



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

6:30 PM, Tuesday, November 14, 2023

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

PUBLIC COMMENT

ELECTION RESULTS ACCEPTANCE

PRESENTATION

REPORTS

ADMINISTRATION OF OATH OF OFFICE OF ELECTED OFFICIALS FOR SEATS 2 AND 4

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 minutes of the October 24, 2023 Council Meeting.

Item No. 2 - Surplus Request

Consider declaring surplus from the Parks and Recreation, Police, Finance, Procurement, and Information Technology Departments and dispose of in accordance with the Purchasing Policy.

Item No. 3 - School Resource Officer Agreement for Year 2023-2024

Consider Lake County School Board agreement for the SRO Program from August 10, 2023 through the last day of school for students in May 2024.

Item No. 4 - Contract Amendment
Employee Healthcare Consultant

Consider approval of the second contract amendment with Hylant of Orlando, LLC to extend the contract for one additional year in the budgeted amount of \$55,000.

NEW BUSINESS

Item No. 5 - Selection of Mayor Pro Tem

Selection of Mayor Pro Tem as provided by the City Charter.

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

6:30 PM, Tuesday, November 14, 2023

Item No. 6 - Parks and Recreation Presentation

Annual Department Update

Item No. 7 - Ordinance No. 2023-029 *Intro*
Waterbrooke Phase 7 Annexation

Consider annexing 23.95 +/- acres located adjacent to Waterbrooke Phase 6, East of Ray Goodgame Parkway.

Item No. 8 - Ordinance No. 2023-030 *Intro*
Waterbrooke Phase 7 SSCPA

Consider a small scale comprehensive plan amendment for 23.95+/- acres located adjacent to Waterbrooke Phase 6, East of Ray Goodgame Parkway, from Lake County Rural to City of Clermont Low Density Residential future land use.

Item No. 9 - Ordinance No. 2023-031 *Intro*
Waterbrooke Phase 7 Rezone

Consider rezoning request of 23.95+/- acres from Urban Estate to Planned Unit Development (PUD) for incorporation into the Waterbrooke PUD located East of Ray Goodgame Parkway, adjacent to Phase 6.

Item 10 - Ordinance No. 2023-032 *Intro*
LDC Amendment

Consider amending the Land Development Code for tree removal and replacement.

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.

**CITY OF CLERMONT
CITY COUNCIL MEETING
CLERMONT CITY HALL
AGENDA
6:30 PM, Tuesday, November 14, 2023**

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

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 24, 2023

CALL TO ORDER

The City Council met in a regular meeting on Tuesday, October 24, 2023 in the Clermont City Council Chambers. Mayor Murry called the meeting to order at 6:30pm with the following Council Members present: Council Members Gonzalez, Entsuh, Pines and Purvis.

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Father Mark Wajada of Blessed Sacrament Catholic Church gave the invocation followed by the Pledge of Allegiance.

AGENDA CHANGES

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

Item No. 9 – Resolution No. 2023-026R, Hancock Commons Apartments CUP

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT,
LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO
ALLOW FOR MULTI-FAMILY DWELLING UNITS WITHIN THE C-2
GENERAL COMMERCIAL 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 January 23, 2024.

Council Member Entsuh moved to table Resolution No. 2023-026R to January 23, 2024;
Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present
voicing aye.

PROCLAMATION

City Clerk Howe read a proclamation recognizing National American Indian Heritage Month.

Mayor Murry presented the proclamation to Susan DeHart, Tomoka Chapter of the Daughters of the Revolution. Ms. DeHart thanked the City of Clermont for the proclamation.

City Clerk Howe read a proclamation recognizing Clermont Fire Department's Centennial Celebration.

Mayor Murry presented the proclamation to the Fire Department. Fire Chief Ezell highlighted the accomplishments of the Clermont Fire Department. Plaques were presented to Mayor Murry and each Council Member as well as City Manager Bulthuis and Deputy City Manager Davidoff as a small token of appreciation for supporting the Clermont Fire Department.

Mayor Murry thanked Chief Ezell and the Fire Department for all the hard work they do.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 24, 2023

PRESENTATIONS

Suzanne Neve, President and CEO of Florida Festival and Events Association presented the Sunsational award to Jennifer Stills, Parks and Recreation Supervisor. The City of Clermont received four awards at the annual conference in August. The Great Clermont Campout won second place in the t-shirt category and third place in the promotional item category. Light Up Clermont won first place in the emergency action category and third place in the promotional video category.

Jennifer Stills, Parks and Recreation Supervisor informed Council that this coming weekend will be the first ever Creepy Clermont Campout.

Mayor Murry presented the 2023 Achievement of Excellence in Procurement Award to the Procurement department, Freddy Suarez, Ramsey Jimenez and Anabel Gates.

City Manager Bulthuis stated that this is a small department that does a lot for the City.

Lake County Commissioner Parks, District 2 stated that the County has officially entered into an agreement with trust for public lands to determine the feasibility of renewing the land acquisition referendum. This was originally passed in 2004 and the funds have been used to purchase land and provided \$35 million to utilize for trails and natural lands such as Lake Hiawatha Preserve. This will end in 2024 and it will be up to the voters to renew. It is helpful to determine feasibility and the ballot language for the 2024 election.

The Joint Planning Area (JPA) Agreement process is underway. Hoping to have something done for Clermont soon. On November 4, there will be a softball game between Clermont Police Department and Lake County Sheriff's Office which benefits first responders.

Council Member Purvis asked for an update on Hartwood Marsh Road.

Commissioner Parks explained that there was a Right Of Way (ROW) issue. He will find out more information and let City Manager Bulthuis know.

Mayor Murry stated there is a need for more lighting at Hooks and Citrus Tower. Council Member Purvis added that Sand Hill Blvd is extremely dark.

Mayor Murry asked about a cell phone tower being constructed at Lakeshore and Hull Road.

Commissioner Parks said the Commissioners are limited on how much they can regulate cell towers.

Mayor Murry questioned trash pick-up in the County.

Commissioner Parks stated that residents need to email him when pick-up has been missed. Lake County has met with the hauler and they are working on the pick-up.

PUBLIC COMMENTS

Jimmy Crawford, 702 W. Montrose St. - commended Commissioner Parks for attending the Clermont Council meetings monthly to provide updates. Congratulated Council Member Entsuh on his last meeting and stated he made great strides.

Glenda Jackson, 1025 W. Montrose – expressed concerns with the speed of traffic on Montrose Street. Also, the light on 12th and Hwy 50 does not have a turn arrow.

Mayor Murry encouraged her to speak with Commissioner Parks and Police Chief Broadway.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 24, 2023

Charlene Forth, 939 W. Desoto Street – spoke on police presence in the downtown area and the upcoming election.

Brian Punch, 450 E. Lakeshore Drive and Kim Bergin, 430 E. Lakeshore Drive – thanked the city for the stop sign at Anderson and Lakeshore. There is still a speeding issue and they would like enforcement.

Mayor Murry stated that the Police Department is monitoring that area. Chief Broadway will run a report on the number of citations and provide that information.

Paul Roundtree, 10726 Crescent Lake Court – thanked the city on behalf of Pig on the Pond. This year was the 25th anniversary and over half a million dollars were raised. The event provides the opportunity to give out four \$10,000 scholarships and would not be possible without the support of the city.

Banks Helfrick, 9100 Sams Lake Road – spoke on community.

Paula Hoisington, 564 E. Desoto Street – spoke regarding the children that walk from the Lincoln Park neighborhood to Aurelia Cole Academy. There is a need for crosswalks and crossing guards and they are told they cannot put them in due to not having sidewalks.

Sharon Keyes, 644 W. Osceola – expressed interest in the city having a community center or Boys and Girls club at McKinney Park.

REPORTS

CITY MANAGER REPORT

City Manager Bulthuis –

- November 7 is the General Election.
- Tonight is Council Member Entsuaah's last full meeting.
- October 28 is the Harvest Festival downtown; Sommer Sports nightmare on the Clermont Trail; and the Clermont Campout.
- November 2 is the Taste of South Lake at Waterfront Park.
- November 11 is the Veterans Parade at 9:30am and the ceremony at 11am at Waterfront Park.
- November 11 Candy Cane Lane in downtown Clermont.

Captain McMaster informed Council that on October 27 the Clermont Police Department will have Halloween on the Trail from 5:30 – 7:30pm. City Manager Bulthuis encouraged the public to attend.

City Manager Bulthuis congratulated Captain McMaster on his 22nd anniversary with the City of Clermont.

Captain McMaster also announced that November 4 is the Lincoln Park community event.

CITY ATTORNEY REPORT

City Attorney Mantzaris informed Council about a 25 foot wide and 275 foot long strip of property between Montrose and Desoto that the city was approached and asked to vacate in 2015. It was later discovered the property was deeded to the city in 2006 so the city could not do a vacation. In 2017, Council approved a transfer of the two portions of the strip, the north piece to the Hoffman Family Trust and the south piece to the Fonstock Property, to become part of their properties. Resolution 2017-35 was approved by that Council, inadvertently when the deeds were approved both the north and south pieces were issued to Fonstock Property instead of the north piece to Hoffman Family Trust.

City Attorney Mantzaris asked Council to consider adopting Resolution No. 2023-046R which clarifies the ownership of the property and to make it official.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 24, 2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLARIFYING THE ACTION TAKEN IN ACCORDANCE WITH RESOLUTION NO. 2017-35, WHICH DECLARED CERTAIN CITY OWNED REAL PROPERTY AS SURPLUS; APPROVED AND AUTHORIZED THE MAYOR TO EXECUTE AND DELIVER A QUIT CLAIM DEED TO THAT CERTAIN PROPERTY GENERALLY DESCRIBED AS A 25 FOOT WIDE 275 FOOT LONG STRIP BETWEEN EAST MONTROSE STREET AND EAST DESOTO STREET; RESERVED AND ACCEPTED A 15 FOOT PUBLIC UTILITY EASEMENT ALONG AND WITHIN THE SUBJECT PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Howe read the resolution title aloud.

Council Member Pines moved to adopt Resolution No. 2023-046R;

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

Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

CITY COUNCIL REPORT

Council Member Gonzalez –

- Apologized for missing the last Council meeting due to illness.
- Will be attending the campout this week.

Council Member Purvis –

- Thanked Captain McMaster for years of service.
- Expressed his views on changing the terms of service for City Council.

Council Member Entsuh –

- Attended the Fire Department Push Back Ceremony, the new truck will serve the citizens of Clermont very well.
- This is his last full meeting and he will give remarks at the next meeting.

Council Member Pines –

- Congratulated Captain McMaster on his service to the Clermont Police Department.
- Attended the Fire Department Push Back Ceremony. It was a great celebration.

Mayor Murry –

- Attended the Fire Department Push Back Ceremony.
- Attended the community meeting in Lincoln Park.

Mayor Murry said that the crosswalk situation was brought to his attention back in August. There is not a simple fix but the city has been working on finding a solution. Council Member Purvis stated that he had a lengthy discussion with City Manager Bulthuis regarding the issue. Mr. Purvis committed that this issue will be a priority for him next year.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 24, 2023

City Manager Bulthuis stated that the issue is how the kids walk to the intersection. There are sidewalk gaps throughout the city and staff has to look at the big picture. East Avenue is the busiest street with the second being Pitt Street which only has sidewalks on the north side. City staff have received rough estimates on constructing a crosswalk on Pitt Street. There will be more in depth studies done regarding sidewalks and crosswalks. The long term solution would be putting a sidewalk on the south side of East Avenue and on the south side of Pitt Street to Bloxam.

The Lake County School Board has no plans to assist in funding sidewalks for the area. City Manager Bulthuis has a meeting with the School Board on Thursday to speak about the crosswalks around the school.

Sharon Keyes, 644 W. Osceola, stated that she understands the cost. She expressed concern regarding the kids coming from Shady Nook.

City Manager Bulthuis reiterated that unfortunately there can be no crossing guard without a cross walk.

Council Member Purvis asked City Manager Bulthuis if there can be a study to compare the cost to starting the crosswalk effort at Shady Nook versus starting at the school.

Council Member Entsuh asked that the City continues to allow the public to have listening sessions.

- Mayor's lunch at Cheeser's Palace on November 7.
- November 3 the Mayor will host breakfast for Florida League of Mayors for regional mayors at Highlander Hut.
- Spoke on 4 year terms for Council being on the ballot this year.

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 minutes of the October 10, 2023 Council Meeting. |
| Item No. 2 – Justice Assistance Grant (JAG) | Consider JAG Approval for D-R7024 Award Agreement for undercover technology to improve police-citizen communications by making officers more accessible. |
| Item No. 3 – Contractor Name Change
<i>Stantec Consulting Services</i> | Consider approval of contractor name change from Cardno Inc. to Santec Consulting Services Inc. |
| Item No. 4 – Piggyback Contract
<i>Stewart & Stevenson FDDA LLC</i> | Consider approval to piggyback the Osceola County term contract with Stewart & Stevenson FDDA LLC D/B/A/ Florida Detroit Diesel-Allison to provide parts and services for heavy duty trucks and industrial equipment. |
| Item No. 5 – Piggyback Contract
<i>Orlando Freightliner, Inc.</i> | Consider approval to piggyback the Osceola County term contract with Orlando Freightliner, Inc. to provide parts and services for heavy duty trucks and industrial equipment. |

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 24, 2023

Item No. 6 – Bid Award
Lake Felter Park

Consider the award to Medley Sports Construction to resurface the basketball court at Lake Felter Park for the budgeted amount of \$69,950.

Item No. 7 – Olympus Design Standards Approval

Consider approval of the Pattern Book and Architectural Standards for the Olympus project.

Council Member Pines moved to approve the Consent Agenda as presented; Seconded by Council Member Gonzalez. Passed unanimously 5-0 with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 8 – Variance Request, 274 Crystal Lake Drive

Development Services Planning Manager Kruse presented the request. This item was continued from the October 10, 2023 City Council Meeting to allow the applicant a hearing before the full Council. The property owner, Mr. Gomez, is requesting a variance to the Land Development Code for property located at 274 Crystal Lake Drive. The variance request is to allow for a front yard setback of 15 feet instead of 25 feet as required by the Land Development Code and driveway placement within five (5) feet of the side yard property line. The property is zoned R-2, Medium Density Residential. The property is developed with a single family home that was constructed in 1951. The owner desires to convert the garage and add a small addition to the existing home to provide additional living space for his daughter and grandchild. The owner requested a variance in June of 2023 to convert the garage into a fully functional secondary living unit, which was denied by Council. The owner now wishes to add a bedroom and bathroom that will be used in conjunction with the existing home. No kitchen will be added.

The property fronts Crystal Lake Drive, and the existing home is located 15 feet from the right-of-way line. The owner would like to add a small addition on the southwest corner of the home to make it symmetrical and add more square footage for the bedroom and bathroom. The addition would be built out to the existing front building line that is 15 feet from Crystal Lake Drive right-of-way (ROW) line. The distance between the edge of the asphalt and the right-of-way line is 27 feet, and then the 15 feet setback would start. This would provide 42 feet from the edge of pavement. The right-of-way width for Crystal Lake Drive at this area appears to be 75 feet.

The applicant would also like to add a driveway and a 20 feet by 35 foot parking pad behind the home. The driveway would be placed within the five (5) foot side yard setback. The applicant has indicated that the driveway would have curbing to prevent runoff to the neighboring lot at 284 W. Minneola Avenue.

Section 101-246 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 meets a positive finding on four (4) of the five (5) criteria. Therefore, staff recommends denial of the variance request.

Jimmy Crawford was present on behalf of the applicant and added that the applicant is present for any questions. Mr. Crawford stated there was a mix up in communication with staff and the original variance request was denied in June 2023. The applicant changed the request, removing the kitchen, and reapplied.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 24, 2023

The driveway has been revised and there will be a full parking area in the back to make sure ~~no~~ there is no water runoff to the neighbor. Minneola and Crystal Lake Drive have a wide Right of Way (ROW). The ROW is 26 feet from the edge of the pavement on Crystal Lake Drive. Mr. Crawford assured that this property cannot be separated into two units. Staff had positive findings on four of the criteria and is asking for reconsideration for a revised variance.

Mayor Murry opened the public hearing.

Charlene Forth, 939 Desoto Street – in favor of the variance.

Mayor Murry closed the public hearing.

Council Member Entsuaah asked Mr. Crawford if there were community members present to speak on the item.

Mr. Crawford stated that when the original variance came before Council there was a neighbor across the lake that was opposed. With the revision, he is not aware of any opposition.

Council Member Entsuaah asked the owner if he has spoken to the neighbor to the left of the property.

Mr. Gomez, property owner, stated that he had and the neighbor had no opposition.

City Manager Bulthuis questioned whether the applicant could build to the back and then not require a variance. The applicant stated that among other things, aesthetics is a factor in choosing where to build out.

Council Member Pines stated she does not have a problem with the request of the addition. The driveway is a concern and asked staff if there is any issue they can see with the driveway being so close to the house.

Development Services Planning Manager Kruse stated that there are no concerns from staff on that issue.

Council Member Purvis stated that his concern is the driveway.

Jimmy Crawford said that with the slope of the yard, the parking pad may require a small retaining wall in the back yard.

There was concern that in the future the addition could turn into a duplex.

City Attorney Mantzaris stated that it cannot be a duplex without two kitchens. In order to add a kitchen to make this a duplex, the owners would have to return to the city and apply for a permit.

Jimmy Crawford suggested that Council can add language to the variance to state there be no kitchen constructed.

Council Member Entsuaah moved to approve the Variance Request, 274 Crystal Lake Drive;
Seconded by Council Member Pines. Passed 3-2 with Council Member Purvis and Mayor
Murry opposing.

NEW BUSINESS

Item No. 9 – *This item was addressed earlier in the meeting and tabled to the January 23, 2024 meeting.*

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 24, 2023

Item No. 10 – Variance Request, The Vue at Clermont

Development Services Director Henschel presented the variance request. The applicant is requesting a variance to Section 123-102 of the Land Development Code (LDC) to ask for a reduction in the fee in lieu of tree replacement for a project within the City of Clermont. The project is known as the Vue and is located south of Highway 50, west of Miss Florida Avenue, and north of Hooks Street.

The project consists of approximately 29 acres and initially received development approval in early 2017. The project comprises of commercial and residential uses. Due to the extreme grade between SR 50 and Hooks Street, the project was granted cut/fill of up to 28 feet over 34 percent of the site and retaining wall heights up to 13 feet as part of the Planned Unit Development (PUD) approval. The applicant has indicated due to the existing topography on the property, saving trees is unfortunately not feasible because of the considerable amount of excavation and grading that needs to be completed to develop the property. As part of the required landscape plan, trees will be replanted in the landscape buffer and parking areas, but the overall number of tree inches will not be achievable.

The Land Development Code allows a fee in lieu of replacement as an option to provide mitigation for tree removal that cannot be replaced back on the site. The fee in lieu shall be based upon the average retail cost of purchasing the required size and number of replacement trees along with planting such trees. The proposed fee in lieu based upon replacement is \$285,340. The applicant is requesting a variance for a reduction of \$150,000 (52.5%) to bring the total fee in lieu to \$135,340. The applicant has indicated that the site was previously undeveloped and there is a significant amount of existing trees onsite which is highly punitive to remove based upon the mitigation fees.

Section 102-246 of the Land Development Code requires a positive finding on the five review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application meets a positive finding on four (4) of the five (5) criteria. Therefore, staff recommends denial of the variance.

Jimmy Crawford was present on behalf of the applicant and owner. The site is moving along and there have been no violations or complaints to date regarding the project. The developer worked with the Florida Native Plant Society who went onsite to help remove and relocate rare and endangered trees and plants. The price of trees have doubled in the last six years. Mr. Crawford reviewed staff findings and spoke on the donation of trees. The applicant will plant over 800 trees onsite and has to replace an additional 942 trees. They are requesting a reasonable compromise on the removal of the trees. The fee in lieu is calculated on average price but if you go to the lower end of the prices the fee would be \$60,000 to \$70,000 less.

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

Council Member Purvis said it is a challenging lot and he believes the variance request is reasonable. He suggested splitting the difference and granting the variance at a 50% reduction for the fee in lieu.

Mayor Murry stated he was thinking more in the range of a 25% reduction for the fee in lieu but if the rest of Council is okay with 50% then he can agree to that.

Council Member Gonzalez moved to approve the Variance Request at 50%; Seconded by
Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 24, 2023

Item No. 11 – Resolution No. 2023-039R, Take 5 CUP

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT,
LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO
ALLOW FOR AN AUTOMOTIVE QUICK LUBE AND OIL CHANGE BUSINESS
IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT; PROVIDING FOR
CONFLICT, SEVERABILITY, THE ADMINISTRATIVE CORRECTION OF
SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.**

City Clerk Howe read the resolution title aloud.

Development Services Planning Manager Kruse stated that the applicant is requesting a Conditional Use Permit to allow for an automotive quick lube oil change facility with three service bays in the “C-2” General Commercial zoning district. The Future Land Use designation is Industrial. The vacant parcel is located between Roper Boulevard and Caspian Lane on the west side of US Highway 27. The Land Development Code requires a Conditional Use Permit for any automotive repair service business in the "C-2" zoning district.

The project is proposing a 1,400 square foot automotive building with three (3) service bays. In 2016, the parcel was annexed to allow for the development of a self-storage facility with a vacant outparcel lot. The development will be constructed on that vacant parcel. The property fronts US Highway 27, a major arterial roadway which has sufficient traffic capacity to support the proposed use. The project will be designed in a manner that provides decorative architectural building features that are compatible with the existing buildings and current development patterns to enhance a positive visual ambiance that promotes quality commercial development. The project includes a waiver to allow the existing billboard on the south side of the property to remain in place for the duration of the current lease agreement. The billboard is required to be removed no later than July 15, 2043.

When evaluating a request for a Conditional Use Permit, the Land Development Code requires specific development standards shall be met, the requested use is not in conflict with the Comprehensive Plan goals, objectives and policies for commercial development. City staff has reviewed the application as submitted in accordance with the regulations specified in the code and finds the proposed use can meet the general criteria for granting a Conditional Use Permit. Staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2023-039R. The Planning and Zoning Commission recommended approval, 6-0.

The applicant, Steve Sloan, Sloan Engineering Group, stated that they worked with city staff and are in agreement with their report and conditions. They are requesting approval and are available for questions.

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

Council Member Entsuaeh asked if the applicant has any research showing the need for an oil change facility within the city.

Mr. Sloan stated his company has done the civil engineering work, not any of the background research.

City Manager Bulthuis showed the site plan and spoke about the surrounding businesses.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 24, 2023

Council Member Purvis moved to approve Resolution No. 2023-039R as submitted; Seconded by Council Member Pines. Passed unanimously 5-0 with all members present voicing aye.

Item No. 12 – Fee Reduction Request, THE Spring Games

Parks and Recreation Director Forman presented the request. Each year, college softball teams compete in THE Spring Games at Hancock Park, and other locations across the state. In 2017, THE Spring Games was classified by the City Council as a "Community Partner Event" along with Pig OnThe Pond and The Sommer Sports Triathlon Series. Previous to being named a "Community Partner Event", the City Council reduced field rental fees by 50 percent each year.

In 2023, the City Council waived 100 percent of field usage fees, the cost of the daily porters, and the cost of the Clermont Girls Fast Pitch banquet with the total fees waived being \$20,500.

Staff is requesting City Council again waive fees for field usage, daily porters and the Clermont Girls Fast Pitch banquet. The total estimated amount waived would be \$20,500, the same amount as last year.

THE Spring Games also requested the City waive fees for field maintenance. City staff is requesting THE Spring Games pay the contractor directly for field maintenance as they have in prior years.

Additionally, THE Spring Games submitted an open container request for alcohol and requested a waiver of security fees related to the open container request. Staff is requesting approval of the Open Container request and recommends they pay all costs for any off-duty officers required by the Police Department in compliance with their open container request.

The applicant, JR Rozier, THE Spring Games, was present. Mr. Rozier stated that they have worked with the city for a long time. THE Spring Games have had issues previously with providing off duty officers to comply with the open container request.

Parks and Recreation Director Forman clarified the amount of officers needed at the event.

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

Council Member Purvis said that THE Spring Games are a great partnership. Not in favor of changing terms of the City's involvement other than what has been proposed by staff. He spoke on having officers at the event.

Council Member Pines questioned the requested action regarding payment of officers at the event. City Manager Bulthuis stated that if Council approves staffs request then the applicant would be paying 100 percent of two officers or one person if they choose private security.

Council Member Entsuh asked how many sponsors they have for THE Spring Games. Mr. Rozier stated they have sponsorships through their community partners along with others.

Council Member Purvis moved to approve Item No. 12, Fee Reduction Request as presented by City Staff; Seconded by Council Member Pines. Passed unanimously 5-0 with all members present voicing aye.

Mayor Murry passed gavel to Council Member Entsuh to adjourn the meeting.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
October 24, 2023

ADJOURN: With no further comments, this meeting adjourned at 9:27 pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date																																
Tuesday, November 14, 2023																																
Agenda Item Name																																
Surplus Request																																
Requested Action																																
Recommend approval and declare end of life inventory as surplus from the Parks and Recreation, Police, Finance, Procurement, and Information Technology Department and dispose of in accordance with the Purchasing Policy.																																
Staff Report																																
The Procurement Services Department, on behalf of the Parks and Recreation, Police, Finance, and Information Technology, recommends approval of the above action. The following inventory has reached its end of life service and approval to surplus these items is being requested. <u>Parks and Recreation Department</u> <table><tr><td>Qty.</td><td>Property Description</td></tr><tr><td>(1)</td><td>2006 Jeep Liberty - Mileage</td></tr></table> <u>Police Department</u> <table><tr><td>Qty.</td><td>Property Description</td></tr><tr><td>(1)</td><td>Totaled 2017 Ford Taurus Patrol Vehicle - Mileage 60,000</td></tr><tr><td>(17)</td><td>Expired Axon X26P Taser Handle</td></tr></table> <u>Information Technology Department</u> <table><tr><td>Qty.</td><td>Property Description</td></tr><tr><td>(3)</td><td>APC Rack Mounted Smart UPS Power Supply</td></tr><tr><td>(1)</td><td>Cannon Multifunction Printer</td></tr><tr><td>(9)</td><td>Dell Latitude Laptops</td></tr><tr><td>(5)</td><td>Dell Optiplex Computers</td></tr><tr><td>(3)</td><td>Dell Servers</td></tr></table> <u>Finance Department</u> <table><tr><td>Qty.</td><td>Property Description</td></tr><tr><td>(1)</td><td>Broken Accounting Calculator</td></tr></table> <u>Procurement Services</u> <table><tr><td>Qty.</td><td>Property Description</td></tr><tr><td>(2)</td><td>Cubicle Desk including Cabinets</td></tr></table> Salvageable surplus property will be sold through GovDeals.com, an electronic auction website for government property. Non-salvageable property will be disposed of appropriately.			Qty.	Property Description	(1)	2006 Jeep Liberty - Mileage	Qty.	Property Description	(1)	Totaled 2017 Ford Taurus Patrol Vehicle - Mileage 60,000	(17)	Expired Axon X26P Taser Handle	Qty.	Property Description	(3)	APC Rack Mounted Smart UPS Power Supply	(1)	Cannon Multifunction Printer	(9)	Dell Latitude Laptops	(5)	Dell Optiplex Computers	(3)	Dell Servers	Qty.	Property Description	(1)	Broken Accounting Calculator	Qty.	Property Description	(2)	Cubicle Desk including Cabinets
Qty.	Property Description																															
(1)	2006 Jeep Liberty - Mileage																															
Qty.	Property Description																															
(1)	Totaled 2017 Ford Taurus Patrol Vehicle - Mileage 60,000																															
(17)	Expired Axon X26P Taser Handle																															
Qty.	Property Description																															
(3)	APC Rack Mounted Smart UPS Power Supply																															
(1)	Cannon Multifunction Printer																															
(9)	Dell Latitude Laptops																															
(5)	Dell Optiplex Computers																															
(3)	Dell Servers																															
Qty.	Property Description																															
(1)	Broken Accounting Calculator																															
Qty.	Property Description																															
(2)	Cubicle Desk including Cabinets																															
Additional Analysis																																
Fiscal Impact Summary																																
Surplus property is anticipated to be sold for approximately \$2000.00.																																
Fiscal Impact	Fund Number and Description	Available Budget Amount																														

Exhibits Attached (copies of original agreements)	
1. Police Disposal	Police Disposal.pdf
2. Information Technology Disposal	Information Technology Disposal.pdf
3. Parks and Recreation Disposal	Parks and Recreation Disposal.pdf
4. Finance Disposal Form	Finance Disposal Form.pdf
5. Procurement Disposal	Procurement Disposal.pdf



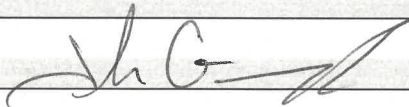
PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: 10727
Contact Person: Lt. Nick Bloom Phone: 352-536-8442
Year / Make / Model: 2017 Ford Taurus Vehicle No. 2242
Miles / Hours: Approx 60,000 Serial / VIN: 1FAHP2MK1HG118900
Description of Property Marked Ford Taurus Patrol Vehicle

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** Vehicle totaled in crash.

Director Signature: 

Date: 10/18/23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council: _____

Agenda Item: _____

Method of Disposal: _____

Date Disposed: _____

Procurement Director: _____

Date: _____

Munis Asset Number: _____

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200CEND
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.

☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.

☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 10-24-23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



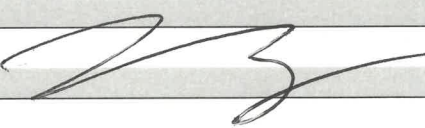
PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200CEVT
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature:  Date: 10.24.23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council: Agenda Item:
Method of Disposal: Date Disposed:
Procurement Director: Date:
Munis Asset Number:

Revised 5/2/2023



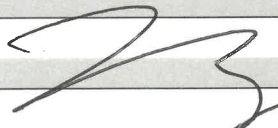
PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X12003TPD
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 10-24-23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200ACR7
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 12-24-23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200ACKV
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: [Signature]

Date: 10-24-23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



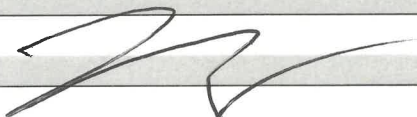
PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X12003TTY
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 12-24-23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200CEER
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

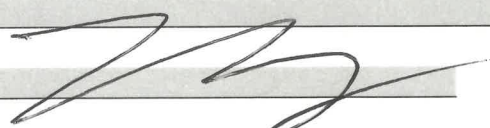
☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.

☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.

☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 1c 24.23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X12007KT0
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 1c 24, 23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200303C
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.

☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.

☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 10-24-23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200C9XC
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature:  Date: 10-24-23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council: Agenda Item:
Method of Disposal: Date Disposed:
Procurement Director: Date:
Munis Asset Number:

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200AHTW
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: [Signature]

Date: 10-24-23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



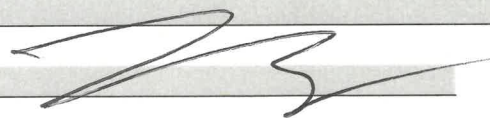
PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200AHTW
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 10.24.23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200H617
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 10-24-23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



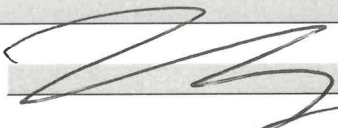
PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X12009P73
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 10.24.23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200AACT
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 10-24-23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X1200CH9Y
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: 

Date: 10-24-23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023



PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: NONE
Contact Person: DEBBIE ARROYO Phone: 352-536-8424
Year / Make / Model: X26P TASER HANDLE Vehicle No.
Miles / Hours: Serial / VIN: X12009X3W
Description of Property

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** THE TASER HANDLE COULE POSSIBLY BE SOLD. THE WARRANTY HAS EXPIRED.

Director Signature: [Signature]

Date: 10-24-27

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Procurement Director:

Date:

Munis Asset Number:

Revised 5/2/2023

[illegible]

Computers

[illegible]

Dell Servers

[illegible]



PROPERTY DISPOSAL FORM

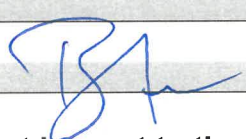
Dept. / Division: P&R/P&R Property Tag #: 10016
Contact Person: Jennifer Stills Phone: 352-708-5951
Year / Make / Model: 2006/Jeep/Liberty Vehicle No. 1106
Miles / Hours: Unknown Serial / VIN: 1J4GL48K96W197074
Description of Property White Jeep Liberty Vehicle

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☒ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☐ **OTHER:** _____

Director Signature:  Date: 10/25/23

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council: _____ Agenda Item: _____

Method of Disposal: _____ Date Disposed: _____

Procurement Director: _____ Date: _____

Munis Asset Number: _____

Revised 5/2/2023





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 14, 2023		
Agenda Item Name		
School Resource Officer Agreement for Year 2023-2024		
Requested Action		
Staff Report		
This is an Agreement between the School Board of Lake County and the City of Clermont for the School Resource Officer Program for the 2023-2024 school year. This provides for four (4) school resource officers to provide additional security for students, school personnel, and school property. The officers will also interact with students during their regular class schedule and during extra-curricular school activities. The School Board will pay the City of Clermont \$343,016.00 per the terms of the attached agreement.		
Additional Analysis		
Fiscal Impact Summary		
Revenue from the agreement is included in the City's Fiscal Year 2023-2024 General Fund budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. City of Clermont SY23-24	City of Clermont SY23-24.pdf	

**AGREEMENT BETWEEN THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA,
AND THE CITY OF CLERMONT, FOR
SCHOOL RESOURCE OFFICER PROGRAM [2023-2024]**

This **AGREEMENT** is entered into by and between the **City of Clermont**, a Florida municipal corporation, hereinafter referred to as “LAW ENFORCEMENT AGENCY” and the **School Board of Lake County, Florida**, a political subdivision of the State of Florida, hereinafter referred to as “SCHOOL BOARD”.

WITNESSETH:

WHEREAS, the SCHOOL BOARD is seeking four (4) School Resource Officers (SROs) to interact with students during the regular class schedule and at extra-curricular school activities so as to provide additional security to students, school personnel, the school community and school property; and

WHEREAS, the LAW ENFORCEMENT AGENCY is willing to place four (4) **City of Clermont** Police Officers at **Cypress Ridge Elementary (1), and Lost Lake Elementary (1), Aurelia Cole Academy K-8 (2)** for the purpose of carrying out this school program.

NOW, THEREFORE, in and for consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree that the LAW ENFORCEMENT AGENCY will provide four (4) sworn **City of Clermont** Police Officers who are certified pursuant to Section 943.10(1) *Florida Statutes* to the SCHOOL BOARD to act as SROs at the three (3) designated schools under the terms and conditions of this Agreement.

1. Term of Agreement. The term of this Agreement shall be for the next school year, beginning the 10th day of August 2023 through the last day of school for students in May 2024.

2. Compensation. The SCHOOL BOARD will pay the **City of Clermont** the sum of Three hundred forty-three thousand sixteen (\$343,016.00) Dollars for services of the four (4) SROs provided pursuant to the terms of this Agreement. Such compensation shall be invoiced to the SCHOOL BOARD by the LAW ENFORCEMENT AGENCY in equal quarterly installments (September, November, February and May) commencing on the 1st day of September 2023. Invoices shall be paid by the SCHOOL BOARD within fifteen (15) days of receipt. In the event

that The Board of County Commissioners of Lake County, Florida, agrees to pay for any or all of the police officers assigned to the schools pursuant to this Agreement, then the LAW ENFORCEMENT AGENCY agrees that the SCHOOL BOARD may assign its obligation to pay under this section to The Board of County Commissioners of Lake County, Florida.

3. Scope. The LAW ENFORCEMENT AGENCY shall assign an SRO for three (3) designated schools. The SROs shall interact with students and provide security at the three (3) designated schools. In addition, the SROs shall have the duties and responsibilities listed in Exhibit “A” attached hereto.

4. Background Investigations. The LAW ENFORCEMENT AGENCY represents and warrants to the SCHOOL BOARD that the LAW ENFORCEMENT AGENCY has read and is familiar with Sections 1012.32, 1012.465, 1012.467 and 1012.468, *Florida Statutes* regarding background investigations. The LAW ENFORCEMENT AGENCY covenants to comply with all requirements of the above-cited statutes and shall provide SCHOOL BOARD with proof of compliance upon request. The LAW ENFORCEMENT AGENCY agrees, to the extent permitted by law and only to the extent permitted by 768.28, *Florida Statutes*, to indemnify and hold harmless the SCHOOL BOARD, its officers, agents and employees from any liability in the form of physical injury, death, or property damage resulting from the LAW ENFORCEMENT AGENCY’s failure to comply with the requirements of this paragraph or Florida Statute Sections, 1012.32, 1012.465, 1012.467 and 1012.468, *Florida Statutes*. Any claim against the LAW ENFORCEMENT AGENCY by the SCHOOL BOARD under the preceding sentence shall not include punitive damages or any interest for the period before judgment. Additionally, the LAW ENFORCEMENT AGENCY shall not be liable pursuant to this indemnity to pay a claim or judgment by any one person which exceeds the sum of \$200,000 or any claim or judgment, or portions thereof, which, when totaled with all other claims or judgments paid by the LAW ENFORCEMENT AGENCY arising out of the incident or occurrence, exceeds the sum of \$300,000. Further, nothing in this paragraph shall be construed as an admission of liability on behalf of the LAW ENFORCEMENT AGENCY.

5. Assignment of Officers. The LAW ENFORCEMENT AGENCY shall determine which SROs will be assigned under this Agreement and will also determine the particular school

to which the SRO will be assigned to. The LAW ENFORCEMENT AGENCY shall provide a notice of the assigned SROs to the school principals of the three (3) designated schools. In the event that the principal of the school where the SRO is assigned believes that the particular SRO is not effectively performing his/her duties and responsibilities, the principal shall notify the SRO in writing. If the situation is not corrected within three (3) working days, the principal shall contact the SRO's immediate supervisor and the Superintendent's designee in writing and provide a copy of said notice to each of them. If the situation is not resolved to the mutual satisfaction of both the SRO's immediate supervisor and the Superintendent's designee within ten (10) days, or if, during the same contract period, the principal determines for a second time that the SRO is not effectively performing his/her duties and responsibilities, then the Principal shall recommend to the Superintendent that the SRO be removed from the program at his/her school, and shall state the reasons as well as the efforts to resolve the problems in writing. The Superintendent, or his/her designee, shall review the request and, if approved, shall provide written notification to the LAW ENFORCEMENT AGENCY who shall transfer the SRO or take other appropriate action within ten (10) business days. In the event the principal considers the SRO's conduct to present a threat to the safety or well-being of the students or staff, the principal will immediately notify the Superintendent and the LAW ENFORCEMENT AGENCY. Upon receipt of such notification, the LAW ENFORCEMENT AGENCY shall take appropriate action.

6. Dismissal/Replacement/Absence.

The LAW ENFORCEMENT AGENCY may dismiss or reassign SROs with or without cause. In the event of the resignation, dismissal, or reassignment of an SRO, or in the case of long-term absences by an SRO, the LAW ENFORCEMENT AGENCY shall provide a temporary replacement for the SRO as soon as practical.

7. Leaves/Coverage.

The Chief of Police or another designated scheduling officer will approve vacations, sick leaves, and other leaves of absence for the SRO. The SRO will communicate approved vacation, sick leaves, trainings or any other leave that impacts SRO presence in schools with the SCHOOL BOARD'S Safety and Security Specialist.

LAW ENFORCEMENT AGENCY shall provide coverage of an SRO during any time in which the SRO will be off campus of the school to include, but not be limited to vacations, sick leaves, other leaves of absence or due to other related assignments.

8. Hours of Assignment. The SROs will be stationed at the three (3) designated schools for eighty (80) hours per two-week period, Monday through Friday, as assigned and scheduled by the respective school principal and as approved by the LAW ENFORCEMENT AGENCY.

9. Additional Hours of Assignment. Additional hours of assignment during a two-week period may be made with prior approval of the LAW ENFORCEMENT AGENCY, if requested by the respective school principal. If the additional hours worked require that overtime be paid to the SROs, the SCHOOL BOARD will reimburse the LAW ENFORCEMENT AGENCY for overtime paid at the SRO's existing pay rate.

10. Off Campus Assignments. Upon the request of the respective school principal and with the prior approval of the LAW ENFORCEMENT AGENCY, an SRO's duties may occasionally include his/her assignment at school functions and activities that are held off campus.

11. Reassignment in Emergency Situations. Nothing in this Agreement shall prevent or interfere with the ability of the LAW ENFORCEMENT AGENCY to temporarily withdraw an assigned SRO from his/her post at the three (3) designated schools to respond to emergency situations as determined in the sole judgment and discretion of the LAW ENFORCEMENT AGENCY.

12. Supervising Authority. During the term of this Agreement, the SROs assigned shall remain employees of the LAW ENFORCEMENT, under the authority of the chain of command of the LAW ENFORCEMENT AGENCY and subject to all other rules and regulations of the LAW ENFORCEMENT AGENCY. The SROs will report to their respective school principal for assignment of duties and work schedules, including the extracurricular activities during the regular school day for up to eighty (80) hours for each officer per two-week period. Each SRO shall remain, at all times, an employee of the LAW ENFORCEMENT AGENCY. Workers

Compensation coverage, as required by law, will be provided for the officer by the LAW ENFORCEMENT AGENCY.

13. Salary and Benefits. The LAW ENFORCEMENT AGENCY will provide the salary and benefits to each SRO assigned, including uniforms and equipment and any applicable overtime pay as agreed to above.

14. Vehicle. The LAW ENFORCEMENT AGENCY will provide vehicles for SROs if or when determined necessary by the LAW ENFORCEMENT AGENCY.

15. Threats to School Safety.

A. Pursuant to Section 1006.13(4), *Florida Statutes*, any acts that pose a threat to school safety, whether committed by a student or adult, shall be reported to the School Principal, or his or her designee, who shall report the acts to the SRO and the School Board's School Safety Specialist.

B. If requested by the School Principal, or his or her designee, the SRO, or other appropriate law enforcement officers, shall assist in the investigation of the acts that pose a threat to school safety; upon conclusion of the investigation, the SRO shall report the findings of the investigation to the School Board's School Safety Specialist to properly document the disposition of the incident. Additionally, the School Principal, or his or her designee, shall consult with SRO concerning appropriate delinquent acts and crimes.

16. Termination of Agreement. This Agreement may be terminated by either party upon thirty (30) days written notice. Notice shall be deemed given as of the date of deposit of such written NOTICE in the course of transmission in the United States Postal Service and addressed as follows:

SCHOOL BOARD:

Superintendent of Schools
School Board of Lake County
201 West Burleigh Boulevard
Tavares, FL 32778

LAW ENFORCEMENT
AGENCY:

Chief of Police
City of Clermont Police Department

3600 U.S. 27
Clermont, FL 34711

Upon termination pursuant to this subsection, payment will be made by the SCHOOL BOARD or reimbursement made by the LAW ENFORCEMENT AGENCY based on a pro rata charge for services for that portion of the school year covered by this Agreement prior to termination.

17. Entire Agreement. This Agreement embodies the entire agreement and understanding between the parties with respect to the subject matter hereto and supersedes all prior Agreements, representations and understandings either oral, written or otherwise relating thereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective dates under each signature.

“SCHOOL BOARD”

**THE SCHOOL BOARD OF LAKE COUNTY,
FLORIDA**

By: _____
Marc Dodd, Chairperson

Date: _____

Approved as to form:

School Board Attorney

Attest: _____
Diane S. Kornegay, Superintendent

CITY OF CLERMONT

By: _____
Tim Murry, Mayor

Date: _____

Approved as to form:

City Attorney

Attest: _____
Tracy Ackroyd Howe, City Clerk

EXHIBIT “A”

In addition to the routine duties and responsibilities of the SROs, the SROs shall have the following specific duties and responsibilities:

1. Each SRO shall at all times perform his/her duties in accordance with City of Clermont Police Department’s standard operating procedures.
2. The SROs shall serve as resource instructors providing programs in crime prevention that encourage students to become responsible citizens.
3. The SROs shall also assist the orderly flow of traffic on school grounds.
4. Each SRO shall maintain all law enforcement powers, duties, and responsibilities inclusive of his/her position as C Police Officers while assigned to the SRO program.
5. Each SRO shall be responsible to his/her agency in all matters relating to employment, however, activities conducted by the SROs which are part of the regular school instruction program shall be under the direction of the principal or his/her designee.
6. Each SRO shall be at his/her school during normal school hours of operation and shall utilize the school’s computer-based management system to sign in and out to verify attendance. During times that the SROs are unable to be on campus or need to leave campus, those times will be coordinated with the principal or his/her designee and each SRO’s supervisor. The SRO supervisor will assure that the School has a replacement SRO on campus.
7. The SROs shall perform such duties as directed by his/her agency when school is not in session. The principal or his/her designee shall advise the Officers’ supervisor of the school’s calendar.
8. The SROs may contact students during school hours in conjunction with a criminal investigation so long as such contact does not interfere with or impede the orderly operation of the school or the rights of the individual students.
9. All student record information will be maintained in accordance with the provisions of Florida Statutes.
10. The SROs shall interface with students between class breaks, during lunch periods, before and after school and at school activities at which the SROs are in attendance. The SROs will not be assigned to a permanent school related duty post so as not to establish predictable patterns.
11. In the interest of maintaining a safe and orderly school environment, student and campus supervision is of critical importance. The SROs shall take a prominent role in supervision responsibilities, which shall be coordinated with and agreed to by the SROs and the designated

school principal. While school is in session, the SROs shall be present on and around the school campus except as permitted in paragraph 6 of this Exhibit A.

12. The SROs will serve as a referral resource for students, faculty and parents to community agencies.

13. The SROs will serve as a Law Enforcement resource to school administration and the district manager of security services.

14. The SROs shall be familiar and offer support with the plans and strategies for the prevention and control of dangerous situations at the school.

15. The SROs will serve as the mandated sworn law enforcement officer on the school Threat Management team; and accordingly will complete the required Threat Management training in accordance with 6A-1.0018, F.A.C. and 1006.07, Florida Statutes.

16. The SROs will coordinate activities with the school administration and the school guidance department in an effort to identify those students who exhibit indications of early delinquent behavior.

17. The SROs shall attend meetings of school faculty and requested administrative meetings during school hours on a regular basis.

18. The SROs shall not act as a school disciplinarian, as disciplining students is a school responsibility. However, the principal shall contact the SROs for any violations of the law, and the SROs shall determine whether law enforcement action is appropriate.

19. The SROs shall take law enforcement action as necessary and as permitted under Florida law and shall inform the school principal of such action unless it would impede a criminal investigation, under such circumstances as practical. The SROs shall take appropriate law enforcement action against intruders and unwanted guests who may appear at the school and related school functions, to the extent that the SROs may do so under the authority of law. Whenever practical, the SROs shall advise the principal before requesting additional law enforcement assistance on campus.

20. The SROs shall be informed by school personnel of any situation occurring on school grounds that would appear to be a violation of the law of criminal nature.

21. The SROs shall maintain detailed accurate records of his/her activities, and provide a written monthly report to the LAW ENFORCEMENT AGENCY who shall provide such information to the Safe Schools Department of the SCHOOL BOARD.

22. The SROs and school administration shall work together to keep each other informed during the course of all criminal investigations as permitted by law and as practical. This provision shall not be interpreted so as to interfere with or impede the SROs' law enforcement duties, obligations and/or powers.

23. The SROs shall work with school administration when determining whether an arrest should be made, or if there is an alternative solution to the incident which would still be in compliance with Florida law. The final decision on whether arrest is appropriate will lie with the attending SRO or other law enforcement officer on scene at the incident. This provision shall not be interpreted so as to interfere with or impede the SROs' law enforcement duties, obligations or powers.

24. The SROs shall affect a physical arrest for felonies committed on school grounds, particularly those that are "Zero Tolerance", as permitted by law.

25. The SROs shall give assistance to other law enforcement officers and government agencies in matters regarding his/her school assignment, whenever necessary.

26. The parties shall comply with the provisions of the Family Educational Rights and Privacy Act ("FERPA").



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 14, 2023		
Agenda Item Name		
Contract Amendment <i>Employee Healthcare Consultant</i>		
Requested Action		
Requesting approval of the second 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 original contract expired on December 31, 2022, and the first amendment to the contract extended the services for an additional year ending on December 31, 2023. The first contract amendment was approved by the City Council on November 8, 2022 meeting, item 7. City staff is seeking to approve a one-year extension to the contract ending December 31, 2024. This contract provides a broad range of employee healthcare and benefits consulting services supporting the City's employee benefits program. Having the consultant in place will facilitate the implementation of the 2024 plan year renewals. Additionally, Hylant will continue to work closely with staff and the insurance team to evaluate alternative health plan options for implementation in 2025.		
Additional Analysis		
Fiscal Impact Summary		
The estimated amount of this contract anticipated to be spent in FY 2024 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. 2nd Amendment to Agreement	2nd Amendment to Agreement.docx	

**SECOND AMENDMENT TO AGREEMENT FOR
EMPLOYEE HEALTHCARE AND BENEFITS CONSULTING SERVICES**

THIS AMENDMENT is entered into as of this 14th day of November 2023 and is to that certain Agreement No. 2016-52 dated January 1, 2017, 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: 1025 Greenwood Blvd., Suite 285, 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, 2023. This amendment extends the contract for one year ending December 31, 2024.
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

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

HYLANT OF ORLANDO, LLC.

By: _____

Print Name: _____

Title: _____

Date: _____



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 14, 2023		
Agenda Item Name		
Ordinance No. 2023-029 <i>Intro</i> <i>Waterbrooke Phase 7 Annexation</i>		
Requested Action		
Recommend approval of Ordinance 2023-029		
Staff Report		
The applicant, Mattamy Orlando LLC, is requesting voluntary annexation of the subject property by adjacency to the City limits. The property, approximately 23.95 +/- acres, is adjacent to the Waterbrooke subdivision, which is in the City of Clermont.  The property is located within the Clermont Joint Planning Area (JPA) and Utility Service Boundary. The applicant is requesting a small scale comprehensive plan amendment and an amendment to the Waterbrooke PUD to allow a single family housing phase, Phase 7, to be developed. The property boundaries are contiguous to City Boundaries, as required by Florida Statutes for annexation. The City is able to serve the proposed development, and the annexation would be a logical expansion to the boundary. Staff recommends approval of Ordinance 2023-029.		
Additional Analysis		
Fiscal Impact Summary		
None.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord. 2023-029 Waterbrooke Ph 7 - Annx (10.30.2023)	Ord. 2023-029 Waterbrooke Ph 7 - Annx (10.30.2023).docx	
2. Ad_ANN Waterbrooke Ph 7 - Legal Ad ANN	Ad_ANN Waterbrooke Ph 7 - Legal Ad ANN.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2023-029

AN ORDINANCE OF THE CITY COUNCIL 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.

WHEREAS, the City Council of the City of Clermont, Lake County, Florida, has received a Petition for Annexation of a parcel of land contiguous to the present corporate limits under Section 171.044, Florida Statutes; and

WHEREAS, the City Council of the City of Clermont, Lake County, Florida, has determined that it is in the best interest of the City and of the property herein sought to be annexed that the City annex the following described property; and

WHEREAS, the City Council has determined that the area sought to be annexed is contiguous to the City and is in need of the services which the City can offer and the City has determined that such area sought to be annexed will be substantially benefitted by annexation; and

WHEREAS, the City Council has determined that all requirements of Section 171.044, Florida Statutes, have been met.

SECTION 1:

NOW, THEREFORE, BE IT ORDAINED, under the provisions of Florida Statute Chapter 171 and the General and Special Laws of the State of Florida; that the City of Clermont, Lake County, Florida, does hereby annex to and make part of its corporate boundaries; the following described property contiguous to the present City boundary, to-wit:

LEGAL DESCRIPTION

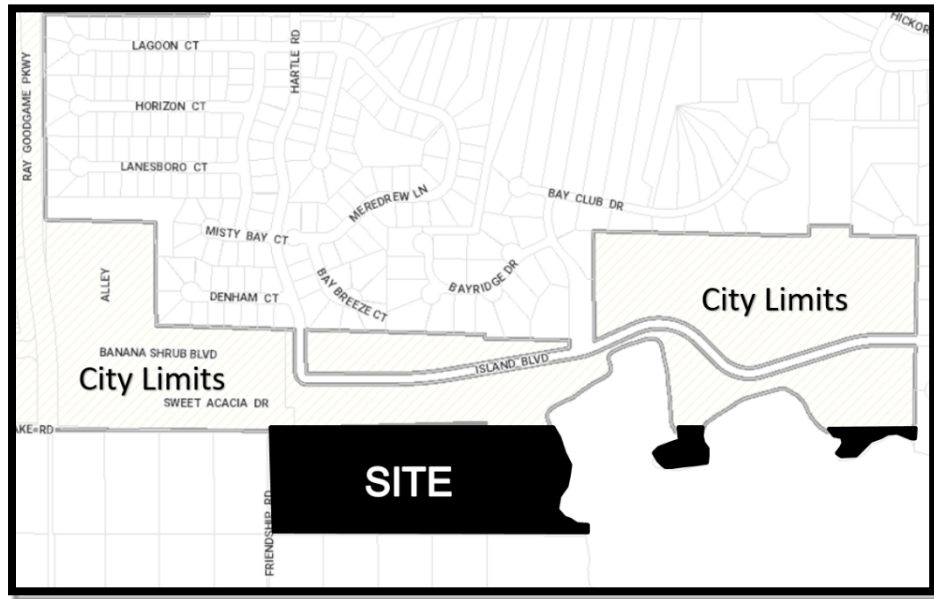
THE NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4); THE NORTH QUARTER (N 1/4) OF GOVERNMENT LOT 2; ALL IN SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST OF THE TALLAHASSEE MERIDIAN.

ALSO: BEGIN AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RUN THENCE WEST ALONG THE MID-SECTION LINE 1304.75 FEET, THENCE NORTH 8.3 FEET, THENCE EAST TO A POINT 50.25 FEET NORTH OF THE POINT OF BEGINNING, THENCE SOUTH TO THE POINT OF BEGINNING.

CONTAINING 23.955 ACRES, MORE OR LESS, TO THE SAFE UPLAND LINE AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

LOCATION

Vacant parcel located southeast of the Friendship Road and Lost Lake Road intersection
Alternate Key 1412021
23.96 +/- Acres



SECTION 2:

That the afore described property shall be and hereby is made part and parcel of the City of Clermont, Lake County, Florida, and that said property shall be subject to all the laws, ordinances, and provisions pertaining to the City of Clermont.

SECTION 3:

All property afore described shall henceforth be subject to ad valorem taxation by the City of Clermont, Lake County, Florida, and any other general or special taxes or assessments.

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 a Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be separable in meaning and effect from the Section to which such holding shall apply.



CITY OF CLERMONT
ORDINANCE NO. 2023-029

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. 2023-029

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, on this 28th day of November, 2023.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LEGAL NOTICE

The Clermont City Council will consider the enactment of the following proposed Ordinance at their regularly scheduled meeting to be held Tuesday, November 28, 2023 at 6:30 PM at Clermont City Hall, Council Chambers located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2023-029

AN ORDINANCE OF THE CITY COUNCIL 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 SCRIVINERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

LOCATION:

Vacant parcel located southeast
of the Friendship Road and Lost Lake Road intersection
Alternate Key 1412021
23.96 +/- Acres



LEGAL DESCRIPTION:

THE NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4); THE NORTH QUARTER (N 1/4) OF GOVERNMENT LOT 2; ALL IN SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST OF THE TALLAHASSEE MERIDIAN.

ALSO: BEGIN AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RUN THENCE WEST ALONG THE MID-SECTION LINE 1304.75 FEET, THENCE NORTH 8.3 FEET, THENCE EAST TO A POINT 50.25 FEET NORTH OF THE POINT OF BEGINNING, THENCE SOUTH TO THE POINT OF BEGINNING.

CONTAINING 23.955 ACRES, MORE OR LESS, TO THE SAFE UPLAND LINE AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

The public hearings are held at the City Hall, Council Chambers, located at 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, ext. 3 if you have any questions.

The proposed ordinance may be inspected at the Clermont Development Services Department (City Hall, 1st floor) Monday through Friday, 8 a.m. to 5 p.m.

Please be advised that under state law, any person deciding to appeal a public hearing decision will need a record of the proceedings and may need to ensure a verbatim record is made.

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

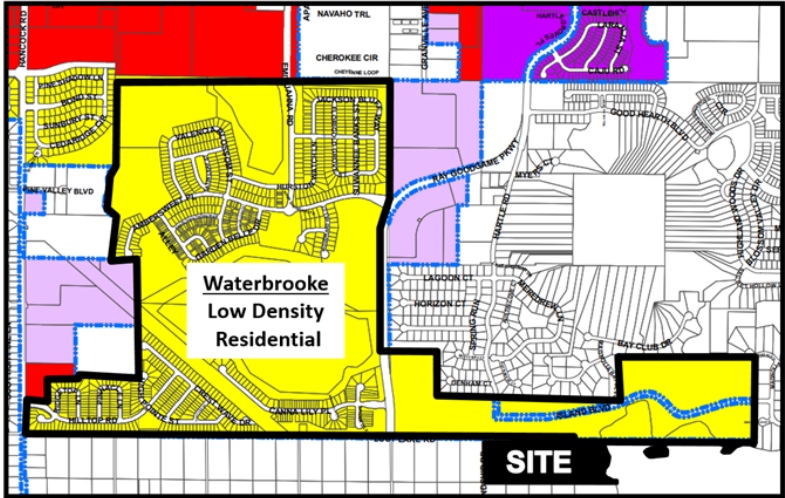
Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 14, 2023		
Agenda Item Name		
Ordinance No. 2023-030 <i>Intro Waterbrooke Phase 7 SSCP</i>		
Requested Action		
Recommend approval of Ordinance 2023-030		
Staff Report		
The applicant, Mattamy Orlando LLC, is requesting a small scale comprehensive plan amendment (SSCP) for approximately 23.95 +/- acres adjacent to the Waterbrooke subdivision. The property is currently in Lake County with a future land use of Rural. The applicant is requesting a future land use map change from Rural to Low Density Residential once it is annexed into the City of Clermont. Low Density Residential allows up to three dwelling units per acre. The applicant is proposing an additional phase, Phase 7, to the existing Waterbrooke subdivision. The Low Density Residential future land use is consistent with the existing future land use for the entire Waterbrooke PUD. The property will be accessed from within the existing Waterbrooke development, and an amendment to the existing PUD is being sought. The development proposal for this parcel does not conflict with the Low Density Residential future land use within the City's Comprehensive Plan. Staff recommends approval of Ordinance 2023-030.		
		
Additional Analysis		
Fiscal Impact Summary		
None.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord. 2023-030 Waterbrooke Ph 7 - CPA (10.16.2023)	Ord. 2023-030 Waterbrooke Ph 7 - CPA (10.16.2023).pdf	
2. Ad_SSCP Waterbrooke Ph 7 - Legal Ad SSCP	Ad_SSCP Waterbrooke Ph 7 - Legal Ad SSCP.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2023-030

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.

WHEREAS, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on June 23, 2009, in accordance with the Local Government Planning and Land Development Regulations Act of 1985, Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Comprehensive Plan of the City of Clermont may be amended pursuant to Florida Statute 163.3187; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Clermont have held public hearings on the proposed amendment to the plan in light of written comments, proposals and objections from the general public;

NOW THEREFORE BE IT RESOLVED AND ENACTED, by the City Council of the City of Clermont, Lake County, Florida, that:

SECTION 1:

After public hearings held by the City of Clermont Local Planning Agency and the Clermont City Council, the Future Land Use Map of the Comprehensive Plan of the City of Clermont is hereby amended by changing the following described property as shown:

LEGAL DESCRIPTION

THE NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4); THE NORTH QUARTER (N 1/4) OF GOVERNMENT LOT 2; ALL IN SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST OF THE TALLAHASSEE MERIDIAN.

ALSO: BEGIN AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RUN THENCE WEST ALONG THE MID-SECTION LINE 1304.75 FEET, THENCE NORTH 8.3 FEET, THENCE EAST TO A POINT 50.25 FEET NORTH OF THE POINT OF BEGINNING, THENCE SOUTH TO THE POINT OF BEGINNING.

CONTAINING 23.955 ACRES, MORE OR LESS, TO THE SAFE UPLAND LINE AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

LOCATION

Vacant parcel located southeast of the Friendship Road and Lost Lake Road intersection
 Alternate Key 1412021
 23.96 +/- Acres



FUTURE LAND USE MAP CHANGE

FROM: LAKE COUNTY RURAL
 TO: CITY OF CLERMONT LOW DENSITY RESIDENTIAL

SECTION 2: CONFLICT

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

SECTION 3: 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.



CITY OF CLERMONT
ORDINANCE NO. 2023-030

SECTION 4: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR

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 5: 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. 2023-030

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of November 2023.

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
NOTICE OF PROPOSED LAND USE CHANGE
Small Scale Comprehensive Plan Amendment

ORDINANCE NO. 2023-030

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, November 7, 2023 at 6:30 PM, and a public meeting will be held before the Clermont City Council on Tuesday, November 28, 2023 at 6:30 p.m. for the (final reading of the adoption ordinance) to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 23.96 +/- acre parcel below from Lake County Rural to Clermont Low Density Residential Land Use Designation. (Parcel Alternate Key #1412021).

ORDINANCE 2023-030

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.



Location:

Vacant parcel located southeast of the Friendship Road and Lost Lake Road intersection
Alternate Key 1412021
23.96 +/- Acres

The public hearings are held in the Council Chambers of City Hall, located at 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, ext. 3 if you have any questions.

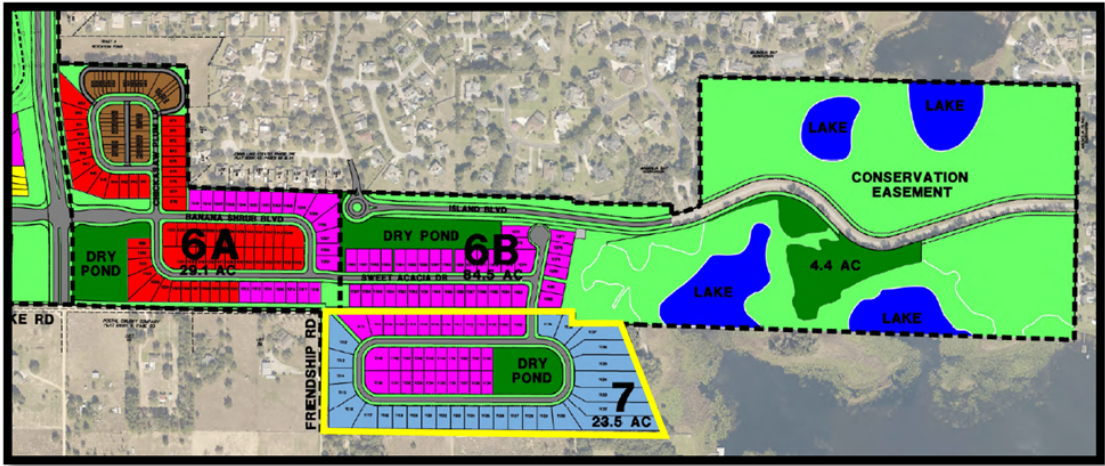
The proposed amendment may be inspected at the City's Development Services Department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made.

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public meetings.

Tracy Ackroyd Howe, MMC
City Clerk

AGENDA ITEM

Meeting Date	
Tuesday, November 14, 2023	
Agenda Item Name	
Ordinance No. 2023-031 <i>Intro</i> <i>Waterbrooke Phase 7 Rezone</i>	
Requested Action	
Recommend approval of Ordinance 2023-031	
Staff Report	
The applicant, Mattamy Orlando LLC, is requesting to add 23.95 +/- acres to the existing residential subdivision, Waterbrooke, through a Planned Unit Development (PUD) Amendment. The property is located at the southeast corner of the approved subdivision, adjacent to Phase 6B. The property is currently in Lake County with a future land use of Rural and Agriculture zoning. The applicant is requesting annexation, small scale comprehensive plan amendment and a rezoning to allow 62 additional single family homes within this parcel. The internal lots will be a minimum of 60 feet in width and 75 feet on the perimeter. The Waterbrooke subdivision was annexed by the City in 2016. The project was approved by Lake County in 2006 for a residential development consisting of 894 age-restricted single family homes. The PUD has been amended several times prior to being annexed.	
	
With the additional acreage added to the Waterbrooke subdivision, the applicant is requesting an increase from 1100 units to 1165 units on a total of 592.7 acres, which equates to 1.97 units per acre overall. The only permitted site access will be from within the existing Phase 6, which connects to Ray Goodgame Parkway. There will be no access from Island Boulevard or any other access point. All the conditions in the existing PUD ordinance have conveyed with the exception of a change in an increase of the total number of units, an updated location map to show the additional acreage within the overall project and an updated master site plan. The applicant originally requested townhomes and higher density in this phase, but staff was unable to support the request since it was not consistent with the approved development in Phase 6.	
Staff has reviewed the applicant's request for a rezoning from Urban Estate (default zoning upon annexation) to be included in the Waterbrooke PUD. Staff has reviewed the project according to Section 125-486, Review Criteria for a PUD. The proposed parcel is adjacent to public utilities and the access point is within the existing subdivision. The property is adjacent to the City limits, and the City is able to provide services in this area. The density is similar to what is existing within Phase 6 and larger lots (75 feet wide) are on the perimeter of this phase. Staff recommends approval of Ordinance 2023-031.	

Additional Analysis		
Fiscal Impact Summary		
None.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Ord 2023-031 Waterbrooke Ph 7 PUD (10.18.2023) - FINAL	Ord 2023-031 Waterbrooke Ph 7 PUD (10.18.2023) - FINAL.pdf
2.	Ad_REZ Waterbrooke Ph 7 - Legal Ad RZ	Ad_REZ Waterbrooke Ph 7 - Legal Ad RZ.pdf



CITY OF CLERMONT
ORDINANCE NO. 2023-031

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.

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

NOLA LAND COMPANY PARCEL:

PARCEL 1:

THE EAST 3/4 OF THE SOUTH 1/2 OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST;

AND

PARCEL 2:

THE NORTH 1/2 OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LESS AND EXCEPT THE WEST 1660 FEET THEREOF;

AND

PARCEL 3:

U.S. GOVERNMENT LOT 1, LESS AND EXCEPT THE NORTH 660 FEET OF THE WEST 660 FEET, LYING IN SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST;

AND

PARCEL 4:

THE NW 1/4 OF THE SW 1/4 OF THE NW 1/4 OF SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST;

AND

PARCEL 5:

BEGIN 50.25 FEET NORTH OF THE SOUTHEAST CORNER OF THE NW 1/4 OF SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST; THENCE RUN WEST 1305 FEET; THENCE RUN SOUTH 8.3 FEET; THENCE RUN WEST TO THE SOUTHWEST CORNER OF THE NW 1/4 OF SAID SECTION 35; THENCE NORTH TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 35; THENCE EAST TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SE 1/4 OF THE NW 1/4; THENCE SOUTH TO THE POINT OF BEGINNING;

AND



CITY OF CLERMONT
ORDINANCE NO. 2023-031

PARCEL 6:

THAT PART OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 5, PINE VALLEY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 70, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N00°55'27"E ALONG THE EAST LINE OF SAID LOT 5, FOR A DISTANCE OF 701.16 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 27; THENCE S89°03'05"E ALONG SAID NORTH LINE, 16.98 FEET TO THE WEST LINE OF THE EAST 3/4 OF THE SOUTH 1/2 OF SAID SECTION 27; THENCE S00°24'50"W ALONG SAID WEST LINE, 710.74 FEET TO THE NORTH LINE OF THE SOUTH 610.00 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 27; THENCE DEPARTING SAID WEST LINE RUN N75°03'48"W, 39.92 FEET TO THE SOUTH LINE OF SAID LOT 5; THENCE S88°41'58"E ALONG SAID SOUTH LINE, 15.41 FEET TO THE POINT OF BEGINNING.

AND

PARCEL 7:

THAT PART OF LOT 5, PINE VALLEY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 70, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 5; THENCE N00°55'27"E ALONG THE EAST LINE OF SAID LOT 5 FOR A DISTANCE OF 696.49 FEET; THENCE DEPARTING SAID EAST LINE RUN S53°23'08"W, 100.90 FEET; THENCE S08°50'46"W, 57.13 FEET; THENCE S33°38'56"W, 31.61 FEET; THENCE S04°49'02"E, 40.96 FEET; THENCE S02°58'52"E, 93.11 FEET; THENCE S08°48'35"W, 60.57 FEET; THENCE S20°20'22"W, 82.37 FEET; THENCE S05°30'28"W, 59.91 FEET; THENCE S10°59'05"W, 70.76 FEET; THENCE S18°19'44"E, 68.63 FEET; THENCE S32°06'31"E, 46.35 FEET; THENCE S44°29'07"E, 31.79 FEET; THENCE S61°25'49"E, 40.03 FEET; THENCE S75°03'48"E, 26.77 FEET TO THE SOUTH LINE OF SAID LOT 5; THENCE S88°41'58"E ALONG SAID SOUTH LINE, 15.41 FEET TO THE POINT OF BEGINNING.

EASEMENT PARCEL A:

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS TO STATE ROAD 50 OVER THE ENTIRE STRETCH OF ASPHALT ROAD THE CENTER LINE OF WHICH BEGINS 174.60 FEET WEST OF THE NORTHEAST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST, AND RUN SOUTH 0°10' WEST THROUGH THE ENTIRE SW 1/4 OF THE NE 1/4 OF SECTION 27, WHICH EASEMENT SHALL BE 60 FEET IN WIDTH;

ALL OF THE ABOVE LYING AND BEING IN LAKE COUNTY, FLORIDA.

LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

THE EAST 150.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY (MAGNOLIA BAY BOULEVARD ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, PAGES 47 THROUGH 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA):

BEGIN AT AN IRON ROD AND CAP MARKED "RLS 4264" AT THE SOUTHEAST CORNER OF THE NORTH 660.00 FEET OF THE WEST 660.00 FEET OF GOVERNMENT LOT 1, SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE RUN N88°47'56"W ALONG THE SOUTH LINE OF SAID NORTH



CITY OF CLERMONT
ORDINANCE NO. 2023-031

660.00 FEET OF THE WEST 660.00 FEET OF GOVERNMENT LOT 1 FOR A DISTANCE OF 545.00 FEET; THENCE RUN S01°12'04"W FOR A DISTANCE OF 124.51 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF HARTLE ROAD; THENCE RUN N80°06'21"E ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 433.09 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 467.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 121.09 FEET THROUGH A CENTRAL ANGLE OF 14°51'22" TO THE END OF SAID CURVE; THENCE RUN N65°14'58"E ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 6.13 FEET TO A POINT ON THE EAST LINE OF SAID WEST 660.00 FEET OF GOVERNMENT LOT 1; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE RUN N00°29'39"W ALONG AID EAST LINE FOR A DISTANCE OF 0.12 FEET TO THE POINT OF BEGINNING; AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

A STRIP OF LAND FOR ROAD RIGHT OF WAY PURPOSES 66.00 FEET WIDE LYING IN SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RUN S00°30'48"E ALONG WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 35, FOR A DISTANCE OF 1856.75 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 35; THENCE LEAVING SAID WEST LINE RUN S88°23'30"E ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 35, FOR A DISTANCE OF 1531.02 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE RUN S00°00'09"E FOR A DISTANCE OF 298.67 FEET TO A POINT DESIGNATED AS POINT A; THENCE RUN S89°59'51"W FOR A DISTANCE OF 58.00 FEET TO A POINT OF TERMINATION A OF THIS CENTERLINE; BEGIN AGAIN AT AFORESAID POINT A; THENCE RUN N89°59'51"E FOR A DISTANCE OF 573.66 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 2000.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 345.29 FEET, THROUGH A CENTRAL ANGLE OF 09°53'30" TO THE END OF SAID CURVE; THENCE RUN N80°06'21"E FOR A DISTANCE OF 753.88 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 500.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 129.64 FEET, THROUGH A CENTRAL ANGLE OF 14°51'22" TO THE END OF SAID CURVE; THENCE RUN N65°14'59"E FOR A DISTANCE OF 252.91 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 350.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 431.07 FEET, THROUGH A CENTRAL CURVE (SIC) OF 70°34'02" TO THE END OF SAID CURVE; THENCE RUN S44°11'00"E FOR A DISTANCE OF 169.91 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 250.00 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 276.31 FEET, THROUGH A CENTRAL ANGLE OF 63°19'35" TO THE END OF SAID CURVE; THENCE RUN N72°29'25"E FOR A DISTANCE OF 514.79 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 750.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 240.51



CITY OF CLERMONT
ORDINANCE NO. 2023-031

FEET THROUGH A CENTRAL ANGLE OF 18°22'24" TO THE END OF SAID CURVE; THENCE RUN S89°08'11"E FOR A DISTANCE OF 203.12 FEET TO THE EAST LINE OF GOVERNMENT LOT 1, SAID SECTION 35 AND THE POINT OF TERMINATION B OF THE AFORESAID CENTERLINE.

EXCLUDING THAT PORTION OF JOHNS LAKE SOUTH OF ISLAND BLVD. LYING WATER WARD OF THE SAFE UPLAND LINE (ELEVATION 98.0 NGVD 29).

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

THAT PART OF SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 35, SAID CORNER MARKED BY A 4"X4" CONCRETE MONUMENT (NO IDENTIFICATION) (CERTIFIED CORNER RECORD NO. 38693); THENCE S88°00'40"E ALONG THE EAST-WEST CENTER OF SECTION LINE OF SAID SECTION 35, A DISTANCE OF 857.52 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID CENTER OF SECTION LINE S88°00'40"E, A DISTANCE OF 481.86 FEET TO A POINT ON THE EAST LINE OF THE PLATTED PORTION OF POSTAL COLONY COMPANY, AS RECORDED IN PLAT BOOK 9, PAGE 65, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT LYING N88°00'40"W, A DISTANCE OF 3891.93 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 35, SAID EAST 1/4 CORNER BEING MARKED BY A 3" DIAMETER IRON PIPE (NO IDENTIFICATION) (CERTIFIED CORNER RECORD NO. 38386); THENCE DEPARTING SAID CENTER OF SECTION LINE, RUN N00°07'48"W ALONG SAID EAST LINE, A DISTANCE OF 12.98 FEET TO THE NORTHEAST CORNER OF SAID PLATTED PORTION OF POSTAL COLONY COMPANY; THENCE DEPARTING SAID EAST LINE, RUN N89°33'17"W ALONG THE NORTH LINE OF SAID POSTAL COLONY COMPANY, A DISTANCE OF 481.55 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

LADD DEVELOPMENT PARCEL:

PARCEL 1:

LOT 2, MANLOW PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 50, PAGES 86 AND 87, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 2:

THE SOUTH 1/2 OF TRACT C, MANLOW PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 50, PAGES 86 AND 87, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 3:

THAT PORTION OF THE SOUTH 1575.00 FEET OF THE WEST 1660.00 FEET OF THE NORTH 1/2 OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LESS THE NORTH 726.00 FEET OF THE EAST 900.00 FEET THEREOF, LYING EAST OF LOT 2 AND TRACT C, MANLOW PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 50, PAGES 86 AND 87, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THAT IS LYING SOUTH OF EASTERLY EXTENSION OF THE CENTERLINE OF TRACT C, MANLOW PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 50, PAGES 86 AND 87, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS ROAD RIGHT-OF-WAY FOR LOST LAKE ROAD.

TOGETHER WITH:

CLERMONT STORAGE MATTAMY PURCHASE PARCEL:

THAT PART OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY,



CITY OF CLERMONT
ORDINANCE NO. 2023-031

FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

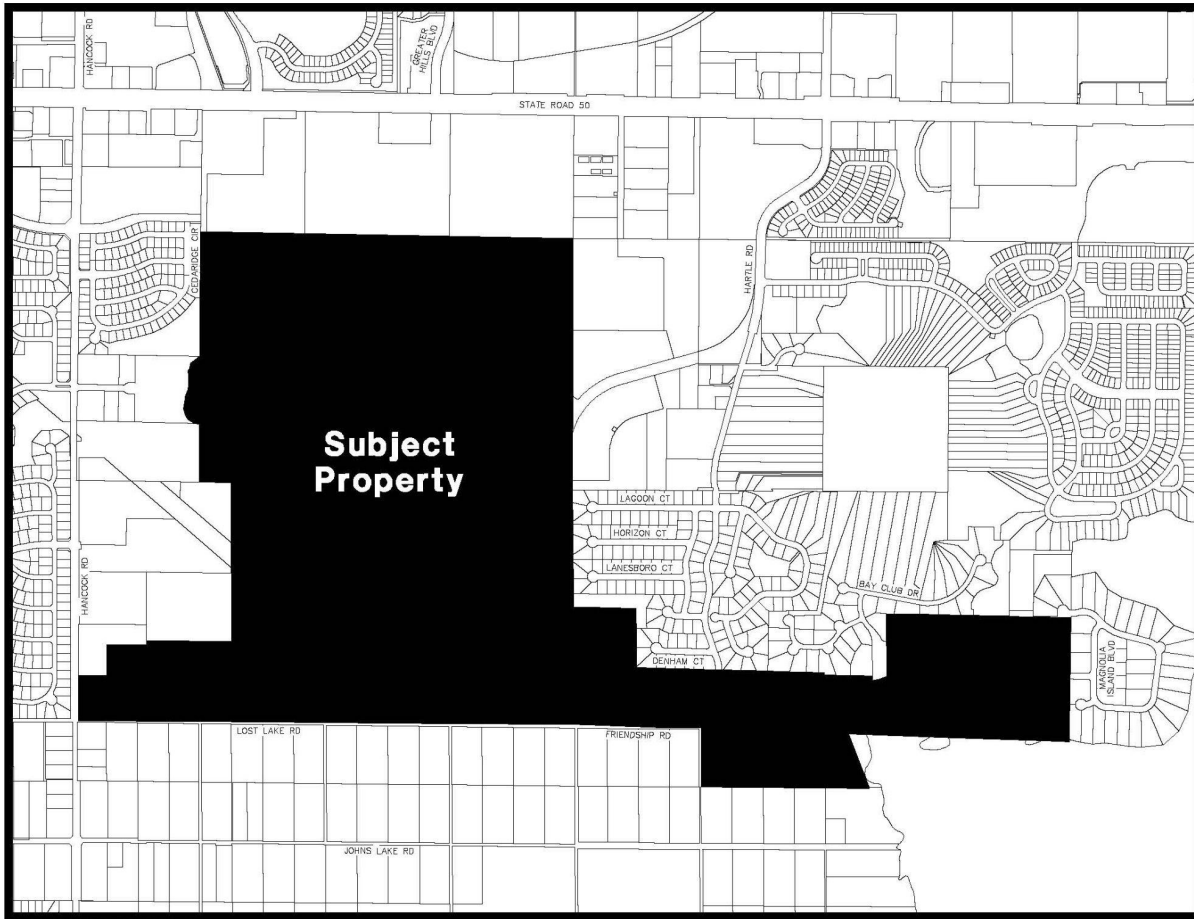
COMMENCE AT THE WEST 1/4 CORNER OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST, THENCE RUN N00°05'36"W ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 34, A DISTANCE OF 475.28 FEET TO THE INTERSECTION OF THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 34 AND THE WESTERLY EXTENSION OF THE CENTERLINE OF TRACT C, MANLOW PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 50, PAGES 86 AND 87, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA (VACATED IN OFFICIAL RECORDS BOOK 4749, PAGE 1398, OF SAID PUBLIC RECORDS); THENCE DEPARTING SAID WEST LINE RUN N89°54'28"E ALONG SAID CENTERLINE OF TRACT C AND THE EASTERLY EXTENSION THEREOF, 340.00 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID CENTERLINE OF TRACT C AND THE EASTERLY EXTENSION RUN N00°05'36"W, 328.50 FEET; THENCE RUN S89°33'02"E, 419.99 FEET TO THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF TRACT A OF AFOREMENTIONED MANLOW PARK PLAT; THENCE RUN N00°05'36"W ALONG SAID SOUTHERLY EXTENSION AND SAID EASTERLY LINE, 42.11 FEET TO THE SOUTHWEST CORNER OF THE NORTH 726.00 FEET OF THE EAST 900.00 FEET OF THE WEST 1660.00 FEET OF THE SOUTH 1575.00 FEET OF THE NORTH 1/2 OF SAID SECTION 34; THENCE RUN S89°33'20"E ALONG THE SOUTH LINE OF SAID NORTH 726.00 FEET OF THE EAST 900.00 FEET OF THE WEST 1660.00 FEET OF THE SOUTH 1575.00 FEET OF THE NORTH 1/2 OF SAID SECTION 34, A DISTANCE OF 900.07 FEET TO SOUTHEAST CORNER OF THE NORTH 726.00 FEET OF THE EAST 900.00 FEET OF THE WEST 1660.00 FEET OF THE SOUTH 1575.00 FEET OF THE NORTH 1/2 OF SAID SECTION 34; THENCE RUN S00°05'36"E ALONG THE EAST LINE OF THE WEST 1660.00 FEET OF THE NORTH 1/2 OF SAID SECTION 34, A DISTANCE OF 358.20 FEET TO THE INTERSECTION OF THE EASTERLY EXTENSION OF AFOREMENTIONED CENTERLINE OF TRACT C AND THE EAST LINE OF THE WEST 1660.00 FEET OF SAID SECTION 34; THENCE DEPARTING SAID EAST LINE RUN S89°54'28"W ALONG SAID EASTERLY EXTENSION, 1320.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH PHASE 7:

THE NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4); THE NORTH QUARTER (N 1/4) OF GOVERNMENT LOT 2; ALL IN SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST OF THE TALLAHASSEE MERIDIAN.

ALSO: BEGIN AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RUN THENCE WEST ALONG THE MID-SECTION LINE 1304.75 FEET, THENCE NORTH 8.3 FEET, THENCE EAST TO A POINT 50.25 FEET NORTH OF THE POINT OF BEGINNING, THENCE SOUTH TO THE POINT OF BEGINNING.

CONTAINING 592.7 ACRES MORE OR LESS, TO THE SAFE UPLAND LINE AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.



South of SR 50, West of the Hartle Road, East of Hancock Road,
and North and South of Island Blvd, WaterBrooke (Jahna) PUD
(Alternate Keys 1095972, 3882911, 1095964, 2717874,
2899191, 3823388, 3840014, 3840012, and 1412021)

FROM: UE Urban Estate
TO: Planned Unit Development

SECTION 2: LAND USES

1. Residential
 - a. A total of 1165 residential dwelling units, composed of single-family dwelling units, duplexes, and multifamily dwelling units (townhouses).
 - b. Phasing of Development: The project may be developed in one or more phases.
 - c. Development Standards: Development standards for the development of the residential dwelling units, shall be based on the size of the lot, as indicated in the table below:

CITY OF CLERMONT
ORDINANCE NO. 2023-031

Design item	Multifamily Dwelling Units (townhouses)		Single Family Detached			Single Family Attached Duplexes
	Rear Load (feet)	Front Load (feet)	Rear Load (feet)	Front Load (feet)	Front Load (feet) (80 feet and Greater)	Front Load and Rear Load
Minimum Lot Area	1,600	1,800	2,400	4,400	9,600	2,400
Minimum Living Area	1,000	1,000	1,400	1,500	1,500	1,200
Minimum Lot Width	20	20	30	40	80	24
Minimum Lot Depth	80	90	80	110	120	100
Minimum Front Building Setback	15	15	15	15	15	15
Minimum Front Porch Setback	10	10	10	10	10	10
Minimum Front Garage Setback	-	20	-	20	20	20
Minimum Rear Garage Setback	20	-	20	-	-	20
Minimum Side Yard Setback ¹	5	5	5	5	5	5
Setback From Side Street	15	15	15	15	15	15
Minimum Rear Yard Setback	20	20	20	20	20	20
Minimum Building Separation	10	10	10	10	10	10
Minimum Rear Yard Setback for Pools, Patios, Decks or Ancillary Structures	5	5	5	5	5	5
Maximum Impervious Surface Ratio (JSR) *** (See Note) ²	0.85	0.85	0.75	0.75	0.75	0.85
Maximum Building Height	40	40	40	40	40	40



CITY OF CLERMONT
ORDINANCE NO. 2023-031

Setback from Ordinary High Water Line, Mean High Water Line, or Jurisdictional Wetland Line	50	50	50	50	50	50
Minimum Front Yard Utility Easement	10	10	10	10	10	10
Minimum Side and Rear Yard Drainage and Utility Easement	5 ¹	5 ¹	5	5	5	5 ¹

¹Does not apply to interior side yards of attached townhomes and/or duplexes.

²The maximum allowable ISR for the overall PUD development shall be 0.60 individual lot ISR may exceed 0.60 as shown in the table above as long as overall maximum is not exceeded.

SECTION 3: OPEN SPACE

Open Space: A minimum of 25% of the net buildable area of the Planned Unit Development shall be provided as open space in accordance with the Comprehensive Plan and Land Development Code (LDC), as amended. A waiver to Section 122-316(b)(4) of the Land Development Code has been granted to allow individual phases of the Planned Unit Development to exceed the overall density of the Planned Unit Development and to allow individual phases of the Planned Unit Development to be developed without providing common open space in proportion to that contained within the entire Planned Unit Development.

SECTION 4: LANDSCAPING, BUFFERING, AND SCREENING

1. A 40-foot wide natural buffer with a six-foot high wall shall be provided along a portion of the northern boundary of Tract N-7 from the entrance to Magnolia Bay subdivision, west to the existing Hartle Road.
2. A 50-foot landscaped buffer shall be provided along the boundary common with the Hills of Clermont subdivision.
3. No landscaping buffer is required along the perimeter of the Planned Unit Development adjacent to wetlands, open water and conservation areas.
4. A waiver to Section 118-71(1) of the Land Development Code is granted in order to allow street trees within the right-of-way along the frontage of a residential lot to count toward the minimum number of required trees on the lot and to allow such trees to be less than six feet from curbs and sidewalks as long as a minimum of five feet of clearance is provided between the tree and any public potable water, wastewater or reclaimed water main.
5. All other landscaping, buffering, and screening requirements shall be in accordance with the Land Development Code, as amended. Existing trees may be used to meet the landscape buffer requirements in accordance with the Land Development Code, as amended.

SECTION 5: ENVIRONMENTAL

1. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plans approval stage of each phase of the project. Applicable permits for any gopher tortoises and associated burrow commensal species or other threatened or endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of development activity.
2. Wetlands onsite have been placed in a conservation easement. Areas placed in a perpetual conservation easement are shown in the Corrective Conservation Easement, which has been recorded in Lake County Official Records Book 4531, Pages 2401-2408. There are two existing borrow pits on the property that exist as a result of the former mining operation. The two borrow pits shall be utilized for stormwater management and are not required to meet any additional surface water and/or wetland requirements, including, but not limited to setbacks and buffers.
3. Site Grading/Mine Reclamation Master Site Grading and Mine Reclamation for the project has been completed in accordance with the Mass Grading Plan dated December 14, 2005, submitted to and approved by the Lake County Water Resources Management Division. The site grading was completed pursuant to Florida Department of Environmental Protection (FDEP) Permit No 0139060-002, issued on January 18, 2011. All grading in accordance with Mass Grading Plan has been completed and has been accepted in lieu of reclamation of the mining site. Mass Grading Plan was approved on August 6, 2014. Approval of Ordinance 2014-80, therefore revoked and released the property from the September 28, 1990, vesting of the Jahna Clermont East Mine (Tracking #90/10/5), which was to be reclaimed through the proposed mass grading, Ordinance 2006-30 (Tracking #110-05-PUD). All further grading for the project must be in accordance with City standards.

SECTION 6: ENVIRONMENTAL SERVICES

1. The developer shall connect to the existing City system at connection point or points approved by the City.
2. The route of any off-site lines shall be according to engineering plans produced by the developer and approved by the City.
3. Any proposed City-maintained utilities that are not located within a City-maintained right-of-way shall be placed in a utility easement dedicated to the City. Easements shall be provided at no expense to the City. Utilities are allowed to be placed within the County build out right-of-way along Hartle Road.
4. The developer shall be responsible for all costs of on-site and off-site improvements, including, but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the City to serve the property.

CITY OF CLERMONT
ORDINANCE NO. 2023-031

5. Any existing utilities must stay in service throughout construction. If the construction requires that the utilities be relocated or altered, the developer shall prepare plans, permit the project and construct the modification at the developer's expense.
6. No building permits shall be issued until water and sewer are provided to the site or until a bond or letter of credit, acceptable to the City, is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the City.
7. In the event the City chooses to oversize the lines or appurtenances, the City shall provide to the developer specifications regarding sizes to be included in the final improvement plans.
8. The City shall be responsible for the difference in cost of materials to oversize the line if the City chooses to oversize based on plans and cost estimates provided by the developer to the City and approved in advance by the City.
9. The developer shall provide to the City a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimates shall be contractors' bid as certified by developer's project engineer. The City shall review and either approve or reject the costs.
10. The developer and City shall agree on the cost difference, which will be the responsibility of the City, prior to commencement of construction.
11. Reimbursement for the difference in costs as determined in Section 8 and 9 from the City shall be in the form of Impact Fee Credits.
12. The Impact Fee Credits shall be established subject to Sections 8 and 9 and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.
13. Impact Fee Credits may not be transferred outside of the property, but may be assignable to any heirs, assigns or successors in interest or title to part or all of said property.
14. The developer shall be responsible for all applicable fees, including, but not limited to impact fees, connection fees and permitting fees.
15. The City may require a looped system to provide reliability and redundancy to the property.
16. Central water and sewer connection shall be provided in accordance with the comprehensive plan and Land Development Code, as amended.
17. The project shall be plumbed for reuse water with purple piping to irrigate single family lots. Irrigation of common areas shall be from a well.

CITY OF CLERMONT
ORDINANCE NO. 2023-031

18. A master lift station shall be designed and constructed on a 50-foot-by-50-foot lot dedicated to the City. Lift station shall be designed to allow for the connection of the existing force main on Hartle Road. A 20-inch force main shall be constructed from the master lift station to the existing 30-inch force main located on CW Harrell Road.
19. A minimum eight-inch potable water main (east-west main) shall be constructed from the western project boundary to Hartle Road at such location that allows for the future extension of Hartle Road and a minimum eight-inch potable water main (north-south main) shall be constructed from State Road 50 to the proposed east-west main.
20. A 12-inch potable water main shall be constructed from the proposed terminus of a 12-inch potable water main on Hartle Road, which is to be constructed in conjunction with Lake County Fire Station #90/Clermont Fire Station #104, south to the existing potable water main on Lost Lake Road.
21. A 16-inch reuse main shall be constructed from the eastern property line along the build out Hartle Road right-of-way to the existing 30-inch reuse main located on CW Harrell Road.
22. All utilities shall be designed and installed as per the City's specifications and approved by City staff.
23. Drainage/Stormwater Management: The developer shall submit drainage calculations and a stormwater management plan when filing for final engineering approval. The Homeowners Association (HOA) shall be responsible for maintenance of all stormwater ponds and drainage systems for private streets.
24. Easements shall be provided on any existing and proposed utilities that the City will own and maintain at no expense to the City.
25. Fiber optic conduit and pull boxes may be required to be installed by the developer in the easements to extend the City's fiber optic network.
26. The developer reserves its rights, pursuant to Section 2-267 - Credits, of the City Code, to enter into an impact fee agreement with the City which shall provide for the establishment of credits and payment of impact fees in a specified manner and time. The terms and conditions of an impact fee agreement between the developer and the City may replace or supersede the conditions contained in the Planned Unit Development approved for development.

SECTION 7: TRANSPORTATION IMPROVEMENTS/ACCESS MANAGEMENT

1. The development shall comply with all applicable City, County and Florida Department of Transportation access management requirements. Prior to the issuance of the first Certificate of Occupancy, a secondary entrance shall be constructed off Hartle Road for the residents of the development.
2. The developer shall dedicate on the final plat a 120-foot right-of-way for Hartle Road, necessary to accommodate permanent construction plus additional slope easements (not to exceed 100 feet in total width), in accordance with the preferred route outlined within Lake County's PD&E study for the realignment of Hartle Road. The slope easement shall be identified at preliminary plat and shown on the final plat. The developer shall coordinate with the County and City on alignment and grading of Hartle Road. The slope easement width will be adjusted with design plans approved by Lake County and the City.

In the alternative, the land within the slope easement area may be graded by the developer for future roadway alignment. With County approval of the grading plan and completion of grading work by the developer, the slope easement requirement may be deemed complete.

A waiver to Section 94-195(b)(3) of the Land Development Code is granted to allow cuts and fills of up to 'twenty (20) feet for the construction of Hartle Road to accommodate required road grades in consideration of the existing topography in the road right-of-way.

3. By virtue of the transportation system needs for the project, the developer shall dedicate on the Final Plat a 100-foot right-of-way for Hooks Street within the project boundary, from the northwest corner, along the north property line, to northeast corner of the project boundary. In addition to this 100-foot right-of-way, additional land necessary to accommodate temporary construction easements, not to exceed 100 feet in width, shall be provided. The slope easement shall be identified at Preliminary Plat and shown on the Final Plat. The developer shall coordinate with the County and City on alignment and grading of Hooks Street. The slope easement width will be adjusted with design plans approved by the County and the City.
4. At the developer's option and approval by Lake County, the developer may construct Hartle Road a distance of approximately 4,365 feet from its proposed terminus, which is to be constructed in conjunction with Lake County Fire Station #90/Clermont Fire Station #104, to approximately 315 feet north of the southern project boundary. If the developer constructs Hartle Road, a developer's agreement between the County and the developer shall be executed for the construction of Hartle Road and for the allocation of transportation impact fee credits associated with the construction.

CITY OF CLERMONT
ORDINANCE NO. 2023-031

5. The developer shall accommodate stormwater retention capacity sufficient for Hartle Road and Hooks Street drainage requirements based on stormwater permitting requirements in place at the time of approval of this Planned Unit Development within the limits of drainage basin along the route alignments. The developer intends to utilize on-site ponds as an amenity and desires for the runoff to be treated to remove roadway debris collected. Therefore, the County shall provide pre-treatment of the water for debris, such as a skimmer, at the latest terminus before the runoff water enters the water body. At time of Hartle Road and Hooks Street final design, the County shall coordinate with the developer for final configuration of Hooks Street and Hartle Road roadway stormwater system connection to the on-site drainage system acceptable to both the County and the developer. The County shall bear the cost of the roadway drainage connection to the on-site stormwater system. The Hartle Road and Hooks Street stormwater sewer shall be separate from the Planned Unit Development stormwater system, unless a coordinate system design is provided by the developer. It shall be located within a drainage easement to Lake County having a straight alignment, direct access from County right-of-way and storm pipe not shared with developer's system. The County shall also have an easement over the shared stormwater ponds. The developer shall coordinate with the County on pretreatment design and construction.
6. A public hearing shall be required for the Island Boulevard right-of-way vacation. The developer will be responsible to submit and pay for the vacation petition request. The relocation of Island Boulevard shall not occur until the County has granted approval for the vacation through a public hearing. Approval of the road vacation is not guaranteed. Paved access shall be maintained to the existing developments along the current Island Boulevard. Before Island Boulevard right-of-way is vacated, new right-of-way must be dedicated and new road must be constructed and accepted by the County as a public roadway. The right-of- way vacation may be conditioned upon the new road alignment of Island Boulevard being constructed, open to traffic, and accepted by the County.
7. The developer, at its expense, shall be required to improve Emil Jahna Road from its project entrance north to State Road 50 and shall pay to modify the existing traffic signal, as needed, to accommodate turning movements from Emil Jahna Road onto State Road 50. Emil Jahna Road shall be improved to facilitate safe and efficient traffic flow from the project entrance to and including the intersection at State Road 50.

The improvements will consist of the following:

- a. Reconstructing the roadway to meet current standards,
- b. Turn lane improvements and any associated signal modifications at the intersection of Emil Jahna Road and State Road 50 as determined to be necessary by a transportation analysis to be approved by the applicable governmental agencies, the City, the County and/or Florida Department of Transportation,
- c. The reconfiguration of the westbound left-turn lane on State Road 50 to provide dual turning movements (removing the current striping to open the additional left-turn lane) as warranted by the traffic impact study, and



CITY OF CLERMONT
ORDINANCE NO. 2023-031

- d. A waiver to Section 110-194(3) and (4) of the Land Development Code is granted to allow construction of a 10-foot wide concrete sidewalk along only the west side of Emil Jahna Road to serve as a multipurpose path for both pedestrians and cyclists in lieu of in-street bikeways and five-foot wide sidewalks on both sides due to the constrained right-of-way width.
8. Sidewalks/Streets
 - a. Sidewalks to be constructed on both sides of residential and commercial streets.
 - b. Streets shall have F-type curb and street pavement must be a minimum 24 feet wide.
 - c. Right-of-way width for residential streets must be a minimum 60 feet.
 - d. A waiver to Section 110-192(1) of the Land Development Code is granted to allow private streets with gates. Streets within the development will be gated and will be maintained by the developer or Homeowners Association.
 - e. A waiver to Section 110-195(b) of the Land Development Code is granted to allow construction of 20-foot-wide, one-way alleys with 12 feet of pavement as long as 20 feet of unobstructed emergency access is maintained, unless greater distances are warranted by fire code.
9. Roadway Lighting: The developer shall arrange with the power utility provider for installation of street lights along Emil Jahna Road. The cost of installation shall be paid by the developer, and the ongoing rental of lights shall be paid by the developer or WaterBrooke's Homeowner's Association.

SECTION 8: SCHOOLS

School concurrency shall be met before final plat approval in accordance with the Comprehensive Plan and Land Development Code.

SECTION 9: LIGHTING

Exterior lighting shall be in accordance with the Land Development Code, as amended.

SECTION 10: FIRE PROTECTION AND EMERGENCY SERVICES ACCESS

Fire Protection and Emergency Services: Access and fire safety requirements of the development shall be provided in accordance with the Florida Fire Prevention Code and Land Development Code, as amended. A secondary emergency access approved by the City's fire marshal shall be designated and constructed prior to the issuance of the first building permit.

SECTION 11: CONCURRENCY MANAGEMENT REQUIREMENTS

Concurrency Management Requirements: Any development shall comply with the Lake County and the City of Clermont Concurrency Management System, as amended.



CITY OF CLERMONT
ORDINANCE NO. 2023-031

SECTION 12: DEVELOPMENT REVIEW AND APPROVAL

1. Prior to the issuance of permits, the developer shall be required to submit a Preliminary Plat, Construction Plans, and Final Plat generally consistent with Exhibit "A" – Overall Site Plan, prepared by Donald W McIntosh Associates, Inc., dated September 28, 2023 for review and approval in accordance with the Comprehensive Plan and Land Development Code, as amended.
2. Planned Unit Development Expiration: Pursuant to Exhibit B4 of the Stipulated Settlement Agreement between the County and Nola Land Company, Inc., which was executed by the last party (Lake County) on July 26, 2011, the development described in Ordinance 2006-30 is vested for a period of 12 years from execution of the agreement. Accordingly, physical development of the Planned Unit Development shall commence by July 26, 2023. Failure to commence construction by July 26, 2023 shall cause the automatic revocation of this Ordinance. **[COMPLETED]**

SECTION 13: FUTURE AMENDMENTS TO STATUTES, CODE, PLANS, AND/OR REGULATIONS

The specific references in this Planned Unit Development to the Florida Statutes, Florida Administrative Code, City Comprehensive Plan, and City Land Development Code shall include any future amendments to the statutes, code, plans, and/or regulations.

SECTION 14: ADDITIONAL CONDITIONS

1. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Planned Unit Development. Any other proposed use must be specifically authorized by the Clermont City Council.
2. 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 Clermont Code of Ordinances, as amended, and obtaining the permits required from the other appropriate governmental agencies.
3. This Planned Unit Development shall endure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
4. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental permitting agencies.



CITY OF CLERMONT
ORDINANCE NO. 2023-031

5. The transfer of ownership or lease of any or all of the property described in this Planned Unit Development 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 Planned Unit Development 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 Code, as amended.

SECTION 15: CONFLICT

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

SECTION 16: SEVERABILITY

Should any Section or part of a Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be separable in meaning and effect from the Section to which such holding shall apply.

SECTION 17: 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 18: RECORDING

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

SECTION 19: 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. 2023-031

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, on this 28th day of November 2023.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

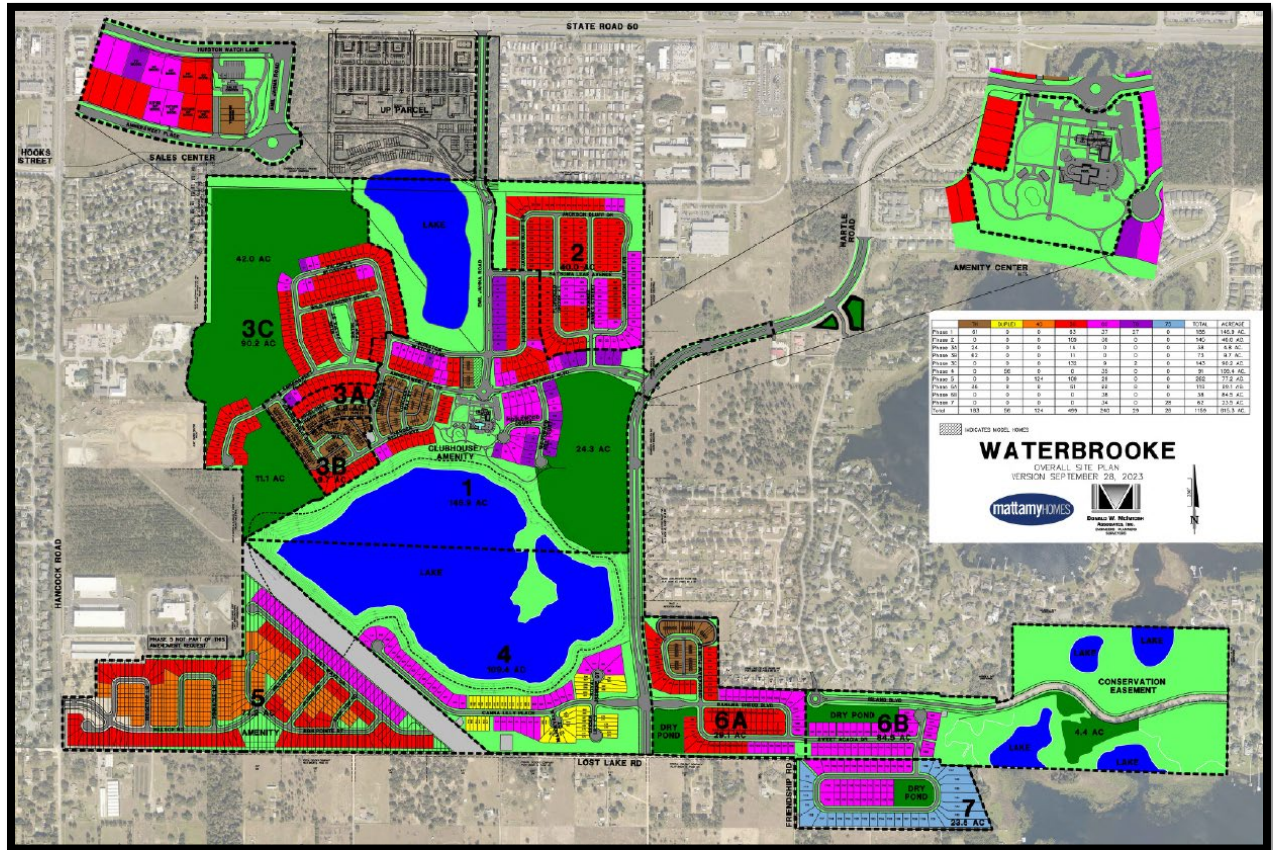
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

CITY OF CLERMONT
ORDINANCE NO. 2023-031

Exhibit A – Overall Site Plan



LEGAL NOTICE

On Tuesday, November 7, 2023 at 6:30 PM the Clermont Planning & Zoning Commission will consider the enactment of the following proposed ordinance, and on Tuesday, November 28, 2023 at 6:30 PM at a public hearing the request will be held before the City Council for Final Adoption.

ORDINANCE NO. 2023-031

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

Vacant parcel located southeast
of the Friendship Road and Lost Lake Road intersection
Alternate Key 1412021
23.96 +/- Acres



LEGAL DESCRIPTION

THE NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTH-WEST QUARTER (SW 1/4); THE NORTH QUARTER (N 1/4) OF GOVERNMENT LOT 2; ALL IN SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST OF THE TALLAHASSEE MERIDIAN.

ALSO: BEGIN AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 35, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RUN THENCE WEST ALONG THE MID-SECTION LINE 1304.75 FEET, THENCE NORTH 8.3 FEET, THENCE EAST TO A POINT 50.25 FEET NORTH OF THE POINT OF BEGINNING, THENCE SOUTH TO THE POINT OF BEGINNING.

CONTAINING 23.955 ACRES, MORE OR LESS, TO THE SAFE UPLAND LINE AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

PROPERTY REZONING

**From: Urban Estate Low Density Residential UE
To: Planned Unit Development PUD**

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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 14, 2023		
Agenda Item Name		
Ordinance No. 2023-032 <i>Intro</i> <i>LDC Amendment</i>		
Requested Action		
Staff Report		
Staff is proposing an amendment to the landscape code Section 123-102. Currently, the mediation plan for heavily wooded property allows the owner to pay the City for trees that are not able to be replanted on the site. The City can then use these funds to plant trees on public properties around the city. This amendment will allow the City to include landscape materials (plants, shrubs and associated materials) to these projects throughout the city.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance	Ordinance.pdf	
2. Legal Ad	Legal Ad.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2023-032

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 123-VEGETATION, SECTION 123-102-ISSUANCE; CRITERIA FOR TREE REMOVAL; TREE REPLACEMENT STANDARDS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on November 7, 2023, and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont shall amend the Land Development Code, Chapter 123-Vegetation, Section 123-102-Issuance, Criteria for Tree Removal, Tree Replacement Standards, making changes to add and clarify language on tree removal and replacement standards; and

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Clermont, that Chapter 123-Vegetation of the Clermont Code of Ordinances shall be amended to make changes, as set forth in the following amendments shown in Section 2.

SECTION 1: AUTHORITY

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2:

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows (note underlined indicates added):

Sec. 123-102. - Issuance; criteria for tree removal; tree replacement standards.

- (a) *Intent*. It is the intent of this section to minimize the removal of protected trees and that no authorization shall be granted to remove a tree if the developer has failed to take reasonable measures to design and locate the proposed improvements so that the number of protected trees to be removed is minimized.
- (b) *General criteria for authorization of tree removal*. No authorization for the removal of a protected tree shall be granted unless the applicant demonstrates one or more of the following circumstances exist:

CITY OF CLERMONT
ORDINANCE NO. 2023-032

- (1) A permissible use of the site cannot reasonably be undertaken unless specific trees are removed or relocated.
 - (2) The tree is located in such proximity to an existing or proposed structure that the safety, utility or structural integrity of the structure is materially impaired.
 - (3) The tree materially interferes with the location, servicing or function of utility lines or services.
 - (4) The tree creates a substantial hazard to motor, bicycle or pedestrian traffic by virtue of physical proximity to traffic or impairment of vision.
 - (5) The tree is diseased or weakened by age, abuse, storm or fire and is likely to cause injury or damage to people, buildings or other improvements.
 - (6) Established law or regulation requires the removal.
- (c) *Specific criteria for authorization of tree removal.* Pursuant to criteria established in subsection (b) of this section, a tree removal permit may be issued where one or more of the following circumstances exist if alternative design or other solutions do not afford indispensable relief for a proposed use:
- (1) *Street opening.* A permit may be issued if the location of a tree restricts the opening of a street or road right-of-way.
 - (2) *Utilities and drainage.* A permit may be issued if the location of the tree restricts the function and service of utility lines or drainage facilities.
 - (3) *Property access.* A permit may be issued if the location of the tree restricts access to the property.
 - (4) *Property use.* A permit may be issued if the location of the tree restricts use of the property consistent with all other city, county and state codes, statutes, ordinances and resolutions, and design modifications are not feasible or reasonable.
 - (5) *Hazards.* A permit may be issued if the tree constitutes a hazard to life or property which cannot be mitigated without removing the tree.
 - (6) *Poor tree health.* A permit may be issued if the tree is dying or dead so that its restoration to sound condition is not practical, or it has a disease which can be expected to be transmitted to other trees and to endanger their health.
 - (7) *Thinning of trees.* In order to increase light and air circulation on heavily wooded parcels, the selective removal of up to 25 percent of existing trees may be permitted as long as the minimum tree requirement for the particular land use is maintained.
- (d) *Replacement requirements.* Preferred trees which have been approved for removal shall be replaced in accordance with the following:
- (1) Trees removed pursuant to criteria specified in section (c) of this section shall be replaced at the expense of the permittee.
 - (2) For commercial, industrial, residential or other use requiring site plan approval under the zoning regulations, chapter 125, or the subdivision regulations, chapter 119, for each inch of tree measured at 4½ feet above the existing grade removed, an inch of tree at 4½ above the existing grade shall be replaced. Replacement trees shall be at least six inches in caliper for any trees removed that are 18 inches in caliper or greater. Replacement trees



CITY OF CLERMONT
ORDINANCE NO. 2023-032

for trees removed smaller than 18 inches in caliper shall, at a minimum, meet the requirements of section 123-42(b)(2).

- (3) No replacement shall be required if the removal of the tree is necessary to construct a single-family residence, provided the parcel has the minimum number and size of preferred trees required by this Code.
- (4) For each tree removed from a single-family residential lot that is dead, diseased, dying or in such proximity to an existing structure that the safety, utility or structural integrity of the structure is materially impaired, a replacement tree shall be planted in conformance with section 123-42.
- (5) A replacement tree may be moved from one location to another on the site or moved off the site pursuant to criteria specified in subsection (d) (6) of this section.
- (6) Replacement trees shall, if practicable, be planted on the development site. If not practicable, replacement trees may be donated, or a fee in lieu of replacement may be paid to the city for purposes of planting trees and landscaping on public property. The fee in lieu of replacement shall be based on the average retail cost of purchasing the requisite size and number of replacement trees.
- (7) This section shall not pertain to permits for thinning of trees as specified in subsection (c) (7) of this section.

SECTION 3: CONFLICT

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

SECTION 4: SEVERABILITY

If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of the remainder would clearly and without doubt contradict or frustrate the intent of the Ordinance as a whole.

SECTION 5: CODIFICATION

The text of Section 2 of this Ordinance shall be codified as a part of the Clermont City Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "Article" for "Ordinance", "Section" for "Paragraph", or otherwise to take such editorial license.



CITY OF CLERMONT
ORDINANCE NO. 2023-032

SECTION 6: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR

Regardless of whether such inclusion in the Code as described in Section 5 is accomplished, sections of the 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. 2023-032

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of November 2023.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Order Confirmation

Not an Invoice

Account Number:	526733
Customer Name:	City Of Clermont-Legals
Customer Address:	City Of Clermont-Legals P.O. BOX 120219 CLERMONT FL 34712
Contact Name:	Christina Perry
Contact Phone:	
Contact Email:	cperry@clermontfl.org
PO Number:	

Date:	10/10/2023
Order Number:	9390417
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	62.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	10/24/2023 - 11/14/2023	Govt Public Notices
LEE dailycommercial.com	2	10/24/2023 - 11/14/2023	Govt Public Notices

Order Confirmation Amount	\$191.04
----------------------------------	-----------------

Ad Preview

LEGAL NOTICE

On Tuesday, November 7, 2023 at 6:30 PM the Clermont Planning and Zoning Commission will consider the proposed ordinance to amend the land development codes. The final enactment of the ordinance will be heard by City Council on Tuesday, November 28, 2023 at 6:30 PM.

ORDINANCE NO. 2023-032
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 123-VEGETATION,
SECTION 123-102-ISSUANCE;
CRITERIA FOR TREE
REMOVAL; TREE
REPLACEMENT STANDARDS;
PROVIDING FOR CONFLICT,
SEVERABILITY, CODIFICATION,
THE ADMINISTRATIVE
CORRECTION OF SCRIVENERS
ERROR, RECORDING,
PUBLICATION AND AN
EFFECTIVE DATE.

All public meetings will be 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 A.M. and 5:00 P.M.

All interested parties will be given an opportunity to express their views on this matter.

Please be advised that under State law, if you should decide to appeal a decision made with respect to this matter, you may 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
October 24, 2023 and November 14,
2023

9390147