

**ST. CLOUD CITY COUNCIL REGULAR MEETING**

**Thursday, January 12, 2023  
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 Kolby Urban
- ◆ Council Member Linette Matheny
- ◆ Council Member Ken Gilbert
- ◆ Council Member Shawn Fletcher

**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

- Presentations for Employee of the Year and Team Recognition of the Month Awards

**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. 2023-004R, a resolution of the City Council of the City of St. Cloud, Florida, accepting and adopting the Water Supply Well Easement Agreement between City of St. Cloud and Tohopekaliga Water Authority and authoring the Mayor to execute a water supply well site agreement and authorizing the City Manager to approve and execute the water supply well site and access easements as necessary and providing an effective date.

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

**This item is to establish an agreement between City of St. Cloud and Tohopekaliga Water Authority identifying the need to construct a new water supply well and access road on The Ranch and outlining the terms and conditions of each party.**

- B. Resolution No. 2023-006R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a first amendment to the task authorization to the continuing contract and agreement for Professional Engineering Services with Osceola Engineering, Inc. dated September 14, 2017, and any amendments thereto, for Geotechnical Engineering, Civil Engineering and Landscape Architectural Services for the Proposed Fire Station 35, City of St. Cloud, and providing an effective date.

**COST:** up to \$32,692.00 (total cost including first amendment: \$99,866.00)

**This item is to approve additional surveying, geotechnical engineering, civil engineering, and landscape architectural services for the Proposed Fire Station 35.**

- C. Resolution No. 2023-007R, a resolution of the City Council of the City of St. Cloud, Florida, determining Cornerstone Construction Services, Inc. as a sole source provider in the best interest of the City of St. Cloud and authorizing and directing the City Manager to execute an agreement between the City of St. Cloud and Cornerstone Construction Services, Inc., and providing an effective date.

**COST:** up to \$237,382.00

**This item is to approve an agreement with Cornerstone Construction Services Inc. to repair the floors at the Transfer Station.**

- D. Resolution No. 2023-008R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a task authorization to contract and agreement for Continuing Planning and Landscape Architectural Services with Vanasse Hangen Brustlin, Inc., dated September 6, 2022, and any amendments thereto, for Authorization 3 - Transportation & Mobility Master Plan, and providing an effective date.

**COST:** up to \$150,700.00 (includes task authorization \$125,700.00 plus \$25,000.00 contingency)

**This item is to approve a task authorization with Vanasse Hangen Brustlin, Inc. to update and enhance the city-wide Transportation and Mobility Master Plan.**

- E. Resolution No. 2023-009R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing an additional contingency increase to the previously established contingency, approved by Council on May 28, 2020, in regards to RFP No. 2019-127 Skate Park Design Build, and providing an effective date.

**COST:** up to \$3,000.00 (new total contract cost \$332,000.00 includes base bid amount of \$298,000.00 plus previously approved contingency of \$31,000.00, plus this additional request of \$3,000.00)

**This item is to approve an additional \$3,000 contingency for RFP No. 2019-127 Skate Park Design Build.**

- F. Resolution No. 2023-010R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of RSQ No. 21-SQ-119BB, previously advertised for bid by County of Volusia, Florida which is reasonable and otherwise in the best interest of the City of St. Cloud, whose subject matter is Professional Medicare Cost Reporting Consulting Services, providing for the award thereof to Public Consulting Group, Inc.,

and providing an effective date.

**COST:** Undetermined at this time as goods and services are provided on an as-needed basis. This contract will be utilized by the Fire Department on an as-needed basis from various approved projects and budgeted expenditure accounts.

**This item is to approve an agreement with Public Consulting Group, Inc. for medical ground ambulance data collection services.**

- G. Resolution No. 2023-011R, a resolution of the City Council of the City of St. Cloud, Florida, approving a first amendment to an interlocal agreement with Stevens Plantation Community Development District to expand the right to maintain certain areas within the public right-of-way, authorizing the Mayor to execute the amendment to the interlocal agreement and providing an effective date.

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

**This item is to amend the interlocal agreement with Stevens Plantation Community Development District to increase the District's maintenance responsibilities.**

- H. Resolution No. 2023-012R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a first amendment to the task authorization to the contract and agreement for Prequalification of Contractors for Continuing Parks, Conservation Areas, and Lake Management Activities on a Task Authorization Basis with Grove Construction Corporation dated May 3, 2022, and any amendments thereto, for Shuffleboard ADA Restroom Remodel, and providing an effective date.

**COST:** up to \$5,200.00 (total cost including first amendment \$50,655.00)

**This item is to approve additional sidewalk repairs necessary for the Shuffleboard ADA Restroom Remodel project.**

- I. Request Council's approval of Edgewater ED-4 Lot 2 Final Plat

**COST:** No cost is associated with this item.

**This item is to approve the Edgewater ED-4 Lot 2 Final Plat, a replat of lot 2 Edgewater ED-4 plat, consisting of 172 residential lots consistent with County approved Site Development Plan #21-0043.**

- J. Request Council's approval of a Conceptual Master Plan/Concept Plan Amendment for a Mixed Use property containing approximately 788.23 acres of land known as Tohoqua.

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

**This item is to approve the Conceptual Master Plan/Concept Plan Amendment for a Mixed Use property containing approximately 788.23 acres of land known as Tohoqua, including accommodating the City's fire station and adding property to the community center between Cross Prairie Parkway and Neptune Road.**

- K. Minutes: May 13, 2021 / Regular Meeting; May 20, 2021 / Workshop and September 8, 2022 / Regular Meeting.

## **IX. Public Hearings**

1. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-58**, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 101.97 acres identified as Lakeside at Satilla, located south of Haywood Ruffin Rd, east of Narcoossee Rd and north of Lillian Lee Rd; in accordance with the

voluntary annexation provisions of Chapter 171.044, Florida Statutes. (Above is full title)  
**ACTION ON ORDINANCE NO. 2022-58**

2. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-59**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation "LDR" Low Density Residential to approximately 101.97 acres identified as Lakeside at Satilla, located south of Haywood Ruffin, east of Narcoossee Rd, and north of Lillian Lee; 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. 2022-59**
3. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-60**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of "PUD" Planned Unit Development, compatible with a "Low Density Residential" Future Land Use designation change, adopted by Ordinance No. 2022-59, for approximately 101.97 acres identified as Lakeside at Satilla, located south of Haywood Ruffin, east of Narcoossee Rd, and north of Lillian Lee; providing for entering the designation on the official zoning map, providing for approval of the preliminary master plan, filing of the Planning Commission recommendation and proof of publication, severability, and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2022-60 (This is a Quasi-Judicial proceeding.)**
4. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-02**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning the platted right-of-way located south of Betsy Ross Lane and Neptune 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 held on February 9, 2023) **ACTION ON ORDINANCE NO. 2023-02**

**X. Council Action**

1. Resolution No. 2023-005R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to execute the Florida Department of Transportation Resolution 03-BSD06-09/01 and the Deed for Parcel No. 100 relating to the US 192 Pedestrian Improvements at the intersections of Michigan Avenue, Indiana Avenue, and Florida Avenue and providing an effective date.  
**COST:** No cost associated with the transfer of this right-of-way.  
**This item is to authorize the City Manager to execute the Florida Department of Transportation Resolution 03-BSD06-09/01 and the Deed for Parcel No. 100 relating to the US 192 Pedestrian Improvements at the intersections of Michigan Avenue, Indiana Avenue, and Florida Avenue.**

**XI. City Attorney**

**XII. City Manager**

**XIII. Mayor and Council Members**

**XIV. Information Section and Report Section**

- Monday, January 16, 2023 - City Offices Closed in Observance of Martin Luther King Day

- Thursday, January 19, 2023 - City Council Strategic Workshop - 3:00 p.m. @ The Ranch at St. Cloud
- Friday and Saturday, January 20 and 21, 2023 - Institute for Elected Officials @ St. Augustine
- Thursday, January 26, 2023 - City Council Meeting – Cancelled
- Thursday, February 9, 2023 - City Council Meeting- 6:30 p.m. @ City Hall, Council Chambers

Reports:

- Warrant List #3

**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 Ivy De La Cruz, 1300 9th Street, St. Cloud, FL. Phone 407-957-7300



**MEETING:** January 12, 2023

**Agenda Item Type:** Consent Agenda  
Resolution 2023-004R

**PARKS & RECREATION AGENDA ITEM:**

Resolution No. 2023-004R, a resolution of the City Council of the City of St. Cloud, Florida, accepting and adopting the Water Supply Well Easement Agreement between City of St. Cloud and Tohopekaliga Water Authority and authoring the Mayor to execute a water supply well site agreement and authorizing the City Manager to approve and execute the water supply well site and access easements as necessary and providing an effective date.

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

**This item is to establish an agreement between City of St. Cloud and Tohopekaliga Water Authority identifying the need to construct a new water supply well and access road on The Ranch and outlining the terms and conditions of each party.**

**STRATEGIC PLAN GOAL:**

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

**BACKGROUND INFORMATION:**

The City has been experiencing low pressure issues since at least 2019 in the northeast portion of the City's utility service area (generally east of Narcoossee Road and north of Jones Road). These low-pressure issues primarily occur during low rainfall conditions when irrigation demand significantly increases. The reuse and potable water distribution systems in this area are interconnected (also referred to as "jumpered") such that reuse irrigation demands are met by the potable water system. Developments in this area were originally jumpered to the potable system because the City had not extended its reuse system to this area. Despite the use of the jumpered system in this area, the low-pressure issues are projected to continue as demand in the area increases.

The City and Toho have been working diligently to address the low-pressure issues from several perspectives, including enhanced conservation, the implementation of projects to increase the availability of potable water to the area, and the implementation of projects to connect this area to reuse. However, many of these efforts will take several years to implement. Due to the time required to implement the projects, the City and Toho evaluated short-term solutions to the low-pressure issue. The implementation of a new Upper Floridan aquifer groundwater well to supply water to the distribution system and boost pressures during low pressure events was identified as an effective short-term solution. The City's Ranch Park property was identified as the preferred location for the proposed well.

Toho has committed to constructing the well and the required access road. Since those improvements will be on the City's property, Toho and the City need to enter into an Easement Agreement for the construction, operation, and maintenance of the new well and associated

facilities to be located at The Ranch Park property.

To efficiently address the timeliness of this project, the Easement Agreement requires the execution and recording of additional easements in favor of Toho including a Water Supply Well Site Easement, Access Easement, Temporary Construction Easement and Water Main Utility Easement (“Additional Easements”). City staff requests that the City Council delegate authority to the City Manager to approve the final locations of the easement areas contemplated in each of the Additional Easements, and to execute and record the same upon approval of the form of such easements by the City Attorney.

**REQUEST:**

Request the approval of an Easement Agreement with Toho Water Authority (Toho) for construction, operation and maintenance of a new groundwater supply well located at The Ranch park property.

**LEGAL AUTHORITY:**

State of Florida Land Development Code 3.21.1

**BUDGET AND RECOMMENDATION:**

No cost associated with approval of the Easement Agreement.

Staff recommends **APPROVAL** of Toho Water Authority Easement Agreement for The Ranch Supply Well. City staff also recommends **DELEGATION** of authority to the City Manager to approve the final locations of the easement areas contemplated in each of the four Additional Easements, and to execute and record the same upon approval of the form of such easements by the City Attorney.

**FINANCE DIRECTOR’S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR’S COMMENTS:**

N/A

**CITY MANAGER’S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/23 - Final Action



**MEETING:** January 12, 2023

**Agenda Item Type:** Consent Agenda  
Resolution 2023-006R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2023-006R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a first amendment to the task authorization to the continuing contract and agreement for Professional Engineering Services with Osceola Engineering, Inc. dated September 14, 2017, and any amendments thereto, for Geotechnical Engineering, Civil Engineering and Landscape Architectural Services for the Proposed Fire Station 35, City of St. Cloud, and providing an effective date.

**COST:** up to \$32,692.00 (total cost including first amendment: \$99,866.00)

**This item is to approve additional surveying, geotechnical engineering, civil engineering, and landscape architectural services for the Proposed Fire Station 35.**

**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 Jason Miller, Fire Chief, the additional services are required due to the relocation of the proposed fire station to the SE corner of the intersection of Breezewood Street and Neptune Road which requires a tree survey.

**REQUEST:**

Resolution No. 2023-006R will approve additional surveying, geotechnical engineering, civil engineering and landscape architectural services for the Proposed Fire Station 35.

**LEGAL AUTHORITY:**

Resolution No. 2021-239R approved on September 9, 2021

**BUDGET AND RECOMMENDATION:**

Budgeted \$32,692.00/ Actual cost up to \$32,692.00 (total cost including first amendment \$99,866.00)

Capital Projects

Project PS2103

300-9595-522.63-00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

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

Source of Funds: One Percent

Budget: \$365,714 YTD: \$140,662.25 Balance Available: \$225,051.75



**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends Approval.

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/2023 - Final Action



**MEETING:** January 12, 2023

**Agenda Item Type:** Consent Agenda  
Resolution 2023-007R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2023-007R, a resolution of the City Council of the City of St. Cloud, Florida, determining Cornerstone Construction Services, Inc. as a sole source provider in the best interest of the City of St. Cloud and authorizing and directing the City Manager to execute an agreement between the City of St. Cloud and Cornerstone Construction Services, Inc., and providing an effective date.

**COST:** up to \$237,382.00

**This item is to approve an agreement with Cornerstone Construction Services Inc. to repair the floors at the Transfer Station.**

**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 Kevin Felblinger, Public Works Director, this will repair worn areas protecting the base slab of the transfer station floor, increasing operation efficiency. Wear was caused by transfer station use, leaving the base concrete slab open to chemical attack from daily operations of the transfer station.

**REQUEST:**

Resolution No. 2023-007R is to approve an agreement with Cornerstone Construction Services Inc. to repair the floors at the Transfer Station, a sole source provider.

**LEGAL AUTHORITY:**

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

**BUDGET AND RECOMMENDATION:**

Budgeted: \$237,382.00 /Actual Cost: up to \$237,382.00

Refuse Fund

440-7072-534.62-00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

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

Budget: \$1,172,382 YTD: \$865,827 Balance Available: \$306,555

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends Approval.

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/2023 - Final Action.



**MEETING:** January 12, 2023

**Agenda Item Type:** Consent Agenda  
Resolution 2023-008R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2023-008R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a task authorization to contract and agreement for Continuing Planning and Landscape Architectural Services with Vanasse Hangen Brustlin, Inc., dated September 6, 2022, and any amendments thereto, for Authorization 3 - Transportation & Mobility Master Plan, and providing an effective date.

**COST:** up to \$150,700.00 (includes task authorization \$125,700.00 plus \$25,000.00 contingency)

**This item is to approve a task authorization with Vanasse Hangen Brustlin, Inc. to update and enhance the city-wide Transportation and Mobility Master Plan.**

**STRATEGIC PLAN GOAL:**

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

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

**BACKGROUND INFORMATION:**

Per Melissa Dunklin, Community Development Director, the City of St. Cloud wishes to update and enhance its city-wide Transportation and Mobility Master Plan (T&MMP). The scope of services will focus on integrating new goals which highlight the City's transportation priorities, updating the transportation map series, collecting public input and conducting public meetings. The master planning process will include data collection, inventory of potential and existing unfunded projects, and evaluation of potential projects according to specific criteria to develop a comprehensive project list. The T&MMP will also consider areas within the Osceola/St. Cloud Joint Planning Area (JPA) that are not yet within City limits and coordinate with Osceola County private and public sector projects.

**REQUEST:**

Resolution No. 2023-008R will approve a task authorization with Vanasse Hangen Brustlin, Inc. to update and enhance the city-wide Transportation and Mobility Master Plan.

**LEGAL AUTHORITY:**

Resolution No. 2022-084R approved on April 14, 2022

**BUDGET AND RECOMMENDATION:**

Budgeted \$350,000.00/ Actual cost up to \$150,700.00 (includes task authorization \$125,700.00 plus \$25,000.00 contingency)

Mobility Fee Fund  
350-5410-515.31-00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

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

Budget: \$350,000 YTD: \$0 Balance Available: \$350,000

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends Approval.

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/2023 - Final Action.



**MEETING:** January 12, 2023

**Agenda Item Type:** Consent Agenda  
Resolution 2023-009R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2023-009R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing an additional contingency increase to the previously established contingency, approved by Council on May 28, 2020, in regards to RFP No. 2019-127 Skate Park Design Build, and providing an effective date.

**COST:** up to \$3,000.00 (new total contract cost \$332,000.00 includes base bid amount of \$298,000.00 plus previously approved contingency of \$31,000.00, plus this additional request of \$3,000.00)

**This item is to approve an additional \$3,000 contingency for RFP No. 2019-127 Skate Park Design Build.**

**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 Stephanie Holtkamp, Parks and Recreation Director, since this project was awarded in 2019, multiple changes have occurred. Site 1 required substantial site remediation and survey work but was determined to not be a viable site. Site 2 required additional concept design and engineering work. Site 3 has been determined to be viable but will require a DEP permit, additional design and engineering.

**REQUEST:**

Resolution No. 2023-009R will approve an additional contingency for RFP No. 2019-127 Skate Park Design Build.

**LEGAL AUTHORITY:**

Resolution No. 2019-212R approved on October 10, 2019

**BUDGET AND RECOMMENDATION:**

Budgeted \$3,000.00/Actual Cost up to \$332,000.00 (new total contract cost \$332,000.00 includes base bid amount of \$298,000.00 plus previously approved contingency of \$31,000.00, plus this additional request of \$3,000.00)

Capital Project

Project PR1907

300-9595-515.34-00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

Funds were approved in the budget and are available in accordance with current policies.  
Source of Funds: One Percent / Parks Impact.

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends Approval.

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/2023 - Final Action.



**MEETING:** January 12, 2023

**Agenda Item Type:** Consent Agenda  
Resolution 2023-010R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2023-010R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of RSQ No. 21-SQ-119BB, previously advertised for bid by County of Volusia, Florida which is reasonable and otherwise in the best interest of the City of St. Cloud, whose subject matter is Professional Medicare Cost Reporting Consulting Services, providing for the award thereof to Public Consulting Group, Inc., and providing an effective date.

**COST:** Undetermined at this time as goods and services are provided on an as-needed basis. This contract will be utilized by the Fire Department on an as-needed basis from various approved projects and budgeted expenditure accounts.

**This item is to approve an agreement with Public Consulting Group, Inc. for medical ground ambulance data collection 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:**

Per Chief Miller, as part of the Bipartisan Budget Act of 2018, the Centers for Medicare and Medicaid Services (CMS) requires that all providers of ground ambulance services collect and report expenditures, revenues, utilization, and other departmental statistics. This data will be used to assess current payment rates and inform future reimbursement rates. Failure to sufficiently submit the required information will result in a 10 percent reduction to payments under the Ambulance Fee Schedule (AFS) for one year.

This item was posted in accordance with the Procurement Policy for 10 days from December 14, 2022, through December 29, 2022, with no local response.

**REQUEST:**

Resolution No. 2023-010R will approve an agreement with Public Consulting Group, Inc. for medical ground ambulance data collection services.

**LEGAL AUTHORITY:**

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

**BUDGET AND RECOMMENDATION:**

Undetermined at this time as goods and services are provided on an as-needed basis. This contract will be utilized by the Fire Department on an as-needed basis from various approved projects and budgeted expenditure accounts.

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:**

Recommends Approval.

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/2023 - Final Action



**MEETING:** January 12, 2023

**Agenda Item Type:** Consent Agenda  
Resolution 2023-011R

**CITY CLERK AGENDA ITEM:**

Resolution No. 2023-011R, a resolution of the City Council of the City of St. Cloud, Florida, approving a first amendment to an interlocal agreement with Stevens Plantation Community Development District to expand the right to maintain certain areas within the public right-of-way, authorizing the Mayor to execute the amendment to the interlocal agreement and providing an effective date.

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

**This item is to amend the interlocal agreement with Stevens Plantation Community Development District to increase the District's maintenance responsibilities.**

**STRATEGIC PLAN GOAL:**

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

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

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

**BACKGROUND INFORMATION:**

The City Council approved an Interlocal Agreement with Stevens Plantation Community Development District on November 18, 2019, to outline various maintenance responsibilities within the development. The proposed First Amendment will authorize the District to maintain an additional area in Stevens Plantation located within the public right-of-way, located on Cedar Hammock Court, Saint Cloud, Florida 34772 (in front of 3150 Cedar Hammock Court, Saint Cloud, Florida 34772) (the "Cul-De-Sac"). The District shall hereinafter be obligated and responsible for the installation, construction and maintenance of Improvements within the Cul-De-Sac, in accordance with the terms of the Interlocal Agreement.

**REQUEST:**

Request approval of Resolution No. 2023-011R.

**LEGAL AUTHORITY:**

Florida Statutes. 163.01 and City Charter Section 2.03.

**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 Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/2023 - Final Action



**MEETING:** January 12, 2023

**Agenda Item Type:** Consent Agenda  
Resolution 2023-012R

**PROCUREMENT AGENDA ITEM:**

Resolution No. 2023-012R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a first amendment to the task authorization to the contract and agreement for Prequalification of Contractors for Continuing Parks, Conservation Areas, and Lake Management Activities on a Task Authorization Basis with Grove Construction Corporation dated May 3, 2022, and any amendments thereto, for Shuffleboard ADA Restroom Remodel, and providing an effective date.

**COST:** up to \$5,200.00 (total cost including first amendment \$50,655.00)

**This item is to approve additional sidewalk repairs necessary for the Shuffleboard ADA Restroom Remodel project.**

**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 Stephanie Holtkamp, Parks and Recreation Director, this work is necessary to complete the ADA sidewalk entrance into the two outdoor bathrooms.

**REQUEST:**

Resolution No. 2023-012R will approve additional sidewalk repairs necessary for the Shuffleboard ADA Restroom Remodel project.

**LEGAL AUTHORITY:**

Resolution No. 2022-075R approved on April 14, 2022

**BUDGET AND RECOMMENDATION:**

Budgeted \$5,200.00/ Actual cost up to \$5,200.00 (total cost including first amendment: \$50,655.00)

Capital Projects

Project PR2104

300-9595-572.63-00

Staff recommends **APPROVAL** of this request.

**FINANCE DIRECTOR'S COMMENTS:**

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

Source of Funds: One Percent

**PROCUREMENT DIRECTOR'S COMMENTS:**

Recommends Approval.

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/2023 - Final Action.

**ATTACHMENTS:**

2023-012R

TA- 1st Amendment to Shuffleboard ADA Restroom Remodel

TA Grove Construction Corporation



**MEETING:** January 12, 2023

**Agenda Item Type:** Consent Agenda

**PLANNING AGENDA ITEM:**

Request Council's approval of Edgewater ED-4 Lot 2 Final Plat

**COST:** No cost is associated with this item.

**This item is to approve the Edgewater ED-4 Lot 2 Final Plat, a replat of lot 2 Edgewater ED-4 plat, consisting of 172 residential lots consistent with County approved Site Development Plan #21-0043.**

**STRATEGIC PLAN GOAL:**

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

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

**BACKGROUND INFORMATION:**

The subject property is approximately 19.812 ± acres. The Future Land Use and Zoning Designations are Mixed Use. Edgewater East is a multi-phase Mixed Use District located east of Clay Whaley Road, west of the Florida Turnpike. The minimum lot widths range from 34 feet to 60 feet. This plat is consistent with approved Concept Plan (CP21-00004), Preliminary Subdivision Plan (PS21-00003) and Subdivision Construction Plan (SUB21-00043) originally approved by Osceola County.

**REQUEST:**

The applicant is requesting consideration of Final Plat approval for Edgewater ED-4 Lot 2.

**LEGAL AUTHORITY:**

Per LDC Section 5.2.7.E.2 - City Council Review, when the final plat complies with all requirements and the applicable fees for the recording of the plat with the Clerk of the Circuit Court have been received, it shall be presented to the City Council for final approval. The City Council shall have the option of approving the final plat as presented or requiring additional information or revisions. The Mayor shall execute the final plat, and the Deputy Mayor shall have the authority to sign final plats in the absence of the Mayor.

**BUDGET AND RECOMMENDATION:**

There is no cost associated with this item.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/2023 - Final Approval

**ATTACHMENTS:**

PLT23-00001 Edgewater ED-4 Staff Report CC 011223

PLT23-00001 PLAT.010323



**MEETING:** January 12, 2023

**Agenda Item Type:** Consent Agenda

**PLANNING AGENDA ITEM:**

Request Council's approval of a Conceptual Master Plan/Concept Plan Amendment for a Mixed Use property containing approximately 788.23 acres of land known as Tohoqua.

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

**This item is to approve the Conceptual Master Plan/Concept Plan Amendment for a Mixed Use property containing approximately 788.23 acres of land known as Tohoqua, including accommodating the City's fire station and adding property to the community center between Cross Prairie Parkway and Neptune Road.**

**STRATEGIC PLAN GOAL:**

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

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

**BACKGROUND INFORMATION:**

The subject property is approximately 788.23 acres with a future land use designation of Mixed Use and is generally located south of Neptune Rd, west of Florida Turnpike, north of Twin Oaks Conservation Area, and east of Macy Island Rd within a Mixed Use zoning district. The Tohoqua Mixed Use CMP/CP was adopted by the City Council on May 24, 2018 along with the Annexation, Future Land Use Comprehensive Plan Map Amendment (Large Scale) and Zoning Map Amendment. The first revision to the CMP/CP plan was adopted by the City Council on October 24, 2019 incorporating minor adjustments to place type arrangement, density and dwelling unit counts, lot layout and street network within the community.

This current Tohoqua Mixed Use CMP/CP revision includes the following:

- Additional Parcels for the Community Center
- Place Type Arrangement
- Density and Dwelling Unit Counts
- Roadway Cross Sections
- Pedestrian Bike/Trail System
- Lot Layout and Street Network

**REQUEST:**

The applicant is requesting approval of a Conceptual Master Plan/Concept Plan Amendment for a Mixed Use property known as Tohoqua.

**LEGAL AUTHORITY:**

The City Council shall review the application and make a decision 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 Conceptual Master Plan/Concept Plan Revision for Tohoqua **with the following conditions:**

- 1. Brezewood Street** - shall be identified as a Framework Street on sheets 2.0 and defined as an Avenue/Boulevard on sheet 4.00
- 2. Community Center Framework Streets** - The specifics of the 3 framework street cross-sections within the Community Center will be determined at site development plan process. The easternmost community center framework road shall be constructed simultaneously with the initial development on the eastern side of Tohoqua Blvd. between Neptune Road and Cross Prairie Parkway.
- 3. Multi-Use Trail within C-31 canal easement** - the Developer will coordinate with City Staff and SFWMD for the proposed multi-use trail improvements along the C-31 canal easement for the full length of the Tohoqua Concept Plan, including dedicating the area to the City, designing the trail, and securing SFWMD permits and approvals. The developer will design the trail and construct the improvements within 12 months of permit approval.
- 4. Multi Use Trail within Community Center** - the multi-use trail shall be designed to connect from Neptune Road to the C-31 canal alignment through the Community Center.
- 5. Tohoqua Blvd. Median Access** - The City shall support full median access at the approximate midway point of Tohoqua Blvd between Neptune Road and Cross Prairie Parkway if adequate information is provided by NRI. Full engineering plans will be provided through a separate site development plan, supported by a Transportation Impact Analysis, subject to approval of the City.
- 6. Unit Count** - City agrees that the unit count within the Community Center for the project has not been finally determined as to a maximum count due to the conversion of units allowed under the concept plan, consistent with LDC 3.22.2.D.2. Mixed Use district. This will be reviewed on each site development plan, which will be submitted with tracking, presented to City for approval.
- 7. Southbury Road** - NRI shall design and construct Southbury Road from Sta. 23+17.35 to Sta 35+38 when the first of one of the following occurs:
  - a. The bridge for Southbury Road is designed and constructed from Station 35+38 over the Canal 31 by Osceola County or its assigns
  - b. The school site is developed
  - c. The trail along the C-31 canal is constructed, at which time the trail within the right of way will be constructed to provide connectivity

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**  
01/12/23 - Final Action



**MEETING:** January 12, 2023

**Agenda Item Type:** Public Hearings  
Ordinance 2022-58

First Public Hearing: October 27, 2022

Second Public Hearing: January 12, 2023

**PLANNING AGENDA ITEM:**

**FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-58**, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 101.97 acres identified as Lakeside at Satilla, located south of Haywood Ruffin Rd, east of Narcoossee Rd and north of Lillian Lee Rd; in accordance with the voluntary annexation provisions of Chapter 171.044, Florida Statutes. (Above is full title) **ACTION ON ORDINANCE NO. 2022-58**

**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 Haywood Ruffin Rd, east of Narcoossee Rd and north of Lillian Lee Rd. The property is comprised of multiple undeveloped parcels totaling approximately 101.97 acres. The proposed single-family detached product is consistent with other residential developments in the immediate area.

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 (Ordinance 2022-59) and a Zoning Map designation of “PUD” Planned Unit Development (Ordinance 2022-60).

**Special Note:** We have received several oral comments from the public via telephone and in-person.

**REQUEST:**

The applicant is requesting consideration of a voluntary annexation for approximately 101.97 acres of land, including any and all adjacent rights-of-way.

**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.

Section 171.044, Voluntary annexation, Florida Statutes.

**BUDGET AND RECOMMENDATION:**

There is no cost associated with this item.

Staff recommends **APPROVAL** of the request for Voluntary Annexation for Ordinance No. 2022-58.

On October 18, 2022 the Planning Commission reviewed this request for voluntary annexation and recommended **APPROVAL** of Ordinance 2022-58.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/2023 - Final Action

10/27/2022 - The motion was made by Mayor Blackwell, seconded by Member Askew. The motion passed 4-0, Matheny was absent.



**MEETING:** January 12, 2023

**Agenda Item Type:** Public Hearings  
Ordinance 2022-59

First Public Hearing: October 27, 2022

Second Public Hearing: January 12, 2023

**PLANNING AGENDA ITEM:**

**FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-59**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation "LDR" Low Density Residential to approximately 101.97 acres identified as Lakeside at Satilla, located south of Haywood Ruffin, east of Narcoossee Rd, and north of Lillian Lee; 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. 2022-59**

**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 Haywood Ruffin Rd, east of Narcoossee Rd, and north of Lillian Lee Rd. The property is comprised of multiple undeveloped parcels totaling approximately 101.97 acres within the Joint Planning Area boundary. The current Future Land Use is Low Density Residential (County) with a Zoning Map designation of "AC" Agricultural Development and Conservation (County). Subsequently, the applicant is also requesting a Zoning Map Amendment to Planned Unit Development (PUD) and Preliminary Master Plan in the City (Ordinance 2022-60).

The proposed development is for 407 single-family detached homes, front and rear loaded.

Total acreage (gross): 101.97

Net Residential Acreage: 51.53

Gross Residential Density: 3.98

**Special Note:** We have received several oral comments from the public via telephone and in-person.

**REQUEST:**

The applicant is requesting consideration of a Comprehensive Plan Amendment from "LDR" Low Density Residential (County) to "LDR" Low Density Residential (City) for approximately 101.97 acres of land

**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.

Section 163.3187, Process for adoption of comprehensive plan or plan amendment, Florida Statutes

**BUDGET AND RECOMMENDATION:**

There is no cost associated with this item.

Staff recommends **APPROVAL** of the request for Comprehensive Plan Amendment for Ordinance No. 2022-59

On October 18, 2022 the Planning Commission reviewed this request for Comprehensive Plan Amendment and recommended **APPROVAL** of Ordinance 2022-59.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/2023 - Final Action

10/27/2022 - The motion was made by Council Member Trace and seconded by Council Member Askew. The motion passed 4-0, Matheny was absent.

**ATTACHMENTS:**

CPA22-00001 Lakeside at Satilla - Staff Report CC2 011223

Ordinance 2022-59 Lakeside at Satilla CPA22-00002 CC2 011223



**MEETING:** January 12, 2023

**Agenda Item Type:** Public Hearings  
Ordinance 2022-60

First Public Hearing: October 27, 2022

Second Public Hearing: January 12, 2023

**PLANNING AGENDA ITEM:**

**FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-60**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of "PUD" Planned Unit Development, compatible with a "Low Density Residential" Future Land Use designation change, adopted by Ordinance No. 2022-59, for approximately 101.97 acres identified as Lakeside at Satilla, located south of Haywood Ruffin, east of Narcoossee Rd, and north of Lillian Lee; providing for entering the designation on the official zoning map, providing for approval of the preliminary master plan, filing of the Planning Commission recommendation and proof of publication, severability, and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2022-60 (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 is generally located south of Haywood Ruffin Rd, east of Narcoossee Rd, and north of Lillian Lee Rd. The property is comprised of multiple undeveloped parcels totaling approximately 101.97 acres.

The current zoning is "AC" Agricultural Development and Conservation (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" Planned Unit Development, which is consistent with the proposed request of Ordinance No. 2022-59 for a large-scale Future Land Use Map Amendment to Low Density Residential (City).

The proposed development is for 407 single-family detached homes, front and rear loaded.

Total acreage (gross): 101.97

Net Residential Acreage: 51.53

Gross Residential Density: 3.98

**REQUEST:**

The applicant is requesting consideration of a "PUD" - Planned Unit Development zoning district and associated Preliminary Master Plan (PMP) for approximately 101.97 acres of land.

**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.

Staff recommends **APPROVAL w/conditions** of the requested PUD Zoning Map Amendment and Preliminary Master Plan (PMP) associated with Ordinance No. 2022-60.

On October 18, 2022 the Planning Commission reviewed this request for PUD Zoning Map Amendment and Preliminary Master Plan (PMP) associated with Ordinance No.2022-60 and recommended **APPROVAL w/conditions** as determined by staff.

**The following conditions must be satisfied prior to final approval of the Final Master Plan and or Preliminary Subdivision Plan.**

**Transportation Conditions:**

1. To mitigate for required off-site roadway and intersection improvements, the three projects in concurrent review - Lakeside at Satilla, Tyson Reserve and the Exchange Apartments (Hathaway Multi-Family) - shall evaluate all three (3) projects within their respective TIA's and project plans to determine required off-site improvements, timing and proportionate share. Coordination with Osceola County as well as City staff will be required.
2. The Traffic Impact Analysis for all three (3) phases will be required for approval of the Phase 1 Preliminary Subdivision Plan. Any adjustments to roadway cross-sections for operational or safety improvements (i.e., turn lanes) will be made with the PSP and/or SCP.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

01/12/2023 - Final Action

10/27/2022 - The motion was made by Council Member Trace with the modifications that staff provided with the combined TIA being pushed out until Preliminary Subdivision Plan and seconded by Council Member Askew. The motion passed 4-0, Matheny was absent.





**MEETING:** January 12, 2023

**Agenda Item Type:** Public Hearings  
Ordinance 2023-02

First Public Hearing: January 12, 2023

Second Public Hearing: February 9, 2023

**PLANNING AGENDA ITEM:**

**FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-02**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning the platted right-of-way located south of Betsy Ross Lane and Neptune 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 held on February 9, 2023) **ACTION ON ORDINANCE NO. 2023-02**

**STRATEGIC PLAN GOAL:**

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

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

**BACKGROUND INFORMATION:**

The subject site is located south of Betsy Ross Lane and south of Neptune Road. The applicant is requesting the vacation and abandonment of unimproved Right-of-Way platted as Madison Street in the Toliga Manor Unit A Plat.

This request for vacation of right-of-way supports the Neptune Elementary Parent Loop Site Development Plan (SDP22-00017).

In the course of the review of this request, surveys revealed that north of the area of unimproved right-of-way proposed for vacation and abandonment, the existing Betsy Ross Lane roadway was constructed on School District of Osceola County property and not lying within the platted right of way. Staff recommended the following to provide a resolution to the roadway location:

- Dedication of right-of-way for the area that currently contains the road, totaling 30,650 SF or 0.704 acres in size.
- Dedication of a public sidewalk easement along the west side of Betsy Ross Lane, to allow for future sidewalk segments to be constructed, totaling 9,387 SF or 0.215 acres in size.

**REQUEST:**

The applicant is requesting a vacation of a 9.643 square foot area of unimproved Right-of-Way platted as Madison Street in the Toliga Manor Unit A Plat, south of Betsy Ross Lane. The subject property contains 20.992 acres more or less. The Right-of-Way contains 0.22 acres more or less.

**LEGAL AUTHORITY:**

Section 5.5.4.C of the Land Development Code (LDC) provides language for the review of

proposed vacation of right-of-way and easements. Review considerations specified by the LDC include impacts to the following. The LDC requirements are **BOLDED**, and staff's comments follow in *italics*:

**a. The City of St. Cloud;**

*City departments do not have any infrastructure within the right of way impacted by this request. The Public Works Department does not currently have a use for the right of way that is being vacated.*

**b. The immediate neighborhood and/or adjacent area;**

*Vacation of the platted right of way will not disrupt the surrounding infrastructure.*

**c. The property owners immediately adjacent to the affected right-of-way or easement;**

*The Anthem Park development to the east of the right of way is not negatively impacted by the request and has expressed no objections. Other property owners within 500' have been notified.*

**d. Any utility providers or governmental agencies having a possible need for the right-of-way or easement.**

*The City's Public Works Department confirmed there is no infrastructure in place and no future plans for the right of way. Additionally, a notice was sent to all utility companies and no objections were received.*

**BUDGET AND RECOMMENDATION:**

There is no cost associated with this item.

Staff reviewed this request for the vacation of right-of-way on or before January 3, 2023, and recommends **APPROVAL WITH CONDITIONS** of Ordinance No. 2023-02, with the following conditions:

1. The area that contains Betsy Ross Lane shall be dedicated as right of way
2. The area for a future sidewalk connection shall be dedicated as a public sidewalk easement

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

02/09/2023 - Final Action



**MEETING:** January 12, 2023

**Agenda Item Type:** Council Action  
Resolution 2023-005R

**PUBLIC WORKS AGENDA ITEM:**

Resolution No. 2023-005R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to execute the Florida Department of Transportation Resolution 03-BSD06-09/01 and the Deed for Parcel No. 100 relating to the US 192 Pedestrian Improvements at the intersections of Michigan Avenue, Indiana Avenue, and Florida Avenue and providing an effective date.

**COST:** No cost associated with the transfer of this right-of-way.

**This item is to authorize the City Manager to execute the Florida Department of Transportation Resolution 03-BSD06-09/01 and the Deed for Parcel No. 100 relating to the US 192 Pedestrian Improvements at the intersections of Michigan Avenue, Indiana Avenue, and Florida Avenue.**

**STRATEGIC PLAN GOAL:**

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

**BACKGROUND INFORMATION:**

The City of St. Cloud and the Florida Department of Transportation (FDOT) have been working together to implement pedestrian improvements along US192 at the intersections of Michigan Avenue, Indiana Avenue, and Florida Avenue. These improvements include, but are not limited to, updated signage, new signalized intersection for pedestrians, and updated pedestrian crossings. The requested additional right of way will transfer the existing city maintained right of way to the FDOT to allow for all of the proposed improvements to be made within the FDOT's maintained right of way.

**REQUEST:**

Resolution No. 2023-005R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to execute the Florida Department of Transportation Resolution 03-BSD06-09/01 and the Deed for Parcel No. 100 relating to the US 192 Pedestrian Improvements at the intersections of Michigan Avenue, Indiana Avenue, and Florida Avenue and providing an effective date.

**LEGAL AUTHORITY:**

**BUDGET AND RECOMMENDATION:**

There is no cost associated with this item.

Staff recommends **APPROVAL** of Resolution No. 2023-005R.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

Final Action - 01/12/2023