



**CITY OF CLERMONT  
COUNCIL MEETING AGENDA  
7:00 PM, Tuesday, October 28, 2014**

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. For items listed on the agenda, each speaker will be permitted 5 minutes to address the Council. For non-agenda items, each speaker will be permitted 3 minutes to address the Council. These time limits may be extended by the Mayor. Thank you for participating in your City Government.

**CALL TO ORDER**

**INVOCATION & PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

Florida League of Cities

Financial Reporting Award

**PROCLAMATION**

Cooper Memorial Library

**PUBLIC COMMENTS**

**REPORTS**

**CONSENT AGENDA**

Item No. 1 - Contract Award

Consider request to piggyback the City of Titusville contract with Layne Inliner, LLC to provide sanitary sewer system improvements.

Item No. 2 - Contract Award

Consider request to piggyback the Lake County Board of County Commissioners contract with A1 Assets, Inc. to provide recycling services of end of life electronics.

Item No. 3 - Contract Award

Consider request to purchase twenty-five vehicles for four City Departments from the Florida Sheriff's Association contract in the total amount of \$596,633.

Item No. 4 - Management Agreement

Consider request of Lake County Rowing Associations Management Agreement for the Clermont Boathouse.

Item No. 5 - Utility Service Agreement

Consider request for sewer service for the Louisa Vista development.

Item No. 6 - Board Appointment

Consider request to appoint Jason Sayre as fifth member to the Police Officers Pension Board.

**CITY OF CLERMONT  
COUNCIL MEETING AGENDA  
7:00 PM, Tuesday, October 28, 2014**

- |                                                     |                                                                                                                                                                |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item No. 7 - Committee Appointment                  | Consider request to appoint John E. Kruse as an alternate to serve on the Metropolitan Planning Organization's Technical Advisory Committee.                   |
| Item No. 8 - Purchase Approval                      | Consider Fire Department request to purchase boat and trailer in the amount of \$121,550.                                                                      |
| Item No. 9 - Purchase Approval and Budget Amendment | Consider Fire Department request to purchase reporting/records management software in the amount of \$30,683 and a budget amendment in the amount of \$19,316. |
| Item No. 10 - Plat Approval                         | Consider request to approve the final plat for Harvest Landing.                                                                                                |
| Item No. 11 - Employee Group Medical Plan           | Consider request to approve changes to the Employee Group Medical Plan.                                                                                        |

**UNFINISHED BUSINESS**

- |                                                   |                                                                                                                                                                                                                                             |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item No. 12 - Lease Agreement                     | Consider request to approve the Clermont Garden Club Lease Agreement.                                                                                                                                                                       |
| Item No. 13 - Ordinance No. 2014-23; <i>Final</i> | Consider request to increase the monthly amounts for retirees currently receiving benefits from the General Employees Defined Benefit Retirement Plan.                                                                                      |
| Item No. 14 - Ordinance No. 2014-36; <i>Final</i> | Consider request to increase the monthly amounts for retirees currently receiving pension benefits from the Police Officers Defined Benefit Retirement Plan.                                                                                |
| Item No. 15 - Ordinance No. 2014-28; <i>Final</i> | Consider request for a Small Scale Comprehensive Plan Amendment to change the future land use from Medium Density Residential to Downtown Mixed Use for property located on the south side of West Minneola Avenue and west of 11th Street. |

**CITY OF CLERMONT**  
**COUNCIL MEETING AGENDA**  
**7:00 PM, Tuesday, October 28, 2014**

- |                                                   |                                                                                                                                                                                                             |
|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item No. 16 - Ordinance No. 2014-29; <i>Final</i> | Consider request for a Small Scale Comprehensive Plan Amendment to change the future land use from Office to Commercial for property located on the north side of State Road 50 between 4th and 2nd Street. |
| Item No. 17 - Ordinance No. 2014-33; <i>Final</i> | Consider request to change the zoning from C-1 Light Commercial to C-2 General Commercial for property located on the north side of State Road 50 between 4th and 2nd Street.                               |
| Item No. 18 - Ordinance No. 2014-34; <i>Final</i> | Consider request for a Land Development Code amendment to Chapter 118, Section 118-35.                                                                                                                      |

**NEW BUSINESS**

- |                                                                          |                                                                                                                                                                      |
|--------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item No. 19 - Resolution No. 2014-35<br><i>Table to December 9, 2014</i> | Consider request to table an amendment to a Conditional Use Permit for property located east of Hancock Road, north of Hartwood Marsh Road, and south of Highway 50. |
| Item No. 20 - Ordinance No. 2014-35; <i>Introduction</i>                 | Consider introduction of Ordinance to vacate right-of-way for a portion of Disston Avenue lying south of State Road 50 and north of Almond Street.                   |
| Item No. 21 - Ordinance No. 2014-37; <i>Introduction</i>                 | Consider introduction of Ordinance to provide zoning and restrictions for medical marijuana dispensaries.                                                            |

**ADJOURN**

Any person wishing to appeal any decision made by the City Council at this meeting will need a record of the proceedings. For that 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 based. In accordance with the Americans with Disabilities Act (ADA), if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding he/she should contact Clermont, City Clerk's Office, 352-241-7330.

Please be advised that if you intend to show any document, picture, video or items to the Council or Board in support or opposition to any item on the agenda; a copy of the document, picture, video or item must be provided to the City Clerk for the City's records.



## CITY OF CLERMONT

# AGENDA ITEM

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|                                                                                                                                                                                                                                                                                                                      |                                    |                                |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|--|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                  |                                    |                                |  |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                            |                                    |                                |  |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                              |                                    |                                |  |
| Financial Reporting Award                                                                                                                                                                                                                                                                                            |                                    |                                |  |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                              |                                    |                                |  |
|                                                                                                                                                                                                                                                                                                                      |                                    |                                |  |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                  |                                    |                                |  |
| The Government Finance Officers Association has awarded the Certificate of Achievement for Excellence in Financial Reporting to the City for its Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2013. This is the 26th consecutive year the City has received this prestigious award. |                                    |                                |  |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                  |                                    |                                |  |
|                                                                                                                                                                                                                                                                                                                      |                                    |                                |  |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                           |                                    |                                |  |
|                                                                                                                                                                                                                                                                                                                      |                                    |                                |  |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                         |                                    |                                |  |
|                                                                                                                                                                                                                                                                                                                      |                                    |                                |  |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                 | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |  |
|                                                                                                                                                                                                                                                                                                                      |                                    |                                |  |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                             |                                    |                                |  |
|                                                                                                                                                                                                                                                                                                                      |                                    |                                |  |



*City of Clermont*  
*Proclamation*

*Whereas*, the library had its first organizational meeting on March 23, 1906 and on May 19, 1906 the home of Mrs. Payson Pierce on Montrose Street was opened for use as a library on Saturday afternoons; and

*Whereas*, in 1910 the library books were moved to the Isaiah Benson home and in 1911 the name of the organization became the Clermont Library Club; and

*Whereas*, the Clermont Library Club decided to build a permanent home for the library at their May 23, 1914 meeting; and

*Whereas*, the library formally opened on November 3, 1914; and

*Whereas*, in 1938 the name officially changed to Cooper Memorial Library; and

*Whereas*, on November 8, 2014 the Cooper Memorial Library will celebrate their 100<sup>th</sup> anniversary;

*Now, Therefore, Be it Resolved*, that the City of Clermont wishes the library continued success in serving the South Lake Community.

*In Witness Whereof*, I, Harold S. Turville, Jr., Mayor of the City of Clermont in the State of Florida, have hereunto set my hand and caused the Seal of the City of Clermont to be affixed this 28<sup>th</sup> day of October in the year two thousand fourteen.

**ATTEST:**

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Harold S. Turville, Jr. Mayor

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Tracy Ackroyd, MMC  
City Clerk



# CITY OF CLERMONT

## AGENDA ITEM

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                |                                |
| Contract Award                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                |                                |
| Move to approve piggyback contract between the City of Titusville. and Layne Inliner, LLC. to provide sanitary sewer system improvements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                |                                |
| <p>The Purchasing Division and the Environmental Services Department recommend approval of the above action.</p> <p>At the request of the Environmental Services Department, the Purchasing Division sought a contract from Layne Inliner, LLC. to obtain the services for sanitary sewer system improvements on an as needed basis.</p> <p>In accordance with the direction of City Council, the Purchasing Division issued a Request for Interest (RFI) number 1510-004 to notify local vendors of the City's intent to utilize other governmental entities' contract. The RFI was posted on the City's website for seven (7) business days. At the completion of the RFI, the Purchasing Division received no interest. Based on this, staff recommends that Council approve to piggyback the City of Titusville contract with Layne Inliner, LLC.</p> <p>The contract was obtained through a fully competitive solicitation and complies with the City of Clermont Purchasing Policy.</p> |                                                |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                |                                |
| Improvements are included in the current budget.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Fund Number and Description</b>             | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                |                                |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                |                                |
| 1. Agenda from City of Titusville                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Reynolds Agenda Item 02282012 and Approval.pdf |                                |
| 2. Contract Renewal Letter                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Contract Renewal Letter.pdf                    |                                |
| 3. RFI 1510-004                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | RFI 1510-004.pdf                               |                                |

# City of Titusville

"A City of Service"

## REPORT TO COUNCIL

To: The Honorable Mayor and City Council

From: Mark K. Ryan, City Manager

Subject: **Bid for Slip Lining of Sanitary Sewer Mains**

**Department/Office: Water Resources**

### Recommended Action

Approve award of contract for Bid No. 12-B-003 to Reynolds Inliner, LLC of Sanford, FL for the cleaning and slip lining of 8, 10 and 12-inch sanitary sewer mains at various locations in the City in the amount of \$250,000 for the current fiscal year 2012 and for an authorized amount of \$207,905 for next fiscal year 2013 subject to the appropriation of funds for fiscal year 2013; and authorize the Mayor to execute the contract.

### Summary Explanation & Background:

The Inflow & Infiltration Elimination Program has identified various sanitary sewer mains throughout the City that are in poor condition, damaged, and leaking. The identified mains are ideal candidates for a rehabilitation process known as slip lining. Slip lining involves the placement of a slightly smaller pipe within the existing pipe and curing the smaller pipe in place, preventing the infiltration of water and stopping the corrosive effects of the sanitary waste stream from further damaging the pipe. This method of rehabilitation of sewer mains is much less costly than excavating roads to install new pipes and is far less disruptive to the community.

The City solicited sealed bids on November 22, 2011 to engage a Contractor, under a one year contract with two (2) optional one year renewals, to perform the sewer pipe rehabilitation on an as needed basis using the slip lining as described above. Two firms submitted bids which were opened on December 19, 2011 as follows:

| Vendor                                         | Bid       |
|------------------------------------------------|-----------|
| Reynolds Inliner LLC, Sanford, Florida         | \$457,905 |
| Insituform Technologies, Inc. Chesterfield, MO | \$656,492 |

Reynolds Inliner LLC was informed that its bid is significantly low and subsequently confirmed in writing the review of its bid, the validity of its prices, and its willingness to accept the contract if awarded and perform the services.

## **City Council Regular-February 28, 2012**

Accordingly, it is recommended that City Council approve the award of a one year contract with two (2) optional one year renewals to Reynolds Inliner LLC, from Sanford, Florida, the lowest responsive and responsible bidder, to perform the sewer pipe rehabilitation on an as needed basis using the slip lining method for an authorized amount of \$250,000 for the current fiscal year 2012 and for an authorized amount of \$207,905 for next fiscal year 2013 subject to the appropriation of funds for fiscal year 2013; and authorize the Mayor to execute the contract.

**Alternatives:** Reject all bids and rebid the project.

**Source/Use of Funds/Budget Book Page:** The slip lining project will be funded from the Sewer System Upgrades Capital Improvement Project, WC0701 (Account #402-5555-580-65-00) with an available balance of \$671,759.

**Strategic Plan Impact:** This action is in line with “Maintaining Financial Stability While Providing Cost Effective Services”

**Exhibits Attached:** Contract

## 8. CONSENT AGENDA

### A. WORK ORDER - SGM ENGINEERING

Approve award of Work Order SGMPW006 to SGM Engineering of Orlando, Florida to provide professional engineering services for the design, bidding assistance and construction oversight of Fire Station #12 roof improvements, generator enclosures at Fire Stations #12 and #10, and other related modification/upgrade work required for hurricane safety in the amount of \$35,753.20, and authorize the City Manager to execute the Work Order.

Approved in accordance with recommendations

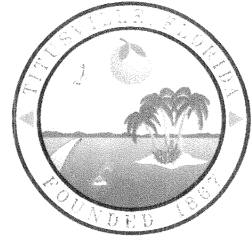
### B. SLIP LINING OF SANITARY SEWER MAINS

Approve award of contract for Bid No. 12-B-003 to Reynolds Inliner, LLC of Sanford, FL for the cleaning and slip lining of 8, 10 and 12-inch sanitary sewer mains at various locations in the City in the amount of \$250,000 for the current fiscal year 2012 and for an authorized amount of \$207,905 for next fiscal year 2013 subject to the appropriation of funds for fiscal year 2013; and authorize the Mayor to execute the contract.

Approved in accordance with recommendations.

# City of Titusville

555 SOUTH WASHINGTON AVENUE  
TITUSVILLE, FLORIDA 32796-3584  
POST OFFICE BOX 2806 (32781-2806)



Purchasing & Contracting  
Administration  
(321) 383-5767  
Fax (321) 383-5628  
*"A City of Service"*  
[www.titusville.com](http://www.titusville.com)

January 29, 2014

Mr. Mark Harris, Vice President  
Layne Inliner, LLC  
2531 Jewett Lane  
Sanford, FL 32771

Re: Contract Renewal

Dear Mr. Harris,

In accordance with Article 1 – Term of the Contract dated March 23, 2012 between the City of Titusville and Reynolds Inliner, LLC, the City is hereby exercising the second and final (1) year administrative renewal. The term of the contract is hereby extended to March 23, 2015. All other terms and conditions of the original contract remain in full force during the effective period of this renewal.

We look forward to continuing this successful partnership in the coming year. If you have any question, please do not hesitate to call.

Please sign below to indicate your concurrence and return to my attention by mail.

City of Titusville

Jesus M. Vieiro  
Purchasing & Contracting Administrator

Layne Inliner, LLC

Mark Harris  
Vice President

/wtg

cc: Sean Stauffer, Water Resources Director  
Jeff Wayner, Water & Sewer Field Operations Superintendent  
Jimmy Gager, Water Resources Special Project Coordinator



April 17, 2012

Reynolds Inliner, LLC Customer

Dear XXXX:

Reynolds Inliner is excited to announce that our business name will be changing from Reynolds Inliner, LLC to Layne Inliner, LLC effective May 1, 2012.

Reynolds Inliner was acquired by Layne Christensen Company in 2005. Our relationship with Layne has provided us the opportunity to not only grow through acquisitions and territorial expansions but also to advance in the products and services we provide – products like Janssen structural renewal and now the ability to offer an ultraviolet light cured Inliner product.

Rest assured that you will see the same great people and still receive the outstanding service you have come to know and expect from us. It is simply time to embrace the Layne brand and honor the new history we are writing together – a history that will be shaped by our common core values of Safety, Sustainability, Integrity and Excellence.

We appreciate your business with us and look forward to the future.

Sincerely,  
Layne Inliner, LLC

A handwritten signature in black ink, appearing to read "Larry Purlee".

Larry Purlee  
President

A handwritten signature in black ink, appearing to read "Mike Cannon".

Mike Cannon  
District Manager

A handwritten signature in black ink, appearing to read "Denise C. McClanahan".

Denise C. McClanahan, P.E.  
Vice President

A handwritten signature in black ink, appearing to read "Mark Harris".

Mark Harris  
Vice President



## REQUEST FOR INFORMATION

### *Intent to Utilize City of Titusville Contract for Sanitary Sewer System Improvements*

|                                                                                                                                                                                                                                                                                                                                                                                                              |                         |                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|
| <b>CONTACT INFORMATION:</b><br>Freddy Suarez, MPA, CPPB<br>Purchasing Manager<br>EMAIL: <a href="mailto:fsuarez@clermontfl.org">fsuarez@clermontfl.org</a><br>Phone: (352) 241-7386                                                                                                                                                                                                                          | RFI No. <b>1510-004</b> | ISSUED DATE: October 7, 2014 |
| <b>SOLICITATION RESPONSE:</b> Responses will be received until the response due date specified above or as otherwise amended. No late responses will be accepted.<br><br>Responses may be submitted electronically to the Purchasing Manager by email.<br>Hardcopy responses may be delivered to: City of Clermont Purchasing Division, 685 West Montrose Street, 2 <sup>nd</sup> Floor, Clermont, FL 34711. |                         |                              |

|                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>NOTICE OF INTENT TO PIGGYBACK A CONTRACT</b><br><b>NOTICE END DATE: <u>October 15, 2014 at 2:00 P.M. (EST)</u></b><br><b>DEADLINE FOR WRITTEN QUESTIONS: <u>Not Applicable</u></b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

This Request for Information (RFI) is intended to notify local vendors of the City's intent to utilize other government entities' contract. **This is not an invitation to submit a bid or quote.** If no local vendor responds to the RFI, the Purchasing Division will proceed with utilizing the referenced contract. Local vendor is defined as businesses located in South Lake County, preferably located within the City limits. This notice will be posted for seven (7) business days.

#### **1 – PIGGYBACK CONTRACT INFORMATION**

- (a) Contract Number & Title: 12-B-003, Sanitary Sewer System Improvements
- (b) Contractor(s): Layne Inliner, LLC.
- (c) Length of Contract: Expires March 23, 2015.
- (d) Product or Service Provided: Provides for all labor, materials and equipment necessary for sanitary sewer system improvements.
- (e) City Department: Environmental Services Department



## **2 – ACTION TO BE TAKEN**

If you're a local vendor, please contact the Purchasing Division by email or by mail prior to the "Response Due Date" indicated above to advise whether your company can provide any of the items/services listed.

Prospective local vendor respondents are requested to provide information regarding their ability to provide the commodities described. **Respondents are not to provide pricing.** All responses will be evaluated by the Purchasing Division and the Department requesting the supplies or services.



## CITY OF CLERMONT

# AGENDA ITEM

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| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| Contract Award                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| Move to approve piggybacking the Lake County Board of County Commissioners contract with A1 Assets, Inc. to provide recycling services of end of life electronics.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
| <p>The Purchasing Division and the Environmental Services Department recommend approval of the above action.</p> <p>At the request of the Environmental Services Department, the Purchasing Division sought a contract from the Lake County Board of County Commissioners to obtain the services of A1 Assets, Inc. for the recycling of end of life electronics. In accordance with the direction of City Council, the Purchasing Division issued Request for Interest (RFI) number 1510-003 to notify local vendors of the City's intent to utilize other governmental entities' contract. The RFI was posted on the City's website for seven (7) business days. At the completion of the RFI, the Purchasing Division received no interest. Based on this, staff recommends that Council approve to piggyback the Lake County Board of County Commissioners contract for recycling of end of life electronics.</p> <p>The Lake County Board of County Commissioners contract was obtained through a fully competitive solicitation and complies with the City of Clermont Purchasing Policy.</p> |                                    |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| No fiscal impact.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| 1. RFP Pricing Summary 14-0635_PricingSummaryfromProposals.pdf                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| 2. RFI 1510-003 RFI 1510-003.pdf                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                    |                                |

## Recycling/Reclamation End of Life Electronics

| VENDORS>                                                        | A1 Assets Inc. | AERC Recycling                                     | Care Environmental Corp.                           | TeleCycle, LLC                                                                                                                                                            |
|-----------------------------------------------------------------|----------------|----------------------------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Location>                                                       | Longwood, FL   | Melbourne, FL                                      | Dover, NJ                                          | College Park, GA                                                                                                                                                          |
| Addendum 1 acknowledged>                                        | Yes            | Yes                                                | No                                                 | No                                                                                                                                                                        |
|                                                                 | Price          | Price                                              | Price                                              | Price                                                                                                                                                                     |
| <b>PRICE FORM 1 - Disposal of whole by reclaim (per unit)</b>   |                |                                                    |                                                    |                                                                                                                                                                           |
| PCs/CPU's                                                       | \$3.00         | (\$0.48)                                           | (\$0.04)                                           | \$0.41                                                                                                                                                                    |
| Laptops                                                         | \$3.00         | (\$0.48)                                           | (\$0.04)                                           | \$1.10                                                                                                                                                                    |
| Servers                                                         | \$105.00       | (\$0.48)                                           | (\$0.04)                                           | \$0.45                                                                                                                                                                    |
| CRT Monitors                                                    | (\$2.00)       | (\$0.48)                                           | (\$0.20)                                           | (\$0.14)                                                                                                                                                                  |
| LCD Monitors                                                    | \$3.00         | (\$0.48)                                           | (\$0.20)                                           | \$3.50                                                                                                                                                                    |
| CRT Televisions                                                 | (\$20.00)      | (\$0.48)                                           | (\$0.30)                                           | (\$0.14)                                                                                                                                                                  |
| Wood Televisions                                                | (\$20.00)      | (\$0.48)                                           | (\$0.30)                                           | (\$0.14)                                                                                                                                                                  |
| Projection Televisions                                          | \$0.00         | (\$0.48)                                           | (\$0.30)                                           | (\$0.14)                                                                                                                                                                  |
| Fax Machines/Scanners/Copiers                                   | \$0.00         | (\$0.48)                                           | (\$0.04)                                           | \$0.04                                                                                                                                                                    |
| LCD Televisions                                                 | \$3.00         | (\$0.48)                                           | (\$0.30)                                           | (\$0.14)                                                                                                                                                                  |
| Miscellaneous/Other                                             | \$0.00         | (\$0.48)                                           | (\$0.04)                                           | Varies                                                                                                                                                                    |
| <b>TOTAL FOR PRICE FORM 1</b>                                   | <b>\$75.00</b> | <b>(\$116,611.20)</b>                              | <b>N/G</b>                                         | <b>N/G</b>                                                                                                                                                                |
| <b>Notes re: Price Form 1</b>                                   |                | Vendor priced per pound; not per unit as requested | Vendor priced per pound; not per unit as requested | Vendor priced per pound; not per unit as requested; and did not use RFP Price Forms; submitted quote spreadsheet that included several other items not on RFP Price Forms |
| <b>PRICE FORM 2 - Disposal of whole by disposal - per unit)</b> |                | UA/UW                                              |                                                    |                                                                                                                                                                           |
| PCs/CPU's                                                       | N/A            | UA/UW                                              | N/A                                                | NB                                                                                                                                                                        |
| Laptops                                                         | N/A            | UA/UW                                              | N/A                                                | NB                                                                                                                                                                        |
| Servers                                                         | N/A            | UA/UW                                              | N/A                                                | NB                                                                                                                                                                        |
| CRT Monitors                                                    | N/A            | UA/UW                                              | N/A                                                | NB                                                                                                                                                                        |
| LCD Monitors                                                    | N/A            | UA/UW                                              | N/A                                                | NB                                                                                                                                                                        |
| CRT Televisions                                                 | N/A            | UA/UW                                              | N/A                                                | NB                                                                                                                                                                        |
| Wood Televisions                                                | N/A            | UA/UW                                              | N/A                                                | NB                                                                                                                                                                        |
| Projection Televisions                                          | N/A            | UA/UW                                              | N/A                                                | NB                                                                                                                                                                        |

## Pricing Summary

RFP 14-0635

Opened: August 27, 2014

## Recycling/Reclamation End of Life Electronics

|                                                               |               |                 |            |            |
|---------------------------------------------------------------|---------------|-----------------|------------|------------|
| Fax Machines/Scanners/Copiers                                 | N/A           | UA/UW           | N/A        | NB         |
| LCD Televisions                                               | N/A           | UA/UW           | N/A        | NB         |
| Miscellaneous/Other                                           | N/A           | UA/UW           | N/A        | NB         |
|                                                               |               |                 |            |            |
| <b>PRICE FORM 3 - Recycling de-manufactured - (per unit)</b>  |               |                 |            |            |
| PCs/CPU's                                                     | N/A           | UA/UW           | (\$0.04)   | NB         |
| Laptops                                                       | N/A           | UA/UW           | (\$0.04)   | NB         |
| Servers                                                       | N/A           | UA/UW           | (\$0.04)   | NB         |
| CRT Monitors                                                  | N/A           | UA/UW           | (\$0.20)   | NB         |
| LCD Monitors                                                  | N/A           | UA/UW           | (\$0.20)   | NB         |
| CRT Televisions                                               | N/A           | UA/UW           | (\$0.30)   | NB         |
| Wood Televisions                                              | N/A           | UA/UW           | (\$0.30)   | NB         |
| Projection Televisions                                        | N/A           | UA/UW           | (\$0.30)   | NB         |
| Fax Machines/Scanners/Copiers                                 | N/A           | UA/UW           | (\$0.04)   | NB         |
| LCD Televisions                                               | N/A           | UA/UW           | (\$0.30)   | NB         |
| Miscellaneous/Other                                           | N/A           | UA/UW           | (\$0.04)   | NB         |
|                                                               |               |                 |            |            |
| <b>PRICE FORM 4 - Recycling de-manufactured - (per pound)</b> |               |                 |            |            |
| Wire                                                          | \$0.00        | (\$0.48)        | (\$0.04)   | NB         |
| Low Grade Boards                                              | \$0.00        | (\$0.48)        | (\$0.04)   | \$0.12     |
| High Grade Boards                                             | \$0.00        | (\$0.48)        | (\$0.04)   | \$0.12     |
| Yokes                                                         | \$0.00        | (\$0.48)        | (\$0.04)   | NB         |
| Plastic Housings                                              | \$0.00        | (\$0.48)        | (\$0.04)   | NB         |
| TV Guns                                                       | \$0.00        | (\$0.48)        | (\$0.04)   | NB         |
| Printers                                                      | \$0.00        | (\$0.48)        | (\$0.04)   | \$0.04     |
| VCR/DVD Players                                               | \$0.00        | (\$0.48)        | (\$0.04)   | \$0.04     |
| Stereos                                                       | \$0.00        | (\$0.48)        | (\$0.04)   | \$0.04     |
| Fax Machines                                                  | \$0.00        | (\$0.48)        | (\$0.04)   | \$0.04     |
| Laptop Computers                                              | \$0.00        | (\$0.48)        | (\$0.04)   | \$0.45     |
| Loose Drives                                                  | \$0.00        | (\$0.48)        | (\$0.04)   | \$0.60     |
| <b>TOTAL FOR PRICE FORM 4</b>                                 | <b>\$0.00</b> | <b>(\$0.48)</b> | <b>N/G</b> | <b>N/G</b> |

## Recycling/Reclamation End of Life Electronics

|                                                                       |                                   |                                                |                        |                                                                                                                          |
|-----------------------------------------------------------------------|-----------------------------------|------------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------|
| Notes re: Price Form 4                                                |                                   |                                                |                        | Vendor did not use RFP Price Forms; submitted quote spreadsheet that included several other items not on RFP Price Forms |
|                                                                       |                                   |                                                |                        |                                                                                                                          |
| <b>PRICE FORM 5 - Reuse of whole - price/unit</b>                     |                                   |                                                |                        |                                                                                                                          |
| Computer Monitors                                                     | N/A                               | UA/UW                                          | (\$0.20)               | (\$0.14)                                                                                                                 |
| Televisions <= 19 inches                                              | N/A                               | UA/UW                                          | (\$0.30)               | (\$0.14)                                                                                                                 |
| Televisions > 19 inches                                               | N/A                               | UA/UW                                          | (\$0.30)               | (\$0.14)                                                                                                                 |
| Central Processing Units                                              | N/A                               | UA/UW                                          | (\$0.04)               | \$0.35                                                                                                                   |
| Projection Televisions                                                | N/A                               | UA/UW                                          | (\$0.30)               | (\$0.14)                                                                                                                 |
| Printers                                                              | N/A                               | UA/UW                                          | (\$0.04)               | \$0.04                                                                                                                   |
| VCR/DVD Players                                                       | N/A                               | UA/UW                                          | (\$0.04)               | \$0.04                                                                                                                   |
| Stereos/Misc. Home Electronics                                        | N/A                               | UA/UW                                          | (\$0.04)               | \$0.04                                                                                                                   |
| Fax Machines/Scanners/Copiers                                         | N/A                               | UA/UW                                          | (\$0.04)               | \$0.04                                                                                                                   |
| Laptop Computers                                                      | N/A                               | UA/UW                                          | (\$0.04)               | \$1.10                                                                                                                   |
|                                                                       |                                   |                                                |                        |                                                                                                                          |
| <b>PRICE FORM 6 - OTHER</b>                                           |                                   |                                                |                        |                                                                                                                          |
| <b>Associaated Misc. Metal (% of published price Paid to County):</b> |                                   |                                                |                        |                                                                                                                          |
| #2 Copper                                                             | \$0.00                            | 75%                                            | \$0.00                 | 3-month Comex -0.38                                                                                                      |
| Clean Aluminum                                                        | \$0.00                            | 75%                                            | \$0.00                 | \$0.61                                                                                                                   |
| Yellow Brass                                                          | \$0.00                            | 75%                                            | \$0.00                 | \$1.80                                                                                                                   |
| <b>Transportation/Additional Time:</b>                                |                                   |                                                |                        |                                                                                                                          |
| Rate per roll-off                                                     | N/A - No roll-off service offered | N/A                                            | \$2,500.00             | \$0.00                                                                                                                   |
| Rate per roll-off return                                              | N/A - No roll-off service offered | N/A                                            | \$2,500.00             | \$0.00                                                                                                                   |
| Rate per service call                                                 | \$0.00                            | N/A                                            | \$500.00               | \$0.00                                                                                                                   |
| Other shipment method                                                 | Box Trucks                        | Spot Trailer and swap out included at 0.48/lb. | Van Trailer \$1,500.00 | Trailer \$300/month                                                                                                      |
| Rate per 30-minute period for additional pickup time                  | \$0.00                            | \$45.00                                        | N/C                    | \$0.00                                                                                                                   |
| Rate per 20-yard open-top delivered by County TO vendor facility      | \$0.00                            | (\$0.42)                                       | N/G*                   | N/G*                                                                                                                     |

## Pricing Summary

RFP 14-0635

Opened: August 27, 2014

## Recycling/Reclamation End of Life Electronics

|                                                                                  |         |          |                                                         |                                                         |
|----------------------------------------------------------------------------------|---------|----------|---------------------------------------------------------|---------------------------------------------------------|
| Mobile Collection Events rate per employee for staffing mobile collection events | \$30.00 | \$150.00 | \$45.00                                                 | Max \$150/day (day - 10 hrs.)                           |
| <b>Notes re: Price Form 6</b>                                                    |         |          | *Did not used revised Price Form 6 issued in Addendum 1 | *Did not used revised Price Form 6 issued in Addendum 1 |
|                                                                                  |         |          |                                                         |                                                         |
| <i>Notes re: Pricing:</i>                                                        |         |          |                                                         |                                                         |
| "+" (black) = price paid to County                                               |         |          |                                                         |                                                         |
| "-" (red) = price County pays to Vendor                                          |         |          |                                                         |                                                         |

## Pricing Summary

**RFP 14-0635**

**Opened: August 27, 2014**

### Recycling/Reclamation End of Life Electronics

[illegible]



## REQUEST FOR INFORMATION

### *Intent to Utilize Lake County Contract for Recycling/Reclamation End of Life Electronics*

**CONTACT INFORMATION:**

Freddy Suarez, MPA, CPPB

Purchasing Manager

EMAIL: [fsuarez@clermontfl.org](mailto:fsuarez@clermontfl.org)

Phone: (352) 241-7386

RFI No. **1510-003**

ISSUED DATE: October 7, 2014

**NOTICE OF INTENT TO PIGGYBACK A CONTRACT**

**NOTICE END DATE: October 15, 2014 at 2:00 P.M. (EST)**

**DEADLINE FOR WRITTEN QUESTIONS: Not Applicable**

**SOLICITATION RESPONSE:** Responses will be received until the response due date specified above or as otherwise amended. No late responses will be accepted.

Responses may be submitted electronically to the Purchasing Manager by email.

Hardcopy responses may be delivered to: City of Clermont Purchasing Division, 685 West Montrose Street, 2<sup>nd</sup> Floor, Clermont, FL 34711.

This Request for Information (RFI) is intended to notify local vendors of the City's intent to utilize other government entities' contract. **This is not an invitation to submit a bid or quote.** If no local vendor responds to the RFI, the Purchasing Division will proceed with utilizing the referenced contract. Local vendor is defined as businesses located in South Lake County, preferably located within the City limits. This notice will be posted for seven (7) business days.

#### **1 – PIGGYBACK CONTRACT INFORMATION**

(a) Contract Number & Title: 14-0635, Recycling / Reclamation End of Life Electronics

(b) Contractor(s): A1 Assets, Inc.

(c) Length of Contract: Expires September 30, 2016 with optional one 1-year renewal period.

(d) Product or Service Provided: Provides for the recycling/reclamation services of end of life electronics. Recycling services applies to household electronics (E-Cycling) collected by the City of Clermont.

(e) City Department: Environmental Services Department



## **2 – ACTION TO BE TAKEN**

If you're a local vendor, please contact the Purchasing Division by email or by mail prior to the "Response Due Date" indicated above to advise whether your company can provide any of the items/services listed.

Prospective local vendor respondents are requested to provide information regarding their ability to provide the commodities described. **Respondents are not to provide pricing.** All responses will be evaluated by the Purchasing Division and the Department requesting the supplies or services.



## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                    |                                |
| Contract Award                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                    |                                |
| Move to approve the purchase of twenty-five vehicles from the Florida Sheriff's Association contract in the total amount of \$596,633.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| <p>The Purchasing Division and the Public Works, Environmental Services, Police and Fire Department recommend approval of the above action.</p> <p>The Florida Sheriffs Association (FSA) contract is a Cooperative Fleet program in partnership between the Florida Sheriffs Associations and the Florida Associations of Counties. The FSA contract offers a variety of vehicles and equipment which is available to Sheriffs' Offices, Local Government Agencies, State Universities and Colleges, and State of Florida Agencies. At the request of the Public Works, Environmental Services, Police and Fire Department, the Purchasing Division sought the FSA contract number 14-22-0904 to purchase new vehicles. The total combined number of vehicles is twenty-five in the total amount of \$596,633. Attached is a list of all vehicles being purchased broken down by each Department.</p> <p>In accordance with the direction of City Council, the Purchasing Division issued a Request for Interest (RFI) number 1510-005 to notify local vendors of the City's intent to utilize other governmental entities' contract. The RFI was posted on the City's website for seven (7) business days. At the completion of the RFI, the Purchasing Division received no interest. Based on this, staff recommends that Council approve to piggyback the FSA contract number 14-22-0904.</p> <p>The FSA contract was obtained through a fully competitive solicitation and complies with the City of Clermont Purchasing Policy.</p> |                                    |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |
| Purchase is included in the current year budget.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |

**Exhibits Attached** (copies of original agreements)

|    |                                          |                                      |
|----|------------------------------------------|--------------------------------------|
| 1. | FSA Contract                             | FSA Contract 14-22-0904 Vehicles.pdf |
| 2. | RFI 1510-005                             | RFI 1510-005.pdf                     |
| 3. | Vehicles Purchase Schedule by Department | Vehicle Purchases by Department.pdf  |

# ***BID AWARD ANNOUNCEMENT***

## **14-22-0904**

***Effective Dates:***  
*October 1, 2014– September 30, 2015*

**POLICE RATED, ADMINISTRATIVE, UTILITY VEHICLES,  
TRUCKS & VANS**

***Participating Sheriffs Offices & Local Governmental  
Agencies of the State of Florida***

*Coordinated By*

**The  
Florida Sheriffs Association  
& Florida Association of Counties**



# MEMO



## FLORIDA SHERIFFS ASSOCIATION

P. O. Box 12519 • Tallahassee, FL 32317-2519

PHONE (850) 877-2165 • FAX (850) 878-8665

WEB SITE: [www.flsheriffs.org](http://www.flsheriffs.org)

DATE: October 1, 2014

TO: **ALL PROSPECTIVE PARTICIPANTS**

|       |                    |                 |                              |                             |
|-------|--------------------|-----------------|------------------------------|-----------------------------|
| FROM: | Steve Casey        | Becky Keillor   | Peggy Goff                   | Drew Terpak                 |
|       | Executive Director | Bid Coordinator | Assistant Executive Director | Business Operations Manager |

RE: **POLICE RATED, ADMINISTRATIVE,  
UTILITY VEHICLES, TRUCKS & VANS  
BID NO.: 14-22-0904**

We are pleased to announce that the Florida Sheriffs Association and the Florida Association of Counties has successfully conducted its 22nd statewide competitive bid for vehicles which includes police rated, administrative, motorcycles, utility vehicles, trucks & vans. **This contract is effective beginning October 1, 2014 through September 30, 2015, as long as vehicles are available through fleet.**

Bids will be extended and guaranteed to any and all units of local governments and political subdivisions including, but not limited to, county, local county board of public instruction, municipalities and/or police agencies, other local public or public safety agencies or authorities within the State of Florida. In addition, bids will be extended and guaranteed to any other entities approved by manufacturers to participate in this contract.

In order to ensure quality service for our user agencies, we are requesting each of you to notify the Florida Sheriffs Association regarding any problems encountered in working with the awarded dealers. Any issues, including but not limited to, receipt of confirmation of order, delivery problems and communication problems, should be reported to us by e-mail at [dterpak@flsheriffs.org](mailto:dterpak@flsheriffs.org). This information will be considered in future bid awards in order to ensure that agencies are receiving the level of service required of dealers who wish to participate in this program.

***All interested parties who wish to purchase from this contract may do so by following these simple procedures:***

### ORDERING INSTRUCTIONS

1. Contact the awarded dealership listed in the zone from which you wish to purchase and advise them of your interest to purchase from **Bid No. 14-22-0904**. They will assist you with the placement of your order and answer any questions you may have regarding the

vehicles purchased through this program. **You can only purchase from a dealer who is listed as a winner of one of the four zones for the vehicle you wish to purchase. However, you may purchase from any awarded dealer within any zone (additional delivery fees may apply).**

Agencies ordering a FORD, GENERAL MOTORS, CHRYSLER, or TOYOTA product, please be advised that you must use the appropriate FIN CODE/FAN CODE for the Florida Sheriffs Association in order to obtain the manufacturer's concessions. Also, you must use your FIN CODE/FAN CODE as a secondary number. For further assistance call the Fleet Customer Information Center for your appropriate manufacturer.

| <b>Manufacturer</b> | <b>Type Code</b> | <b>FSA Code</b> | <b>Fleet Center Contact Numbers</b> |                  |
|---------------------|------------------|-----------------|-------------------------------------|------------------|
| FORD                | FIN CODE         | QE065           | 1-800-34-FLEET                      | (1-800-343-5338) |
| GENERAL MOTORS      | FAN CODE         | 917872          | 1-800-FLEET OP                      | (1-800-353-3867) |
| CHRYSLER            | FAN CODE         | 49313           | 1-800-999-FLEET                     | (1-800-999-3533) |
| TOYOTA              | FIN CODE         | GE159           | 1-800-732-2798                      |                  |

2. **YOU MUST send a copy of the original purchase order (including FSA's Contract No. 14-22-0904) submitted to the participating dealer by mail or electronically to:**

**Florida Sheriffs Association**  
P. O. Box 12519  
Tallahassee, Florida 32317-2519  
ATTN: Becky Keillor, Cooperative Bid Coordinator  
[bkeillor@flsheriffs.org](mailto:bkeillor@flsheriffs.org)

3. **Basic information required on all purchase orders** is listed in this Bid Award Announcement. Purchase orders lacking the required basic information listed may result in the delay of placement and/or confirmation of orders. **NOTE: The agency is responsible for obtaining a "Confirmation of Order" from the respective dealership. Dealers are required to complete a "Confirmation of Order" and send it to the purchaser within fourteen (14) calendar days after receipt of purchase order. Purchasers are encouraged to contact the dealer if a "Confirmation of Order" has not been received within a reasonable time.**

Purchasers are reminded that the issuance of a purchase order does not in itself guarantee the placement of an order.

4. Agencies which elect to purchase from this contract will incur the following administrative fees:
- **POLICE RATED, ADMINISTRATIVE, UTILITY VEHICLES, TRUCKS & VANS** – Dealers have included a three-quarter of one percent (.075) administrative fee in the base price and all add options that are listed. The three quarters of one percent (.075) will also be included in any additional equipment (add options) the dealers quote to the governmental agencies.
5. In order to ensure quality service for our user agencies, we are requesting that you notify the Florida Sheriffs Association regarding any problems encountered in working with the awarded dealers. Any issues, including but not limited to, receipt of confirmation of order, delivery problems and communication problems, should be reported to us by e-mail at [dterpak@flsheriffs.org](mailto:dterpak@flsheriffs.org). This information will be considered in future bid awards in order to ensure that agencies are receiving the level of service required of dealers who wish to participate in this program.
6. Add/delete options might include a superscript listed by the Order Code. The purpose of the superscript is to identify which options correlate to a specific dealer. Superscripts will be a number between 1 and 4, and will correspond as follows:

- 1 = Western zone dealer
- 2 = Northern zone dealer

- 3 = Central zone dealer
- 4 = Southern zone dealer

If a dealer has been awarded more than one zone, they will only have one superscript number assigned, and it will be the lowest numerical number that applies to their awarded zones. For example, if a dealer is awarded the northern and southern zones, their add/delete options for both zones will be represented by a “2” superscript.

**Options are intended to add or delete equipment and/or features from the base vehicle specification, and to allow for an upgrade or downgrade to a manufacturer’s model with a slightly different engine size or horsepower, and as such, will not be made available for purchase separate from the base vehicle.**

**IMPORTANT NOTE:** The manufacturers produce limited quantities of police rated vehicles and orders are processed on a first come first serve basis while quantities last. **To be on the safe side, we are advising all agencies to place their orders for police rated vehicles as soon as possible to ensure delivery of product.**

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| Base Specification .....                                            | 717 |
| • Nissan Frontier .....                                             | 719 |
| • Chevrolet Colorado 2WD .....                                      | 724 |
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| • Ram 1500 .....                                               | 763 |
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| • Ram 1500 .....                                               | 793 |
| • Ford F-150 .....                                             | 797 |
| • GMC Sierra 1500 .....                                        | 803 |
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| Awarded Dealers .....                                          | 815 |
| Base Specification .....                                       | 817 |
| • Chevrolet Silverado 1500 .....                               | 819 |
| • Ram 1500 .....                                               | 825 |
| • Ford F-150 .....                                             | 829 |
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| • Ford F-150 .....                                             | 862 |
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| Awarded Dealers .....                                          | 885 |
| Base Specification .....                                       | 887 |
| • Chevrolet Silverado 1500 .....                               | 889 |
| • Ram 1500 .....                                               | 895 |
| • Ford F-150 .....                                             | 899 |
| • GMC Sierra 1500 .....                                        | 905 |
| • Nissan Titan .....                                           | 911 |
| • Toyota Tundra Short Bed .....                                | 916 |

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| • Ram 1500 .....                                               | 933  |
| • Ford F-150 .....                                             | 938  |
| • GMC Sierra 1500 .....                                        | 944  |
| • Nissan Titan .....                                           | 950  |
| • Toyota Tundra Short Bed .....                                | 955  |
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| ▪ Ram 2500 .....                                               | 971  |
| ▪ Ford F-250 SD .....                                          | 978  |
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| ▪ Ram 2500 .....                                               | 1003 |
| ▪ Ford F-250 SD .....                                          | 1010 |
| ▪ GMC Sierra 2500 HD .....                                     | 1019 |
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| • Chevrolet Silverado 2500 HD Double Cab 2WD .....             | 1038 |
| • GMC Sierra 2500 HD Double Cab 2WD .....                      | 1045 |
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| Base Specification .....                                       | 1052 |
| • Ford F-250 SD .....                                          | 1054 |
| • Chevrolet Silverado 2500 HD Double Cab 4WD .....             | 1063 |
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| Base Specification .....                                       | 1071 |
| ▪ Chevrolet Silverado 2500 HD .....                            | 1073 |
| ▪ Ram 2500 .....                                               | 1080 |
| ▪ Ford F-250 SD .....                                          | 1087 |
| ▪ GMC Sierra 2500 HD .....                                     | 1098 |
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| Awarded Dealers .....                                          | 1104 |
| Base Specification .....                                       | 1105 |
| • Chevrolet Silverado 2500 HD .....                            | 1107 |
| • Ram 2500 .....                                               | 1114 |
| • Ford F-250 SD .....                                          | 1121 |

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| • GMC Sierra 2500 HD .....                                                     | 1131 |
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| Awarded Dealers .....                                                          | 1137 |
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| • Chevrolet Silverado 3500 HD .....                                            | 1140 |
| • Dodge Ram 3500 .....                                                         | 1147 |
| • Ford F-350 SD .....                                                          | 1154 |
| • GMC Sierra 2500 HD .....                                                     | 1160 |
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| Awarded Dealers .....                                                          | 1166 |
| Base Specification .....                                                       | 1167 |
| • Chevrolet Silverado 3500 HD .....                                            | 1169 |
| • Ram 3500 .....                                                               | 1175 |
| • Ford F-350 SD .....                                                          | 1182 |
| • GMC Sierra 2500 HD .....                                                     | 1191 |
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| • Ford F-350 SD .....                                                          | 1200 |
| • Chevrolet Silverado 3500 HD .....                                            | 1209 |
| • GMC Sierra 3500 HD .....                                                     | 1216 |
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| • Ford F-350 SD .....                                                          | 1225 |
| • Chevrolet Silverado 3500 HD .....                                            | 1234 |
| • GMC Sierra 3500 HD .....                                                     | 1241 |
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| • Chevrolet Silverado 3500 HD .....                                            | 1250 |
| • Ram 3500 .....                                                               | 1257 |
| • Ford F-350 SD .....                                                          | 1264 |
| • GMC Sierra 3500 HD .....                                                     | 1273 |
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| Base Specification .....                                                       | 1280 |
| • Chevrolet Silverado 3500 HD .....                                            | 1282 |
| • Ram 3500 .....                                                               | 1289 |
| • Ford F-350SD .....                                                           | 1296 |
| • GMC Sierra 3500 HD .....                                                     | 1305 |



## **DELIVERY CONDITIONS**

In addition to equipment specified by these specifications and by the applicable detailed specifications, vehicle shall be equipped with all standard equipment as specified by the manufacturer for this model, and shall comply with all EPA Emission Standards and all Federal Motor Vehicle Safety Standards as established by the U.S. Department of Transportation regarding the manufacture of motor vehicles.

### **4.7 VEHICLE DELIVERY**

The successful bidder shall be responsible for delivering vehicles that are properly serviced, clean, and in first class operating condition. Pre-delivery service, at a minimum, shall include the following:

Standard Dealer and Manufacturer protocol for new vehicle delivery plus;

Cleaning of vehicle, if necessary, and removal of all unnecessary tags, stickers, papers, etc. DO NOT remove window price sticker or supplied line sheet;

Speedometer must be correct regardless of the tires provided by the vehicle manufacturer or axle ratio furnished;

Owner's manual and warranty manual to accompany each vehicle;

All specified as "factory installed" is to be installed on the vehicle at the primary site of assembly and is to be the manufacturer's standard assembly-line product. No aftermarket and no dealer installed equipment will be accepted as "factory installed". Vendors found supplying aftermarket or dealer installed equipment where "factory installed" are specified may be required to retrieve all vehicles delivered and reorder new vehicles meeting the specifications.

Manufacturer's suggested retail price list sheet (window sticker) form MUST be in the vehicle when it is delivered to the purchasing agency. Vehicles that are missing this form, or have forms that have been altered, will not be accepted.

## AWARDED DEALERS

### **Alan Jay Chevrolet Buick GMC Cadillac**

441 US Hwy 27 North  
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**Mobile:** 863-381-3411  
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### **AutoNation Chevrolet of Pembroke Pines**

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### **AutoNation Chrysler Dodge Jeep**

#### **Ram Pembroke Pines**

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Pembroke Pines, FL 33027

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### **Beck Auto Sales, Inc.**

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## **AWARDED DEALERS** *(continued)*

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### **Duval Ford**

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### **Garber Chevrolet Buick GMC Truck**

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**Phone:** 904-264-2442  
**Fax:** 904-284-0054  
**E-mail:** rdavis@garberautomall.com

### **Garber Chrysler Dodge Jeep Ram**

3408 Hwy 17  
Green Cove Springs, FL 32043

**Contact:** Ryan Davis  
**Phone:** 904-264-2442  
**Fax:** 904-284-0054  
**E-mail:** rdavis@garberautomall.com

### **GHC Motorsports**

614 US Hwy 27 South  
Lake Placid, FL 33852

**Contact:** Scott Bradley  
**Phone:** 863-699-2453  
**Fax:** 863-699-2639  
**E-mail:** ghcsales@embarqmail.com

### **Golf & Electric Vehicles**

17051 Jean Street #1  
Fort Myers, FL 33967

**Contact:**  
Roger Brownell  
**Phone:** 239-867-8555  
**Fax:** 239-267-9621  
**E-mail:** rbrownell@gevehicles.com

### **GreenTech Automotive**

11926 Glen Hope Ln.  
Charlotte, NC 28269

**Contact:** Jim Van Dusen  
**Phone:** 703-666-9001  
**Mobile:** 910-315-2986  
**Fax:** 704-496-2278  
**E-mail:** jim.vandusen@wmgta.com

### **Orlando Freightliner**

2455 South Orange Blossom Trail  
Apopka, FL 32703

**Contact:** Bob Sharpnick  
**Phone:** 407-295-3846  
**Mobile:** 407-509-6651  
**Fax:** 407-291-1382  
**E-mail:** bssharpnick@orlandofreightliner.com

### **Rountree-Moore Chevrolet Cadillac Nissan**

4316 US Hwy. 90 W.  
Lake City, FL 32055

**Contact:** Rick Hoening  
**Phone:** 904-608-4240  
**Mobile:** 904-608-4240  
**Fax:** 877-307-1927  
**E-mail:** FLeet@RountreeMoore.Com

### **Rountree-Moore Toyota**

1232 W. US Hwy. 90 W.  
Lake City, FL 32055

**Contact:** Rick Hoening  
**Phone:** 904-608-4240  
**Mobile:** 904-608-4240  
**Fax:** 877-307-1927  
**E-mail:** FLeet@RountreeMoore.Com

### **Stingray Chevrolet**

2002 N. Frontage Rd.  
Plant City, FL 33563

**Contact:** Peter Popiel  
**Phone:** 813-473-2001  
**Fax:** 813-359-5476  
**Email:** magicpeterFLeet@gmail.com

## **AWARDED DEALERS** *(continued)*

### **Tampa Truck Center, LLC**

7528 US Hwy. 301 N

Tampa, FL 33637

**Contact:** Scott Endris

**Phone:** 813-262-0890

**Mobile:** 813-293-0866

**Fax:** 813-262-0983

**E-mail:** sendris@tampaftl.com

### **WBG Enterprises, LLC**

27800 Old 41 Road

Bonita Springs, FL 34135

**Contact:** Bob Bachman

**Phone:** 239-495-9898

**Mobile:** 239-250-0773

**Fax:** 239-947-4414

**E-mail:** Bob@wbgsfwl.com



## REQUEST FOR INFORMATION

### *Intent to Utilize the Florida Sheriff's Association Contract to Purchase Vehicles*

|                                                                                                                                                                                                                                                                                                                                                                                                              |                         |                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------------|
| <b>CONTACT INFORMATION:</b><br>Freddy Suarez, MPA, CPPB<br>Purchasing Manager<br>EMAIL: <a href="mailto:fsuarez@clermontfl.org">fsuarez@clermontfl.org</a><br>Phone: (352) 241-7386                                                                                                                                                                                                                          | RFI No. <b>1510-005</b> | ISSUED DATE: October 15, 2014 |
| <b>SOLICITATION RESPONSE:</b> Responses will be received until the response due date specified above or as otherwise amended. No late responses will be accepted.<br><br>Responses may be submitted electronically to the Purchasing Manager by email.<br>Hardcopy responses may be delivered to: City of Clermont Purchasing Division, 685 West Montrose Street, 2 <sup>nd</sup> Floor, Clermont, FL 34711. |                         |                               |

**NOTICE OF INTENT TO PIGGYBACK A CONTRACT**  
**NOTICE END DATE: October 23, 2014 at 2:00 P.M. (EST)**  
**DEADLINE FOR WRITTEN QUESTIONS: Not Applicable**

This Request for Information (RFI) is intended to notify local vendors of the City's intent to utilize other government entities' contract. **This is not an invitation to submit a bid or quote.** If no local vendor responds to the RFI, the Purchasing Division will proceed with utilizing the referenced contract. Local vendor is defined as businesses located in South Lake County, preferably located within the City limits. This notice will be posted for seven (7) business days.

#### **1 – PIGGYBACK CONTRACT INFORMATION**

- (a) Contract Number & Title: 14-22-0904, Police Rated, Administrative, Utility Vehicles, Trucks & Vans.
- (b) Contractor(s): Beck Nissan, Inc.; Don Reid Ford, Inc.; Duval Ford, LLC.
- (c) Length of Contract: Expires September 30, 2015.
- (d) City Departments: Public Works, Environmental Services, Fire and Police.
- (e) Product or Service Provided: The City of Clermont is planning to purchase twenty-six (26) new vehicles as described below.

#### Public Works Department – 5 Vehicles

The Public Works Department is currently interested in procuring one (1) new 2015 Nissan Pathfinder S 4x4 based on specification #26 (Mid Size 4-Door Utility Vehicles 4x4 or AWD) from Beck Nissan, Inc. The Department is also procuring two (2) new 2015 Ford F-150 (F1C) specification #43 (1/2 Ton Pickup Truck 4x2); and two (2) 2015 Ford Transit T-250 Cargo Van (R1Z) – specification #32 (Utility Cargo Van) from Duval Ford, LLC.

#### Environmental Services Department – 7 Vehicles

The Environmental Services Department is currently interested in procuring one (1) new 2015 Ford Escape based on specification #23 (Small Size 4-Door Utility Vehicles 4x2) and four (4) new 2015 Ford F-150 (F1C) specification #43 (1/2 Ton Pickup Truck 4x2) from Don Reid Ford, Inc. The Department is also procuring two (2) 2015 Ford F-250 SD (F2A) specification #49 (3/4 Ton Pickup Truck 4x2) from Duval Ford, LLC.

#### Fire Department – 2 Vehicles

The Fire Department is currently interested in procuring two (2) new 2015 Ford F-250 4WD Crewcab based on specification #54 (3/4 Ton 4-Door Crew Cab Pickup Truck 4x2) from Duval Ford, LLC.

#### Police Department – 12 Vehicles

The Police Department is currently interested in procuring one (1) new 2015 Ford Taurus (P2D) based on specification #12 (Full Size 4-Door Administrative Vehicles) from Duval Ford, LLC. The Department is also procuring two (2) 2015 Ford Fusion (P0G) specification #13 (Mid Size 4-Door Administrative Vehicles); and nine (9) 2015 Ford Interceptor (P2M) specification #5 (Police Rated Full Size Sedan – AWD) from Don Reid Ford, Inc.

## **2 – ACTION TO BE TAKEN**

If you're a local vendor, please contact the Purchasing Division by email or by mail prior to the "Response Due Date" indicated above to advise whether your company can provide any of the items/services listed.

Prospective local vendor respondents are requested to provide information regarding their ability to provide the commodities described. **Respondents are not to provide pricing.** All responses will be evaluated by the Purchasing Division and the Department requesting the supplies or services.

FLORIDA SHERIFF'S ASSOCIATION CONTRACT 14-22-0904 - VEHICLE PURCHASES BY DEPARTMENT

|                                     | <u>Qty</u> | <u>Unit Price</u> | <u>Total</u>        | <u>Acct #</u> |
|-------------------------------------|------------|-------------------|---------------------|---------------|
| <b>Police Department</b>            |            |                   |                     |               |
| 2015 Ford Taurus (Admin)            | 1          | \$20,078.00       | \$20,078.00         | 12521-66400   |
| 2015 Ford Fusion (Investigations)   | 2          | \$17,184.00       | \$34,368.00         | 12521-66400   |
| 2015 Ford Interceptor (Road patrol) | 9          | \$25,118.00       | \$226,062.00        | 12521-66400   |
| <b>Total</b>                        | <b>12</b>  |                   | <b>\$280,508.00</b> |               |

|                                                                  |          |             |                    |             |
|------------------------------------------------------------------|----------|-------------|--------------------|-------------|
| <b>Fire Department</b>                                           |          |             |                    |             |
| 2015 Ford F250 4WD Crewcab, V8 Gas Engine (Fire Marshall)        | 1        | \$39,231.50 | \$39,231.50        | 11529-66400 |
| 2015 Ford F250 4WD Crewcab, 6.7L Diesel Engine (Battalion Chief) | 1        | \$48,611.50 | \$48,611.50        | 12522-66400 |
| <b>Total</b>                                                     | <b>2</b> |             | <b>\$87,843.00</b> |             |

|                                                           |          |             |                    |             |
|-----------------------------------------------------------|----------|-------------|--------------------|-------------|
| <b>Public Works Department</b>                            |          |             |                    |             |
| 2015 Ford F-150 4x2 (Grounds Maint Crews)                 | 2        | \$18,770.00 | \$37,540.00        | 12542-66400 |
| 2015 Nissan Pathfinder S 4x4 (Const Manager)              | 1        | \$24,995.00 | \$24,995.00        | 12545-66400 |
| 2015 Ford Transit T-250 Cargo Van (Facilities Maint Crew) | 1        | \$20,183.00 | \$20,183.00        | 12549-66400 |
| <b>Total</b>                                              | <b>4</b> |             | <b>\$82,718.00</b> |             |

|                                          |          |             |                     |             |
|------------------------------------------|----------|-------------|---------------------|-------------|
| <b>Environmental Services Department</b> |          |             |                     |             |
| 2015 Ford Escape (Water Distribution)    | 1        | \$19,176.00 | \$19,176.00         | 41533-66400 |
| 2015 Ford F-150 (Water Distribution)     | 3        | \$18,465.00 | \$55,395.00         | 41533-66400 |
| 2015 Ford F-150 (Stormwater)             | 1        | \$18,465.00 | \$18,465.00         | 45538-66400 |
| 2015 Ford F-250 (Sewer Collection)       | 2        | \$26,264.00 | \$52,528.00         | 42535-66400 |
| <b>Total</b>                             | <b>7</b> |             | <b>\$145,564.00</b> |             |

|              |                  |                            |
|--------------|------------------|----------------------------|
| <b>Total</b> | <b><u>25</u></b> | <b><u>\$596,633.00</u></b> |
|--------------|------------------|----------------------------|

|                               |                  |                            |
|-------------------------------|------------------|----------------------------|
| Building Services Fund        | 1                | \$39,231.50                |
| Infrastructure Sales Tax Fund | 17               | \$411,837.50               |
| Water Fund                    | 4                | \$74,571.00                |
| Sewer Fund                    | 2                | \$52,528.00                |
| Stormwater Fund               | 1                | \$18,465.00                |
|                               | <b><u>25</u></b> | <b><u>\$596,633.00</u></b> |



## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                             |                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                             |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                             |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                             |                                |
| Management Agreement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                             |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                             |                                |
| Move to approve the Management Agreement for the Clermont Boathouse.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                             |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                             |                                |
| <p>The Management Agreement between the City of Clermont and the Lake County Rowing Association is effective upon receipt of a Certificate of Occupancy for the rowing infrastructure at the Downtown Clermont Waterfront Park and continues for five years. The agreement allows for an extension as mutually agreed upon.</p> <p>The Lake County Rowing Association will pay the City a monthly fee of \$500.00 to offset the City's costs in maintaining the Boathouse premises.</p> <p>The Agreement includes provisions for the Lake County Rowing Association to insure the Association and the City for injuries received and damages to the property in connection with the Boathouse premises and any improvements made.</p> |                                             |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                             |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                             |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                             |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                             |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                             |                                |
| Monthly management fee of \$500 starting six (6) months from the date the Boathouse is made available to the rowing association.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                             |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Fund Number and Description</b>          | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                             |                                |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                             |                                |
| 1. Management Agreement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | LCRA Management Agreement v 102114clean.pdf |                                |
| 2. Exhibit A - Lake County Funding Agreement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Exhibit A - Lake County Funding.pdf         |                                |
| 3. Exhibit B - Boathouse Map                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Rowing Boathouse Drawing.pdf                |                                |



# MANAGEMENT AGREEMENT

*between*

**CITY OF CLERMONT**

*and*

**LAKE COUNTY ROWING ASSOCIATION, INC.**

*a non-profit corporation*

This **MANAGEMENT AGREEMENT** (this “**Agreement**”) is entered into on this October 28, 2014 and shall be effective on the date of issuance of the Certificate of Occupancy of the Boathouse described herein (the “Effective Date”), by and between the Lake County Rowing Association, Inc., a Florida not for profit corporation (“**Manager**”), and the City of Clermont (“**City**”) a political subdivision of the State of Florida.

## RECITALS

**WHEREAS**, City has entered into a Capital Projects Funding Program attached as Exhibit A, dated September 23, 2013 with Lake County, Florida (the “**County**”), a political subdivision of the State of Florida, providing for the construction and operation of a “rowing infrastructure” at the Downtown Clermont Waterfront (the “**Boathouse**”) in South Lake County to host national, regional, and local rowing events sanctioned by U.S. rowing, to compete to host the U.S. Rowing National Team training and to bring in clubs, college teams, and high school teams to Lake County with the assistance of Manager (the “**Program**”); and

**WHEREAS**, funds for construction and major equipment for the Boathouse were provided by the County through the Program, established by the Board of County Commissioners from the Lake County Tourist Development Tax (“TDC funds”), and funds raised by the City and the Program provides that “[t]he capital project shall be for the purpose of establishing new.... facilities or infrastructures that are for recreational activities, cultural events and performances that host events in Lake County whose primary goal and purpose is to bring substantial numbers of tourists;” and

**WHEREAS**, the City’s continuing duties under the Program are to complete the reporting requirements in subsection 7 of the Program, and manage, operate, promote, and maintain the Boathouse consistent with the project’s purpose described therein; and

**WHEREAS**, as consideration for leasing the Boathouse, City desires to delegate to Manager some of the duties under the Program, specifically duties under Paragraphs Two (2) and Seven (7) of the attached Agreement; and

**WHEREAS**, Manager desires to accept responsibility for City’s duties under Paragraphs Two (2) and Seven (7) of the Program in exchange for the opportunity to use the interior of the Boathouse for its club membership and activities.

**NOW THEREFORE**, in consideration of the mutual promises contained herein, the parties agree as follows:

**1. RECITALS.**

The above Recitals are true and correct and form a part of this Agreement.

**2. TERM.**

The term of this Agreement ("Term") shall commence on the Effective Date and continue for five (5) years. Thereafter this Agreement may be extended as may be mutually agreed to by the Parties in writing. At least twelve (12) but no more than eighteen (18) months prior to the expiration of this Agreement, the parties will meet to discuss an extension to this Agreement and/or processes related to transition of control to the City or Manager's successor.

**3. MANAGER FEE.**

In consideration of the rights granted therein and in addition to all other duties and all other obligations contained herein of Manager, Manager shall pay to City the sum of FIVE HUNDRED (\$500) DOLLARS per month for each month or portion thereof commencing on the first day of the month after the expiration of six months from the date the Boathouse is made available to Manager pursuant to the Program and continuing on the first day of each month thereafter through the Initial Term of this Agreement. The purpose of this Management Fee is to offset the City's costs in maintaining the Boathouse Premises.

**4. PROGRAM.**

(a) **Responsibility for the Program.** Manager agrees to be responsible for obligations of the City under Subsections Two (2) and Seven (7) of the Program, as modified by this Agreement, and, on behalf of the City, to take such actions as to ensure the City complies with those obligations. In consideration therefor, the City, by signing this Agreement, consents to the rights, duties and obligations of Manager under this Agreement.

(b) **Changes to the Boathouse.** Manager will present plans for changes to the Boathouse to the City for its written approval before implementing any such changes. Maintenance at Manager's expense, of the existing appearance of the Boathouse and/or repair or replacement of existing facilities or equipment at Manager's expense, shall not be a change requiring prior approval of City.

(c) **Ownership of the Boathouse.** Manager acknowledges that the City is the owner of the Boathouse. Any additions of permanent fixtures to the Boathouse by Manager shall require City's prior written consent and shall remain the property of City upon termination of this Agreement.

(d) **Conflict with the Program.** In the event that any terms of this Agreement conflict with the Program, to the extent the term applies to the relationship between the City and Manager, the terms of this Agreement shall control.

**5. RIGHT AND DUTIES OF MANAGER.**

(a) **Management of the Boathouse Premises.** Manager accepts delegation from City of its duties and responsibilities under the Program as provided in Paragraph Two (2) and Seven (7) thereof, as modified in this Agreement. Manager agrees to be responsible for managing, directing, operating and coordinating the daily activities on the Boathouse Premises, as described below, To include, organizing, scheduling and advertising, national, regional and local rowing tournaments and events utilizing the Boathouse Premises. Manager agrees to meet the Aggregate Project Room Night accumulation

Estimation of 9,700 as set out in the Program by the end of the three (3) year reporting period. Manager accepts delegation from City of its duties and responsibilities under paragraph Seven (7) of the Program with the exception of subsections A and B therein.

Any named events solely established by, exclusively owned by, or bearing the name of Manager at the termination of this Agreement shall be and remain that of Manager, as applicable; this right of ownership shall survive termination of this Agreement. Notwithstanding anything herein to the contrary, the parties recognize the benefit of co-branding and the use of the name "Choice of Champions" (or other similar reference to "Champions" or "Choice"), if permitted by the City at the time of organization of the event, shall not otherwise convert or transfer the ownership of the event from Manager to the City if the other conditions set forth in this paragraph are met.

(b) **Use of Boathouse.** During the Term of this Agreement, Manager shall have the exclusive right to possession and management of all interior areas of the Boathouse, as more particularly described in Exhibit "B" attached hereto and incorporated herein and referred to as the "Boathouse Premises" (including the right to establish and adopt reasonable rules, subject to approval by the City Manager of City, for outside parties to use the Boathouse and/or its surrounding areas) subject only to the City's right to enter for maintenance, repair, and inspection as further set forth herein. It is expressly understood that the Manager does not have exclusive use of any docks or mooring facilities located on the lake adjacent to or near the Boathouse Premises. Any such docks or mooring facilities shall be open to the public as may be determined by the City Manager, or his or her designee, in collaboration with Manager to ensure continuity of scheduling of events and activities at the Boathouse Premises. For the purposes of Manager's members, visiting teams, and storage of equipment, the Boathouse Premises shall be subject to Manager's exclusive control, provided however, City shall have at all times during the Term(s) of this agreement the right of entry upon the Boathouse Premises for inspection and examination and for the purpose of making any alterations or repairs to the Boathouse Premises that the City may deem necessary for the safety or preservation of the Boathouse Premises. Manager agrees to maintain the Boathouse Premises and paved areas surrounding the Boathouse that were created in association with construction of the Boathouse and shall establish and adopt written rules and restrictions regarding the use of these areas (said rules and restrictions shall be approved by the City Manager of City). Unless otherwise agreed to in writing by the parties, Manager shall provide, at its expense, all equipment used at the Boathouse, such as but not limited to: office furniture, computers, supplies, copiers, printers, laminator, tables, chairs, tents, telephones, wireless set up, safe, garbage receptacles, water coolers, tables and chairs, bleachers, benches, umbrellas, barricades, exercise equipment, boat trees, any and all communication hook ups, and fixtures. Manager shall not sublet the Boathouse Premises or otherwise assign any right hereunder without express written consent of the City.

(c) **Use of Other Facilities.** Manager acknowledges that the Boathouse Premises are located on the City's property and on the property of City of Clermont Waterfront Park in Clermont, Florida and that this Agreement does not include access to any other facilities owned or controlled by the City except for the fenced area on or around the Boathouse Premises, which is designated for boat storage and uses related to the Boathouse and Waterfront Park and subject to the reasonable use of the fenced area by City. If Manager desires to use these other facilities, Manager shall make separate arrangements, subject to availability, with the City regarding use of any of its facilities or services and the costs thereof; however, guests or employees of Manager shall not be charged fees for use of City facilities that are greater than the fees charged to the general community.

(d) **Personnel.** Manager shall provide sufficient personnel to perform the duties assigned to Manager in this Agreement. All such personnel shall be employed by, contracted with, and otherwise paid by Manager. Manager shall ensure all staff members have training and educational backgrounds proper to their duties and that all staff members meet security and criminal and background clearances, if

appropriate. Manager shall not be an agent of the City or the County and shall have no authority to bind personnel to employment relationships with any of the aforementioned entities.

(e) **Receipts and Operating Costs.** Manager shall be entitled to receive all cash receipts, charge and debit sales, and other revenues received in connection with the Boathouse activities, events, concessions and sponsorships. For clarity, Manager has all rights to income generated through the Boathouse, including but not limited to tournaments, events, rents collected from renting out the Boathouse for events, sponsorships, marketing agreements, vendors, concessions, hotel rebates, theme park ticket sales from participants and spectators, financial assistance, and merchandise sales. Provided, however, Manager shall not be entitled to any such receipts or revenues related to events organized or sponsored by the City and which utilize the non-exclusive right areas of the Boathouse Premises and any areas adjacent to the Boathouse Premises. Manager shall pay for all operating costs, including office equipment and supplies, employment benefits, payroll taxes, , and contract services from third party vendors. Manager shall also be responsible for any taxes on the Boathouse operations. Manager shall be entitled to retain all net operating revenues and shall be responsible for all net operating losses of the Boathouse.

(f) **Financial Statements.** Within forty-five (45) days of the end of year four (4), Manager shall provide to City, in a format acceptable to City, a financial statement showing all revenue and expenses associated with or derived from any regatta, event, or activity that occurred on the Boathouse Premises during the reporting period. Tax filings will be provided to the City upon request; in addition, if the City Manager requests to view or inspect Manager's financials at any time, Manager agrees to make its financials available for inspection (however, Manager will not be required to provide written copies of financials unless otherwise required by law). Except as provided for herein, Manager shall be solely responsible for its operating budget and shall be under no obligation to disclose its budget, revenues, costs, or operating expenses to the City or any other person or entity except as required by Florida law or as necessary to demonstrate compliance with the Program.

(g) **Contractual Authority.** Manager shall have authority to enter into contracts with groups, individuals, organizations, and schools for events to be held on the Boathouse Premises; however, Manager shall not have authority to bind the City to any such contracts. No such contracts shall extend beyond the Term of this Agreement without the City's prior written approval.

(h) **Specific Duties.** Without limiting the Manager's duties under this Agreement and with the exception of all items identified as the City's responsibilities under this Agreement, Manager shall perform the following specific duties related to management of the Boathouse:

(i) Negotiate all user agreements and process all invoicing for groups, teams, individuals and camps.

(ii) Review and pay all bills for services and products related to Boathouse events.

(iii) Provide orientation of the Boathouse with all individuals and groups reasonably requesting same.

(iv) Ensure that groups, teams, individuals and camp participants execute and deliver to Manager a waiver document in a form approved by City, waiving, and releasing City from, any and all claims that the group, team, individual or participant may have against the City resulting directly or indirectly from any activity of any kind at or associated with the Boathouse. All such waivers shall be maintained by Manager for a period of at least five (5) years from the date of any event or activity and shall be provided to City by Manager upon City's request.

(v) Maintain and repair equipment and keep inventory of equipment.

(vi) Purchase equipment, as needed, to replace equipment that is broken or is no longer safe or serviceable. All equipment purchased by Lake County Rowing Association shall be and remain that of Lake County Rowing Association at the termination of this Agreement.

(vii) Maintain the interior of the physical facilities and buildings, and other areas comprising the Boathouse Premises in an attractive and safe condition.

(viii) Open the Boathouse Premises for scheduled events and activities and lock and/or secure equipment and fencing around the Boathouse Premises when events and activities are done or at the end of the day.

(ix) Ensure officials are provided, when necessary.

(x) Apply for all sanctions when necessary or desired for events at the Boathouse.

(xi) Provide set-up and tear-down, as required, for events at Boathouse.

(xii) Provide hospitality service to visiting groups in the form of assistance in obtaining housing, transportation, and amusement tickets, if appropriate for the event.

(xiii) Not to install or display any signs, banners, flyers, flags or similar items without the prior written approval of City.

(i) **Management Reports.**

(i) In accordance with Subsection Seven of the Program, Manager shall submit to the County, no later than January 30<sup>th</sup> and July 15<sup>th</sup> of each calendar year for a term of three years commencing January 30, 2015, with a detailed report of all events that have taken place as a result of the capital project funded by the Program. These reports shall contain survey results regarding the attendees of the events, indicating how many people attended the event, the number of nights they stayed, their budget while visiting, and ways to improve their visits. As well, the Manager shall submit to the County Room Night Certification forms for tournaments, regattas, college team training, or events the Boathouse hosts that have at least fifty (50) expected participants or last more than one (1) day.

(ii) During the Term(s) of this Agreement, the Manager shall provide the City a report of all activities taking place at the Boathouse during the previous quarter and the economic impact of those activities, if known or measured (the "Report"). The Report shall be provided to City within thirty (30) days of the end of the applicable quarter. The City Manager, or his designee, will meet with the authorized agent of Manager within thirty (30) days of each Quarterly Report to discuss the items addressed in the Quarterly Report and to give Manager feedback and comments to ensure the Manager is performing to the City's satisfaction.

**6. DUTIES OF THE CITY.**

(a) **Copies of Contracts.** Upon Manager's request, provide complete copies of all contracts and agreements arising out of and/or related to the Boathouse for Manager's review and records.

(b) **Maintenance.** The City agrees to maintain the unpaved grounds around the Boathouse as it would for the rest of Waterfront Park and to provide for landscaping, in City's sole discretion, that would benefit both the Waterfront Park's scenic beauty and that of the Boathouse.

(c) **Delegation of Day-to-Day Management of the Boathouse Premises.** The City agrees to delegate decisions regarding event authorization, day to day management, directing and operations, marketing authorization, promotional planning, and use of the name of the Boathouse to the City Manager.

(d) **Changes to the Program.** The City shall obtain express written consent from Manager prior to making any changes to the Program.

(e) **Maintenance of Restrooms.** The City shall be responsible for maintenance of the restrooms and ensuring that the restrooms are open and available to the public as determined by the City.

(f) **Maintenance of Structural Items.** The City shall be responsible for maintenance of structural issues arising out of or related to the Boathouse (including, but not limited to, HVAC, plumbing, structural integrity, and roof.).

(g) **Utilities.** The City, at its expense, shall provide to the Boathouse Premises water and sewer and electric utility service and telephone and/or radio connection as required to operate and monitor the security and fire systems. Any other telephone service shall be the responsibility of Manager

## **7. INSURANCE.**

(a) **City as Insured.** The Manager further covenants and agrees to provide and maintain, at all times during the term of this Agreement policies of insurance insuring the Manager and the City against any and all claims, demands, actions and causes of action whatsoever for injuries received and damage to property in connection with the use, occupation, management and control of the Boathouse Premises and the improvements thereon by Manager. Such policies of insurance shall insure the Landlord and the Tenant in an amount not less than ONE MILLION DOLLARS (\$1,000,000.00) to cover claims of any one person from any single or specific cause and in an amount not less than TWO MILLION DOLLARS (\$2,000,000.00) to cover, in connection with any one particular accident or occurrence, the total aggregate of claims that may arise or to be claimed to have arisen against the City or the Manager, as aforesaid. The City shall be listed on said policies as additional insured. Nothing herein shall be construed as a waiver, either in whole or in part of the City's sovereign immunity as provided by Section 768.28, Florida Statutes, or its successor.

(b) **Boathouse Structures.** Manager shall also provide and maintain at all times during the term of this Agreement and any renewal hereof, policies of insurance, insuring all structures on the Boathouse Premises for at least 100% of their value against fire and casualty. The City shall be listed on said policies as additional insured.

(c) **Copies to be Provided.** Copies of the aforementioned policies of insurance and original certificates of the issuance thereof, shall be delivered to the City as evidence of the compliance by the Manager with the terms and provisions contained herein. Each of the said insurance policies shall be issued by a company or companies authorized to do business in the State of Florida and have an A.M. Best Company Rating of "A" or better and a Financial Size Category of "VII" or better, or as otherwise approved by City. Should the Manager fail to maintain such insurance in force, the City may, but shall not be obligated to, procure the same and advance funds for the payment of the cost thereof for and on

behalf of the Manager and all such payments shall be immediately due and payable to City, upon written demand therefore.

(d) **Loss of Insurance.** If during the period which an insurance company is providing the coverage required by this Agreement, an insurance company shall: 1) lose its Certificate of Authority, 2) no longer comply with any applicable Florida Law, or 3) fail to maintain the Best Rating and Financial Size Category, the Manager shall, as soon as the Manager has knowledge of any such circumstance, immediately notify the City and immediately replace the insurance coverage provided by the insurance company with a different insurance meeting the requirements of this Agreement. Until such time as the City has replaced the unacceptable insurer with an insurer acceptable to City, the Manager shall be deemed in default of this Agreement.

## **8. BREACH.**

In the event of a breach of (i.e., failure of a party to comply with) any obligation or covenant under this Agreement, the non-breaching party may give the breaching party written notice of the specifics of the breach, and the breaching party shall have ninety (90) days (the "Cure Period") in which to cure the breach if such breach is capable of cure. If it is commercially impractical to cure the alleged breach within the Cure Period, the breaching party shall have such commercially reasonable time as may be necessary to cure the breach. If the breach is not cured within said Cure Period, the non-breaching party shall be entitled to pursue any remedies it may have by reason of the breach. A waiver of any breach of this Agreement shall not constitute a waiver of any future breaches of this Agreement, whether of a similar or dissimilar nature.

## **9. TERMINATION OF AGREEMENT**

This Agreement may be terminated prior to the expiration of the Term only as follows, and any such termination shall not affect any rights or obligations arising prior to the effective date of termination:

(a) **Breach.** In the event of a material breach of this Agreement which is not cured within the Cure Period set forth in Section 8 above (a "Breach") or in the event of a breach as to which no Cure Period is provided by this Agreement, the non-breaching party may terminate this Agreement upon no less than ninety (90) days' written notice. This remedy shall be in addition to any other remedy available at law or in equity. Failure to terminate this Agreement shall not waive any breach of this Agreement.

(b) **Convenience.** City may, upon six (6) months written notice to Manager terminate this Agreement for any reason whatsoever and without consequence or obligation to City of any kind.

(c) **Casualty.** Manager shall restore any damages to the Boathouse to the extent that insurance proceeds are sufficient for restoration. In the event that the physical plant housing the Boathouse is destroyed or is so damaged such that it is reasonably anticipated that insurance proceeds will be insufficient for Manager to repair or reconstruct the damaged facilities with a view toward resuming full operation, then either The City or the Manager may terminate this Agreement upon no less than sixty (60) days' notice and such insurance proceeds shall be paid to the Manager proportionately to the extent of their respective losses. In the event of such termination per this subsection, Manager may engage in other softball activities within Lake County that would otherwise be a breach of this or the Sponsorship Agreement without breach of either.

(d) **Insolvency.** Either party may terminate this Agreement upon sixty (60) days' notice in the event the other party becomes insolvent or fails to pay, or admits in writing its inability to pay, its debts as they mature; or a trustee, receiver or other custodian is appointed for the other party for all or a

substantial part of the other party's property and is not discharged within sixty (60) days; or any bankruptcy reorganization, debt, arrangement, or other proceeding under any bankruptcy or insolvency law or any dissolution or liquidation proceeding is instituted by or against the other party and if instituted against the other party is consented to or acquiesced in by that party or remains for sixty (60) days undismissed; or any warrant or attachment is issued against any substantial portion of the property of the other party which is not released within sixty (60) days of service.

#### **10. EFFECTS OF TERMINATION.**

In the event of the termination or expiration of this Agreement for any reason, Manager shall immediately relinquish the Boathouse Premises to the City and deliver up to the City, all of the Boathouse Premises in as good condition and repair as upon delivery of possession to the Manager, ordinary wear and tear and damage by fire or other casualty only excepted. The termination of this Agreement for any reason, other than Breach by Manager, shall be without prejudice to any payments or obligations which may have accrued or become due hereunder prior to the date of termination or which may become due after such termination. Manager shall accomplish a smooth transfer of operations and events back to the City, by providing to the City copies of all documentation, contracts, and other arrangements, including transfer of all advance financial deposits, regarding events scheduled or under negotiation to occur after termination of this Agreement and the parties shall inform others that the events have been so transferred. Notwithstanding anything herein to the contrary and except as to termination for Breach by Manager, in the event Manager has already scheduled, promoted, advertised, or otherwise committed to any events at the Boathouse Premises and said events will occur after the effective date of Termination, the City agrees that Manager shall be permitted to conduct those events on the same terms and conditions as otherwise set forth in this Agreement at no additional expense from the Manager to the City except those already in place at the effective date of Termination.

#### **11. INDEMNIFICATION AND HOLD HARMLESS.**

The provisions of this Section 11 shall survive the termination or expiration of this Agreement.

(a) **Indemnification.** Each party (an "Indemnitor") agrees to indemnify and hold harmless the other party, its shareholders, directors, officers, and employees ("an Indemnified Party") from and against any and all losses, claims, damages, liabilities, costs and expenses (including reasonable attorneys' fees and expenses related to the defense of any claims), which may be asserted against an Indemnified Party or for which they may now or hereafter become subject arising in connection with the activity of the Indemnitor ("Claim"), including but not limited to: (i) alleged or actual failure by the Indemnitor to perform any of its duties hereunder, including by negligence or willful or wanton misconduct and (ii) any violation of any requirements applicable to the Indemnitor under any federal, state or local environmental/hazardous waste or similar law or regulation; except only to the extent that such Claims may have been caused, in part, by the negligence or willful or wanton misconduct of the Indemnified Party seeking indemnification pursuant to this Agreement. No party shall recover any amount in excess of actual damages incurred. Nothing herein shall be construed, interpreted or act as a waiver of any sovereign immunity that City may enjoy as a matter of law.

(b) **Notice of Claim.** In the event that any claim is made which may result in the right of indemnity hereunder, the Indemnifying Party against whom the claim is made shall promptly give notice to the Indemnitor and give the Indemnitor the opportunity to defend the claim with counsel reasonably satisfactory to the Indemnified Party, and the Indemnitor shall pay all costs of such defense (including reasonable attorney fees), whether or not the claim is successful). Each Indemnitor agrees that no settlement of any Claim involving its Indemnified Party will be made without the consent of such Indemnified party. Likewise, each Indemnified Party agrees that it will not settle any Claim without the



consent of its Indemnitor. The Indemnitor will furnish to the Indemnified Party copies of all pleadings in any action hereunder, permit the Indemnified Party to be an observer therein, and apprise the Indemnified Party of all developments therein, all at the Indemnitor's expense.

(c) **Non-Payment of Claims.** In the event an Indemnitor fails to pay, timely and fully, any amounts due relative to any Claims, its Indemnified Party may pay such Claim to a third party. In such event, such Indemnified Party may recover from its Indemnitor in addition to the amount so paid, interest on the amount claimed at the lesser of 12% per annum or such maximum amount of interest as is permitted by law and also recover the costs of such Indemnified Party's reasonable attorneys' fees in connection with the enforcement of this Agreement.

## **12. NOTICES.**

All notices permitted or required by this Agreement shall be deemed given when in writing and delivered personally or deposited in the United States Mail, postage prepaid, return receipt requested, or by overnight courier with confirmation of delivery, addressed to the other party at the address set forth below or such other address as the party may designate in writing by similar notice:

**To Manager:**

LAKE COUNTY ROWING ASSOCIATION, Inc.  
Attn: President  
Address on Sunbiz.org

With a copy to:

Alison Strange, Esquire  
Bret Jones, P.A.  
700 Almond Street  
Clermont, Florida 34711

**To the City:**

City of Clermont  
Attn: City Manager  
685 West Montrose Street  
Clermont, Florida 34711

With a copy to:

Daniel Mantzaris, Esq.  
de Beaubien, Knight, Simmons, Mantzaris & Neal, LLP  
PO Box 87  
Orlando, Florida 32802

## **13. ASSIGNMENT.**

Neither party shall assign this Agreement, including by any merger or consolidation with another legal entity, except with the prior written consent of the other party. Any approved assignment of this Agreement shall be binding upon and shall inure to the benefit of the parties' successors and assigns.

**14. NO AGENCY OR PARTNERSHIP.**

Manager is an independent contractor under this Agreement. The City, the County, and Manager are not partners, joint venturers, or principal or agent of the other.

**15. COMPLIANCE WITH LAW.**

Manager shall perform the services described in this Agreement in accordance with applicable statutes, rules and regulations required by federal and Florida law, as may be from time to time be in effect or applicable to Manager. Manager expressly agrees that it will comply with all requirements of Florida's Public Records Law as may be applicable to the services provided by Manager hereunder.

**16. MISCELLANEOUS.**

(a) **Headings.** Section headings are, for convenience of reference only and shall not be used to construe the meaning of any provision of this Agreement.

(b) **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be an original, and all of which shall together constitute one agreement.

(c) **Severance.** Should any part of this Agreement be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity and enforceability of the remaining portions.

(d) **Authority.** Each individual signing this Agreement warrants that such execution has been duly authorized by the party for which he or she is signing, and this Agreement constitutes the valid and enforceable obligation of each party in accordance with its terms.

(e) **Law.** This Agreement shall be construed in accordance with the laws of the State of Florida and venue for any action based on this Agreement shall be in Lake County, Florida.

(f) **Amendment.** This Agreement may not be modified except in writing executed by the party to be charged.

(g) **Entire Agreement.** This Agreement and the Program constitute the entire agreement of the parties hereto and supersedes all prior agreements and representations with respect to the subject matter hereof. A Sponsorship Agreement between Manager and The City, dated the same date as this Agreement, deals with other matters.

**IN WITNESS WHEREOF**, this Agreement is executed and shall be binding on the parties only after all parties have signed below and shall be effective as of the Effective Date.

**THE CITY OF CLERMONT**

**LAKE COUNTY ROWING  
ASSOCIATION, INC.**

\_\_\_\_\_  
Printed Name: Harold Turville, Jr.  
Its: Mayor  
October 28, 2014

\_\_\_\_\_  
Printed Name: Paul McPherson  
Its: President  
October \_\_\_\_, 2014

**WITNESSES:**

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

**AGREEMENT BETWEEN  
THE CITY OF CLERMONT, FLORIDA  
AND  
LAKE COUNTY, FLORIDA  
FOR CAPITAL PROJECTS FUNDING PROGRAM**

**THIS AGREEMENT** is entered into by and between Lake County, Florida, a political subdivision of the State of Florida, hereinafter the "COUNTY," and the City of Clermont, a political subdivision of the State of Florida, hereinafter referred to as "AGENCY."

**WHEREAS**, the Lake County Tourist Development Tax was created to fund the advancement of tourism and attract tourists to visit Lake County; and

**WHEREAS**, the Board of County Commissioners established a Capital Projects Funding Program from the Tourist Development Tax to assist agencies in establishing new or refurbishing existing facilities or infrastructures that are for recreational activities, cultural events and performances that host events in Lake County whose primary goal and purpose is to bring substantial numbers of tourists. Such facilities and infrastructures must be either (1) publicly owned and operated by not-for-profit organizations and open to the public or (2) publicly owned and operated by a public entity; and

**WHEREAS**, the AGENCY is desirous of establishing and maintaining such facilities.

**NOW, THEREFORE, IN CONSIDERATION** of the mutual terms, understandings, conditions, promises and covenants set forth herein, the parties agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.
2. **Capital Projects.** In order to be eligible for funding under this Agreement, the project must consist of one of the following:
  - A. New construction, expansion, remodeling, or a replacement project for an existing facility or facilities. The project must have a total cost of at least \$25,000 over the life of the project and a useful life of at least ten (10) years.
  - B. A purchase of major equipment (assets) costing \$25,000 or more with a useful life of at least ten (10) years.
  - C. A major maintenance or rehabilitation project for existing facilities with a cost of \$25,000 or more and a useful life of at least ten (10) years.

The capital project shall be for the purpose of establishing new or refurbishing existing facilities or infrastructures that are for recreational activities, cultural events and performances that host events in Lake County whose primary goal and purpose is to bring substantial numbers of tourists. Such facilities and infrastructures must be either (1) publicly owned and operated by

not-for-profit organizations and open to the public or (2) publicly owned and operated by a public entity.

The capital project approved for funding pursuant to this agreement is identified as follows:

**Project Name:** Lake County Rowing  
**Project Location:** City of Clermont Waterfront Park & Lake Minneola  
**Project Description:** Clermont desires to build a rowing infrastructure in South Lake County in order to host national, regional and local rowing events sanctioned by U.S. Rowing, to compete to host the U.S. Rowing National Team training and to bring in clubs, college teams and high school teams to Lake County for training and clinics

A full description of the capital project is included in **Exhibit A**, attached hereto and incorporated herein by reference. The AGENCY certifies by execution hereof that the capital project, upon completion, is estimated to create the following room nights:

**Aggregate Project Room Nights:** 9,700 (at the end of 3-year Reporting Period)

3. **Project Commencement.** The AGENCY shall commence the capital project within sixty (60) days of the full execution of this Agreement. If the AGENCY does not commence the capital project within this time frame, the COUNTY shall have the option of terminating this Agreement and reallocating the funding to another agency or project. The COUNTY shall provide the AGENCY written notice of its intent to terminate hereunder and the AGENCY shall have five (5) business days in which to provide response and to request additional time in which to commence the capital project. Granting a request for an extension of time is solely within the discretion of the COUNTY.

4. **Funding.** The funding provided under this Agreement from the Tourist Development Tax, hereinafter the "TDC Funds," shall be supplemental in nature and the AGENCY hereby agrees that in no event shall the funding provided hereunder be the sole source of funding for the capital project. The AGENCY and funding sources other than TDC Funds, shall provide a fifty percent (50%) match of the budget for the total cost of the capital project. In-kind matches shall be permitted so long as value estimates are verifiable. In-kind matches may include but are not limited to donated goods and services, land, and facilities. The AGENCY shall provide evidence, to the satisfaction of the COUNTY, of other sources, which, when combined, provide for the total funding for the complete capital project.

The capital project is approved for TDC Funds as follows:

**Total Project Budget:** \$954,717.60  
**TDC Funds Approved:** \$374,000.00

5. **Payment.** Payments shall be made to the AGENCY at the following milestone: (1) twenty-five percent (25%) completion; (2) fifty percent (50%) completion; (3) seventy-five percent (75%) completion and (4) one hundred percent (100%) completion. The AGENCY shall submit an invoice at each milestone and include documentation sufficient to support the request for payment. The COUNTY has the option to request additional documentation if the COUNTY deems it necessary in order to support the payment. In the event the AGENCY cannot commence the capital project without receiving TDC Funds in advance, the AGENCY may request the initial twenty-five percent (25%) payment at the start of the project; provided, however, that all other milestone payments shall be invoiced at the completion of the milestone. Payments shall only be made to the AGENCY as approved hereunder. In no event shall payments be made directly to any of AGENCY'S vendors or subcontractors. Payments shall be made in accordance with Chapter 218, Part VII, Florida Statutes.

6. **Eligible and Ineligible Uses.** The TDC Funds provided hereunder shall only be used for eligible items as defined under Section 125.104, Florida Statutes, and under the County's Tourist Development Plan, Section 13-47, Lake County Code. Eligible uses include: construction, extensions, expansion, remodeling, repair and/or improvements, and major equipment (assets) for convention centers, sports stadiums, coliseums, auditoriums or museums. The following uses are ineligible for funding:

- A. Annual operating expenditures
- B. Legal, medical, engineering, accounting, auditing, planning feasibility studies or other consulting services.
- C. Salaries or supplements to salaries for existing or future staff, or employment of personnel not directly related to the project or event.
- D. Purchasing tangible personal property including but not limited to office furnishings or equipment valued less than \$25,000, permanent collections, or individual pieces of art.
- E. Interest reduction of deficient or loans.
- F. Expenses incurred or obligated prior to or after the funding project period. (Even if related to the capital project, TDC Funds shall not be used to reimburse any expense incurred prior to the full execution of this Agreement.)
- G. Prize money, scholarships, awards, plaques, T-shirts, uniforms or certificates.
- H. Travel.
- I. Projects which are restricted to private or exclusive participation.
- J. Private entertainment, food or beverages.
- K. Expenses to fund other events not recommended or approved by Lake County.

In the event the AGENCY is found to have used the TDC Funds for an ineligible use, the AGENCY must repay the funds to the COUNTY, plus five percent (5%) interest, or the maximum interest permitted by law if lesser.

7. **Reporting Requirements.** The AGENCY shall provide the following reports to the COUNTY:

A. **Project Status Reports.** Quarterly reports shall be submitted to provide information on the capital project. Quarterly reports are due on the first (1<sup>st</sup>) day of the third (3<sup>rd</sup>) month of each calendar quarter. The report should contain a brief narrative summary providing updated information on the capital project, including financial status report for the project, planning and construction related activities.

B. **Construction Completion Report.** Within forty-five (45) days of the completion of the capital project, the AGENCY shall summarize its efforts by providing the following information:

1. A brief narrative summary of the successful completion of the capital project.
2. An evaluation of the economic impact the capital project has initially had on the County.
3. A financial statement listing all of the revenues received and expenses paid in the course of the development and completion of the capital project that clearly defines how and where the funds were used.
4. Photographs or video of the capital project and any related events, including time lapses of the construction.

C. **Project Impact Report.** No later than January 30<sup>th</sup> and July 15<sup>th</sup> of each calendar year after completion of the capital project for a term of three (3) years, the AGENCY shall provide the COUNTY with a detailed report of all events that have taken place as a result of the completion of the capital project funded hereunder. These Project Impact Reports shall include survey results regarding attendees of the events. These surveys shall provide information pertaining to the number of persons attending the event, the number of nights stayed, food and entertainment budget while visiting, and ways to improve their visit to Lake County. The AGENCY shall also provide Room Night Certification forms for each event held at the facility funded hereunder for the same three (3) year term in addition to providing the following information:

1. Flyers, newspaper ads, brochures or marketing efforts utilized to attract tourists. This may include a list of radio stations, magazines, etc.
2. If events have been held since completion of the capital project, include local attractions that were visited as part of the events, and local restaurants or businesses utilized as part of the event.
3. Final documented, or if unable to provide actual numbers, estimated number of event participants.
4. Room Night Certification Form – the organization must make every effort to obtain the number of overnight stays from local hotels within the county that housed those attending the event. This means that for events requiring registration, the recipient should make available a list of County hotels and encourage overnight stays. For those events that do not require registration, information should be provided during the event to encourage on overnight stay. After the event, the AGENCY shall be required to request that the hotel provide

information regarding the number of individuals residing at the hotel as a result of the event.

If any of the subsequent events resulted in no overnight hotel stays, or few overnight hotel stays, the AGENCY shall document its efforts to promote overnight hotel stays and other opportunities within Lake County.

D. Annual Events Calendar. No later than January 30<sup>th</sup> of each calendar year after completion of the capital project for a term of three (3) years, the AGENCY shall provide the COUNTY with AGENCY'S updated annual events calendar for the capital facility.

8. Term. The term of this Agreement shall be for a period of three (3) years from the date of this Agreement. Any deliverables required hereunder shall be delivered to the County within this post-event time frame.

9. Default. If AGENCY fails to complete any of the AGENCY'S Obligations identified herein, including but not limited to fails to construct the capital project, fails to appropriately market the capital project, or fails to appropriately manage the operations associated with the capital project, the County shall have the right to hold the AGENCY in default of the Agreement. Upon a finding of default, the COUNTY shall have the right to refuse payment or to reduce the payment as determined appropriate by the COUNTY. The COUNTY shall notify the AGENCY in writing of the default and of any reduction in the contract amount. The AGENCY shall have ten (10) days in which to respond to the demand and to provide justification as to why such funding should not be reduced. Failure to respond within this time frame shall be considered a waiver of any claims. The COUNTY shall have the right to institute proceedings within the Fifth Judicial Circuit to enforce the terms of this Agreement.

10. Right to Audit. The COUNTY reserves the right to require AGENCY to submit to an audit by any auditor of the COUNTY'S choosing. AGENCY shall provide access to all of its records, which relate directly or indirectly to this Agreement at its place of business during regular business hours. AGENCY shall retain all records pertaining to this Agreement and upon request make them available to the COUNTY for five (5) years following expiration of the Agreement. AGENCY agrees to provide such assistance as may be necessary to facilitate the review or audit by the COUNTY to ensure compliance with applicable accounting and financial standards. This provision is hereby considered to be included within, and applicable to, any subcontractor agreement entered into by the AGENCY in performance of any work hereunder.

If an audit inspection or examination pursuant to this section discloses a misuse of the funds or a use of the funds for any ineligible items, or inappropriate use of the funds of any nature whatsoever by the AGENCY to the COUNTY in excess of one percent (1%) of the total contract amount, in addition to making adjustments for the disallowed items or charges, the reasonable actual cost of the COUNTY'S audit shall be reimbursed to the COUNTY by the AGENCY. Any adjustments and/or payments which must be made as a result of any such audit or inspection of the AGENCY'S records shall be made within a reasonable amount of time, but in no event shall the time exceed ninety (90) days, from presentation of the COUNTY'S audit findings to the AGENCY.



**11. General Provisions.**

A. Notice. Wherever provision is made in this Agreement for the giving, service or delivery of any notice, statement or other instrument, such notice shall be in writing and shall be deemed to have been duly given, served and delivered, if delivered by hand or mailed by United States registered or certified mail, and addressed as follows:

COUNTY

County Manager  
315 West Main Street, Ste. 308  
P.O. Box 7800  
Tavares, Florida 32778-7800

AGENCY

Darren Gray  
City Manager  
685 West Montrose Street  
Clermont, Florida 34711

cc: Department of Economic Development  
& Tourism  
P.O. Box 7800  
Tavares, Florida 32778

Each party may change its mailing address by giving to the other party, by hand delivery, United States registered or certified mail, notice of election to change such address.

B. Modification. No modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by the parties hereto, with the same formality, and of equal dignity herewith.

C. Severance. The invalidity or unenforceability of any particular provision of this Agreement shall not affect the other provisions hereof, and this Agreement shall be construed in all respects as if such invalid or unenforceable provisions were omitted.

D. Scope of Agreement. This Agreement is intended by the parties to be the final expression of their Agreement, and it constitutes the full and entire understanding between the parties with respect to the subject hereof, notwithstanding any representations, statements or agreements to the contrary. This Agreement supersedes and replaces the Previous Agreements between the parties.

E. Entire Agreement. This Agreement, together with any exhibits or attachments hereto constitutes the entire agreement between the parties, and incorporates all discussions between the parties. This Agreement may not be amended or modified except by a writing signed by the party to be charged.

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Agreement on the respective dates under each signature: COUNTY through its County Manager, duly authorized to execute the same and by Coordinator, through its duly authorized representative.

**AGENCY**

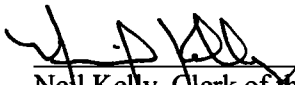
**CITY OF CLERMONT**

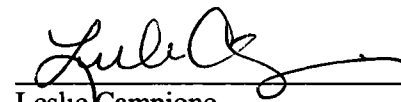
  
Harold S. Turville, Jr., Mayor

This 10 day of September, 2013

**COUNTY**

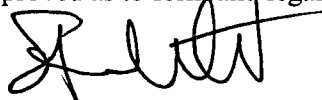
**ATTEST**

  
Neil Kelly, Clerk of the  
Board of County Commissioners  
of Lake County, Florida

  
Leslie Campione  
Chairman

This 23 day of September, 2013.

Approved as to form and legality.

  
Sanford A. Minkoff  
County Attorney

# LAKE COUNTY ROWING



**Lake County Tourist Development  
Application for Funding**

*presented by*



**CITY OF CLERMONT**



**LAKE COUNTY TOURIST DEVELOPMENT  
FUNDING APPLICATION PACKET**

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**ORGANIZATIONAL OUTLINE**

**COMPLETE BUDGET OUTLINE**

**SUPPORT DOCUMENTS**

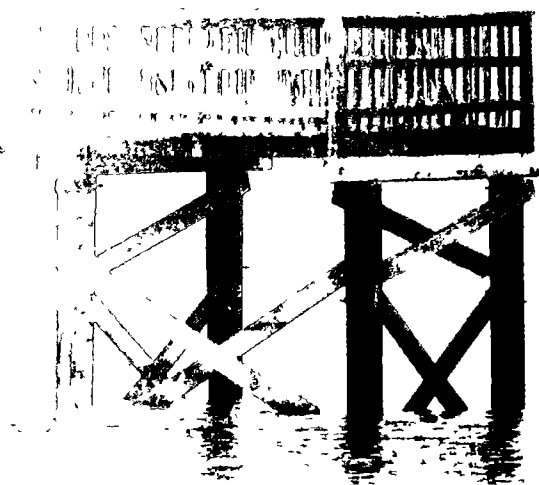
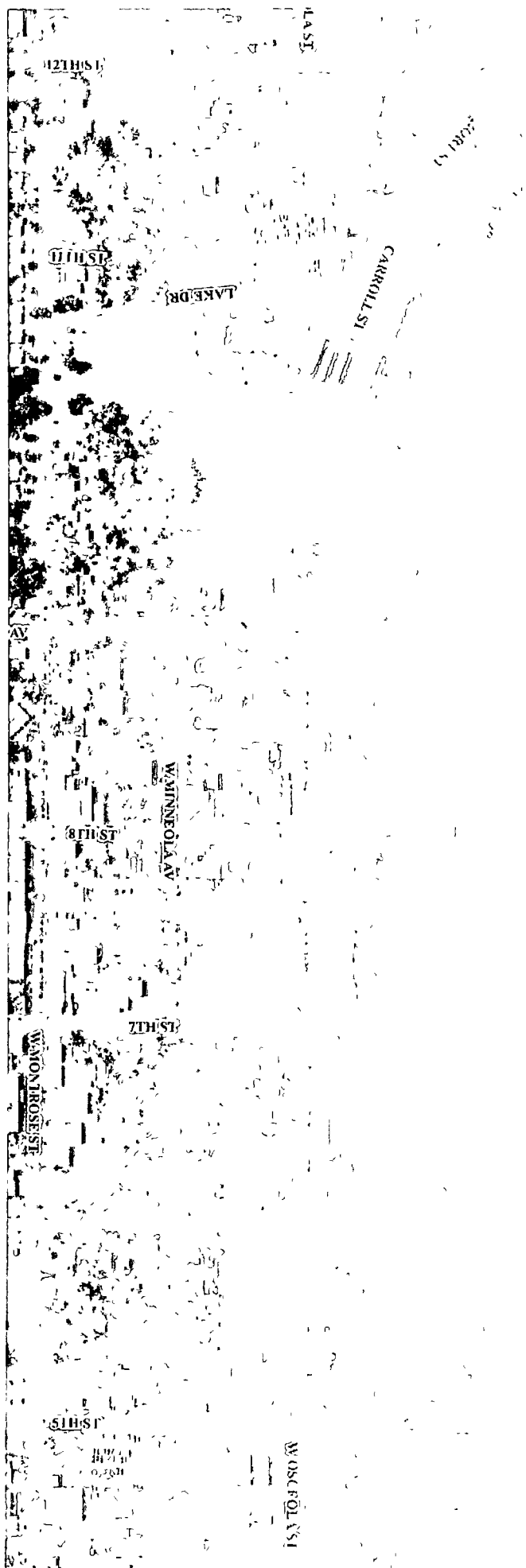
**SCHEMATIC DESIGN OF THE PROJECT INCLUDING  
BOATHOUSE & COURSE**

**WHY ROW**

**ROWING 101**

**ROWING PROMOTIONAL MATERIAL**

# COMPLETED CHECKLIST



Although the earliest recorded references to rowing date back to 1430 BC, the first known “modern” rowing races began from competition among the professional watermen in the United Kingdom that provided ferry and taxi service on the River Thames in London. Prizes for wager races were often offered by the London Guilds and Livery Companies or wealthy owners of riverside houses. The oldest surviving such race, Doggett’s Coat and Badge was first contested in 1715 and is still held annually from London Bridge to Chelsea.

**LAKE COUNTY TOURIST DEVELOPMENT  
FUNDING APPLICATION FORM AND INSTRUCTIONS**

For funding consideration, please make sure your application is filled out completely and accompanied by the following information. If any item is not applicable, indicate N/A over the checkbox.

- ☒ Completed Checklist (this form);
- ☒ Funding Application and Applicant Certification;
- ☒ IRS Form W-9 Request for Taxpayer Identification Number and Certification

N/A Narrative Report(s) if capital project funding received in prior years describing the current status of that project;

- ☒ Written authorization on official organization letterhead for AUTHORIZED AGENT to act on behalf of Applicant;
- ☒ Organizational outline, including but not limited to names and addresses of each board member and corporate officer (except government entities);
- ☒ Complete Budget Outline;
- ☒ Three support documents (letter of recommendation, programs from previous years' event, brochures, media articles, etc.);
- ☒ A schematic design of the project, including any specifics that will assist in the approval process. All Capital Projects must meet all zoning requirements, building code, permitting regulations and other applicable laws.

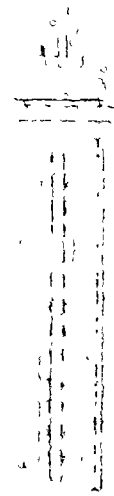
N/A All written agreements involving media, hotels/motels and venue contracts/leases.

Application packets should follow above format with dividers or tabs between each section.

Capital Project applications must include one (1) signed/stamped original, eleven (12) copies, and one (1) electronic copy (i.e. CD, flash drive, etc.), for a **total of 13 items**, and must be submitted by 4:00 p.m. on the application submittal deadline date to:

**Office of Economic Development and Tourism  
315 West Main Street, Suite 520  
P. O. Box 7800  
Tavares, FL 32778**

# FUNDING APPLICATION AND CERTIFICATION



1

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Rowing is one of the few non-weight bearing sports that exercises all the major muscle groups, including quads, biceps, triceps, lats, glutes and abdominal muscles. Rowing improves cardiovascular endurance and muscular strength. Rowing is a low impact activity with movement only in defined ranges, so twist and sprain injuries are rare.



**LAKE COUNTY TOURIST DEVELOPMENT TAX  
CAPITAL PROJECTS FUNDING APPLICATION**

**A. Background**

1. *Name of Capital Project:* Lake County Rowing
2. *Location:* City of Clermont - Waterfront Park & Lake Minneola
3. *Projected Timeline - Start:* October 2013 *Completion:* October 2014
4. *Please circle the description that best describes the nature of your Project:*  
X New Construction      Expansion      Renovation
5. *Executive Summary - Please provide an overview of the Project and its benefits to Lake County:*  
The intent of this rowing project is for the City of Clermont to build a rowing infrastructure in South Lake County. By working together with Lake County Rowing Association, Central Florida Sports Commission and Lake County Sports Development we will have the expertise to bid on and host a variety of rowing events in South Lake County. These events could include national, regional and local Florida wide regattas sanctioned by U.S. Rowing. In addition, Clermont will compete to host the U.S. Rowing National Team training and to bring in clubs, college teams, and high school teams to Lake County for training and clinics. The City of Clermont will match any funds granted from the County via the Tourism Development Tax. In addition, the City of Clermont will allow use of lakefront property for the location of the boathouse, boat dock system and related support infrastructure.

**Applicant Information**

1. *Name of Submitting Organization:* City of Clermont
2. *Purpose and Mission of Submitting Organization:*  
Our Mission is to preserve and enhance the quality of life for the Clermont Community by providing exceptional services.
3. *How long has the organization been operating in Lake County?* 1884
4. *Tax Status of Submitting Organization:* Tax Exempt
5. *FEID Number:* 59-6000290 *(Please submit your W-9 with Application)*
6. *Contact Person & Title:* David Teske - Parks & Recreation Manager
7. *Address:* 685 West Montrose Street, Clermont, FL 34711  
*Phone(s):* (352) 241-7351 *Fax:* (352) 394-3542 *Twitter:* N/A  
*E-mail:* dteske@clermontfl.org *Website:* www.cityofclermontfl.com

## **B. Project Details**

### *1. Details on project space/construction type, clients served, and the Project itself:*

The following are project/space requirements to host teams from outside of the area for training and racing. All anticipated infrastructure to be located on secured lakefront space. Rowing shells (up to 60' in length) are carried to the water from the boathouse.

- 1) Safe, adequate boat storage area- 96 ft x 45 ft boathouse anticipated to be concrete block with siding and truss construction. Plumbing and electrical required. Anticipated to have two bathrooms, boat racks and oar storage.
- 2) Safety Launch (Jon Boat) Storage, Outside Boat/Trailer Storage- 100 ft x 50 ft fenced area with double gate and boat racks
- 3) Work-out space, Space for boat rigging - 3,000 square foot concrete pad
- 4) Coach Launches for On-Water Training and Regatta Referee Boats, Trailer to transport row boats
- 5) Launch/Recovery Dock - used for training and regattas - 300 ft x 12 ft total dock area
- 6) Race course- removable buoyed, cabled course 2,100 meters in length

Anticipate building, concrete pad, racking and fencing requirements to be sourced locally. Boathouse, fenced area, concrete pad and launch area will serve visiting teams as well as create a home for the host rowing association. Visiting teams will consist of high school, college and masters rowers (ages 18 - 98). Also, see attached "Simple Boathouse" design.

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### *2. Describe in detail the strategic rationale and business justification for the Project:*

Clermont, located in central Florida, is an excellent destination for club, high school and college rowing teams. Rowing has fall and spring racing seasons which makes summer and winter training important to the sport. Many teams choose to do all or part of their winter training in warm climates making Lake County an ideal destination. In addition, our proximity to known attractions can draw these teams to Lake County versus other warm weather climates in the state. The President of U.S. Rowing has visited Lake Minneola and suggested that the Lake Minneola location is an ideal site to develop a rowing facility in Central Florida.

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### *3. Projected Useful Life of Project: 25 years - longer with continued repairs & maintenance*

### *4. Please attach any schematics, plans or images related to the project.*

*Attached in Schematic Tab - A Simple Boathouse, Regatta Course on Lake Minneola, One Option for Boat House Location on Lake Minneola, One Option on Dock System.*

#### **D. Financial Summary**

1. *Amount of TDT Funds Requested:* \$477,358.80

2. *Project Costs:*

|                                     | Total               |
|-------------------------------------|---------------------|
| Total Project Cost                  | <b>\$954,717.60</b> |
| Land Value                          | \$ 125,000.00       |
| Facility Hard Construction Costs    | \$ 544,601.60       |
| Infrastructure and Equipment Costs  | \$ 258,616.00       |
| Design and Project Management Costs | \$ 26,500.00        |

**\*\*Two costs estimates are attached for the boathouse. One estimate is from a firm that specializes in Boat Houses and constructs them around the United States. The second estimate is from a local builder to estimate what a similar boat house structure would cost if built locally with alternative materials. We also have a quote from a dock manufacturer for the rowing dock system. Our intention is to use local contractors and keep costs down as much as possible while building a functional boathouse and dock system.**

3. *What percentage of the Project costs will be spent locally?* 78%

4. *Are there any recurring costs to buy new equipment / update the facility, if yes, list and explain:* Yes  
The City of Clermont will be in charge of routine maintenance of the boathouse. Event infrastructure will be repaired continually as needed in using yearly operating budgets and event budgets. The facility will be managed and operated by the City of Clermont who will provide general building and property maintenance. The City will most likely lease the facility to the Lake County Rowing Club who will be responsible for basic day to day maintenance.

5. *Project Local Annual Spending in Project's Operating Budget:*

In regards to Capital spending we anticipate the boathouse building, pad and fencing requirements to be sourced locally. We anticipate approximately 78% of this capital request to be spent locally. In regards to yearly spending for Lake County Rowing, we anticipate most all of the funds collected from Regattas, Camps and Training to stay in Lake County. We will have to bring in officials and rowing timing services for the regattas. All other expenses will be kept locally.

6. Please submit the following additional financial information for the Project:

- Detailed Pro Forma Analysis for the Project (attached page 15)
- Sources and Uses Budget for the Project. (attached page 17)

**E. Project Demand**

1. Who is the targeted population, audience or events for the Project:

The targeted population for regattas and training events are the 1,129 US Rowing membership organizations. This includes high school, college and masters clubs who represent tens of thousands of rowers and their families. Masters Club members range from 18 to 98 years of age. The audience will be the rowing athletes and all their team support that travels with their events, including family members, friends and rowing enthusiasts.

2. Please provide an event calendar for the previous twenty-four (24) months, if applicable, and the next 5 years for the Project utilizing the template provided below. If the Project is an expansion to an existing facility, please only include events unique to this Project.

| 2014<br>Event Name            | 2014<br>Event Dates | # of<br>Participants | # of<br>Spectators | Total<br>Attendance | 2014<br>Room Nights |
|-------------------------------|---------------------|----------------------|--------------------|---------------------|---------------------|
| Spring Break Week #1          | 2014                | 120                  | 0                  | 120                 | 280                 |
| Spring Break Week #2          | 2014                | 120                  | 0                  | 120                 | 280                 |
| Spring Break Week #3          | 2014                | 120                  | 0                  | 120                 | 280                 |
| Spring Break Week #4          | 2014                | 120                  | 0                  | 120                 | 280                 |
| Florida Intercollegiate Event | 2014                | 300                  | 100                | 400                 | 267                 |
| Summer Training Week #1       | 2014                | 60                   | 0                  | 60                  | 140                 |
| Summer Training Week #2       | 2014                | 60                   | 0                  | 60                  | 140                 |
| Summer Training Week #3       | 2014                | 60                   | 0                  | 60                  | 140                 |
| Summer Training Week #4       | 2014                | 60                   | 0                  | 60                  | 140                 |
| Summer Training Week #5       | 2014                | 60                   | 0                  | 60                  | 140                 |
| Summer Training Week #6       | 2014                | 60                   | 0                  | 60                  | 140                 |
| Summer Training Week #7       | 2014                | 60                   | 0                  | 60                  | 140                 |
| Summer Training Week #8       | 2014                | 60                   | 0                  | 60                  | 140                 |
| LCRA Invitational             | 2014                | 180                  | 60                 | 240                 | 240                 |
|                               | Totals              | 1,440                | 160                | 1,600               | 2,747               |

| <b>2015<br/>Event Name</b>    | <b>2015<br/>Event Dates</b> | <b># of<br/>Participants</b> | <b># of<br/>Spectators</b> | <b>Total<br/>Attendance</b> | <b>2015<br/>Room Nights</b> |
|-------------------------------|-----------------------------|------------------------------|----------------------------|-----------------------------|-----------------------------|
| Winter Training Week #1       | 2015                        | 100                          | 0                          | 100                         | 233                         |
| Winter Training Week #2       | 2015                        | 100                          | 0                          | 100                         | 233                         |
| Winter Training Week #3       | 2015                        | 100                          | 0                          | 100                         | 233                         |
| Spring Break Week #1          | 2015                        | 180                          | 0                          | 180                         | 420                         |
| Spring Break Week #2          | 2015                        | 180                          | 0                          | 180                         | 420                         |
| Spring Break Week #3          | 2015                        | 180                          | 0                          | 180                         | 420                         |
| Spring Break Week #4          | 2015                        | 180                          | 0                          | 180                         | 420                         |
| Florida Intercollegiate Event | 2015                        | 360                          | 160                        | 520                         | 347                         |
| Summer Training Week #1       | 2015                        | 80                           | 0                          | 80                          | 187                         |
| Summer Training Week #2       | 2015                        | 80                           | 0                          | 80                          | 187                         |
| Summer Training Week #3       | 2015                        | 80                           | 0                          | 80                          | 187                         |
| Summer Training Week #4       | 2015                        | 80                           | 0                          | 80                          | 187                         |
| Summer Training Week #5       | 2015                        | 80                           | 0                          | 80                          | 187                         |
| Summer Training Week #6       | 2015                        | 80                           | 0                          | 80                          | 187                         |
| Summer Training Week #7       | 2015                        | 80                           | 0                          | 80                          | 187                         |
| Summer Training Week #8       | 2015                        | 80                           | 0                          | 80                          | 187                         |
| LCRA Invitational             | 2015                        | 240                          | 85                         | 325                         | 325                         |
| Rowing Camp                   | 2015                        | 40                           | 0                          | 40                          | 100                         |
| Florida Masters Event         | 2015                        | 340                          | 180                        | 520                         | 520                         |
|                               | <b>Total</b>                | <b>2,640</b>                 | <b>425</b>                 | <b>3,065</b>                | <b>5,165</b>                |

| <b>2016<br/>Event Name</b>    | <b>2016<br/>Event Dates</b> | <b># of<br/>Participants</b> | <b># of<br/>Spectators</b> | <b>Total<br/>Attendance</b> | <b>2016<br/>Room Nights</b> |
|-------------------------------|-----------------------------|------------------------------|----------------------------|-----------------------------|-----------------------------|
| Florida Scholastic Event      | 2016                        | 480                          | 480                        | 960                         | 640                         |
| Florida Coxswain Clinic       | 2016                        | 25                           | 0                          | 25                          | 50                          |
| Winter Training Week #1       | 2016                        | 120                          | 0                          | 120                         | 280                         |
| Winter Training Week #2       | 2016                        | 120                          | 0                          | 120                         | 280                         |
| Winter Training Week #3       | 2016                        | 120                          | 0                          | 120                         | 280                         |
| Winter Training Week #4       | 2016                        | 120                          | 0                          | 120                         | 280                         |
| Spring Break Week #1          | 2016                        | 240                          | 0                          | 240                         | 560                         |
| Spring Break Week #2          | 2016                        | 240                          | 0                          | 240                         | 560                         |
| Spring Break Week #3          | 2016                        | 240                          | 0                          | 240                         | 560                         |
| Spring Break Week #4          | 2016                        | 240                          | 0                          | 240                         | 560                         |
| Florida Intercollegiate Event | 2016                        | 360                          | 160                        | 520                         | 347                         |
| Summer Camp Instruction       | 2016                        | 50                           | 0                          | 50                          | 75                          |
| Summer Training Week #1       | 2016                        | 110                          | 0                          | 110                         | 257                         |
| Summer Training Week #2       | 2016                        | 110                          | 0                          | 110                         | 257                         |
| Summer Training Week #3       | 2016                        | 110                          | 0                          | 110                         | 257                         |
| Summer Training Week #4       | 2016                        | 110                          | 0                          | 110                         | 257                         |
| Summer Training Week #5       | 2016                        | 110                          | 0                          | 110                         | 257                         |
| Summer Training Week #6       | 2016                        | 110                          | 0                          | 110                         | 257                         |
| Summer Training Week #7       | 2016                        | 110                          | 0                          | 110                         | 257                         |
| Summer Training Week #8       | 2016                        | 110                          | 0                          | 110                         | 257                         |
| LCRA Invitational             | 2016                        | 280                          | 100                        | 380                         | 253                         |
| Dragon Boat Event             | 2016                        | 500                          | 920                        | 1420                        | 325                         |
| US Training Camp              | 2015                        | 40                           | 0                          | 40                          | 100                         |
| Florida Masters Event         | 2016                        | 380                          | 195                        | 575                         | 575                         |
|                               | <b>Total</b>                | <b>4,435</b>                 | <b>1,855</b>               | <b>6,290</b>                | <b>7,778</b>                |

| 2017<br>Event Name            | 2017<br>Event Dates | # of<br>Participants | # of<br>Spectators | Total<br>Attendance | 2017<br>Room Nights |
|-------------------------------|---------------------|----------------------|--------------------|---------------------|---------------------|
| Florida Scholastic Event      | 2017                | 480                  | 480                | 960                 | 640                 |
| Florida Coxswain Clinic       | 2017                | 25                   | 0                  | 25                  | 50                  |
| Winter Training Week #1       | 2017                | 160                  | 0                  | 160                 | 373                 |
| Winter Training Week #2       | 2017                | 160                  | 0                  | 160                 | 373                 |
| Winter Training Week #3       | 2017                | 160                  | 0                  | 160                 | 373                 |
| Winter Training Week #4       | 2017                | 160                  | 0                  | 160                 | 373                 |
| Spring Break Week #1          | 2017                | 300                  | 0                  | 300                 | 700                 |
| Spring Break Week #2          | 2017                | 300                  | 0                  | 300                 | 700                 |
| Spring Break Week #3          | 2017                | 300                  | 0                  | 300                 | 700                 |
| Spring Break Week #4          | 2017                | 300                  | 0                  | 300                 | 700                 |
| Florida Intercollegiate Event | 2017                | 360                  | 160                | 520                 | 347                 |
| US Rowing S.E. District Jr.   | 2016                | 100                  | 200                | 300                 | 200                 |
| Summer Camp Week #1           | 2017                | 50                   | 0                  | 50                  | 100                 |
| Summer Camp Week #2           | 2017                | 50                   | 0                  | 50                  | 100                 |
| Summer Training Week #1       | 2017                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #2       | 2017                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #3       | 2017                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #4       | 2017                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #5       | 2017                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #6       | 2017                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #7       | 2017                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #8       | 2017                | 180                  | 0                  | 180                 | 420                 |
| LCRA Invitational             | 2017                | 325                  | 125                | 450                 | 300                 |
| Dragon Boat Event             | 2017                | 500                  | 920                | 1420                | 325                 |
| US Training Camp              | 2017                | 40                   | 0                  | 40                  | 100                 |
| Florida Masters Event         | 2017                | 400                  | 205                | 605                 | 605                 |
|                               | <b>Total</b>        | <b>5,610</b>         | <b>2,090</b>       | <b>7,700</b>        | <b>10,420</b>       |



| 2018<br>Event Name            | 2018<br>Event Dates | # of<br>Participants | # of<br>Spectators | Total<br>Attendance | 2018<br>Room Nights |
|-------------------------------|---------------------|----------------------|--------------------|---------------------|---------------------|
| Florida Scholastic Event      | 2018                | 480                  | 480                | 960                 | 640                 |
| Florida Coxswain Clinic       | 2018                | 25                   | 0                  | 25                  | 50                  |
| Winter Training Week #1       | 2018                | 240                  | 0                  | 240                 | 560                 |
| Winter Training Week #2       | 2018                | 240                  | 0                  | 240                 | 560                 |
| Winter Training Week #3       | 2018                | 240                  | 0                  | 240                 | 560                 |
| Winter Training Week #4       | 2018                | 240                  | 0                  | 240                 | 560                 |
| S.E. Flat Water Canoe Event   | 2018                | 220                  | 105                | 325                 | 217                 |
| Spring Break Week #1          | 2018                | 320                  | 0                  | 320                 | 747                 |
| Spring Break Week #2          | 2018                | 320                  | 0                  | 320                 | 747                 |
| Spring Break Week #3          | 2018                | 320                  | 0                  | 320                 | 747                 |
| Spring Break Week #4          | 2018                | 320                  | 0                  | 320                 | 747                 |
| Florida Intercollegiate Event | 2018                | 320                  | 160                | 480                 | 320                 |
| S.E. Flat Water Kayak Event   | 2018                | 220                  | 105                | 325                 | 217                 |
| US Rowing S.E. Regional       | 2015                | 120                  | 120                | 240                 | 360                 |
| Summer Camp Week #1           | 2018                | 50                   | 0                  | 50                  | 100                 |
| Summer Camp Week #2           | 2018                | 50                   | 0                  | 50                  | 100                 |
| Summer Training Week #1       | 2018                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #2       | 2018                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #3       | 2018                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #4       | 2018                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #5       | 2018                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #6       | 2018                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #7       | 2018                | 180                  | 0                  | 180                 | 420                 |
| Summer Training Week #8       | 2018                | 180                  | 0                  | 180                 | 420                 |
| LCRA Invitational             | 2018                | 375                  | 155                | 530                 | 353                 |
| Dragon Boat Event             | 2018                | 500                  | 920                | 1420                | 325                 |
| US Training Camp              | 2018                | 40                   | 0                  | 40                  | 100                 |
| Florida Masters Event         | 2018                | 425                  | 230                | 655                 | 655                 |
|                               | <b>Total</b>        | <b>6,505</b>         | <b>2,275</b>       | <b>8,780</b>        | <b>12,023</b>       |

3. Please fill in the following Attendance Chart with estimates for the number of annual attendees in each category. If the Project is an expansion to an existing facility, please only include those attendees unique to the development of this Project.

Attendance projections were developed from discussions with USA Rowing, Central Florida Sports Commission and the Lake County Rowing Club. Attendance varies with schedules and events depending whether it is a Regatta where many teams come in for a short time, or training programs where teams may stay for periods of a week or more.

| Year 2014<br>Type of Attendee         | Origin of Attendee |                             |       | Avg.<br>Length of<br>Stay<br>(Days) |
|---------------------------------------|--------------------|-----------------------------|-------|-------------------------------------|
|                                       | Out-of-<br>State   | In-State,<br>Non-<br>County | Local |                                     |
| Spectators/Visitors                   | 10                 | 130                         | 20    | 2                                   |
| Vendors                               | 0                  | 5                           | 0     | 2                                   |
| Players/Participants/Coaches – Adult* | 838                | 220                         | 40    | 5.2                                 |
| Players/Participants/Coaches – Youth* | 292                | 40                          | 10    | 5.2                                 |
| Media/Staff                           | 0                  | 2                           | 2     | 0                                   |

\*For sporting events only (Training = 1 - 2 week stay, Events = 2 night stay)

| Year 2016<br>Type of Attendee         | Origin of Attendee |                             |       | Avg.<br>Length of<br>Stay<br>(Days) |
|---------------------------------------|--------------------|-----------------------------|-------|-------------------------------------|
|                                       | Out-of-<br>State   | In-State,<br>Non-<br>County | Local |                                     |
| Spectators/Visitors                   | 30                 | 1606                        | 210   | 1.8                                 |
| Vendors                               | 0                  | 5                           | 0     | 2                                   |
| Players/Participants/Coaches – Adult* | 1694               | 1351                        | 80    | 5.5                                 |
| Players/Participants/Coaches – Youth* | 696                | 575                         | 39    | 5.5                                 |
| Media/Staff                           | 0                  | 10                          | 2     | 1                                   |

\*For sporting events only (Training = 1 - 2 week stay, Events = 2 night stay)

| Year 2018<br>Type of Attendee         | Origin of Attendee |                             |       | Avg.<br>Length of<br>Stay<br>(Days) |
|---------------------------------------|--------------------|-----------------------------|-------|-------------------------------------|
|                                       | Out-of-<br>State   | In-State,<br>Non-<br>County | Local |                                     |
| Spectators/Visitors                   | 140                | 1902                        | 233   | 2                                   |
| Vendors                               | 10                 | 5                           | 0     | 2                                   |
| Players/Participants/Coaches – Adult* | 2841               | 1627                        | 109   | 5                                   |
| Players/Participants/Coaches – Youth* | 1204               | 680                         | 44    | 5                                   |
| Media/Staff                           | 2                  | 12                          | 2     | 1                                   |

\*For sporting events only (Training = 1 - 2 week stay, Events = 2 night stay)

4. On average, how many months per year will the Project be utilized: 12

5. For those months, how many average days per month will the Project be utilized: 29

6. Please fill in the following Hotel Room Night Chart with estimates for the number of room nights generated annually. If the Project is an expansion to an existing facility, please only include those room nights resulting from the development of this Project.

|                                | 2014<br>Total | 2015<br>Total | 2016<br>Total | 2017<br>Total | 2018<br>Total |
|--------------------------------|---------------|---------------|---------------|---------------|---------------|
| Projected Room Nights for year | 2,747         | 5,165         | 7,778         | 10,420        | 12,023        |
| Bed Tax Exempt Room Nights     | 549           | 1033          | 1,556         | 2084          | 2,404         |
| Average Nightly Room Rate      | \$90          | \$92          | \$94          | \$96          | \$98          |

7. Please submit a brief narrative of the plan for this event to generate room nights in Lake County:

Regattas - Typically, larger rowing regattas occur over a two-three day time period. Races begin early in the morning and run to about 5pm. This requires teams and their families to arrive in the location a day early and stay an additional night to allow for return travel the following day. Teams arrive together before the event and leave together after the entire event is concluded.

Training - Team training is concentrated in summer and winter months. Teams from cold weather locations will travel to warm locations to allow on-water work-outs. Training requires all athletes to stay locally for the duration of the training period, sometimes lasting up to a couple of weeks.

8. *List additional sponsors/partners:*

We are partnering with the Central Florida Sports Commission and Lake County Rowing Association to bid on various regattas and develop a comprehensive training program for year round training. South Lake Hospital will be working with us for medical and athlete training support.

9. *List Host Hotels-Committed:* We will utilize local area hotels including the following: Fairfield Inn, Holiday Inn Express, Hampton Inn, Summer Bay and other nearby hotels as the event size requires.

10. *List Host Hotels-Applied For:* N/A

11. *Number of Vendors:* Vendors will be determined by the size of event and the attendee's demographics. We will anticipate 5 to 10 vendors per regatta event.

12. *How will you evaluate and measure your programs success?*

Success of the program will be evaluated by ongoing room nights, attendance, events, training and LCRA Club Membership. Regatta Registration - Regatta registration is easily tracked electronically through a nationally recognized provider [www.regattacentral.com](http://www.regattacentral.com). Regatta Central allows for posting of hotel contact information and directions as well as other relevant local information. Hotel stays will be measured as per the requirement of the application.

Training - Teams from around the country will be invited to train in Lake County. As the Lake County Rowing Association hosts these teams, the number of attendees and corresponding hotel stays and resulting economic impact will be tracked.

LCRA Club Membership - In order to hold regattas and host visiting team training, LCRA needs a large number of members who volunteer their time and talent. A healthy host club ensures the viability of events going forward. LCRA tracks club membership, dues, participation etc using [www.teamsnap.com](http://www.teamsnap.com).

13. *List states and countries represented by previous attendees if an existing facility has been used for events that the new facility will host or if it is an expansion of an existing facility:* N/A

14. *Will events held through the Project charge an entry fee, admission fee, parking fee, etc.?* Yes  
*If yes to any of these please list them:* Regattas will have a registration fee per boat. Camps and Clinics will have an individual participant fee. Training will have an individual training fee. Additional regatta costs include rental of timing devices, referee fees, security, portable toilets, regatta insurance etc. We anticipate registration fees and possible parking fees to recover these expenses and where possible as a fund raiser to support future growth for the non-profit host association, LCRA.

#### **F. Marketing Summary**

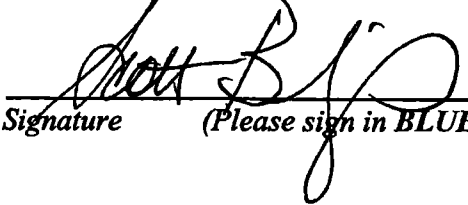
1. *Outline of the marketing plan for the Project and resulting events:*

Marketing and advertising will come from a variety of sources. The City of Clermont, Central Florida Sports Commission and Lake County Rowing Association (LCRA) in conjunction with our Local and State Tourist Development partners will promote Lake County as a rowing destination. At the National level, U.S. Rowing will be supporting Regattas and also highlighting the Clermont facility as an excellent training venue. U.S. Rowing currently has 1,129 member organizations within the United States. At the regional level, the Central Florida Sports Commission who is under contract with Lake County will be marketing, promoting and actively working with colleges, high schools and clubs to bring in their events (including regattas, clinics and training) to Lake County. At the local level the Lake County Rowing Club will be marketing via social media and will create at least one LCRC Regatta and reach out to promote the Lake County facility as a premier training venue. Additionally Regatta events can be advertised/posted and registration can occur through [www.regattacentral.com](http://www.regattacentral.com). LCRA is dedicated to work with its local Florida member organizations through its membership in the Florida Scholastic Rowing Association. FSRA is the governing body of high school rowing in the State of Florida and can be used to help establish state wide regattas at the convenient central location of Lake County. The FSRA website, <http://www.floridarowing.org/>, also allows for promotion of regatta events.

2. *Describe what steps have been taken or will be taken to reach out and bring in new attendees, and thus increase overnight stays.* It is the plan of the City of Clermont to develop the rowing infrastructure with the Lake County Rowing Association, Central Florida Sports Commission and Lake County Economic Development & Tourism Department to bring in as many quality rowing events and training opportunities as the calendar will allow. Also, interest will grow locally with the Lake County Rowing Association as more people are introduced to the sport of rowing. As this membership grows so will our volunteer base for hosting bigger and better attended rowing events. As Lake County grows as a rowing destination so will the increased attendees, their families, and officials for rowing events, clinics and training within each calendar year.
3. *Event Organizer Contact:*  
The primary event organizer at the City level will be Dave Teske, 352-241-7351 or dteske@clermontfl.org, who is the Director of Parks and Recreation for the City of Clermont. He will be the conduit for the Central Florida Sports Commission, Lake County Rowing and Lake County's Department of Economic Development and Tourism.

**G. Signature**

*I have reviewed the LAKE COUNTY TOURIST DEVELOPMENT CAPITAL PROJECTS FUNDING APPLICATION. I am in full agreement with the information contained in this application and its attachments as accurate and complete. I further acknowledge my understanding that the County in approving a funding agreement does not assume any liability or responsibility for the ultimate financial profitability of the project for which the funds are awarded. The County, unless otherwise specifically stated, is only a financial contributor to the project and not a promoter or co-sponsor, and will not guarantee or be responsible or liable for any debts incurred for such event. I have put all third parties on notice that the County will not be responsible for payment of any costs or debts for the project.*

  
\_\_\_\_\_  
Signature (Please sign in BLUE ink)

\_\_\_\_\_  
March 18, 2013  
Date

\_\_\_\_\_  
Scott Blankenship, Assistant City Manager  
Name and Title of person authorized to sign the application

\_\_\_\_\_  
City of Clermont  
Applicant's Organization

## Pro Forma Analysis for Lake Rowing

### Current Projected Revenues & Expenses

#### **LIST ALL REVENUE**

|                           |                                                                                                |
|---------------------------|------------------------------------------------------------------------------------------------|
| Regatta Registration Fees | <u>\$162,700</u>                                                                               |
| Clinic Registration Fees  | <u>\$ 7,600</u>                                                                                |
| Training Usage Fees       | <u>\$ 2,400</u>                                                                                |
| Sponsorships              | <u>\$ 5,000</u>                                                                                |
| Event Expo Vendors        | <u>\$ 1,500</u>                                                                                |
| TDC Funding               | <u>TBD - Varies with attendance &amp; will be validated via the TIM (Tourist Impact Model)</u> |
| <b>TOTAL REVENUE</b>      | <b>\$ <u>179,200</u></b>                                                                       |

#### **LIST ALL EXPENSES**

##### **Regatta**

|                               |                          |
|-------------------------------|--------------------------|
| Administration                | <u>\$ 8,000</u>          |
| Security                      | <u>\$ 4,200</u>          |
| Scoring/Timing                | <u>\$ 31,500</u>         |
| Referees                      | <u>\$ 28,000</u>         |
| Portable Toilets              | <u>\$ 3,675</u>          |
| Fuel                          | <u>\$ 1,400</u>          |
| Advertising                   | <u>\$ 21,000</u>         |
| Launches                      | <u>\$ 21,000</u>         |
| Awards                        | <u>\$ 10,500</u>         |
| <b>Total Regatta Expenses</b> | <b>\$ <u>129,275</u></b> |

##### **Clinics**

|                              |                        |
|------------------------------|------------------------|
| Fuel                         | <u>\$ 400</u>          |
| Coaching                     | <u>\$ 4,000</u>        |
| Course Installation          | <u>\$ 400</u>          |
| <b>Total Clinic Expenses</b> | <b>\$ <u>4,800</u></b> |

##### **Training**

|                                |                        |
|--------------------------------|------------------------|
| Course Installation            | <u>\$ 800</u>          |
| Fuel                           | <u>\$ 800</u>          |
| Supplies                       | <u>\$ 400</u>          |
| <b>Total Training Expenses</b> | <b>\$ <u>2,000</u></b> |



**Boat House**

Electric \$ 3,600

Potable Water \$ 1,400

Ground Maintenance \$ 1,800

Building Maintenance \$ 3,000

Dock Maintenance \$ 1,440

Misc. Supplies \$ 1,200

**Total Boat House Expenses** \$ 12,440

**TOTAL EXPENSES** \$ 148,515

**NET PROFIT** \$ 30,685

## Sources & Uses Budget for Lake Rowing

### Current Breakdown of Projected Revenues & Expenses

#### **LIST ALL REVENUE**

|                           |                  |
|---------------------------|------------------|
| Regatta Registration Fees | <u>\$162,700</u> |
| Clinic Registration Fees  | <u>\$ 7,600</u>  |
| Training Usage Fees       | <u>\$ 2,400</u>  |
| Sponsorships              | <u>\$ 5,000</u>  |
| Event Expo Vendors        | <u>\$ 1,500</u>  |

#### **LIST ALL EXPENSES**

##### **Regatta**

|                  |                  |                                                       |
|------------------|------------------|-------------------------------------------------------|
| Administration   | <u>\$ 8,000</u>  | Admin Fees to coordinate Regattas & Clinics           |
| Security         | <u>\$ 4,200</u>  | \$600 per event                                       |
| Scoring/Timing   | <u>\$ 31,500</u> | \$4,800 per event                                     |
| Referees         | <u>\$ 28,000</u> | \$4,000 per event                                     |
| Portable Toilets | <u>\$ 3,675</u>  | \$525 per event (1 ADA \$150 & 5 REG \$75)            |
| Fuel             | <u>\$ 1,400</u>  | \$200 per event (Referee launches, Safety boat)       |
| Advertising      | <u>\$ 21,000</u> | \$3,000 per event (Magazine, Direct Mailing, Website) |
| Launches         | <u>\$ 21,000</u> | \$3,000 per event (Referees, Safety, Support)         |
| Awards           | <u>\$ 10,500</u> | \$1,500 per event (Trophies, Plaques, Ribbons)        |

##### **Clinics**

|                     |                 |                                                      |
|---------------------|-----------------|------------------------------------------------------|
| Fuel                | <u>\$ 400</u>   | \$200 per Clinic                                     |
| Coaching            | <u>\$ 4,000</u> | \$2,000 per Clinic (Coaches, Guest Speaker, Support) |
| Course Installation | <u>\$ 400</u>   | \$200 per Clinic                                     |

##### **Training**

|                     |               |                          |
|---------------------|---------------|--------------------------|
| Course Installation | <u>\$ 800</u> | \$800 for Training Weeks |
| Fuel                | <u>\$ 800</u> |                          |
| Supplies            | <u>\$ 400</u> | Miscellaneous Supplies   |

**Boat House**

|                      |                 |                              |
|----------------------|-----------------|------------------------------|
| Electric             | <u>\$ 3,600</u> | \$300 per month              |
| Potable Water        | <u>\$ 1,440</u> | \$120 per month              |
| Ground Maintenance   | <u>\$ 1,800</u> | \$150 per month              |
| Building Maintenance | <u>\$ 3,000</u> | \$250 per month              |
| Dock Maintenance     | <u>\$ 1,440</u> | \$120 per month              |
| Misc. Supplies       | <u>\$ 1,200</u> | \$200 per month for supplies |

**IRS FORM W-9**  
**REQUEST FOR TAXPAYER IDENTIFICATION**

W-9  
6-M

Whilst the action of rowing and equipment used remains fairly consistent throughout the world, there are many different types of competition. These include endurance races, time trials, stake racing, bumps racing, and the side-by-side format used in the Olympic games. The many different formats are a result of the long history of the sport, its development in different regions of the world, and specific local requirements and restrictions.

## Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

|                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Print or type<br>See Specific Instructions on page 2. | Name (as shown on your income tax return)<br><b>City of Clermont</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |
|                                                       | Business name/disregarded entity name, if different from above                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
|                                                       | Check appropriate box for federal tax classification (required):<br><input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate<br><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____<br><input checked="" type="checkbox"/> Other (see instructions) ▶ <b>Government Municipality</b> |  |
|                                                       | <input type="checkbox"/> Exempt payee                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
|                                                       | Address (number, street, and apt. or suite no.)<br><b>685 West Montrose Street</b><br>City, state, and ZIP code<br><b>Clermont, FL 34711</b>                                                                                                                                                                                                                                                                                                                                                                                    |  |
| List account number(s) here (optional)                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| Requester's name and address (optional)               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>Part I Taxpayer Identification Number (TIN)</b><br>Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3.<br><b>Note.</b> If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter. | <b>Social security number</b><br>[ ][ ] - [ ][ ] - [ ][ ][ ][ ]<br><b>Employer identification number</b><br>5 9 - 6 0 0 0 2 9 0 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <b>Part II Certification</b><br>Under penalties of perjury, I certify that:<br>1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and<br>2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and<br>3. I am a U.S. citizen or other U.S. person (defined below).<br><b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4. | <b>Sign Here</b><br>Signature of U.S. person ▶ <i>Dan Teske</i><br>Date ▶ <i>March 14, 2013</i> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

**WRITTEN AUTHORIZATION FOR AUTHORIZED AGENT**

There are many differing sets of rules governing racing and these are generally defined by the governing body of the sport in a particular country—e.g., British Rowing in England and Wales, Rowing Australia in Australia, and USRowing in the United States. In international competitions, the rules are set out by the world governing body, the Fédération Internationale des Sociétés d’Aviron (FISA). The rules are mostly similar but do vary; for example, British Rowing requires coxswains to wear buoyancy aids at all times, whereas FISA rules do not.





## **CITY OF CLERMONT**

Office of the City Manager

March 14, 2013

David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778

Dear Mr. Heath:

On behalf of the City of Clermont, Dave Teske, Parks and Recreation Director, will be the authorized agent representing the City of Clermont's funding application for the Lake County Rowing project. We appreciate the opportunity to submit a formal bid and look forward to moving this project forward in Lake County.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darren Gray', is written over a horizontal line.

Darren Gray  
City Manager

CC: Commissioner Timothy Sullivan, District 1  
Commissioner Sean Parks, District 2  
Commissioner Jimmy Conner, District 3  
Commissioner Leslie Campione, District 4  
Commissioner Welton Caldwell, District 5

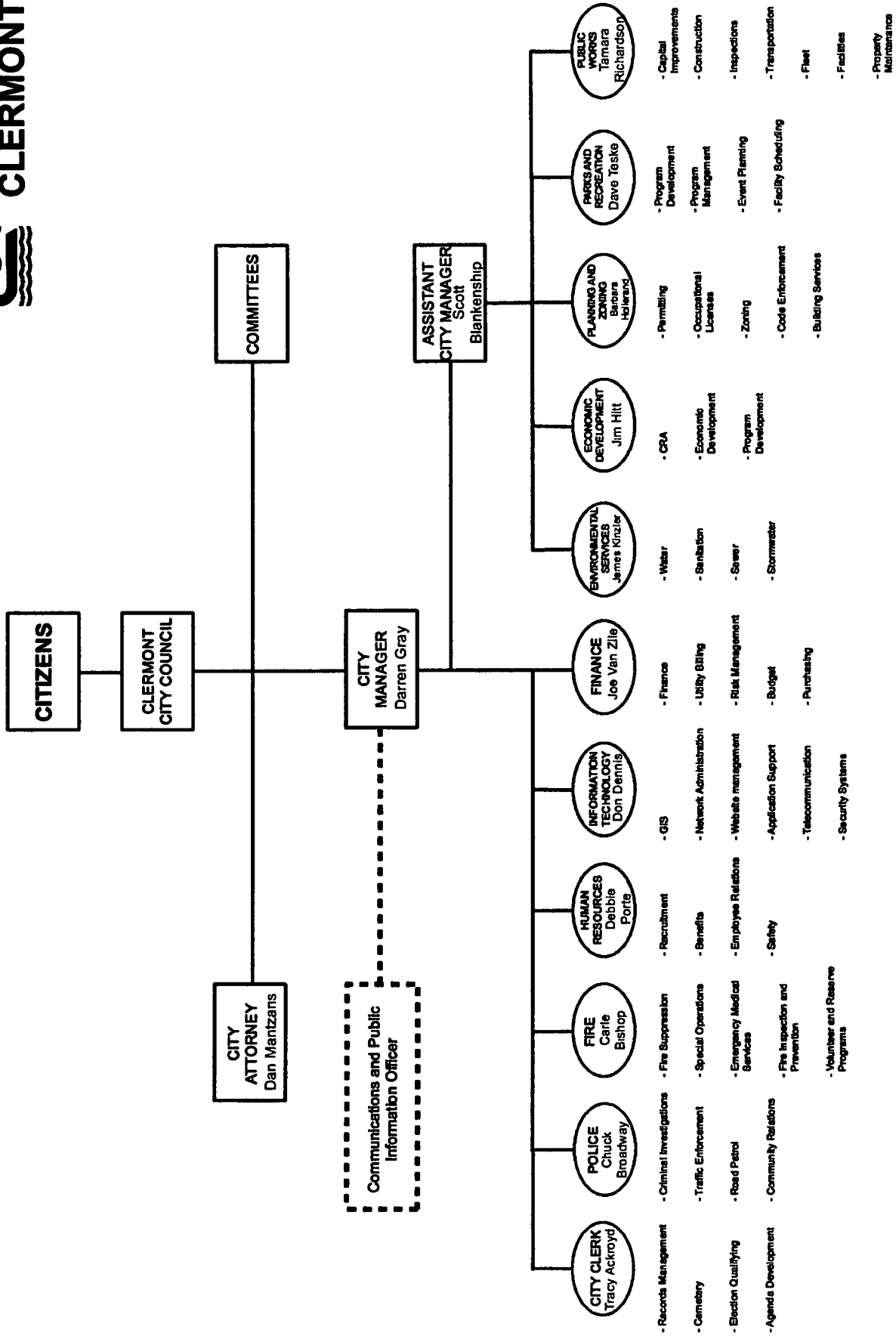
# ORGANIZATIONAL OUTLINE

ORGANIZATION

There are several different types of boats. They are classified using number of rowers. In all forms of modern competition the number is either 1, 2, 4, or 8. Position of coxswain (also referred to as cox). Boats are either coxless (straight), bow-coxed (also called bowloaders), or stern-coxed.



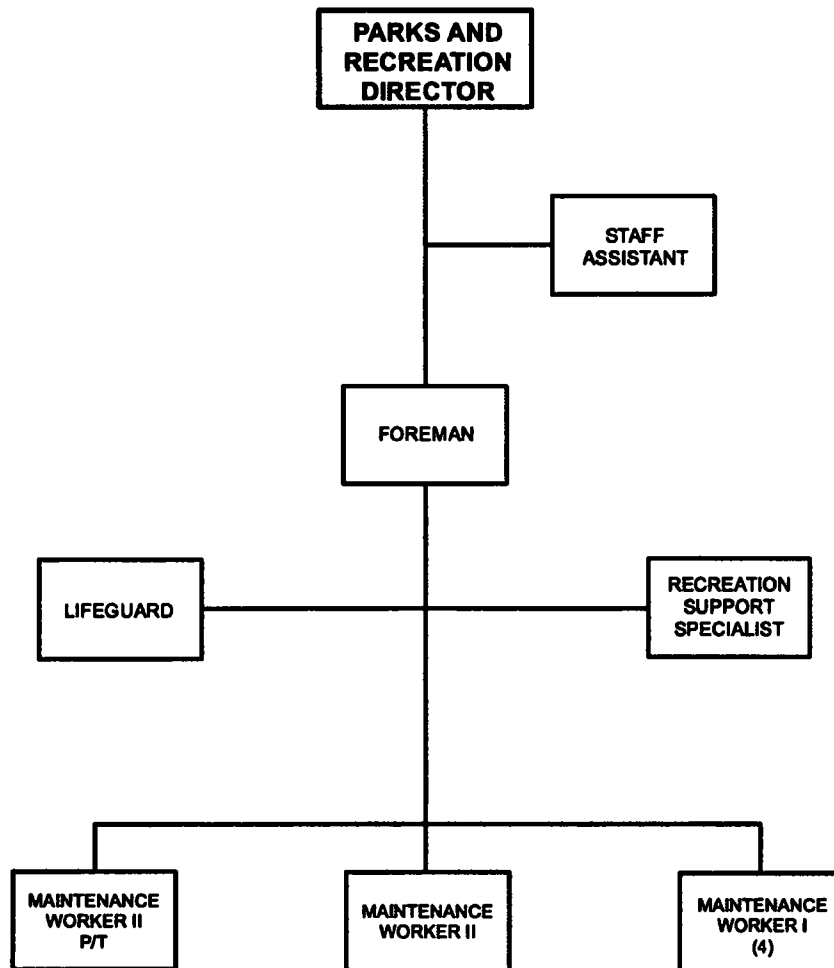
# CITY OF CLERMONT



# **PARKS AND RECREATION DEPARTMENT FISCAL YEAR 2013 - 2014**



**City of Clermont**





March 11th, 2013

Lake County Rowing Association, Inc.  
Deborah K. Kiely – President  
c/o Bret Jones PA  
700 Almond St.  
Clermont, FL 34711

David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778

Dear Mr. Heath,

It is the intent of Lake County Rowing Association to host events that would positively impact economic development in Lake County. Hosting training, clinics and regattas benefits the association by allowing it to grow and benefits Lake County as host. We will work with the City and County to market and execute activities. Here is an excerpt from our by-laws:

**2.2 Specific.** The specific purpose for which the Corporation is formed is to educate the public about non-motorized boats and rowing sports; to increase community involvement in the same while at the same time effectuating the economic development of Lake County through recruiting and coordinating athletic events; and, to undertake such activities as will further the general purposes described herein. The nature of the activities to be conducted by the Corporation shall include, but are not limited to, the following:

- (a) Effectuate the economic development of Lake County by recruiting and coordinating sports events in cooperation with other tourism-related groups, companies and individuals. In furtherance of the same, the Corporation shall host at least one (1) rowing regatta per year in Lake County, Florida.**
- (b) Sharing with the general public, groups, tourism-related companies, organizations, agencies, individuals, and sports organizations about the mission, activities and purpose of the Corporation.**
- (c) Educating youth about non-motorized boats and rowing sports.**
- (d) Providing a platform for youth to compete for collegiate scholarships in rowing sports.**
- (e) Encouraging cooperative efforts to increase the positive effects of recreation, physical fitness and sports.**

- (f) Recruiting and help others recruit amateur athletic competitions that directly or indirectly promote overnight visitors to the area.
- (g) Cooperating and collaborating with local elected officials and agencies about the activities taken or planned for by the Corporation and to seek input from these groups or individuals in determining future Corporation activities.
- (h) Informing the appropriate local or state agencies and governmental bodies about the need for increased financial support of the Corporation's efforts along with increased focus on support for public recreation and sports facilities, physical fitness, and sports activities for citizens in our county.
- (i) Sponsoring sports training, recreation, physical fitness and sports workshops, clinics, conferences and other similar activities that directly or indirectly promote overnight visitors to the area.
- (j) Helping develop, foster and create services, facilities, and programs for physical fitness, recreation and sports for citizens in Lake County.
- (k) Encouraging local governments and communities to develop local physical fitness and recreation programs and amateur athletic competitions.
- (l) Enlisting the support of individuals, civic groups, governmental amateur sports associations and others with similar interests and goals as the Corporation.

Sincerely,

*Deborah K. Kiely*

Deborah Kiely  
President  
Lake County Rowing Association, Inc.

CC: Lake County Commissioners

# **COMPLETE BUDGET OUTLINE**

**BUDGET**



In all boats, with the exception of single sculls, each rower is numbered in sequential order, low numbers at the bow, up to the highest at the stern. The person seated on the first seat is called the bowman, or just 'bow', whilst the rower closest to the stern is called the 'strokeman' or just 'stroke'. There are some exceptions to this – some UK coastal rowers, and in France, Spain, and Italy rowers number from stern to bow.

# LAKE COUNTY ROWING

## Boathouse Budget

Quoted by Evergreen Construction

| Description                                         | Total         |
|-----------------------------------------------------|---------------|
| General Conditions & Design                         | \$ 58,913.32  |
| Sitework                                            | \$ 42,877.00  |
| Landscaping & Irrigation                            | \$ 16,202.10  |
| Concrete                                            | \$ 52,202.88  |
| Masonry                                             | \$ 39,872.96  |
| Steel                                               | \$ 2,650.00   |
| Carpentry                                           | \$ 54,960.04  |
| Metal Roofing System                                | \$ 60,749.02  |
| Waterproofing Sealants                              | \$ 2,650.00   |
| Windows & Doors                                     | \$ 15,370.00  |
| Painting                                            | \$ 46,173.60  |
| Specialties                                         | \$ 3,710.74   |
| Plumbing                                            | \$ 26,394.00  |
| Electrical                                          | \$ 37,100.00  |
| Subtotal                                            | \$ 459,825.66 |
| Bond                                                | \$ 6,897.38   |
| Evergreen Total Construction Costs Subtotal         | \$ 466,723.04 |
| ** See Evergreen Quote attached                     |               |
| 10% Contingency for cost escalations                | \$ 45,985.56  |
| 3,000 square foot Concrete Multipurpose Outdoor Pad | \$ 14,310.00  |
| Outdoor Fenced in Area                              | \$ 7,000.00   |
| Permits                                             | \$ 1,913.00   |
| Impact Fees (water, water meter, sewer)             | \$ 3,670.00   |
| Connection of Utility Services                      | \$ 5,000.00   |
| Grand Total                                         | \$ 544,601.60 |

\* Above construction quote provided by Evergreen Construction Management in Leesburg, FL.

\*\* Does not include design/architecture fees of \$26,500



**BUY BUILD  
BELIEVE Lake**

April 11, 2013

David Teske, Parks & Recreation Director  
City of Clermont  
685 West Montrose Street  
Clermont, FL 34711

Subject: Conceptual Boathouse Estimate

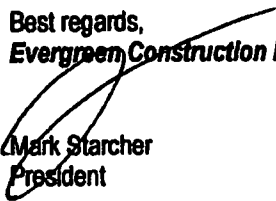
David,

We have completed an estimate for the 96' x 45' boathouse based on a preliminary design containing bathrooms and aesthetic features similar to other buildings in the Lake Minneola area. Our summary of costs are as follows:

|                          |                  |
|--------------------------|------------------|
| General Conditions       | 58,913.32        |
| Sitework                 | 42,877.00        |
| Landscaping & Irrigation | 16,202.10        |
| Concrete                 | 52,202.88        |
| Masonry                  | 39,872.96        |
| Steel                    | 2,650.00         |
| Carpentry                | 54,960.04        |
| Metal Roofing System     | 60,749.02        |
| Waterproofing Sealants   | 2,650.00         |
| Windows & Doors          | 15,370.00        |
| Painting & Epoxy Floors  | 46,173.60        |
| Specialties              | 3,710.74         |
| Plumbing                 | 26,394.00        |
| Electrical               | <u>37,100.00</u> |
| Subtotal                 | 459,825.66       |
| Bond                     | <u>6,897.38</u>  |
| Total                    | 466,723.04       |

We recommend adding a 10% contingency for cost escalations in the next 12 months. Please contact me if we can provide any further information regarding this project.

Best regards,  
**Evergreen Construction Management, Inc.**

  
Mark Starcher  
President



# PETERSON | ARCHITECTS

156 Mount Auburn Street  
Cambridge Massachusetts 02138  
Tel. 617.354.2268

www.peterson-architects.com  
info@peterson-architects.com

## ESTIMATED COST Construction Budget prepared by Marois Construction, South Hadley MA

Updated 14 March 2013

### 96' long Simple Boathouse Budget

Budget assumes a construction phase of 8 weeks. Outlined below are the values we have found associated with the scope provided by your office:

|                                       |                   |
|---------------------------------------|-------------------|
| • Project Management & Coordination:  | \$ 23,400         |
| • Quality Requirements                | \$ 5,000          |
| • Temporary Facilities & Construction | \$ 5,450          |
| • Execution & Close-Out Requirements  | \$ 11,500         |
| • Concrete                            | \$ 42,000         |
| • Metal Fabrications                  | \$ 1,500          |
| • Rough Carpentry                     | \$ 51,000         |
| • Thermal Protection                  | \$ 11,500         |
| • Steep Slope Roof                    | \$ 23,500         |
| • Siding & Exterior Trim              | \$ 32,000         |
| • Flashing & Sheet Metal              | \$ 3,500          |
| • Doors & Frames                      | \$ 12,000         |
| • Window Installation                 | \$ 4,200          |
| • Exterior Painting                   | \$ 1,500          |
| • Interior Painting                   | \$ 1,500          |
| • Electrical                          | \$ 52,000         |
| • Skylight Option                     | \$ 40,000         |
| • Bathrooms Option                    | \$ 49,700         |
| • <u>Timberpeg Package</u>            | <u>\$ 248,000</u> |

Grand Total \$ 618,890

Sitework will vary between projects and is not included.

Construction contingency is not included. It is recommended that the owner carry a 10% contingency for unforeseen issues.

We provide an estimate of costs to provide general guidance as to the ballpark cost of the Simple Boathouse. It is important to note that there may be substantial variation in the actual costs due to regional cost differences, different contracting approaches, and the specific design choices made for different buildings. Following is an explanation of the scope of the line items. Note that this is a construction cost estimate and does not include any necessary engineering costs, furnishings (i.e. boat racks) or other costs not explicitly identified. This estimate was prepared by Marois Construction of South Hadley, MA and represents costs at that location.

# LAKE COUNTY ROWING

## Regatta Infrastructure & Equipment Budget

| Number<br>of Items | Description                                            | Item<br>Cost       | Sub<br>Total         |
|--------------------|--------------------------------------------------------|--------------------|----------------------|
|                    | <b>Boat Dock for Regattas &amp; Training</b>           |                    |                      |
| 1                  | 300 Feet x 12 Feet Floating Dock ** Quote attached     |                    | \$ 111,556.00        |
| 1                  | Install of Dock System, Ramps, Supports & Anchoring    |                    | \$ 15,000.00         |
|                    |                                                        | <b>Sub Total</b>   | <b>\$ 126,556.00</b> |
|                    |                                                        |                    |                      |
|                    | <b>Full Rowing Course for Competitions</b>             |                    |                      |
| 9                  | Lane Lines - 100% Stainless Steel Cable and Lugs       | \$ 3,100.00        | \$ 27,900.00         |
| 7                  | Laterals - 100% Stainless Steel Cable and Lugs         | \$ 500.00          | \$ 3,000.00          |
| 1,530              | Buoys - Can Buoys White                                | \$ 3.00            | \$ 4,590.00          |
| 400                | Buoys - Can Buoys Red                                  | \$ 3.50            | \$ 1,400.00          |
| 1928               | Leaders for Can Buoys with Stainless Steel Clips       | \$ 2.75            | \$ 5,302.00          |
| 32                 | Rope Locks                                             | \$ 70.00           | \$ 2,240.00          |
| 19,928             | Feet 1/8" Stainless Steel Extender Cable - For Anchors | \$ 0.24            | \$ 4,783.00          |
| 31                 | Anchors                                                | \$ 50.00           | \$ 1,200.00          |
| 24                 | Marker Buoys                                           | \$ 60.00           | \$ 1,550.00          |
| 1                  | Maintenance Kit                                        | \$ 500.00          | \$ 500.00            |
| 1                  | Electric Winder                                        | \$ 2,600.00        | \$ 2,600.00          |
| 1                  | Shipping                                               | \$ 1,500.00        | \$ 1,500.00          |
|                    | Installation and Training                              |                    | \$ 7,000.00          |
|                    | Training Tech Travel & Expenses                        |                    | \$ 2,000.00          |
|                    |                                                        | <b>Sub Total</b>   | <b>\$ 65,565.00</b>  |
|                    |                                                        |                    |                      |
|                    | <b>Support Items</b>                                   |                    |                      |
| 4                  | Launches                                               | \$ 5,000.00        | \$ 20,000.00         |
| 5                  | Indoor/Outdoor Racks                                   | \$10,000.00        | \$ 10,000.00         |
| 12                 | Ergonometers                                           | \$ 1,350.00        | \$ 16,200.00         |
| 5                  | Spectator Bleachers                                    | \$ 4,059.00        | \$ 20,295.00         |
|                    |                                                        | <b>Sub Total</b>   | <b>\$ 66,495.00</b>  |
|                    |                                                        |                    |                      |
|                    |                                                        | <b>Grand Total</b> | <b>\$258,616.00</b>  |
|                    |                                                        |                    |                      |

AccuDock  
1790 SW 13th CT  
Pompano Beach, FL 33069



Estimate

Date

Estimate #

4/11/2013

2703

**Bill To**

Clermont Parks & Recreation  
David Teske  
685 West Montrose St  
Clermont, FL 34711  
352-241-7351

**Ship To**

Clermont, FL

| Description                                                                     |                |                    |                  | Qty          | Cost     | Total        |
|---------------------------------------------------------------------------------|----------------|--------------------|------------------|--------------|----------|--------------|
| Estimate for two 12' x 150' x 6" Low Profile Rowing Docks                       |                |                    |                  |              |          |              |
| Rowing Docks                                                                    |                |                    |                  |              |          |              |
| 5' x 6' x 6" Framed Float (60 each)                                             |                |                    |                  | 120          | 640.00   | 76800.00T    |
| S-style connector with bumpstrip (59 each)                                      |                |                    |                  | 118          | 32.00    | 3,776.00T    |
| S-Style Connector w/ Frame add-on (1 each)                                      |                |                    |                  | 2            | 32.00    | 64.00T       |
| Accudock Bump Strip installed - Beige (312' each along both sides and face)     |                |                    |                  | 624          | 8.00     | 4,992.00T    |
| Eco Mooring elastic rode with helix anchor and cleat for dock securing (6 each) |                |                    |                  | 12           | 499.00   | 5,988.00T    |
| Access Aluminum Ramps                                                           |                |                    |                  |              |          |              |
| 8' x 12' Aluminum Ramp with Aluminum non skid decking (1 each)                  |                |                    |                  | 2            | 3,849.00 | 7,698.00T    |
| 8' Landside Hinge Plate (1 each)                                                |                |                    |                  | 2            | 699.00   | 1,398.00T    |
| 8' Dock Side Connection/Hinge Plate (1 each)                                    |                |                    |                  | 2            | 699.00   | 1,398.00T    |
| Compensation float needed for additional gangway support (1 each)               |                |                    |                  | 2            | 499.00   | 998.00T      |
| Hinging mounting bracket for compensation float (1 each)                        |                |                    |                  | 2            | 499.00   | 998.00T      |
| Order Subtotal prior to discount and shipping                                   |                |                    |                  |              |          | 104110.00    |
| Shipping/delivery to Clermont, FL - two full flatbed trucks                     |                |                    |                  |              | 1,200.00 | 1,200.00     |
| Phone #                                                                         | Fax #          | E-mail             | Web Site         | Subtotal     |          | \$105,310.00 |
| (954) 785-7557                                                                  | (954) 784-9144 | sales@accudock.com | www.accudock.com | Sales Tax... |          | \$6,246.60   |
| Estimate pricing valid for 30 days from date above                              |                |                    |                  | Total        |          | \$111,556.60 |

Customer Signature \_\_\_\_\_

# **LAKE COUNTY ROWING**

## **Design & Project Management Budget**

|                               |              |
|-------------------------------|--------------|
|                               |              |
| <b>Description</b>            | <b>Total</b> |
| Architect, Project Management | \$26,500.00  |
|                               |              |
|                               |              |

**\* Fees provided by Evergreen Construction**

**SUPPORT**



The distinction between rowing and other forms of water transport, such as canoeing or kayaking, is that in rowing the oars are held in place at a pivot point that is in a fixed position relative to the boat, this point is the load point for the oar to act as a second class lever (the blade fixed in the water is the fulcrum). Racing boats also have sliding seats to allow the use of the legs in addition to the body to apply power to the oar. The rowing boats require oars on either side to prevent them from rolling over.



**CONGRESSMAN DANIEL WEBSTER**  
10TH CONGRESSIONAL DISTRICT OF FLORIDA

March 15, 2013

David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778  
CC: Lake County Commissioners

Dear Mr. Heath:

This is a letter of support in the development of a new rowing facility by the City of Clermont on Lake Minneola, in Lake County, Florida. I believe this new rowing facility will establish a quality sport that can bring in wonderful opportunities for economic development for locals, regional visitors and national guests to Lake County. This addition of a rowing competition and training facility will leave a lasting legacy for rowing and economic impact for many years to come.

I am very excited for this project and hope Lake County will support this endeavor.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Webster", written in a cursive style.

Daniel Webster  
Member of Congress



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**SENATOR ALAN HAYS**  
11th District

**COMMITTEES:**  
Appropriations Subcommittee on General Government, *Chair*  
Children, Families, and Elder Affairs, *Vice Chair*  
Governmental Oversight and Accountability, *Vice Chair*  
Appropriations  
Appropriations Subcommittee on Criminal and Civil Justice  
Banking and Insurance  
Commerce and Tourism

**JOINT COMMITTEES:**  
Joint Select Committee on Collective Bargaining, *Co-Chair*  
Joint Legislative Auditing Committee  
Joint Legislative Budget Commission

February 22, 2013

David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778

Dear Mr. Heath:

It is a privilege to write this letter of support for a new rowing facility located in Clermont, Florida. The potential of this facility to add economic development to Lake County and the State of Florida is very exciting. I feel that a new boat house and competition rowing course has the potential to make Clermont and Lake County a rowing destination for training and competitions.

The addition of this new rowing facility could be a real jewel in Lake County and will be used by many of our residents, regional visitors, and out of state guests for many years to come. I hope Lake County will support this endeavor.

Sincerely,

D. Alan Hays, DMD  
Senator  
Florida Senate District 11

DAH/rh

*I can envision hundreds of college rowing athletes in competition there every spring!*

**REPLY TO:**

- 871 South Central Avenue, Umatilla, Florida 32784-8280 (352) 742-6441
- 1104 Main Street, The Villages, Florida 32159 (352) 380-8739 FAX: (352) 380-8748
- 320 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5011

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**DON GAETZ**  
President of the Senate

**GARRETT RICHTER**  
President Pro Tempore



# **Florida House of Representatives**

## **Representative Larry Metz**

### **District 32**

**District Office:**  
193 Cherry Valley Trail  
Groveland, FL 34736-3645  
(352) 989-9134  
(352) 989-9136(fax)

Email: [Larry.Metz@myfloridahouse.gov](mailto:Larry.Metz@myfloridahouse.gov)

**Capitol Office:**  
417 House Office Building  
402 South Monroe Street  
Tallahassee, FL 32399-1300  
(850) 717-5032

April 8, 2013

Mr. David Heath  
County Manager  
Lake County Board of Commissioners  
315 West Main Street  
Tavares, FL 32778

Dear Mr. Heath:

It has come to my attention that the City of Clermont is interested in developing a rowing facility within its limits, on Lake Minneola. Commissioner Parks has spoken about this in the past, and I think it is a good idea. Not only would organized rowing activities capitalize on our unique lakes, but such activities would have a positive economic development impact to Lake County. Once established, a rowing facility would augment nicely the recently unveiled economic development branding for South Lake County centered on health and wellness. One can only imagine the many participants, friends and families that will be visiting South Lake County for training and competitions on our beautiful lakes! Without a doubt this type of activity will help generate additional business for our existing business establishments and also favorably impact new business development and job creation.

I encourage Lake County to consider supporting this concept and, if you and the commissioners agree, to assist in making this vision of The City of Clermont's a reality. If I can be of any assistance please feel free to contact me. Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read "Larry Metz".

Larry Metz  
Representative, District 32

LEM/jlw



March 18, 2013

David Teske  
Recreation Director  
City of Clermont  
685 West Montrose Street  
Clermont, FL 34711  
(via email: [dteske@clermontfl.org](mailto:dteske@clermontfl.org))

Dear Mr. Teske:

I write to you as the CEO of the United States Rowing Association (USRowing) in support of the Lake County Rowing Association's proposal to develop a rowing club and regatta site in Lake County, Florida. USRowing is the national governing body of the sport of rowing as recognized by the United States Olympic Committee.

USRowing has followed Lake County Rowing Association's plans in the Lake Minneola/ Clermont area of Lake County with great interest. Late in 2012, I made a trip to the area personally to visit several lakes and waterfront locations. What I found was a fantastic opportunity for the future development of rowing and regatta sites in your county.

Rowing is a growth sport in America with a heavy emphasis on female and youth participation as well as a sport dedicated to the issues of access and diversity. Waterway communities across the nation have embraced new programs and investment in the sport at locations from Oakland to Oklahoma City and Boston to Sarasota. The state of Florida is among the highest growth areas in the country for rowing, with youth programs expanding nearly three fold in the past decade.

Lake County's central location provides a unique advantage in hosting events for the rowing community. Several of the park sites adjacent to waterways make for an easily accessible regatta location. USRowing has many examples to demonstrate the economic impact, public health results and positive sense of community that boathouses, regattas and rowing in general bring to cities across the country.

We believe in Lake County Rowing Association's proposal to develop a boathouse and regatta site will provide great services and events in your community and we fully support this project.

Sincerely,

Glenn Merry  
Chief Executive Officer  
USRowing

United States Rowing Association  
2 Wall Street, Princeton, New Jersey 08540, 609-751-0700 phone



March 12, 2013

David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778  
CC: Lake County Commissioners

Dear Mr. Heath:

It is with great enthusiasm that the Central Florida Sports Commission joins in endorsing the City of Clermont and Lake County Rowing Association's proposal to develop a training facility, including a boathouse to host national rowing event opportunities.

The Central Florida Sports Commission is a non-profit, private organization created to attract international, national and regional events and sports-related business and activities to the Lake County community. The Sports Commission is our community's clearinghouse and first point of contact for sports and sports-related activities and we are committed to developing and enhancing the Lake County sports brand.

The construction of more sports related facilities in Lake County will not only enhance the Sports Commission's efforts in attracting sports related groups to the county, but more importantly establishes Lake County as a national rowing destination for team training and events.

Again, the Sports Commission supports the City of Clermont and Lake County Rowing Association's proposal and looks forward to working with all involved on this project when the time becomes appropriate.

Sincerely,

A handwritten signature in black ink, appearing to read "John Bisignano", with a stylized flourish at the end.

John Bisignano  
President / CEO  
Central Florida Sports Commission

126 East Lucerne Circle, Orlando, FL 32801  
tel 407 648 4900 fax 407 649 2072

Providing economic development through sports to Lake, Orange,  
Osceola, Seminole & Volusia counties, and the City of Orlando.

[WWW.CENTRALFLORIDASPORTS.ORG](http://WWW.CENTRALFLORIDASPORTS.ORG)





March 11th, 2013

Lake County Rowing Association, Inc.  
Deborah K. Kiely – President  
c/o Bret Jones PA  
700 Almond St.  
Clermont, FL 34711

David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778

Dear Mr. Heath,

On behalf of the Lake County Association and its board, we strongly endorse the proposal to bring events and activities related to rowing to Lake County.

We are an established 501(c)(3) non-profit (FEIN 45-4307960) managed by board of directors and supported by its officers, committees and coaches. We currently have both a masters (adult) rowing team and a youth rowing team under the Lake County Rowing Association umbrella. We have members who have been rowing on Lake County Lakes for more than a decade who have contacts in the rowing community within US Rowing national organization and its hundreds of members nationwide. We are positioned to manage and execute regattas, clinics and training activities.

Lake County has a unique opportunity to share its best natural resource; beautiful, warm, open, clean lakes. We look forward to partnering with you to promote this resource.

Sincerely,

*Deborah K. Kiely*

Deborah Kiely  
President  
Lake County Rowing Association, Inc.

CC: Lake County Commissioners



March 15, 2013

David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778

CC: Lake County Commissioners

Dear Mr. Heath:

Please find this letter of support for the City of Clermont's efforts to uniquely differentiate itself from competitor cities across the county in the area of sports tourism. The city of Clermont is wise to leverage its natural strengths to position itself as a leader in the aquatic sports space. By developing a strategy focused on leveraging the natural assets of Clermont's lakes for a world class rowing venue is a smart one.

As a city you can focus on deepening your relationships with US Rowing as well as other third party event rights holders who will see Lake County's beauty, proximity to a world class airport, world class attractions and a visible commitment to their sport. Focusing on a few sports will allow staff and community to gain alignment on purpose, build valuable networks in the sport and build community pride.

I believe the citizens who already take advantage of the lakes will find this one more treasure for their city as well as entice additional families to look upon Clermont as a wholesome and healthy living community and one to consider for relocation.

Good luck with your pursuit on this project

Mike Millay  
Chairman  
Central Florida Sports Commission

126 East Lucerne Circle, Orlando, FL 32801  
tel 407 648 4900 fax 407 649 2072

Providing economic development through sports to Lake, Orange,  
Osceola, Seminole & Volusia counties, and the City of Orlando.

[WWW.CENTRALFLORIDASPORTS.ORG](http://WWW.CENTRALFLORIDASPORTS.ORG)







691 W. Montrose St.  
Clermont, FL 34711  
Phone 352.394.4191  
Fax 352.394.5799

---

March 14, 2013

David Heath, Lake County Manager  
315 W. Main St.  
PO Box 7800  
Tavares, Fl. 32778

Dear David:

The Sports and Tourism Committee of the South Lake Chamber of Commerce was formed to be a resource and advocate for local businesses, individuals and organizations that are interested in having a positive economic impact within our communities through sports and/or tourism initiatives. A rowing presence in South Lake has been on our Committee's radar screen for two years.

South Lake County offers many ideal amenities to the rowing community – with the most important being the lakes within our boundaries. The sport of rowing fits naturally in the landscape of our lakes. It is a great sport that attracts fans across many age groups and promotes a healthy, active lifestyle for area residents, as well.

Our Committee and Board understand that a vibrant rowing organization and physical presence can create a new sports niche for the South Lake cities and towns, attracting rowers and events that would could emanate perfectly from Clermont's Waterfront Park on Lake Minneola and grow from there.

Regattas tend to draw affluent attendees as spectators and participants. These people are likely to travel with their families and stay for two to three days in the area where the regatta takes place. Experts say these visitors, who might not otherwise come here if not for rowing, will spend an average of \$100 per person per day.

Our Board of Directors encourages Lake County government to support Clermont in its efforts to develop rowing infrastructure, including a boat house on Lake Minneola, so that this new sporting effort for this area can be the catalyst in establishing a significant Central Florida rowing presence here in Lake County.

Sincerely,

Robert Thompson, Chairman  
Board of Directors

CC: County Commissioners



1900 Don Wickham Drive  
Clermont, FL 34711  
352.394 4071  
southlakahospital.com

March 8, 2013

David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778  
CC: Lake County Commissioners

Re: Letter of support for developing a rowing facility in the City of Clermont  
on Lake Minneola, Lake County, Florida

Dear Mr. Heath:

South Lake Hospital would like to show its support and encouragement for proposed new rowing facility in Clermont, Florida. We have recently adopted our new campus and community vision "LiveWell," which aligns our goal of creating an active, healthy community with the aspects the sport of rowing would bring to the area. Rowing provides opportunities for local residents and is an economic driver bringing visitors to the South Lake area. On the LiveWell Campus, we have seen the immense economic impact of visiting athletes coming to compete and train on a year-round basis and can see rowing adding to this economic impact for years to come.

On behalf of the hospital, we hope that Lake County will support the development of this project. Thank you for your focus on this positive initiative for our community.

Sincerely,

  
John A. Moore  
President



March 14, 2013

David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778

Dear Mr. Heath,

On behalf of the Stetson University Rowing Program, we support the proposal to bring rowing events and activities to rowing to Lake County.

Clermont is centrally located within the state of Florida and affords easy travel from all parts. We understand that there is a plan to install a 2k regatta course that will be viewable in its entirety from shore. In addition, there is ample room and ease of access to host a 5k head race.

We encourage the growth of rowing and its benefits to youth and adult rowers. We would strongly consider attending regattas or events in Lake County.

Sincerely,

*Mark Wilson*

Mark Wilson  
Stetson University Rowing  
mrwilson@stetson.edu  
386-822-8102

CC: Lake County Commissioners



**March 20, 2013**

**David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778**

**Dear Mr. Heath,**

**On behalf of the Miami Rowing and Watersports Center, I want to advise you of our support for the proposal to bring rowing events and activities to Lake County.**

**Clermont is centrally located within the state of Florida and affords easy travel from all parts. We understand that there is a plan to install a 2k regatta course that will be viewable in its entirety from shore. In addition, there is ample room and ease of access to host a 5k head race.**

**We encourage the growth of rowing and its benefits to youth and adult rowers. We welcome a new rowing venue and would strongly consider attending regattas or events in Lake County.**

**Sincerely,**

A handwritten signature in black ink, appearing to read 'Sunny McLean', written in a cursive, flowing style.

**Sunny McLean  
Coordinator, Master Women  
Miami Rowing and Watersports Center  
305-668-0413**

**CC: Lake County Commissioners**



**David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778**

**Dear Mr. Heath,**

**On behalf of the Manatee County Youth Rowing, we support the proposal to bring rowing events and activities to rowing to Lake County.**

**Clermont is centrally located within the state of Florida and affords easy travel from all parts. We understand that there is a plan to install a 2k regatta course that will be viewable in its entirety from shore. In addition, there is ample room and ease of access to host a 5k head race.**

**We encourage the growth of rowing and its benefits to youth and adult rowers. We would strongly consider attending regattas or events in Lake County.**

**Sincerely,**

*Trish Jackson*

**Trish Jackson  
Head Coach  
Manatee County Youth Rowing  
Palmetto High School  
Manatee High School  
Southeast High School**

**March 21, 2013**

**Jim Preston  
2371 Terence Court  
Clearwater, FL 33759**

**David Heath  
Lake County Manager  
315 West Main Street  
Tavares, FL 32778**

**Dear Mr. Heath,**

**I have been involved in Florida rowing dating back to 1976, and currently compete as a masters rower, and coach junior and masters rowers. I write in support of the proposal to bring rowing facilities, events and activities to Lake County.**

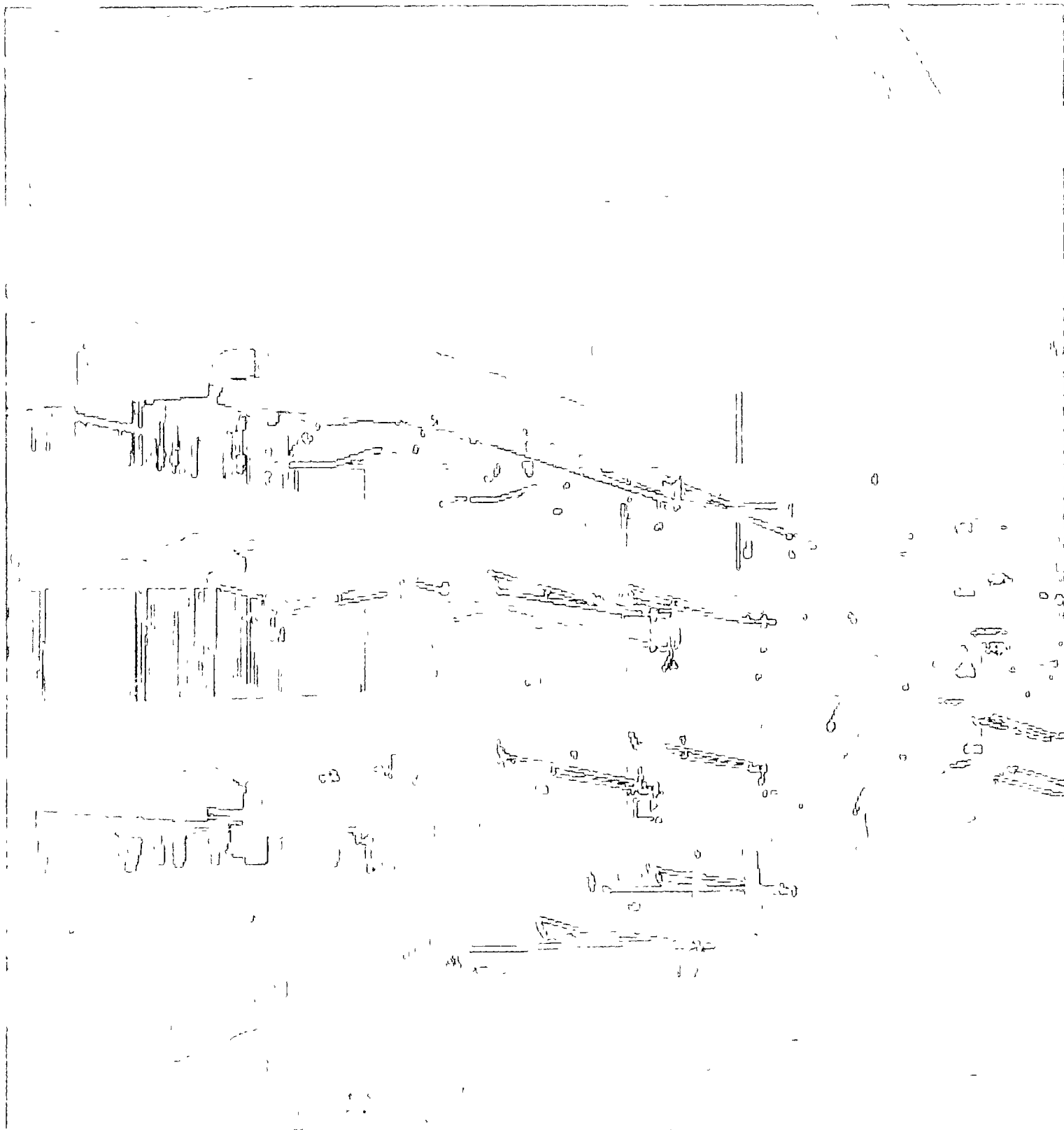
**It is my understanding that there is a plan to develop a 2000 meter regatta course and other rowing facilities in the Clermont area. This central location would provide an ideal venue for statewide competition, as well as for the development of the sport in Lake County. I have witnessed the tremendous growth of our sport in Florida, and have reviewed data revealing a significant financial impact benefitting communities which have hosted regattas. Youth and masters rowers also benefit greatly from the fitness and discipline rowing develops. Lake County will be well served in advancing the proposal.**

**I am confident in my belief that competitive rowers from the Tampa Bay area would join me in welcoming another race course in Florida and would strongly consider attending regattas held in Lake County. Please support plans to enhance rowing in your community.**

**Sincerely**

**Jim Preston  
Tampa Rowing Club  
Tampa Preparatory School, Asst. Coach**

**CC: Lake County Commissioners**



**SCHEMATIC DESIGN OF THE PROJECT INCLUDING  
BOATHOUSE & COURSE**

Racing boats are stored in boat houses. These are specially designed storage areas which usually consist of a long two-story building with a large door at one end which leads out to a pontoon or slipway on the river or lakeside. The boats are stored on racks (horizontal bars, usually metal) on the ground floor. Oars, riggers, and other equipment is stored around the boats. Boat houses are typically associated with rowing clubs and include some social facilities on the upper floor: a cafe, bar or gym.



# PETERSON | ARCHITECTS

1132 Massachusetts Avenue  
Cambridge Massachusetts 02138  
617.354.2268 617.354.2825 fax

## THE SIMPLE BOATHOUSE

---

DESIGNED WITH **TIMBERPEG®**  
The Artisans of Post & Beam.



# PETERSON ARCHITECTS

1132 Massachusetts Avenue  
Cambridge Massachusetts 02138  
617.354.2268 617.354.2825 fax

## THE SIMPLE BOATHOUSE



Peterson Architects has designed a boathouse building for which Timberpeg will provide a package that includes: the timber frame, wall insulation and sheathing, windows, wall cladding (i.e. clapboard or shingles), trim and roof insulation and sheathing. Other items necessary to fit out the building are not included in the Timberpeg package: site work, foundation and slab, doors, roof finish, interior finishes (little is necessary) and mechanical, electrical and plumbing (if bathrooms are included). Some modifications or additions to the building are also possible.

This approach allows most of the design costs to be absorbed into the package cost and thus spread across a number of projects.

As a part of the Simple Boathouse package, Timberpeg will draw and provide the frame, the outside wall and roof structure, and will provide structural engineering for these elements. In addition, Peterson Architects will provide lighting diagrams and a basic bathroom layout (if desired) for incorporation into the project. Note that this does not include engineering of the foundation, or mechanical, electrical or plumbing engineering. Some of this minor engineering may be necessary, although costs should be limited. Peterson Architects can assist with

this, or also provide any modifications to the baseline building on an additional cost basis.

A general contractor would assemble the Timberpeg package and incorporate the other items necessary to finish out the building.

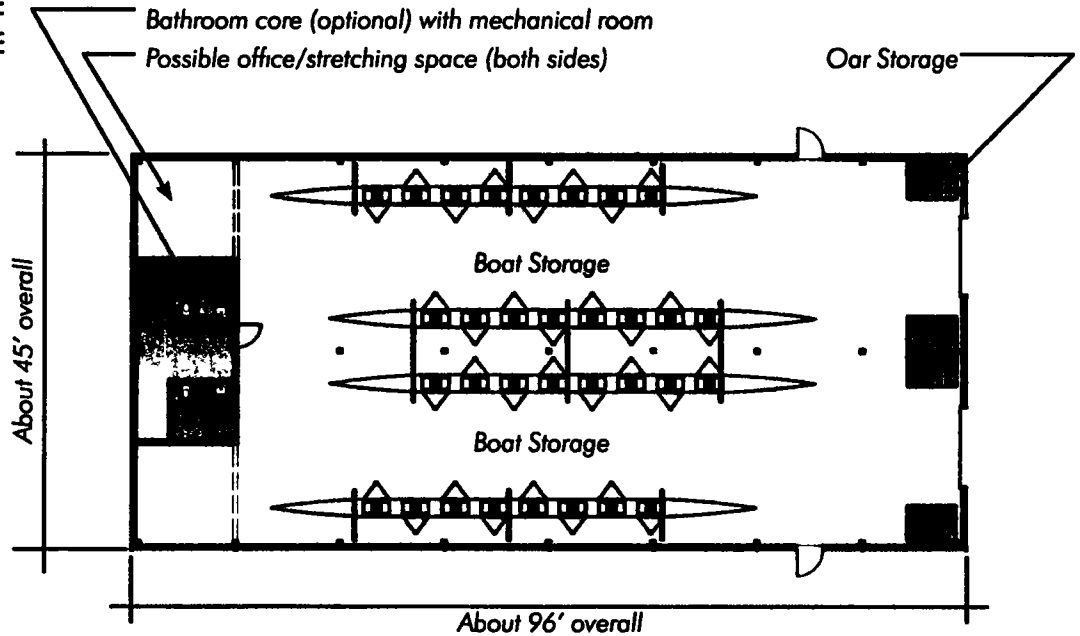
The "baseline" building is 96' long, which can allow for extra building spaces (offices, ergs, bathrooms). However, the length of the Simple Boathouse can be modified to meet different needs. For example, the building can be reduced to 84', which will still allow for the storage of eights on both sides of each bay, but which has less room for offices or other spaces. The building can be shortened for small boat use, or for non-rowing uses as well. Peterson Architects will be glad to look at boat storage layout options if desired.

For additional information, please contact Jeff Peterson at 617-354-2268.

# PETERSON ARCHITECTS

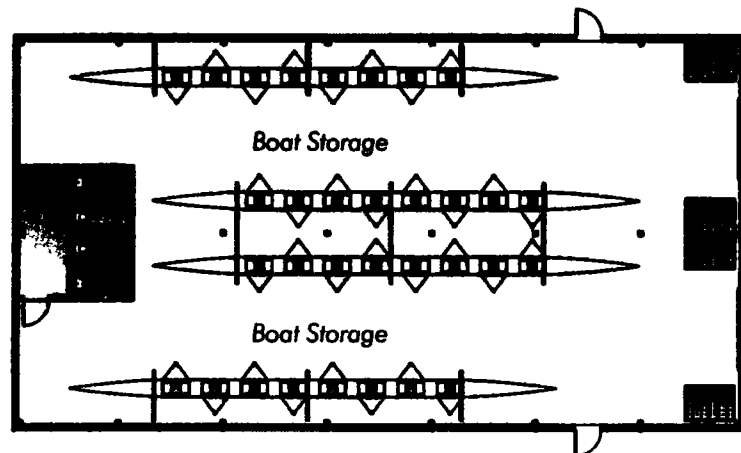
1132 Massachusetts Avenue  
Cambridge Massachusetts 02138  
617.354.2268 617.354.2825 fax

## 96' SIMPLE BOATHOUSE



The 96' long Simple Boathouse can include a small bathroom core and additional space that can serve as offices or stretching space.

## 84' SIMPLE BOATHOUSE



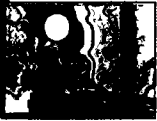
To economize, an 84' long Simple Boathouse can house 20 eights and still has room for two toilets, if desired.



2000 Meters; Finish at City Pier,  
Approximate alignment of original  
course

**2000 Meter Course**  
Alternative 1, Finish at City Pier.

**Ray and Associates**  
Planning & Environmental  
2712 SE 29th Street Ocala, Florida 34471  
352-425-8881 wrayassoc@aol.com

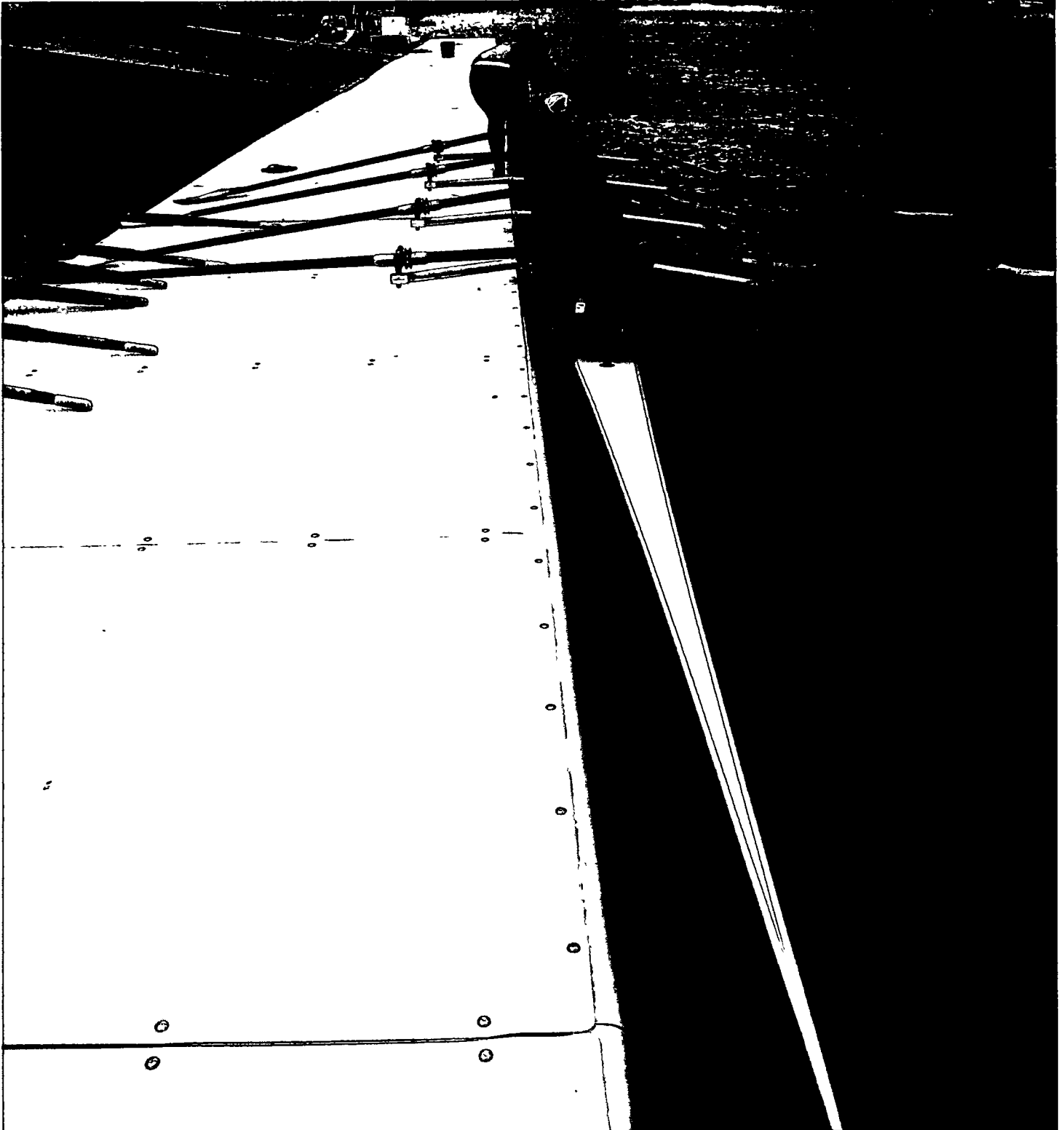


# **Lake Rowing Boat House**

## **One Option for Site on Lake Minneola**



## Lake Rowing Dock System



# WHY ROW



Racing boats (often called shells) are long, narrow, and broadly semi-circular in cross-section in order to reduce drag to a minimum. They usually have a fin towards the rear, to help prevent roll and yaw and to increase the effectiveness of the rudder. Originally made from wood, shells are now almost always made from a composite material (usually a double skin of carbon-fibre reinforced plastic with a sandwich of honeycomb material) for strength and weight advantages.



# Why Row?

## **A Good Question with Many Answers:**

People often ask rowers why they're so passionate about rowing. The answer is: lots of reasons. When you search the expression "Why Row?" you will get over 59 million hits.

## **Rowing is an incredible physical activity:**

1. Rowing combines a full-body fitness sport with a recreational activity, offering a complete physical and mental conditioning program all in one.
2. Rowing requires a minimum of skills to achieve, (you can learn to row in one afternoon), yet will remain a challenge throughout the years as you continue to improve.
3. People of all ages, sizes, and physical limitations can learn to row and achieve a level of accomplishment that is both physically beneficial and personally rewarding. Rowing is now recognized as an effective means of therapeutic conditioning used in various applications, from joggers with bad knees to those with physical handicaps.
4. Rowing puts you in a unique and refreshing atmosphere - far from the madding crowd - one that stimulates your senses while challenging your efforts.
5. You'll come to find that rowing never encourages boredom; that you'll actually look forward to your next row, whether it's to work out or work less. The fascinating sport of rowing, simply put, is a fun way to stay fit.

## **Rowing is FUN!**

Don't over analyze this - Rowing is fun. Ask the kids in the Junior program who do it. Kids and adults do it because they like it. They enjoy the sport and each other in a way that defies understanding. Joining a rowing club is a great way to meet new people and get in shape! Typical high or middle school students, middle-aged adults, and seniors alike enjoy getting in shape while working out with a bunch of other like-minded individuals. Most rowing clubs have members from 12 to 80 year olds, they have a broad range of interests, come from a range of backgrounds and experience - but they all love rowing.

## **Ok, So Let's Go Ahead and Analyze This Anyway:**

Rowing, also known as 'Crew', is the ultimate team sport. Success depends on all rowers giving their greatest possible effort. Mastering rowing requires:

- Harmony - because all the rowers must swing together in unison
- Balance - because the athletes and the boat and the water are moving
- Rhythm - because to do it well requires the timing and grace of a musician or dancer
- Power - because to move the boat as fast as possible requires significant effort
- Endurance - because all of this must be done to perfection for an extended period of time.

Done right, rowing looks graceful, elegant and sometimes effortless. But don't be fooled, according to the people who measure them, Olympic rowers are the world's most physically fit athletes. The sport demands endurance, strength, balance, mental discipline, and an ability to continue on when your body is demanding that you stop. Physically, rowing is a total body workout. Rowing only looks like an upper body sport. Although upper body strength is important, the power of the rowing stroke comes from the legs.

Athletes injured in other sports can find a home where they can continue to compete or work out safely. More than one football player, jogger, or tennis player has found a happy home in a boat. Rowers can continue to participate - including in competition - well into their 90's, and among women over 50, rowing is one of the fastest growing sports.

#### **Values, Role Models, and the Bigger Picture:**

Many parents like the fact that rowing strengthens a sense of duty and obligation to the team that is not as fully developed in other activities. An eight-oared crew can only go out if all eight rowers and the coxswain show up on time. Rowing reinforces the value of teamwork over an extended period for a common objective. Rowing teaches the value of deferred gratification, and mental toughness. It teaches young people to go beyond self-imposed limits.

You don't have to train for the Olympics - or even compete - to enjoy rowing. We have many members at the Stewards Foundation who never compete, but love to row and get out onto the water. If what you want is quiet exercise and a nice view of nature - rowing is where you can go. Want to look and feel better? Rowing strengthens your arms, legs, abdominals and torso, and firms your butt.

Being a high school rower can help you gain entrance to a better college. The best colleges in the country have active rowing programs. Many colleges do offer rowing scholarships, especially for women. Even if you do not compete at the next level having shown that you have the discipline and mental toughness to compete in rowing is impressive to any college.

Getting out on the water eases stress, promotes mental strength and mental health. Rowing with other people promotes teamwork. You can do it indoors, and you can do it outdoors. But most importantly - as we noted above - **the biggest reason that people row is because it's FUN!!!**

## ROWING 101

For most of its history, rowing has been a male dominated sport. Although rowing's roots as a sport in the modern Olympics can be traced back to the original 1896 games in Athens, it was not until the 1976 Summer Olympics in Montreal that women were allowed to participate — well after their fellow athletes in similar sports such as swimming, athletics, cycling, and canoeing.

# ROWING 101

Appraising a crew is perhaps the most difficult role that the expert has to play in sports. However, according to rowing experts, four major factors determine the run of a shell. These are: timing, form, power and conditioning.

Naturally, an excellent run, the distance a shell is propelled by one stroke cycle, is the effect sought by all crew coaches. So the first thing to perceive is whether a crew makes its shell move, that is, whether it has a good or a poor run.

Coaches will say that there are a lot of good crews, but many of them row differently, that is, their form varies. However, they all agree that the good crews have excellent timing. If the crew's timing is off, the boat won't run.

Look and see if all eight hit the catch together? That is, do their blades all enter the water together? Also, watch the bodies of the crew - see if they all move in unison, or if there is a break. The former naturally, spells results while a lack of uniformity means additional check, therefore retarding the run.

All good crews have power and drive, for it takes a certain amount of horsepower to move a giving weight through water, and of course, the athletes must be in top physical condition in order to keep their timing and form and power for the entire race.

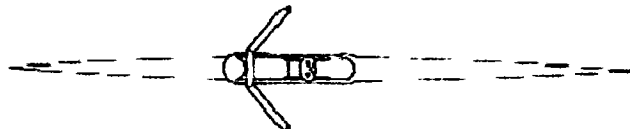
Crew coaches look for tall athletes, for they can apply additional leverage, get a longer reach. However, size is not everything, especially if the individual doesn't have other prerequisites - timing, form, power and condition.

## **Anatomy of Rowing**

### **Single**

#### **Boat Stats**

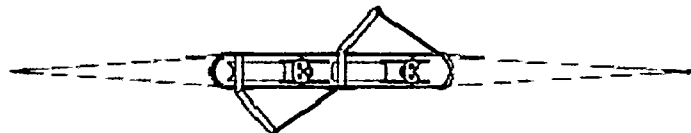
Length - 8.280 m  
Width - 0.280 m  
Depth - 0.170 m  
Weight - 14.5 kg



### **Double**

#### **Boat Stats**

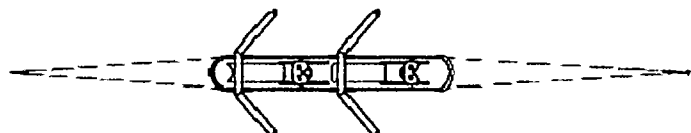
Length - 10.000 m  
Width - 0.383 m  
Depth - 0.195 m  
Weight - 28 kg



### **Double**

#### **Boat Stats**

Length - 10.000 m  
Width - 0.383 m  
Depth - 0.195 m  
Weight - 28 kg



#### **Cox/Pair**

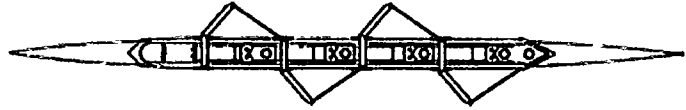
##### **Boat Stats**

Length - 12.900 m

Width - 0.490 m

Depth - 0.250 m

Weight - 59 kg



#### **Quad/Convertible**

##### **Boat Stats**

Length - 12.900 m

Width - 0.484 m

Depth - 0.225 m

Weight - 61 kg



#### **Eight**

##### **Boat Stats**

Length - 17.600 m

Width - 0.590 m

Depth - 0.285 m

Weight - 110 kg



## **The Ultimate Sport**

The boats for competition were traditionally made from wood, but are mostly fabricated from carbon fiber and plastic (ie. Kevlar).

Rowing shells are .280 meters to .590 meters wide and 8.280 meters to 17.600 meters long. A small fin is fitted at the bottom for stability. A rudder is attached to the fin or the stern (except for sculling boats). A white ball is attached to the bow (called a bow ball for safety measure, photo finish). A washboard prevents waves splashing aboard. Seats are fitted with wheels which slide on runners, or tracks.

Oars are hollow to reduce weight, attached to the boat by adjustable out riggers. Size and shape of the oars is unrestricted, the average length of a sweep oar being 3.81 meters and of a scull being 2.98 meters.

There are six Olympic types of boats, of which three are for sweep-oared rowing in which the rower uses one oar with both hands and three are for sculling in which two oars are used, one in each hand.

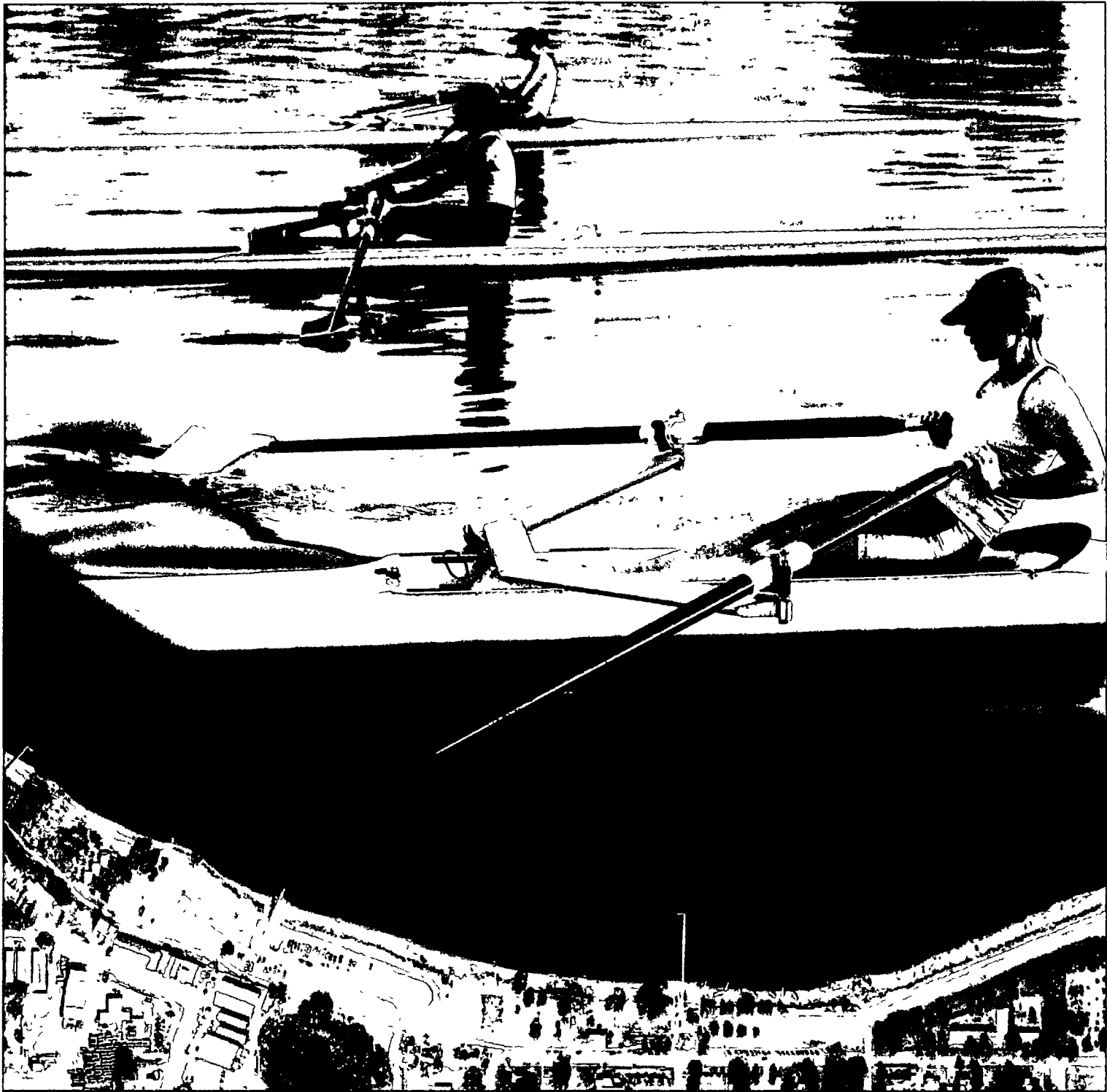
The sculling boats are single scull, double scull, and quadruple scull, the sweep oared events are straight pair, straight four and eight. In the eight there is a coxswain who sits in the stern or lies in the bow of the boat.

# ROWING PROMOTIONAL MATERIAL



FISA first organized a European Rowing Championships in 1893. An annual World Rowing Championships was introduced in 1962. Rowing has also been conducted at the Olympic Games since 1900 (cancelled at the first modern Games in 1896 due to bad weather).





# YOU GOTTA REGATTA

ROW

LAKE COUNTY, FL



CITY OF CLERMONT

[www.ROWLAKECOUNTY.org](http://www.ROWLAKECOUNTY.org)

# LAKE COUNTRY ROWING ASSOCIATION

## NEWSLETTER

March 2013

### RACE RESULTS / UPCOMING REGATTAS

#### YOUTH NOVICE REGATTA RESULTS

SATURDAY, FEBRUARY 9, 2013; TURKEY LAKE, ORLANDO



#### MIXED 4+

1st LCRA 6:49.2  
2nd LB 6:55.7  
3rd LB 7:02.5

#### MEN'S 2X

1st SSYRP 6:06.3  
2nd MRC 6:22.9  
3rd TPREP 6:35.9  
4th SORA 6:41.6  
5th LCRA 6:46.8

#### MEN'S SINGLE

1st TTC 5:33.1  
2nd UNAF 6:11.2  
3rd PALMETTO 6:11.6  
4th LCRA 6:41.8

**Everyone did an awesome job! Thanks for all the hard work and dedication!**

| DATE                             | EVENT                             | LOCATION                        | GROUP   | DISTANCE |
|----------------------------------|-----------------------------------|---------------------------------|---------|----------|
| Saturday, March 9th              | OARS Regatta                      | Turkey Lake, Orlando            | Youth   | 1500M    |
| Saturday, April 6th              | Orlando City Championship         | Turkey Lake, Orlando            | Youth   | 1500M    |
| Sunday, April 28th               | Sweep Championship                | Nathan Benderson, Sarasota      | Masters | 1000M    |
| Saturday, June 22nd              | LCRA Invitational                 | Lake Minneola, Clermont         | Masters | 1000M    |
| Thursday-Sunday,<br>August 15-18 | Masters National<br>Championships | Nathan Benderson, Sarasota      | Masters | 1000M    |
| Sunday,<br>September 29th        | Sarasota 5000                     | Intercostal Waterway,<br>Osprey | Masters | 5000M    |
| Saturday-Sunday,<br>November 2-3 | Head of the Chattahoochee         | Chattanooga, TN                 | Masters | 5000M    |



Please mark your available on Team Snap ASAP!

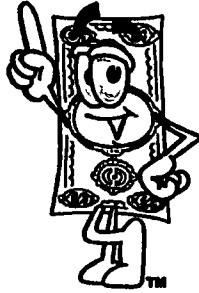


# ANNOUNCEMENTS

## DUES & PAYMENTS

**ALL DUES ARE OWED IMMEDIATELY.**

**Monthly/Quarterly Dues:** \$30 a month, \$90 a quarter. Dues may be given to Karen Dorr or Betty Green. Checks should be payable to Lake County Rowing Association or make it easy and set it up as a Bill Pay item at your bank. Simply indicate Lake County Rowing Association as the payor, with the following address: 18251 U.S. Hwy 441, Mt Dora FL 32757. The phone number is 352.483.9100. In the account # field enter NHOFF (she's the Treasurer and will make sure you receive credit for payment). If dues are not paid for 3 months, you will not be permitted to row.



**Coaching Fee:** \$4 per row, due at each row, Masters & Youth

Please direct any questions regarding dues or coaching fees to Debbie Kiely.

**Starting Immediately**, you will be responsible for coaching fees if you are signed up on Team Snap within 24 hours of the row. If you cancel less than 24 hours before the row, you are still responsible for payment. If you are signed up and can not make it, please contact the coach immediately and/or find a replacement. The coach is the only one responsible for cancelling practice.

## GARAGE SALE

We are coordinating a garage sale to help benefit the club. The garage sale will take place at Personal Mini Storage. You can begin dropping off any items you would like to donate immediately. Once the unit is full, we will set up a date for the sale.

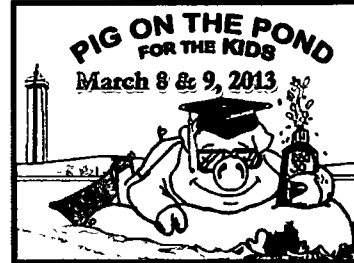
**PERSONAL MINI STORAGE**

**15635 SR 50**

**CLERMONT, FL 34711**

## PIG ON THE POND

Annual Clermont BBQ to benefit South Lake County youth programs. All team members are required to assist for this event. Friends and family are needed as well! We will be selling food and drinks. Any food or non alcoholic beverage donations can be given to Betty Green or Aaron Hosman.



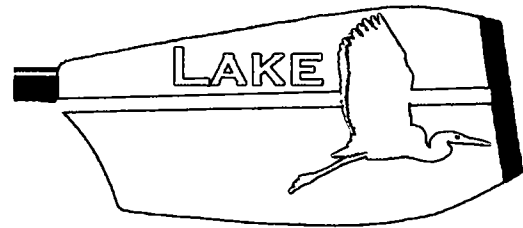
**WATERFRONT PARK ON LAKE MINNEOLA.**  
**FRIDAY, MARCH 8TH, 5PM-10PM**  
**SATURDAY, MARCH 9TH, 10AM-10PM**

## SAILBOAT SOLD!

Thanks to the generous contribution of Kim Thomson's parents for donating a sailboat to sell for the benefit of our club. The boat sold for a total of \$5,000. These profits will go to our much needed improvements and growth opportunities. *If you have any items you would like to donate to benefit the club, please contact Betty Green.*



## OAR BLADE DESIGN WINNER



Submitted by: Kim Thomson

If you would like to help work on oars or boats, contact our equipment manager Ross Thomson!



## MEET OUR COACHES!



*Andrea Huff*

**Youth Coach:** Audrea Huff is a masters national- and world-champion rower and Level II USRowing-certified coach. While at the University of Central Florida, Audrea's freshman/novice 8+ won gold in its very first race, the 1991 First Coast Head Race in Jacksonville. Since then, she has won gold in the 2003 Head of the Chattahoochee and bronze racing in the club category against 21 college crews at the 2011 Hooch. Audrea's women's masters four won a USRowing Southeast Regional title in 2009, and she has two USRowing Masters Nationals women's 8+ titles, winning in 2002 and 2010. After earning the 2010 masters "A" national title, her women's 8+ went on to win two golds in "A" and "B" age-group categories at the 2010 FISA World Rowing Masters regatta in St. Catharines, Ontario. As a coach, Audrea has coached men's and women's novice

crews at Central Florida Rowing (UCF's club crew) in spring 2009 and was a novice crew coach for Winter Park High in fall 2004.



*Brandon Rich*

**Master's Coach:** Brandon Rich has been rowing since 1999 and lives in Mount Dora with his wife Amanda. He started rowing his freshman year at Winter Park High School. He raced at the national level over the next four years. His race experience includes finishing 3<sup>rd</sup> at US Rowing Scholastic Nationals in the single scull, 2<sup>nd</sup> in the single at the Head of the Chattahoochee twice, and winning the FSRA State Championships in several categories. After two years of racing only in sweep boats, Brandon started racing in the single scull. He rowed with the high school team on weekdays and rowed with a group of world class scullers on weekend mornings at Rollins College. After graduating from Clemson University, Brandon and Amanda moved to Mount Dora and both joined the Orlando Rowing Club. Brandon has continued to row and race for

various boats and teams over the past years. He is now the Art Department Manager at Hallmark Nameplate in Mount Dora, a printing company that makes plastic and metal labels, as well as printed electronics. Amanda works at First Green Bank in Mount Dora in Deposit Operations.

## YOUR COMMITTEE MEMBERS

### OFFICERS

**Debble Klely**, President

**Paul McPherson**, Vice President

**Nancy Hoff**, Treasurer

**Karen Dorr**, Secretary

### BOARD MEMBERS

**Debble Klely**

**Paul McPherson**

**Nancy Hoff**

**Karen Dorr**

**Wendy Burkett**

**Allison Strange**

### COMMITTEE CHAIRS

**Ross Thomson**, Equipment

**Kim Thomson**, Youth

**Betty Green**, Fundraising

**Robin Green**, Membership

**Stacey Jackson**, Regattas



# ERGING 101

## THE ROWING STROKE

The rowing stroke can be divided into two parts: The drive and the recovery.

You will learn a coordinated movement pattern built upon the following positions and phases:

### ***The Recovery (Phase 1)***

- Extend your arms until they straighten.
- Lean your upper body forward to the one o'clock position.

Once your hands and the oar handle have cleared your knees, allow your knees to bend and gradually slide the seat forward on the monorail.



### ***The Catch (Position 1)***

- Arms are straight; head is neutral; shoulders are level and not hunched.
- Upper body is at the one o'clock position—shoulders in front of hips.
- Shins are vertical and not compressed beyond the perpendicular. Balls of the feet are in full contact with the footplate.

### ***The Drive (Phase 2)***

- With straight arms and while maintaining the position of the upper body at one o'clock, exert pressure on the foot plate and begin pushing with your legs.

As your legs approach straight, lean the upper body back to the eleven o'clock position and draw the hands back to the lower ribs in a straight line.

### ***The Finish (Position 2)***

- Legs are extended and handle is held lightly at your lower ribs.
- Upper body is at the eleven o'clock position—slightly reclined with good support from your core muscles.
- Head is in a neutral position.
  - Neck and shoulders are relaxed, and arms are drawn past the body with flat wrists.

[www.concept2.com](http://www.concept2.com)

**DON'T FORGET TO TURN YOUR MONTHLY 2000 METER ERG PIECE  
INTO YOUR COACH AT THE END OF EACH MONTH!**

## ROWING INSIGHTS

Teamwork is number one. Rowing isn't a great sport for athletes looking for MVP status. It is, however, teamwork's best teacher. The athlete trying to stand out in an eight will only make the boat slower.

The crew made up of individuals willing to sacrifice their personal goals for the team will be on the medal stand together. Winning teammates successfully match their desire, talent and bladework with one another.

[usrowing.org](http://usrowing.org)



# **Focusing on Health, Wellness, Fitness and Economic Impact**



**CITY OF CLERMONT**





## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| Utility Service Agreement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| Move to approve the Utility Service agreement for sewer service to the Louisa Vista development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
| <p>The Louisa Vista single family development; currently owned by Steven Hithersay, Trustee, is requesting approval of a Utility Service Agreement for sewer service. The development is located within the Lake County and City's Joint Planning Area.</p> <p>Applicant: Tall Castle Engineering<br/>Project: 75 units - single family development<br/>Size: 30.64 acres<br/>Location: West side of U.S. 27, south of Hartwood Marsh Rd.</p> <p>Lake County Future Land Use: Urban Low Density Residential<br/>Lake County Zoning: R-6 &amp; MFT<br/>Status of Project: The property has proper land use and zoning with Lake County</p> <p>Projected Sewer Use: 16,500 gallons per day</p> <p>The site is in conformance with the City's code. Any waivers from our code once the final site plan is completed will have to come back to the City Council for an amendment to this agreement.</p> <p>Floodplain mitigation in accordance with City Code is allowed for the site and will result in a net gain of floodplain retention area of 19 ac-ft. for the project.</p> <p>If the request is approved, the agreement will still be conditioned upon deferral of annexation to occur when legally appropriate. The project will therefore be developed pursuant to the attached Utility Services Agreement for Sewer.</p> |  |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| N/A at this time                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |



| Fiscal Impact                                                                                               | Fund Number and Description | Available Budget Amount |
|-------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------|
|                                                                                                             |                             |                         |
| Exhibits Attached (copies of original agreements)                                                           |                             |                         |
| 1. Hithersay (Louisa Vista) Utility Agreement Hithersay-Louisa Vista USA for Sewer Agreement CC10-28-14.pdf |                             |                         |



## UTILITY SERVICE AGREEMENT FOR SEWER

This document constitutes an agreement between the CITY of Clermont, hereby referred to as **CITY**, a municipality of the State of Florida, and Steven Hithersay, Trustee and any successors or assigns, hereby referred to as **OWNER**.

### WITNESSETH

**Whereas**, OWNER is requesting sewer utility service for a new 75 single family subdivision on 24.92 acres, located east of U.S. 27 and south of Hartwood Marsh Road ("Property") described on Exhibit 'A', attached hereto and by this reference made a part hereof; and

**Whereas**, the Property is located in the unincorporated area of Lake County and the OWNER is requesting sewer utility service from the CITY; and

**Whereas**, as a condition of CITY providing said sewer utility service to the property, OWNER is to extend sewer lines to serve the Property and lines and appurtenances must be sized and constructed in accordance with the minimum requirements of CITY Land Development Regulations and to meet the flow demands for the subdivision; and

**Whereas**, the CITY may, at the sole option of the CITY, elect to enlarge or oversize the sewer utility lines and appurtenances in order to provide additional capacity to other properties; and

**Whereas**, as a condition of the provision of sewer utility service to the Property by the CITY, OWNER agrees that this Agreement shall constitute an unconditional application to annex the Property into the City of Clermont, if CITY chooses to do so; and

**Whereas**, OWNER and CITY are entering into this Agreement to set forth the terms and conditions under which sewer utility service shall be extended and sized.

**NOW THEREFORE**, in consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

**Section 1. OFF-SITE SEWER** – Each and all of the foregoing premises are incorporated into and constitute a part of this Agreement.

- 1.1 CITY shall provide sewer service for the Property.
- 1.2 OWNER shall connect to the existing City system at connection point or points approved by CITY. Sewer stub outs shall be provided to adjacent commercial properties.
- 1.3 The route of any off site lines shall be according to engineering plans produced by OWNER and approved by the CITY.
- 1.4 The OWNER shall construct the facilities, lines and appurtenances necessary to serve the development and provide such documentation necessary for the CITY to ascertain that the lines shall meet the minimum line size requirements as specified by the CITY Land Development Code.



- 1.5 In the event the CITY chooses to oversize the lines or appurtenances, the CITY shall provide to the OWNER the specifications regarding sizes to be included in the final improvement plans.
- 1.6 The OWNER shall be responsible for the construction of all on site and off site lines and appurtenances to serve the project. No building permits shall be issued until sewer is provided to the site and until a bond or letter of credit, acceptable to CITY, is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until sewer line extensions have been completed and accepted by the CITY.
- 1.7 The OWNER shall be responsible for all costs of on site and off site improvements, including but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the CITY to serve the Property.
- 1.8 Any existing utilities along U.S. 27 must stay in service throughout construction. If the construction requires that the utilities be relocated or altered, the OWNER shall prepare plans, permit the project and construct the modifications at the OWNER's expense.
- 1.9 Any proposed or required sewer infrastructure along U.S. 27 shall be placed in a utility easement.
- 1.10 The CITY shall be responsible for the difference in cost of materials to oversize the line if the CITY chooses to oversize based on plans and cost estimates provided by OWNER to CITY, and approved in advance by the CITY.
- 1.11 The OWNER shall provide to the CITY a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimate shall be contractors bid as certified by OWNER'S project engineer. The CITY shall review and either approve or reject the costs.
- 1.12 The OWNER and CITY shall agree on the cost difference, which will be the responsibility of the CITY, prior to commencement of construction.
- 1.13 The OWNER shall be responsible for all costs including design, permitting, materials and construction of the sewer lines and appurtenances, both on site and off site, required to serve the Property, with reimbursement for the difference in costs as determined in Section 1.11 and 1.12 from the CITY in the form of Impact Fee Credits.
- 1.14 The Impact Fee Credits shall be established subject to Sections 1.11 and 1.12 and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.
- 1.15 Impact Fee Credits may not be transferred outside of the Property described on Exhibit "A" but may be assignable to any heirs, assigns or successors in interest or title to part or all of said Property.
- 1.16 The OWNER shall be responsible for all applicable fees including but not limited to impact fees, connection fees and permitting fees.
- 1.17 Any fencing within public view, (including retention ponds), must be ornamental metal with complementing structural columns, as approved by the City's Site Review Committee. No chain link shall be used in public view areas.

- 1.18 The OWNER must coordinate with Lake County and the Metropolitan Planning Organization (MPO) for compliance with Transportation Concurrency, and the Transportation Concurrency Management System (TCMS).
- 1.19 The development shall be in substantial compliance with the Dimension Plan shown in Exhibit "C". Major changes as determined by the Clermont Site Review Committee may require an amendment to this Agreement.
- 1.20 This Agreement shall be voided after five (5) years if building permits have not been issued and building construction has not started.
- 1.21 The Agreement shall be for residential utility flow/demand for sewer for 75 dwelling units x 220 gallons/ERU = 16,500 gallons per day, based on an annual average.

## **Section 2. DEVELOPMENT STANDARDS**

The project shall be developed according to the JPA Land Development Regulations (Lake County Ordinance No. 2005-64). Items not addressed in the JPA Land Development Regulations must be developed to City standards unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.

## **Section 3. ANNEXATION**

OWNER agrees that CITY may annex the Property into the City of Clermont if CITY, in its sole discretion, chooses to do so. In conjunction herewith, OWNER shall provide to CITY a *Notice of Encumbrance to Annex* Property in a form substantially in compliance with the form set forth in Exhibit "B", attached hereto and incorporated herein. The CITY shall record this Notice in the public records of Lake County whereupon it is agreed it shall serve as an enforceable encumbrance on the real property described in Exhibit "A". The Notice of Encumbrance shall be executed by all owners of the real property described in Exhibit "A" and shall be accompanied, at OWNER'S expense, by a current certificate of title or opinion letter acceptable to CITY and issued by a licensed title company or attorney identifying all owners in interest of the real property. All land transfers by OWNER shall contain a deed restriction or covenant noting the existence of this encumbrance to annex, such restriction to be recorded as a covenant to run with the land.

## **Section 4. SEVERABILITY**

In the event that any provision of this agreement shall be held invalid or unenforceable, the provision shall be deleted from this agreement without affecting in any respect whatsoever the validity of the remainder of this agreement.

## **Section 5. NOTICES**

All notices, demands, or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

**CITY**

City of Clermont  
City Manager  
P.O. Box 120219  
Clermont, FL 34712-0219

**OWNER**

Steven Hithersay, Trustee  
98 Fieldcrest Lane  
Ephrata, PA 17522

(5224 W. State Rd. 46, #379  
Sanford, FL 32771)

**Section 6. AMENDMENTS**

Any amendment to this agreement is not effective unless the amendment is in writing and signed by all parties.

**Section 7. EFFECTIVE DATE**

The effective date of this agreement shall be the day of execution of the agreement required hereunder. This Agreement shall be valid for no longer than five (5) years

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Agreement on the date listed below. CITY through its City Manager, authorized to execute same by City Council action, and OWNER through \_\_\_\_\_.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**CITY OF CLERMONT**

ATTEST:

\_\_\_\_\_  
Harold S. Turville Jr., Mayor

\_\_\_\_\_  
Tracy Ackroyd, City Clerk

**OWNER: Steven Hithersay, Trustee**

\_\_\_\_\_  
*Signature* Title: \_\_\_\_\_

\_\_\_\_\_  
Print Name

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did not take an oath.

Notary Public \_\_\_\_\_ SEAL:

Type/print name \_\_\_\_\_

## **EXHIBIT "A"**

### **PROPERTY DESCRIPTION**

**Owner:**

Steven Hithersay, Trustee

**Description:**

Lake County Alt. Key #s (portions where applicable:

1663547  
1663563  
1663555  
1663601  
1663598  
1412277

#### **DESCRIPTION — RESIDENTIAL AREA**

THAT PART OF TRACTS 55, 56, 57, 58, MONTE VISTA PARK FARMS, RECORDED IN PLAT BOOK 2, PAGE 27, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND PORTIONS OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

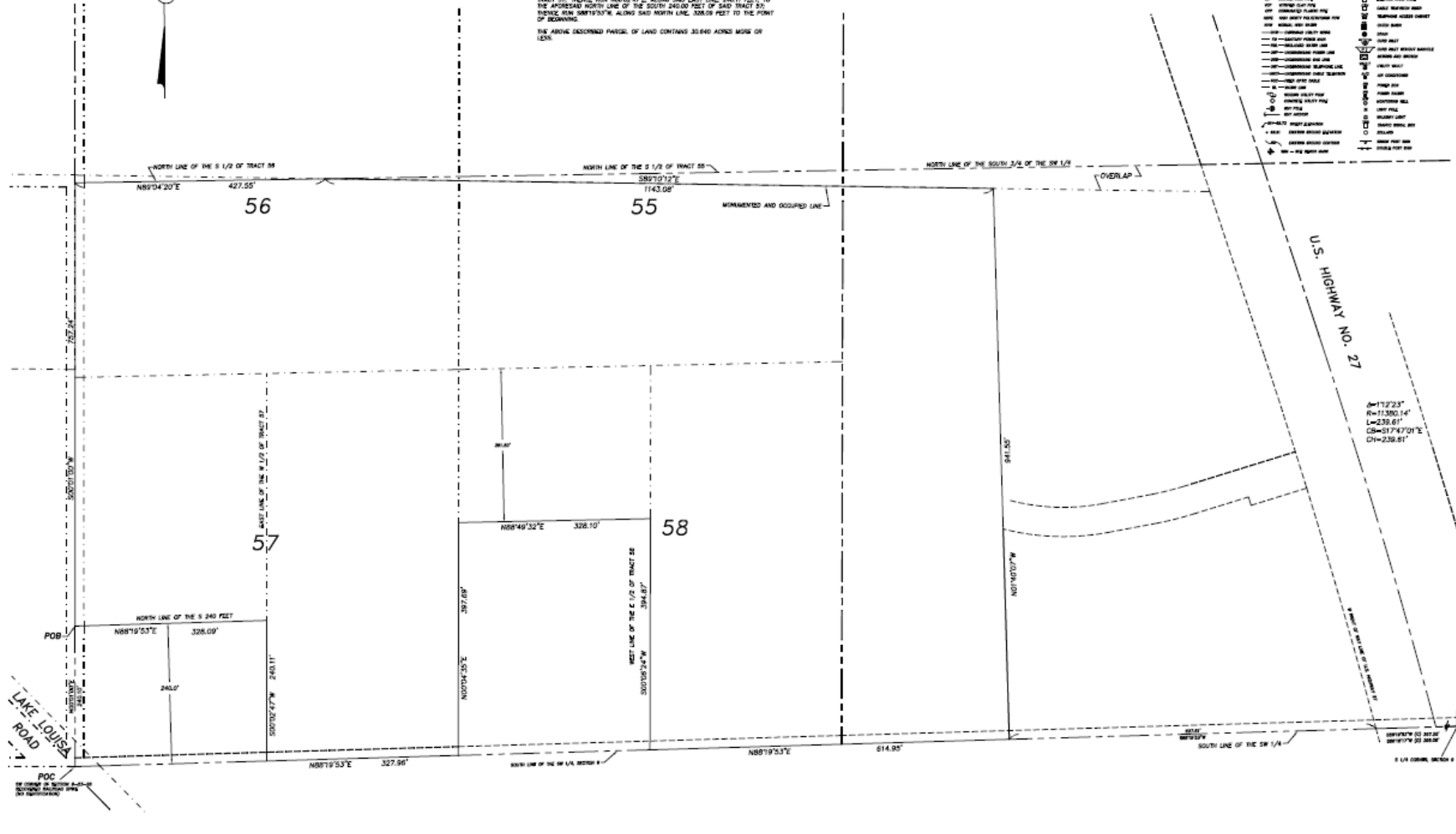
COMMENCE AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4 OF SECTION 9; THENCE RUN N00°01'00"E, ALONG THE WEST LINE OF SAID TRACT 57 AND ALSO BEING THE WEST LINE OF SAID SOUTHWEST 1/4 OF SECTION 9, 240.10 FEET, TO THE NORTH LINE OF THE SOUTH 240.00 FEET OF SAID TRACT 57, TO THE POINT OF BEGINNING; THENCE CONTINUE N00°01'00"E, ALONG SAID WEST LINE, 757.24 FEET, TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID TRACT 56; THENCE RUN N89°04'20"E, ALONG SAID NORTH LINE, 427.55 FEET; THENCE RUN S89°10'12"E, 1143.08 FEET; THENCE RUN S01°40'07"E, 941.55 FEET, TO THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF SECTION 9; THENCE RUN S88°19'53"W, ALONG SAID SOUTH LINE, 614.95 FEET TO THE WEST LINE OF THE EAST 1/2 OF SAID TRACT 58; THENCE RUN N00°06'24"E, 394.87 FEET, TO THE SOUTH LINE OF THE NORTH 261.50 FEET OF SAID TRACT 58; THENCE RUN S88°49'32"W, ALONG SAID SOUTH LINE, 328.10 FEET, TO THE EAST LINE OF SAID TRACT 57; THENCE RUN S00°04'35"W, ALONG SAID EAST LINE, 397.69 FEET, TO THE SOUTH LINE OF AFORESAID SOUTHWEST 1/4 OF SECTION 9; THENCE RUN S88°19'53"W, ALONG SAID SOUTH LINE, 327.96 FEET, TO THE EAST LINE OF THE WEST 1/2 OF SAID TRACT 57; THENCE RUN N00°02'47"E, ALONG SAID EAST LINE, 240.11 FEET, TO THE AFORESAID NORTH LINE OF THE SOUTH 240.00 FEET OF SAID TRACT 57; THENCE RUN S88°19'53"W, ALONG SAID NORTH LINE, 328.09 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 30.640 ACRES MORE OR LESS.





- SURVEYORS' NOTES
1. NOT MADE WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
  2. LINES SHOWN HEREON WERE NOT ABSTRACTED FOR MONTHS OF BULK CASUALTIES, COMPENSATION, OR OTHER INTERESTS OF RECORD, BY THIS FIRM.
  3. HEREONAS DO NOT CONSTITUTE A REIDENTIFICATION OF THE EXISTING AND PREVIOUS IDENTIFICATION OF THIS SURVEY.
  4. BEGINNING SHOWN HEREON ARE BASED ON THE FOLLOWING: THE SOUTH LINE OF THE SW 1/4, SECTION 8 AS SURVEYED BY (ASSIGNED).
  5. THE DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
  6. THIS IS NOT A BOUNDARY SURVEY.
  7. THE ELECTRONIC FILE FOR THIS PRODUCT IS THE PROPERTY OF BOUNDARY SURVEYING AND MAPPING, INC. AND IS NOT THE PROPERTY OF THE CLIENT.



|              |                      |                  |                 |
|--------------|----------------------|------------------|-----------------|
| SECTION<br>9 | TOWNSHIP<br>23 SOUTH | RANGE<br>26 EAST | SHEET<br>1 OF 1 |
|--------------|----------------------|------------------|-----------------|

**BISHMAN**  
Surveying & Mapping, Inc.

CERTIFICATE OF AUTHORIZATION LB 7274

32 N. PLANT STREET Phone No. 407.905.8877  
WINTER GARDEN, FL 34787 Fax No. 407.905.6232

JOHN D. BISHMAN, P.S.M. FLORIDA REGISTRATION NO. 2668

[illegible]

## ***EXHIBIT "B"***

Notice of Encumbrance  
to Annex to City of Clermont

City of Clermont  
685 W. Montrose Street  
Clermont, FL 34712

THIS INSTRUMENT, Made this **28<sup>th</sup> day of October 2014**, between **Steven Hithersay, Trustee**, property owners in the County of Lake, State of Florida Grantor\*, and the **CITY OF CLERMONT, FLORIDA**, A Municipal Corporation, Grantee\*:

WITNESSETH, NOTICE is given that heretofore or contemporaneously herewith Grantor has petitioned the Grantee for it to permit voluntary annexation of Grantor's property below described into the corporate limits of the City of Clermont, and

GRANTOR, for and in consideration of the sum of ONE and 00/100 (\$1.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, DOES HEREBY ENCUMBER the below - described real property situate, lying and being in Lake County, Florida with the absolute requirement that the subject real property may be, at the sole discretion, and upon request of Grantee, annexed into the city limits of the City of Clermont at such time that the annexation of said real property is in accordance with applicable law,

GRANTOR, further agrees, on his/hers/theirs/its own behalf and that of Grantors' heirs and assigns to perform all ministerial functions necessary of the Grantor or Grantor's heirs and/or assigns (as the case may be) then required by law to enable the described real property to be incorporated into the city limits of the City of Clermont and where such ministerial functions consist of a simple written request or the renewal of the petition of which notice is given above, then this instrument shall be considered such request and/or renewal. The subject property is described as:

## **Exhibit "A"**

Grantor is used for singular or plural, as the context requires. IN WITNESS THEREOF, GRANTOR has hereunto set Grantor's hand and seal the day and year first above written.

PROPERTY OWNER(S):

WITNESSES (Two required):

**Steven Hithersay, Trustee**

**Witnesses**

By: \_\_\_\_\_  
*Signature*

\_\_\_\_\_  
Type or print name

By: \_\_\_\_\_  
*Signature*

\_\_\_\_\_  
Type or print name

1. \_\_\_\_\_  
*Signature*

\_\_\_\_\_  
Type or print name

2. \_\_\_\_\_  
*Signature*

\_\_\_\_\_  
Type or print name

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did not take an oath.

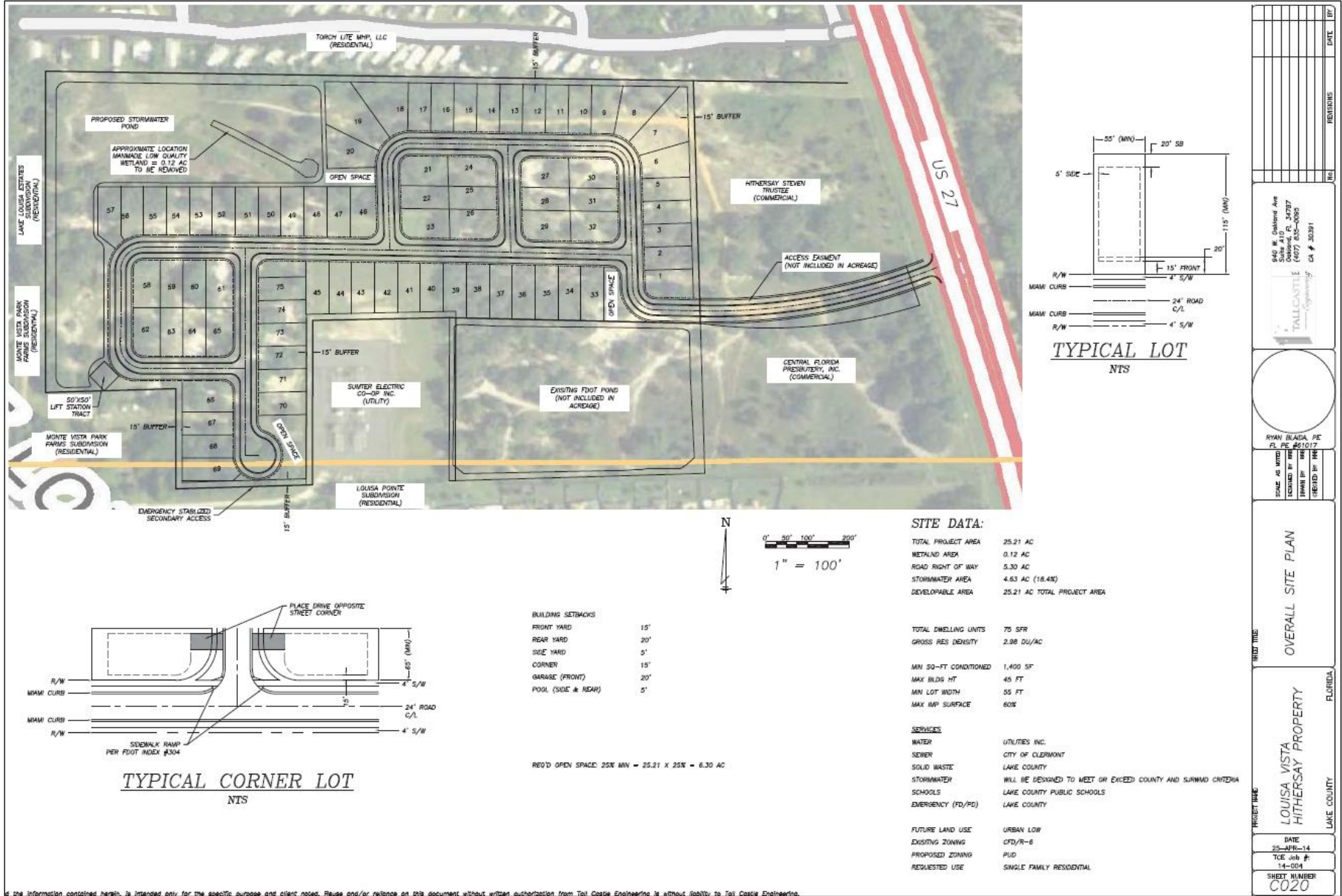
Notary Public \_\_\_\_\_ SEAL:

Type/print name \_\_\_\_\_

Pursuant to Section 695.29(3)(f): this instrument exempt from Chapter 695, F.S.; Prepared by a Public Officer, City Attorney, City of Clermont, Florida 34712

EXHIBIT "C"

Hithersay Property (Louisa Vista) – Site Plan



If the information contained herein is intended only for the specific purpose and client noted. Review and/or reliance on this document without written authorization from Tall Castle Engineering is without liability to Tall Castle Engineering.



nt and the information contained herein, is intended only for the specific purpose and client noted. Reuse and/or reliance on this document without written authorization from Tall Castle Engineering is without liability to Tall Castle Engineering.



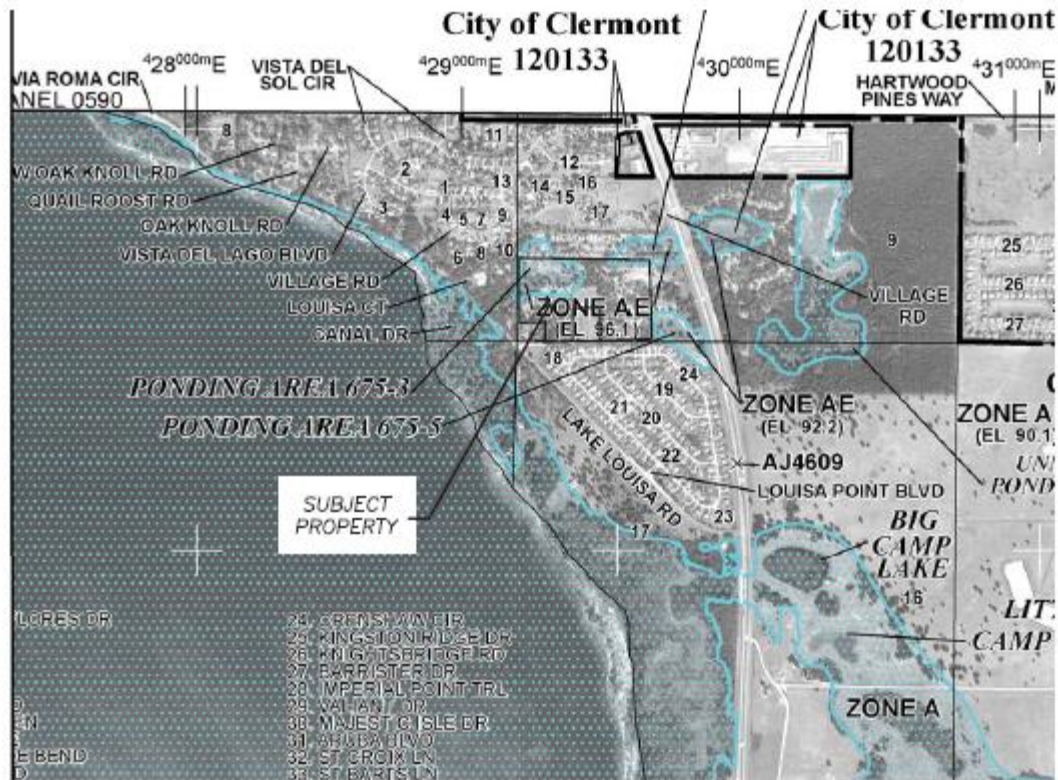


## Hithersay Property (Louisa Vista) – Aerial maps





# Hithersay Property (Louisa Vista) – Aerial maps



FEMA FIRM PANEL 12069C0675E

SCALE: 1" = ~1,000'



Hithersay, Utility Service Agreement for Sewer



## CITY OF CLERMONT

# AGENDA ITEM

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|                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|--|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |  |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |  |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                       |                                    |                                |  |
| Board Appointment                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |  |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                       |                                    |                                |  |
| Move to approve Jason Sayre as fifth member to the Police Officers Pension Board.                                                                                                                                                                                                                                                                                                             |                                    |                                |  |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |  |
| Florida Statutes requires the fifth member of the Police Officers Pension Board to be selected by a majority of the other board members and as a "ministerial duty" be appointed by the City Council. A majority of the other Police Officers Pension Board members selected Police Sergeant Jason Sayre to serve as the fifth member. Sergeant Sayre's term will run until December 1, 2016. |                                    |                                |  |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |  |
|                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |  |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                    |                                    |                                |  |
|                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |  |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |  |
|                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |  |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                          | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |  |
|                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |  |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                      |                                    |                                |  |
|                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |  |





## CITY OF CLERMONT

# AGENDA ITEM

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| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| Committee Appointment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| Move to approve John Kruse; Senior Planner, as the alternate to the Metropolitan Planning Organization's Technical Advisory Committee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| <p>The Lake~Sumter Metropolitan Planning Organization (MPO) is the lead agency responsible for regional transportation planning. In accordance with the requirements of the MPO, each government in the county has representation on the MPO Board and each of the committees that make recommendations to the MPO Board. The MPO requires appointment by the City Council to the MPO Board or the various Committees.</p> <p>The current representative for Clermont is Economic Development Director James Hitt. This request is to appoint an alternate for meetings or assistance for representation at the Technical Advisory Committee meetings should Mr. Hitt be unable to attend, assuring the City a vote on the various issues reviewed.</p> <p>John Kruse, Senior Planner for Clermont has been working with the MPO for the developments in the City and the reviews of the traffic studies. He is familiar with the MPO and the staff.</p> |                                    |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
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# CITY OF CLERMONT

## AGENDA ITEM

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| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| Purchase Approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| Move to approve purchase of Fire Department boat and trailer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <p>The Fire Department requests approval to purchase a 2014 twenty-four foot Harbor Guard Defender Fire boat, motor and trailer, at a total cost of \$121,550 as described in the current year budget. The boat will provide the Fire Department with water rescue capability. The vendor requires a 50% deposit due at time of order (\$60,775) and 40% (\$48,620) to be paid at time of shipping (late October). The remaining balance (\$12,155) is due at delivery or at factory acceptance; which ever is sooner.</p> <p>Competitive selection procedures have been waived in accordance with the Purchasing Policy, since the purchase was determined to be a sole source purchase by the city's Purchasing Manager.</p> |                                    |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
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| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| Purchase is included in the current year budget.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
| \$121,550.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 16522-66401                        | \$121,550.00                   |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                    |                                |
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## CITY OF CLERMONT

# AGENDA ITEM

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| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| Purchase Approval and Budget Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| Move to approve software purchase.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |
| <p>The Fire Department requests approval to purchase a reporting/records management software in the amount of \$30,683. The Fire Department's current software vendor has failed to provide updates as required by the maintenance and servicing agreement. In addition, the current software no longer meets the department's needs and does not provide the analytics needed to accurately assess our performance or create meaningful performance reports. The new software has robust analytic tools, applications for determining fire risk for specific occupancies, patient tracking from point of contact through discharge as well as many other functionalities not available through our current vendor.</p> <p>Competitive selection procedures have been waived in accordance with the Purchasing Policy, since the purchase was determined to be a sole source purchase by the city's Purchasing Manager.</p> |                                    |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                |
| Funds available for this purchase in the current year budget total \$11,367. A budget amendment for the additional amount of \$19,316 is proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
| \$30,683.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 10522-55219                        | \$11,367.00                    |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |



CITY OF CLERMONT

**AGENDA ITEM**

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|                                                                                                                                    |                                    |                                |
|------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                |                                    |                                |
| Tuesday, October 28, 2014                                                                                                          |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                            |                                    |                                |
| Plat Approval                                                                                                                      |                                    |                                |
| <b>Requested Action</b>                                                                                                            |                                    |                                |
| Move to approve the Harvest Landing final plat.                                                                                    |                                    |                                |
| <b>Staff Report</b>                                                                                                                |                                    |                                |
| The Harvest Landing plat has been reviewed and approved by City Engineer Terry Dykehouse and the city's contracted Engineer, BESH. |                                    |                                |
| <b>Legal Impact</b>                                                                                                                |                                    |                                |
|                                                                                                                                    |                                    |                                |
| <b>Additional Analysis</b>                                                                                                         |                                    |                                |
|                                                                                                                                    |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                       |                                    |                                |
|                                                                                                                                    |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                               | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                    |                                    |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                           |                                    |                                |
| 1.                                                                                                                                 | Plat                               | HARVEST LANDING 11x17.pdf      |

# HARVEST LANDING

REPLATTING A PORTION OF THE PLAT OF LAKE HIGHLANDS COMPANY (PLAT BOOK 2, PAGE 25)  
LOCATED IN SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST  
CITY OF CLERMONT, LAKE COUNTY, FLORIDA

### Legal Description

A portion of the Southeast 1/4 of Section 29, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Commence at the southwest corner of the Southeast 1/4 of said Section 29, thence run N 00°05'04" W, along the west line of the Southeast 1/4 of said Section 29, a distance of 113.44 feet to a point on the northerly right-of-way line of Steve's Road as recorded in Official Records Book 2711, Page 1723 and Official Records Book 2711, Page 1733, Public Records of Lake County, Florida and the POINT OF BEGINNING; thence continue N 00°05'04" W, along the west line of the Southeast 1/4 of said Section 29, a distance 1150.40 feet to the southerly shoreline of Wilma Lake; thence run easterly along the southerly shoreline of Wilma Lake the following courses and distances: thence run S 26°00'04" E, a distance of 111.14 feet; thence run S 38°56'35" E, a distance of 93.68 feet; thence run S 53°24'35" E, a distance of 59.53 feet; thence run S 59°44'00" E, a distance of 73.36 feet; thence run S 53°24'40" E, a distance of 93.68 feet; thence run N 84°27'37" E, a distance of 76.82 feet; thence run N 68°26'03" E, a distance of 73.36 feet; thence run N 70°08'56" E, a distance of 73.02 feet; thence run N 72°31'02" E, a distance of 85.52 feet; thence run N 70°18'03" E, a distance of 78.00 feet; thence run N 85°00'31" E, a distance of 82.25 feet; thence run N 78°30'16" E, a distance of 100.26 feet; thence run N 69°02'09" E, a distance of 98.46 feet; thence run N 50°20'10" E, a distance of 102.53 feet; thence run N 33°14'18" E, a distance of 90.17 feet; thence run N 14°29'47" E, a distance of 25.58 feet to a point on the north line of the South 112 feet of Tract 46, according to the Lake Highlands Company Subdivision of Section 29, Township 22 South, Range 26 East, Lake County, Florida, as recorded in Plat Book 2, Page 25 and Plat Book 3, Page 24, Public Records of Lake County, Florida; thence, departing the southerly shoreline of Wilma Lake, run S 88°54'04" E, along the north line of the South 112 feet of Tract 46, a distance of 350.00 feet to a point on the east line of the West 1/2 of the Southeast 1/4 of said Section 29, thence run S 00°10'30" E, along the east line of the West 1/2 of the Southeast 1/4 of said Section 29, a distance of 1,404.78 feet to a point on the aforementioned northerly right-of-way line of Steve's Road; thence run westerly along the northerly right-of-way line thereof, the following courses and distances: run N 89°48'00" W, a distance of 100.09 feet to a point of curvature of a curve, concave northeasterly, having a radius of 750.00 feet and a central angle of 11°44'48"; thence run westerly along the arc of said curve a distance of 146.56 feet to the point of tangency thereof; run N 78°36'12" W, a distance of 274.98 feet to a point of curvature of a curve, concave southerly, having a radius of 850.00 feet and a central angle of 11°23'48"; thence run westerly, along the arc of said curve, a distance of 169.07 feet to the point of tangency thereof; thence run S 90°00'00" W, a distance of 637.68 feet to the POINT BEGINNING.

Containing 35.64 acres, more or less.

### Surveyor's Notes:

1. Bearings are based on an assumed bearing of N 00°05'04" W along the west line of the Southeast 1/4 of Section 29, Township 22 South, Range 26 East, Lake County, Florida.
2. No part of the lands described hereon are dedicated to the City of Clermont, Florida, or the general public, unless expressly stated herein.
3. Tracts A and B are reserved for future development and are to be owned and maintained by Beazer Homes Corp., its successors and/or assigns.
4. The following tracts and easements comprise the common areas as more particularly defined in and by this plat of HARVEST LANDING and are hereby dedicated to and are to be maintained by the Harvest Landing Homeowners Association, Inc.:
  - Tract C (Well, Drainage and Open Space)
  - Tract D (Fence, Landscape, Drainage and Open Space)
  - Tract E (Landscape and Well)
  - Tract F (Landscape and Well)
  - Tract G (Conservation)
  - Tract H (Access, Utility and Drainage)

Retaining Well, Landscape and Drainage Easements as shown along the rear of Lots 18 through 51.

Well, Fence and Maintenance Easements as shown along the rear of Lots 18 through 51.

5. All plotted utility easements shall also be easements for the construction, installation, maintenance, and operation of cable television services provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities of a public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission. (State Statute 177.081 (28)).

6. Unless otherwise shown on the plat, there is a 10.00 foot wide Utility Easement contiguous to all rights-of-way, a 7.50 foot wide Drainage and Utility Easement along all side lot lines and a 7.50 foot wide Drainage and Utility Easement along all rear lot lines. There is a 7.50 foot wide Well, Fence and Maintenance Easement along the rear of Lots 18 through 51 unless otherwise shown.

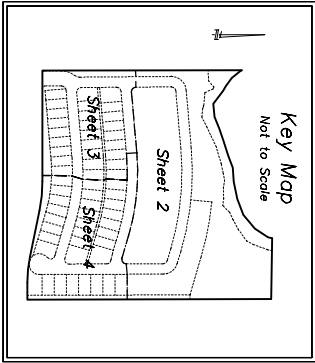
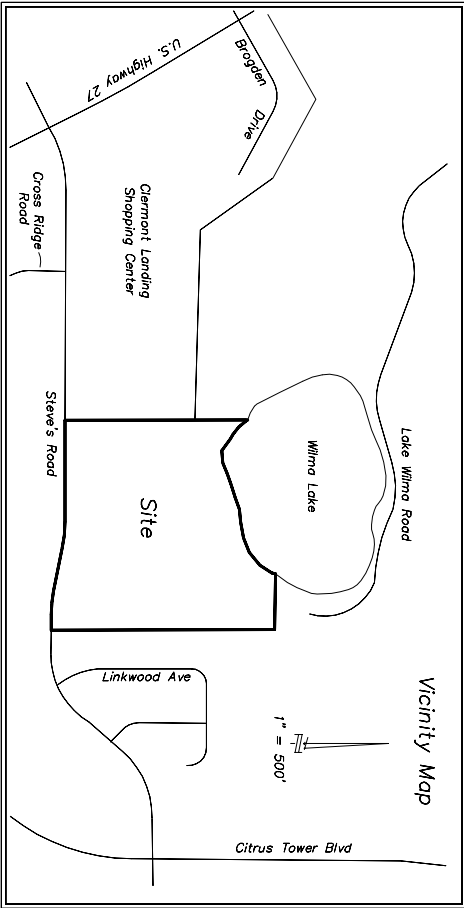
7. Lot corners will be set in accordance with Chapter 177.091 (9), Florida Statutes, and the City of Clermont Land Development Regulations. Beazer Homes Corp. has released Gannung-Bellon Associates, Inc. from setting the internal subdivision corners and will acquire the services of an additional surveying firm to complete the task.

8. Lot lines are noted unless noted as (N/E) denoting non-radial lot line.

9. Elevation are based on a found 4"x4" concrete monument (LB 68) at the SE corner of Citrus Tower Boulevard and Steve's Road having an elevation of 172.13' (NAVD 88) and a state plane coordinate of N:1528614.39, E:423900.99 as supplied by Lake County, Florida.

### NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT, WHETHER GRAPHIC OR DIGITAL. THERE MAY BE ADDITIONAL REVISIONS THAT ARE NOT RECORDED IN THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



### CERTIFICATE OF CLERK

I HEREBY CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 177, Florida Statutes, and was filed for record on \_\_\_\_\_ at \_\_\_\_\_.

File No. \_\_\_\_\_

Clerk of the Circuit Court  
In and for Lake County, Florida

### NOT REQUIRED

### CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, that this plat was reviewed in accordance with Section 177.081, Florida Statutes and presented to the CITY COUNCIL of Clermont, Lake County, Florida, and approved by said CITY COUNCIL of Clermont, Lake County, Florida, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, provided that this plat is recorded in the office of the Clerk of the Circuit Court of Lake County, Florida within \_\_\_\_\_ days from the date of approval by said City of Clermont, Florida.

Attest: \_\_\_\_\_ City of Clermont

City Clerk \_\_\_\_\_

Mayor \_\_\_\_\_

PLAT BOOK

PAGE

HARVEST LANDING  
DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner ("Owner") named below, being the owner in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plot for the uses and purposes herein expressed, subject to the general notes contained herein.

1. TO HARVEST LANDING HOMEOWNERS ASSOCIATION, INC.: Tracts "C", "D", "E", "F", "G", and "H" are subject to perpetual rights of ingress and egress by the lot owners of HARVEST LANDING, their tenants, invitees and licensees, together with those providers of sanitation, postal, fire and law enforcement and emergency and medical services, and their vehicles and personnel. A drainage easement is hereby granted over those areas designated as drainage easements shown or noted herein.

2. TO LOT OWNERS OF HARVEST LANDING: A perpetual ingress and egress easement is hereby granted over, across and upon Tract "H" including the right of ingress and egress for said Lot Owners' tenants, invitees and licensees, together with those providers of sanitation, postal, fire and law enforcement and emergency and medical services, and their vehicles and personnel. A drainage easement is hereby granted over those areas designated as drainage easements shown or noted herein.

3. TO PROVIDERS OF ELECTRIC, TELEPHONE, CABLE TELEVISION SERVICES: A utility easement is hereby granted over, across, and upon Tract "H", and those areas designated as utility easements shown hereon, including the right of ingress and egress over and across Tract "H" for the purpose of accessing said easements.

4. TO THE CITY OF CLERMONT: A utility easement is hereby granted over, across and upon Tract "H", and those areas designated as utility easements shown hereon, including the right of ingress and egress over and across Tract "H" for the purpose of accessing said utility easements.

IN WITNESS WHEREOF, said owner has caused these presents to be signed by authorized signatory named below this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

BEAZER HOMES CORP.  
a Tennessee corporation  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Signed and Sealed in the presence of:

witness \_\_\_\_\_ witness \_\_\_\_\_

(print name) \_\_\_\_\_ (print name) \_\_\_\_\_

STATE OF: \_\_\_\_\_ COUNTY OF: \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_

He/She is personally known to me and did not take an oath.

NOTARY PUBLIC  
(Print Name) \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

### CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a Professional Surveyor and Mapper, fully licensed to practice in the State of Florida, does hereby certify that the plat was prepared under the direction and supervision and it complies with all the survey requirements of Chapter 177, Florida Statutes.

Surveyor's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Surveyor's Name \_\_\_\_\_ Surveyor's Registration Number \_\_\_\_\_

GANNING-BELLON ASSOCIATES, INC. \_\_\_\_\_ LB 7194

Legal Entity's Name \_\_\_\_\_ Legal Entity's Cert. Of Auth. No. \_\_\_\_\_

1275 E. ROBINSON ST., ORLANDO, FLA., 32801

Legal Entity's Address \_\_\_\_\_

### STATEMENT OF REVIEWER

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177, Florida Statutes, and find that said plat complies with the technical requirements of that Chapter; provided, however, that my review does not include field verification of any of the coordinates, points or measurements shown on this plat.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Professional Surveyor and Mapper No. \_\_\_\_\_

# HARVEST LANDING

REPLATING A PORTION OF THE PLAT OF LAKE HIGHLANDS COMPANY (PLAT BOOK 2, PAGE 25)  
LOCATED IN SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST  
CITY OF CLERMONT, LAKE COUNTY, FLORIDA

- L e g e n d**

L – arc length

Δ – central angle

R – radius or radial

pt – point of tangency

pc – point of curvature

pi – point of intersection

poi – point on line

LP – Licensed Business

LS – Licensed Surveyor

cm – concrete monument

NR – non-radial

O.R.B. – Official Records Book

**L.D.U.E. – Landscape, Drainage and Utility Easement**

**D.U.E. – Drainage and Utility Easement**

**D.E. – Drainage Easement**

**U.E. – Utility Easement**

**W.F.M.D.U.E. – Well, Fence, Maintenance, Drainage and Utility Easement**

**Individual Lot and Tract corners to be set by others (see Note 7)**

**Indicates permanent control point (PCP)**

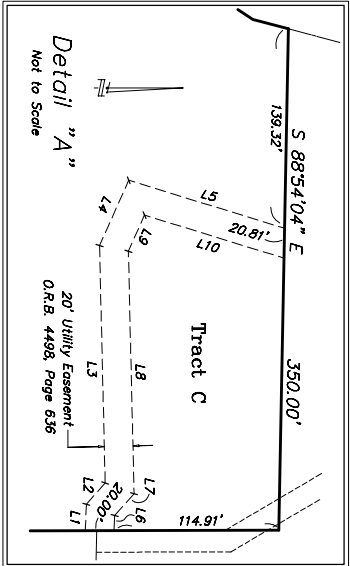
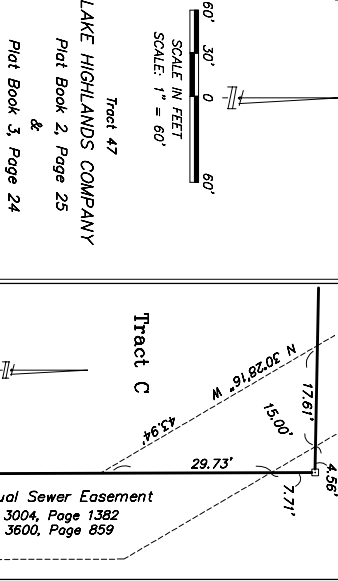
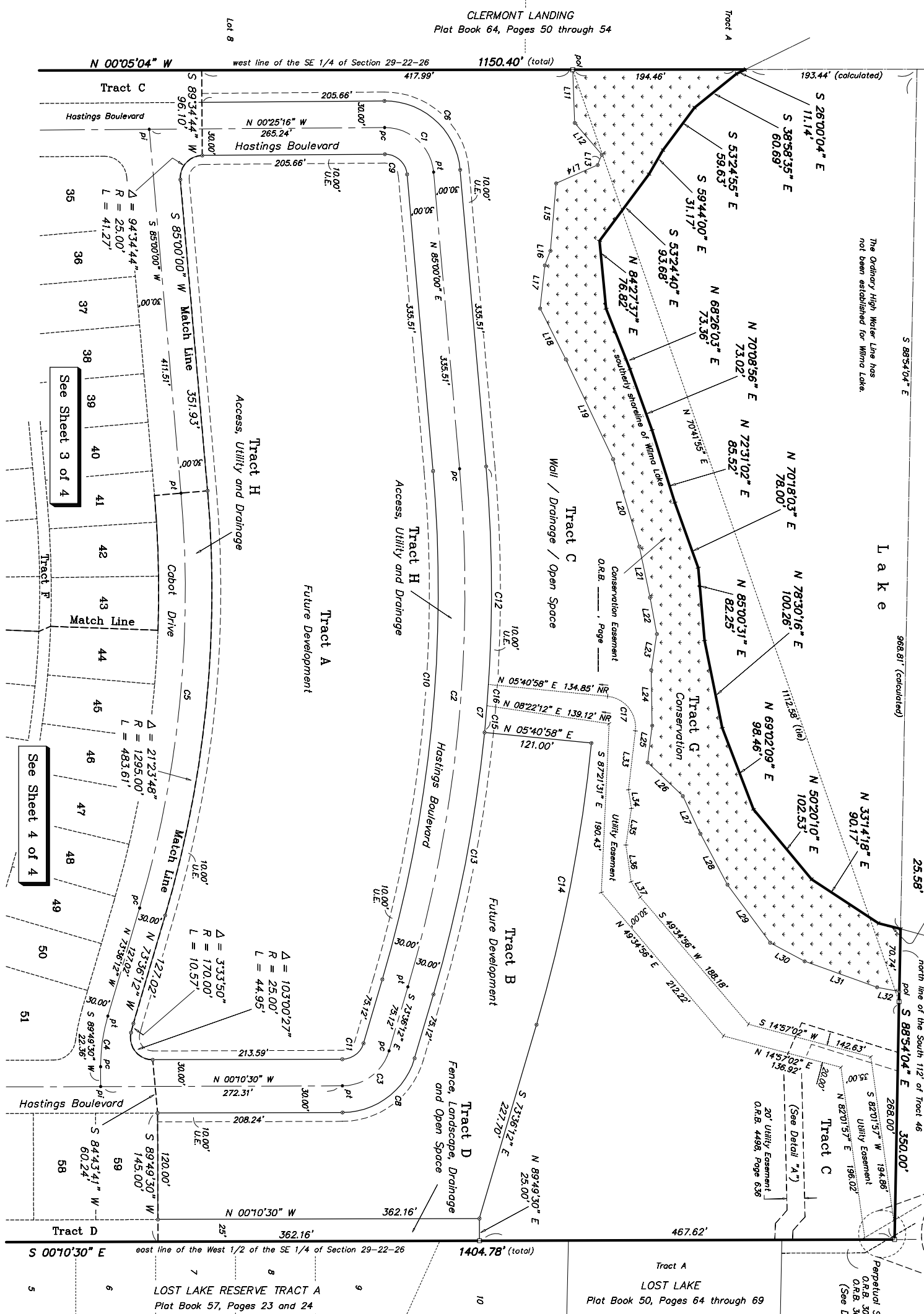
**set nail and disc (PCP LB 7194)**

**Indicates permanent reference monument (PRM) set 4"x4" concrete monument (PRM LB 7194)**

**Indicates found 4"x4" concrete monument (unless noted otherwise)**

W i l l m a

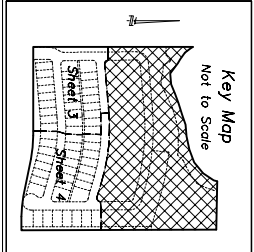
The Ordinary High Water Line has not been established for Wilma Lake.



| CURVE TABLE |           |          |         |                       |
|-------------|-----------|----------|---------|-----------------------|
| CURVE       | DELTA     | RADIUS   | LENGTH  | CHORD BEARING         |
| C1          | 85°25'16" | 55.00'   | 82.00'  | S 42°17'22" W 74.61'  |
| C2          | 21°23'46" | 550.04'  | 590.04' | N 84°18'06" W 586.62' |
| C3          | 73°25'42" | 55.00'   | 70.49'  | N 36°53'21" W 65.76'  |
| C4          | 16°34'18" | 200.00'  | 57.65'  | S 81°53'21" E 57.64'  |
| C5          | 21°23'48" | 1265.00' | 472.40' | N 84°18'06" W 469.66' |
| C6          | 86°25'16" | 65.00'   | 126.72' | S 42°17'22" W 115.31' |
| C7          | 21°23'46" | 1610.00' | 601.24' | N 84°18'06" W 597.75' |
| C8          | 73°25'42" | 65.00'   | 108.93' | S 36°53'21" W 101.63' |
| C9          | 85°25'16" | 25.00'   | 37.27'  | S 42°17'22" W 33.91'  |
| C10         | 21°23'46" | 1550.00' | 578.64' | N 84°18'06" W 575.48' |
| C11         | 73°25'42" | 25.00'   | 32.04'  | N 36°53'21" W 29.89'  |
| C12         | 10°40'56" | 1610.00' | 300.19' | N 89°39'31" W 298.75' |
| C13         | 10°42'50" | 1610.00' | 301.06' | N 78°57'37" W 300.62' |
| C14         | 10°42'50" | 1731.00' | 323.68' | N 78°57'37" W 323.21' |
| C15         | 10°42'50" | 1610.00' | 30.30'  | N 84°18'06" W 30.30'  |
| C16         | 05°1'19"  | 1610.00' | 24.03'  | N 85°49'23" W 24.03'  |
| C17         | 90°56'22" | 35.00'   | 55.57'  | N 51°10'09" E 49.92'  |

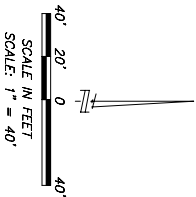
| LINE TABLE |               |         |
|------------|---------------|---------|
| LINE       | BEARING       | LENGTH  |
| L1         | N 87°48'06" W | 18.56'  |
| L2         | N 48°19'07" W | 19.74'  |
| L3         | N 65°59'15" W | 165.78' |
| L4         | N 65°57'49" W | 49.83'  |
| L5         | N 17°07'22" E | 113.77' |
| L6         | N 87°48'06" W | 10.57'  |
| L7         | N 48°19'07" W | 20.45'  |
| L8         | N 65°59'15" W | 169.16' |
| L9         | N 65°57'49" W | 27.61'  |
| L10        | N 17°07'22" E | 101.79' |
| L11        | N 87°51'23" E | 60.00'  |
| L12        | N 48°37'44" E | 42.12'  |
| L13        | S 68°13'05" E | 12.44'  |
| L14        | S 23°55'13" E | 51.12'  |
| L15        | S 85°09'04" E | 76.21'  |
| L16        | S 68°49'26" E | 17.60'  |
| L17        | S 83°43'33" E | 48.89'  |
| L18        | N 64°40'48" E | 124.47' |
| L19        | N 73°16'33" E | 102.82' |
| L20        | N 78°06'03" E | 58.59'  |
| L21        | N 78°27'33" E | 41.87'  |
| L22        | S 81°09'09" E | 41.15'  |

| LINE TABLE |               |        |
|------------|---------------|--------|
| LINE       | BEARING       | LENGTH |
| L24        | N 80°04'40" E | 62.57' |
| L25        | S 82°59'37" E | 41.74' |
| L26        | N 43°48'46" E | 54.91' |
| L27        | N 64°58'56" E | 46.76' |
| L28        | N 61°55'23" E | 64.93' |
| L29        | N 53°41'20" E | 81.21' |
| L30        | N 22°23'08" E | 44.03' |
| L31        | N 19°41'42" E | 86.69' |
| L32        | N 11°15'42" E | 25.61' |
| L33        | S 83°30'40" E | 66.79' |
| L34        | N 81°05'64" E | 21.29' |
| L35        | S 81°21'43" E | 41.27' |
| L36        | N 81°51'18" E | 41.80' |
| L37        | N 59°27'47" E | 20.08' |



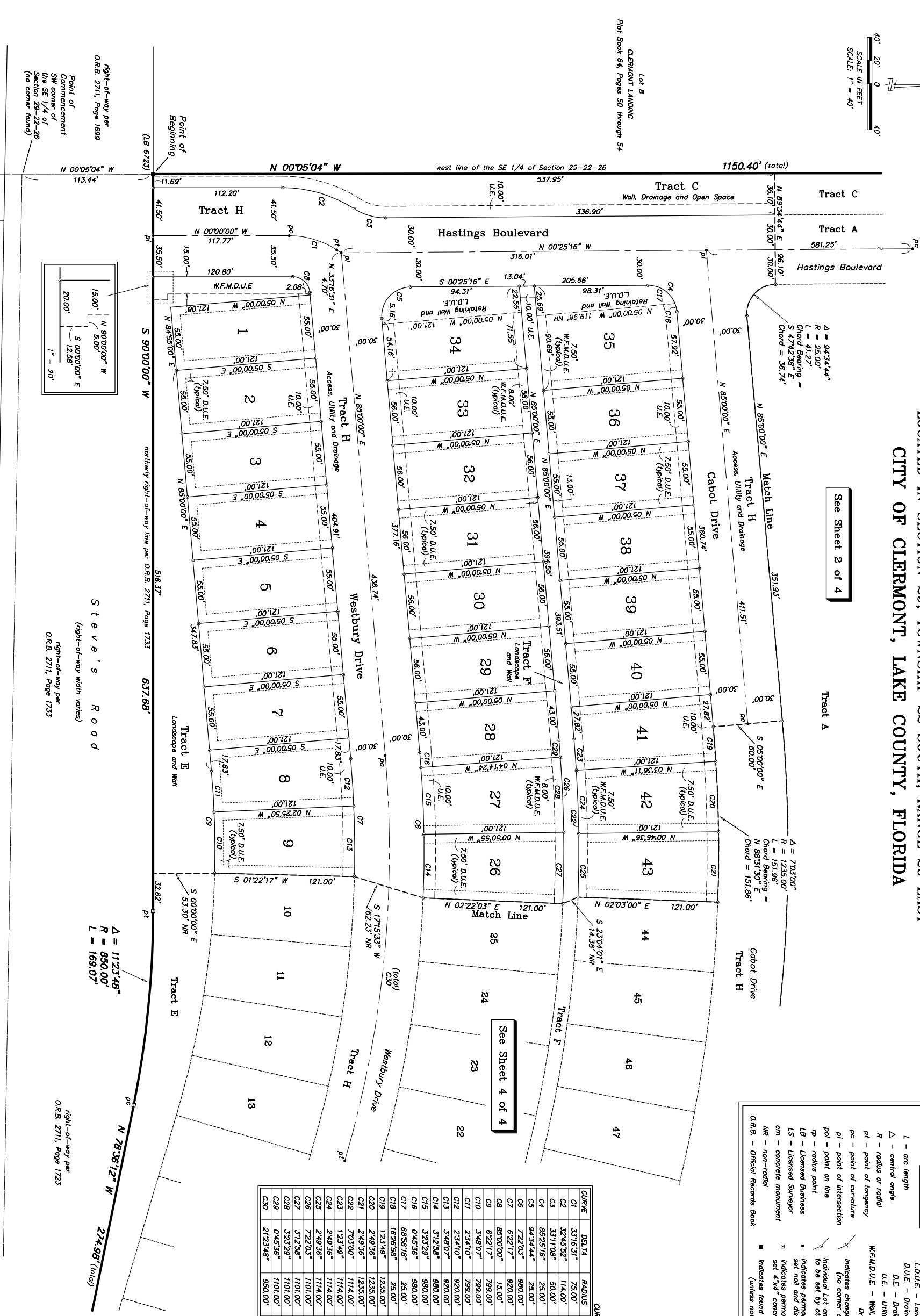
# HARVEST LANDING

REPLATTING A PORTION OF THE PLAT OF LAKE HIGHLANDS COMPANY (PLAT BOOK 2, PAGE 25)  
LOCATED IN SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST  
CITY OF CLERMONT, LAKE COUNTY, FLORIDA



| Legend                         |                                                                        |
|--------------------------------|------------------------------------------------------------------------|
| L - arc length                 | L.D.U.E. - Landscape, Drainage and Utility Easement                    |
| Δ - central angle              | D.U.E. - Drainage and Utility Easement                                 |
| R - radius or radial           | D.E. - Drainage Easement                                               |
| pt - point of tangency         | U.E. - Utility Easement                                                |
| pc - point of curvature        | W.F.M.D.U.E. - Wall, Fence, Maintenance, Drainage and Utility Easement |
| pl - point of intersection     | no corner set                                                          |
| pol - point on line            | Indicates change of direction (no corner set)                          |
| rp - radius point              | Individual Lot and Tract corners to be set by others (see Note 7)      |
| LB - Licensed Business         | Indicates permanent control point (PCP)                                |
| LS - Licensed Surveyor         | set nail and disc (PCP LB 7194)                                        |
| cm - concrete monument         | Indicates permanent reference monument (PRM)                           |
| NR - non-radial                | set 4"x4" concrete monument (PRM LB 7194)                              |
| O.R.B. - Official Records Book | Indicates found 4"x4" concrete monument (unless noted otherwise)       |

| CURVE TABLE |           |          |         |                       |
|-------------|-----------|----------|---------|-----------------------|
| CURVE       | DELTA     | RADIUS   | LENGTH  | CHORD BEARING         |
| C1          | 3316.31"  | 75.00'   | 43.56'  | S 163°16' W 42.95'    |
| C2          | 32945.52" | 114.00'  | 65.19'  | S 162°25'6" W 64.31'  |
| C3          | 33711.08" | 50.00'   | 28.96'  | N 161°01'8" E 28.96'  |
| C4          | 86225.16" | 25.00'   | 37.27'  | S 42°17'22" W 33.91'  |
| C5          | 94344.4"  | 25.00'   | 41.27'  | S 47°42'38" E 36.74'  |
| C6          | 7222.03"  | 980.00'  | 126.01' | S 88°41'01" W 125.93' |
| C7          | 622217"   | 920.00'  | 102.31' | S 88°11'09" W 102.27' |
| C8          | 85700.00" | 15.00'   | 22.25'  | S 42°30'00" W 20.27'  |
| C9          | 622217"   | 795.00'  | 88.85'  | S 88°11'09" W 88.80'  |
| C10         | 3348707"  | 795.00'  | 53.02'  | S 88°28'14" W 53.01'  |
| C11         | 23410"    | 795.00'  | 35.83'  | S 86°17'05" W 35.83'  |
| C12         | 23410"    | 920.00'  | 41.26'  | S 86°17'05" W 41.25'  |
| C13         | 3348707"  | 920.00'  | 61.05'  | S 88°28'14" W 61.04'  |
| C14         | 312356"   | 980.00'  | 55.01'  | N 89°14'28" W 55.00'  |
| C15         | 332329"   | 980.00'  | 58.01'  | S 87°27'21" W 58.00'  |
| C16         | 045356"   | 980.00'  | 13.00'  | S 85°22'48" W 13.00'  |
| C17         | 685816"   | 25.00'   | 30.09'  | S 34°03'53" W 28.31'  |
| C18         | 162658"   | 25.00'   | 7.18'   | S 75°46'31" W 7.15'   |
| C19         | 123248"   | 1235.00' | 30.11'  | S 85°41'54" W 30.11'  |
| C20         | 249356"   | 1235.00' | 60.93'  | S 87°48'35" W 60.92'  |
| C21         | 249356"   | 1235.00' | 60.93'  | N 89°21'48" W 60.92'  |
| C22         | 703300"   | 1114.00' | 137.07' | S 88°31'30" W 136.98' |
| C23         | 123248"   | 1114.00' | 27.16'  | S 85°41'54" W 27.16'  |
| C24         | 249356"   | 1114.00' | 54.96'  | S 87°48'35" W 54.95'  |
| C25         | 249356"   | 1114.00' | 54.96'  | N 89°21'48" W 54.95'  |
| C26         | 722203"   | 1101.00' | 141.57' | S 88°41'01" W 141.48' |
| C27         | 312356"   | 1101.00' | 61.80'  | N 89°14'28" W 61.79'  |
| C28         | 332329"   | 1101.00' | 65.17'  | S 87°27'21" W 65.16'  |
| C29         | 045356"   | 1101.00' | 14.61'  | S 85°22'48" W 14.60'  |
| C30         | 2123248"  | 950.00'  | 354.77' | N 84°18'06" W 352.71' |



Steve's Road  
(right-of-way width varies)  
right-of-way per  
O.R.B. 2711, Page 1723

right-of-way per  
O.R.B. 2711, Page 1723

right-of-way per  
O.R.B. 2711, Page 1699

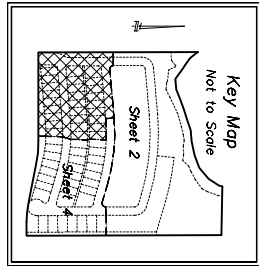
Point of  
Commencement  
SW corner of  
the SE 1/4 of  
Section 29-22-26  
(no corner found)

Lot B  
CLERMONT LANDING  
Plat Book 64, Pages 50 through 54

Tract 4

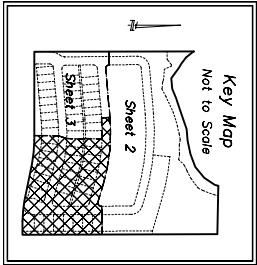
LAKE HIGHLANDS COMPANY  
Plat Book 3, Page 24

Tract 3



# HARVEST LANDING

REPLATTING A PORTION OF THE PLAT OF LAKE HIGHLANDS COMPANY (PLAT BOOK 2, PAGE 25)  
LOCATED IN SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST  
CITY OF CLERMONT, LAKE COUNTY, FLORIDA



CURVE TABLE

| CURVE | DELTA       | RADIUS   | LENGTH  | CHORD BEARING | CHORD   |
|-------|-------------|----------|---------|---------------|---------|
| C1    | 21°23'48"   | 1265.00' | 472.40' | N 84°18'06" W | 469.66' |
| C2    | 16°34'18"   | 200.00'  | 57.65'  | S 81°53'21" E | 57.64'  |
| C3    | 16°34'18"   | 170.00'  | 48.17'  | S 81°53'21" E | 48.00'  |
| C4    | 21°23'48"   | 950.00'  | 354.77' | N 84°18'06" W | 352.71' |
| C5    | 14°30'39"   | 950.00'  | 240.60' | N 80°51'32" W | 239.96' |
| C6    | 21°23'48"   | 1235.00' | 461.20' | N 84°18'06" W | 458.53' |
| C7    | 9°13'06"    | 230.00'  | 37.00'  | S 78°12'45" E | 36.96'  |
| C8    | 82°38'48"   | 25.00'   | 36.06'  | N 41°29'54" W | 33.02'  |
| C9    | 106°34'18"  | 25.00'   | 46.50'  | N 53'06'39" E | 40.08'  |
| C10   | 14°01'45"   | 980.00'  | 239.96' | N 80°51'05" W | 239.36' |
| C11   | 15°01'31"   | 920.00'  | 241.26' | N 81°06'57" W | 240.57' |
| C12   | 4°55'26"    | 200.00'  | 17.19'  | S 76°03'55" W | 17.18'  |
| C13   | 129°11'26"  | 25.00'   | 56.37'  | N 13°55'55" W | 43.17'  |
| C14   | 23°03'01" E | 60.00'   | 241.73' | S 64°46'21" E | 108.38' |
| C15   | 15°01'31"   | 799.00'  | 209.53' | N 81°06'57" W | 208.93' |
| C16   | 3°48'07"    | 920.00'  | 61.05'  | N 86°43'39" W | 61.04'  |
| C17   | 3°48'07"    | 920.00'  | 61.05'  | N 82°55'32" W | 61.04'  |
| C18   | 3°48'07"    | 920.00'  | 61.05'  | N 79°07'29" W | 61.04'  |
| C19   | 3°37'09"    | 920.00'  | 58.12'  | N 75°24'42" W | 58.11'  |
| C20   | 3°37'09"    | 799.00'  | 50.47'  | N 75°24'42" W | 50.46'  |
| C21   | 3°48'07"    | 799.00'  | 53.02'  | N 79°07'25" W | 53.01'  |
| C22   | 3°48'07"    | 799.00'  | 53.02'  | N 82°55'32" W | 53.01'  |
| C23   | 3°48'07"    | 799.00'  | 53.02'  | N 86°43'39" W | 53.01'  |
| C24   | 6°70'6" S   | 60.00'   | 70.28'  | S 17°06'31" W | 66.33'  |
| C25   | 64°34'15"   | 60.00'   | 67.62'  | S 48°43'54" E | 64.10'  |
| C26   | 99°09'28"   | 60.00'   | 103.64' | N 49°24'14" E | 91.36'  |
| C27   | 109°35"     | 980.00'  | 19.93'  | N 74°11'08" W | 19.93'  |
| C28   | 3°12'58"    | 980.00'  | 55.01'  | N 76°22'36" W | 55.00'  |
| C29   | 3°12'58"    | 980.00'  | 55.01'  | N 79°35'33" W | 55.00'  |
| C30   | 3°12'58"    | 980.00'  | 55.01'  | N 82°48'31" W | 55.00'  |
| C31   | 3°12'58"    | 980.00'  | 55.01'  | N 86°01'28" W | 55.00'  |
| C32   | 14°01'45"   | 1101.00' | 268.59' | N 80°51'05" W | 268.91' |
| C33   | 109°55"     | 1101.00' | 22.39'  | N 74°11'08" W | 22.39'  |
| C34   | 3°12'58"    | 1101.00' | 61.80'  | N 76°22'36" W | 61.79'  |
| C35   | 3°12'58"    | 1101.00' | 61.80'  | N 79°35'33" W | 61.79'  |
| C36   | 3°12'58"    | 1101.00' | 61.80'  | N 82°48'31" W | 61.79'  |
| C37   | 3°12'58"    | 1101.00' | 61.80'  | N 86°01'28" W | 61.79'  |
| C38   | 2°49'36"    | 1235.00' | 60.93'  | N 86°13'13" W | 60.92'  |
| C39   | 2°49'36"    | 1235.00' | 60.93'  | N 83°42'37" W | 60.92'  |
| C40   | 2°49'36"    | 1235.00' | 60.93'  | N 80°51'02" W | 60.92'  |
| C41   | 2°49'36"    | 1235.00' | 60.93'  | N 76°03'26" W | 60.92'  |
| C42   | 2°49'36"    | 1235.00' | 60.93'  | N 75°13'51" W | 60.92'  |
| C43   | 0°12'51"    | 1235.00' | 4.61'   | N 73°42'37" W | 4.61'   |
| C44   | 14°20'48"   | 1114.00' | 278.94' | N 80°46'36" W | 278.22' |
| C45   | 2°49'36"    | 1114.00' | 54.96'  | N 86°32'13" W | 54.95'  |
| C46   | 2°49'36"    | 1114.00' | 54.96'  | N 83°42'37" W | 54.95'  |
| C47   | 2°49'36"    | 1114.00' | 54.96'  | N 80°53'02" W | 54.95'  |
| C48   | 2°49'36"    | 1114.00' | 54.96'  | N 78°03'26" W | 54.95'  |
| C49   | 0°12'51"    | 1114.00' | 4.16'   | N 73°42'37" W | 4.16'   |
| C50   | 0°12'51"    | 1114.00' | 4.16'   | N 73°42'37" E | 4.16'   |
| C51   | 8°46'58"    | 750.00'  | 114.87' | S 85°24'31" E | 114.85' |
| C52   | 2°24'30"    | 750.00'  | 31.60'  | S 79°46'37" E | 31.59'  |
| C53   | 16°01'26"   | 25.00'   | 6.99'   | N 74°48'35" W | 6.97'   |
| C54   | 66°37'22"   | 25.00'   | 29.07'  | N 33°29'11" W | 27.46'  |

## Legend

- L - arc length
  - Δ - central angle
  - R - radius or rodial
  - pt - point of tangency
  - pc - point of curvature
  - pl - point of intersection
  - pod - point on line
  - rp - radius point
  - LB - Licensed Business
  - LS - Licensed Surveyor
  - cm - concrete monument
  - NR - non-rodial
  - O.R.B. - Official Records Book
- L.D.U.E. - Landscape, Drainage and Utility Easement  
D.U.E. - Drainage and Utility Easement  
U.E. - Utility Easement  
W.F.M.D.U.E. - Well, Fence, Maintenance, Drainage and Utility Easement  
no change of direction (no corner set)  
Individual Lot and Tract corners to be set by others (see Note 7)  
Indicates permanent control point (PCP)  
set nail and disc (PCP LB 7194)  
Indicates permanent reference monument (PRM) set 4"x4" concrete monument (PRM LB 7194)  
Indicates found 4"x4" concrete monument (unless noted otherwise)

Δ = 21°23'48"  
R = 1265.00'  
L = 483.61'  
Chord Bearing = S 84°18'06" E  
Chord = 480.80'

See Sheet 2 of 4

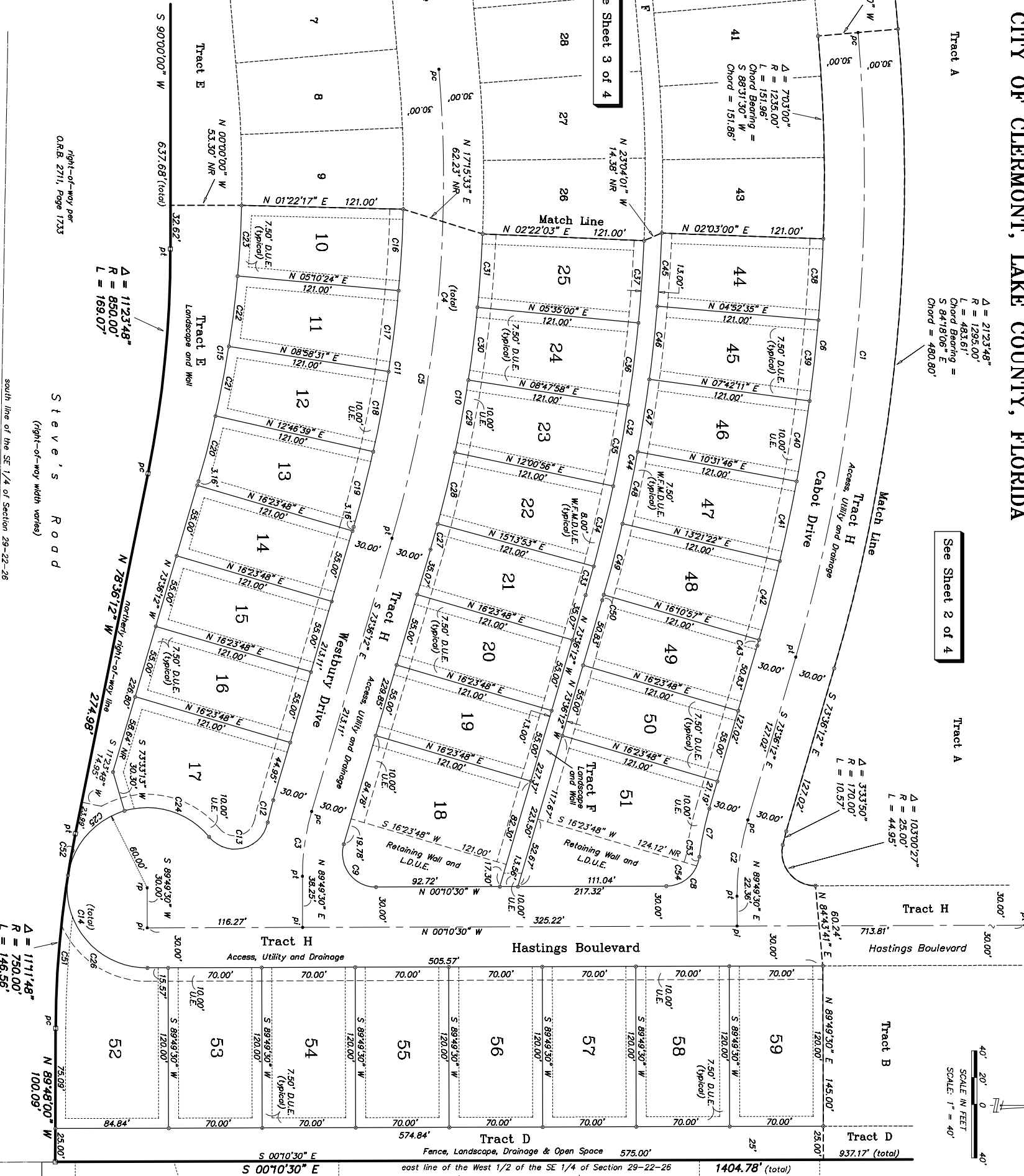
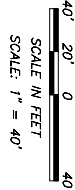
Tract A

Tract H

Tract B

Tract D

LOST LAKE RESERVE TRACT A  
Plat Book 57, Pages 23 and 24



right-of-way per  
O.R.B. 2711, Page 1733

Steve's Road  
(right-of-way width varies)

south line of the SE 1/4 of Section 29-22-26

Δ = 11°23'48"  
R = 550.00'  
L = 169.07'

Δ = 11°11'48"  
R = 750.00'  
L = 146.36'

right-of-way per  
O.R.B. 2711, Page 1723

Tract 3  
LAKE HIGHLANDS COMPANY  
Plat Book 3, Page 24





## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| Employee Group Medical Plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| Move to approve employee group medical plan changes effective January 1, 2015.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| <p>The Employee Group Medical Plan is self-funded and has been established since 1990. The plan provides health, dental and prescription drug coverage for employees, retirees and eligible dependents. During September and early October, the Employee Insurance Committee made up of employees representing all City departments met to discuss possible changes to the plan. The following proposed changes are recommended by the Committee to be effective January 1, 2015:</p> <ol style="list-style-type: none"><li>1. Increase the City's contribution toward employee coverage's 10% and retiree coverage's 11% or approximately \$229,112 annually. The increase is included in the current year budget.</li><li>2. Increase the employee rates \$5.00 per pay check.</li><li>3. Increase the retiree/COBRA rates 11%.</li><li>4. Adjust the employee and dependent tobacco user surcharge to 10% or an increase of approximately \$9.00 per pay check. Currently, the tobacco user surcharge which has been in place since 2009, is 7.3% for employees and 10.5% for dependents.</li><li>5. Implement a non-wellness participant surcharge of \$5.00 per pay check for employees who choose not to participate in the City's wellness program. (Participation in the program has two components – biometric screening or PCP physical examination and applicable lab work, and health awareness education.)</li><li>6. Increase the specialist physician office co-pay from \$25.00 to \$35.00 on both the Base Plan and High Deductible Plan.</li><li>7. Increase the out of pocket maximum costs for the Base Plan as follows: In network for the Individual from \$2,500 to \$3,000. In network for the Family from \$5,000 to \$6,000. Out of network for the Individual \$4,000 to \$5,000. Out of network for the Family to \$8,000 to \$10,000.</li><li>8. Increase the self insurance plan stop loss amount for large claims from \$100,000 to \$150,000, which will decrease the reinsurance premium.</li></ol> <p>With all of the above noted changes, the fund's cash reserves at December 31, 2015 are projected to be \$725,828 or 23.87% of annual claims. According to the plan actuary, the targeted reserves should be approximately 25% of annual claims.</p> |  |

|                                                                    |                                                                      |                                                                                                   |  |
|--------------------------------------------------------------------|----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|--|
| <b>Legal Impact</b>                                                |                                                                      |                                                                                                   |  |
|                                                                    |                                                                      |                                                                                                   |  |
| <b>Additional Analysis</b>                                         |                                                                      |                                                                                                   |  |
|                                                                    |                                                                      |                                                                                                   |  |
| <b>Fiscal Impact Summary</b>                                       |                                                                      |                                                                                                   |  |
| City contribution increase is included in the current year budget. |                                                                      |                                                                                                   |  |
| <b>Fiscal Impact</b>                                               | <b>Fund Number and Description</b>                                   | <b>Available Budget Amount</b>                                                                    |  |
|                                                                    |                                                                      |                                                                                                   |  |
| <b>Exhibits Attached</b> (copies of original agreements)           |                                                                      |                                                                                                   |  |
| 1.                                                                 | Group Medical Self Insurance Fund Revenues and Expenditures Schedule | Agenda Item Group Medical Self Insurance Fund Revenues-Expenditures Analysis - 2015 - 10-7-14.pdf |  |
| 2.                                                                 | Group Medical Self Insurance Fund Rates Comparison Schedule          | Group Medical Self Insurance Fund Rate Comparison Analysis - 2015 - 10-7-14.pdf                   |  |

**City of Clermont**  
**Group Medical Self Insurance Fund Revenues and Expenditures**  
**2014 - 2015**

10/7/2014

|                                | (EIC Recommended)                  |                                        |                                     |                                                 |                                                 |
|--------------------------------|------------------------------------|----------------------------------------|-------------------------------------|-------------------------------------------------|-------------------------------------------------|
|                                | <b>CY 2014<br/><u>Budgeted</u></b> | <b>CY 2014<br/><u>Actual @8-31</u></b> | <b>CY 2014<br/><u>Projected</u></b> | <b>Option A<br/>CY 2015<br/><u>Budgeted</u></b> | <b>Option B<br/>CY 2015<br/><u>Budgeted</u></b> |
| <b>Beginning Cash</b>          | \$861,976                          | \$913,978                              | \$913,978                           | \$652,295                                       | \$652,295                                       |
| <b>Revenues</b>                |                                    |                                        |                                     |                                                 |                                                 |
| City Premiums                  | \$2,391,848                        | \$1,735,136                            | \$2,532,889                         | \$2,892,027                                     | \$3,121,139                                     |
| City Operating Transfer        | \$0                                | \$0                                    | \$0                                 | \$0                                             | \$0                                             |
| Employee Premiums              | \$519,816                          | \$371,588                              | \$553,555                           | \$593,987                                       | \$639,227                                       |
| Retiree/Cobra Premiums         | \$51,489                           | \$29,651                               | \$42,802                            | \$37,745                                        | \$39,815                                        |
| Reimb - Reinsurance            | \$0                                | \$13,212                               | \$13,212                            | \$0                                             | \$0                                             |
| Reimb - CIGNA Wellness         | \$25,000                           | \$20,427                               | \$25,000                            | \$25,000                                        | \$25,000                                        |
| Interest Earnings              | \$6,000                            | \$2,614                                | \$5,347                             | \$6,000                                         | \$6,000                                         |
| <b>Total Revenues</b>          | \$2,994,153                        | \$2,172,628                            | \$3,172,805                         | \$3,554,759                                     | \$3,831,181                                     |
| <b>Expenditures</b>            |                                    |                                        |                                     |                                                 |                                                 |
| Claims                         | \$2,451,093                        | \$1,688,357                            | \$2,574,712                         | \$3,000,000                                     | \$3,040,430                                     |
| Claims Paid by City HRA        | \$15,000                           | \$23,956                               | \$35,640                            | \$30,000                                        | \$30,000                                        |
| Wellness Programs              | \$25,000                           | \$6,071                                | \$29,500                            | \$29,500                                        | \$25,000                                        |
| Admin Fees                     | \$150,975                          | \$91,856                               | \$164,905                           | \$179,035                                       | \$179,035                                       |
| Affordable Care Act Fees       | \$40,032                           | \$0                                    | \$40,032                            | \$40,032                                        | \$40,032                                        |
| Reinsurance                    | \$449,693                          | \$331,446                              | \$479,700                           | \$578,861                                       | \$443,150                                       |
| Transfer to Operating Funds    | \$110,000                          | \$110,000                              | \$110,000                           | \$0                                             | \$0                                             |
| <b>Total Expenditures</b>      | \$3,241,793                        | \$2,251,686                            | \$3,434,488                         | \$3,857,428                                     | \$3,757,648                                     |
| <b>Ending Cash</b>             | \$614,336                          | \$834,920                              | \$652,295                           | \$349,626                                       | \$725,828                                       |
| <b>Ending Cash % of Claims</b> | 25.06%                             | 49.45%                                 | 25.33%                              | 11.65%                                          | 23.87%                                          |

**Option A -**

> No changes to rates or benefits

**Option B -**

> Includes Employee Insurance Committee recommended changes.

**City of Clermont**  
**Group Medical Insurance Rates Comparison**  
**January 1, 2015**

10/7/2014

|                              | <u>Period</u> | <u>Current Rates</u> | <u>Proposed Rates</u> | <u>Inc (Dec)</u> |
|------------------------------|---------------|----------------------|-----------------------|------------------|
| <b>Base Plan - Employees</b> |               |                      |                       |                  |
| <b>Employee</b>              |               |                      |                       |                  |
| -City Share                  | Bi-Weekly     | \$320.85             | \$352.94              | \$32.09          |
| -EE Share                    | Bi-Weekly     | \$11.77              | \$16.77               | \$5.00           |
| -Total Annual \$             | Annual        | \$8,648.12           | \$9,612.33            | \$964.21         |
|                              |               |                      |                       |                  |
| -EE Tobacco Schg \$          | Bi-Weekly     | \$27.08              | \$36.98               | \$9.90           |
| -EE Wellness Schg \$         | Bi-Weekly     | \$0.00               | \$5.00                | \$5.00           |
|                              |               |                      |                       |                  |
| <b>Spouse</b>                |               |                      |                       |                  |
| -City Share                  | Bi-Weekly     | \$82.54              | \$82.54               | \$0.00           |
| -EE Share                    | Bi-Weekly     | \$99.71              | \$99.71               | \$0.00           |
| -Total Annual \$             | Annual        | \$4,738.50           | \$4,738.50            | \$0.00           |
|                              |               |                      |                       |                  |
| -EE Tobacco Schg \$          | Bi-Weekly     | \$19.13              | \$18.23               | -\$0.90          |
| -EE Wellness Schg \$         | Bi-Weekly     | \$0.00               | \$0.00                | \$0.00           |
|                              |               |                      |                       |                  |
| <b>Children</b>              |               |                      |                       |                  |
| -City Share                  | Bi-Weekly     | \$72.11              | \$72.11               | \$0.00           |
| -EE Share                    | Bi-Weekly     | \$91.81              | \$91.81               | \$0.00           |
| -Total Annual \$             | Annual        | \$4,261.92           | \$4,261.92            | \$0.00           |
|                              |               |                      |                       |                  |
| -EE Tobacco Schg \$          | Bi-Weekly     | \$17.31              | \$16.39               | -\$0.92          |
| -EE Wellness Schg \$         | Bi-Weekly     | \$0.00               | \$0.00                | \$0.00           |
|                              |               |                      |                       |                  |
| <b>Family</b>                |               |                      |                       |                  |
| -City Share                  | Bi-Weekly     | \$129.99             | \$129.99              | \$0.00           |
| -EE Share                    | Bi-Weekly     | \$142.55             | \$142.55              | \$0.00           |
| -Total Annual \$             | Annual        | \$7,086.04           | \$7,086.04            | \$0.00           |
|                              |               |                      |                       |                  |
| -EE Tobacco Schg \$          | Bi-Weekly     | \$28.22              | \$27.25               | -\$0.97          |
| -EE Wellness Schg \$         | Bi-Weekly     | \$0.00               | \$0.00                | \$0.00           |

|                                                              | <u>Period</u> | <u>Current<br/>Rates</u> | <u>Proposed<br/>Rates</u> | <u>Inc (Dec)</u> |
|--------------------------------------------------------------|---------------|--------------------------|---------------------------|------------------|
| <b>Base Plan - Retirees - Non-Medicare Eligible - Tier 1</b> |               |                          |                           |                  |
| <b>Retiree</b>                                               |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$417.01                 | \$463.48                  | \$46.47          |
| -Retiree Share                                               | Monthly       | \$303.70                 | \$337.54                  | \$33.84          |
| -Total                                                       | Annual        | \$8,648.52               | \$9,612.33                | \$963.81         |
| <b>Spouse</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$102.19                 | \$102.19                  | \$0.00           |
| -Retiree Share                                               | Monthly       | \$292.70                 | \$292.70                  | \$0.00           |
| -Total                                                       | Annual        | \$4,738.50               | \$4,738.50                | \$0.00           |
| <b>Children</b>                                              |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$107.32                 | \$107.32                  | \$0.00           |
| -Retiree Share                                               | Monthly       | \$247.84                 | \$247.84                  | \$0.00           |
| -Total                                                       | Annual        | \$4,261.92               | \$4,261.92                | \$0.00           |
| <b>Family</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$195.29                 | \$195.29                  | \$0.00           |
| -Retiree Share                                               | Monthly       | \$395.20                 | \$395.20                  | \$0.00           |
| -Total                                                       | Annual        | \$7,086.04               | \$7,086.04                | \$0.00           |
| <b>Base Plan - Retirees - Medicare Eligible - Tier 1</b>     |               |                          |                           |                  |
| <b>Retiree</b>                                               |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$254.38                 | \$282.73                  | \$28.35          |
| -Retiree Share                                               | Monthly       | \$186.22                 | \$206.97                  | \$20.75          |
| -Total                                                       | Annual        | \$5,287.20               | \$5,876.42                | \$589.22         |
| <b>Spouse</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$62.34                  | \$62.34                   | \$0.00           |
| -Retiree Share                                               | Monthly       | \$179.62                 | \$179.62                  | \$0.00           |
| -Total                                                       | Annual        | \$2,903.41               | \$2,903.41                | \$0.00           |

Tier 1 retirees are employees who retired or entered the DROP prior to October 1, 2013.

|                                                              | <u>Period</u> | <u>Current<br/>Rates</u> | <u>Proposed<br/>Rates</u> | <u>Inc (Dec)</u> |
|--------------------------------------------------------------|---------------|--------------------------|---------------------------|------------------|
| <b>Base Plan - Retirees - Non-Medicare Eligible - Tier 2</b> |               |                          |                           |                  |
| <b>Retiree</b>                                               |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$360.34                 | \$400.51                  | \$40.17          |
| -Retiree Share                                               | Monthly       | \$360.34                 | \$400.51                  | \$40.17          |
| -Total                                                       | Annual        | \$8,648.16               | \$9,612.33                | \$964.17         |
| <b>Spouse</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$98.72                  | \$98.72                   | \$0.00           |
| -Retiree Share                                               | Monthly       | \$296.16                 | \$296.16                  | \$0.00           |
| -Total                                                       | Annual        | \$4,738.50               | \$4,738.50                | \$0.00           |
| <b>Children</b>                                              |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$88.79                  | \$88.79                   | \$0.00           |
| -Retiree Share                                               | Monthly       | \$266.37                 | \$266.37                  | \$0.00           |
| -Total                                                       | Annual        | \$4,261.92               | \$4,261.92                | \$0.00           |
| <b>Family</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$147.63                 | \$147.63                  | \$0.00           |
| -Retiree Share                                               | Monthly       | \$442.88                 | \$442.88                  | \$0.00           |
| -Total                                                       | Annual        | \$7,086.04               | \$7,086.04                | \$0.00           |
| <b>Base Plan - Retirees - Medicare Eligible - Tier 2</b>     |               |                          |                           |                  |
| <b>Retiree</b>                                               |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$220.30                 | \$244.85                  | \$24.55          |
| -Retiree Share                                               | Monthly       | \$220.30                 | \$244.85                  | \$24.55          |
| -Total                                                       | Annual        | \$5,287.20               | \$5,876.42                | \$589.22         |
| <b>Spouse</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$60.49                  | \$60.49                   | \$0.00           |
| -Retiree Share                                               | Monthly       | \$181.47                 | \$181.47                  | \$0.00           |
| -Total                                                       | Annual        | \$2,903.41               | \$2,903.41                | \$0.00           |

Tier 2 retirees are employees who had 20 or more years of service as of October 1, 2013.

|                                                              | <u>Period</u> | <u>Current<br/>Rates</u> | <u>Proposed<br/>Rates</u> | <u>Inc (Dec)</u> |
|--------------------------------------------------------------|---------------|--------------------------|---------------------------|------------------|
| <b>Base Plan - Retirees - Non-Medicare Eligible - Tier 3</b> |               |                          |                           |                  |
| <b>Retiree</b>                                               |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$216.20                 | \$240.31                  | \$24.11          |
| -Retiree Share                                               | Monthly       | \$504.47                 | \$560.72                  | \$56.25          |
| -Total                                                       | Annual        | \$8,648.04               | \$9,612.33                | \$964.29         |
| <b>Spouse</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$59.23                  | \$59.23                   | \$0.00           |
| -Retiree Share                                               | Monthly       | \$335.64                 | \$335.65                  | \$0.00           |
| -Total                                                       | Annual        | \$4,738.50               | \$4,738.50                | \$0.00           |
| <b>Children</b>                                              |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$53.27                  | \$53.27                   | \$0.00           |
| -Retiree Share                                               | Monthly       | \$301.89                 | \$301.89                  | \$0.00           |
| -Total                                                       | Annual        | \$4,261.92               | \$4,261.92                | \$0.00           |
| <b>Family</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$88.58                  | \$88.58                   | \$0.00           |
| -Retiree Share                                               | Monthly       | \$501.93                 | \$501.93                  | \$0.00           |
| -Total                                                       | Annual        | \$7,086.04               | \$7,086.04                | \$0.00           |

### **Base Plan - Retirees - Medicare Eligible - Tier 3**

|                |         |            |            |          |
|----------------|---------|------------|------------|----------|
| <b>Retiree</b> |         |            |            |          |
| -City Share    | Monthly | \$132.18   | \$146.91   | \$14.73  |
| -Retiree Share | Monthly | \$308.42   | \$342.79   | \$34.37  |
| -Total         | Annual  | \$5,287.20 | \$5,876.42 | \$589.22 |
| <b>Spouse</b>  |         |            |            |          |
| -City Share    | Monthly | \$36.29    | \$36.29    | \$0.00   |
| -Retiree Share | Monthly | \$205.67   | \$205.67   | \$0.00   |
| -Total         | Annual  | \$2,903.41 | \$2,903.41 | \$0.00   |

Tier 3 retirees are employees who had at least 10 years, but less than 20 years of service as of October 1, 2013.

|                                                              | <u>Period</u> | <u>Current<br/>Rates</u> | <u>Proposed<br/>Rates</u> | <u>Inc (Dec)</u> |
|--------------------------------------------------------------|---------------|--------------------------|---------------------------|------------------|
| <b>Base Plan - Retirees - Non-Medicare Eligible - Tier 4</b> |               |                          |                           |                  |
| <b>Retiree</b>                                               |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$72.07                  | \$80.10                   | \$8.03           |
| -Retiree Share                                               | Monthly       | \$648.61                 | \$720.92                  | \$72.31          |
| -Total                                                       | Annual        | \$8,648.16               | \$9,612.33                | \$964.17         |
| <b>Spouse</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$19.74                  | \$19.74                   | \$0.00           |
| -Retiree Share                                               | Monthly       | \$375.13                 | \$375.13                  | \$0.00           |
| -Total                                                       | Annual        | \$4,738.50               | \$4,738.50                | \$0.00           |
| <b>Children</b>                                              |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$17.76                  | \$17.76                   | \$0.00           |
| -Retiree Share                                               | Monthly       | \$337.40                 | \$337.40                  | \$0.00           |
| -Total                                                       | Annual        | \$4,261.92               | \$4,261.92                | \$0.00           |
| <b>Family</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$29.53                  | \$29.53                   | \$0.00           |
| -Retiree Share                                               | Monthly       | \$560.98                 | \$560.98                  | \$0.00           |
| -Total                                                       | Annual        | \$7,086.04               | \$7,086.04                | \$0.00           |
| <b>Base Plan - Retirees - Medicare Eligible - Tier 4</b>     |               |                          |                           |                  |
| <b>Retiree</b>                                               |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$44.06                  | \$48.97                   | \$4.91           |
| -Retiree Share                                               | Monthly       | \$396.54                 | \$440.73                  | \$44.19          |
| -Total                                                       | Annual        | \$5,287.20               | \$5,876.42                | \$589.22         |
| <b>Spouse</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$12.10                  | \$12.10                   | \$0.00           |
| -Retiree Share                                               | Monthly       | \$229.86                 | \$229.86                  | \$0.00           |
| -Total                                                       | Annual        | \$2,903.41               | \$2,903.41                | \$0.00           |

Tier 4 retirees are employees who had less than 10 years of service as of October 1, 2013.



|                                                              | <u>Period</u> | <u>Current<br/>Rates</u> | <u>Proposed<br/>Rates</u> | <u>Inc (Dec)</u> |
|--------------------------------------------------------------|---------------|--------------------------|---------------------------|------------------|
| <b>Base Plan - Retirees - Non-Medicare Eligible - Tier 5</b> |               |                          |                           |                  |
| <b>Retiree</b>                                               |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$0.00                   | \$0.00                    | \$0.00           |
| -Retiree Share                                               | Monthly       | \$720.68                 | \$801.03                  | \$80.35          |
| -Total                                                       | Annual        | \$8,648.16               | \$9,612.33                | \$964.17         |
| <b>Spouse</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$0.00                   | \$0.00                    | \$0.00           |
| -Retiree Share                                               | Monthly       | \$394.88                 | \$394.88                  | \$0.00           |
| -Total                                                       | Annual        | \$4,738.50               | \$4,738.50                | \$0.00           |
| <b>Children</b>                                              |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$0.00                   | \$0.00                    | \$0.00           |
| -Retiree Share                                               | Monthly       | \$355.16                 | \$355.16                  | \$0.00           |
| -Total                                                       | Annual        | \$4,261.92               | \$4,261.92                | \$0.00           |
| <b>Family</b>                                                |               |                          |                           |                  |
| -City Share                                                  | Monthly       | \$0.00                   | \$0.00                    | \$0.00           |
| -Retiree Share                                               | Monthly       | \$590.50                 | \$590.50                  | \$0.00           |
| -Total                                                       | Annual        | \$7,086.04               | \$7,086.04                | \$0.00           |

#### **Base Plan - Retirees - Medicare Eligible - Tier 5**

|                |         |            |            |          |
|----------------|---------|------------|------------|----------|
| <b>Retiree</b> |         |            |            |          |
| -City Share    | Monthly | \$0.00     | \$0.00     | \$0.00   |
| -Retiree Share | Monthly | \$440.60   | \$489.70   | \$49.10  |
| -Total         | Annual  | \$5,287.20 | \$5,876.42 | \$589.22 |
| <b>Spouse</b>  |         |            |            |          |
| -City Share    | Monthly | \$0.00     | \$0.00     | \$0.00   |
| -Retiree Share | Monthly | \$241.96   | \$241.96   | \$0.00   |
| -Total         | Annual  | \$2,903.41 | \$2,903.41 | \$0.00   |

Tier 5 retirees are employees who were hired after February 26, 2013.

|                                         | <u>Period</u> | <u>Current Rates</u> | <u>Proposed Rates</u> | <u>Inc (Dec)</u> |
|-----------------------------------------|---------------|----------------------|-----------------------|------------------|
| <b>High Deductible Plan - Employees</b> |               |                      |                       |                  |
| <b>Employee</b>                         |               |                      |                       |                  |
| -City Share                             | Bi-Weekly     | \$240.64             | \$264.70              | \$24.06          |
| -EE Share                               | Bi-Weekly     | \$5.89               | \$10.89               | \$5.00           |
| -Total Annual \$                        | Annual        | \$6,409.78           | \$7,165.44            | \$755.66         |
|                                         |               |                      |                       |                  |
| -EE Tobacco Schg \$                     | Bi-Weekly     | \$27.08              | \$36.98               | \$9.90           |
| -EE Wellness Schg \$                    | Bi-Weekly     | \$0.00               | \$5.00                | \$5.00           |
|                                         |               |                      |                       |                  |
| <b>Spouse</b>                           |               |                      |                       |                  |
| -City Share                             | Bi-Weekly     | \$61.91              | \$61.91               | \$0.00           |
| -EE Share                               | Bi-Weekly     | \$49.86              | \$49.86               | \$0.00           |
| -Total Annual \$                        | Annual        | \$2,906.02           | \$2,906.02            | \$0.00           |
|                                         |               |                      |                       |                  |
| -EE Tobacco Schg \$                     | Bi-Weekly     | \$19.13              | \$18.23               | -\$0.90          |
| -EE Wellness Schg \$                    | Bi-Weekly     | \$0.00               | \$0.00                | \$0.00           |
|                                         |               |                      |                       |                  |
| <b>Children</b>                         |               |                      |                       |                  |
| -City Share                             | Bi-Weekly     | \$54.08              | \$54.08               | \$0.00           |
| -EE Share                               | Bi-Weekly     | \$45.91              | \$45.91               | \$0.00           |
| -Total Annual \$                        | Annual        | \$2,599.74           | \$2,599.74            | \$0.00           |
|                                         |               |                      |                       |                  |
| -EE Tobacco Schg \$                     | Bi-Weekly     | \$17.31              | \$16.39               | -\$0.92          |
| -EE Wellness Schg \$                    | Bi-Weekly     | \$0.00               | \$0.00                | \$0.00           |
|                                         |               |                      |                       |                  |
| <b>Family</b>                           |               |                      |                       |                  |
| -City Share                             | Bi-Weekly     | \$97.49              | \$97.49               | \$0.00           |
| -EE Share                               | Bi-Weekly     | \$71.28              | \$71.28               | \$0.00           |
| -Total Annual \$                        | Annual        | \$4,388.02           | \$4,388.02            | \$0.00           |
|                                         |               |                      |                       |                  |
| -EE Tobacco Schg \$                     | Bi-Weekly     | \$28.22              | \$27.25               | -\$0.97          |
| -EE Wellness Schg \$                    | Bi-Weekly     | 0.00%                | \$0.00                | \$0.00           |

|                                                                         | <u>Period</u> | <u>Current<br/>Rates</u> | <u>Proposed<br/>Rates</u> | <u>Inc (Dec)</u> |
|-------------------------------------------------------------------------|---------------|--------------------------|---------------------------|------------------|
| <b>High Deductible Plan - Retirees - Non-Medicare Eligible - Tier 1</b> |               |                          |                           |                  |
| <b>Retiree</b>                                                          |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$309.07                 | \$345.52                  | \$36.45          |
| -Retiree Share                                                          | Monthly       | \$225.06                 | \$251.60                  | \$26.54          |
| -Total                                                                  | Annual        | \$6,409.56               | \$7,165.44                | \$755.88         |
| <b>Spouse</b>                                                           |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$62.66                  | \$62.66                   | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$179.49                 | \$179.49                  | \$0.00           |
| -Total                                                                  | Annual        | \$2,906.02               | \$2,906.02                | \$0.00           |
| <b>Children</b>                                                         |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$65.46                  | \$65.46                   | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$151.18                 | \$151.18                  | \$0.00           |
| -Total                                                                  | Annual        | \$2,599.74               | \$2,599.74                | \$0.00           |
| <b>Family</b>                                                           |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$120.94                 | \$120.94                  | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$244.73                 | \$244.73                  | \$0.00           |
| -Total                                                                  | Annual        | \$4,388.02               | \$4,388.02                | \$0.00           |

#### **High Deductible Plan - Retirees - Medicare Eligible - Tier 1**

|                |         |            |            |          |
|----------------|---------|------------|------------|----------|
| <b>Retiree</b> |         |            |            |          |
| -City Share    | Monthly | \$188.53   | \$210.76   | \$22.23  |
| -Retiree Share | Monthly | \$138.02   | \$154.30   | \$16.28  |
| -Total         | Annual  | \$3,918.60 | \$4,380.72 | \$462.12 |
| <b>Spouse</b>  |         |            |            |          |
| -City Share    | Monthly | \$85.66    | \$38.24    | -\$47.42 |
| -Retiree Share | Monthly | \$62.71    | \$110.15   | \$47.44  |
| -Total         | Annual  | \$1,780.44 | \$1,780.57 | \$0.13   |

**Tier 1 retirees are employees who retired or entered the DROP prior to October 1, 2013.**

|                                                                         | <u>Period</u> | <u>Current<br/>Rates</u> | <u>Proposed<br/>Rates</u> | <u>Inc (Dec)</u> |
|-------------------------------------------------------------------------|---------------|--------------------------|---------------------------|------------------|
| <b>High Deductible Plan - Retirees - Non-Medicare Eligible - Tier 2</b> |               |                          |                           |                  |
| <b>Retiree</b>                                                          |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$267.07                 | \$298.56                  | \$31.49          |
| -Retiree Share                                                          | Monthly       | \$267.07                 | \$298.56                  | \$31.49          |
| -Total                                                                  | Annual        | \$6,409.68               | \$7,165.44                | \$755.76         |
| <b>Spouse</b>                                                           |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$60.54                  | \$60.54                   | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$181.61                 | \$181.61                  | \$0.00           |
| -Total                                                                  | Annual        | \$2,906.02               | \$2,906.02                | \$0.00           |
| <b>Children</b>                                                         |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$54.16                  | \$54.16                   | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$162.48                 | \$162.48                  | \$0.00           |
| -Total                                                                  | Annual        | \$2,599.74               | \$2,599.74                | \$0.00           |
| <b>Family</b>                                                           |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$91.42                  | \$91.42                   | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$274.25                 | \$274.25                  | \$0.00           |
| -Total                                                                  | Annual        | \$4,388.02               | \$4,388.02                | \$0.00           |

#### **High Deductible Plan - Retirees - Medicare Eligible - Tier 2**

|                |         |            |            |          |
|----------------|---------|------------|------------|----------|
| <b>Retiree</b> |         |            |            |          |
| -City Share    | Monthly | \$163.28   | \$182.53   | \$19.25  |
| -Retiree Share | Monthly | \$163.28   | \$182.53   | \$19.25  |
| -Total         | Annual  | \$3,918.72 | \$4,380.72 | \$462.00 |
| <b>Spouse</b>  |         |            |            |          |
| -City Share    | Monthly | \$37.09    | \$37.09    | \$0.00   |
| -Retiree Share | Monthly | \$111.28   | \$111.28   | \$0.00   |
| -Total         | Annual  | \$1,780.57 | \$1,780.57 | \$0.00   |

Tier 2 retirees are employees who had 20 or more years of service as of October 1, 2013.

|                                                                         | <u>Period</u> | <u>Current<br/>Rates</u> | <u>Proposed<br/>Rates</u> | <u>Inc (Dec)</u> |
|-------------------------------------------------------------------------|---------------|--------------------------|---------------------------|------------------|
| <b>High Deductible Plan - Retirees - Non-Medicare Eligible - Tier 3</b> |               |                          |                           |                  |
| <b>Retiree</b>                                                          |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$160.24                 | \$179.14                  | \$18.90          |
| -Retiree Share                                                          | Monthly       | \$373.89                 | \$417.98                  | \$44.09          |
| -Total                                                                  | Annual        | \$6,409.56               | \$7,165.44                | \$755.88         |
| <b>Spouse</b>                                                           |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$36.32                  | \$36.32                   | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$205.82                 | \$205.82                  | \$0.00           |
| -Total                                                                  | Annual        | \$2,906.02               | \$2,906.02                | \$0.00           |
| <b>Children</b>                                                         |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$32.50                  | \$32.50                   | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$184.14                 | \$184.14                  | \$0.00           |
| -Total                                                                  | Annual        | \$2,599.74               | \$2,599.74                | \$0.00           |
| <b>Family</b>                                                           |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$54.85                  | \$54.85                   | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$310.81                 | \$310.81                  | \$0.00           |
| -Total                                                                  | Annual        | \$4,388.02               | \$4,388.02                | \$0.00           |

#### **High Deductible Plan - Retirees - Medicare Eligible - Tier 3**

|                |         |            |            |          |
|----------------|---------|------------|------------|----------|
| <b>Retiree</b> |         |            |            |          |
| -City Share    | Monthly | \$97.97    | \$109.52   | \$11.55  |
| -Retiree Share | Monthly | \$228.59   | \$255.54   | \$26.95  |
| -Total         | Annual  | \$3,918.72 | \$4,380.72 | \$462.00 |
| <b>Spouse</b>  |         |            |            |          |
| -City Share    | Monthly | \$22.26    | \$22.26    | \$0.00   |
| -Retiree Share | Monthly | \$126.12   | \$126.12   | \$0.00   |
| -Total         | Annual  | \$1,780.57 | \$1,780.57 | \$0.00   |

Tier 3 retirees are employees who had at least 10 years, but less than 20 years of service as of October 1, 2013.

|                                                                         | <u>Period</u> | <u>Current<br/>Rates</u> | <u>Proposed<br/>Rates</u> | <u>Inc (Dec)</u> |
|-------------------------------------------------------------------------|---------------|--------------------------|---------------------------|------------------|
| <b>High Deductible Plan - Retirees - Non-Medicare Eligible - Tier 4</b> |               |                          |                           |                  |
| <b>Retiree</b>                                                          |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$53.41                  | \$59.71                   | \$6.30           |
| -Retiree Share                                                          | Monthly       | \$480.72                 | \$537.41                  | \$56.69          |
| -Total                                                                  | Annual        | \$6,409.56               | \$7,165.44                | \$755.88         |
| <b>Spouse</b>                                                           |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$12.11                  | \$12.11                   | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$230.04                 | \$230.04                  | \$0.00           |
| -Total                                                                  | Annual        | \$2,906.02               | \$2,906.02                | \$0.00           |
| <b>Children</b>                                                         |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$10.83                  | \$10.83                   | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$205.81                 | \$205.81                  | \$0.00           |
| -Total                                                                  | Annual        | \$2,599.74               | \$2,599.74                | \$0.00           |
| <b>Family</b>                                                           |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$18.28                  | \$18.28                   | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$347.38                 | \$347.38                  | \$0.00           |
| -Total                                                                  | Annual        | \$4,388.02               | \$4,388.02                | \$0.00           |

#### **High Deductible Plan - Retirees - Medicare Eligible - Tier 4**

|                |         |            |            |          |
|----------------|---------|------------|------------|----------|
| <b>Retiree</b> |         |            |            |          |
| -City Share    | Monthly | \$32.66    | \$36.51    | \$3.85   |
| -Retiree Share | Monthly | \$293.90   | \$328.55   | \$34.65  |
| -Total         | Annual  | \$3,918.72 | \$4,380.72 | \$462.00 |
| <b>Spouse</b>  |         |            |            |          |
| -City Share    | Monthly | \$7.42     | \$7.42     | \$0.00   |
| -Retiree Share | Monthly | \$140.96   | \$140.96   | \$0.00   |
| -Total         | Annual  | \$1,780.57 | \$1,780.57 | \$0.00   |

**Tier 4 retirees are employees who had less than 10 years of service as of October 1, 2013.**

|                                                                         | <u>Period</u> | <u>Current<br/>Rates</u> | <u>Proposed<br/>Rates</u> | <u>Inc (Dec)</u> |
|-------------------------------------------------------------------------|---------------|--------------------------|---------------------------|------------------|
| <b>High Deductible Plan - Retirees - Non-Medicare Eligible - Tier 5</b> |               |                          |                           |                  |
| <b>Retiree</b>                                                          |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$0.00                   | \$0.00                    | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$534.13                 | \$597.12                  | \$62.99          |
| -Total                                                                  | Annual        | \$6,409.56               | \$7,165.44                | \$755.88         |
| <b>Spouse</b>                                                           |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$0.00                   | \$0.00                    | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$242.15                 | \$242.15                  | \$0.00           |
| -Total                                                                  | Annual        | \$2,906.02               | \$2,906.02                | \$0.00           |
| <b>Children</b>                                                         |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$0.00                   | \$0.00                    | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$216.64                 | \$216.64                  | \$0.00           |
| -Total                                                                  | Annual        | \$2,599.74               | \$2,599.74                | \$0.00           |
| <b>Family</b>                                                           |               |                          |                           |                  |
| -City Share                                                             | Monthly       | \$0.00                   | \$0.00                    | \$0.00           |
| -Retiree Share                                                          | Monthly       | \$365.66                 | \$365.66                  | \$0.00           |
| -Total                                                                  | Annual        | \$4,388.02               | \$4,388.02                | \$0.00           |

#### **High Deductible Plan - Retirees - Medicare Eligible - Tier 5**

|                |         |            |            |          |
|----------------|---------|------------|------------|----------|
| <b>Retiree</b> |         |            |            |          |
| -City Share    | Monthly | \$0.00     | \$0.00     | \$0.00   |
| -Retiree Share | Monthly | \$326.55   | \$365.06   | \$38.51  |
| -Total         | Annual  | \$3,918.60 | \$4,380.72 | \$462.12 |
| <b>Spouse</b>  |         |            |            |          |
| -City Share    | Monthly | \$0.00     | \$0.00     | \$0.00   |
| -Retiree Share | Monthly | \$148.38   | \$148.38   | \$0.00   |
| -Total         | Annual  | \$1,780.57 | \$1,780.57 | \$0.00   |

Tier 5 retirees are employees who were hired after February 26, 2013.



# CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                    |                                    |                                |
| Lease Agreement                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                    |                                    |                                |
| Move to approve lease agreement with the Clermont Garden Club.                                                                                                                                                                                                                                                                             |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| <p>Staff has been working on a revised and updated lease agreement with the Clermont Garden Club. The Clermont Garden Club has requested four changes to the agreement relating to the use of the lease of the premises.</p> <p>The attached memorandum from City Attorney Mantzaris contains a summary of the four requested changes.</p> |                                    |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                        |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                 |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                               |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                       | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                   |                                    |                                |
| 1. Memo Graygardenclub2014 lease memo.pdf                                                                                                                                                                                                                                                                                                  |                                    |                                |
| 2. Garden Club Lease Agreement garden club lease 2014requested changesby club.pdf                                                                                                                                                                                                                                                          |                                    |                                |



# DE BEAUBIEN, KNIGHT, SIMMONS, MANTZARIS & NEAL, LLP

## ATTORNEYS AND COUNSELORS AT LAW

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

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Writer's e-Mail: [dfm14@dbksmn.com](mailto:dfm14@dbksmn.com)

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## MEMORANDUM

**TO :** Darren Gray, City Manager

**FROM :** Daniel F. Mantzaris, City Attorney

**DATE :** September 23, 2014

**RE :** Clermont Garden Club Lease

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Provided is the proposed agreement for the Garden Club Lease. As you are aware our office has been working with Attorney Jimmy Crawford on a revised and updated lease agreement. The attached copy includes highlighted changes that have been requested by the Garden Club. Given the ongoing discussions related to the use of the lease of the premises by the Garden Club, we believe these requested changes should be reviewed and decided by the City Council. I have summarized the four requested items below (Note: lease language is in italics, strikethrough denotes deleted terms and underlined denotes added).

1. Section 6A: The Garden Club has requested the following change.

A. *Tenant shall ensure that during all times that a third party event is permitted to utilize the premise, that an authorized representative of Tenant shall be ~~present~~ available for immediate contact, if needed. The authorized representative shall have the authority and obligation to terminate any use of the facility that violates the conditions contained herein, or which creates a public nuisance.*

2. Section 6C: The Garden Club has requested that the time limit for music to be heard outside of the building be set at 11:00 PM.

C. *Tenant shall ensure that no music is played or amplified so as to be audible outside of the structure after 11:00 p.m.*

**Memorandum to Darren Gray**  
**September 23, 2014**  
**Page 2**

3. Section 6D: The Garden Club has requested that the following be deleted in its entirety.

*D. Tenant shall not permit the serving of alcohol or any kind on the Premises, unless specifically approved by action of the Clermont City Council.*

4. Section 11. The Garden Club has requested the following change. Note: in our view this change is not practical for the City to enforce its rights as landlord.

*11. Entry Upon the Premises*

*The Tenant covenants and agrees that the Landlord, its representatives, successors and assigns, shall have free access to the Premises at all reasonable times during normal business hours , after twenty-four hour written notice, for the purpose of inspecting the same and for the purpose of making any alterations or repairs to the Premises that the Landlord may deem necessary for the safety or preservation of the Premises; provided, however, that such alterations or repairs have not been made by Tenant after written notice to Tenant of the necessity therefore in the time period specified by Landlord.*

If you have any questions, please do not hesitate to contact me.

cc: Tracy Ackroyd

## **LEASE**

THIS LEASE made and entered into this 28<sup>th</sup> day of October 2014, by and between the CITY OF CLERMONT, a Florida municipal corporation whose address is 685 W. Montrose Street, Clermont, FL 34711, hereinafter "Landlord" and CLERMONT GARDEN CLUB, INC. a Florida Non-Profit Corporation, whose address is 849 West Ave. Clermont, FL , 34711, hereinafter "Tenant".

### **WITNESSETH THAT:**

Upon the terms and conditions hereinafter stated, and in consideration of the payment hereinafter stipulated and the performance by the Tenant of the covenants herein contained, the Landlord does hereby lease, let and demise unto the Tenant, and the Tenant does hereby rent, lease and hire from the Landlord, upon the terms and conditions hereinafter stated, the Premises, as described below. This Lease Agreement shall replace in its entirety that certain lease agreement between the parties dated March 22, 1977.

#### **1.     Premises**

The Premises that shall be the subject matter of this lease agreement and to which Tenant shall be entitled to occupy in accordance with the terms hereof, shall be that certain grounds and structure located at 849 West Avenue, Clermont, Florida.

#### **2.     Term of Lease**

This Lease shall be effective as of the last date of execution by the parties below. The term of this Lease shall continue as set forth in the 1977 agreement and shall end on March 31, 2027. The Lease term may, at Tenant's option, be renewed under the same terms and conditions of this Lease for a period of Ten (10) years. As a condition precedent to Tenant's renewal right hereunder, Landlord's agreement with Lake County for the use of

the Premises shall still be in effect and Tenant shall give written notice to Landlord of its intention to renew no more than six (6) months nor less than three (3) months before the expiration of the initial term hereunder.

**3. Use and Care of Leased Premises**

A. Tenant recognizes and agrees that the Premises have and will continue to be occupied by Tenant and Tenant accepts the Premises in the condition as is as of the effective date of this Lease. Tenant shall be responsible for all costs associated with the maintenance and upkeep of the interior and exterior of structure located on the Premises, including all the grounds and landscaping.

B. Tenant shall not install or place any permanent signage, of any kind on the Premises without Landlord prior written approval and all temporary signage shall conform with City Code.

C. The above-described Premises shall be used by the Tenant for Clermont Garden Club functions and purposes only, except as may be authorized pursuant to Paragraph 6 below. All uses shall be in accordance with all applicable laws, ordinances and regulations.

D. The Tenant shall use and occupy the Premises in a careful, safe and proper manner and shall keep the Premises in a clean, sanitary and safe condition. The Tenant shall not use, or allow the Premises to be used for any purpose other than Permitted Uses and shall not use, or permit the Premises to be used for any unlawful, disreputable or immoral purpose or in any way that will injure the reputation of the Premises or Landlord.

4. **Peaceful Occupancy by Tenant**

If Tenant shall fully observe and perform all of the covenants and conditions of this Lease on its part to be performed, the Landlord hereby covenants and agrees that the Tenant shall have the peaceful possession and quiet enjoyment of the Premises during the term hereof without any manner of interference or hindrance from the Landlord or any person or persons, lawfully claiming by, through or under the Landlord.

5. **Lease Consideration**

The parties covenant and agree that in consideration and as annual rent for this Lease, Tenant shall, pay to Landlord the sum of ONE (1) DOLLAR, which shall be paid on April 1 of each year hereunder to the Landlord at Clermont City Hall.

6. **Rental of Premises**

The parties covenant and agree that Tenant shall be permitted to sublease, rent or license the Premises on a temporary limited basis to third parties for functions and events. In accordance with the following terms and conditions:

A. Tenant shall ensure that during all times that a third party event is permitted to utilize the premise, that an authorized representative of Tenant shall be available for immediate contact, if needed. The authorized representative shall have the authority and obligation to terminate any use of the facility that violates the conditions contained herein, or which creates a public nuisance.

B. Tenant shall ensure that no event permitted pursuant to this section or otherwise occurring on the premises shall be allowed to occur anywhere upon the Premises after 11:00pm.

C. Tenant shall ensure that no music is played or amplified so as to be audible outside of the structure after 11:00pm.

D. Tenant shall not permit any guests or visitors on the Premises to park any vehicle, except as in accordance with Clermont parking regulations.

E. Tenant shall maintain for at least a period of two (2) years from the date of any booking or scheduled detailed records of the event, including the user's name and address, the length of the use and the general purpose of the event. Tenant shall, upon Landlord's request, provide to Landlord for review and inspection, copies of all records related to events booked or scheduled by Tenant.

7. **Utilities and Other Charges**

Tenant agrees to pay for all insurance, electric, telephone, internet, cable television, and water and sewer charges and cleaning and janitorial services associated with the use of the Premises.

8. **Repairs**

A. Tenant shall keep and maintain the Premises in good condition and repair, reasonable wear and tear excepted.

B. The Tenant shall act promptly in making all reasonable repairs and shall have a reasonable time to complete the same unless Tenant is prevented from doing so by reason of strikes, governmental regulation, inability to obtain materials or other causes beyond the reasonable control of the Tenant.

C. In the event the Tenant does not make the repairs to the Premises required of it hereunder, the Landlord, after thirty (30) days written notice to the Tenant, may proceed with such repairs and in such event the Tenant covenants and agrees to reimburse promptly

the Landlord for the cost of such repair, plus ten percent (10%) of such costs for supervision. In such event, if payment of the amounts due the Landlord for paying the performing party is not made by the Tenant within thirty (30) days after presentation of statements therefore, such amounts shall earn interest at the maximum rate allowable by law and shall constitute a default of the terms and conditions of this agreement.

**9. Insurance - Provided by Tenant**

The Tenant covenants and agrees to provide and maintain, at all times during the term of this Lease policies of insurance insuring the Tenant and the Landlord against any and all claims, demands, actions and causes of action whatsoever for injuries received and damage to property in connection with the use, occupation, management and control of the Premises and the improvements thereon. Such policies of insurance shall insure the Landlord and the Tenant in an amount not less than ONE MILLION DOLLARS (\$1,000,000.00) to cover claims of any one person from any single or specific cause and in an amount not less than ONE MILLION DOLLARS (\$1,000,000.00) to cover, in connection with any one particular accident or occurrence, the total aggregate of claims that may arise or to be claimed to have arisen against the Landlord or the Tenant, as aforesaid. Nothing herein shall be construed as a waiver, either in whole or in part of Landlord's right of sovereign immunity as provided by Section 768.28, Florida Statutes, or its successor.

**10. Construction Liens**

Any consent Landlord may give to Tenant to allow Tenant to construct improvements on the Premises including any alterations or additions thereto shall not be deemed improvements as may be required by an agreement between Landlord and Tenant, within the meaning of the Florida Construction Lien Law. All contractors, subcontractors,

mechanics, laborers, materialmen and others who perform any work, labor or services, or furnish any material or otherwise participate in the construction of improvements on the Premises, are hereby given notice that the Tenant is not authorized to subject Landlord's interest in the Premises to any claim of contractors, sub contractors laborers, materialmen's liens, or other liens, and all persons dealing directly or indirectly with the Tenant may not look to the interest of the Landlord in the Premises as security for payment of such labor, services or materials.

If any Construction or other liens shall be filed against the Premises, or any improvement thereon by reason of or arising out of any labor or materials furnished or alleged to have been furnished or to be furnished to or for the Tenant or at or on the Premises, at the Tenant's request or direction or by reason of any changes, alterations or additions to the Premises, then, except for inchoate liens, the Tenant shall, within thirty (30) days after receipt of written notice from Landlord, either pay such lien or cause the same to be bonded off the Premises in the manner provided by law. The Tenant shall also defend on behalf of the Landlord, at the Tenant's sole cost and expense, including but not limited to reasonable attorney fees, any action, suit or proceeding which may be brought for the enforcement of such liens and the Tenant shall pay any damage and discharge any judgment entered thereon.

11. **Entry Upon the Premises**

The Tenant covenants and agrees that the Landlord, its representatives, successors and assigns, shall have free access to the Premises at all reasonable times during normal business hours, after twenty-four hour written notice, for the purpose of inspecting the same and for the purpose of making any alterations or repairs to the Premises that the



Landlord may deem necessary for the safety or preservation of the Premises; provided, however, that such alterations or repairs have not been made by Tenant after written notice to Tenant of the necessity therefore in the time period specified by Landlord.

12. **Hold Harmless**

A. The Tenant covenants and agrees that the Tenant will indemnify and save harmless the Landlord from and against any and all liability, liens, claims, demands, damages, expenses, fees, fines, penalties, suits, proceedings, actions and causes of action of any kind, whether actual or alleged, arising from or related to, the use, occupation, management or control by Tenant of the Premises and the improvements thereon, or which may be the result of any actual or alleged breach, violation or nonperformance of any covenant, condition or agreement herein contained on the part of the Tenant except for claims based on the willful or negligent acts or inactions of Landlord. The Tenant covenants and agrees that the Tenant will, at the Tenant's expense, defend any and all such actions, suits or proceedings which may be brought against the Landlord or in which the Landlord may be impleaded with others in any such action or proceedings, at all levels, including appeal, to which the Landlord may be a party.

B. In the Event the Tenant fails to perform under the provisions of A. above, within thirty (30) days after due notice, the Landlord may at its option, take whatever reasonable action the Landlord reasonably deems necessary to cure the Tenant's failure to perform, and the Tenant agrees to pay the Landlord as additional rent hereunder for all damages, costs, fees, expenses, judgments, charges and reasonable attorneys' fees incurred by the Landlord in exercising its rights under this Lease.

13. **Destruction of Premises**

A. The Landlord and the Tenant covenant and agree that in the event the Premises shall be wholly or partially damaged by fire, windstorm, tornado, flood or by similar causes to such an extent that the Premises shall be rendered wholly untenable, then Tenant may elect, within thirty (30) days after such damage, to terminate this Lease by giving the Landlord written notice of termination. If Tenant should so elect, if requested by Landlord, Tenant agrees to restore the premises to its condition immediately prior to the effective date of this Lease. If the Premises shall suffer damage but not rendered wholly untenable by any such casualty, or in the event the Premises are rendered wholly untenable and the option to terminate is not exercised, the Tenant covenants and agrees to proceed promptly without expense to the Landlord to repair the damage. It is understood and agreed that the Tenant shall have a reasonable time within which to rebuild or make any repairs, and such rebuilding and repairing shall be subject to delays caused by storms, shortages of labor and materials, government regulations, strikes, walkouts and causes beyond the control of the Tenant, which causes shall not be construed as limited factors, but as exemplary only. Tenant's Insurance proceeds shall be used, to the extent available, to effect such repairs.

14. **Removal of Personal Property by Tenant**

A. Except as hereinabove otherwise provided, all of the furniture, furnishings, trade fixtures, and other personal property or equipment used on the Premises by the Tenant and paid for by it shall remain the property of the Tenant and may be removed by the Tenant upon the expiration of the term, or termination, of this Lease, subject, however, to the limitations that (1) any such improvements, furniture, furnishings, trade fixtures, and equipment as are affixed to the Premises and require severance may be removed only if the

Tenant shall repair any damage caused by such removal, and (2) the Tenant shall have fully performed all of the covenants and agreements to be performed by it under the provisions of this lease.

B. The Landlord, following the termination, abandonment, surrender or release of this Lease, shall have the right to take possession of any goods, equipment, inventories, fixtures or other personal property of the Tenant which may be left upon the Premises, and may dispose of said property at a time and place designated by the Landlord's sole opinion, and upon notice of such disposition to any necessary parties. Any proceeds from such sale, lease or other disposition of the said property may be applied to:

1. Any costs incurred by the Landlord in retaking, holding, selling or otherwise disposing of the said property of the Tenant;
2. Any monies, which may be owing and unpaid under the provisions of this Lease Agreement;

15. **Default**

The following events shall constitute defaults hereunder by the Tenant:

A. Monetary Default.

Failure to pay any charges required under the provisions of this Lease promptly when due;

B. Non-Monetary Default.

Failure to fully and promptly perform and comply with each and every term, provision, covenant and condition of this Lease except for a Monetary Default as defined above.

C. An Event of Default shall have occurred in the event of a Monetary Default by Tenant and the continuance of such default for a period of three (3) days after written notice thereof, or in the event of a Non-Monetary Default and the continuation of such Non-Monetary Default for a period of thirty (30) days after written notice thereof, the Landlord may, at the Landlord's option and sole discretion, and in addition to any other remedy or right given hereunder or by law, without further demand or notice terminate this Lease on the date specified in said notice and retake possession of the Premises, including all improvements thereon. The remedies set forth herein shall not preclude the Landlord from enforcing any other remedy or right provided to the Landlord hereunder or by law. In all events, the Tenant shall remain liable for the payment of any and all reasonable attorneys' fees and costs incurred by Landlord in enforcing any remedy set forth herein or provided by law or otherwise.

16. **Force Majeure**

Whenever any non-monetary performance is required of Tenant hereunder, then Tenant will be permitted to effect such performance within the time period provided therefore in this lease, or if, for reasons beyond Tenant's reasonable control (including, without limitation, acts of God, natural disaster, labor unrest, war, declared or undeclared, the existence of injunctions or requirements for obtaining licenses, permits or other compliance with applicable laws, rules and regulations), such performance is not reasonably possible within such time periods, then the time for such performance shall be extended until removal of such reasons beyond Tenant's reasonable control, provided that Tenant commences such performance (or cure) as soon as reasonably possible and diligently pursues such performance or cure.

17. **Bankruptcy of Tenant**

To the extent now or hereinafter permitted by applicable law the filing by, or against Tenant of a petition in bankruptcy or other similar proceedings under law for relief of debtors, or the involuntary appointment of a receiver, custodian, liquidator, or trustee in bankruptcy of the Premises and improvements thereon and such petition or petitions is not discharged or vacated within one hundred twenty (120) calendar days after the filing thereof; or if Tenant becomes insolvent or unable to pay its debts as they mature or makes an assignment for the benefit of creditors or request or consents to the appointment of a receiver, custodian, liquidator or trustee in bankruptcy of any such party's property or files a petition in bankruptcy or other similar proceedings under law for relief of debtors, then upon the occurrence of any of the above events, Landlord may, at its option, declare Tenant in default hereunder and immediately give Tenant written notice of its intention to terminate this Lease.

18. **Cumulative Rights/Waiver of Covenants by Landlord**

The rights of the Landlord under this Lease shall be cumulative and nonexclusive as to those provided by statute. No consent or waiver by the Landlord to or of any breach of any covenant, condition or duty of the Tenant shall be construed as a consent to or waiver of any other breach of the same or any other covenant, condition or duty of the Tenant. No such consent or waiver shall be valid unless in writing, signed by the Landlord, and no such consent or waiver shall be implied by the failure of the Landlord to declare a forfeiture or for any other reason.

19. **Subletting of Premises by Tenant**

Except as may be permitted in Paragraph 6, Tenant may not assign, transfer, mortgage, pledge, hypothecate or encumber this Lease, or an interest therein, nor sublet the Premises or any part thereof, nor permit the use of the Premises by any person other than the Tenant and its employees, without the prior written consent of the Landlord. Consent to one assignment or sublease shall not eliminate or waive this provision, and all other assignments and subleases shall likewise be made only upon the prior written consent of the Landlord pursuant to the provisions of this Paragraph.

20. **Surrender of Premises Upon Termination**

The Tenant covenants and agrees that upon the termination of this Lease, whether by lapse of time or otherwise, it will, at once, peaceably and quietly, vacate, surrender and deliver up to the Landlord, all of the Premises in as good condition and repair as upon delivery of possession to the Tenant, ordinary wear and tear and damage by fire or other casualty only excepted.

21. **Time**

It is covenanted and agreed between the parties hereto that time is of the essence in this Lease and this provision shall apply to all terms and conditions contained herein.

22. **Mutual Covenants**

Except as hereinbefore or otherwise specifically provided, the covenants, agreements, conditions, obligations and provisions herein contained shall extend to, bind and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns, and wherever either the word "Landlord" or "Tenant" is used in this Lease, it shall be deemed to mean "Landlords" or "Tenants", respectively, wherever the

context permits or requires, and when the singular and/or neuter pronouns are used herein, the same shall be construed as including all persons and corporations designated respectively as Landlord or Tenant in the heading of this instrument wherever the context requires.

23. **Attorneys' Fees**

Landlord and Tenant each agree to pay to the prevailing party, on demand, all costs and expenses and reasonable attorneys' fees, including costs and expenses and reasonable attorneys' fees, at all levels, including bankruptcy and appeal, incurred by the prevailing party with respect to the enforcement or declaration of any of the rights or remedies or obligations of either of them, whether arising under this Lease or granted, permitted or imposed by law or otherwise, and with respect to the collection of any part of said rent or other charges and sums of money herein reserved or required by either of them to be paid or met.

24. **No Partnership**

Landlord does not, in any way or for any purpose, become a partner of Tenant in the conduct of Tenant's business or otherwise, or a joint venturer, or member of a joint enterprise with Tenant.

25. **Liability of Landlord**

Landlord shall not be responsible in any manner for any loss of or damage to the Premises, or injury to persons resulting, occurring on or about the Premises, by reason of any future condition, defect, matter, thing, action or inaction, or for the acts, omissions or negligence of other persons or Tenant in or about said premises, unless said injury or loss results from the direct negligence of Landlord. Nothing herein shall be construed as a

waiver, either in whole or in part of Landlord's right of sovereign immunity as provided by Section 768.28, Florida Statutes, or its successor.

26. **Dispute Mediation**

Any dispute arising out of this Agreement, the construction, interpretation or performance thereof, shall be submitted to non-binding mediation by a duly qualified and certified mediator practicing in Lake County, Florida, and no action at law or in equity shall be filed in any state or federal court by either party hereto against the other until such time as the mediator has declared an impasse.

27. **Miscellaneous**

A. **No Discrimination.**

Tenant agrees that in carrying out its obligations under this Agreement it will not discriminate in any manner on the basis of race or religion.

B. **Tenant Conduct.**

Tenant personnel shall conduct their actions and business in accordance with all applicable laws, regulations and policies.

C. **Written Notice.**

Written notice shall be given to the Parties at the following addresses or such other place or other person, as each Party shall designate by similar notice.

**As to Tenant:**

Clermont Garden Club, Inc.  
P.O. Box 121322  
Clermont, Florida 34712-1322  
Attention: President



**As to the Landlord:**

City of Clermont  
685 W. Montrose Street  
Clermont, Florida 34711  
Attention: City Manager

E. Governing Law.

This Agreement shall be governed by the laws of the State of Florida. Venue for any action hereunder shall be in Lake County, Florida.

F. Entire Agreement Severability.

This Agreement constitutes the entire agreement between the Parties with respect to the subject matter contained herein and may not be amended, modified or rescinded, unless otherwise provided in this Agreement, except in writing and signed by all parties hereto. Should any provision of this Agreement be declared to be invalid by any act of law or court or administrative determination, the remaining provisions of this Agreement shall remain in full force and effect unless such provision which is found to be invalid substantially alters the benefits of the Agreement for either Party.

G. Specific Performance.

It is understood and agreed between the Parties that there will be irreparable damage in the event that this Agreement is not specifically enforced. In the event any dispute arises under this Agreement, either party hereto shall be entitled to specific performance of the terms, conditions and agreements set forth in this Agreement. The remedy of Specific Performance shall be cumulative and not exclusive, and shall be in addition to any other remedy, which the Parties may have.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized officers, and copies delivered to each Party, as of the day and year first above stated.

Attest:

City of Clermont

By: \_\_\_\_\_  
Tracy Ackroyd, City Clerk

By: \_\_\_\_\_  
Harold S. Turville, Jr., Mayor  
Date: October 28, 2014

Approved by Action of the Board of Clermont  
Garden Club, Inc. on \_\_\_\_\_, 2014

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Karen Kennen, President

\_\_\_\_\_  
Printed Name

Date: \_\_\_\_\_

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Printed Name



# CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                            |                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                            |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                            |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                            |                                |
| Ordinance No. 2014-23; <i>Final</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                            |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                            |                                |
| Move to approve Ordinance No. 2014 - 23.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                            |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                            |                                |
| <p>Currently, there are nine (9) retirees receiving monthly pension benefits from the city's General Employees Defined Benefit Retirement Plan. The monthly amounts range from \$366.81 to \$1,454.64. The plan does not provide for an annual cost of living adjustment. In lieu of the cost of living adjustment, the City has previously increased the monthly benefit amounts by \$2.00 per year of full-time service with the City. The City has increased the monthly amounts in this manner in 1993, 2001 and 2004.</p> <p>Due to the length of time since the last increase, staff is requesting the City Council approve an increase to the current retiree's monthly benefit amounts based on the same methodology, retroactive to October 1, 2014. Based on a actuarial cost estimate, there is no increase to the city's minimum required contribution to the pension plan, since the plan is overfunded.</p> |                                                                                            |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                            |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                            |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                            |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                            |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                            |                                |
| No cost increase.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                            |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Fund Number and Description</b>                                                         | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                            |                                |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                            |                                |
| 1. Ordinance No. 2014-23                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Ordinance No 2014-23 General Employees Pension Plan Retiree Increases - 10-28-14.doc       |                                |
| 2. General Employees Defined Benefit Retirement Plan Retiree Increases Schedule                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | General Employees Defined Benefit Retirement Plan Retiree Increases Schedule - 10-1-14.pdf |                                |
| 3. General Employees Defined Benefit Retirement Plan Retirees Increase Actuarial Cost Estimate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Actuarial Impact Statement - General Employees Retirees Increase - 8-5-14.pdf              |                                |
| 4. Ad-Ordinance 2014-23                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Ad - Ordinance 2014-23.pdf                                                                 |                                |

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-23**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, INCREASING THE MONTHLY PENSION BENEFIT AMOUNTS FOR RETIREES/BENEFICIARIES CURRENTLY RECEIVING BENEFITS FROM THE CITY OF CLERMONT GENERAL EMPLOYEES DEFINED BENEFIT RETIREMENT PLAN; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, there are nine (9) retirees/beneficiaries currently receiving monthly pension benefits pursuant to the City of Clermont General Employees Defined Benefit Retirement Plan and;

**WHEREAS**, retirees/beneficiaries have not received increases to their monthly pension benefit amounts since October 1, 2004 and;

**WHEREAS**, the City Council desires to increase the retirees/beneficiaries monthly pension benefit amounts by two dollars (\$2.00) per year of full-time creditable service with the City of Clermont;

**SECTION 1.**

**NOW, THEREFORE BE IT ORDAINED**, by the City Council of the City of Clermont, Lake County, Florida that all retirees/beneficiaries currently receiving monthly pension benefits from the City of Clermont General Employees Defined Benefit Retirement Plan shall receive an increase in their monthly pension benefit amount in the amount of two dollars (\$2.00) per year of full-time creditable service with the City of Clermont.

**SECTION 2.**

Any portion of the City of Clermont Code or any ordinance or part thereof in conflict with this Ordinance is hereby repealed to the extent of such conflict.

**SECTION 3.**

Should any section or part of a section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply or affect any other provision of this Ordinance, except to the extent that the entire section or part of the section may in separable in meaning and effect from the section to which such holding shall apply.

**SECTION 4**

This ordinance shall be effective retroactive to October 1, 2014.

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-23**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this 28th day of October, 2014.

CITY OF CLERMONT

---

Harold S. Turville, Jr., Mayor

ATTEST:

---

Tracy Ackroyd, City Clerk

Approved as to form and legality:

---

Daniel F. Mantzaris, City Attorney

**City of Clermont**  
**General Employees Defined Benefit Retirement Plan Retiree Increases Schedule**  
**October 1, 2014**

| <u>Retiree/Beneficiary</u> | <u>Date of Retirement</u> | <u>Years of Service</u> | <u>Current Monthly Pension Amount</u> | <u>Monthly Pension Increase</u> | <u>New Monthly Pension Amount</u> |
|----------------------------|---------------------------|-------------------------|---------------------------------------|---------------------------------|-----------------------------------|
| Dolores Carroll            | 2/15/1980                 | 22                      | \$385.63                              | \$44                            | \$429.63                          |
| Leo Creech                 | 3/30/1983                 | 20                      | \$438.55                              | \$40                            | \$478.55                          |
| Percy Coleman              | 12/26/1986                | 17                      | \$478.15                              | \$34                            | \$512.15                          |
| Carroll Fender (Arizona)   | 4/30/1988                 | 18                      | \$400.39                              | \$36                            | \$436.39                          |
| Doris Bishop               | 7/29/1988                 | 14                      | \$366.81                              | \$28                            | \$394.81                          |
| Ellen Forss                | 8/1/1993                  | 16                      | \$545.33                              | \$32                            | \$577.33                          |
| Fred Hatcher               | 10/29/1993                | 19                      | \$716.07                              | \$38                            | \$754.07                          |
| Mary Lou Abel              | 1/1/1994                  | 19                      | \$732.06                              | \$38                            | \$770.06                          |
| Willie Chandler            | 12/7/2000                 | 30                      | \$1,454.64                            | \$60                            | \$1,514.64                        |
|                            |                           |                         | \$5,517.63                            | \$350                           | \$5,867.63                        |



POST OFFICE BOX 888343  
ATLANTA, GEORGIA 30356-0343  
TELEPHONE 770.392.0980  
FACSIMILE 770.392.2193

August 5, 2014

Trustees of the Retirement Plan for the General Employees of the City of Clermont, Florida  
c/o Mr. Paul Shamoun  
Florida League of Cities, Inc.  
P. O. Box 1757  
Tallahassee, FL 32302

Re: Retirement Plan for the General Employees of the City of Clermont, Florida

Ladies and Gentlemen:

In response to your request, I have estimated the cost of granting increased benefits effective October 1, 2014 to nine retirees as shown on the "Schedule of Proposed Defined Benefit Pension Retiree Increases" submitted to us on July 29, 2014.

The proposed retiree increase is expected to add \$24,930 of liability to the plan as of October 1, 2014 and theoretically increases the City's annual cost by \$5,859. However, because the plan was overfunded as of October 1, 2011, the City's minimum required contribution is expected to be zero for the 2014/15 fiscal year both with and without the retiree increase.

If you have any questions or if you would like for us to review additional special cost studies, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink that reads "Charles T. Carr".

Charles T. Carr  
Consulting Actuary

*The individual above is a member of the American Academy of Actuaries and meets the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.*

## **LEGAL NOTICE**

Notice is hereby given that the City of Clermont will consider the enactment of the following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

### **ORDINANCE NO. 2014-23**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, INCREASING THE MONTHLY PENSION BENEFIT AMOUNTS FOR RETIREES/BENEFICIARIES CURRENTLY RECEIVING BENEFITS FROM THE CITY OF CLERMONT GENERAL EMPLOYEES DEFINED BENEFIT RETIREMENT PLAN; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**

The final public hearing to consider the request will be held before the City Council on Tuesday, October 28, 2014 at 7:00pm at Clermont City Hall located at 685 West Montrose Street, Clermont, FL 34711.

This ordinance is available for public inspection in the office of the City Clerk, 685 West Montrose Street, Monday through Friday between the hours of 8:00am and 5:00pm.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd, MMC  
City Clerk

Daily Commercial  
October 14, 2014





# CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                          |                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                          |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                          |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                          |                                |
| Ordinance No. 2014-36; <i>Final</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                          |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                          |                                |
| Move to approve Ordinance No. 2014-36.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                          |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                          |                                |
| <p>Currently, there are fifteen (15) retirees receiving monthly pension benefits from the city's Police Officers Defined Benefit Retirement Plan. The monthly amounts range from \$206.63 to \$3,519.28. The plan does not provide for an annual cost of living adjustment. In lieu of the cost of living adjustment, the City has previously increased the monthly benefit amounts by \$2.00 per year of full-time service with the City. The City has increased the monthly amounts in this manner in 1993, 2001 and 2004.</p> <p>Due to the length of time since the last increase, staff is requesting the City Council approve an increase to the current retiree's monthly benefit amounts based on the same methodology, retroactive to October 1, 2014. Based on a actuarial cost estimate, the increase to the city's annual minimum required contribution to the Police Officers Pension Plan is expected to be .26% of payroll or approximately \$7,113.</p> |                                                                                          |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                          |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                          |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                          |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                          |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                          |                                |
| The estimated annual cost increase of approximately \$7,113 is included in the current budget.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                          |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Fund Number and Description</b>                                                       | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                          |                                |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                          |                                |
| 1. Ordinance No. 2014-36                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Ordinance No 2014-36 Police Officers Pension Plan Retiree Increases - 10-28-14.doc       |                                |
| 2. Police Officers Defined Benefit Retirement Plan Retirees Increase Schedule                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Police Officers Defined Benefit Retirement Plan Retiree Increases Schedule - 10-1-14.pdf |                                |
| 3. Police Officers Defined Benefit Retirement Plan Retirees Increases Actuarial Cost Estimate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Actuarial Impact Statement - Police Officers Retirees Increase - 8-4-14.pdf              |                                |
| 4. Ad - Ordinance 2014-36                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Ad-Ordinance 2014-36.pdf                                                                 |                                |

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-36**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, INCREASING THE MONTHLY PENSION BENEFIT AMOUNTS FOR RETIREES/BENEFICIARIES CURRENTLY RECEIVING BENEFITS FROM THE CITY OF CLERMONT POLICE OFFICERS DEFINED BENEFIT RETIREMENT PLAN; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, there are fifteen (15) retirees/beneficiaries currently receiving monthly pension benefits pursuant to the Police Officers Defined Benefit Retirement Plan and;

**WHEREAS**, retirees/beneficiaries have not received increases to their monthly pension benefit amounts since October 1, 2004 and;

**WHEREAS**, the City Council desires to increase the retirees/beneficiaries monthly pension benefit amounts by two dollars (\$2.00) per year of full-time creditable service with the City of Clermont;

**SECTION 1.**

**NOW, THEREFORE BE IT ORDAINED**, by the City Council of the City of Clermont, Lake County, Florida that all retirees/beneficiaries currently receiving monthly pension benefits from the City of Clermont Police Officers Defined Benefit Retirement Plan shall receive an increase in their monthly pension benefit amount in the amount of two dollars (\$2.00) per year of full-time creditable service with the City of Clermont.

**SECTION 2.**

Any portion of the City of Clermont Code or any ordinance or part thereof in conflict with this Ordinance is hereby repealed to the extent of such conflict.

**SECTION 3.**

Should any section or part of a section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply or affect any other provision of this Ordinance, except to the extent that the entire section or part of the section may be separable in meaning and effect from the section to which such holding shall apply.

**SECTION 4**

This ordinance shall be effective retroactive to October 1, 2014.

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County,

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-36**

Florida on this 28th day of October, 2014.

CITY OF CLERMONT

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Harold S. Turville, Jr., Mayor

ATTEST:

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Tracy Ackroyd, City Clerk

Approved as to form and legality:

---

Daniel F. Mantzaris, City Attorney

**City of Clermont**  
**Police Officers Defined Benefit Retirement Plan Retiree Increases Schedule**  
**October 1, 2014**

| <u>Retiree/Beneficiary</u> | <u>Date of Retirement</u> | <u>Years of Service</u> | <u>Current Monthly Pension Amount</u> | <u>Monthly Pension Increase</u> | <u>New Monthly Pension Amount</u> |
|----------------------------|---------------------------|-------------------------|---------------------------------------|---------------------------------|-----------------------------------|
| Don Hildreth               | 7/1/1989                  | 29                      | \$1,219.36                            | \$58                            | \$1,277.36                        |
| Mitchell Rogers (Mary)     | 8/1/1991                  | 28                      | \$1,470.87                            | \$56                            | \$1,526.87                        |
| Prentice Tyndal            | 8/30/1996                 | 39                      | \$3,292.92                            | \$78                            | \$3,370.92                        |
| Raymond Simmons            | 3/29/1999                 | 11                      | \$773.32                              | \$22                            | \$795.32                          |
| Robert Swanson             | 9/26/1986                 | 9                       | \$206.63                              | \$18                            | \$224.63                          |
| Randall Story              | 9/30/2005                 | 20                      | \$1,963.34                            | \$40                            | \$2,003.34                        |
| Michael Blackmon           | 12/17/2007                | 17                      | \$2,304.27                            | \$34                            | \$2,338.27                        |
| Lori Conlee                | 11/1/2010                 | 10                      | \$1,524.69                            | \$20                            | \$1,544.69                        |
| Gary Holmes                | 5/1/2011                  | 10                      | \$1,180.57                            | \$20                            | \$1,200.57                        |
| Eric Jensen                | 8/5/2011                  | 23                      | \$3,519.28                            | \$46                            | \$3,565.28                        |
| Katherine Homelius         | 8/14/2011                 | 17                      | \$1,554.31                            | \$34                            | \$1,588.31                        |
| Stephen Graham             | 11/1/2012                 | 7                       | \$1,268.69                            | \$14                            | \$1,282.69                        |
| Ramon Rodriguez (Evelyn)   | 3/29/2012                 | 8                       | \$785.44                              | \$16                            | \$801.44                          |
| Daniel Cheatham            | 12/1/2012                 | 11                      | \$807.81                              | \$22                            | \$829.81                          |
| Jon Johnson                | 11/1/2013                 | 5                       | \$486.46                              | \$10                            | \$496.46                          |
|                            |                           |                         | <u>\$22,357.96</u>                    | <u>\$488</u>                    | <u>\$22,845.96</u>                |



POST OFFICE BOX 888343  
ATLANTA, GEORGIA 30356-0343  
TELEPHONE 770.392.0980  
FACSIMILE 770.392.2193

August 4, 2014

Trustees of the Retirement Plan for the Police Officers of the City of Clermont  
c/o Mr. Paul Shamoun  
Florida League of Cities, Inc.  
P. O. Box 1757  
Tallahassee, FL 32302

Re: Retirement Plan for the Police Officers of the City of Clermont

Ladies and Gentlemen:

In response to your request, I have estimated the cost of granting increased benefits effective October 1, 2014 to 15 retirees as shown on the "Schedule of Proposed Defined Benefit Pension Retiree Increases" submitted to us on July 29, 2014.

The proposed retiree increase is expected to add \$60,127 of liability to the plan as of October 1, 2014 and to increase the City's annual contribution to the plan by \$7,113 for the 2014/15 fiscal year. On a percentage of payroll basis, the City's minimum required contribution is expected to increase by 0.26% of payroll.

If you have any questions or if you would like for us to review additional special cost studies, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink that reads "Charles T. Carr".

Charles T. Carr  
Consulting Actuary

*The individual above is a member of the American Academy of Actuaries and meets the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.*

## **LEGAL NOTICE**

Notice is hereby given that the City of Clermont will consider the enactment of the following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

### **ORDINANCE NO. 2014-36**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, INCREASING THE MONTHLY PENSION BENEFIT AMOUNTS FOR RETIREES/BENEFICIARIES CURRENTLY RECEIVING BENEFITS FROM THE CITY OF CLERMONT POLICE OFFICERS DEFINED BENEFIT RETIREMENT PLAN; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**

The final public hearing to consider the request will be held before the City Council on Tuesday, October 28, 2014 at 7:00pm at Clermont City Hall located at 685 West Montrose Street, Clermont, FL 34711.

This ordinance is available for public inspection in the office of the City Clerk, 685 West Montrose Street, Monday through Friday between the hours of 8:00am and 5:00pm.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd, MMC  
City Clerk

Daily Commercial  
October 14, 2014



## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| Ordinance No. 2014-28; <i>Final</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| Move to approve Ordinance 2014-28.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |
| <p>The owner is requesting a future land use map amendment to change from Medium Density Residential to Downtown Mixed Use Land Use Category. The 0.4 +/- acre parcel is located along the south side of West Minneola Avenue and west of 11th Street. The subject property is entirely contained within the City limits and utilities are available.</p> <p>The proposed Downtown Mixed Use Future Land Use fits the character of the surrounding community and is compatible with the area. The parcel has the Downtown Mixed Use designation adjoining to the north and east of the site. The current underlying zoning of R-3 Residential/Professional is not in conflict with the proposed Downtown Mixed Land Use and allows the owner the opportunity to develop it into a four-unit townhome project. The City of Clermont's comprehensive plan policies support this request.</p> <p>Based upon the above information, staff recommends approval of the Future Land Use Map amendment from Medium Density Residential to Downtown Mixed Use Land Use Category.</p> <p><i>Commissioner Bernadette Dubuss moved to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Carlos Solis. The vote was unanimous to recommend approval for the small-scale comprehensive plan amendment.</i></p> |                                    |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
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| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                |
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| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                    |                                |
| 1. Ordinance CPA ORD 2014-28.doc                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |

|    |             |                                   |
|----|-------------|-----------------------------------|
| 2. | Maps        | 1107 W Minneola Maps.pdf          |
| 3. | Site plan   | Site Plan.pdf                     |
| 4. | Minutes     | P&Z Minutes.pdf                   |
| 5. | Application | SS Comp plan application.pdf      |
| 6. | Legal ad    | 1107 W Minneola CPA Legal Ad.docx |



*CITY OF CLERMONT*  
**ORDINANCE No. 2014-28**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on June 23, 2009, in accordance with the Local Government Planning and Land Development Regulations Act of 1985, Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Comprehensive Plan of the City of Clermont may be amended pursuant to Florida Statute 163.3187; and

**WHEREAS**, the Planning and Zoning Commission and the City Council of the City of Clermont have held public hearings on the proposed amendment to the plan in light of written comments, proposals and objections from the general public;

**NOW THEREFORE BE IT RESOLVED AND ENACTED**, by the City Council of the City of Clermont, Lake County, Florida that:

**Section 1.**

After public hearings held by the City of Clermont Local Planning Agency and the Clermont City Council, the Future Land Use Map of the Comprehensive Plan of the City of Clermont is hereby amended by changing the following described property as shown:

**LEGAL DESCRIPTION**

Lots 13 and 14 and the north 25' of Lots 1 and 2, Block 121, Official Map of the City of Clermont, according to the Plat thereof as recorded in Plat Book 8, Pages 17 – 23, Public Records of Lake County, Florida. Containing .41 acre, more or less

**CHANGE IN FUTURE LAND USE CLASSIFICATION**

Medium Density Residential  
to Downtown Mixed Use

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-28**

**Section 2.**

If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of the remainder would clearly and without doubt contradict or frustrate the intent of the Ordinance as a whole.

**Section 3.**

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

**Section 4.**

This Ordinance shall be published as provided by law and it shall become law and shall take effect immediately upon its Second Reading and Final Passage.



*CITY OF CLERMONT*  
**ORDINANCE No. 2014-28**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida, this 28th day of October, 2014.

---

Harold S. Turville, Jr., Mayor

ATTEST:

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Tracy Ackroyd, City Clerk

Approved as to form and legality:

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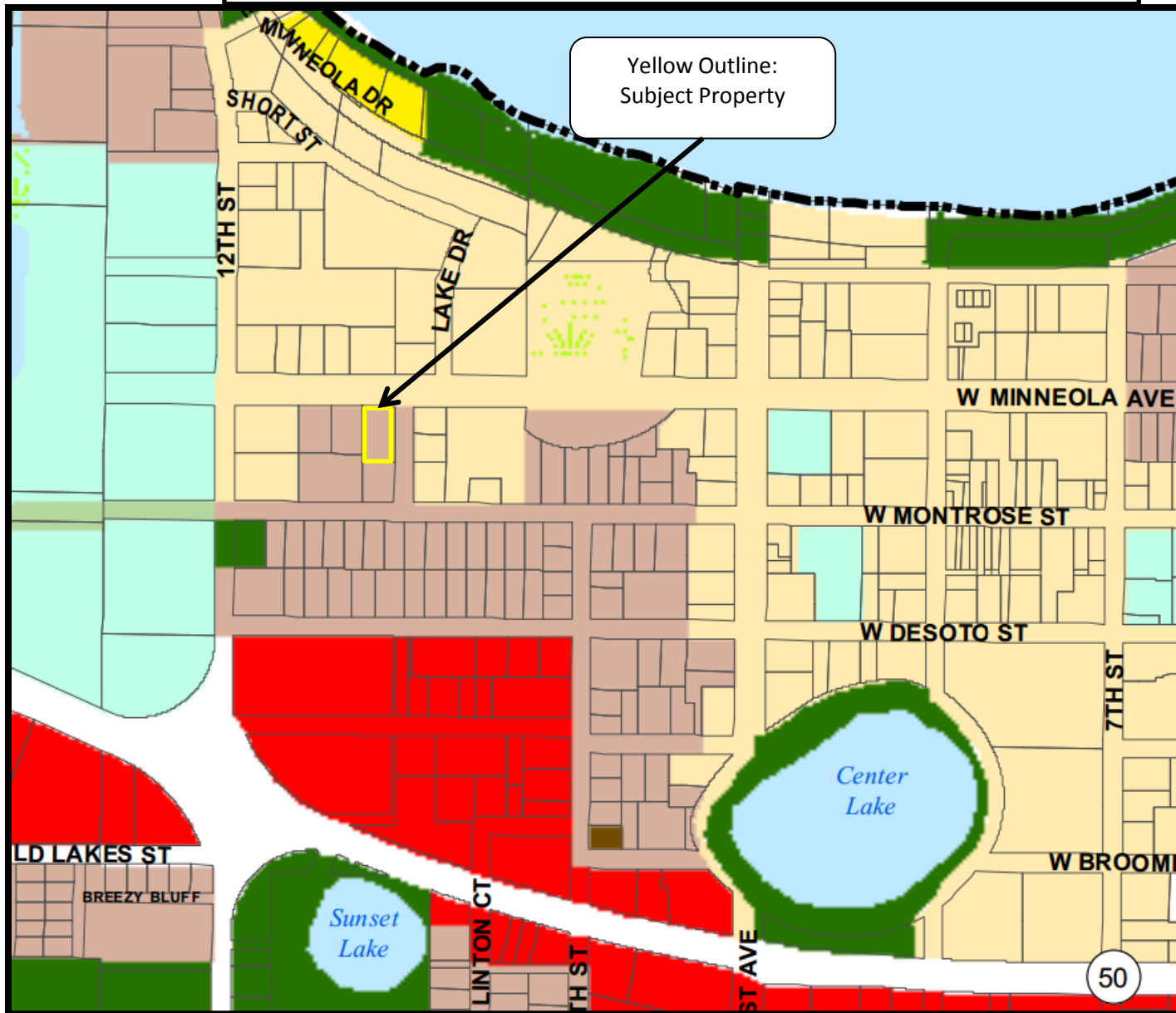
Daniel F. Mantzaris, City Attorney

Exhibit - Location Map  
Lemley- 1107 W. Minneola Ave.



Exhibit – City of Clermont – Future Land Use Map  
Lemley – 1107 W. Minneola Ave.

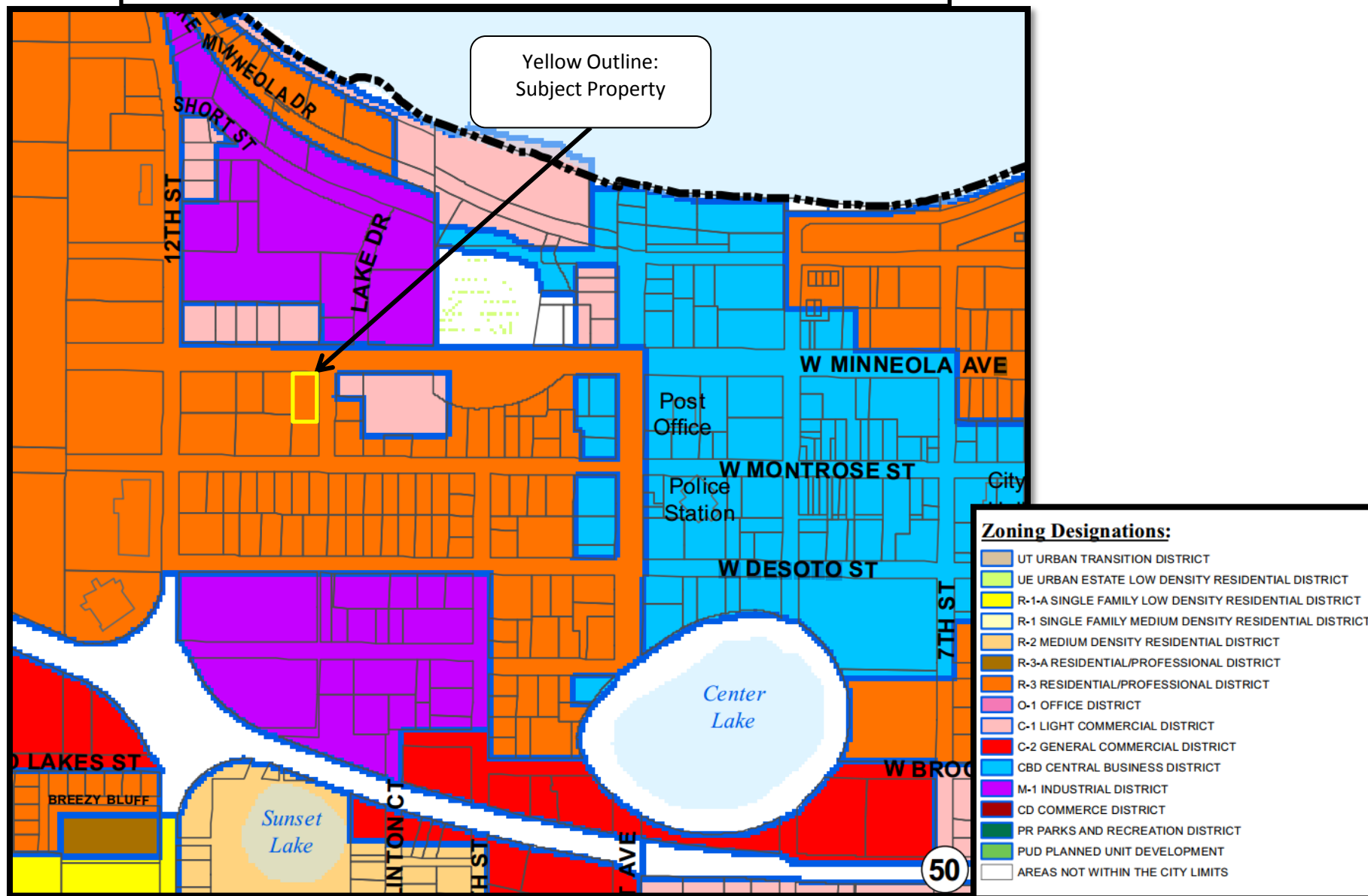
Yellow Outline:  
Subject Property



**Legend**

- City Limits
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Residential/Office
- Office
- Downtown MU
- Commercial
- Conservation
- Industrial
- Master Planned Development
- Parks
- Public Fac/Institutional

# Exhibit – City of Clermont – Zoning Map Lemley– 1107 W. Minneola Ave.







**City of Clermont  
MINUTES  
PLANNING AND ZONING COMMISSION  
October 7, 2014**

**Page 1**

The meeting of the Planning & Zoning Commission was called to order Tuesday October 7, 2014 at 7:00 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Herb Smith, Bernadette Dubuss, Harry Mason, Judy Proli, and Tony Hubbard. Also in attendance were Barbara Hollerand, Development Services Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Planning Specialist.

**MINUTES** of the Planning and Zoning Commission meeting held September 2, 2014 were approved as written.

**REPORTS**

Chairman Nick Jones stated that the 10<sup>th</sup> season for the Florida Lakes Symphony will open Friday, November 14, 2014.

Commissioner Carlos Solis stated that the CD release concert for his band will be on October 25 at the Clermont Arts and Recreation Center.

**1. REQUEST FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT**

**DEVELOPMENT NAME:** 1107 W. Minneola Avenue

**APPLICANT:** Richard Lemley

Senior Planner John Kruse presented the staff report as follows:

The owner is requesting a future land use amendment to change from Medium Density Residential to Downtown Mixed Use land use category. The 0.4 +/- acre parcel is located along the south side of W. Minneola Ave. and west of 11<sup>th</sup> Street. The subject property is entirely contained within the city limits and utilities are available.

The proposed Downtown Mixed Use future land use fits the character of the surrounding community and is compatible with the area. The parcel has the Downtown Mixed Use designation adjoining to the north and east of the site. The current underlying zoning of R-3 Residential/Professional is not in conflict with the proposed Downtown Mixed land use and allows the owner the opportunity to develop it into a four unit townhome project. The City of Clermont's comprehensive plan policies support this request.

Based upon the above information, staff recommends approval of the future land use map amendment from Medium Density Residential to Downtown Mixed Use land use category.

Richard Lemley, 221 N. Highway 27, stated that they plan to build a modest 4-unit townhome. He stated that they have recently built a duplex at the corner of Third Street and Osceola Avenue that is aesthetically pleasing. He stated that they keep all their properties maintained.



**City of Clermont  
MINUTES  
PLANNING AND ZONING COMMISSION  
October 7, 2014**

**Page 2**

Commissioner Carlos Solis asked if it is the city's plan is to change the land use on the surrounding properties next to this property.

Mr. Kruse stated that it is not the city's plan to change the land use at this time; however the City will be looking at some parcels in the near future.

Commissioner Harry Mason suggested this would be spot zoning.

Mr. Kruse stated that the properties across the street are the same zoning as being requested.

Chairman Nick Jones stated that this is not considered spot zoning when there is comparable zoning there.

*Commissioner Bernadette Dubuss moved to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Carlos Solis. The vote was unanimous to recommend approval for the small-scale comprehensive plan amendment.*

**2. REQUEST FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT**

**DEVELOPMENT NAME:** Silver Fox

**APPLICANT:** Dale Ladd

Senior planner John Kruse presented the staff report as follows:

The owner is requesting a future land use amendment to change from Office to Commercial future land use category. The 1+/- acre parcel is located along the north side of SR 50, between 4<sup>th</sup> and 2<sup>nd</sup> Street. The subject property is entirely contained within the city limits and utilities are available.

The proposed Commercial future land use may not be contiguous with other Commercial future land use, but it fits the character of the surrounding community and is compatible with the area. The current underlying zoning of C-1 Light Commercial is not in conflict with the proposed Commercial land use and allows the owner the opportunity to develop it for C-1 uses. The City of Clermont's comprehensive plan policies support this request.

Based upon the above information, staff recommends approval of the future land use map amendment from Office to Commercial future land use category.

Dale Ladd, 1135 East Ave., stated that he wants a land use change so that he can have commercial as opposed to office use on this parcel.



**CITY OF CLERMONT**  
**COMPREHENSIVE PLAN AMENDMENT**  
**Application**

DATE: 8-22-14

FEE: 500

**Project Name** (if applicable): 4 UNIT TOWNHOME

**Applicant:** RICHARD A. LEMLEY

**Contact Person:** Richard Lemley

Address: 221 North Highway 27 Suite B

City: Clermont State: FL Zip: 34711

Phone: 352-242-9528 Fax: 352-242-5356

E-Mail: Rickl@L-Jim.com

**OWNER:** L & Jim Properties LLC / Luis Jimenez

Address: P. O. Box 725

City: Minneola State: Florida Zip: 34755

Phone: 352-242-9528 Fax: 352-242-5356

E-Mail: Luisj@L-Jim.com

**General Location:** 1107 West Minneola Avenue Clermont Florida 34711

**Legal Description** (include copy of survey): \_\_\_\_\_

**Property size** (in acres or square feet): \_\_\_\_\_

**Flood hazard area** (yes) \_\_\_\_\_ and approx. acreage .41 (no) X

**Existing (Actual) Land Use:** \_\_\_\_\_

**Existing Zoning:** \_\_\_\_\_

**Existing Future Land Use:** Medium Density Residential

**Proposed Future Land Use:** Downtown MU

**Type of development proposed:** \_\_\_\_\_

**Proposed density** (dwelling units/acre) or intensity: \_\_\_\_\_

**Proposed Zoning District:** \_\_\_\_\_

Summary of the proposed amendment content and effect that describes any changed conditions that would justify the proposed amendment, and why there is a need for the proposed amendment (use additional sheets if necessary).

We see that the surrounding parcels are Downtown MU. We are very close to meeting the criteria for four units on this parcel. We do not see any negative impact to the community by granting this revision. Our goal is to also improve the area, making it safer for all and more conducive to residential growth.

The City of Clermont may require additional information to justify, clarify or explain the necessity of the requested Comprehensive Plan Amendment which may include the following:

- Information regarding the compatibility of the proposed land use amendment(s) with the Goals, Objectives and Policies of the Future Land Use Element and any other affected comprehensive plan elements.
- A description of how the proposed amendment(s) will result in an orderly and logical development pattern with existing and proposed land use(s) of the area.
- A description of the present availability of, and estimated demand on the following public facilities: potable water, sanitary sewer, transportation system and recreation, as appropriate.

**\* \* \* \* \* NOTICE \* \* \* \* \***

**IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.**

**City of Clermont**  
Planning & Zoning Department  
685 W. Montrose St.  
P.O. Box 120219  
Clermont, FL. 34712-0219  
(352) 394-4083 Fax: (352) 394-3542

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

RICHARD A LEMLEY

\_\_\_\_\_, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application and attachments shall become part of the official records of the City of Clermont, Florida, and are not returnable.
2. That he (she) desires a Future Land Use Amendment from Medium Density Residential to Downtown Mixed Use for the property legally described on the attachment of this application.
3. That the submittal requirements for the application have been completed and attached hereto as part of the application.

RICHARD A. LEMLEY

\_\_\_\_\_  
Affiant - Applicant Name (print)

X

Richard A. Lemley  
Affiant - Applicant Name (signature)

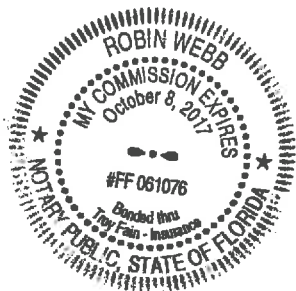
SWORN to and SUBSCRIBED before me by

or personally known by me this 25<sup>th</sup> day of August, 2014.

X

Robin Webb  
Notary Public, State of Florida at Large

My Commission Expires: October 8, 2017



**OWNER'S AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Luis Jimenez / Owner of L & Jim Properties LLC

\_\_\_\_\_, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires a Future Land Use Amendment from Medium Density Residential \_\_\_\_\_ to Downtown MU \_\_\_\_\_ for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Richard Lemley \_\_\_\_\_ to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

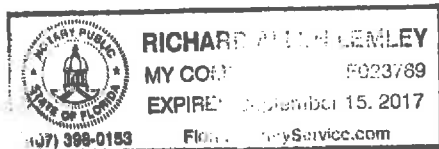
Luis Jimenez

\_\_\_\_\_  
Affiant - Applicant Name (print)

X Richard Lemley  
Affiant - Applicant Name (signature)

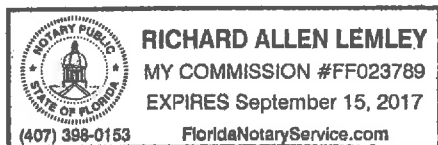
SWORN to and SUBSCRIBED before me by

or personally known by me this 25 day of August, 2014.



X RAZ  
Notary Public, State of Florida at Large

My Commission Expires: 9-15-17



### **Application Information Required**

A complete application includes the items below in addition to the attached application:

- Completed application. - Include all signatures
- Proof of ownership – (i.e. Lake County Property record card, tax receipt, deed, or tax receipt)
- Complete legal description [Computer disk with WORD version included (not all capitalized)] or email legal description to [chicklow@clermontfl.org](mailto:chicklow@clermontfl.org)
- Current survey and location map (acreage included)
- Signed owner affidavit (unless power of attorney or notarized letter authorizing the applicant to act as the duly authorized agent for the owner is submitted with the application)
- Signed Applicant affidavit
- Application fee

**City of Clermont**  
**Planning & Zoning Department**  
685 W. Montrose St.  
P.O. Box 120219  
Clermont, FL. 34712-0219  
(352) 394-4083 Fax: (352) 394-3542



**CITY OF CLERMONT**  
**COMPREHENSIVE PLAN AMENDMENT**  
Application Instructions

**APPLICATION FEE:**

- **Large Scale Comprehensive Plan Amendment - \$1,500**  
Includes text amendments that impact the Goals, Objectives and Policies of the comprehensive plan; Future Land Use Map or map series amendment over 10 acres
- **Small Scale Comprehensive Plan Amendment - \$500**  
Includes Future Land Use Map amendments of less than 10 acres, with no impact to the Goals, Objectives and Policies.
- **Development of Regional Impact (DRI) - \$10,000 escrow plus actual costs of advertising for a DRI amendment.**

**APPLICATION PROCESS:**

Applicants must schedule a pre-application meeting with the City's Site Review Committee prior to submitting a completed application. Once an application has been completed, please call a staff planner, (352) 394-4083, to schedule the pre-application meeting.

After the Site Review Committee meeting, and after any requests for additional information have been met by the applicant, the City's planning staff will prepare the amendment with its supporting data and analysis and schedule the Planning & Zoning Commission hearing. The Planning & Zoning Commission meets the first Tuesday of the month, and will make a recommendation on the proposed amendment to the City Council. The Council will then review the proposed amendment at a public hearing and may vote to approve (small scale amendment) or to transmit it (large scale amendment) to the Florida Department of Economic Opportunity (DEO) and all reviewing agencies.

DEO will review the amendment within 60 days and notify the City of any concerns. Other public agencies may file objections separately.

**AMENDMENT TIME FRAME:**

- *Small Scale Amendments and Large Scale Amendments* – may take up to three months to process depending on meeting schedules, review time frames, staff preparation time, etc. The City does try to consolidate amendments as much as possible to help save on advertising costs. Applicants must have attended a pre-application meeting prior to submitting applications for the deadlines. Please note that all hearing dates are tentative and subject to change.

**A Pre-Application meeting with the Planning & Zoning Director (or designated staff) may be required prior to submittal of the application. Please check with the Planning & Zoning Dept. staff.**

# **CITY OF CLERMONT**

## **NOTICE OF PROPOSED LAND USE CHANGE**

### **Small-Scale Comprehensive Plan Amendment**

### **ORDINANCE NO. 2014-28**

The City of Clermont will hold public hearings Tuesday, October 7, 2014 at 7 p.m. before the Planning and Zoning Commission and Tuesday, October 14, 2014 (1<sup>st</sup> reading of the adoption ordinance) and Tuesday, October 28, 2014 (final reading of the adoption ordinance) at 7 p.m. before the City Council to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 0.41 +/-acre parcel below from Medium Density Residential to Downtown Mixed Use. AltKey #1615780

□

***Location: North of West Montrose Street and South of West Minneola Ave,  
Between 11<sup>th</sup> and 12<sup>th</sup> Street***

#### **Ordinance #2014-28:**

**An ordinance of the City of Clermont, Florida, adopting the small-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the purpose and intent of the small-scale comprehensive**



**plan amendment; establishing the legal status of the small-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.**

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 241-7302 if you have any questions.

The proposed amendment may be inspected at the City's Development Services department (1<sup>st</sup> floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made.

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd, MMC  
City Clerk

Daily Commercial  
9/22/2014 and 10/14/2014



## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|----|-----------|---------------------|----|------|--------------------------|----|-----------|-----------------------|----|---------|-----------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| Ordinance No. 2014-29; <i>Final</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| Move to approve Ordinance 2014-29.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| <p>The owner is requesting a future land use map amendment to change from Office to Commercial Future Land Use Category. The 1+/- acre parcel is located along the north side of State Road 50, between 4th and 2nd Street. The subject property is entirely contained within the City limits and utilities are available.</p> <p>Although the proposed Commercial Future Land Use would not directly abut other Commercial Future Land Use parcels, it does fit the character of the surrounding community and is compatible with the area. The zoning on the parcel is C-1 Light Commercial. The City of Clermont's comprehensive plan policies support this request.</p> <p>Based upon the above information, staff recommends approval of the Future Land Use Map amendment from Office to Commercial Future Land Use Category.</p> <p><i>Commissioner Carlos Solis moved to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Bernadette Dubuss. The vote was unanimous to recommend approval for the small-scale comprehensive plan amendment.</i></p> |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| <table><tr><td>1.</td><td>Ordinance</td><td>CPA ORD 2014-29.doc</td></tr><tr><td>2.</td><td>Maps</td><td>Silver Fox SR50 Maps.pdf</td></tr><tr><td>3.</td><td>Site plan</td><td>SS Comp plan Site.pdf</td></tr><tr><td>4.</td><td>Minutes</td><td>Minutes - SS comp.pdf</td></tr></table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                | 1. | Ordinance | CPA ORD 2014-29.doc | 2. | Maps | Silver Fox SR50 Maps.pdf | 3. | Site plan | SS Comp plan Site.pdf | 4. | Minutes | Minutes - SS comp.pdf |
| 1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Ordinance                          | CPA ORD 2014-29.doc            |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| 2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Maps                               | Silver Fox SR50 Maps.pdf       |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| 3.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Site plan                          | SS Comp plan Site.pdf          |    |           |                     |    |      |                          |    |           |                       |    |         |                       |
| 4.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Minutes                            | Minutes - SS comp.pdf          |    |           |                     |    |      |                          |    |           |                       |    |         |                       |

|    |             |                              |
|----|-------------|------------------------------|
| 5. | Application | SS comp plan application.pdf |
| 6. | Legal ad    | Silver Fox CPA Legal Ad.docx |

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-29**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on June 23, 2009, in accordance with the Local Government Planning and Land Development Regulations Act of 1985, Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Comprehensive Plan of the City of Clermont may be amended pursuant to Florida Statute 163.3187; and

**WHEREAS**, the Planning and Zoning Commission and the City Council of the City of Clermont have held public hearings on the proposed amendment to the plan in light of written comments, proposals and objections from the general public;

**NOW THEREFORE BE IT RESOLVED AND ENACTED**, by the City Council of the City of Clermont, Lake County, Florida that:

**Section 1.**

After public hearings held by the City of Clermont Local Planning Agency and the Clermont City Council, the Future Land Use Map of the Comprehensive Plan of the City of Clermont is hereby amended by changing the following described property as shown:

**LEGAL DESCRIPTION**

Lot 4, 5, 6, and 7, all in Block 27, in the City of Clermont, Florida, according to the plat thereof, as recorded in Plat Book 8, Page 17 – 23 inclusive, Public Records of Lake County, Florida. Containing 1 acre, more or less

**CHANGE IN FUTURE LAND USE CLASSIFICATION**

From Office to Commercial

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-29**

**Section 2.**

If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of the remainder would clearly and without doubt contradict or frustrate the intent of the Ordinance as a whole.

**Section 3.**

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

**Section 4.**

This Ordinance shall be published as provided by law and it shall become law and shall take effect immediately upon its Second Reading and Final Passage.



*CITY OF CLERMONT*  
**ORDINANCE No. 2014-29**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida, this 28th day of October, 2014.

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Harold S. Turville, Jr., Mayor

ATTEST:

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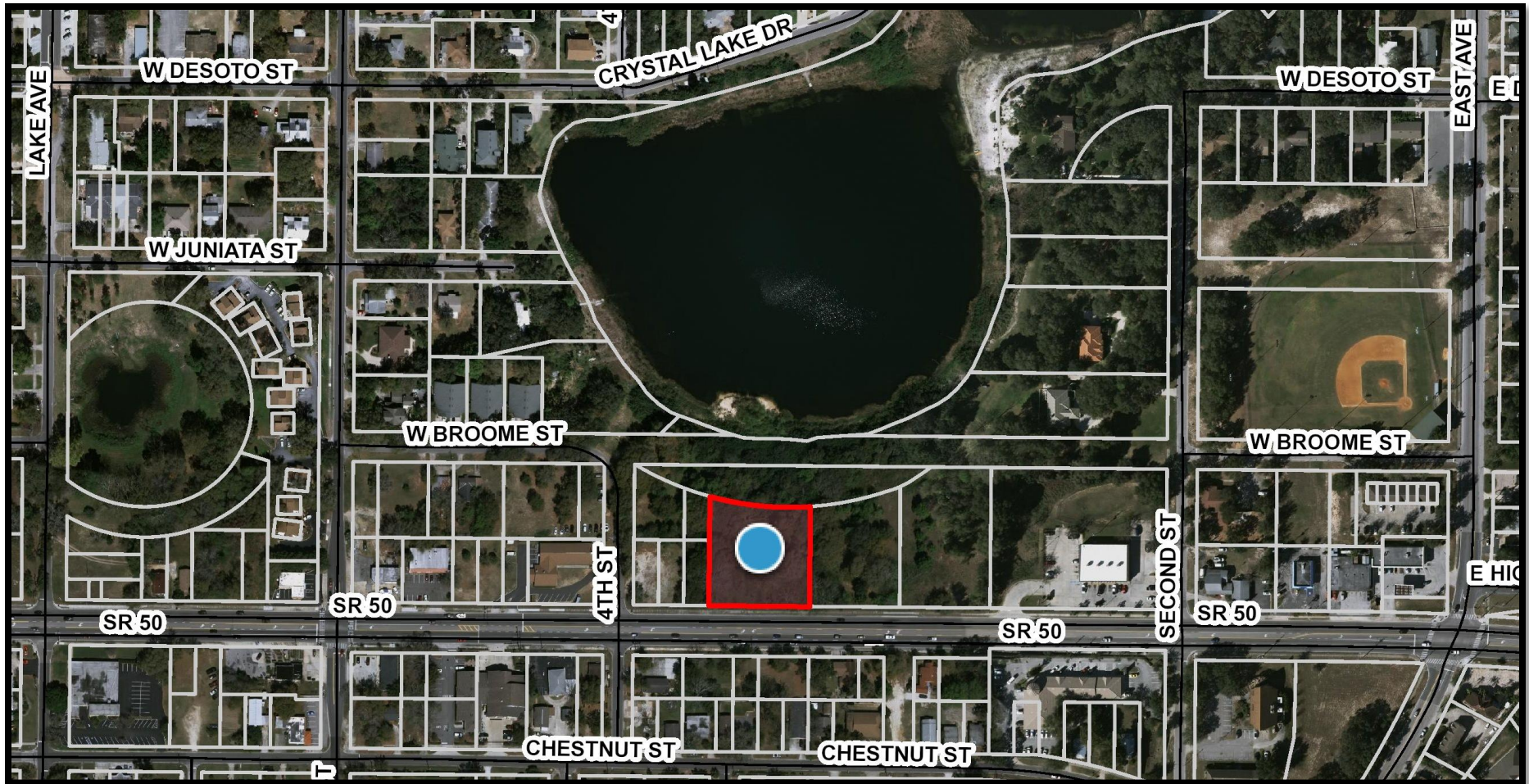
Tracy Ackroyd, City Clerk

Approved as to form and legality:

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Daniel F. Mantzaris, City Attorney

Exhibit - Location Map  
Silver Fox Development, Inc.



Red Outline:  
Subject Property



Exhibit – City of Clermont – Future Land Use Map  
Silver Fox Development, Inc.

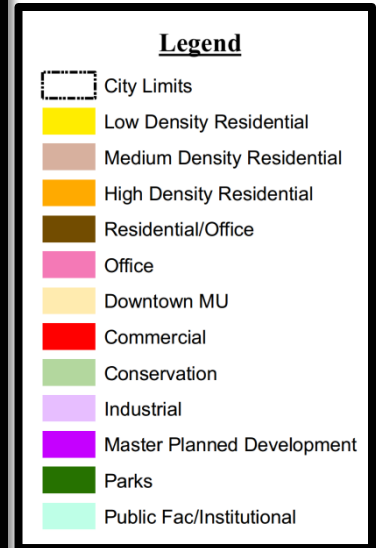
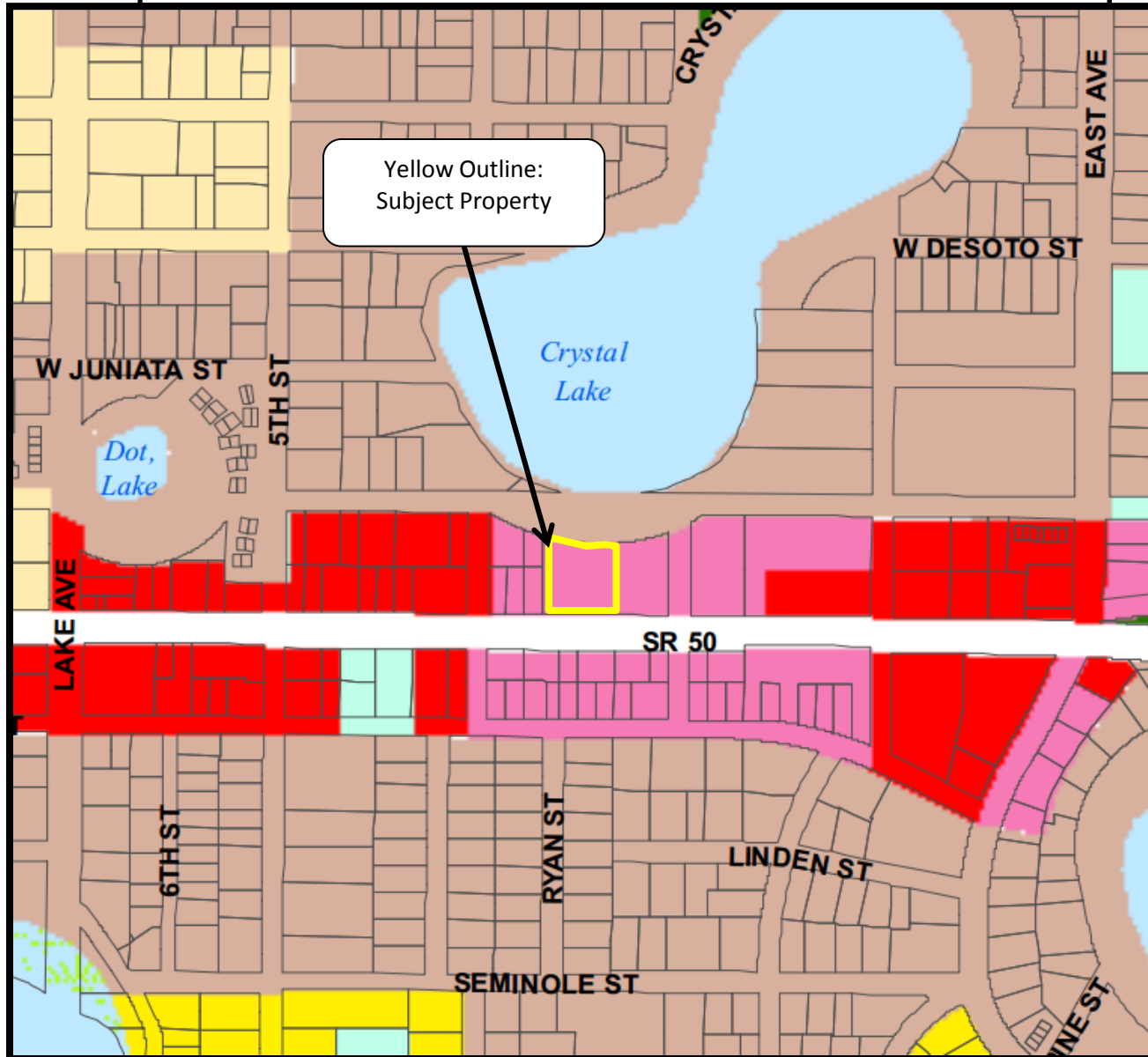
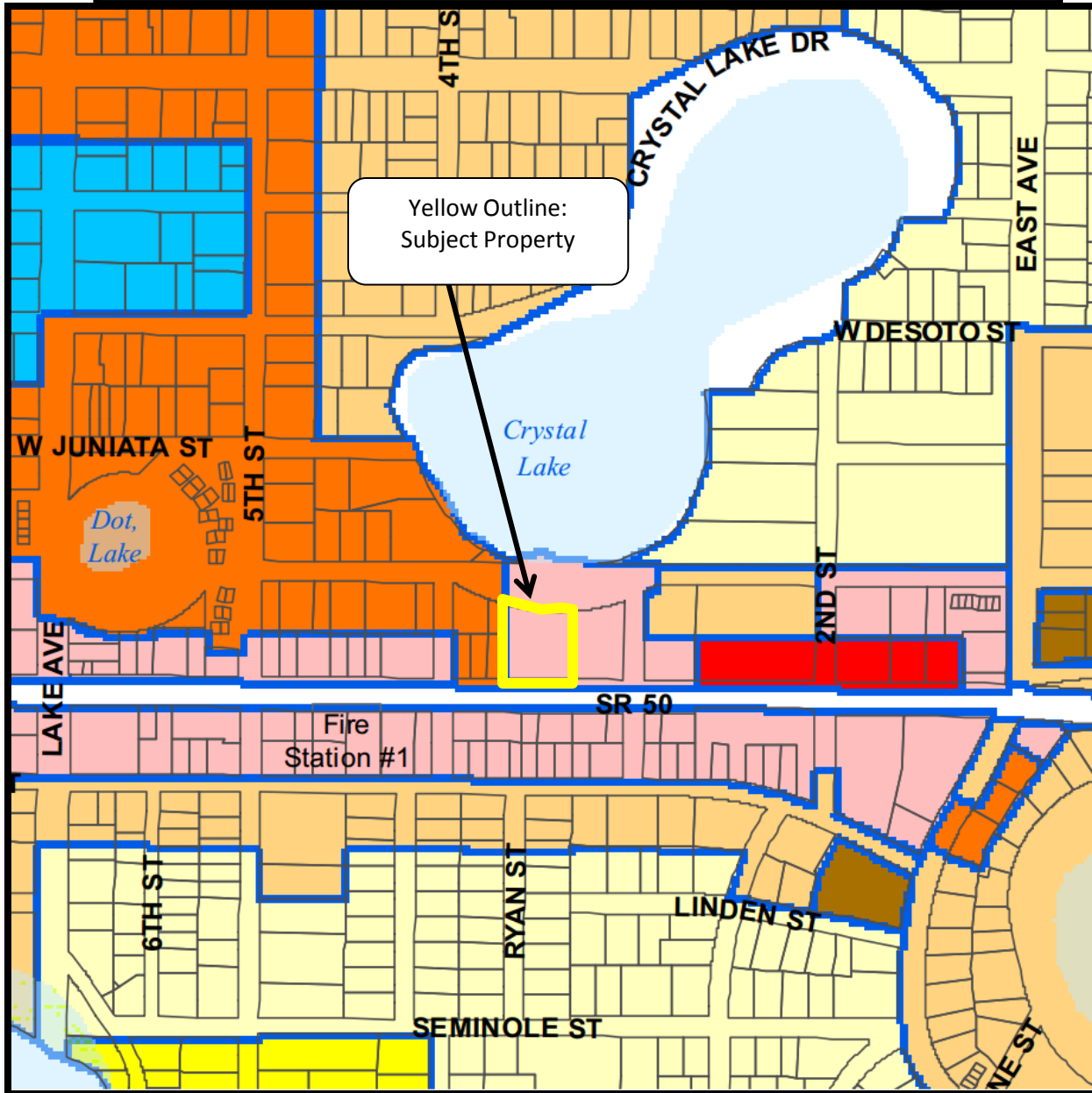




Exhibit – City of Clermont – Zoning Map  
Silver Fox Development, Inc.



**Zoning Designations:**

- UT URBAN TRANSITION DISTRICT
- UE URBAN ESTATE LOW DENSITY RESIDENTIAL DISTRICT
- R-1-A SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT
- R-1 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-3-A RESIDENTIAL/PROFESSIONAL DISTRICT
- R-3 RESIDENTIAL/PROFESSIONAL DISTRICT
- O-1 OFFICE DISTRICT
- C-1 LIGHT COMMERCIAL DISTRICT
- C-2 GENERAL COMMERCIAL DISTRICT
- CBD CENTRAL BUSINESS DISTRICT
- M-1 INDUSTRIAL DISTRICT
- CD COMMERCE DISTRICT
- PR PARKS AND RECREATION DISTRICT
- PUD PLANNED UNIT DEVELOPMENT
- AREAS NOT WITHIN THE CITY LIMITS

# Map of Boundary & Topographic Survey

Description:  
Lot 4, 5, 6 and 7, all in Block 27, in the City of Clermont,  
Florida, according to the plat thereof, as recorded in  
Plat Book 8, Page 17 - 23 Inclusive, Public  
Records of Lake County, Florida.

City of Clermont  
I hereby declare that based on my  
examination of the Flood Insurance Rate  
Map panel 120133 0645 D dated July 3,  
2002, and that to the best of my knowledge,  
belief and my professional opinion that the  
subject property lies within flood zones X.

Scale = 1"=30'

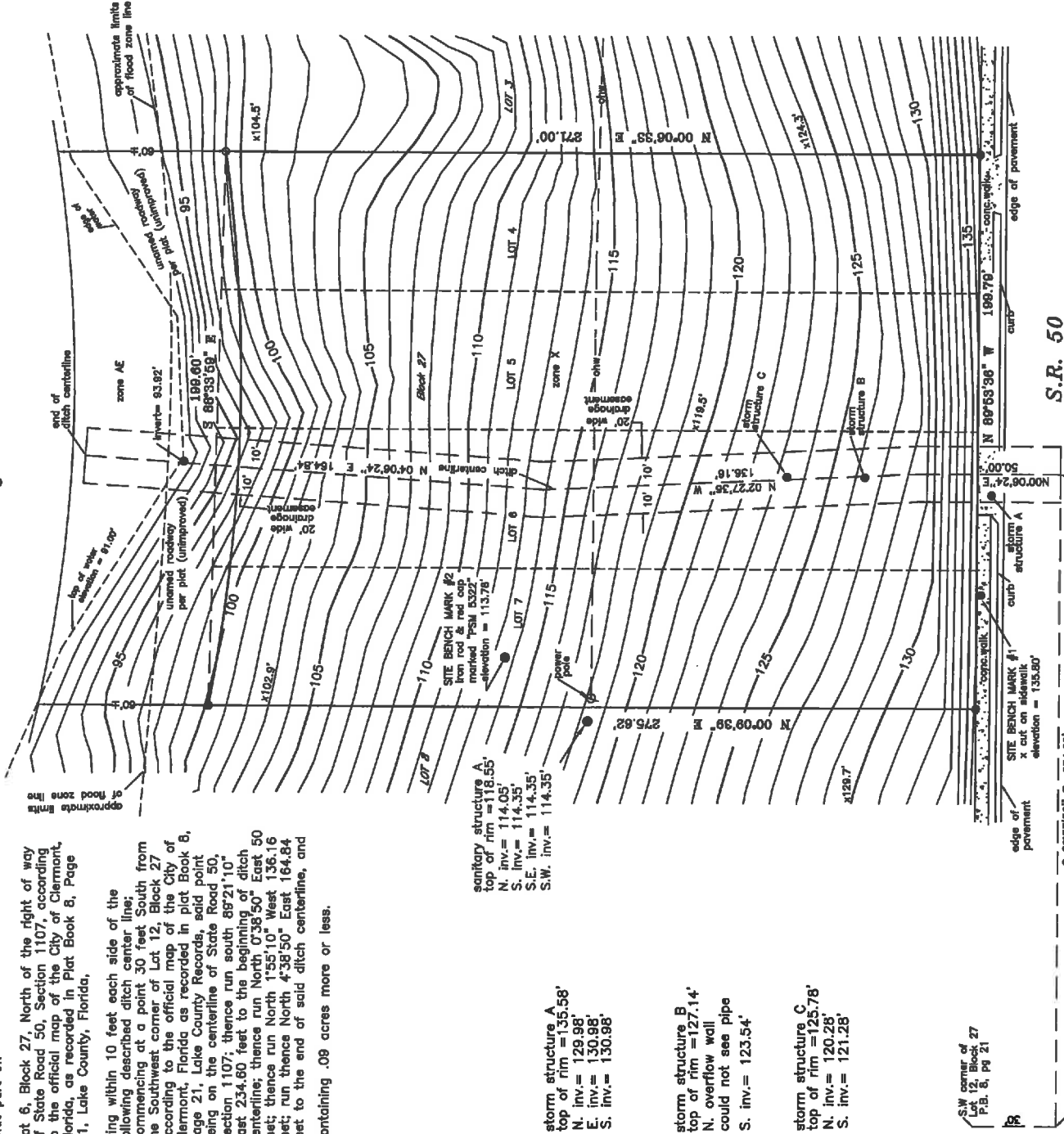
DRAINAGE EASEMENT (per Deed Book 339, pg71)  
LATERAL DITCH LEFT STATION 639 + 28.00

That part of:

Lot 6, Block 27, North of the right of way  
of State Road 50, Section 1107, according  
to the official map of the City of Clermont,  
Florida, as recorded in Plat Book 8, Page  
21, Lake County, Florida,

lying within 10 feet each side of the  
following described ditch center line:  
Commencing at a point 30 feet South from  
the Southwest corner of Lot 12, Block 27  
according to the official map of the City of  
Clermont, Florida as recorded in plat Book 8,  
Page 21, Lake County Records, said point  
being on the centerline of State Road 50.  
Section 1107; thence run south 89°21'10"  
East 234.60 feet to the beginning of ditch  
centerline; thence run North 0°38'50" East 50  
feet; thence run North 1°55'10" West 136.16  
feet; run thence North 4°38'50" East 164.84  
feet to the end of said ditch centerline, and  
Containing .08 acres more or less.

Crystal Lake



S.R. 50

sanitary structure B  
top of rim =135.97'  
could not open

sanitary structure D  
top of rim =135.64'

sanitary structure C  
top of rim =135.69'  
full with water

Notes:  
-Bearings based on the South line of Lots 4  
as being N 89°53'36" W, an assumed  
meridian.  
-Legal descriptions supplied by client.  
-No title commitment or abstract has been  
provided for the subject property. There may  
be recorded or unrecorded documents which  
could affect this parcel.  
-No adjacent or underground improvements,  
other than those shown, located this date.  
-Subject property contains 1.227 acres, more  
or less, and is subject to any rights of way or  
easements of record.  
-There may be a possibility that Sanitary Structures  
A, B & C maybe connected together. Underground  
sanitary pipe locations would need to be marked  
to establish the direction of the sanitary pipes.

Surveyor's Certification  
I hereby certify to Highland Real Estate  
that this Map of Boundary & Topographic Survey meets  
the minimum technical standards for surveys as set forth in  
Chapter 61G17 Florida Administrative Code, pursuant to Section  
472.027, Florida Statutes.

JEFFREY P. RHODEN  
STATE OF FLORIDA  
PSM #5322

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND  
MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL  
PURPOSES ONLY AND IS NOT VALID.

| # | Date | Revisions | Field Date | Prepared for:                                       | 08051.001 |
|---|------|-----------|------------|-----------------------------------------------------|-----------|
|   |      |           | 11/22/08   | Highland Real Estate                                |           |
|   |      |           | Drawn by:  | Rhoden Land Surveying, Inc.                         |           |
|   |      |           | JE-C       |                                                     |           |
|   |      |           | Scale:     | 1"=30'                                              |           |
|   |      |           |            | 1000 East Ave<br>Clermont, FL 34711<br>352-384-6235 |           |

LEGEND:  
● Denotes found 1/2" iron rod &  
concretes set 21.42'  
unless otherwise noted.  
○ Denotes set 1/2" iron rod &  
concretes set 21.42'  
unless otherwise noted.  
⊗ Denotes centerline  
R/W Denotes right of way

**City of Clermont  
MINUTES  
PLANNING AND ZONING COMMISSION  
October 7, 2014**

**Page 2**

Commissioner Carlos Solis asked if it is the city's plan is to change the land use on the surrounding properties next to this property.

Mr. Kruse stated that it is not the city's plan to change the land use at this time; however the City will be looking at some parcels in the near future.

Commissioner Harry Mason suggested this would be spot zoning.

Mr. Kruse stated that the properties across the street are the same zoning as being requested.

Chairman Nick Jones stated that this is not considered spot zoning when there is comparable zoning there.

*Commissioner Bernadette Dubuss moved to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Carlos Solis. The vote was unanimous to recommend approval for the small-scale comprehensive plan amendment.*

**2. REQUEST FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT**

**DEVELOPMENT NAME:** Silver Fox

**APPLICANT:** Dale Ladd

Senior planner John Kruse presented the staff report as follows:

The owner is requesting a future land use amendment to change from Office to Commercial future land use category. The 1+/- acre parcel is located along the north side of SR 50, between 4<sup>th</sup> and 2<sup>nd</sup> Street. The subject property is entirely contained within the city limits and utilities are available.

The proposed Commercial future land use may not be contiguous with other Commercial future land use, but it fits the character of the surrounding community and is compatible with the area. The current underlying zoning of C-1 Light Commercial is not in conflict with the proposed Commercial land use and allows the owner the opportunity to develop it for C-1 uses. The City of Clermont's comprehensive plan policies support this request.

Based upon the above information, staff recommends approval of the future land use map amendment from Office to Commercial future land use category.

Dale Ladd, 1135 East Ave., stated that he wants a land use change so that he can have commercial as opposed to office use on this parcel.

**City of Clermont  
MINUTES  
PLANNING AND ZONING COMMISSION  
October 7, 2014**

**Page 3**

*Commissioner Carlos Solis moved to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Bernadette Dubuss. The vote was unanimous to recommend approval for the small-scale comprehensive plan amendment.*

**3. REQUEST FOR REZONING**

**REQUEST:** Silver Fox  
**APPLICANT:** Dale Ladd

Senior planner John Kruse presented the staff report as follows:

The owner is requesting a rezoning change from C-1 Light Commercial to C-2 General Commercial. The owner has indicated on the application that the zoning change request is due to the property being developed and operated as a used car sales lot. The current C-1 zoning district does not allow this type of use, even with a conditional use permit. The C-2 zoning district permits this type of use. The 1+/- acre parcel is located along the north side of SR 50, between 4<sup>th</sup> and 2<sup>nd</sup> Street. The subject property is entirely contained within the city limits and utilities are available.

The purpose of the C-1 district is to provide light retail sales and services. The C-2 district is intended for full-scale retail sales and service needs of the community. The C-2 zoning district allows more intensive commercial uses, including, but not limited to: lounges, laundries, hotels and motels, convenience stores and gas stations. In addition, conditional uses in the C-2 zoning district offers a larger variety of uses that are not applicable in the C-1 zoning district with conditional uses. The zoning change from C-1 to C-2 provides the applicant with a larger range of options to develop the site, including the used car sales lot. However, staff believes the C-2 zoning district does not fit the character of the surrounding community and is not compatible with the area. The majority of this area along SR 50 has the C-1 zoning designation. Very few parcels in the area have the C-2 zoning designation and uses, and many are on parcels that have had these uses prior to adoption of the Land Development Code. In addition, the traffic volume of the C-2 related uses is generally more demanding and the site is located on a main arterial roadway, SR 50. The site does not appear to have any other ingress/egress options, such as a local road or side street, and the only access point is SR 50.

Based upon the above information, staff recommends denial of the rezoning change from C-1 Light Commercial to C-2 General Commercial.

Harold Graham, 639 Groves End Lane, Winter Garden, stated that he is the lead consultant. He stated that they are a unique themed small 25 to 30 car lot. He stated that this is a family friendly sales experience in purchasing affordable reliable pre-owned vehicles in the \$3000 to \$5000 range with on site financing, regardless of credit history. He stated that they have determined that this type of themed family friendly purchasing experience was unavailable to distressed credit customers in the Orlando market. He stated that they have received feedback from the local dealerships who have stated that they wish they had a family friendly place that they can send



**CITY OF CLERMONT**  
**COMPREHENSIVE PLAN AMENDMENT**  
**Application**

DATE: August 25, 2014

FEE: \$500

Project Name (if applicable): \_\_\_\_\_

Applicant: SILVER FOX DEVELOPMENT, INC.

Contact Person: DALE LADD

Address: 1135 EAST AVE

City: CLERMONT State: FL Zip: 34711

Phone: 352-394-8686 Fax: 407-641-8618

E-Mail: DLADD@HIGHLANDREALESTATE.BIZ

OWNER: SILVER FOX DEVELOPMENT, INC.

Address: 1135 EAST AVE

City: CLERMONT State: FL Zip: 34711

Phone: 352-394-8686 Fax: 407-641-8618

E-Mail: DLADD@HIGHLANDREALESTATE.BIZ

General Location: NORTH OF HIGHWAY 50, APPROXIMATELY 150' EAST OF 4TH STREET

Legal Description (include copy of survey): CLERMONT LOTS 4, 5, 6, 7 BLOCK 27

Property size (in acres or square feet): \_\_\_\_\_

Flood hazard area (yes) \_\_\_\_\_ and approx. acreage 1 +/- ACRE (no) X

Existing (Actual) Land Use: VACANT

Existing Zoning: C-1

Existing Future Land Use: OFFICE

Proposed Future Land Use: COMMERCIAL

Type of development proposed: BOUTIQUE USED CAR LOT

Proposed density (dwelling units/acre) or intensity: \_\_\_\_\_

Proposed Zoning District: C-2

Summary of the proposed amendment content and effect that describes any changed conditions that would justify the proposed amendment, and why there is a need for the proposed amendment (use additional sheets if necessary).

PRESENT ZONING WILL ALLOW A USED CAR LOT BUT PRESENT FUTURE LAND USE DOES NOT.

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The City of Clermont may require additional information to justify, clarify or explain the necessity of the requested Comprehensive Plan Amendment which may include the following:

- Information regarding the compatibility of the proposed land use amendment(s) with the Goals, Objectives and Policies of the Future Land Use Element and any other affected comprehensive plan elements.
- A description of how the proposed amendment(s) will result in an orderly and logical development pattern with existing and proposed land use(s) of the area.
- A description of the present availability of, and estimated demand on the following public facilities: potable water, sanitary sewer, transportation system and recreation, as appropriate.

**\*\*\*\*\* NOTICE \*\*\*\*\***

**IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.**

**City of Clermont**  
**Planning & Zoning Department**  
685 W. Montrose St.  
P.O. Box 120219  
Clermont, FL. 34712-0219  
(352) 394-4083 Fax: (352) 394-3542

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Dave J. Ladd, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application and attachments shall become part of the official records of the City of Clermont, Florida, and are not returnable.
2. That he (she) desires a Future Land Use Amendment from Office to Commercial for the property legally described on the attachment of this application.
3. That the submittal requirements for the application have been completed and attached hereto as part of the application.

Dave J. Ladd  
Affiant - Applicant Name (print)

X [Signature]  
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 26 day of Aug., 2014.



X [Signature]  
Notary Public, State of Florida at Large

My Commission Expires: 8-7-17

**OWNER'S AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Dale J. Ladd, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires a Future Land Use Amendment from Office to Commercial for the property legally described on the attachment of this application.
3. That the owner of said property has appointed \_\_\_\_\_ to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Dale J. Ladd  
Affiant - Applicant Name (print)

X [Signature]  
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 26 day of August, 2014.



X [Signature]  
Notary Public, State of Florida at Large

My Commission Expires: 8-7-17



## Property Record Card

### General Information

|                              |                                                                 |                                |                              |
|------------------------------|-----------------------------------------------------------------|--------------------------------|------------------------------|
| <b>Owner Name:</b>           | SILVER FOX DEVELOPMENT INC                                      | <b>Alternate Key:</b>          | 1612209                      |
| <b>Mailing Address:</b>      | 1135 EAST AVE<br>CLERMONT, FL 34711                             | <b>Parcel Number:</b>          | 24-22-25-<br>010002700400    |
| <b>Property Location:</b>    | CLERMONT FL 34711                                               | <b>Millage Group and City:</b> | 000C (Clermont) :<br>17.5789 |
| <b>Property Description:</b> | CLERMONT LOTS 4, 5, 6, 7 BLK 27 PB 8 PG 17  <br>ORB 981 PG 1580 |                                |                              |

### Land Data

| Line | Land Use                 | Frontage | Depth | Notes | No. Units | Type | Class Value | Just Value  |
|------|--------------------------|----------|-------|-------|-----------|------|-------------|-------------|
| 1    | VACANT COMMERCIAL (1000) | 0        | 0     |       | 41400     | SF   | \$0.00      | \$86,940.00 |

### Miscellaneous Improvements

There is no improvement information to display.

### Sales History

| O.R. Book / Page | Sale Date | Instrument | O/U | Vac./Imp. | Sale Price  |
|------------------|-----------|------------|-----|-----------|-------------|
| 925 / 2181       | 6/1/1987  | WD         | Q   | V         | \$38,000.00 |
| 981 / 1580       | 9/1/1988  | WD         | Q   | V         | \$40,000.00 |

### Values and Estimated Taxes

| Tax Authority                     | Just Value | Assessed Value | Taxable Value | Millage        | Estimated Taxes                    |
|-----------------------------------|------------|----------------|---------------|----------------|------------------------------------|
| LAKE COUNTY BCC                   | \$86,940   | \$86,940       | \$86,940      | 5.61240        | \$487.94                           |
| LAKE COUNTY MSTU AMBULANCE        | \$86,940   | \$86,940       | \$86,940      | 0.48230        | \$41.93                            |
| SCHOOL BOARD STATE                | \$86,940   | \$86,940       | \$86,940      | 4.99800        | \$434.53                           |
| SCHOOL BOARD LOCAL                | \$86,940   | \$86,940       | \$86,940      | 2.24800        | \$195.44                           |
| CITY OF CLERMONT                  | \$86,940   | \$86,940       | \$86,940      | 3.72900        | \$324.20                           |
| ST JOHNS RIVER FL WATER MGMT DIST | \$86,940   | \$86,940       | \$86,940      | 0.31640        | \$27.51                            |
| LAKE COUNTY VOTED DEBT SERVICE    | \$86,940   | \$86,940       | \$86,940      | 0.16000        | \$13.91                            |
| LAKE COUNTY WATER AUTHORITY       | \$86,940   | \$86,940       | \$86,940      | 0.25540        | \$22.20                            |
| SOUTH LAKE HOSPITAL DIST          | \$86,940   | \$86,940       | \$86,940      | 0.76500        | \$66.51                            |
|                                   |            |                | <b>Total:</b> | <b>18.5665</b> | <b>Total:</b><br><b>\$1,614.17</b> |

The values displayed above may NOT reflect certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The estimated tax totals are based on prior year adopted millage rates until each taxing authority certifies proposed rates (annually in mid-August) and adopts final millage rates (late September) of each year. Estimated tax totals do not reflect non-ad valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the Tax Collector for actual taxation amounts.

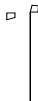
# **CITY OF CLERMONT**

## **NOTICE OF PROPOSED LAND USE CHANGE**

### **Small-Scale Comprehensive Plan Amendment**

### **ORDINANCE NO. 2014-29**

The City of Clermont will hold public hearings Tuesday, October 7, 2014 at 7 p.m. before the Planning and Zoning Commission; Tuesday, October 14, 2014 (1<sup>st</sup> reading of the adoption ordinance) and Tuesday, October 28, 2014 (final reading of the adoption ordinance) at 7 p.m. before the City Council to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 1+/-acre parcel below from Office to Commercial. AltKey #1612209



***Location: North of S.R. 50, Between 4<sup>th</sup> Street and 2<sup>nd</sup> Street***

#### **Ordinance #2014-29:**

**An ordinance of the City of Clermont, Florida, adopting the small-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the purpose and intent of the small-scale comprehensive plan amendment; establishing the legal status of the small-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.**

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 241-7302 if you have any questions.

The proposed amendment may be inspected at the City's Development Services department (1<sup>st</sup> floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made.

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd, MMC  
City Clerk

Daily Commercial  
9/22/2014 and 10/14/2014



## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| Ordinance No. 2014-33; <i>Final</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| Move to deny Ordinance 2014-33.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| <p>The owner is requesting a rezoning change from C-1 Light Commercial to C-2 General Commercial. The owner has indicated that the zoning change request is due to the property being proposed for development as a used car sales lot. The current C-1 Zoning District does not allow this type of use, even with a Conditional Use Permit. The C-2 Zoning District permits this type of use. The 1+/- acre parcel is located along the north side of State Road 50, between 4th and 2nd Street. The subject property is entirely contained within the City limits and utilities are available.</p> <p>The purpose of the C-1 Zoning District is to provide light retail sales and services. The C-2 Zoning District is intended for full-scale retail sales and service needs of the community. The C-2 Zoning District allows more intensive commercial uses, including, but not limited to lounges, laundries, hotels and motels, convenience stores and gas stations. In addition, conditional uses in the C-2 Zoning District offer a larger variety of uses that are not applicable in the C-1 Zoning District with conditional uses. The zoning change from C-1 to C-2 provides the applicant with a broader range of options to develop the site, including the used car sales lot. However, staff believes the C-2 Zoning District does not fit the character of the surrounding community and is not compatible with the area. The majority of properties in this area along State Road 50 have the C-1 zoning designation. The adjacent parcels do not have the C-2 zoning designation and uses, and other C-2 properties in the vicinity are on parcels that have had these uses prior to adoption of the Land Development Code. In addition, the traffic volume of the C-2 related uses is generally more demanding, and the site is located on a main arterial roadway, State Road 50. The site does not appear to have any other ingress/egress options, such as a local road or side street, and the only access point is State Road 50.</p> <p>Based upon the above information, staff recommends <b><u>denial</u></b> of the rezoning change from C-1 Light Commercial to C-2 General Commercial.</p> <p><i>Commissioner Harry Mason moved to recommend denial of the rezoning; seconded by Commissioner Judy Proli. The vote was unanimous to recommend denial for the rezoning.</i></p> |  |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
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| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
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| Fiscal Impact Summary                             |                               |                         |
|---------------------------------------------------|-------------------------------|-------------------------|
|                                                   |                               |                         |
| Fiscal Impact                                     | Fund Number and Description   | Available Budget Amount |
|                                                   |                               |                         |
| Exhibits Attached (copies of original agreements) |                               |                         |
| 1. Ordinance                                      | REZ ORD 2014-33.doc           |                         |
| 2. Maps                                           | Silver Fox SR50 Maps.pdf      |                         |
| 3. Minutes                                        | Rezoning minutes.pdf          |                         |
| 4. Application                                    | 2014 rezoning application.pdf |                         |
| 5. Legal ad                                       | REZ legal ad.docx             |                         |

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-33**

**AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, AND PUBLICATION.**

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

**SECTION 1:**

The official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

**LEGAL DESCRIPTIONS**

Lot 4, 5, 6, and 7, all in Block 27, in the City of Clermont, Florida, according to the plat thereof, as recorded in Plat Book 8, Page 17 – 23 inclusive, Public Records of Lake County, Florida. Containing 1 acre, more or less

**From: C-1 Light Commercial**  
**To: C-2 General Commercial**

**SECTION 2:**

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

**SECTION 3:**

Should any section or part of this section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire section or part of the section may be inseparable in meaning and effect from the section to which such holding shall apply.

**SECTION 4:**

The provisions of this Ordinance shall be effective as provided by law.

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-33**



*CITY OF CLERMONT*  
**ORDINANCE No. 2014-33**

on this 28th day of October, 2014.

CITY OF CLERMONT

---

Harold S. Turville, Jr., Mayor

ATTEST:

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Tracy Ackroyd, City Clerk

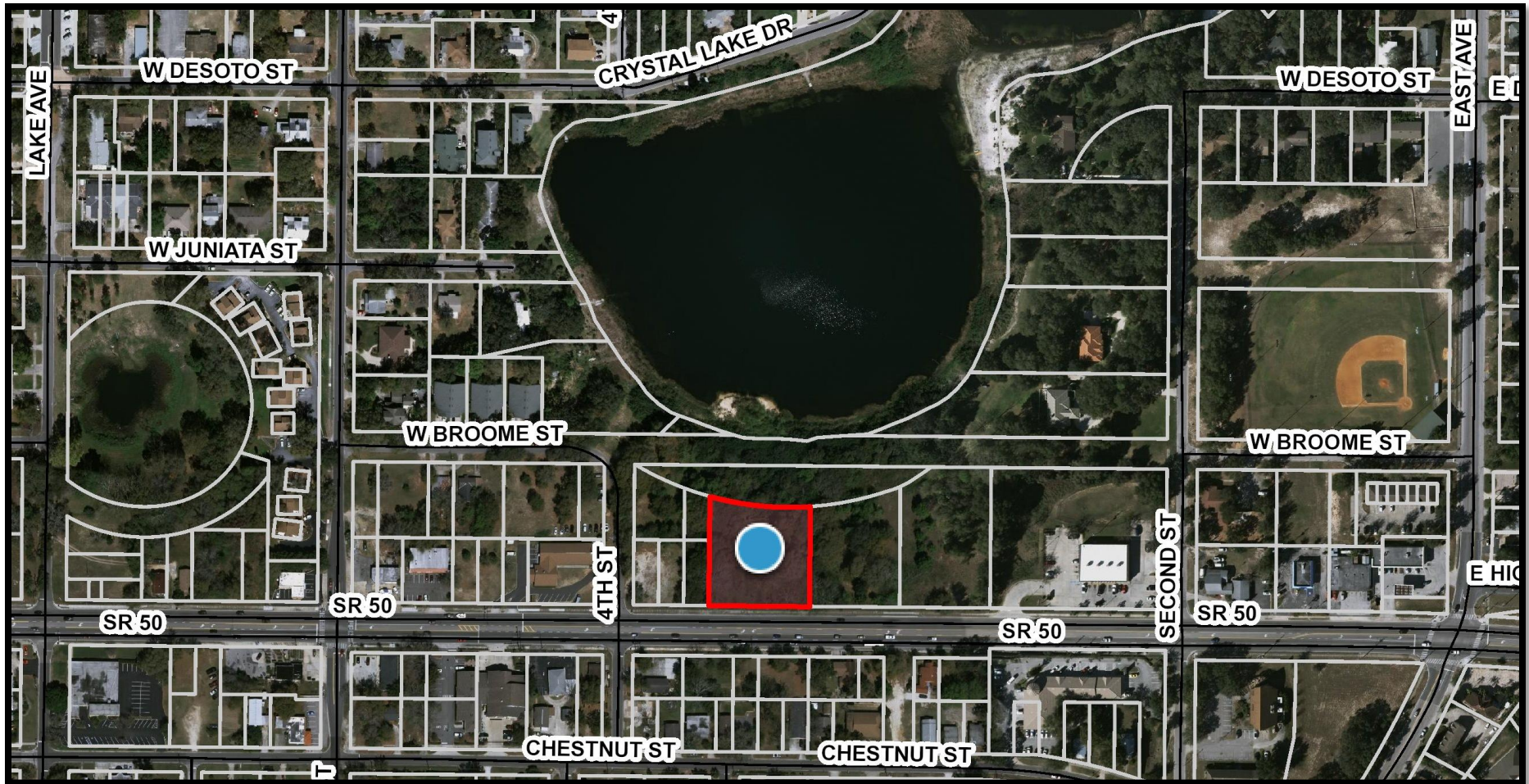
Approved as to form:

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Dan Mantzaris, City Attorney

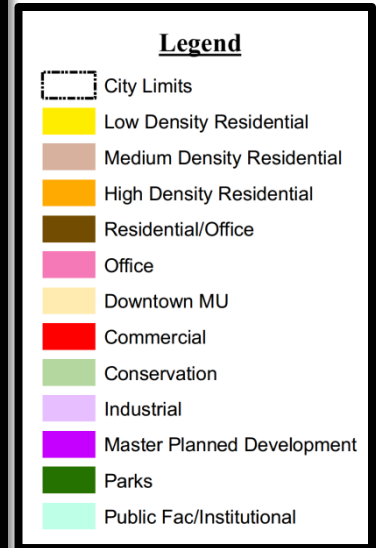
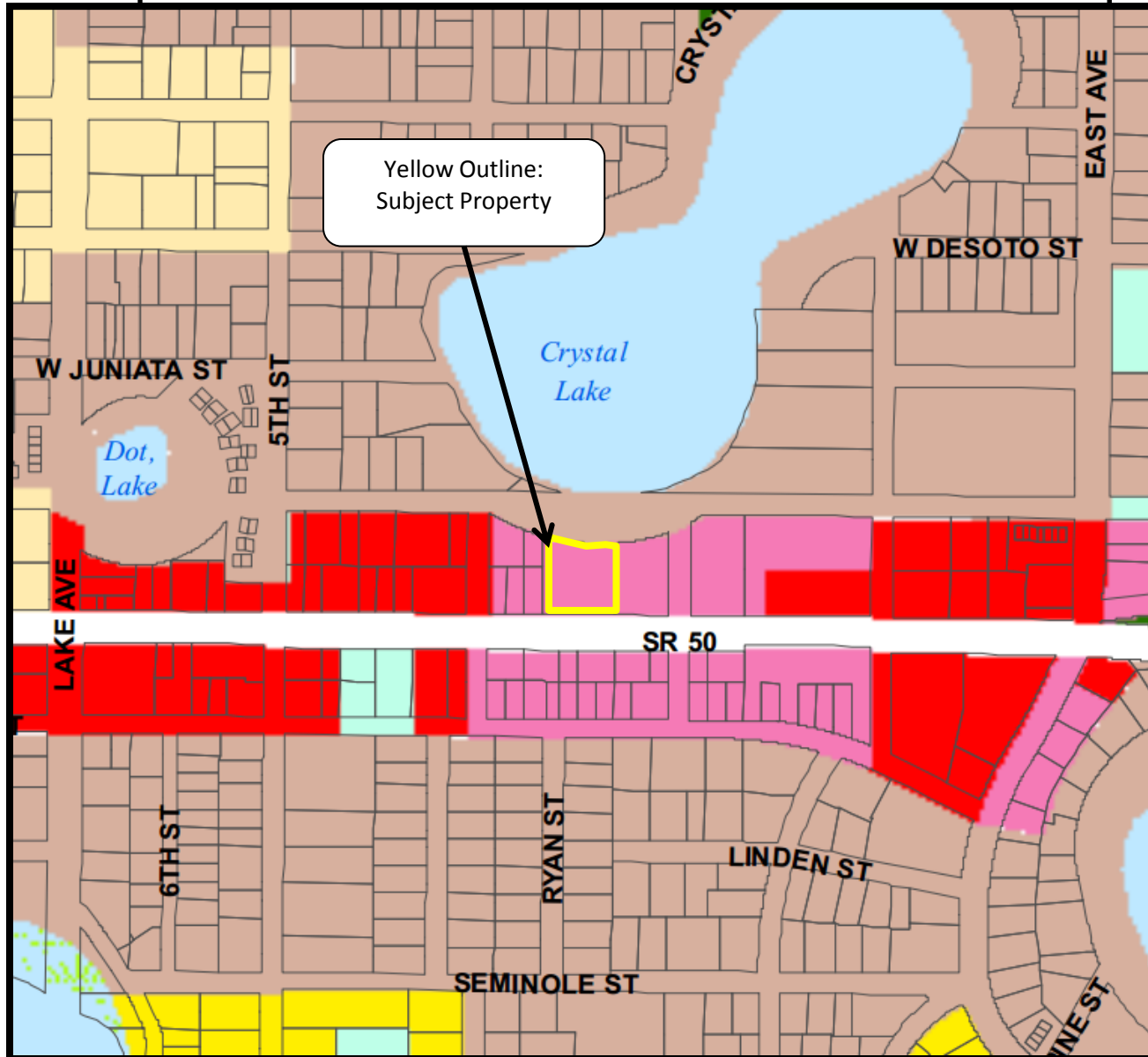


Exhibit - Location Map  
Silver Fox Development, Inc.

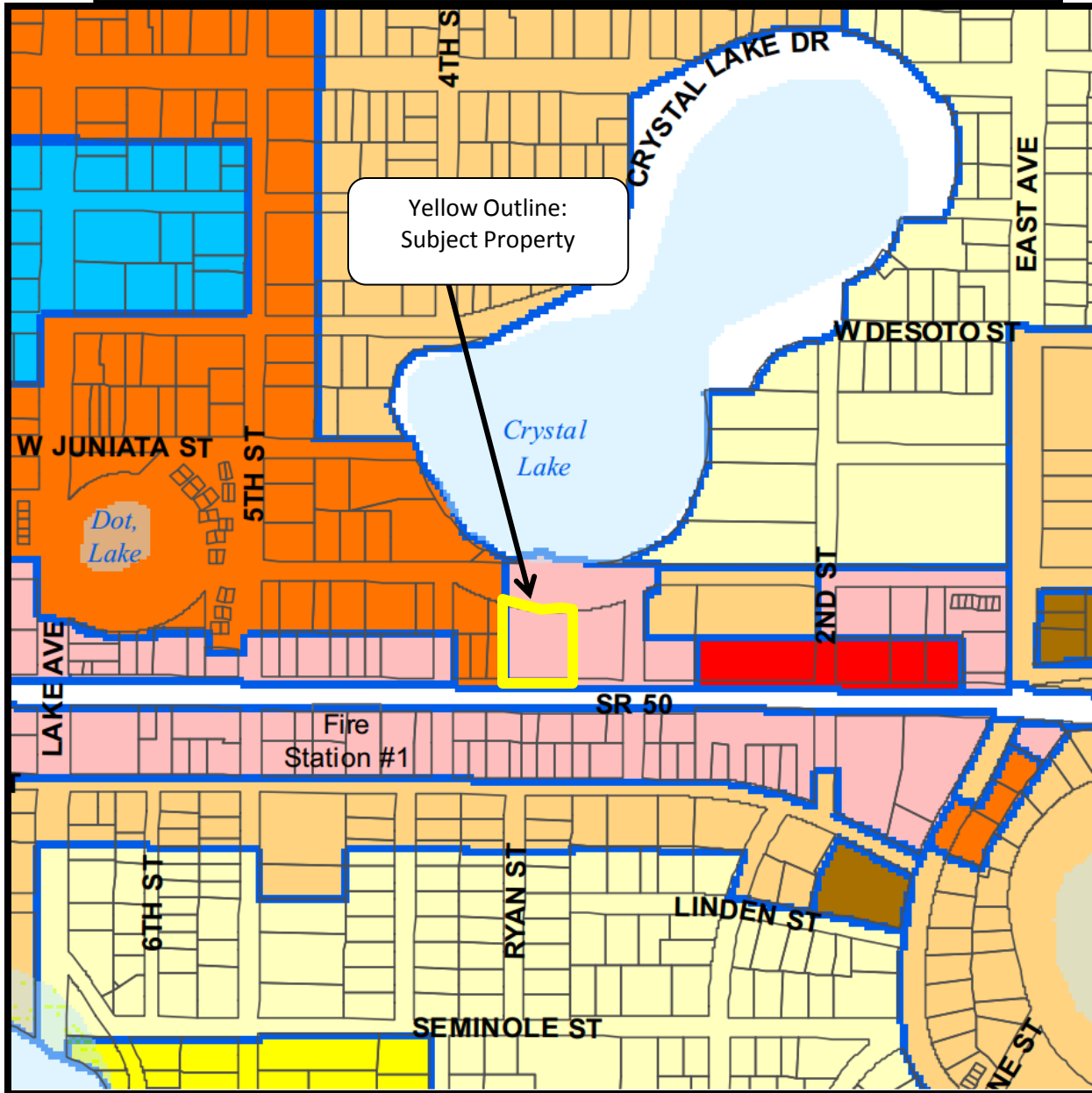


Red Outline:  
Subject Property

Exhibit – City of Clermont – Future Land Use Map  
Silver Fox Development, Inc.



# Exhibit – City of Clermont – Zoning Map Silver Fox Development, Inc.



## Zoning Designations:

- UT URBAN TRANSITION DISTRICT
- UE URBAN ESTATE LOW DENSITY RESIDENTIAL DISTRICT
- R-1-A SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT
- R-1 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-3-A RESIDENTIAL/PROFESSIONAL DISTRICT
- R-3 RESIDENTIAL/PROFESSIONAL DISTRICT
- O-1 OFFICE DISTRICT
- C-1 LIGHT COMMERCIAL DISTRICT
- C-2 GENERAL COMMERCIAL DISTRICT
- CBD CENTRAL BUSINESS DISTRICT
- M-1 INDUSTRIAL DISTRICT
- CD COMMERCE DISTRICT
- PR PARKS AND RECREATION DISTRICT
- PUD PLANNED UNIT DEVELOPMENT
- AREAS NOT WITHIN THE CITY LIMITS



**City of Clermont  
MINUTES  
PLANNING AND ZONING COMMISSION  
October 7, 2014**

**Page 3**

*Commissioner Carlos Solis moved to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Bernadette Dubuss. The vote was unanimous to recommend approval for the small-scale comprehensive plan amendment.*

**3. REQUEST FOR REZONING**

**REQUEST:** Silver Fox

**APPLICANT:** Dale Ladd

Senior planner John Kruse presented the staff report as follows:

The owner is requesting a rezoning change from C-1 Light Commercial to C-2 General Commercial. The owner has indicated on the application that the zoning change request is due to the property being developed and operated as a used car sales lot. The current C-1 zoning district does not allow this type of use, even with a conditional use permit. The C-2 zoning district permits this type of use. The 1+/- acre parcel is located along the north side of SR 50, between 4<sup>th</sup> and 2<sup>nd</sup> Street. The subject property is entirely contained within the city limits and utilities are available.

The purpose of the C-1 district is to provide light retail sales and services. The C-2 district is intended for full-scale retail sales and service needs of the community. The C-2 zoning district allows more intensive commercial uses, including, but not limited to: lounges, laundries, hotels and motels, convenience stores and gas stations. In addition, conditional uses in the C-2 zoning district offers a larger variety of uses that are not applicable in the C-1 zoning district with conditional uses. The zoning change from C-1 to C-2 provides the applicant with a larger range of options to develop the site, including the used car sales lot. However, staff believes the C-2 zoning district does not fit the character of the surrounding community and is not compatible with the area. The majority of this area along SR 50 has the C-1 zoning designation. Very few parcels in the area have the C-2 zoning designation and uses, and many are on parcels that have had these uses prior to adoption of the Land Development Code. In addition, the traffic volume of the C-2 related uses is generally more demanding and the site is located on a main arterial roadway, SR 50. The site does not appear to have any other ingress/egress options, such as a local road or side street, and the only access point is SR 50.

Based upon the above information, staff recommends denial of the rezoning change from C-1 Light Commercial to C-2 General Commercial.

Harold Graham, 639 Groves End Lane, Winter Garden, stated that he is the lead consultant. He stated that they are a unique themed small 25 to 30 car lot. He stated that this is a family friendly sales experience in purchasing affordable reliable pre-owned vehicles in the \$3000 to \$5000 range with on site financing, regardless of credit history. He stated that they have determined that this type of themed family friendly purchasing experience was unavailable to distressed credit customers in the Orlando market. He stated that they have received feedback from the local dealerships who have stated that they wish they had a family friendly place that they can send

**City of Clermont  
MINUTES  
PLANNING AND ZONING COMMISSION  
October 7, 2014**

**Page 4**

customers who were turned down for traditional credit. He stated that their business hours would not exceed the hours in the vicinity and they would never be open on Sunday. He stated that they are looking to add value to the local economy and providing Clermont residents an opportunity to own reliable pre-owned vehicles at a reasonable cost. He stated that there would be an auto reconditioning facility on site, but that would only be used for vehicles in house.

Commissioner Carlos Solis asked if they checked the sign code.

Mr. Graham stated they have not looked at the sign code.

Commissioner Herb Smith asked what square footage the building is.

Mr. Graham stated that it is 3000 square foot.

Commissioner Herb Smith asked if they could fit the building, cars, and parking on this lot and does the lot drop down.

Mr. Graham stated that it does, and that they will be using new technology that will allow the parking lot to drain under the building.

Commissioner Harry Mason stated that this is considered a boutique lot but they are going to be serving those who are denied credit.

Mr. Graham stated not entirely, but that is the market they are looking to serve because it is underserved in the area.

Commissioner Bernadette Dubuss asked about the ingress and egress.

Mr. Graham stated that that the driveway would be at the far west end of the property and would be wide enough for two vehicles to enter and exit from that entrance.

Chairman Nick Jones asked if the applicant would have to come back for a conditional use permit.

Mr. Kruse stated that if the property kept the C-1 zoning then the applicant would need to request a conditional use permit, however with the C-2 zoning they would not need a conditional use permit.

Commissioner Tony Hubbard asked if the right-of-way for Broome Street was still open.

Mr. Kruse stated that he believes that section is vacated and owned by Florida Department of Transportation.

**City of Clermont  
MINUTES  
PLANNING AND ZONING COMMISSION  
October 7, 2014**

**Page 5**

Commissioner Carlos Solis stated that he is concerned about noise.

*Commissioner Harry Mason moved to recommend denial of the rezoning; seconded by Commissioner Judy Proli. The vote was unanimous to recommend denial for the rezoning.*

**4. REQUEST FOR LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT**

**DEVELOPMENT NAME:** Hartwood Marsh Subdivision  
**APPLICANT:** D.R. Horton

Senior planner John Kruse presented the staff report as follows:

The applicant is requesting a future land use amendment to change from Lake County Urban Low Density to the City's Low Density Residential land use category. The subject parcel is located on the south side of Hartwood Marsh Road approximately ¾ mile east of the Hancock Road and Hartwood Marsh Road intersection. The property is currently in planted pines. The property has been previously included in the Wellness Way Sector Plan. However, the applicant would like to move forward on this request due to timing of the market. The applicant is proposing to develop the eastern half of the overall site, or 19.94 +/- acres. The applicant has submitted several applications in regards to this property. These include annexation, large scale comprehensive plan, and rezoning.

The subject parcel is surrounded by the City of Clermont and is adjoined on two sides by the City. The existing future land use in this area is predominantly City of Clermont Low Density Residential. Under Lake County's Urban Low Density future land use designation, the maximum density allowable is 4 dwelling units per acre. The city's Low Density Residential land use is 3 dwelling units per acre. The city's future land use caps density at a lower level. The density proposed by the applicant is 2.66 units per acre. The property has city utilities available and would be developed to city standards. The City of Clermont's comprehensive plan policies support this request.

Staff recommends approval of the future land use map amendment from Lake County Urban Low to City of Clermont's Low Density Residential future land use category.

Matt Young, 2300 Maitland Center Blvd., Maitland, stated that he agrees with staff's recommendation.

*Commissioner Bernadette Dubuss moved to recommend approval of the large-scale comprehensive plan amendment; seconded by Commissioner Herb Smith. The vote was unanimous to recommend approval for the large-scale comprehensive plan amendment.*



**CITY OF CLERMONT**  
**REZONING**  
**APPLICATION**

DATE: Sept 15, 2014

FEE: \$350.<sup>00</sup>

PROJECT NAME (if applicable): \_\_\_\_\_

APPLICANT: SILVER FOX DEVELOPMENT, INC.

CONTACT PERSON: DALE LADD

Address: 1135 EAST AVENUE

City: CLERMONT State: FL Zip: 34711

Phone: 352-394-8686 Fax: 407-641-8618

E-Mail: MIMI@HIGHLANDREALESTATE.BIZ

OWNER: SILVER FOX DEVELOPMENT, INC.

Address: 1135 EAST AVENUE

City: CLERMONT State: FL Zip: 34711

Phone: 352-394-8686 Fax: 407-641-8618

Address of Subject Property: N OF HWY 50, APPROXIMATELY 150' EAST OF 4TH ST

Legal Description (include copy of survey): CLERMONT LOTS 4, 5, 6, 7 BLOCK 27

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Acreage: 1+/- ACRES Land Use: PENDING LUA FOR COMMERCIA  
(City verification required)

Present Zoning: C-1 Proposed Zoning: C-2  
(City verification required)

**CITY OF CLERMONT**  
**REZONING**  
**APPLICATION**  
Page 2

Answers to the following questions are required to complete this application.

What are you proposing to do that would require a rezoning?

BOUTIQUE USED CAR LOT

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Dale J. Ladd

Applicant Name (print)

x

[Signature]

Applicant Name (signature)

Dale J. Ladd

Owner Name (print)

x

[Signature]

Owner Name (signature)

**City of Clermont**  
Planning & Zoning Department  
685 W. Montrose St.  
P.O. Box 120219  
Clermont, FL. 34712-0219  
(352) 394-4083 Fax: (352) 394-3542



## **LEGAL NOTICE**

Notice is hereby given that the City Council of the City of Clermont will consider the enactment of following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

### **ORDINANCE NO. 2014-33**

An ordinance under the Code of Ordinances of the City of Clermont, Lake County, Florida amending the official zoning map of the City of Clermont, referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances; Rezoning the real properties described herein as shown below, providing for severability, an effective date and publication.

### **LOCATION**

(Alternate Key 1612209) North of S.R. 50, Between 4th Street and 2nd Street

### **LEGAL DESCRIPTION**

Lot 4, 5, 6, and 7, all in Block 27, in the City of Clermont, Florida, according to the plat thereof, as recorded in Plat Book 8, Page 17 – 23 inclusive, Public Records of Lake County, Florida. Containing 1 acre, more or less

FROM C-1 LIGHT COMMERCIAL  
TO C-2 GENERAL COMMERCIAL

This request will be considered by the Planning & Zoning Commission on Tuesday, October 7, 2014 at 7:00 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, October 28, 2014 at 7:00 p.m. for final enactment.

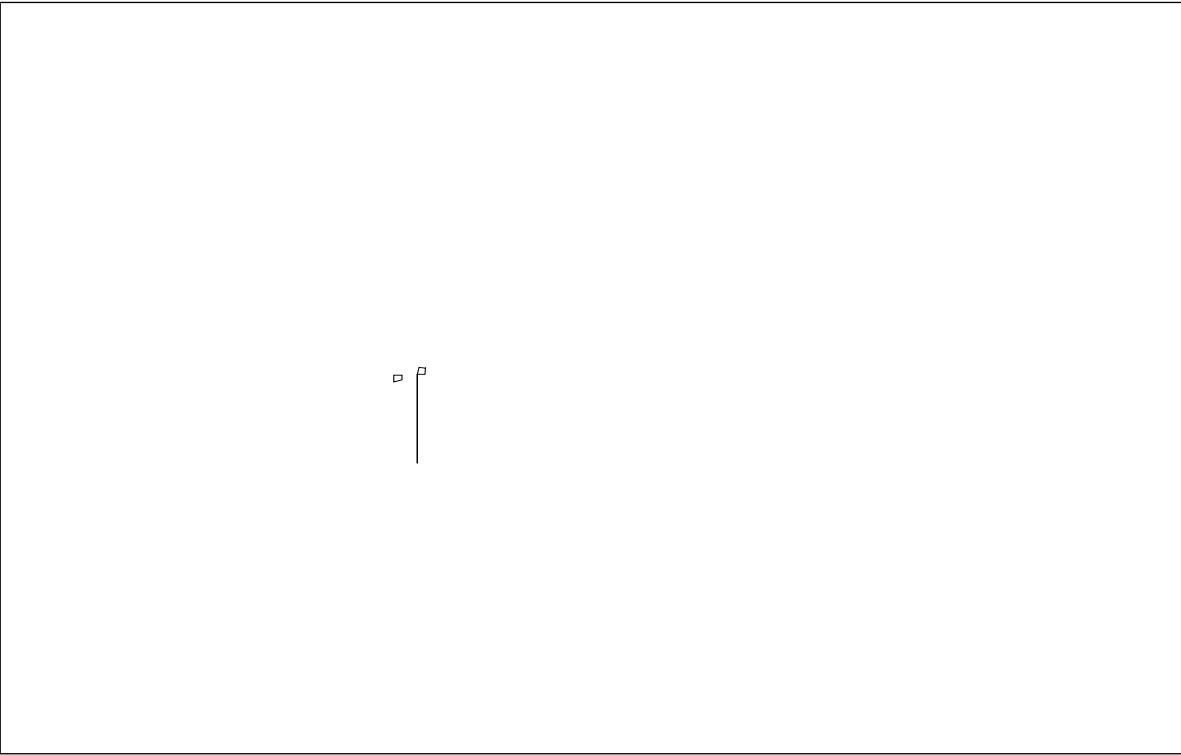
All meetings will be held at City Hall, located at 685 W. Montrose Street.

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made.

Tracy Ackroyd  
City Clerk

Daily Commercial  
September 30, 2014 and October 14, 2014





## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------|----|-----------|------------------------------------|----|---------|------------------------------|----|----------|-------------------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
| Ordinance No. 2014-34; <i>Final</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
| Move to approve Ordinance 2014-34.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
| <p>Staff is proposing language to the landscape code to clarify issues with required canopy trees. The existing code is not clear regarding what shall happen to existing canopy trees that have been damaged by severe pruning. If the lot has additional canopy trees above and beyond the minimum code requirement, the removal of a severely pruned tree would not be required under the amended language. An example of this situation would be when a homeowner has three canopy trees on their lot, and they are only required to maintain two of them. The homeowner decides to create a topiary out of the third canopy tree and to maintain that tree as a sub-standard tree that is not part of the minimum code requirement. This proposal would allow the "sub-standard" tree to remain, provided all other tree requirements on the lot are met.</p> <p><i>Commissioner Bernadette Dubuss moved to recommend approval of the land development code amendment; seconded by Commissioner Judy Proli. The vote was unanimous to recommend approval for the land development code amendment.</i></p> |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
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| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
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| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
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| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Fund Number and Description</b> | <b>Available Budget Amount</b>            |    |           |                                    |    |         |                              |    |          |                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                    |                                           |    |           |                                    |    |         |                              |    |          |                                           |
| <table border="0"><tr><td>1.</td><td>Ordinance</td><td>2014-34 Maint Prune w strikes.docx</td></tr><tr><td>2.</td><td>Minutes</td><td>P&amp;Z Minutes Ord. 2014-34.pdf</td></tr><tr><td>3.</td><td>Legal ad</td><td>LDC amendments -Tree trimming 10-2014.doc</td></tr></table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                           | 1. | Ordinance | 2014-34 Maint Prune w strikes.docx | 2. | Minutes | P&Z Minutes Ord. 2014-34.pdf | 3. | Legal ad | LDC amendments -Tree trimming 10-2014.doc |
| 1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Ordinance                          | 2014-34 Maint Prune w strikes.docx        |    |           |                                    |    |         |                              |    |          |                                           |
| 2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Minutes                            | P&Z Minutes Ord. 2014-34.pdf              |    |           |                                    |    |         |                              |    |          |                                           |
| 3.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Legal ad                           | LDC amendments -Tree trimming 10-2014.doc |    |           |                                    |    |         |                              |    |          |                                           |

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-34**

**AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 118 VEGETATION, SECTION 118-35 MAINTENANCE AND PRUNING; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.**

**WHEREAS**, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on October 7, 2014 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

**WHEREAS**, the City Council of the City of Clermont desires to amend Chapter 118 Vegetation, Section 118-35 Maintenance and Pruning; of the City of Clermont's Code of Ordinances;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Clermont, Florida as follows:

**SECTION 1.**

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

**SECTION 2.**

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows (note strikethrough indicates removed words and underlined indicates added):

**CHAPTER 118       VEGETATION**

**Section 118-35       Maintenance and Pruning**

*Maintenance.* The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping, which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All required landscaping shall be maintained in perpetuity. For purposes of this Section "required landscaping" shall mean that landscaping that is required by any provision of the LDC, any approved conditional use permit, development order or building permit or any approved landscaping plan.

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-34**

- (a) *Replacement.* All unhealthy and dead plant material shall be replaced within 30 days in conformance with the approved site/landscaping plan for the property or in conformance with the provisions of this article if an approved plan is not on file with the city. The size of replacement trees shall be as specified in section 118-113(d)(2).
- (b) *Pruning.* Vegetation and trees required by this Code shall only be pruned to maintain health and vigor. Pruning shall be in accordance with "Standard Practice for Trees, Shrubs and Other Woody Plant Maintenance ANSI 300" of the National Arborist Association. Required trees shall not be severely pruned in order to permanently maintain growth at a reduced height or spread. A trees natural growth habit shall be considered in advance of conflicts which might arise; such as view, signage, lighting and similar conflicts. Excessive pruning, hatracking, topping, etcetera, of required trees shall be considered tree abuse and a violation of this Code.
- (c) *Violations.* A person who violates any provision of this article, and fails to correct the violation as provided herein, may be subject to penalties pursuant to the city Code of Ordinances. Tree abuse offenses shall be considered a separate offense for each tree damaged or destroyed contrary to the provisions of this article.

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-34**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this 28th day of October, 2014.

CITY OF CLERMONT

---

Harold S. Turville, Jr., Mayor

ATTEST:

---

Tracy Ackroyd, City Clerk

Approved as to form and legality:

---

Daniel F. Mantzaris, City Attorney

**City of Clermont  
MINUTES  
PLANNING AND ZONING COMMISSION  
October 7, 2014**

**Page 10**

*Commissioner Harry Mason moved to table the condition use permit to November 4, 2014; seconded by Commissioner Judy Proli. The vote was unanimous to table the conditional use permit to November 4, 2014.*

**7. REQUEST FOR LAND DEVELOPMENT CODE**

**REQUEST:** Amend Chapter 118, Section 118-35

**APPLICANT:** Staff

Planning Manager Curt Henschel presented the staff report as follows:

Staff is proposing language to the landscape code to clarify issues with required canopy trees. The existing code is not clear regarding what shall happen to existing canopy trees that have been damaged by severe pruning. If the lot has additional canopy trees above and beyond the minimum code requirement, the removal of a severely pruned tree would not be required under the amended language. An example of this situation would be when a homeowner has three canopy trees on their lot, and they are only required to maintain two of them. The homeowner decides to create topiary out of the third canopy tree and to maintain that tree as a sub-standard tree that is not part of the minimum code requirement. This proposal would allow the sub-standard tree to remain, provided all other tree requirements on the lot are met.

City Attorney Dan Mantzaris stated that from a code enforcement perspective, if a property owner severely prunes a tree and they still have enough required trees by code, then code enforcement will not need to require the homeowner to remove the severely pruned tree.

*Commissioner Bernadette Dubuss moved to recommend approval of the land development code amendment; seconded by Commissioner Judy Proli. The vote was unanimous to recommend approval for the land development code amendment.*

There being no further business, the meeting was adjourned at 8:41 pm.

---

Nick Jones, Chairman

ATTEST:

---

Rae Chidlow – Planning Specialist

## **LEGAL NOTICE**

Notice is hereby given that the City of Clermont will consider the enactment of the following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

### **ORDINANCE NO. 2014-34**

**An Ordinance of the Code of Ordinances of the City Council of the City of Clermont, Lake County, Florida, amending the Code of Ordinances, Chapter 118, Vegetation, Section 118-35 Maintenance and Pruning; Providing for codification, severability; effective date; and publication.**

This ordinance will be considered by the Planning & Zoning Commission on Tuesday, October 7, 2014 at 7:00 P.M.

A public meeting to consider the ordinance will be held before the City Council on Tuesday, October 28, 2014 at 7:00 p.m. for final enactment.

All meetings will be held in City Hall, located at 685 West Montrose Street.

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd  
City Clerk

Daily Commercial  
September 30, 2014 and October 14, 2014





## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                   |                                    |                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                               |                                    |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                         |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                           |                                    |                                |
| Resolution No. 2014-35<br><i>Table to December 9, 2014</i>                                                                                                                                                        |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                           |                                    |                                |
| Move to table Resolution 2014-35 to December 9, 2014.                                                                                                                                                             |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                               |                                    |                                |
| <i>Commissioner Harry Mason moved to table the condition use permit to November 4, 2014; seconded by Commissioner Judy Proli. The vote was unanimous to table the conditional use permit to November 4, 2014.</i> |                                    |                                |
| <b>Legal Impact</b>                                                                                                                                                                                               |                                    |                                |
|                                                                                                                                                                                                                   |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                        |                                    |                                |
|                                                                                                                                                                                                                   |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                      |                                    |                                |
|                                                                                                                                                                                                                   |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                              | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                   |                                    |                                |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                          |                                    |                                |
| 1. Resolution                                                                                                                                                                                                     | CUP RES 2014-35.docx               |                                |
| 2. Minutes                                                                                                                                                                                                        | P&Z Minutes.pdf                    |                                |
| 3. Legal ad                                                                                                                                                                                                       | 2014 CUP legal ad.docx             |                                |

**CITY OF CLERMONT  
RESOLUTION NO. 2014-35**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT TO ALLOW AN ADJUSTMENT TO THE ROAD-WAY CONNECTION POINTS AND TO ALLOW FOR A NON-AGE RESTRICTED PORTION OF THE SITE.**

**WHEREAS**, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held October 7, 2014 recommended approval of this amendment to the Conditional Use Permit to allow an adjustment to the road-way connection points and to allow for a non-age restricted portion of the site; at the following location:

**LOCATION:**

East of Hancock Road, north of Hartwood Marsh Road,  
and south of Highway 50

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Clermont, Lake County, Florida that:

This application for an amendment to the Conditional Use Permit to allow an adjustment to the road-way connection points and to allow for a non-age restricted portion of the site; be granted subject to the following conditions:

**CONDITIONAL USE PERMIT CONDITIONS:**

**Section 1 – General Conditions**

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. Upon approval of this Resolution, the property shall only be used for the purposes described herein. No expansion of the use(s) or any additional uses shall be permitted except as approved by another Conditional Use Permit.
3. The property described in “Exhibit A” shall be developed in substantial accordance with the Conceptual Site Plan, Center Lake Properties Limited/Vista Royale, modified October 2014, by BESH INC., as shown in “Exhibit B,” and Map H (Master Development Plan for Kings Ridge DRI), dated November 2005, prepared by Glatting Jackson Kercher Anglin Lopez Rinehart, as shown in “Exhibit C,” incorporating all conditions of this Conditional Use Permit.
4. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any

**CITY OF CLERMONT**  
**RESOLUTION NO. 2014-35**

manner within the boundary of the Planned Unit Development without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits from the City and other applicable jurisdictional entities.

5. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
6. Any specific references in this Resolution to the Florida Statutes, Florida Administrative Code, City of Clermont Land Development Regulations, City of Clermont Comprehensive Plan, shall include any future amendments to the Statutes, Code, Regulations and or Plan.
7. A Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
8. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution as prescribed in the City Code.
9. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of the date of grant by the City Council or the permit shall become null and void.
10. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
11. The subject property shall be an independent development and shall not become part of the Kings Ridge Planned Unit Development as an addition or extension of the Kings Ridge Community Association, Incorporated.

**Section 2 – Land Use**

The parcel shall be developed as a residential Planned Unit Development. The community shall be owner occupied ~~and age restricted~~. The project shall be developed in accordance with the UD-7 Mixed-Use Classification I Land Use District.

1. *Number and Type of Residential Units* - There are 1,223 dwelling units approved for "Parcel H," a density 2.77 dwelling units per acre. All land used to calculate density must be useable land. Floodplains, wetlands, natural bodies of water, and power line easements are not useable land for density calculations.

**CITY OF CLERMONT**  
**RESOLUTION NO. 2014-35**

2. *Lot Sizes* – Residential construction shall be permitted on lots that are a minimum of 50 feet x 100 feet (5,000 square feet); however, cul-de-sac or unique configured corner lots may be permitted less than 50 foot frontage as long as the lot meets the 50 foot required width at the building setback line and meets the minimum square footage. Within the gated community, residential attached construction shall be permitted on lots that are a minimum of 20 feet x 100 feet (2,000 square feet). Setbacks shall be as provided in Exhibit “B.”
3. *Structure Setbacks* – Minimum setbacks shall be twenty (20) feet for front yards, fifteen (15) feet for rear yards for the principal dwelling unit, and a ten (10) foot separation between buildings. Accessory structures such as pools, decks and screened enclosures shall be constructed a minimum of five (5') feet from the rear yard property line.
4. *Impervious Surfaces Limitations* – A maximum impervious surface ratio shall not be calculated on individual lots for permitting purposes.
5. *Total Open Space* – A minimum of 45 percent of the useable land shall be open space. This may include common open space (including trails), yards, landscape buffers and power line easements. Floodplain areas, wetland areas, natural water bodies, rights-of-way, and dry water retention areas shall not be calculated as open space or common space.
6. *Common Open Space* – A minimum of 50 acres of land shall be designated as Common Open Space. Common Open Space shall be defined as land set aside, dedicated, designated, or reserved for public use or the use of owners and occupants of the development. Common Open Space includes parks and recreation areas. It does not include the perimeter landscape buffer described in Section 7, Condition 3.
7. A clubhouse and recreation facilities will be provided for the benefit of the owners of property within the Planned Unit Development.
8. In order to provide neighborhood continuity, all residential areas shall access internally to recreational and other passive public areas through design and implementation of pedestrian ways and bicycle paths.
9. The project shall have an on-site sales and model center.

**Section 3 – Physical Site Development and Environmental Issues**

1. A dust abatement, soil erosion, and ground stabilization plan shall be submitted to the City detailing measures to be taken to eliminate the migration of dust particles and soil erosion. All disturbed areas that are not to be developed within 30 days after grading is completed shall be seeded and mulched or sodded unless an alternative plan is submitted to and approved by the City.

**CITY OF CLERMONT**  
**RESOLUTION NO. 2014-35**

2. Any and all areas of the parcel shall be in compliance by June 4, 2004 with the agreement with Lake County titled “Developer’s Agreement for Reclamation Activities Related to the Center Lake Sand Mine” dated December 17, 2002. The permittee agrees to execute a document that allows the City to enforce all terms and conditions of the development agreement with Lake County following the annexation of property described in Exhibit “A”.
3. Parcels shall be developed with maximum slopes limited to 3:1 with the exception of Parcel #9, identified as a park site on the conceptual development plan, where special design features such as overlook plazas may be provided. Here, slopes of 2:1 may be allowed with review and approval by the City Engineer.
4. Stormwater Management: A comprehensive stormwater management system will be provided consistent with all regulatory requirements of the City and the Water Management District.
5. Due to extreme grades existing on the site from the former sand mining operation, previously disturbed areas of the project will be exempt from Code limitations regarding the extent of grade changes allowed. Initial reclamation and grading is exempt from City Code; however, after the initial grading has been completed future grading will conform to the City’s grading code.
6. The Floodplain Administrator has determined that the proposed development plans require issuance of a Floodplain Development Permit in accordance with Section 94-50 of the City Code. As part of this Conditional Use Permit, the Floodplain Permit is approved for the construction of a stormwater retention area described on sheet 1 dated August 2014 prepared by BESH INC. The stormwater retention area will retain a minimum volume equal to the post-development minus pre-development runoff volume from the 25-year 96-hour storm over the contributing basin plus a volume equal to the fill proposed in the floodplain so that no change in the base flood elevation will result from the proposed construction. No impacts to the wetland fringe of Johns Lake will result from construction of the stormwater retention pond, subject to compliance with St. Johns River Water Management District regulations and all other applicable laws.

**Section 4 – DRI Development Order Issues and Impact Mitigation**

1. Prior to obtaining a preliminary plat of the property, the owner shall comply with the requirements of Chapter 380.06, Florida Statutes, which governs Developments of Regional Impact. If the property is governed by the provisions of Chapter 380.06, Florida Statutes and proceeds through the Development of Regional Impact process, then the terms and conditions of this permit may be modified so as to conform to the terms and conditions of the development order issued by the City.

**CITY OF CLERMONT**  
**RESOLUTION NO. 2014-35**

**Section 5 – Utilities**

1. The project shall be plumbed for reclaimed water use. In order to prevent potential cross connection of potable water supply and reuse water lines, all reuse lines shall be installed in purple colored pipe. Irrigation water shall be supplied by a private irrigation well and system permitted and constructed by the owner to serve the residents and common areas until reuse water is available. The City shall operate and maintain the well and distribution mains up to and including the irrigation meters.
2. A 100 foot by 100 foot well site shall be dedicated to the City; the location of which to be determined by the City Engineer.
3. The City will provide water and wastewater services for the project described in the Planned Unit Development.
4. The permittee will be responsible for extending utility lines to the project.
5. The permittee shall not place more than thirty-six (36) inches of overburden on utility lines. Where landscape may be located over such line, the City shall receive indemnification in the event of necessary operation and/or maintenance of the utility. Repair and/or replacement of landscape shall be the responsibility of the permittee.
6. The City may construct a liner in any or all of the retention ponds within the development to be used for bulk reclaimed water storage. The City will construct the liner at its own expense and restore the area to a condition equal to the conditions prior to liner construction. The City may construct at its own expense a pump station and filtration system for the reclaimed water to be constructed along the banks of the pond. The construction of the facilities will mimic a residential-style structure to blend in with the surroundings. The owner shall dedicate access easements over the pond areas to facilitate this use.

**Section 6 – Transportation Improvements**

1. The permittee shall dedicate right-of-way necessary for the proposed realignment of Hartwood Marsh Road as determined by Lake County. In the event development of the project reached a stage where access from Hartwood Marsh Road is necessary and the planned improvements to Hartwood Marsh Road have not been made, there may be a requirement for improvements to the existing roadway such as turn lanes. The developer shall dedicate right-of-way of eighty (80) feet in width for the extension of Hartle Road through the property so as to connect with Hartwood Marsh Road.
2. The developer shall meet the required access management standards of Lake County and the Florida Department of Transportation (FDOT) consistent with jurisdictional roadway classifications as it relates to identified jurisdictional facilities.
3. To provide safe access and preserve operational capacity, the developer shall fund on-site and immediate area improvements consistent with impacts of the specific access being

***CITY OF CLERMONT***  
**RESOLUTION NO. 2014-35**

4. requested. Immediate improvements necessitated by construction of ingress/egress roadways to the project shall be provided, consistent with the impact of the facility constructed. The City of Clermont and Lake County shall jointly review and determine approval of access facilities. Plans and specifications for any proposed access shall be provided for review, evaluation and approval prior to physical construction. Such improvements may include, but not be limited to, acceleration lanes, deceleration lanes, turn lanes, tapers, signalization, and signage, widening, and resurfacing of the impacted roadway consistent with the specific land utilization for the access being requested.
5. If in the future it is determined by the City that a signal is warranted at the intersection of Hancock Road and Kings Ridge Blvd., the permittee shall pay a pro rata share of the cost of engineering, equipment and installation of the signal.
6. A sidewalk shall be provided along Hartwood Marsh Road the length of the subject property unless Lake County constructs a trail in lieu of the sidewalk.
7. In order to provide neighborhood continuity, all residential areas shall access internally to recreational and other passive public areas through design and implementation of road networks, pedestrian ways and bicycle paths. Main roads through the project shall have cart paths on both sides of the road and have a six (6) foot wide sidewalk on one side of the roadway. A sidewalk will be required on both sides of the roadway where parcels are not served by community walking trails. Neighborhood roads will have a cart path on one side of the road and will not be required to have sidewalks.
8. The roads within the Planned Unit Development shall be private and the roads shall be owned and maintained by a duly appointed and authorized Homeowners Association.
9. The roadway surface may be designed and constructed in two  $\frac{3}{4}$  inch lifts of asphalt for a total of 1  $\frac{1}{2}$  inch asphalt surface.
10. "F" type vertical curbs are to be provided throughout the community.
11. Ingress and egress to the site for construction shall be as approved by the City Site Review Committee.
12. A second entrance to the development will be required prior to August 31, 2013 and a connection will be made to Hartle Road prior to the development of Parcels #4 and #8 if Hartle Road is constructed. Should the entrance road not be completed by August 31<sup>st</sup>, 2013 no further certificates of occupancy will be issued until the road is complete.
13. A temporary access road from Hartwood Marsh Road to the terminus of the existing, completed portion of Heritage Hills Boulevard may be constructed and remain in operation for a period of two years. The entrance at Hartwood Marsh Road shall be constructed to City standards; including street lights, for a distance of approximately 400

***CITY OF CLERMONT***  
**RESOLUTION NO. 2014-35**

feet. Improvements along Hartwood Marsh shall be completed including right and left turn lanes, sidewalks, utilities and street lights. The temporary road shall follow the alignment shown in submittal dated January 20, 2009, as prepared by Booth, Ern, Straughan and Hiott, Inc. The temporary road shall be a minimum of 24 feet in width with a 12-inch stabilized subgrade and a minimum of 1-inch of asphalt. Temporary stormwater retention shall be provided and the design shall at a minimum collect runoff from the road and provide permanent erosion protection. The existing construction entrance shall remain in service.

**Section 7 – Landscaping**

1. The project shall be landscaped in accordance with the City Landscape Ordinance with the exception that required trees shall be three inches caliper in size.
2. Landscape buffers along rights-of-way shall be constructed per Code. Walls or fences shall be located on inside perimeter of the buffers and the landscape material shall be planted on the outside of the wall or fence. Chain link and vinyl or plastic fencing will not be allowed along public rights-of-way.
3. A minimum twenty (20) foot wide perimeter landscape buffer shall be provided between abutting property boundaries. The buffer shall be landscaped and irrigated according to code.
4. All signage shall be constructed according to the current City sign code.



**CITY OF CLERMONT**  
**RESOLUTION NO. 2014-35**

**Exhibit A**

**Legal Description of 442-acre property, Center Lake PUD**

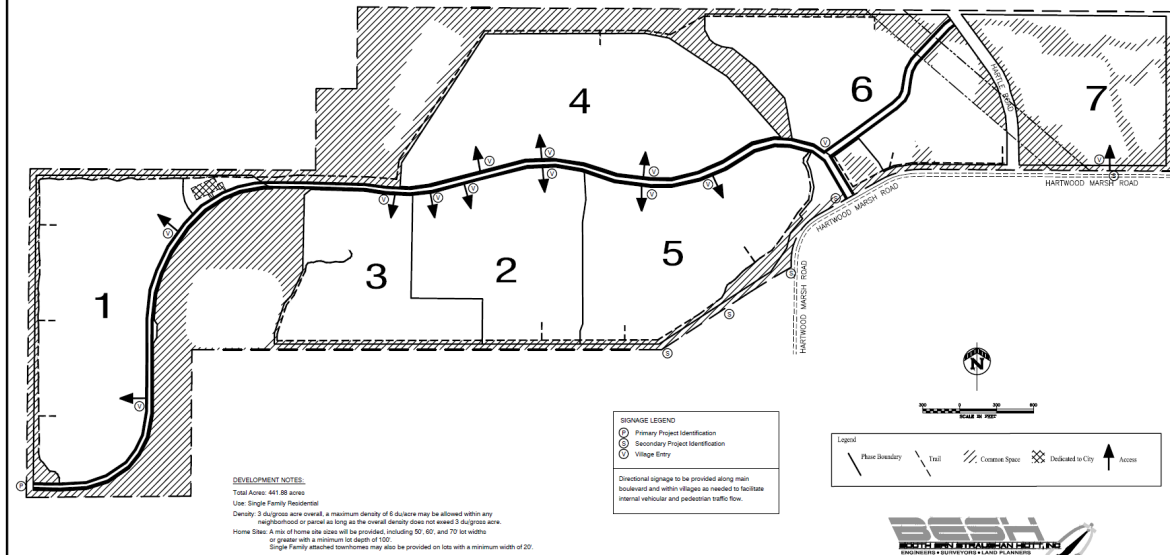
A tract of land lying in Section 2 and 3, Township 23 South, Range 26 East, Lake County, Florida being more particularly described as follows:

Commence at the North  $\frac{1}{4}$  corner of Section 2, thence S  $00^{\circ} 17' 01''$  W along the West line of the Northeast  $\frac{1}{4}$  of Section 2 for a distance of 1318.96 feet to the Point of Beginning; thence S  $89^{\circ} 38' 50''$  East along the North line of the S  $\frac{1}{2}$  of the Northeasterly  $\frac{1}{4}$  of Section 2 for a distance of 2647.84 feet thence S  $00^{\circ} 22' 14''$  W along the East line of the Northeasterly  $\frac{1}{4}$  of Section 2 for a distance of 1288.41 feet to the Northerly right of way of Hartwood Marsh Road; ( An 80.00 feet right of way per Official Record Book 1299, Page 1952) thence N  $89^{\circ} 33' 05''$  W along said right of way for a distance of 2031.70 feet to the point of curvature of a curve concave southerly having a radius of 676.00 feet; thence along said curve through a central angle of  $29^{\circ} 37' 34''$  for a distance of 349.54 feet to the point of tangency; thence S  $60^{\circ} 49' 22''$  W for a distance of 581.58 feet to the point of curvature of a curve concave Southeasterly having a radius of 422.00 feet; thence along the arc of said curve through a central angle of  $60^{\circ} 07' 10''$  for a distance of 442.80 feet to the point of tangency; thence S  $00^{\circ} 42' 12''$  W for a distance of 59.22 feet; to a point on a non-tangent curve concave Southeasterly and having a radius of 6222.73 feet; thence departing said right of way from a tangent bearing of South  $60^{\circ} 40' 56''$  West, run southwesterly along the arc of said curve through a central angle of  $03^{\circ} 37' 29''$  for a distance of 393.66 feet to the point of tangency; thence South  $57^{\circ} 03' 27''$  West for a distance of 851.32 feet; thence South  $89^{\circ} 59' 59''$  West for a distance of 3811.20 feet to the West line of the Southeast  $\frac{1}{4}$  of Section 3; thence South  $00^{\circ} 23' 05''$  West along the East line of said Southwest  $\frac{1}{4}$  of Section 3 for a distance of 1183.99 feet; thence South  $89^{\circ} 33' 57''$  West along the South line of said Southwest  $\frac{1}{4}$  for a distance of 1335.49 thence North  $00^{\circ} 38' 49''$  thence North  $00^{\circ} 38' 19''$  East along the West line of the East  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 3 for a distance of 2655.36 feet; thence South  $89^{\circ} 40' 41''$  East along the North line of the South  $\frac{1}{2}$  of Section 3 for a distance of 2315.53 feet; thence North  $00^{\circ} 25' 11''$  East for a distance of 661.05 feet; thence South  $89^{\circ} 39' 45''$  East for a distance of 330.78 feet; thence North  $00^{\circ} 25' 53''$  East along the West line of the East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 3 for a distance of 660.96 feet; thence South  $89^{\circ} 38' 49''$  East along the North line of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 3 for a distance of 1323.66 feet; thence South  $89^{\circ} 43' 10''$  East along the North line of the South  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 2 for a distance of 2648.47 feet to the POINT OF BEGINNING.

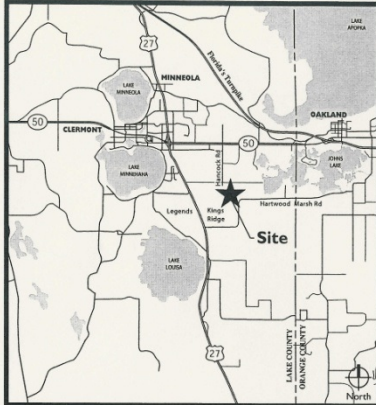
Containing 19248275 Square Feet or 441.88 Acres, more or less.

# CITY OF CLERMONT RESOLUTION NO. 2014-35

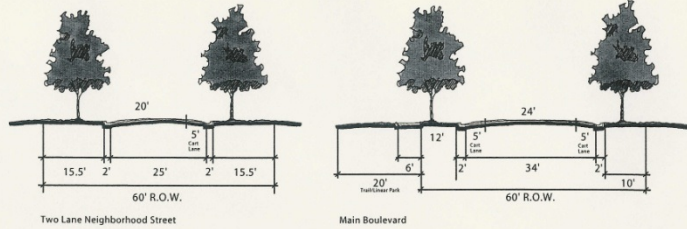
Exhibit B



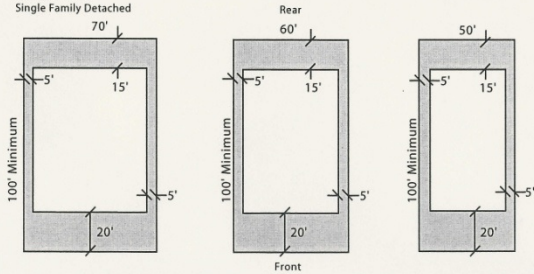
Location Map



Typical Street Sections



Buildable Areas  
Single Family Detached



\*Corner lots to be 10' wider to accommodate 15' setback from sidewalk. 15' rear setback shown is for main structures. Accessory structures and screened enclosures may be set back a minimum of 5' from rear lot line. A 0' side setback is allowed, but a minimum of 10' must be provided between single family detached units.

Source: Glatting Jackson

Center Lake  
Properties, Ltd.



GLATTING  
JACKSON  
ARCHITECTS  
ARCHITECTS  
ARCHITECTS

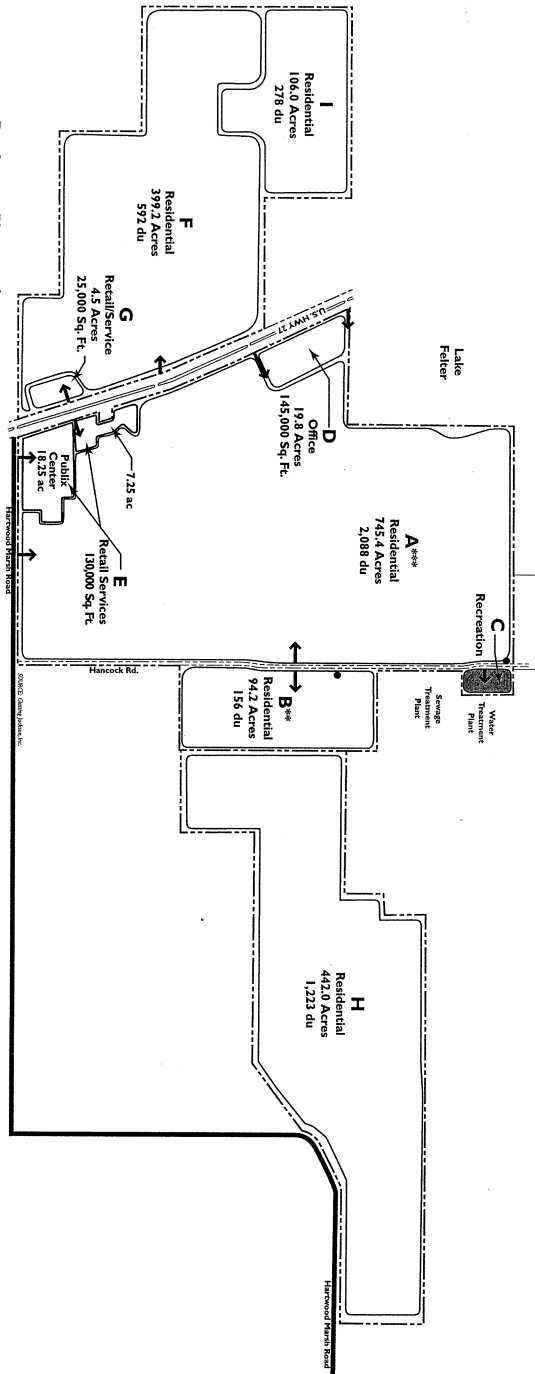
9

10.20.03

Conceptual Development Plan  
Vista Royale  
Sheet 2 of 3

**CITY OF CLERMONT**  
**RESOLUTION NO. 2014-35**

**Map H**  
*Master Development Plan*



**Development Plan**

| Parcel       | Use                                          | Acreage       | Units               |
|--------------|----------------------------------------------|---------------|---------------------|
| A,B,E,H,I    | Residential                                  | 1786.8*       | 4,337 du            |
| C            | Recreation                                   | 5.0           | 155,000 sq. ft. C/A |
| D,G          | Retail/Service                               | 30.0          | 145,000 sq. ft. C/A |
| F            | Residential                                  | 397.2         | 572 du              |
| A,F          | Common Open Space* (Golf/Swimmer Management) | 19.8          | 54 Holes            |
|              | Lake                                         | 2.0           |                     |
| <b>Total</b> |                                              | <b>1843.6</b> |                     |

\* Common Open Space acreage included in parcel acreage  
 \*\* 29 acres shown site and 1-acre institutional site included in Parcel B.  
 \*\*\* Parcel A includes 34-acre fire station

**Exhibit C**

**KINGS RIDGE**  
LENNAR HOMES AT CLERMONT

North  
Scale in Feet  
0 400 800 1600

North  
**IG**  
CLERMONT  
LANDMARK  
ARCHITECTS  
ARCHITECTS

***CITY OF CLERMONT***  
**RESOLUTION NO. 2014-35**

**DONE AND RESOLVED** by the City Council of the City of Clermont, Lake County, Florida, this 28th day of October, 2014.

CITY OF CLERMONT

\_\_\_\_\_  
Harold S. Turville, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Tracy Ackroyd, City Clerk

Approved as to form and legality:

\_\_\_\_\_  
Daniel F. Mantzaris, City Attorney

**City of Clermont  
MINUTES  
PLANNING AND ZONING COMMISSION  
October 7, 2014**

**Page 8**

**6. REQUEST FOR CONDITIONAL USE PERMITS**

**REQUEST:** Heritage Hills Subdivision

**APPLICANT:** Lennar

Planning Manager Curt Henschel presented the staff report as follows:

The applicant is requesting to amend the existing conditional use permit (Resolution #2013-10) to allow for adjustments to the roadway connection points and to allow for a non-age restricted phase.

The existing resolution depicts road way connection points that connect the internal right-of-way to the proposed Hartle Road extension, which is currently undeveloped. Because Hartle Road is undeveloped and not programmed for construction, the applicant/developer is left with altering the connection points to the right-of-way. Currently, the site plan shows access to Hartle Road north of Hartwood Marsh Road. The new proposed plan shows the eastern portion on the project accessing directly to Hartwood Marsh Rd.

The applicant is also requesting to create a non-age-restricted portion of the project on Phase 7. Currently, all of Heritage Hills is designated as age-restricted by the original approved Conditional Use Permit. Heritage Hills is also part of the Kings Ridge Development of Regional Impact (DRI), which also includes Kings Ridge, Legends, and their associated office, commercial and institutional use properties. Within this DRI development order, an equivalency matrix was created and approved by the state that allows for substitutions of uses within the DRI without further state and regional agency approval. This matrix allows for non-age-restricted homes to be substituted for previously approved commercial and age-restricted homes. The applicant wishes to exercise the use of the equivalency matrix to eliminate 8,400 square feet of remaining commercial development within the DRI as well as 94 of the approved 1,223 age-restricted homes in exchange for up to 67 non-age-restricted homes to develop in Phase 7 of the project.

The applicant stated that the request is based on three physical site characteristics that make it impractical for Phase 7 to be included in the age-restricted, gated community. These include a 200-foot-wide Duke Energy easement, Hartle Road, and two isolated wetlands all located between Phase 6 and Phase 7. The applicant stated that these barriers create 220 feet to 550 feet of separation between the two phases and make a connection by an internal roadway system impossible to design.

The applicant has also included an updated "Exhibit B" for the conditional use permit, which depicts the actual development phases and boulevard alignment, the changes to the roadway connections in the new request, and all the previously approved changes from the conditional use permit amendments in 2009 and 2013.

Staff recommends approval of the conditional use permit amendment.

**City of Clermont**  
**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**October 7, 2014**

**Page 9**

Duane Booth, 209 Sinclair Ave., Tavares, stated that they had a meeting with the homeowner's association. He stated that there was a great turn out and they had several questions and concerns from the homeowners. He stated that the request for Phase 7 to be non-age-restricted is similar to the situation they had with Kings Ridge subdivision and the Somerset Estates subdivision where a road was dividing the properties.

Regina Anderson, 3636 Solana Circle, Unit D, stated that Phase 7 has been part of Heritage Hills subdivision from the beginning as well as the power line easement and the wetlands. She stated that Lennar knew there were separations when they bought the property. She stated that she chose to live there because she does not want to live in a mixed-age community.

Eric Sorkin, 3948 Sanibel Street, stated that there was a lot of discussion at the Monday evening meeting. He stated that there was discussion of the cost and maintenance of Phase 7, the extra gates, and they explained that there would be no access to the club. He stated that there was discussion of a solid wall to separate the age-restricted from the non-age-restricted. He stated that he asked that this is part of the conditions for the conditional use permit amendment.

Ed Barnhill, 3743 Sanibel Street, stated that he was also at the meeting the prior night. He stated that most residents enjoy Heritage Hills and want to maintain the lifestyle they have there. He stated he personally does not have an issue with Phase 7 being non-age-restricted. He stated that taking away a number of homes out of the totals for homeowner's association fees would make their dues go up. He stated that the numbers are not accurate, because they keep getting told different number of homes that would be affected. He stated that Lennar said they would put lights up at the entrance of Heritage Hills Boulevard and Hartwood Marsh Road, and he wants to see this and the wall included in the conditional use permit. He stated that Lennar needs to provide the correct financials before this conditional use permit is approved.

Milton Andrade, Land Development Manager for Lennar, stated that the total lots for Phase 7 on the conceptual site plan shows 34 homes. He stated that the total number of homes for the homeowner's association will be 1,117. He stated that they will put the wall up, however they cannot go all the way along Hartle Road due to two wetlands. He stated that Lennar will be putting up street lights up at the Heritage Hills Boulevard and Hartwood Marsh Road entrance.

Gail Ash, 3365 Saloman Lane, asked if the wall was going to have gaps in it. She stated that if there is going to be a four-lane road, there is going to be noise issues. She stated that if there are gaps in the wall then the noise issues will be worse.

Mr. Andrade stated that there will be gaps because they cannot put the wall through the wetlands.

Commissioner Harry Mason stated that more information is needed, and he feels they should table this agenda item and allow Lennar to come back with a revised plan.

Commissioner Herb Smith stated that he agrees.

**City of Clermont  
MINUTES  
PLANNING AND ZONING COMMISSION  
October 7, 2014**

**Page 10**

*Commissioner Harry Mason moved to table the condition use permit to November 4, 2014; seconded by Commissioner Judy Proli. The vote was unanimous to table the conditional use permit to November 4, 2014.*

**7. REQUEST FOR LAND DEVELOPMENT CODE**

**REQUEST:** Amend Chapter 118, Section 118-35

**APPLICANT:** Staff

Planning Manager Curt Henschel presented the staff report as follows:

Staff is proposing language to the landscape code to clarify issues with required canopy trees. The existing code is not clear regarding what shall happen to existing canopy trees that have been damaged by severe pruning. If the lot has additional canopy trees above and beyond the minimum code requirement, the removal of a severely pruned tree would not be required under the amended language. An example of this situation would be when a homeowner has three canopy trees on their lot, and they are only required to maintain two of them. The homeowner decides to create topiary out of the third canopy tree and to maintain that tree as a sub-standard tree that is not part of the minimum code requirement. This proposal would allow the sub-standard tree to remain, provided all other tree requirements on the lot are met.

City Attorney Dan Mantzaris stated that from a code enforcement perspective, if a property owner severely prunes a tree and they still have enough required trees by code, then code enforcement will not need to require the homeowner to remove the severely pruned tree.

*Commissioner Bernadette Dubuss moved to recommend approval of the land development code amendment; seconded by Commissioner Judy Proli. The vote was unanimous to recommend approval for the land development code amendment.*

There being no further business, the meeting was adjourned at 8:41 pm.

\_\_\_\_\_  
Nick Jones, Chairman

ATTEST:

\_\_\_\_\_  
Rae Chidlow – Planning Specialist

## **LEGAL NOTICE**

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit amendment to allow an adjustment to the roadway connection points and to allow for a non-age restricted portion of the site.

### **LOCATION**

East of Hancock Road, north of Hartwood Marsh Road,  
and south of Highway 50

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, October 7, 2014 at 7:00pm.

A public meeting to consider the request will be held before the City Council on Tuesday, October 28, 2014 at 7:00pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd, MMC  
City Clerk

Daily Commercial  
September 30, 2014 and October 21, 2014





# CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |
| Ordinance No. 2014-35; <i>Introduction</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |
| Move to Introduce Ordinance 2014-35.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |
| <p>The applicant, Mr. Leroy Pittman, is requesting the vacation of a 60-foot-wide right-of-way of Disston Avenue. The length of the right-of-way is approximately 178 lineal feet. Disston Avenue has not been constructed between State Road 50 and Almond Street. A private drive serves Mr. Pittman's property. The adjoining property owner to the east is the Florida Department of Transportation (FDOT), and the property is used for a water retention area. The applicant wishes to redevelop the property in the future and would like to have the existing driveway that is serving his site contained within his property. Coordination with FDOT on this request was done prior to the vacation request to see if the agency would consent and surplus any additional property needed to keep the driveway on his property. FDOT has no objections to vacating the platted right-of-way and will surplus the amount needed to accommodate his existing driveway.</p> |                                    |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| 1. Ordinance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | ROW ORD 2014-35.doc                |                                |
| 2. FDOT Consent                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | FDOT Consent Letter.pdf            |                                |
| 3. Pittman Location Map                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Pittman ROW Vacation Map.pdf       |                                |
| 4. Pittman Survey                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Pittman ROW Survey Map.pdf         |                                |
| 5. Application                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Applicaton.pdf                     |                                |
| 6. Legal ad                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ROW legal ad.docx                  |                                |

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-35**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THE 60 FOOT RIGHT-OF-WAY EASEMENT FOR DISSTON AVENUE LYING SOUTH OF STATE ROAD 50 AND NORTH OF ALMOND STREET AS RECORDED IN THE PLAT OF CLERMONT HEIGHTS PLAT BOOK 4 PAGE 1 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, PUBLICATION, RECORDING, AND FOR AN EFFECTIVE DATE.**

**NOW THEREFORE, BE IT RESOLVED AND ENACTED** by the City Council of the City of Clermont, Lake County, Florida that:

**Section 1.**

That any and all portions, closing and permanently abandoning the 60 foot wide right-of-way easement of Disston Avenue lying south of State Road 50 and north of Almond Street as recorded in the plat of Clermont Heights Plat Book 4 Page 1, Public Record of Lake County, Florida.

**Section 2.**

The closing is done pursuant to the authority of the Charter of the City of Clermont, Lake County, Florida and the general laws of the State of Florida.

**Section 3.**

If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of the remainder would clearly and without doubt contradict or frustrate the intent of the Ordinance as a whole.

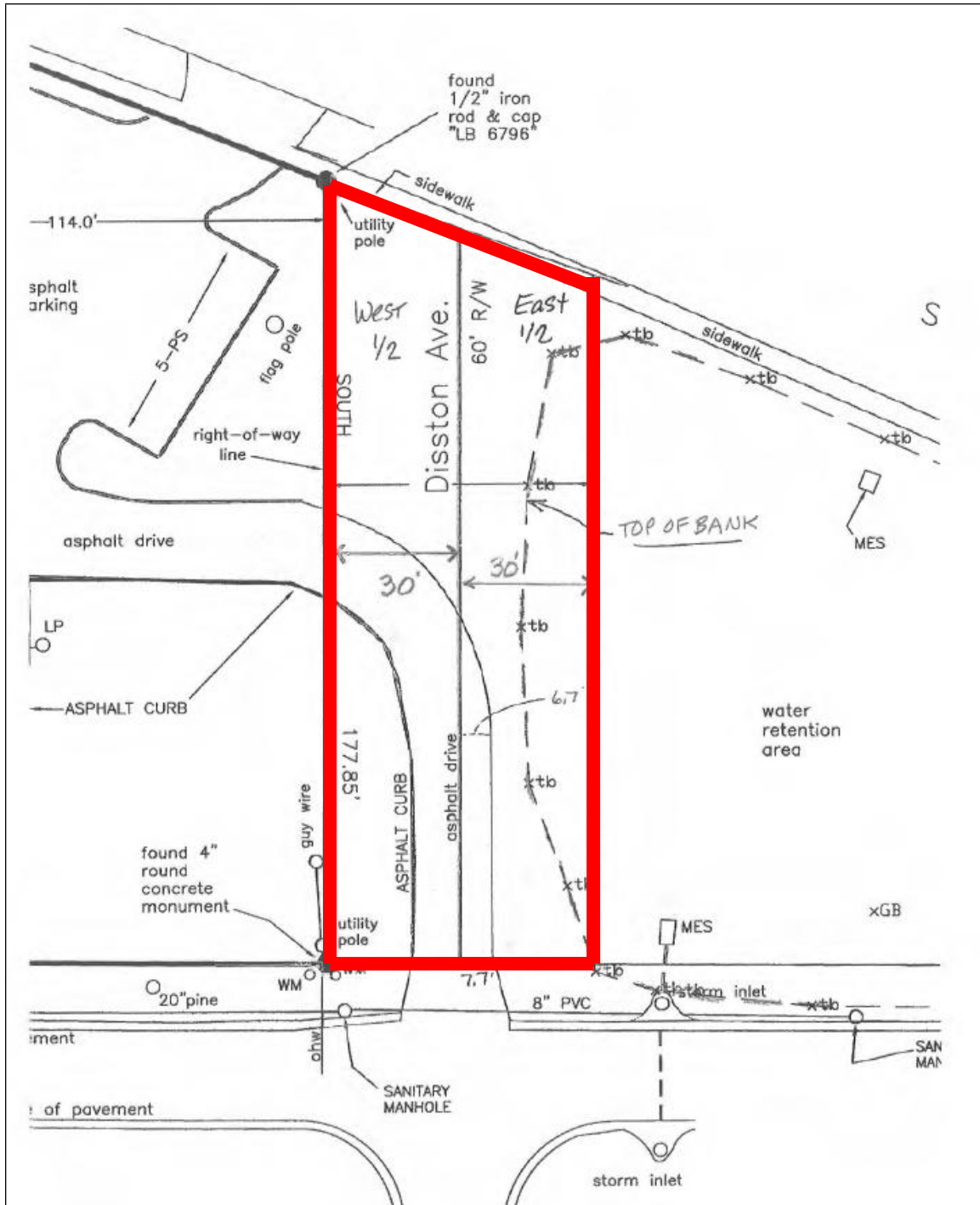
**Section 4.**

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

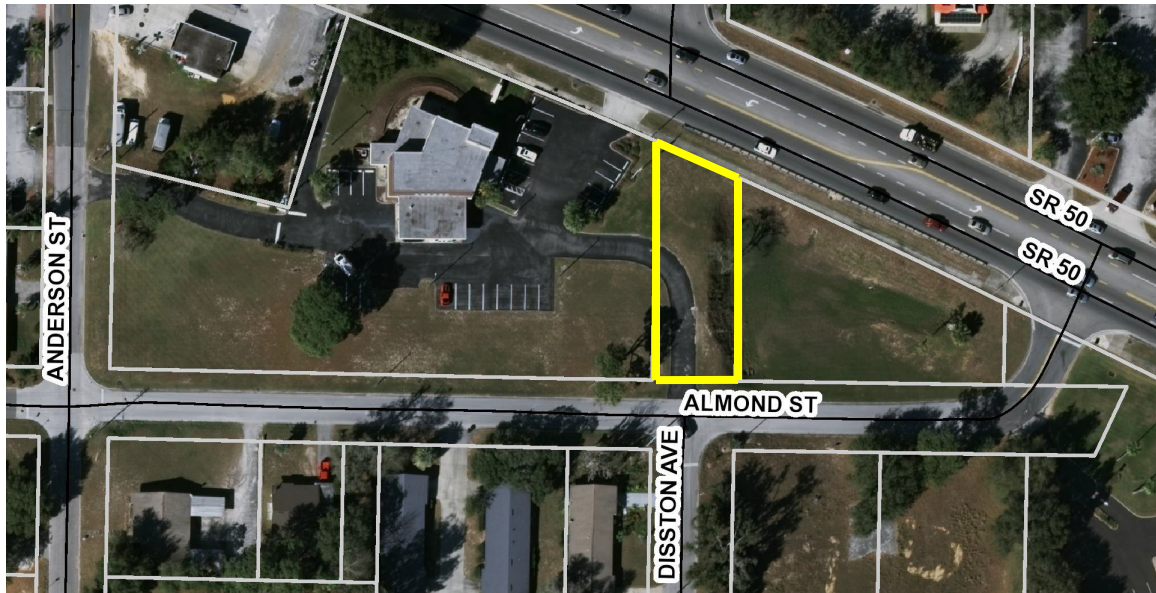
**Section 5.**

This Ordinance shall be published as provided by law and it shall become law and shall take effect immediately upon its Second Reading and Final Passage.

CITY OF CLERMONT  
ORDINANCE No. 2014-35



*CITY OF CLERMONT*  
**ORDINANCE No. 2014-35**



*CITY OF CLERMONT*  
**ORDINANCE No. 2014-35**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida, this 12<sup>th</sup> day of November, 2014.

---

Harold S. Turville, Jr., Mayor

ATTEST:

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Tracy Ackroyd, City Clerk

Approved as to form and legality:

---

Daniel F. Mantzaris, City Attorney

## John E. Kruse

---

**From:** Taylor, Diane [Diane.Taylor@dot.state.fl.us]  
**Sent:** Monday, September 22, 2014 11:24 AM  
**To:** John E. Kruse  
**Subject:** Disston Avenue/LeRoy Pittman

Mr. Kruse,

Todd Moynihan wanted me to inform you that the Department has no objections to vacating the plated road. We would surplus part of the Department's 30' to Mr. Pittman to accommodate his existing driveway. I have called Mr. Pittman to inform him of this and he ask that I e-mail you also. If you have any questions please call as I have been assigned this parcel.

Thanks

Diane Taylor



District 5 - Right of Way Specialist/Property Mangement  
719 South Woodland Boulevard, MS 551  
DeLand, FL 32724  
☎: (386) 943-5032  
FAX: (386) 943-5654  
✉: [diane.taylor@dot.state.fl.us](mailto:diane.taylor@dot.state.fl.us)

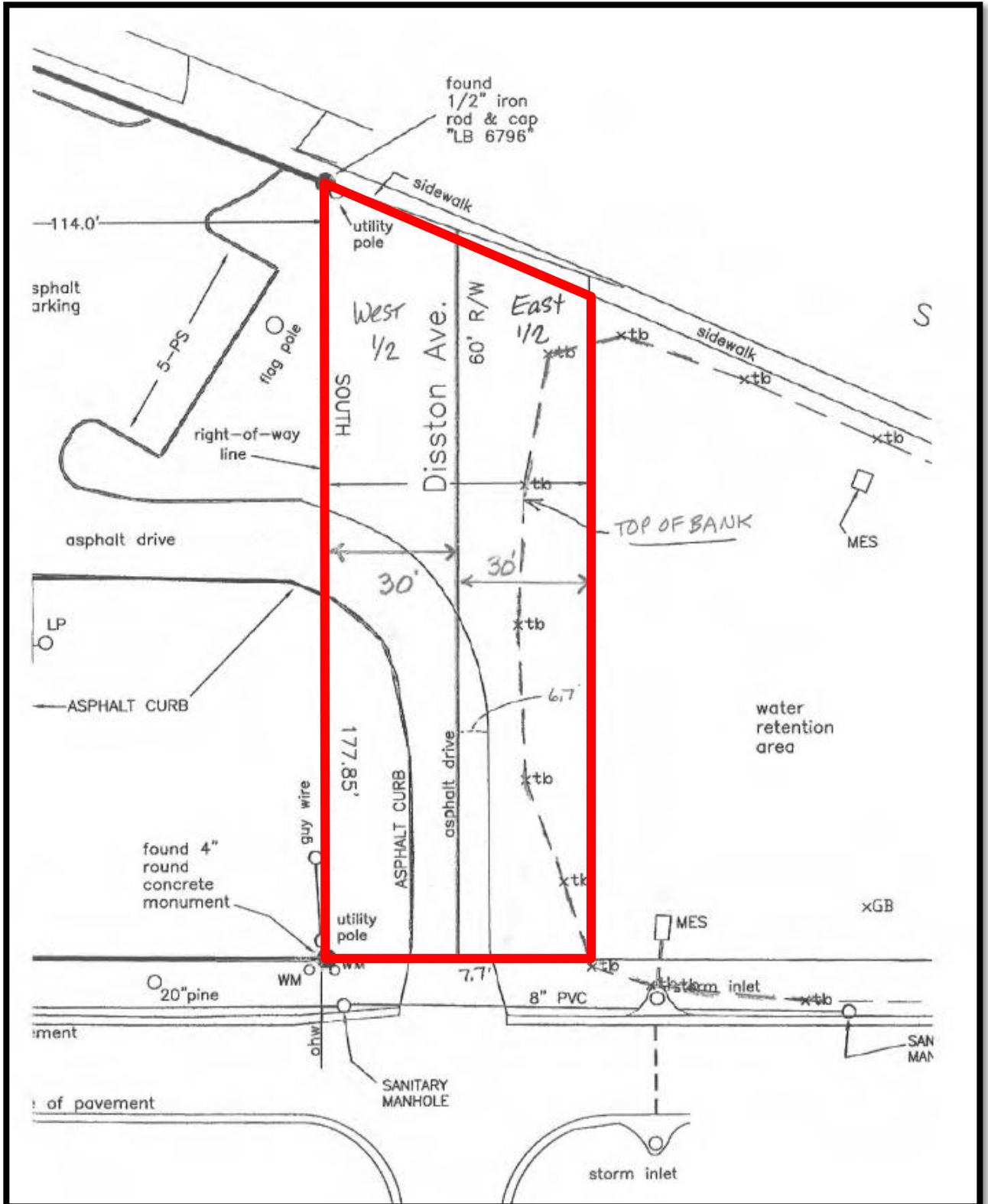


Location Map  
Pittman ROW Vacation Request



# Survey Map

## Pittman ROW Vacation Request







**CITY OF CLERMONT**  
**STREET RIGHT-OF-WAY / EASEMENT CLOSING**  
**PETITION**

DATE: April 9, 2014

FEE: \$25.00

PETITIONER'S NAME: Leroy Pittman

Address: 481 E. Hwy 50

City: Clermont State: FL Zip: 34711

Phone: 352-394-2612 Fax: \_\_\_\_\_

Legal Description of Petitioner's property abutting Street ROW/easement to be closed  
(Attach survey if available): \_\_\_\_\_

Alternate Key 1617791 - Legal Description Attached

If named - name of street to be closed: Disston Ave.

Plot plan & legal description of Street ROW/Easement portion to be closed (From-To):

Approximately 160 lineal feet of Disston Ave north of Almond Street and south of SR 50. See Attached Map

Purpose or reason for closing: To be able to legally maintain the existing driveway into the existing building  
and possibly allow redevelopment of the site.

Attach a map and list of: Names and addresses of all property owners abutting the  
portion of the street requested to be closed and abandoned. xxx yes        no

This petition is in accordance with the Clermont Land Development Code, Chapter 54, Division 2. Closing. Any person requesting a Street right-of-way or Easement Closing shall file a complete application submitted to the Planning Director in the Planning & Zoning Department, at least 45 days prior to the final hearing date of the City Council. A Street right-of-way or Easement Closing requires two readings of an ordinance by the City Council. The City Council meetings are held on the second and fourth Tuesdays of every month.

All applications must be complete, including applicable site plans and or pertinent descriptive materials in order to be processed. The applicant must supply the original and 25 copies of the application and supplemental materials. Include the original signed application.

# Property Record Card General Information

|                           |                                                                         |                           |                           |
|---------------------------|-------------------------------------------------------------------------|---------------------------|---------------------------|
| <b>Alternate Key:</b>     | 1618240                                                                 | <b>Parcel:</b>            | 30-22-26-040000017800     |
| <b>Owner Name:</b>        | TIITF/STATE OF FLORIDA                                                  | <b>Millage:</b>           | 000C (Clermont) : 17.5789 |
| <b>Owner Address:</b>     | PUBLIC LANDS<br>3900 COMMONWEALTH BLVD<br>TALLAHASSEE, FL 32399-3000    | <b>Property Location:</b> | CLERMONT FL 34711         |
| <b>Legal Description:</b> | CLERMONT, CLERMONT HEIGHTS LOT 178, LOTS 179, 180 SW OF HWY   PB 4 PG 1 |                           |                           |

## Land Data

| Line | Land Use | Frontage | Depth | Notes | No. Units | Type | Class | Value  | Just Value  |
|------|----------|----------|-------|-------|-----------|------|-------|--------|-------------|
| 1    | (8087)   | 0        | 0     |       | 0.45      | AC   |       | \$0.00 | \$13,365.00 |

## Miscellaneous Improvements

There is no improvement information to display.

## Sales History

There is no sales history information to display.

## Value

### Estimated Tax Calculation

(Assumes qualifying residential property. No additional exemptions included.)

|                                                            |             |
|------------------------------------------------------------|-------------|
| <b>Total Just Value:</b>                                   | \$13,365.00 |
| <b>Save Our Homes Benefit:</b> -                           | \$0.00      |
| <b>Assessed Value:</b> =                                   | \$13,365.00 |
| <b>Other Exemptions:</b> -                                 | \$13,365.00 |
| <b>Total Homestead:</b> -                                  | \$0.00      |
| <b>Total Taxable Value:</b> =                              | \$0.00      |
| <b>Millage Rate:</b> <input checked="" type="checkbox"/> x | 0.0175789   |
| <b>Base Ad-Valorem Tax:</b> =                              | \$0.00      |
| <b>Non-Exempt School Levies:</b> +                         | \$0.00      |
| <b>Estimated Ad-Valorem Tax:</b> =                         | \$0.00      |

What could my ad-valorem taxes be like over time?

\* The just values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The estimated tax totals do not reflect Non-Ad Valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the Tax Collector for actual taxation amounts.

# Property Record Card

## General Information

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                               |                                      |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------------------------------------|
| <b>Alternate Key:</b>         | 1617791                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Parcel:</b>                | 30-22-26-040000006900                |
| <b>Owner Name:</b>            | PITTCO LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Millage:</b>               | 000C (Clermont) :<br>17.5789         |
| <b>Owner Address:</b>         | 481 E HWY 50 STE<br>101<br>CLERMONT, FL<br>34711                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Property<br/>Location:</b> | 481 EAST HWY 50<br>CLERMONT FL 34711 |
| <b>Legal<br/>Description:</b> | CLERMONT, CLERMONT HEIGHTS THAT PART OF LOTS 69,<br>70, 71, 74,<br>75, & 76, S OF HWY DESC, AS FOLLOWS: BEG AT SW COR OF<br>LOT 76  <br>AT INTERSECTION OF E LINE OF ANDERSON ST & N LINE OF<br>ALMOND  <br>ST & RUN N 147.18 FT, S 77-08-27 E 130 FT, N 16-07-39 E 150  <br>FT TO A POINT ON S R/W LINE OF SR 50, THENCE ALONG<br>SAID R/W  <br>LINE IN A SE'LY DIRECTION ALONG A CURVE TO THE RIGHT<br>HAVING  <br>A DELTA OF 02-25-16, A RADIUS OF 5679.65 FT, A DIST OF<br>240  <br>FT TO A POINT OF INTERSECTION WITH THE WLY R/W LINE<br>OF  <br>DISSTON ST, THENCE S ALONG SAID W R/W LINE OF<br>DISSTON ST A  <br>DIST OF 177.85 FT TO N R/W LINE OF ALMOND ST, ALSO<br>BEING SE  <br>COR OF LOT 69, N 89-36-20 W ALONG SAID N R/W LINE 392<br>FT TO  <br>POB PB 4 PG 1  <br>ORB 4165 PG 2073 |                               |                                      |

## Land Data

| Line | Land Use                 | Frontage | Depth | Notes | No.<br>Units | Type | Class<br>Value | Just Value   |
|------|--------------------------|----------|-------|-------|--------------|------|----------------|--------------|
| 1    | STORES 1 STORY<br>(1100) | 0        | 0     |       | 74328        | SF   | \$0.00         | \$297,312.00 |

## Commercial Building(s)

| Building 1            |      | Building Value: \$223,712.00 |                            |             |             |                   |           |                             |
|-----------------------|------|------------------------------|----------------------------|-------------|-------------|-------------------|-----------|-----------------------------|
| Summary               |      | Section(s)                   |                            |             |             |                   |           |                             |
| Year Built:           | 1982 | Section No.                  | Section Type               | Wall Height | No. Stories | Ground Floor Area | Basement  | Basement Map Finished Color |
| Total Square Footage: | 5472 | 1                            | FINISHED LIVING AREA (FLA) | 10          | 2           | 2409              | 0%        | 0%                          |
| Full Bathrooms:       | 3    |                              | Interior Finish            |             |             | Percent           | Sprinkler | A/C                         |
| Half Bathrooms:       | 4    |                              | (17C)                      |             |             | 50.00 %           | No        | Yes                         |
| Elevators:            | 1    |                              | (11C)                      |             |             | 50.00 %           | No        | Yes                         |
| Elevator Landings:    | 2    | 2                            | FINISHED LIVING AREA (FLA) | 10          | 1           | 654               | 0%        | 0%                          |
| Escalators:           | 0    |                              | Interior Finish            |             |             | Percent           | Sprinkler | A/C                         |
| Residential Units:    | 0    |                              |                            |             |             |                   |           |                             |



## Detail by Entity Name

### Florida Limited Liability Company

PITTCO, LLC

### Filing Information

|                 |              |
|-----------------|--------------|
| Document Number | L12000048100 |
| FEI/EIN Number  | 45-5283798   |
| Date Filed      | 04/09/2012   |
| State           | FL           |
| Status          | ACTIVE       |
| Effective Date  | 04/09/2012   |

### Principal Address

481 EAST HIGHWAY 50  
CLERMONT, FL 34711

### Mailing Address

481 EAST HIGHWAY 50  
CLERMONT, FL 34711

### Registered Agent Name & Address

PITTMAN, LEROY  
481 EAST HIGHWAY 50  
CLERMONT, FL 34711

### Authorized Person(s) Detail

#### **Name & Address**

Title President

PITTMAN, LEROY  
481 EAST HIGHWAY 50  
CLERMONT, FL 34711

Title Secretary, Treasurer

PITTMAN, VIVIAN E  
481 EAST HIGHWAY 50  
CLERMONT, FL 34711

### Annual Reports

| Report Year | Filed Date |
|-------------|------------|
| 2013        | 06/11/2013 |
| 2014        | 01/09/2014 |

## **LEGAL NOTICE**

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Wednesday, November 12, 2014 at 7:00 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

### **ORDINANCE NO. 2014-35**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THE 60 FOOT RIGHT-OF-WAY EASEMENT FOR DISSTON AVENUE LYING SOUTH OF STATE ROAD 50 AND NORTH OF ALMOND STREET AS RECORDED IN THE PLAT OF CLERMONT HEIGHTS PLAT BOOK 4 PAGE 1 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; REPEALING ALL ORDINANCES IN CONFLICT HERewith, PROVIDING FOR SEVERABILITY, PUBLICATION, RECORDING, AND FOR AN EFFECTIVE DATE.

This ordinance is available for public inspection in the Development Services Department, 685 W. Montrose Street, Clermont, Florida, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd, MMC

City Clerk  
Daily Commercial  
October 28, 2014



# CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
| Tuesday, October 28, 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| Ordinance No. 2014-37; <i>Introduction</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| Move to introduce Ordinance 2014-37.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
| <p>The Florida Right to Medical Marijuana Initiative; Amendment 2, is on the November 4, 2014 ballot in Florida as an initiated Constitutional Amendment. The measure; upon voter approval, would legalize medical marijuana.</p> <p>The City of Clermont has prepared an Ordinance that would provide definitions in the City's code for marijuana and marijuana dispensaries. The Ordinance would regulate that a medical marijuana dispensary could locate only on properties with M-1 Industrial Zoning, and would require a Conditional Use Permit with restrictions as specified in the Ordinance. The proposed Ordinance; upon introduction, would move forward to a final hearing on November 12, 2014.</p> |                                    |                                |
| <b>Legal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <p>1. Ordinance 2014-37 med marijuana dispen w strikes.doc<br/>2. Legal ad LDC amendments -2014-37.doc</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-37**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, RELATED TO MEDICAL MARIJUANA DISPENSARIES AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF CLERMONT BY AMENDING SECTION 82-12, "LAND USE DEFINITIONS" PROVIDING FOR DEFINITIONS OF MARIJUANA AND MARIJUANA DISPENSARIES AND AMENDING SECTION 122-264 "M-1-CONDITIONAL USES" PROVIDING MEDICAL MARIJUANA DISPENSARIES SHALL REQUIRE A CONDITIONAL USE; SETTING FORTH STANDARDS AND REGULATIONS FOR MEDICAL MARIJUANA DISPENSARIES; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and

**WHEREAS**, pursuant to the referenced provision of the Florida Constitution, a city may exercise any power for municipal purposes except as otherwise provided by law; and

**WHEREAS**, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," reinforces the authority granted under the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact Ordinances in furtherance thereof; and

**WHEREAS**, the within the above referenced grant of powers, the City of Clermont (the "City") has the authority to regulate land development and the use of property within the City for the protection of the public health, safety and welfare; and

**WHEREAS**, the City Council has determined that given the potential impact on the surrounding areas, that Medical Marijuana Dispensaries, if allowed by law, should be a conditional use permitted in limited areas of the City; and

**WHEREAS**, the City Council has determined that it is in the public interest to set certain distance and other standards regarding the operation of Medical Marijuana Dispensaries; and

**WHEREAS**, the City Council has found that a high proportion of sales in such facilities are cash sales, necessitating additional security procedures and precautions; and

**WHEREAS**, consistent with the findings stated above, the City Council has determined that adoption of this Ordinance is in the best interest of the public health, safety and welfare;

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**NOW THEREFORE BE IT RESOLVED AND ENACTED**, by the City Council of the City of Clermont, Lake County, Florida that:

**Section 1.**

The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent and findings supporting this Ordinance.

**Section 2.**

Section 82-12 “Land use definitions” of the Clermont Code of Ordinances is hereby amended to add the following definitions (underlined depicts added wording):

**Section 82-12 - Land use definitions**

Marijuana: The meaning given cannabis in Section 893.02(3), Florida Statutes.

Medical Marijuana Dispensary: Any treatment center, entity, establishment, or portion thereof, which lawfully acquires, cultivates, possesses, processes, transfers, transports, sells, dispenses or administers marijuana, products containing marijuana, related supplies, or educational materials. A pharmacy as defined in Section 465.003, Florida Statutes which employs a Florida License pharmacist onsite shall not be considered a Medical Marijuana Dispensary.

**Section 3.**

Section 122-264 “M-1 Conditional Uses” of the Clermont Code of Ordinances is hereby amended as follows: (underlined depicts added wording):

Section 122-264. M-1- Conditional uses.

(a) Conditional uses in the M-1 district are as follows:

- (1) Airports.
- (2) Junkyards.
- (3) Planned unit development per article IV of this chapter.
- (4) Utility facilities (i.e. electric transformers, gas regulator stations, etc.).
- (5) Adult entertainment establishments.
- (6) Medical Marijuana Dispensary.



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**ORDINANCE No. 2014-37**

- (7) Conditional uses of the C-2 general commercial district not specifically listed as a permitted use in the M- 1 light commercial district, provided they meet the regulations of the C-2 district.
- (b) Other manufacturing or wholesale uses not listed as a permitted use may be considered as a conditional use, provided the requirements of Chapter 86, Article III, Division 3, and the following conditions are met:
- (1) The use is so located, site-planned and designed to avoid undue noise, odor, smoke, explosive hazards or any other nuisances or dangers to abutting properties.
  - (2) Adequate waste treatment, roadways and utilities can be provided.
  - (3) All applicable local, state and federal regulations regarding such use can be met.
  - (4) No wholesale or retail establishment may occupy more than 100,000 square feet.
- (c) Medical Marijuana Dispensary shall be subject to the following additional criteria:
- (1) Loitering. The Medical Marijuana Dispensary shall provide adequate seating for its patients and business invitees. The Medical Marijuana Dispensary shall not permit any patient or business invitee to stand, sit (including in a parked car), or gather or loiter outside of the building where the dispensary operates, including in any parking areas, for any period of time longer than that reasonably required to arrive and depart.
  - (2) Security. The owners shall have a review of the site with the City Police Department prior to opening and annually. It shall be the responsibility of the owner to schedule the reviews with the Department.
  - (3) No Drive through Service. No Medical Marijuana Dispensary shall have a drive through or drive in service. All dispensing, payment for and receipt of medical marijuana shall occur from inside the Medical Marijuana Dispensary.
  - (4) Alcoholic Beverages or Marijuana. No sale of alcoholic beverages or consumption or use of alcoholic beverages or marijuana shall be allowed on the premises, including in the parking areas.

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**ORDINANCE No. 2014-37**

- (5) Separation Distances. A Medical Marijuana Dispensary shall not operate within two hundred (200) feet of any residentially zoned or residentially used property, church or school existing or approved by the City at the time of application. All distance requirements shall be measured by drawing a straight line from the nearest property line of the protected use to the nearest property line of the proposed Medical Marijuana Dispensary.
- (6) Operating Hours. Medical Marijuana Dispensaries shall not be allowed to operate between 7:00pm and 7:00am.
- (7) Compliance with Other Laws. All Medical Marijuana Dispensaries shall at all times be in compliance with all federal and state laws and regulations, and the City of Clermont Code of Ordinances, as may be amended from time to time.

- (d) In case of uncertainty of the classification of any public use, uses may be permitted which, after consideration by the Planning and Zoning Commission and approval of the City Council, are not more obnoxious to the district than the uses provided in this Section. All conditional uses must be provided per Chapter 86, Article III, Division 3.

**Section 4.** Conflict.

All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 5.** Severability.

Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

**Section 6.** Codification.

The text of Sections 2 and 3 of this Ordinance shall be codified as a part of the Clermont City Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "article" for "ordinance", "section" for "paragraph", or otherwise to take such editorial license.

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**Section 7.**      Effective Date.

This Ordinance shall be published as provided by law and shall take effect immediately upon its Second Reading and Final Passage.

*CITY OF CLERMONT*  
**ORDINANCE No. 2014-37**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, this 12<sup>th</sup> day of November, 2014.

CITY OF CLERMONT

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Harold S. Turville, Jr., Mayor

ATTEST:

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Tracy Ackroyd, City Clerk

Approved as to form and legality:

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Daniel F. Mantzaris, City Attorney

## LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider the enactment of the following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

### ORDINANCE NO. 2014-37

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, RELATED TO MEDICAL MARIJUANA DISPENSARIES AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF CLERMONT BY AMENDING SECTION 82-12, "LAND USE DEFINITIONS" PROVIDING FOR DEFINITIONS OF MARIJUANA AND MARIJUANA DISPENSARIES AND AMENDING SECTION 122-264 "M-1-CONDITIONAL USES" PROVIDING MEDICAL MARIJUANA DISPENSARIES SHALL REQUIRE A CONDITIONAL USE; SETTING FORTH STANDARDS AND REGULATIONS FOR MEDICAL MARIJUANA DISPENSARIES; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

This ordinance will be considered by the Planning & Zoning Commission on Tuesday, November 4, 2014 at 7:00 P.M.

A public meeting to consider the ordinance will be held before the City Council on Wednesday, November 12, 2014 at 7:00 p.m. for final enactment.

All meetings will be held in City Hall, located at 685 West Montrose Street.

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd  
City Clerk

Daily Commercial  
October 28, 2014