ST. CLOUD CITY COUNCIL REGULAR MEETING
September 13, 2012
City Hall Council Chambers
1300 Ninth Street
6:30 PM
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 Rebecca Borders
- Deputy Mayor Russell Holmes
- Council Member Thomas Griffin
- Council Member Mickey Hopper
- Council Member Donald Shroyer

V. Presentations

- Proclamation in recognition of Constitution Week
- Proclamation in recognition of St. Cloud Firefighters Appreciation Month
- Presentation by St. Cloud Chamber of Commerce of the Photo Contest Winners
- Presentation by Logicor USA

VI. First Citizen's 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 City Clerk prior to addressing the Council.

VII. Public Hearings

1. **RESOLUTION NO. 2012-128R**, a resolution of the City Council of the City of St. Cloud, Florida, establishing a final ad valorem tax millage for the City of St. Cloud for the fiscal year 2012/2013 the same being adopted prior to the adoption of a final budget for said period. (FINAL MILLAGE) (Above is full title) **ACTION ON RESOLUTION NO. 2012-128R**

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2. **RESOLUTION NO. 2012-129R,** a resolution of the City Council of the City of St. Cloud, Florida, establishing a final budget for the City of St. Cloud for the fiscal year 2012/2013; the same being adopted following the adoption of a final millage rate for said period.(FINAL BUDGET) (Above is full title) **ACTION ON RESOLUTION NO. 2012-129R**

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3. **SECOND AND FINAL PUBLIC HEARING FOR ORDINANCE NO. 2012-37,** an ordinance of the City of St. Cloud, amending the City of St. Cloud General Employees Retirement System; amending Section 1 Definitions; Amending Section 5, Contributions; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2012-37**

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4. **SECOND AND FINAL PUBLIC HEARING FOR ORDINANCE NO. 2012-38**, an ordinance of the City of St. Cloud, amending the City of St. Cloud Police Officers and Firefighters Retirement System; amending Section 1 Definitions; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2012-38**

VIII. Consent Agenda

A. Warrant List #17

B. Minutes: June 28, 2012 / Regular Meeting and July 12, 2012 / Regular Meeting.

C. Resolution No. 2012-107R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into an agreement for motor fuels, having been previously advertised for bid by Orange County, Florida Invitation for Bids No. Y11-1014-JS Motor Fuels Term Contract, providing for the award thereof to Mansfield Oil Company, and providing an effective date.
COST: $1,322,435.00 (Proposed FY 2012-2013 Budget)

D. Resolution No. 2012-119R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to execute the final satisfaction of the interlocal agreement with Osceola County regarding water improvements for Marina Club Estates.
COST: No cost associated with this item.

E. Resolution No. 2012-121R, a resolution of the City Council of St. Cloud, Florida, approving the Interlocal Agreement of Cooperation between Osceola County and the City of St. Cloud authorizing the City to participate in the Community Development Block Grant Urban County Program and authorizing the Mayor to execute the Agreement.
COST: No cost associated with this item.

F. Resolution No. 2012-125R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the City Manager to declare as uncollectable and write-off an (NSF) bad check from Wardlow Building Group, Inc., as it is in the best interest of the City of St. Cloud.
COST: No cost associated with this item.

G. Resolution No. 2012-126R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a first addendum to and extension of the agreement dated September 19, 2011, between the City of St. Cloud and Consolidated Resource Recovery, Inc. for Mulching & Disposal Services for Yard & Vegetative Waste, and providing an effective date.
COST: $140,000.00 (Proposed FY 2012-2013 Budget)

H. Resolution No. 2012-127R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a third addendum to and extension of the agreement dated March 26, 2009 between the City of St. Cloud and Penn Credit Corporation for specialized debt collection services.
COST: No cost associated with this item.

I. Resolution No. 2012-130R, a resolution of the City Council of the City of St. Cloud, Florida, adopting a Post Disaster Redevelopment Plan (PDRP) with Osceola County and the City of Kissimmee.
COST: No cost associated with this item.

J. Resolution No. 2012-131R, a resolution issuing a Certificate of Capacity pursuant to Article XIV, City of St. Cloud Land Development Code, for a development known as Nova Park Subdivision, located north of Jack Brack Road, east of Underwood Avenue.
COST: No cost associated with this item.

K. Resolution No. 2012-132R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to enter into a Facility User Agreement with the School Board of Osceola County to use and renovate certain facility and grounds located at 901 Virginia Avenue, and providing an effective date.
COST: No cost associated with this item.

L. Resolution No. 2012-134R, a resolution of the City Council of the City of St. Cloud, Florida, renewing the Workers Compensation insurance policy for the City of St. Cloud with an effective date of October 1, 2012 through October 1, 2013 with the Citys current Workers Compensation insurance carrier, Preferred Governmental Insurance Trust (PGIT).
COST: Approximately $591,244.00

M. Resolution No. 2012-135R, a resolution of the City Council of the City of St. Cloud, Florida, renewing the Professional insurance policies including Property, Inland Marine, General Liability, Automobile Liability & Physical Damage, Law Enforcement Liability And Public Officials & Employment Practices Liability for the City of St. Cloud with an effective date of October 1, 2011 through October 1, 2013 with the Citys current Professional insurance carrier, Preferred Governmental Insurance Trust (PGIT).
COST: Approximately $781,633.00.

N. Resolution No. 2012-136R, a resolution of the City Council of the City of St. Cloud, Florida, renewing the Pollution Liability insurance policy for the City of St. Cloud with an effective date of October 1, 2012 through October 1, 2015 with the Citys current Pollution Liability insurance carrier, XL Insurance/Indian Harbor Insurance Company.
COST: Approximately $43,615.00

O. Resolution No. 2012-137R, a resolution of the City Council of the City of St. Cloud, Florida, renewing the Crime insurance policy for the City of St. Cloud with an effective date of October 1, 2012 through October 1, 2013 with the Citys current Crime insurance carrier, Travelers Casualty and Surety.
COST: Approximately $5,658.00

P. Resolution No. 2012-138R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the acquisition of an Avaya/Nortel phone system upgrade, with the purchase available through a State Contract #730-000-09-1; providing for the award thereof to Avaya Platinum Partner, CenturyLink Sales Solutions, Inc.

COST: $204,751.21

Q. Resolution No. 2012-139R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the acquisition of four (4) 2012 Dodge Charger Pursuit Vehicles, available through the Florida Sheriffs Association Contract No. 11-19-0907, Specification #1, and the award thereof to Maroone Chrysler Dodge Jeep Ram of Pembroke Pines, and providing an effective date.
COST: $94,676.00

R. Resolution No. 2012-140R, a resolution of the City Council of the City of St. Cloud, Florida, determining the lowest responsive 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) #2012-046 (Re-Bid), to Theobald Construction, LLC, whose subject matter is the St. Cloud Fire Station No. 32 Expansion project, establishing a contingency, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.
COST: $335,181.00 / Contingency: $33,518.10

S. Resolution No. 2012-142R, a resolution of the City Council of the City of St. Cloud, Florida, which authorizes the settlement of that certain litigation between the City of St. Cloud and Lexon Insurance Company related to street paving and force main infrastructure improvements for the Turtle Creek subdivision for payment to the City in the total sum of $489,113.88; authorizing the Mayor, City Manager or the citys legal council to perform all acts necessary and appropriate to complete the settlement of this matter and further authorizing the termination of that certain line extension agreement dated February 23, 2006, between the City and Levitt and Sons, Inc.
COST: No cost associated with this item.

IX. Council Action

1. Resolution No. 2012-141R, a resolution of the City Council of the City of St. Cloud, Florida, approving a facility user agreement with the St Cloud Greater Osceola Chamber of Commerce incorporated for the use of Veterans Park and authorizing the City Manager to execute all documents necessary to complete the agreement.

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2. Discussion of possible action regarding Team Energy, Inc. lease for Landfill Property Agreement and Landfill Gas Purchase and Sale Agreement.

X. City Attorney

XI. City Manager

XII. Mayor and Council Members

XIII. Second Citizen's 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 City Clerk prior to addressing the Council.

XIV. Information Section

- Thursday, September 20, 2012 - Stevens Plantation Dependent Special District - 6:00 p.m. @ City Hall, Council Chambers
- Thursday, September 20, 2012 - City Council Workshop - Immediately following the 6:00 p.m. DSD Meeting @ City Hall, Council Chambers
- Thursday, September 27, 2012 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers

XV. Adjournment

If a person decides to appeal any decision made by the Committee/Board, with respect to any matter considered at such hearing/meeting, such person will need a record of the proceedings and that, for this 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) Linda P. Jaworski, 1300 9th Street, St. Cloud, FL 407-957-7334