopt Resolution No. 3934-20.

Prepared by: Susan Sheikh, Contract Manager
Reviewed by: Bobby Wyatt, Public Works Director

Agenda Memorandum

To: Honorable Mayor and City Council Members
From: Bryan Cobb, City Manager
Date: July 20, 2020
Subject: **Resolution No. 3937-20**, Intergovernmental/Interagency Agreement with the Oviedo Community Redevelopment Agency

Procedure: Consent Agenda

Introduction: This is a request for the City Council to approve an Intergovernmental/Interagency Agreement with the Oviedo Community Redevelopment Agency (CRA) regarding Preliminary Design Reports (PDR) for the Franklin Street Extension project and the East-West Connector Road project.

Discussion: At its June 15, 2020, meeting, the CRA Governing Board discussed and authorized City and CRA Staff to facilitate the initiation of two PDRs as part of the redevelopment of the historic downtown Oviedo area within the Community Redevelopment Area and to prepare the requisite Intergovernmental/Interagency Agreement and CRA Budget Amendment and other requisite administrative mechanisms to enable implementation of the project as directed. The Intergovernmental/Interagency Agreement provided in Exhibit 1 of Resolution No. 3937-20 acknowledges the agreement between the City and the Oviedo CRA for PDRs related to the following two (2) projects:

Franklin Street Extension: The Franklin Street extension scope will evaluate the potential extension of Franklin Street from its current terminus on Central Avenue, west across Central Avenue to connect to North Lake Jessup Avenue. Currently there is a paved bicycle path from West Franklin Street east to SR 434 (North Central Avenue). The potential benefit of this roadway extension would be an additional east-west connector, parallel to SR 426, from the historic Oviedo downtown center North Lake Jessup Avenue. A scope of services prepared by VHB, Inc. is provided in Attachment 1. The scope of services for the Franklin Street Extension also includes a graphic displaying the conceptual roadway alignment.

East-West Connector Road - SR 434 (North Central Avenue) to Geneva Drive: The East-West Connector Road scope will evaluate the potential alignment(s) for locating a new roadway from SR 434 (North Central Avenue) to Geneva Drive. This new connector would provide an alternate connection through the northern portion of the historic downtown Oviedo area, running behind the existing Oviedo shopping center and turning slightly south to connect to Geneva Drive near the old Post Office entrance. A scope of services prepared by VHB, Inc. is provided in Attachment 2. The scope of services for the East-West Connector Road also includes a graphic displaying the conceptual roadway alignment.

VHB, Inc. is a continuing transportation consultant for the City of Oviedo under RFQ 17-19, awarded by City Council on May 1, 2017 with the adoption of Resolution No. 3417-17. Work Orders for both projects are within the City Manager's approval threshold and are currently in process. Costs are \$26,780 for the Franklin Street Extension project and \$24,780 for the East-West Connector Road. It is anticipated that the PDRs will take between 8-10 weeks to complete.

The Intergovernmental/Interagency Agreement provided in Exhibit 1 of Resolution No. 123-20 accomplishes the following:

- Acknowledges the use of the City's procurement process for the solicitation, selection and contracting by the City of Oviedo to implement the feasibility studies for the Franklin Street Extension project and the East-West Connector Road project; and
- Recognizes the City's authority to enter into an Agreement or Master Contract with the selected contractor for the feasibility studies for the Franklin Street Extension and East-West Connector Road projects; and,
- Acknowledges and authorizes the use of CRA TIF revenues by the City for the feasibility studies related to the Franklin Street Extension project and the East-West Connector Road project.

Budget Impact: The Franklin Street Extension project and the East-West Connector Road project are Community Redevelopment Area (CRA) funded projects. The subject agreement provides for the City's administration of the feasibility studies. There is no budget impact to the City associated with executing the subject agreement.

Strategic Impact: The Franklin Street Extension and the East-West Connector Road projects are identified as eligible projects in the adopted Oviedo Community Redevelopment Agency's Community Redevelopment Plan.

The execution of this Intergovernmental/Interagency Agreement will clarify the continued cooperative relationship between the City of Oviedo and the Oviedo CRA Governing Board and clearly articulate the relationship and responsibilities of the Oviedo CRA and the City of Oviedo with regard to the Franklin Street Extension project and the East-West Connector Road project and the continued implementation of the programs and objectives presented in the Community Redevelopment Plan. These actions are consistent with the City's overall economic development strategies, goals and objectives.

Recommendation: It is recommended that City Council adopt Resolution No. 3937-20.

Attachments: 1. Franklin Street Extension Scope of Services
 2. East-West Connector Road Scope of Services

Prepared by: Susan Sheikh, Contract Manager
Reviewed by: Bobby Wyatt, Public Works Director

Agenda Memorandum

To: Honorable Mayor and City Council Members
From: Bryan Cobb, City Manager
Date: July 20, 2020
Subject: **Ordinance No. 1693**, Criminal Background Checks for Security and Safety

Procedure: Call Up Item
Presiding Officer Asks Attorney to Read by Title Only
City Manager Background
Council Motion to Schedule a Public Hearing on August 3, 2020
Council Action

Introduction: This is a request for the City Council to approve an ordinance authorizing the performance of Level 2 criminal background record checks through the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI) through fingerprinting for applicants to whom conditional offers of employment are made.

Discussion: City Staff recommends that it is necessary and prudent that the City have the ability to perform Level 2 criminal background checks on applicants to whom the City extends a conditional offer of employment for positions identified as critical to security or public safety. A Level 2 criminal background check is a state and national, fingerprint-based criminal history check. Section 166.0442(1)(a) provides that a municipality may require, by ordinance, state and national criminal history screening for any position of municipal employment or appointment, whether paid, unpaid, or contractual, which the governing body of the municipality finds is critical to security or public safety. Section 166.0442(2) requires that the ordinance require each person applying for, or continuing employment or appointment in, any such position, applying for initial or continuing licensing or regulation, or having such contact or access be fingerprinted. Section 166.0442(2) also provides that the information obtained from the criminal history record checks conducted pursuant to the ordinance may be used by the municipality to determine a person's eligibility for such employment or appointment and to determine a person's eligibility for continued employment or appointment. A copy of Section 166.0442, Florida Statutes, is provided in the Attachment.

Ordinance No. 1693 accomplishes the following:

1. Requires screening for any position of City employment or appointment which is critical to security or public safety, or for any private contractor, employee of a private contractor, vendor, repair person, or delivery person who has access to any public facility or publicly operated facility that is critical to security or public safety as determined by the City Manager.

2. Requires each person who applies and is extended a conditional offer of employment for, or continuing employment in, any position that is critical to security or public safety, and any person who is a private contractor, employee of a private contractor, vendor, repair person, or delivery person having access to any such facility to be fingerprinted as determined by the City Manager.
3. Requires the fingerprints to be submitted to the Florida Department of Law Enforcement for a state criminal history records check and the Federal Bureau of Investigation for a national criminal history records check.
4. Provides that the information obtained from the criminal history record checks may be used by the City to determine an applicant's eligibility for employment or appointment, to determine an employee's eligibility for continued employment, or to determine a person's access to a public facility under the control of the City Manager.
5. Provides that any other background screening, including, but not limited to, criminal history background checks, which the City may lawfully undertake are not prohibited by this supplemental grant and implementation of authority.
6. The City Manager is authorized to adopt administrative rules that are deemed necessary and appropriate to implement the provisions of this Ordinance and to provide for the appropriate background screening of employees and candidates for employment or appointment which is critical to security or public safety, or for any private contractor, employee of a private contractor, vendor, repair person, or delivery person who has access to any public facility or publicly operated facility that is critical to security or public safety.

Budget Impact: There is no budget impact associated with the adoption of Ordinance No. 1693. Sufficient funding is allocated for the subject Level 2 criminal background checks. The costs for the subject Level 2 criminal background checks will be deducted from the appropriate budget account on a work order/purchase order basis as the need for such background checks arises.

Strategic Impact: A high level of community confidence and trust in City government. Continue to build a culture of responsiveness and responsibility.

Recommendation: It is recommended that City Council read Ordinance No. 1693 by title only and schedule a public hearing for Monday, August 3, 2020.

Attachment: Section 166.0442, Florida Statutes

Prepared by: Stella McLeod, HR Analyst – Recruiting & Training

Reviewed by: Connie Collins, Human Resources Director