

ST. CLOUD CITY COUNCIL REGULAR MEETING
Thursday, November 18, 2021
City Hall - Council Chambers
1300 9th Street
6:30 p.m.
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 Keith Trace
- ◆ Council Member Linette Matheny
- ◆ Council Member - Vacant
- ◆ Council Member Dave Askew

V. Agenda Update: To include continued or add-on items, corrections, and/or deletions of existing items as submitted by the City Manager.

VI. Presentations

- Proclamation in recognition of Tammi Madison
- Presentation of Employee of the Month

VII. 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.

VIII. 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. 2021-268R, a resolution of the City Council of the City of St. Cloud, Florida, pursuant to section 6.19, Holidays Observed of the City of St. Cloud's Personnel

Rules and Regulations Manual, dated October, 2010, the City Council designates Juneteenth, June 19th as an observed holiday for City of St. Cloud employees.

COST: Additional cost of \$25,500 estimated for Police Department and no additional cost to salary for rest of the census.

This item is to designates Juneteenth, June 19th as an observed holiday.

- B. Resolution No. 2021-288R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the City Manager to declare items as obsolete, damaged, and/or surplus property and otherwise in the best interest of the City of St. Cloud.

COST: There is no cost associated with this item.

This item is for disposal of obsolete property.

- C. Resolution No. 2021-289R, a resolution of the City Council of the City of St. Cloud, Florida, further defining the term "Resident" and "Non-Resident" with regard to purchases made at Mt. Peace Cemetery.

COST: There is no cost associated with this item.

This item is to clarify the definition of Resident and Non-Resident.

- D. Resolution No. 2021-290R, 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 and providing an effective date.

COST: There is no cost associated with this item.

This item is for the revision of schedule of rates for the solid waste services to revise collection rates and transfer station usage charges.

- E. Resolution 2021-291R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to accept a public utilities easement from Neptune Road Investments, LLC, for Tohoqua, a residential development, to have and to hold for all uses traditionally made of a public utilities easement.

COST: There is no cost associated with this item.

This item is for the acceptance of a public utilities easement for Tohoqua

- F. Resolution No. 2021-292R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to accept a public utilities easement from Andrew McIntee, for 115 17th St., a single residential home, to have and to hold for all uses traditionally made of a public utilities easement.

COST: No cost associated with this item.

This item is for the acceptance of a public utilities easement from Andrew McIntee.

- G. Resolution No. 2021-296R, a resolution of the City Council of the City of St. Cloud, Florida, approving and authorizing a temporary Construction Easement granting Osceola County the right to access and enter upon City property for limited purposes as part of the Neptune Road Improvement Project; authorizing the City Manager to perform all acts necessary and appropriate to execute the temporary Construction Easement and providing for an effective date.

COST: There is no cost associated with this item.

This item is for a temporary Construction Easement granting Osceola County the right to access and enter upon City property for limited purposes as part of the Neptune Road Improvement Project.

- H. Resolution No. 2021-297R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to accept a public utilities easement from Ashton Business Park, LLC, for Rocker's Locker's, a commercial development, to have and to hold for all uses traditionally made of a public utilities easement.
COST: No cost associated with this item.
This item is for a public utility easement for Rocker's Locker's.
- I. Resolution No. 2021-298R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the City Manager to negotiate an agreement, to be approved by City Council, with Song + Associates, Inc. to provide Architectural and Engineering (A&E) Services for New Fire Station per RFQ No. 2021-138, and providing an effective date.
COST: No cost associated with this item.
This item is to authorize the City Manager to negotiate an agreement with Song + Associates, Inc. for RFQ No. 2021-138 Architectural and Engineering (A&E) Services for New Fire Station.
- J. Resolution No. 2021-299R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Sourcewell RFP No. 032521-GPC, previously advertised for bid, whose subject matter is Aftermarket Vehicle Parts and Supplies, providing for the award thereof to Genuine Parts Company, dba NAPA Auto Parts, and providing an effective date.
COST: Undetermined at this time as goods are provided on an "as-needed" basis. This contract will be utilized by the Fleet Division for the purchase of automotive and truck replacement parts and supplies, on an as-needed basis, from various approved and budgeted projects and expenditure accounts throughout the fiscal year.
This item is to approve an agreement with Genuine Parts Company, dba NAPA Auto Parts.
- K. Resolution No. 2021-300R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Broward College RFP-2018-167-EH, previously advertised for bid, whose subject matter is Storm Drain Cleaning, Repairs, and Maintenance, providing for the award thereof to Shenandoah General Construction, LLC, and providing an effective date.
COST: Undetermined at this time. This contract will be utilized by the Public Works Department for storm drain cleaning, repairs, and maintenance, on an "as-needed basis" from various approved and budgeted projects and expenditure accounts throughout the fiscal year.
This item is to approve an agreement with Shenandoah General Construction, LLC.
- L. Resolution No. 2021-301R, a resolution of the City Council of the City of St. Cloud, Florida, approving a new Letter of Engagement with DeBeaubien, Simmons, Knight, Mantzaris & Neal, LLP to provide City Attorney Services for and on behalf of the City of St. Cloud, and providing an effective date.
COST: up to \$255,784.00
This item is to approve a new Letter of Engagement with DeBeaubien, Simmons, Knight, Mantzaris & Neal, LLP to provide City Attorney Services.
- M. Resolution No. 2021-302R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to execute Change Order Number 01 to Addendum No. 1 to Master Services Agreement No. 60335 between the City of St. Cloud and MCCi,

LLC approved by Resolution No. 2020-288R, and providing an effective date.

COST: Actual cost up to \$11,685.00 (Total cost \$96,444.19 includes \$84,759.19 plus change order \$11,685.00)

This item is to approve Change Order Number 01 to Addendum No. 1 to Master Services Agreement No. 60335 with MCCi, LLC.

- N. Resolution No. 2021-303R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of one (1) 2022 International HV Roll-off Refuse Truck, with options and warranty, available through Florida Sheriff's Association Contract No. FSA20-VEH18.0, titled Heavy Trucks, and the award thereof to Cumberland International Trucks LLC, and providing an effective date.

COST: up to \$153,709.00

This item is for the purchase of one (1) 2022 International HV Roll-off Refuse Truck, with options and warranty, from Cumberland International Trucks LLC.

- O. Resolution No. 2021-305R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a second amendment to the task authorization to the Continuing Contract and Agreement for Professional Architectural Services with Song + Associates, Inc. dated June 8, 2017, and any amendments thereto, for City Hall Building Secure Lobby In-Fill and Building Department Space Expansion Additional Services Request for Various Owner Requested Items, and providing an effective date.

COST: up to \$13,545.00 (Total cost of Task Authorization including the first and second amendments is not to exceed \$299,025.00)

This item will approve a second amendment to the task authorization with Song + Associates, Inc. for City Hall Building Secure Lobby In-Fill and Building Department Space Expansion Additional Services Request for Various Owner Requested Items.

- P. Resolution No. 2021-307R, a resolution of the City Council of the City of St. Cloud, Florida, approving and authorizing the Mayor to execute the First Amendment to and replacement of that certain electric utility easement date June 12, 1996 by and between Randall K. Larson and Donna M. Larson and the City of St. Cloud and providing for an effective date.

COST: No cost associated with this item.

This item is to amend and replace the electric utility easement dated June 12, 1996.

- Q. Resolution 2021-308R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to execute the Water Wheeling Infrastructure Master Cost-Sharing Agreement amongst the Water Cooperative of Central Florida, Tohopekaliga Water Authority, Orange County and Polk County relating to framework, water wheeling infrastructure plan, previously-advanced costs and project sub-agreements; design, permitting, and construction; regulatory compliance and disclosure; general and long term maintenance, notice of planned and emergency repair.

COST: There is no cost associated with this item.

This item is to execute the Water Wheeling Infrastructure Master Cost-Sharing Agreement amongst the Water Cooperative of Central Florida. This agreement was previously approved by City Council at its August 12, 2021 meeting. However, a mistake was discovered in the attached Exhibit A. Attorney for the Water Cooperative has requested that the City Council re-approve the corrected agreement.

- R. Resolution No. 2021-309R, a resolution of the City Council of the City of St. Cloud, Florida, supplementing Resolutions No. 2010-142R and 2017-188R of the City Council to authorize the use of the remaining unspent bond proceeds on current projects; providing for severability and providing an effective date.
COST: No cost associated with this item.
This item is use the remaining unspent bond proceeds.
- S. Resolution No. 2021-310R, a resolution of the City Council of the City of St. Cloud, Florida, as authorized by Ordinance No. 2014-26 amending Article VII, Utilities Division 1, Basic Information of the Requirements and Standard for Environmental Utilities providing for severability, conflict, and an effective date.
COST: There is no cost associated with this item.
This resolution amends the Land Development Code adopting Distributed Wastewater Treatment Units as an alternative to provide wastewater service to a property under limited specific conditions when the sanitary sewer system is not available.
- T. Resolution No. 2021-311R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of one (1) Elgin Whirlwind Street Sweeper MV Dual 28” Sidebroom (M2), with options and warranty, available through Sourcewell Contract #122017-FSC-1, titled Sewer Vacuum, Hydro-Excavation and Street Sweeper Equipment with Related Accessories and Supplies, and the award thereof to Federal Signal Corporation and their subsidiary, Environmental Products Group, and providing an effective date.
COST: up to \$307,521.00 (includes equipment cost of \$293,121.00 plus the first year cost of a 5-year Annual Turn-Key Maintenance of \$14,400.00)
This item is for the purchase of one (1) Elgin Whirlwind Street Sweeper MV Dual 28” Sidebroom (M2), with options and warranty, from Environmental Products Group.
- U. Resolution No. 2021-312R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Sourcewell RFP #040621 whose subject matter is Bulk Solid Waste and Recycling Equipment, providing for the award thereof to Wastequip Manufacturing Company LLC, and providing an effective date.
COST: Undetermined at this time. This contract will be utilized by the Public Works Department for the purchase of bulk solid waste and recycling equipment, on an “as-needed basis” from various approved and budgeted projects and expenditure accounts throughout the fiscal year.
This item will approve the purchase of roll-off containers from Wastequip Manufacturing Company, LLC.
- V. Resolution No. 2021-313R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a first amendment to and extension of the agreement dated November 5, 2020 between the City of St. Cloud and PFM Asset Management LLC for investment advisor services, and providing an effective date.
COST: up to \$74,600.00
This item will extend the agreement with PFM Asset Management LLC through October 31, 2022.

IX. Public Hearings

1. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2021-36**, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 219 acres identified as The Ranch at St. Cloud, located east of Narcoossee Road, and south of Jones Road; in accordance with the voluntary annexation provisions of Chapter 171.044, Florida Statutes. (Above is full title) **ACTION ON ORDINANCE NO. 2021-36.**
2. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2021-37**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of "Park/Open Space" to approximately 219 acres identified as The Ranch at St. Cloud, located east of Narcoossee Road, and South of Jones road; providing for amending the Official Future Land Use Map of the Comprehensive Plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2021-37.**
3. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2021-38**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of "Open Space and Recreation", compatible with a "Park/Open Space" Future Land Use designation change, adopted by Ordinance No. 2021-37, for approximately 219 acres identified as The Ranch at St. Cloud, located east of Narcoossee Road, and south of Jones Road; providing for entering the designation on the Official Zoning Map, filing of the Planning Commission recommendation and proof of publication, severability, and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2021-38. (This is a Quasi-Judicial proceeding.)**
4. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2021-57**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating and abandoning the right-of-way located east of Whisler Court and north of 10th Street, specifically described in the body of this ordinance; providing for severability, conflicts and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2021-57**
5. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-21**, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 91.8 acres identified as Pine Grove Reserve, located north of East Irlo Bronson Memorial Highway, and west of Pine Grove Road; in accordance with the voluntary annexation provisions of Chapter 171.044, Florida Statutes (Above is full title) (Final Public Hearing will be heard on February 10, 2022) **ACTION ON ORDINANCE NO. 2021-21**
6. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-23**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of "Low Density Residential" to approximately 91.8 acres identified as Pine Grove Reserve, located North of East Irlo Bronson Memorial Highway, and west of Pine Grove Road; providing for amending the Official Future Land Use Map of the Comprehensive Plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) (Final Public Hearing will be heard on February 10, 2022) **ACTION ON ORDINANCE NO. 2021-23**
7. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-24**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of Planned Unit Development (PUD), compatible with a "Low Density Residential"

Future Land Use designation change, adopted by Ordinance No. 2021-23, for approximately 91.8 acres identified as Pine Grove Reserve, located north of East Irlø Bronson Memorial Highway, and west of Pine Grove Road; providing for entering the designation on the official zoning map, providing for approval of the Preliminary/Final Master Plan, filing of the Planning Commission recommendation and proof of publication, severability, conflicts and effective date (Above is full title)(Final Public Hearing will be heard on February 10, 2022) **ACTION ON ORDINANCE NO. 2021-24 (This is a Quasi-judicial proceeding)**

8. **FIRST READING AND INTRODUCTION FOR ORDINANCE 2021-55**, an ordinance of the City Council of the City of St. Cloud, Florida, amending the Land Development Code of the City of St. Cloud, Florida to include Article III - Zoning Regulations, Division 27 - Entertainment District in its entirety, providing for severability, conflicts, codification, and effective date. (Above is full title) (Final Public Hearing will be heard on December 9, 2021) **ACTION ON ORDINANCE NO. 2021-55**
9. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-58**, an ordinance of the City Council of the City of St. Cloud, Florida, rezoning 10.31 ± acres identified as Fertic Townhomes from "A" Agriculture to "R-3" Multi-family Residential, compatible with a "Medium Density Residential" Future Land Use designation adopted by Ordinance No. 2021-68, located east of Michigan Avenue, and south of Fertic Road; providing for entering the designation on the Official Zoning Map, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) (Final Public Hearing will be heard on December 9, 2021) **ACTION ON ORDINANCE NO. 2021-58**
10. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-65**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating and abandoning the easement located at 1750 and 1770 Druliner Road, 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 9, 2021). **ACTION ON ORDINANCE NO. 2021-65**
11. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-68**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of "Medium Density Residential" to approximately 10.31 acres identified as Fertic Townhomes, located east of Michigan Avenue, and south of Fertic Road; providing for amending the Official Future Land Use Map of the Comprehensive Plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) (Final Public Hearing will be heard on December 9, 2021) **ACTION ON ORDINANCE NO. 2021-68**
12. **RESOLUTION NO. 2021-266R**, a resolution of the City Council of the City of St. Cloud, Florida, amending Resolution No. 2020-215R, which adopted the fiscal year 2020/2021 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 2020/2021 budget, requiring the budget to be increased to include said additional funding the various funds making supplemental appropriations within the funds. (Above is full title) **ACTION ON RESOLUTION NO. 2021-266R**
13. **RESOLUTION NO. 2021-306R**, a resolution of the City Council of the City of St. Cloud, Florida, in support of The Consolidated Annual Performance and Evaluation Report (CAPER) required by the U.S. Department of Housing and Urban Development

(HUD) under the Community Development Block Grant (CDBG) and authorizing the Mayor to approve the report. (Above is full title) **ACTION ON RESOLUTION NO. 2021-306R**

X. Council Action

1. Resolution No. 2021-246R, a resolution of the City Council of the City of St. Cloud, Florida, amending legal notice and advertising procedures for public hearings before the Board of Adjustment, Planning Commission, and City Council.
2. Resolution No. 2021-293R, a resolution of the City Council of the City of St. Cloud, Florida, approving a water and wastewater agreement from Clayton Properties Group, Inc., for Sienna Reserve Phase 3, a residential development located in the unincorporated area of Osceola County to the north of Jones Rd., south of Jack Brack Rd., east of Narcoossee Rd. and west of Outback Rd.; authorizing the City Manager to execute the agreement and providing an effective date.
3. Resolution No. 2021-294R, a resolution of the City Council of the City of St. Cloud, Florida, approving a water and wastewater agreement from Park Square Homes, for a 91 unit residential development named Wiregrass Phase 5 Townhomes, located in the unincorporated area of Osceola County on the south side of Jack Brack Rd., north of Jones Rd. east of Narcoossee Rd. and west of McMichael Rd.; authorizing the City Manager to execute the agreement and providing an effective date.
4. Discussion and possible action regarding the request for a reduction of Lien for Code Enforcement Case # 2018-2014; the property address for this case is 1112 12th Street, St. Cloud, Florida.
5. Discussion and possible action regarding an appointment to a vacancy on the Planning Commission.

XI. City Attorney

XII. City Manager

XIII. Mayor and Council Members

XIV. Information Section and Report Section

- Thursday and Friday, November 25th and 26th, 2021 - City Offices Closed in Observance of the Thanksgiving Holiday
- Friday, December 3, 2021 - Tree Lighting Ceremony - 6:00 p.m. @ Downtown
- Saturday, December 4, 2021 - Christmas Parade @ Downtown
- Saturday and Sunday, December 4th and 5th, 2021 - Holiday Craft Show @ Downtown
- Thursday, December 9, 2021 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers

Proclamations:

- Proclamation in recognition of Small Business Saturday

Reports:

- Warrant List FY22

XV. 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 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-268R

First Public Hearing: October 14, 2021

HUMAN RESOURCES AGENDA ITEM:

Resolution No. 2021-268R, a resolution of the City Council of the City of St. Cloud, Florida, pursuant to section 6.19, Holidays Observed of the City of St. Cloud's Personnel Rules and Regulations Manual, dated October, 2010, the City Council designates Juneteenth, June 19th as an observed holiday for City of St. Cloud employees.

COST: Additional cost of \$25,500 estimated for Police Department and no additional cost to salary for rest of the census.

This item is to designates Juneteenth, June 19th as an observed holiday.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

On Thursday, June 17, 2021, legislation was signed making June 19th, "Juneteenth" a national holiday. By including this holiday, we can be recognized as leaders in our efforts to bring equity and inclusion to our workforce. As a growing City, being innovative in our benefit package will make us competitive and help support our diversity initiatives.

REQUEST:

Request approval to add Juneteenth, June 19th as an observed holiday for City of St. Cloud employees.

LEGAL AUTHORITY:

City of St. Cloud Personnel Rules and Regulations Position Control Sec. 5.06 (B)

BUDGET AND RECOMMENDATION:

General Fund: Additional cost of \$25,500 estimated for Police Department
No additional cost to salary for rest of the census.

Staff recommends **APPROVAL** to approve this.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:
10/14/2021 Final Action



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-288R

FINANCE AGENDA ITEM:

Resolution No. 2021-288R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the City Manager to declare items as obsolete, damaged, and/or surplus property and otherwise in the best interest of the City of St. Cloud.

COST: There is no cost associated with this item.

This item is for disposal of obsolete property.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Various departments are requesting authorization to dispose of obsolete, damaged, and surplus City property. The obsolete, damaged, and surplus property will be disposed of by trading in for credit toward new equipment, donated, sold at cost, sold as scrap, sold via auction, or in instances where items are unable to be disposed of by these means they will be removed from service and properly discarded. Please see itemized list attached as Exhibit 'A' to the resolution.

REQUEST:

Request City Council's approval to dispose of obsolete, damaged, or surplus City property.

LEGAL AUTHORITY:

Resolution 2019-022R St. Cloud Capital Asset Policy Florida Statute Chapter 274 the items will be declared obsolete, damaged and /or surplus, and Florida Administrative Code Chapter 69I-73.005 Disposition of property, Section: 2-B.

BUDGET AND RECOMMENDATION:

No Cost associated with this request;
Staff recommends APPROVAL of this item.

FINANCE DIRECTOR'S COMMENTS:

Recommend APPROVAL of this item.

PROCUREMENT DIRECTOR'S COMMENTS:

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-289R

PARKS & RECREATION AGENDA ITEM:

Resolution No. 2021-289R, a resolution of the City Council of the City of St. Cloud, Florida, further defining the term "Resident" and "Non-Resident" with regard to purchases made at Mt. Peace Cemetery.

COST: There is no cost associated with this item.

This item is to clarify the definition of Resident and Non-Resident.

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.

BACKGROUND INFORMATION:

The Mt. Peace Cemetery fee resolution was updated and brought before Council on August 12, 2021 for approval. The purpose of this resolution is to clearly define resident and non-resident. These definitions are consistent with the definitions used in our other fee resolutions and are as follows:

Residents, defined as an Ad Valorem Tax Payer owning property within the corporate limits of St. Cloud on which the purchaser pays ad valorem taxes to the City of St. Cloud for said property.

Non-residents, a non-Ad Valorem Tax payer who does not own property within the corporate limits of St. Cloud on which the purchaser does not pay ad valorem taxes to the City of St. Cloud.

REQUEST:

Staff is requesting approval of Resolution No. 2021-289R, further defining and clarifying resident vs. non-resident.

LEGAL AUTHORITY:

City Code Chapter 50-6 and 50-7.

BUDGET AND RECOMMENDATION:

No cost associated with this item.

Staff recommends **APPROVAL** of Resolution No. 2021-289R

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/21 - Final Action



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-290R

PUBLIC WORKS AGENDA ITEM:

Resolution No. 2021-290R, 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 and providing an effective date.

COST: There is no cost associated with this item.

This item is for the revision of schedule of rates for the solid waste services to revise collection rates and transfer station usage charges.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The Public Works Solid Waste Division performed a feasibility study of operations privatization and the cost effectiveness of the division. This study was completed and presented to the City Council; which approved Resolution Number 2019-228R, maintaining the City owning the Solid Waste operations and updating the Solid Waste Fee schedule as shown in Rate Adjustment Scenario 3. Resolution Number 2021-290R is implementing the approved rates shown in year 3 in the Rate Adjustment Scenario 3.

In June 2021, the Public Works Solid Waste Division received a letter from Waste Connections JED Landfill notified the City of a disposal rate increase of 3.6%. The 3.6% increase was added to the Solid Waste Division Fee Schedule (Table A) to account for the increased cost of municipal solid waste disposal to the collection rates and transfer station rates (being proposed in Resolution Number 2021-290R) shown in year 3 in the Rate Adjustment Scenario 3. The Finance Department provided a division financial review and concurred with the rate adjustment.

REQUEST:

Revising the schedule of rates for the solid waste services to revise collection rates and transfer station usage charges

LEGAL AUTHORITY:

Ordinance 2004-13

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 - 11/18/2021



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-291R

ENVIRONMENTAL UTILITIES AGENDA ITEM:

Resolution 2021-291R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to accept a public utilities easement from Neptune Road Investments, LLC, for Tohoqua, a residential development, to have and to hold for all uses traditionally made of a public utilities easement.

COST: There is no cost associated with this item.

This item is for the acceptance of a public utilities easement for Tohoqua

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The easement is located on Tract LS-1 of Tohoqua Phase 4A, lift station site. South of Neptune Rd.; north of Macy Island Rd. and east of Cross Prairie Parkway and is to be used for City of St. Cloud utilities system(s).

REQUEST:

Request approval of resolution 2021-291R

LEGAL AUTHORITY:

Section 7.13.5 of the Land Development Code

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 11/18/21



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-292R

ENVIRONMENTAL UTILITIES AGENDA ITEM:

Resolution No. 2021-292R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to accept a public utilities easement from Andrew McIntee, for 115 17th St., a single residential home, to have and to hold for all uses traditionally made of a public utilities easement.

COST: No cost associated with this item.

This item is for the acceptance of a public utilities easement from Andrew McIntee.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The easement is located 115 17th St. on the south of 17th St.; north of 19th St., east of Delaware Ave. and west of Eastern Ave. and is to be used for City of St. Cloud utilities system(s).

REQUEST:

Request approval of resolution 2021-292R

LEGAL AUTHORITY:

Section 7.13.5 of the Land Development Code

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 11/18/21



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-296R

PUBLIC WORKS AGENDA ITEM:

Resolution No. 2021-296R, a resolution of the City Council of the City of St. Cloud, Florida, approving and authorizing a temporary Construction Easement granting Osceola County the right to access and enter upon City property for limited purposes as part of the Neptune Road Improvement Project; authorizing the City Manager to perform all acts necessary and appropriate to execute the temporary Construction Easement and providing for an effective date.

COST: There is no cost associated with this item.

This item is for a temporary Construction Easement granting Osceola County the right to access and enter upon City property for limited purposes as part of the Neptune Road Improvement Project.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Osceola County is designing improvements to Neptune Road. These proposed improvements at the intersection of Neptune Road and Old Canoe Creek Road require a Temporary Construction Easement. Osceola County requests that the City of St. Cloud dedicates the Temporary Construction Easement to help facilitate the roadway improvements at the intersection of Neptune Road and Old Canoe Creek Road.

REQUEST:

A temporary Construction Easement granting Osceola County the right to access and enter upon city property for limited purposes as part of the Neptune Road Improvement Project.

LEGAL AUTHORITY:

Florida Statutes 704.05

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 - 11/18/2021



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-297R

ENVIRONMENTAL UTILITIES AGENDA ITEM:

Resolution No. 2021-297R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to accept a public utilities easement from Ashton Business Park, LLC, for Rocker's Locker's, a commercial development, to have and to hold for all uses traditionally made of a public utilities easement.

COST: No cost associated with this item.

This item is for a public utility easement for Rocker's Locker's.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The easement is located on a portion of lot 1 in Blackwell's subdivision, on the north side of U.S. Hwy. 192, south of Green Dragon Dr., east of Puffin Rd. and west of Nora Tyson Rd. and is to be used for City of St. Cloud utilities system(s).

REQUEST:

Request approval of resolution 2021-297R

LEGAL AUTHORITY:

Section 7.13.5 of the Land Development Code

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 11/18/21



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-298R

PROCUREMENT AGENDA ITEM:

Resolution No. 2021-298R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the City Manager to negotiate an agreement, to be approved by City Council, with Song + Associates, Inc. to provide Architectural and Engineering (A&E) Services for New Fire Station per RFQ No. 2021-138, and providing an effective date.

COST: No cost associated with this item.

This item is to authorize the City Manager to negotiate an agreement with Song + Associates, Inc. for RFQ No. 2021-138 Architectural and Engineering (A&E) Services for New Fire Station.

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:

RFQ No. 2021-138 Architectural and Engineering (A&E) Services for New Fire Station was advertised in the Orlando Sentinel and on myvendorlink.com beginning on May 30, 2021, with a due date of July 1, 2021. Myvendorlink.com shows that there were 3911 matching vendors and 81 planholders for this RFQ.

The deadline for questions was 5:00 pm on June 11, 2021. Twelve (12) submittals were received from the following companies:

1. Architects Design Group
2. Architects RZK, Inc.
3. Bentley Architects & Engineers, Inc.
4. Borrelli + Partners, Inc.
5. ForeFront Architecture & Engineering
6. GatorSketch Corporation
7. KTH Architects, Inc.
8. Song + Associates, Inc.
9. Strollo Architects, Inc.
10. Synalovski Romanik Saye, LLC
11. The Lunz Group, Inc.
12. Wannemacher Jensen

An evaluation committee independently reviewed and scored the submittals according to the RFQ criteria. The committee held discussion on the scoring and ranking and determined interviews will be conducted with the following companies (in alphabetical order):

- Architects Design Group
- Bentley Architects & Engineers, Inc.
- Borrelli + Partners, Inc.
- KTH Architects, Inc.
- Song + Associates, Inc.

The evaluation committee independently reviewed and scored the interviews according to the interview criteria. The committee held discussion on the scoring and ranking and determined to recommend award to Song + Associates, Inc.

REQUEST:

Resolution No. 2021-298R will authorize the City Manager to negotiate an agreement with Song + Associates, Inc. for RFQ No. 2021-138 Architectural and Engineering (A&E) Services for New Fire Station.

LEGAL AUTHORITY:

St. Cloud Procurement Policy Article III, Sec. 3.

BUDGET AND RECOMMENDATION:

No cost associated with this item.

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

There is no cost associated with this item

PROCUREMENT DIRECTOR'S COMMENTS:

Recommend approval.

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-299R

PROCUREMENT AGENDA ITEM:

Resolution No. 2021-299R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Sourcewell RFP No. 032521-GPC, previously advertised for bid, whose subject matter is Aftermarket Vehicle Parts and Supplies, providing for the award thereof to Genuine Parts Company, dba NAPA Auto Parts, and providing an effective date.

COST: Undetermined at this time as goods are provided on an “as-needed” basis. This contract will be utilized by the Fleet Division for the purchase of automotive and truck replacement parts and supplies, on an as-needed basis, from various approved and budgeted projects and expenditure accounts throughout the fiscal year.

This item is to approve an agreement with Genuine Parts Company, dba NAPA Auto Parts.

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:

Utilizing this agreement will allow the City to purchase automotive and truck replacement parts and supplies from Genuine Parts Company, dba NAPA Auto Parts.

This item was posted for ten business days in accordance with the City of St. Cloud Procurement Policy, from October 13, 2021 through October 26, 2021 with no local vendor response.

REQUEST:

Resolution No. 2021-299R will allow the City of St. Cloud to enter into a contract for automotive and truck replacement parts and supplies from Genuine Parts Company, dba NAPA Auto Parts.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Undetermined at this time as goods are provided on an “as-needed” basis. This contract will be utilized by the Fleet Division for the purchase of automotive and truck replacement parts and supplies, on an as-needed basis, from various approved and budgeted projects and expenditure accounts throughout the fiscal year.

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR’S COMMENTS:

The proposed contract will be funded on an as-needed basis from various budgeted expenditure accounts of the adopted and approved budget in accordance with current policies.

PROCUREMENT DIRECTOR'S COMMENTS:

Recommend approval.

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-300R

PROCUREMENT AGENDA ITEM:

Resolution No. 2021-300R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Broward College RFP-2018-167-EH, previously advertised for bid, whose subject matter is Storm Drain Cleaning, Repairs, and Maintenance, providing for the award thereof to Shenandoah General Construction, LLC, and providing an effective date.

COST: Undetermined at this time. This contract will be utilized by the Public Works Department for storm drain cleaning, repairs, and maintenance, on an “as-needed basis” from various approved and budgeted projects and expenditure accounts throughout the fiscal year.

This item is to approve an agreement with Shenandoah General Construction, LLC.

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 is interested in receiving city-wide maintenance and emergency repairs from Shenandoah General Construction, LLC in the event of hurricane or flooding issues. Intended services range from pipe cleaning and repairs, injection fills, slip lining, CCTV inspections, CIPP, sediment removal, erosion control, rip rap rubble/rip rap fabricform bag, asphalt repairs, concrete repairs, and sod repairs. This company offers a wide range of scope of work that no other company offers, saving both time and money. Upon execution, this agreement will be in effect through November 26, 2022, and may be renewed as long as the agreement remains in effect with Broward College.

This item was posted for ten business days in accordance with the City of St. Cloud Procurement Policy, from October 27, 2021 through November 9, 2021, with no local vendor response.

REQUEST:

Resolution No. 2021-300R will allow the City of St. Cloud to enter into a contract for storm drain cleaning, repairs, and maintenance with Shenandoah General Construction, LLC.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Undetermined at this time. This contract will be utilized by the Public Works Department for storm drain cleaning, repairs, and maintenance, on an “as-needed basis” from various approved and budgeted projects and expenditure accounts throughout the fiscal year.

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

The proposed contract will be funded on an as-needed basis from various budgeted expenditure accounts of the adopted and approved budget in accordance with current policies.

PROCUREMENT DIRECTOR'S COMMENTS:

Recommend approval.

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-301R

PROCUREMENT AGENDA ITEM:

Resolution No. 2021-301R, a resolution of the City Council of the City of St. Cloud, Florida, approving a new Letter of Engagement with DeBeaubien, Simmons, Knight, Mantzaris & Neal, LLP to provide City Attorney Services for and on behalf of the City of St. Cloud, and providing an effective date.

COST: up to \$255,784.00

This item is to approve a new Letter of Engagement with DeBeaubien, Simmons, Knight, Mantzaris & Neal, LLP to provide City Attorney Services.

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:

City Attorney Services for and on behalf of the City of St. Cloud.

\$16,732.00 per month

\$140.00 per hour for each actual hour worked in a litigation matter, plus costs

\$125.00 per hour for each actual hour worked in a labor matter, plus costs

REQUEST:

Resolution No. 2021-301R will approve a new Letter of Engagement with DeBeaubien, Simmons, Knight, Mantzaris & Neal, LLP to provide City Attorney Services.

LEGAL AUTHORITY:

Sections 2.04 and 3.09 of the City Charter.

BUDGET AND RECOMMENDATION:

Budgeted \$255,784.00 /Actual Cost up to \$255,784.00

General Fund

001-2010-514.31-03 - \$200,784.00

001-3020-513.31-03 - \$40,000.00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommend approval.

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-302R

PROCUREMENT AGENDA ITEM:

Resolution No. 2021-302R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to execute Change Order Number 01 to Addendum No. 1 to Master Services Agreement No. 60335 between the City of St. Cloud and MCCi, LLC approved by Resolution No. 2020-288R, and providing an effective date.

COST: Actual cost up to \$11,685.00 (Total cost \$96,444.19 includes \$84,759.19 plus change order \$11,685.00)

This item is to approve Change Order Number 01 to Addendum No. 1 to Master Services Agreement No. 60335 with MCCi, LLC.

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:

Per the Building Department, additional funds are needed for scanning of physical documents exceeding original estimate.

REQUEST:

Resolution No. 2021-302R will approve Change Order Number 01 to Addendum No. 1 to Master Services Agreement No. 60335 with MCCi, LLC.

LEGAL AUTHORITY:

St. Cloud Procurement Policy Article II, Sec. 14.

BUDGET AND RECOMMENDATION:

Budgeted \$50,000.00/Actual Cost up to \$11,685.00

Building Fund

460-5510-515-34.00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommend approval.

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:
11/18/2021 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-303R

PROCUREMENT AGENDA ITEM:

Resolution No. 2021-303R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of one (1) 2022 International HV Roll-off Refuse Truck, with options and warranty, available through Florida Sheriff's Association Contract No. FSA20-VEH18.0, titled Heavy Trucks, and the award thereof to Cumberland International Trucks LLC, and providing an effective date.

COST: up to \$153,709.00

This item is for the purchase of one (1) 2022 International HV Roll-off Refuse Truck, with options and warranty, from Cumberland International Trucks LLC.

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:

Per the Public Works Department, this is a line item in the FY22 budget approved by Council.

This item was posted in accordance with the Procurement Policy for 10 days from November 1, 2021 through November 15, 2021, with no local response.

REQUEST:

Resolution No. 2021-303R will approve the purchase of one (1) 2022 International HV Roll-off Refuse Truck, with options and warranty, from Cumberland International Trucks LLC.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Budgeted \$153,709.00/Actual Cost up to \$153,709.00

Refuse Impact Fee 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.

PROCUREMENT DIRECTOR'S COMMENTS:

Recommend approval.

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-305R

PROCUREMENT AGENDA ITEM:

Resolution No. 2021-305R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a second amendment to the task authorization to the Continuing Contract and Agreement for Professional Architectural Services with Song + Associates, Inc. dated June 8, 2017, and any amendments thereto, for City Hall Building Secure Lobby In-Fill and Building Department Space Expansion Additional Services Request for Various Owner Requested Items, and providing an effective date.

COST: up to \$13,545.00 (Total cost of Task Authorization including the first and second amendments is not to exceed \$299,025.00)

This item will approve a second amendment to the task authorization with Song + Associates, Inc. for City Hall Building Secure Lobby In-Fill and Building Department Space Expansion Additional Services Request for Various Owner Requested Items.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Resolution No. 2020-296R approved the task authorization to the continuing contract and agreement for professional architectural services with Song + Associates, Inc. for City Hall Building Secure Lobby In-Fill and Building Department Space Expansion. Additional services are needed for various owner requested items to be done in conjunction with the atrium addition. The cost of the second amendment is not to exceed \$13,545.00. The total cost of the services including the first and second amendments is not to exceed \$299,025.00.

REQUEST:

Resolution No. 2021-305R will approve the second amendment to the task authorization with Song + Associates, Inc. for City Hall Building Secure Lobby In-Fill and Building Department Space Expansion Additional Services Request for Various Owner Requested Items.

LEGAL AUTHORITY:

Resolution No. 2020-296R approved on December 10, 2020.

BUDGET AND RECOMMENDATION:

Budgeted \$13,545.00/Actual Cost up to \$13,545.00

Building Fund

460-5510-515.31-00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommend approval.

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-307R

PLANNING AGENDA ITEM:

Resolution No. 2021-307R, a resolution of the City Council of the City of St. Cloud, Florida, approving and authorizing the Mayor to execute the First Amendment to and replacement of that certain electric utility easement date June 12, 1996 by and between Randall K. Larson and Donna M. Larson and the City of St. Cloud and providing for an effective date.

COST: No cost associated with this item.

This item is to amend and replace the electric utility easement dated June 12, 1996.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject site is located 1651 Narcoossee Rd. The applicant is requesting the abandonment of the utility easement established by OUC in 2003. The easement is not improved and would no longer be needed.

REQUEST:

The applicant is requesting an abandonment of utility easement. The property contains 36.21 acres more or less and the utility easement containing 20ft. more or less.

LEGAL AUTHORITY:

Section 5.5.4.C of the Land Development Code (LDC) provides for review of proposals to abandon easements and right-of-way.

BUDGET AND RECOMMENDATION:

There is no budget constraints associated with this case.

Staff reviewed this request on or before August 23, 2021, for the abandonment of the utility easement on the parcel containing 31.26 acres more or less and therefore recommend **APPROVAL** of Resolution No. 2021-307R.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:
11/18/2021- Final Action



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-309R

FINANCE AGENDA ITEM:

Resolution No. 2021-309R, a resolution of the City Council of the City of St. Cloud, Florida, supplementing Resolutions No. 2010-142R and 2017-188R of the City Council to authorize the use of the remaining unspent bond proceeds on current projects; providing for severability and providing an effective date.

COST: No cost associated with this item.

This item is use the remaining unspent bond proceeds.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The Original Resolution pursuant to which, among other things, the City issued its Capital Improvement Revenue Bonds Taxable Series 2010B (Build America Bonds - Direct Payments) (the "Series 2010B Bonds") to finance certain road improvements in the City as referred to in the Original Resolution as the "Series 2010 Project." The road improvements have been completed and there remains a portion of the proceeds of the Series 2010B Bonds in the Project Fund created and held under the Original Resolution. The Original Resolution, in particular Article IV thereof, permits the City Council from time to time, by resolution (without the consent of or notice to any Registered Owner or any Credit Facility Issuer), to supplement or substitute all or any portion of the Series 2010 Project, provided that such use will not adversely affect the status of the Bonds for federal income tax purposes of interest on the Bonds.

REQUEST:

Request City Council's approval of the use of the remaining unspent bond proceeds by the supplemental resolution, Resolution No. 2021-309R, which supersedes Resolution No. 2017-188R and Resolution No. 2010-142R.

LEGAL AUTHORITY:

Florida Statute 166.241 and City Code Section 2-212 - Amendments after adoption

BUDGET AND RECOMMENDATION:

No Cost associated with this request; Staff recommends approval.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-310R

ENVIRONMENTAL UTILITIES AGENDA ITEM:

Resolution No. 2021-310R, a resolution of the City Council of the City of St. Cloud, Florida, as authorized by Ordinance No. 2014-26 amending Article VII, Utilities Division 1, Basic Information of the Requirements and Standard for Environmental Utilities providing for severability, conflict, and an effective date.

COST: There is no cost associated with this item.

This resolution amends the Land Development Code adopting Distributed Wastewater Treatment Units as an alternative to provide wastewater service to a property under limited specific conditions when the sanitary sewer system is not available.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Environmental Utilities is recommending approval of Resolution 2021-310R amending the Land Development Code to provide for the approval and installation of an onsite distributed wastewater treatment unit (DWTU) for specific limited circumstances. There are occasional instances when wastewater service is needed or requested and the sanitary sewer system is not reasonably available. The location seeking sewer service would be located a distance from the nearest existing sanitary sewer and there are no plans in the immediate future to extend the sewer to a proximity to the property where connection would be practical. Additionally, there are instances of failure of existing septic tank systems where the sanitary sewer is not readily available and the installation of a DWTU could replace the septic tank and eliminate the environmental and public health issue. A DWTU is an individual wastewater treatment unit that provides a high level of wastewater treatment and nutrient removal which are approved and permitted by the Florida Department of Environmental Protection (FDEP). Operation and performance of each individual unit is provided through supervisory control and data acquisition technology communication. The units have been field tested by FDEP and the St. Johns River Water Management District. The City of Apopka has installed several units in a development in the Wekiva River basin to replace septic tanks and reduce nutrient discharges to the river. Some examples of where the installation of a DWTU could be appropriate are small commercial parcels in the County without access to sewer in the foreseeable future, large rural residential lots, five acres and larger, in the County without access to sewer, and properties with failing septic tanks and/or impacting surface water bodies.

The installed DWTU would be maintained by Environmental Utilities or the maintenance can be

contracted through Environmental Utilities. The customer would pay a monthly fee to cover the maintenance and monitoring of the unit. Installation of the unit would have to be permitted by the FDEP to the City.

The proposed Land Development code language that would approve the Distributed Wastewater Treatment Unit and the specific limited conditions under which one could be utilized is as follows:

7.1.32 DISTRIBUTED WASTEWATER TREATMENT UNITS

A property that does not have access to the sanitary sewer or is served by a septic tank may apply to the City to install a Distributed Wastewater Treatment Unit (DWTU). Criteria for evaluation of an application for a DWTU consist of the following:

1. Property served by a septic tank system with a drain field failure and/or within 150 feet of a surface water body.
2. Property cannot be practically served by the sanitary sewer system. Primary consideration of service availability is the distance from the existing sewer system, whether extension of the sanitary sewer system is planned and projected to be extended to the property, and the projected timing for an extension if planned.
3. At the sole discretion of the City, installation of a DWTU must be abandoned and the property connected to the sanitary sewer system if and when it becomes available to serve the property. Availability to serve would be the sanitary sewer located within 200 feet of the property within a public right of way or utility easement. Property owner must enter into an agreement with the City to connect to the sanitary sewer system when service becomes available and such agreement would be recorded as an obligation of the property owner.
4. Property owner must pay the current sewer impact fee at the time of the installation of the DWTU.
5. Property owner must submit a complete and executed application for the installation of a Distributed Wastewater Treatment Unit to the City which includes:
 - a. An agreement to pay a monthly fee for service and maintenance.
 - b. A grant of easement and access by the City to utility-owned facilities on the customer's premises for the purpose of installing, maintaining, inspecting, sampling, and removing utility property and shall have access to the premises during normal working hours for these purposes. The customer shall grant or cause to be granted to the City without cost to the City all rights, easements, permits and privileges which in the opinion of the City are necessary for the rendering of service to the property.
6. The DWTU must be permitted as a part of a Distributed Wastewater Treatment System

with the Florida Department of Environmental Protection with the City of St Cloud as the permit holder. The Distributed Wastewater Treatment System will be a Sub-Regional System as reference in 7.13.2C.

7. The DWTU must be approved by the Florida Department of Environmental Protection.

REQUEST:

Approval of Resolution 2021-310R

LEGAL AUTHORITY:

Ordinance No. 2014-26

BUDGET AND RECOMMENDATION:

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 11/18/21



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-311R

PROCUREMENT AGENDA ITEM:

Resolution No. 2021-311R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of one (1) Elgin Whirlwind Street Sweeper MV Dual 28" Sidebroom (M2), with options and warranty, available through Sourcewell Contract #122017-FSC-1, titled Sewer Vacuum, Hydro-Excavation and Street Sweeper Equipment with Related Accessories and Supplies, and the award thereof to Federal Signal Corporation and their subsidiary, Environmental Products Group, and providing an effective date.

COST: up to \$307,521.00 (includes equipment cost of \$293,121.00 plus the first year cost of a 5-year Annual Turn-Key Maintenance of \$14,400.00)

This item is for the purchase of one (1) Elgin Whirlwind Street Sweeper MV Dual 28" Sidebroom (M2), with options and warranty, from Environmental Products Group.

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:

Per Donald Edwards, Public Works Director, this a replacement street sweeper as approved by Council in the FY22 budget.

This item was posted in accordance with the Procurement Policy for 10 days from November 1, 2021 through November 15, 2021, with no local response.

REQUEST:

Resolution No. 2021-311R will approve the purchase of one (1) Elgin Whirlwind Street Sweeper MV Dual 28" Sidebroom (M2), with options and warranty, from Environmental Products Group.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Budgeted \$307,521.00/Actual Cost up to \$307,521.00 (includes equipment cost of \$293,121.00 plus the first year cost of a 5-year Annual Turn-Key Maintenance of \$14,400.00)

Stormwater Utility

450-7063-538.64-00 - \$293,121.00

450-7063-538.46.01 - \$14,400.00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommend approval.

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-312R

PROCUREMENT AGENDA ITEM:

Resolution No. 2021-312R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Sourcewell RFP #040621 whose subject matter is Bulk Solid Waste and Recycling Equipment, providing for the award thereof to Wastequip Manufacturing Company LLC, and providing an effective date.

COST: Undetermined at this time. This contract will be utilized by the Public Works Department for the purchase of bulk solid waste and recycling equipment, on an “as-needed basis” from various approved and budgeted projects and expenditure accounts throughout the fiscal year.

This item will approve the purchase of roll-off containers from Wastequip Manufacturing Company, LLC.

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 contract will be utilized for the purchase of 2, 4, 6 and 8 yard dumpsters for replacement of old dumpsters as well as new roll-off containers for transport waste materials. The Solid Waste Division has an immediate need to purchase roll off containers in the amount of \$37,960.00.

This item was posted in accordance with the Procurement Policy for 10 days from November 3, 2021 through November 17, 2021, with no local response.

REQUEST:

Resolution No. 2021-312R will approve the purchase of roll-off containers from Wastequip Manufacturing Company, LLC.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Undetermined at this time. This contract will be utilized by the Public Works Department for the purchase of bulk solid waste and recycling equipment, on an “as-needed basis” from various approved and budgeted projects and expenditure accounts throughout the fiscal year.

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

The proposed contract will be funded on an as-needed basis from various budgeted expenditure accounts of the adopted and approved budget in accordance with current policies.

PROCUREMENT DIRECTOR'S COMMENTS:

Recommend approval.

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Consent Agenda
Resolution 2021-313R

PROCUREMENT AGENDA ITEM:

Resolution No. 2021-313R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a first amendment to and extension of the agreement dated November 5, 2020 between the City of St. Cloud and PFM Asset Management LLC for investment advisor services, and providing an effective date.

COST: up to \$74,600.00

This item will extend the agreement with PFM Asset Management LLC through October 31, 2022.

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:

Per Wendy Collazo, Finance Director, PFM Asset Management LLC provides investment management services to maximize earnings on the City's investment portfolio of surplus funds, approximately \$150M. Professional management for a portfolio of this size is both cost effective and in the best interest of the City's cash management function. The additional investment earnings realized through professional management is projected to exceed the additional cost of this service.

REQUEST:

Resolution No. 2021-313R will extend the existing agreement with PFM Asset Management LLC for investment advisor services through October 31, 2022.

LEGAL AUTHORITY:

Resolution No. 2020-270R approved on October 22, 2020.

BUDGET AND RECOMMENDATION:

Budgeted \$74,600.00/Actual Cost up to \$74,600.00

General Fund

001-4010-513.31-00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommend approval.

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Ordinance 2021-36

First Public Hearing: August 12, 2021

Second Public Hearing: November 18, 2021

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2021-36, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 219 acres identified as The Ranch at St. Cloud, located east of Narcoossee Road, and south of Jones Road; in accordance with the voluntary annexation provisions of Chapter 171.044, Florida Statutes.(Above is full title)**ACTION ON ORDINANCE NO. 2021-36.**

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.

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

BACKGROUND INFORMATION:

The subject property associated with this voluntary annexation is generally located south of Jones Road and east of Narcoossee Road. The properties are comprised of two parcels totaling approximately 219 acres within the Joint Planning Area (JPA). They have a Future Land Use Map designation of Low Density Residential (County) and a Zoning Map designation of "US" Urban Settlement (County).

The applicant is requesting annexation into the City of St. Cloud. Concurrently, the applicant is requesting a Future Land Use of Park/Open Space and a Zoning Map Amendment to "OR" Open Space and Recreation.

REQUEST:

The applicant is requesting consideration of Annexation of approximately 219 acres of land, including any and all adjacent rights-of-way, into the City of St. Cloud.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission meeting held on July 20, 2021 and is authorized to render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 Required Findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment for the City Council's review.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** of the request for an Annexation for Ordinance No. 2021-36.

The Planning Commission recommended **APPROVAL** of the request for Annexation for Ordinance No. 2021-36 on July 20, 2021.

On August 12, 2021 the City Council discussed the annexation request of the applicant. A motion to approve was made by Council Member Matheny. The motion was seconded by Council Member Askew and was carried unanimously 4-0 with all members voting "Aye".

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/21 - Final Action

08/12/2021 - Motion to approve was made by Council Member Matheny and seconded by Council Member Askew. Motion passed, vote 4-0, with all members voting "Aye."



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Ordinance 2021-37

First Public Hearing: August 12, 2021

Second Public Hearing: November 18, 2021

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2021-37, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of “Park/Open Space” to approximately 219 acres identified as The Ranch at St. Cloud, located east of Narcoossee Road, and South of Jones road; providing for amending the Official Future Land Use Map of the Comprehensive Plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2021-37.**

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.

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

BACKGROUND INFORMATION:

The subject property is generally located south of Jones Road and east of Narcoossee Road. The property is comprised of a two parcels totaling approximately 219 acres. They have a Future Land Use Map designation of Low Density Residential (County) and a Zoning Map designation of “US” Urban Settlement (County).

The applicant is requesting to change the Future Land Use designation to Park/Open Space.

REQUEST:

The applicant is requesting consideration of a Future Land Use Map designation from Low Density Residential (County) to Park/Open Space (City) for approximately 219 acres of land known as The Ranch at St. Cloud.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission meeting held on July 20, 2021 and is authorized to render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 Required Findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment for the City Council’s review.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** of the request for a Comprehensive Plan Amendment for Ordinance No. 2021-37.

The Planning Commission recommended **APPROVAL** of the request for Comprehensive Plan Amendment for Ordinance No. 2021-37 on July 20, 2021.

On August 12, 2021 the City Council discussed the Comprehensive Plan Amendment request of the applicant. A motion to approve was made by Council Member Matheny. The motion was seconded by Council Member Askew and was carried unanimously 4-0 with all members voting “Aye”.

FINANCE DIRECTOR’S COMMENTS:

N/A

PROCUREMENT DIRECTOR’S COMMENTS:

N/A

CITY MANAGER’S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action

08/12/2021 - A motion to approve was made by Council Member Matheny. The motion was seconded by Council Member Askew and was carried unanimously 4-0 with all members voting “Aye”.



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Ordinance 2021-38

First Public Hearing: August 12, 2021

Second Public Hearing: November 18, 2021

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2021-38, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of “Open Space and Recreation”, compatible with a “Park/Open Space” Future Land Use designation change, adopted by Ordinance No. 2021-37, for approximately 219 acres identified as The Ranch at St. Cloud, located east of Narcoossee Road, and south of Jones Road; providing for entering the designation on the Official Zoning Map, filing of the Planning Commission recommendation and proof of publication, severability, and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2021-38. (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.

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:

The subject property is generally located south of Jones Road and east of Narcoossee Road. The property is comprised of a two parcels totaling approximately 219 acres. They have a Future Land Use Map designation of Low Density Residential (County) and a Zoning Map designation of “US” Urban Settlement (County).

The applicant is requesting to rezone the subject property to “OR” Open Space and Recreation, which is consistent with the proposed request for a Large Scale Future Land Use Map amendment to Park/Open Space (CPA21-00009, Ord. No. 2021-37).

REQUEST:

The applicant is requesting consideration of a Zoning Map Amendment from “US” Urban Settlement (County) to “OR” Open Space and Recreation (City) for approximately 219 acres of land, known as The Ranch at St. Cloud.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission meeting held on July 20, 2021 and is authorized to render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 Required Findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment for the City Council’s review.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** of the request for a Zoning Map Amendment for Ordinance No. 2021-38.

The Planning Commission recommended **APPROVAL** of the request for Zoning Map Amendment for Ordinance No. 2021-38 on July 20, 2021.

On August 12, 2021 the City Council discussed the Zoning Map Amendment request of the applicant. A motion to approve was made by Mayor Blackwell. The motion was seconded by Council Member Matheny and was carried unanimously 4-0 with all members voting "Aye".

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action

08/12/2021 - Passed, motion made by Mayor Blackwell and seconded by Council Member Matheny, Vote 4-0, with all members voting "Aye."



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Ordinance 2021-57

First Public Hearing: September 9, 2021

Second Public Hearing: November 18, 2021

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2021-57, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating and abandoning the right-of-way located east of Whisler Court and north of 10th Street, specifically described in the body of this ordinance; providing for severability, conflicts and an effective date.(Above is full title)
ACTION ON ORDINANCE NO. 2021-57

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject site is located east of Whisler Ct. and north of 10th St. The applicant is requesting the abandonment of the right-of-way to construct 10 single family residences (SFR). The right-of-way is unimproved.

The applicant would like the unused right-of-way to be abandoned prior to the property being platted. An Additional 8 feet of right-of-way is being requested by Osceola County along 10th Street.

REQUEST:

The applicant is requesting an abandonment of a 30-foot wide right-of-way. The property contains 643,400 square feet and 15.21 acres more or less and the right-of-way containing 18,720 sqft. or 0.42 acres more or less.

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.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **CONDITIONAL APPROVAL** of the requested right-of-way abandonment associated with Ordinance No. 2021-57, with the following condition:

- 8' of Right-of-Way shall be dedicated along 10th Street along the entire frontage of the property as a part of the associated Preliminary Subdivision plan (SUB20-00020) currently in review and in subsequent development applications.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021- Final Action

10/14/2021 - Applicant request for this case to be continued to date certain of 11/18/2021
09/09/2021- On September 9, 2021, the City Council discussed the proposed right-of-way abandonment. A motion to approve was made by Council Member Matheny. The motion was seconded by Mayor Blackwell and was carried unanimously (4-0).



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Ordinance 2021-21

First Public Hearing: November 18, 2021

Second Public Hearing: February 10, 2022

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-21, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 91.8 acres identified as Pine Grove Reserve, located north of East Irlo Bronson Memorial Highway, and west of Pine Grove Road; in accordance with the voluntary annexation provisions of Chapter 171.044, Florida Statutes (Above is full title) (Final Public Hearing will be heard on February 10, 2022) **ACTION ON ORDINANCE NO. 2021-21**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property associated with this voluntary annexation is generally located north of East Irlo Bronson Highway (US 192) and West of Pine Grove Road. The property is comprised of two parcels totaling approximately 91.8 acres within the Joint Planning Area (JPA). They currently have a Future Land Use Map designation of Low Density Residential (County) and a Zoning Map designation of “LDR” Low Density Residential (County).

The applicant is requesting annexation into the City of St. Cloud. Concurrently, the applicant is requesting a Future Land Use designation of Low Density Residential and a Zoning Map designation of “PUD” Planned Unit Development.

REQUEST:

The applicant is requesting consideration of Annexation of approximately 91.8 acres of land, including any and all adjacent rights-of-way, into the City of St. Cloud, as shown on **Figure 1** above.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 required findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment for the City Council’s review.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** of the request for Annexation for Ordinance No. 2021-21.

The Planning Commission recommended **APPROVAL** of the request for Annexation for Ordinance No. 2021-21 on October 19, 2021.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

2/10/22 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Ordinance 2021-23

First Public Hearing: November 18, 2021

Second Public Hearing: February 10, 2022

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-23, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of "Low Density Residential" to approximately 91.8 acres identified as Pine Grove Reserve, located North of East Irlo Bronson Memorial Highway, and west of Pine Grove Road; providing for amending the Official Future Land Use Map of the Comprehensive Plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) (Final Public Hearing will be heard on February 10, 2022) **ACTION ON ORDINANCE NO. 2021-23**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is generally located north of East Irlo Bronson Hwy. and west of Pine Grove Road. The property is comprised of a two parcels totaling approximately 91.8 acres. They have a Future Land Use Map designation of Low Density Residential (County) and a Zoning Map designation of "LDR" Low Density Residential (County).

The applicant is requesting to change the Future Land Use designation to Low Density Residential.

REQUEST:

The applicant is requesting consideration of a Future Land Use Map designation from Low Density Residential (County) to Low Density Residential (City) for approximately 91.8 acres of land known as Pine Grove Reserve.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 required findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment for the City Council's review.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** of Ordinance No. 2021-23 for the request for a Large Scale Future Land Use Map Amendment to the Comprehensive Plan.

The Planning Commission recommends **APPROVAL** of the request for Large Scale Future Land Use Map Amendment for Ordinance No. 2021-23 on October 19, 2021.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

2/10/22 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Ordinance 2021-24

First Public Hearing: November 18, 2021

Second Public Hearing: February 10, 2022

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-24, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of Planned Unit Development (PUD), compatible with a "Low Density Residential" Future Land Use designation change, adopted by Ordinance No. 2021-23, for approximately 91.8 acres identified as Pine Grove Reserve, located north of East Irlo Bronson Memorial Highway, and west of Pine Grove Road; providing for entering the designation on the official zoning map, providing for approval of the Preliminary/Final Master Plan, filing of the Planning Commission recommendation and proof of publication, severability, conflicts and effective date (Above is full title)(Final Public Hearing will be heard on February 10, 2022) **ACTION ON ORDINANCE NO. 2021-24 (This is a Quasi-judicial proceeding)**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property associated with this proposed "PUD" - Planned Unit Development Zoning Map Amendment and combined Preliminary Master Plan (PMP) / Final Master Plan (FMP) encompasses approximately 91.8 acres that is generally located north of East Irlo Bronson Hwy. and west of Pine Grove Road.

The current zoning is "LDR"- Low Density Residential (County) and the current Future Land Use Map designation is Low Density Residential (County). The applicant is requesting to rezone the subject property to PUD, which is consistent with the proposed request of Ordinance No. 2021-23 for a Large-Scale Future Land Use Map Amendment to Low Density Residential (City).

REQUEST:

The applicant is requesting consideration of a "PUD" - Planned Unit Development zoning district and approval of a combined Preliminary Master Plan (PMP) / Final Master Plan (FMP) for approximately 91.8 acres of land, known as Pine Grove Reserve.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 required findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment for the Planning Commission's review.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

The Planning Commission recommended **APPROVAL WITH CONDITIONS** of the request for Planned Unit Development zoning district and approval of a combined Preliminary Master Plan (PMP) / Final Master Plan (FMP) for Ordinance No. 2021-24 on October 19, 2021, with the following conditions:

- Make the recommended changes to Building Elevations to reflect the select Residential Architectural Standards within the PMP/FMP, including the Non-Monotony, Garage, Composition, and Windows and Doors recommendations
- Reply to and satisfy the outstanding DRC Comments, including:
 1. Correcting the note on open space at the north end of the property
 2. Removing the area shown as future right of way
 3. Distinguishing the public vs. private areas maintenance
 4. Removing the wetlands designation of “conservation”
 5. Modifying the sheet index as recommended
 6. Confirming the layout of the amenity/clubhouse area
 7. Changing the title of the Tree Survey in the title block
 8. Shifting a few trees within a lot on the Landscape Plans
 9. Incorporating the final Density calculations
 10. Incorporating the final Lot Coverage/Impervious Surface calculations
 11. Confirming the 10’ Perimeter Buffer
- Modify the Transportation Impact Analysis to:
 - o Appropriately account for those other not-yet vested, but anticipated trips and to reevaluate the necessary improvements to mitigate the development’s impact accordingly.
 - o Show the potential connection to the west and Nova Road and to evaluate the trip distribution that would result from the connection being provided.

Staff reviewed this request for a Zoning Map Amendment and combined Preliminary / Final Master Plan (PMP/FMP) in a final review received after the Planning Commission meeting on November 4, 2021.

Staff recommends **CONDITIONAL APPROVAL** of the requested Zoning Map Amendment and Preliminary / Final Master Plan (PMP) associated with Ordinance 2021-24, with the following conditions:

- Make the recommended changes to Building Elevations to reflect the select Residential Architectural Standards within the PMP/FMP, including:
 - ***Non-Monotony Clause.*** Architectural elevations and façade of homes shall vary from adjacent homes and include self-regulating monotony clause whereby no more than two models of the same type, paint color and elevations shall be adjacent or across the street from each other.
 - ***Garages.*** Where the garage door (measurement shall be from each end of the garage door itself) comprises more than fifty (50) percent of the front façade, remedies must be taken to reduce the visual impact of the garage mass.
 - ***Composition.*** Vertical material transitions shall occur at inside corners or wrap at least eighteen (18) inches around an outside corner.
 - ***Windows and Doors.*** Windows and doors shall be accentuated through measures

such as:

- o Adding trim/sills and lintels or other similar treatment;
 - o Providing shutters or awnings; framing through the use of façade materials;
 - o Decorative shutters shall be scaled and affixed to have the appearance of functioning shutters. Heavily tinted or reflective windows are not permitted.
 - o Use of bay windows; and/or recessing the window
- Modify the buffer area adjacent to Lot 203 to be a minimum of 10' to be consistent with the Ordinance language.
 - Continue the assessment of the Transportation Impact Analysis to determine the required off-site improvements within the Preliminary Subdivision and Subdivision Construction Plan reviews.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

2/10/22 - Final Action



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Ordinance 2021-55

First Public Hearing: November 18, 2021

Second Public Hearing: December 9, 2021

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE 2021-55, an ordinance of the City Council of the City of St. Cloud, Florida, amending the Land Development Code of the City of St. Cloud, Florida to include Article III - Zoning Regulations, Division 27 - Entertainment District in its entirety, providing for severability, conflicts, codification, and effective date. (Above is full title) (Final Public Hearing will be heard on December 9, 2021)

ACTION ON ORDINANCE NO. 2021-55

STRATEGIC PLAN GOAL:

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 collaboration with the businesses located in the downtown, the City is proposing the use of Outside Alcohol Consumption and the creation of an Entertainment District Event Permit to create opportunities for a concentration of amenities and entertainment venues within a pedestrian friendly segment of the City's Downtown.

On September 29, 2021, City Staff hosted a community meeting to discuss the amendment with city residents and business owners. City staff provided a packet containing the language of the proposed amendment and provided a presentation for the attendees, in person, online, and through the TV. The community asked questions regarding the proposed changes and were provided with answers during the meeting. No negative feedback received during the meeting nor during the feedback collection week given after the meeting.

Article III, Division 27 - Entertainment District is amended to include the following:

Sec. 3.27.2 District Boundaries

The district boundaries extend from 9th Street to the North, Florida Avenue to the East, 13th Street to the South, and Massachusetts Avenue to the West. The boundaries include properties directly adjacent to the district lines.

Sec 3.27.3 Definitions

Alcoholic Beverages: Includes beer, wine, and liquor

Approved Container: Means a 16floz plastic cup marked by a City approved identifying logo

Outside: This shall mean side-walks, streets, alleyways, and designated street crossing paths within the district

Registered Establishments: a State licensed alcoholic beverage dispensing establishment within the District who registered with the City to serve alcoholic beverage for outside consumption

Sec 3.27.4 Outside Consumption in the entertainment district

- Wednesday to Saturday from 11am-12am; extended hours may be granted for City and City Sponsored events; not to exceed City Code provisions on alcohol sales hours
- Only registered establishments within the Entertainment District can dispense alcoholic beverages for removal of premises.
- No more than one (1) drinks person for removal from premises
- Alcoholic beverages can only be removed from premises in an approved container that holds no more than 16 fluid ounces
- No drinks to be brought in from outside the district
- No bottle, aluminum or glass, container permitted for alcoholic beverages consumption is permitted outside of premises within the district.
- For events in the Entertainment District, an Entertainment District Event Permit will be required. Certain restrictions and regulations on the Ordinance can be waived by an approved Entertainment District Event Permit such as approved containers and establishment registration.

Sec. 3.27.5 Entertainment District Event Permit

- Required for those events that are one time or re-occurring events outside of the normal day to day business within the District and designed to attract an influx of visitors
- The City Manager and/or designee will review the permit application
- Mobile Food Dispensing Vehicles (MFDV) are permitted with an approved permit as part of an event
- The City of St. Cloud is exempt from the permitting process
- Issuance of this permit does not relieve any person from obtaining other permits and/or licenses from the State and/or the City

Sec. 3.27.6 Application for Permit

- Delineates the required documentation for the application
- Establishes the fees for the permit to be set by Resolution from the City Council

Sec.3.27.9 Hours for music and entertainment

- Outdoor, music, singing, or entertainment is permitted until 1:30am, providing compliance with the City's Noise Ordinance.
- Exemptions given if an Entertainment District Event Permit is issued

Security Plan

The city has allocated funds to enhance security in the District in anticipation for the approval of the Amendment. The funds will be used to enhance surveillance in the District with new Patrol Officers designated to work during hours of operations of the Open Container times and the purchase and installation of more surveillance cameras in the District.

In addition to the above, the City has partnered with downtown businesses and nonprofits to come up with ways to ensure the safety of all within the District. Signage will be placed throughout the District and businesses to identify boundaries, the Ordinance provisions, and things for patrons to know.

REQUEST:

Ordinance No. 2021-55 is proposing changes to Article III - "Zoning Regulations", Division 27 - "Entertainment District".

LEGAL AUTHORITY:

The City Council Requested Action is legally authorized per section 3.4.5 of the Land Development Code to review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** of Ordinance No. 2021-55 for an amendment to Article III - "Zoning Regulations", Division 27 - "Entertainment District" of the Land Development Code.

At the time of Agenda Upload the Planning Commission Meeting has not taken place. This item will go in front of the Planning Commission on November 16, 2021. Their recommendation will be given at the November 18, 2021 City Council Meeting.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

12/09/2021- Final Action



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Ordinance 2021-58

First Public Hearing: November 18, 2021

Second Public Hearing: December 9, 2021

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-58, an ordinance of the City Council of the City of St. Cloud, Florida, rezoning 10.31 ± acres identified as Fertic Townhomes from "A" Agriculture to "R-3" Multi-family Residential, compatible with a "Medium Density Residential" Future Land Use designation adopted by Ordinance No. 2021-68, located east of Michigan Avenue, and south of Fertic Road; providing for entering the designation on the Official Zoning Map, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) (Final Public Hearing will be heard on December 9, 2021) **ACTION ON ORDINANCE NO. 2021-58**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is generally located south of Fertic Road and east of Michigan Avenue. The property is comprised of two parcels totaling approximately 10.31 acres. It currently has a Future Land Use Map designation of Low Density Residential (City) and a Zoning Map designation of "A" Agriculture (City). The applicant has submitted an application to amend the Comprehensive Plan Future Land Use Map designation from Low Density Residential to Medium Density Residential. The applicant is requesting to change the subject property zoning to "R-3" Multifamily Residential, which is consistent with the Future Land Use Map as amended. A Preliminary Subdivision Plan has been submitted as well. This plan allows for up to 80 townhomes.

REQUEST:

The applicant is requesting consideration of a Zoning Map amendment from "A" Agriculture (City) to "R-3" Multifamily Residential District (City) for approximately 10.31 acres of land, known as Fertic Townhomes.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 required findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant's responses to the 16 required findings have been provided as an attachment for the City Council's review.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** of Ordinance No. 2021-58.

The Planning Commission recommendation will be available after their meeting on November 16, 2021, and will be presented to City Council during the November 18, 2021 meeting.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

12/9/21 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Ordinance 2021-65

First Public Hearing: November 18, 2021

Second Public Hearing: December 9, 2021

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-65, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating and abandoning the easement located at 1750 and 1770 Druliner Road, 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 9, 2021). **ACTION ON ORDINANCE NO. 2021-65**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject site is located east of Druliner Road and north of Nova Road. The applicant is requesting the abandonment of the unimproved utility easement. The applicant would like the utility easement to be abandoned prior to the property being platted.

REQUEST:

The applicant is requesting an abandonment of a utility easement containing 3,500 sq ft. or .08 acres more or less.

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.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff reviewed this request to abandon the easement on or before September 8, 2021, and recommends **APPROVAL** of Ordinance No. 2021-65.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021- First Public Hearing

10/14/2021-Staff requested a continuation to a date certain for the November 18, 2021 City Council meeting



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Ordinance 2021-68

First Public Hearing: November 18, 2021

Second Public Hearing: December 9, 2021

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2021-68, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of “Medium Density Residential” to approximately 10.31 acres identified as Fertic Townhomes, located east of Michigan Avenue, and south of Fertic Road; providing for amending the Official Future Land Use Map of the Comprehensive Plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) (Final Public Hearing will be heard on December 9, 2021)

ACTION ON ORDINANCE NO. 2021-68

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is generally located south of Fertic Road and east of Michigan Avenue. The property is comprised of two parcels totaling approximately 10.31 acres. It currently has a Future Land Use Map designation of Low Density Residential (City) and a Zoning Map designation of “A” Agriculture (City). The applicant has submitted an application to amend the Comprehensive Plan Future Land Use Map designation from Low Density Residential to Medium Density Residential. The applicant is requesting to change the subject property zoning to “R-3” Multifamily Residential, which is consistent with the Future Land Use Map as amended. A Preliminary Subdivision Plan has been submitted as well. This plan allows for up to 80 townhomes.

REQUEST:

The applicant is requesting consideration of a Future Land Use Map amendment from Low Density Residential (City) to Medium Density Residential (City) for approximately 10.31 acres of land, known as Fertic Townhomes.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 required findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant’s responses to the 16 required findings have been provided as an attachment for the City Council’s review.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** of Ordinance No. 2021-68.

The Planning Commission recommendation will be available after its meeting on November 16, 2021, and will be presented to City Council during the November 18, 2021, meeting.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

12/9/21 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Public Hearings
Resolution 2021-266R

FINANCE AGENDA ITEM:

RESOLUTION NO. 2021-266R, a resolution of the City Council of the City of St. Cloud, Florida, amending Resolution No. 2020-215R, which adopted the fiscal year 2020/2021 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 2020/2021 budget, requiring the budget to be increased to include said additional funding the various funds making supplemental appropriations within the funds. (Above is full title) **ACTION ON RESOLUTION NO. 2021-266R**

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 appropriation 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 the line items to procure services and equipment.

REQUEST:

Request City Council's approval to amend the fiscal year 2020/2021 budget through resolution 2021-266R.

LEGAL AUTHORITY:

Florida Statutes 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:

Recommend **APPROVAL** of this item.

PROCUREMENT DIRECTOR'S COMMENTS:

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021 - Final Action



MEETING: November 18, 2021

Agenda Item Type: Public Hearings

First Public Hearing: November 18, 2021

PLANNING AGENDA ITEM:

RESOLUTION NO. 2021-306R, a resolution of the City Council of the City of St. Cloud, Florida, in support of The Consolidated Annual Performance and Evaluation Report (CAPER) required by the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) and authorizing the Mayor to approve the report. (Above is full title) **ACTION ON RESOLUTION NO. 2021-306R**

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.

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

BACKGROUND INFORMATION:

The City of St. Cloud's CDBG program is carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and goals identified in the City's 2019-2023 Consolidated Plan. The City reports to HUD on accomplishments and progress toward Consolidated Plan goals in the Consolidated Annual Performance and Evaluation Report (CAPER).

REQUEST:

Resolution No. 2021-306R will authorize the Mayor to approve the PY (Program Year) 2020 Consolidated Annual Performance and Evaluation Report (CAPER).

LEGAL AUTHORITY:

The City Council is authorized to pursuant to Sec. 2.04 - General Powers of the City Charter of the City Code for Governance and to establish funding programs.

BUDGET AND RECOMMENDATION:

Staff recommends **APPROVAL** of this request.

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 11/18/2021



MEETING: November 18, 2021

Agenda Item Type: Council Action
Resolution 2021-246R

First Public Hearing: November 18, 2021

PLANNING AGENDA ITEM:

Resolution No. 2021-246R, a resolution of the City Council of the City of St. Cloud, Florida, amending legal notice and advertising procedures for public hearings before the Board of Adjustment, Planning Commission, and City Council.

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:

The City of St. Cloud Land Development Code requires legal notices for public hearings in accordance with applicable Florida Statutes. Additional legal notice procedures for public hearings are authorized by resolution of the City Council. Resolution No. 2014-002R was approved by City Council on January 9, 2014 to establish additional legal notice and advertising procedures for public hearings. Changes to this resolution were made in 2016 to eliminate certified mailings to reduce both the cost of mailing and staff time.

In 2021, the state legislature eliminated the mailing requirement. Osceola County and the City of Kissimmee currently mail notices to property owners within 300'. The City of St. Cloud utilizes the same distance requirement but expands notification to include tenants.

On August 12, 2021, the City Council directed mailing distances increase to ensure that notifications included large parcels as well as entire subdivisions. To achieve this, Resolution 2021-246R amends advertising procedures to expand the notification buffer from 300 to 500 feet and complete subdivisions when a portion of the subdivision is within the 500 feet buffer.

Using the recent DRC case Druliner Rd. Rezoning, mailings would have increased from 95 to 522 piece of mail.

REQUEST:

Discussion and possible action regarding additional advertising procedures for public hearings.

LEGAL AUTHORITY:

Per Section 3.4.4 of the City of St. Cloud Land Development Code, the City Council may authorize additional legal notice procedures for public hearings by resolution of the city council.

BUDGET AND RECOMMENDATION:

There is no budget associated with this item.

Staff recommends no action taken in order to remain consistent with Osceola County and the City of Kissimmee.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/21 - Final Action.



MEETING: November 18, 2021

Agenda Item Type: Council Action
Resolution 2021-293R

ENVIRONMENTAL UTILITIES AGENDA ITEM:

Resolution No. 2021-293R, a resolution of the City Council of the City of St. Cloud, Florida, approving a water and wastewater agreement from Clayton Properties Group, Inc., for Sienna Reserve Phase 3, a residential development located in the unincorporated area of Osceola County to the north of Jones Rd., south of Jack Brack Rd., east of Narcoossee Rd. and west of Outback Rd.; authorizing the City Manager to execute the agreement and providing an effective date.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

This 42 residential unit development, Sienna Reserve Phase 3 is located in the unincorporated area of Osceola County north of Jones Rd., south of Jack Brack Rd., east of Narcoossee Rd. and west Outback Rd. and is requesting water and sewer service by the City of St. Cloud Utilities System.

REQUEST:

Request approval of resolution 2021-293R

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 11/18/21



MEETING: November 18, 2021

Agenda Item Type: Council Action
Resolution 2021-294R

ENVIRONMENTAL UTILITIES AGENDA ITEM:

Resolution No. 2021-294R, a resolution of the City Council of the City of St. Cloud, Florida, approving a water and wastewater agreement from Park Square Homes, for a 91 unit residential development named Wiregrass Phase 5 Townhomes, located in the unincorporated area of Osceola County on the south side of Jack Brack Rd., north of Jones Rd. east of Narcoossee Rd. and west of McMichael Rd.; authorizing the City Manager to execute the agreement and providing an effective date.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

This 91 residential unit development, Wiregrass Phase 5 Townhomes is located in the unincorporated area of Osceola County on the south side of Jack Brack Rd., north of Jones Rd. east of Narcoossee Rd. and west of McMichael Rd. and is requesting water and sewer service by the City of St. Cloud Utilities System.

REQUEST:

Request approval of resolution 2021-294R

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 COUNCIL ACTION:

Final Action 11/18/21



MEETING: November 18, 2021

Agenda Item Type: Council Action

CITY CLERK AGENDA ITEM:

Discussion and possible action regarding the request for a reduction of Lien for Code Enforcement Case # 2018-2014; the property address for this case is 1112 12th Street, St. Cloud, Florida.

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:

Code Enforcement Case #2018-2014 (Chia-Hsien Chu and AI-TI Pan) has Code Enforcement lien accruing \$250.00 daily.

\$231,750 in accrued fines, plus \$222.48 for administrative costs incurred by the city. The case total of \$231,972.48 is over the \$50,000 threshold to bring to the Council.

Current Owners Chia-Hsien Chu and AI-TI Pan are offering a settlement amount of \$22,897.48.

The City is requesting that the \$231,972.48 in lien be reduced to \$22,897.48 along with the below conditions:

2. The reduced lien of \$22,897.48 be paid within 30 days.
3. The subject property be demolished by within 120 days.

REQUEST:

Request Council act as deemed appropriate.

LEGAL AUTHORITY:

162.09 Florida Statutes

BUDGET AND RECOMMENDATION:

Magistrate Drew Smith Recommends APPROVAL of the settlement offer. (See attached)

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/18/2021



MEETING: November 18, 2021

Agenda Item Type: Council Action

CITY CLERK AGENDA ITEM:

Discussion and possible action regarding an appointment to a vacancy on the Planning Commission.

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:

On 10/19/21 an email was received from David Bridle resigning from the Planning Commission Seat Alt # 1. Alt # 2 automatically moved into Alt # 1, leaving Alt # 2 vacant, which is an at large appointment.

REQUEST:

Request Council discussion and possible action regarding an appointment to a vacancy on the Planning Commission. One application has been submitted by Phillip Lantry.

LEGAL AUTHORITY:

Planning Commission = City Charter Section 7.01 and Land Development Code - Article III, Division 4 - 3.4.3

BUDGET AND RECOMMENDATION:

No Cost associated with this item.
Recommend Council act as deemed appropriate

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 - November 18, 2021