

ST. CLOUD CITY COUNCIL REGULAR MEETING

Thursday, November 9, 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

- Presentation for Employee of the Month Award for September
- Presentation for Employee of the Month Award for October
- Presentation by St. Cloud BMX.

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. 2023-220R, 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 between the City of St. Cloud and Fusus, LLC, effective on November 12, 2020, whose subject matter is Fusus CORE with AI (Artificial Intelligence) Technology Video Collaboration Platform and FususONE SaaS (Software as a Service), and the purchase of related equipment and services, and providing an effective date.

COST: Undetermined at this time as services are provided on an “as-needed” basis. This contract will be utilized by the Police Department, on an as-needed basis, from various approved and budgeted expenditure accounts.

This item is to extend the term of the agreement for Fusus CORE with AI (Artificial Intelligence) Technology Video Collaboration Platform and FususONE SaaS (Software as a Service), and the purchase of related equipment and services, with Fusus, LLC.

- B. Resolution No. 2023-222R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a task authorization to the contract and agreement for Professional Civil Engineering Services with Hanson, Walter & Associates, Inc., dated November 21, 2022, for Civil Design and Permitting Services for the Extension of Creek Woods Drive, and providing an effective date.

COST: up to \$428,670.50

This item is to approve a task authorization for civil design and permitting services for the extension of Creek Woods Drive from Canoe Creek Road to Old Canoe Creek Road.

- C. Resolution No. 2023-226R, a resolution of the City Council of the City of St. Cloud, Florida, approving final grant awards for the FY2023-2024 Community Support Grant Program.

COST: up to \$150,000.00

This item is to approve the FY2023-2024 Community Support Grant Awards.

- D. Resolution No. 2023-227R, a resolution of the City Council of the City of St. Cloud, Florida, amending the Schedule of Fees and Charges pursuant to Part III Land Development Code, Article XIII - Minimum Building Construction Standards, Section 13.3 - Permit and Permit Fee Required of the Land Development Code, repealing all resolutions in conflict and providing an effective date.

COST: No cost associated with this item.

This item is to amend the schedule of fees for the Building Department by adding an Accessory Dwelling Unit permit type to the fee schedule that will be assessed by square footage. It also corrects Screen Enclosure sub permit type to include existing concrete. This fee schedule change is in conjunction with Ordinance 2023-45. No changes have been made to permit base fees or fee tables.

- E. Resolution No. 2023-228R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of three (3) used tractor trucks and providing for an effective date.

COST: up to \$250,000.00

This item is to authorize the City Manager to investigate and purchase three (3) used tractor trucks for hauling debris from the transfer station to the JED landfill. The three (3) existing tractors need to be replaced due to structural and engine issues.

- F. Resolution No. 2023-230R, 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: No cost associated with this item.

This item is to dispose of obsolete property.

- G. Resolution No. 2023-231R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to execute the Local Agency Program Agreement between the State of Florida Department of Transportation and the City of St. Cloud and providing an effective date.

COST: up to \$834,055.00 with FDOT LAP funding up to \$809,923.00

This item is to execute the Local Agency Program (LAP) Agreement between the Florida Department of Transportation (FDOT) and the City of St. Cloud for the sidewalk improvements along Delaware Avenue, Vermont Avenue, and Columbia Avenue.

- H. Resolution No. 2023-233R, a resolution of the City Council of the City of St. Cloud, approving an Interlocal Agreement with the City of St. Cloud, Osceola County, the City of Kissimmee, the Osceola County School Board and Osceola Legislative Effort, Inc. for the acquisition of lobbyist services to promote, represent and protect those interests which collectively affect and impact the interests of the parties and authorizing the Mayor to execute the agreement and providing an effective date.

COST: \$30,000 City Contribution.

This item is to approve an Interlocal Agreement with the City of St. Cloud, Osceola County, the City of Kissimmee, the Osceola County School Board and Osceola Legislative Effort, Inc. for the acquisition of lobbyist services.

- I. Minutes: October 12, 2023 / Regular Meeting; September 28, 2023 / Regular Meeting; June 16, 2022 / Workshop; June 23, 2022 / Workshop; June 23, 2022 / Regular Meeting; November 18, 2021/Regular Meeting

IX. Public Hearings

1. **PUBLIC HEARING FOR RESOLUTION NO. 2023-218R**, a resolution of the City Council of the City of St. Cloud, Florida amending Resolution Number 2022-188R which adopted the fiscal year 2022/2023 budget for the City of St. Cloud, finding the City Manager has certified there are prior year fund balances and or current revenues available in the budget for additional projects and programs in various funds not included in the original budget, requiring the budget to be increased to include said additional funding in the various funds and making supplemental appropriations within the funds. (Above is full title) **ACTION ON RESOLUTION NO. 2023-218R**
2. **PUBLIC HEARING FOR RESOLUTION NO. 2023-219R**, a resolution of the City Council of the City of St. Cloud, Florida amending Resolution Number 2023-154R which adopted the fiscal year 2023/2024 budget for the City of St. Cloud, finding the City Manager has certified there are prior year fund balances and or current revenues available in the budget for additional projects and programs in various funds not included in the original budget, requiring the budget to be increased to include said additional funding in the various funds and making supplemental appropriations within the funds. (Above is full title) **ACTION ON RESOLUTION NO. 2023-219R**
3. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2023-47**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a future land use designation of

"Industrial" to approximately 3.47 acres identified as Hickory Place Industrial Park Lot 1, located west of Hickory Tree Road and south of East Irlo Bronson Memorial Highway; 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, conflict, copies on file and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2023-47**

4. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2023-48**, an ordinance of the City Council of the City of St. Cloud, Florida, rezoning 3.47± acres identified as Hickory Place Industrial Park Lot 1, from "HB" Highway Business to "I-2" Industrial 2, compatible with an "Industrial" Future Land Use designation adopted by Ordinance No. 2023-47, generally located west of Hickory Tree Road and south of East Irlo Bronson Memorial Highway; 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. 2023-48**
5. **PUBLIC HEARING FOR RESOLUTION NO. 2023-195R**, a resolution of the City Council of the City of St. Cloud, Florida, granting a Site Development Plan variance to reduce setbacks on a proposed site plan and an alternative buffer design in "I-1" Industrial District 1 zoning designation on a 1.47 acre parcel of land located north of 17th street, south of East Irlo Bronson Memorial Highway, east of Orange Avenue, and west of River Road, as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2023-195R**
6. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-52**, 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 Winter Calm Lane and Calm Soul Way, East of Tohoqua Boulevard, and West of Cross Prairie Parkway specifically described in the body of this Ordinance; providing for severability, conflicts, and an effective date. (Above is the full title) (Final Public Hearing will be held on December 14, 2023) **ACTION ON ORDINANCE NO. 2023-52**
7. **PUBLIC HEARING FOR RESOLUTION NO. 2023-193R**, a resolution of the City Council of the City of St. Cloud, Florida, adopting the St. Cloud Seaplane Master Plan; providing for conflict; and providing for an effective date. (Above is full title) **ACTION ON RESOLUTION NO. 2023-193R**
8. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2023-44**, an ordinance of the City Council of the City of St. Cloud, Florida, adopting the Recreation and Open Space Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2023-44**
9. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2023-45**, an ordinance of the City Council of the City of St. Cloud, Florida, amending Article II, "Definitions" Section 2.1.1; amending Article III; "Zoning Regulations", amending Table III-4, Table III-5, and Table III-9 of the Land Development Code; amending Division 20 "Supplemental District Regulations", Section 3.20.38 "Accessory Dwelling Units", of the Land Development Code; providing for severability, conflicts and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2023-45**
10. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-49**, an ordinance of the City Council of the City of St. Cloud, Florida, amending and

reorganizing Chapter 10, Building and Building Regulations of Part II City Code, and Part III Land Development Code in their entirety, providing for severability, conflict, codification, scrivener's errors, publication, and an effective date. (Above is full title) (Final Public Hearing will be held on December 14, 2023) **ACTION ON ORDINANCE NO. 2023-49**

11. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-50**, an ordinance of the City Council of the City of St. Cloud, Florida, amending Chapter 1, General Provisions, Administration, and Boards and Commissions of Part III Land Development Code adding regulations stipulating the rules for construction, interpretation, measurements, and calculations as well as providing for severability, conflict, codification, scrivener's errors, publication, and an effective date. (Above is full title) (Final Public Hearing will be held on December 14, 2023) **ACTION ON ORDINANCE NO. 2023-50**
12. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-51**, an ordinance of the City Council of the City of St. Cloud, Florida, amending Chapter 4, "Site Design and Development Standards" by adding a new article titled "Article 10, Public Art" providing for public art requirements for certain non-residential developments and also includes effect, severability, scrivener's errors, conflict, codification, and effective date. (Above is full title) (Final Public Hearing will be held on December 14, 2023) **ACTION ON ORDINANCE NO. 2023-51**
13. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-58**, an ordinance of the City of St. Cloud, amending the City of St. Cloud General Employees' Retirement System plan to include council members as eligible participants and restating the plan in its entirety to incorporate recent plan amendments; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith; providing for administrative correction of scrivener's errors and providing for publication and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2023-58**
14. **PUBLIC HEARING FOR RESOLUTION NO. 2023-207R**, a resolution of the City Council of the City of St. Cloud, Florida, declaring 1.54 +/- acres of certain vacant real property located west of Budinger Avenue and South of Peghorn Way owned by the City of St. Cloud as surplus property for leasing and approving the lease of said property to Air Methods Corporation for the construction maintenance and operation of a heliport for medical transport plus payment to the City of \$600 per month for an initial term of five years; authorizing the Mayor to execute a lease agreement and providing an effective date. (Above is full title) **ACTION ON RESOLUTION NO. 2023-207R**

X. Council Action

1. Resolution No. 2023-224R, a resolution of the City Council of the City of St. Cloud, Florida authorizing the City Manager to enter into a task authorization to the agreement for Construction Manager at Risk Services for Projects Less than \$4 Million in Value with Quinn Commercial, Inc., for The Ranch at St. Cloud, Life Safety Phase 2, establishing a guaranteed maximum price, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.

XI. City Attorney

XII. City Manager

XIII. Mayor and Council Members

XIV. Information Section and Report Section

- Friday, November 10, 2023 - City Offices Closed in Observance of Veteran's Day
- Saturday, November 18, 2023 - Community Thanksgiving Luncheon - noon @ Community Center
- Thursday and Friday, November 23rd and 24th, 2023- City Offices Closed in Observance of the Thanksgiving Holiday
- Friday, December 1, 2023 - Tree Lighting Celebration - 6:00 p.m. @ City Hall
- Saturday, December 2, 2023 - Christmas Parade - 10:00 a.m. @ Downtown St. Cloud
- Saturday and Sunday, December 2 and 3, 2023 - St. Cloud Holiday Festival @ Downtown St. Cloud
- Friday, December 8, 2023 - Employee Holiday Luncheon - City Offices will be closed from noon to 2:00 p.m.
- Thursday, December 14, 2023 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers

Proclamations:

- Proclamation in Recognition of Veterans Small Business Week

Reports:

- Warrant List #1
- Recreation Advisory Committee Minutes July 2023 – Approved
- Recreation Advisory Committee Minutes August 2023 - Approved

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 Llauro, 1300 9th Street, St. Cloud, FL. Phone 407-957-7300



MEETING: November 9, 2023

Agenda Item Type: Consent Agenda
Resolution 2023-220R

PROCUREMENT AGENDA ITEM:

Resolution No. 2023-220R, 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 between the City of St. Cloud and Fusus, LLC, effective on November 12, 2020, whose subject matter is Fusus CORE with AI (Artificial Intelligence) Technology Video Collaboration Platform and FususONE SaaS (Software as a Service), and the purchase of related equipment and services, and providing an effective date.

COST: Undetermined at this time as services are provided on an “as-needed” basis. This contract will be utilized by the Police Department, on an as-needed basis, from various approved and budgeted expenditure accounts.

This item is to extend the term of the agreement for Fusus CORE with AI (Artificial Intelligence) Technology Video Collaboration Platform and FususONE SaaS (Software as a Service), and the purchase of related equipment and services, with Fusus, 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 of St. Cloud entered into an agreement effective on November 12, 2020, for Fusus CORE with AI (Artificial Intelligence) Technology Video Collaboration Platform and FususONE SaaS (Software as a Service) by Resolution No. 2020-272R and the purchase of related equipment and services from Fusus, LLC by Resolution No. 2021-074R. This amendment will extend the term of the agreement for two years.

REQUEST:

Resolution No. 2023-220R will extend the existing agreement for Fusus CORE with AI (Artificial Intelligence) Technology Video Collaboration Platform and FususONE SaaS (Software as a Service) with Fusus, LLC through November 14, 2025.

LEGAL AUTHORITY:

Resolution No. 2020-272R, approved on November 12, 2020

BUDGET AND RECOMMENDATION:

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

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends approval

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/9/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Consent Agenda
Resolution 2023-222R

PROCUREMENT AGENDA ITEM:

Resolution No. 2023-222R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a task authorization to the contract and agreement for Professional Civil Engineering Services with Hanson, Walter & Associates, Inc., dated November 21, 2022, for Civil Design and Permitting Services for the Extension of Creek Woods Drive, and providing an effective date.

COST: up to \$428,670.50

This item is to approve a task authorization for civil design and permitting services for the extension of Creek Woods Drive from Canoe Creek Road to Old Canoe Creek 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:

Per Kevin Felblinger, Public Works Director, this project is to design and permit the extension of Creek Woods Drive from Old Canoe Creek Road to Canoe Creek Road. The extension of Creek Woods Drive is to be a two-lane roadway approximately 4,300 feet long, designed to local road standards with curb and gutters. There will be sidewalks on both sides of the roadway and a potential traffic signal on both ends. The design will also include intersections with five existing roads in the Canoe Creek Lakes, Cypress Preserve, and Canoe Creek Estates neighborhoods.

REQUEST:

Resolution No. 2023-222R will approve a task authorization with Hanson, Walter & Associates, Inc. for civil design and permitting services associated with the extension of Creek Woods Drive.

LEGAL AUTHORITY:

Resolution No. 2022-265R approved on October 6, 2022.

BUDGET AND RECOMMENDATION:

Budgeted: \$428,670.50/Actual Cost: up to \$428,670.50

Capital Project Fund (Mobility Funds)

Project ST2306

300-9595-541-31-00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends approval

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/09/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Consent Agenda
Resolution 2023-226R

PROCUREMENT AGENDA ITEM:

Resolution No. 2023-226R, a resolution of the City Council of the City of St. Cloud, Florida, approving final grant awards for the FY2023-2024 Community Support Grant Program.

COST: up to \$150,000.00

This item is to approve the FY2023-2024 Community Support Grant Awards.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The City of St. Cloud Community Support Grant Program has an available balance of \$150,000.00 for the purpose of allocating grant awards as well as contingency amount for event sponsorships. The program received forty-three (43) applications for FY 2023-2024.

REQUEST:

Resolution No. 2023-226R will approve the FY2023-2024 Community Support Grant awards, which will take effect on November 9, 2023.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

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

001-1000-511.82-00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends approval

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

11/09/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Consent Agenda
Resolution 2023-227R

BUILDING AGENDA ITEM:

Resolution No. 2023-227R, a resolution of the City Council of the City of St. Cloud, Florida, amending the Schedule of Fees and Charges pursuant to Part III Land Development Code, Article XIII - Minimum Building Construction Standards, Section 13.3 - Permit and Permit Fee Required of the Land Development Code, repealing all resolutions in conflict and providing an effective date.

COST: No cost associated with this item.

This item is to amend the schedule of fees for the Building Department by adding an Accessory Dwelling Unit permit type to the fee schedule that will be assessed by square footage. It also corrects Screen Enclosure sub permit type to include existing concrete. This fee schedule change is in conjunction with Ordinance 2023-45. No changes have been made to permit base fees or fee tables.

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.

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:

Resolution No. 2023-227R amends the schedule of fees and charges in the following ways:

- Adding a permit type called Accessory Dwelling Unit (ADU) to the fee schedule that will assess fees by square footage to accommodate Ordinance 2023-45.
- Corrects the Screen Enclosure sub permit type under Residential Additions to include existing concrete.

REQUEST:

Request that the City Council approve Resolution No. 2023-227R.

LEGAL AUTHORITY:

The City Council is authorized pursuant Sec 1.1.4 of the Land Development Code to establish fees and may change fees from time to time by resolution of the City Council, and such changes shall not be considered an amendment to the Code.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** of Resolution No. 2023-227R.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/09/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Consent Agenda
Resolution 2023-228R

PUBLIC WORKS AGENDA ITEM:

Resolution No. 2023-228R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of three (3) used tractor trucks and providing for an effective date.

COST: up to \$250,000.00

This item is to authorize the City Manager to investigate and purchase three (3) used tractor trucks for hauling debris from the transfer station to the JED landfill. The three (3) existing tractors need to be replaced due to structural and engine issues.

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:

The Solid Waste Division purchased four identical tractor trucks for the transfer station in 2012. The trucks are used to haul debris from the transfer station to the JED landfill, with multiple daily trips. These trucks have been driven daily since they were put into service accumulating approximately 600,000 miles and 28,000 engine hours each.

The original intent was to replace the trucks on a regular schedule. This has not been possible due to rising costs and the increasing volume. With the current and projected volumes, the replacement schedule and increases to the fleet have been adjusted with the latest rate adjustments. Regardless, it is time for major repairs to the vehicles (engine rebuild, structural rails, etc.), for which costs have increased and the estimated cost for each is \$79,000. This is based on experience with one of the trucks, which is going through the maintenance this year. The other three trucks are on a similar schedule.

Due to the increased maintenance cost, staff investigated replacing the remaining three 2012 vehicles with new or used vehicles, as well as with contracted services. The cost for new tractor trucks is between \$175,000 and \$200,000. The cost for a used 2018 Mack Truck is \$70,191.76 (\$57,191.76 with the trade-in value for the existing fleet). With respect to the third option, the City of St. Cloud currently has a contract for supplemental hauling. This contract cost between \$5-\$7 more per ton than hauling the debris in-house. Last year, the City hauled approximately 90,000 tons of debris which would cost about \$450,000-\$630,000 more if the City solely utilized the supplemental hauling contract. As a result, the most cost-efficient option is to replace three of the trucks with used (2018) Mack trucks to cover the interim time period. It is recommended that frame rail on the first truck be replaced and the Solid Waste Division purchase three used tractor trucks to meet the hauling needs at the transfer station. With the revised Solid Waste rates, the program will undergo an annual replacement and reserve program for these vehicles to

mitigate the structural age issues over the next five years. This interim solution can be accomplished within the current budget.

REQUEST:

Resolution No. 2023-228R will approve the purchase of three (3) used tractor trucks for the Transfer Station. This item authorizes the City Manager to investigate and purchase three (3) used tractor trucks for hauling debris from the transfer station to the JED landfill. The three (3) existing tractors need to be replaced due to structural and engine issues.

LEGAL AUTHORITY:

City of St. Cloud Purchasing Policy.

BUDGET AND RECOMMENDATION:

COST: up to \$250,000.00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/09/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Consent Agenda
Resolution 2023-230R

FINANCE AGENDA ITEM:

Resolution No. 2023-230R, 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: No cost associated with this item.

This item is to dispose of obsolete property.

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:

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. Staff recommends approval of this request.

REQUEST:

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

LEGAL AUTHORITY:

Resolution 2019-022R St. Cloud Capital Asset Policy Article VII, Sec. B1

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:

There is no cost associated with this item.

Staff recommends **APPROVAL** of this item.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:
Final Action 11/09/2023



MEETING: November 9, 2023

Agenda Item Type: Consent Agenda
Resolution 2023-231R

PUBLIC WORKS AGENDA ITEM:

Resolution No. 2023-231R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to execute the Local Agency Program Agreement between the State of Florida Department of Transportation and the City of St. Cloud and providing an effective date.

COST: up to \$834,055.00 with FDOT LAP funding up to \$809,923.00

This item is to execute the Local Agency Program (LAP) Agreement between the Florida Department of Transportation (FDOT) and the City of St. Cloud for the sidewalk improvements along Delaware Avenue, Vermont Avenue, and Columbia Avenue.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The City of St. Cloud and the Florida Department of Transportation (FDOT) have been working together to implement pedestrian improvements along Delaware Avenue (between US192 and Lakeshore), Vermont Avenue (from 10th Street to 5th Street), and Columbia Avenue (from US192 to 10th Street). These improvements include, but are not limited to, updated signage, new sidewalks, and updated pedestrian crossings. These improvements will provide for safer pedestrian travel in the City. Because most of the cost will be paid by the Department of Transportation, staff is recommending approval.

This item is for the approval of the FDOT LAP agreement. The construction portion of the project still needs to be bid out in the first quarter of 2024. The lowest responsive bid will be brought forward to the City Council for award.

REQUEST:

Resolution No. 2023-231R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to execute the Local Agency Program Agreement between the State of Florida Department of Transportation and the City of St. Cloud and providing an effective date.

LEGAL AUTHORITY:

Florida Statute 163.01

BUDGET AND RECOMMENDATION:

Up to \$834,055.00 with FDOT LAP funding up to \$809,923.00
300-9595-541.31-00; 300-9595-541.64-00/Project Number ST2403

Staff recommends **APPROVAL**.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/09/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Consent Agenda
Resolution 2023-233R

CITY CLERK AGENDA ITEM:

Resolution No. 2023-233R, a resolution of the City Council of the City of St. Cloud, approving an Interlocal Agreement with the City of St. Cloud, Osceola County, the City of Kissimmee, the Osceola County School Board and Osceola Legislative Effort, Inc. for the acquisition of lobbyist services to promote, represent and protect those interests which collectively affect and impact the interests of the parties and authorizing the Mayor to execute the agreement and providing an effective date.

COST: \$30,000 City Contribution.

This item is to approve an Interlocal Agreement with the City of St. Cloud, Osceola County, the City of Kissimmee, the Osceola County School Board and Osceola Legislative Effort, Inc. for the acquisition of lobbyist 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:

Each year there are legislative issues which affect the collective interests of the County, St. Cloud, Kissimmee, and the school board; and these collective interests would be better served with a unified voice and joint lobbying effort representing the interests of these parties as a whole; and such unified joint representation would promote efficiency and provide for a large, more positive and more productive impact on those concerns and issues relating to these parties as a collective unit.

REQUEST:

Request Council approve an Interlocal agreement for the acquisition of lobbyist services.

LEGAL AUTHORITY:

Section 163.01, Florida Statutes and City Charter Section 2.04.

BUDGET AND RECOMMENDATION:

General Fund: FY 23/24 001-1000-511.31-00

Budgeted : \$30,000

Staff recommends **APPROVAL** of this item.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval.

CITY COUNCIL ACTION:

11/09/2023-Final Action



MEETING: November 9, 2023

Agenda Item Type: Public Hearings
Resolution 2023-218R

FINANCE AGENDA ITEM:

PUBLIC HEARING FOR RESOLUTION NO. 2023-218R, a resolution of the City Council of the City of St. Cloud, Florida amending Resolution Number 2022-188R which adopted the fiscal year 2022/2023 budget for the City of St. Cloud, finding the City Manager has certified there are prior year fund balances and or current revenues available in the budget for additional projects and programs in various funds not included in the original budget, requiring the budget to be increased to include said additional funding in the various funds and making supplemental appropriations within the funds. (Above is full title) **ACTION ON RESOLUTION NO. 2023-218R**

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 seven is necessary to ensure funds are placed in the needed projects and the line items to procure services and equipment. Specifically, this amendment provides funding for: Fiscal year-end realignment of Departmental budgets, establish a capital project for the General Fund portion of the City Hall Atrium (first floor), recognize FDOT returned excess funds for the upgrade from concrete strain poles to black mast arm structures at four intersections along SR500, to provide additional funding for project PS2301 Modular Office for PD and recognize that landfill revenues for both City and Non-City were greater than anticipated.

REQUEST:

Request City Council's approval to amend the fiscal year 2022/2023 budget through Resolution 2023-218R

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/09/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Public Hearings
Resolution 2023-219R

FINANCE AGENDA ITEM:

PUBLIC HEARING FOR RESOLUTION NO. 2023-219R, a resolution of the City Council of the City of St. Cloud, Florida amending Resolution Number 2023-154R which adopted the fiscal year 2023/2024 budget for the City of St. Cloud, finding the City Manager has certified there are prior year fund balances and or current revenues available in the budget for additional projects and programs in various funds not included in the original budget, requiring the budget to be increased to include said additional funding in the various funds and making supplemental appropriations within the funds. (Above is full title) **ACTION ON RESOLUTION NO. 2023-219R**

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 one is necessary to ensure funds are placed in the needed projects and the line items to procure services and equipment. Specifically, this amendment provides funding for: to provide additional funding for the annual Letter of Agreement (LOA) with the Agency for Health care Administration, to provide budget for resolution 2020-264R Local Government Area of Opportunity loan to Madison Grove, LLC, to fund rental assistance program for downtown business in accordance with resolution 2019-018R, to fund Life Safety renovations at The Ranch park and the purchase of the property at Lakeshore and Indiana, to fund vehicles and emergency lighting/equipment for 6 new Police Officer positions and to cover additional costs (\$10,000) for side loader trucks.

REQUEST:

Request City Council's approval to amend the fiscal year 2023/2024 budget through Resolution 2023-219R.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/09/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Public Hearings

First Public Hearing: October 12, 2023

Second Public Hearing: November 9, 2023

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2023-47, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a future land use designation of "Industrial" to approximately 3.47 acres identified as Hickory Place Industrial Park Lot 1, located west of Hickory Tree Road and south of East Irlo Bronson Memorial Highway; 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, conflict, copies on file and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2023-47**

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 generally located south of East Irlo Bronson Memorial Highway and west of Hickory Tree Road. This property currently has a Future Land Use Map designation of Commercial (City). The applicant submitted an application to amend the Future Land Use Map designation of the subject property from Commercial to Industrial to allow an industrial use. A concurrent Zoning Map Amendment (ZMA21-0010) with a request to I-2 is also being heard with this item. The ZMA application will address performance criteria for this site. At the October 12, 2023, City Council meeting, this item was continued to the November 9, 2023, meeting to allow the applicant to conduct a community meeting to address citizens' concerns with dust, noise, and visual aesthetics of the property.

This item was approved at Planning Commission on December 21, 2021, and was heard at City Council on January 13, 2022, with the recommendation to address performance standards prior to the City Council adoption hearing. The applicant is requesting approval since the existing Future Land Use of Commercial is not compatible with the surrounding development (north, south and west) in the area and the current use on the site. Because the Future Land Use designation for the properties north, south and west of this property is Industrial, the property fronts on an arterial road to the east, and the proposed designation forwards the Comprehensive Plan Goal 1 and promotes economic vitality, staff recommends approval of this request.

REQUEST:

The applicant is requesting consideration of a Future Land Use Map amendment from Commercial (City) to Industrial (City) for approximately 3.47 acres of land, known as Hickory Place Industrial Park - Lot 1

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 Zoning Map Amendment for Ordinance No. 2023-47.

On December 21, 2021, the Planning Commission recommended **APPROVAL** of the request for a Comprehensive Plan Amendment for Ordinance No. 2022-05. Although a new ordinance number has been issued for the item (2023-47), the request remains the same as previously heard by the Planning Commission, therefore this item does not have to return for a recommendation.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

CITY COUNCIL ACTION:

11/09/2023 - Final Action

10/12/2023-Motion by Urban to approve with conditions to have the applicant work with staff to shield the dust and to work with the community to come up with an agreement. Seconded by Blackwell. Passed 3-2. Matheny and Gilbert voted nay.



MEETING: November 9, 2023

Agenda Item Type: Public Hearings

First Public Hearing: October 12, 2023

Second Public Hearing: November 9, 2023

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2023-48, an ordinance of the City Council of the City of St. Cloud, Florida, rezoning 3.47± acres identified as Hickory Place Industrial Park Lot 1, from "HB" Highway Business to "I-2" Industrial 2, compatible with an "Industrial" Future Land Use designation adopted by Ordinance No. 2023-47, generally located west of Hickory Tree Road and south of East Irlo Bronson Memorial Highway; 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. 2023-48

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 generally located south of US 192 and west of Hickory Tree Road with Commercial (City) Future Land Use and "HB" Highway Business (City) Zoning. The applicant also has a concurrent Comprehensive Plan Amendment (CPA21-00019) application to amend the Future Land Use Map designation from Commercial to Industrial under consideration. The applicant is requesting to change the subject property zoning to "I-2" Industrial 2, which is consistent with the Future Land Use Map as amended to allow a concrete crushing facility and recycle yard. At the October 12, 2023, City Council meeting, the ordinance was introduced and the City Council requested that, prior to the final hearing, the applicant conduct a community meeting to discuss the proposed restrictions and address citizens' concerns with dust, noise, and visual aesthetics of the property. This meeting was held on November 1, 2023 at Hopkins Park.

This request is consistent with the surrounding area. Consideration for Hickory Place Industrial was recommended for approval at the Planning Commission meeting on December 21, 2021, and the item was motioned for approval at the first reading City Council meeting on January 13, 2022 with the specifications to address performance standard through an agreement. The proposed performance standard agreement document addresses hours of operation(7 am to 5 pm Monday through Friday; 9 am to 2 pm on Saturdays; closed on Sundays), dust mitigation (material piles watered every two hours minimum during operating hours, with additional watering as required by City based on weather conditions), landscaping (wall to match adjacent use with canopy trees spaced every 25 feet and a row of shrubs along Hickory Tree Road), and provisions for deliveries/machinery operation (limited to within hours of operation), and outdoor storage (located minimum 25 feet from front property line, but restricted to side and rear of principal building and screened with opaque fencing material).

REQUEST:

The applicant is requesting consideration of a Zoning Map Amendment from “HB” Highway Business (City) to “I-2” Industrial 2 (City) for approximately 3.47 acres of land, known as Hickory Place Industrial Park - Lot

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 not cost associated with this item.

Staff recommends **APPROVAL** of the request for Zoning Map Amendment for Ordinance No. 2023-48, including the Rezoning Restriction addressing performance standards.

On December 21, 2021, the Planning Commission recommended **APPROVAL** of the request for a Comprehensive Plan Amendment for Ordinance No. 2022-06. Although a new ordinance number has been issued for the item (2023-48), the request remains the same as previously heard by the Planning Commission, therefore this item does not have return for a recommendation.

FINANCE DIRECTOR’S COMMENTS:

N/A

PROCUREMENT DIRECTOR’S COMMENTS:

N/A

CITY MANAGER’S COMMENTS:**CITY COUNCIL ACTION:**

11/09/2023 - Final Action

10/12/2023-Motion by Urban to approve with conditions to have the applicant work with staff to shield the dust and to work with the community to come up with an agreement. Seconded by Blackwell. Passed 3-2. Matheny and Gilbert voted nay.



MEETING: November 9, 2023

Agenda Item Type: Public Hearings

PLANNING AGENDA ITEM:

PUBLIC HEARING FOR RESOLUTION NO. 2023-195R, a resolution of the City Council of the City of St. Cloud, Florida, granting a Site Development Plan variance to reduce setbacks on a proposed site plan and an alternative buffer design in "I-1" Industrial District 1 zoning designation on a 1.47 acre parcel of land located north of 17th street, south of East Irlo Bronson Memorial Highway, east of Orange Avenue, and west of River Road, as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2023-195R**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The applicant is requesting approval of a site development plan variance to reduce the setbacks to the north and south of the property and to propose an alternative buffer design. The subject property is located north of East 17th Street, south of East Irlo Bronson Memorial Highway, east of Orange Avenue, and west of River Road.

The subject property has Industrial Future Land Use with Industrial District 1 (I-1) zoning designation. Historical permit records from the County indicate that the property had a single-family home demolished around 2004 and thereafter was annexed into the City with Industrial Future Land Use and Zoning. Property to the north is also zoned Industrial (I-2), while property to the south is zoned Residential (R-1A). The applicant is requesting approval of a site plan variance for approval of a warehouse development. At the October 12, 2023, City Council meeting, this item was continued to the November 9, 2023, meeting to allow the applicant to conduct a community meeting to address citizens' concerns. The meeting is scheduled for November 7, 2023.

There is currently a Site Development Plan (SDP22-00032) under review which is pending approval of this request to address site constraints. Industrial District 1 (I-1) zoning designation requires a minimum side yard setback of 15 ft. and requires a 25 ft. medium buffer when abutting residential land use. This request is seeking the following:

1. A 5 ft. setback reduction from 15 ft. to 10 feet to the north.
2. A 3 ft. setback reduction from 15 ft. to 12 ft. to the south.
3. A request for an alternate buffer design from 25 ft. to 12 ft. The alternative buffer design would include several tree and scrub plantings with a six-foot masonry wall which is included as Attachment B.

Staff has reviewed the area in order to assess these requests. Because the north property line

abuts another Industrial-zoned property, the setback reduction does not impact the area negatively and would promote additional jobs in this area. Likewise, the inclusion of a masonry wall and additional plantings along the south property line will soften the minimal three-foot setback reduction. Though the area to the south is currently zoned residential, the block is slowly converting to predominantly non-residential uses, and the wall will provide a clear separation until the rest of the block transitions. As a result, the recommendation is for approval with the conditions noted below.

REQUEST:

The applicant is requesting approval of a site development plan variance to reduce the setbacks to the north and south of the property and to propose an alternate buffer design.

LEGAL AUTHORITY:

Per LDC Section 4.3.1 - The city council may grant a standard site variance from the applicability or specific terms of these regulations, exclusive of zoning regulations which shall be heard by the board of adjustment, when such standard site variance will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of this article would result in unnecessary hardship. Such standard site variance shall not be granted if it has the effect of nullifying the intent and purpose of these regulations.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff reviewed this request for a Site Development Plan Variance on or before September 10, 2023, and recommends **APPROVAL with Conditions** of DMI Business Park Variance (SDP23-00010):

1. The site development plan must show the alternative buffer design as proposed with the variance application. The landscaping for the alternate buffer shall be as follows: 30 Large Trees, 20 Small/Medium Trees, 1 Evergreen Tree, 455 Shrubs, and a 6 feet masonry wall.
2. The proposed site plan must meet all other land development code regulations not listed in this request.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval with conditions

CITY COUNCIL ACTION:

11/09/23 - Final Action

10/12/23- Motion by Matheny to continue until 11/09/2023, City Council Meeting. Seconded by Fletcher. Passed 5-0.



MEETING: November 9, 2023

Agenda Item Type: Public Hearings
Ordinance 2023-52

First Public Hearing: November 9, 2023

Second Public Hearing: December 14, 2023

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-52, 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 Winter Calm Lane and Calm Soul Way, East of Tohoqua Boulevard, and West of Cross Prairie Parkway specifically described in the body of this Ordinance; providing for severability, conflicts, and an effective date. (Above is the full title) (Final Public Hearing will be held on December 14, 2023) **ACTION ON ORDINANCE NO. 2023-52**

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 applicant is requesting a right-of-way abandonment of a section of a 40-foot right-of-way running between parcels 26-25-29-3140-0031-0020 and 26-25-29-3140-0030-0170, located South of Winter Calm Lane and Calm Soul Way, East of Tohoqua Boulevard, and West of Cross Prairie Parkway. The right of way runs between both parcels, breaking the site into two pieces and is preventing the construction of a needed school site.

The City's Public Works Department and Toho Water Authority confirmed that the right of way is no longer a need. Additionally, notices were sent to all utility companies and no objection was received.

REQUEST:

Ordinance No. 2023-52 will abandon 40 feet of platted Right-of-Way.

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.

b. The immediate neighborhood and/or adjacent area;

Vacation of the platted right-of-way will not disrupt the surrounding infrastructure. The median that is within the area of abandonment was previously approved for signage with

SDP approval by Osceola County.

- c. The property owners immediately adjacent to the affected right-of-way or easement; Surrounding development is not negatively impacted by the request. Other property owners within 500' and the subdivision 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 and Toho Water Authority confirmed no infrastructure would be harmed by the creation of a privately-owned and maintained tract used for signage. Osceola County Transportation & Transit confirmed that the SEATS Analysis demonstrates that no additional right-of-way will be necessary for the future widening of the Cross Prairie Parkway corridor adjacent to this area. 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 October 12, 2023 and recommends **APPROVAL** of Ordinance No. 2023-52.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

12/14/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Public Hearings
Resolution 2023-193R

ECONOMIC DEVELOPMENT AGENDA ITEM:

PUBLIC HEARING FOR RESOLUTION NO. 2023-193R, a resolution of the City Council of the City of St. Cloud, Florida, adopting the St. Cloud Seaplane Master Plan; providing for conflict; and providing for an effective date. (Above is full title) **ACTION ON RESOLUTION NO. 2023-193R**

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.

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

BACKGROUND INFORMATION:

Having an accepted airport master plan is a requirement of participation in the FDOT Florida Aviation System Plan, which provides for future aviation project grant funding once the initial shore facilities have become operational. Airport master plans follow a Federal Aviation Administration (FAA) format/process, applicable to all airports. A portion of that process is to examine all possible alternatives based on locations and property available and select the best possible alternative(s) for future implementation.

Since seaplane bases do not usually have enough aircraft traffic to come under the FAA for administrative/inspection purposes, the Florida Department of Aviation will be the reviewing authority for this master plan. Submission and acceptance of the seaplane base masterplan does in no way obligate the City to ever perform the proposed alternatives in the plan, however inclusion in the master plan provides for efficient future implementation and eligibility for aviation infrastructure grants.

REQUEST:

Resolution No. 2023-193R will authorize the City Manager to transmit the proposed Saint Cloud Seaplane Base Airport Master Plan to the Florida Department of Transportation District 5 Airport, Seaport and Space Port Office, for review and acceptance.

LEGAL AUTHORITY:

State of Florida FS 330.36(1) and 330.36(2); Florida Aviation Authority AC 150/5070-6, Airport Master Plans

BUDGET AND RECOMMENDATION:

No additional costs are associated with this item.

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

12/14/2023 Final Action



MEETING: November 9, 2023

Agenda Item Type: Public Hearings
Ordinance 2023-44

First Public Hearing: September 14, 2023

Second Public Hearing: November 9, 2023

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2023-44, an ordinance of the City Council of the City of St. Cloud, Florida, adopting the Recreation and Open Space Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2023-44**

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 City's Comprehensive Plan includes Goals, Objectives and Policies addressing the future growth of the City, incorporating Elements to ensure a coordinated development pattern to achieve the City's vision. In the past year, staff has been coordinating efforts to update the Comprehensive Plan, consistent with the City's Strategic Plan priorities. At this meeting on September 14, 2023, the City Council will be reviewing the Recreation and Open Space Element, last updated in 2002 by Ordinance No. 2002-41. Ordinance No. 2023-44 adopts the proposed Recreation and Open Space Element of the Comprehensive Plan. In summary, the City strives to provide all citizens with access to recreation facilities and open space areas. The City's lead office in charge of adequately designating park lands and providing public recreation opportunities is the Parks and Recreation Department. The purpose of this element is to identify open space and recreation facilities, establish level of service standards for the provision of such facilities, and analyze current and projected park and recreational needs based on population projections and the established level of service standards. The proposed element will be consistent with the recently updated Parks & Recreation Master Plan.

This proposed amendment includes some of the following provisions:

- Updated goals, objectives, and policies

The Transmittal Packet was sent to the Florida Department of Commerce on September 22, 2023. On October 20, 2023, the Florida Department of Commerce completed the review of the comprehensive plan amendment and had no comments on the proposed amendment.

REQUEST:

The request is to adopt a new Recreation and Open Space Element in accordance with Florida Statute 163.3161(4) and 187.201(7)

LEGAL AUTHORITY:

Section 163.3184, Process for adoption of comprehensive plan or plan amendment, Florida Statutes.

BUDGET AND RECOMMENDATION:

There is no cost for this item.

On August 15, 2023, the Planning Commission recommended APPROVAL of Ordinance No. 2023-44.

On September 14, 2023, the City Council recommended APPROVAL of Ordinance No. 2023-44.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

11/9/2023 - Final Action

09/14/2023 - Motion to approve by Matheny. Seconded by Fletcher. Passed 5-0.



MEETING: November 9, 2023

Agenda Item Type: Public Hearings
Ordinance 2023-45

First Public Hearing: September 14, 2023

Second Public Hearing: November 9, 2023

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2023-45, an ordinance of the City Council of the City of St. Cloud, Florida, amending Article II, “Definitions” Section 2.1.1; amending Article III; “Zoning Regulations”, amending Table III-4, Table III-5, and Table III-9 of the Land Development Code; amending Division 20 “Supplemental District Regulations”, Section 3.20.38 “Accessory Dwelling Units”, of the Land Development Code; providing for severability, conflicts and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2023-45**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Consistent with the City's Strategic Plan, specifically the Growth Management Goal, staff has researched and prepared an ordinance to amend the Land Development Code to address Accessory Dwelling Units. There is a need for regulations and standards for Accessory Dwelling Units (ADUs) within the City that provide an opportunity for smaller households to have housing options while providing affordable rental options that reduce impact fees for the applicant, and to protect the stability, property values and single-family residential character of neighborhoods by ensuring that accessory units are developed only under appropriate conditions that minimize their impact.

The proposed Ordinance will allow Accessory Dwelling Units in the Agriculture (A) and most of the Single-Family Residential (R-*) categories, excluding only the MH-A and MH-2 zoning districts. There are restrictions to ensure the structure complements the property and is compatible with surrounding properties, including maximum living area (for properties less than one acre limited to no more than 60% of the principal dwelling unit with a cap of 1,000 square feet; for properties greater than one acre, the same 60% limitation is proposed but no cap on the size otherwise), parking requirements (one space required in addition to required parking for principal dwelling), architectural standards, occupancy standards (requires a homestead exemption be maintained on the property), etc.

The Planning Commission, at its meeting on August 15, 2023, did recommend approval, clarifying that the reduced parking requirement for the historic grid area of two parking spaces be used in the calculation for the principal dwelling when calculating total required parking with the additional required space for the Accessory Dwelling Unit (total of three parking spaces required). The proposed ordinance has been modified to incorporate this recommendation.

At the September 14, 2023, Council Meeting, council members requested staff to revise subsections “I. Impact Fees”, “K. Variances and Nonconformities,” and address concerns regarding lot coverage requirements and pending code enforcement cases. The requests have been addressed in the revised ordinance as follows:

1. Table III-9 was revised to include ADU requirements.
2. Permit restrictions were added to subsection B of the ordinance addressing properties with pending code violations.
3. Subsection I. Impact fees, was revised to exempt ADUs smaller than 1,000 square feet from impact fees. Units larger than 1,000 square feet shall be charged impact fees.
4. In response to Fire DRC review, language requiring ADU address to be posted on the principal structure/visible from the street if the unit is located in the rear yard was added.
5. Added language that an ADU shall only be permitted in a nonconforming lot if the ADU meets the current LDC standards.
6. Removed architectural standards for manufactured ADUs under subsection G. Architectural Standards.
7. Lot coverage: Deleted language/amendment in footnotes that excluded ADUs from maximum lot coverage calculations.
8. Garage conversion: No ordinance revision. As it is currently enforced, garage conversions will only be allowed if there is no loss of required parking spaces.
9. Revised subsection H. Occupancy Standards to clarify homestead exemption requirements.
10. Added subsection M. Deed Restrictions.

REQUEST:

The request is to approve Ordinance No. 2023-45 for the amendment of Article II, “Definitions” and Article III, “Zoning Regulations” of the Land Development Code of the City of St. Cloud to establish Accessory Dwelling Units.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

There is no cost for this item.

On August 15, 2023, the Planning Commission recommended **APPROVAL** of Ordinance No. 2023-45.

On September 14, 2023, the City Council recommended **APPROVAL** of Ordinance No. 2023-45.

FINANCE DIRECTOR’S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

11/9/2023 - Final Action

09/14/2023 - Motion by Matheny to approve with the final hearing being continued until the October 12th Council Meeting. Seconded by Blackwell. Passed 5-0.

10/12/2023 - Motion by Matheny to continued until the November 9th Council Meeting. Seconded by Fletcher. Passed 5-0.



MEETING: November 9, 2023

Agenda Item Type: Public Hearings
Ordinance 2023-49

First Public Hearing: November 9, 2023

Second Public Hearing: December 14, 2023

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-49, an ordinance of the City Council of the City of St. Cloud, Florida, amending and reorganizing Chapter 10, Building and Building Regulations of Part II City Code, and Part III Land Development Code in their entirety, providing for severability, conflict, codification, scrivener's errors, publication, and an effective date. (Above is full title) (Final Public Hearing will be held on December 14, 2023) **ACTION ON ORDINANCE NO. 2023-49**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The Land Development Code (LDC) Reorganization Project consists of rearranging the current LDC's numerous sections into a new structure that creates an easier to use, more intuitive Code where like regulations and standards are placed together. In an effort to provide consistency with the County's LDC, the major structure (Chapters 1-4) of the newly reorganized LDC follows that of Osceola County's where appropriate. Other modifications included identifying inconsistencies, repetitious language, ambiguous terms or requirements, clarifications, and grammatical errors, all of which were rectified accordingly.

The LDC Reorganization Project culminated in the creation of the attached ordinance with the vast majority of the regulatory content of the proposed LDC remaining the same except its location due to the reorganization. Any textual changes to the existing LDC are noted using strikethrough and underlined text. A Memorandum Report is attached which provides more detail on the major shifts and changes in this ordinance.

There were a handful of substantive changes which will be captured under a separate ordinance (Ordinance 2023-50). This separate ordinance proposes to add new language to the LDC for the establishment of rules for construction, interpretation, measurements, and calculations.

REQUEST:

The request is to approve Ordinance No. 2023-49 for the amendment and reorganization of Chapter 10, Building and Building Regulations of Part II City Code, and Part III Land Development Code in their entirety.

LEGAL AUTHORITY:

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

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

BUDGET AND RECOMMENDATION:

There is no cost for this item.

On October 17, 2023, the Planning Commission recommended **APPROVAL** of Ordinance No. 2023-49.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

12/14/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Public Hearings
Ordinance 2023-50

First Public Hearing: November 9, 2023

Second Public Hearing: December 14, 2023

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-50, an ordinance of the City Council of the City of St. Cloud, Florida, amending Chapter 1, General Provisions, Administration, and Boards and Commissions of Part III Land Development Code adding regulations stipulating the rules for construction, interpretation, measurements, and calculations as well as providing for severability, conflict, codification, scrivener's errors, publication, and an effective date. (Above is full title) (Final Public Hearing will be held on December 14, 2023)
ACTION ON ORDINANCE NO. 2023-50

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The LDC Reorganization Project under Ordinance 2023-49 consists of rearranging the current LDC's numerous sections into a new structure that creates an easier to use, more intuitive Code where like regulations and standards are placed together. The purpose of Ordinance 2023-50 is to capture any substantive changes being proposed such as adding new language to the LDC for the establishment of rules for construction, interpretation, measurements, and calculations. A Memorandum Report which details the specific additions to Articles 5 and 6, as well as Chapter 8 (Terms, Definitions, and Word Usage), is attached.

REQUEST:

The request is to approve Ordinance No. 2023-50 for the amendment of Chapter 1, "General Provisions, Administration, and Boards and Commissions" of Part III Land Development Code of the City of St. Cloud.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

There is no cost for this item.

On October 17, 2023, the Planning Commission recommended **APPROVAL** of Ordinance No. 2023-50.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

12/14/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Public Hearings
Ordinance 2023-51

First Public Hearing: November 9, 2023

Second Public Hearing: December 14, 2023

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-51, an ordinance of the City Council of the City of St. Cloud, Florida, amending Chapter 4, "Site Design and Development Standards" by adding a new article titled "Article 10, Public Art" providing for public art requirements for certain non-residential developments and also includes effect, severability, scrivener's errors, conflict, codification, and effective date. (Above is full title) (Final Public Hearing will be held on December 14, 2023) **ACTION ON ORDINANCE NO. 2023-51**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

This item was approved as part of the Strategic Plan and the Community Development Department's Business Plan. It is the purpose of this ordinance to enhance the City's culture, promote the general welfare of the City and enhance the quality of life for City residents, businesses, workers, and visitors by integrating art and arts space into public or semi-public spaces thereby creating unique, innovative, and attractive spaces while providing a legacy of artwork to be enjoyed by future generations. The proposed ordinance proposes that a minimum of 1% of the construction value for new development be applied to public arts by paying into the Public Art Fund (established with the proposed ordinance), constructing public art within the development, donating artwork for use in public spaces, providing public art space, or a combination of the options proposed. To achieve these standards, the proposed ordinance removes a section of the current code that applies to only CBD-1 and CBD-2 zoning districts and adds a new Article that applies to all zoning districts.

REQUEST:

The request is to approve Ordinance No. 2023-51 for the amendment of Chapter 4, "Site Design and Development Standards" by adding a new article titled "Article 10, Public Art" providing for public art requirements for certain non-residential developments

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. Based on Section 7.03 of the Charter and Related Laws, The City Council shall adopt, and from time to time modify, a comprehensive plan setting forth in graphic and textual form policies to direct the future physical development of the city as provided by law. The City Council has the final authority and responsibility for the adoption and enforcement of regulations for the development of land

which are based on, related to, and are a means of implementation for the adopted comprehensive plan required by the laws of this state in accordance with 3.21.1 of the Land Development Code.

BUDGET AND RECOMMENDATION:

There is no cost for this item.

On October 17, 2023, the Planning Commission recommended **APPROVAL** of Ordinance No. 2023-51.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

12/14/2023 - Final Action



MEETING: November 9, 2023

Agenda Item Type: Public Hearings
Ordinance 2023-58

First Public Hearing: November 9, 2023

Final Public Hearing to be scheduled at a later date.

HUMAN RESOURCES AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2023-58, an ordinance of the City of St. Cloud, amending the City of St. Cloud General Employees' Retirement System plan to include council members as eligible participants and restating the plan in its entirety to incorporate recent plan amendments; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith; providing for administrative correction of scrivener's errors and providing for publication and an effective date. (Above is full title)
ACTION ON ORDINANCE NO. 2023-58

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

This ordinance modifies the City of St. Cloud General Employee's Retirement System to include City Council members as eligible participants. Council members who are elected or appointed on or after January 1, 2024 and who have served for five (5) years will be eligible pension participants.

REQUEST:

Request for approval of Ordinance No. 2023-58

LEGAL AUTHORITY:

City of St. Cloud Code of Ordinances Section 32-61.

BUDGET AND RECOMMENDATION:

The estimated cost for this item will be calculated in an Actuarial Statement by the Pension's Actuary and will be available if approved on first reading.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

Final Public Hearing to be scheduled at a later date.



MEETING: November 9, 2023

Agenda Item Type: Public Hearings
Resolution 2023-207R

CITY MANAGER AGENDA ITEM:

PUBLIC HEARING FOR RESOLUTION NO. 2023-207R, a resolution of the City Council of the City of St. Cloud, Florida, declaring 1.54 +/- acres of certain vacant real property located west of Budinger Avenue and South of Peghorn Way owned by the City of St. Cloud as surplus property for leasing and approving the lease of said property to Air Methods Corporation for the construction maintenance and operation of a heliport for medical transport plus payment to the City of \$600 per month for an initial term of five years; authorizing the Mayor to execute a lease agreement and providing an effective date. (Above is full title) **ACTION ON RESOLUTION NO. 2023-207R**

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.

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

BACKGROUND INFORMATION:

Air Methods is looking to place a \$4,000,000 MediVAc helicopter in a central location in the city and near our community's medical services.

Air Methods contacted the city for assistance in identifying potential land for a helicopter hangar due to its public safety benefit to the community.

The City identified 1.54 acres of land generally located at or near Peg Horn Way and Progress Lane, within the "landfill's property". Please see exhibit A below for a conceptual plan of the property.

Air Methods proposes to develop the land and build a state-of the art facility and hangar.

PROPOSED LAND LEASE AGREEMENT TERMS

Premises: 1.54 acres

Base Rent: Six-hundred Dollars a Month (\$600)

Term: One (1) five (5) year base term with two (2) five (5) year options to renew upon 180 days written notice by Tenant, provided Tenant is not in default at the time of giving notice and with rent adjustment as negotiated for each renewal.

Tenant's Responsibilities: The property is to be delivered as is and the tenant is responsible for all property taxes, improvements, maintenance, and sales taxes.

REQUEST:

The lease of 1.54 acres of surplus city property to Air Methods Corporation for the construction of a medical helipad and associated infrastructure.

LEGAL AUTHORITY:

City Charter Section 2.04 and City Code Sec. 2-188 Sale or Lease of Surplus Real Property.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends the **Continuance of this item to the December 14th City Council Meeting**

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends continuance to the Dec. 14th City Council meeting.

CITY COUNCIL ACTION:

10/12/2023- Motion by Blackwell to continue until the November 9, 2023, Council Meeting. Seconded by Urban. Passed 5-0



MEETING: November 9, 2023

Agenda Item Type: Council Action
Resolution 2023-224R

PROCUREMENT AGENDA ITEM:

Resolution No. 2023-224R, a resolution of the City Council of the City of St. Cloud, Florida authorizing the City Manager to enter into a task authorization to the agreement for Construction Manager at Risk Services for Projects Less than \$4 Million in Value with Quinn Commercial, Inc., for The Ranch at St. Cloud, Life Safety Phase 2, establishing a guaranteed maximum price, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Per Stephanie Holtkamp, Parks and Recreation Director, the project will consist of connecting the Ranch event building to water and sewer (removing 3 septic tanks), installing FDC connection, and installing the required fire sprinkler system in main building. In addition, the contract will provide a variety of building and site upgrades, including the following: installing new gate system at Jones Road to make entry wider and meet code; painting of interior and exterior of building; building out a handicap spot for parking with sidewalk that leads to the south entry of the facility; removing concrete area and replacing with sod on the south side of facility for safety and ease of maintenance. More detail is included with the attached contract. These improvements are required to continue using the facility for rental activities and have been timed to not interfere with the current schedule for the building.

REQUEST:

Resolution No. 2023-224R will approve a guaranteed maximum price authorization with Quinn Commercial, Inc. for The Ranch at St. Cloud, Life Safety Phase 2.

LEGAL AUTHORITY:

Resolution No. 2022-152R approved on June 23, 2022.

BUDGET AND RECOMMENDATION:

Budgeted \$980,481.00/Actual cost up to \$980,481.00

Capital Projects

Project PR2201

300-9595-572.63-00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends approval

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

11/09/2023 – Final Action