



**CITY OF CLERMONT
CITY COUNCIL MEETING
CLERMONT CITY HALL
AGENDA**

6:30 PM, Tuesday, November 8, 2022

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. Each speaker will be permitted 3 minutes to address the Council. These time limits may be extended by the Mayor or by majority vote of the Council. To avoid disruption of the meeting, speakers should avoid inappropriate language, personal attacks and derogatory statements and direct comments to the Council. Everyone is requested to be respectful of each other even when we disagree. All public comments should be directed to the Council, and the issue at hand. Everyone should avoid personal attacks and derogatory statements. Thank you for participating in your City Government.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PROCLAMATION

National American Indian Heritage Month

PUBLIC COMMENT

REPORTS

CONSENT AGENDA

The next portion of the meeting is the consent agenda which contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Council wish to speak on a consent item, they have the same opportunity.

Item No. 1 - Meeting Minutes

Consider approval of the September 27, 2022 and October 11, 2022 Council meeting minutes.

Item No. 2 - Plat Approval

Consider approval of the Townhomes at Clermont Heights plat consisting of 5 residential subdivided lots located on the southeast corner of Disston Avenue and Almond Street.

Item No. 3 - Legislative Priorities

Consider approval of the City of Clermont Legislative priorities list.

Item No. 4 - Application for Community Forestry Grant and Budget Amendment

Consider a grant application to inventory and evaluate the trees in the City-owned right-of-way and parks with a 50% required match of \$25,000 from a General Fund budget amendment.

Item No. 5 - Proposal Award

Consider an award and term contract to Read's Uniforms, LLC. to furnish police uniforms in the estimated annual budgeted amount of \$65,000.

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Item No. 6 - Budget Amendment and RFP
Award

Consider an award to American Janitorial, Inc. for janitorial services at the Arts and Recreation Center including a Budget Amendment from General Fund Reserves in the amount of \$4,743.00.

Item No. 7 - Contract Amendment
Employee Healthcare Consultant

Consider the first contract amendment between the City of Clermont and Hylant of Orlando, LLC. to extend the contract for one additional year in the budgeted amount of \$55,000.

Item No. 8 - Notification of Law Enforcement
Support Office Property Items

Acknowledgment of the Police Department's request to retain the listed controlled property items from the Law Enforcement Support Office (LESO), or other Federal source.

Item No. 9 - Resolution No. 2022-040R

Consider approval of Fiscal Year 2022 Budget Amendment to General Fund, Capital Projects Fund, ARPA Fund, Water Fund, Sewer Fund, and Stormwater Fund.

Item No. 10 - Resolution No. 2022-041R

Consider approval of Fiscal Year 2022 Budget Amendment to the General Fund, Cemetery Fund, Stormwater Fund, and Group Self Insurance Fund.

Item No. 11 - Event, Road Closure, and Sign
Request
Martin Luther King Jr. Day

Consider event request with road closures (parade), and signs placed on City property on January 16, 2023 at McKinney Park to Waterfront Park.

UNFINISHED BUSINESS

Item No. 12 - Ordinance No. 2022-033 *Final*
Clonts Property Rezoning

Consider tabling final hearing to December 13, 2022.

NEW BUSINESS

Item No. 13 - Resolution No. 2022-038R
Clermont Vet

Consider a Conditional Use Permit for a veterinary clinic to be established at 1670 E. Highway 50, Unit E, in the Home Depot/Publix Plaza.

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Item No. 14 - Utility Service Agreement
Ivey Ridge

Consider a utility agreement to provide sewer service to a 145 lot single-family subdivision in Lake County south of Hammock Ridge Road and west of Fox Chase subdivision.

ADJOURN

Public Notice

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

Meeting agendas are available on the city website and are posted within the first floor of City Hall.

Should any person desire to appeal any decision of the City Council with respect to any matter to be considered at this meeting, that person shall ensure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F.S. 286.0105).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in this proceeding may contact the Office of the City Clerk at (352) 241-7331 (Voice) no later than two (2) business days prior to the proceeding or by contacting the City Clerk's Office at cityclerk@clermontfl.org. TTY users may call via 711 (Florida Relay Service) no later than two (2) business days prior to the proceeding.

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.

PROCLAMATION

Whereas, the history and culture of our great nation have been significantly influenced by American Indians and indigenous people; and

Whereas, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

Whereas, the customs and traditions of Indigenous people should be respected and celebrated as part of their rich legacy throughout the United States; and

Whereas, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

Whereas, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned;

Now, Therefore, I, Tim Murry, Mayor of the City of Clermont in the State of Florida, do hereby proclaim the month of November, Two Thousand and Twenty Two as:

National American Indian Heritage Month

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the City of Clermont to be affixed this 8th Day of November in the year Two Thousand and Twenty Two.

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

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CALL TO ORDER

The City Council met in a regular meeting on Tuesday, September 27, 2022 in the Clermont City Council Chambers. Mayor Murry called the meeting to order at 6:30 pm with the following Council Members present: Council Members Bates, Pines, Entsuah, and Purvis.

Other City officials present were City Manager Bulthuis, City Attorney Mantzaris, and City Clerk Howe.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Kendal Anderson of The Crossing Church followed by the Pledge of Allegiance.

OPENING COMMENTS

City Manager Bulthuis informed the Council of the following agenda changes:

Item No. 9 – Ordinance No. 2022-009, Chicone Annexation

Ordinance No. 2022-009, Chicone Annexation

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND IN ACCORDANCE WITH THE INTERLOCAL SERVICE BOUNDARY AGREEMENT DATED DECEMBER 2, 2014; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

Council Member Bates moved to table Ordinance No. 2022-009 to October 11, 2022; Seconded by Council Member Pines. Passed unanimously 5-0 with all members present voicing aye.

City Manager Bulthuis informed the Council this is a request to table this item to October 11, 2022.

Item No. 10 – Ordinance No. 2022-010, Chicone Large-Scale CPA

Ordinance No. 2022-010, Chicone Large- Scale CPA

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE LARGE-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 LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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City Clerk Howe read the title aloud.

Council Member Bates moved to table Ordinance No. 2022-010 to October 11, 2022;
Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present
voicing aye.

City Manager Bulthuis informed the Council this is a request to table this item to October 11, 2022.

Item No. 11 – Ordinance No. 2022-011, Chicone Rezoning

Ordinance No. 2022-011, Chicone Rezoning

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

Council Member Bates moved to table Ordinance No. 2022-011 to October 11, 2022;
Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present
voicing aye.

PUBLIC COMMENTS

Charlene Forth, 939 W. Desoto Street - spoke on the decision to have the Council meeting tonight with an incoming hurricane the next day.

Anthony Grove, 1105 Sadie Ridge Road – expressed concern on financial decisions.

REPORTS

CITY MANAGER REPORT

City Manager Bulthuis –

- Asked Council to add two items to the agenda in light of the coming storm.

The first item is a piggyback on a Lake County contract for disaster debris monitoring service with Witt O'Brien's, LLC. The company would assist with assuring all debris cleanup documents that would need to go to FEMA are submitted correctly.

Council Member Entsua moved to approve the item brought forth by the City Manager;
Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present
voicing aye.

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The second item is Resolution No. 2022-35R, 2022 Debris Removal Private Streets.

A RESOLUTION OF THE CITY OF CLERMONT CITY COUNCIL MAKING APPROPRIATE FINDINGS FOR CERTAIN PRIVATE AND NON-CITY MAINTAINED ROAD DEBRIS REMOVAL WITHIN THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA; AUTHORIZING THE CITY MANAGER TO PURSUE REIMBURSEMENT AS APPLICABLE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

City Manager Bulhuis explained that there is a requirement that if the City picks up debris on private streets there has to be an agreement with the HOA to have access to their property. There are 21 subdivisions with private streets in the City of Clermont. This Resolution would give the City permission to pick up the debris on private streets.

City Attorney Mantzaris clarified that this would allow the City to pick up debris in the road. It does not apply to privately owned properties.

Council Member Bates moved to approve the item brought forth by the City Manager;
Seconded by Council Member Purvis.

Mayor Murry opened the public hearing. There were no comments. Mayor Murry closed the public hearing.

Passed unanimously 5-0 with all members present voicing aye.

- Tuesday, October 4 is National Night Out at Waterfront Park.
- First Friday Food Truck is October 7, 2022.
- CRA meeting will be held October 11, 2022 at 6pm to adopt the budget.
- Asked Chief Harrison to speak on the coming storm.

Chief Harrison provided an update on Hurricane Ian. Lake County and Clermont declared a State of Emergency over the weekend. Lake County schools are closed the remainder of the week. Locations for distribution of sand bags is listed on the city website.

Discussion ensued on shelter locations in and around Clermont as well as urging the residents of Emerald Lakes to evacuate.

CITY ATTORNEY REPORT

City Attorney Mantzaris – No report.

CITY COUNCIL REPORT

Council Member Bates – No report.

Council Member Purvis – Thanked staff for the work in preparing for the Hurricane.

Council Member Entsuaeh – No report.

Council Member Pines – Thanked staff for the work in preparing for the Hurricane.

Mayor Murry –

- Mayor's luncheon on October 3 at Ruby Tuesday's at noon.

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- Attended the King's Ridge Men's club event.
- Congratulations to the Clermont Police Department Cops Unit for being recognized as the number one crime prevention small unit for 2022 by the Florida Crime Prevention Association.
- Read a letter aloud commending services and staff of the Sanitation Department.
- Urged residents to have all preparations for the storm completed by noon on Wednesday.

City Manager Bulthuis informed residents that once the storm passes, there is no need to call for limbs and items to be picked up. The City will begin pickup as soon as it is clear for trucks to be on the road.

CONSENT AGENDA

Mayor Murry advised the next item on the Agenda for consideration was the Consent Agenda and requested anyone wishing to have any item pulled for discussion to please come forward at this time.

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| Item No. 1 – Meeting Minutes | Consider approval of the minutes of the August 23, 2022 and September 13, 2022 Council meeting and the September 7, 2022 First Budget Public Hearing |
| Item No. 2 – Resolution No. 2022-031R | Consider approval of Fiscal Year 2022 Budget Amendment to the Enterprise Funds. |
| Item No. 3 – Grant Acceptance | Consider approval to participate in a grant agreement for a Low-Income Household Water Assistance Program with Lake Community Action Agency. |
| Item No. 4 – Proposal Award | Consider the award and term contract to Southern Cleaning Service, Inc. to provide janitorial services to the Highlander Building, Kehlor Building, and Public Restrooms for the annual budgeted amount of \$98,400. |
| Item No. 5 – Proposal Award | Consider award and term contract to Southern Cleaning Service, Inc. to provide janitorial services for recreational facility restrooms in the budgeted amount of \$38,400.. |
| Item No. 6 – Event and Road Closure Request
<i>Veteran's Day</i> | Consider the event and parade request with road closures on November 11, 2022, at West Park and continuing to Waterfront Park. |
| Item No. 7 – Event and Road Closure Request
<i>Cookies & Cocoa</i> | Consider the event request with road closures on December 9, 2022 in Downtown Clermont. |

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Council Member Bates moved to approve the Consent Agenda as presented for September 27, 2022; Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 8 – Variance Request, 2470 Linkwood Avenue

Development Services Director Henschel presented the variance request. The item was tabled from the September 13 meeting in order for the applicant to provide additional information. The applicant provided an amended application with information on the drainage of the site and additional pictures. The applicant is requesting a variance for a rear yard setback to be less than the minimum 25 feet required for property located at 2470 Linkwood Avenue. The requested variance would allow for a solid roof pergola accessory structure to be located in the rear yard of the existing single family home. The proposed pergola accessory structure would intrude 4 feet into the required 25 foot rear yard setback. The current Land Development Codes, Section 122-342, require any solid roof structures or buildings must be able to meet the minimum setbacks for the primary structure. The rear yard setback in this subdivision is 25 feet from the rear property line. The proposed pergola porch addition with a solid roof would increase the existing impervious surface ratio for lot coverage, but will not be over the minimum requirements permitted by the code. The applicant has amended his application to indicate underdrain systems will be installed in order to facilitate drainage on the lot. The applicant has received approval from the homeowners association.

Section 86-174 of the Land Development Code requires a positive finding on the review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application does not meet a positive finding on all of the five review criteria. Therefore, staff recommends denial of the requested variance.

The Applicant, Mr. Mark Patterson stated that before they can move forward to have a contractor develop plans, they have to submit an idea that is approved by Council. The concerns that staff has raised regarding the project will be addressed when they get to the plans phase of the project. Mr. Patterson is requesting approval on the project.

Mayor Murry opened the public hearing. There were no comments. Mayor Murry closed the public hearing.

Discussion ensued regarding the type of pergola this would be along with what the end design is envisioned to look like. Council members gave their opinions on the project.

Council Member Bates moved to approve the Variance request; Seconded by Council Member Entsua. The motion passed 3-2 with Council Member Purvis and Mayor Murry opposing.

Item No. 9 - This item was addressed earlier in the meeting and tabled to the October 11, 2022 meeting.

Item No. 10 – This item was addressed earlier in the meeting and tabled to the October 11, 2022 meeting.

Item No. 11 – This item was addressed earlier in the meeting and tabled to the October 11, 2022 meeting.

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Item No. 12 – Ordinance No. 2022-032, The Vue Rezoning

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the ordinance into the record by legal title only.

The applicant, Jimmy Crawford, is requesting an amendment to Planned Unit Development (PUD) Ordinance 2017-24 to develop lots 7-13 with multi-family apartments. The PUD project is known as the VUE and is located west of Miss Florida Avenue and Hooks Street intersection, north of Hooks Street and East Ridge High School. The PUD consists of 30.9 acres and was allowed C-2 General Commercial uses on Lots 1-6 that are adjacent to SR 50. The PUD Ordinance has language under section 3, item 14 that states “Any future development on parcels 7 through 13 (south side of project) requires a PUD amendment to be approved by City Council.” The applicant has an end user for parcels 7 through 13, an apartment complex consisting of 289 units. Ordinance 2017-24 has language under section 2 that states “this application for a Planned Unit Development to allow for a multi-family residential Planned Unit Development along with C-2 General Commercial uses” and section 3, item 2 indicates the setback for multi-family and commercial use. Based upon this language, it is indicative that multi-family use was considered within the project.

A reconfigured site plan prepared by Highland Engineering shows the project consisting of seven (7) commercial lots along SR 50 and one larger lot for multi-family use. The revised site plan consists of 8 lots total. The multi-family project will be constructed on the former lots 7 through 13, with the retaining wall shifting a bit to the north to assist in grading and parking of the multi-family project. This change reduced the retaining wall height from 13 feet to 10 feet. The retaining wall will be terraced with landscaping to break up the hardscape.

Several waivers that were previously approved under Ordinance 2017-24 are still applicable to develop the site and the applicant is not requesting any additional waivers or increases in the current approved waivers.

The multi-family project will consist of four-story split buildings to transition the grade with three-story on the upper half and four-story on the lower half. The apartment buildings will have elevators for the residents. The overall project area is 30.9 acres. The multi-family proposal will consist of 289 total units on 24.13 acres, which is a density of 11.98 dwelling units per acre, which is less than the maximum of 12 dwelling units per acre. The remaining acreage adjacent to SR 50 will be developed as C-2 General Commercial uses.

Access to the multi-family portion will be from two access points from Hooks Street. There will be no interconnectivity between the commercial use and multi-family use due to the elevation change. The access points on Hooks Street are existing and the applicant intends to use these points for ingress and egress.

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The applicant has provided an amenity package that was reviewed using the recently adopted Wellness Way Close-to-Home Parks analysis within the Wellness Way Design Guidelines. The project is not within the Wellness Way Area Plan, but the applicant offered to provide these types of park amenities. The Close-to-Home Park service area is required within 400 feet of all residential uses. Amenities within this distance ensures they are walkable and provide for a sustainable neighborhood. The applicant has provided an amenity type within the 400 foot distance within each residential building.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The location is suitable for multi-family use since the future land use of Commercial allows this type of land use. The property has access to major road networks. The City's water and sewer service will be required in order to develop the property and capacity is available to serve the multi-family project. The project is located within walking distance of the assigned high school and middle school. School concurrency shall be met as a requirement prior to site plan approval. The western portion of this project was identified in the City's "Strategic Economic Development Plan" as having topography challenges that make development difficult. The applicant has reduced the retaining wall height request from 13 feet to 10 feet by working with the extensive grade on the site. In addition, the applicant intends to offset some of the grading through the construction of split level buildings. Staff is able to support the request and recommends approval of Ordinance 2022-032. Planning and Zoning recommended approval, 5-0.

Jimmy Crawford was present on behalf of the applicant, AC Commercial Properties and Woodfield Development. This project has come before Council multiple times and was denied from this Council last year. The applicant has made changes to improve the project and now has the same footprint as it had in 2017. The applicant is not requesting any waivers besides what was allowed in 2017. Mr. Crawford went over the details of the project.

City Manager Bulthuis explained that staff's recommendation comes from the applicant making changes and presenting a different application than what was presented last year.

Mayor Murry opened the public hearing. There were no comments. Mayor Murry closed the public hearing.

Council discussed the multi-family portion and commercial portion of the property being separate and not connected. The school bus stops will be internal to the property, the applicant agreed with the bus stop location subject to Lake County School Boards decision.

City Attorney Mantzaris informed Council they can add a condition in the Ordinance regarding the school bus stops. He suggested the following language: "subject to approval by the School District, school bus pick up and drop off locations for residents of the project shall be internal to the development."

The applicant agreed to the language as stated by City Attorney Mantzaris to be included in the Ordinance.

Council Member Purvis moved to approve Ordinance No. 2022-032 as presented along with the proposed condition for school pick-up; Seconded by Council Member Entsuh.
The motion passed by roll call vote 5-0.

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Items No. 13, 14 and 15 were heard concurrently and voted on separately.

City Clerk Howe read the following three ordinances aloud by title only.

Item No. 13 – Ordinance No. 2022-034, 111 Apartments Annexation

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

Item No. 14 – Ordinance No. 2022-035, 111 Apartments Comprehensive Plan Amendment

AN ORDINANCE 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 FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

Item No. 15 – Ordinance No. 2022-036, 111 Apartments Rezoning

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

Development Services Planner Kruse presented the staff initiated request for annexation, comprehensive plan amendment and rezoning for a project located in Lake County that has a City of Clermont utility agreement in place. The utility agreement was approved by City Council in 2019 and amended in 2020.

The subject parcel is located north of State Road 50 and east of County Road 455 and is approximately 22 +/- Acres. Lake County has approved the development of a 296-unit multi-family apartment housing project on the site which is currently under construction.

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The entitlements were approved by Lake County. The City of Clermont has the capacity and will be providing water and sewer services for the development. The City will annex the property as approved by Lake County. The property will be changing the Future Land Use Designation from Lake County Urban High Density to Clermont High Density Residential Land Use Category. The zoning will conform to the approved PUD zoning in Lake County and will be designated as PUD in the City. Staff recommends approval of the annexation, comprehensive plan amendment and rezoning. Planning and Zoning recommended approval, 5-0.

Mayor Murry opened the public hearing. There were no comments. Mayor Murry closed the public hearing.

Council discussed the location and the city's capacity to handle annexing in this property.

Council Member Entsuahtin inquired about annexation and Lake County talking to the city prior to approving projects that could potentially annex into the city. City Manager Bulthuis stated that he has spoken with Lake County Commissioner Parks regarding this and they will be looking into working in tandem on a plan so that the city and county align. For now, the county will speak to the city prior to approving anything on land that is adjacent to city limits.

Council Member Bates moved to approve Ordinance No. 2022-034; Seconded by Council Member Pines. The motion passed by roll call vote 5-0.

Council Member Bates moved to approve Ordinance No. 2022-035; Seconded by Council Member Purvis. The motion passed by roll call vote 5-0.

Council Member Bates moved to approve Ordinance No. 2022-036; Seconded by Council Member Purvis. The motion passed by roll call vote 5-0.

Item No. 16 – Ordinance No. 2022-037, Land Development Code Amendment – Murals

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE; CHAPTER 102 SIGNS; ADDING SECTIONS 102-26 "OTHER SIGNS"; PROVIDING FOR CONFLICT; SEVERABILITY; CODIFICATION; THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERRORS; RECORDING; PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the ordinance into the record by legal title only.

Development Services Director Henschel presented the item. City staff is proposing a code change regarding murals. This change will remove the existing condition within the Ordinance that requires final approval by City Council. Staff is requesting to strikethrough one sentence, all other rules and regulations will remain. The applicant will still be required to submit an application for review by city staff.

Mayor Murry stated the change would essentially change final approval from Council to City staff.

Mayor Murry opened the public hearing. There were no comments. Mayor Murry closed the public hearing.

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Council Member Purvis asked what prompted the change. Mr. Bulthuis explained that staff has been working with the Art League to activate the Art Walk and through that process the idea came about to give final approval back to staff. Council discussed staff approving versus council approving and what is considered appropriate along with where the murals would go. Staff will work with the Art League on getting input before approving applications.

Lisa Harris, President of the South Lake Art League spoke on murals in Clermont and surrounding cities.

Council Members discussed murals and their views on who should have final approval. Council agreed to staff approvals as long as Council was kept aware of all applications that are submitted prior to approval.

Council Member Entsuh moved to approve Ordinance No. 2022-037 with the stipulation that staff keeps Council abreast to every item that comes to them and also keeps the Art League involved and also have Council review the Ordinance in two years; Seconded by Council Member Bates. The motion passed by roll call vote 5-0.

Items No. 17, 18 and 19 were heard concurrently and voted on separately.

City Clerk Howe read the following three ordinances aloud by title only.

Item No. 17 – Ordinance No. 2022-039, Lakeview Preserve Annexation

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

Item No. 18 – Ordinance No. 2022-040, Lakeview Preserve Comprehensive Plan Amendment

AN ORDINANCE 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 FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

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Item No. 19 – Ordinance No. 2022-041, Lakeview Preserve Rezoning

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

Development Services Planner Kruse presented the staff initiated request for annexation, comprehensive plan amendment and rezoning for a project located in Lake County that has a City of Clermont utility agreement in place. The utility agreement was approved by City Council in 2021.

The subject parcel is located north of Hartwood Marsh Road and east of the Clermont boundaries and is approximately 40 acres. Lake County has approved to allow for the development of 75 single family residential homes on the site which is currently under construction. The entitlements were approved by Lake County with the City's objection. The City of Clermont has the capacity and will be providing water and sewer services for the development. The City will annex the property as approved by Lake County. The proposed Low Density Residential Land Use designation allows up to the maximum of three (3) units per acre, which is consistent with the intent of the Comprehensive Plan. The zoning will conform to the approved PUD zoning in Lake County and will be designated as PUD in the City. Staff recommends approval of the annexation, comprehensive plan amendment and rezoning. Planning and Zoning recommended approval, 5-0.

Mayor Murry opened the public hearing. There were no comments. Mayor Murry closed the public hearing.

Discussion was had regarding the entrance to the property and that it will be a gated community. The layout of the property makes it so that the only way to enter the community is having to go through another community which is in city limits. If the property is not annexed into the city then county services including Fire and Police would have to go through city property to get to this community.

Council Member Bates moved to deny Ordinance No. 2022-039; Seconded by Council Member Purvis.

City Attorney Mantzaris explained that if Council denies the project it will still get completed because the developer has entitlements to build from Lake County.

Council spoke on possible alternative entrances to the community. Discussion ensued regarding when Impact Fees are collected, the lot and road sizes along with the cul-de-sac in the neighborhood and if fire trucks are able to turn around. Development Services Director Henschel stated that the cul-de-sacs appear to be the same size as the other neighborhoods in the area.

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Council Member Bates and Council Member Purvis withdrew their motion and second.

City Manager Bulthuis asked Council if they would like to table this item for two weeks to verify that fire trucks will be able to fit down the roads and the cul-de-sac. Council discussed the level of service the city will be able to provide this community because of the entrance being within another community.

Council Member Purvis moved to approve Ordinance No. 2022-039; Seconded by Council Member Entsuah. The motion passed 3-2 with Council Member Bates and Council Member Pines opposing.

Council Member Purvis moved to approve Ordinance No. 2022-040; Seconded by Council Member Entsuah. The motion passed 3-2 with Council Member Bates and Council Member Pines opposing.

Council Member Entsuah moved to approve Ordinance No. 2022-041; Seconded by Council Member Purvis. The motion passed 3-2 with Council Member Bates and Council Member Pines opposing.

Item No. 20 – Ordinance No. 2022-042, Clermont Hills Apartments Rezoning

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the ordinance into the record by legal title only.

Development Services Planner Kruse presented the item. The applicant, Tara Tedrow, is requesting an amendment to PUD Ordinance 2021-015 to expand and amend the previously approved site plan, which includes additional acreage and additional apartment units. The property is located southwest of Excalibur Road and Hooks Street Intersection, East of Paloma Road and adjacent to East Ridge Middle School. With the addition of this parcel, the overall project will be 26 +/- acres.

The applicant is requesting to construct 312 units, which is at a density of 12 dwelling units per acre. The previous project was approximately 17 acres and was approved for 204 units. The future land use of Residential/Office permits multifamily up to 12 dwelling units per acre and office uses at a floor area ratio of 0.25. Several conditions were placed in the PUD approval as an outcome of a Special Magistrate hearing that will continue to be in the amended project.

The site shall be constructed in substantial accordance of the submitted conceptual site plan dated August 24, 2022 prepared by VHB, Inc. The site plan was reconfigured from the previous site plan. Previously, there was an access off of Excalibur Road along with access off of Hooks Street. The new plan has removed the access point off of Excalibur Road and the primary access point will be provided from Hooks Street. An exclusive left turn lane will be constructed on Hooks Street to serve the primary access point.

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In addition, a right-turn lane will be constructed, at the recommendation of the Planning and Zoning Commission. The project will also be gated and the internal roadway will be privately owned and maintained. Majority of the previous conditions contained in Ordinance 2021- 015 will be retained in this amendment with the exclusion of conditions that dealt with Excalibur Road. The apartment buildings will be a maximum of three-stories. A waiver was granted for cut/fill up to 13 feet on 10% of the previous site. This has not changed with the additional acreage, nor will it be required on the additional acreage. The applicant has provided additional amenities and more open space is provided compared to the previous project.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The location is suitable for multi-family use since the future land use of Residential/Office allows this type of land use. The property has access to major road networks and the primary access point has been shifted from Excalibur Road to Hooks Street to minimize any concerns. The City's water and sewer service will be required in order to develop the property and capacity is available to serve the multi-family project. The project is located within walking distance of the assigned high school and middle school. School concurrency shall be met as a requirement prior to site plan approval. The proposed project, as presented in the conceptual plan, does preserve the natural topography of the site as much as possible and the previous cut/fill waiver for the project is not being requested on the additional acreage. The conceptual site plan has more open space than previously before and more amenities are being provided for the residents. Staff is able to support the request and recommends approval. The Planning and Zoning Commission recommended approval, 5-0 with the condition that a right-turn lane be installed on Hooks Street. The ordinance has been updated to reflect this condition.

Tara Tedrow with Lowndes Law Firm presented on behalf of the applicant. Ms. Tedrow gave an overview of the project which included the entrances, amenities and building heights.

Mayor Murry opened the public hearing. There were no comments. Mayor Murry closed the public hearing.

Council discussed school pickups being inside the community. Paloma Road possibly becoming accessible to the public in the future. The buildings being three stories and having no elevators.

Mayor Murry opened the public hearing.

Geri Shore, Paloma Road – Paloma is a county maintained road.

Mayor Murry closed the public hearing.

City Mantzaris inquired if Council wants a similar condition as the Vue regarding school bus drop off. Subject to school district approval, pick up and drop off would occur inside the community.

Council Member Purvis moved to approve Ordinance No. 2022-042 as presented along with the proposed condition for school pick-up; Seconded by Council Member Entsuaah. The motion passed by roll call vote 5-0 with all members present voicing aye.

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ADJOURN: With no further comments, this meeting adjourned at 9:21pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

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CALL TO ORDER

The City Council met in a regular meeting on Tuesday, October 11, 2022 in the Clermont City Council Chambers. Mayor Murry called the meeting to order at 6:30 pm with the following Council Members present: Council Members Bates, Pines, Entsuah, and Purvis.

Other City officials present were City Manager Bulthuis, City Attorney Mantzaris, and City Clerk Howe.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Police Chaplain Pete Rodriguez followed by the Pledge of Allegiance.

PROCLAMATION

City Clerk Howe read the proclamation for White Cane Safety Day. Mayor Murry presented the proclamation to Ms. Joyce Walters and Nicholas Walters. Ms. Walters, Board Member of New Vision for Independence, Inc., stated she appreciates what the city does for the community. Nicholas Walters stated that with help from New Vision for Independence, he was able to achieve independence and it is important for those with vision difficulties.

AGENDA CHANGES

City Manager Bulthuis informed the Council of the following agenda changes:

Item No. 6 – Resolution No. 2022-021R, Senniger Irrigation CUP

Resolution No. 2022-021R, Senninger Irrigation CUP

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A BUILDING OVER 100,000 SQUARE FEET IN THE M-1 INDUSTRIAL ZONING DISTRICT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

City Manager Bulthuis informed the Council this is a request to table the item to October 25, 2022.

Council Member Bates moved to table Resolution No. 2022-021R to October 25, 2022; Seconded by Council Member Pines. Passed unanimously 5-0 with all members present voicing aye.

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Item No. 12 – Ordinance No. 2022-033, Clonts Property Rezoning

Ordinance No. 2022-033, Clonts Property Rezoning

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

City Manager Bulthuis informed the Council this is a request to table to November 8, 2022.

Council Member Bates moved to table Ordinance No. 2022-033 to November 8, 2022; Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

Item 14 – Ordinance No. 2022-038, Evaluation & Appraisal Report

City Manager Bulthuis informed the Council that this item has been withdrawn.

PUBLIC COMMENTS

There were no comments.

REPORTS

CITY MANAGER REPORT

City Manager Bulthuis –

- Spoke about the professionalism of Police, Fire and Public Services during and after Hurricane Ian.
- October 18, 2022 City Council workshop is canceled.
- This weekend is the Pig on the Pond event at Waterfront Park.
- The Great Floridian triathlon is October 22, 2022.
- The CDP Wine Stroll is October 22, 2022.
- City website update

Deputy City Manager Davidoff provided an update on the new website and the need to update from our current website.

Chuck Stinson stated that the IT department has been working on the new website since March. Mr. Stinson reviewed the upgrades the new website will provide and that each department will have an employee to handle that departments page on the website. The goal is to launch the new website on November 1, 2022.

CITY ATTORNEY REPORT

City Attorney Mantzaris – No report.

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CITY COUNCIL REPORT

Council Member Bates – thanked staff during the storm.

Council Member Purvis –

- Showed gratitude to Police, Fire and Public Works. Thanked all for helping.
- Attended quarterly TDC meeting. The meeting was very productive.
- K9 Officer Pike passed away. Condolences to the handler.

Council Member Entsuah –

- Attended National Night Out on October 4, 2022.
- Thanked staff for all the work that was done during the hurricane.

Council Member Pines –

- Thanked staff for working during the hurricane.
- Addressed comments regarding her being a realtor and voting on certain items.

Mayor Murry –

- Thanked city staff for the work that was done during the hurricane. Great seeing the city staff working diligently filling sand bags. Final sand bag count was 28,000.
- Received comments on staff cleaning the city after the hurricane.
- Attended National Night Out and thanked Chief Broadway.
- Attended a benefit game for Fallen Officers at Minneola softball complex.

Council Member Purvis asked City Manager Bulthuis to provide an update on the clean-up in gated communities. Mr. Bulthuis stated that Council had to approve a resolution before the hurricane due to FEMA's change of rules regarding reimbursement to clean up after a hurricane in private gated neighborhoods. The city obtained signed agreements with the homeowner associations and was able to clean up in the gated neighborhoods.

CONSENT AGENDA

Mayor Murry advised the next item on the Agenda for consideration was the Consent Agenda and requested anyone wishing to have any item pulled for discussion to please come forward at this time.

Item No. 1 – Meeting Minutes

Consider approval of the September 20, 2022 Final Budget Hearing minutes.

Item No. 2 – Piggyback City of Orlando

Consider the City of Orlando piggyback contract with Advanced Plumbing Technology to provide sewer lining and manhole rehabilitation.

Item No. 3 – Police Dispatch Services Agreement

Consider renewal of Lake County Sheriff's Office Dispatch Services Agreement October 1, 2022 to September 30, 2023 with no change in cost from the previous year in the budgeted amount of \$484,200.

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Item No. 4 – Professional Consulting Services Agreement

Consider extending the Levey Consulting Agreement in the budgeted amount of \$65,000 in Fiscal Year 2023.

Item No. 5 – Resolution No. 2022-036R

Consider approval of Fiscal Year 2022 Budget Amendment to Impact Fee Funds and General Fund.

Council Member Bates moved to approve the Consent Agenda as presented for October 11, 2022; Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 6 – *This item was addressed earlier in the meeting and tabled to the October 25, 2022 meeting.*

Item No. 7 – Variance Request, Mirror Lake Subdivision

Development Services Director Henschel presented the variance request for Mirror Lake subdivision. This agenda item was tabled at the August 23 City Council meeting to allow the applicant to look at options to revise the plan. The staff has been in discussion with the applicant's engineer regarding some of the possible changes. However, no additional material has been submitted as of this date. The applicant is requesting six (6) variances to the Land Development Code to allow for construction of a 21 lot single-family subdivision. The vacant parcel is located on the south side of Old Highway 50, just west of the Greater Hills Subdivision. The zoning is R-1 Single Family Medium Density Residential with a Low Density Residential Land Use. The applicant is requesting the following variances:

- 1) To allow for a private gated street, rather than public.
- 2) To construct only one cul-de-sac at the end of the street with no intermediate cul-de-sac.
- 3) To reduce the landscape buffer along the east property line to 5 feet instead of the 10 feet.
- 4) To reduce the road right-of-way width to 50 feet, rather than 60 feet.
- 5) To construct a sidewalk on only one side of the street where homes will be located, rather than both sides of the street.
- 6) To reduce the front yard building setback to 20 feet, rather than 25 feet for lots 5-9.

The proposed 21-lot subdivision as designed would provide one access point off Old Highway 50. The applicant has indicated that because of existing topography changes and construction constraints, the six (6) variances are required to allow for development. The Council previously approved variances in 2000, 2007 and 2008, and 2020 to allow for this single-family development that was never constructed. City Code Section 86-171 indicates a variance to the Land Development Code may be granted as a hardship relief when strict compliance with the code would render a parcel incapable of reasonable use and development. Staff finds the subject parcel is vacant. Therefore, it may be designed with a less intense development which may not require variances to the land development codes.

Section 86-174 of the Land Development Code requires a positive finding on the Review Criteria and Findings in order to grant a variance.

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Staff has reviewed the application as submitted and finds the application does not meet a positive finding. Therefore, staff recommends denial of the variance requests to the Land Development Code.

Brent Spain was present on behalf of the applicant. Reviewed the history of the project and the variances that prior City Councils have approved. He reviewed the variances approved in 2020 and requesting reapproved. The improvements requested are dependent on this subdivision being able to move forward.

Mayor Murry opened the public hearing. There were no comments. Mayor Murry closed the public hearing.

Discussion ensued regarding staffs feedback on the project, improvements on Hwy. 50 and the lot sizes. Council asked of the changes since the applicant came before Council in August. Mr. Spain explained that staff's presentation in August was lacking history on the project and data on the lot sizes.

Council provided feedback on the garage setbacks needing to be 25 feet on lots 5-9, landscape buffer, turn radius of the cul-de-sac and where the gate will be placed to come into the subdivision.

City Attorney Mantzaris explained the Council can approve all variances together or separately.

Council Member Bates moved to approve the variances requested as submitted during the presentation; Seconded by Council Member Entsuah. The motion passed 3-2 with Council Member Purvis and Mayor Murry opposing.

Items No. 8, 9, 10 and 11 were heard concurrently and voted on separately. City Clerk Howe read the following three ordinances aloud by title only.

Item No. 8 – Chicone Utility Agreement

Item No. 9 – Ordinance No. 2022-009, Chicone Annexation

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND IN ACCORDANCE WITH THE INTERLOCAL SERVICE BOUNDARY AGREEMENT DATED DECEMBER 2, 2014; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

Item No. 10 – Ordinance No. 2022-010, Chicone Large-Scale CPA

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE LARGE-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 LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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Item No. 11 – Ordinance No. 2022-011, Chicone Property Rezoning

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

Development Services Planner Kruse presented the items to Council. The applicant, Pulte Home Company, has applied for these applications to be considered by the City of Clermont. The property, 304+/- acres, is located 3 miles east of Schofield Road and US Hwy 27 intersection, adjacent to the Orange County Line and McKinney Road. The subject property is located within the Wellness Way Area Plan and lies within the Interlocal Service Boundary Agreement (ISBA) between the City of Clermont and Lake County. The City of Clermont is the designated utility provider.

The applicant is proposing 952 single-family residential units along with 198,634 square feet of commercial use. The applicant will be responsible for constructing and extending the lines and equipment to serve the development. The applicant shall be responsible for all costs including design, permitting, material and construction of the water and sewer systems. The agreement is for 315,395 gallons per day for potable water and 183,980 gallons per day for sewer based on an annual average. The City has the capacity to serve the development. Staff recommends approval of the utility agreement.

The Interlocal Service Boundary Agreement (ISBA) between the City of Clermont and Lake County allows for the annexation of non-contiguous properties into the City under certain conditions. The property meets the requirements of the ISBA for annexation and will be annexed through the approved utility agreement. The developer will be required to provide utilities to the site along with transportation improvements to the site. Again, these utilities shall be installed at the developer's expense. Staff is able to support the request and recommends approval.

The applicant requested the City to designate the property with a future land use category of Master Planned Development upon annexation. The process of the Comprehensive Plan Amendment started before the adoption of the City's Future Land Use (FLU) portion of Wellness Way. The City adopted the Wellness Way Goal, Objectives and Policies on March 22, 2022. Since this proposed amendment will conclude after the adoption of the new Wellness Way FLU categories, staff is recommending the future land use be designated as Neighborhood FLU under the City's Future Land Use. The Neighborhood FLU is the current designation in unincorporated Lake County. The proposed change would be a like for like change.

Since this was a large scale amendment, a transmittal was done to state agencies for review. The City received four responses from the reviewing agencies. Two of the responses had "no comment" and the other two provided comments:

1. The Lake County School Board expressed concern over student capacity and available school sites in the South Lake County Area. The response also indicated that the project may need to participate in proportionate share mitigation prior to moving forward.
2. The Florida Department of Transportation (FDOT) indicated Wellness Way Boulevard will need to be constructed prior to developing the subject property.

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These comments have been addressed through conditions in the proposed PUD ordinance, particularly the transportation impact fee credit agreement for the roadway network and requirement of school concurrency prior to final plat approval.

The property is within the Wellness Way Area Plan and has been identified to be developed with a mix of residential and non-residential programming, which the Neighborhood FLUC permits. Staff supports the request for a change to Wellness Way Neighborhood FLCU and recommends adoption of the comprehensive plan amendment.

City Manager Bulthuis explained the road systems within Wellness Way and that the roads will be built as these projects move forward.

Mr. Kruse reviewed the applicants request for a rezoning to a Planned Unit Development for up to 952 dwelling units and 198,634 square feet of non-residential use. The property is within the Wellness Way Area Plan.

The project was originally allocated 711 dwelling units under the existing Wellness Way Area Plan in Lake County. The applicant will be donating 49.8 acres towards the right-of-way for the Wellness Way Road Network at no cost to Lake County. The applicant will receive 2 dwelling units per acre for the donation of right-of-way under Policy 2.9.1. This results in an increase of 99 dwelling units. The developer will be responsible for all costs and extensions of utilities to the project as well. The applicant will also be required to construct Wellness Way Boulevard from the Wellness Ridge Development (Lennar) to the Orange County line. This connection will offer an east-west connection into Orange County and this roadway will offer an alternative to Hartwood Marsh Road.

In addition, the applicant will be entering into a community benefit agreement for offsite improvements. Under Policy 2.3.2, the applicant can receive up to a 20% increase in density over the original Wellness Way Area Plan designation. The applicant has agreed to contribute \$15,000 per dwelling unit at 142 additional units for a total of \$2.13 million to be used for offsite improvements designated by the City of Clermont. The community benefit agreement will memorialize the terms and conditions of the contribution. With the addition of the right-of-way increase of 99 units and 142 units under the community benefit agreement, the total dwelling unit count will be capped at 952 dwelling units. As part of the PUD approval, it also includes the approval of the community benefit agreement.

City Manager Bulthuis stated that the \$2.1 million is on top of impact fees. The builder will still pay impact fees on all 900 homes. The \$2.1 million goes to offsite improvements which staff will recommend for construction of fire/police station.

The PUD site plan was also reviewed under the recently adopted Wellness Way Guidelines and Standards. The property has a designation of Wellness Way Neighborhood District. Under this designation, the property will be required to have a minimum of 5% of the net useable land for Center uses, 65% for Residential uses, and 30% for Open Space. In addition, part of the review was to verify if the project had Close-to-Home park amenities. Close-to-Home parks are intended to serve day-to-day park needs, provide for the spatial organization of the community, and link homes, offices, and workplaces with outdoor spaces. These parks are owned and maintained by an HOA or other non-City entity.

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The Conceptual Lotting Plan shows the general layout of the project. Under 2.1.1 (c) Neighborhood District Development Standards, indicates the minimum standards for Single-family Detached and Single-family Attached product types. The proposed lot configuration meets the Development standards required for the Neighborhood District.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project is in conformance with the Neighborhood Future Land Use in the City's Comprehensive Plan. The project meets the requirements of the Wellness Way Guidelines and Standards in the City's Land Development Code. The project has the necessary percentages of Center, Residential, and Open Space incorporated into the project. The property, with the developer's construction of Wellness Way Boulevard, will have access to a major road network. The City's water and sewer service will be required in order to develop the property and capacity is available to serve the project. These utilities shall be installed at the developer's expense. School concurrency shall be met as a requirement prior to site plan approval.

The developer is offering a community benefit agreement for offsite improvements that will be used by the City for public facilities within the Wellness Way area. Approval of the PUD rezoning also includes approval of the Community Benefit Agreement. The project will have the mix of uses and residential types that are envisioned in the Wellness Way Area and is in conformance with the code. Staff is able to support the request and recommends approval.

John Prowell, VHB Land Development and Aaron Struckmeyer, Pulte gave an overview of the project. They reviewed the green space and multi-modal transportation system. Reviewed the developer funded infrastructure and high quality built environment. They reviewed the roads and trails and provided examples of floor plans of townhomes.

Mayor Murry opened the public hearing.

Ronaldo Camargo, 1212 S. Grand Hwy. – expressed concern over the name of the project.

Mayor Murry closed the public hearing.

Discussion ensued regarding the roadways and the parts that are in Lake and Orange County. They discussed the land within Orange County and their plans for the land.

Mr. Carr, Land Owner, stated that Orange County is almost complete with processing their part of the roadways to approve for the road to be built.

Council spoke about school concurrency. Mr. Carr explained that South Lake Crossings is in active negotiations with the Lake County School Board for a high school site. They are also looking at another parcel for a 15 acre elementary site. Lake County schools cannot pre-build schools. They have the funding to purchase the school, but not to build an elementary and high school. Also, there is a charter school looking for a site for K – 8.

The Council discussed the number of lanes for the roadways. If there is a need for four lanes, that will require County approval as they will be county roads. All of the right of ways will be acquired on day one.

Mr. Struckmeyer stated that they will most likely return to request a Community Development District on this development.

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Council Member Bates motioned to approve the Utility Agreement; Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

Council Member Bates moved to approve Ordinance No. 2022-009; Seconded by Council Member Pines. The motion passed by roll call vote 5-0.

Council Member Bates moved to approve Ordinance No. 2022-010; Seconded by Council Member Pines. The motion passed by roll call vote 5-0.

Council Member Bates moved to approve Ordinance No. 2022-011; Seconded by Council Member Purvis. The motion passed by roll call vote 5-0.

Item No. 12 -*This item was addressed earlier in the meeting and tabled to the November 8, 2022 meeting.*

NEW BUSINESS

Item No. 13 – Lien Reduction

Development Services Director Henschel presented the lien reduction request. This is a request for a lien reduction on a residential zoned (R-2) vacant lot at 775 E. Juniata Street. On February 26, 2015, Code Enforcement received a complaint about overgrowth at this property and for approximately 7 years, the property was in and out of compliance. Five cases in total were initiated with several being a Repeat Violation under Chapter 14-9, which is weeds and property maintenance.

The notices sent to the owner who lived out of state, in Georgia, were returned unclaimed. Many attempts through the years to contact the owner were made but all were unsuccessful. All 5 cases appeared in front of the Code Enforcement Board and Special Magistrate with fines assessed. On February 16, 2016, a motion for an order imposing a fine and creating a lien was declared for 4 cases and on January 21, 2020, a second lien was created for the fifth case. All 4 cases accrued a total amount owed of \$19,450.00. On the fifth case the accrual amounted to \$250,750.00. The total amount in all 5 cases equals \$270,200.00 after the property came into compliance, it is in compliance today.

City Attorney Mantzaris explained that the current owner of the property acquired the property through a tax certificate acquisition, which is subject to the existing lien. The owners approached the City with a request for the Council to consider a reduction of the \$270,200.00 lien to \$1,000.00. Staff has looked over the request and communicated back to their lawyer that staff could support a reduction to \$25,000.00. It is up to City Council and is their decision on how to handle the request. The property is ready to be foreclosed on if the Council decides to go in that direction. If Council goes in that direction then would not have funds to pay off the lien and would incur attorney's fees to do so. Staff believes that \$25,000.00 is a reasonable amount to get from the respondent. If Council approves a reduction, staff suggests to set a timeframe for payment, if payment is not made within that time then it would revert back to the full amount and that the city would be authorized to foreclose on the lien.

City Manager Bulthuis stated that the lien of \$270,000.00 is on a lot that is worth around \$50,000.00. Mr. Bulthuis explained that the fines were accrued over time and gave an explanation of how staff came to the reduction amount of \$25,000.00.

Council discussed the negotiations regarding the reduction along with a reasonable timeframe for payment.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 11, 2022

Mayor Murry opened the public hearing. There were no comments. Mayor Murry closed the public hearing.

Council gave their thoughts on the amount to reduce the lien to and timeframe to make payment.

Mr. Mantzaris cautioned Council about giving them an opportunity to return; select a date now in which the money owed is due.

Council Member Bates motioned to reduce the lien to \$25,000.00 to be paid by November 14, 2022, if at that point they have not paid it then the City will move forward to foreclose on the property;

Council Member Entsuah asked for clarification on what happens if they asked for an extension. City Attorney Mantzaris stated that they would have to come back to Council.

Seconded by Council Member Entsuah .

City Attorney Mantzaris clarified that if the \$25,000.00 is not paid by November 14, 2022 then the city will move forward with foreclosure on the full amount of the lien.

Passed unanimously 5-0 with all members present voicing aye.

Item No. 14 – Ordinance No. 2022-038, Evaluation & Appraisal Report

This item has been withdrawn.

Item No. 15 – Ordinance No. 2022-043, Clermont Health Park ASC Rezoning (Advent) Introduction

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND EFFECTIVE DATE.

City Clerk Howe read the title aloud.

Council Member Bates moved to introduce Ordinance No. 2022-043; Seconded by Council Member Pines. The motion passed 4-1 with Council Member Purvis opposing.

Item No. 16 – Ordinance No. 2022-044, U-Haul Storage Introduction

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR CONFLICT, SEVERABILITY,

City of Clermont
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October 11, 2022

ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING,
PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

Council Member Bates moved to introduce Ordinance No. 2022-044; Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

Item No. 17 - Ordinance No. 2022-045, U-Haul Storage

AN ORDINANCE 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 FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

City Clerk Howe read the title aloud.

Council Member Bates moved to introduce Ordinance No. 2022-045; Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

Item No. 18 – Ordinance No. 2022-046, U-Haul Storage Introduction

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND EFFECTIVE DATE.

City Clerk Howe read the title aloud.

Council Member Bates moved to introduce Ordinance No. 2022-046; Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

Item No. 19 – Ordinance No. 2022-048 Introduction

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTED PURSUANT TO SECTION 125.01 (1) (q), FLORIDA STATUTES CONSENTING TO THE INCLUSION OF THE CITY OF CLERMONT, FLORIDA, WITHIN THE WELLNESS WAY MUNICIPAL SERVICE TAXING UNIT

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 11, 2022

FOR THE CONSTRUCTION AND MAINTENANCE OF ARTERIAL OR COLLECTOR ROADS WITHIN THE WELLNESS WAY AREA PLAN AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID M.S.T.U. FOR A SPECIFIC TERM OF ONE YEAR WITH AUTOMATIC RENEWALS; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud

Council Member Bates moved to introduce Ordinance No. 2022-048; Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

City Manager Bulthuis clarified the City Council meeting dates for the remainder of the year. There will be a regular meeting on October 25; no workshop in October. Regular meeting on November 8 and then the November 22 is rescheduled to November 29 which will be to certify election results and swearing in of Council Members for Seats 1, 3 and 5. There will be one meeting in December which will be on December 13, 2022.

ADJOURN: With no further comments, this meeting adjourned at 9:01pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 8, 2022		
Agenda Item Name		
Plat Approval		
Requested Action		
Recommend approval of the final plat		
Staff Report		
The Townhomes at Clermont Heights plat consists of 5 residential subdivided lots located on the southeast corner of Disston Avenue and Almond Street. The lots will access from existing public streets and no internal infrastructure will be installed. The lots will be developed according to the City's Land Development Code. The plat has been reviewed and approved by the City's contracted Surveyor and Engineer.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Townhomes at Clermont Heights Plat	Townhomes at Clermont Heights Plat.pdf	

TOWNHOMES AT CLERMONT HEIGHTS

SHEET 1 OF 2

A REPLAT OF LOTS 127 AND 128, "CLERMONT HEIGHTS" AS RECORDED IN PLAT BOOK 4, PAGES 1 AND 2, AND LOTS 11 AND 12 AND THE WEST 1/2 OF LOT 10, "FAIRVIEW PLACE" AS RECORDED IN PLAT BOOK 9, PAGE 6, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LOCATED IN SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST CITY OF CLERMONT, LAKE COUNTY, FLORIDA

LEGAL DESCRIPTION:

A REPLAT OF LOTS 127 AND 128, "CLERMONT HEIGHTS" AS RECORDED IN PLAT BOOK 4, PAGES 1 AND 2, AND LOTS 11 AND 12 AND THE WEST 1/2 OF LOT 10, "FAIRVIEW PLACE" AS RECORDED IN PLAT BOOK 9, PAGE 6, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 127, CLERMONT HEIGHTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGES 1 AND 2, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE RUN S 88°50'55" E ALONG THE SOUTH RIGHT OF WAY OF ALMOND STREET FOR A DISTANCE OF 212.00 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE RUN S 00°43'48" W ALONG THE EAST LINE OF LOT 128, SAID PLAT OF CLERMONT HEIGHTS FOR A DISTANCE OF 193.83 FEET TO THE SOUTHEAST CORNER OF SAID LOT 128; THENCE RUN N 88°55'11" W ALONG THE SOUTH LINE OF SAID LOT 128 FOR A DISTANCE OF 80.71 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF LOT 10, FAIRVIEW PLACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 6, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN S 00°46'38" W ALONG THE EAST LINE OF SAID WEST 1/2 OF LOT 10 FAIRVIEW PLACE FOR A DISTANCE OF 148.85 FEET TO THE SOUTHEAST CORNER OF SAID WEST 1/2 OF LOT 10 FAIRVIEW PLACE; THENCE RUN N 89°08'11" W ALONG THE SOUTH LINE OF SAID WEST 1/2 OF LOT 10 AND LOTS 11 AND 12, SAID PLAT OF FAIRVIEW PLACE FOR A DISTANCE OF 131.16 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12 FAIRVIEW PLACE, SAID SOUTHWEST CORNER BEING ON THE EAST RIGHT OF WAY LINE OF DISSTON AVENUE; THENCE RUN N 00°43'48" E ALONG SAID EAST RIGHT OF WAY OF DISSTON AVENUE FOR A DISTANCE OF 343.44 FEET TO THE POINT OF BEGINNING.

CONTAINING 60,683 SQUARE FEET OR 1.393 ACRES, MORE OR LESS.

NOTES:

1. BEARINGS BASED ON THE EAST R/W LINE OF DISSTON AVENUE AS BEING N 00°43'48" E, FLORIDA STATE PLANE EAST DATUM.
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. ALL PLATTED UTILITY EASEMENTS ARE HEREBY PROVIDED 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 AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY OR THE IMPROVEMENTS 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. FLORIDA STATUTES 177.091(28).
4. LOT LINES ARE NON-RADIAL UNLESS NOTED AS (R)-DENOTING RADIAL LOT LINE.
5. ALL LOTS ARE SUBJECT TO A 10.00' UTILITY EASEMENT ALONG THE FRONT LOT LINES AND A 7.50' UTILITY EASEMENT ON SIDE LOT LINES.
6. LOT CORNERS WILL BE SET IN ACCORDANCE WITH CHAPTER 177.091 (9) FLORIDA STATUTES.
7. ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP OF THE CITY OF CLERMONT, FLORIDA, COMMUNITY MAP/PANEL NO. 12069C 0590 E, DATED 12/18/2012, THE SUBJECT SITE LIES IN ZONE "X".
8. DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
9. COORDINATES SHOWN ARE ON FLORIDA STATE PLANE EAST COORDINATE SYSTEM, HORIZONTAL DATUM: NORTH AMERICAN DATUM OF 1983, AS READJUSTED IN 1990.

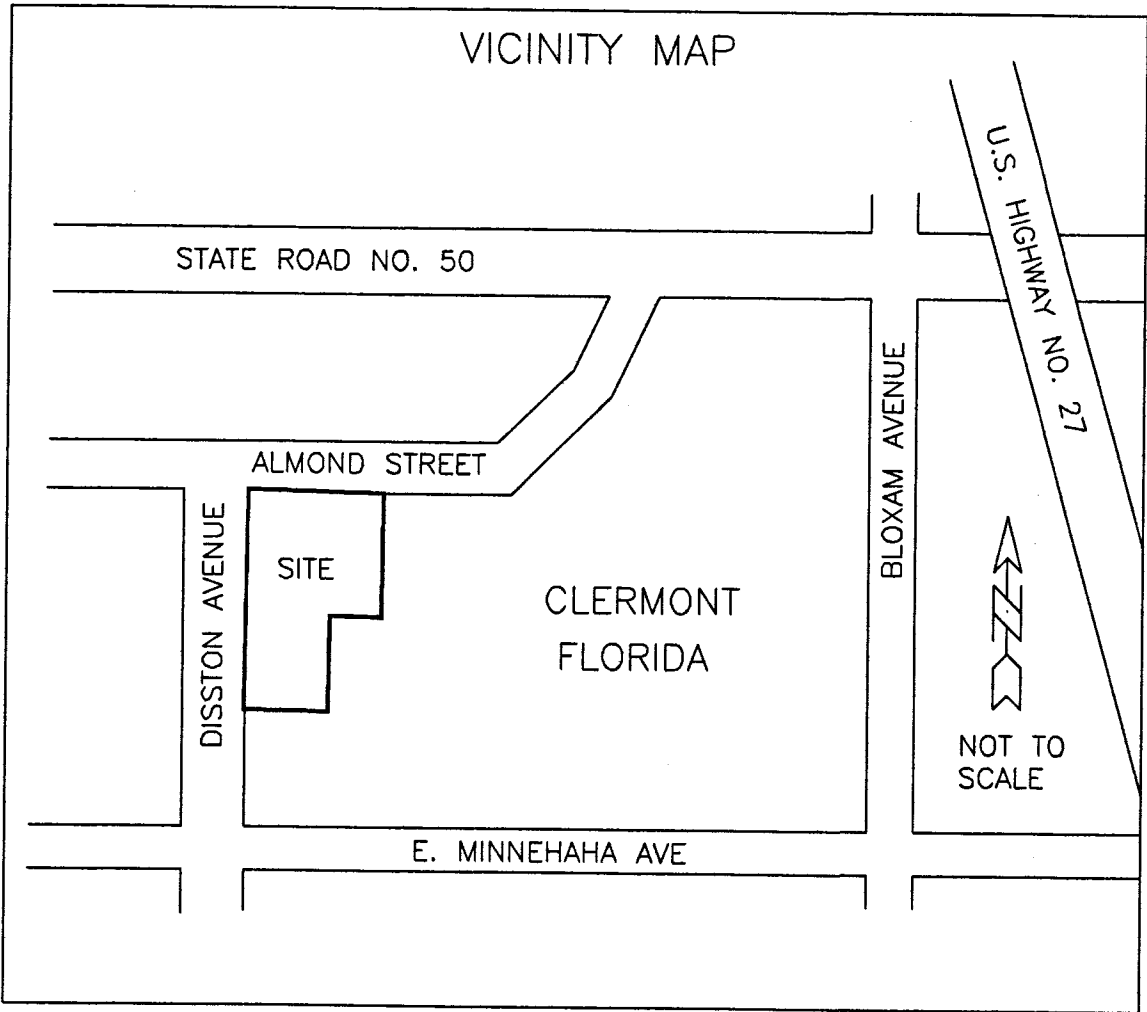
MATTERS AFFECTING SUBJECT PROPERTY FROM THE TITLE OPINION:

5. ALL MATTERS CONTAINED ON THE PLAT OF CLERMONT HEIGHTS, AS RECORDED IN PLAT BOOK 4, PAGE 1, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
6. ALL MATTERS ON THE PLAT OF OFFICIAL MAP OF THE CITY OF CLERMONT, AS RECORDED IN PLAT BOOK 8, PAGE 17, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
7. ALL MATTERS CONTAINED ON THE PLAT OF FAIRVIEW PLACE, AS RECORDED IN PLAT BOOK 9, PAGE 6, AND AS AFFECTED BY ORDINANCE RECORDED IN O.R. BOOK 605, PAGE 1124, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
8. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED IN DEED BOOK 191, PAGE 167, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
9. ASSIGNMENT OF RENTS RECORDED FEBRUARY 4, 2021, IN O.R. BOOK 5636, PAGE 1963, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
10. CITY OF CLERMONT ORDINANCE NO. 2021-023 RECORDED OCTOBER 8, 2021, IN DOCUMENT NUMBER 2021140167, OFFICIAL RECORDS BOOK 5812, PAGE 1153, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
11. JOINDER/CONSENT WILL BE RECORDED BY SEPARATE INSTRUMENT.

PREPARED BY:
RHODEN LAND SURVEYING, INC. LB #6980
420 EAST MINNEHAHA AVENUE
CLERMONT, FLORIDA 34711

-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. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



CERTIFICATE OF APPROVAL OF 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 FOR RECORD ON THE ____ DAY OF _____, 2022, PROVIDED THAT THIS PLAT IS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF LAKE COUNTY, FLORIDA WITHIN 365 DAYS FROM THE DATE OF APPROVAL BY SAID CITY OF CLERMONT, FLORIDA.

ATTEST: CITY OF CLERMONT

CITY CLERK MAYOR

PRINT NAME PRINT NAME

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 THIS PLAT WAS PREPARED UNDER HIS DIRECTION AND SUPERVISION AND THAT THIS PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, PART I, PLATTING, FLORIDA STATUTES.

JEFFREY P. RHODEN, REGISTRATION # 5322
RHODEN LAND SURVEYING, INC. LB #6980
420 EAST MINNEHAHA AVENUE
CLERMONT, FLORIDA 34711

PLAT BOOK:

PAGE:

TOWNHOMES AT CLERMONT HEIGHTS
DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED OWNER BEING LAKE ACQUISITIONS, INC., A FLORIDA CORPORATION ("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 PLAT FOR THE USES AND PURPOSES HEREIN EXPRESSED, SUBJECT TO THE GENERAL NOTES CONTAINED HEREIN.

1. TO THE CITY OF CLERMONT: A UTILITY EASEMENT IS HEREBY GRANTED OVER, ACROSS AND UPON THOSE AREAS DESIGNATED AS A UTILITY EASEMENT SHOWN HEREON.
2. TO PROVIDERS OF ELECTRIC, TELEPHONE, CABLE TELEVISION SERVICES: A UTILITY EASEMENT IS HEREBY GRANTED OVER, ACROSS AND UPON THOSE AREAS DESIGNATED AS A UTILITY EASEMENT SHOWN HEREON.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS CAUSED THESE PRESENTS TO BE SIGNED AND ATTESTED BY THE OWNER NAMED

BELOW ON THE DAY OF 2022.

LAKE ACQUISITIONS, INC., A FLORIDA CORPORATION

STEVEN C. TROWBRIDGE BRANDI L. STEWART
PRESIDENT VICE PRESIDENT

SIGNED IN THE PRESENCE OF WITNESSES:

WITNESS #1 WITNESS #1

BY: BY:

PRINTED NAME PRINTED NAME

WITNESS #2 WITNESS #2

BY: BY:

PRINTED NAME PRINTED NAME

STATE OF FLORIDA COUNTY OF LAKE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF
☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS ____ OF
2022 BY STEVEN C. TROWBRIDGE, PRESIDENT, LAKE ACQUISITIONS, INC., A
FLORIDA CORPORATION, WHO IS ☐ PERSONALLY KNOWN TO ME OR
☐ WHO HAS PRODUCED A DRIVER'S LICENSE AS IDENTIFICATION.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

REVIEWER STATEMENT

PURSUANT TO SECTION 177.081, F.S., I HAVE REVIEWED THIS PLAT FOR CONFORMITY TO CHAPTER 177, PART 1, PLATTING, FLORIDA STATUTES, AND FIND 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
JENNINGS E. GRIFFIN
PROFESSIONAL LAND SURVEYOR NO. 4486
HALFF, INC., 902 N. SINCLAIR AVENUE,
TAVARES, FL 32778 LB#8348

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. ____

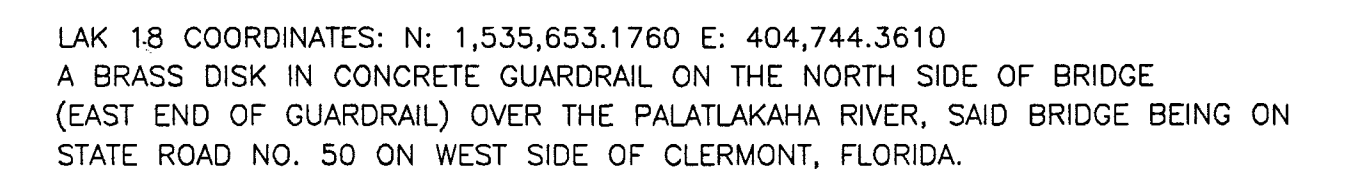
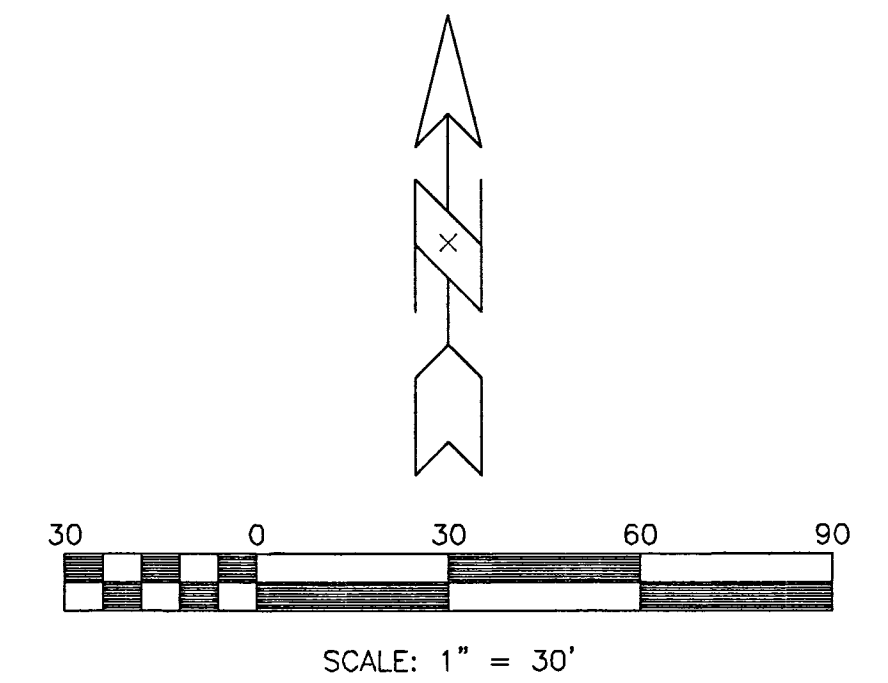
CLERK OF THE CIRCUIT COURT
IN AND FOR LAKE COUNTY, FLORIDA

NOT REQUIRED

SHEET 2 OF 2

PLAT BOOK:

PAGE:



F55 RESET 1959 COORDINATES: N: 1,536,854.43 E: 391,218.14
A BRASS DISK IN CONCRETE INSIDE A BLACK PLASTIC WATER METER BOX,
LOCATED IN THE NE CORNER OF THE INTERSECTION OF CR-565A AND HIDDEN
VIEW DRIVE, NORTH OF STATE ROAD NO. 50 GROVELAND, FLORIDA.

POINT "A" (POB) TO LAK 18 = N 76°46'52" W 10928.19'
POINT "A" (POB) TO F 55 RESET 1959 = N 81°17'39" W 24446.51'
POINT "B" TO LAK 18 = N 75°02'08" W 11007.572'
POINT "B" TO F 55 RESET 1959 = N 80°29'55" W 24496.53'

LEGEND:

- DENOTES 4"x4" CONCRETE MONUMENT & DISK MARKED "RPM LB 6980"
- DENOTES SET #5 REBAR & CAP MARKED "LB 6980"
- INC. DENOTES INCORPORATED
- LB DENOTES LICENSED BUSINESS
- ORB DENOTES OFFICIAL RECORDS BOOK
- POB DENOTES POINT OF BEGINNING
- PRM DENOTES PERMANENT REFERENCE MONUMENT
- R/W DENOTES RIGHT OF WAY
- UE DENOTES UTILITY EASEMENT

N: 1533154.192
E: 415382.994

N: DENOTES "NORTHING"
E: DENOTES "EASTING"
COORDINATES EXPRESSED
IN FEET AND DECIMAL THEREOF.

BUILDING SETBACKS

FRONT: 25.00'
REAR: 25.00'
SIDE: 7.50'
SIDE SETBACK LOT 1 ON SOUTH LINE: 25.00'

PREPARED BY:
RHODEN LAND SURVEYING, INC. LB #6980
420 EAST MINNEHAHA AVENUE
CLERMONT, FLORIDA 34711



AGENDA ITEM

Meeting Date		
Tuesday, November 8, 2022		
Agenda Item Name		
Legislative Priorities		
Requested Action		
Staff recommends approval of this list of Legislative Priorities		
Staff Report		
The City of Clermont has recently updated its list of Legislative Priorities to include infrastructure, public safety and other overall priorities. <u>Legislative Priorities</u> Lower Floridan wells and waste water plant expansion - Sunburst Lane water treatment plant Funding Fire Station 2 rebuild Funding for generator replacement for Station 1 and administrative building Funding for generator and enclosure for Station 3 Collapse technician training Funding for Meet Us In The Middle Plaza & 8th Street Docks Legal notices		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 8, 2022		
Agenda Item Name		
Application for Community Forestry Grant and Budget Amendment		
Requested Action		
Request approval to apply for grant to inventory and evaluate the trees in the City-owned right-of-way and parks with a 50% required match of \$25,000 from a General Fund budget amendment.		
Staff Report		
Staff requests approval to apply for a Community Forestry Grant sponsored by the US Forest Service. The purpose of the grant is to inventory and evaluate the trees in the City-owned right-of-way and parks. The Public Services Department conducted a windshield survey of trees in the rights-of-way and counted 1,125 trees that are planted along City streets. During Hurricane Ian, a number of trees fell, blocking roads and were tangled in wires. Most of the trees that fell showed signs of deterioration that an inventory and condition analysis will identify, giving Public Services the opportunity to proactively mitigate the hazards. The grant will also provide an Urban Forestry Management plan. This plan will provide guidance as to how to care for the trees that we have in both our parks and along city streets. The maximum award for the grant is \$50,000 of which a 50% match is required. Proposals staff have received reflect the total cost for the inventory and management plan at \$49,200.		
Additional Analysis		
Fiscal Impact Summary		
The maximum grant award is \$50,000 with a 50% match. City's contribution would be approximately \$25,000 which will require a Budget Amendment from General Fund Reserves.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Urban and Community Forestry Grant Program	Urban and Community Forestry Grant Program.pdf	
2. Proposal from DWC Outdoors	Proposal from DWC Outdoors.pdf	



Public Funding • Governmental Advocacy • Economic Development

Funding Opportunity

2022 Urban and Community Forestry Grant Program

The purpose of Florida's UCF Grant Program is to provide financial assistance to local governments, Native American tribal governments, volunteer groups, nonprofit organizations, and educational institutions to initiate or enhance local urban and community forestry programs and improve the urban environment within the state of Florida.

Application Deadline: November 14, 2022

Grant Maximum: \$50,000

Matching Funding: 1 to 1

Award Categories:

1. Public Tree Canopy Improvement (Tree Planting)
2. Public Tree Inventory or Urban Tree Canopy Assessment
3. Urban Forest Management Planning
4. Urban Forestry Information and Education

Grant Funding will be provided for:

- Plant trees in areas where they would provide tangible benefits to Floridians through energy reduction, water or air quality improvement, storm water runoff avoidance, or increased greenspace accessibility.
- Conduct a tree inventory of public areas and assess the condition of individual trees.
- Conduct an urban tree canopy assessment to gather information about how much tree canopy is in the area and how it is distributed across the landscape.
- Develop an urban forest management plan.
- Implement informational and educational programs to improve the understanding of residents and local officials of the benefits of maintaining a healthy tree canopy.
- Develop a workforce development program to educate students and residents about career opportunities in the green industry and provide them with hands on experience to give them the necessary skills.



DWC Outdoors & Hauling LLC

1120 Hill Mount Drive
Minneola FL 34715

Proposal #1945

Created: 10/07/2022

Proposal For
City Of Clermont

Location
400 12th St
Clermont, FL 34711

Tree Inventory and Plan

Terms
Due on receipt

ITEM DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
1) Tree Inventory Site Visits to produce an inventory, including gps coordinates, metal number tags, general overview of the tree health and species, recommendation for long-term tree care and palm health care. These recommendations will take into account location of the tree and species tolerance to pruning in the Urban Forest Management Plan.	1200	\$ 40.00	\$ 48,000.00
Initial fee includes 1 year of online access to inventory.			
2) Tree Inventory Additional annual online access \$1200	1	\$ 1,200.00	\$ 1,200.00
3) Tree Inventory Updates to existing trees \$20 per tree/New Trees \$35 (Minimum of \$350 per visit)	1	\$ 0.00	\$ 0.00
4) Tree Inventory Updates to the Urban Forest Management plan pricing to be discussed depending on the extent and the needs of the city.	1	\$ 0.00	\$ 0.00
Trees are dynamic, living organisms which change over time. The observations made herein will reflect the opinion of the Arborist(s) at the time of inspection and do not guarantee the condition of the trees anytime in the future. Trees or parts can fail at any time; these failures cannot always be predicted. Inspection of these trees are based at ground level visual observation only, We will not preform sound testing, advanced Arboricultural testing or gather any forensic samples for further examination. The assessment does not take into consideration any information unknown, not visible or detected at the time of inspection.			



DWC Outdoors & Hauling LLC

1120 Hill Mount Drive

Minneola FL 34715

Proposal #1945

Created: 10/07/2022

All work will be completed in accordance with these plans unless subsequent changes are agreed upon in writing. Balances not paid by the due date are subject to late fees.

Signature

x

Date:

Please sign here to accept the terms and conditions

SUBTOTAL	\$ 49,200.00
SALES TAX	\$ 0.00
TOTAL	\$ 49,200.00



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 8, 2022		
Agenda Item Name		
Proposal Award		
Requested Action		
Requesting approval of a term contract between the City of Clermont and Read's Uniforms, LLC. to provide uniform services for the Police Department.		
Staff Report		
The evaluation committee recommends approval of the above action. The Procurement Services Department issued a Request for Proposal (RFP) number 22-036 on July 14, 2022, to obtain the services of a qualified company to provide uniform services for the Police Department. The RFP was fully competed, advertised, and complied with the City of Clermont Procurement Services Policy. There were four (4) responses to the RFP. An evaluation committee composed of four (4) City staff members (three voting members and one non-voting member) reviewed, scored, and ranked the proposals. Read's Uniforms, LLC. was the top-ranked firm selected for its qualifications and experience in providing uniforms to public safety customers. The award recommendation is being made to the most qualified respondent, Read's Uniforms, LLC. The award includes an initial three (3) year term agreement with an additional three (3) one-year renewals at the option of the city.		
Additional Analysis		
Fiscal Impact Summary		
The estimated annual amount of this contract anticipated to be spent in FY 2023 is \$65,000, which is included in the current year's approved budget. Department Account Code: 10521-55203		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RFP 22-036 Response Tabulation	RFP 22-036 Response Tabulation.pdf	
2. RFP 22-036 Evaluation Summary	RFP 22-036 Evaluation Summary.pdf	
3. RFP 22-036 Award Recommendation	RFP 22-036 Award Recommendation.pdf	



RESPONSE TABULATION

RFP 22-036 POLICE DEPARTMENT UNIFORMS

DUE DATE/TIME: SEPTEMBER 1, 2022 AT 2:00 P.M. (EST)

COMPANY NAME
Municipal Emergency Services, Inc. – Sandy Hook, CT
Read's Uniforms, LLC. – Asheville, NC
Galls, LLC., Lexington, KY
Global Trading, Inc. – Miami, FL



EVALUATION SUMMARY

EVAL No. RFP 22-036

Police Department Uniforms

RESPONSE DEADLINE: September 1, 2022 at 3:02 pm

Report Generated: Wednesday, October 19, 2022

EVALUATORS

Name	Title
Debbie Arroyo	Quartermaster
Nicholas Bloom	Lieutenant
Marc Thompson	Sergeant

AGGREGATE SCORES SUMMARY

Vendor	Evaluator 1	Evaluator 2	Evaluator 3	Total Score (Max Score 100)
Read's Uniforms, LLC.	71.5	87	99	85.83
Galls, LLC.	62	83.5	94	79.83
Municipal Emergency Services, Inc.	35	42	56.5	44.5
Global Trading, Inc.	35.5	28.5	46.5	36.83

VENDOR SCORES BY EVALUATION CRITERIA

Vendor	TAB A - Introduction Letter 0-10 Points 10 Points (10%)	TAB B - License and Insurance 0-5 Points 5 Points (5%)	TAB C – Company Background and Length of Time in Business 0-10 Points 10 Points (10%)	TAB D - Company Experience 0-10 Points 15 Points (15%)	TAB E - Personnel Experience 0-10 Points 15 Points (15%)	TAB F - Online Ordering System 0-10 Points 15 Points (15%)	TAB G - Cost of Services 0-10 Points 15 Points (15%)	TAB H - Business Location 0-5 Points 5 Points (5%)	TAB I - Quality of Submittal 0-10 Points 10 Points (10%)	Total Score (Max Score 100)
Read's Uniforms, LLC.	8.7	5	8	8	8	8.7	9	5	8.7	85.83
Galls, LLC.	8.3	5	8	7	8	9.3	8	2.3	7.7	79.83
Global Trading, Inc.	4	5	5.7	3.7	3.7	2.3	1.3	2	3.7	36.83
Municipal Emergency Services, Inc.	5.3	5	2.7	3.7	3.7	3	6	2.3	4.7	44.5

MEETING SUMMARY

The Evaluation Committee met on October 19, 2022, at 9:00 am. to discuss the proposals. The scoring of the proposals was done individually by each evaluator, electronically through OpenGov. At the time of the meeting, the Procurement Services Director provided the score summary to the committee and proceeded to review the scores. The Evaluation Committee agreed on the score summary and opted to rank the proposals in the same order. The Evaluation Committee chose Read's Uniforms, LLC. to enter into a contract for police uniform services.



FREDDY L. SUAREZ
Procurement Services Director
352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
OCTOBER 19, 2022
RFP 22-036 – POLICE DEPARTMENT UNIFORMS

Based on the evaluation of the Request for Proposals submittals, the Evaluation Committee is recommending award to Read's Uniform, LLC.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 8, 2022		
Agenda Item Name		
Budget Amendment and RFP Award		
Requested Action		
Requesting approval of term contract between the City of Clermont and American Janitorial, Inc. to provide janitorial services at the Arts and Recreation Center with a corresponding budget amendment in the General Fund.		
Staff Report		
The evaluation committee recommends approval of the above action. The current contract for janitorial services at the Arts and Recreation Center (ARC) expires on November 30, 2022, and has an annual expense of \$114,256. This contract was awarded to American Janitorial, Inc. in October of 2016. The Procurement Services Department issued a Request for Proposal (RFP) number 22-034 on July 8, 2022, to obtain the services of a qualified company to provide janitorial services on a term contract basis to the ARC. The RFP was fully competed, advertised, and complied with the City of Clermont Purchasing Policy. There were eight (8) responses to the RFP. An evaluation committee composed of four City staff members (three voting members and one non-voting member) reviewed, scored and ranked the proposals. American Janitorial, Inc. was the top ranked company selected for their qualifications, knowledge and experience. The Procurement Services Director entered into negotiations with the top ranked company which resulted in a reduction in the annual price from \$144,048 to \$120,000, a reduction of \$24,048. The reduction in cost did not affect the level of service. The award includes an initial three (3) year agreement with additional three (3) one-year renewals at the option of the city. The award recommendation is being made to the most qualified respondent, American Janitorial, Inc.		
Additional Analysis		
Fiscal Impact Summary		
The fiscal impact of \$115,257 is included in the current year's approved budget, a budget amendment in the amount of \$4,743.00 will be required from General Fund Reserves. Department Account Code: 10575-53402		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RFP 22-034 Response Tabulation	RFP 22-034 Response Tabulation.pdf	
2. RFP 22-034 Evaluation Summary	RFP 22-034 Evaluation Summary.pdf	
3. RFP 22-034 Award Recommendation	RFP 22-034 Award Recommendation.pdf	



RESPONSE TABULATION

RFP 22-034 JANITORIAL SERVICES FOR RECREATIONAL FACILITY RESTROOMS
DUE DATE/TIME: AUGUST 11, 2022 AT 2:00 P.M. (EST)

COMPANY NAME
Adams Enterprise USA, Inc. – Miami, FL
SCSI Southern Cleaning Service, Inc. – Jacksonville, FL
Gemilang Solutions, LLC – Kissimmee, FL
Clean Space, Inc. – Coral Springs, FL
Padegenis Cleaning, Inc. – Titusville, FL
Florida Cleaning Systems, Inc. – Lake Mary, FL
American Janitorial, Inc. – Umatilla, FL
High Sources, Inc. – Riverview, FL



EVALUATION TABULATION

EVAL No. 22-034

Janitorial Services for the Clermont Arts and Recreation Center

RESPONSE DEADLINE: August 11, 2022 at 9:03 am

Report Generated: Friday, October 28, 2022

EVALUATORS

Name	Title
Brian Forman	Parks and Recreation Director
Suzanne OShea	Facility Manager
Justin Smith	Operations Chief
Freddy Suarez	Procurement Services Director (non-voting)

AGGREGATE SCORES SUMMARY

Vendor	Evaluator 1	Evaluator 2	Evaluator 3	Total Score (Max Score 100)
Gemilang Solutions, LLC.	91.5	62	81	78.17
American Janitorial, Inc.	85	70	77	77.33
High Sources, Inc.	86.5	57.5	67	70.33
Clean Space, Inc.	91.5	62.5	52.5	68.83
Padegenis Cleaning, Inc.	75.5	34	87	65.5
Florida Cleaning Systems, Inc. d/b/a FCS Facility Services	85.5	46.5	60	64
Southern Cleaning Service, Inc.	89	60	43	64

EVALUATION TABULATION

EVAL No. 22-034

Janitorial Services for the Clermont Arts and Recreation Center

Vendor	Evaluator 1	Evaluator 2	Evaluator 3	Total Score (Max Score 100)
Well Done Services, LLC.	33	31.5	62.5	42.33

VENDOR SCORES BY EVALUATION CRITERIA

Vendor	TAB A - Introduction Letter 0-10 Points 10 Points (10%)	TAB B - License and Insurance 0-5 Points 5 Points (5%)	TAB C - Company Background 0-10 Points 10 Points (10%)	TAB D - Company Project Experience 0-10 Points 15 Points (15%)	TAB E - Personnel Experience 0-10 Points 15 Points (15%)	TAB F - Methodology and Approach 0-10 Points 15 Points (15%)	TAB G - Cost of Services 0-10 Points 15 Points (15%)	TAB H - Business Location 0-5 Points 5 Points (5%)	TAB I - Quality of Submittal 0-10 Points 10 Points (10%)	Total Score (Max Score 100)
Gemilang Solutions, LLC.	9	5	8	8.3	7.3	8	7.3	2	7.7	78.17
American Janitorial, Inc.	9.3	5	9.3	9	8.3	6.3	3	5	8.7	77.33
High Sources, Inc.	7.7	5	7.7	7	6.3	6.3	8.3	2	6	70.33
Clean Space, Inc.	7.3	5	8	7.3	5.7	5.7	7.7	2	7	68.83
Padegenis Cleaning, Inc.	6.3	5	7.3	7.7	7	6	5	2	6.3	65.5
Florida Cleaning Systems, Inc. d/b/a FCS Facility Services	6	5	6.7	8.3	5	6.7	4	3	7.3	64
Southern Cleaning Service, Inc.	7	4.7	6.7	4.7	5	6	9	3	5.7	64
Well Done Services, LLC.	6.7	4	4.7	3.7	5.3	3	2	2	4	42.33

EVALUATION TABULATION

RFP 22-034 - Janitorial Services for the Clermont Arts and Recreation Center

Page 2

MEETING SUMMARY

The Evaluation Committee met on September 13, 2022, at 9:00 am. to discuss the proposals. The scoring of the proposals was done individually by each evaluator, electronically through OpenGov. At the time of the meeting, the Procurement Services Director provided the score summary to the committee and proceeded to review the scores. The Evaluation Committee decided to conduct informal presentations with the four highest scored companies, Gemilang Solutions, American Janitorial, High Sources, and Clean Space and create a ranking order after the presentations.



FREDDY L. SUAREZ
Procurement Services Director
352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
NOVEMBER 1, 2022
RFP 22-034 – JANITORIAL SERVICES FOR THE CLERMONT ARTS AND RECREATION
CENTER

Based on the evaluation of the Request for Proposals submittals, the Evaluation Committee is recommending award to American Janitorial, Inc.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 8, 2022		
Agenda Item Name		
Contract Amendment <i>Employee Healthcare Consultant</i>		
Requested Action		
Requesting approval of the first contract amendment between the City of Clermont and Hylant of Orlando, LLC. to extend the contract for one additional year.		
Staff Report		
The Procurement Services Department and the Human Resources Department recommend approval of the above action. The current contract expires on December 31, 2022, and there are no additional renewal options. Staff is seeking to approve a one-year extension to the contract ending December 31, 2023. This contract provides a broad range of employee healthcare and benefits consulting services in support of the City's employee benefits program. Having the consultant in place will facilitate the implementation of the 2023 plan year renewals. Additionally, Hylant will work closely with staff and the insurance team to evaluate alternative health plan options for implementation in 2024.		
Additional Analysis		
Fiscal Impact Summary		
The estimated amount of this contract anticipated to be spent in FY 2023 is \$55,000, which is included in the current year's approved budget. Department Account Code: 52519-53100		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 1st Amendment To Agreement	1st Amendment To Agreement.pdf	

FIRST AMENDMENT TO AGREEMENT
EMPLOYEE HEALTHCARE AND BENEFITS CONSULTING SERVICES

THIS AMENDMENT is entered into as of this 9th day of November 2022 and is to that certain Agreement dated January 1, 2017, number 2016-52 hereinafter “the Agreement”, by and between the CITY OF CLERMONT, FLORIDA, a municipal corporation under the laws of the State of Florida whose address is: 685 W. Montrose Street, Clermont, Florida, hereinafter referred to as “CITY” and HYLANT OF ORLANDO, LLC., whose address is 250 International Parkway, Suite 330., Lake Mary, FL 32746 hereinafter referred to as “CONSULTANT”. The parties, in exchange for the mutual covenants contained herein and in the Agreement, agree as follows:

1. This Amendment expressly modifies the Agreement and in the event of a conflict, the terms and conditions of this Amendment shall prevail.
2. The current contract ends on December 31, 2022, and there are no more renewals. This contract amendment extends the contract for one year ending December 31, 2023.
3. All other terms and conditions set forth in the Agreement shall remain in full force and effect and unchanged as agreed to by the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below.

City of Clermont

Attest:

Tim Murry, Mayor

Tracy Ackroyd, City Clerk

Date: _____

Hylant of Orlando, LLC.

By: _____
Andrea Herr, President



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 8, 2022		
Agenda Item Name		
Notification of Law Enforcement Support Office Property Items		
Requested Action		
Consent		
Staff Report		
Due to administrative changes in the LESO program and in order to be in compliance with the new Executive order regarding government controlled property. We are required to provide annual notice to our Civilian Governing Board of our intent to obtain or retain government controlled property. We are not looking to obtain any more property at this time, only to provide notice of our intent to retain the items we currently have custody of. There will be no financial obligation at this time for the Police Department or the City due to this administrative change.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Notification	Notification.pdf	
2. EO 14074	EO 14074.pdf	



CHARLES L. BROADWAY
Police Chief

Tel 352-394-5588
Fax 352-394-1644
cbroadway@clermontfl.org



October 20, 2022

SUBJECT: Notification to Civilian Governing Body and Local Community

On May 25, 2022, Presidential Executive Order (EO) 14074 "Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety" was signed.

In accordance with EO 14074 (Section 12), State, Tribal, local, and Territorial Law Enforcement agencies (LEAs) must:

- 1) Notify their Civilian Governing Body (CGB) (*i.e.*, *City Council, County Government or other local governing body*) of its intent to request property from Federal sources (to include Federal funds or grants).
- 2) Notify the Local Community of its request for property transfers, purchases from Federal funds, agencies or subcontractors (including existing transfer contracts or grants).

The Clermont Police Department may request the below controlled property items from the Law Enforcement Support Office (LESO), or other Federal source:

Controlled Property Description
Armored Vehicles
Small Arms
Sight Reflex
Sight Holographic
Sight Optical

Pursuant to EO 14074 (Section 12), this memo fulfills the requirement to notify the Civilian Governing Body (CGB) and Local Community of my agency's intent to request the controlled property items identified in the list above.

Charles Broadway
Chief of Police
Clermont Police Department

Administration of Joseph R. Biden, Jr., 2022

Executive Order 14074—Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety
May 25, 2022

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby order as follows:

Section 1. Policy. Our criminal justice system must respect the dignity and rights of all persons and adhere to our fundamental obligation to ensure fair and impartial justice for all. This is imperative—not only to live up to our principles as a Nation, but also to build secure, safe, and healthy communities. Protecting public safety requires close partnerships between law enforcement and the communities it serves. Public safety therefore depends on public trust, and public trust in turn requires that our criminal justice system as a whole embodies fair and equal treatment, transparency, and accountability.

Law enforcement officers are often a person's first point of contact with our criminal justice system, and we depend on them to uphold these principles while doing the demanding and often life-threatening work of keeping us safe. We expect them to help prevent and solve crimes and frequently call upon them to respond to social problems outside their expertise and beyond their intended role, diverting attention from their critical public safety mission and increasing the risks of an already dangerous job—which has led to the deaths of law enforcement officers and civilians alike. The vast majority of law enforcement officers do these difficult jobs with honor and integrity, and they work diligently to uphold the law and preserve the public's trust.

Yet, there are places in America today, particularly in Black and Brown communities and other communities of color, where the bonds of trust are frayed or broken. We have collectively mourned following law enforcement encounters that have tragically ended in the loss of life. To heal as a Nation, we must acknowledge that those fatal encounters have disparately impacted Black and Brown people and other people of color. The pain of the families of those who have been killed is magnified when expectations for accountability go unmet, and the echoes of their losses reverberate across generations. More broadly, numerous aspects of our criminal justice system are still shaped by race or ethnicity. It is time that we acknowledge the legacy of systemic racism in our criminal justice system and work together to eliminate the racial disparities that endure to this day. Doing so serves all Americans.

Through this order, my Administration is taking a critical step in what must be part of a larger effort to strengthen our democracy and advance the principles of equality and dignity. While we can make policing safer and more effective by strengthening trust between law enforcement officers and the communities they serve, we must also reform our broader criminal justice system so that it protects and serves all people equally. To be clear, certain obstacles to lasting reform require legislative solutions. In particular, system-wide change requires funding and support that only the Congress can authorize. But my Administration will use its full authority to take action, including through the implementation of this order, to build and sustain fairness and accountability throughout the criminal justice system.

The need for such action could not be more urgent. Since early 2020, communities around the country have faced rising rates of violent crime, requiring law enforcement engagement at a time when law enforcement agencies are already confronting the challenges of staffing shortages and low morale. Strengthening community trust is more critical now than ever, as a community's cooperation with the police to report crimes and assist investigations is essential for deterring violence and holding perpetrators accountable. Reinforcing the partnership between law

enforcement and communities is imperative for combating crime and achieving lasting public safety.

It is therefore the policy of my Administration to increase public trust and enhance public safety and security by encouraging equitable and community-oriented policing. We must commit to new practices in law enforcement recruitment, hiring, promotion, and retention, as well as training, oversight, and accountability. Insufficient resources, including those dedicated to support officer wellness—needed more than ever as officers confront rising crime and the effects of the coronavirus disease 2019 (COVID-19) pandemic—jeopardize the law enforcement community's ability to build and retain a highly qualified and diverse professional workforce. We must work together to ensure that law enforcement agencies have the resources they need as well as the capacity to attract, hire, and retain the best personnel, including resources to institute screening mechanisms to identify unqualified applicants and to support officers in meeting the stresses and challenges of the job. We must also ensure that law enforcement agencies reflect the communities they serve, protect all community members equally, and offer comprehensive training and development opportunities to line officers and supervisors alike.

Building trust between law enforcement agencies and the communities they are sworn to protect and serve also requires accountability for misconduct and transparency through data collection and public reporting. It requires proactive measures to prevent profiling based on actual or perceived race, ethnicity, national origin, religion, sex (including sexual orientation and gender identity), or disability, including by ensuring that new law enforcement technologies do not exacerbate disparities based on these characteristics. It includes ending discriminatory pretextual stops and offering support for evidence-informed, innovative responses to people with substance use disorders; people with mental health needs; veterans; people with disabilities; vulnerable youth; people who are victims of domestic violence, sexual assault, or trafficking; and people experiencing homelessness or living in poverty. It calls for improving and clarifying standards for police activities such as the execution of search warrants and the use of force.

Many law enforcement agencies across the country—including at the Federal, State, Tribal, local, and territorial level—have already undertaken important efforts to modernize policing and make our broader criminal justice system more effective and more equitable. Their work has inspired many of the provisions of this order. These agencies—and the officers who serve within them—deserve recognition for their leadership and appreciation for setting a standard that others can follow. This order seeks to recognize these key reforms and implement them consistently across Federal law enforcement agencies. Through this order, the Federal Government will also seek to provide State, Tribal, local, and territorial law enforcement agencies with the guidance and support they need to advance their own efforts to strengthen public trust and improve public safety.

It is also the policy of my Administration to ensure that conditions of confinement are safe and humane, and that those who are incarcerated are not subjected to unnecessary or excessive uses of force, are free from prolonged segregation, and have access to quality health care, including substance use disorder care and mental health care. We must provide people who are incarcerated with meaningful opportunities for rehabilitation and the tools and support they need to transition successfully back to society. Individuals who have been involved in the criminal justice system face many barriers in transitioning back into society, including limited access to housing, public benefits, health care, trauma-informed services and support, education, nutrition, employment and occupational licensing, credit, the ballot, and other critical opportunities. Lowering barriers to reentry is essential to reducing recidivism and reducing crime.

Finally, no one should be required to serve an excessive prison sentence. When the Congress passed the First Step Act of 2018 (Public Law 115–391), it sought to relieve people from unfair

and unduly harsh sentences, including those driven by harsh mandatory minimums and the unjust sentencing disparity between crack and powder cocaine offenses. My Administration will fully implement the First Step Act, including by supporting sentencing reductions in appropriate cases and by allowing eligible incarcerated people to participate in recidivism reduction programming and earn time credits.

With these measures, together we can strengthen public safety and the bonds of trust between law enforcement and the community and build a criminal justice system that respects the dignity and equality of all in America.

Sec. 2. Sharing of Federal Best Practices with State, Tribal, Local, and Territorial Law Enforcement Agencies to Enhance Accountability. (a) *Independent Investigations of In-Custody Deaths.* The Attorney General shall issue guidance to State, Tribal, local, and territorial law enforcement agencies (LEAs) regarding best practices for conducting independent criminal investigations of deaths in custody that may involve conduct by law enforcement or prison personnel.

(b) *Improving Training for Investigations into Deprivation of Rights Under Color of Law.* The Attorney General shall assess the steps necessary to enhance the Department of Justice's (DOJ's) capacity to investigate law enforcement deprivation of rights under color of law, including through improving and increasing training of Federal law enforcement officers, their supervisors, and Federal prosecutors on how to investigate and prosecute cases involving the deprivation of rights under color of law pursuant to 18 U.S.C. 242. The Attorney General shall also, as appropriate, provide guidance, technical assistance, and training to State, Tribal, local, and territorial investigators and prosecutors on best practices for investigating and prosecuting civil rights violations under applicable law.

(c) *Pattern or Practice Investigations.* The Attorney General shall consider ways in which the DOJ could strengthen communication with State Attorneys General to help identify relevant data, complaints from the public, and other information that may assist the DOJ's investigations of patterns or practices of misconduct by law enforcement officers, including prosecutors, pursuant to 34 U.S.C. 12601 and other statutes. The Attorney General shall also develop training and technical assistance for State, local, and territorial officials who have similar investigatory authority.

(d) *Ensuring Timely Investigations.* The heads of all Federal LEAs shall assess whether any of their respective agency's policies or procedures cause unwarranted delay in investigations of Federal law enforcement officers for incidents involving the use of deadly force or deaths in custody, including delays in interagency jurisdictional determinations and subject and witness interviews, and shall, without abrogating any collective bargaining obligations, make changes as appropriate to ensure the integrity and effectiveness of such investigations. Within 240 days of the date of this order, the Attorney General, the Secretary of Homeland Security, and the heads of other executive departments and agencies (agencies) with law enforcement authority shall report to the President what, if any, changes to their respective policies or practices they have made.

(e) *Ensuring Thorough Investigations.* The Attorney General shall instruct the Federal Bureau of Investigation (FBI) and all United States Attorneys to coordinate closely with the internal oversight bodies of Federal LEAs to ensure that, without abrogating any collective bargaining obligations, for incidents involving the use of deadly force or deaths in custody, initial investigative efforts (including evidence collection and witness interviews) preserve the information required to complete timely administrative investigations as required by the Death in Custody Reporting Act of 2013 (Public Law 113–242) and agency use-of-force guidelines.

(f) *Ensuring Timely and Consistent Discipline.* The heads of all Federal LEAs shall assess whether any of their respective agency's policies or procedures cause unwarranted delay or inconsistent application of discipline for incidents involving the use of deadly force or deaths in custody, and shall, without abrogating any collective bargaining obligations, make changes as appropriate. Within 240 days of the date of this order, the Attorney General, the Secretary of Homeland Security, and the heads of other Federal LEAs shall report to the President what, if any, changes to their respective policies or practices they have made.

Sec. 3. Strengthening Officer Recruitment, Hiring, Promotion, and Retention Practices. (a) Within 180 days of the date of this order, the Director of the Office of Personnel Management shall convene and chair an interagency working group to strengthen Federal law enforcement recruitment, hiring, promotion, and retention practices, with particular attention to promoting an inclusive, diverse, and expert law enforcement workforce, culminating in an action plan to be published within 365 days of the date of this order. The interagency working group shall consist of the heads of Federal LEAs and shall consult with other stakeholders, such as law enforcement organizations. The interagency working group shall, to the extent possible, coordinate on the development of a set of core policies and best practices to be used across all Federal LEAs regarding recruitment, hiring, promotion, and retention, while also identifying any agency-specific unique recruitment, hiring, promotion, and retention challenges. As part of this process, the interagency working group shall:

- (i) assess existing policies and identify and share best practices for recruitment and hiring, including by considering the merits and feasibility of recruiting law enforcement officers who are representative of the communities they are sworn to serve (including recruits who live in or are from these communities) and by considering the recommendations made in the Federal LEAs' strategic plans required under Executive Order 14035 of June 25, 2021 (Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce);
- (ii) assess existing policies and identify and share best practices for promotion and retention, including by identifying ways to expand mentorship and leadership development opportunities for law enforcement officers;
- (iii) develop best practices for ensuring that performance evaluations and promotion decisions for Federal law enforcement officers include an assessment of the officer's adherence to agency policies, and that performance evaluations and promotion decisions for supervisors include an assessment of the supervisor's effectiveness in addressing misconduct by officers they supervise; and
- (iv) develop best practices for conducting background investigations and implementing properly validated selection procedures, including vetting mechanisms and ongoing employment screening, that, consistent with the First Amendment and all applicable laws, help avoid the hiring and retention of law enforcement officers who promote unlawful violence, white supremacy, or other bias against persons based on race, ethnicity, national origin, religion, sex (including sexual orientation and gender identity), or disability.

(b) Within 180 days of the publication of the interagency working group's action plan described in subsection (a) of this section, the heads of Federal LEAs shall update and implement their policies and protocols for recruiting, hiring, promotion, and retention, consistent with the core policies and best practices identified and developed pursuant to subsection (a) of this section. Such policies and protocols shall include mechanisms for Federal LEAs to regularly assess the effectiveness of their recruitment, hiring, promotion, and retention practices in accomplishing the goals of subsection (a) of this section.

(c) The heads of Federal LEAs shall develop and implement protocols for background investigations and screening mechanisms, consistent with the best practices identified and developed pursuant to subsection (a) of this section, for State, Tribal, local, and territorial law enforcement participation in programs or activities over which Federal agencies exercise control, such as joint task forces or international training and technical assistance programs, including programs managed by the Department of State and the Department of Justice.

(d) The Attorney General shall develop guidance regarding best practices for State, Tribal, local, and territorial LEAs seeking to recruit, hire, promote, and retain highly qualified and service-oriented officers. In developing this guidance, the Attorney General shall consult with State, Tribal, local, and territorial law enforcement, as appropriate, and shall incorporate the best practices identified by the interagency working group established pursuant to subsection (a) of this section.

Sec. 4. Supporting Officer Wellness. (a) Within 180 days of the date of this order, the Attorney General shall, in coordination with the Secretary of Health and Human Services (HHS), develop and publish a report on best practices to address law enforcement officer wellness, including support for officers experiencing substance use disorders, mental health issues, or trauma from their duties. This report shall:

- (i) consider the work undertaken already pursuant to the Law Enforcement Mental Health and Wellness Act of 2017 (Public Law 115–113); and
- (ii) identify existing and needed resources for supporting law enforcement officer wellness.

(b) Upon publication of these best practices, the Attorney General and the heads of all other Federal LEAs shall assess their own practices and policies for Federal officer wellness and develop and implement changes as appropriate.

(c) The Attorney General shall, in coordination with the Secretary of HHS and in consultation with multidisciplinary experts and stakeholders, including the National Consortium on Preventing Law Enforcement Suicide and other law enforcement organizations, conduct an assessment of current efforts and available evidence on suicide prevention and present to the President within 180 days of the date of this order evidence-informed recommendations regarding the prevention of death by suicide of law enforcement officers. These recommendations shall also identify methods to encourage submission of data from Federal, State, Tribal, local, and territorial LEAs to the FBI's Law Enforcement Suicide Data Collection, in a manner that respects the privacy interests of law enforcement officers and is consistent with applicable law.

Sec. 5. Establishing a National Law Enforcement Accountability Database. (a) The Attorney General shall, within 240 days of the date of this order, establish the National Law Enforcement Accountability Database (Accountability Database) as a centralized repository of official records documenting instances of law enforcement officer misconduct as well as commendations and awards. The Attorney General shall ensure that the establishment and administration of the Accountability Database is consistent with the Privacy Act of 1974 and all other applicable laws, and respects appropriate due process protections for law enforcement officers included in the Accountability Database.

(b) The Attorney General, in consultation with the heads of other agencies as appropriate, shall take the following actions with respect to the Accountability Database established pursuant to subsection (a) of this section:

- (i) include in the Accountability Database all available information that the Attorney General deems necessary, appropriate, and consistent with law and with considerations

of victim confidentiality, concerning misconduct by Federal law enforcement officers relevant to carrying out their official duties;

(ii) include in the Accountability Database, to the maximum extent permitted by law, official records documenting officer misconduct, including, as appropriate: records of criminal convictions; suspension of a law enforcement officer's enforcement authorities, such as de-certification; terminations; civil judgments, including amounts (if publicly available), related to official duties; and resignations or retirements while under investigation for serious misconduct or sustained complaints or records of disciplinary action based on findings of serious misconduct;

(iii) include in the Accountability Database records of officer commendations and awards, as the Attorney General deems appropriate; and

(iv) establish appropriate procedures to ensure that the records stored in the Accountability Database are accurate, including by providing officers with sufficient notice and access to their records, as well as a full and fair opportunity to request amendment or removal of any information about themselves from the Accountability Database on the grounds that it is inaccurate or that it is predicated on an official proceeding that lacked appropriate due process protections.

(c) Requirements for the submission of information to the Accountability Database are as follows:

(i) the heads of Federal LEAs shall submit the information determined appropriate for inclusion by the Attorney General under subsection (b) of this section on a quarterly basis, beginning no later than 60 days from the establishment of the Accountability Database; and

(ii) the Attorney General shall encourage State, Tribal, local, and territorial LEAs to contribute to and use the Accountability Database in a manner consistent with subsection (b)(i) of this section and as permitted by law. The Attorney General shall also issue appropriate guidance and technical assistance to further this goal.

(d) In establishing the Accountability Database under subsection (a) of this section, the Attorney General shall:

(i) make use of Federal records from DOJ databases to the maximum extent permitted by law;

(ii) make use of information held by other agencies or entities by entering into agreements with the heads of other agencies or entities, as necessary and appropriate;

(iii) make use of publicly accessible and reliable sources of information, such as court records, as necessary and appropriate; and

(iv) make use of information submitted by State, Tribal, local, and territorial LEAs, as necessary and appropriate.

(e) The heads of Federal LEAs shall ensure that the Accountability Database established pursuant to subsection (a) of this section is used, as appropriate and consistent with applicable law, in the hiring, job assignment, and promotion of law enforcement officers within Federal LEAs, as well as in the screening of State, Tribal, local, and territorial law enforcement officers who participate in programs or activities over which Federal agencies exercise control, such as joint task forces or international training and technical assistance programs, including programs managed by the Department of State and the DOJ.

(f) The Attorney General shall establish procedures for the submission of employment-related inquiries by Federal, State, Tribal, local, and territorial LEAs, and for the provision, upon such a query, of relevant information to the requestor as appropriate. The Attorney General shall develop guidance and provide technical assistance to encourage State, Tribal, local, and territorial LEAs to integrate use of the Accountability Database established pursuant to subsection (a) of this section into their hiring decisions, consistent with applicable law.

(g) The Attorney General shall ensure that all access to the Accountability Database established pursuant to subsection (a) of this section is consistent with applicable law, and shall also take the following steps related to public access to the Accountability Database:

(i) publish on at least an annual basis public reports that contain anonymized data from the Accountability Database aggregated by law enforcement agency and by any other factor determined appropriate by the Attorney General, in a manner that does not jeopardize law enforcement officer anonymity due to the size of the agency or other factors; and

(ii) assess the feasibility of what records from the Accountability Database may be accessible to the public and the manner in which any such records may be accessible by the public, taking into account the critical need for public trust, transparency, and accountability, as well as the duty to protect the safety, privacy, and due process rights of law enforcement officers who may be identified in the Accountability Database, including obligations under the Privacy Act of 1974 and any other relevant legal obligations; protection of sensitive law enforcement operations; and victim, witness, and source confidentiality.

(h) The Attorney General shall determine whether additional legislation or appropriation of funds is needed to achieve the full objectives of this section.

Sec. 6. Improving Use-of-Force Data Collection. (a) Within 180 days of the date of this order, the heads of Federal LEAs shall submit data on a monthly basis to the FBI National Use-of-Force Data Collection (Use-of-Force Database), in accordance with the definitions and categories set forth by the FBI. To the extent not already collected, such data shall include either all deaths of a person due to law enforcement use of force (including deaths in custody incident to an official use of force); all serious bodily injuries of a person due to law enforcement use of force; all discharges of a firearm by law enforcement at or in the direction of a person not otherwise resulting in death or serious bodily injury; or, if applicable, a report for each category that no qualifying incidents occurred and:

(i) information about the incident, including date, time, and location; the reason for initial contact; the offenses of which the subject was suspected, if any; the charges filed against the suspect by a prosecutor, if any; and the National Incident-Based Reporting System (NIBRS) record or local incident number of the report;

(ii) information about the subject of the use of force, including demographic data by subcategory to the maximum extent possible; types of force used against the subject; resulting injuries or death; and reason for the use of force, including any threat or resistance from, or weapon possessed by, the subject;

(iii) information about the officers involved, including demographic data by subcategory to the maximum extent possible; years of service in law enforcement and employing agency at the time of the incident; and resulting injuries or death; and

(iv) such other information as the Attorney General deems appropriate.

(b) The Attorney General, in consultation with the United States Chief Technology Officer, shall work with State, Tribal, local, and territorial LEAs to identify the obstacles to their participation in the Use-of-Force Database; to reduce the administrative burden of reporting by using existing data collection efforts and improving those LEAs' experience; and to provide training and technical assistance to those LEAs to encourage and facilitate their regular submission of use-of-force information to the Use-of-Force Database.

(c) The Attorney General shall, in a manner that does not reveal the identity of any victim or law enforcement officer, publish quarterly data collected pursuant to subsection (a) of this section and make the data available for research and statistical purposes, in accordance with the standards of data privacy and integrity required by the Office of Management and Budget (OMB).

(d) The Attorney General shall also provide training and technical assistance to encourage State, Tribal, local, and territorial LEAs to submit information to the Law Enforcement Officers Killed and Assaulted Data Collection program of the FBI's Uniform Crime Reporting Program.

(e) The Attorney General shall publish a report within 120 days of the date of this order on the steps the DOJ has taken and plans to take to fully implement the Death in Custody Reporting Act of 2013.

Sec. 7. Banning Chokeholds and Carotid Restraints. (a) The heads of Federal LEAs shall, as soon as practicable, but no later than 90 days from the date of this order, ensure that their respective agencies issue policies with requirements that are equivalent to, or exceed, the requirements of the policy issued by the DOJ on September 13, 2021, which generally prohibits the use of chokeholds and carotid restraints except where the use of deadly force is authorized by law.

(b) The head of every Federal LEA shall incorporate training consistent with this section.

Sec. 8. Providing Federal Law Enforcement Officers with Clear Guidance on Use-of-Force Standards. (a) The heads of Federal LEAs shall, as soon as practicable but no later than 90 days from the date of this order, ensure that their respective agencies issue policies with requirements that reflect principles of valuing and preserving human life and that are equivalent to, or exceed, the requirements of the policy issued by the DOJ on May 20, 2022, which establishes standards and obligations for the use of force.

(b) The heads of Federal LEAs shall, within 365 days of the date of this order, incorporate annual, evidence-informed training for their respective law enforcement officers that is consistent with the DOJ's use-of-force policy; implement early warning systems or other risk management tools that enable supervisors to identify problematic conduct and appropriate interventions to help prevent avoidable uses of force; and ensure the use of effective mechanisms for holding their law enforcement officers accountable for violating the policies addressed in subsection (a) of this section, consistent with sections 2(f) and 3(a)(iii) of this order.

Sec. 9. Providing Anti-Bias Training and Guidance. (a) Within 180 days of the date of this order, the Director of the Office of Personnel Management and the Attorney General shall develop an evidence-informed training module for law enforcement officers on implicit bias and avoiding improper profiling based on the actual or perceived race, ethnicity, national origin, limited English proficiency, religion, sex (including sexual orientation and gender identity), or disability of individuals.

(b) The heads of Federal LEAs shall, to the extent consistent with applicable law, ensure that their law enforcement officers complete such training annually.

(c) The heads of Federal LEAs shall, to the extent consistent with applicable law, establish that effective procedures are in place for receiving, investigating, and responding meaningfully to complaints alleging improper profiling or bias by Federal law enforcement officers.

(d) Federal agencies that exercise control over joint task forces or international training and technical assistance programs in which State, Tribal, local, and territorial officers participate shall include training on implicit bias and profiling as part of any training program required by the Federal agency for officers participating in the task force or program.

(e) The Attorney General, in collaboration with the Secretary of Homeland Security and the heads of other agencies as appropriate, shall assess the implementation and effects of the DOJ's December 2014 Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity; consider whether this guidance should be updated; and report to the President within 180 days of the date of this order as to any changes to this guidance that have been made.

Sec. 10. Restricting No-Knock Entries. (a) The heads of Federal LEAs shall, as soon as practicable, but no later than 60 days from the date of this order, ensure that their respective agencies issue policies with requirements that are equivalent to, or exceed, the requirements of the policy issued by the DOJ on September 13, 2021, which limits the use of unannounced entries, often referred to as "no-knock entries," and provides guidance to ensure the safe execution of announced entries.

(b) The heads of Federal LEAs shall maintain records of no-knock entries.

(c) The heads of Federal LEAs shall issue annual reports to the President—and post the reports publicly—setting forth the number of no-knock entries that occurred pursuant to judicial authorization; the number of no-knock entries that occurred pursuant to exigent circumstances; and disaggregated data by circumstances for no-knock entries in which a law enforcement officer or other person was injured in the course of a no-knock entry.

Sec. 11. Assessing and Addressing the Effect on Communities of Use of Force by Law Enforcement. (a) The Secretary of HHS shall, within 180 days of the date of this order, conduct a nationwide study of the community effects of use of force by law enforcement officers (whether lawful or unlawful) on physical, mental, and public health, including any disparate impacts on communities of color, and shall publish a public report including these findings.

(b) The Attorney General, the Secretary of HHS, and the Director of OMB shall, within 60 days of the completion of the report described in subsection (a) of this section, provide a report to the President outlining what resources are available and what additional resources may be needed to provide widely and freely accessible mental health and social support services for individuals and communities affected by incidents of use of force by law enforcement officers.

(c) The Attorney General, in collaboration with the heads of other agencies as appropriate, shall issue guidance for Federal, State, Tribal, local, and territorial LEAs on best practices for planning and conducting law enforcement-community dialogues to improve relations and communication between law enforcement and communities, particularly following incidents involving use of deadly force.

(d) Within 180 days of the date of this order, the Attorney General, in collaboration with the heads of other agencies as appropriate, shall issue guidance for Federal, State, Tribal, local, and territorial LEAs, or other entities responsible for providing official notification of deaths in custody, on best practices to promote the timely and appropriate notification of, and support to, family members or emergency contacts of persons who die in correctional or LEA custody, including deaths resulting from the use of force.

(e) After the issuance of the guidance described in subsection (d) of this section, the heads of Federal LEAs shall assess and revise their policies and procedures as necessary to accord with that guidance.

Sec. 12. Limiting the Transfer or Purchase of Certain Military Equipment by Law Enforcement. (a) The Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, and the Administrator of General Services shall each review all programs and authorities concerning property transfers to State, Tribal, local, and territorial LEAs, or property purchases by State, Tribal, local, and territorial LEAs either with Federal funds or from Federal agencies or contractors, including existing transfer contracts or grants. Within 60 days of the date of this order, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, and the Administrator of General Services shall determine whether, pursuant to this order, such transfers or purchases can, consistent with applicable law, be prohibited beyond existing restrictions and, if so, shall further prohibit any such transfers or purchases, of the following property to the extent not already prohibited:

- (i) firearms of .50 or greater caliber;
- (ii) ammunition of .50 or greater caliber;
- (iii) firearm silencers, as defined in 18 U.S.C. 921(a)(24);
- (iv) bayonets;
- (v) grenade launchers;
- (vi) grenades (including stun and flash-bang);
- (vii) explosives (except for explosives and percussion actuated non-electric disruptors used for accredited bomb squads and explosive detection canine training);
- (viii) any vehicles that do not have a commercial application, including all tracked and armored vehicles, unless the LEA certifies that the vehicle will be used exclusively for disaster-related emergencies; active shooter scenarios; hostage or other search and rescue operations; or anti-terrorism preparedness, protection, prevention, response, recovery, or relief;
- (ix) weaponized drones and weapons systems covered by DOD Directive 3000.09 of November 21, 2012, as amended (Autonomy in Weapon Systems);
- (x) aircraft that are combat-configured or combat-coded, have no established commercial flight application, or have no application for disaster-related emergencies; active shooter scenarios; hostage or other search and rescue operations; or anti-terrorism preparedness, protection, prevention, response, recovery, or relief; and
- (xi) long-range acoustic devices that do not have a commercial application.

(b) Federal agencies shall review and take all necessary action, as appropriate and consistent with applicable law, to comply with and implement the recommendations established by the former Law Enforcement Equipment Working Group (LEEWG) pursuant to Executive Order 13688 of January 16, 2015 (Federal Support for Local Law Enforcement Equipment Acquisition), as contained in the LEEWG's May 2015 Report (Recommendations Pursuant to Executive Order 13688, Federal Support for Local Law Enforcement Equipment Acquisition), and October 2016 Implementation Update (Recommendations Pursuant to Executive Order 13688, Federal Support for Local Law Enforcement Equipment Acquisition). To the extent that there is any inconsistency between this order and either the LEEWG's May 2015 Report or October 2016 Implementation Update, this order shall supersede those documents.

(c) Prior to transferring any property included in the "controlled equipment list" within the October 2016 Implementation Update referenced in subsection (b) of this section, the agencies listed in subsection (a) of this section shall take all necessary action, as appropriate and consistent with applicable law, to ensure that the recipient State, Tribal, local, or territorial LEA:

- (i) submits to that agency a description of how the recipient expects to use the property and demonstrates that the property will be tracked in an asset management system;
- (ii) certifies that if the recipient determines that the property is surplus to its needs, the recipient will return the property;
- (iii) certifies that the recipient notified the local community of its request for the property and translated the notification into appropriate languages to inform individuals with limited English proficiency, and certifies that the recipient notified the city council or other local governing body of its intent to request the property and that the request comports with all applicable approval requirements of the local governing body; and
- (iv) agrees to return the property if the DOJ determines or a Federal, State, Tribal, local, or territorial court enters a final judgment finding that the LEA has engaged in a pattern or practice of civil rights violations.

Sec. 13. Ensuring Appropriate Use of Body-Worn Cameras and Advanced Law Enforcement Technologies. (a) The heads of Federal LEAs shall take the following actions with respect to body-worn camera (BWC) policies:

- (i) As soon as practicable, but no later than 90 days from the date of this order, the heads of Federal LEAs shall ensure that their respective agencies issue policies with requirements that are equivalent to, or exceed, the requirements of the policy issued by the DOJ on June 7, 2021, requiring the heads of certain DOJ law enforcement components to develop policies regarding the use of BWC recording equipment. The heads of Federal LEAs shall further identify the resources necessary to fully implement such policies.
- (ii) For Federal LEAs that regularly conduct patrols or routinely engage with the public in response to emergency calls, the policies issued under subsection (a)(i) of this section shall be designed to ensure that cameras are worn and activated in all appropriate circumstances, including during arrests and searches.
- (iii) The heads of Federal LEAs shall ensure that all BWC policies shall be publicly posted and shall be designed to promote transparency and protect the privacy and civil rights of members of the public.

(b) Federal LEAs shall include within the policies developed pursuant to subsection (a)(i) of this section protocols for expedited public release of BWC video footage following incidents involving serious bodily injury or deaths in custody, which shall be consistent with applicable law, including the Privacy Act of 1974, and shall take into account the need to promote transparency and accountability, the duty to protect the privacy rights of persons depicted in the footage, and any need to protect ongoing law enforcement operations.

(c) Within 365 days of the date of this order, the Attorney General, in coordination with the Secretary of HHS and the Director of the Office of Science and Technology Policy (OSTP), shall conduct a study that assesses the advantages and disadvantages of officer review of BWC footage prior to the completion of initial reports or interviews concerning an incident involving use of force, including an assessment of current scientific research regarding the effects of such review. Within 180 days of the completion of that study, the Attorney General, in coordination with the

Secretary of HHS, shall publish a report detailing the findings of that study, and shall identify best practices regarding law enforcement officer review of BWC footage.

(d) Within 180 days of the date of this order, the Attorney General shall request the National Academy of Sciences (NAS), through its National Research Council, to enter into a contract to:

- (i) conduct a study of facial recognition technology, other technologies using biometric information, and predictive algorithms, with a particular focus on the use of such technologies and algorithms by law enforcement, that includes an assessment of how such technologies and algorithms are used, and any privacy, civil rights, civil liberties, accuracy, or disparate impact concerns raised by those technologies and algorithms or their manner of use; and
- (ii) publish a report detailing the findings of that study, as well as any recommendations for the use of or for restrictions on facial recognition technologies, other technologies using biometric information, and predictive algorithms by law enforcement.

(e) The Attorney General, the Secretary of Homeland Security, and the Director of OSTP shall jointly lead an interagency process regarding the use by LEAs of facial recognition technology, other technologies using biometric information, and predictive algorithms, as well as data storage and access regarding such technologies, and shall:

- (i) ensure that the interagency process addresses safeguarding privacy, civil rights, and civil liberties, and ensure that any use of such technologies is regularly assessed for accuracy in the specific deployment context; does not have a disparate impact on the basis of race, ethnicity, national origin, religion, sex (including sexual orientation and gender identity), or disability; and is consistent with the policy announced in section 1 of this order;
- (ii) coordinate and consult with:
 - (A) the NAS, including by incorporating and responding to the study described in subsection (d)(i) of this section;
 - (B) the Subcommittee on Artificial Intelligence and Law Enforcement established by section 5104(e) of the National Artificial Intelligence Initiative Act of 2020 (Division E of Public Law 116–283); and
 - (C) law enforcement, civil rights, civil liberties, criminal defense, and data privacy organizations; and
- (iii) within 18 months of the date of this order, publish a report that:
 - (A) identifies best practices, specifically addressing the concerns identified in subsection (e)(i) of this section;
 - (B) describes any changes made to relevant policies of Federal LEAs; and
 - (C) recommends guidelines for Federal, State, Tribal, local, and territorial LEAs, as well as technology vendors whose goods or services are procured by the Federal Government, on the use of such technologies, including electronic discovery obligations regarding the accuracy and disparate impact of technologies employed in specific cases.

(f) The heads of Federal LEAs shall review the conclusions of the interagency process described in subsection (e) of this section and, where appropriate, update each of their respective agency's policies regarding the use of facial recognition technology, other technologies using

biometric information, and predictive algorithms, as well as data storage and access regarding such technologies.

Sec. 14. Promoting Comprehensive and Collaborative Responses to Persons in Behavioral or Mental Health Crisis. (a) Within 180 days of the date of this order, the Attorney General and the Secretary of HHS, in coordination with the heads of other agencies and after consultation with stakeholders, including service providers, nonprofit organizations, and law enforcement organizations, as appropriate, shall assess and issue guidance to State, Tribal, local, and territorial officials on best practices for responding to calls and interacting with persons in behavioral or mental health crisis or persons who have disabilities.

(b) The assessment made under subsection (a) of this section shall draw on existing evidence and include consideration of co-responder models that pair law enforcement with health or social work professionals; alternative responder models, such as mobile crisis response teams for appropriate situations; community-based crisis centers and the facilitation of post-crisis support services, including supported housing, assertive community treatment, and peer support services; the risks associated with administering sedatives and pharmacological agents such as ketamine outside of a hospital setting to subdue individuals in behavioral or mental health crisis (including an assessment of whether the decision to administer such agents should be made only by individuals licensed to prescribe them); and the Federal resources, including Medicaid, that can be used to implement the identified best practices.

Sec. 15. Supporting Alternatives to Arrest and Incarceration and Enhancing Reentry. (a) There is established a Federal Interagency Alternatives and Reentry Committee (Committee), to be chaired by the Assistant to the President for Domestic Policy.

(b) Committee members shall include:

- (i) the Secretary of the Treasury;
- (ii) the Attorney General;
- (iii) the Secretary of the Interior;
- (iv) the Secretary of Agriculture;
- (v) the Secretary of Commerce;
- (vi) the Secretary of Labor;
- (vii) the Secretary of HHS;
- (viii) the Secretary of Housing and Urban Development;
- (ix) the Secretary of Transportation;
- (x) the Secretary of Energy;
- (xi) the Secretary of Education;
- (xii) the Secretary of Veterans Affairs;
- (xiii) the Secretary of Homeland Security;
- (xiv) the Director of OMB;
- (xv) the Administrator of the Small Business Administration;
- (xvi) the Counsel to the President;
- (xvii) the Chief of Staff to the Vice President;

- (xviii) the Chair of the Council of Economic Advisers;
- (xix) the Director of the National Economic Council;
- (xx) the Director of OSTP;
- (xxi) the Director of National Drug Control Policy;
- (xxii) the Director of the Office of Personnel Management;
- (xxiii) the Chief Executive Officer of the Corporation for National and Community Service;
- (xxiv) the Executive Director of the Gender Policy Council; and
- (xxv) the heads of such other executive departments, agencies, and offices as the Chair may designate or invite.

(c) The Committee shall consult and coordinate with the DOJ Reentry Coordination Council, which was formed in compliance with the requirement of the First Step Act that the Attorney General convene an interagency effort to coordinate on Federal programs, policies, and activities relating to the reentry of individuals returning from incarceration to the community. See sec. 505(a) of the First Step Act. The Committee may consult with other agencies; Government officials; outside experts; interested persons; service providers; nonprofit organizations; law enforcement organizations; and State, Tribal, local, and territorial governments, as appropriate.

(d) The Committee shall develop and coordinate implementation of an evidence-informed strategic plan across the Federal Government within 200 days of the date of this order to advance the following goals, with particular attention to reducing racial, ethnic, and other disparities in the Nation's criminal justice system:

- (i) safely reducing unnecessary criminal justice interactions, including by advancing alternatives to arrest and incarceration; supporting effective alternative responses to substance use disorders, mental health needs, the needs of veterans and people with disabilities, vulnerable youth, people who are victims of domestic violence, sexual assault, or trafficking, and people experiencing homelessness or living in poverty; expanding the availability of diversion and restorative justice programs consistent with public safety; and recommending effective means of addressing minor traffic and other public order infractions to avoid unnecessarily taxing law enforcement resources;
- (ii) supporting rehabilitation during incarceration, such as through educational opportunities, job training, medical and mental health care, trauma-informed care, substance use disorder treatment and recovery support, and continuity of contact with children and other family members; and
- (iii) facilitating reentry into society of people with criminal records, including by providing support to promote success after incarceration; sealing or expunging criminal records, as appropriate; and removing barriers to securing government-issued identification, housing, employment, occupational licenses, education, health insurance and health care, public benefits, access to transportation, and the right to vote.

(e) With respect to the goals described in subsections (d)(i) and (d)(ii) of this section, the Committee's strategic plan shall make recommendations for State, Tribal, local, and territorial criminal justice systems. With respect to the goal described in subsection (d)(iii) of this section, the Committee's strategic plan shall make recommendations for Federal, State, Tribal, local, and territorial criminal justice systems, and shall be informed by the Attorney General's review conducted pursuant to subsection (f) of this section. Following the 200 days identified in subsection (d) of this section, all agency participants shall continue to participate in, and provide

regular updates to, the Committee regarding their progress in achieving the goals described in subsections (d)(i) through (iii) of this section.

(f) Within 150 days of the date of this order, the Attorney General shall submit a report to the President that provides a strategic plan to advance the goals in subsections (d)(ii) and (d)(iii) of this section as they relate to the Federal criminal justice system. In developing that strategic plan, the Attorney General shall, as appropriate, consult with the heads of other relevant agencies to improve the Federal criminal justice system, while safeguarding the DOJ's independence and prosecutorial discretion.

(g) The Committee and the Attorney General's efforts pursuant to this section may incorporate and build upon the report to the Congress issued pursuant to section 505(b) of the First Step Act. The Committee may refer the consideration of specific topics to be separately considered by the DOJ Reentry Coordination Council, with the approval of the Attorney General.

(h) Within 90 days of the date of this order and annually thereafter, and after appropriate consultation with the Administrative Office of the United States Courts, the United States Sentencing Commission, and the Federal Defender Service, the Attorney General shall coordinate with the DOJ Reentry Coordination Council and the DOJ Civil Rights Division to publish a report on the following data, disaggregated by judicial district:

- (i) the resources currently available to individuals on probation or supervised release, and the additional resources necessary to ensure that the employment, housing, educational, and reentry needs of offenders are fulfilled; and
- (ii) the number of probationers and supervised releasees revoked, modified, or reinstated for Grade A, B, and C violations, disaggregated by demographic data and the mean and median sentence length for each demographic category.

Sec. 16. Supporting Safe Conditions in Prisons and Jails. (a) For the duration of the HHS public health emergency declared with respect to COVID-19, the Attorney General shall continue to implement the core public health measures, as appropriate, of masking, distancing, testing, and vaccination in Federal prisons. In addition, the Attorney General shall undertake, as appropriate, the following actions within 120 days of the date of this order:

- (i) updating Federal Bureau of Prisons (BOP) and United States Marshals Service (USMS) procedures and protocols, in consultation with the Secretary of HHS, as appropriate, to facilitate COVID-19 testing of BOP staff and individuals in BOP custody who are asymptomatic or symptomatic and do not have known, suspected, or reported exposure to SARS-CoV-2, the virus that causes COVID-19;
- (ii) updating BOP and USMS procedures and protocols, in consultation with the Secretary of HHS, to identify alternatives consistent with public health recommendations to the use of facility-wide lockdowns to prevent the transmission of SARS-CoV-2, or to the use of restrictive housing for detainees and prisoners who have tested positive for SARS-CoV-2 or have known, suspected, or reported exposure;
- (iii) identifying the number of individuals who meet the eligibility requirements under the CARES Act (Public Law 116-136), the First Step Act, 18 U.S.C. 3582(c), 18 U.S.C. 3622, and 18 U.S.C. 3624, for release as part of the DOJ's efforts to mitigate the impact and spread of COVID-19; and
- (iv) expanding the sharing and publication of BOP and USMS data, in consultation with the Secretary of HHS, regarding vaccination, testing, infections, and fatalities due to COVID-19 among staff, prisoners, and detainees, in a manner that ensures the thoroughness and accuracy of the data; protects privacy; and disaggregates the data by

race, ethnicity, age, sex, disability, and facility, after consulting with the White House COVID-19 Response Team, HHS, and the Equitable Data Working Group established in Executive Order 13985 of January 20, 2021 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government), as appropriate.

(b) The Attorney General shall take the following actions relating to other conditions of confinement in Federal detention facilities:

(i) within 180 days of the date of this order, submit a report to the President detailing steps the DOJ has taken, consistent with applicable law, to ensure that restrictive housing in Federal detention facilities is used rarely, applied fairly, and subject to reasonable constraints; to ensure that individuals in DOJ custody are housed in the least restrictive setting necessary for their safety and the safety of staff, other prisoners and detainees, and the public; to house prisoners as close to their families as practicable; and to ensure the DOJ's full implementation, at a minimum, of the Prison Rape Elimination Act of 2003 (Public Law 108-79) and the recommendations of the DOJ's January 2016 Report and Recommendations Concerning the Use of Restrictive Housing; and

(ii) within 240 days of the date of this order, complete a comprehensive review and transmit a report to the President identifying any planned steps to address conditions of confinement, including steps designed to improve the accessibility and quality of medical care (including behavioral and mental health care), the specific needs of women (including breast and cervical cancer screening, gynecological and reproductive health care, and prenatal and postpartum care), the specific needs of juveniles (including age-appropriate programming), recovery support services (including substance use disorder treatment and trauma-informed care), and the environmental conditions for all individuals in BOP and USMS custody.

Sec. 17. Advancing First Step Act Implementation. (a) The Attorney General is reviewing and updating as appropriate DOJ regulations, policies, and guidance in order to fully implement the provisions and intent of the First Step Act, and shall continue to do so consistent with the policy announced in section 1 of this order. Within 180 days of the date of this order and annually thereafter, the Attorney General shall, in consultation with the Director of OMB, submit a report to the President summarizing:

(i) the rehabilitative purpose for each First Step Act expenditure and proposal for the prior and current fiscal years, detailing the number of available and proposed dedicated programming staff and resources, the use of augmentation among BOP staff, and BOP staffing levels at each facility;

(ii) any additional funding necessary to fully implement the rehabilitative purpose of the First Step Act, ensure dedicated programming staff for all prisoners, and address staffing shortages in all BOP facilities; and

(iii) the following information on the BOP's risk assessment tool, Prisoner Assessment Tool Targeting Estimated Risk and Needs (PATTERN):

(A) the number of individuals released early due to Earned Time Credits who were subsequently convicted and sentenced, as defined by United States Sentencing Guideline sec. 4A1.1(a), in the year following their release, disaggregated by their PATTERN risk level category of "Minimum," "Low," "Medium," or "High" at time of release;

(B) an assessment of any disparate impact of PATTERN, including the weighting of static and dynamic risk factors and of the statutorily enumerated offenses and prior convictions that render individuals ineligible to earn time credits; and

(C) a strategic plan and timeline to improve PATTERN, including by addressing any disparities and developing a needs-based assessment system.

Sec. 18. Collecting Comprehensive Criminal Justice Statistics. (a) The Attorney General, in consultation with the United States Chief Data Scientist and the United States Chief Statistician, shall review the status of State, Tribal, local, and territorial LEAs transitioning from the Summary Reporting System to the NIBRS in the FBI's Uniform Crime Reporting Program, and shall submit a report to the President within 120 days of the date of this order summarizing the status of that transition for State, Tribal, local, and territorial LEAs and including recommendations to maximize participation in the NIBRS.

(b) Within 365 days of the date of this order, the Attorney General, through the Director of the Bureau of Justice Statistics, and the Director of OMB, through the United States Chief Statistician, shall jointly submit a report to the President detailing what, if any, steps the agencies will take:

(i) to improve their current data collections, such as the National Crime Victimization Survey and the Police-Public Contact Survey Supplement, including how to ensure that such data collections are undertaken and published annually, and that they include victimization surveys that measure law enforcement use of force; serious bodily injury or death that occurs in law enforcement encounters; public trust in law enforcement; and actual or perceived bias by demographic subgroups defined by race, ethnicity, and sex (including sexual orientation and gender identity); and

(ii) to improve the Law Enforcement Management and Administrative Statistics Survey, with a focus on ensuring that such data collections are undertaken and published regularly and measure law enforcement workforce data, use of force, public trust in law enforcement, and actual or perceived bias.

(c) The Equitable Data Working Group established in Executive Order 13985 shall work with the National Science and Technology Council to create a Working Group on Criminal Justice Statistics (Working Group), which shall be composed of representatives of the Domestic Policy Council and the office of the Counsel to the President, the DOJ, OMB, and OSTP, and which shall, as appropriate, consult with representatives of the Federal Defender Services; civil rights, civil liberties, data privacy, and law enforcement organizations; and criminal justice data scientists.

(i) Within 365 days of the date of this order, the Working Group and the Assistant to the President for Domestic Policy shall issue a report to the President that assesses current data collection, use, and data transparency practices with respect to law enforcement activities, including calls for service, searches, stops, frisks, seizures, arrests, complaints, law enforcement demographics, and civil asset forfeiture.

(ii) Within 365 days of the date of this order, the Working Group shall assess practices and policies governing the acquisition, use, and oversight of advanced surveillance and forensic technologies, including commercial cyber intrusion tools, by Federal, State, Tribal, local, and territorial law enforcement, and shall include in the report referenced in subsection (c)(i) of this section recommendations based on this assessment that promote equitable, transparent, accountable, constitutional, and effective law enforcement practices.

Sec. 19. Establishing Accreditation Standards. (a) The Attorney General shall develop and implement methods to promote State, Tribal, local, and territorial LEAs seeking accreditation by an authorized, independent credentialing body, including by determining what discretionary grants shall require that the LEA be accredited or be in the process of obtaining accreditation.

(b) Within 240 days of the date of this order, the Attorney General shall develop and publish standards for determining whether an entity is an authorized, independent credentialing body, including that the entity requires policies that further the policies in sections 3, 4, and 7 through 10 of this order, and encourages participation in comprehensive collection and use of police misconduct and use-of-force-data, such as through the databases provided for in sections 5 and 6 of this order. In developing such standards, the Attorney General shall also consider the recommendations of the Final Report of the President's Task Force on 21st Century Policing issued in May 2015. Pending the development of such standards, the Attorney General shall maintain the current requirements related to accreditation.

(c) The Attorney General, in formulating standards for accrediting bodies, shall consult with professional accreditation organizations, law enforcement organizations, civil rights and community-based organizations, civilian oversight and accountability groups, and other appropriate stakeholders. The Attorney General's standards shall ensure that, in order to qualify as an authorized, independent credentialing body, the accrediting entity must conduct independent assessments of an LEA's compliance with applicable standards as part of the accreditation process and not rely on the LEA's self-certification alone.

Sec. 20. Supporting Safe and Effective Policing Through Grantmaking. (a) Within 180 days of the date of this order, the Attorney General, the Secretary of HHS, and the Secretary of Homeland Security shall promptly review and exercise their authority, as appropriate and consistent with applicable law, to award Federal discretionary grants in a manner that supports and promotes the adoption of policies of this order by State, Tribal, local, and territorial governments and LEAs. The Attorney General, the Secretary of HHS, and the Secretary of Homeland Security shall also use other incentives outside of grantmaking, such as training and technical assistance, as appropriate and consistent with applicable law, to support State, Tribal, local, and territorial governments and LEAs in adopting the policies in this order.

(b) On September 15, 2021, the Associate Attorney General directed a review of the DOJ's implementation and administrative enforcement of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 200d *et seq.*, and of the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968, 34 U.S.C. 10228, in connection with Federal financial assistance the DOJ provides, to ensure that the DOJ is providing sufficient oversight and accountability regarding the activities of its federally funded recipients.

(i) Within 30 days of the date of this order, and consistent with any other applicable guidance issued by the Attorney General, the head of every other Federal agency that provides grants to State, local, and territorial LEAs shall commence a similar review of its law enforcement-related grantmaking operations and the activities of its grant recipients.

(ii) Within 180 days of the date of this order, the head of each Federal agency that provides grants to State, local, and territorial LEAs shall submit to the Assistant Attorney General for the Civil Rights Division of the DOJ, for review under Executive Order 12250 of November 2, 1980 (Leadership and Coordination of Nondiscrimination Laws), a report of its review conducted pursuant to subsection (b)(i) of this section, including its conclusions and recommendations. Within 30 days following such review and clearance from the DOJ pursuant to this subsection, the head of each such agency shall make the conclusions of its review publicly available, as appropriate.

Sec. 21. Definitions. For the purposes of this order: (a) "Federal law enforcement agency" or "Federal LEA" means an organizational unit or subunit of the executive branch that employs officers who are authorized to make arrests and carry firearms, and that is responsible for the prevention, detection, and investigation of crime or the apprehension of alleged offenders. The "heads of all Federal law enforcement agencies" means the leaders of those units or subunits.

(b) The term "sustained complaints or records of disciplinary action" means an allegation of misconduct that is sustained through a completed official proceeding, such as an internal affairs or department disciplinary process.

(c) The term "serious misconduct" means excessive force, bias, discrimination, obstruction of justice, false reports, false statements under oath, theft, or sexual misconduct.

Sec. 22. Superseding Prior Orders. (a) Executive Order 13809 of August 28, 2017 (Restoring State, Tribal, and Local Law Enforcement's Access to Life-Saving Equipment and Resources), is revoked. All agencies are directed, consistent with applicable law, to take prompt action to rescind any rules, regulations, guidelines, or policies implementing Executive Order 13809 that are inconsistent with the provisions of this order.

(b) Executive Order 13929 of June 16, 2020 (Safe Policing for Safe Communities), is revoked. All agencies are directed, consistent with applicable law, to take prompt action to rescind any rules, regulations, guidelines, or policies implementing Executive Order 13929 that are inconsistent with the provisions of this order.

(c) To the extent that there are other executive orders that may conflict with or overlap with the provisions in this order, the provisions of this order supersede any prior Executive Order on these subjects.

Sec. 23. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

The White House,
May 25, 2022.

[Filed with the Office of the Federal Register, 11:15 a.m., May 27, 2022]

NOTE: This Executive order was published in the *Federal Register* on May 31.

Categories: Executive Orders : Policing and criminal justice practices, efforts to enhance public trust and public safety and advance accountability.

Subjects: Law enforcement and crime : Criminal justice system, reform efforts; Law enforcement and crime : Policing best practices, improvement efforts.

DCPD Number: DCPD202200454.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 8, 2022		
Agenda Item Name		
Resolution No. 2022-040R		
Requested Action		
Request approval of Resolution No. 2022-040R to amend the Fiscal Year 2022 Budget.		
Staff Report		
Resolution No. 2022-040R is proposed to amend the Fiscal Year 2022 Budget. This resolution formally amends the budget for Council Actions since October 2021 along with subsequent requested updates to the Fiscal Year 2022 annual budget for General Fund, Capital Projects Fund, ARPA Fund, Water Fund, Sewer Fund, and Stormwater Fund. This resolution will result in an overall increase to fund balance in these funds in the amount of \$2,394,010. This increase is mainly due to receipt of the second tranche of the ARPA funds along with the updated allocation of the ARPA Fund and Other Funds for designated projects.		
Additional Analysis		
Fiscal Impact Summary		
The total increase to fund balance for all funds is \$2,394,010.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2022-040R - Budget Amendment 9 - ARPA (11.01.2022)	2022-040R - Budget Amendment 9 - ARPA (11.01.2022).pdf	



**CITY OF CLERMONT
RESOLUTION NO 2022-040R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, AUTHORIZING BUDGET
AMENDMENTS FOR THE CITY OF CLERMONT FOR FISCAL YEAR
2021-2022**

WHEREAS, it is hereby found and determined by the City Council of the City of Clermont, Lake County, Florida, that the following budget amendments are necessary for the Fiscal Year October 1, 2021 to September 30, 2022:

GENERAL FUND

General Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Transfer In ARPA Fund Rev. Replace	\$778,590	\$9,221,410	\$10,000,000
Total General Fund Revenues	\$778,590	\$9,221,410	\$10,000,000
General Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Transfer To Capital Projects Fund	\$550,000	\$7,731,492	\$8,281,492
Ending Reserves	\$10,379,824	\$1,489,918	\$11,869,742
Total General Fund Expenses	\$550,000	\$7,731,492	\$8,281,492

GENERAL FUND BALANCE – Net Increase of \$1,489,918

CAPITAL PROJECTS FUND

Capital Projects Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Transfer In From General Fund	\$550,000	\$7,731,492	\$8,281,492
Total Capital Project Fund Revenue	\$550,000	\$7,731,492	\$8,281,492



**CITY OF CLERMONT
RESOLUTION NO 2022-040R**

Capital Projects Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Cap Out - Land Dwntwn Prkng 95116	-	\$1,914,327	\$1,914,327
Cap Out Imprv- Dwntwn Prkng 95116	-	\$208,587	\$208,587
Cap Prof Svs - Dwntwn Prkng 95116	-	\$18,789	\$18,789
Cap-Bldg Ps Facility 49000	\$7,199,642	\$3,403,309	\$10,602,951
Cap-Oth Imp Dt Wtrfntcor 95113	\$2,500,000	\$2,186,480	\$ 4,686,480
Ending Reserves	\$93,449	\$0	\$93,449
Total Capital Project Fund Expenses	\$9,699,642	\$7,731,492	\$17,431,134

CAPTIAL PROJECT FUND BALANCE – Net Increase of \$0

AMERICAN RESCUE PLAN ACT (ARPA) FUND

ARPA Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
ARPA Revenues	\$8,000,000	\$11,356,075	\$19,356,075
Total ARPA Fund Revenues	\$8,000,000	\$11,356,075	\$19,356,075

ARPA Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Trans. To General Fund Rev. Replace	\$778,590	\$9,221,410	\$10,000,000
Trans. To Water Fund – Downtown Inf	\$0	\$455,623	\$455,623
Trans. To Sewer Fund - Downtown Inf	\$0	\$364,529	\$364,529
Trans. To Strmwtr Fund - Dwntwn Infr	\$0	\$410,421	\$410,421
Ending Reserves	\$5,657,396	\$904,092	\$6,561,488
Total ARPA Fund Expenses	\$778,590	\$10,451,983	\$11,230,573

ARPA FUND BALANCE – Net Increase of \$904,092



CITY OF CLERMONT
RESOLUTION NO 2022-040R

WATER FUND

Water Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Trans. In ARPA – Downtown Infr.	\$0	\$455,623	\$455,623
Total Water Fund Revenue	\$0	\$455,623	\$455,623

Water Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Cap Projects – Downtown Infr Water	\$0	\$455,623	\$455,623
Ending Reserves	\$12,094,876	\$0	\$12,094,876
Total Water Fund Expense	\$0	\$455,623	\$455,623

WATER FUND BALANCE – Net Increase of \$0

SEWER FUND

Sewer Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Trans. In ARPA – Downtown Infr.	\$0	\$364,529	\$364,529
Total Sewer Fund Revenue	\$0	\$364,529	\$364,529

Sewer Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Cap Projects – Downtown Infr Sewer	\$0	\$364,529	\$364,529
Ending Reserves	\$12,183,813	\$0	\$12,183,813
Total Sewer Fund Expense	\$0	\$364,529	\$364,529

SEWER FUND BALANCE – Net Increase of \$0



**CITY OF CLERMONT
RESOLUTION NO 2022-040R**

STORMWATER FUND

Stormwater Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Trans. In ARPA – Downtown Infr.	\$0	\$410,421	\$410,421
Total Stormwater Fund Revenue	\$0	\$410,421	\$410,421

Stormwater Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Cap Projects – Dwntwn Infr Strmwtr	\$0	\$410,421	\$410,421
Ending Reserves	\$192,040	\$0	\$192,040
Total Stormwater Fund Expense	\$0	\$410,421	\$410,421

STORMWATER FUND BALANCE – Net Increase of \$0

Net Increase to Fund Balance – All Funds – \$2,394,010



CITY OF CLERMONT
RESOLUTION NO 2022-040R

NOW, THEREFORE, BE IT RESOLVED, that the above said budget amendments of the City of Clermont for the Fiscal Year 2021-2022 are hereby adopted.

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 8th day of November, 2022.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 8, 2022		
Agenda Item Name		
Resolution No. 2022-041R		
Requested Action		
Request approval of Resolution No. 2022-041R to amend the Fiscal Year 2022 Budget.		
Staff Report		
Resolution No. 2022-041R is proposed to amend the Fiscal Year 2022 Budget. This resolution formally amends the budget for Council Actions since October 2021 along with subsequent requested updates to the Fiscal Year 2022 annual budget for General Fund, Cemetery Fund, Stormwater Fund, and Group Self Insurance Fund. This resolution will result in an overall decrease to fund balance in these funds in the amount of \$233,868. The decrease is comprised of changes resulting from the increase to the employer contribution for health insurance and the pay scale adjustments done in Fiscal Year 2022 that were previously approved by City Council.		
Additional Analysis		
Fiscal Impact Summary		
The total decrease to fund balance for all funds is \$233,868.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2022-041R Budget Amendment - Other Funds (11.02.2022)	2022-041R Budget Amendment - Other Funds (11.02.2022).pdf	



**CITY OF CLERMONT
RESOLUTION NO 2022-041R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, AUTHORIZING BUDGET
AMENDMENTS FOR THE CITY OF CLERMONT FOR FISCAL YEAR
2021-2022**

WHEREAS, it is hereby found and determined by the City Council of the City of Clermont, Lake County, Florida, that the following budget amendments are necessary for the Fiscal Year October 1, 2021 to September 30, 2022:

GENERAL FUND

General Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendments	Total 2022 Revised Budget
City Council			
Regular Salaries	\$36,009	\$1,330	\$37,339
FICA	\$2,755	\$101	\$2,856
City Clerk			
Group Insurance	\$39,295	\$3,154	\$42,449
Planning & Development Svcs			
Group Insurance	\$88,942	\$11,586	\$100,528
Fire			
Group Insurance	\$1,110,883	\$149,407	\$1,260,290
Streets/Transportation Maintenance			
Group Insurance	\$98,930	\$4,302	\$103,232
Fleet Maintenance			
Regular Salaries	\$254,969	\$2,293	\$257,262
Group Insurance	\$70,108	\$8,648	\$78,756
Engineering/Inspection			
Regular Salaries	\$64,302	\$1,964	\$66,266
Group Insurance	\$12,560	\$4,289	\$16,849



**CITY OF CLERMONT
RESOLUTION NO 2022-041R**

Procurement Services

Group Insurance	\$36,408	\$7,054	\$43,462
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Parks & Recreation

Group Insurance	\$55,335	\$2,912	\$58,247
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Events

Regular Salaries	\$138,297	\$15,826	\$154,123
Group Insurance	\$41,004	\$11,214	\$52,218

Arts & Recreation Center

Regular Salaries	\$325,546	\$424	\$325,970
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Ending Reserves	\$11,869,742	(\$224,504)	\$11,645,238
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General Fund Expense Totals	\$2,375,343	\$224,504	\$2,599,847
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GENERAL FUND BALANCE – Net Decrease of \$224,504

CEMETERY FUND

Cemetery Services Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendments	Total 2022 Revised Budget
Cemetery			
Regular Salaries	\$52,518	\$1,067	\$53,585
Group Insurance	\$16,101	\$3,612	\$19,713
Ending Reserves	\$1,499,083	(\$4,679)	\$1,494,404
Cemetery Fund Expense Totals	\$68,619	\$4,679	\$73,298

CEMETERY SERVICES FUND BALANCE – Net Decrease of \$4,679



**CITY OF CLERMONT
RESOLUTION NO 2022-041R**

STORMWATER FUND

Stormwater fund Expense Account Description	2022 Current Budget	Proposed Budget Amendments	Total 2022 Revised Budget
Stormwater			
Group Insurance	\$149,534	\$2,592	\$152,126
Ending Reserves	\$192,040	(\$2,592)	\$189,448
Stormwater Fund Expense Totals	\$149,534	\$2,592	\$152,126

STORMWATER FUND BALANCE – Net Decrease of \$2,592

GROUP SELF INSURANCE FUND

Group Self Insurance Expense Account Description	2022 Current Budget	Proposed Budget Amendments	Total 2022 Revised Budget
Group Self Insurance			
Regular Salaries	\$49,882	\$764	\$50,646
Group Insurance	\$13,095	\$1,329	\$14,424
Ending Reserves	\$1,364,533	(\$2,093)	\$1,362,440
Group Self Insurance Fund Expense Totals	\$62,977	\$2,093	\$65,070

GROUP SELF INSURANCE FUND BALANCE – Net Decrease of \$2,093

Change to Fund Balance – All Funds – Net Decrease of \$233,868



**CITY OF CLERMONT
RESOLUTION NO 2022-041R**

NOW, THEREFORE, BE IT RESOLVED, that the above said budget amendments of the City of Clermont for the Fiscal Year 2021-2022 are hereby adopted.

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 8th day of November, 2022.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 8, 2022		
Agenda Item Name		
Event, Road Closure, and Sign Request <i>Martin Luther King Jr. Day</i>		
Requested Action		
Recommend allowing Christian Men In Action to have the Martin Luther King Day event, with road closures (parade), and signs placed on City property. The event begins at McKinney Park and will continue to Waterfront Park on January 16, 2023.		
Staff Report		
Christian Men In Action is requesting to have the Martin Luther King Jr. Day event, with road closures (parade), and signs placed on City property. The event would begin at McKinney Park and continue to Waterfront Park on January 16, 2023. The event is co-sponsored by the City. Road closures would begin at 9:00 a.m. and would be as follows: - Bloxam Ave. at McKinney - East Ave., Northbound lane until Palm Street heading into Waterfront Park They are also requesting that signage be put up on City property two weeks before the event. Installation would be 1/3/22 and removal would be 1/17/22.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. MLK Application	MLK Application.pdf	
2. MLK Parade Route	MLK Parade Route.pdf	



APPLICATION FOR SPECIAL EVENTS PERMIT

PLEASE TYPE OR PRINT CLEARLY

Today's Date 10/27/2022
Name of Event Martin Luther King Jr Day Celebration & Parade
Date(s) of Event 01/16/2023 Estimated Attendance: 400 - 500
Event Start Time: 1100 AM Event End Time: 1600 PM
Before Event Setup Time: 0700 AM After Event Cleanup Time: 1600 PM
Name of Organization/Applicant Christian Men in Action

The refundable deposit will be made payable and mailed to the name and address of the applicant listed

Check Type of Organization ☐ Resident ☐ Non Resident ☒ Non-Profit ☐ Business

Non-Profit documentation must be provided with application.

Tax Exempt ☒ Yes ☐ No If yes, provide Tax Exempt # 06-1753112

If Yes, you must provide your Tax Exempt Certificate with application.

Federal ID # or Driver's License # _____

Event Contact TIM MURRY Email tleemurry4754@gmail.com

Day Phone 352 217 1140 Cell Phone 352 217 1140

Address P O Box 331 City Minneola State FL Zip 34755

Secondary Contact James A. McGriff Phone # 321-689-7718
jamesamcgriff@yahoo.com

If this event is a fundraiser, who is the beneficiary? (provide contact information and address)

Briefly Describe Event: Various artists will be performing throughout the day on stage. Vendors will be available for food.

Location of Event on City Property: Map 1 ☒ A ☐ B ☒ C ☐ D ☐ Map 2 ☐ Map 3

Please choose A, B, C, or D on MAP 1, MAP 2 (Downtown Clermont), or Map 3 (Victory Pointe)

Other Location: _____

PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AND RETURN WITH YOUR APPLICATION

MAP 2



MAP 3



Alcohol Served: ☐ Yes ☒ No

If Yes, State Alcoholic Beverage License REQUIRED for sale of alcoholic beverages 1-800-375-6975 and approval from the City of Clermont City Manager and Council.

Canopy/Tent Use: ☒ Yes ☐ No Size of Tent* 10' x 10'

*Tents larger than 900 sq. ft. will require an additional permit

Electrical Use: ☒ Yes ☐ No Describe the need: Stage Only

Additional permits may be required based on use

Electrical Power Provided: ☐ Generator ☐ Temporary Power Drop ☐ Property Power

Gas Fueled Equipment: ☐ Yes ☐ No Describe Use:

If Yes, subject to permits as required by the Building/Fire Safety Division.

Fuel Source ☐ Propane ☐ Natural Gas ☐ Diesel Fuel ☐ Gasoline

Cooking Equipment Use: ☐ Yes ☐ No

If Yes, subject to approval as required by the Florida DBPR, Division of Hotels and Restaurants. Contact number 1-850-487-1395

Cooking Types: ☐ Fryers ☐ Propane Grill ☐ Charcoal Grill ☐ Concession Trailer ☒ Food Trucks

Insurance may be required by provider

Rides: ☐ Yes ☒ No Ride Types: ☐ Mechanical ☐ Bounce Houses ☐ Animals

Insurance may be required by provider

Pyrotechnic/Fireworks Displays: ☐ Yes ☒ No

If Yes, requires separate approval process completed by Company with the Fire Prevention Division.
The release of Sky Lanterns is not permitted under state law.

Streets to be Closed or Traffic Control: ☒ Yes ☐ No

Written submission for road closure is required and will require city council approval

Fire or Law Enforcement Stand-by Requested: ☐ Yes ☒ No

If Yes, requires separate approval process completed by applicant with the Clermont Police Department and Clermont Fire Department.
Law enforcement or fire/ems stand-by may be required by the City for certain events/activities and at the applicant's cost.

Live Television or Radio Broadcast: ☐ Yes ☒ No

DJ, Band, Music or Sound Amplification Devices: ☒ Yes ☐ No

Describe: DJ AND VARIOUS singers & dancers

If loud sounds are created that require a permit under the City Noise Ordinance, a letter requesting a permit for such activity must accompany this permit application.

Banners or Attention Getting Devices: ☐ Yes ☐ No

If Yes, Attention Getting Devices and Banners require a separate permit with the Building/Fire Safety Division. Temporary signage is not permitted in right-of-ways.

Is this event: ☒ Public ☐ Private Is another promoter/producer assisting with your event? ☐ Yes ☐ No

Will this event use other venues and/or municipalities such as Lake County? ☐ Yes ☒ No

Will this event be utilizing Lake Minneola or Lake Minnehaha for any portion of the event? ☐ Yes ☒ No

Are you requesting the boat ramp be closed in order to be used for overflow parking? ☐ Yes ☒ No

Boat ramp closure request will only be considered by the City Council for events that have over 1000 expected in attendance.

SPECIAL EVENTS COST ESTIMATOR

NAME OF EVENT: Martin Luther King Jr Day Celebration
 DATE OF EVENT: 01/16/2023
 EVENT CONTACT: Tim Murry Christian Men in Action
 REFUND MAILING ADDRESS: P.O. Box 331 Minnesota FL 34755
 Street Address
P.O. Box 331
 City Minneapolis ST FL Zip 34755

CELL PHONE:

Payment Deadline:

Application Fee and deposit are due upon submission

Final payment is due 30 days prior to event date.

Final payment not received by the due date will be assessed a 10% late payment fee per week on balance due.

	NON-PROFIT/ RESIDENT RATE	BUSINESS/ NON-RESIDENT RATE	SPECIAL INSTRUCTION	FEE
Application Fee	\$10	\$10	Non-Refundable	\$10
CITY PROPERTY:				
HIGHLANDER BUILDING AND PAVILION ~ AREA A (BLUE)				
Deposit	\$250	\$250	Refundable	
Hourly Fee	\$100	\$200	Per Hour (2 Hour Minimum)	
Daily Fee	\$700	\$1100		
PARK AREA ~ AREA B (RED)				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
WATERFRONT ~ AREA C (YELLOW)				
Deposit	\$350	\$350	Refundable	
Hourly Fee	\$200	\$300	Per Hour (2 Hour Minimum)	
Daily Fee	\$1500	\$2500		
Each Consecutive Day	\$1200	\$2000		
CITY HALL PARK - DOWNTOWN ~ AREA D (GREEN)				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
VICTORY POINTE				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
~ ADDITIONAL FEES ~ TO BE DETERMINED BY CITY STAFF				
Additional City Staff	\$35	\$35	Per Person, Per Hour	
Public Works Event Staff	\$35	\$35	4 hr. min, per staff	
Police Officer	\$42	\$42	4 hr. min, Per Officer	
Fire/ EMS	\$60	\$60	4 hr. min, 2 staff min	
Fire Boat in the Water	\$100	\$100	Per Hour	
				Sales Tax
				GRAND TOTAL

Resident/Non-Profit rate is defined as

- A resident or land owner located in the Clermont city limits
- A business located in the Clermont city limits
- Be an organization/business that is active and currently registered with the Florida Division of Corporations. Applicant must be a registered agent, representative, or board member of the organization/business.

**Non-Profits must provide business license, proof of non-profit status (5013C)*

Non-Resident/Business rate is defined as

- Applicant resides outside the Clermont city limits
- Business is located outside the Clermont city limits

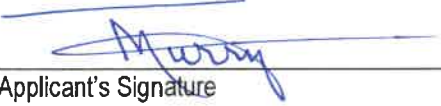
**Clermont Residents are not permitted to use 'Resident' status if the business is located outside of the city limits*

All businesses, vendors, etc., must provide a Certificate of Liability with a minimum coverage of \$1,000,000 Comprehensive General Liability Insurance naming the City of Clermont as additionally insured

PLEASE NOTE: The issuance of a Special Events Permit from the City shall NOT relieve any person from the duty to secure other City, State or County permits or approvals as may be required to include, but not be limited to, Department of Business and Professional Regulation, Health Department, tent permits, fireworks permit, attention getting device permits, business tax receipt, etc. The applicant agrees that no advertising for the event shall occur until this Special Event Permit has been approved. If any information is found to be false, incomplete or misrepresented, such fact is just cause for the immediate revocation of any permit issued. In addition, failure to correct any on-site condition or code violation as identified by the City staff will result in revocation of the permit and/or code enforcement fines.

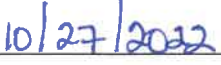
Indemnification, Insurance and Additional Costs

The applicant and any other persons, organizations, firms or corporations on whose behalf the application is made agree that they will jointly and severally indemnify and hold the City harmless against liability, including court costs and attorney's fees, and attorney's fees on appeal, for any and all claims for damage to property, or injury to or death to persons, arising out of or resulting from the issuance of the permit or the conduct of the Special Event. The applicant may be required to provide insurance, as determined by the Risk Manager. In that case, the City shall be named as an Additional Insured. The applicant also agrees to reimburse the City for all costs due to damage, or use of City resources that are unanticipated but required to support this event.


Applicant's Signature


Title


Printed Name


Date

*****FOR CITY DEPARTMENT REVIEW ONLY*****

Department / Division Routing:

- | | | |
|-----------------------|-------------------------------|--------------------|
| a) Parks & Rec. Dept. | b) Police Department | c) Fire Department |
| d) Public Works Dept. | e) Development Services Dept. | |

Provide email comments back to City within 7 calendar days of application receipt by the City. Comments need to include a specific denial or approval of the permit and any specific conditions required to be met or listed on the permit.



MLK Proposed Parade Route 1/16/23

- **Begin at McKinney Park**
- **Bloxam to Desoto**
- **Desoto to East Ave.**
- **East Ave. to Waterfront Park**



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date

Tuesday, November 8, 2022

Agenda Item Name

Ordinance No. 2022-033 *Final*
Clonts Property Rezoning

Requested Action

Recommend tabling to the December 13th City Council meeting

Staff Report

This application was tabled from the August 23, 2022 City Council meeting to allow refinement and further study of the traffic impact on the Wellness Way Area Road Network. The updated traffic study was received on October 27, 2022 and time is needed for the City's Traffic Consultant review. Request tabling to the December 13, 2022 meeting.

The applicant is requesting a rezoning to a Planned Unit Development (PUD) to construct a multi-family development consisting of 328 units. The site is approximately 27.5 acres and is located just east of US 27 and directly north of the Olympus Sports and Entertainment development. In October of 2019, the property owner obtained a Developers Agreement from the city that entitled the parent parcel (approx. 52 acres) to 12 units per acre and up to 152,000 square feet of commercial and retail use. The current applicant is only requesting to develop the eastern half of the development and will return to city council when ready to develop the western portion that is adjacent to Highway 27. The property is currently zoned Urban Transition with a Future Land Use of Master Planned Development.

The applicant has provided an updated conceptual site plan, prepared by Poulos & Bennett dated August 10th 2022. The plan was updated due to an incorrect exhibit on sheet C5.00, Typical Roadway Sections. The applicant is proposing 328 apartment units along with amenities consisting of a community pool, activity lawn, and promenade. The density of the project is at 12 dwelling units per acre, which is permitted by the Developers Agreement and the Future Land Use. As part of the design, the applicant is requesting relief from the city's grading code. For residential properties, the current code allows for a maximum cut or fill of 10 feet. In this case, because of the topography, the applicant is requesting up to a 35 foot cut over 17% of the site, in which most of it is in the proposed stormwater pond. A small portion, about 1/2 acre or 1.9% is outside of the pond and is expected to have up to 18 feet of cut. The fill area is expected to be up to 12 feet of fill over 0.5 % of the site. Another request by the applicant is to allow retaining walls with a maximum height of 8 feet. Per city code, retaining walls shall have a maximum height of 6 feet.

The proposed PUD is consistent with the Master Planned Development Future Land Use and the spirit of the Wellness Way Area Plan. The PUD ordinance has several specific conditions that the applicant will need to satisfy in order to continue to move forward on the development of the site, if approved by City Council. These conditions include the extension of utility lines to the area in a timely manner and mitigation strategies for payment for the proportionate fair share in the Hartwood Marsh improvements and for the proportionate fair share for a traffic signal at the US27 and Wellness Way intersection.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The project is adjacent to a major arterial, US 27, and a new road, Wellness Way. Public utilities will be brought to the site by the developer and the City does have capacity to serve the project. The proposed project is not in conflict with the City's Comprehensive Plan or Land Development Code. Staff recommends approval of Ordinance No. 2022-033. *The Planning and Zoning Commission recommended unanimous approval, 7-0.*

Additional Analysis		
Fiscal Impact Summary		
		.
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Ord. 2022-033 Clonts Rezoning (08.16.2022)	Ord. 2022-033 Clonts Rezoning (08.16.2022).pdf
2.	Clonts legal ad	Clonts legal ad.pdf



CITY OF CLERMONT
ORDINANCE NO. 2022-033

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

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 DESCRIPTION:

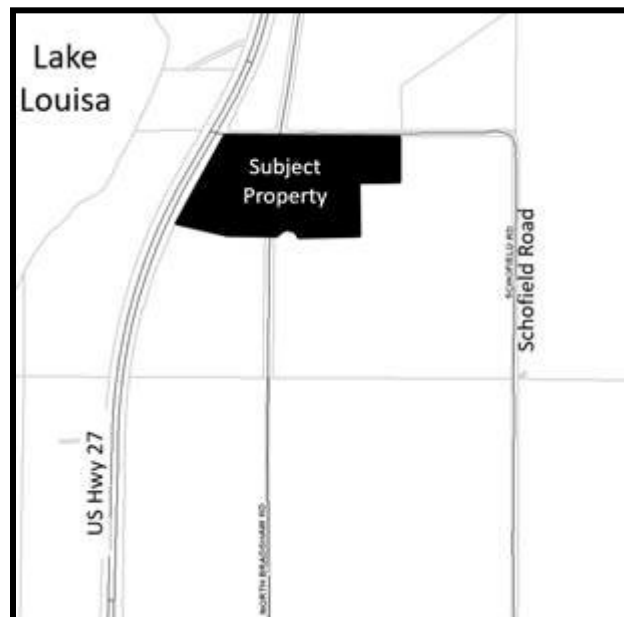
LEGAL DESCRIPTION: A PORTION OF SECTION 21 TOWNSHIP 23 SOUTH, RANGE 26 EAST, LYING EAST OF US HIGHWAY 27, SOUTH OF SCHOFIELD ROAD LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 21; THENCE S89°30'42"W W ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 1424.92 FEET; THENCE DEPARTING SAID SOUTH LINE RUN S00°13'39"E, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF E, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SCHOFIELD ROAD (A VARIABLE WIDTH COUNTY MAINTAINED RIGHT OF WAY); THENCE CONTINUE S00°13'39", A DISTANCE OF 87.00 FEET TO THE POINT OF BEGINNING; THENCE S89°30'42"W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1735.91 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 27 ALSO KNOWN AS STATE ROAD 25 (A VARIABLE WIDTH RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FP NO. 238422 1 DATED: NOVEMBER 8, 2005); THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY THE FOLLOWING FIVE (5) COURSES AND DISTANCES: THENCE S29°58'09"W, A DISTANCE OF 3.93 FEET; THENCE N59°58'28"W, A DISTANCE OF 14.98 FEET; THENCE S29°56'43"W, A DISTANCE OF 449.91 FEET; THENCE N59°59'46"W, A DISTANCE OF 4.97 FEET; THENCE S29°56'22"W, A DISTANCE OF 68.87 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5579.01 FEET, A CENTRAL ANGLE OF 06°56'55", A CHORD BEARING OF S26°27'55"W AND A CHORD DISTANCE OF 676.18 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 676.59 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE RUN S67°38'24"E, A DISTANCE OF 469.15 FEET; THENCE S89°50'54"E, A DISTANCE OF 664.70 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 120°00'00", A

CHORD BEARING OF S89°52'26"E AND A CHORD DISTANCE OF 155.88 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 188.50 FEET TO THE END OF SAID CURVE; THENCE S89°54'20"E, A DISTANCE OF 724.09 FEET; THENCE N00°06'56"E, A DISTANCE OF 771.53 FEET; THENCE S89°53'03"E, A DISTANCE OF 297.15 FEET; THENCE N44°56'39"E, A DISTANCE E, A DISTANCE OF 56.40 FEET; THENCE N00°13'39"W, A DISTANCE OF 433.99 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,275,197.41 SQUARE FEET OR 52.23 ACRES MORE OR LESS.

LOCATION:

2 miles south of Hartwood Marsh Road,
East of US 27 at the Schofield Road intersection
Alternate Key 1462436



PROPERTY REZONING

**Rezone the property from Urban Transition to
Planned Unit Development (PUD) for multi-family use and commercial use**

SECTION 2: GENERAL CONDITIONS

This application for a Planned Unit Development is to allow for a multi-family residential Planned Unit Development along with future C-2 General Commercial uses:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.



CITY OF CLERMONT
ORDINANCE NO. 2022-033

2. The property shall be developed in substantial accordance with the PUD Concept Plan prepared by Poulos & Bennett dated August 10, 2022. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. 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 manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City's Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS:

1. As a result of a developer's agreement entered into by the City of Clermont and Clonts Groves, Inc, dated October 22, 2019, the project shall have a density of twelve (12) dwellings units per net acre. The multi-family acreage is 27.37 acres, thus a total of 328 multi-family dwelling units may be constructed.
2. The future development parcel (Parcel 2), according to the Developer's Agreement, may have up to one hundred fifty-two thousand five hundred (152,500) square feet of commercial, retail and office uses. No multi-family will be permitted on Parcel 2.
3. To the extent of a conflict between this Ordinance and the October 22, 2019 Clonts Groves, Inc. Development Agreement related to the subject property, this Ordinance shall control and prevail.
4. Phasing of Development: The project may be developed in one or more phases.
5. The project may have a maximum cut of up to 35 feet over 17% of the multi-family area, as indicated on the Clonts Groves PUD Cut/Fill Exhibit. These changes will be submitted to the City Engineer at the time of final engineering.
6. The project may have a maximum fill of up to 12 feet over .5% of the project area, as indicated on the Clonts Groves PUD Cut/Fill Exhibit. These changes will be submitted to the City Engineer at the time of final engineering.

7. Development Standards

Building Placement	Multi-family
Front yard minimum	15'
Front Build-to-zone	15' to 25'
Street Side Yard minimum	10'
Side Yard minimum	0/5'
Rear Yard minimum	10'
Building Stories/Ft. Maximum height	4/60'
Minimum Living Area	500 SF

8. Retaining wall heights up to 8 feet in height are allowed to deal with grading on the site.
9. The Project shall meet the Cit of Clermont Land Development Regulations for Signage, Parking Requirements, and Landscaping.
10. The Project will adhere to dark sky standards.
11. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plan approval stage of the overall development. Applicable permits for any gopher tortoises and associated burrow commensal species or other endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of the development activity.
12. School concurrency shall be met before final site plan approval in accordance with the Comprehensive Plan and Land Development Code.
13. This Planned Unit Development shall become null and void if substantial construction work on the multi-family portion of the Project has not begun within five (5) years of the date that this Planned Unit Development 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.
14. Trash compacters may be substituted for dumpsters for the project if the Applicant can demonstrate it can sufficiently meet the waste demands for the project, subject to City Manager approval, or designated staff.
15. The buildings shall be constructed in a manner that shall meet the Wellness Way Community Design Guidelines and Standards and as represented in the provided elevations in Exhibit B.

16. The Developer shall enter into a Proportionate Share Transportation Impact Fee Credit agreement with Lake County prior to the issuance of a building permit. The Agreement shall require the Developer to fund improvements for right-of-way, design, permitting, and construction of roadways, traffic signals, intersection improvements for Transportation impact fee credits based upon the following priorities:
 - i. Payment in escrow to Lake County for the acquisition of the four lane right-of-way from Conserv for Wellness Way;
 - ii. Design and permitting of Wellness Way from US 27 to the Orange County line as a four lane roadway;
 - iii. Construction of Wellness Way from Hancock Road to the Orange County line as the first two lanes of the ultimate four lane roadway;
 - iv. Payment in escrow to Lake County for the acquisition of the four lane right-of-way from Conserv for Hancock Road;
 - v. Design and permitting of Hancock Road from Wellness Way to the northern boundary of the Conserv property as a four lane roadway;
 - vi. Construction of Hancock Road from Wellness Way to the entrance of the Fuqua project south of Hartwood Marsh Road as the first 2-lanes of the ultimate 4-lane roadway;
 - vii. Construction of the 3rd and 4th lanes of Wellness Way from US 27 to the Hancock/Schofield intersection;
 - viii. Or as stipulated in the Proportionate Share Agreement.
17. The Developer will be responsible for their proportionate share of traffic signals, when warranted, at the time of construction for intersections that serve the project, including Wellness Way. The proportionate share shall be based upon the actual cost of traffic signals at the time they are constructed.
18. The Developer will be responsible for the construction of the roadways as indicated on Sheet No. C6.00 Road Way Network Plan of the Clonts PUD Concept Plan that indicate dedicated roadways. These include the N. Bradshaw Road and the internal privately maintained east-west road for public use.
19. The development shall comply with all applicable County and Florida Department of Transportation access management requirements. The final access points shall be determined during the final site plan and final engineering review and may change from the conceptual plan.
20. Decorative street lighting shall be included for all Planned Unit Development internal roadways and along Bradshaw Road adjacent to the project. The Developer shall coordinate with the power utility provider for the installation and placement. The Developer shall be responsible for the cost of installation, maintenance and operation.
21. As documented in Section 21 of the October 22, 2019 Clonts Groves, Inc. Development Agreement, the Owner agrees to remove the existing communication tower no later than December 31, 2031.



CITY OF CLERMONT
ORDINANCE NO. 2022-033

22. The property management office shall prominently notify tenants in writing that mining activities are in the vicinity and shall inform potential tenants of the sounds, fugitive dust particles and other potential hazards that may be encountered periodically resulting from the existing sand mine. In addition, the Project is located within the Lake Louisa State Park Smoke Shed and at times, less than desirable conditions may exist due to controlled burning. This shall also be conveyed to and acknowledged by the tenants as well.

SECTION 4: CONFLICT

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5: SEVERABILITY

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 6: ADMINISTRATIVE CORRECTION

This Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 7: RECORDING

This Ordinance shall be recorded in the Public Records of Lake County, Florida.

SECTION 8: PUBLICATION AND EFFECTIVE DATE

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. 2022-033

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of August 2022.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

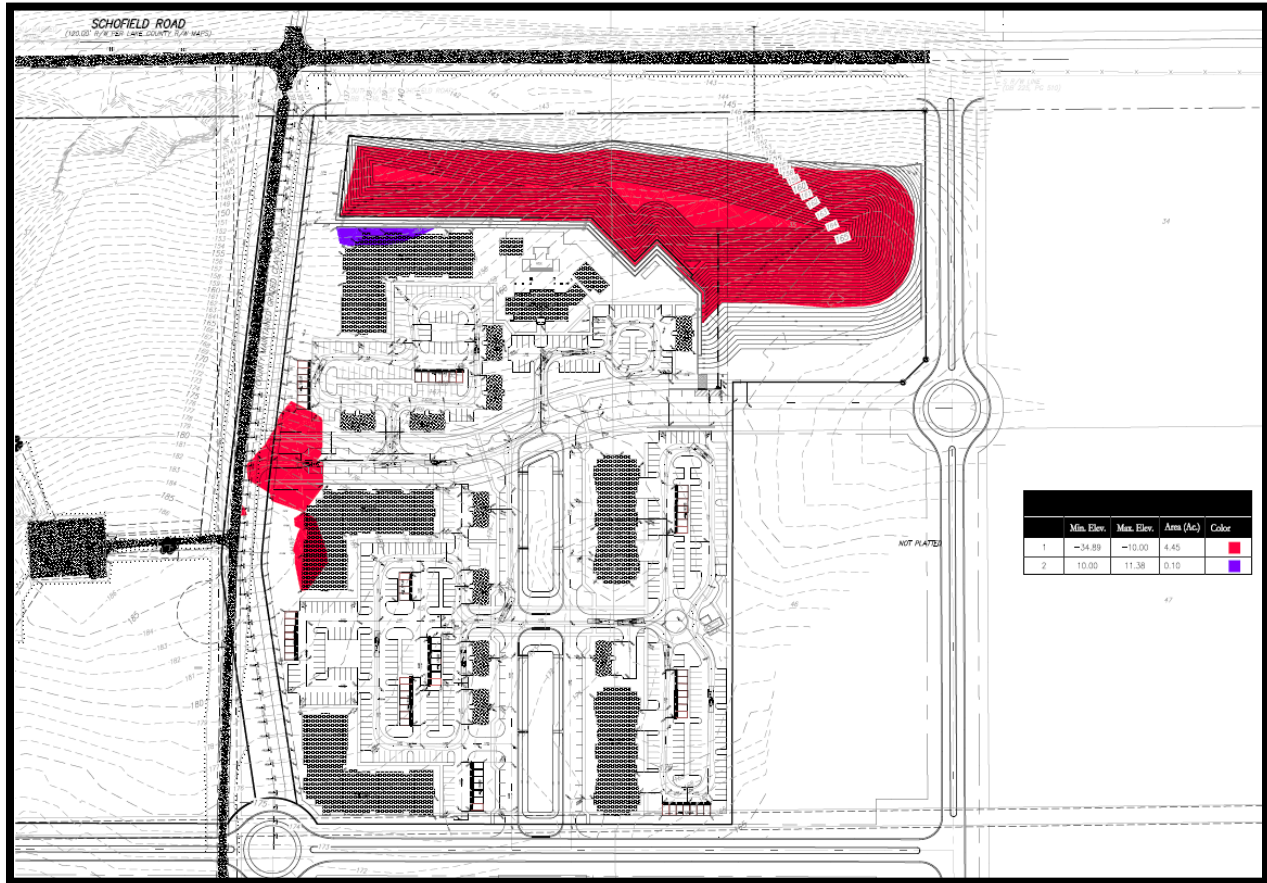
Exhibit A:
PUD Conceptual Plan



Exhibit B:
Sample Elevation



Exhibit C:
Clonts Groves PUD Cut/Fill Exhibit



LEGAL NOTICE

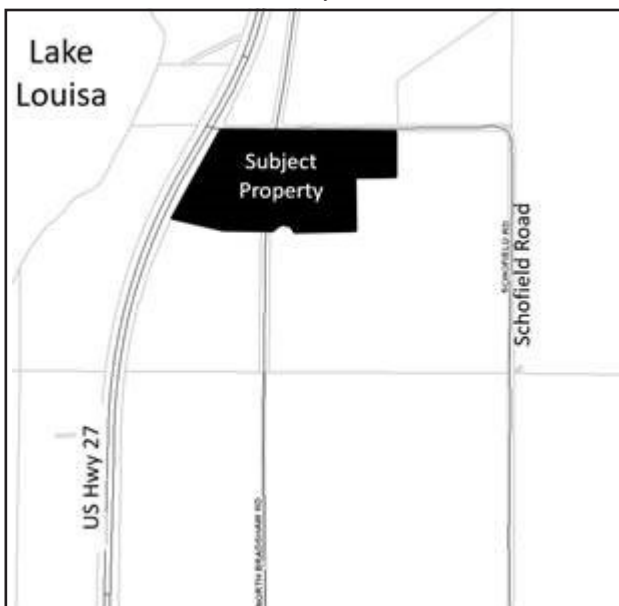
On Tuesday, August 2, 2022 at 6:30 PM the Clermont Planning & Zoning Commission will consider the enactment of following proposed ordinance and on Tuesday, August 23, 2022 at 6:30 PM at a public hearing the request will be held before the City Council for Final Adoption.

ORDINANCE NO. 2022-033

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND EFFECTIVE DATE.

LOCATION

2 miles south of Hartwood Marsh Road,
East of US 27 at the Schofield Road intersection
Alternate Key 1462436



LEGAL DESCRIPTION

LEGAL DESCRIPTION: A PORTION OF SECTION 21 TOWNSHIP 23 SOUTH, RANGE 26 EAST, LYING EAST OF US HIGHWAY 27, SOUTH OF SCHOFIELD ROAD LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 21; THENCE S89°30'42"W W ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 1424.92 FEET; THENCE DEPARTING SAID SOUTH LINE RUN S00°13'39"E, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF E, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SCHOFIELD ROAD (A VARIABLE WIDTH COUNTY MAINTAINED RIGHT OF WAY); THENCE CONTINUE S00°13'39", A DISTANCE OF 87.00 FEET TO THE POINT OF BEGINNING; THENCE S89°30'42"W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1735.91 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 27 ALSO KNOWN AS STATE ROAD 25 (A VARIABLE WIDTH RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FP NO. 238422 1 DATED: NOVEMBER 8, 2005); THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY THE FOLLOWING FIVE (5) COURSES AND DISTANCES: THENCE S29°58'09"W, A DISTANCE OF 3.93 FEET; THENCE N59°58'28"W, A DISTANCE OF 14.98 FEET; THENCE S29°56'43"W, A DISTANCE OF 449.91 FEET; THENCE N59°59'46"W, A DISTANCE OF 4.97 FEET; THENCE S29°56'22"W, A DISTANCE OF 68.87 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5579.01 FEET, A CENTRAL ANGLE OF 06°56'55", A CHORD BEARING OF S26°27'55"W AND A CHORD DISTANCE OF 676.18 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 676.59 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE RUN S67°38'24"E, A DISTANCE OF 469.15 FEET; THENCE S89°50'54"E, A DISTANCE OF 664.70 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 120°00'00", A CHORD BEARING OF S89°52'26"E AND A CHORD DISTANCE OF 155.88 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 188.50 FEET TO THE END OF SAID CURVE; THENCE S89°54'20"E, A DISTANCE OF 724.09 FEET; THENCE N00°06'56"E, A DISTANCE OF 771.53 FEET; THENCE S89°53'03"E, A DISTANCE OF 297.15 FEET; THENCE N44°56'39"E, A DISTANCE E, A DISTANCE OF 56.40 FEET; THENCE N00°13'39"W, A DISTANCE OF 433.99 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,275,197.41 SQUARE FEET OR 52.23 ACRES MORE OR LESS.

PROPERTY REZONING

**Rezone the property from Urban Transition to
Planned Unit Development (PUD) for multi-family use and commercial use**

All public meetings are held in the Clermont City Hall, Council Chambers located at 685 W. Montrose Street, Clermont, FL 34711.

This ordinance is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 AM and 5:00 PM.

All interested parties shall 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. 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 Howe, MMC
City Clerk

AGENDA ITEM

Meeting Date	
Tuesday, November 8, 2022	
Agenda Item Name	
Resolution No. 2022-038R Clermont Vet	
Requested Action	
Recommend approval of Resolution 2022-038R	
Staff Report	
The applicant, ClermontVet LLC, is requesting a Conditional Use Permit for a veterinary clinic to be established at 1670 East Highway 50, in the Home Depot/Publix Plaza. The property is zoned C-2 General Commercial and this proposed use is required to obtain a Conditional Use Permit, as required by section 122-224 of the Land Development Code. The applicant intends on leasing Suite E within the building. The suite is approximately 1,500 square feet and the applicant is proposing to renovate the interior.	
	
The clinic will mainly provide preventative care and standard medical treatment for small animals, including but not limited to; vaccinations, routine testing, dentistry, standard surgeries and treatment for illness and injury. No grooming, boarding, or overnight stays will be done on the premises. The clinic is expected to be open Monday through Friday, 9 am to 5 pm and Saturday and Sunday from 10 am to 2 pm. The practice would be limited exclusively to serve dogs and cats.	
The proposed interior renovations include the installation of an upgraded HVAC system to provide an acceptable level of indoor air quality to meet a healthcare facility, such as the clinic. The system will restrict air between sections of the clinic and adjoining suites and remove odor, dust, and dirt. In addition, sound proofing the suite will be done with materials using a higher STC (Sound Transmission Class) and NRC (Noise Reduction Coefficient) materials. This helps in minimizing sound transfer from one room to another as well as managing the amount of sound that can be heard from outside the building. The clinic will employ FearFree certified professionals who are educated on the welfare of animals and pet owners and are trained to look after the pet's physical and emotional wellbeing.	
Staff has reviewed the application and proposed project in regards to Section 86-144, Review Criteria for a Conditional Use Permit. The applicant has received approval from the property owner, Lucas Clermont Limited Partnership, for the proposed veterinary clinic and supports the issuance of the conditional use permit. The surrounding areas are zoned C-2 General Commercial, with no adjacent residential uses. The property is in close proximity of one major arterial roadways, SR 50, and collector, Citrus Tower, which offers accessibility to the site and secondary, may minimize sound due to the background roadway noise. The proposed use will not be detrimental to the health, safety and general welfare of the community. The applicant is performing renovations and alterations to the interior of the building that would ensure the operation would not have a negative impact on the	

community. The proposed use would provide a service to the community that appears to be lacking. The Conditional Use Permit will not be in conflict to the Clermont Comprehensive Plan for the Commercial Future Land Use. Therefore, staff recommends approval of Resolution 2022-038R.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|--|--|
| 1. | 2022-038R ClermontVet CUP (10.17.2022) | 2022-038R ClermontVet CUP (10.17.2022).pdf |
| 2. | ClermontVet LLC Maps | ClermontVet LLC Maps.pdf |
| 3. | ClermontVet LLC Conditional Use Permit Application
2022 09 29 4864-9162-1430.v1 | ClermontVet LLC Conditional Use Permit Application
2022 09 29 4864-9162-1430.v1.pdf |
| 4. | Legal ad - 2022-038R Clermont Vet CUP | Legal ad - 2022-038R Clermont Vet CUP.pdf |



CITY OF CLERMONT
RESOLUTION NO. 2022-038R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A VETERINARY CLINIC IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT. PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held November 1, 2022 recommended approval of this Conditional Use Permit to allow for a veterinary clinic in the C-2 General Commercial zoning district; at the following location:

LOCATION:

1670 East Highway 50, Unit E
Alternate Key 3790873

WHEREAS, from the evidence presented at the public hearing and after consideration of the factors set forth in Sec. 86-144 (d) of the Land Development Code, the city council finds, that: (1) granting the conditional use permit will not adversely affect the officially adopted comprehensive plan of the city; (2) Such use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity; (3) The proposed use will comply with the regulations and conditions specified in the codes for such use; and (4) The proposed use may be considered desirable at the particular location.

WHEREAS, the City Council determines that the application for a conditional use permit meets the criteria set forth in the Land Development Code and otherwise it is 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 based on the findings stated above and incorporated herein:

This application for a Conditional Use Permit to allow for a veterinary clinic in the C-2 General Commercial zoning district; be granted subject to the following 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. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.



CITY OF CLERMONT
RESOLUTION NO. 2022-038R

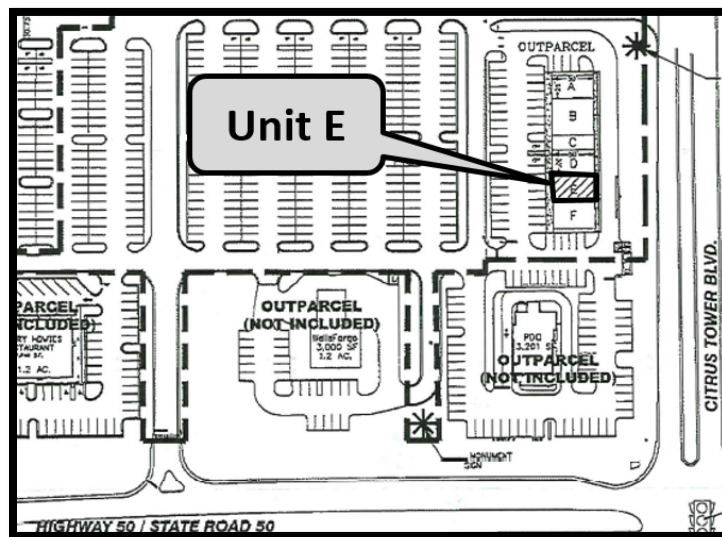
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The Fire Inspector shall provide building inspections for life safety requirements and all fire code regulations must be in compliance prior to the issuance of any Building Certificate of Occupancy.
5. The Building Inspector shall inspect all structures and building for compliance and any building code violations shall be corrected before the issuance of the Certificate of Occupancy.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of approval by the City Council or the permit shall become null and void.
7. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
8. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may open the Conditional Use Permit for further conditions or revoke this Conditional Use Permit by Resolution.
9. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Clermont Development Services Department.
10. Should approved uses cease operation for more than 180 days, a new Conditional Use Permit shall be required for the same or similar operations.

SECTION 2: LAND USE

1. This Conditional Use Permit shall grant approval to allow for a veterinary clinic with a range of services including, but not limited to: vaccinations, routine testing, dentistry, standard surgeries and treatment for illness and injury.

CITY OF CLERMONT
RESOLUTION NO. 2022-038R

2. The veterinary clinic will be limited to small animals only, consisting of canine and feline species. No large animals shall be allowed, such as horses, cows, swine, or other livestock species.
3. The veterinary clinic may not offer grooming, boarding, or overnight stays.
4. The hours of operation for the veterinary clinic will be typical business hours, seven days a week, between the hours of 8 am to 6 pm. The veterinary clinic may operate within these hours of operation.
5. A waste management and operation plan shall be developed to properly deal with the animal waste in an effort to minimize smells and unpleasant odors emitting from the site. In the event that odors create a nuisance to the surrounding property owners, the City reserves the right to open the Conditional Use Permit for further review and additional conditions.
6. The renovations of the building shall include a higher STC rated wall and NRC acoustical ceiling tiles to minimize sound transfer from the building. In the event that the noise levels create a nuisance to the surrounding property owners, the City reserves the right to open the Conditional Use Permit for further review and additional conditions.
7. The location of the veterinary clinic will be limited to Unit E, which is approximately 1,515 square feet, as shown below. Any expansions into other units will require an amendment to this Conditional Use Permit.



SECTION 3: CONFLICT

All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.



CITY OF CLERMONT
RESOLUTION NO. 2022-038R

SECTION 4: SEVERABILITY

If any portion of this Resolution is declared invalid, the invalidated portion shall be severed from the remainder of the Resolution, and the remainder of the Resolution 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 Resolution as a whole.

SECTION 5: ADMINISTRATIVE CORRECTION

This Resolution may be re-numbered or re-lettered, and/or corrected for typographical and/or scrivener's errors which do not affect the intent of said resolution, as authorized by the City Manager or designee, without need of public hearing, by filing a corrected copy of same with the City Clerk.

SECTION 6: PUBLICATION AND EFFECTIVE DATE

This Resolution shall take effect immediately upon its adoption.



CITY OF CLERMONT
RESOLUTION NO. 2022-038R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 8th day of November 2022.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – ClermontVet, LLC

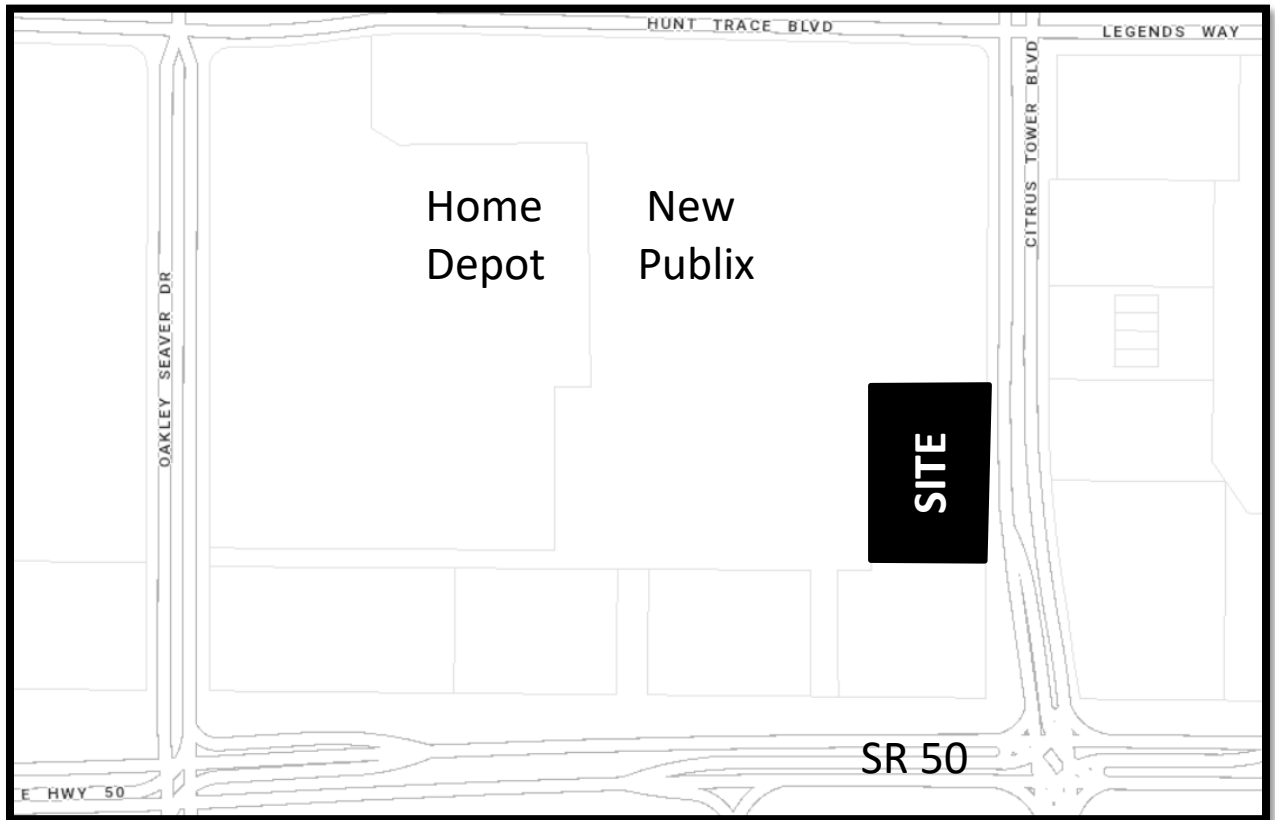
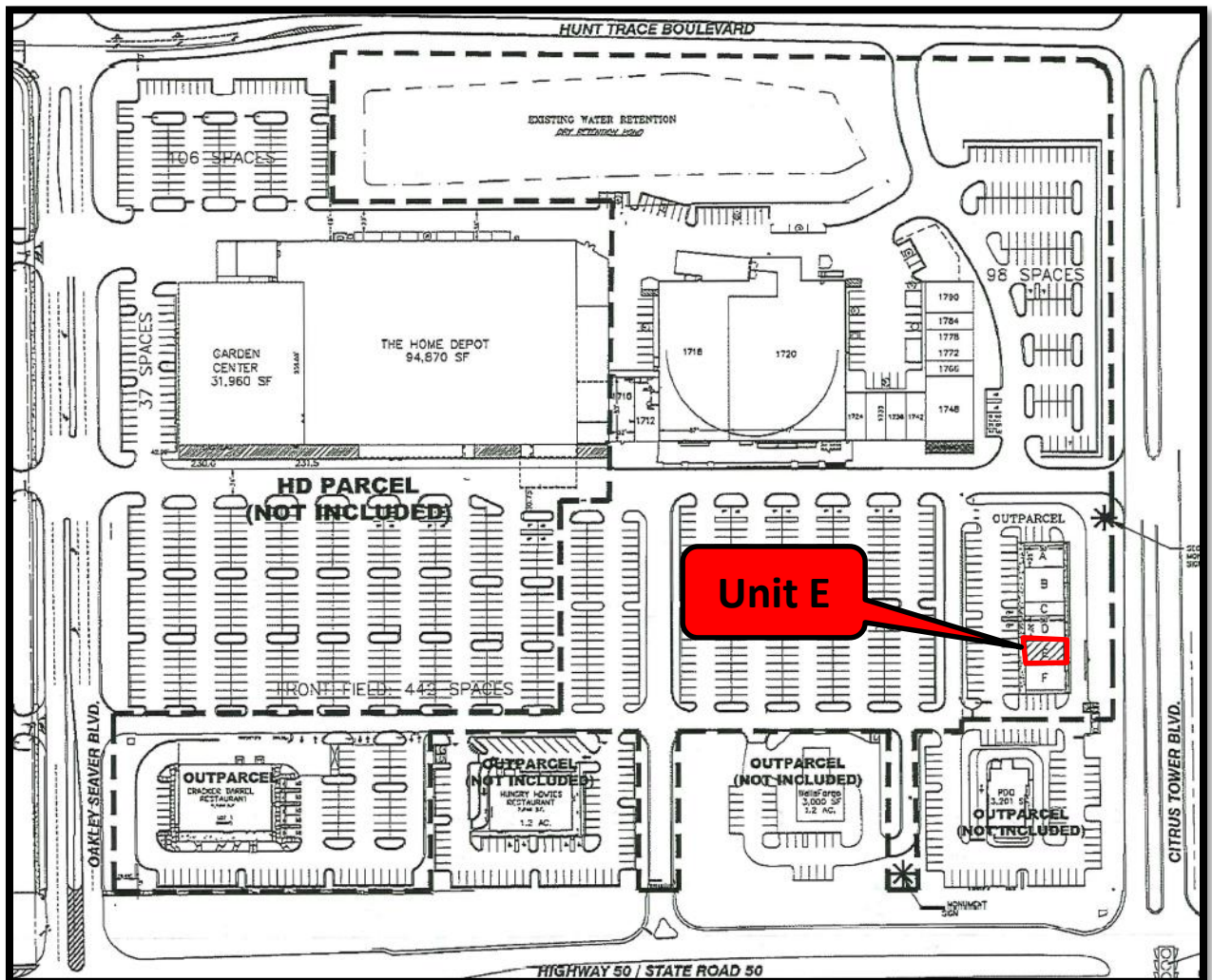


Exhibit - ClermontVet, LLC – Unit E





NELSON D. RODES

September 29, 2022

City of Clermont
Development Services Department
P.O. Box 120219
Clermont, FL 34712-0219

Re: Conditional Use Permit Application for ClermontVet, LLC

Dear Sir or Madam:

I hope this letter finds you well and that you are safe from the effects of Hurricane Ian. I represent ClermontVet, LLC (the "Applicant") regarding its Conditional Use Permit Application for the operation of a PetVet 365 branded veterinary clinic in the Clermont Town Center shopping center (the "Clinic"). Enclosed with this letter are the following documents:

- Executed City of Clermont Conditional Use Application, enclosed as ANNEX A.
- Copies of the warranty deed to the Clermont Town Center shopping center and corrective quit-claim deed for same, attached as ANNEX B.
- Copies of real estate tax payments for the Clermont Town Center shopping center, enclosed as ANNEX C.
- Legal Description of the Clermont Town Center shopping center, enclosed as ANNEX D.
- A letter from the owner of the Clermont Town Center shopping center providing consent to the proposed use and support for the issuance of the Conditional Use Permit and the site plan of the Clermont Town Center shopping center identifying the premises in which the Applicant is applying for the Conditional Use Permit, enclosed as ANNEX E.
- Copy of the ALTA Land Survey of the Clermont Town Center shopping center, enclosed as ANNEX F. Also enclosed with ANNEX F is a drawing of the specific leased premises.
- A check in the amount of \$845.00 to cover the application fee.

A representative of the Landlord contacted the Development Services Department on Friday, September 23 and was informed that, because the Clermont Town Center shopping center and the space where the Clinic will be located is already existing, the application only needed to include a site plan

PNC TOWER
301 EAST MAIN STREET, SUITE 800
LEXINGTON, KY 40507

NELSON D. RODES
ATTORNEY
NRODES@KSATTORNEYS.COM

859.296.2300 FIRM
859.296.2566 FAX

September 29, 2022
Page 2

and a letter from the Landlord stating that the use is approved, which we have provided. I attempted to contact the Development Services Director's office on Monday and Tuesday this week to confirm the information included is sufficient to file a complete application and correctly make payment of the application fee, but I could not reach anyone and the voicemail was full. It is our hope that the Applicant's Conditional Use Permit Application is deemed submitted and accepted prior to October 1, 2022 and can be tentatively scheduled for public hearing the following month, pending City Manager approval. Please contact me at 859-226-7580 or nrodes@ksattorneys.com if you have any questions regarding the Applicant's Condition Use Permit Application.

Very truly yours,



Nelson D. Rodes

ANNEX A



CITY OF CLERMONT

CONDITIONAL USE PERMIT

APPLICATION

Date Sep 29, 2022		FEE: \$845 + cost of advertisement + cost of traffic review (if necessary)	
Project Name (if applicable)			
Applicant ClermontVet, LLC			
Contact Person Laura Click			
Address PO BOX 771689	City Ocala	State FL	Zip 34477
Telephone 254-462-5448	Fax		
Email lclick@petvet365.com			
OWNER INFORMATION ☐ (Check box if owner information is same as applicant)			
Owner's Name Lucas Clermont Limited Partnership			
Owner Address 5391 Lakewood Ranch Boulevard, Suite 100	City Sarasota	State FL	Zip 34240
Telephone 614-744-2006	Fax 614-744-3652		
PROPERTY INFORMATION			
Address of Subject Property 1670-E East Hwy 50	City Clermont	State FL	Zip 34711
General Location The property, located within the shopping center commonly known as the Clermont Town Center, is located at the intersection of East Hwy 50 and Citrus Tower Blvd.			
Legal Description & Alternate Key (include copy of survey) See attached Survey for legal description. Alternative Key: 3790873			
Land Use (City verification required) Code: 1600; Description: Shopping Center Community Anchored			
Zoning (City verification required) C-2			



CITY OF CLERMONT
**CONDITIONAL USE PERMIT
APPLICATION**

Detailed Description of request (What are you proposing to do and why is it appropriate for this location?) Attach additional page if necessary.

See Attachment A

ClermontVet, LLC

Applicant Name (print)

Lucas Clermont Limited Partnership

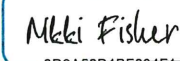
Owner Name (print)

DocuSigned by:

X 
FB00F0708E1F40F...

Applicant Name (signature)

DocuSigned by:

X 
SD9A02D1BF004F1...

Owner Name (signature)

*****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

Development Services Department

685 W. Montrose St.

P.O. Box 120219

Clermont, FL 34712-0219

(352) 394-4083 Fax: (352) 394 3542

5/26/2020

Attachment A to City of Clermont Conditional Use Permit Application

Detailed Description of request (What are you proposing to do and why is it appropriate for this location?):

Applicant proposes to operate a PetVet 365 branded small animal veterinary clinic ("PetVet") at the location. Prior to opening, the Applicant will perform the necessary build-out construction of the veterinary office. Applicant will use materials with a noise reduction coefficient of 0.8 (80%) on the NRC scale, providing best practices for soundproofing. All PetVet locations are completely air-conditioned and follow Air-Conditioning Engineers ("ASHRAE") 62 standards for healthcare facilities, which ensure that the air is virtually free on dust, dirt, odor and pollutants. PetVet only provides veterinary services to pets inside the facility and does not provide boarding or kenneling services. Therefore, animals are always contained within the air-conditioned and soundproofed facility while being treated. Section 122-224(11) of the Code of Ordinances City of Clermont, Florida (the "Code") provides that conditional uses in the C-2 district include, "Kennels or veterinary clinics, provided that all animal services and confinement areas; including runs, are in air conditioned and sound-attenuated buildings." Based on the foregoing, the Applicant's intended use of the location falls within the eligible conditional uses for a C-2 district.

Section 86-144 of the Code provides "the planning and zoning commission may recommend granting and the city council may grant by resolution a conditional use permit if it is found, from the evidence presented at the public hearing, that: (1) The granting of the conditional use permit will not adversely affect the officially adopted comprehensive plan of the city; (2) Such use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity; (3) The proposed use will comply with the regulations and conditions specified in the codes for such use; and (4) The proposed use may be considered desirable at the particular location. The Applicant's intended use of the location meets all the aforementioned categories, as described in detail below.

- 1) The granting of the conditional use permit will not adversely affect the officially adopted comprehensive plan of the city. As stated above, Code Section 122-224(11) provides that animal kennels with appropriate soundproofing and air-conditions for pets are a designated conditional for C-2 districts, of which the Applicant's proposed PetVet animal hospital will be located.
- 2) Such use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity. As previously discussed, all PetVet locations are designed to meet the ASHRAE 62 standards for ventilation system design and acceptable indoor air quality for healthcare facilities. These standards are designed to restrict air between sections of the facility and remove contamination (odor, airborne organisms and viruses, chemicals and radioactive substances), which results in air virtually free of dust, dirt, odor, and chemical and radioactive pollutants. Such design provides an environment that is virtually free of odors and airborne dust and organisms that are harmful to humans and pets. Therefore, the HVAC system utilized provides a very safe environment for PetVet's customers and removes any unwanted odors and harmful germs from the area. PetVet's compliance with ASHRAE 62 standards for air make-up and air filtration results in the air inside PetVet's facilities often times being cleaner than the average home.

Additionally, PetVet uses best practices for sound proofing. The materials used have a noise reduction coefficient of at least 0.8 on the Noise Reduction Coefficient (NRC) scale, which runs

from 0.0 to 1.0, 0.0 meaning no sound is absorbed and 1.0 meaning 100% of the sound is absorbed. As such, the materials used will reduce sound reflection by at least 80%.

Each PetVet hospital has FearFree® certified professionals who are educated on the welfare of animals and pet owners and are trained to look after the pet's physical and emotional wellbeing. The clinic itself takes the FearFree® practice even further by designing the hospital and patient experience such that it creates a relaxing atmosphere for clients and pets by minimizing noises, odors, and other nuisances. Prior to the first appointment, clients visit an online patient portal to share their pet's favorite treats, personality, and preferences to make the appointment a success. PetVet does not have a waiting room full of clients. Clients and their pets wait in their cars until their room is ready shortly after their arrival. The pets are given lots of treats (as are the clients) along with a comfy exam room designed to look like a living room to stay in until the appointment is over. The facility will also only be open for normal business hours and will have no overnight pets or boarding, so there will be no increase in traffic or sounds to the area at night due to the facility.

Based on the foregoing, the proposed build out of the subject property will provide significant noise reduction, and will remove odors and harmful germs from the air. Further, PetVet takes careful consideration to ensure that pets, pet owners and visitors are provided a safe and comfortable environment. Further, because the location will not be open past normal business hours, the Pet Vet clinic will not increase any traffic in the area outside of the normal business hours when other businesses in the shopping area are open. Therefore, the variance will not adversely affect the public health, safety, or welfare of the persons residing or working in the area.

- 3) The proposed use will comply with the regulations and conditions specified in the codes for such use. PetVet strictly follows all applicable laws, including all regulations and conditions specified in the codes. Further, the Applicant's lease for the leased real property in which the business will be operated requires strict compliance with all applicable laws, including all regulations and conditions specified in the Code.
- 4) The proposed use may be considered desirable at the particular location. As highlighted in detail in the discussion of health, safety and welfare, the addition of a PetVet veterinary clinic will bring a first-class veterinary clinic to the area, which will provide a valuable and convenient service to the many pet owners in the area. Therefore, the addition of a PetVet location will be a desirable addition to the location.

Based on the foregoing, the operating of a PetVet animal hospital is appropriate for this location.

ANNEX B

98 35820

REC-1609 PLAT 1009

REC 13.00 RECEIVED FOR

TF 2.00 EXCHNG TAXES

-MORT 200

DEED DOC 44,460.00

JAMES C. WATKINS, CLERK OF CO. FL.

BY [Signature] D.C.

DENNIS L. HORTON
900 W. Hwy. 50
Clermont, FL 34711

this instrument prepared by:
Annette Kirk,
DENNIS L. HORTON, P.A.
900 W. Hwy. 50
Clermont, Florida 34711

Property Appraiser's
Parcel Identification No.

2022260003-000-00100	0922260805-064-00000
0922261305-001-00000	0922261305-014-00000
0922261305-003-00000	0922261300-004-00000
0922260805-049-00000	0922260805-033-00000
0922260800-57B-00001	0922261300-08A-00001

WARRANTY DEED

THIS INDENTURE, made this 14 day of May, 1998, BETWEEN DENNIS L. HORTON, as Trustee under Trust Agreement dated December 23, 1982, and known as Land Trust Agreement No. 101, whose post office address is 900 W. Highway 50, Clermont, of the County of LAKE, State of FLORIDA 34711, Grantor*, and LUCAS CLERMONT LIMITED PARTNERSHIP, an Ohio Limited Partnership, whose post office address is 209 East State Street, Columbus, of the County of FRANKLIN, State of OHIO 43215, Grantee*,

WITNESSETH that said grantor for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in LAKE County, Florida, to-wit:

TRACTS 1, 2, 3, 4, 5A, 5B, 14, 15, 16, LAKE HIGHLANDS, SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

TRACTS 33, 34, 46A, 46B, 47, 48, 49, 50, 51A, 51B, 62, 63, 64, LAKE HIGHLANDS, SECTION 20, TOWNSHIP 22 SOUTH, RANGE 26 EAST, AS RECORDED IN PLAT BOOK 3, PAGE 30, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

THE SE 1/4 OF THE SW 1/4 OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

AND THAT PART OF THE FOLLOWING:

TRACT 57B, LAKE HIGHLANDS, SECTION 20, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 3, PAGE 30, AND THE SOUTH 1/2 OF CLOSED HIGHLAND AVENUE LYING EAST OF GRAND HIGHWAY AND TRACTS 8A, 8B, 9A, 10, LAKE HIGHLANDS, SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 2, PAGE 25, LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGIN AT THE NORTHWEST CORNER OF TRACT 57B, LAKE HIGHLANDS, SECTION 20, TOWNSHIP 22 SOUTH, RANGE 26 EAST, SAID POINT BEING THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF CLOSED HIGHLAND AVENUE AND THE EAST RIGHT OF WAY LINE OF GRAND HIGHWAY; THENCE S. 89° 26' 48" E., ALONG SAID SOUTH RIGHT OF WAY LINE, 419.06 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN THE FOLLOWING COURSES:

S. 00° 33' 12" W., 226.14 FEET; S. 79° 04' 48" E., 327.06 FEET;
S. 30° 56' 25" E., 115.18 FEET; S. 40° 07' 29" E., 125.22 FEET;
S. 11° 25' 47" E., 70.84 FEET; S. 11° 10' 30" W., 48.04 FEET;

S. 32° 44' 55" W., 116.48 FEET; S. 10° 38' 04" W., 120.98 FEET;
 S. 05° 40' 00" W., 106.48 FEET; S. 33° 18' 38" E., 169.97 FEET;
 S. 54° 23' 12" E., 112.87 FEET; S. 70° 45' 11" E., 153.92 FEET;
 N. 83° 25' 40" E., 102.82 FEET; N. 77° 46' 35" E., 59.61 FEET
 TO THE WEST LINE OF TRACT 11A, LAKE HIGHLANDS, SECTION 29,
 TOWNSHIP 22 SOUTH, RANGE 26 EAST AND THE END OF AFORESAID LINE.

LESS AND EXCEPT:

The East 50 feet of the Southeast 1/4 of Section 20, Township 22 South, Range 26 East, and that part of the East 50 feet of Section 29, Township 22 South, Range 26 East, lying North of the right of way of State Road 50, Lake County, Florida.

SUBJECT TO:

Easement to Florida Power Corporation recorded May 26, 1976, in Official Records Book 610, Page 1533, Public Records of Lake County, Florida.

Easement granted to State of Florida filed August 22, 1975, in Official Records Book 595, Page 772, Public Records of Lake County, Florida.

Trustee's Deed to the State of Florida Department of Transportation, filed August 22, 1975, in Official Records Book 595, Page 769, Public Records of Lake County, Florida.

Taxes for the year 1998 and all subsequent years.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

"Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed, and delivered in our presences:


 Annette Kirk
 witness


 Dennis L. Horton, as Trustee


 Joseph A. Loranger
 witness

STATE OF FLORIDA
COUNTY OF LAKE

THE FOREGOING INSTRUMENT was acknowledged before me this 14 day of May, 1990, by Dennis L. Horton, as trustee under Trust Agreement dated December 23, 1982, and known as Land Trust Agreement No. 101, who is personally known to me, and who did not take an oath.


Annette C. Kirk
NOTARY PUBLIC



(seal)
My commission expires:



IN WITNESS WHEREOF the said GRANTOR has caused these presents to be executed the day and year first above written.

WITNESSES:

("Grantor")

Annette C. Kirk
Signature
Annette Kirk
Print Name

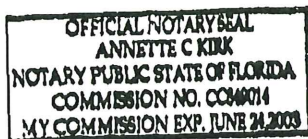
Dennis L. Horton
DENNIS L. HORTON, Individually and
as Trustee, under the provisions of a certain
Trust Agreement, dated December 23, 1982,
and known as Land Trust Agreement No. 101

Lila L. Morrison
Signature
LILA L. MORRISON
Print Name

STATE OF FLORIDA
COUNTY OF LAKE

This instrument was acknowledged before me, the undersigned notary public, on April 11, 2001 by DENNIS L. HORTON, Individually and as Trustee, under the provisions of a certain Trust Agreement, dated December 23, 1982, and known as Land Trust Agreement No. 101.

Annette C. Kirk
Signature of Notary Public-State of Florida



Annette C. Kirk
Print, type or stamp commissioned name of Notary Public;
Personally known to me X OR Produced Identification _____
Type of Identification Produced _____

EXHIBIT "A"

Legal Description

TRACTS 1, 2, 3, 4, 5A, 5B, 14, 15, 16, LAKE HIGHLANDS, SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

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AND

THE SE 1/4 OF THE SW 1/4 OF SECTION 20, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

AND

THAT PART OF THE FOLLOWING:

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LESS AND EXCEPT:

The East 50 feet of the Southeast 1/4 of Section 20, Township 22 South, Range 26 East, and that part of the East 50 feet of Section 29, Township 22 South, Range 26 East, lying North of the right of way of State Road 50, Lake County, Florida.

ANNEX C

[Search](#) > Account Summary

Real Estate Account #2922260200-000-00600

Owner: LUCAS CLERMONT LP **Situs:** 1670 EAST HWY 50 [Parcel details](#)
[GIS](#)  [Property Appraiser](#) 

Amount Due

Your account is **paid in full**. There is nothing due at this time.
 Your last payment was made on **11/24/2021** for \$28,310.63.  [Print paid bill \(PDF\)](#)

Account History

BILL	AMOUNT DUE	STATUS	ACTION
2021 Annual Bill 	\$0.00	Paid \$28,310.63 11/24/2021	 Print (PDF)
2020 Annual Bill 	\$0.00	Paid \$29,432.04 11/13/2020	 Print (PDF)
2019 Annual Bill 	\$0.00	Paid \$27,953.28 11/12/2019	 Print (PDF)
2018 Annual Bill 	\$0.00	Paid \$24,735.80 11/09/2018	 Print (PDF)
2017 Annual Bill 	\$0.00	Paid \$23,115.09 11/13/2017	 Print (PDF)
2016 Annual Bill 	\$0.00	Paid \$21,456.76 11/14/2016	 Print (PDF)
2015 Annual Bill 	\$0.00	Paid \$20,784.84 11/13/2015	 Print (PDF)
2014 Annual Bill 	\$0.00	Paid \$17,517.96 11/26/2014	 Print (PDF)
2013 Annual Bill 	\$0.00	Paid \$15,411.72 11/25/2013	 Print (PDF)
2012 Annual Bill 	\$0.00	Paid \$15,226.37 12/28/2012	 Print (PDF)
2011 Annual Bill 	\$0.00	Paid \$15,951.01 11/30/2011	 Print (PDF)
2010 Annual Bill 	\$0.00	Paid \$19,161.30 11/16/2010	 Print (PDF)
2009 Annual Bill 	\$0.00	Paid \$23,501.47 11/19/2009	 Print (PDF)
2008 Annual Bill 	\$0.00	Paid \$24,084.97 11/19/2008	 Print (PDF)
2007 Annual Bill 	\$0.00	Paid \$24,615.35 11/20/2007	 Print (PDF)
2006 Annual Bill 	\$0.00	Paid \$26,826.46 11/16/2006	 Print (PDF)
2005 Annual Bill 	\$0.00	Paid \$22,816.33 11/23/2005	 Print (PDF)
2004 Annual Bill 	\$0.00	Paid \$22,920.36 11/23/2004	 Print (PDF)
2003 Annual Bill 	\$0.00	Paid \$23,600.31 11/19/2003	 Print (PDF)
2002 Annual Bill 	\$0.00	Paid \$11,516.51 11/27/2002	 Print (PDF)
2001 Annual Bill 	\$0.00	Paid \$11,502.50 11/30/2001	 Print (PDF)
2000 Annual Bill 	\$0.00	Paid \$11,693.28 11/30/2000	 Print (PDF)
Total Amount Due	\$0.00		

ANNEX D

**CLERMONT TOWN CENTER
LEGAL DESCRIPTION**

LOTS 1, 3, AND 6 CLERMONT TOWN CENTER, according to the map or plat thereof, as recorded in Plat Book 42, Page 88, of the Public Records of Lake County, Florida.

Less and except that portion contained within Clermont Town Center Unit 2, according to the map or plat thereof as recorded in Plat Book 45, Page 81, of the Public Records of Lake County, Florida.

And also less and except that portion of Lot 1 conveyed by that certain Special Warranty Deed from Lucas Clermont Limited Partnership, an Ohio limited partnership, to Home Depot U.S.A., Inc., a Delaware corporation, recorded May 15, 2002 in Official Records Book 2114, Page 1156, of the Public Records of Lake County, Florida.

ANNEX E

September 28, 2022

City of Clermont Development Services Department
685 W. Montrose St,
P.O. Box – 120219
Clermont, FL 34712-0219
(352) 394-4083

Re: PetVet 365 - Clermont Town Center, Conditional Use Permit

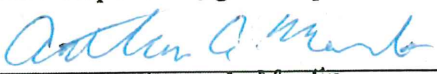
To Whom it May Concern:

Lucas Clermont Limited Partnership, an Ohio limited partnership is fee simple owner of the Clermont Town Center, and has executed a lease with ClermontVet, LLC, a Florida limited liability company for the operation of a veterinary care clinic operating under the trade name "PetVet 365." The premises to be occupied by PetVet 365 consists of 1,515 square feet of gross leasable area as identified on the attached site plan and will have an address of 1670-E East Highway 50, Clermont, Florida 34711. PetVet365 is seeking a conditional use permit from the City of Clermont's Development Services Department and the undersigned property owner and landlord hereby approves and supports the issuance of such permit. If you have any questions or require further information, please contact Julia White at jwhite@castoinfo.com or Kevin Kallstrom at kkallstrom@castoinfo.com.

Sincerely,

LUCAS CLERMONT LIMITED PARTNERSHIP,
an Ohio limited partnership

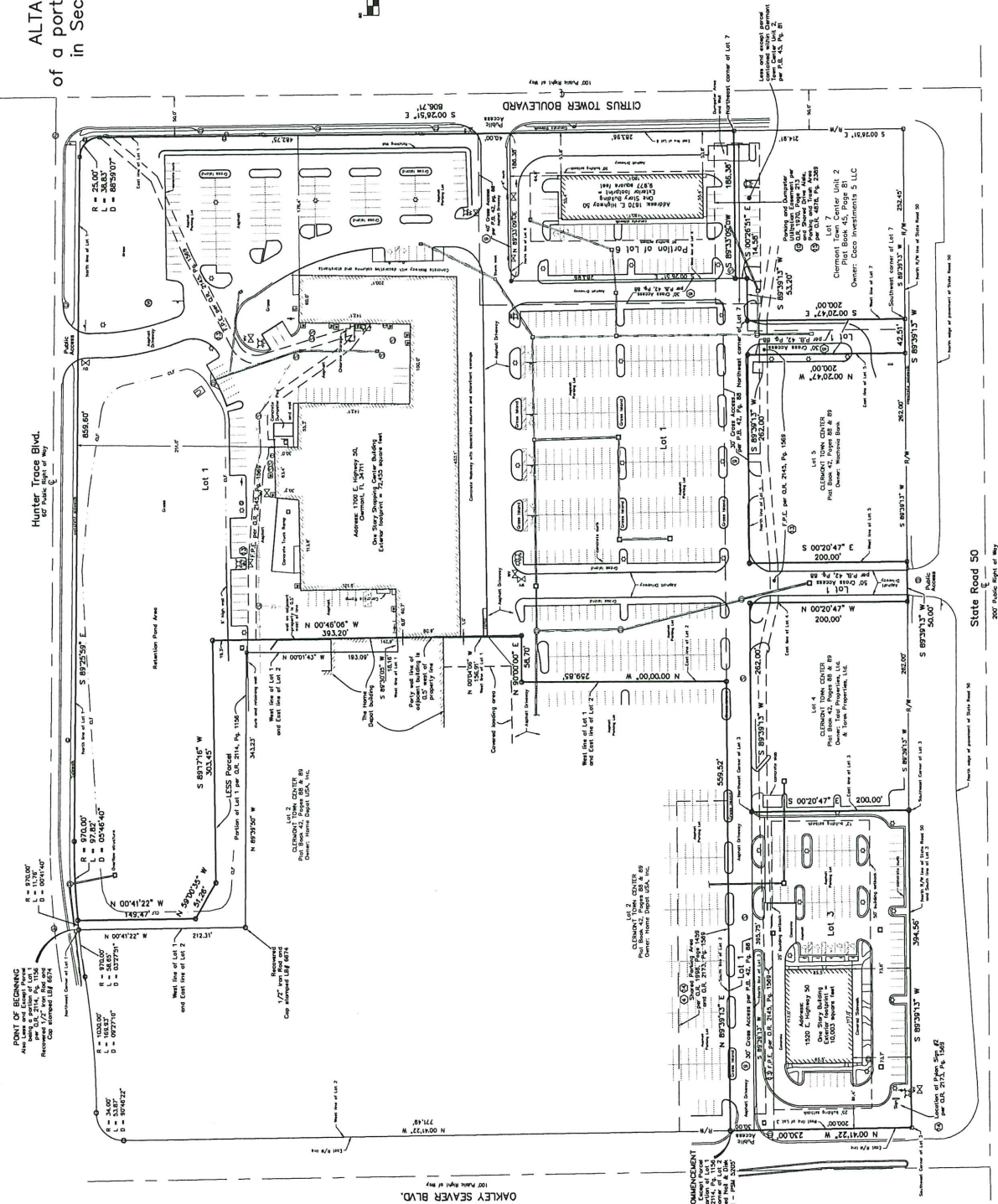
By: Casto Clermont Corporation,
an Ohio corporation, general partner

By: 
Name: Anthony A. Martin
Title: Vice President

Inspired ideas since 1926.

ANNEX F

Benchmark Surveying & Mapping, LLC
Certificate of Authorization Number - LB-7574
Post Office Box 771065, Winter Garden, Florida 34777-1065
3110 Red Fox Run, Kissimmee, Florida 34746
(407) 654-6183 - www.benchmarksurveyingandmapping.com





ORLANDO
407.971.8688
TAMPA
727.548.9595
www.measureDYNAMICS.COM

PREPARED FOR:

LUCAS CLERMONT
LIMITED PARTNERSHIP
5391 LAKEWOOD RANCH BLVD.
SUITE 100
SARASOTA, FLORIDA 34240

PROJECT NAME:

CLERMONT TOWN CENTER
SUITE E
1670 EAST HIGHWAY 50
CLERMONT, FLORIDA 34711

PROJECT NUMBER:

21-0906

DRAWN BY:

BJM

CHECKED BY:

LAC

DATE:

OCTOBER 2021

SCALE:

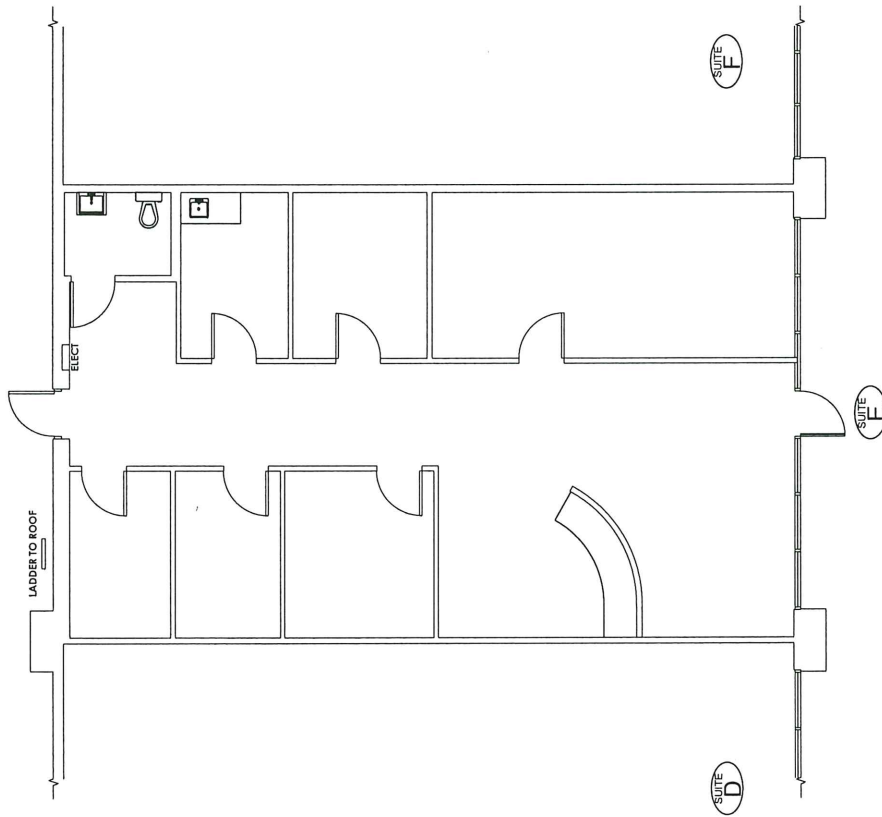
1/8" = 1'-0"

SHEET TITLE:

SUITE E
FLOOR PLAN

SHEET NUMBER:

A-1



SCALE:

0' 5' 10'



ORLANDO
407.371.8888
TAMPA
727.548.9595
WWW.MEASUREDYNAMICS.COM

PREPARED FOR:

LUCAS CLERMONT
LIMITED PARTNERSHIP
5391 LAKEWOOD RANCH BLVD.
SUITE 100
SARASOTA, FLORIDA 34240

PROJECT NAME:

CLERMONT TOWN CENTER
1670 EAST HIGHWAY 50
SUITE E
CLERMONT, FLORIDA 34711

PROJECT NUMBER:

21-0906

DRAWN BY:

BJM

CHECKED BY:

LAC

DATE:

OCTOBER 2021

SCALE:

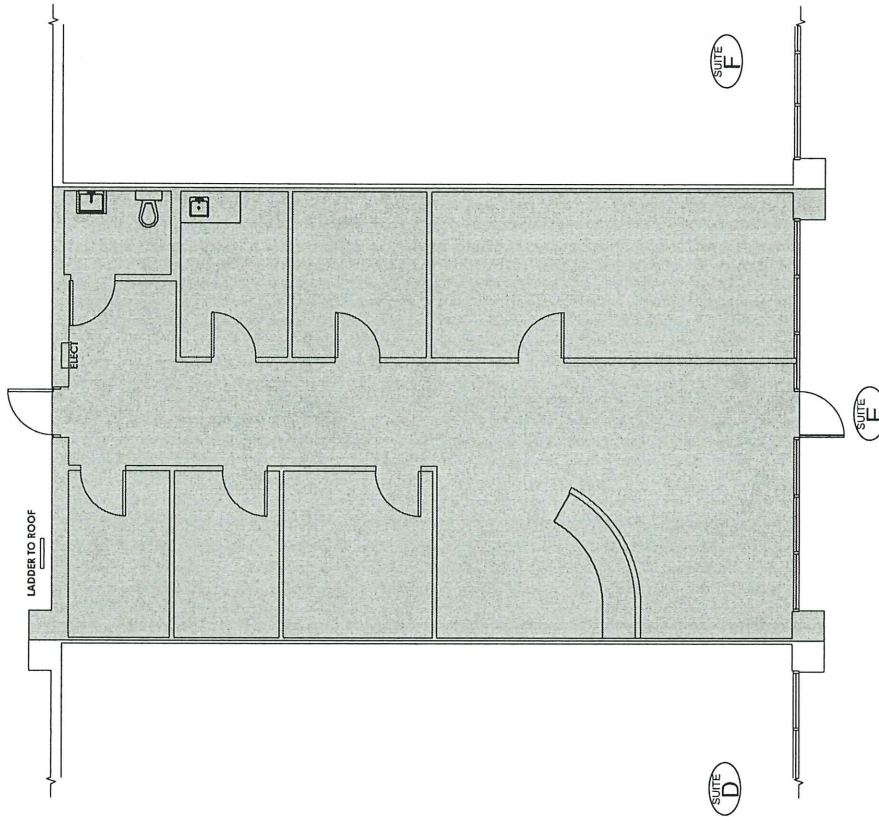
1/8" = 1'-0"

SHEET TITLE:

SUITE E
FLOOR PLAN

SHEET NUMBER:

A-1



GROSS LEASABLE AREA

SUITE E - 1,515 SQ. FT.

BOMA 2020 FOR RETAIL PROPERTIES - STANDARD METHOD OF MEASUREMENT
(ANSI/BOMA Z65.5-2020)



SCALE:

0' 5' 10'

PRIORITY MAIL EXPRESSTM

FASTEST SERVICE IN THE U.S.



UNITED STATES
POSTAL SERVICE[®]

PRIORITY MAIL EXPRESS[®]

CUSTOMER USE ONLY

FROM: (PLEASE PRINT)
 Nelson Rodas
 Kinkead & Stilz, PLLC
 Suite 800
 301 East Main Street
 Lexington KY 40507

PHONE (859) 296-2300

DELIVERY OPTIONS (Customer Use Only)

☐ **SIGNATURE REQUIRED** Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

Delivery Options

☐ No Saturday Delivery (delivered next business day)
☐ Sunday/Holiday Delivery Required (additional fee, where available)
☐ 10:30 AM Delivery Required (additional fee, where available)
 *Refer to USPS.com[®] or local Post Office[®] for availability.

TO: (PLEASE PRINT)

City of Clermont
 Development Services Department
 PO Box 120219
 Clermont FL 34712-0219

PHONE ()

ZIP + 4[®] (U.S. ADDRESSES ONLY)

3 4 7 1 2 - 0 2 1 9

☐ For pickup or USPS Tracking[™], visit USPS.com or call 800-222-1811.
☐ \$100.00 insurance included.

PEEL FROM THIS CORNER

+ Money Back Guarantee for U.S. destinations only.

VISIT US AT USPS.COM[®]
 ORDER FREE SUPPLIES ONLINE



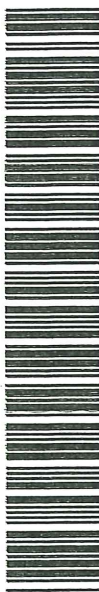
UNITED STATES POSTAL SERVICE[®]

UNITED STATES
POSTAL SERVICE[®]

July 2013 OD: 12.5 x 9.5



10001000006



EJ 091 597 170 US

PAYMENT BY ACCOUNT (if applicable)
 USPS[®] Corporate Acct. No. Federal Agency Acct. No. or Postal Service[™] Acct. No.

ORIGIN (POSTAL SERVICE USE ONLY)		☐ 1-Day	☐ 2-Day	☐ Military	☐ DPO
PO ZIP Code	Scheduled Delivery Date (MM/DD/YY)	Postage \$			
Date Accepted (MM/DD/YY)	Scheduled Delivery Time	Insurance Fee \$			
Time Accepted	10:30 AM ☐ 12 NOON ☐ 3:00 PM ☐	COD Fee \$			
Special Handling/Fragile	10:30 AM Delivery Fee \$	Return Receipt Fee \$			
Weight	Acceptance Employee Initials	Live Animal Transportation Fee \$			
Flat Rate ☐ Ins. ☐ ozs.	Employee Signature	Total Postage & Fees \$			
Delivery Attempt (MM/DD/YY) Time	Employee Signature	Delivery Attempt (MM/DD/YY) Time			
Delivery Attempt (MM/DD/YY) Time	Employee Signature	Delivery Attempt (MM/DD/YY) Time			

LABEL 11-B, MARCH 2019 PSN 7690-02-000-9898

USED INTERNATIONALLY,
CUSTOMS DECLARATION
BEL MAY BE REQUIRED.





KINKEAD & STILZ, PLLC
 OPERATING ACCOUNT
 301 E MAIN ST., STE 800
 Lexington, KY 40507

TRADITIONAL BANK, INC.
 163 WEST SHORT STREET
 LEXINGTON, KY 40507
 73-151/421

29398

Sep 29, 2022

PAY TO THE
 ORDER OF

City of Clermont

\$ 845.00

*** Eight Hundred Forty Five ***** 00/100 DOLLARS

City of Clermont

MEMO

Application Fee

⑈029398⑈ ⑆042101514⑆ 00108065⑈

KINKEAD & STILZ, PLLC OPERATING ACCOUNT

Sep 29, 2022 29398

PAID TO : City of Clermont

\$845.00

EXPLANATION : Application Fee

CLIENT : BATDVMS, LLC

MATTER : 5423-1

General Corporate

Account Number:	526733
Customer Name:	City Of Clermont-Legals
Customer Address:	City Of Clermont-Legals P.O. BOX 120219 CLERMONT FL 34712
Contact Name:	City Clerk
Contact Phone:	(352) 708-5997
Contact Email:	
PO Number:	

Date:	10/06/2022
Order Number:	7891372
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	45.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	10/25/2022 - 11/01/2022	Bids & Proposals
LEE dailycommercial.com	2	10/25/2022 - 11/01/2022	Bids & Proposals

Total Order Confirmation	\$141.40
---------------------------------	-----------------

Ad Preview

LEGAL NOTICE

On Tuesday, November 1, 2022 at 6:30 PM the Clermont Planning & Zoning Commission will consider a request for a Conditional Use Permit (CUP) to allow for a veterinary clinic to be located in the C-2 General Commercial zoning district, as required in Section 122-224 Conditional Uses. The final hearing of the proposed request will be heard by Clermont City Council on Tuesday, November 8, 2022 at 6:30 PM.

LOCATION

**1670 East Highway 50, Unit E
Alternate Key 3790873**

A complete legal description may be obtained in the Development Services Department located at 685 West Montrose Street, Clermont, FL 34711, Monday through Friday between the hours of 8:00 AM and 5:00 PM.

All public meetings will be held in the Clermont City Hall, Council Chambers located at 685 W. Montrose Street, Clermont, FL 34711.

All interested parties shall 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. 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 Howe, MMC
City Clerk

Daily Commercial

7891372 Oct. 25 and Nov. 1, 2022



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 8, 2022		
Agenda Item Name		
Utility Service Agreement <i>Ivey Ridge</i>		
Requested Action		
Recommend approval of the request to provide sewer service to a 145 lot single-family subdivision		
Staff Report		
The applicant is requesting sewer service for a 145 lot single-family subdivision on 57.31 acres located in Lake county, south of Hammock Ridge Road and west of Fox Chase subdivision. The applicant appeared before City Council on July 12, 2022 for a similar request and was denied due to the proposed lot configuration and number of lots proposed. A revised plan, dated 9/15/2022, was submitted reducing the number of lots from 155 to 145, increasing the number of 60-foot lots from 19 to 87 and reducing the number of 50-foot lots from 136 to 58. Furthermore, additional parking has been added in the development and the front, side and rear setbacks have been increased. An amenity has been added and the roads will be privately maintained. The subdivision was approved by Lake County through Ordinance 2020-03. The project is within the city's sewer service area. The applicant is requesting 33,546 gallons per day for sewer capacity. The water service will be provided by a private utility provider. Staff recommends approval of the utility agreement.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. DRAFT Utility Agreement Ivey Ridge Subdivision 11-8-22	11- DRAFT Utility Agreement Ivey Ridge Subdivision 11-8-22.docx	
2. Ivey Ridge Location Map	Ivey Ridge Location Map.pdf	
3. CONCEPTUAL PLAN 9	CONCEPTUAL PLAN 9.pdf	
4. Recorded Ord 2020-03 Hammock Ridge aka Ivey Ridge PUD	Recorded Ord 2020-03 Hammock Ridge aka Ivey Ridge PUD.pdf	
5. Utility Service Agreement Application	Utility Service Agreement Application.pdf	
6. Letter of Capacity - Ivy Ridge - Signed	Letter of Capacity - Ivy Ridge - Signed.pdf	

UTILITY SERVICE AGREEMENT FOR WASTEWATER

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

WITNESSETH

Whereas, OWNER is requesting service for a 145 lot single-family residential development 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 service from the CITY; and

Whereas, as a condition of CITY providing said sewer to the property. 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, as a condition of the provision of sewer 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, as a condition precedent to the City's obligations herein, OWNER shall pay to City within thirty (30) days of the effective date of this Agreement the sum of \$3,500 to defer the cost to the City to process the annexation contemplated herein.

Whereas, OWNER and CITY are entering into this Agreement to set forth the terms and conditions under which sewer 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. 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.
- 1.3 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 Regulations.
- 1.4 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.

- 1.5 The OWNER shall be responsible for the construction of all onsite lines and appurtenances to serve the project. No building permits shall be issued until sewer is provided to the site or until a bond or letter of credit, acceptable to CITY, is in place to guarantee completion of improvements. No Certificate of Occupancy shall be issued until sewer improvements have been completed and accepted by the CITY.
- 1.6 The OWNER shall be responsible for all costs of onsite 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.
- 1.7 The existing utilities 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.
- 1.8 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.
- 1.9 The OWNER shall be responsible for all applicable fees including but not limited to impact fees, connection fees and permitting fees. All fees are non-refundable.
- 1.10 The development being served is shown in Exhibit "C". Major changes as determined by the Clermont Site Review Committee may require an amendment to this Agreement.
- 1.11 This Agreement shall be voided after five (5) years if building permits have not been issued and building construction has not started.
- 1.12 The Agreement shall be for 33,546 gpd for sewer based on an annual average.

Section 2. DEVELOPMENT STANDARDS

- (a) The project shall be developed according to Conceptual Plan 9, prepared by Appian Engineering, Sheet CP-8, dated 9/15/2022 for the lot layout and lot size. The PROPERTY shall be developed in substantial accordance with the Hammock Ridge PUD Amendment Ordinance 2020-03, RZ-19-27-2, approved by the Lake County Board of County Commissioners recorded February 26, 2020 in Official Records Book 5428, Page 1025, of the Public Records of Lake County, Florida.
- (b) The streets within the project shall be privately maintained.
- (c) The project shall be developed according 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

AMH Development LLC
23975 Park Sorrento STE 300
Calabasas, CA 91302

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 _____, 2022.

CITY OF CLERMONT

ATTEST:

Tim Murry, Mayor

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

OWNER: AMH Development LLC

Signature Title: _____

Print Name

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 2022, 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:

AMH Development LLC

Description:

LEGAL DESCRIPTION

LCPA PARCEL ID# 06-23-26-0003-000-00800, 06-23-26-0003-000-00801,
06-23-26-0003-000-00803, 13-23-25-0500-035-00000, 13-23-25-05000-035-00001,
& 13-23-25-0500-045-00000
AS PROVIDED BY ALLEN & COMPANY, INC.

PARCEL NO. 1:

THE NORTH 362 FEET OF THE WEST 362 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, LESS THE WEST 33 FEET FOR ROAD, IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

PARCEL NO. 2:

THE NORTH 132 FEET OF TRACTS 35 AND 36, IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, MONTE VISTA PARK FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 27, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION CONVEYED TO LAKE COUNTY FOR ROAD RIGHT OF WAY IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 2772, PAGE 1175, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL NO. 3:

TRACTS 35 AND 36 IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN LAKE COUNTY, FLORIDA, ACCORDING TO THE PLAT OF MONTE VISTA PARK FARMS, RECORDED IN PLAT BOOK 2, PAGE 27, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA., LESS THE NORTH 132 FEET THEREOF.

PARCEL NO. 4:

TRACTS 45 AND 46, MONTE VISTA PARK FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 27, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING OTHERWISE DESCRIBED AS THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23 SOUTH, TOWNSHIP 23 SOUTH, RANGE 26 EAST.

PARCEL NO. 5:

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN LAKE COUNTY, FLORIDA, LESS THE NORTH 362 FEET OF THE WEST 362 FEET OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST; THENCE RUN SOUTH 88°28'30" WEST, FOR A DISTANCE OF 661.95 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°28'30" WEST, FOR A DISTANCE OF 661.95 FEET; THENCE RUN SOUTH 00°01'30" WEST, FOR A DISTANCE OF 20.00 FEET; THENCE NORTH 88°28'30" EAST, FOR A DISTANCE OF 362.00 FEET; THENCE RUN SOUTH 00°01'30" WEST, FOR A DISTANCE OF 342.00 FEET; THENCE RUN NORTH 88°28'30" EAST, FOR A DISTANCE OF 299.95 FEET; THENCE RUN NORTH 00°01'30" EAST, FOR A DISTANCE OF 362.00 FEET, TO THE POINT OF BEGINNING.

AND

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LESS THE RIGHT OF WAY OF A COUNTY ROAD AND ALSO LESS THE FOLLOWING TWO TRACTS:

TRACT 1: THE NORTH 362 FEET OF THE WEST 362 FEET OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST;

TRACT 2: FROM THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST; THENCE RUN SOUTH 88°28'30" WEST, FOR A DISTANCE OF 661.95 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°28'30" WEST, FOR A DISTANCE OF 661.95 FEET; THENCE RUN SOUTH 00°01'30" WEST, FOR A DISTANCE OF 20.00 FEET; THENCE RUN NORTH 88°28'30" EAST, FOR A DISTANCE OF 362.00 FEET; THENCE RUN SOUTH 00°01'30" WEST, FOR A DISTANCE OF 342.00 FEET; THENCE RUN NORTH 88°28'30" EAST, FOR A DISTANCE OF 299.95 FEET; THENCE RUN NORTH 00°01'30" EAST, FOR A DISTANCE OF 362.00 FEET TO THE POINT OF BEGINNING.

Alternate Keys: 1593433, 1752558, 1796873, 2705914, 1593417, and 1663083

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 _____ day of _____ 2022, between **AMH Development LLC**, 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):

AMH Development LLC

Witnesses

By: _____
Signature

Type or print name

1. _____
Signature

Type or print name

By: _____
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 _____, 2022, 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"

DIMENSION PLAN

Ivey Ridge Subdivision - Master Site Plan:

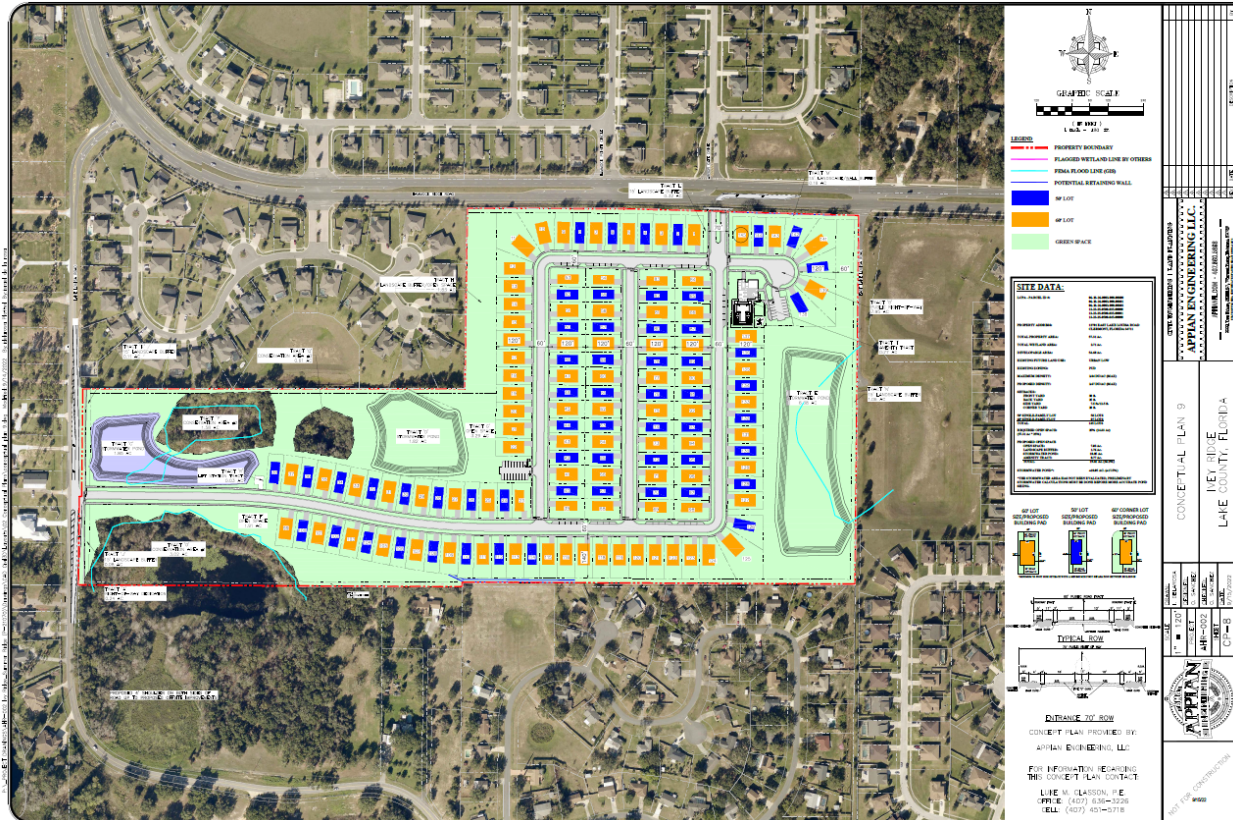
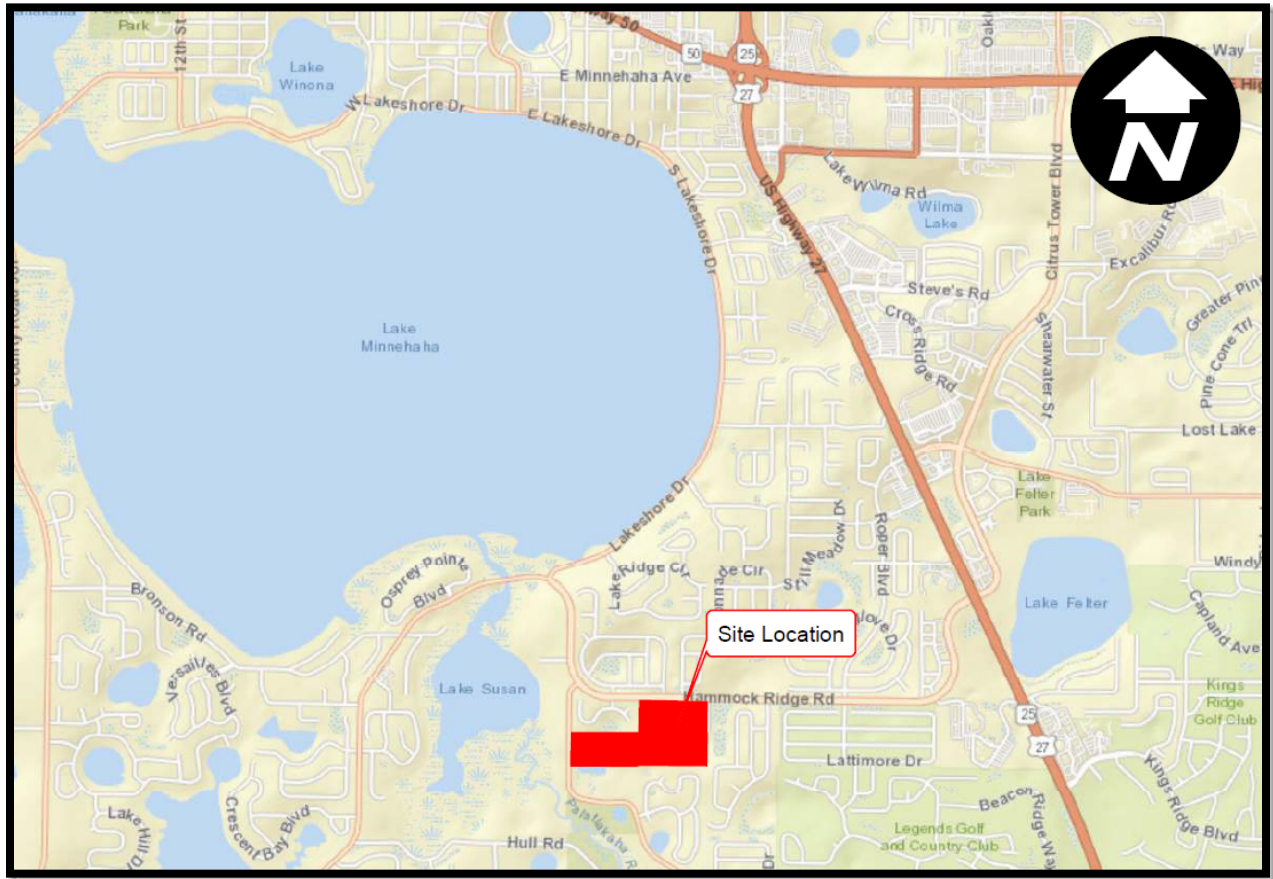
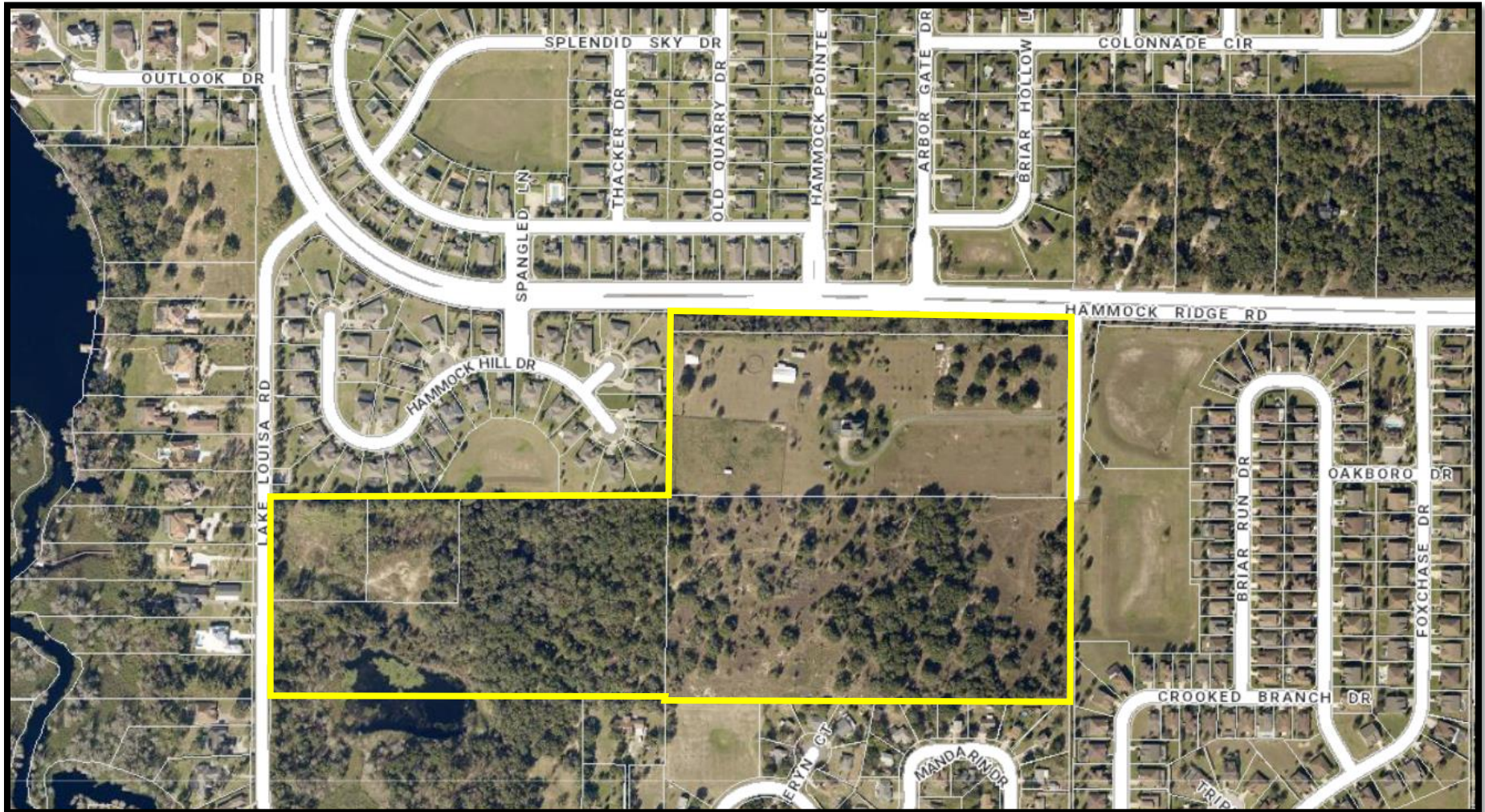
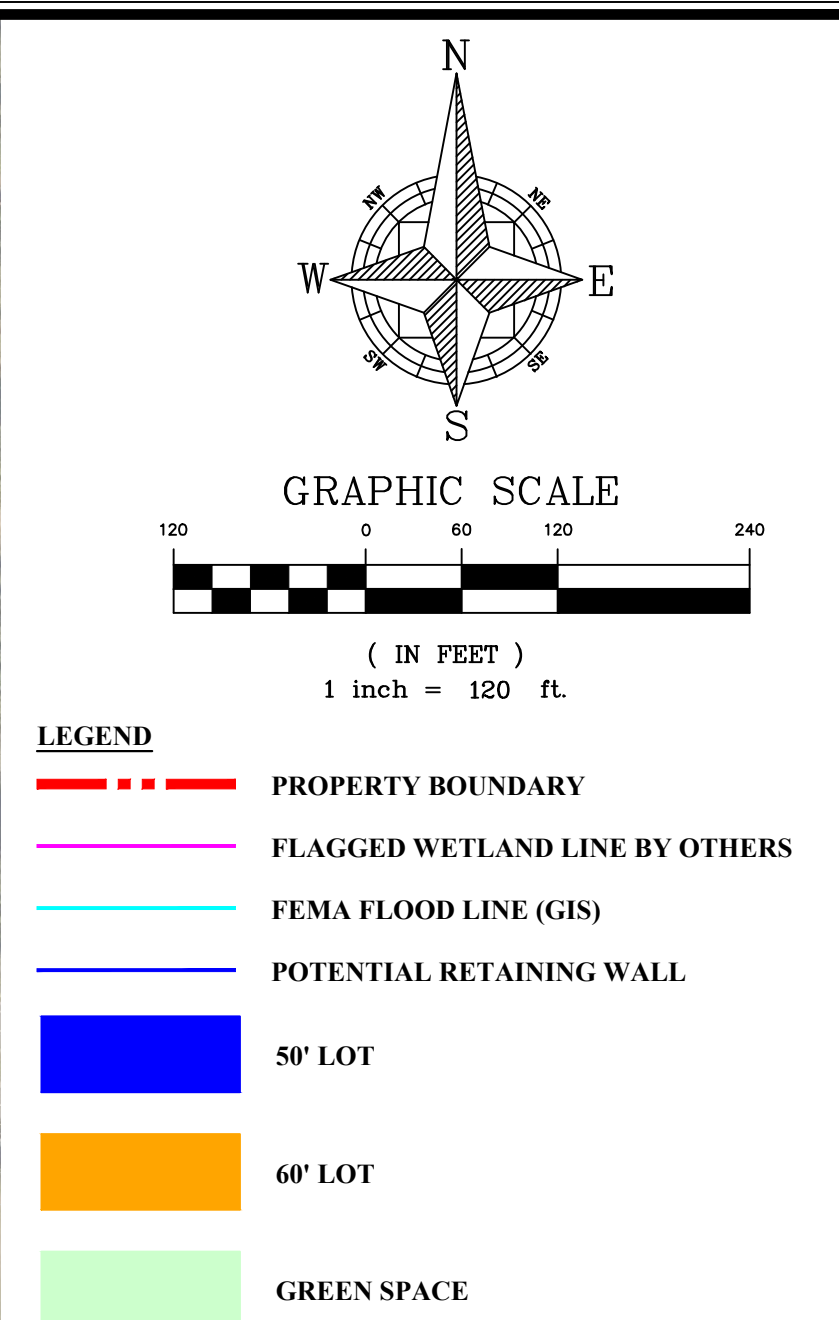
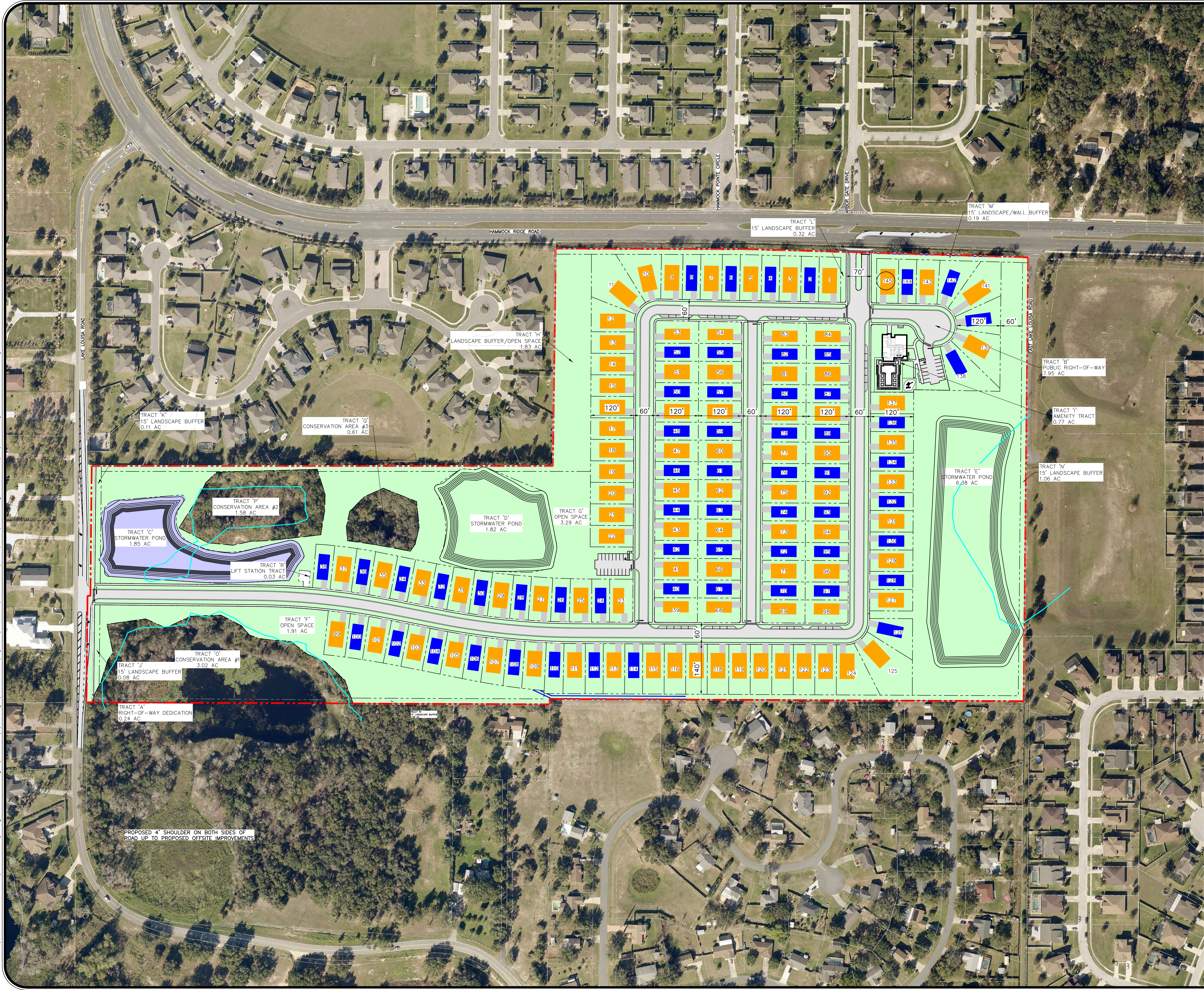


EXHIBIT "D"
LOCATION MAP



Ivey Ridge Subdivision

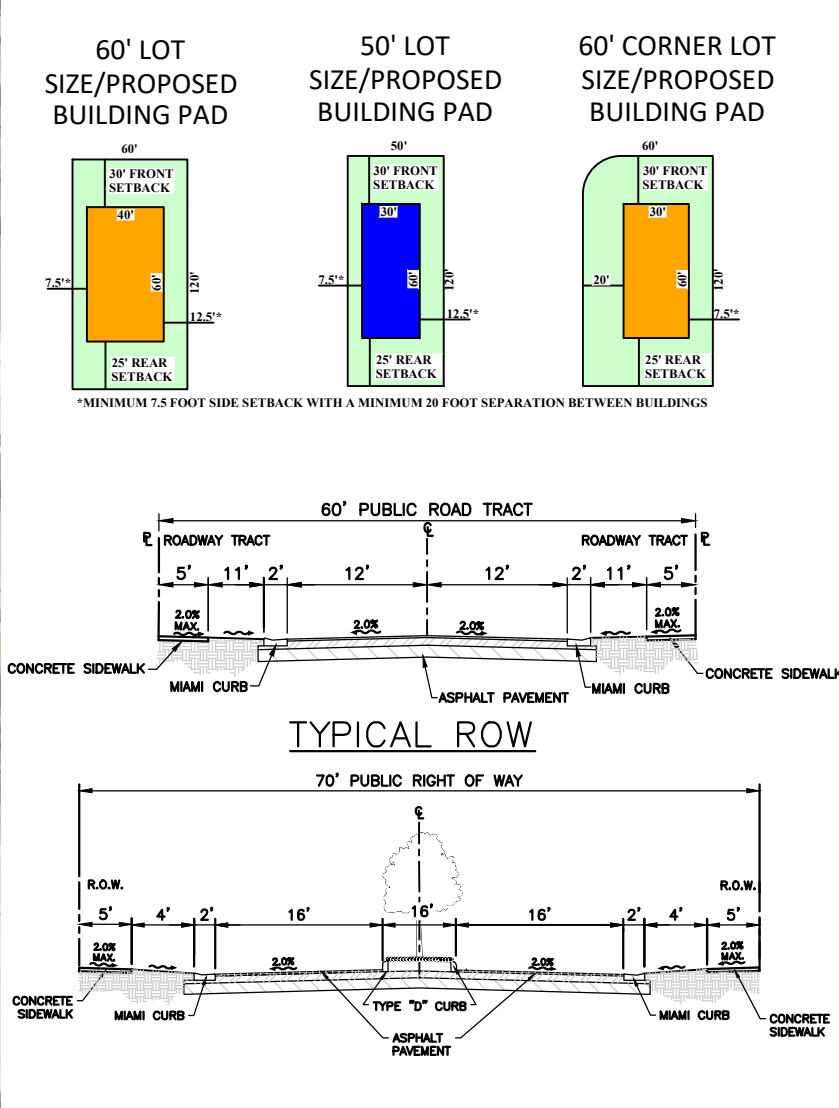




SITE DATA:

LCPA - PARCEL ID #:	06-23-26-0003-000-00000 06-23-26-0003-000-00001 06-23-26-0003-000-00002 13-23-25-0000-000-00000 13-23-25-0000-000-00001 13-23-25-0000-000-00002
PROPERTY ADDRESS:	12701 EAST LAKE LOUISA ROAD CLERMONT, FLORIDA 34711
TOTAL PROPERTY AREA:	57.31 AC.
TOTAL WETLAND AREA:	2.71 AC.
DEVELOPABLE AREA:	54.60 AC.
EXISTING FUTURE LAND USE:	URBAN LOW
EXISTING ZONING:	PUD
MAXIMUM DENSITY:	2.84 DU/AC (MAX)
PROPOSED DENSITY:	2.67 DU/AC (MAX)
SETBACKS:	FRONT YARD: 30 R.L. BACK YARD: 25 R.L. SIDE YARD: 7.5 R.L./12.5 R.L. CORNER YARD: 20 R.L.
50' SINGLE-FAMILY LOT:	58 LOTS
60' SINGLE-FAMILY LOT:	87 LOTS
TOTAL:	145 LOTS
REQUIRED OPEN SPACE:	25% (14.33 AC)
OPEN SPACE:	7.83 AC.
LANDSCAPE BUFFER:	1.76 AC.
STORMWATER POND:	10.85 AC.
AMENITY TRACT:	0.77 AC.
TOTAL:	19.41 AC. (34.33%)
STORMWATER POND:	±10.85 AC. (±17.5%)

*THE STORMWATER AREA HAS NOT BEEN EVALUATED, PRELIMINARY STORMWATER CALCULATIONS MUST BE DONE BEFORE MORE ACCURATE POND SIZING.



CONCEPT PLAN PROVIDED BY:
APPIAN ENGINEERING, LLC

FOR INFORMATION REGARDING THIS CONCEPT PLAN CONTACT:
LUKE M. CLASSON, P.E.
OFFICE: (407) 636-3226
CELL: (407) 451-5718

CIVIL ENGINEERING | LAND PLANNING

APPIAN ENGINEERING LLC.

APPIANFL.COM • 407-960-5868

2221 Las Rozas, Suite 27, Winter Park, Florida, 32789

STATE OF FLORIDA CERTIFICATE OF PROFESSIONAL ENGINEERING

CONCEPTUAL PLAN 9

IVEY RIDGE

LAKE COUNTY, FLORIDA

SCALE: 1" = 120'

DRAWN: I. DELAROSA

DESIGNED: O. SANCHEZ

CHECKED: O. SANCHEZ

DATE: 9/15/2022

PROJECT: AHR-002

SHEET: CP-8

NOT FOR CONSTRUCTION

ORDINANCE #2020-03
Hammock Ridge PUD Amendment
RZ-19-27-2

1 AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE
2 LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

3 **WHEREAS**, Jim Atkinson of Summergate Companies, LLC (the "Applicant") made a request, on
4 behalf of Territo Corporation, a Florida Corporation, Angela & Joseph Territo, and Vernon A. Schneider
5 (the "Owners"), to rescind and replace Planned Unit Development (PUD) #2005-105 with a new ordinance
6 to rezone 14.99 +/- acres from PUD to Agriculture (A); rezone 16.12 +/- acres from Agriculture (A) to PUD;
7 to bring the PUD into compliance with current Land Development Regulations (LDR) and Comprehensive
8 Plan policies; and to propose setback waivers; and

9 **WHEREAS**, the subject property to be zoned Agriculture (A) consists of 14.99 +/- acres and is
10 generally located southeast of the intersection of Hammock Ridge Road and Lake Louisa Road, in the
11 Clermont area, in Section 6, Township 23 South, Range 26 East, having Alternate Key Number 1593425,
12 and more particularly described below:

13 **SCHNEIDER PROPERTY LEGAL DESCRIPTION: [EXHIBIT "A" – ATTACHED]**

14 **WHEREAS**, the subject property to be zoned Planned Unit Development (PUD) in total consists of
15 57.31 +/- acres and is generally located southeast of the intersection of Hammock Ridge Road and Lake
16 Louisa Road, in the Clermont area, in Section 6, Township 23 South, Range 26 East, having Alternate Key
17 Numbers 2705914, 1593417, 1593433, 1752558, 1752558, 1796873, and 1663083, and more particularly
18 described below:

19 **HAMMOCK RIDGE PUD LEGAL DESCRIPTION: [EXHIBIT "B" – ATTACHED]**

20 **WHEREAS**, the subject properties are located within the Urban Low Density Future Land Use
21 Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

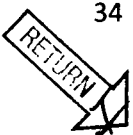
22 **WHEREAS**, on December 20, 2005, the Board of County Commissioners of Lake County, Florida,
23 approved PUD Ordinance #2005-105 for 120 single-family dwelling units, with a gross residential density of
24 2.2 dwelling units per acre; and

25 **WHEREAS**, this rezoning ordinance hereby rescinds and replaces Ordinance #2005-105; and

26 **WHEREAS**, the Lake County Planning & Zoning Board reviewed Petition RZ-19-27-2 on January
27 2, 2020, after giving Notice of Hearing on petition for a change in the use of land, including notice that said
28 petition was presented to the Board of County Commissioners of Lake County, Florida, on January 28,
29 2020; and

30 **WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations of
31 the Lake County Planning & Zoning Board, staff report, and any comments, favorable or unfavorable, from
32 the public and surrounding property owners at a public hearing duly advertised; and

33 **WHEREAS**, upon review, certain terms pertaining to the development of the above described
34 property have been duly approved; and



Ordinance #2020-03, RZ-19-27-2 Hammock Ridge PUD Amendment

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the above subject properties, subject to the following terms:

Section 1 Terms:

1.1 The County Manager or designee shall amend the Official Zoning Map to rezone the property described in Exhibit "A" to Agriculture (A) zoning.

1.2 The County Manager or designee shall amend the Official Zoning Map to rezone the property described in Exhibit "B" to Planned Unit Development (PUD) zoning. This Ordinance shall rescind and replace Ordinance #2005-105. All uses upon the property described in Exhibit "B" shall be generally consistent with the "Conceptual Plan" attached hereto as Exhibit "C." To the extent where there are conflicts between the Conceptual Plan and this Ordinance, this Ordinance shall take precedence.

A. Land Uses:

1. Residential: 155 residential single-family dwelling units, not to exceed a density of 2.84 dwelling units per net buildable acre.

B. Setbacks:

1. Single-Family Residential:

Front	25 feet from the property line
Secondary Front	15 feet from the property line
Side ¹	Variable between 5-10 feet. (7.5 feet ¹ from the property line minimum without 4:1 slope between homes)
Rear	5 feet from the property line
Wetlands/Open Water	50 feet from the jurisdictional wetland line

¹Side Setbacks of 5 feet from the property line shall be allowed so long as the 10-foot cut/fill requirement and 4:1 maximum slope between homes is met.

2. All other setbacks shall be as established in the LDR, as amended.

Ordinance #2020-03, RZ-19-27-2 Hammock Ridge PUD Amendment

1 C. Development Standards:

Open Space	Minimum 25% of the net buildable area of the entire site shall be dedicated to open space, as defined in the Comprehensive Plan. ¹
Lot Width	Minimum 50 feet
Impervious Surface Ratio (ISR)	Maximum 60% over the entire project site
Building Height	Maximum 40 feet

¹The homeowner's association for the property shall be responsible for maintaining the open space that is retained in its natural state, in such natural state.

2 All development requirements within the Urban Low Density (FLUC) shall be in accordance with
3 the Comprehensive Plan and LDR, as amended.

4 D. Landscaping, Buffering, and Screening:

- 5 1. A minimum 50-foot wetlands buffer shall be provided to all wetlands. A conservation easement
6 of the wetland area and buffer will be required. The easement must be dedicated to a
7 conservation agency (FDEP or SJRWMD), a non-profit conservation organization or land trust,
8 or Lake County, subject to acceptance by the Board of County Commissioners for
9 maintenance and protection. The conservation easement will be required prior to Final Plat
10 approval.
- 11 2. All landscaping located west of the residential lots to the entrance at Lake Louisa Road must
12 utilize one-hundred (100) percent Florida-native species.
- 13 3. All other landscaping, buffering, and screening requirements shall be in accordance with the
14 LDR, as amended.

15 E. Noise: Compliance shall be in accordance with the LDR, as amended.

16 F. Utilities: Central water and sewer connection shall be provided in accordance with the
17 Comprehensive Plan and LDR, as amended.

18 G. Transportation Improvements/Access Management:

- 19 1. A Tier Two (2) Traffic Study will be required in accordance with the Conceptual Plan attached
20 hereto as Exhibit "B."
- 21 2. Sidewalks will be required along Lake Louisa Road, in accordance with the LDR, as amended.

Ordinance #2020-03, RZ-19-27-2 Hammock Ridge PUD Amendment

1 3. Turn lanes will be required at the entrances to the development on all county maintained
2 roads.

3 4. East Lake Louisa Road will be required to be modified to meet current County standards, as
4 amended.

5 5. All access management shall be in accordance with the Comprehensive Plan and LDR, as
6 amended.

7 H. Stormwater Management:

8 1. The Stormwater management system shall be designed in accordance with all applicable Lake
9 County and St. Johns River Water Management District (SJRWMD) requirements, as
10 amended.

11 2. The developer shall be responsible for any flood studies required for developing the site and
12 comply with the requirements of FEMA, the Lake County Comprehensive Plan, and LDR, as
13 amended.

14 3. Any development within the floodplain as identified on the FEMA maps will require
15 compensating storage.

16 I. Schools: School Concurrency shall be met before final plat approval in accordance with the
17 Comprehensive Plan and LDR, as amended.

18 J. Lighting: Exterior lighting shall be in accordance with the LDR, as amended, and consistent with
19 Dark-Sky Principles.

20 K. Signage: Signs shall be in accordance with the LDR, as amended.

21 L. Fire Protection and Emergency Services Access: Access and fire safety requirements of the
22 development shall be provided in accordance with the Florida Fire Prevention Code and LDR, as
23 amended.

24 M. Concurrency Management Requirements: Any development shall comply with the Lake County
25 Concurrency Management System, as amended.

26 N. Development Review and Approval:

27 1. Prior to the issuance of any permits, the Applicant shall be required to submit a preliminary
28 plat, construction plans, and final plat generally consistent with EXHIBIT "C" – Conceptual Plan
29 for review and approval in accordance with the Comprehensive Plan and LDR, as amended.

30 2. PUD Expiration: Physical development shall commence within three (3) years from the date of
31 this Ordinance approval. Failure to commence construction within three (3) years of approval
32 shall cause the revocation of this ordinance, in accordance with the Comprehensive Plan or
33 superseding documents as amended. Prior to expiration of the three-year time frame, the
34 Board of County Commissioners may grant, via a Public Hearing, one (1) extension of the time
35 frame for a maximum of two (2) years upon a showing that reasonable efforts have been made
36 towards securing the required approvals and commencement of work.

Ordinance #2020-03, RZ-19-27-2 Hammock Ridge PUD Amendment

O. Future Amendments to Statutes, Code, Plans, or Regulations: The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and Lake County Land Development Regulations shall include any future amendments to the Statutes, Code, Plans, or Regulations.

Section 2. Conditions as altered and amended which pertain to the above tract of land shall mean:

A. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Ordinance. Any other proposed use must be specifically authorized by the Board of County Commissioners.

B. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, add other uses, or alter the land in any manner within the boundaries of the above described land without first obtaining the necessary approvals in accordance with the Lake County Code, as amended, and obtaining the permits required from the other appropriate governmental agencies.

C. This Ordinance shall constitute a covenant running with the land, and inure to the benefit of, and the terms, conditions, and provisions of which shall be binding upon, the present Owner and any successor, and shall be subject to each and every condition herein set out.

D. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental permitting agencies.

E. The transfer of ownership or lease of any or all of the property described in this Ordinance shall be included in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions established by this Ordinance and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in the Land Development Regulations, as amended.

F. Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement Special Master shall have authority to enforce the terms and conditions set forth in this ordinance and to recommend that the ordinance be revoked.

Section 3. Severability: If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. Filing with the Department of State. The clerk shall be and is hereby directed forthwith to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

[Remainder of Page Left Intentionally Blank]

Ordinance #2020-03, RZ-19-27-2 Hammock Ridge PUD Amendment

Section 5. Effective Date. This Ordinance shall become effective as provided by law.

ENACTED this 28th day of January, 2020.

FILED with the Secretary of State February 5th, 2020.

EFFECTIVE January 28, 2020.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

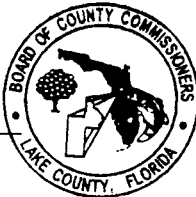
Leslie Campione

LESLIE CAMPIONE, CHAIRMAN

ATTEST:

GARY J. COONEY

GARY J. COONEY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA



APPROVED AS TO FORM AND LEGALITY

Melanie Marsh
MELANIE MARSH, COUNTY ATTORNEY

Ordinance #2020-03, RZ-19-27-2 Hammock Ridge PUD Amendment

- 1 **EXHIBIT "A" – SCHNEIDER PROPERTY LEGAL DESCRIPTION**
2 THE EAST 33.2 FEET OF: THAT PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 6, TOWNSHIP 23
3 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING NORTH AND EAST OF THE COUNTY
4 CLAY ROAD, LESS THE EAST 235 FEET THEREOF.

Ordinance #2020-03, RZ-19-27-2 Hammock Ridge PUD Amendment

EXHIBIT "B" – HAMMOCK RIDGE PUD LEGAL DESCRIPTION

PARCEL NO. 1

THE NORTH 362 FEET OF THE WEST 362 FEET OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼, LESS THE WEST 33 FEET FOR ROAD, IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

PARCEL NO. 2

THE NORTH 132 FEET OF TRACTS 35 AND 36, IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, MONTE VISTA PARK FARMS, ACCORDING TO THE PLAT THEROF, AS RECORDED IN PLAT BOOK 2, PAGE 27, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION CONVEYED TO LAKE COUNTY FOR ROAD RIGHT OF WAY IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 2772, PAGE 1175, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL NO. 3

TRACTS 35 AND 36, IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN LAKE COUNTY, FLORIDA, ACCORDING TO THE PLAT OF MONTE VISTA PARK FARMS, RECORDED IN PLAT BOOK 2, PAGE 27, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LESS THE NORTH 132 FEET THEREOF.

PARCEL NO. 4

TRACTS 45 AND 46, MONTE VISTA PARK FARMS, ACCORDING TO THE PLAT THEROF, RECORDED IN PLAT BOOK 2, PAGE 27, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING OTHERWISE DESCRIBED AS THE SOUTH ½ OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST.

PARCEL NO. 5

THE SOUTH ½ OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN LAKE COUNTY, FLORIDA, LESS THE NORTH 362 FEET OF THE WEST 362 FEET OF THE NORTH ½ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE SOUTHWEST 1/4 OF THE SAID SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST; THENCE RUN SOUTH 88°28'30" WEST, 661.95 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88° 28'30" WEST, 661.95 FEET; THENCE SOUTH 00°01'30" WEST 20.00 FEET; THENCE NORTH 88°28'30' EAST, 362.00 FEET; THENCE RUN SOUTH 00°01'30" WEST, 342.00 FEET; THENCE NORTH 88°28'30" EAST, 299.95 FEET; THENCE NORTH 00°01'30" EAST, 362.00 FEET TO THE PONT OF BEGINNING.

AND

Ordinance #2020-03, RZ-19-27-2 Hammock Ridge PUD Amendment

EXHIBIT "B" – LEGAL DESCRIPTION CONT.

THE SOUTH ½ OF THE NORTHEAST ¼ OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LESS THE RIGHT OF WAY OF A COUNTY ROAD AND ALSO LESS THE FOLLOWING TWO TRACTS:

TRACT 1: THE NORTH 362 FEET OF THE WEST 362 FEET OF THE NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF THE SOUTHWEST 1/4 OF SAID SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST;

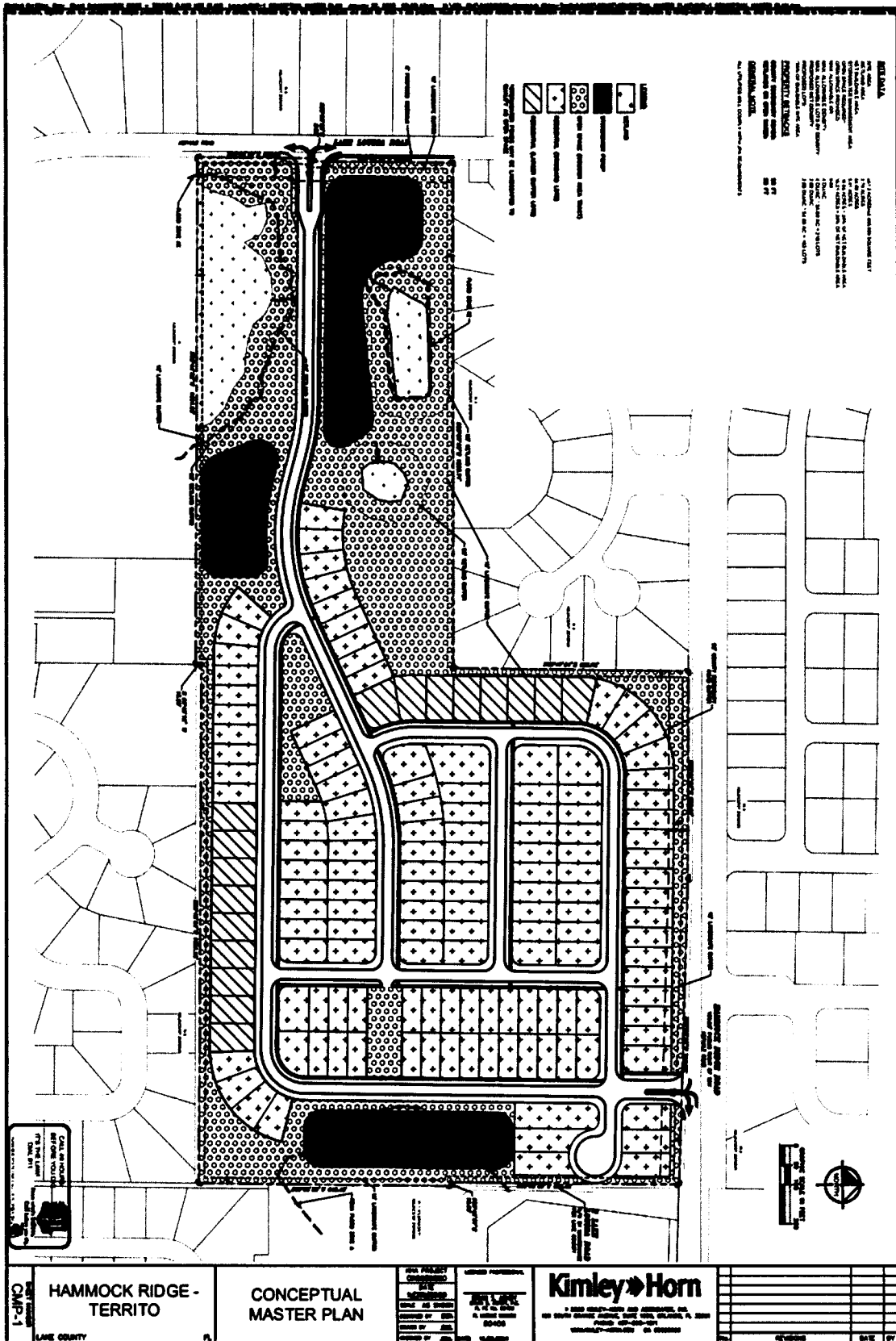
TRACT 2: FROM THE NORTHEAST CORNER OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST; THENCE RUN SOUTH 88°28'30" WEST, 661.95 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88° 28'30" WEST, 661.95 FEET; THENCE SOUTH 00°01'30" WEST 20.00 FEET; THENCE NORTH 88°28'30" EAST, 362.00 FEET; THENCE RUN SOUTH 00°01'30" WEST, 342.00 FEET; THENCE NORTH 88°28'30" EAST, 299.95 FEET; THENCE NORTH 00°01'30" EAST, 362.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,496,509 SQUARE FEET (57.31 ACRES), MORE OR LESS.

Ordinance #2020-03, RZ-19-27-2 Hammock Ridge PUD Amendment

1

EXHIBIT "C" - CONCEPTUAL PLAN



2



CITY OF CLERMONT UTILITY SERVICE AGREEMENT APPLICATION

For Utilities Outside of Municipal Boundaries & Determination of Capacity

Date 04/05/2022			
Applicant Ben Shoemaker			
Contact Person: Ben Shoemaker			
Address 2460 Sand Lake Rd	City Orlando	State FL	Zip 32809
Telephone (407) 625-4747	Fax N/A		
Email bshoemaker@ah4r.com			
OWNER INFORMATION			
Owner's Name AMH Development LLC			
Owner Address 23975 Park Sorrento STE 300,	City Calabasas	State CA	Zip 91302
Telephone 407-625-4747	Fax		
Email bshoemaker@ah4r.com			
AGREEMENT INFORMATION			
Party Responsible for Agreement AMH Development LLC			
Address of the Subject Property 12701 East Lake Louisa Road, Clermont, Florida 34711			
General Location of the Property (include Location Map) The project site is located on the east side of Lake Louisa Road, south of Hammock Ridge Road and west of East Lake Louisa Road within Lake County.			
Area of the property: <u>57.31</u> acres			
Zoning: PUD		County Future Land Use: Urban Low	
<i>Attach development orders, ordinances and staff reports by Lake County and the Florida Dept. of Economic Opportunity (DEO).</i>			
Estimated Water Consumption (excluding irrigation): <u>N/A</u> gallons per day			
Estimated Sewer Consumption: <u>35,860</u> gallons per day			
Estimated Re-Use (Gray Water) Water Consumption: <u>N/A</u> gallons per day			
Attach a detailed description of project.			
Notes: The development consist of 155 single-family residential development with associated open space, amenity tract, landscape buffers, lift station, stormwater ponds, and roadway.			



CITY OF CLERMONT UTILITY SERVICE AGREEMENT APPLICATION

Items required for submittal include one (1) copy of the following items:

- ☒ Signed original application and materials requiring for processing
- ☒ Letter of capacity and utility line location from the City of Clermont Environmental Services Dept.
Phone: (352) 241-0178
- ☒ Proposed Site Plan (if applicable)
- ☒ Lake County Property Appraiser – Record Card
- ☒ Location Map
- ☐ Any applications currently on file with Lake County
- ☒ Any Lake County staff reports
- ☐ DEO or ECFRPC correspondence
- ☐ Any information needed for determination of utility services requested

Ben Shoemaker

Applicant Name (print)

Brad Edwards

Owner Name (print)

DocuSigned by:

x 416C59144AC94D2...
Applicant Name (signature)

DocuSigned by:

x 624E060B8AB640B...
Owner Name (signature)

Prior to submitting an application, a meeting with the City of Clermont is required

To schedule a meeting please contact:

Development Services Department

Phone: 352-394-4083

A review by the *Site Review Committee* may be required, which would require 6 sets of site plans for review by staff. Upon the receipt of all necessary information and review by staff the request will be scheduled for the next available City Council regular meeting.

City of Clermont

Development Services Department

685 W. Montrose St.

P.O. Box 120219

Clermont, FL 34712-0219

(352) 394-4083 Fax: (352) 394 3542

03/09/2020



Lee VanDever
Assistant Director
Public Services

352-241-0178
Lvandever@clermontfl.org

April 7, 2022

Ben Shoemaker
AMH Development LLC
23975 Park Sorrento, Suite 300
Calabasas, CA 91302

RE: AHR 200 Ivy Ridge Development

This letter is in response to your request regarding water and sewer availability for the project located at:
ALT KEYS: 2705614, 1593417, 1593433, 1752558, 1796873 and 1663083

The property referenced is not located within the city limits of Clermont. The property is, however, located within the City's water/sewer utility service area and therefore, the City can provide utility service subject to compliance with applicable City Codes.

Final approval for the provision of utility services to the property must be granted by the City Council and may be subject to additional conditions. To initiate the consideration process, the property owner must submit a request for a water and sewer utility agreement to be approved by City Council. Please contact Curt Henschel, Planning and Development Services Director, to proceed with requesting utility service for this project.

If you have any questions regarding the information provided, please contact me at (352) 241-0178.

Sincerely,

A handwritten signature in blue ink that reads 'Lee VanDever'.

Lee VanDever
Assistant Director of Public Services