

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on May 13, 2024 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting (408)-650-3123 - Access Code: 765-166-397.

Council President Kenneth M. Burgess, Jr. called the meeting to order at 6:00 p.m. Roll call was taken. Present were members Charles Proctor, Kenneth Burgess, Jodi Wilkeson, Steven F. Spina, Ph.D., Lance A. Smith and Mayor Melonie Bahr Monson. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Police Chief Derek Brewer, Public Works Director Shane LeBlanc, Planning Director Todd Vande Berg, Utility Director John Bostic, Finance Director Ted Beason, Building Official Bill Burgess, Public Information Officer Kevin Weiss, Principal Planner Rodney Corriveau, IT Director Mike Panak, Finance Supervisor Jessica Carter and City Clerk Lori Hillman.

Andres Sequera, Director of Mission and Ministry at AdventHealth Zephyrhills delivered the invocation. The Pledge of Allegiance followed.

1. MAYOR

1.1 Hospital Week Proclamation

Mayor Melonie Bahr Monson read aloud a Hospital Week Proclamation proclaiming May 7th – 13th, 2024 as Hospital Week in Zephyrhills.

1.2 National Public Works Week Proclamation

Mayor Melonie Bahr Monson read aloud a National Public Works Week Proclamation proclaiming May 19th – 25th, 2024 as National Public Works Week.

1.3 Luan Gore Proclamation

Mayor Melonie Bahr Monson read aloud a proclamation honoring Luan Gore, proclaiming May 13, 2024 as a day to honor and appreciate Luan Gore in recognition of her many contributions to the City of Zephyrhills.

1.4 Russell Schmidt Proclamation

Mayor Melonie Bahr Monson read aloud a proclamation honoring Russell Schmidt, proclaiming May 13, 2024 as a day to honor and appreciate Russell Schmidt in recognition of his many contributions to the City of Zephyrhills.

1.5 LeAnne John Proclamation

Mayor Melonie Bahr Monson read aloud a proclamation honoring LeAnne John, proclaiming May 13, 2024 as a day to honor Ms. John in recognition of her teaching acumen and contributions to the students of the City of Zephyrhills and Pasco County.

1.6 Pasco County Students Working Against Tobacco (SWAT) Presentation by Wendall Krinn Technical High School

Wendy Kirchner, SWAT Advisor, said the SWAT team was present to discuss the benefits of an ordinance creating Tobacco-Free Parks in the City of Zephyrhills. The ordinance would protect both kids and adults from exposure to secondhand smoke and would help demoralize tobacco use which is the leading cause of death and disease in the United States. Student Cayley Depaz narrated a presentation, “Young Lungs at Play – Tobacco-Free Parks Protect Kids.”

City Manager William Poe said an ordinance will be presented to Council in the near future to ban smoking in City Parks in the City of Zephyrhills similar to an ordinance Hernando County passed banning smoking in their City Parks and beaches.

2. CONSENT ITEMS

2.1 Approval of April 22, 2024 Meeting Minutes

2.2 Approval of Palm Bay Piggyback with L.J. Powers, Inc. Agreement No. 41-24-16 – 2 of 4, 12 Month Extension

- 2.3 Approval of Amended Agreement to Piggyback on the Appalachian Material Services, Inc. (AMS) Agreement No. 41-20-10 Agreement with Tarpon Springs for Sludge Hauling Services Due to Price Escalation
- 2.4 Approval of Southern Corrosion, Inc. Agreement No. 41-24-13
- 2.5 Supplemental No. 1 to FDOT Contract No. G2151 – FPN 450716-1-54-01 South Avenue Extension 24-24-01 (National Guard)
- 2.6 Community Hope and Intervention Project of Zephyrhills (CHIPZ, Inc.) Grant Agreement No. 24-24-04
- 2.7 Approval of City of Titusville Piggyback with InfoSend Agreement No. 41-24-17 for Utility Billing Printing and Mailing Services

Steve Spina moved to approve the Consent Items. Seconded by Charles Proctor. Motion passed unanimously.

3. **BUSINESS ITEMS/FINANCE DIRECTOR**

3.1 Presentation of 2023 Audit – Annual Comprehensive Financial Report

Finance Director Ted Beason introduced Audit Manager Mary Fernandez with DG Perry CPAs and Advisors who presented the Annual Comprehensive Financial Report for the 2023 Audit. She presented the Independent Auditor's Report, stating when reviewing the audit, it is very important to look at the financials and note disclosures in conjunction for a clear understanding. She referred to Note 1 - Significant Accounting Policies that govern the preparation of financials. New this year is Governmental Accounting Standards Board 87 (GASB 87) that defines the scope of leased assets. GASB 87 is important to airport hangar leases which are a multi-year commitment for the City and will be included in the financials and disclosed this year. Governmental Accounting Standards Board 96 (GASBY 96) requires the government to measure subscription liability. The City has a Subscription-Based Information Technology multi-year agreement for communications software and will be included in the financials and disclosed this year.

Ms. Fernandez referred to the audit results for the financial statements which received an unmodified or a clean opinion, no instances of non-compliance for internal control with an unmodified or clean opinion for single audit compliance. She highlighted several major financial statements to include the Government Funds Balance Sheet; Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds; Statement of Revenues, Expenses, and Changes in Net Position Proprietary Funds; Total Government Funds – Revenue; Total Government Funds – Expenditures; Undesignated/Unreserved General Fund Balance; Total Proprietary Funds – Revenue; Total Proprietary Funds – Expenses; and Net Assets by Activity Type.

Steve Spina moved to accept the 2023 Audit as presented. Seconded by Lance Smith. Motion passed unanimously.

3.2 Request for Additional Positions for Utility Billing

Finance Director Ted Beason said Utility Billing has been outsourced for a number of years and will be brought in house effective June 17, 2024 with all billing software in place. He said current positions were budgeted in FY 23/24 and requested Council's approval of an additional two (2) necessary positions based on call volume; one (1) billing and one (1) customer service representative for a total of \$100,000 inclusive of salary and benefits. He said 60% of payments are made online.

Councilman Smith asked staff to consider hybrid options when hiring back office positions for employees to work from home.

Lance Smith moved to approve two (2) additional positions for Utility Billing. Seconded by Jodi Wilkeson. Motion passed unanimously.

4. **CITY MANAGER'S REPORT**

- 4.1 CPH Consulting, LLC Professional Services Agreement No. 37-24-05 for Engineering, Design and Construction of City Complex

City Manager William Poe said the existing City Yard facilities were constructed in 1984 and are antiquated and in need of modernization. A Special Meeting was held on April 8, 2024 to rank the firms presenting Architectural/Engineering Services for the City Complex. Council approved staff to negotiate an agreement with CPH Consulting, LLC. The agreement with CPH provides for space programming, as-built field verification, design, regular meetings with the Construction Manager at Risk (CMAR), construction site observations during construction with plans and permits and a completion date of January 2025. Two Million Dollars (\$2,000,000) was budgeted in FY 23/24 with a total cost of the agreement in the amount of One Million, Nine-Hundred and Fifty Thousand, Eight-Hundred and Thirty-Two dollars (\$1,950,832) which will be split 60/30/10 between Public Works, Utilities and Sanitation. Staff recommended approval of Agreement No. 37-24-05 with CPH Consulting, LLC.

Spoke from the floor: Principal Architect John Lenti with CPH Consulting, LLC – 5601 Mariner Street, Suite 150 – Tampa, FL 33609

Mr. Lenti said fees are based on the state of Florida Department of Management Services (DMS) base services fees for schematic designs and construction administration. He said this project will require a master plan site confirmation and concept design development due to the unique needs and scale of investment as additional support. In addition, and not included in the DMS curve, is civil engineering, geotechnical investigation, surveying, landscaping and other additional services. The fee was structured by looking at the \$20M estimated construction cost with a goal to reduce the cost to \$16M through value engineering. The DMS percentage is 6.4% for basic services, which is in-line with the original concept report prepared by the other Architectural/Engineering consultant, plus the additional services for a total of \$1,950.832. He said CPH is committed to working with the City to realize the \$16M. Once the Notice to Proceed is received, CPH will meet with stakeholders to confirm program requirements and move forward. He said the decision rests with the City in terms of which direction to move forward to invest money. He said he will advise stakeholders to reevaluate decisions if he sees decisions being made that are driving up cost and added the Construction Manager at Risk (CMAR) will provide another level of verification once onboard. He said CPH will present each critical milestone to Council for review.

City Manager William Poe said the cost savings is value engineering that will have to be adhered to in achieving the price.

Councilman Smith directed CPH to continue to look for cost savings through every step of the process. He also recommended staff create a 5 / 10 / 20 year capital improvement plan for large expenditures to periodically review allocations.

Lance Smith moved to approve Agreement No. 37-24-05 with CPH Consulting, LLC. Seconded by Charles Proctor. Motion passed unanimously.

5. CITY ATTORNEY'S REPORT

5.1 Residential Moratorium 12 Month Extension (June 26, 2024 – June 25, 2025)

First Reading **ORDINANCE NO. 1479-24 – “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA ESTABLISHING A NEW 12 MONTH MORATORIUM ON THE CONSIDERATION OF NEW RESIDENTIAL APPLICATIONS FOR ANNEXATIONS, LAND USE MODIFICATIONS, REZONINGS, MAJOR PLANNED UNIT DEVELOPMENT AMENDMENTS, CONDITIONAL USES, OR VARIANCES FOR PROPERTY OVER ONE ACRE; PROVIDING FOR CONFLICTS, EXEMPTIONS, SEVERABILITY, EXPIRATION AND AN EFFECTIVE DATE.”**

City Attorney Matthew Maggard read Ordinance No. 1479-24 by title. He said this ordinance establishes a new 12 month moratorium (June 26, 2024 – June 25, 2025) following the expiration of the current moratorium due to the City's Water Use Permit (WUP) application still under view by the Southwest Florida Water Management District (SWFWMD).

Steve Spina moved to approve Ordinance No. 1479-24 on the First Reading. Seconded by Charles Proctor. Motion passed unanimously.

City Manager William Poe said the City received a third response from SWFWMD three weeks ago with two questions. First, the City currently has an Environmental Management Plan (EMP) to monitor the levels of a body of water and SWFWMD is requesting the City add an additional four (4) to five (5) monitoring sites. Staff are looking for locations to secure agreements to monitor additional sites, if needed. Second, the City has an agreement with Evans / Orsi's Properties to provide water service to their 900 acre subdivision development. In exchange, Evans / Orsi's will relinquish 790 gallons of water capacity permitted by SWFWMD to the City. The agreement was submitted to SWFWMD and they are requesting a detailed Phasing Development Plan. Staff are working with Evans / Orsi's attorney Clark Hobby on a response. Staff reached out to Doug Manson, Esquire with 30 years' experience representing the private sector and governments in water who is willing to assist the City through the Evans / Orsi process. He said he believes the City has the right people in place. He said once the City receives the Water Use Permit for 4.48, the City must begin conversations on where the City's next allotment of water is coming from. He said the easiest solution would be to connect to Dade City through the existing interconnect pipeline but Dade City is going through the same process.

6. CITIZEN COMMENTS

N/A

MAYOR ANNOUNCEMENTS – Mayor Melonie Bahr Monson thanked Police Chief Brewer and his staff for honoring and laying Former Police Chief Howell to rest respectfully. She announced Scholarship night will be held May 21, 2024 at Zephyrhills High School.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe said at 0400 tomorrow morning (May 14, 2024), Dispatch Consolidation goes live with all 911 calls going to Pasco County. He announced an Impact Fee Workshop will be held Monday, May 20, 2024 at 5:30 p.m. followed by a Budget Workshop at 6:30 p.m. He announced Pasco County received the Corporate Investment and Community Impact Award for Bauducco Manufacturing choosing Zephyrhills to build their production plants. A Community Open House for the Parks Master Plan will be held May 23, 2024, 5:30 p.m. – 7:00 p.m.

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Spina – N/A

Council Vice President Proctor – N/A

Councilwoman Wilkeson – N/A

Councilman Smith – N/A

Council President Burgess – N/A

7. NOTED ITEMS

7.1 SPR-68-23 Re-Plat of the Market at Zephyrhills

7.2 49-19 PLT Links at Calusa Springs Maintenance Bond Release

7.3 41-24-10 Centennial Contractors

Meeting Adjourned: 7:35 p.m.

Submitted by Lori L. Hillman