

ST. CLOUD CITY COUNCIL REGULAR MEETING

Thursday, November 17, 2022

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 Linette Matheny
- ◆ Council Member Kolby Urban
- ◆ 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 by the Economic Development Division regarding the Quarterly Economic Development Report

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. 2022-287R, a resolution of the City Council of the City of St. Cloud, Florida, approving final grant awards for the Fiscal Year 2023 Community Support Grant program.

COST: up to \$150,000.00

This item is to approve the final grant awards for the Fiscal Year 2023 Community

Support Grant program.

- B. Resolution No. 2022-288R, a resolution of the City Council of the City of St. Cloud, Florida, approving an amendment to the agreement dated October 18, 2022, between the City of St. Cloud and S & K Sod Company, LLC for the Annual Supply of Sod, 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 various City Departments, on an as-needed basis, from various approved and budgeted expenditure accounts.
This item is to approve an amendment to the agreement with S & K Sod Company, LLC to allow for the increased purchase of sod for projects citywide to exceed \$50,000.00 annually.
- C. Resolution No. 2022-290R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of ITB No. AR-18-10384-IS, previously advertised for bid by Osceola County, Florida, which is reasonable and otherwise in the best interest of the City of St. Cloud, whose subject matter is Janitorial Supplies, Paper, and Plastic, providing for the award thereof to Cypress Supply, 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 various City Departments on an as-needed basis from various approved projects and budgeted expenditure accounts.
This item is to approve an agreement for the purchase of various janitorial supplies, paper and plastic goods for cleaning and maintenance of City facilities.
- D. Resolution No. 2022-292R, 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 agreement dated July 29, 2019, between the City of St. Cloud and CareHere Management, PLLC, whose subject matter is Medical Services Agreement for Onsite Employee Clinic, and providing an effective date.
COST: No cost associated with this item.
This item is to amend the language in the agreement requested by CareHere Management, PLLC for Medical Services for the Onsite Employee Clinic regarding technology equipment, insurance, assignment, security and cost of living increases of CareHere employees.
- E. Resolution No. 2022-296R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Sourcewell Contract No. 110520-GPC, whose subject matter is Fleet and Facility Related Vendor Managed Inventory and Logistics Management Solutions providing for the award thereof to Genuine Parts Company - NAPA Integrated Business Solutions, and providing an effective date.
COST: Undetermined at this time. This contract will be utilized by various City departments for the purchase of fleet and facility related vendor managed inventory and logistics management solutions, on an as-needed basis, from various approved and budgeted expenditure accounts.
This item is to approve an agreement to manage fleet supplies inventory and staff a complete parts store onsite.
- F. Resolution No. 2022-298R, 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 Continuing Professional Civil Engineering Services with Osceola Engineering, Inc. dated October 28, 2022, and any amendments thereto, for Preliminary

Civil and Traffic Engineering Services associated with the “5th Street Conversion Project” proposed between Mississippi Avenue and Brown Chapel Road in the City of St. Cloud, Florida, and providing an effective date.

COST: up to \$63,810.00

This item is to enter into a task authorization as directed by City Council on July 26, 2021, to evaluate the 5th Street corridor from Brown Chapel Road to Mississippi Avenue.

- G. Resolution No. 2022-299R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the sole source procurement of proprietary software, hardware, configuration and installation services from Mach Alert, Inc., the current service provider in the best interest of the City of St. Cloud, whose subject matter is the purchase and installation of a Mach Alert System for Temporary Fire Station 35, and providing an effective date.

COST: up to \$79,612.00

This item is to approve the purchase and installation of a medical alarm alerting system for temporary Fire Station 35 on Cross Prairie Parkway within the Tohoqua development.

- H. Resolution No. 2022-300R, 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 Alternate Paving Methods with Asphalt Paving Systems, Inc. dated February 21, 2022, and any amendments thereto, for Thermo Stripe only, various subdivisions, and providing an effective date.

COST: up to \$93,987.76

This item is to approve a task authorization for street marking replacements in various subdivisions.

- I. Resolution No. 2022-301R, 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 Alternate Paving Methods with Asphalt Paving Systems, Inc. dated February 21, 2022, and any amendments thereto, for Mill/Overlay & Edgemill/Overlay Deer Creek Area and Mill/Overlay Double Micro-surface Stevens Plantation Area, and providing an effective date.

COST: up to \$1,095,360.72

This item is to approve a task authorization for paving to include Mill/Overlay and Edgemill/Overlay in Deer Creek and Stevens Plantation areas.

- J. Resolution No. 2022-302R, 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 agreement for Professional Consulting Services with ZHA Incorporated, approved on September 23, 2021, and any amendments thereto, for St. Cloud City Hall Lobby Additional Services Owner’s Representative Services, and providing an effective date.

COST: up to \$36,000.00 (total cost including first amendment \$108,200.00)

This item is to approve the first amendment to the task authorization with ZHA Incorporated for St. Cloud City Hall Lobby Additional Services Owner’s Representative Services, to allow the company to finish its services on this project.

- K. Resolution No. 2022-305R, a resolution of the City Council of the City of St. Cloud, Florida, urging the Florida National Register Review Board to approve the application for

listing of the St. Cloud Downtown Historic District on the National Register of Historic Places, as described in the body of this resolution.

COST: No cost associated with this item.

This item is to request to the Florida National Register Review Board the approval of the application for listing the St. Cloud Downtown Historic District on the National Register of Historic Places.

- L. Request City Council's approval of the Tyson Reserve Preliminary Subdivision Plan which contains 122 single family detached lots.

IX. Public Hearings

1. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-53**, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 3.17 acres identified as KSI Professional, located north of Maidu Ct, south of Nolte Rd and west of Michigan Ave; in accordance with the voluntary annexation provisions of chapter 171.044, Florida Statutes. (Above is full title) **ACTION ON ORDINANCE NO. 2022-53**
2. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-54**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation Private/Institutional to approximately 3.17 acres identified as KSI Professional, located south of Nolte Rd, west of Michigan Ave, north of Maidu Ct; 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 the full title) **ACTION ON ORDINANCE NO. 2022-54**
3. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-55**, an ordinance of the City Council of the City of St. Cloud, Florida, providing for the zoning amendment of the zoning map of the Land Development Code of the City of St. Cloud, Florida, specifically, changing the zoning designation of approximately 3.17 acres identified as KSI Professional, from "R-2" Rural Settlement (County) to a "P" Professional (City) zoning designation, with a Private/Institutional Future Land Use designation adopted by Ordinance No. 2022-54, generally located south of Nolte Rd, west of Michigan Ave, and north of Maidu Ct; 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 the full title) **ACTION ON ORDINANCE NO. 2022-55 (This is a Quasi-Judicial proceeding)**
4. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-57**, 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-5 of the Land Development Code; amending Table III-7 of the Land Development Code; amending Division 20 "Supplemental District Regulations", Section 3.20.38 "Communication Tower Facility Regulations", of the Land Development Code; providing for severability, conflicts and an effective date. (Above is the full title) **ACTION ON ORDINANCE NO. 2022-57**
5. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-62**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning the platted right-of-way located west of Betsy Ross Lane and south of Neptune Road,

specifically described in the body of this Ordinance; providing for severability, conflicts, and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2022-62**

6. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2022-46**, an ordinance of the City Council of the City of St. Cloud, Florida, providing for the zoning amendment of the Zoning Map of the Land Development Code of the City of St. Cloud, Florida, specifically, changing the zoning designation of approximately 13.98 acres identified as Hickory Creek, from “R-1B” Single-Family Dwelling to “R-3” Multi-Family Dwelling zoning designation, with a “MDR” Medium Density Future Land Use designation adopted by Ordinance No. 2022-47, generally located south of Highway 192, west of Old Hickory Tree Rd, north of Nolte Rd, east of Orange Ave 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) (Final Public Hearing will be held on December 8, 2022) **ACTION ON ORDINANCE NO. 2022-46 (This is a Quasi-Judicial proceeding).**
7. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2022-47**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation “MDR” Medium Density Residential to approximately 13.98 acres identified as Hickory Creek, located south of Highway 192, west of Old Hickory Tree Rd, north of Nolte Rd, east of Orange Ave; 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 if the full title) (Final Public Hearing will be held on December 8, 2022) **ACTION ON ORDINANCE NO. 2022-47 (This is a Quasi-Judicial proceeding).**
8. **RESOLUTION NO. 2022-220R**, a resolution of the City Council of the City of St. Cloud, Florida, amending Resolution No. 2021-223R, which adopted the fiscal year 2021/2022 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 2021/2022 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. 2022-220R**
9. **RESOLUTION NO. 2022-281R**, a resolution of the City Council of the City of St. Cloud, Florida, amending Resolution No. 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. 2022-281R**
10. **RESOLUTION NO. 2022-295R**, a resolution of the City Council of the City of St. Cloud, Florida, granting a conditional use for a “Parochial School” identified as St. Cloud Christian Preparatory School located at 2500 Canoe Creek Road, St. Cloud, Florida, as described in the body of this resolution. (Above is the full title) **ACTION ON RESOLUTION NO. 2022-295R**

X. Council Action

1. Resolution No. 2022-267R, a resolution of the City Council of the City of St. Cloud, Florida, determining the lowest responsive, responsible bidder whose bid is reasonable and otherwise in the best interest of the City of St. Cloud, and the award thereof in regards to Invitation to Bid (ITB) No. 2022-228 to Shenandoah General Construction, LLC whose subject matter is DEO Illinois Pipe Lining Project (Rebid), establishing a contingency, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.
COST: up to \$1,877,177.50 (includes base bid amount of \$1,706,525.00 plus 10% contingency \$170,652.50) / US Department of Housing and Urban Development and Florida Department of Economic Development Community Development Block Grant-Disaster Recovery Rebuild Florida Infrastructure program reimbursable grant up to \$2,097,088/Estimated no final cost to the city.
This item is to award a contract to repair approximately 5,100 linear ft of existing metal stormwater pipes on Illinois Ave from the Lakeshore pond to 13th Street.
2. Resolution No. 2022-275R, 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 Transfer Station Building Repairs, establishing a guaranteed maximum price, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.
COST: up to \$865,827.00 (Insurance claim submitted; City has a \$25,000.00 deductible; insurance has paid \$100,000.00 to the City towards the claim; additional claim reimbursements pending executed agreement with contractor and review/approval of repairs)
This item is to approve a guaranteed maximum price task authorization with Quinn Commercial, Inc. for the repairs to the transfer station due to a fire.
3. Resolution No. 2022-289R, a resolution of the City of St. Cloud, Florida, authorizing and directing the City Manager to transfer to Tohopekaliga Water Authority (TOHO) all cash, funds and deposits, including bond sinking fund amounts, development fees, system development charges, impact fees, and any other funds paid to City of St. Cloud.
COST: up to \$150,000,000.00
This item is to authorize and direct the City Manager to transfer to Tohopekaliga Water Authority (TOHO) all cash, funds and deposits, including bond sinking fund amounts, development fees, system development charges, impact fees, and any other funds paid to City of St. Cloud, consistent with the Agreement between the City and TOHO.
4. Discussion and possible action regarding appointment to Planning Commission vacancy.

XI. City Attorney

XII. City Manager

XIII. Mayor and Council Members

XIV. Information Section and Report Section

- Thursday and Friday, November 24th and 25th, 2022 - City Offices Closed in Observance of the Thanksgiving Holiday
- Thursday, December 8, 2022 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers

Proclamations:

- Proclamation in recognition of Lung Cancer Awareness Month
- Proclamation in recognition of Small Business Saturday

Reports:

- Warrant List #1
- Economic Development Advisory Committee Minutes, June 2022 – Approved
- Recreation Advisory Committee Minutes, August 2022 – Approved
- Historic Preservation Board Minutes, August 2022 – 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 De La Cruz, 1300 9th Street, St. Cloud, FL. Phone 407-957-7300



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda
Resolution 2022-287R

FINANCE AGENDA ITEM:

Resolution No. 2022-287R, a resolution of the City Council of the City of St. Cloud, Florida, approving final grant awards for the Fiscal Year 2023 Community Support Grant program.

COST: up to \$150,000.00

This item is to approve the final grant awards for the Fiscal Year 2023 Community Support Grant program.

STRATEGIC PLAN GOAL:

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

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

BACKGROUND INFORMATION:

The City of St. Cloud Community Support Grant Program has an available balance of \$150,000.00 for the purpose of allocating grant awards. The program received 36 applications for FY 2023.

REQUEST:

Resolution No. 2022-287R will accept and approve the Community Support Grant Program final awards.

LEGAL AUTHORITY:

Community Support Sponsorship Program and Policy.

BUDGET AND RECOMMENDATION:

Budgeted \$150,000.00/ Actual Cost up to \$150,000.00/Utility Tax Fund - FY 2023 \$150,000.00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

Recommend **APPROVAL** of this item.

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda
Resolution 2022-288R

PROCUREMENT AGENDA ITEM:

Resolution No. 2022-288R, a resolution of the City Council of the City of St. Cloud, Florida, approving an amendment to the agreement dated October 18, 2022, between the City of St. Cloud and S & K Sod Company, LLC for the Annual Supply of Sod, 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 various City Departments, on an as-needed basis, from various approved and budgeted expenditure accounts.

This item is to approve an amendment to the agreement with S & K Sod Company, LLC to allow for the increased purchase of sod for projects citywide to exceed \$50,000.00 annually.

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:

This amendment will allow the increase of the maximum aggregate of purchase orders to S & K Sod Company, LLC to exceed \$50,000.00 annually for the increased demand due to citywide projects. The term of the agreement is through October 26, 2025.

REQUEST:

Resolution No. 2022-288R will approve an amendment to the agreement with S & K Sod Company, LLC.

LEGAL AUTHORITY:

Agreement dated October 18, 2022.

BUDGET AND RECOMMENDATION:

Undetermined at this time as services are provided on an “as-needed” basis. This contract will be utilized by the various City Departments, on an as-needed basis, from various approved 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:

11/17/2022 - Final Action.



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda
Resolution 2022-290R

PROCUREMENT AGENDA ITEM:

Resolution No. 2022-290R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of ITB No. AR-18-10384-IS, previously advertised for bid by Osceola County, Florida, which is reasonable and otherwise in the best interest of the City of St. Cloud, whose subject matter is Janitorial Supplies, Paper, and Plastic, providing for the award thereof to Cypress Supply, 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 various City Departments on an as-needed basis from various approved projects and budgeted expenditure accounts.

This item is to approve an agreement for the purchase of various janitorial supplies, paper and plastic goods for cleaning and maintenance of City facilities.

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:

This agreement will be utilized for the purchase of janitorial supplies on an as-needed basis to be used citywide. In accordance with the St. Cloud Procurement Policy, Article III Section 4(E) the City has the authority to purchase directly from Federal, State, County, School Board, Utility Authority contracts or from another city's contracts, and from cooperative purchasing. This contract was solicited by Osceola County, Florida, and has secured volume pricing. The term of this agreement will be through September 30, 2023.

This item was posted in accordance with the Procurement Policy for 10 days from October 25, 2022, through November 7, 2022, with no local response.

REQUEST:

Resolution No. 2022-290R will approve an agreement with Cypress Supply, Inc. for Janitorial Supplies, Paper, and Plastic.

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 various City Departments 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:

11/17/2022 - Final Action.



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda
Resolution 2022-292R

PROCUREMENT AGENDA ITEM:

Resolution No. 2022-292R, 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 agreement dated July 29, 2019, between the City of St. Cloud and CareHere Management, PLLC, whose subject matter is Medical Services Agreement for Onsite Employee Clinic, and providing an effective date.

COST: No cost associated with this item.

This item is to amend the language in the agreement requested by CareHere Management, PLLC for Medical Services for the Onsite Employee Clinic regarding technology equipment, insurance, assignment, security and cost of living increases of CareHere employees.

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:

CareHere Management, PLLC, manages the City's employee health clinic. Changes to the existing agreement were requested by CareHere (clarification of technological responsibilities, minimum insurance requirements, allowance for staff Merit increases upon agreement of City, limitation of access to records to protect patient rights, and assignment within the company or its affiliates) and have been reviewed by Procurement Services and the City Attorney. There is no additional cost to the City.

REQUEST:

Resolution No. 2022-292R will approve the First Amendment to the agreement with CareHere Management, PLLC for Medical Services for the Onsite Employee Clinic.

LEGAL AUTHORITY:

Agreement dated July 29, 2019 approved by Resolution No. 2019-144R on July 25, 2019

BUDGET AND RECOMMENDATION:

No cost associated with this item.

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

There is no cost associated with this item.

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends Approval.

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action.



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda
Resolution 2022-296R

PROCUREMENT AGENDA ITEM:

Resolution No. 2022-296R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Sourcewell Contract No. 110520-GPC, whose subject matter is Fleet and Facility Related Vendor Managed Inventory and Logistics Management Solutions providing for the award thereof to Genuine Parts Company - NAPA Integrated Business Solutions, and providing an effective date.

COST: Undetermined at this time. This contract will be utilized by various City departments for the purchase of fleet and facility related vendor managed inventory and logistics management solutions, on an as-needed basis, from various approved and budgeted expenditure accounts.

This item is to approve an agreement to manage fleet supplies inventory and staff a complete parts store onsite.

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:

NAPA Integrated Business Solutions (IBS) is a customized equipment parts supply chain and warehousing program that leverages North America's largest network of OE (original equipment) and aftermarket resources from automotive, heavy-duty and fire-specific parts to safety equipment and shop supplies. NAPA IBS places the industry's best parts professionals and inventory management technologies onsite. NAPA supports its IBS locations and fleet department through both an internal supply chain of more than 6,000 NAPA stores and 52 distribution centers nationwide, as well as a diverse external vendor base of more than 1,400 suppliers

The program helps department fleet facilities reduce administrative procedures and transactional costs, increase on-demand parts availability and fleet technician performance, lower vehicle downtime, eliminate obsolete parts and shrinkage costs, and cut parts costs and inventory investment. Today, NAPA IBS serves more than 400 government and commercial fleets including cities, counties, states, DOTs, school districts, airline GSE, construction, utility, trucking, dealerships and more.

Fleet Services' perspective on transition to NAPA IBS service:

1. Growth of the City of St Cloud's vehicle fleet and a corresponding growth in the scope of the Fleet Services operation had long ago prompted management to begin contemplating the need for a dedicated in-house automotive parts operation. The NAPA initiative accomplishes this quickly and more efficiently than building an in-house operation from

scratch.

2. With an authorized strength of seven (7) full-time Fleet Technicians, there is an undeniable need for professional parts personnel on-site with the requisite knowledge to research and source the wide variety of parts required to maintain our fleet.
 - a. The presence of NAPA personnel on-site will relieve Fleet personnel of the time-consuming task of researching and sourcing parts, allowing more time to focus on preventive maintenance and repair tasks.
 - b. The NAPA operation will further provide a significant reduction in the administrative tasks associated with the dozens of daily transactions we currently execute with parts vendors.
3. By leveraging the nationwide NAPA distribution system, we should see an increase in parts availability while saving on shipping and labor costs associated with the retrieval and delivery of parts from traditional sources.
4. Professional parts personnel dedicated to the fleet operation will provide a greater degree of management to various fleet parts and supply issues such as the management and oversight of the truck tire recapping activity, a previously neglected topic due to inadequate personnel resources.
5. NAPA's parts acquisition process will be greatly streamlined when compared to the process required for government purchases. This factor alone should enhance the overall efficiency of the Fleet Services' shop where currently, time spent waiting on parts is a significant limiting factor in the throughput of the shop.

The Sourcewell agreement pricing option will be a 9.1% management fee. Parts will be at cost plus 10%, fluids and tires will be at cost plus 5%.

The parts expenditures for FY 21/22 were approximately \$923,000.00.

This item was posted from October 11, 2022 through October 24, 2022, with no local vendor response.

REQUEST:

Resolution No. 2022-296R will allow the City of St. Cloud to utilize the Sourcewell Contract No. 110520-GPC for the purchase of fleet and facility related vendor manage inventory and logistics management solutions from NAPA Integrated Business Solutions.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Undetermined at this time. This contract will be utilized by various City departments for the purchase of fleet and facility related vendor manage inventory and logistics management solutions, on an as-needed basis, from various approved 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:

11/17/2022 - Final Action.



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda
Resolution 2022-298R

PROCUREMENT AGENDA ITEM:

Resolution No. 2022-298R, 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 Continuing Professional Civil Engineering Services with Osceola Engineering, Inc. dated October 28, 2022, and any amendments thereto, for Preliminary Civil and Traffic Engineering Services associated with the “5th Street Conversion Project” proposed between Mississippi Avenue and Brown Chapel Road in the City of St. Cloud, Florida, and providing an effective date.

COST: up to \$63,810.00

This item is to enter into a task authorization as directed by City Council on July 26, 2021, to evaluate the 5th Street corridor from Brown Chapel Road to Mississippi Avenue.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Per Kevin Felblinger, Public Works Director, the purpose of this project is to evaluate the 5th Street corridor from Brown Chapel Road to Mississippi Avenue. Engineering analysis will determine if an uninterrupted east-west travel way is feasible and will make recommendations on modifications of the roadway.

REQUEST:

Resolution No. 2022-298R will approve the task authorization to Osceola Engineering, Inc. for Preliminary Civil and Traffic Engineering Services associated with the “5th Street Conversion Project” proposed between Mississippi Avenue and Brown Chapel Road.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Budgeted \$65,000.00/Actual Cost up to \$63,810.00

Capital Project

Project ST2308

300-9595-541.31-00

Staff recommends **APPROVAL** of this request

FINANCE DIRECTOR’S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends Approval.

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action.



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda
Resolution 2022-299R

PROCUREMENT AGENDA ITEM:

Resolution No. 2022-299R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the sole source procurement of proprietary software, hardware, configuration and installation services from Mach Alert, Inc., the current service provider in the best interest of the City of St. Cloud, whose subject matter is the purchase and installation of a Mach Alert System for Temporary Fire Station 35, and providing an effective date.

COST: up to \$79,612.00

This item is to approve the purchase and installation of a medical alarm alerting system for temporary Fire Station 35 on Cross Prairie Parkway within the Tohoqua development.

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, this will provide hardware, software, configuration and installation services for the primary and secondary emergency alert tone out/dispatch system at the new temporary Fire Station 35.

MACH ALERT is the City's current CAD integrated fire and medical alarm alerting system. This system is utilized in all current fire stations. MACH ALERT fire station alerting and automation features improve the speed, efficiency and safety of first responders. MACH ALERT is a full-featured solution developed to provide state of the art functionality and reliability within the fire and medical alerting process.

The expected lead time for deliver of materials is 12 - 14 weeks. Project installation will commence upon delivery of materials. Project is expected to take a total of 8 weeks to complete once the materials are received, assuming no delays outside the control of Mach Alert, Inc. Once the temporary station is replaced by a permanent fire station at the corner of Neptune Road and Breezewood, the system can be reused.

REQUEST:

Resolution No. 2022-299R will approve the purchase of proprietary software for temporary Fire Station 35 from Mach Alert, Inc.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Budgeted \$79,612.00/Actual Cost up to \$79,612.00

Fire Impact Fees
Project PS2110
300-9595-522.64-00
Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends Approval.

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action.



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda
Resolution 2022-300R

PROCUREMENT AGENDA ITEM:

Resolution No. 2022-300R, 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 Alternate Paving Methods with Asphalt Paving Systems, Inc. dated February 21, 2022, and any amendments thereto, for Thermo Stripe only, various subdivisions, and providing an effective date.

COST: up to \$93,987.76

This item is to approve a task authorization for street marking replacements in various subdivisions.

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 Kevin Felblinger, Public Works Director, this item is for street marking replacements at the following locations; Cypress Preserve, Esprit, Southern Pines, Keystone Point, Michigan Avenue & Nolte Road, Canoe Creek Woods Drive and Sergeant Graham Drive.

REQUEST:

Resolution No. 2022-300R will approve a task authorization with Asphalt Paving Systems, Inc. for Thermo Only, Various Subdivisions.

LEGAL AUTHORITY:

Resolution No. 2022-027R approved on February 10, 2022.

BUDGET AND RECOMMENDATION:

Budgeted \$93,900.00/Actual Cost up to \$93,897.76

General Fund

001-7030-541.34-00 (\$52,500.00)

100-7020-541.34-00 (\$41,397.00)

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends Approval.

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action.



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda
Resolution 2022-301R

PROCUREMENT AGENDA ITEM:

Resolution No. 2022-301R, 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 Alternate Paving Methods with Asphalt Paving Systems, Inc. dated February 21, 2022, and any amendments thereto, for Mill/Overlay & Edgemill/Overlay Deer Creek Area and Mill/Overlay Double Micro-surface Stevens Plantation Area, and providing an effective date.

COST: up to \$1,095,360.72

This item is to approve a task authorization for paving to include Mill/Overlay and Edgemill/Overlay in Deer Creek and Stevens Plantation areas.

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 Kevin Felblinger, Public Works Director, the City's Pavement Conditions Index (PCI) report ranked roadways with a low PCI. Roadways are prioritized based on this rating system. As a result, the roads within Stevens Plantation and portions of Deer Creek have been prioritized for this year and will be milled and overlaid. A map illustrating the areas proposed for paving is attached.

REQUEST:

Resolution No. 2022-301R will approve a task authorization with Asphalt Paving Systems, Inc. for Mill/Overlay & Edgemill/Overlay Deer Creek Area and Mill/Overlay Double Micro-surface Stevens Plantation Area.

LEGAL AUTHORITY:

Resolution No. 2022-027R approved on February 10, 2022.

BUDGET AND RECOMMENDATION:

Budgeted \$1,200,000.00/Actual Cost up to \$1,095,360.72

Gas Tax

300-9595-541.34-00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends Approval.

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action.



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda
Resolution 2022-302R

PROCUREMENT AGENDA ITEM:

Resolution No. 2022-302R, 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 agreement for Professional Consulting Services with ZHA Incorporated, approved on September 23, 2021, and any amendments thereto, for St. Cloud City Hall Lobby Additional Services Owner's Representative Services, and providing an effective date.

COST: up to \$36,000.00 (total cost including first amendment \$108,200.00)

This item is to approve the first amendment to the task authorization with ZHA Incorporated for St. Cloud City Hall Lobby Additional Services Owner's Representative Services, to allow the company to finish its services on this project.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Due to a variety of issues, the City has extended the duration of the building's contract well past the initially planned 210 days. ZHA Incorporated is requesting to extend their contract for an additional 169 calendar days for owner's representative services.

REQUEST:

Resolution No. 2022-302R will approve the first amendment to the task authorization with ZHA Incorporated for St. Cloud City Hall Lobby Additional Services Owner's Representative Services.

LEGAL AUTHORITY:

Resolution No. 2021-258RR approved on September 23, 2021.

BUDGET AND RECOMMENDATION:

Budgeted \$36,000.00/ Actual cost up to \$36,000.00 (total cost including first amendment \$108,200.00)

General Fund

001-7010-541.31-00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends Approval.

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action.



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda
Resolution 2022-305R

PLANNING AGENDA ITEM:

Resolution No. 2022-305R, a resolution of the City Council of the City of St. Cloud, Florida, urging the Florida National Register Review Board to approve the application for listing of the St. Cloud Downtown Historic District on the National Register of Historic Places, as described in the body of this resolution.

COST: No cost associated with this item.

This item is to request to the Florida National Register Review Board the approval of the application for listing the St. Cloud Downtown Historic District on the National Register of Historic Places.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The City of St. Cloud is a member of the Certified Local Government program administered by the State of Florida, Department of State, Division of Historical Resources. As a Certified Local Government, the City reviews and provides recommendations on applications for listing on the National Register, which are located within the municipality. A proposal has been submitted for the designation of a National Register Historic District (St. Cloud Downtown Historic District).

The historic resources within the proposed district include a collection of commercial, residential, religious, governmental, and institutional buildings dating from the town's establishment in 1909 until 1970 and include examples of frame vernacular, masonry vernacular, and commercial vernacular architecture, as well as notable examples of Craftsman, Mediterranean Revival, Prairie, Colonial Revival, Folk Victorian, Minimal Traditional, Ranch, and Mid Century Modern architectural styles.

On November 1, 2022, the City of St. Cloud Historic Preservation Board officially supported the district's nomination during their regularly scheduled meeting.

Pros:

- Listing of property in the National Register doesn't place any restrictions on renovating, modifying, demolishing, or selling a property. The only exception is if you've applied for and accepted federal dollars, such as grant funding. In this instance, there is intervention by the Federal or State government, but only because of the tie to the grant.
- The Advisory Council on Historic Preservation may weigh in on projects in which federal dollars may be spent that will result in harm to designated properties. An example would be federal dollars that are passed on to the state, and a highway project

that would require demolition of National Register buildings. In a scenario such as this, the ACHP could intervene to slow the process down, and require evaluation of alternative options. Even in this scenario, protection is not guaranteed.

- Commercial properties listed in the National Register are eligible for the Historic Tax credit. The 20 percent credit applies only to certified historic structures. A certified historic building is one that is listed individually on the National Register of Historic Places, or contributes to the character of a National Register-listed Historic District (these are properties we have classified as "contributing"). The 20 percent credit is available for any income producing property, including residential rental projects.
- Commercial properties in National Register districts are eligible for the 10 percent credit, for the rehabilitation of non-historic, non-residential buildings built before 1936.
- Listing in the National Register is prestigious, and fosters community pride.
- Often, National Register districts are more sought after than other areas, and outperform in property values to areas that are not designated.

Cons:

- General perception of the general public that National Register listing puts limitations on property owner rights. People often confuse the National Register with local historic preservation ordinances, which do impact private property rights.

REQUEST:

Support the designation of a National Register Historic District (St. Cloud Downtown Historic District).

LEGAL AUTHORITY:

Section 3.24.7.G.3. of the Land Development Code states that if either the HPB or the local officials, or both, support the nomination, the state historic preservation officer will schedule the nomination for consideration by the state review board for the National Register of Historic Places at its next regular meeting.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** of this item.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action



MEETING: November 17, 2022

Agenda Item Type: Consent Agenda

PLANNING AGENDA ITEM:

Request City Council's approval of the Tyson Reserve Preliminary Subdivision Plan which contains 122 single family detached lots.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is generally located east of Nora Tyson Road and north of Lillian Lee Road. The property comprises approximately 42.97 ± acres with a future land use designation of Low Density Residential and is located within R1-B Single Family zoning district. The Low Density Residential future land use designation allows 4 dwelling units per acre. The proposed density is 3.98 units per acre.

To coordinate transportation impacts and improvements with the two other developments (Lakeside at Satilla and the Exchange Apartments) in this area undergoing review at this time, staff has included coordinating language in the conditions for approval. This should address the needed improvements and assign the proportionate share for each development, which will be reviewed by the Council with the Lakeside at Satilla Preliminary Subdivision approval (consistent with City Council approval at its October 27, 2022 meeting) and may be accompanied by Agreements to ensure compliance. At this time, the same developer controls the applications for Tyson Reserve and Lakeside at Satilla.

REQUEST:

The applicant is requesting approval of a Preliminary Subdivision Plan (PSP) for a 122 single family detached residential subdivision on approximately 42.97 acres of land known as Tyson Reserve.

LEGAL AUTHORITY:

Land Development Code Section 5.2.2.F.2 - City Council Review, at its regularly scheduled meeting, the City Council shall review the Preliminary Subdivision Plan. Based on the information generated and the comments made during the development review, the City Council shall approve, disapprove or approved subject to stated conditions. Approval of the Preliminary Subdivision Plan shall authorize review for approval of the Subdivision Construction Plans by the Development Review Committee as outlined in Section 5.2.3.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

At the time of Agenda upload, the DRC Meeting has not taken place. This item will go in front of the DRC on November 10, 2022. The recommendation will be given at the November 17, 2022, City Council Meeting.

Staff recommends **APPROVAL** of the Preliminary Subdivision Plan for Tyson Reserve, subject to the following conditions and information:

PLANNING

CONDITIONS:

1. Further staff review will take place at the subdivision construction plan to ensure the multi-use trail complies with requirements in Land Development Code (LDC), including Section 3.23.1 (D)(3).
2. Further review will take place at the subdivision construction plan to ensure open space tracts proposed with passive recreation have additional amenities consistent with the Narcoossee overlay.
3. Further staff review will take place at the subdivision construction plan to ensure separator requirements (LDC Section 3.23.2) are incorporated in the plans where the separator easement is proposed.
4. At subdivision construction plan, locations, details, and specifications shall be provided for the required amenities within the project's open space to comply with LDC Section 8.4.4.

LANDSCAPE

CONDITION:

1. The project's landscaping will be reviewed at subdivision construction plan.

TRANSPORTATION:

CONDITIONS - to be resolved with Subdivision Construction Plan:

1. The multi-use trail shall maintain a 10' width, including at these locations: intersection of Street D & Street F and intersection of Street H & Street C.
2. Ensure the sidewalk and multi-use trail systems on the western side of the pond are integrated, instead of parallel systems (5' sidewalk, 5' path, and 10' multi-use trail).
3. 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.

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 - 11/17/2022



MEETING: November 17, 2022

Agenda Item Type: Public Hearings
Ordinance 2022-53

First Public Hearing: October 27, 2022

Second Public Hearing: November 17, 2022

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE 2022-53, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 3.17 acres identified as KSI Professional, located north of Maidu Ct, south of Nolte Rd and west of Michigan Ave; in accordance with the voluntary annexation provisions of chapter 171.044, Florida Statutes. (Above is full title) **ACTION ON ORDINANCE NO. 2022-53**

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 Nolte Rd, west of Michigan Ave, north of Maidu Ct. The property is comprised of one undeveloped parcel totaling approximately 3.17 acres.

The applicant is requesting annexation into the City of St. Cloud. Concurrently, the applicant is requesting a Future Land Use designation of Private/Institutional (Ordinance 2022-54) and a Zoning Map designation of "P" Professional (Ordinance 2022-55).

REQUEST:

The applicant is requesting consideration of a voluntary annexation for approximately 3.17 acres of land, including any and all adjacent rights-of-way, into the City of St. Cloud.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission 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. 2022-53.

On September 20, 2022 the Planning Commission reviewed this request for voluntary annexation and recommended **APPROVAL** of Ordinance 2022-53.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action

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



MEETING: November 17, 2022

Agenda Item Type: Public Hearings
Ordinance 2022-54

First Public Hearing: October 27, 2022

Second Public Hearing: November 17, 2022

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-54, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation Private/Institutional to approximately 3.17 acres identified as KSI Professional, located south of Nolte Rd, west of Michigan Ave, north of Maidu Ct; 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 the full title) **ACTION ON ORDINANCE NO. 2022-54**

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 Nolte Rd, west of Michigan Ave, and north of Maidu Ct. The property is totaling approximately 3.17 acres within the Joint Planning Area (JPA) boundary. The current Future Land Use Map designation is Low Density Residential (County), with a Zoning Map designation of “R-2” Rural Settlement (County). Subsequently, the applicant is also requesting a Zoning Map Amendment (Ordinance 2022-55) with a designation of “P” Professional.

REQUEST:

The applicant is requesting consideration of a Comprehensive Plan Amendment from “LDR” Low Density Residential (County), to Private/Institutional (City) for approximately 3.17 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. 2022-54.

On September 20, 2022 the Planning Commission recommended **APPROVAL** of the request for the Comprehensive Plan Amendment for Ordinance No. 2022-54.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action

10/27/2022 - The motion was made by Mayor Blackwell and seconded by Council Member Urban. The motion carried 4-0. Deputy Mayor Matheny was absent.



MEETING: November 17, 2022

Agenda Item Type: Public Hearings
Ordinance No.2022-55

First Public Hearing: October 27, 2022

Second Public Hearing: November 17, 2022

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-55, an ordinance of the City Council of the City of St. Cloud, Florida, providing for the zoning amendment of the zoning map of the Land Development Code of the City of St. Cloud, Florida, specifically, changing the zoning designation of approximately 3.17 acres identified as KSI Professional, from "R-2" Rural Settlement (County) to a "P" Professional (City) zoning designation, with a Private/Institutional Future Land Use designation adopted by Ordinance No. 2022-54, generally located south of Nolte Rd, west of Michigan Ave, and north of Maidu Ct; 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 the full title) **ACTION ON ORDINANCE NO. 2022-55 (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 Nolte Rd, west of Michigan Ave, north of Maidu Ct. The property is totaling approximately 3.17 acres within the Joint Planning Area (JPA) boundary.

A Pre-Application meeting was held on May 12, 2022, in which the applicant provided a conceptual plan depicting three commercial buildings, totaling 27,810 square feet. Based upon the conceptual plan, the proposed development is consistent with the development regulations shown in Table III-6 of the Land Development Code for the "P" Professional zoning district.

The applicant's request for a Zoning Map Amendment to "P" Professional is consistent with the Future Land Use designation of Private/Institutional (Ordinance 2022-54).

REQUEST:

The applicant is requesting consideration of a zoning map amendment from "R-2" Rural Settlement (County) to "P" Professional (City) for approximately 3.17 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** of the request for Zoning Map Amendment for Ordinance No. 2022-55.

On September 20, 2022 the Planning Commission recommended **APPROVAL** of the request for the Zoning Map Amendment for Ordinance No. 2022-55.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action

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



MEETING: November 17, 2022

Agenda Item Type: Public Hearings
Ordinance 2022-57

First Public Hearing: October 6, 2022

Second Public Hearing: November 17, 2022

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-57, 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-5 of the Land Development Code; amending Table III-7 of the Land Development Code; amending Division 20 "Supplemental District Regulations", Section 3.20.38 "Communication Tower Facility Regulations", of the Land Development Code; providing for severability, conflicts and an effective date. (Above is the full title) **ACTION ON ORDINANCE NO. 2022-57**

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:

Ordinance No. 2022-57 amends Article II, "Definitions" and Article III, "Zoning Regulations" of the Land Development Code of the City of St. Cloud. The Ordinance proposes to allow cell towers in more non-residential zoning districts as a permitted use, and provides specific development and design standards to ensure compatibility with the surrounding community aesthetics.

REQUEST:

The request is to approve **Ordinance No. 2022-57** for the amendment of Article II, "Definitions" Section 2.1.1; Article III; "Zoning Regulations", Table III-5; Table III-7; and Division 20 "Supplemental District Regulations", Section 3.20.38 "Communication Tower Facility Regulations", of the Land Development Code

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

STAFF RECOMMENDATION:

Staff reviewed this request on or before September 22, 2022 with no objections.

Staff recommends **APPROVAL** of Ordinance No. 2022-57 for the amendment of Article II, “Definitions” Section 2.1.1; Article III; “Zoning Regulations”, Table III-5; Table III-7; and Division 20 “Supplemental District Regulations”, Section 3.20.38 “Communication Tower Facility Regulations”, of the Land Development Code of the City of St. Cloud.

PLANNING COMMISSION RECOMMENDATION:

On October 18, 2022 the Planning Commission recommended **APPROVAL** of Ordinance No.2022-57 for the amendment of Article II, “Definitions” Section 2.1.1; Article III; “Zoning Regulations”, Table III-5; Table III-7; and Division 20 “Supplemental District Regulations”, Section 3.20.38 “Communication Tower Facility Regulations”, of the Land Development Code of the City of St. Cloud.

FINANCE DIRECTOR’S COMMENTS:

N/A

PROCUREMENT DIRECTOR’S COMMENTS:

N/A

CITY MANAGER’S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/22 - Final Action

10/06/22 - Passed, motion made by Council Member Askew, second by Council Member Trace, vote 5-0, all members voting, "aye.

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MEETING: November 17, 2022

Agenda Item Type: Public Hearings
Ordinance 2022-62

First Public Hearing: October 27, 2022

Second Public Hearing: November 17, 2022

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-62, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning the platted right-of-way located west of Betsy Ross Lane and south of Neptune Road, specifically described in the body of this Ordinance; providing for severability, conflicts, and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2022-62**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject site is located west of Betsy Ross Ln, south of Neptune Rd. The applicant is requesting the vacation of 5 sections of Right-of-Way between blocks 42, 43, 58, 59, and 74 within the Toliga Manor Unit A plat on the site of the existing Neptune Elementary School.

This request proposes vacation and abandonment to clean up old underlying platted right of way to allow for the modification of the stormwater pond on School Board property, which will be expanded to capture drainage for the Osceola County Neptune Road widening project.

At the first meeting on this item, the City Council did request clarification on the current bus-only access onto Neptune Road. Staff did confirm that the intersection of Betsy Ross Ln and Neptune was planned to remain a bus-only access with the Neptune improvements, but that it will be redesigned with a safer angle for visibility purposes.

REQUEST:

The applicant is requesting a vacation of an approximately 144,436 square foot area of Right-of-Way within the Toliga Manor Unit A plat. The subject property contains 20.992 acres more or less, the Right-of-Way contains approximately 3.315 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. The school is an existing structure built within 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 as the right of ways are internal to the subject property.

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

The platted right of way has no effect on the surrounding properties. It does not provide ingress or egress points and immediately adjacent properties are part of the Neptune Elementary site area.

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

The City's Public Works and Environmental Utilities 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 August 10, 2022, and recommends **APPROVAL** of Ordinance No. 2022-62.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022- Final Action

10/27/2022- Motion to approve by Council Member Askew. The motion was seconded by Mayor Blackwell and was carried unanimously (4-0), with Deputy Mayor Matheny was absent.



MEETING: November 17, 2022

Agenda Item Type: Public Hearings
Ordinance 2022-46

First Public Hearing: November 17, 2022

Second Public Hearing: December 8, 2022

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2022-46, an ordinance of the City Council of the City of St. Cloud, Florida, providing for the zoning amendment of the Zoning Map of the Land Development Code of the City of St. Cloud, Florida, specifically, changing the zoning designation of approximately 13.98 acres identified as Hickory Creek, from “R-1B” Single-Family Dwelling to “R-3” Multi-Family Dwelling zoning designation, with a “MDR” Medium Density Future Land Use designation adopted by Ordinance No. 2022-47, generally located south of Highway 192, west of Old Hickory Tree Rd, north of Nolte Rd, east of Orange Ave 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) (Final Public Hearing will be held on December 8, 2022) **ACTION ON ORDINANCE NO. 2022-46 (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 Highway 192, west of Old Hickory Tree Rd, north of Nolte Rd, east of Orange Ave. The property is totaling approximately 13.98 acres.

The applicant is planning to construct 84 townhome units.

The applicant’s request for a Zoning Map Amendment to “R-3” Single-Family Dwelling is consistent with the Future Land Use designation of “MDR” Medium Density Residential requested in Ordinance No. 2022-47.

As stated in the previous item, a Zoning Map Amendment was presented to the City Council at is August 11, 2022, meeting. Due to the Council’s denial of the First Reading of the corresponding Comprehensive Plan Amendment the Zoning Map Amendment application was nullified and not acted upon. As indicated the applicant challenged the Council’s de facto denial and after several discussions with City staff, has substantially redesigned the project. Therefore, this item is being presented to the City Council again with several conditions, if approved by Council, to be included in a Development Agreement related to the project.

REQUEST:

The applicant is requesting consideration of a zoning map amendment from “R-1B” Single-Family Dwelling to “R-3” Multi-Family Dwelling for approximately 13.98 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 with conditions** of the request for Zoning Map Amendment for Ordinance No. 2022-46.

Condition(s):

1. A Development Agreement will be executed and presented at the final public hearing.

On July 19, 2022 the Planning Commission recommended **APPROVAL** of the request for the Zoning Map Amendment for Ordinance No. 2022-46.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval.

CITY COUNCIL ACTION:

12/08/2022 - Final Action



MEETING: November 17, 2022

Agenda Item Type: Public Hearings
Ordinance 2022-47

First Public Hearing: November 17, 2022

Second Public Hearing: December 8, 2022

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2022-47, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation “MDR” Medium Density Residential to approximately 13.98 acres identified as Hickory Creek, located south of Highway 192, west of Old Hickory Tree Rd, north of Nolte Rd, east of Orange Ave; 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 if the full title) (Final Public Hearing will be held on December 8, 2022) **ACTION ON ORDINANCE NO. 2022-47 (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 Highway 192, west of Old Hickory Tree Rd, north of Nolte Rd, east of Orange Ave. The property is totaling approximately 13.98 acres. The current Future Land Use Map designation is Low Density Residential, with a Zoning Map designation of “R-1B” Single-Family Dwelling. Subsequently, the applicant is also requesting a Zoning Map Amendment (Ordinance 2022-46) with a designation of “R-3” Multi-Family Dwelling.

The application was previously presented to the City Council at its August 11, 2022, meeting under Ordinance No. 2022-47. At that time the Council acted to deny the First Reading of Ordinance No. 2022-47 the Comprehensive Plan Amendment which essentially denied the Zoning Map Amendment. In response, the applicant filed a lawsuit challenging the City Council’s de facto denial. With the lawsuit pending, the applicant and City staff have met on several occasions and have significantly revised the proposed plans for the project to include design changes and infrastructure improvements that are intended to substantially enhance the community.

The applicant is planning to construct 84 townhome units.

Total net developable: 12.42 ac

Total proposed density: 6.76 du/ac

Estimated development timeline: 18 months from construction approval.

REQUEST:

The applicant is requesting consideration of a Comprehensive Plan Amendment from “LDR” Low Density Residential, to “MDR” Medium Density Residential for approximately 13.98 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. 2022-47.

On July 19, 2022 the Planning Commission recommended **APPROVAL** of the request for the Comprehensive Plan Amendment for Ordinance No. 2022-47.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval.

CITY COUNCIL ACTION:

12/08/2022 - Final Action



MEETING: November 17, 2022

Agenda Item Type: Public Hearings
Resolution 2022-220R

FINANCE AGENDA ITEM:

RESOLUTION NO. 2022-220R, a resolution of the City Council of the City of St. Cloud, Florida, amending Resolution No. 2021-223R, which adopted the fiscal year 2021/2022 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 2021/2022 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. 2022-220R**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

If during the fiscal year, the manager certifies that there are available for appropriation revenue in excess of those estimated in the budget, the City Council may, by resolution, make supplemental appropriation for the year up to the amount of each excess. This budget amendment number six is necessary to ensure funds are placed in the needed projects and the line items to procure services and equipment. This is the final Budget Amendment for the fiscal year and covers any shortage in costs for the year, including those needed to fund Hurricane Ian operations, increases in vehicle maintenance and fuel cost, vehicle (including fire/emergency) purchase increases, and the Police Department longevity pay. The attached Memorandum provides the details for each of the amendments included with this item.

REQUEST:

Request City Council's approval to amend the fiscal year 2021/2022 budget through resolution 2022-220R.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Staff recommends **APPROVAL** of this item

FINANCE DIRECTOR'S COMMENTS:

Recommend **APPROVAL** of this item.

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action



MEETING: November 17, 2022

Agenda Item Type: Public Hearings
Resolution 2022-281R

FINANCE AGENDA ITEM:

RESOLUTION NO. 2022-281R, a resolution of the City Council of the City of St. Cloud, Florida, amending Resolution No. 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. 2022-281R**

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.

As outlined in the attached Memorandum, funds are included for the following: replacement Police boat (originally budgeted in FY 21/22); Police training simulator cost increase; fire truck price increase; EMS rescue price increase; additional funding for Florida Avenue renovation; recognize grant funding for the Trail Extension from Lakefront Park to Chisholm Park; transfer cash balances to Toho Water Authority consistent with Agreement; additional funding for Illinois Avenue piping (project is on same Agenda); to recognize insurance funding and provide additional funding for transfer station repairs due to fire (project is on same Agenda); and to fund additional owner's technical representative costs for City Hall expansion project.

REQUEST:

Request City Council's approval to amend the fiscal year 2022/2023 budget through resolution 2022-281R.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Staff recommends **APPROVAL** of this item

FINANCE DIRECTOR'S COMMENTS:

Recommend APPROVAL of this item.

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action



MEETING: November 17, 2022

Agenda Item Type: Public Hearings
Resolution 2022-295R

PLANNING AGENDA ITEM:

RESOLUTION NO. 2022-295R, a resolution of the City Council of the City of St. Cloud, Florida, granting a conditional use for a “Parochial School” identified as St. Cloud Christian Preparatory School located at 2500 Canoe Creek Road, St. Cloud, Florida, as described in the body of this resolution. (Above is the full title) **ACTION ON RESOLUTION NO. 2022-295R**

STRATEGIC PLAN GOAL:

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

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

BACKGROUND INFORMATION:

At the August 18, 2020, the Planning Commission recommended approval of a conditional use for a “Parochial School” at the subject property through Resolution No. 2020-144R.

On September 10, 2020, the City Council reviewed the conditional use and moved to continue it to the November 12, 2020, meeting. Resolution No. 2020-144R was approved at this meeting with conditions that included a requirement that the “Entrance should be a right-in and a right-out only for traffic to flow” based upon City Council discussions. Subsequently, a site development plan (SDP21-00023) was approved for St. Cloud Preparatory School on December 10, 2021.

In May 2022, a site development plan modification (SDP22-00016) was submitted adjusting the driveway connection from Canoe Creek Road from the southeast to the northeast corner of the property. This change was prompted by Osceola County’s review of the Traffic Impact Analysis for the off-site improvements within the Canoe Creek Road County maintained right-of-way, requiring a left-in entrance to the property.

Resolution 2022-295R presents the same Conditional Use that was approved in 2020, but removes the “Entrance should be a right-in and a right-out only for traffic to flow” condition for consistency with the Osceola County approved access onto the County roadway. This modification to the Conditional Use is necessary for staff to provide final SDP Modification approval.

REQUEST:

The Applicant is requesting a conditional use for a “Parochial School” at 2500 Canoe Creek Road.

LEGAL AUTHORITY:

Section 3.4.3.C.3.c. of the Land Development Code states that before any conditional use is granted, the City Council shall make a finding, based upon the consideration of the factual matters stated as questions, that the granting of the conditional use will not adversely affect the public interest, but rather will promote the public health, safety, and general welfare. Such finding shall be made if all of the factual matters, stated as questions, are answered in the affirmative, but if not, the conditional use application shall be denied.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** of the request for Conditional Use for Resolution No. 2022-295R, subject to the following conditions:

1. Loop road shall wrap around the parking through phase 1 & 2.
2. 84 cars for stacking.
3. Setbacks: 25ft medium buffer on North, West and East. 25ft medium buffer approx. 400ft on southern side, 10ft medium wall for remainder. Natural buffer for all 25ft medium buffer.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action



MEETING: November 17, 2022

Agenda Item Type: Council Action
Resolution 2022-267R

PROCUREMENT AGENDA ITEM:

Resolution No. 2022-267R, a resolution of the City Council of the City of St. Cloud, Florida, determining the lowest responsive, responsible bidder whose bid is reasonable and otherwise in the best interest of the City of St. Cloud, and the award thereof in regards to Invitation to Bid (ITB) No. 2022-228 to Shenandoah General Construction, LLC whose subject matter is DEO Illinois Pipe Lining Project (Rebid), establishing a contingency, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.

COST: up to \$1,877,177.50 (includes base bid amount of \$1,706,525.00 plus 10% contingency \$170,652.50) / US Department of Housing and Urban Development and Florida Department of Economic Development Community Development Block Grant-Disaster Recovery Rebuild Florida Infrastructure program reimbursable grant up to \$2,097,088/Estimated no final cost to the city.

This item is to award a contract to repair approximately 5,100 linear ft of existing metal stormwater pipes on Illinois Ave from the Lakeshore pond to 13th Street.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

ITB 2022-228 DEO Illinois Pipe Lining Project (Rebid) was advertised in the Orlando Sentinel and on myvendorlink.com beginning on July 31, 2022 with a due date of September 1, 2022. Myvendorlink.com shows that 3212 matching vendors were notified and there were 40 planholders for this ITB. The State of Florida Office of Diversity shows that 377 matching vendors were notified.

The deadline for questions was 5:00 pm on August 12, 2022. Eight (8) submittals were received from the following companies:

1. Advanced Plumbing Technology
2. Atlantic Pipe Services, LLC
3. Inliner Solutions, LLC
4. Insituform Technologies, LLC
5. LMR Construction, Inc.
6. Ric0Man Construction Florida
7. Shenandoah General Construction, LLC
8. Timothy Rose Contracting, Inc.

Timothy Rose Contracting, Inc. was found to be non-responsive.

Shenandoah General Construction, LLC was found to be the lowest responsive bidder in the best interest of the City.

This project will be reimbursed through the US Department of Housing and Urban Development and Florida Department of Economic Development Community Development Block Grant-Disaster Recovery Rebuild Florida Infrastructure program.

REQUEST:

Resolution No. 2022-267R will approve an agreement with Shenandoah General Construction, LLC for ITB No. 2022-228 DEO Illinois Pipe Lining Project (Rebid).

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Budgeted \$1,877,419.95/Actual Cost up to \$1,877,177.50 (includes base bid amount of \$1,706,525.00 plus 10% contingency \$170,652.50) / US Department of Housing and Urban Development and Florida Department of Economic Development Community Development Block Grant-Disaster Recovery Rebuild Florida Infrastructure program reimbursable grant up to \$2,097,088.00/estimated no final cost to the city

Project SW2006

430-9595-699.34-00

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

Funding is contingent upon adoption of the FY 22/23 budget amendment #1, which is on this same agenda for approval. Once adopted, funding will be available in accordance with current policies.

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends Approval.

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action.



MEETING: November 17, 2022

Agenda Item Type: Council Action
Resolution 2022-275R

PROCUREMENT AGENDA ITEM:

Resolution No. 2022-275R, 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 Transfer Station Building Repairs, establishing a guaranteed maximum price, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.

COST: up to \$865,827.00 (Insurance claim submitted; City has a \$25,000.00 deductible; insurance has paid \$100,000.00 to the City towards the claim; additional claim reimbursements pending executed agreement with contractor and review/approval of repairs)

This item is to approve a guaranteed maximum price task authorization with Quinn Commercial, Inc. for the repairs to the transfer station due to a fire.

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:

On January 16, 2021, the transfer station experienced a structure fire causing damage to the building. The City has worked with our insurance carrier regarding the claim. The City has a \$25,000.00 deductible, and has received an initial \$100,000.00 payment. This task authorization will allow for the necessary repairs to the building.

REQUEST:

Resolution No. 2022-275R will approve a guaranteed maximum price authorization with Quinn Commercial, Inc. for Transfer Station Building Repairs.

LEGAL AUTHORITY:

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

BUDGET AND RECOMMENDATION:

Budgeted \$935,000.00/Actual Cost up to \$865,827.00

Sanitation Fund

Project PW2101

FINANCE DIRECTOR'S COMMENTS:

Funding is contingent upon adoption of the FY 22/23 budget amendment #1, which is on this same Agenda for approval. Once adopted funding will be available in accordance with current policies.

Budget Account: 440-7072-534-62-00 directly budgeted to account. Project is just a tracking project and has no budget. Everything expended will be capitalized through element 62 not the project.

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends Approval.

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action.



MEETING: November 17, 2022

Agenda Item Type: Council Action
Resolution 2022-289R

FINANCE AGENDA ITEM:

Resolution No. 2022-289R, a resolution of the City of St. Cloud, Florida, authorizing and directing the City Manager to transfer to Tohopekaliga Water Authority (TOHO) all cash, funds and deposits, including bond sinking fund amounts, development fees, system development charges, impact fees, and any other funds paid to City of St. Cloud.

COST: up to \$150,000,000.00

This item is to authorize and direct the City Manager to transfer to Tohopekaliga Water Authority (TOHO) all cash, funds and deposits, including bond sinking fund amounts, development fees, system development charges, impact fees, and any other funds paid to City of St. Cloud, consistent with the Agreement between the City and TOHO.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

On February 10, 2022, the City of St. Cloud, Florida, a municipal corporation organized and existing under the laws of the State of Florida (“St. Cloud” or “City”) and the Tohopekaliga Water Authority, a public agency an independent special district organized and existing under the laws of the State of Florida (“TOHO”) entered into an Interlocal Agreement. The opportunity exists pursuant to this agreement for St. Cloud and Toho to further their common goal of providing high quality, safe water, wastewater, and reclaimed water utility service through a cooperative agreement whereby Toho would undertake management and operation of St. Cloud’s water, wastewater, and reclaimed water utility systems and thereby maximize for St. Cloud, Toho, and their respective customer bases, cost-efficient, reliable and sustainable use of available system assets and resources. As part of the Agreement, the City agreed to transfer any funds recognized as part of the operations to TOHO. During the transition period, the City and TOHO worked to establish the applicable funds and identified a schedule for transfer to TOHO. The proposed action would implement this portion of the Agreement.

REQUEST:

Request Council's approval to authorize and direct the City Manager to transfer to Tohopekaliga Water Authority (TOHO) all cash, funds and deposits, including bond sinking fund amounts, development fees, system development charges, impact fees, and any other funds paid to City of St. Cloud.

LEGAL AUTHORITY:

Interlocal Agreement, Dated February 10, 2022, adopted through Resolution 2022-034R

BUDGET AND RECOMMENDATION:

Staff recommends **APPROVAL** of this item

FINANCE DIRECTOR'S COMMENTS:

Recommend **APPROVAL** of this item.

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

11/17/2022 - Final Action



MEETING: November 17, 2022

Agenda Item Type: Council Action

CITY CLERK AGENDA ITEM:

Discussion and possible action regarding appointment to Planning Commission vacancy.

STRATEGIC PLAN GOAL:

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

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

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

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

BACKGROUND INFORMATION:

On 9/8/2022 we received an email from Holly Wolfer resigning from Planning Commission leaving Alt # 1 vacant. This is a non-coterminous board and is an at large appointment.

REQUEST:

Request Council discussion and possible action regarding an appointment to a vacancy on the Planning Commission Applications have been submitted by, Russell Alexander, Chantell Wright, Samantha Killete, Dawn Streeter, Alex Brooks, Sarah Alicea and Sasha Higgins

LEGAL AUTHORITY:

Authority-City Code - Article VII, Section 7.01

Land Development Code - Article III, Division 4 - 3.4.3

BUDGET AND RECOMMENDATION:

No cost associated with this item.

Recommend Council act as deemed appropriate.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval.

CITY COUNCIL ACTION:

11/17/2022 Final Action