

CITY COUNCIL AGENDA

REGULAR MEETING

Monday, October 07, 2019

6:30 PM

CITY HALL

CALL TO ORDER

ORDER OF BUSINESS

CEREMONIAL ITEMS AND PRESENTATIONS

1. Recognition of Oviedo Babe Ruth 6U, 8U, 10U, and 18U Girls' Softball Teams.

APPROVAL OF MINUTES

2. Approval of Minutes for the September 16, 2019 Regular Session.

PUBLIC COMMENT

This is the time for the public to come forward with any comments they may have on any subject related to City business not listed under Public Hearings. Complete a request to speak form and provide it to the City Clerk prior to the meeting.

State your Name and Address for the record.

Please Limit Your Comments to 3 Minutes or Less.

3. Citizen Comment.

## CONSENT AGENDA

4. National Fire Prevention Week Proclamation.
5. Resolution No. 3820-19, FY2019-20 Tire Purchases.
6. Resolution No. 3821-19, FY2019-20 Lighting Systems and Specialty Equipment for City Vehicles.
7. Resolution No. 3822-19, FY2019-20 Landscape Maintenance, Mowing and Arbor Services.
8. Resolution No. 3823-19, FY2019-20 Neptune Meter Purchases.
9. Resolution No. 3824-19, FY2019-20 Sidewalk, Curb and Gutter Construction and Repair.
10. Resolution No. 3825-19, FY2019-20 Expenditures for Maintenance and Software Support Services at the Water and Wastewater Treatment Plants.
11. Resolution No. 3826-19, Renewal of Utility Billing Services Contract with Cathedral Corp.
12. Resolution No. 3828-19, Approve RFQ Ranking for Design and Engineering Services for Phase 3 Public Works Complex Improvements Project.
13. Resolution No. 3830-19, Intent to Reimburse Certain Capital Expenditures.
14. Resolution No. 3831-19, FY2018/19 Florida Recreational Development Assistance Program Grant Application (FRDAP) for Shane Kelly Dog Park.
15. Resolution No. 3832-10, FY2018/19 Florida Recreational Development Assistance Program Grant Application (FRDAP) for Sweetwater Park.

## PUBLIC HEARINGS

16. None.

## FIRST READING OF ORDINANCES

17. None.

## RESOLUTIONS

18. Resolution No. 3829-19, Republic Services Contractual RRI Adjustment.

19. Resolution No. 3833-19, Supporting State Road 434 Short Term Improvements.

## DISCUSSION ITEMS

20. None.

## CITY MANAGER'S REPORT

City Manager Bryan Cobb

## CITY ATTORNEY'S REPORT

## COMMUNICATIONS AND REPORTS

- Mayor Dominic Persampiere
- Deputy Mayor Bob Pollack
- Council Member Steve Henken
- Council Member Jeff Chudnow
- Council Member Keith Britton

#### FUTURE MEETING DATES

- Monday, October 21, 2019, 5:30 p.m. CRA Governing Board
- Monday, October 21, 2019, 6:30 p.m. Regular Session
- Monday, November 4, 2019, 6:30 p.m. Regular Session
- Monday, November 18, 2019, 6:30 p.m. Regular Session
- Monday, December 2, 2019, 5:30 p.m. CRA Governing Board
- Monday, December 2, 2019, 6:30 p.m. Regular Session

#### ADJOURNMENT

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, ANY PERSON DESIRING TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. This record is not provided by the City of Oviedo.

ALL SERVICES, PROGRAMS AND ACTIVITIES OF THE CITY OF OVIEDO ARE OFFERED AND SOLICITED WITHOUT REGARD TO RACE, COLOR, NATIONAL ORIGIN, AGE, SEX, RELIGION, DISABILITY OR FAMILY STATUS. FOR INFORMATION REGARDING THE CITY'S TITLE VI NONDISCRIMINATION POLICY, PLAN AND PROCEDURES PLEASE VISIT [WWW.CITYOFOVIEDO.NET](http://WWW.CITYOFOVIEDO.NET).

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK AT 407-971-5500 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING.

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** October 7, 2019  
**SUBJECT:** **Resolution No. 3820-19**, FY2019-20 Tire Purchases

**Introduction:** This is a request for the City Council to approve tire purchases in the amount of \$50,000 for FY2019-20.

**Discussion:** The City's Fleet Maintenance Division is responsible for maintaining all City vehicles and equipment. Part of this responsibility includes a program of regular tire replacement in an effort to ensure that vehicles are maintained in good, operable and safe condition. Historically, the City has utilized the Florida Sheriffs Association bid for its tires needs. Staff wishes to continue this method of procurement for FY2019-20, as this is a competitively bid contract, awarded to various vendors throughout the state. Action Gator Tires was the City's primary supplier for FY 2018-19. The Fleet Maintenance Division anticipates an annual expenditure of \$50,000 for FY 2019-20. Upon approval, tires will be purchased on an as-needed basis from a blanket purchase order and then charged to the appropriate department.

City Council authorization is required for expenditures of \$50,000 or more in accordance with the City's Purchasing Policy.

**Budget Impact:** Adequate funding exists in the FY2019-20 adopted budget for tire purchases.

**Strategic Impact:** Continue high levels of service and maintain up to date equipment and appropriate facilities.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3820-19.

Prepared by: Susan Sheikh, Operational Resources Manager

Reviewed by: Bobby Wyatt, Public Works Director

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** October 7, 2019  
**SUBJECT:** **Resolution No. 3821-19**, FY2019-20 Lighting Systems and Specialty Equipment for City Vehicles

**Introduction:** This is a request for City Council to authorize expenditures in the amount of \$50,000 for FY2019-20 for Lighting Systems and Specialty Equipment for City Vehicles.

**Discussion:** Annually, the City purchases new vehicles in accordance with the City's Vehicle Replacement Schedule which is based on such things as the age of vehicle, mileage, and history of repairs. Recently, many of the City's new vehicles are leased. But, even leased vehicles usually require some sort of lighting package or specialty equipment to be installed for safety and/or operational purposes. Historically, the City has procured the needed equipment and services via a competitively bid City of Tallahassee "piggyback" agreement. Although this method of procurement is customary and meets all requirements of the City's Purchasing Policy, claims were made by other suppliers that they are able to provide the same equipment and services at a lower cost to the City. As such, the City did their own competitive bid in 2016 and awarded a contract to Dana Safety Supply Inc. who has supplied the City with these services since.

Staff has determined that an estimated \$50,000 will be spent on lighting systems for new and leased vehicles for FY2019-20. Because this amount exceeds the City Manager's purchasing authority, City Council's approval is required.

**Budget Impact:** Adequate funding exists in the adopted FY2019-20 annual budget for this expenditure.

**Strategic Impact:** Vehicle lighting is necessary to maintain safety and up to date equipment, and improves fire and police response time.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3821-19.

Prepared by: Susan Sheikh, Operational Resources Manager  
Reviewed by: Bobby Wyatt, Public Works Director  
Kelly Jones, Assistant Finance Director

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** October 7, 2019  
**SUBJECT:** **Resolution No. 3822-19**, FY2019-20 Landscape Maintenance, Mowing and Arbor Services

**Introduction:** This is a request for City Council to authorize FY2019-20 expenditures for Landscape Maintenance and Mowing Services and Arbor Care Services.

**Discussion:** Current contracts exist between the City of Oviedo and Ultimate Image Land Care, Inc. for Landscape Maintenance and Mowing Services and A Budget Tree Service, Inc. for Arbor Care Services. Although the mechanism to procure these goods and services is already in place in accordance with the City's Purchasing Policy, City Council approval is required in order to proceed with the FY2019-20 expenditures since the annual amount for each vendor exceeds \$50,000.

The anticipated annual expenditure, as included in the FY2019-20 Budget, is \$414,068 for landscape Maintenance and Mowing Services. The anticipated annual expenditure for Arbor Services is \$67,200.

**Budget Impact:** The FY2019-20 adopted budget includes adequate funding for these expenditures.

**Strategic Impact:** Maintaining rights-of-way, medians, facilities, and maintaining an attractive City meets the strategic focus goal of community character.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3822-19.

Prepared by: Susan Sheikh, Operational Resources Manager  
Reviewed by: Bobby Wyatt, Public Works Director  
Kelly Jones, Assistant Finance Director

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** October 7, 2019  
**SUBJECT:** **Resolution No. 3823-19**, FY2019-20 Neptune Meter Purchases

**Introduction:** This is a request for City Council to authorize the purchase of Neptune Meters in the amount of \$225,000.

**Discussion:** In 2003, the City began a meter upgrade program to replace manual read meters with radio-read technology on all new and existing potable water meters. The upgrade program was completed in 2012 as part of the City-wide Energy Audit with Siemens, and the conversion of approximately 1,450 reclaimed meters acquired with the purchase of the wastewater plant.

The City continues to purchase new Neptune meters to address new development and maintain existing radio read equipment and services to keep accurate water billing data. Only Neptune meters are compatible with the City's radio-read communication system.

Sunstate Meters & Supply, Inc. (Sunstate) is a single-source provider of Neptune meters, and the only authorized distributor for sales, service and warranty in the state of Florida. As such, the City entered into a single-source agreement with Sunstate in October of 2016. The agreement remains in effect for fiscal year 2019-20.

Staff anticipates expenditures for FY2019-20 to be \$100,000 for new construction and \$125,000 for replacement meters and parts necessary to maintain the system. Since the total amount of \$225,000 exceeds the City Manager's approval threshold, City Council authorization is required in accordance with the City's Purchasing Policy.

**Budget Impact:** The FY2019-20 adopted budget includes \$125,000 in fund 406 to purchase/repair the meters. The Budget Amendment provided in Exhibit 1 for \$100,000 is needed to fund the additional \$100,000 from fund 408.

**Strategic Impact:** Ensure that new development or redevelopment is done in a sustainable manner.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3823-19.

Prepared by: Susan Sheikh, Operational Resources Manager  
Reviewed by: Bobby Wyatt, Public Works Director  
Kelly Jones, Assistant Finance Director

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** October 7, 2019  
**SUBJECT:** **Resolution No. 3824-19**, FY2019-20 Sidewalk, Curb and Gutter Construction and Repair

**Introduction:** This is a request for City Council to approve Fiscal Year 2019-20 expenditures of \$100,000 for minor sidewalk, curb and gutter construction and repair.

**Discussion:** The City's Public Works Department is responsible for ensuring all City sidewalks, curbs and gutters and other infrastructure is maintained in a safe and structurally sound manner. While most of the day to day maintenance work is done in-house, utilizing City staff and equipment, there is a need to supplement these services from time to time with outside contractors. Procurement for all Fiscal Year 2019-20 expenditures will occur via competitively bid contracts or other procurement mechanisms provided for in the City's Purchasing Policy, based on established thresholds.

The anticipated expenditure for FY2019-20 for these services is \$100,000. Since the total amount exceeds \$50,000, City Council authorization is required in accordance with the City's Purchasing Policy.

**Budget Impact:** The FY2019-20 adopted budget includes adequate funding in fund 304-4100-541.46-20 for these services.

**Strategic Impact:** Ensure that the infrastructure meets the capacity needs of the City by eliminating existing infrastructure deficits.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3824-19.

Prepared by: Susan Sheikh, Operational Resources Manager  
Reviewed by: Bobby Wyatt, Public Works Director  
Kelly Jones, Assistant Finance Director

## AGENDA

### MEMORANDUM

**TO:** Honorable Mayor and City Council Members

**FROM:** Bryan Cobb, City Manager

**DATE:** October 7, 2019

**SUBJECT: Resolution No. 3825-19, FY2019-20 Expenditures for Maintenance and Software Support Services at the Water and Wastewater Treatment Plant**

**Introduction:** This is a request for City Council to approve FY2019-20 annual expenditures to Classic Controls for Maintenance and Software Support Services for the Water and Wastewater Treatment Plants.

**Discussion:** A Supervisory Control and Data Acquisition (SCADA) System, manufactured by Yokogawa, is used to monitor and control the entire water production process, including controls at the Water Treatment Plant and Wastewater Treatment Plant. Classic Controls is the single source provider to support the Yokogawa computer system as shown in the Single Source letter provided as an attachment. The Yokogawa computer system is proprietary to the City's Utilities Division. The system must be maintained annually with current updates and checks that will keep the control software and Microsoft operating system up-to-date.

The annual cost for FY2019-20 for the lifecycle maintenance agreement, on-site support and implementation and continued system support is \$65,000. These services by Classic Controls includes Cyber Security (information service) whereby Yokogawa receives monthly Microsoft updates and tests these updates with all supported versions of their control software to determine compatibility, and then provides access to the approved software patches. This is a vital requirement to keep the Microsoft software up-to-date and free from security holes, as well as keeping the functionality of the software compliant.

The \$65,000 includes \$35,000 for the equipment located at the West Mitchell Hammock Water Treatment Plant and \$30,000 for the Oviedo Water Reclamation Facility equipment as provided in the proposals included with Resolution No. 3825-19. Because the annual expenditure exceeds \$50,000, City Council approval is required, in accordance with the City's Purchasing Policy.

**Budget Impact:** Funding for this expenditure is included in the FY2019-20 adopted budget.

**Strategic Impact:** Continue to maintain and enhance water, sewer and reclaimed water system operations.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3825-19.

Attachment: Yokogawa Single Source Letter

Prepared by: Susan Sheikh, Operational Resources Manager

Reviewed by: Bobby Wyatt, Public Works Director

Kelly Jones, Assistant Finance Director

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** October 7, 2019  
**SUBJECT:** **Resolution No. 3826-19**, Renewal of Utility Billing Services with Cathedral Corp.

**Introduction:** This is a request for City Council to approve the expenditure of up to \$78,000 to Cathedral Corporation for FY 2019-20 utility bill production services and postage and mailing costs.

**Discussion:** On May 21, 2018, City Council adopted Resolution No. 3569-18 approving the piggyback of a City of Winter Garden contract to provide utility bill production and mailing services. A copy of the executed piggyback agreement with Cathedral Corp is provided in Attachment 1.

As a result of a formal solicitation, Cathedral has entered into a new contract with the City of Winter Garden for an initial three (3) year term with a one (1) year extension.

The Code of Ordinances of the City of Oviedo, Florida and City Purchasing Policy require City Council approval for expenditures greater than \$50,000. Although the utility bill production cost is less than \$50,000, the cost of postage increases the total cost for utility bill processing to more than \$50,000. The annual expenditure for this service is not anticipated to exceed \$78,000, excluding miscellaneous costs associated with promotional mailers. Cathedral provides services associated with promotional mailings for inclusion with monthly utility bills. These costs are budgeted and expended separately within the departments that utilize promotional mailing services.

The City processes approximately 13,500 utility bills per month or 162,000 annually. Under the approved contract, the City pays approximately \$2,000 per month in production costs or approximately \$24,000 annually. Postage is a fixed cost which is incurred to mail the utility bill regardless of whether the bill is produced in-house or through contract. Postage is estimated at \$54,000 annually.

The outsourcing of utility bill production offers the City an efficient and reliable system for bill production and mailing that would not be practical to replicate in-house without significant capital equipment investment and internal staffing changes within the Finance Department. Therefore, it is recommended that the expenditure of up to \$78,000 be approved, and the outsourcing of utility bill production be continued.

**Budget Impact:** The FY 2019-20 budget for Utility Billing and Customer Service is funded within the Utility Enterprise Fund which includes sufficient funding for bill production and mailing.

**Strategic Impact:** Continue high levels of customer service, productivity, and efficiency while maintaining fiscal and organizational health.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3826-19.

Attachment: Piggyback Agreement with the City of Winter Garden

Prepared by: Laiza Y. Torres, Accounting Manager

Reviewed by: Kelly Jones, Assistant Finance Director

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** October 7, 2019  
**SUBJECT:** **Resolution No. 3828-19**, Approve RFQ Ranking for Design and Engineering Services for Phase 3 Public Works Complex Improvements Project

**Introduction:** This is a request to approve the ranking and selection of firms to provide Design and Engineering Services for the Phase 3 Public Works Complex Improvements Project under RFQ No. 19-35.

**Discussion:** In 2005 the City's Public Works Department initiated a space needs assessment that determined a three (3) phase capital improvement plan and staffing needs. These capital projects were scheduled based on necessity and as a response to growing City service needs. The phases included:

Phase 1: City fuel depot and surrounding site improvements. These improvements were completed in 2006 and provided the City independent fueling capability for both normal and emergency operations.

Phase 2: 5,400 square foot office building including site work for parking and stormwater. This improvement provided administrative offices for existing public works technical and utility field staff previously housed in temporary and rental facilities. Permitting and site work for the site included consideration for a second office building on the site. In April, 2009 construction was completed on the existing Public Works administration building. Subsequent intermediate improvements in 2010, 2011 and 2012 established vehicle washing, storage and independent office space for utility field staff through renovation of the existing Dial Septic building that was acquired in 2009.

Phase 3: Phase 3 was defined as a future building for operations' office, support and storage; plus, fleet facilities and supporting infrastructure to be initiated depending on City requirements. The fleet component was addressed in 2011 with a renovation of the existing Public Works Operations facility which upgraded the City's fleet maintenance facility.

With the continued demands on the City's infrastructure through both internal and external development and population growth, the Department has reached another critical need for additional facilities to provide professional office space and to address storage needs. Additionally, the nature of staff's professional work has grown beyond residential complaints, local maintenance and utility expansion. As the City has grown to a medium sized city with a population now reaching 40,000, the demands on staff to provide regional assistance on multi-disciplinary projects is increasing. These demands, plus anticipated redevelopment within the

traditionally historic areas, the evolution of the City's water, sewer and reclaimed water utilities and the transportation challenges now experienced requires substantial technical and staff support.

In order to address these developing realities and maintain existing service levels, there is a need to plan for future staffing needs and appropriate work spaces. These needs can be addressed in the recommended third phase of the Public Works complex. To affect the initial planning of Phase 3, staff prepared and budgeted for an evaluation and design in Fiscal Year 2019-2020. Construction of Phase 3 is anticipated for Fiscal Year 2020-21, but not confirmed at this time. Any potential construction is anticipated to be funded through existing City's revenue streams.

The City of Oviedo broadcasted a Request for Qualifications (RFQ) on Vendorlink on June 19, 2019. Four (4) responses were received by the closing date of July 26, 2019. A list of the submitting firms is provided in the bid opening minutes, included as Attachment 1.

On August 15, 2019, three (3) firms were shortlisted by the City's Evaluation Committee and scheduled for oral presentations. The August 15, 2019 Evaluation Committee meeting minutes are provided as Attachment 2.

Oral presentations were held on September 10, 2019 for the short-listed firms, and the ranking recommended by the City' Evaluation Committee is as follows:

- 1) Bentley Architects & Engineers, Inc.
- 2) The Lunz Group
- 3) Eleven 18 Architecture, P.L.

A copy of the September 10, 2019, Evaluation Committee minutes is provided as Attachment 3. The Evaluation Committee's ranking is included as an exhibit to Resolution No. 3828-19.

Following City Council's approval, staff will negotiate with Bentley Architects & Engineers, Inc. (Bentley) to establish the Scope of Service and an agreeable contract price. Any agreement entered into will be specific to the services needed for the project and will expire upon completion. Should the City and Bentley be unable to negotiate an agreeable Scope of Services and price, staff will proceed with negotiations with the number two ranked firm, and so on until an agreement is reached. The resulting Professional Services Agreement, including scope will be presented to City Council at a future meeting for consideration.

**Budget Impact:** There are no impacts to the Budget by approving the ranking and selection of firms to provide design and engineering services for this project. Costs related to design will be presented at a future City Council meeting after the negotiations for such has occurred.

**Strategic Impact:** Maintain up to date equipment and appropriate facilities.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3828-19.

Attachments:     1. July 26, 2019 Bid Opening Minutes  
                      2. August 15, 2019 Evaluation Committee Minutes  
                      3. September 10, 2019 Evaluation Committee Minutes

Prepared by: Susan Sheikh, Operational Resources Manager  
Reviewed by: Bobby Wyatt, Public Works Director

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** October 7, 2019  
**SUBJECT:** **Resolution No. 3830-19**, Intent to Reimburse Certain Capital Expenditures

**Introduction:** This is a request for the City Council to create a mechanism to facilitate reimbursement of certain budgeted capital expenditures with the proceeds of a future tax-exempt financing.

**Discussion:** The City's Financial Advisor, First Southwest and the City's bond counsel, Bryant Miller Olive represented by George Smith, recommend that the City Council adopt a reimbursement resolution. A reimbursement resolution will allow for reimbursement of costs related to capital expenditures with the proceeds of a future tax-exempt financing. Section 1.150-2 of the Income Tax Regulations allows for the issuance of a "declaration of intent." A declaration of intent simply means that costs incurred may be reimbursed with proceeds of a future financing.

Resolution No. 3830-19 is not an approval of expenditures and does not constitute an approval of a financing. The proposed resolution is solely intended to provide a level of prudence, options and financial flexibility to the City Council should the necessity arise. Many times, significant costs related to capital projects are spent prior to the declaration of intent which results in unintended financial burdens to funding sources and or fund balances.

Section 2 of Resolution No. 3830-19 identifies the types of capital expenditures intended to be authorized for reimbursement with a future financing (the Projects) and provides as follows:

**SECTION 2.** Expression of Intent to Reimburse.

- a) The City Council hereby expresses its intention to be reimbursed from proceeds of a future tax-exempt financing for capital expenditures to be paid by the Issuer in connection with the incurrence of debt for the purpose of financing all or a portion of the costs of the following capital improvements (collectively, the "Project").
  - (1) Acquisition and construction of certain capital improvements in the City to include a 21st century law enforcement and homeplace security initiative for the benefit of the citizens of the City of Oviedo in order to improve public safety and enhance the high quality of life and wellbeing of Oviedo citizens and to make certain capital improvements to City

facilities and infrastructure, including a new police station and renovation to the City's Public Safety Complex including the purchase or lease of real property.

- (2) Construction of certain capital improvements to the existing Water and Sewer Utility system for the benefit of the users of the system. Providing for upgrades to re-use and reject water infrastructure, equipment and related systems.
  - (3) Construction of certain capital improvements to provide for the construction of Stormwater infrastructure, equipment and related drainage systems and improvements.
  - (4) Construction of certain capital improvements to provide for Recreational and Park features, amenities and related equipment.
- b) Pending reimbursement, the City expects to use legally available funds on deposit in its general fund or other appropriate funds to pay such costs including but not limited to capital expenditures, costs of design and engineering, costs of due diligence, costs to acquire land and other costs associated with the incurrence of debt.
  - c) It is reasonably expected that the total amount of aggregate debt to be incurred by the Issuer in one or more series with respect to the Projects will not exceed \$50,000,000.
  - d) This Resolution is intended to constitute a "declaration of official intent" within the meaning of Section 1.150 2 of the Income Tax Regulations which were promulgated pursuant to the Internal Revenue Code of 1986, as amended, with respect to the debt incurred, in one or more financings, to finance the Projects.

Staff believes that it is strategically and financially important for the City Council to have this "declaration of intent" available as an option for consideration and capital planning. Any issuance of debt will follow the provisions of the City Charter controlling law and will be fully reviewed by the City's Bond Counsel and the City Attorney. Therefore, staff concurs with the recommendation of the City Attorney, Financial Advisor and Bond Counsel and recommends adoption of Resolution No. 3830-19.

**Budget Impact:** There are no impacts to the budget by approving the declaration of intent to reimburse certain capital expenditures incurred with proceeds of a future tax-exempt financing.

**Strategic Impact:** Continue high levels of customer service, productivity, and efficiency while maintaining fiscal and organizational health.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3830-19.

Prepared by: Jerry Boop, Finance Director

Reviewed by: George Smith, Bond Counsel  
Lonnie Groot, Assistant City Attorney

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** October 7, 2019  
**SUBJECT:** **Resolution No. 3831-19**, FY2019/20 Florida Recreational Development Assistance Program Grant Application (FRDAP) for Shane Kelly Dog Park

**Introduction:** This is a request for City Council to approve the resubmission of an application for a \$50,000 Florida Recreational Development Assistance Program (FRDAP) grant for the Shane Kelly Dog Park with RMPK Funding which was prepared and adopted by Council on September 17, 2018 as Resolution No. 3611-18.

**Discussion:** At its September 17, 2018, meeting, the City Council adopted Resolution No. 3611-18 approving the submission of an application for a \$50,000 FRDAP grant for the Shane Kelly Dog Park. Unfortunately, the application was not approved by the State of Florida. The City's grant writer, RMPK Funding, notified Staff that the application could be resubmitted for the FY2019/20 FRDAP grant funding cycle. FRDAP is a state program that provides grants for the acquisition or development of outdoor recreational facilities. Any municipality may apply for up to two FRDAP grants during each funding cycle, but may only have three FRDAP active at one time. The application deadline for the grant is Monday, October 15, 2019.

***Eligible Activities include but not limited to:***

Basketball Courts, Field Lighting, Boating Facilities, Beach Access, Playgrounds, Soccer Fields, Tennis Courts, Baseball/Softball Facilities, Sports lighting, Trails, Picnic Facilities, Fishing/Nature Piers, Outdoor Amphitheaters, Dog Parks, Cultural Facilities, Support Facilities and any other outdoor recreation or open space elements.

Eligible costs include project costs from July 1, 2019 and are reimbursable. Grant preparation fees are eligible to be reimbursed as part of the grant. RMPK Funding has agreed to waive their fee for the application resubmittal. The grant requires no local matching funds.

Staff recommends re-submitting the City's application for a \$50,000 FRDAP grant for the construction of a pavilion and dog amenities at the Shane Kelly Dog Park.

**Budget Impact:** There is no budget impact associated with the re-submission of the application for a \$50,000 FRDAP grant for the Shane Kelly Dog Park. RMPK Funding has agreed to waive their fee for the application resubmittal. The grant requires no local matching funds.

**Strategic Impact:** Execute and update the Recreation Master Plan.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3831-19.

Prepared by: Dru D. Boulware, Recreation and Parks Director

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** October 7, 2019  
**SUBJECT:** **Resolution No. 3832-19**, FY2019/20 Florida Recreational Development Assistance Program Grant Application (FRDAP) for Sweetwater Park

**Introduction:** This is a request for City Council to approve the submittal of an application for a \$50,000 Florida Recreational Development Assistance Program Grant and approve a work order with RMPK Funding in an amount not to exceed \$3,000 for the preparation and submittal of said grant application.

**Discussion:** The City's grant writer, RMPK Funding, notified Staff of a \$50,000 grant funding opportunity through the Florida Recreational Development Assistance Program Grant Application (FRDAP). This is a state program that provides grants for the acquisition or development of outdoor recreational facilities. Any Municipality may apply for up to two FRDAP grants during each funding cycle, but may only have three FRDAP active at one time. The application deadline for the grant is Monday, October 15, 2019.

***Eligible Activities include but not limited to:***

Basketball Courts, Field Lighting, Boating Facilities, Beach Access, Playgrounds, Soccer Fields, Tennis Courts, Baseball/Softball Facilities, Sports lighting, Trails, Picnic Facilities, Fishing/Nature Piers, Outdoor Amphitheaters, Dog Parks, Cultural Facilities, Support Facilities and any other outdoor recreation or open space elements.

Eligible costs include project costs from July 1, 2019 and are reimbursable. Grant preparation fees and eligible to be reimbursed as part of the Grant.

Staff recommends applying for a \$50,000 Grant for Sweetwater Park Playground renovations and connectivity of the boardwalk. The grant requires no local match.

**Budget Impact:** There are enough funds available in the Recreation Department's Budget to secure the payment of RMPK Funding's fee for the preparation and submittal of the grant application.

**Strategic Impact:** Execute and update the Recreation Master Plan.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3832-19.

Prepared by: Dru D. Boulware, Recreation and Parks Director

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** October 7, 2019  
**SUBJECT:** **Resolution No. 3829-19**, Republic Services Contractual RRI Adjustment

**Procedure:** Call Up Item  
City Manager Background  
Public Comment - Request to Speak Forms submitted prior to beginning of meeting.  
Council Motion & Discussion  
Council Action

**Introduction:** This is a request for City Council to enact the contractual 2019 Rate Adjustment for Republic Services in the amount of \$18.40 per unit per month for the City’s Residential Solid Waste and Recyclable Material Collection Franchise.

**Discussion:** Republic Services is entering their last year of a twelve (12) year contract to collect garbage and recycling under their franchise. Republic Services was the lowest bidder of the competitively bid franchisee awarded under Resolution No. 1858-08 at a rate of \$18.31 per month for single family waste collection services in 2008. This original contract provided each single-family residential unit with a cart for weekly garbage service and unlimited recycling program in a two-bin collection system and yard trash collection.

The term of the original contract was seven (7) years. Pursuant to the contract, Republic Services offered a proposal in their fifth year to provide an “All-In-One” semi-automated recycling improvement instead of a potential scheduled rate adjustment increase. The proposal was for a semi-automated recycling improvement that was more efficient than manual two (2) bin recycling collection which allowed Republic Services to reduce the residential collection rate down to \$17.66 per month for each single-family unit. This advantageous program and rate took effective November 2013. The “All-In-One” collection improvement also improved Oviedo’s already high recycling diversion of 400 pounds per year to 600 pounds per single family.

Due to the recycling efficiencies and other economic factors, Republic Services’ rate was not increased for a period of four (4) years, from November, 2013 until October 1, 2017. On September 18, 2017, City Council approved a rate increase effective October 1, 2017, to \$17.77 per month per single family unit; an increase of \$0.11 per month.

On September 16, 2019, Republic Services requested another rate adjustment pursuant to their contractual franchise agreement. The rate adjustment, known as a Refuse Rate Index (RRI), includes changes to specific items within the unit service price attached as Exhibit “C” to their contract for the cost of fuels, disposal, insurance and other inflation which can reasonably change over the contractual term. Republic Services’ requested RRI adjustment is proposed to be a maximum rate of \$18.40 per month per single family unit. Although Republic has requested an effective date of October 1, 2019, the effective date cannot occur until at least November 1, 2019, due to the delay in Republic’s RRI adjustment request which was contractually due by June 30, 2019, plus the administrative responsibilities of implementing such an increase. Republic Services did not make the request until September 16, 2019. Therefore, it is not possible to implement the RRI by October 1st. The contract does not provide for retroactive increases. If approved, the amount of the increase is \$0.63 per month per single family unit and will be effective November 1, 2019.

**Republic Services 2019 RRI Adjustment Summary:**

	<b>2017 Rate</b>	<b>2019 Rate</b>	<b>Difference</b>
Cart/Bin Fee	\$1.32	\$1.32	-
Fuel - Diesel	\$1.39	\$1.67	0.28
Fuel – N. Gas	\$0.48	\$0.50	0.02
Disposal	\$3.26	\$3.37	0.11
Collection with insurance	\$11.32	\$11.54	0.22
<b>Total</b>	<b>\$17.77</b>	<b>\$18.40</b>	<b>0.63</b>

Staff reviewed the Contractual RRI adjustment and found it consistent with the Republic Services residential solid waste and recycling collection contract. Section 13.03 of the Amended and Restated Franchise Agreement states that the Contractor (Republic) has the right to request costs adjustments for the component cost only for Unusual Costs, Refuse Rate Index (RRI), and Fuel Consumer Price Index (CPI). Except for unusual costs, no cost adjustment shall be retroactive. Information provided by Republic to justify this increase is provided in the attachment. The new Republic Services collection rate of \$18.40 is just slightly higher than the original contract bid in 2008 at \$18.31 per month.

The new single family total monthly billing amount will be:

Proposed 2019 Republic Rate	\$18.40
City of Oviedo Franchise Fee	\$ 1.19
City of Oviedo Handling Fee	\$ 0.80
<b>Total</b>	<b>\$20.39</b>

The existing City of Oviedo single family monthly solid waste amount is \$19.76.

Republic Services also requested a contract extension and has previously submitted rate scenarios based on different service options. City staff has been working with Republic and Willdan Financial, Inc., the City’s rate consultant, to determine the actual cost to the City for the

proposed scenarios. The City Attorney has since opined that the existing Republic Services Solid Waste Contract cannot be extended due to language within Section 17 of the agreement that provides an expiration date of September 30, 2019. A copy of the City Attorney's opinion regarding any contract renewal is provided as Item 1 in Attachment 2.

The City Attorney has also opined that "the City should not honor, much less approve, any late requests from the franchisee relative to requests for additional costs or price adjustments." The City Attorney's opinion is provided as Item 3 in Attachment 2.

However, City staff recommends adoption of Resolution No. 3829-19 due to real market inflationary costs associated with fuel, disposal and insurance rates. These "costs of doing business" are normal and reflective of a two-year period considering the last increase approved by City Council was in 2017 under Resolution No. 3468-17.

**Budget Impact:** There is no budget impact to the City's budget as the residential collection franchise rate is operated as a pass through to the homeowner for waste services rendered. If approved the new Republic collection rate of \$18.40 per month would be effective November 1, 2019.

**Strategic Impact:** Ensures the health and well-being of the community through continued solid waste and recycling collection.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3829-19.

Attachments      1: Republic Services Factoids and supporting documentation  
                         2: City Attorney email

Prepared by:      Susan Sheikh, Operational Resources Manager  
Reviewed by:      Bobby Wyatt, Public Works Director

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members

**FROM:** Bryan Cobb, City Manager

**DATE:** October 7, 2019

**SUBJECT:** **Resolution 3833-19**, Supporting State Road 434 Short Term Improvements

**Procedure:** Call Up Item  
City Manager Background  
Public Comment - Request to Speak Forms submitted prior to beginning of meeting.  
Council Motion & Discussion  
Council Action

**Introduction:** This is a request for City Council to express its support for the State Road 434 Short Term Improvements.

**Discussion:** At City Council's September 30, 2019, Work Session, Seminole County and its consultant, Kittelson and Associates (Kittelson), presented the findings and recommendations of the SR 434 Corridor Planning Study.

The presentation outlined the purposes of the Corridor Planning Study, which are to identify existing and future corridor needs; develop and evaluate alternatives to accommodate projected traffic demand and improve bicycle, pedestrian, and transit connectivity; and identify the most viable potential solutions to address those needs that can be carried forward to the Project Development and Environment (PD&E) Study process. The study corridor was divided into two (2) sections. Section 1 is from SR 417 to Franklin Street. Section 2 is from Smith Street to Mitchell Hammock Road.

The Future Conditions Report was completed in June 2019. At that time, the study team became aware of funding issues for the long-term project recommendations. Right-of-way (ROW) and Construction funding for the project will not be available after completion of the PD&E Study and Design. While the availability of funding does not change the findings of the Corridor Planning Study, it caused the study team to reconsider developing and committing to a short-term projects.

The County tasked the study team to finalize the Corridor Planning Study and develop a short-term improvement in Section 1. In Section 2, short-term improvements are already in process, including a posted speed reduction and a turn lane improvement at the SR 434/Mitchell Hammock Road intersection. The focus of the Section 1 short-term improvements is to meet the corridor's defined capacity and safety needs through intersection improvements, access management, and pedestrian and bicycle improvements.

In the presentation, Kittelson and Associates outlined the potential project schedule for the Section 1 Short Term Improvements.

- Complete Project Development (2019)
- Begin Design (2020/21)
- Begin Right-of-Way (2022/23)
- Begin Construction (2024/25)

In order to proceed with the next steps and complete the project development, Seminole County requested that the City Council approve a Resolution expressing its support for the State Road 434 Short Term Improvements. Once a resolution is approved, a public meeting will take place later this month at a time and date to be determined, the project application will be completed and the project will move to the design phase.

**Budget Impact:** There is no budget impact resulting from the Oviedo City Council's Approval of Resolution 3833-19.

**Strategic Impact:** Ensures infrastructure meets the capacity needs of the City, promotes the health and safety of residents while increasing the ability of people to move around the City.

**Recommendation:** It is recommended that City Council adopt Resolution No. 3833-19.

- Attachments:
1. September 30, 2019, Oviedo City Council Presentation
  2. Short Term Concept
  3. Existing Conditions
  4. Future Conditions
  5. Short Term Improvement Report

Prepared by: Patrick Kelly, Assistant City Manager