

**ST. CLOUD CITY COUNCIL REGULAR MEETING**

**Thursday, November 21, 2019**

**City Hall - Council Chambers**

**1300 9th Street**

**6:30 p.m.**

**(or immediately following the Stevens Plantation Dependent Special District Meeting)**

**Agenda**

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. Each speaker shall be allotted 3 minutes to address the Council, unless such time is extended by the Mayor or by questions from Council. Groups shall designate a spokesperson to avoid repetition of comments. Every effort will be made to avoid interrupting speakers. Thank you for participating in your City Government.

**I. Call to Order**

**II. Invocation**

**III. Pledge of Allegiance**

**IV. Roll Call**

- ◆ Mayor Nathan Blackwell
- ◆ Deputy Mayor Linette Matheny
- ◆ Council Member Chuck Cooper
- ◆ Council Member Dave Askew
- ◆ Council Member Keith Trace

**V. Presentations**

- Presentation of the Economic Development Advisory Committee

**VI. Citizens Forum** - Any person who desires to comment on any item not on this agenda is provided this opportunity to address the City Council. Each person is requested to complete a sign-in form to be provided to the presiding officer prior to, or as soon as is practical thereafter, the person addresses the Council.

**VII. Consent Agenda:** The next portion of tonight's meeting is the consent agenda which contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Council wish to speak on a consent item, they have the same opportunity.

**A. Resolution No. 2019-223R**, a resolution of the City Council of the City of St. Cloud, Florida, pertaining to the lease agreement between the School Board of Osceola County, Florida and the City of St. Cloud, Florida, approving the Agreement and authorizing the City Manager to execute all documents necessary to complete the Agreement.

**Cost:** No cost associated with this item.

**(This item is to provide overflow parking for Cannery Park between the hours of 4:30 p.m. and dusk, Monday through Friday and from dawn to dusk Saturday and**

**Sunday.)**

- B. Resolution 2019-228R, a resolution of the City Council of the City of St. Cloud, Florida, revising the schedule of rates for the solid waste services to revise collection rates and transfer station usage charges, repealing any resolutions in conflict, and providing an effective date.  
**COST:** There is no cost associated with this item.  
**(This item is for the revision to the schedule of rates for the solid waste services to revise collection rates and transfer station usage charges, repealing any resolutions in conflict, and providing an effective date).**
- C. Resolution No. 2019-231R, a resolution of the City Council of the City of St. Cloud, Florida, determining the lowest responsive, responsible bidder whose bid is reasonable and otherwise in the best interest of the City of St. Cloud, and the award thereof in regards to Invitation to Bid (ITB) No. 2019-029, to Green Construction Technologies, Inc., whose subject matter is City Hall Landscape and Irrigation System Renovations, establishing a contingency, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.  
**COST:** up to \$164,995.83 (includes bid amount \$149,996.21 plus 10% contingency \$14,999.62)  
**(This item is for the award of ITB No. 2019-029 City Hall Landscape and Irrigation System Renovations.)**
- D. Resolution No. 2019-233R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a task authorization to the Continuing Contract and Agreement for Professional Engineering Services with Reiss Engineering, Inc. dated September 21, 2017, and any amendments thereto, for City of St. Cloud 2020 Water, Wastewater and Non-Potable Water Master Plan Update, and providing an effective date.  
**COST:** up to \$62,405.00  
**(This item is to update the master plan for potable water, wastewater and reclaimed water.)**
- E. Resolution No. 2019-234R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a task authorization to the Continuing Contract and Agreement for Professional Planning Services with GAI Consultants, Inc. dated November 17, 2016, and any amendments thereto, for Chisholm Park Master Planning, and providing an effective date.  
**COST:** up to \$91,440.00  
**(This item is for Chisholm Park Master Planning.)**
- F. Resolution No. 2019-235R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to enter into a second amendment to the agreement dated September 27, 2018, between the City of St. Cloud and Disaster Law and Consulting, LLC for Disaster Law and Consulting Services, and providing an effective date.  
**COST:** up to \$18,000.00  
**(This item will authorize additional costs in excess of the City Managers authority for disaster law and consulting services regarding Hurricane Irma.)**
- G. Resolution No. 2019-236R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a fourth addendum to and extension of the

agreement dated December 10, 2015, between the City of St. Cloud and Treecycle Land Clearing, Inc. for Mulching & Disposal Services for Vegetative Waste, and providing an effective date.

**COST:** Up to \$276,000.00

**(This service is used for grinding and mulching all types of vegetative debris, including hauling and disposal.)**

- H. Resolution No. 2019-238R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of two (2) 2020 Mack LR613 Twin Steer Tandem Axle Refuse Trucks with Newway Sidewinder body and extended warranty, available through Florida Sheriff's Association Contract No. FSA19-VEH17.0, titled Heavy Trucks and Equipment, and the award thereof to Nextran Truck Center, and providing an effective date.

**COST:** up to \$577,811.00 (\$286,155.50 plus warranty \$2,750.00 each)

**(This item is for the purchase of two (2) 2020 Mack LR613 Twin Steer Tandem Axle Refuse Trucks including extended warranties.)**

- I. Resolution No. 2019-239R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of one (1) 2020 Mack Pinnacle Day Cab with options, available through Florida Sheriff's Association Contract FSA19-VEH17.0, titled Heavy Trucks and Equipment, and the award thereof to Nextran Truck Center, and providing an effective date.

**COST:** up to \$131,104.50 (\$126,846.50 plus warranty \$4,258.00)

**(This item is for the purchase of one (1) 2020 Mack Pinnacle Day Cab including extended warranty.)**

- J. Resolution No. 2019-241R, a resolution of the City Council of the City of St. Cloud, Florida, approving final grant awards for the 2019-2020 Community Support Grant Program.

**COST:** up to \$150,000.00

**(This item is for the approval and acceptance of the Community Support Grant Program final awards.)**

- K. Resolution No. 2019-242R, a resolution of the City Council of the City of St. Cloud, Florida, amending the authorization of the grant application under the Florida Department of Economic Opportunity's (DEO) Florida Job Growth Grant Fund, previously approved by Resolution No. 2019-184R, increasing the requested grant funding to \$3,000,000.00 and authorizing the City Manager or designee to submit the grant application.

**COST:** up to \$3,000,000.00

**(This item will approve the increase of the requested grant funding for the Florida DEO Florida Job Growth Grant for the welding program.)**

- L. Resolution No. 2019-243R, a resolution of the City Council of the City of St. Cloud, Florida approving the acceptance of the State-Funded Grant Agreement (SFGA)/Specific Appropriation from the State of Florida Department of Transportation for the design of the Revitalization of Downtown St. Cloud (Pennsylvania Avenue from 13<sup>th</sup> Street (US 192) North to 10<sup>th</sup> Street and 10<sup>th</sup> Street from Massachusetts Avenue to Florida Avenue) and authorizing the Mayor to execute the agreement.

**COST:** Total cost of design services, \$186,255.00. to be reimbursed by grant funding per terms of the agreement.

**(This item is for the approval of the State-Funded Grant Agreement (SFGA)/Specific**

**Appropriation from the State of Florida Department of Transportation for the Downtown Revitalization Phase II design.)**

- M. Resolution No. 2019-244R, a resolution of the City Council of the City of St. Cloud, Florida authorizing the approval of change order number 3 for the replacement of the polishers at water treatment plant no. 4 project and providing an effective date.

**COST:** Up to \$142,831.68

**(This item is to provide for the approval of Change Order No. 3 for the Polisher replacement project at Water Plant No. 4)**

**VIII. Public Hearings**

- 1. FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-20**, an ordinance of the City Council of the City of St. Cloud, Florida, repealing and replacing the Housing Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date (Above is full title) **ACTION ON ORDINANCE NO. 2019-20 (This is a Quasi-Judicial proceeding)**
- 2. FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-43**, an ordinance of the City Council of the City of St. Cloud, Florida, repealing and replacing the Potable Water Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date (Above is full title) **ACTION ON ORDINANCE NO. 2019-43 (This is a Quasi-Judicial proceeding)**
- 3. FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-44**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning a utility easement located east of Narcoossee Road and west of Lake Whippoorwill, specifically described in the body of this ordinance; providing for severability, conflicts and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2019-44**
- 4. FIRST PUBLIC HEARING AND INTRODUCTION FOR ORDINANCE NO. 2019-45**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning portions of a utility easement located on property located east of La Salle Avenue, west of Packard Avenue and north of Pine Tree Drive, specifically described in the body of this ordinance; providing for severability, conflicts and an effective date. (Above is full title) (Final Public Hearing will be heard on December 12, 2019) **ACTION ON ORDINANCE NO. 2019-45**
- 5. FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2019-53**, an ordinance of the City of St. Cloud amending the City of St. Cloud, Police Officers' and Firefighters' Retirement System; amending Section 8, Disability; providing for codification; providing for severability of provisions: repealing all ordinances in conflict herewith and providing an effective date. (Above is full title) (Final Public Hearing will be held December 12, 2019) **ACTION ON ORDINANCE NO. 2019-53.**
- 6. FIRST PUBLIC HEARING FOR ORDINANCE NO. 2019-54**, an ordinance of the city of St. Cloud, Florida amending Ordinance 2003-047 which, as authorized by Chapter 189, Florida Statutes, created the Stevens Plantation Improvement Project Dependent Special District (the "district") to amend the jurisdictional boundaries of the district and provide that upon the sale of property owned by the district the property sold will be

removed from the district boundaries and no longer subject to the jurisdiction of the district; providing for notice to the Florida Department of Economic Development; providing that all other terms and provisions of Ordinance 2003- 047 shall remain in full force and effect; and providing for severability and repeal, effective date and recording. (Above is full title) (Final Public Hearing will be heard on December 12, 2019)  
**ACTION ON ORDINANCE NO. 2019-54**

7. **PUBLIC HEARING FOR RESOLUTION NO. 2019-224R**, a resolution of the City Council of the City of St. Cloud, Florida amending resolution number 2018-153R which adopted the fiscal year 2018/2019 budget for the City of St. Cloud, finding the City Manager has certified there are prior year fund balances and or current revenues available in the budget for additional projects and programs in various funds not included in the original budget, requiring the budget to be increased to include said additional funding in the various funds and making supplemental appropriations within the funds.  
**ACTION ON RESOLUTION NO 2019-224R**

**IX. Council Action**

1. Resolution No. 2019-227R, a resolution of the City Council of the City of St. Cloud, Florida, approving a Water & Wastewater Service Agreement from Narcoossee Corners, LLC., a commercial development named Narcoossee Oaks Animal Hospital located in the unincorporated area of Osceola County on the east side of Narcoossee Rd., north of Jones Rd., south of Jack Brack Rd. and west of Underwood Ave. authorizing the City Manager to execute the agreement; and providing an effective date. **(This item is for the approval of a water and wastewater agreement for Narcoossee Oaks Animal Hospital)**
2. Resolution No. 2019-229R, a resolution of the City Council of the City of St. Cloud, Florida, approving the FY 2019 Community Development Block Grant (CDBG) Metropolitan Entitlement Program Grant Agreement, authorizing the City Manager to execute the Agreement and providing for an effective date. **(This item is for the approval of the FY2019 Community Development Block Grant Metropolitan Entitlement Grant Agreement and to authorize the City Manager to execute the agreement.)**
3. Discussion and possible action regarding engagement with Gray Robinson, P.A to provide government relations representation before the United States Government.
4. Discussion and possible action regarding City Manager Compensation.

**X. City Attorney**

**XI. City Manager**

**XII. Mayor and Council Members**

**XIII. Information Section and Report Section**

- Saturday, November 17, 2019 - Community Thanksgiving Luncheon - noon @ Community Center
- Thursday and Friday, November 28 and 29, 2019 - City Offices Closed in observance of the Thanksgiving Holiday

- Thursday, December 5, 2019 - Community Redevelopment Agency (CRA) Meeting - 6:00 p.m. @ City Hall, Council Chambers
- Thursday, December 5, 2019 - Stevens Plantation Dependent Special District Meeting - 6:30 p.m. (or immediately following the CRA Meeting) @ City Hall, Council Chambers
- Friday, December 6, 2019 - Tree Lighting Celebration - 6:00 p.m. @ City Hall
- Saturday, December 7, 2019 - Christmas Parade - 10:00 a.m. @ Downtown St. Cloud
- Saturday and Sunday, December 7 and 8, 2019 - St. Cloud Holiday Festival @ Downtown St. Cloud
- Thursday, December 12, 2019 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers

Proclamations:

- Proclamation in recognition of America Recycles Days

Reports:

- Warrant List #2

**XIV. Adjournment**

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, such person will need a record of the proceedings and that, for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, and which record is not provided by the City of St. Cloud. (FS 286.0105) In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the Secretary/Clerk of the Committee/Board (listed below), prior to the meeting. (FS 286.26) City Clerk Linda P. Jaworski, 1300 9th Street, St. Cloud, FL. Phone 407-957-7300



**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda

**PARKS & RECREATION AGENDA ITEM:**

Resolution No. 2019-223R, a resolution of the City Council of the City of St. Cloud, Florida, pertaining to the lease agreement between the School Board of Osceola County, Florida and the City of St. Cloud, Florida, approving the Agreement and authorizing the City Manager to execute all documents necessary to complete the Agreement.

**Cost:** No cost associated with this item.

**(This item is to provide overflow parking for Cannery Park between the hours of 4:30 p.m. and dusk, Monday through Friday and from dawn to dusk Saturday and Sunday.)**

**STRATEGIC PLAN GOAL:**

**Public Service:** To ensure cost effective service while providing a high level of service to our internal and external customers.

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**BACKGROUND INFORMATION:**

Due to the high volume of residents visiting Cannery Park it was necessary to look for alternative parking. Currently, the parking concerns have been noticed during the late afternoon and evening hours Monday-Friday and from dawn to dusk on Saturday and Sunday.

**REQUEST:**

Resolution No. 2019-223R is to accept a lease agreement between the School Board of Osceola County and the City. The agreement is for overflow parking for Cannery Park after 4:30 p.m. until dusk Monday-Friday and from dawn to dusk Saturday and Sunday.

**LEGAL AUTHORITY:**

Objective 1.7 of the Parks and Open Space element of the Comprehensive Plan.

Policy 1.7.3

**BUDGET AND RECOMMENDATION:**

No cost associated with this item.

Staff recommends **APPROVAL**

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

Final Action 11/21/19





**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda  
Resolution 2019-228R

**PUBLIC WORKS AGENDA ITEM:**

Resolution 2019-228R, a resolution of the City Council of the City of St. Cloud, Florida, revising the schedule of rates for the solid waste services to revise collection rates and transfer station usage charges, repealing any resolutions in conflict, and providing an effective date.

**COST:** There is no cost associated with this item.

**(This item is for the revision to the schedule of rates for the solid waste services to revise collection rates and transfer station usage charges, repealing any resolutions in conflict, and providing an effective date).**

**STRATEGIC PLAN GOAL:**

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**BACKGROUND INFORMATION:**

The Public Works Solid Waste Division was asked to look into the feasibility of privation and the cost effectiveness of the division. We engaged Wright-Pierce to help with this study. Wright-Pierce presented the findings of draft document at the June 19, 2019 City Council Workshop. Wright-Pierce incorporated the City Council's comments into the final draft of this document. The Solid Waste Division brought the final draft with three rate scenarios to the October 10, 2019 City Council meeting. At this meeting, it was the consensus of the City Council to bring the proposed rates shown in Rate Adjustment Scenario 3 to a future meeting for consideration.

As requested by the City Council the updated Solid Waste Collection and Transfer Station Schedule of Fees and Charges is being brought forward for consideration. The following items have been updated on the Solid Waste Collection and Transfer Station Schedule of Fees and Charges:

- Residential Curbside Collection - \$17.85 to \$19.69 per month
- Commercial Curbside Collection - \$17.85 to \$19.69 per month
- Commercial Dumpster Collection - \$6.00 to \$6.62 per cubic yard of container per collection
- Transfer Station Use Charges
  - o City Tipping Fees - No Change
  - o Non-Resident Tipping Fees - \$51.13 to \$58.00 per ton

The future collection rates shown in Rate Adjustment Scenario 3 will be implemented on January 1st of each budget year. The future tipping fees shown in Rate Adjustment Scenario 3 will be implemented the same time the JED Landfill CPI increases are implemented each year.

**REQUEST:**

The revision to the schedule of rates for the solid waste services to revise collection rates and transfer station usage charges, repealing any resolutions in conflict, and providing an effective date.

**LEGAL AUTHORITY:**

Ordinance 2004-13

**BUDGET AND RECOMMENDATION:**

Staff recommends **APPROVAL** of Resolution No. 2019-228R with an effective date of January 1, 2020.

There is no cost associated with this item.

**FINANCE DIRECTOR'S COMMENTS:** N/A

**PROCUREMENT DIRECTOR'S COMMENTS:** N/A

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

Final Action 11/21/2019



**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda  
Resolution 2019-231R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2019-231R, a resolution of the City Council of the City of St. Cloud, Florida, determining the lowest responsive, responsible bidder whose bid is reasonable and otherwise in the best interest of the City of St. Cloud, and the award thereof in regards to Invitation to Bid (ITB) No. 2019-029, to Green Construction Technologies, Inc., whose subject matter is City Hall Landscape and Irrigation System Renovations, establishing a contingency, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.

**COST:** up to \$164,995.83 (includes bid amount \$149,996.21 plus 10% contingency \$14,999.62) **(This item is for the award of ITB No. 2019-029 City Hall Landscape and Irrigation System Renovations.)**

**STRATEGIC PLAN GOAL:**

**Growth Management:** To create a vibrant, progressive and diverse community through collaborative planning.

**BACKGROUND INFORMATION:**

ITB 2019-029 City Hall Landscape and Irrigation System Renovations was advertised in the Orlando Sentinel and on demandstar.com and myvendorlink.com beginning on September 29, 2019, with a due date of October 24, 2019. Myvendorlink.com shows that 1516 suppliers were notified and 20 planholders and Demandstar shows that 292 suppliers were notified and 5 planholders for this ITB.

The deadline for questions was 5:00 pm on October 15, 2019. Two (2) submittals were received from the following companies:

1. Green Construction Technologies, Inc.
2. MVB & Associates, Inc.

Green Construction Technologies was the apparent low bidder with a base proposal of \$149,996.21. The submittals were reviewed by Procurement Services. Recommendation will be made to the City Council to award the project to Green Construction Technologies, Inc., whose bid conformed in all material respects to the solicitation and is responsive.

A COMPLETE COPY OF ITB NO. 2019-029 IS ON FILE IN THE CITY CLERK'S OFFICE

**REQUEST:**

Resolution No. 2019-231R will approve an agreement with Green Construction Technologies, Inc. for the City Hall Landscape and Irrigation System Renovations project.

**LEGAL AUTHORITY:**

St. Cloud Purchasing Policy Article III, Sec. 2.

**BUDGET AND RECOMMENDATION:**

Budgeted \$165,000.00/Actual Cost up to \$164,995.83 (includes bid amount \$149,996.21 plus 10% contingency \$14,999.62)

Project PR1905

One Percent Fund

300-9595-572.34-00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.

Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends approval.

**CITY MANAGER'S COMMENTS:**

Deputy City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action



**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda  
Resolution 2019-233R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2019-233R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a task authorization to the Continuing Contract and Agreement for Professional Engineering Services with Reiss Engineering, Inc. dated September 21, 2017, and any amendments thereto, for City of St. Cloud 2020 Water, Wastewater and Non-Potable Water Master Plan Update, and providing an effective date.

**COST:** up to \$62,405.00

**(This item is to update the master plan for potable water, wastewater and reclaimed water.)**

**STRATEGIC PLAN GOAL:**

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**BACKGROUND INFORMATION:**

Per Brian Wheeler, Interim Environmental Utilities Director, the City last updated its Utility Master Plan in 2016. Since then there has been a large amount of development that has impacted the City's utility system. The Master Plan Update will update recently constructed infrastructure, update hydraulic models; and use this tool to update existing CIP tables based on location, sizing, phasing and costs.

**REQUEST:**

Resolution No. 2019-233R will approve a task authorization to the City's continuing contract for Professional Engineering Services with Reiss Engineering, Inc. for the City of St. Cloud 2020 Water, Wastewater and Non-Potable Water Master Plan Update.

**LEGAL AUTHORITY:**

Agreement dated September 21, 2017 approved by Resolution No. 2017-173R

**BUDGET AND RECOMMENDATION:**

Budgeted \$75,000.00/Actual Cost up to \$62,405.00

Project WA2005

Water Impact Fee Fund

470-9595-699.31-00

Project WW2006

Sewer Impact Fee Fund

480-9595-699.31-00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.

Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends approval.

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action



**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda  
Resolution 2019-234R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2019-234R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a task authorization to the Continuing Contract and Agreement for Professional Planning Services with GAI Consultants, Inc. dated November 17, 2016, and any amendments thereto, for Chisholm Park Master Planning, and providing an effective date.

**COST:** up to \$91,440.00

**(This item is for Chisholm Park Master Planning.)**

**STRATEGIC PLAN GOAL:**

**Growth Management:** To create a vibrant, progressive and diverse community through collaborative planning.

**BACKGROUND INFORMATION:**

GAI will facilitate the park site master planning park for Chisholm Park. The planning process will include site investigation, public input, conceptual planning, master planning, and cost estimating. The park is envisioned to be an all-inclusive park that is completely ADA accessible. The park plan will be coordinated with the Citywide Vision Plan and the Parks and Recreation Master Plan and will integrate the information from the two plans as it relates to the adjacent land uses and connections around the park.

**REQUEST:**

Resolution No. 2019-234R will approve a task authorization to the City's continuing contract for Professional Planning Services with GAI Consultants, Inc. for the Chisholm Park Master Planning.

**LEGAL AUTHORITY:**

Agreement dated November 17, 2016 approved by Resolution No. 2016-190R

**BUDGET AND RECOMMENDATION:**

Budgeted \$100,000.00/Actual Cost up to \$91,440.00

Project PR2000

One Percent Fund

300-9595-572.34-00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.

Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends approval.

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action





**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda  
Resolution 2019-235R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2019-235R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to enter into a second amendment to the agreement dated September 27, 2018, between the City of St. Cloud and Disaster Law and Consulting, LLC for Disaster Law and Consulting Services, and providing an effective date.

**COST:** up to \$18,000.00

**(This item will authorize additional costs in excess of the City Managers authority for disaster law and consulting services regarding Hurricane Irma.)**

**STRATEGIC PLAN GOAL:**

**Public Service:** To ensure cost effective service while providing a high level of service to our internal and external customers.

**BACKGROUND INFORMATION:**

Due to unforeseen appeals and reconciling damage actual costs to estimated damages with City insurance (each project), additional funds are required to continue services to complete Hurricane IRMA/FEMA project DR4337. The initial contract with Disaster Law and Consulting Services was signed by the City Manager because costs were not expected to exceed \$50,000.00. Council approved a first amendment to the agreement adding an additional \$20,000.00 by Resolution No. 2019-183R on August 22, 2019. This is a second amendment to the agreement adding an additional \$18,000.00 for a total of \$88,000.00.

**REQUEST:**

Resolution No. 2019-235R will allow the City of St. Cloud to enter into a second amendment to agreement with Disaster Law and Consulting, LLC for additional disaster law and consulting services needed by the City of St. Cloud regarding Hurricane Irma.

**LEGAL AUTHORITY:**

Agreement dated September 27, 2018 Section 4.

**BUDGET AND RECOMMENDATION:**

Budgeted \$18,000.00/Actual Cost up to \$18,000.00

General Fund

001-6015-525.34-00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.

Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommend Approval

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action



**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda  
Resolution 2019-236R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2019-236R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a fourth addendum to and extension of the agreement dated December 10, 2015, between the City of St. Cloud and Treecycle Land Clearing, Inc. for Mulching & Disposal Services for Vegetative Waste, and providing an effective date.

**COST:** Up to \$276,000.00

**(This service is used for grinding and mulching all types of vegetative debris, including hauling and disposal.)**

**STRATEGIC PLAN GOAL:**

**Public Service:** To ensure cost effective service while providing a high level of service to our internal and external customers.

**BACKGROUND INFORMATION:**

The City of St. Cloud accepts and stock piles approximately 12,000 tons of vegetative debris per year. Upon accumulation of over 2,500 tons, the City requests mobilization for grinding and mulching services, including hauling and disposal.

**REQUEST:**

Resolution No. 2019-236R will extend the existing agreement with Tree cycle Land Clearing, Inc for an additional year, through December 9, 2020.

**LEGAL AUTHORITY:**

Section 4 of agreement dated December 10, 2015 approved by Resolution No. 2015-163R

**BUDGET AND RECOMMENDATION:**

Refuse Fund

440-7072-534-34-00

FY19/20 \$276,000.00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.

Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends approval.

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action



**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda  
Resolution 2019-238R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2019-238R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of two (2) 2020 Mack LR613 Twin Steer Tandem Axle Refuse Trucks with Newway Sidewinder body and extended warranty, available through Florida Sheriff's Association Contract No. FSA19-VEH17.0, titled Heavy Trucks and Equipment, and the award thereof to Nextran Truck Center, and providing an effective date.

**COST:** up to \$577,811.00 (\$286,155.50 plus warranty \$2,750.00 each)

**(This item is for the purchase of two (2) 2020 Mack LR613 Twin Steer Tandem Axle Refuse Trucks including extended warranties.)**

**STRATEGIC PLAN GOAL:**

**Public Service:** To ensure cost effective service while providing a high level of service to our internal and external customers.

**Growth Management:** To create a vibrant, progressive and diverse community through collaborative planning.

**BACKGROUND INFORMATION:**

This is for the purchase of (2) 2020 Mack LR613 Twin Steer Tandem Axle Refuse Trucks with Newway Sidewinder body and extended warranty for 5 years / 250,000 mile engine and after treatment warranty. Due to the excessive stress the refuse collection trucks are under (stop, go, accelerate hundreds of times a day) it is in the best interest of our long term care of these trucks to purchase the extended warranties providing long term maintenance costs of covered components for a minimum investment.

**REQUEST:**

Resolution No. 2019-238R will approve the purchase of two (2) 2020 Mack LR613 Twin Steer Tandem Axle Refuse Trucks with Newway Sidewinder body

**LEGAL AUTHORITY:**

St. Cloud Purchasing Policy Article III, Sec. 4(E).

**BUDGET AND RECOMMENDATION:**

Budgeted \$577,811.00.00/Actual Cost up to \$577,811.00

Refuse Fund

440-7071-534.64-00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.

Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends approval.

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action



**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda  
Resolution 2019-239R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2019-239R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of one (1) 2020 Mack Pinnacle Day Cab with options, available through Florida Sheriff's Association Contract FSA19-VEH17.0, titled Heavy Trucks and Equipment, and the award thereof to Nextran Truck Center, and providing an effective date.

**COST:** up to \$131,104.50 (\$126,846.50 plus warranty \$4,258.00)

**(This item is for the purchase of one (1) 2020 Mack Pinnacle Day Cab including extended warranty.)**

**STRATEGIC PLAN GOAL:**

**Public Service:** To ensure cost effective service while providing a high level of service to our internal and external customers.

**Growth Management:** To create a vibrant, progressive and diverse community through collaborative planning.

**BACKGROUND INFORMATION:**

This is for the purchase of a 2020 Mack Pinnacle Day Cab with options, for the transfer station with an automatic transmission and extended 5 years/400,000 mile engine and after treatment warranty. Based on the conversation with the truck manufacturer and the changing technology in the refuse industry, over the road deliver to landfill truck specifications are improving every year in the area of drive train, transmission, and axle configurations. Due to the high maintenance cost of our current transmission configuration (standard transmission) we are changing our specifications to automatic transmission, thus relieving stress on the overall transmission and drive train system when in the harsh landfill environment, thus, reducing the overall maintenance costs replacing clutch brakes, cables, etc. to include reducing down time of tractors.

**REQUEST:**

Resolution No. 2019-239R will approve the purchase of one (1) 2020 Mack Pinnacle Day Cab with options and extended warranty from Nextran Truck Center.

**LEGAL AUTHORITY:**

St. Cloud Purchasing Policy Article III, Sec. 4(E).

**BUDGET AND RECOMMENDATION:**

Budgeted \$131,104.50/Actual cost up to \$131,104.50

Refuse Fund

440-7072-534.64-00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.  
Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends approval.

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action





**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda  
Resolution 2019-241R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2019-241R, a resolution of the City Council of the City of St. Cloud, Florida, approving final grant awards for the 2019-2020 Community Support Grant Program.

**COST:** up to \$150,000.00

**(This item is for the approval and acceptance of the Community Support Grant Program final awards.)**

**STRATEGIC PLAN GOAL:**

**Public Service:** To ensure cost effective service while providing a high level of service to our internal and external customers.

**Economic Development:** To promote economic development in the City of St. Cloud.

**BACKGROUND INFORMATION:**

The City of St. Cloud Community Support Grant Program has an available balance of \$150,000.00 for the purpose of allocating grant awards as well a contingency amount for event sponsorship's. The program received 31 applications for FY 2019-2020. The final amount recommended per agency is based on the average of the sum of the recommendations by the individual council members in addition to an allocation for contingency funds.

**REQUEST:**

Resolution No. 2019-241R will accept and approve the Community Support Grant Program final awards, which will take effect on November 21, 2019.

**LEGAL AUTHORITY:**

Community Support Sponsorship Program and Policy approved by Resolution No. 2019-117R.

**BUDGET AND RECOMMENDATION:**

Budgeted \$150,000.00/ Actual Cost up to \$150,000.00

Utility Tax Fund - FY 2019/2020 \$150,000.00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.

Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends approval.

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action



**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda  
Resolution 2019-242R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2019-242R, a resolution of the City Council of the City of St. Cloud, Florida, amending the authorization of the grant application under the Florida Department of Economic Opportunity's (DEO) Florida Job Growth Grant Fund, previously approved by Resolution No. 2019-184R, increasing the requested grant funding to \$3,000,000.00 and authorizing the City Manager or designee to submit the grant application.

**COST:** up to \$3,000,000.00

**(This item will approve the increase of the requested grant funding for the Florida DEO Florida Job Growth Grant for the welding program.)**

**STRATEGIC PLAN GOAL:**

**Economic Development:** To promote economic development in the City of St. Cloud.

**BACKGROUND INFORMATION:**

The Florida Department of Economic Opportunity (DEO) has released \$40 million to provide funding opportunities through the 2019-2020 Florida Job Growth Grant Program to promote workforce training across the state, and develop highly skilled workforce and infrastructure initiatives that attract businesses or create job growth in Florida. The City of St. Cloud in coordination with the Osceola County School Board and other agencies would like to create a vocational-occupational training program which will provide opportunities to create a skilled workforce and help advance the region as an employer-based occupational training provider.

**REQUEST:**

Resolution No. 2019-242R will amend the grant amount request from \$2,000,000.00 previously approved by Resolution No. 2019-184R, to \$3,000,000.00. This amount is consistent with the 2020 State Appropriations request for the welding program.

**LEGAL AUTHORITY:**

Grants/Appropriations/Loans Policy Manual; G.A.L Policy, pages 2-4.

**BUDGET AND RECOMMENDATION:**

Total Cost \$3,000,000 / Reimbursement \$3,000,000 / Actual Cost is no match required, however, the City intends to use in-kind services to leverage the application, which includes property, in-house labor and resources.

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends approval.

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action



**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda  
Resolution 2019-243R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2019-243R, a resolution of the City Council of the City of St. Cloud, Florida approving the acceptance of the State-Funded Grant Agreement (SFGA)/Specific Appropriation from the State of Florida Department of Transportation for the design of the Revitalization of Downtown St. Cloud (Pennsylvania Avenue from 13<sup>th</sup> Street (US 192) North to 10<sup>th</sup> Street and 10<sup>th</sup> Street from Massachusetts Avenue to Florida Avenue) and authorizing the Mayor to execute the agreement.

**COST:** Total cost of design services, \$186,255.00. to be reimbursed by grant funding per terms of the agreement.

**(This item is for the approval of the State-Funded Grant Agreement (SFGA)/Specific Appropriation from the State of Florida Department of Transportation for the Downtown Revitalization Phase II design.)**

**STRATEGIC PLAN GOAL:**

**Economic Development:** To promote economic development in the City of St. Cloud.

**BACKGROUND INFORMATION:**

The City requested State appropriation funding for the Downtown Revitalization project in the 2019 Legislative Session and was approved in the amount of \$300,000.00 through the Florida Department of Transportation. Of the \$300,000.00, \$186,255.00 will be used for design services. The remaining balance of \$113,745.00 has been programmed for construction and a new grant agreement will be presented to Council for approval in the future.

**REQUEST:**

Resolution No. 2019-243R will approve the acceptance of the State -Funded Grant Agreement (SFGA)/Specific Appropriation from the State of Florida Department of Transportation for the design of the Revitalization of Downtown St. Cloud (Pennsylvania Avenue from 13<sup>th</sup> Street (US 192) North to 10<sup>th</sup> Street and 10<sup>th</sup> Street from Massachusetts Avenue to Florida Avenue).

**LEGAL AUTHORITY:**

Grants/Appropriations/Loans Policy Manual

**BUDGET AND RECOMMENDATION:**

Total cost \$186,255.00 / Reimbursed \$186,255.00 / Actual Cost \$0.00

Total cost of design services \$186,255.00 to be reimbursed by grant funding per terms of the agreement.

Project PW2000 Downtown Revitalization Phase II budget transfer in process from Downtown Revitalization Phase I project balance

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.  
Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends approval.

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action



**MEETING:** November 21, 2019

**Agenda Item Type:** Consent Agenda

**ENVIRONMENTAL UTILITIES AGENDA ITEM:**

Resolution No. 2019-244R, a resolution of the City Council of the City of St. Cloud, Florida authorizing the approval of change order number 3 for the replacement of the polishers at water treatment plant no. 4 project and providing an effective date.

**COST:** Up to \$142,831.68

**(This item is to provide for the approval of Change Order No. 3 for the Polisher replacement project at Water Plant No. 4)**

**STRATEGIC PLAN GOAL:**

**Public Service:** To ensure cost effective service while providing a high level of service to our internal and external customers.

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**BACKGROUND INFORMATION:**

During the installation of the replacement polishers at Water Plant No. 4 the contractor and staff have found that several automatic valves and actuators need to be replaced to return the equipment to full operation. The contractor has submitted a change order proposal in the amount of \$142,831.68. The change order has been reviewed by the project consultant. The remaining project contingency had insufficient funds to cover the cost of the change order and any other potential future change orders. The project contingency has been increased by \$120,000 through a budget transfer of funding from an existing presently inactive project in the Water Fund. Once the change order is approved delivery of the valves and actuators will take at least four weeks.

**REQUEST:**

Request approval of Resolution No. 2019-244R

**LEGAL AUTHORITY:**

Resolution 2018-160R

**BUDGET AND RECOMMENDATION:**

Budget \$142,831.68 / Actual cost up to \$142,831.68

Water Fund

Staff recommends **APPROVAL** of this item.

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.

Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

Deputy City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

Final Action 11/21/2019





**MEETING:** November 21, 2019

**Agenda Item Type:** Public Hearings  
Ordinance 2019-20

First Public Hearing: May 23, 2019

Second Public Hearing: November 21, 2019

**PLANNING AGENDA ITEM:**

**FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-20**, an ordinance of the City Council of the City of St. Cloud, Florida, repealing and replacing the Housing Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date (Above is full title) **ACTION ON ORDINANCE NO. 2019-20 (This is a Quasi-Judicial proceeding)**

**STRATEGIC PLAN GOAL:**

**Public Service:** To ensure cost effective service while providing a high level of service to our internal and external customers.

**Financial Sustainability:** To meet the short and long-term financial needs of the City of St. Cloud.

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**Growth Management:** To create a vibrant, progressive and diverse community through collaborative planning.

**Economic Development:** To promote economic development in the City of St. Cloud.

**BACKGROUND INFORMATION:**

**Ordinance No. 2019-20** repeals and replaces the existing Housing Element of the Comprehensive Plan which was last updated in 2002 by Ordinance No. 2002-41. This updated element includes principles, guidelines and strategies based upon data and analysis of the housing needs within the City of St. Cloud. The goals, objectives and policies within this updated element reflect the creation and preservation of affordable housing for all current and anticipated future residents through 2040.

These proposed amendment include some of the following provisions:

- Updated goals, objectives and policies
- Updated data and analysis to support the proposed goals, objectives and policies (not to be adopted)

**REQUEST:**

The request is to repeal and replace the existing Housing Element in accordance with Florida Statutes 163.3177.

**LEGAL AUTHORITY:**

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. Based on Section 7.03 of the

Charter and Related Laws, The City Council shall adopt, and from time to time modify, a comprehensive plan setting forth in graphic and textual form policies to direct the future physical development of the city as provided by law. The City Council has the final authority and responsibility for the adoption and enforcement of regulations for the development of land which are based on, related to, and are a means of implementation for the adopted comprehensive plan required by the laws of this state in accordance with 3.21.1 of the Land Development Code.

**BUDGET AND RECOMMENDATION:**

There is no cost associated with this item.

The Technical Review Group reviewed this request on or before May 8, 2019 with no objections.

Staff recommends **APPROVAL** of Ordinance No. 2019-20 to repeal and replace the Housing Element of the Comprehensive Plan and Transmittal to the Department of Economic Opportunity for interagency review.

On May 23, 2019, the Planning Commission reviewed this request for an amendment to the Comprehensive Plan and made a recommendation of **APPROVAL** with a 5-0 vote.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action

05/23/2019 - Passed, motion to approve was made by Council Member Askew, seconded by Council Member Trace, vote was 5-0.



**MEETING:** November 21, 2019

**Agenda Item Type:** Public Hearings  
Ordinance 2019-43

First Public Hearing: October 10, 2019

Second Public Hearing: November 21, 2019

**PLANNING AGENDA ITEM:**

**FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-43**, an ordinance of the City Council of the City of St. Cloud, Florida, repealing and replacing the Potable Water Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date (Above is full title) **ACTION ON ORDINANCE NO. 2019-43 (This is a Quasi-Judicial proceeding)**

**STRATEGIC PLAN GOAL:**

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**Growth Management:** To create a vibrant, progressive and diverse community through collaborative planning.

**Economic Development:** To promote economic development in the City of St. Cloud.

**BACKGROUND INFORMATION:**

This request is to repeal and replace the Potable Water Element (Ordinance No. 2019-07) previously approved on July 25, 2019 with the proposed amendment (Ordinance No. 2019-43).

DRC Case No. 2018-60.09 was an update to the Infrastructure Element of the City of St. Cloud's Comprehensive Plan for repeal of the Infrastructure Element (Ordinance No. 2019-04) and the adoption of separate elements in accordance with Florida Statute requirements as follows:

- Stormwater Management Element (Ordinance No. 2019-05)
- Natural Groundwater Aquifer Recharge Element (Ordinance No. 2019-06)
- Potable Water Element (Ordinance No. 2019-07)
- Sanitary Sewer Element (Ordinance No. 2019-08)
- Solid Waste Element (Ordinance No. 2019-09)

While conducting their review of the Potable Water Element (Ordinance No. 2019-07), the South Florida Water Management District discovered that several goals, objectives, and policies in support of the City's Water Supply Facilities Work Plan were not included in this element and recommended their inclusion as required by s. 163.3177, F.S.

In an effort to include the agency's recommendations and to ensure compliance with Florida Statute, staff is requesting consideration for the repeal and replacement of the Potable Water Element. The proposed amendment (Ordinance No. 2019-43) contains all previously adopted goals, objectives and policies adopted in Ordinance No. 2019-07 with the inclusion of the South Florida Water Management District's recommendations.

The data and analysis for the Potable Water Element, which serves as supporting documentation, has also been corrected to include information regarding the expiration of water use permits for private wells, emergency interconnects, and temporary water service information.

**REQUEST:**

The request is to repeal and replace the Potable Water Element of the Comprehensive Plan.

**LEGAL AUTHORITY:**

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. Based on Section 7.03 of the Charter and Related Laws, The City Council shall adopt, and from time to time modify, a comprehensive plan setting forth in graphic and textual form policies to direct the future physical development of the city as provided by law. The City Council has the final authority and responsibility for the adoption and enforcement of regulations for the development of land which are based on, related to, and are a means of implementation for the adopted comprehensive plan required by the laws of this state in accordance with 3.21.1 of the Land Development Code.

**BUDGET AND RECOMMENDATION:**

There is no cost associated with this item.

Staff recommends **APPROVAL** of Ordinance No. 2019-43 to repeal and replace the Potable Water Element of the Comprehensive Plan.

On January 15, 2019, the Planning Commission reviewed this request for an amendment to the Comprehensive Plan and made a recommendation of **APPROVAL** with a 5-0 vote.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action

10/10/2019 - Passed, motion made by Council Member Trace, Seconded by Deputy Mayor Matheny. Motion passed 5-0.



**MEETING:** November 21, 2019

**Agenda Item Type:** Public Hearings  
Ordinance 2019-44

First Public Hearing: October 24, 2019

Second Public Hearing: November 21, 2019

**PLANNING AGENDA ITEM:**

**FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-44**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning a utility easement located east of Narcoossee Road and west of Lake Whippoorwill, specifically described in the body of this ordinance; providing for severability, conflicts and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2019-44**

**STRATEGIC PLAN GOAL:**

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**BACKGROUND INFORMATION:**

The utility easement lies within Orange County and was dedicated to the City of St. Cloud identified in Orange County Official Records Book 3656 PG 1507. This easement is currently outside of the City's service boundary.

The applicant has requested this easement be released in order to plat the property to allow future development.

Section 5.5.4.C of the Land Development Code (LDC) provides for review of proposals to abandon easements and right-of-way. Review considerations specified by the LDC include impacts to the following:

- a. The City of St. Cloud;
- b. The immediate neighborhood and/or adjacent area;
- c. The property owners immediately adjacent to the affected right-of-way or easement;
- d. Any utility providers or governmental agencies having a possible need for the right-of-way or easement.

**REQUEST:**

The applicant is requesting the release of a utility easement dedicated to the City of St. Cloud.

**LEGAL AUTHORITY:**

Per Section 5.5.4.C. of the Land Development Code, the City Council shall base their decision on the recommendations from the Development Review Committee as well as impacts listed in this report.

**BUDGET AND RECOMMENDATION:**

There is no cost associated with this item.

Staff recommends **APPROVAL** of the request for Abandonment of Easement for Ordinance No. 2019-44.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action

10/24/2019 - Motion to approve by Council Member Trace, Seconded by Council Member Askew. Vote was 5-0, all members voting "aye".



**MEETING:** November 21, 2019

**Agenda Item Type:** Public Hearings  
Ordinance 2019-45

First Public Hearing: October 24, 2019

Second Public Hearing: December 12, 2019

**PLANNING AGENDA ITEM:**

**FIRST PUBLIC HEARING AND INTRODUCTION FOR ORDINANCE NO. 2019-45**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning portions of a utility easement located on property located east of La Salle Avenue, west of Packard Avenue and north of Pine Tree Drive, specifically described in the body of this ordinance; providing for severability, conflicts and an effective date. (Above is full title) (Final Public Hearing will be heard on December 12, 2019) **ACTION ON ORDINANCE NO. 2019-45**

**STRATEGIC PLAN GOAL:**

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**BACKGROUND INFORMATION:**

The applicant is requesting abandonment of a portion of easement located east of La Salle Avenue, west of Packard Avenue and north of Pine Tree Drive.

A letter from Orlando Utilities Commission (OUC), submitted by the applicant and included as an attachment to the staff report, states that the easement is held by OUC and that OUC approves of the release of that portion of easement that spans the applicant's property.

The original handwritten description (attached) indicates an easement wide enough to accommodate power poles and their construction, maintenance and removal. No actual width of the easement is given.

This item was presented during the October 24, 2019, City Council meeting. A motion to continue the item to the November 21, 2019, City Council meeting was made by Deputy Mayor Matheny, who based the motion on a drainage issue, with the main points of contention being a ditch that needed clearing and the removal of a pipe. The motion passed 5-0.

**REQUEST:**

The applicant is requesting abandonment of 1,320 feet of a utility easement that crosses the residential development known as Gramercy Farms Phase 9.

**LEGAL AUTHORITY:**

Per Section 5.5.4.C. of the Land Development Code, the City Council shall base their decision on the recommendations from the Development Review Committee as well as impacts listed in this report.

**BUDGET AND RECOMMENDATION:**

There is no cost associated with this item.

Staff recommends **APPROVAL** of this item.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

12/12/19 - Final Action

10/24/19 - Passed, motion to continue by Deputy Mayor Matheny, seconded by Council Member Cooper, vote was 5-0, all members voting "aye".





**MEETING:** November 21, 2019

**Agenda Item Type:** Public Hearings  
Ordinance 2019-53

First Public Hearing: November 21, 2019

Second Public Hearing: December 12, 2019

**HUMAN RESOURCES AGENDA ITEM:**

**FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2019-53**, an ordinance of the City of St. Cloud amending the City of St. Cloud, Police Officers' and Firefighters' Retirement System; amending Section 8, Disability; providing for codification; providing for severability of provisions: repealing all ordinances in conflict herewith and providing an effective date. (Above is full title) (Final Public Hearing will be held December 12, 2019)  
**ACTION ON ORDINANCE NO. 2019-53.**

**STRATEGIC PLAN GOAL:**

**Professional Workforce:** To attract and retain highly skilled staff in order to provide services to the community.

**BACKGROUND INFORMATION:**

The proposed ordinance amending the City of St. Cloud Police Officers' and Firefighters' Retirement System which is recommended by the Board for adoption by the City Council. This ordinance amends Section 8, Disability to include language regarding the Firefighter Cancer Presumption recently adopted by the Florida Legislature in F.S. 112.1816(1)(a). It further amends the disability section to provide that disability payments will cease upon recovery, only if recovery occurs prior to the date the retiree attains age fifty-five. This will eliminate the need to seek information about the medical condition of a disability retiree once he reaches age fifty-five. (This item is for the amendment of the disability section of the St. Cloud Police Officers' and Firefighters' Retirement System to indicate an update in the in-line of duty disability section.)

**SECTION 1:** That the City of St. Cloud Police officers' and Firefighters' Retirement System, as adopted by Ordinance No. 2006-125, as subsequently amended, is hereby further amended by amending Section 8, Disability, subsection 2., In-Line of Duty Presumptions, to add paragraph C., Firefighter Cancer Presumption, and amending subsection 6., Disability Payments, to read as follows:

2. C. Firefighter Cancer Presumption. The presumption provided for in this paragraph C. shall apply only to "cancer", as defined in F.S. § 112.1816(1)(a), as amended from time to time. Any Firefighter Member who becomes totally and permanently unable to perform useful and efficient service as a Firefighter due to a diagnosis of cancer or circumstances that arise out of the treatment of cancer will be conclusively presumed to be disabled in-line of duty.
6. Disability Payments.

The monthly benefit to which a Member is entitled in the event of the Member's disability retirement shall be payable on the first day of the first month after the Board determines such entitlement. However, the monthly retirement income shall be payable as of the date the Board determined such entitlement, and any portion due for a partial month shall be paid together with the first payment. The last payment will be:

- A. If the Retiree recovers from the disability prior to the attainment of age fifty- five (55), the payment due next preceding the date of such recovery, or
- B. If the Retiree dies ~~without recovering from disability~~, the payment due next preceding his death or the 120th monthly payment, whichever is later.

**REQUEST:**

Request approval to proceed with amendments.

**LEGAL AUTHORITY:**

City of St. Cloud Police Officers' and Firefighters' Retirement System, Section 3, subsection H.

**BUDGET AND RECOMMENDATION:**

Budgeted \$2,637.75 / Actual cost up to \$2,637.75

General Funds

Staff recommends **APPROVAL** of this request

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.

**Budget: 610-9000-501.10-20 \$2,637.75**

Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

12/12/2019 Final Action



**MEETING:** November 21, 2019

**Agenda Item Type:** Public Hearings  
Ordinance 2019-54

First Public Hearing: November 21, 2019

Second Public Hearing: December 12, 2019

**CITY CLERK AGENDA ITEM:**

**FIRST PUBLIC HEARING FOR ORDINANCE NO. 2019-54**, an ordinance of the city of St. Cloud, Florida amending Ordinance 2003-047 which, as authorized by Chapter 189, Florida Statutes, created the Stevens Plantation Improvement Project Dependent Special District (the “district”) to amend the jurisdictional boundaries of the district and provide that upon the sale of property owned by the district the property sold will be removed from the district boundaries and no longer subject to the jurisdiction of the district; providing for notice to the Florida Department of Economic Development; providing that all other terms and provisions of Ordinance 2003-047 shall remain in full force and effect; and providing for severability and repeal, effective date and recording. (Above is full title) (Final Public Hearing will be heard on December 12, 2019)  
**ACTION ON ORDINANCE NO. 2019-54**

**STRATEGIC PLAN GOAL:**

**Growth Management:** To create a vibrant, progressive and diverse community through collaborative planning.

**BACKGROUND INFORMATION:**

Ordinance 2019-54, an ordinance of the city of St. Cloud, Florida amending Ordinance 2003-047 which, as authorized by Chapter 189, Florida Statutes, created the Stevens Plantation Improvement Project Dependent Special District (the “district”) to amend the jurisdictional boundaries of the district and provide that upon the sale of property owned by the district the property sold will be removed from the district boundaries and no longer subject to the jurisdiction of the district; providing for notice to the Florida Department of Economic Development; providing that all other terms and provisions of Ordinance 2003- 047 shall remain in full force and effect; and providing for severability and repeal, effective date and recording. (Above is full title) (Final Public Hearing will be heard on December 12, 2019)

**REQUEST:**

Request approval of the first reading of this ordinance regarding the DSD district boundary amendment.

**LEGAL AUTHORITY:**

Florida State Statute, Chapter 189

**BUDGET AND RECOMMENDATION:**

No Cost is associated with this item.

Recommend APPROVAL of the first reading.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

Deputy City Manager recommends approval

**CITY COUNCIL ACTION:**

11/21/2019 - Request approval of First Reading.

12/21/2019 - Final adoption hearing scheduled.



**MEETING:** November 21, 2019

**Agenda Item Type:** Public Hearings  
Resolution 2019-224R

**FINANCE AGENDA ITEM:**

**PUBLIC HEARING FOR RESOLUTION NO. 2019-224R**, a resolution of the City Council of the City of St. Cloud, Florida amending resolution number 2018-153R which adopted the fiscal year 2018/2019 budget for the City of St. Cloud, finding the City Manager has certified there are prior year fund balances and or current revenues available in the budget for additional projects and programs in various funds not included in the original budget, requiring the budget to be increased to include said additional funding in the various funds and making supplemental appropriations within the funds.

**ACTION ON RESOLUTION NO 2019-224R**

**STRATEGIC PLAN GOAL:**

**Financial Sustainability:** To meet the short and long-term financial needs of the City of St. Cloud.

**BACKGROUND INFORMATION:**

If, during the fiscal year, the manager certifies that there are available for appropriate revenue in excess of those estimated in the budget, the City Council may, by resolution, make supplemental appropriation for the year up to the amount of each excess. This budget amendment number six is necessary to ensure funds are placed in the needed projects and line items to procure services and equipment.

**REQUEST:**

Request City Council's approval to amend the fiscal year 2018/2019 budget through resolution 2019-224R.

**LEGAL AUTHORITY:**

Florida Statues Chapter 166.241 and City Code sec. 2-212-Amendments after adoption

**BUDGET AND RECOMMENDATION:**

Staff recommends **APPROVAL** of this item.

**FINANCE DIRECTOR'S COMMENTS:**

Finance Director recommends **APPROVAL** of this item.

<b>General Fund:</b>	<b>\$609,613</b>	<b>Increase</b>
<b>Gas Tax Fund:</b>	<b>\$444,044</b>	<b>Decrease (Return of unspent to Contingency)</b>
<b>1% Fund :</b>	<b>\$597,672</b>	<b>Decrease (Return of unspent to Contingency)</b>
	<b>\$166,667</b>	<b>Fund 1 additional project from Contingency</b>

**Capital Projects:** \$453,209 Increase  
**Utility Funds:** \$251,053 Increase  
**Motor Pool:** \$968,936 PY allocation

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

Final Action 11/21/2019



**MEETING:** November 21, 2019

**Agenda Item Type:** Council Action  
Resolution 2019-227R

**ENVIRONMENTAL UTILITIES AGENDA ITEM:**

Resolution No. 2019-227R, a resolution of the City Council of the City of St. Cloud, Florida, approving a Water & Wastewater Service Agreement from Narcoossee Corners, LLC., a commercial development named Narcoossee Oaks Animal Hospital located in the unincorporated area of Osceola County on the east side of Narcoossee Rd., north of Jones Rd., south of Jack Brack Rd. and west of Underwood Ave. authorizing the City Manager to execute the agreement; and providing an effective date. **(This item is for the approval of a water and wastewater agreement for Narcoossee Oaks Animal Hospital)**

**STRATEGIC PLAN GOAL:**

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**BACKGROUND INFORMATION:**

This commercial development Narcoossee Oaks Animal Hospital, is located in the unincorporated area of Osceola County on the east side of Narcoossee Rd., north of Jones Rd., south of Jack Brack Rd. and west of Underwood Ave., and is requesting water and sewer service by the City of St. Cloud Utility System for the Narcoossee Oaks Animal Hospital.

**REQUEST:**

Request approval of Resolution 2019-227R

**LEGAL AUTHORITY:**

City Code Sections 44-202, 44-207,44-392 and 44-397

**BUDGET AND RECOMMENDATION:**

There is no cost associated with this item.  
Staff recommends **APPROVAL** of this item.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

Final Action 11/21/19





**MEETING:** November 21, 2019

**Agenda Item Type:** Council Action

**PLANNING AGENDA ITEM:**

Resolution No. 2019-229R, a resolution of the City Council of the City of St. Cloud, Florida, approving the FY 2019 Community Development Block Grant (CDBG) Metropolitan Entitlement Program Grant Agreement, authorizing the City Manager to execute the Agreement and providing for an effective date. **(This item is for the approval of the FY2019 Community Development Block Grant Metropolitan Entitlement Grant Agreement and to authorize the City Manager to execute the agreement.)**

**STRATEGIC PLAN GOAL:**

**Public Service:** To ensure cost effective service while providing a high level of service to our internal and external customers.

**Financial Sustainability:** To meet the short and long-term financial needs of the City of St. Cloud.

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**Growth Management:** To create a vibrant, progressive and diverse community through collaborative planning.

**Economic Development:** To promote economic development in the City of St. Cloud.

**BACKGROUND INFORMATION:**

In June of 2018, the City of St. Cloud received notice from the U.S. Department of Housing and Urban Development that the City was eligible for the CDBG Metropolitan Entitlement Program. The City of St. Cloud accepted the CDBG Metropolitan Entitlement Program and submitted a Five-Year CDBG Consolidated Plan for 2019-2023, Analysis of Impediments to Fair Housing and the first year Annual Action Plan. On November 1, 2019, the City received acceptance of the submittal and provided the City with a CDBG Metropolitan Entitlement Program Grant Agreement.

Resolution No. 2019-229R enacts the CDBG Metropolitan Entitlement Program Grant Agreement for Fiscal Year.

**REQUEST:**

This request is for the adoption of Resolution No. 2019-229R to enact the CDBG Entitlement Grant Agreement for Fiscal Year 2019.

**LEGAL AUTHORITY:**

Resolution No. 2019-138R authorizes the Mayor to provide assurances and/or certifications as required by the Housing and Community Development Act of 1974, as amended; and any other supplemental or revised data with the U.S. Department of Housing and Urban Development may request in review of the City's Application.

**BUDGET AND RECOMMENDATION:**

There is no cost associated with this item.

By adopting Resolution No. 2019-229R to enact the CDBG Metropolitan Entitlement Program Grant Agreement, the City will receive \$319,076 for the first program year.

Staff recommends **APPROVAL** of Resolution No. 2019-229R.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT MANAGER'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager recommends approval.

**CITY COUNCIL ACTION:**

11/21/2019 - Final Action



**MEETING:** November 21, 2019

**Agenda Item Type:** Council Action

**CITY CLERK AGENDA ITEM:**

Discussion and possible action regarding engagement with Gray Robinson, P.A to provide government relations representation before the United States Government.

**STRATEGIC PLAN GOAL:**

**Financial Sustainability:** To meet the short and long-term financial needs of the City of St. Cloud.

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**Growth Management:** To create a vibrant, progressive and diverse community through collaborative planning.

**Economic Development:** To promote economic development in the City of St. Cloud.

**BACKGROUND INFORMATION:**

Engagement with Gray Robinson, P.A. to provide government relations representation before the United States Government including the Congress, the Executive Branch and Administrative Agencies.

Term of engagement letter is 12/1/19 - 12/1/20.

**REQUEST:**

Act as Council deems appropriate.

**LEGAL AUTHORITY:**

Lobbying Disclosure Act

**BUDGET AND RECOMMENDATION:**

Budgeted \$90,000.00 / Actual cost \$90,000.00

General Fund

001-1000-511.31-00

Staff recommends that council act as deemed appropriate.

**FINANCE DIRECTOR'S COMMENTS:**

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

Deputy City Manager Miller recommends Council act as deem appropriate

**CITY COUNCIL ACTION:**

11/21/2019 - Act as Council deems appropriate.



**MEETING:** November 21, 2019

**Agenda Item Type:** Council Action

First Public Hearing: November 21, 2019

**HUMAN RESOURCES AGENDA ITEM:**

Discussion and possible action regarding City Manager Compensation.

**STRATEGIC PLAN GOAL:**

**Professional Workforce:** To attract and retain highly skilled staff in order to provide services to the community.

**BACKGROUND INFORMATION:**

This discussion was directed by the City Council at the October 24, 2019 special meeting. City Manager's current salary is \$147,899.92 and City of St. Cloud employees received a 3% increase on October 1, 2019. The total cost for the 3% increase would be \$4,437.00.

**REQUEST:**

Discussion and possible action regarding City Manager Compensation

**LEGAL AUTHORITY:**

Section 4 of Resolution No.:2017-209R

**BUDGET AND RECOMMENDATION:**

Budgeted \$4,437.00 / Actual cost up to \$4,437.00  
General Funds

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.

Finance Director recommends **APPROVAL** of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

**City Council to act as deemed appropriate.**

**CITY COUNCIL ACTION:**

11/21/2019 Final Action