

**CITY OF CLERMONT
COUNCIL MEETING AGENDA
7:00 PM, Tuesday, February 25, 2014**

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. For items listed on the agenda, each speaker will be permitted 5 minutes to address the Council. For non-agenda items, each speaker will be permitted 3 minutes to address the Council. These time limits may be extended by the Mayor. Thank you for participating in your City Government.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PROCLAMATION

Irish American Heritage Month

PRESENTATIONS

Quarterly Budget Update

PUBLIC COMMENTS

REPORTS

CONSENT AGENDA

- | | |
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| Item No. 1 - Council Meeting Minutes | Consider approval of the Regular Council Meeting Minutes for January 14, 2014 and January 28, 2014. |
| Item No. 2 - Heritage Hills Plat | Consider approval of the Heritage Hills Phase 5C plat. |
| Item No. 3 - Surplus Equipment | Consider request to surplus listed Information Technology Department and Fire Department equipment. |
| Item No. 4 - Contract Approval | Consider approval of the contract with Tetra Tech for the Westside Water Main Loop in the amount of \$226,522. |
| Item No. 5 - Contract Approval | Consider approval to piggyback the Lake County contract with BESH for Building Plans Review and Inspection Services. |
| Item No. 6 - Event Request | Consider approval of the Downtown Art Festival for November 1 - 2, 2014 with street closures, entertainment zone, night security and entertainment zone police coverage. |

CITY OF CLERMONT
COUNCIL MEETING AGENDA
7:00 PM, Tuesday, February 25, 2014

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| Item No. 7 - Event Request | Consider approval of the Clermont Craft Beer Festival on May 17, 2014 with street closures, an entertainment zone including the serving of alcohol and police for the event. |
| Item No. 8 - Amended Agreement and Budget Amendment | Consider approval of revised Police Department construction management agreement with Ajax Building Corporation in the amount of \$22,800 and a budget amendment of \$22,800. |
| Item No. 9 - Amended Agreement and Budget Amendment | Consider approval of amended fiber optic network construction agreement with Danella Construction to expand the fiber optic network to the Celebration Center in the amount of \$87,795 and a budget amendment in the amount of \$87,795. |
| Item No. 10 - New Positions and Budget Amendment | Consider approval of new positions in the Public Works - Facility Maintenance and Recreation and Events Departments to staff the Celebration Center in the amount of \$125,455 and a budget amendment in the amount of \$125,455. |
| Item No. 11 - Software Upgrade and Budget Amendment | Consider approval of the purchase of 124 Windows Upgrade licenses for a total amount of \$15,748 and a budget amendment of \$15,748. |
| Item No. 12 - Scope of Services Proposal and Budget Amendment | Consider approval of Police Department Conceptual Design and Energy Analysis proposal from Architects Design Group in the amount of \$28,600 and a budget amendment in the amount of \$28,600. |

UNFINISHED BUSINESS

- | | |
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| Item No. 13 - Fair Housing Workshop | Discussion |
| Item No. 14 - Community Development Block Grant (CDBG)
<i>Second Public Hearing</i> | Consider approval to apply for a Community Development Block Grant up to \$700,000.00. |

**CITY OF CLERMONT
COUNCIL MEETING AGENDA
7:00 PM, Tuesday, February 25, 2014**

NEW BUSINESS

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| Item No. 15 - Resolution No. 2014-03
<i>Table to March 25, 2014</i> | Request for a Conditional Use Permit to allow for a multi-family complex with more than 12 units and with additional future office space. |
| Item No. 16 - Ordinance No. 2014-04
<i>Table final hearing to March 25, 2014</i> | Request for a rezoning to change the zoning from Urban Estate to R-3 Residential/Professional zoning district. |
| Item No. 17 - Resolution No. 2014-05 | Request authorizing the use of \$125,000 as leverage for the Small Cities Neighborhood Revitalization CDBG the City is submitting to the Florida Department of Economic Opportunity for Federal Fiscal Year 2013. |
| Item No. 18 - Resolution No. 2014-06 | Request authorization for the submission of an application for the Small Cities CDBG to the Florida Department of Economic Opportunity for Federal Fiscal Year 2013. |
| Item No. 19 - Resolution No. 2014-07 | Request authorization to implement the long term and short term objectives of the City of Clermont Community Development Plan. |
| Item No. 20 - Resolution No. 2014-10 | Request authorization for the City Manager to negotiate and execute an Interlocal Agreement related to the Local Option Fuel Tax. |
| Item No. 21 - Ordinance No. 2014-06; <i>Final Walgreens Right of Way Closing</i> | Consider request to close East Magnolia Street. |
| Item No. 22 - Ordinance No. 2014-07; <i>Final Walgreens Rezoning</i> | Consider request for a rezoning to change the zoning from R-2 Medium Density Residential and C-1 Light Commercial to C-2 General Commercial zoning district. |
| Item No. 23 - Ordinance No. 2014-10; <i>Introduction Firefighters' Pension Plan Amendment</i> | Consider introduction of Firefighters Pension Plan amendment. |

**CITY OF CLERMONT
COUNCIL MEETING AGENDA
7:00 PM, Tuesday, February 25, 2014**

Item No. 24 - Recommendation Request
Lake County Growth Management

Consider recommending a proposed Joint
Planning Area code change regarding
flagpole height.

Item No. 25 - Lake Hiawatha Preserve

Discussion of Flood Plain

ADJOURN

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

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

City of Clermont
Proclamation

Whereas, by 1776 nearly 300,000 Irish nationals had emigrated to the American colonies and played a crucial role in America's War for Independence; and

Whereas, Irish Americans helped to fashion a system of government for our young nation; and

Whereas, five signers of the Declaration of Independence were of Irish descent and three signers were Irish born; and

Whereas, twenty-two Presidents have proudly proclaimed their Irish American heritage; and

Whereas, Irish Americans, since America's inception, have provided and continue to provide leadership and service to this nation's political, business and religious establishments; and

Whereas, it is fitting and proper to celebrate the rich cultural heritage and the many valuable contributions of Irish Americans;

Now, Therefore, I, Harold S. Turville, Mayor of Clermont, Florida, do hereby proclaim the month of March 2014 as

Irish American Heritage Month

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Clermont to be affixed this 25th day of February in the year of 2014.

Harold S. Turville, Jr., Mayor

ATTEST:

Tracy Ackroyd, City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Quarterly Budget Update					
Requested Action					
Discussion					
Staff Report					
Finance Director Van Zile will present a budget update for the quarter ended December 31, 2013.					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 14, 2014

The Clermont City Council met in a regular meeting on Tuesday, January 14, 2014 in the Council Chambers at City Hall. Mayor Turville called the meeting to order at 7:04 pm with the following Council Members present: Council Members Mullins, Goodgame, Bates and VanWagner. Other City officials present were: City Manager Gray and City Attorney Mantzaris.

INVOCATION

Council Member VanWagner gave the invocation followed by the Pledge of Allegiance.

PROCLAMATIONS

Mayor Turville read the Arbor Day Proclamation aloud declaring January 18, 2014 as Arbor Day.

PRESENTATIONS

Human Resources Director Irby presented the Employee Wellness Program and the selection of South Lake Hospital as the City's Wellness Administrator.

Paul Johns, Chief Operating Officer of South Lake Hospital, thanked staff for selecting South Lake Hospital to serve as the City's Wellness Administrator.

Mayor Turville presented the Florida Government Finance Officers Association Certificate of Excellence Award for Fiscal Year 2012 to Finance Director VanZile. The City has received the award for the past twenty-five years.

Police Chief Broadway introduced two new police officers and recognized the promotion of Lieutenant Castro.

City Manager Gray introduced Doris Bloodsworth, the City's new Public Information Officer.

PUBLIC COMMENTS

Wally Herda requested Council pass a resolution preventing individuals from soliciting signatures for petitions at local events. City Attorney Mantzaris stated the City cannot regulate these actions as they are protected rights.

Charlene Forth read a letter regarding New Beginning's Conditional Use Permit for the current and future homeless shelter and commented on situations observed at and around the current shelter.

Bob Peraza commented on right-hand turn red light traffic violations, a break-in at a home in Kings Ridge, and spoke in support of the shelter on Montrose Street.

Dona Digennaro introduced herself as the new President of the South Lake County Historical Society.

Roy Davis, Margaret Weatherbee, and Charles Weatherbee distributed documents regarding the property located at Lake Avenue and Seminole Street bordering Lake Winona. The property is City property claimed to be owned by Mr. Falzon, who has placed no trespassing signs on the property and additionally claims ownership to their adjacent property. Legal action against Mr. Falzon by the City was requested. Staff will follow up on the matter.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 14, 2014

Pat Matson commended the employees who worked on Light-up Clermont, commented on the petitioners in the downtown area, and requested an enhanced relationship between the City, the Clermont Downtown Partnership and the South Lake Chamber. Staff will follow up on the petitioner issue.

Charles Forth thanked City Manager Gray regarding Center Lake parking and mentioned the safety conditions of the driveway at the current women's shelter.

Don Tracy distributed documents from the Lake County Sheriff's Office regarding traffic counts. He provided information on speed thresholds and requested Council consider speed thresholds for Lakeshore Drive. City Manager Gray stated Lakeshore Drive will be discussed at a future meeting.

Steve Haas, Kelly Croft, Tom Dewitt, and Gerry Clyatt expressed concern regarding speeding on Lakeshore Drive and spoke in support of using speed thresholds.

Tim Murry thanked the Recreation and Events Department and the Police Department for their support at the annual Christian Brothers In Action Christmas Party. Mr. Murry extended an invitation to the Martin Luther King event on Monday, January 20, 2014.

REPORTS

City Manager Gray – No report.

City Attorney Mantzaris – No report.

Council Member Bates reported he will be attending Lake County days in Tallahassee. The Lake County Service Community Awards will be held on April 30, 2014 and the South Lake Chamber has nomination applications. The deadline for nominations is February 21, 2014. The Dragon Boat Festival will be held on May 3, 2014 and asked if the City is interested in putting together a team. City Manager Gray will follow up with staff on any interest.

Council Member Goodgame stated Kings Ridge has been infested with pine beetles which required numerous tree removals. He commented on being elected Chair of the Lake Sumter Metropolitan Planning Organization.

Council Member Mullins – No report

Council Member Van Wagner requested an update on the traffic signal at Hancock Road and Diamond Players Drive. City Manager Gray stated the developer for Black West agreed to pay for the signal when one is warranted. The City would make the request to Lake County; Lake County would have to approve the light, and then Black West would pay for the light.

Council Member VanWagner moved to place it on their agenda for approval; seconded by Council Member Goodgame. The motion passed 4 to 1 with Council Member Mullins in opposition.

Council Member VanWagner requested a meeting with the Council and the community regarding ideas to assist downtown area businesses. City Manager Gray stated the City's master planning process would encompass the downtown area and there will be public participation throughout the process.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 14, 2014

Mayor Turville – No report.

CONSENT AGENDA

Mayor Turville 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 - Council Meeting Minutes

Consider approval of the Regular Council Meeting Minutes for September 24, 2013, November 12, 2013 and December 10, 2013

Item No. 2 - Purchase Approval and Budget Amendment

Consider approval of purchase from CRW Systems, Inc. for Permitting System Software in the amount of \$267,525 and a budget amendment of \$167,525.

Item No. 3 - Contract Approval and Budget Amendment

Consider approval of term contracts with Life Scan and Centra Care for the provision of employee physical examination and drug screening services and a budget amendment in the amount of \$10,390.

Item No. 4 - Board Appointment

Consider appointment of Adam Watkins to the Firefighter Pension Board.

Item No. 5 - Grant Acceptance and Budget Amendment

Consider approval of acceptance of Edward Byrne Memorial grant funds from the U.S. Department of Justice for computer software and hardware equipment in the amount of \$9,719 and a budget amendment of \$9,719.

Item No. 6 - Reimbursement Request

Consider approval of reimbursement to owner for owner for sewer damages not covered by City insurance in the amount of \$7,689.33.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 14, 2014

Council Member Goodgame moved for approval of the consent agenda; seconded by Council Member Mullins. The motion passed with all members present voting aye.

UNFINISHED BUSINESS

Item No. 7 – Kankoo Code Enforcement Fines Reduction

Planning and Zoning Director Hollerand presented the request to reduce the two fines from a total of \$22,750.00 to a total of \$700.00. The owner has complied with both Code cases and the amount offered will cover the administration costs incurred by the City in pursuing the cases. Once payment is made, the two liens on the property will be released. Staff recommends approval of the reduction in fines and the release of the liens.

Akber Jamal; Owner, apologized and stated he will continue to keep the property maintained.

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

Council inquired as to the number of days the property was not in compliance and if the City had obtained cost estimates to maintain the property. Planning and Zoning Director Hollerand stated the property was not in compliance for a total of seventy-one days and the City had not obtained cost estimates to maintain the property.

Council discussed the length of time before complying, the prior meetings on the subject, and forgiving the liens for more than \$700.

Council Member VanWagner moved to accept as written by staff; seconded by Council Member Bates.

City Attorney Mantzaris requested a time frame for payment of the \$700.00.

Council Member VanWager stated the time frame would be 30 days.

The motion passed 4 to 1 with Council Member Mullins opposed.

Item No. 8 – Resolution No. 2013-15

Mayor Turville read Resolution No. 2013-15 aloud by title only.

A Resolution of the City Council of the City of Clermont, Lake County, Florida, granting a Conditional Use Permit to allow for a restaurant in the C-1 Light Commercial Zoning District.

Senior Planner Henschel presented the Conditional Use Permit to allow a restaurant at 101 East Highway 50 in the Advanced Water Shapes office building. The grill will be set up in the outside open area for demonstration purposes and the preparation kitchen area will be located inside the office building. The outdoor area will not be for patron use. Staff recommended approval provided the applicant remains within the existing building with patron use not exceeding 300 square feet.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 14, 2014

John Wetzel; applicant, was present and requested approval.

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

Council inquired if there is currently a kitchen inside the building and if a grease trap is required.

Senior Planner Henschel stated an office will be converted into a kitchen and may require a grease trap.

Council expressed concern with three different businesses located in a small building, current and future needs parking, the outside cooking area, grease from the grill, cleaning of the grill, and cleaning of the utensils and plates. Mr. Wetzel stated the business would use paper plates. The intent is for a small gathering area serving cheeseburgers, beer, and wine. The seating area will accommodate approximately twenty people.

Council inquired what the hours of operation would be. Mr. Wetzel commented the hours have not been determined, most likely the restaurant will be open for lunch and early dinner.

Council inquired as to the consequences if the conditions were not met or expanded on. City Attorney Mantzaris stated the initial action would be a code enforcement violation and ultimately could return to Council to consider revoking the Conditional Use Permit.

Council Member VanWagner moved to approve Resolution 2013-15; seconded by Council Member Bates. The motion passed 3 to 2 with Mayor Turville and Council Member Mullins opposed.

Item No. 9 – Police Station

City Manager Gray provided a status of the property located at Citrus Tower and Hooks Street which was purchased for a new police department building. Site work was delayed due to site development issues. In December the City purchased property on Highway 27 and discussions occurred regarding moving the Police Department to the site on Highway 27. He requested a motion to approve the relocation of the new police department to the Highway 27 property and approve staff to task ADG Architects to move forward with the development of the site. The facility will be approximately 20,000 square feet, as some of the current building at the site can be used for Police Department administration.

Council discussed use of the current building at the site, square footage of the new building, the potential cost reductions, and parking for officer vehicles.

Council Member Bates moved to approve the City Manager Gray's request; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 14, 2014

NEW BUSINESS

Item No. 10 – Community Development Block Grant (CDBG) First Public Hearing

Environmental Services Director Kinzler presented the request to approve moving forward with the Community Development Block Grant in an amount up to \$700,000.00. Fred Fox Enterprises will assist in the project to insure required meetings and deadlines are met.

Fred Fox, President-Fred Fox Enterprises, distributed a sign-in sheet for the first public hearing. Mr. Fox provided a presentation describing the various funding categories and the steps in the application process. Mayor Turville opened the public hearing.

Pat Matson; Finders Keepers, inquired about the current grant the City uses for the downtown area. City Manager Gray stated the downtown area grant is part of the Community Redevelopment Agency and not affected by the proposed grant process.

Mayor Turville closed the public hearing.

Council Member Bates motioned to move forward; seconded by Goodgame. The motion passed with all members present voting aye.

Item No. 11 – Selection of Mayor Pro Tem

Council Member Goodgame requested to serve as Mayor Pro Tem. Mayor Turville nominated Council Member Mullins.

City Attorney Mantzaris advised there were two nominations and the first nomination should be voted on and; if the nomination passes, the second nomination would not be voted on.

Mayor Turville called for the vote for Council Member Goodgame as Mayor Pro Tem. Council Members VanWagner, Goodgame, and Bates voted for Council Member Goodgame; therefore electing him as Mayor Pro Tem.

Item No. 12 – Ordinance No. 2014-01; Introduction

Mayor Turville read Ordinance 2014-01 aloud by title only.

An Ordinance of the City of Clermont, Lake County, Florida amending Code of Ordinances Chapter 2, "Administration" Article VI, "Financial Matters" Division 2 "Impact Fees"; amending Section 2-264 "Impact Fee Schedule" providing for a new impact fee schedule; providing for liberal construction; repealing all Ordinances or parts of Ordinances in conflict with this Ordinance to the extent of such conflict; providing for severability, and providing for an effective date.

Council Member Mullins moved to introduce Ordinance 2014-01; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 14, 2014

Item No. 13 – Ordinance No. 2014-03; Introduction

City Manager Gray commented the applicant has requested to table the Ordinance introduction until the February 11, 2014 meeting.

Mayor Turville read Ordinance 2014-03 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the Small Scale Comprehensive Plan Amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the Small Scale Comprehensive Plan Amendment; setting forth the purpose and intent of the Small Scale Comprehensive Plan Amendment; providing for the adoption of the Small Scale Comprehensive Plan Amendment; establishing the legal status of the Small Scale Comprehensive Plan Amendment; providing a severability clause and providing an effective date.

Council Member Goodgame moved to table to February 11; seconded by Council Member Mullins. The motion passed with all members present voting aye.

ADJOURN: With no further comments, this meeting was adjourned at 9:48pm.

APPROVED:

Harold S. Turville, Mayor

ATTEST:

Tracy Ackroyd, City Clerk

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 28, 2014

The Clermont City Council met in a regular meeting on Tuesday, January 28, 2014 in the Council Chambers at City Hall. Mayor Turville called the meeting to order at 7:00 pm with the following Council Members present: Council Members Mullins, Goodgame, Bates and VanWagner. Other City officials present were: City Manager Gray, City Attorney Mantzaris and City Clerk Ackroyd.

INVOCATION

Council Member Goodgame gave the invocation followed by the Pledge of Allegiance.

Mayor Turville announced changes to the agenda.

Item No. 11 Ordinance 2014-03 Final Hearing has been requested to be tabled to March 25, 2014.

City Clerk Ackroyd read aloud Ordinance 2014-03 by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the Small Scale Comprehensive Plan Amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the Small Scale Comprehensive Plan Amendment; setting forth the purpose and intent of the Small Scale Comprehensive Plan Amendment; providing for the adoption of the Small Scale Comprehensive Plan Amendment; establishing the legal status of the Small Scale Comprehensive Plan Amendment; providing a severability clause and providing an effective date.

Council Member Goodgame moved to table Ordinance 2014-03 Final to March 25; seconded by Council Member Mullins. The motion passed with all members present voting aye.

Mayor Turville noted Item No. 15 Resolution 2014-02 has been withdrawn.

PRESENTATIONS

City Clerk Ackroyd administered the oath of office to Assistant Fire Chief of Operations, Kathy Johnston.

PUBLIC COMMENTS

Jim Purvis, 4206 Hammersmith Drive, Kings Ridge held an event last weekend to raise funds for Hospice. They raised \$25,000.

Charles Weatherbee, 1555 Lake Avenue, expressed concern with Mr. Falzon's continued efforts to claim ownership of lakefront property opposite his home at 1375 Lake Avenue. This began in 1999 and provided a brief history of the situation. He requested the City Council to take action.

City Attorney Mantzaris clarified the comments attributed to him and empathized with the situation. Staff has reviewed the records and it is clear from the title work the property in question is owned by the City of Clermont. Mr. Falzon placed no trespassing signs on the property. The city removed the signs and will continue to maintain the property and claim ownership and entitlement to the property.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 28, 2014

The city can initiate litigation against this property however would be proving ownership that is currently existing in the title records and would be an appropriate use of public funds. The city is acting affirmatively to claim ownership of the property. If someone believes they are entitled to the property, they would have to pursue litigation to the city as the rightful owner to the property.

City Attorney Mantzaris stated the city's entitlement of ownership that exists between the lake and the shore is due to special acts adopted by the Legislature in the early 1900's. The property was given to the City of Clermont by the State of Florida.

Furthermore, he suggested the city continue to assert ownership rights to the property by visually acting as the owner of the property to include maintenance, fencing, signage, or use it for improvement to better the area.

Council Member Goodgame moved to instruct the City Manager to take action as necessary to indicate it is the city's property; seconded by Council Member Mullins. The motion passed with all members present voting aye.

Jim Purvis, 4206 Hammersmith Drive, suggested the city ascertain ownership and prefers additional improvements instead of a fence.

Fire Chief Bishop commented on the history of the lake and typically the property in question is under water however the lake levels have been low in recent years.

Tim Murry, 874 Desoto Street, thanked the public for the use of the Waterfront Pavilion for the Martin Luther King Day event.

REPORTS

City Manager Gray reported there will be an Executive Closed Session on February 11, 2014 at 6:15pm to discuss Fire and Police union contracts. Also, there has been a schedule conflict of the annual Council retreat and suggested a series of workshops to address the issues. The next workshop is scheduled for February 25 at 6:00pm to discuss the church property purchased on Highway 27. Furthermore, Lake County would like to schedule a joint meeting with the City Council in April to discuss the sector plan.

City Clerk Ackroyd reported on the new automated agenda. This provides the public with access to the entire agenda packet from the city's website.

City Attorney Mantzaris –No report

Council Member Bates – No report

Council Member Goodgame expressed concern with issuing red light violations for a right turn on red and would like for staff to meet with American Traffic Solutions (ATS) to discuss the issue.

Council Member Van Wagner stated he does not want any additional red light cameras installed.

Mayor Turville noted this was fully discussed for years and does not support the red light cameras.

Council Member Bates noted his concern for safety.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 28, 2014

The Council expressed concerns and directed the City Manager and City Attorney to move forward with meeting with the American Traffic Solutions (ATS) representatives. The Council also expressed interest in meeting with them, if necessary.

Council Member Mullins – No report.

Council Member Van Wagner – No report.

Mayor Turville – No report.

CONSENT AGENDA

Mayor Turville 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 - Contract Approval

Consider approval of the Water, Wastewater and Reclaimed Water Scope of Service proposal from Tetra Tech in the amount \$242,174

Item No. 2 - Contract Approval and Budget Amendment

Consider approval of assigning the remaining design and construction services related to phase 1B of the Lake Hiawatha Preserve project from AECOM to Tetra Tech in the amount of \$160,000 and a budget amendment in the amount of \$160,000.

Item No. 3 - Lease Termination Agreement and General Release

Consider approval of the Lease Termination Agreement and General Release with Nextel South Corp., a Georgia corporation located at 1102 Bloxam Avenue

Item No. 4 - Pig on the Pond Sponsorship and Budget Amendment

Consider approval of sponsorship of the Pig on the Pond event scheduled for March 7 - 9, 2014 in the amount of \$30,000 and a budget amendment

Item No. 5 - CFT Sommer Sports Sponsorship and Budget Amendment

Consider approval of sponsorship of CFT Sommer Sports events for 2014 in the amount of \$15,000 and a budget amendment

Item No. 6 - Purchase Approval and Budget Amendment

Consider approval to purchase an automated sideloader garbage truck from Crane Carrier in the amount of \$287,916 and a budget amendment in the amount of \$287,916.

Item No. 7 - Purchase Approval

Consider approval to purchase five Police Department vehicles from Don Reid

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 28, 2014

Item No. 8 - Budget Amendment and New Positions

Ford in the amount of \$118,475.

Consider approval of new positions in the Planning and Zoning and Fire Departments and a budget amendment in the amount of \$736,269.

Item No. 9 - Establish a Citizens Advisory Task Force (CATF)

Consider approval of the recommended appointees - Tim Murry and Edward Shelton - for the Citizens Advisory Task Force (CATF) as required by the Community Development Block Grant (CDBG)

City Manager Gray clarified the amount in item 2 should be \$160,000; Items 4 and 5 are sponsorships for Pig on the Pond and Sommer Sports and would like to add the language "up to" the amount. Both are funded in the budget.

Council Member Goodgame moved to approve the consent agenda; seconded by Council Member Mullins. The motion passed with all members present voting aye.

UNFINISHED BUSINESS

Item No. 10 – Lakeshore Drive

Police Chief Broadway reported on the request for the installation of speed tables and to lower the speed limit on Lakeshore Drive. The request is from residents living on and in the vicinity of Lakeshore Drive. On the June 11, 2013 Council meeting, the Council requested staff to conduct a survey and report on the recommendations. The Police Department deployed the radar trailer on Lakeshore Drive during the US 27 and Highway 50 construction. The radar trailer recorded motorists traveling westbound on Lakeshore Drive to the east of Winona Bridge at an average speed of 23.6 miles per hour. After the interchange construction was completed the end of October, the Police Department deployed the radar trailer on Lakeshore Drive to attain the post construction number for a comparison. The average speed was 26.8 miles per hour.

Economic Development Director Hitt reviewed recommendations to not lower the speed limit or install speed tables. Staff recommended installing one stop sign at Lakeshore Drive and East Avenue to create a 3 way stop intersection. Also, recommended sidewalks, street lights and coordinate with Lake County to redesign the Hooks Street and Lakeshore Drive intersection for access and safety.

City Manager Gray suggested bringing the recommendations to Council through the budget process.

Mayor Turville opened the public hearing.

Steve Haas, 788 W. Lakeshore Drive, disagreed with the recommendations by staff and requested speed tables. He further noted Lakeshore Drive has become the bypass for State Road 50.

Lorinda Haas, 788 W. Lakeshore Drive, expressed safety concerns.

Jim Purvis, 4206 Hammersmith Drive, suggested an 18 inch wide cobblestone path for more of a residential neighborhood appearance.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 28, 2014

Mayor Turville closed the public hearing.

Mayor Turville suggested speed tables on either side of the bridge.

Council Member Bates requested a cost estimate of the stop signs and speed tables.

Council Member Mullins noted sidewalks are needed in the long term.

Staff will return to Council with the cost analysis.

Item No. 11 – Ordinance No. 2014-03; Final Hearing

This item was tabled to March 25, 2014.

Item No. 12 – Ordinance No. 2014-01; Final Hearing

City Clerk Ackroyd read aloud Ordinance 2014-01 by title only.

An Ordinance of the City of Clermont, Lake County, Florida amending Code of Ordinances Chapter 2, “Administration” Article VI, “Financial Matters” Division 2 “Impact Fees”; amending section 2-264 “Impact Fee Schedule” providing for a new impact fee schedule; providing for liberal construction; repealing all ordinances or parts of ordinances in conflict with this ordinance to the extent of such conflict; providing for severability, and providing for an effective date.

Finance Director Van Zile reported on the proposed ordinance to update the city’s impact fee schedule. The city currently charges impact fees for police, fire, recreation, water and wastewater. These fees are charged to new residents in the city. The update is based on a study from the consulting firm Public Resources Management Group. The study is recommending water and fire impact fees be increased and decrease to wastewater, police and recreation impact fees as well as change the application method of calculating the water and sewer fees.

Murry Hamilton, Public Resources Management Group, provided a summary of the impact fee study. He recommended approval of the proposed ordinance which includes an increase in fire and water impact fees effective May 1, 2014 and implement the decrease in sewer, police and recreation impact fees effective February 17, 2014.

Mayor Turville opened the public hearing. There were no comments.

Mayor Turville closed the public hearing.

City Manager Gray noted impact fees are governed by State Statutes.

Council Member Mullins moved to adopt Ordinance 2014-01; seconded by Council Member Goodgame. The motion passed 5 to 0 on a roll call vote.

NEW BUSINESS

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 28, 2014

Item No. 13 – Variance Request Trapp

Planner Kruse presented the request for a variance to allow for the construction of a new single family residence with a reduction of the rear yard setback from 25 feet to 15 feet. The applicants' lots are zoned R-3, which has a rear yard structure setback of 25 feet. The lots were platted with access from Lakeshore Drive, which does not exist at the present time. An access driveway to serve the 7 lots in the area was installed and runs through a portion of the lots. This access is used as the primary means of ingress and egress for the lots, which runs through the applicants' property. This access drive has restricted the placement of the proposed structure on the property. This applicants desire to provide a safe means for pedestrian and vehicular traffic in the area by keeping the proposed structure as far as possible from the access driveway and the South Lake Trail. In order to accomplish this, the structure will be located within the 25 feet rear yard setback. The property is located on Lake Minneola and there will be no rear neighbors. The proposed single family residence will still meet the setbacks for the front yard, side yard, and mean high water line. Staff recommended approval.

Joseph Trapp, 1146 Lake Minneola Road, applicant, was present to request approval.

Mayor Turville opened the public hearing.

Daryl Bishop, 2255 S. Lakeshore Drive, owns property adjacent to this property expressed opposition to the variance.

Mayor Turville closed the public hearing.

Council Member Goodgame declared Brian Hess is an adjacent property owner and his notification from the city was sent to his Ohio address. He is unable to attend this meeting and requested to table until he can return in two weeks.

Mayor Turville responded that staff sent the notification to the address on file. He expressed support for the variance request and noted a 25 foot minimum set back is required by law and the city put in an access road through it. The applicant is asking permission to build his house.

Council Member Bates inquired if there is a safety issue.

City Attorney Mantzaris stated it does not encroach into the high water line.

Mr. Trapp commented this is an average size home.

Council Member Van Wagner concurred with Mayor Turville.

Council Member Mullins moved to grant the variance requested; seconded by Council Member Van Wagner. The motion passed 4 to 1 with Council Member Goodgame opposing.

Item No. 14 – Resolution No. 2014-01 Palm Tire Automotive

City Clerk Ackroyd read aloud Resolution 2014-01 by title only.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 28, 2014

A Resolution of the City Council of the City of Clermont, Lake County, Florida, granting a Conditional Use Permit to allow an automotive repair center in the C-2 General Commercial Zoning District.

Senior Planner Henschel presented the request for a Conditional Use Permit for an automotive repair center. The applicant has adjusted the plan to 8 bays for service, a sales office, and inventory area for parts. The bays will face north and south, not toward Highway 27. The hours of operation will be Monday to Friday 8am to 5pm and Saturday 8am to 12pm. The Planning and Zoning Commission recommended approval with condition to reduce to 8 bays. Staff recommended approval.

Applicant, Matt Graham, 927 5th Street, was present and available for questions.

Mayor Turville opened the public hearing.

Gail Ash, 3365 Salemon Lane, expressed concern with the number of car repair shops in the city.

Jim Purvis, 4206 Hammersmith Drive, inquired what is adjacent to the south property.

City Manager Gray responded orange groves are located in that area.

Mayor Turville closed the public hearing.

Council Member Mullins commented the City previously gave parking permission to the feed store located to the north. He spoke in favor of the Palm Tire request and suggested readdressing the parking situation.

Council Member Goodgame questioned whether there would be any cars parked overnight.

City Attorney Mantzaris stated the proposed Conditional Use Permit has language that no outside storage of any vehicles shall be allowed except for vehicles awaiting immediate repair.

Council Member Goodgame moved for approval; seconded by Council Member Mullins.
The motion passed with all members present voting aye.

Item No. 15 – Resolution No. 2014-02 Starchild Daycare Center

A Resolution of the City Council of the City of Clermont, Lake County, Florida, granting a Conditional Use Permit to allow a daycare facility in the C-2 General Commercial Zoning District.

This item was withdrawn.

Item No. 16 – Ordinance No. 2014-08 Introduction

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 28, 2014

City Clerk Ackroyd read aloud Ordinance 2014-08 aloud by title only.

An Ordinance of the Code of Ordinances of the City of Clermont, Lake County, Florida, adopted pursuant to section 125.01(1)(q), Florida Statutes (1999), consenting to the inclusion of the City of Clermont, Florida, within the County-wide Municipal Service Taxing Unit for the provision of ambulance and emergency medical services, as adopted by the Board of County Commissioners of Lake County, Florida; providing for the City to be included within said Municipal Service Taxing Unit for a specified term of years; providing for severability, effective date and publication.

Council Member Mullins moved introduction of Ordinance 2014-08; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

ADJOURN: With no further comments, this meeting was adjourned at 9:23pm

APPROVED:

Harold S. Turville, Mayor

ATTEST:

Tracy Ackroyd, City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

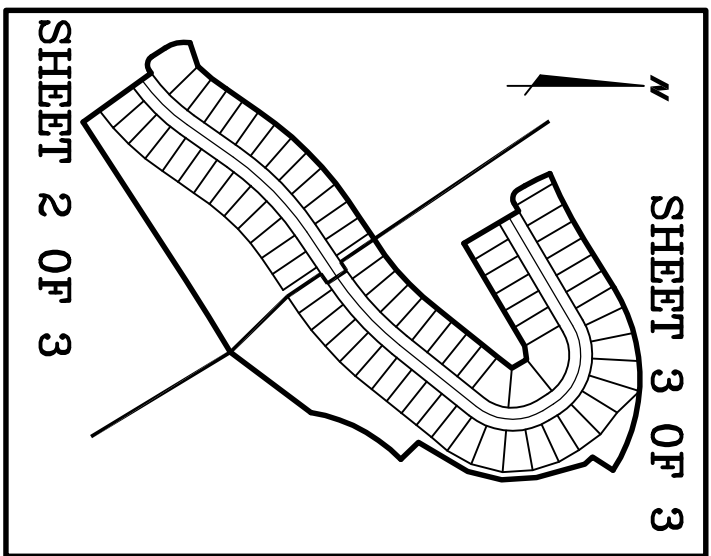
Council Meeting Date		
Tuesday, February 25, 2014		
Agenda Item Name		
Heritage Hills Plat		
Requested Action		
Motion to approve Heritage Hills Phase 5C plat		
Staff Report		
Heritage Hills Phase 5C Plat		
The plat has been reviewed and approved by the City Engineer and the contracted Engineer.		
Legal Impact		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Plat 941216 0243 HH PH 5C record plat set submitted 1-23-14.pdf		

HERITAGE HILLS PHASE 500

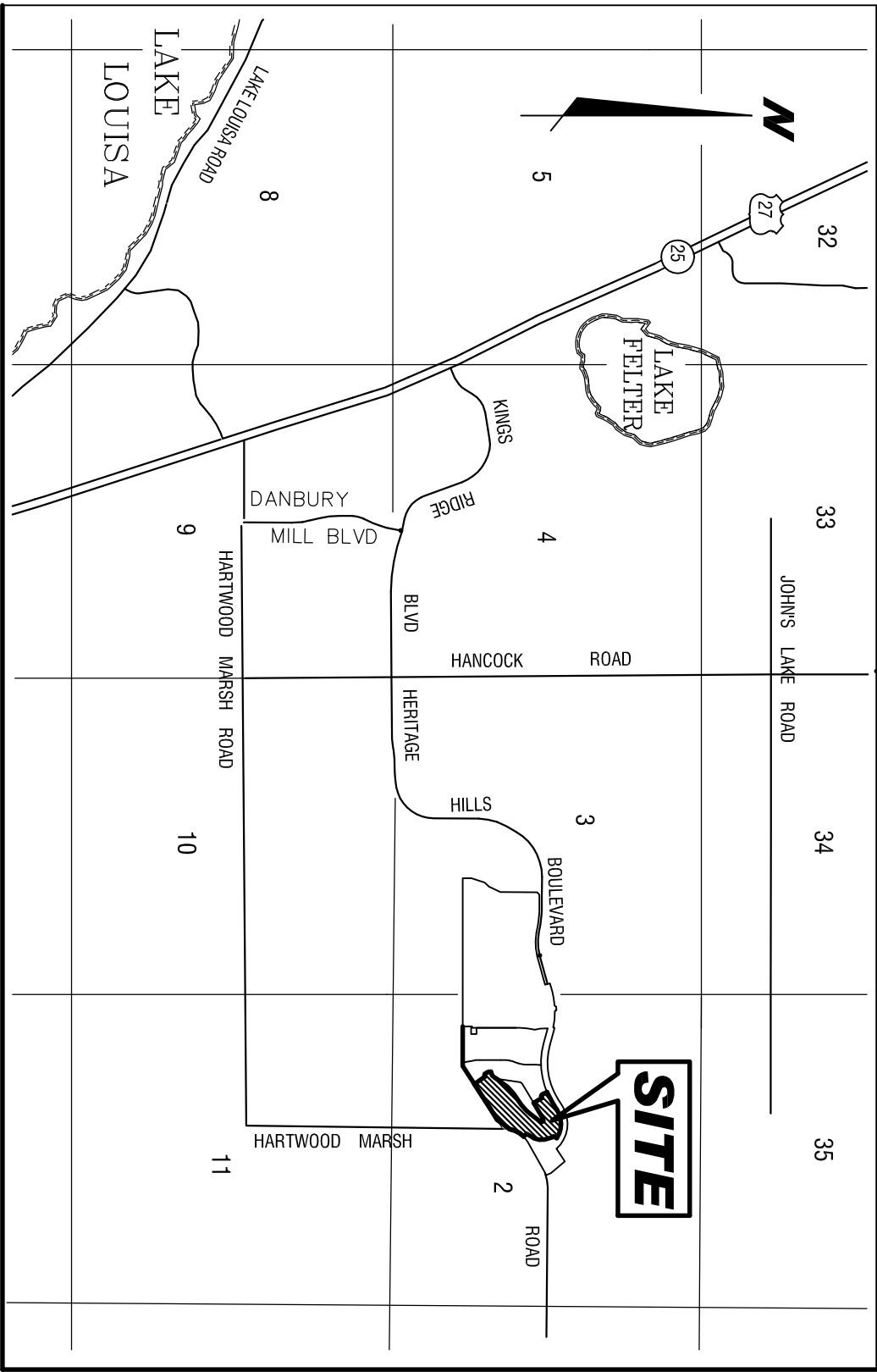
A REPLAT OF A PORTION OF TRACT E HERITAGE HILLS PHASE 5A (PLAT BOOK 64, PAGES 86 THROUGH 89) LYING IN SECTION 2, TOWNSHIP 23 SOUTH, RANGE 26 EAST, CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF TRACT "E," AS SHOWN ON THE PLAT OF HERITAGE HILLS PHASE 5A, AS RECORDED IN PLAT BOOK 64, PAGES 86 THROUGH 89, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, IN SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST AS BEING SOUTH 57.03°42' WEST.
2. ALL PLATTED UTILITY EASEMENTS SHALL PROVE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICIPANT ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
3. LOT CORNERS WILL BE SET IN ACCORDANCE WITH CHAPTER 177.091 (9) FLORIDA STATUTES AND THE CITY OF CLEMMONT LAND DEVELOPMENT REGULATIONS. LEMARR HAS RELEASED BOTH, ERN, STRAUGHAN & HOTT, INC. FROM SETTING INTERIOR SUBDIVISION CORNERS AND HAS ACQUIRED THE SERVICES OF AN ADDITIONAL SURVEYING FIRM TO COMPLETE THIS TASK.
4. STATE PLANE COORDINATES SHOWN HEREON AND THEIR COMPUTED VALUES SHALL BE SUBORDINATED TO THE MONUMENTS, BEARINGS AND DISTANCES SHOWN ON THIS PLAT.
5. ALL LOT LINES ARE NON-RADIAL, UNLESS NOTED. RADIAL LINES ARE NOTED BY (R).
6. TRACTS "A," AND "B" SHALL BE OWNED AND MAINTAINED BY THE HERITAGE HILLS OF CLEMMONT HOMEOWNERS ASSOCIATION, INC. FOR THE PURPOSE OF OPEN SPACE COMMON AREA, LANDSCAPING, AND LANDSCAPING.
7. TRACT "C" SHALL BE OWNED AND MAINTAINED BY THE HERITAGE HILLS OF CLEMMONT HOMEOWNERS ASSOCIATION, INC. FOR THE PURPOSE OF OPEN SPACE COMMON AREA, LANDSCAPING, AND SIGNAGE.
8. TRACT "D" CONSISTS OF ALL THE INTERNAL ROADWAYS SHOWN HEREON AND SHALL BE OWNED AND MAINTAINED BY THE HERITAGE HILLS OF CLEMMONT HOMEOWNERS ASSOCIATION, INC. FOR THE PURPOSE OF LANDSCAPE, DRAINAGE, UTILITIES AND ROAD RIGHTS OF WAY. IT IS SPECIALLY UNDERSTOOD THAT NO OBLIGATION IS IMPOSED UPON THE CITY OF CLEMMONT, NOR SHALL ANY REQUEST EVER BE ENTERMINED BY THE CITY TO MAINTAIN OR IMPROVE TRACT "D".
9. THERE IS A 5.00 FOOT DRAINAGE AND UTILITY EASEMENT ON ALL SIDE AND REAR LOT LINES OF LOTS 1 THROUGH 73 UNLESS OTHERWISE SHOWN.
10. LANDS DESCRIBED HEREON ARE SUBJECT TO AND/OR THE BENEFICIARY OF FOLLOWING LISTED INSTRUMENTS RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA:
 1. REDEVELOPMENTS IN FAVOR OF THE STATE OF FLORIDA AS SET FORTH IN THE DEED FROM THE TRUSTEES OF INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA RECORDED AT DEED BOOK 220, PAGE 10.
 2. NOTICE OF LEASE RECORDED IN OFFICIAL RECORDS BOOK 366, PAGE 198, ASSIGNMENT RECORDED AT OFFICIAL RECORDS BOOK 396, PAGE 115, NOTICE OF RESTRICTIONS (RELATED TO THE LEASE) RECORDED AT OFFICIAL RECORDS BOOK 2243, PAGE 1206, ASSIGNMENT AND PARTIAL RELEASE RECORDED AT OFFICIAL RECORDS BOOK 2946, PAGE 328, AS BE RECORDED AT OFFICIAL RECORDS BOOK 2892, PAGE 2268 (NOTE: THE SUBJECT PROPERTY WAS PARTIALLY RELEASED FROM THE SUBJECT LEASE BUT REMAINS SUBJECT TO CERTAIN COVENANTS IN CONNECTION WITH SUCH RELEASE).
 3. DECLARATION AGREEMENT FOR RECREATION ACTIVITIES RELATED TO THE CENTER LAKE SAUD WINE RECORDED IN OFFICIAL RECORDS BOOK 2315, PAGE 1566.
 4. DECLARATION FOR HERITAGE HILLS RECORDED IN OR BOOK 3466, PAGE 1020, AS MODIFIED BY FIRST AMENDMENT RECORDED IN OR BOOK 3553, PAGE 89 AND RE-RECORDED IN OR BOOK 3570, PAGE 292, SECOND AMENDMENT RECORDED IN OR BOOK 3616, PAGE 1184, FORTH AMENDMENT RECORDED IN OR BOOK 3616, PAGE 1190, FOURTH AMENDMENT RECORDED IN OR BOOK 4183, PAGE 88, FIFTH AMENDMENT RECORDED IN OR BOOK 4320, PAGE 300 AND SIXTH AMENDMENT RECORDED IN OR BOOK 4342, PAGE 662.
 5. MATTERS ON THE PLAT OF HERITAGE HILLS PHASE 5A RECORDED IN PLAT BOOK 64, PAGE 86.



KEY MAP
NOT TO SCALE



VICINITY MAP
NOT TO SCALE

DESANDT
BOOTH ERM STRAUGHAN HOTT, INC.
ENGINEERS • SURVEYORS • LAND PLANNERS
350 North Sinclair Ave.
Tavares, Florida 32778
LICENSED BUSINESS 7514

Office 352.343.8481
Fax 352.343.8495
www.desandt.com



THAT PORTION OF TRACT "E", AS SHOWN ON THE PLAT OF HERITAGE HILLS PHASE 5A, RECORDED IN PLAT BOOK 64, PAGES 86 THROUGH 89, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID PORTION OF TRACT "E" BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DESCRIPTION

BEEN AT THE SOUTHEASTERN CORNER OF TRACT "A," AS SHOWN ON THE PLAT OF HERITAGE HILLS PHASE 5B, AS RECORDED IN PLAT BOOK 65 PAGES 35 AND 36, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. THENCE RUN ALONG THE EASTERLY LINE OF SAID HERITAGE HILLS PHASE "A," LOT 31 AND TRACT "F," AS SHOWN ON SAID PLAT OF HERITAGE HILLS PHASE 5B, A DISTANCE OF 217.83 FEET TO A POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 470.01 FEET, TO WHICH A RADIAL LINE BEANS 353.4515 FEET. THENCE RUN, ALONG THE NORTHWEST LINE OF SAID TRACT "F," AND THE FOLLOWING FOUR (4) COURSES: COURSE 1, 9.32 FEET TO POINT OF COMPOUND CURVATURE OF CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 28.00 FEET. THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 91.402 FEET. THENCE A DISTANCE OF 40.00 FEET TO THE POINT OF TANGENCY. THENCE RUN S32°56'18"W A DISTANCE OF 40.92 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 95.00 FEET. THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41°14'24" AN ARC DISTANCE OF 68.38 FEET TO THE SOUTHWESTERLY CORNER OF TRACT "B," AS SHOWN ON SAID PLAT OF HERITAGE HILLS PHASE 5B. THENCE RUN ALONG THE SOUTHWESTERLY LINE OF TRACT "B," THE FOLLOWING THREE (3) COURSES, 47.6313392' TO A DISTANCE OF 64.98 FEET, N41°13'15" E A DISTANCE OF 48.21 FEET, N35°21'54" E A DISTANCE OF 25.733 FEET, TO THE SOUTHWESTERLY CORNER OF TRACT "D," AS SHOWN ON THE FORESAD PLAT OF HERITAGE HILLS PHASE 5A. THENCE DEPARTING SAID EASTERLY LINE OF SAID HERITAGE HILLS PHASE 5B, RUN ALONG THE SOUTHEASTERY AND THE NORTHWESTERLY LINES OF SAID TRACT "D," THE FOLLOWING TWENTY-TWO (22) COURSES, N35°18'50" E A DISTANCE OF 53.69 FEET, N34°28'58" E A DISTANCE OF 50.00 FEET, N36°01'27" E A DISTANCE OF 53.76 FEET, N38°16'01" E A DISTANCE OF 54.46 FEET, N43°12'02" E A DISTANCE OF 55.46 FEET, N36°26'36" E A DISTANCE OF 55.46 FEET, N20°22'36" E A DISTANCE OF 55.46 FEET, N33°37'12" E A DISTANCE OF 55.46 FEET, N36°48'15" E A DISTANCE OF 50.63 FEET, N53°49'52" E A DISTANCE OF 70.00 FEET, N53°50'55" E A DISTANCE OF 49.49 FEET, N15°38'31" E A DISTANCE OF 48.96 FEET, N47°44'56" E A DISTANCE OF 48.96 FEET, N45°32'10" E A DISTANCE OF 48.96 FEET, N59°18'36" E A DISTANCE OF 48.96 FEET, N38°57'57" E A DISTANCE OF 50.00 FEET, N53°43'50" E A DISTANCE OF 100.00 FEET, N58°28'40" E A DISTANCE OF 50.00 FEET, N38°13'42" E A DISTANCE OF 47.90 FEET, N30°46'53" W A DISTANCE OF 45.05 FEET, S31°35'37" W A DISTANCE OF 54.68 FEET, S58°28'10" W A DISTANCE OF 110.55 FEET, N50°07'58" E A DISTANCE OF 50.00 FEET, TO THE POINT OF TANGENCY OF SAID TRACT "D" OF HERITAGE HILLS PHASE 5B. THENCE RUN ALONG THE EASTERLY LINE OF LOT 47 AND THE EASTERLY LINE OF TRACT "F," AS SHOWN ON SAID PLAT OF HERITAGE HILLS PHASE 5B, A DISTANCE OF 165.00 FEET. THENCE CONTINUING ALONG SAID EASTERLY LINE OF TRACT "F," RUN THE FOLLOWING FOUR (4) COURSES, S59°26'18" W A DISTANCE OF 22.85 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 25.00 FEET. THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY. THENCE RUN N30°33'42" W A DISTANCE OF 22.96 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 470.00 FEET. THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°47'43" AN ARC DISTANCE OF 72.15 FEET, TO A POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1255.00 FEET, TO WHICH A RADIAL LINE BEARS S22°58'44" E, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF TRACT "H," AS SHOWN ON THE PLAT OF HERITAGE HILLS PHASE 2, RECORDED IN PLAT BOOK 63, PAGES 1 THROUGH 14, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. THENCE DEPARTING SAID EASTERLY LINE OF TRACT "F," RUN ALONG THE SOUTHEASTERY LINE OF SAID TRACT "H," THE FOLLOWING THREE (3) COURSES, NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°51'22" AN ARC DISTANCE OF 194.01 FEET TO THE POINT OF TANGENCY, N58°09'49" E A DISTANCE OF 148.21 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 647.935" AN ARC DISTANCE OF 499.65 FEET TO THE NORTHWESTERLY CORNER OF TRACT "K," AS SHOWN ON THE SAID PLAT OF HERITAGE HILLS PHASE 2. THENCE DEPARTING THE SOUTHEASTERY LINE OF SAID TRACT "H," RUN ALONG THE WESTERLY LINE OF SAID TRACT "K" THE FOLLOWING SEVEN (7) COURSES, S32°29'44" W A DISTANCE OF 63.81 FEET, S43°11'47" E A DISTANCE OF 26.98 FEET, S15°37'44" E A DISTANCE OF 130.67 FEET, S05°39'32" E A DISTANCE OF 90.71 FEET, S34°46'17" W A DISTANCE OF 91.64 FEET, S30°44'28" W A DISTANCE OF 148.52 FEET, S44°17'53" E A DISTANCE OF 63.03 FEET, TO A POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 4220.00 FEET, TO WHICH A RADIAL LINE BEARS N44°12'55" W, SAID POINT ALSO BEING ON THE WESTERLY LINE OF LOT 47 AND THE WESTERLY LINE OF ROAD 1992, AS SHOWN ON THE PLAT OF HERITAGE HILLS PHASE 2, RECORDED IN PLAT BOOK 63, PAGES 1 THROUGH 14, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. THENCE DEPARTING SAID WESTERLY LINE OF TRACT "K," RUN ALONG SAID WESTERLY LINE OF WAY LINE OF HERITAGE MARSH SAID WESTERLY LINE OF TRACT "K," RUN ALONG SAID WESTERLY LINE OF WAY LINE OF HERITAGE MARSH SAID WESTERLY LINE OF TRACT "K," OF FORESAD PLAT OF HERITAGE HILLS PHASE 5A. THENCE DEPARTING SAID WESTERLY LINE OF TRACT "K," OF FORESAD PLAT OF HERITAGE HILLS PHASE 5A, THENCE DEPARTING SAID WESTERLY LINE OF WAY LINE OF HERITAGE MARSH SAID WESTERLY LINE OF TRACT "K," THE FOLLOWING THREE (3) COURSES, S36°56'11" W A DISTANCE OF 261.98 FEET, TO A POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 6222.73 FEET, TO WHICH A RADIAL LINE BEARS N3°55'28" W. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°00'32" AN ARC DISTANCE OF 218.77 FEET TO THE POINT OF TANGENCY, S57°03'42" W A DISTANCE OF 492.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 750.378/918 SQUARE FEET OR 17.23 ACRES MORE OR LESS.

PLAT BOOK

PAGE

DEDICATION

HERITAGE HILLS PHASE 5C (A REPLAT)

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being the owner in fee simple of the lands described herein do hereby dedicate the following for the purposes herein expressed, subject to the general notes contained herein:

1. TO HERITAGE HILLS OF CLEMONT HOMEOWNERS ASSOCIATION, INC.; Tracts A, B, C, and D, are subject to perpetual rights of ingress and egress by the lot owners of HERITAGE HILLS, their tenants, invitees and licensees, and emergency and medical services, and their vehicles and personnel. A drainage easement is hereby granted over those areas designated as drainage easements shown or noted hereon.

2. TO LOT OWNERS OF HERITAGE HILLS:

A perpetual ingress and egress easement is hereby granted over, across and upon Tract D² including the right of ingress and egress for said Lot Owners' tenants, invitees, and licensees, together with those providers of sanitation, postal, fire and law enforcement and emergency, and medical services, and their vehicles and personnel. A drainage easement is hereby granted over those areas designated as drainage easements shown or noted hereon.

3. TO PROVIDERS OF ELECTRIC, TELEPHONE, CABLE TELEVISION SERVICES:

A utility easement is hereby granted over, across and upon Tract D² and those areas designated as utility easements shown herein, including the right of ingress and egress over and across Tract D² for the purpose of accessing said utility easements.

4. TO THE CITY OF CLEMONT:

A utility easement is hereby granted over, across and upon Tract D² and those areas designated as utility easements shown herein, including the right of ingress and egress over and across Tract D² for the purpose of accessing said utility easements.

IN WITNESS WHEREOF, the undersigned owner — has executed this Dedication in the manner provided by law on _____ 20____

Signed, sealed and delivered in our presence as witnesses:

1. PRINTED NAME _____	OWNER: _____
SIGNATURE _____	LENNAR HOMES LLC
	a Florida corporation
2. PRINTED NAME _____	MARK KETHEBY VICE PRESIDENT
SIGNATURE _____	
STATE OF _____	COUNTY OF _____
The foregoing Dedication was acknowledged before me this _____ day of _____ 20____, by _____ Mark Ketheby _____ as Vice-President _____ Lennar Homes LLC _____ He is personally known to me) or (has produced _____ as identification) and (did) (did not) take an oath.	
Signature of Acknowledger _____	
Printed name of Acknowledger _____	
My commission Expires: _____ (SEAL OR STAMP)	

CERTIFICATE OF APPROVAL OF MUNICIPALITY

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

City of Clermont

City Clerk _____	Mayor _____
PRINT NAME _____	PRINT NAME _____

REVIEWER STATEMENT

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

For, Inc., — 500 West Fulton Street, Sanford, FL 32771

(407) 322-6641 Licensed Business No. 7145

For the firm: _____ Date _____

RAUND L. ROBERTS, VICE PRESIDENT

PROFESSIONAL SURVEYOR AND MAPPER No. 3144

CERTIFICATE OF SURVEYOR

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

Booth Em Strouphan Hott, Inc. — 350 North Sinclair Avenue

Towares, FL 32778 Licensed Business No. 7514

Dated _____

JAMES M. STRAUGHAN

PROFESSIONAL SURVEYOR AND MAPPER No. 5309

CERTIFICATE OF CLERK

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

File No. _____

Clerk of the Circuit Court _____

for and of Lake County, Florida

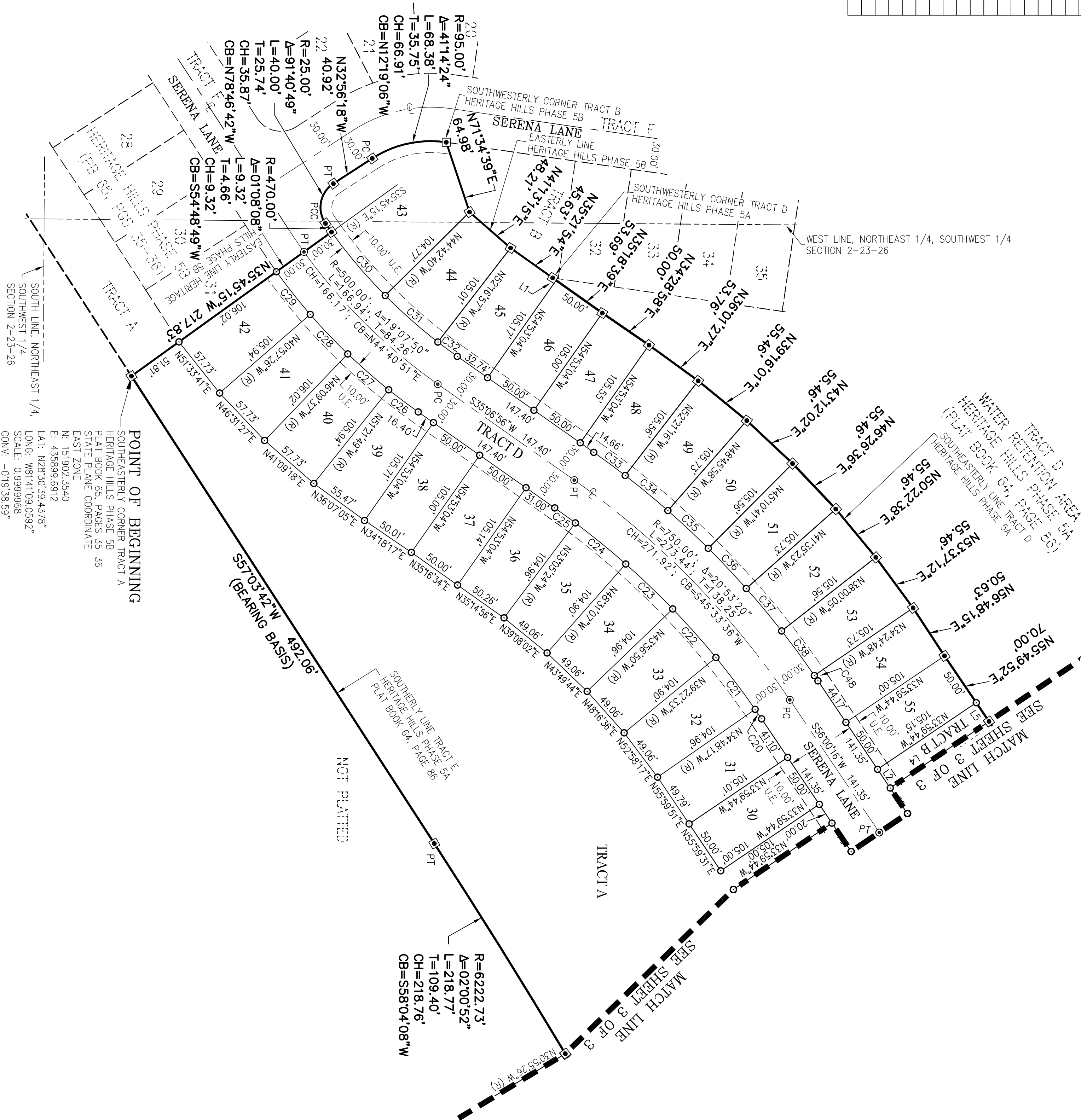
HERITAGE HILLS PHASE 5C

A REPLAT OF A PORTION OF TRACT E HERITAGE HILLS PHASE 5A (PLAT BOOK 64, PAGES 86 THROUGH 89)
LYING IN SECTION 2, TOWNSHIP 23 SOUTH, RANGE 26 EAST, CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

CURVE TABLE					
CURVE NO.	RADIUS	CENTRAL ANGLE	LENGTH	TANGENT	CHORD
C20	720.00'	00°48'33"	10.17'	5.08'	10.17'
C21	720.00'	04°34'17"	57.45'	28.74'	57.43'
C22	720.00'	04°34'17"	57.45'	28.74'	57.43'
C23	720.00'	04°34'17"	57.45'	28.74'	57.43'
C24	720.00'	04°34'17"	57.45'	28.74'	57.43'
C25	720.00'	01°47'40"	22.55'	11.28'	22.55'
C26	530.00'	03°31'16"	32.57'	16.29'	32.57'
C27	530.00'	05°12'11"	48.13'	24.08'	48.11'
C28	530.00'	05°12'11"	48.13'	24.08'	48.11'
C29	530.00'	05°12'11"	48.13'	24.08'	48.11'
C30	470.00'	10°05'34"	82.78'	41.50'	82.68'
C31	470.00'	07°34'16"	62.11'	31.07'	62.06'
C32	470.00'	02°36'06"	21.35'	10.67'	21.34'
C33	780.00'	02°31'48"	34.44'	17.22'	34.44'
C34	780.00'	03°35'18"	48.85'	24.43'	48.84'
C35	780.00'	03°35'18"	48.85'	24.43'	48.84'
C36	780.00'	03°35'18"	48.85'	24.43'	48.84'
C37	780.00'	03°35'18"	48.85'	24.43'	48.84'
C38	780.00'	03°35'18"	48.85'	24.43'	48.84'
C48	780.00'	00°25'04"	5.69'	2.84'	5.69'



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N35°18'39"E	3.69'
L2	S56°00'16"W	20.00'
L4	N33°59'44"W	105.21'
L5	N53°49'52"E	20.00'



- PERMANENT REFERENCE MONUMENT – SET 4"x 4" CONCRETE MONUMENT WITH DISC STAMPED 'BESH PRM LB #7514'
- PERMANENT REFERENCE MONUMENT – FOUND 4"x 4" CONCRETE MONUMENT WITH DISC STAMPED 'PRM LB #7514' UNLESS OTHERWISE NOTED
- PERMANENT CONTROL POINT – SET NAIL & DISK STAMPED 'BESH PCP LB #7514' UNLESS OTHERWISE NOTED
- INDIVIDUAL LOT & TRACT CORNERS TO BE SET BY OTHERS (SEE NOTE 3, SHEET 1)
- CM

CONCRETE MONUMENT
- IP

IRON PIPE
- IR

IRON ROD
- FB

FOUND BUSINESS
- LB

LEGISLATIVE BUSINESS
- CH

CHORD DISTANCE
- CB

CHORD BEARING
- T

TANGENT LENGTH
- PC

POINT OF CURVATURE
- PIC

POINT OF COMPOUND CURVATURE
- PT

POINT OF INTERSECTION
- P

POINT OF TANGENCY
- (R)

RADIUS
- L

LENGTH
- D.E.

DRAINAGE EASEMENT
- U.E.

UTILITY EASEMENT
- C3

REFERENCE TO CURVE TABLE
- L2

REFERENCE TO LINE TABLE
- PB

PLAT BOOK
- PG

PAGE
- PSS

PAGES
- ORB

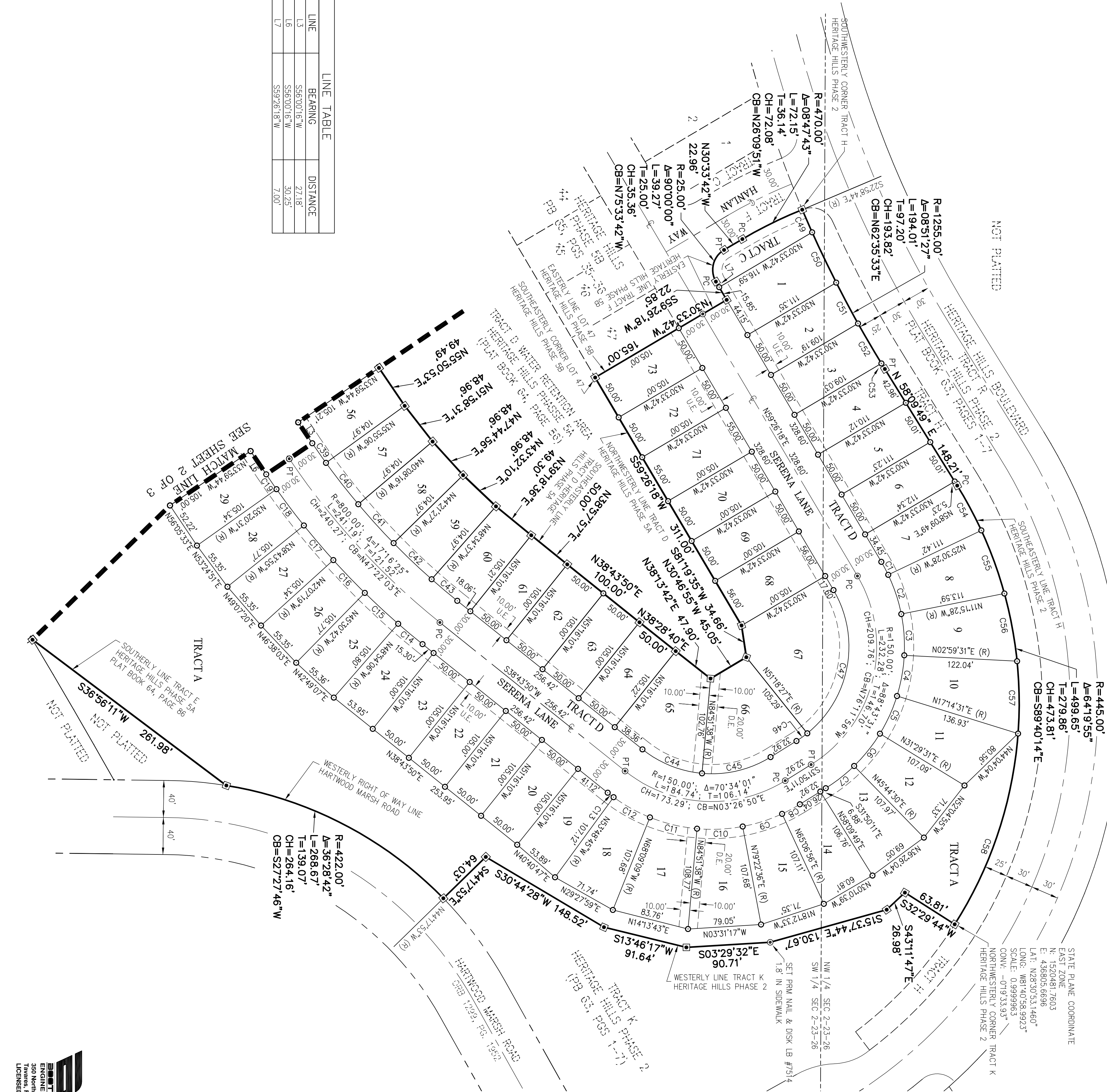
OFFICIAL RECORDS BOOK

HERITAGE HILLS PHASE 5C
A REPLAT OF A PORTION OF TRACT E HERITAGE HILLS PHASE 5A (PLAT BOOK 64, PAGES 86 THROUGH 89)
LYING IN SECTION 2, TOWNSHIP 23 SOUTH, RANGE 26 EAST, CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

CURVE TABLE				
CURVE NO.	RADIUS	CENTRAL ANGLE	LENGTH	TANGENT
C1	180.00'	05°31.4"	15.88'	7.94'
C2	180.00'	14°15.00"	44.77'	22.50'
C3	180.00'	14°15.00"	44.77'	22.50'
C4	180.00'	14°15.00"	44.77'	22.50'
C5	180.00'	14°15.00"	44.77'	22.50'
C6	180.00'	14°15.00"	44.77'	22.50'
C7	180.00'	12°25.17"	39.02'	19.59'
C8	180.00'	6°57.07"	21.84'	10.95'
C9	180.00'	14°15.40"	44.80'	22.52'
C10	180.00'	15°45.46"	49.52'	24.92'
C11	180.00'	16°42.29"	52.49'	26.43'
C12	180.00'	14°20.23"	45.05'	22.64'
C13	180.00'	2°33.36"	7.99'	4.00'
C14	830.00'	2°22.03"	34.30'	17.15'
C15	830.00'	3°23.24"	49.11'	24.56'
C16	830.00'	3°23.24"	49.11'	24.56'
C17	830.00'	3°23.24"	49.11'	24.56'
C18	830.00'	3°23.24"	49.11'	24.56'
C19	830.00'	1°20.47"	19.50'	9.75'
C39	770.00'	1°55.22"	25.84'	12.92'
C40	770.00'	4°13.10"	56.71'	28.37'
C41	770.00'	4°13.10"	56.71'	28.37'
C42	770.00'	4°13.10"	56.71'	28.37'
C43	770.00'	2°41.32"	36.18'	18.09'
C44	720.00'	3°35.28"	70.35'	36.18'
C45	720.00'	3°58.53"	77.44'	40.12'
C46	720.00'	6°51.22"	14.36'	7.19'
C47	720.00'	8°15.20"	17.47'	10.407'
C48	725.00'	1°13.04"	26.67'	13.34'
C50	725.00'	2°45.00"	60.24'	30.12'
C51	725.00'	2°17.06"	50.05'	25.03'
C52	725.00'	2°16.58"	50.05'	25.01'
C53	725.00'	0°19.19"	7.05'	3.53'
C54	445.00'	7°04.42"	54.98'	27.52'
C55	445.00'	9°21.25"	72.67'	36.42'
C56	445.00'	9°35.04"	74.44'	37.31'
C57	445.00'	10°04.45"	78.28'	39.24'
C58	445.00'	28°13.59"	219.28'	111.91'

LINE TABLE		
LINE	BEARING	DISTANCE
L3	S56°00'16"W	27.18'
L6	S56°00'16"W	30.28'
L7	S59°26'18"W	7.00'

- LEGEND**
- PERMANENT REFERENCE MONUMENT – SET 4" x 4" CONCRETE MONUMENT WITH DISC STAMPED BESH PRM LB #7514'
 - CONCRETE MONUMENT WITH DISC STAMPED PRM LB #7514' UNLESS OTHERWISE NOTED
 - PERMANENT CONTROL POINT – SET NAIL & DISK STAMPED BESH PCP LB #7514' UNLESS OTHERWISE NOTED
 - INDIVIDUAL LOT & TRACT CORNERS TO BE SET BY OTHERS (SEE NOTE 3, SHEET 1)
 - CONCRETE MONUMENT
 - IRON PIPE
 - IRON ROD
 - FOUND
 - LICENSED BUSINESS
 - CENTRAL ANGLE
 - CHORD DISTANCE
 - CHORD BEARING
 - TANGENT LENGTH
 - POINT OF CURVATURE
 - POINT OF INTERSECTION
 - POINT OF TANGENCY
 - CENTERLINE
 - RADIAL LINE
 - RADIUS
 - LENGTH
 - DRAINAGE EASEMENT
 - UTILITY EASEMENT
 - REFERENCE TO CURVE TABLE
 - REFERENCE TO LINE TABLE
 - PLAT BOOK
 - PAGE
 - PGS
 - ORB
 - OFFICIAL RECORDS BOOK





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date			
Tuesday, February 25, 2014			
Agenda Item Name			
Surplus Equipment			
Requested Action			
Move to declare surplus the listed equipment from the Information Technology Department and Fire Department.			
Staff Report			
The Fire Department is requesting two defibrillators be declared as surplus. The defibrillators will be traded in on the purchase of two physio-control life-pac 15 defibrillator/cardiac pacer portable devices, which are included in the current year budget. The Information Technology Department list of used equipment have reached end-of-life and are no longer repairable or usable.			
Legal Impact			
Additional Analysis			
Fiscal Impact Summary			
The total trade-in value of \$11,000 will result in the actual cost of the defibrillators replacement items being less than budgeted.			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			
1.	Fire Department Surplus List	Fixed Asset Disposal-Trade in- FD.pdf	
2.	Information Technology Surplus List	IT surplus list.pdf	

**CITY OF CLERMONT, FLORIDA
FIXED ASSET DISPOSAL/TRANSFER FORM**

Department Name: Fire

Date: February 4, 2014

Serial/Vin Number

14127643

Brand/Make

Physio-Control

Model Number

LifePak 12

Description of Asset:

12 lead EKG/Monitor/Defibrillator

Reason for Disposal/Transfer:

- ☐ Not working & beyond repair
- ☐ Sold (a copy of sales receipt and/or other evidence of sale must accompany this form)
- ☐ Obsolete
- ☒ Trade-In
- ☐ No longer needed
- ☐ Other: please explain in detail
- _____
- _____
- _____

Transfer – Employee accepting responsibility for the above item:

Property Transferred to: N/A

Date property transferred: N/A

Signature of employees receiving property:

Comments:

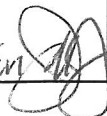
Disposal - *By my signature I represent under oath that the above facts are true and correct to the best of my knowledge.*

Method of Disposal: Traded in and sent to Vendor via UPS Ground

Date of Disposal:

2/6/2014

Disposed by:

J.M. Johnson FEMS Captain 

Witnessed by:



Finance office use only:

Date notice of disposal/transfer received & recorded:

2/6/2014

Recorded deletion/transfer fixed asset inventory records by:

**CITY OF CLERMONT, FLORIDA
FIXED ASSET DISPOSAL/TRANSFER FORM**

Department Name: Fire

Date: February 4, 2014

Serial/Vin Number

9039896

Brand/Make

Physio-Control

Model Number

LP12

Description of Asset:

12 Lead EKG/Monitor/Defibrillator

Reason for Disposal/Transfer:

- ☐ Not working & beyond repair
 - ☐ Sold (a copy of sales receipt and/or other evidence of sale must accompany this form)
 - ☐ Obsolete
 - ☒ Trade-In
 - ☐ No longer needed
 - ☐ Other: please explain in detail
- _____
- _____
- _____

Transfer – Employee accepting responsibility for the above item:

Property Transferred to: N/A

Signature of employees receiving property:

Date property transferred: N/A

Comments:

Disposal - *By my signature I represent under oath that the above facts are true and correct to the best of my knowledge.*

Method of Disposal: Traded in and sent to Vendor via UPS Ground

Date of Disposal:

2/6/2014

Disposed by:

J.M. Johnson, EMS Captain

Witnessed by:

Shelia Aguayo

Finance office use only:

Date notice of disposal/transfer received & recorded:

2/6/2014

Recorded deletion/transfer fixed asset inventory records by:

PC's

Brand	S/N
Dell	JRGYQ21
Dell	5P3KZ21
Dell	9KZZ021
Dell	7BNVV21
Dell	1S3KZ21

UPS

Brand	P/N
APC	2200
APC	2200
APC	725

Monitors

Brand	P/N
Viewsonic	VG720
Viewsonic	VG151
Viewsonic	VX922
Viewsonic	V9171
Viewsonic	VX922
Dell	E772P
Dell	1908FPT

Routers

Brand	S/N
Watchguard	90876290075BE

Printers

Brand	P/N
Xerox	6130
HP	1300n



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Contract Approval					
Requested Action					
Move to approve the contract with Tetra Tech for the Westside Water Main Loop.					
Staff Report					
Staff recommends approval of the Tetra Tech contract scope to survey, design and manage the construction of the Westside Water Main Loop. The project will improve system reliability to the Westside service area with the installation of approximately 23,000 linear feet (LF) of 12-inch water main. This Westside Water Main Loop will upgrade the Westside service area in conjunction with the East and West Water Interconnect project.					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
The requested approval amount is included in the current budget.					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
\$226,522.00		41533-53100-33106		\$1,360,000.00	
Exhibits Attached (copies of original agreements)					
1. Westside Water Main Loop			Westside Water Main Loop Scope - Reduced.pdf		



January 17, 2014

Mr. James Kinzler
Director of Environmental Services
3335 Hancock Rd.
Clermont, FL 34711

**Subject: City of Clermont
Professional Surveying and Engineering Services Proposal for the
Westside Water Main Loop**

Tt # 200BP Gen/Clermont

Dear Mr. Kinzler:

Tetra Tech is pleased to furnish this proposal for professional surveying and engineering services to complete survey, design, permitting, bidding/award and construction administration services for the above-referenced project. A detailed scope of services, compensation summary, and project implementation schedule are attached.

The following key cost items should be noted in the City's review of the submitted project proposals.

- The drawings are proposed to be plan and profiles at a 1" to 20' scale to adequately detail the proposed pipeline in the narrow and congested right-of-way corridor.
- The survey includes full intersection at both State Road (SR) 50 crossings.
- The construction management services have been based on an estimated construction duration of 9 months.

Tetra Tech looks forward to serving the City of Clermont on this project. If you should have any questions, please do not hesitate to contact me or Mr. Brian Foulkes at 407-839-3955.

Very truly yours,

Tetra Tech

A handwritten signature in blue ink, appearing to read 'Jon Fox', written over the printed name.

Jon Fox, PE
Vice President

Accepted by:

City of Clermont

Authorized Signature

Attachments

JDF/BP Prop/200BP Clermont/Westside WM Loop/Kinzler 01 17 14

C: Brian Foulkes, Tetra Tech

Tetra Tech, Inc.

201 E. Pine Street, Suite 1000, Orlando, FL 32801
Tel 407.839.3955 Fax 407.839.3790 www.tetrattech.com

ATTACHMENT "A"

SCOPE OF SERVICES

CITY OF CLERMONT WESTSIDE WATER MAIN LOOP (PROFESSIONAL SURVEYING AND ENGINEERING SERVICES)

I. PROJECT OVERVIEW

The City of Clermont (City) intends to upgrade portions of their existing potable water distribution system to increase system reliability in the Westside service area. The project includes installation of approximately 23,000 linear feet (LF) of proposed 12-inch water main and includes two Florida Department of Transportation (FDOT) crossings of State Road 50, as illustrated in Figure 1, attached. The water mains will include construction within the City of Clermont and FDOT rights-of-way. It is anticipated that construction will utilize primarily the open trench method of construction and trenchless technology in certain areas to minimize disruption along the proposed pipeline corridor.

This proposal is for professional survey and engineering services associated with final design, permitting, bidding/award and construction services of the Westside Water Main Loop project as detailed in the following scope of services. Services rendered shall be performed in accordance with the City of Clermont/Tetra Tech, Inc. Continuing Contract and Agreement for Professional Engineering Services for Public Works Projects dated October 13, 2009.

II. SCOPE OF SERVICES

A. Survey

1. Tetra Tech shall provide a topographic/route survey of approximately 20,000 linear feet of half right-of-way over the route detailed in Figure 1. A survey from a previous assignment will be reused for the remaining 3,000 LF of survey. Survey shall include the following:
 - a. Establish all horizontal and vertical control for a topographical survey of the project based on State Plane Coordinate System NAD83 (2007) Florida East Zone, NAVD 1988.
 - b. Survey data shall include topographic information, baseline control points every 1,000 feet (maximum spacing), vertical control points, section corners, subdivision control points, PRMs, right-of-way monuments, spot elevations, subdivision control points. The utility corridor to be surveyed includes half width of the right-of-way and full intersection of the two (2) Highway 50 crossings.
 - c. Review right-of-way deeds of record and recorded plats for determination of existing right-of-way or easement widths along the route. Right-of-way or easement and property boundaries shall be plotted on survey drawings for the project route. The cost for supplemental title work, if required, will be paid by the City.

- d. Cross section elevations shall be shown to describe the nature of the topography and shall be provided at a minimum spacing of 50 feet along the proposed route to identify changes in grade. Cross sections shall also be provided at locations determined by the design Engineer to clarify the nature of the proposed work. Water surface elevations of all water bodies within the surveyed area shall be identified and provide both elevations and date.
- e. Improvements along the corridor will be surveyed and elevations taken. In general, the following entities shall be shown and identified: existing right-of-way, existing easements, swales, wetland boundaries as flagged by others, cross sections of topography, existing buried utilities, structures, tree trunk and foliage outline for trees 4" in diameter and larger, foliage outlines, sidewalks, culverts, end walls, water bodies, curbing, fences, driveways, valve boxes, utility poles, fire hydrants, utility boxes, utility markers, roadway (paved or unpaved), manholes, and soil boring locations. For the right-of-way surveyed, the existing underground utilities will be either field located as flagged others or based on as-built documents provided by each public or private utility.
- f. Set horizontal control points throughout the project route. These points will consist of iron rebar with caps and shall be set at all baseline turns.
- g. The Surveyor shall provide the elevation of benchmarks throughout the project route. The benchmarks will be located at approximately every 600 feet along the utility alignment

B. Geotechnical

During design, Tetra Tech shall arrange and pay for an independent soils investigation/testing firm to provide necessary soils data and other pertinent information required for permitting the FDOT crossings of Highway 50. Soil boring logs and classifications, existing groundwater levels and estimated seasonal high levels, and pipe trench and backfill requirements will be submitted in report format. It is estimated that the soils investigation will include a total of four (4) SPT boring to a depth of 15 feet, two (2) at each crossing of Highway 50.

C. Final Design

The final design will result in preparation of the appropriate number of bidding and contract documents, engineering drawings and technical specifications, which will be submitted to the City for review at 50-, 90- and 100-percent completion levels. The 50-percent submittal will generally include: the water main in plan view and draft technical specifications. The 90-percent submittal will generally include: updated water main in plan and profile view, and updated technical specifications incorporating the comments received from the City on the 50-percent submittal and an opinion of project construction cost.

Three (3) sets of drawings and specifications will be provided to the City for each review. A review meeting will be held with the City following each submission. In addition, an opinion of cost will accompany the final design documents. To ensure proper design of the facilities, Tetra Tech will discuss and receive approval from the City for any substantial changes in the design prior to incorporation in the final design. The tasks to be completed during this phase are summarized below:

1. Tetra Tech will attend and conduct a project kick-off meeting with the City to establish lines of communication, contract requirements and schedule. After the kickoff meeting Tetra Tech will drive the route with the City to determine the general alignment of the pipeline. Tetra Tech will be responsible for preparing meeting minutes for distribution. The minutes will include a figure showing the recommended side of the road for the route that will be approved by the City prior to survey and design.
2. Prepare construction drawings and specifications for the pipe line illustrated in the attached figure. Documents shall include drawings and specifications covering:
 - a. Cover sheet, index, general notes and project location map.
 - b. Plan and profile drawings (scale 1"= 20' and 1"=2' vertical) for the water transmission main. Drawings will be prepared using AutoCAD, Release 2011. A typical drawing sheet at 1:20 scale illustrates 600 LF of pipeline. Based on the overall length of 23,000 LF the Drawing set will include forty (40) pipeline drawings.
 - c. Standard and special construction details sheets and other required drawings.
 - d. Prepare a comprehensive project manual to contain bidding and contractual documents (Divisions 0 and 1) and technical specifications for competitive bidding (Divisions 2 through 16). The project manual and its contents will be formatted in accordance with the Construction Specification Institute (CSI) in Microsoft Word. Tetra Tech will provide a line item bid form for inclusion into the City's Division 0. Tetra Tech will also provide General Conditions from EJCDC.
 - e. Prepare a final opinion of construction cost based on previous bid tabulations, vender quotes and estimates provided by contractors.
 - f. Provide the Owner three (3) complete sets of final contract documents.
3. A preliminary list of drawings is presented below:

General

Cover Sheet

Location Map, General Notes, and Drawing Index

Legend and Abbreviations

Key Map

Pipeline – Plan and Profile (40 Sheets) (Scale 1" = 20' horizontal and 1" = 2' vertical)

Details (3 Sheets)

D. Permitting

Tetra Tech will prepare and submit the following permit applications and supporting documentation to the Florida Department of Environmental Protection (FDEP), and Florida Department of Transportation (FDOT) as required to obtain permits for construction and operation the proposed facilities. Tetra Tech will also respond to requests for additional information (RAIs) from permitting agencies to clarify the original applications. All permit application fees will be paid by the City.

1. Prepare and submit FDEP Permit Application for a Specific Permit to Construct PWS Components, Form 62-555.900(1).
2. Prepare and submit right-of-way utilization permit applications to FDOT.

F. Bidding and Award

Upon advertisement of the project by the City, Tetra Tech will assist the City with bidding of the project and will complete the following tasks:

1. Provide one (1) copy of the Contract Documents (engineering drawings and specifications) in PDF format for distribution to potential bidders by the City's Purchasing department.
2. Respond to questions and prepare addenda as required to interpret, clarify or expand the bidding documents. The City Purchasing department will distribute all addenda to bidders.
3. Attend and conduct one (1) pre-bid meeting with representatives of the City and potential bidders.
4. Review and evaluate the apparent low bidder's qualifications for undertaking the work.
5. Consult with and advise the City as to the acceptability of subcontractors and other persons and organizations proposed by the prime contractor.
6. Assist the City in evaluating bids and make recommendation of the award of the contract.
7. Prepare three (3) copies of a conformed set of Contract Documents and one (1) electronic set in a PDF format for the City the recommended Contractor.

E. Construction Administration

Upon award of the project, Tetra Tech will assist the City with construction administration and shall complete the following tasks based on a construction duration of 9 months:

1. Prepare for and administer one (1) preconstruction meeting and prepare written minutes of the meeting for distribution to attendees.
2. Attend periodic progress and specially scheduled meetings throughout progress of work. Progress meetings will be held monthly and additional meetings as needed to coordinate

work in progress. It is anticipated that 7 meetings will be needed at an average duration of one (1) hour each, followed by a site visit at an average duration of one (1) hour each.

3. Review shop drawings to determine conformance with the design concepts of the project and compliance with the requirements provided in the contract documents. A total of twenty (20) shop drawings are anticipated.
4. Review requests for information (RFIs), provide interpretation of construction documents, and issue written clarifications or interpretations. A total of fifteen (15) total RFIs are anticipated.
5. Review the Contractor's application for payment and the accompanying data and schedules, determine the amounts owed to the Contractor, and advise the City of the recommended payments to the Contractor.
6. Upon written request by the Contractor, conduct a substantial completion inspection of the project with the City and distribute a punch list of observed deficiencies to be completed by the Contractor prior to the final completion date. The project will be certified substantially complete only if the work is sufficiently complete in accordance with the contract documents, so that the work can be utilized for the purposes for which it is intended.
7. Review the Contractor's as-built submittal for adequacy and review listing of deviations from the construction permits and approved construction documents. Prepare record drawings for City's use from information provided by the Contractor delineating the dimensions, location, and elevation of all facilities constructed. Provide the City with one (1) electronic file of record drawings in PDF format and three (3) sets of prints of the record drawings.
8. Prepare and submit certifications and required supporting documentation to regulatory agencies having jurisdiction.

III. COMPENSATION SUMMARY

The proposed lump sum compensation for the Scope of Services described in Section II is summarized below.

Task	Fee
A. Survey	\$ 56,083
B. Geotechnical	\$ 2,600
C. Final Design	\$ 116,448
D. Permitting	\$ 7,585
E. Bidding /Award	\$ 5,692
F. Construction Management	\$ 34,814
G. Reimbursable	\$ 3,300
TOTAL LUMP SUM	\$ 226,522

The following is an additional line item to perform field location of the existing underground power, communication and gas along the route, by Southeastern Surveying. Field location of these items can reduce conflicts and changes during the construction phase of the project.

Additive Utility Locates	Fee
Utility Locates	\$ 16,000
TOTAL LUMP SUM ALTERNATIVE	\$ 16,000

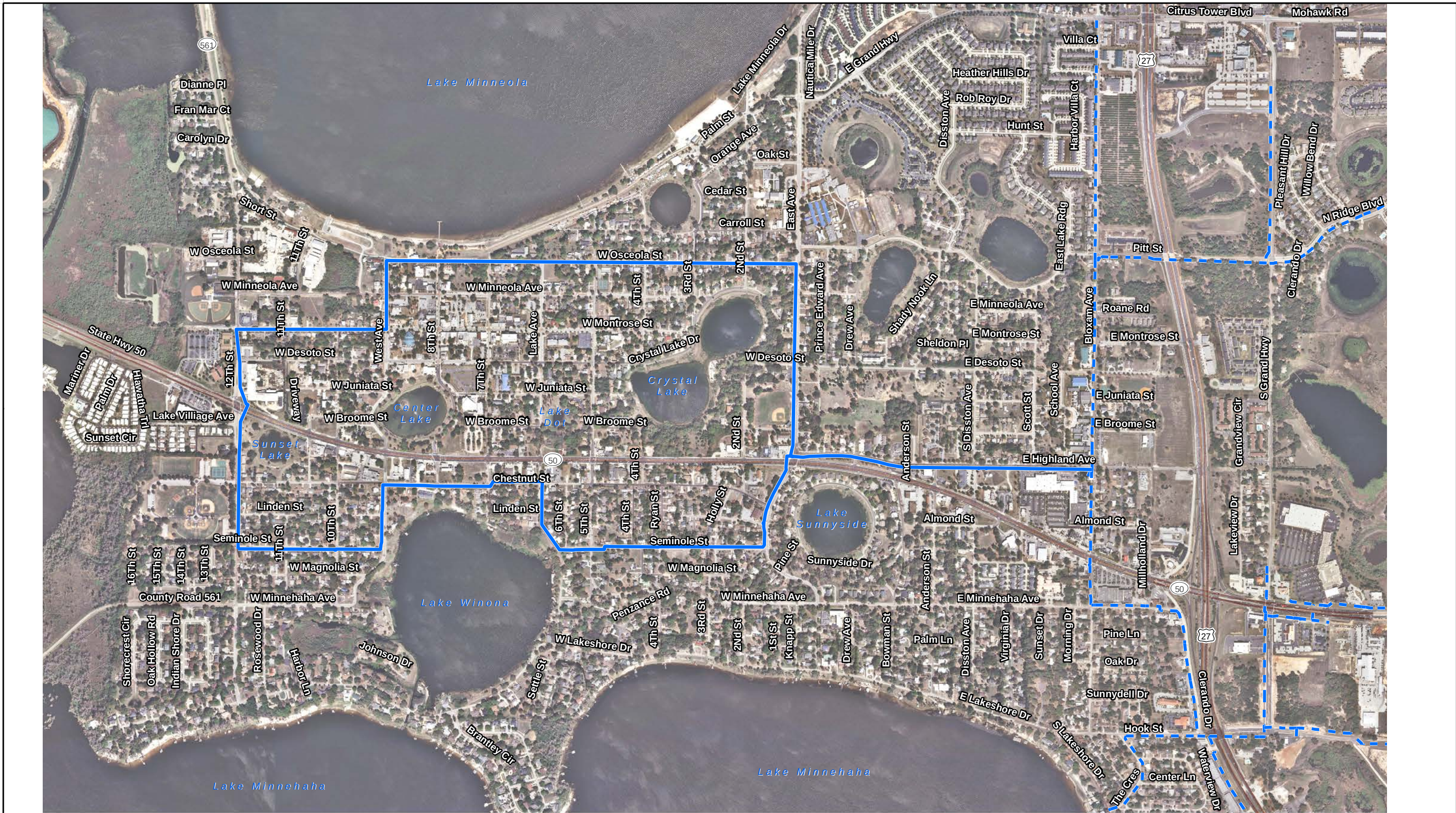
IV. SCHEDULE

The anticipated delivery schedule for the project is presented below:

Task	Duration (days)	Cumulative Days from NTP
Kick-Off Meeting / Notice to Proceed	0	0
ROW Review	15	15
Survey	60	75
50% Design Submittal	60	135
City 50% Design Review	30	165
90% Design Submittal and OCPW Submittal	60	225
City 90% Design Review	15	240
100% Design Submittal	30	270
City 100% Design Review	15	285
Bid Submittal	15	300

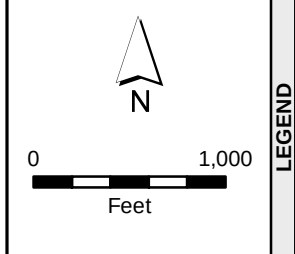
V. SERVICES NOT INCLUDED/ASSUMPTIONS

- A. Permit Application Fees – The check(s) for the permit application fee(s) will be issued by the City.
- B. Other Permits – This proposal does not include permitting services for any permits (including ERP permitting) not previously listed.
- C. Cost of supplemental title work, if required for survey (not anticipated to be required).
- D. If utility locate alternative is not chosen, utility field locates for survey will not be complete.
- E. No soft digs have been estimated or included in this proposal. City will excavation and provide the horizontal and vertical location of existing pipes at proposed “tie-in” locations and critical utility conflicts and provided depths and locations to Tetra Tech.
- F. Cost of advertising the project shall be paid for by the Owner.
- G. City shall verify substantial completion punch list and verify completion of items. After City verifies completion of the substantial punch list, Tetra Tech will issue final completion certification.
- H. City to provide daily inspection during construction.
- I. Alternative route analysis and property acquisition assistance are not included in the proposal, it is assumed the corridor will allow for construction of the proposed water main.



Source: City of Clermont GIS; FDOT 2011 Imagery

CITY OF CLERMONT



LEGEND

- Proposed 12" WM
- - - Existing 12" WM

WESTSIDE WATERMAIN LOOP

TETRA TECH

FIGURE 1

M:\200-08310_Clermont\GIS\12-inch Water Lines_BFoulkes\maps\BLWaterMains.mxd [betty.morris 1/16/2014]



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date			
Tuesday, February 25, 2014			
Agenda Item Name			
Contract Approval			
Requested Action			
Move to approve to piggyback the Lake County contract with Booth, Ern, Straughn & Hiott, Inc. (BESH) for Public Plan Review and Inspection Services.			
Staff Report			
THE PURCHASING DIVISION AND PLANNING & ZONING DEPARTMENT RECOMMEND APPROVAL OF THE ABOVE ACTION. The Planning & Zoning Department contacted the Purchasing Division to determine the most cost effective manner to obtain backup services for building plan review and inspection services. The Purchasing Division found the Lake County contract number 12-0226 to provide the best option for the services requested by the Planning & Zoning Department. In accordance with the direction of City Council, the Purchasing Division issued a Request for Interest (RFI) to notify local vendors of the City's intent to utilize other governmental entities' contract. The RFI was posted on the City's website for ten (10) business days. At the completion of the RFI, the Purchasing Division received no interest. Based on this, staff recommends that Council approve to piggyback the Lake County contract No. 12-0226. Lake County contract 12-0226 was obtained through a fully competitive solicitation and complies with the City of Clermont Purchasing Policy.			
Legal Impact			
Additional Analysis			
Fiscal Impact Summary			
Fiscal impact is not able to be determined. Funds included in the current budget for the Nova building services contract would be available for this contract if needed.			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
\$0.00	11524-53191 Pro Svcs-Building Services	\$304,654.00	
Exhibits Attached (copies of original agreements)			



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Event Request					
Requested Action					
Move to approve the Downtown Art Festival scheduled for November 1 - 2, 2014.					
Staff Report					
The South Lake Art League with the Clermont Downtown Partnership is hosting the Downtown Clermont Art Festival on November 1 - 2, 2014. The event is requesting to close off Montrose Street from Lake Avenue to West Avenue and Eighth Street from Montrose St. to the entrance to Engage Church on Eighth Street. The event is also requesting to have night time event security provided by Clermont Police Department and paid for by the City of Clermont on Friday from 7pm - 6am (11 hrs) and Saturday from 5pm - 6am (13 hrs). The event is also requesting to have an entertainment zone that alcohol will be allowed on the streets of Clermont within the streets that have been requested to be closed for the event. The event is also requesting to have the City of Clermont provide Police Officers for the entertainment zone during the event hours of 12pm - 4pm on Saturday and Sunday at the City of Clermont's expense.					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
Police Officers for night security - 24 hrs total x 1 officer @ \$35 hour = \$840 Police Officers for entertainment zone - 8 hrs x 2 officers @ \$35 hour = \$560					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					
1. Art Festival Nov. 1 & 2, 2014			Art Festival Nov. 1 - 2, 2014 Council.pdf		



February 5, 2014

The South Lake Art League in conjunction with the Clermont Downtown Partnership is hosting the Downtown Clermont Art Fest November 1 and 2, 2014. In 2013, this event drew 35 fine artists and crafters from around the Southeast and Florida., and 3500+ patrons. Included in this packet, please find the letter of welcome from CDP President Ron Smart noting the changes and additions made to 2013. As we begin the process of planning for 2014, we wish to request support services from the City of Clermont.

The requested street closures are Montrose from Lake Ave to West. The event scope will be from in front of City Hall to in front of the current police station. As Choice Collections has not responded favorably to the closure of their driveway for this event, we would like to request to utilize the portion of 8th currently closed on Sundays as part of the Farmers Market expansion, for the expansion of this event. On Sunday, if the Farmers Market can fit into the space on Montrose between City Hall and Lake, that space will be utilized. If the current success of the market expansion is still being realized, we respectfully request to close DeSoto Street between 7th and 8th for the Farmers Market on Sunday November 2nd.

In the past years, the City of Clermont has supported this event by providing off duty officers as security on Friday evening from 7 pm to 6 am and Saturday evening from 5 pm to 6 am. We would like to request that support for 2014. In 2013, an "entertainment zone" was added allowing patrons to the event to purchase wine or beer from the local businesses located within the event's geographic scope. CDP was required to have 2 police officers posted within the event boundaries. It would be appreciated if the City of Clermont would include those required officers into their fiscal support of this event.

As always, we appreciate the continued commitment to the mission of the Clermont Downtown Partnership to continue to put "feet on the Street" in Historic Downtown Clermont.

For any questions or concerns, please contact the DCAF coordinator, Mary Prescott at 352-406-0904.

Thank you for your time and consideration.

Clermont Downtown Partnership
P.O. Box 120734
Clermont, Florida 34712
www.ClermontDowntownPartnership.com



Welcome to Clermont! On behalf of the Clermont Downtown Partnership, host of the Downtown Clermont Arts Festival, thank you for participating in DCAF2013. We're very pleased that you have chosen Historic Downtown Clermont this weekend to showcase your creative talent, your technical skill, and your dedication and commitment to your craft. We've put together what promises to be a solid event for you and DCAF visitors.

Though this is the 7th Annual Downtown Clermont Art Festival, 2013 marks the third year of the Clermont Downtown Partnership's commitment to rebranding of what is rapidly becoming a signature event in our community. For example, DCAF2013 marks several "firsts" for this growing event:

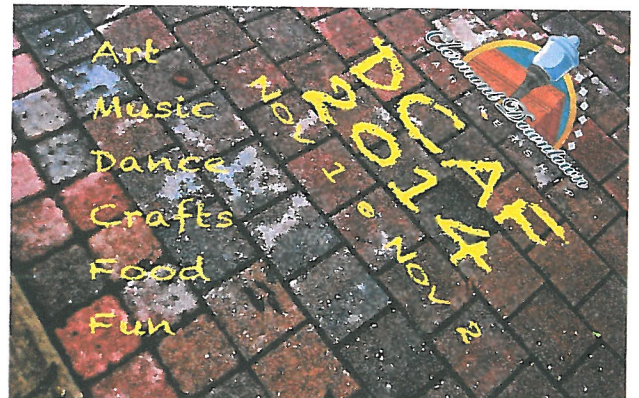
- The first year that DCAF has a title sponsor
Thank you South Lake Art League! We appreciate you and the Community Foundation of South Lake for making DCAF2013 possible.
- The first year for full sponsorship of the Kids InterActive Art Zone
Thank you GatorSkitch Architects! Your generosity allows DCAF help ignite imagination. Ten booths are dedicated to involving our youth and their parents in free activities. Public and private school teachers who know the value of encouraging today's children to express themselves and to exercise and develop their creativity will host this area. The GatorSkitch Kids Zone also features displays of student artwork.
- The first year DCAF has surpassed 45 art exhibits.
Many of you are returning for your second or third DCAF -- making a statement that you've enjoyed success at DCAF in the past and expect to have success this year.
- The first year that 30 artists are competing for cash awards, the most judged DCAF artists to date.
- The first year for a Street Players Stage.
This "platform", in the Kids Zone, includes a professional mime, percussion instruments from around the world and other activities welcoming youngster participation.
- The first year the City of Clermont has designated DCAF as an "Entertainment Zone"
From 12:00pm to 4:00pm Saturday and Sunday, visitors to DCAF may purchase adult beverages from Montrose Street locations and enjoy their wine or beer while walking the show.
- The first year to have our MainStage at the new City Hall Park – a welcoming area for visitors to relax, enjoy a beverage and good food while taking in the excellent music from a stellar line-up of jazz, blues, pop/rock, and eclectic musicians.
- The first year to have our Artist & Sponsor Reception in the new Clermont Community Center.
- The first year to have the DCAF Kiwanis Club of South Lake Pancake Breakfast at the CCC.

Whether you're a first year DCAF artist or a returning one, we know this event is about you, your work and putting people in front of your work. We believe art is important to all of us - for enjoying, for inspiration, for imagination. We believe art events are good for business, yours and ours. That's why the CDP has assigned the largest budget for DCAF we've had so far. Investing in advertising exposure, publicity, entertainment and all the things it takes to make events attractive to artists and to art buyers. You've done your part – and we've implemented plans to do ours.

So, here's to a great DCAF2013! Please enjoy the hospitality the Clermont Downtown Partnership businesses are offering you. We'll be visiting with you and making notes about DCAF2014.

Ron Smart

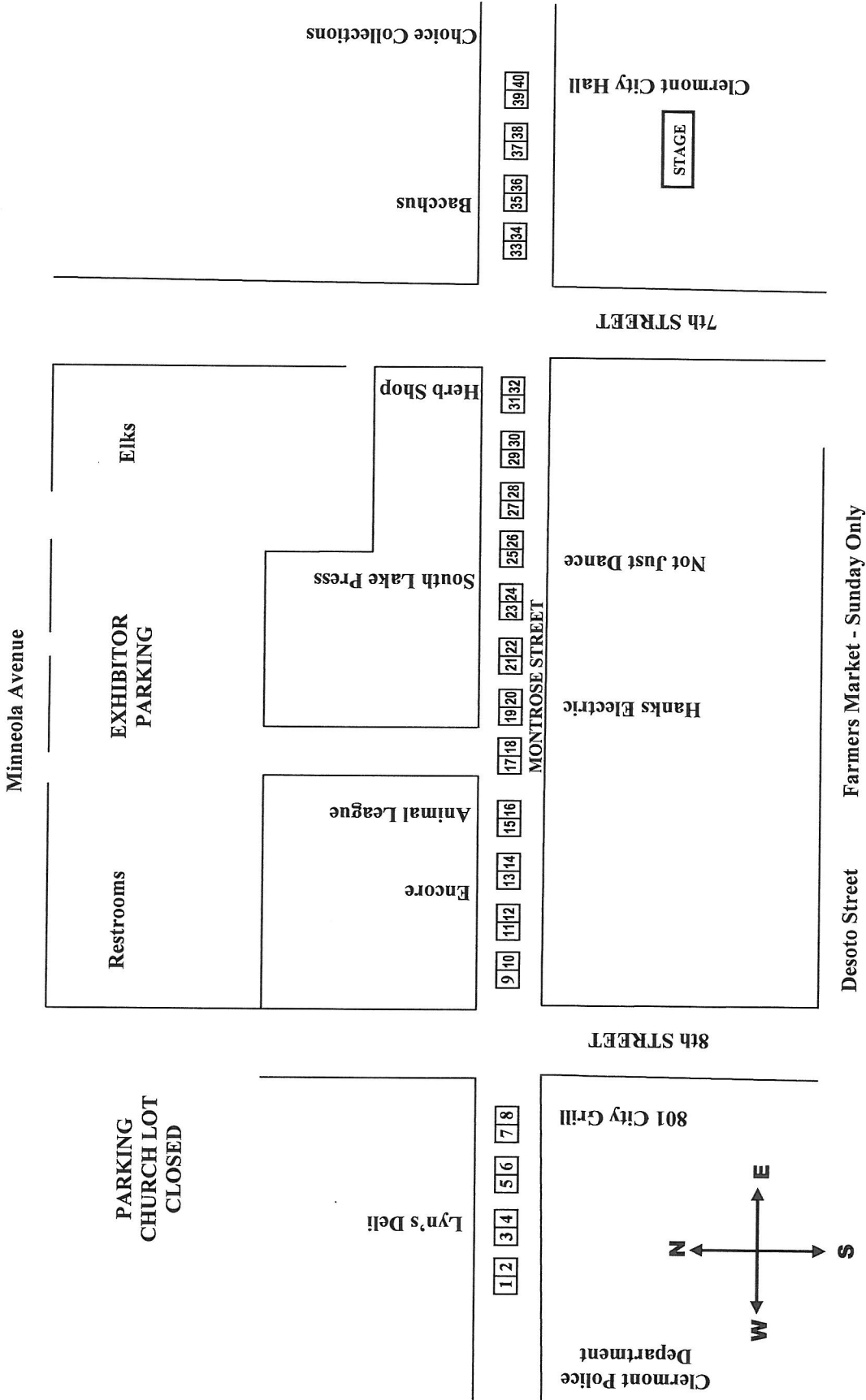
Clermont Downtown Partnership, President
Chair, Downtown Clermont Art Festival 2013



DOWNTOWN CLERMONT

ART FEST

Saturday, November 1st 10am - 4pm
 Sunday, November 2nd 10am - 4pm





CITY OF CLERMONT EVENT APPLICATION

If approved, this application will be subject to the attached use agreement and responsible for any charges associated with this rental.

Date of Application: 2/6/14 Name of Event: Downtown Clermont Art Fest

Date(s) of Request: 11/1-2/14 Actual Event Hours Start: 10 AM End: 4 pm
(All events must end no later than 10pm)

Set Up Hours Start: 10/31 5pm End: 11/1 9 AM Breakdown Hours Start: 11/2 4pm End: 7 pm

Please list all City of Clermont facilities and/or streets being requested: Montrase between Lake Ave. & West Ave. Cler. Com. Center Patio 11/1 4-8pm

Name of Organization/Renter: Clermont Downtown Partnership

Check Type of Organization: ☒ Not for Profit ☐ For Profit ☐ Commercial ☐ Individual ☐ Government

Tax Exempt: ☐ Yes ☒ No If Yes, you must provide your Tax Exempt # _____

Federal ID #/Drivers License #: 59-3749760 Website: clermontdowntownpartnership.com

Event Contact: Mary Prescott Email: mprescott@cfl.rr.com

Day Phone: 352-406-0904 Cell Phone: Same Other Phone/Fax: _____

Address: P.O. Box 120734 City: Clermont State: FL Zip: 34712

Secondary Contact: Ron Smart Phone#: 405-204-0839

Briefly Describe Event: Fine Art / Fine Craft Show, Children's interactive area, entertainment.

(Please attached any additional information such as a flyer, brochure or anything else that is pertinent to your event)

Do you have any special requests? (i.e. road closures, electrical, extra trash needs, special cleaning or stocking of bathrooms, etc):

barricades, garbage cans - Satpm Sun am p/up. Security

Event Participants: 100 Expected Attendance: 4000 # of Vehicles: _____

Are you planning on having food? ☒ Yes ☐ No Type of food: Concessionaires

Are you planning on selling food? ☒ Yes ☐ No Will you have an admission fee: ☐ Yes ☒ No If yes, how much: _____

Do you intend to set up tents? ☒ Yes ☐ No If yes, then how big, how many and where? 10x10 exhibitors
(a special tent permit may be required)

****Please attach a proposed layout showing your event including parking, set up, tents, event items, etc.**

I understand and agree that I am responsible for any vandalism or damage to the buildings and/or fixtures during my rental dates. As assurance of such responsibility I am posting the required deposit, which will be returned to me after the completion of my scheduled event, providing that the rental facilities, buildings and fixtures are not damaged, that all equipment has been properly stored and additional cleanup is not necessary. I understand all rental fees and deposit is required at time of reservation.

Mary Prescott 2/6/14
Applicant Signature Date

Rules received and read (initial): MP

City of Clermont Recreation Department, 685 W. Montrose Street, Clermont, FL 34711
(352) 241-7352 phone, (352) 394-3542 fax, www.cityofclermontfl.com



February 5, 2014

The South Lake Art League in conjunction with the Clermont Downtown Partnership is hosting the Downtown Clermont Art Fest November 1 and 2, 2014. In an effort to add value to the patrons, the event committee would like to include a "Wine Zone" to the event. Beginning at 12 noon and continuing to the close of the festival at 4 pm, patrons would be able to consume either wine or beer while viewing the Fine Art and Fine Crafts at the festival. Patrons would be denied access with alcoholic beverages into the Kids Zone. The Gatorskitch Kids Zone is located on Montrose between 8th and the Clermont Police Department. The festival committee will provide volunteers at the access points of the festival to maintain the patrons stay within the designated consumption areas.

Alcoholic beverage service would be provided by Vineyards of the World, Bacchus Vino Etcetera and 801 City Grill, all licensed establishments.

On Saturday evening, November 1, 2014, the DCAF committee hosts and invitation only reception and awards ceremony for the artists and sponsors of the Festival. In 2013, this event was held at the Clermont Community Center. The committee is also requesting permission to serve beer and wine at this event should we have the privilege of utilizing the Community Center again.

For any questions or concerns, please contact the DCAF coordinator, Mary Prescott at 352-406-0904.

Thank you for your time and consideration.

Clermont Downtown Partnership
P.O. Box 120734
Clermont, Florida 34712
www.ClermontDowntownPartnership.com



CITY OF CLERMONT

Alcohol Request Form

Date of Application: 2/6/14 Name of Event: Downtown Clermont Art Fest.
Date (s) of Event: 11/1-2/14 Location of Event: Historic Downtown
Event Times: From: 9A am/pm To: 4 am/pm
Name of Organization/Renter: Clermont Downtown Partnership
Check Type of Organization: ☒ Not for Profit ☐ For Profit ☐ Commercial ☐ Individual ☐ Government
Contact Name: Mary Prescott Email: mprescott@cf1.rr.com
Day Phone: 352 466-0904 Cell Phone: () Same
Address: P.O. Box 120734 City: Clermont State: FL Zip: 34712
Event Description: Fine Art / Fine Craft festival. Requesting open container w/in festival confines. Also permission to serve @ Artist Award Ceremony 11/1-5pm-9pm
What do you plan on serving? ☒ Beer ☒ Wine/Champagne (check all that apply) ☐ Other 9pm
What is your beverage containment area? Outside event attach diagram, Inside event list room/s: CCC-patio
Outside event diagram attached
Who is your licensed beverage caterer? during festival - 801 Vinoyards @ CCC
TBD

I declare that all information herein is true and complete to the best of my knowledge.
I understand that approval of this request is NOT a grant of a liquor license.

Mary Prescott 2/6/14
Applicant Signature Date

FOR CITY STAFF USE ONLY

The foregoing application has been reviewed and **PERMISSION TO USE PARK PREMISES FOR THE SERVICE OF ALCOHOLIC BEVERAGES IS:**

☐ **GRANTED ALCOHOL BEVERAGES.** In order to receive an alcohol approval for your event, applicant must meet all requirements of the City of Clermont, County and State of Florida. A certificate of insurance is required.

☐ **GRANTED ALCOHOL BEVERAGES AS AMENDED:** _____

☐ **DENIED** for the following reason (s): _____

SIGNATURE

TITLE

DATE

Please return the completed request to:
City of Clermont Recreation & Events Department
Attention: Special Event Request
685 West Montrose Street, Clermont, FL 34711



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Event Request					
Requested Action					
Move to approve the Clermont Craft Beer Festival scheduled for May 17, 2014.					
Staff Report					
The Craft Beer Festival will be put on by Vineyards of the World on May 17, 2014. The Festival is a celebration of craft beers with local beer distributors to have their beer sampled, with music and food vendors on the downtown Clermont streets. The event is requesting to close off Montrose Street from 8th Street to Choice Collections in front of City Hall. The event is requesting to place a stage on the City Hall Park grass area, use electrical power from the downtown outlets, be supplied with extra trash cans, street barricades, and the use of City Staff during the event hours to assist with trash removal. The event is requesting an entertainment area that encompasses the streets being closed where alcohol will be allowed to be served and carried around in plastic cups. In addition, the event is requesting that the necessary Police required for the entertainment area be supplied and paid for by the City of Clermont.					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
City Police Officers - 9 hours of event coverage at \$34 per hour for two (2) officers equals \$612					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					
1. Craft Beer Festival Information			Craft Beer Festival Council Information 5-17-2014.pdf		



Clermont's Craft Beer Festival

Dear City Council,

We reached out this time to ask for permission to celebrate the **FIRST CLERMONT'S CRAFT BEER FESTIVAL**. This event will take place on May 17, 2014 and just in time to celebrate the American Craft Beer Week. Microbreweries have gained great momentum in the last 5 years and we are currently at the peak of the interest. Our town is a great supporter of this trend and we have noted this at our restaurant. A **microbrewery** or **craft brewery** is a brewery that produces a limited amount of beer. Exact definitions vary, but the terms are typically applied to breweries that are much smaller than large-scale corporate breweries and are independently owned. Such breweries are generally characterized by their emphasis on flavor and brewing technique. We currently serve over 300 different craft beers from all over the world. Nevertheless, due to alcohol licensing restrictions we can't showcase some of the smaller breweries located in Central Florida. According to the law, we need to buy from distributors and not straight from the brewery. Some of these breweries do not have a distribution agency and sell their product only at their breweries.

With this in mind, several cities celebrate the **CRAFT BEER FESTIVAL**. This is a chance to showcase all local breweries to the public. The event will consist of these local breweries sampling their product to the public during the event and try to entice them to tour the breweries and buy their product. Currently Orlando, Leesburg and Tampa celebrate this event with great success. Our main point of celebrating this event in Downtown Clermont is to use this craft beer massive appeal to attract people to our downtown and create awareness that Downtown Clermont exists. With so much expansion in the main highways of town attention has diverted from Downtown Clermont. Our focus is to bring people to downtown Clermont to enjoy its shops, restaurants and waterfront and procure that they feel intrigued enough to comeback.

We are requesting for permission for street closure and outside alcohol consumption in order to celebrate this event. We will like to place a stage in the newly established green area where Jenkin Stadium used to stand. There we will host some live entertainment as well as little workshops in regards the beers. We, Vineyards of the World, will sell beer for consumption at the event while the breweries and the beer distributors will sample their brews. So far we have confirmed for participation HOURGLASS BREWERY (Longwood, FL), DUNEDIN BREWERY (DUNEDIN, FL), SEVENTH SUN BREWERY (DUNEDIN, FL), CIGAR CITY (TAMPA, FL) and yet to be confirmed we have Cask and Larder, Orlando Brewing and another 10. The event will also have food trucks and vendors. The

hours of the event will be from 1pm til 11pm on Saturday May 18, 2014. We are expecting between 250-650 people since it's the first time we host this event.

Finally, we will like to request for some kind of sponsorship of any kind towards this event. We hosted the OKTOBERFEST with great success but with a high cost for a small business owner which we assumed since we just want to bring business to Downtown Clermont. Downtown Clermont desperately needs more events and attention. Merchants alone cannot achieve this goal. Any kind of sponsorship towards this event will be greatly appreciated it. Like this, our citizens can note that the City of Clermont is committed to revitalize our Downtown. A brilliant Downtown District is the heart of any city. After been 2 years in business and hosted several events such as the OKTOBERFEST and beer walks without incident we feel inclined to ask for your sponsorship and permission to host this event in our Downtown. We are forever thankful for your support to our previous efforts and events and we hope we can count with your support one more time. If you have any questions, please contact us at (352) 988-4545.

Sincerely,
/s/ Yellymary Montalvo Quintero, J.D.
Yellymary Montalvo Quintero
Vineyards of the World
Proprietor
Tel. (352) 988-4545
712 W. Montrose Street
Clermont, FL 34711

7th Street

Montrose Street

8th Street

Proposed Stage Location



CITY OF CLERMONT EVENT APPLICATION

If approved, this application will be subject to the attached use agreement and responsible for any charges associated with this rental.

Date of Application: Jan / 29 / 14 Name of Event: ~~Barrel Train~~ Clermont Craft Beer Festival

Date(s) of Request: May 17 2014 Actual Event Hours Start: 1pm End: 10pm

Set Up Hours Start: 10am End: 12:30 Breakdown Hours Start: 10pm End: 11:30pm
(All events must end no later than 10pm)

Please list all City of Clermont facilities and/or streets being requested: 8th St, Montrose, Minneola,
open container zone

Name of Organization/Renter: _____

Check Type of Organization: ☐ Not for Profit ☒ For Profit ☐ Commercial ☐ Individual ☐ Government

Tax Exempt: ☐ Yes ☒ No If Yes, you must provide your Tax Exempt # _____

Federal ID #/Drivers License #: _____ Website: _____

Event Contact: Yellmay Montelw Email: wineboxbar@gmail.com

Day Phone: (352) 988-4545 Cell Phone: same Other Phone/Fax: _____

Address: 712 W Montrose St City: Clermont State: FL Zip: 34711

Secondary Contact: Sascha Weyer Phone#: (305) 846-1858

Briefly Describe Event: Celebrate American Craft Beer Week with local
beers to sample, special guest, music & food trucks

(Please attached any additional information such as a flyer, brochure or anything else that is pertinent to your event)

Do you have any special requests? (i.e. road closures, electrical, extra trash needs, special cleaning or stocking of bathrooms, etc):

Road closure of mentioned streets, electrical, extra trash, cleaning, police, barricades, toilets

Event Participants: vendors (approx 30) Expected Attendance: 500 # of Vehicles: _____

Are you planning on having food? ☒ Yes ☐ No Type of food: Food Trucks

Are you planning on selling food? ☒ Yes ☐ No Will you have an admission fee? ☒ Yes ☐ No If yes, how much: \$15 or less

Do you intend to set up tents? ☒ Yes ☐ No If yes, then how big, how many and where? 15 30

in the mentioned streets (a special tent permit may be required)

**Please attach a proposed layout showing your event including parking, set up, tents, event items, etc.

I understand and agree that I am responsible for any vandalism or damage to the buildings and/or fixtures during my rental dates. As assurance of such responsibility I am posting the required deposit, which will be returned to me after the completion of my scheduled event, providing that the rental facilities, buildings and fixtures are not damaged, that all equipment has been properly stored and additional cleanup is not necessary. I understand all rental fees and deposit is required at time of reservation.

[Signature]
Applicant Signature

1/29/14
Date

Rules received and read (initial): YML

City of Clermont Recreation Department, 685 W. Montrose Street, Clermont, FL 34711
(352) 241-7352 phone, (352) 394-3542 fax, www.cityofclermontfl.com



CITY OF CLERMONT Alcohol Request Form

Date of Application: Jan 30 2014 Name of Event: Clermont Craft Beer Festival
Date (s) of Event: May 17, 2014 Location of Event: Downtown Clermont
Event Times: From: 1 pm am/pm To: 10 am/pm
Name of Organization/Renter: Wine Box, LLC
Check Type of Organization: ☐ Not for Profit ☒ For Profit ☐ Commercial ☐ Individual ☐ Government
Contact Name: Jellyman Montelvo Email: wineboxbar@gmail.com
Day Phone: (352) 488-4545 Cell Phone: (none)
Address: 712 W Montrose St City: Clermont State: FL Zip: 34711
Event Description: Celebrate American Craft Beer week w/ local beers to sample, special guests, music & food trucks
What do you plan on serving? ☒ Beer ☒ Wine/Champagne (check all that apply) ☐ Other _____
What is your beverage containment area? Outside event attach diagram, Inside event list room/s: Stn 7, Minnecela St
Who is your licensed beverage caterer? Wine Box LLC

I declare that all information herein is true and complete to the best of my knowledge.
I understand that approval of this request is NOT a grant of a liquor license.

Jellyman Montelvo
Applicant Signature

1/30/14
Date

FOR CITY STAFF USE ONLY

The foregoing application has been reviewed and **PERMISSION TO USE PARK PREMISES FOR THE SERVICE OF ALCOHOLIC BEVERAGES IS:**

- ☐ **GRANTED ALCOHOL BEVERAGES.** In order to receive an alcohol approval for your event, applicant must meet all requirements of the City of Clermont, County and State of Florida. A certificate of insurance is required.
- ☐ **GRANTED ALCOHOL BEVERAGES AS AMENDED:** _____
- ☐ **DENIED** for the following reason (s): _____

SIGNATURE

TITLE

DATE

Please return the completed request to:
City of Clermont Recreation & Events Department
Attention: Special Event Request
685 West Montrose Street, Clermont, FL 34711



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date			
Tuesday, February 25, 2014			
Agenda Item Name			
Amended Agreement and Budget Amendment			
Requested Action			
MOTION TO APPROVE: Revised agreement between the City of Clermont and Ajax Building Corporation and a budget amendment in the amount of \$22,800.			
Staff Report			
The purpose of this revision to the Professional Construction Manager Services Agreement, between the City of Clermont and Ajax Building Corporation, is for additional preconstruction services for the new Police Department building at the Celebration Center property.			
Legal Impact			
Additional Analysis			
Fiscal Impact Summary			
The additional construction management fees are not included in the current budget. A budget amendment to transfer \$22,800 from the Police Impact Fees to the Capital Projects Fund is proposed.			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
\$22,800.00	32521-66201-21101	\$0.00	
Exhibits Attached (copies of original agreements)			
1. Revised Clermont PD Ajax Preconstruction Amendment	14 02 11 REVISED Clermont PD Ajax Preconstruction Amendment.pdf		



Tampa Office
109 Commerce Blvd.
Oldsmar, Florida 34677

813.792.3900
813.792.3939 Fax

www.ajaxbuilding.com

CG C042112

February 11, 2014

Scott Blankenship
Assistant City Manager, City of Clermont
685 West Montrose Street
Clermont, Florida 34711

**RE: REVISED Construction Management Preconstruction Amendment
City of Clermont Police Station**

Dear Scott:

As a result of the redesign of the Clermont Police Station, Ajax has prepared the following summary of additional costs for Preconstruction Phase services. These services were previously provided for the original design and will have to be performed again during the design of the new facility. The schedule of values will be adjusted accordingly.

Item No.	Description of Work	Original Value	% Used	Added Cost	Revised Value
01	Attend Design Review Meetings (4 Total)	2,200.00	100%	2,200.00	4,400.00
02	Budget Verification Estimate	3,000.00	100%	3,000.00	6,000.00
03	Milestone Estimate	7,000.00	100%	7,000.00	14,000.00
04	Value Engineering/Systems Analysis Exercises	4,450.00	100%	4,450.00	8,900.00
05	Schedule Updates	900.00	100%	900.00	1,800.00
06	Constructability Review	1,050.00	100%	1,050.00	2,100.00
07	Redi Check	4,200.00	0%	-	4,200.00
08	Contractor Solicitation/Prequalification	3,600.00	100%	3,600.00	7,200.00
09	Bid Phase/Addendums	1,600.00	0%	-	1,600.00
10	Reimbursable Expenses	600.00	100%	600.00	1,200.00
TOTALS		28,600.00	80%	22,800.00	51,400.00

Preconstruction Phases services will be increased by a total of \$22,800. Construction phase services will remain the same as indicated in the attached Construction Management Proposal dated August 21, 2012.

If you have any questions, please feel free to call me or we can discuss at the conclusion of our next scheduled meeting.

Thanks again.

Sincerely,
AJAX BUILDING CORPORATION

Michael A. Dumas
Operations Manager

CITY OF CLERMONT

Signature

Title

Copy 1.1A, File ✓
Copy: JW ✓
Original: Karen ✓
Scan ✓



CITY OF CLERMONT

Office of the City Clerk

September 27, 2012

Ajax Building Corporation
Michael Dumas
109 Commerce Blvd.
Oldsmar, FL 34677

Dear Mr. Dumas:

The City Council of the City of Clermont approved the Construction Management Proposal on September 25, 2012. Enclosed is an original for your records.

Please feel free to contact me at 352.241.7330 if you have any questions.

Thank you,

Denise Noak, CMC
Deputy City Clerk

RECEIVED

OCT 01 2012

Ajax Building Corporation



Tampa Office
109 Commerce Blvd.
Oldsmar, Florida 34677

813.792.3900
813.792.3939 Fax

www.ajaxbuilding.com

CG 0042112

August 21, 2012

Tamara Richardson
City Engineer, City of Clermont
685 West Montrose Street
Clermont, Florida 34711

**RE: Construction Management Proposal
City of Clermont Police Station**

Dear Tamara:

Ajax Building Corporation is pleased to present our proposal for Preconstruction and Construction Phase services for your new Police Station project.

Preconstruction Phase (\$28,600) 4 Months Total Duration

When reviewing the Preconstruction Phase services, please note that some of the services itemized have a quantity associated with them. The scope of Preconstruction services as presented is based on partial involvement during the design preconstruction process, including multiple estimates, value engineering, systems analysis and attendance at design meetings, as indicated on the attached.

Construction Phase Services (\$139,992) 12 Months Total Duration

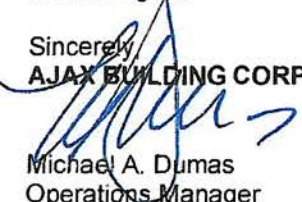
On the Construction Phase services our fee structure is based on Ajax's Project Manager being involved for an average of 20 hours per week and services as outlined in the Construction Management agreement, less submittal and shop drawing reviews, which will be done by the Architect/Engineer and General Contractor.

Ajax appreciates the opportunity to serve as your Construction Manager at your new Community Center and looks forward to working with you on the new Police Station.

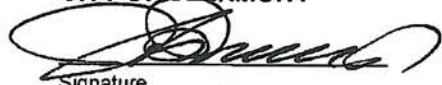
If you have any questions, please feel free to call me or we can discuss at the conclusion of our next scheduled meeting.

Thanks again.

Sincerely,
AJAX BUILDING CORPORATION


Michael A. Dumas
Operations Manager
(Attachment)

CITY OF CLERMONT


Signature

Mayor
Title

RECEIVED

OCT 01 2012



Clermont Police Station

Pre-Construction/ Construction Phase Fee Summary

Preconstruction Phase Services (4 mos)	
Attend Design Review Meetings (4 meeting)	\$ 2,200.00
Estimates	
Budget Verification	\$ 3,000.00
Milestone Estimate (1 each)	\$ 7,000.00
Value Engineering /systems analysis exercises	\$ 4,450.00
Master Project Schedule Development	INCL
Schedule Updates	\$ 900.00
Constructability Reviews (1 each)	\$ 1,050.00
Redl Check (1 each prior to bidding)	\$ 4,200.00
Contractor solicitation and prequalification process	\$ 3,600.00
Bid Phase/ addendum etc	\$ 1,600.00
Reimbursable Expenses	\$ 600.00
TOTAL PRE-CON FEE	\$ 28,600.00

Construction Phase Services (12 mos)	
Monthly Rate	12 Mos \$ 11,566.00 \$ 138,792.00
Reimbursable ex	12 Mos \$ 100.00 \$ 1,200.00
TOTAL CONSTRUCTION PHASE FEE	\$ 139,992.00

Scope of Preconstruction Services:

Attend Design meetings - Participate (4 meetings)
Budget Verification Estimate- 1 Each at point designated by the owner
Milestone Estimates - One (1) 16 division estimate at conclusion of design milestone as determined by the owner
Value Engineering - Cost reduction analysis as required, and at conclusion of design milestones and systems analysis as requested
Master Schedule Development- Detailed preconstruction and construction schedules
Schedule updates- Update design and procurement progress monthly
Constructability Reviews- Review progress drawings and specifications for clarity and constructability at conclusion of design development
Redl- Check- Ensure documents are scrubbed prior to going out for bid. Interdisciplinary coordination, clarity, conflicts resolved
Contractor solicitation and prequalification- Solicit bidder interest, review contractor pq submittal, check references, grade out, develop bidlist
Bid Phase/Addendum - Participate and provide input in addressing bidder inquiries during bid period

Scope of Construction Phase Services

Construction Managers involvement in construction phase is estimated at 20 hrs/ wk for construction phase

- a) Field reports
- b) Monthly schedule reviews
- c) Change order review and recommendations
- d) Attend regularly scheduled meetings, publish minutes
- e) Review Contractor Pay applications
- f) Develop and maintain project logs and monitor flow of information
- g) Assist in project closeout
- h) Review of shop drawings/submittals not included

The Construction Manager will be compensated for travel, lodging, and copying as reimbursable expenses up to a maximum amount of \$100/month.

It is assumed that an office will be provided onsite in the General Contractor's jobsite office that we may work out of. It is assumed that a desk and chair, power, local telephone, water, and sanitary utilities for this trailer will be provided for our use.

Should the duration of the Police Station Expansion project be extended beyond 12 months, the fee would be increased by \$11,566/month, plus reimbursables

For Additional Services beyond those listed if requested and approved by the city, the fee would be increased in proportion to the amount of time required at the rate of \$130/hr

Ajax Building Corporation

Operations Manager

Title

City of Clermont

Title



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date			
Tuesday, February 25, 2014			
Agenda Item Name			
Amended Agreement and Budget Amendment			
Requested Action			
Motion to approve amended agreement and budget amendment.			
Staff Report			
The City Council approved an agreement with Danella Construction to build a city-wide fiber optic network on September 10, 2013. This amendment will provide for the fiber optic network to be expanded to the Celebration Center property at a cost of \$87,795.			
Legal Impact			
Additional Analysis			
Fiscal Impact Summary			
The fiber optic network expansion to the Celebration Center property is not included in the current budget. A budget amendment in the amount of \$87,795 to transfer funds from the General Fund, Recreation Impact Fees Fund and Police Impact Fees Fund to the Capital Projects Fund is proposed.			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
\$38,560.00	10581-99114	\$0.00	
\$42,466.00	14581-99114	\$0.00	
\$6,769.00	15581-99114	\$0.00	
Exhibits Attached (copies of original agreements)			
1.	Celebration Center Fiber Optic Expansion	Celebration Center Fiber Expansion Quote - 1-29-14.pdf	



Danella Construction Corporation of Florida Quote for:

City of Clermont - Expansion to Church Property

1/29/2014

Item #	Description	Qty	Unit
1	City Right of way permit	7350	Ft
2	Job Design per ft (3500 ft minimum to include access & maintenance loops) price will include drawngs delivered & retrieved from MLGW, obtain city right of way permits, GPS Data, and asbuilt drawings submitted to city at completion	7350	Ft
3	Furnish & Install Muletape	7350	Ft
4	Furnish & Install #12 Tracer wire	7350	ft
5	Furnish & Install 96 count fiber	8100	Ft
6	Trench 2"	5953	Ft
7	Furnish & Directional Bore 2"	1397	Ft
8	Core Bore	1	Ea
9	Furnish & Install 24"x36"x18" Handhole w/ 20k lid	6	Ea
10	Prep cable in panel	1	Ea
11	Prep cable in closure	1	Ea
12	Upsize existing splice closure	1	Ea
13	Splice Fibers - 36 each end	72	Ea
14	Splice trays	3	Ea
15	Furnish & Install 6u wall mount cabinet	1	Ea
16	Furnish & Install 2u Rack mount fiber panel	1	Ea
17	Furnish & Install bulkheads with SC connectors	3	Ea
18	install wall mount panel	1	Ea
19	pigtails	36	Ea
20	PE Stamps for FDOT permit	1	Ea
21	Furnish & Install 2" riser with LB	1	Ea
22	Furnish & Install Marker Post	5	Ea
23	Furnish & Install Marker Post w/ test station	1	Ea

Total \$87,795.00

NOTE:

does not include any permit fees

Dan Howick
 Manager
 Danella Construction Corporation of Florida, Inc
 581 Washburn Road Melbourne, FL 32927
 321-259-6124
dhowick@danella.com



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date		
Tuesday, February 25, 2014		
Agenda Item Name		
New Positions and Budget Amendment		
Requested Action		
Move to approve new positions in the Public Works - Facility Maintenance and Recreation and Events Departments to staff the Celebration Center and a budget amendment in the amount of \$125,455.		
Staff Report		
Request approval to fund five (5) full-time positions and eight (8) seasonal/part-time positions for the Celebration Center. The following full-time positions are requested: Facility Manager, Foreman, Administrative Assistant, and two (2) Maintenance Worker II positions. The eight (8) seasonal/part-time positions would be Lifeguards needed 25 hours per week for approximately 6 months per year. The requested effective date for the Facility Manager is March 24, 2014, and the effective date of the other positions is May 5, 2014. These additional positions are necessary to provide adequate personnel to oversee, repair/maintain, and staff the operations of the new Celebration Center facility located at 3700 South Hwy 27.		
Legal Impact		
Additional Analysis		
Fiscal Impact Summary		
The increase to personal services expenditures in the current year budget for the new positions is \$125,455. The requested budget amendment is for \$125,455 in the General Fund.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
\$89,458.00	Public Works - Facility Maintenance	\$0.00
\$35,997.00	Recreation and Events	\$0.00
Exhibits Attached (copies of original agreements)		



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Software Upgrade and Budget Amendment					
Requested Action					
Move to purchase 124 Microsoft Windows Upgrade licenses and amend the Fiscal Year 2013-2014 budget to include an additional \$15,748 Capital outlay-software for this purchase.					
Staff Report					
Support for Windows XP operating system ends in April 2014, after which time computers will be susceptible to security attacks. This end of support date was not known at the time of the Fiscal Year 2013-2014 budget planning. The City must upgrade the software on 124 workstations and laptop PC's at a cost of \$127 each, to protect the integrity of our data network.					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
Purchase is not included in the current year budget. A budget amendment to the General Fund is proposed.					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
\$15,748.00		10516-66404		\$0.00	
Exhibits Attached (copies of original agreements)					



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date			
Tuesday, February 25, 2014			
Agenda Item Name			
Scope of Services Proposal and Budget Amendment			
Requested Action			
Move to approve Police Department Conceptual Design and Energy Analysis proposal from Architects Design Group in the amount of \$28,600 and a budget amendment in the amount of \$28,600.			
Staff Report			
The proposal is based on three task orders. Task Order #1A (\$2,800) and #1B (\$9,800) are for a detailed review of the existing spatial needs assessment and preparation of a conceptual site design and facility plan pertaining to the location of the Police Department Headquarters on the Celebration Center property. Task Order #2 (\$16,000) is for an air conditioning and heating energy and life cycle cost analysis pertaining to the Celebration Center building and planned additions.			
Legal Impact			
Additional Analysis			
Fiscal Impact Summary			
The architectural design and energy analysis fees are not included in the current budget. A budget amendment in the amount of \$28,600 to transfer funds from the General Fund, Recreation Impact Fees Fund and Police Impact Fees Fund to the Capital Projects Fund is proposed.			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
\$12,600.00	15581-99114	\$0.00	
\$7,027.00	10581-99114	\$0.00	
\$7,739.00	14581-99114	\$0.00	
\$1,234.00	15581-99114	\$0.00	
Exhibits Attached (copies of original agreements)			
1.	ADG Proposal for Conceptual Design & Energy Analysis	Combined proposal for SR-27 Property Analysis 0214 14.pdf	



February 14, 2014

Mr. Scott Blankenship, Assistant City Manager
City of Clermont

**RE: Clermont Police Department Headquarters
Proposal for Conceptual Design & Energy Analysis
ADG Project No. 844-1.21**

Dear Mr. Blankenship:

ADG is pleased to have the opportunity to provide the City with this letter proposal for a conceptual analysis of the recently purchased facility located on SR 27. The scope of services proposed is two-fold and as noted below:

Task #1-A: Program Analysis: Professional Fee: \$2,800

A detailed review of the existing Spatial Needs Assessment to determine, with the input of the Police Department, which programmatic components of the proposed PD Headquarters can be located within the existing area of the structure that equates to approximately 10,000 GSF, and the identification of those components that will need to be located within the hardened structure addition.

Task #1-B: Conceptual Site & Facility Planning: Professional Fee: \$9,800

Analysis of the existing site conditions, utility locations, and constraints to identify the appropriate location for the proposed addition to the existing structure. The Consultant shall prepare design documents and narrative documentation of the following design and development considerations for review with the Internal City Project Management Team.

- 2.2.1 Review of existing as-built documents as provided by the City.
- 2.2.2 Identification of site utility locations.
- 2.2.3 Conceptual site zoning/land use areas defined.
- 2.3.4 Vehicular ingress/egress points on the site.
- 2.3.5 Conceptual location of public and secured staff parking areas.
- 2.3.6 Conceptual location of all primary structures.
- 2.3.7 Area(s) designated for stormwater retention.
- 2.3.8 Development of internal facility operational adjacency diagrams.

February 14, 2014

Clermont Police Department Headquarters

ADG Project No. 844-10

Page two

Task #2: Existing Facility Energy & Life Cycle Cost Analysis

Professional Fee: \$16,000

(Please see SWC proposal attachment for breakdown of services.)

Scott, please contact our office at your convenience to discuss any questions or comments that the City may have. We look forward to working with you and the City on this important project. Thank you.

A handwritten signature in blue ink, appearing to read 'IAN A. REEVES', followed by a horizontal line.

Ian A. Reeves, AIA, IALEP, ICA

President

Cc: KR, TC, CS - ADG

Sims Wilkerson Cartier Engineering, Inc.

PROPOSAL (Revised)

February 14, 2014



To: Ian Reeves
Architects Design Group, Inc.

From: Kyle J. Cartier, P.E.

Reference: City of Clermont Highway 27 Project: Energy and Life
Cycle Cost Analysis
Clermont, Florida

Subject: Engineering Fee Proposal (*Revised*)

Background

- 1) Architects Design Group, Inc. (ADG) the Client, will engage Sims Wilkerson Cartier Engineering, Inc. (SWC) the Engineer and Design Professional, to provide professional engineering design services as outlined below.

Scope of Work

- 1) The City of Clermont has recently purchased the approximately 70,000 square foot single story Celebration of Praise Church on Highway 27 in Clermont.
- 2) The City intends to use a portion of this facility to house the new City of Clermont Police Station, use a portion to house the County Tax Collector and to use the remaining portions of the facility for various City functions and uses.
- 3) It is reported the existing HVAC system is comprised of twenty-two (22) package rooftop units that are in poor condition and in need of immediate replacement.
- 4) The City is interested in conducting an Energy and Life Cycle Cost Analysis of the building to help determine if a central chilled water plant with expansion capability for future growth would make economic sense.
- 5) A letter report outlining the results of the Energy and Life Cycle Cost Analysis with recommendations for implementation is desired.

Scope of Services

- 1) Field investigations in the vicinity of the proposed work to review readily observable conditions.
- 2) Meetings with the City to discuss potential adaptive use and potential scheduling/operational requirements of the building.
- 3) Review of existing mechanical systems record drawings for applicable information.
- 4) Creation of a building energy model using commercially available simulation software to model various mechanical systems and energy consumption.
- 5) Preparation of a letter report summarizing the results of various simulations and providing recommendations for implementation.

Basis of Compensation

- 1) For basic services as defined above:

a) City Meetings, Field Invest., Energy Model, Letter Report **\$16,000**

Total Fee ***\$16,000***

- 2) Expenses for travel, long distance telephone, plotting, printing, shipping and delivery will be considered reimbursable and billed at cost.

Optional Services Not Included

- 1) Any and all preparation of selective demolition drawings for systems directly impacted by the proposed work.
- 2) Any and all mechanical, electrical, lighting, plumbing, fire protection, fire alarm, and low voltage building systems or building site designs.
- 3) Any and all bid period services or construction period services
- 4) Any and all documentation of existing systems and equipment.
- 5) Any and all analysis of alternative lighting systems.
- 6) Any and all analysis of the utility company service to the building or reconfiguration of the building's main distribution.

Limitations and Exclusions

- 1) Structural analysis or design to accommodate suggested mechanical systems will need to be provided by others and is not included.
- 2) No cost estimating is to be provided and any input to the cost model for Life Cycle Cost Analysis will need to be provided by others.

Items to be furnished by the Client

- 1) All MEP electronic background and building systems files in AutoCAD or if not available in Autocadd, in PDF format.
- 2) Designate a single point of contact for each project with the authority to transmit instruction, receive information, interpret and define policy and make decisions with respect to materials, systems and equipment relative to the consultant's services.

Terms & Conditions

- 1) Invoices for services rendered are prepared monthly and are due and payable within thirty (30) days from date of the invoice. Past due statements shall include interest from the date of invoice at a compound rate of one and one-half (1-1/2) percent per month.
- 2) Payments to the Engineer shall not be withheld, postponed or made contingent on the construction, completion or success of the project or upon receipt by the Client of offsetting reimbursement or credit from other parties causing Additional Services or expenses. No withholdings, deductions or offsets shall be made from the Engineer's compensation for any reason unless the Engineer has been found to be legally liable for such amounts.

- 3) If the Client does not engage the Engineer to provide Construction Administration services, then the Engineer shall not be responsible for components of the project, if any, for which shop drawings, product data, or samples are required; or for errors or omissions in the construction documents prepared by the Engineer which would have been discovered and corrected by the Engineer had the Engineer been engaged for Construction Administration services. The Client agrees to release the Engineer from and protect against all liability arising out of those matters stated in foregoing sentence to be outside the Engineer's responsibilities.
- 4) The Client has not retained the Engineer to make detailed inspections or to provide exhaustive or continuous project review and observation services. The Engineer does not guarantee the performance of, and shall have no responsibility for, the acts or omissions of any contractor, subcontractor, supplier or any other entity furnishing materials or performing any work on the project.
- 5) Neither the professional activities of the Engineer, nor the presence of the Engineer or his or her employees and sub consultants at a construction site, shall relieve the General Contractor and any other entity of their obligations, duties and responsibilities including, but not limited to, construction means, methods, sequence, techniques or procedures necessary for performing, superintending or coordinating all portions of the Work of construction in accordance with the contract documents and any health or safety precautions required by any regulatory agencies. The Engineer and his or her personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions.
- 6) The Client shall promptly report to the Engineer any defects or suspected defects in the Engineer's work or services of which the Client becomes aware, so that the Engineer may take measures to minimize the consequences of such a defect. The Client warrants that he or she will impose a similar notification requirement on all contractors in his or her Client/Contractor contract and shall require all subcontracts at any level to contain like requirements. Failure by the Client, and the Client's contractors or subcontractors to notify the Engineer, shall relieve the Engineer of the costs of remedying the defects above the sum such remedy would have cost had prompt notification been given.
- 7) Either party may terminate this Agreement by giving thirty (30) days advance written notice. The Engineer shall be paid for services rendered to the date of termination on the basis of a reasonable estimate of the portion of services completed prior to termination and shall be paid for all reasonable expenses resulting from such termination and for any unpaid reimbursable expenses.
- 8) For services involving the renovation of or modification to existing structures including, but not limited to, the mechanical, electrical, and plumbing systems thereof, the Engineer will rely on his observation of readily observable existing conditions. Although the documented systems components of the existing structure to be modified will be analyzed, the actual components of the existing structure cannot be fully determined because the Engineer was not present during fabrication or construction. The Engineer will therefore make recommendations and designs which in the Engineer's opinion will meet the needs of the situation, commensurate with economic constraints, but for which the Engineer can make no assurances that

unforeseen conditions which come to light may not require changes in the scope of services or in the design.

- 9) In the event of any litigation arising from or related to the services provided under this Agreement, the prevailing party will be entitled to recovery of all reasonable costs incurred, including staff time, court costs, attorneys' fees and other related expenses.
- 10) In an effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the Client and the Engineer agree that all disputes between them arising out of or relating to this Agreement shall be submitted to non-binding mediation unless the parties mutually agree otherwise.
- 11) It is intended by the parties to this Agreement that the Engineer's services in connection with the project shall not subject the Engineer's individual employees, officers or directors to any person legal exposure for the risks associated with this project. Therefore, and notwithstanding anything to the contrary contained herein, the Client agrees that as the Client's sole and exclusive remedy, any claim, demand or suite shall be directed and/or asserted only against the Design Professional, a Florida corporation, and not against any of the Engineer's employees, officers or directors.
- 12) In recognition of the relative risks and benefits of the project to both the Client and the Engineer, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of the Engineer and his or her subconsultants to the Client and to all construction contractors and subcontractors on the project for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from any cause or causes, so that the total aggregate liability of the Engineer and his or her subconsultants to all those named shall not exceed the Engineer's total fee for services rendered on this project. Such claims and causes include, but are not limited to negligence, professional errors or omissions, strict liability, breach of contract or warranty.
- 13) The Client acknowledges the Engineer's construction documents as instruments of professional service. Nevertheless, the plans and specifications prepared under this Agreement shall become the property of the Client upon completion of the work and payment in full of all monies due to the Engineer. The Client shall not reuse or make any modification to the plans and specifications without the prior written authorization of the Engineer. The Client agrees, to the fullest extent permitted by law, to indemnify and hold the Engineer harmless from any claim, liability or cost (including reasonable attorneys' fees and defense costs) arising or allegedly arising out of any unauthorized reuse or modification of the construction documents by the Client or any person or entity that acquires or obtains the plans and specifications from or through the Client without the written authorization of the Engineer.
- 14) In the event the Client consents to, allows, authorizes or approves of changes to any plans, specifications or other construction documents, and these changes are not approved in writing by the Engineer, the Client recognizes that such changes and the results thereof are not the responsibility of the Engineer. Therefore, the Client agrees to release the Design Professional from any liability arising from the construction, use or result of such changes. In addition, the Client agrees, to the fullest extent permitted by law, to indemnify and hold the Engineer harmless from any damage, liability or cost (including reasonable attorneys' fees and costs of defense) arising

from such changes, except only those damages, liabilities and cost arising from the sole negligence or willful misconduct of the Engineer.

- 15) Any provision of this Agreement later held to be unenforceable for any reason shall be deemed void, and all remaining provisions shall continue in full force and effect. All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating responsibility or liability between the Client and the Engineer shall survive the completion of the services hereunder and the termination of this Agreement.
- 16) All legal actions by either party against the other arising out of or in any way connected with the services to be performed hereunder shall be barred and under no circumstances shall any such claim be initiated by either party after two (2) years have passed from the date of issuance of the Certificate of Completion, unless the Engineer's services shall be terminated earlier, in which case the date of termination of this Agreement shall be used.
- 17) The signature of a duly authorized official of the Client may indicate acceptance of a proposal. One signed copy of a proposal returned to the Engineer will serve as an Agreement between the two parties and as a Notice to Proceed (unless indicated otherwise by the Client). This contract will be binding on the parties hereto. Should this proposal not be accepted within a period of thirty (30) days from the above date, it shall become null and void.

Client Acceptance Signature

Date



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Fair Housing Workshop					
Requested Action					
Discussion					
Staff Report					
The Fair Housing Act was adopted in 1968. It was amended in 1988 and 1995 to address familial status and over 55 years of age exemptions. The Fair Housing Act prohibits discrimination in housing because of race or color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians; pregnant women and people securing custody of children under 18) or disability. The Department of Housing and Urban Development (HUD) enforces the Fair Housing Act, which prohibits discrimination and the intimidation of people in their homes, apartment buildings, and condominium developments – in nearly all housing transactions, including the rental and sale of housing and the provision of mortgage loans.					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					
1. Fair Housing Workshop Advertisement			Fair Housing Workshop.docx		

FAIR HOUSING WORKSHOP

The City of Clermont is a fair housing advocate. The City is holding a workshop to explain the Fair Housing Ordinance for all of the protected classes (race, color, familial status, handicap, national origin, religion and sex). The public is invited to attend.

The workshop is scheduled for Tuesday, February 25, 2014 at 7:00 p.m., or as soon thereafter as possible, at the City of Clermont City Hall located at 685 W. Montrose Street, Clermont, Florida.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours-before the workshop by contacting: James Kinzler, at (352) 241-0178 or by e-mail at JKinzler@clermontfl.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date	
Tuesday, February 25, 2014	
Agenda Item Name	
Community Development Block Grant (CDBG) <i>Second Public Hearing</i>	
Requested Action	
Move to approve applying for a Community Development Block Grant project up to \$700,000.00	
Staff Report	
The City of Clermont is considering applying to the Florida Department of Economic Opportunity (DEO) for a FFY 2013 Small Cities Community Development Block Grant (CDBG) of up to Seven Hundred Thousand Dollars (\$700,000.00). These funds must be used for one of the following purposes: 1. To benefit low and moderate income persons; 2. To aid in the prevention or elimination of slums or blight; or 3. To meet other community development needs of recent origin having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and where other financial resources are not available to meet such needs. The categories of activities for which these funds may be used are in the areas of housing, neighborhood revitalization, commercial revitalization, or economic development and include such improvement activities as acquisition of real property, loans to private-for-profit business, purchase of machinery and equipment, construction of infrastructure, rehabilitation of houses and commercial buildings, and energy conservation. Additional information regarding the range of activities that may be undertaken will be provided at the public hearing. For each activity that is proposed, at least 70% of the funds must benefit low and moderate income persons. Staff recommends approval to apply to the Florida Department of Economic Opportunity (DEO) for a FFY 2013 Small Cities Community Development Block Grant (CDBG) of up to Seven Hundred Thousand Dollars (\$700,000.00).	
Legal Impact	
Additional Analysis	

Fiscal Impact Summary		
Grant will require a city matching amount of \$125,000 in FY 2015.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	CDBG Second Public Hearing Advertisement	2nd Public Hearing Notice Clermont.docx

SECOND PUBLIC HEARING NOTICE

The City of Clermont is applying to the Florida Department of Economic Opportunity (DEO) for a grant under the Neighborhood Revitalization category in the amount of \$700,000.00 under the FFY 2013 Small Cities Community Development Block Grant (CDBG) program. For each activity that is proposed, at least 70% of the funds must benefit low and moderate income persons. The activities, dollar amounts and estimated percentage benefit to low and moderate income persons for which the City of Clermont is applying are:

Activity Number and Name	Budget	LMI% Benefit
03I – Flood and Drainage	\$634,000.00	At Least 51%
03J – Water Line Replacement	\$ 10,000.00	At Least 51%
21A – Administration	\$ 56,000.00	N/A
Total		\$700,000.00

The project will undertake drainage and water line replacement improvements in certain areas of the City of Clermont.

The City of Clermont plans to minimize displacement of persons as a result of planned CDBG funded activities; if any persons are displaced as a result of these planned activities, the City of Clermont will assist with relocation payments based on uniform act requirements.

A public hearing to provide citizens an opportunity to comment on the application will be held on Tuesday, February 25, 2014 at 7:00 p.m. or as soon thereafter as possible at the City of Clermont City Hall located at 685 West Montrose Street, Clermont, Florida. A draft copy of the application will be available for review at that time. A final copy of the application will be made available at the City of Clermont, Monday through Friday between the hours of 8:30 a.m. and 5:00 p.m. no more than five (5) working days after March 12, 2014. The application will be submitted to DEO on or before March 12, 2014. To obtain additional information concerning the application and the public hearing, contact Mr. James Kinzler, Director of Environmental Services, City of Clermont, 685 West Montrose Street, Clermont, Florida 34711-2119. Telephone (352) 241-0178.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours-before the workshop by contacting: Mr. Kinzler at (352) 241-0178 or by e-mail at JKinzler@clermontfl.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800) 955-8771 (TDD) or 1(800) 955-8770 (Voice).

Pursuant to Section 102 of the HUD Reform Act of 1989, the following disclosures will be submitted to DEO with the application. The disclosures will be made available by the City of Clermont and DEO for public inspection upon request. These disclosures will be available on and after the date of submission of the application and shall continue to remain available for a minimum period of six years.

1. Other Government (federal, state, and local) assistance to the project in the

form of a gift, grant, loan, guarantee, insurance payment, rebate, subsidy, credit, tax, benefit or any other form of direct or indirect benefits by source and amount;

2. The identities and pecuniary interests of all developers, contractors, or consultants involved in the application for assistance or in the planning or development of the project or activity;
3. The identities and pecuniary interests of any other persons with a pecuniary interest in the project that can reasonably be expected to exceed \$50,000.00 or 10% of the grant request (whichever is lower);
4. For those developers, contractors, consultants, property owners, or others listed in two (2) or three (3) above which are corporations, or other entities, the identification and pecuniary interest by corporation or entity of each officer, director, principal stockholder, or other official of the entity;
5. The expected sources of all funds to be provided to the project by each of the providers of those funds and the amount provided; and
6. The expected uses of all funds by activities and amount.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Resolution No. 2014-03 <i>Table to March 25, 2014</i>					
Requested Action					
Motion to table Resolution No. 2014-03 to March 25, 2014.					
Staff Report					
Citrus Tower Apartments and Professional Office - Conditional Use Permit					
The applicant and owner has requested to postpone the conditional use permit to the March 25, 2014 Council meeting.					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					
1. Resolution 2014-03			2014-03 Citrus Tower Apartments SSC.doc		
2. Advertisement			Citrus Tower Apartments CUP P&Z2-4-14,CC2-25-14.doc		

CITY OF CLERMONT
ORDINANCE No. 2014-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

Section 1.

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

LEGAL DESCRIPTION

Tract 48, in Section 29, Township 22 South, Range 26 East, in Lake Highlands Company, According to the plat thereof, as recorded in PB 2, PG 25, of the Public Records of Lake County, Florida.

Less the following parcel:

That part of Tract 48, according to the plat of Lake Highlands Company subdivision of Section 29, as recorded in PB 2, PG 25, of the public records of Lake County, Florida,

CITY OF CLERMONT
ORDINANCE No. 2014-03

lying in the southeast $\frac{1}{4}$ of Section 29, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the east $\frac{1}{4}$ corner of said Section 29; thence run south 00 degrees 15'19" east along the east line of said southeast $\frac{1}{4}$ of Section 29 for a distance of 662.64 feet to the north line of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of said southeast $\frac{1}{4}$ of section 29; thence run north 88 degrees 50'36" west along said north line for a distance of 15.00 feet to the west line of the east 15.00 feet of said southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$ for the point of beginning; thence continue north 88 degrees 50'36' west along said north line for a distance of 70.02 feet; thence run south 00 degrees 15'29' east for a distance of 647.72 feet to the north line of the south 15.00 feet of said southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$; thence run south 88 degrees 53'59' east along said north line for a distance of 70.02 feet to the aforesaid west line of the east 15.00 feet of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$; thence run north 00 degrees 15'29" west along said west line for a distance of 647.65 feet to the point of beginning. Containing 8.53 acres, more or less

CHANGE IN FUTURE LAND USE CLASSIFICATION
From County Regional Office to Residential/Office

Section 2.

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

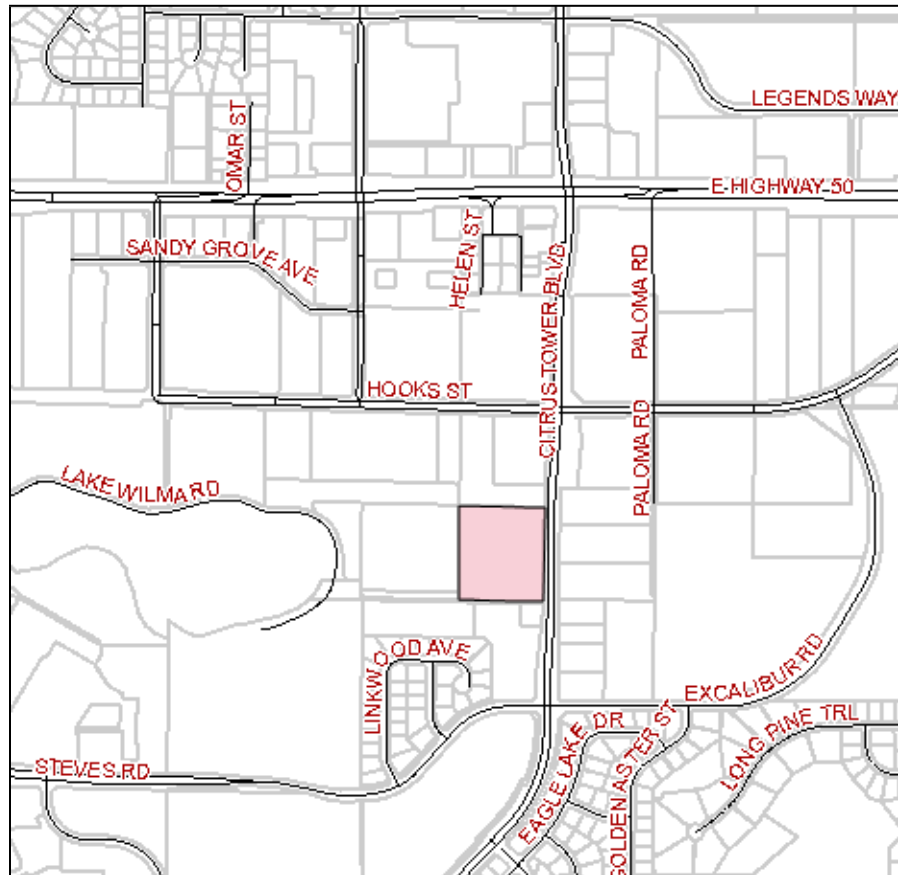
Section 3.

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

Section 4.

This Ordinance shall be published as provided by law and it shall become law and shall take effect immediately upon its Second Reading and Final Passage.

CITY OF CLERMONT
ORDINANCE No. 2014-03



CITY OF CLERMONT
ORDINANCE No. 2014-03

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of March, 2014.

Harold S. Turville, Jr., Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow for a multi-family complex with more than 12 units and with additional future office space at the following location:

LOCATION

Vacant property (Alt. Key 1017653) west of Citrus Tower Boulevard;
south of Hooks Street

A complete legal description may be obtained in the Planning & Zoning Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, February 4, 2014 at 7:00pm.

A public meeting to consider the request will be held before the City Council on Tuesday, February 25, 2014 at 7:00pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

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

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd, MMC
City Clerk

Daily Commercial
January 28, 2014 and February 18, 2014



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Ordinance No. 2014-04 <i>Table final hearing to March 25, 2014</i>					
Requested Action					
Motion to table Ordinance No. 2014-04 Final Hearing to March 25, 2014					
Staff Report					
Citrus Tower Apartments and Professional Office - Rezoning					
The applicant and owner has requested to postpone the rezoning final hearing to the March 25, 2014 Council meeting.					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					
1. Ordinance 2014-04		2014-04 Citrus Tower Apartments rezone.doc			
2. Advertisement		Citrus Tower Apt. Rezone PZ2-4-2014 CC 2-25-2014.doc			

CITY OF CLERMONT
ORDINANCE No. 2014-04

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, AND PUBLICATION.

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

SECTION 1:

The official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

LEGAL DESCRIPTIONS

Tract 48, in Section 29, Township 22 South, Range 26 East, in Lake Highlands Company, According to the plat thereof, as recorded in PB 2, PG 25, of the Public Records of Lake County, Florida.

Less the following parcel:

That part of Tract 48, according to the plat of Lake Highlands Company subdivision of Section 29, as recorded in PB 2, PG 25, of the public records of Lake County, Florida, lying in the southeast $\frac{1}{4}$ of Section 29, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the east $\frac{1}{4}$ corner of said Section 29; thence run south 00 degrees 15'19" east along the east line of said southeast $\frac{1}{4}$ of Section 29 for a distance of 662.64 feet to the north line of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of said southeast $\frac{1}{4}$ of section 29; thence run north 88 degrees 50'36" west along said north line for a distance of 15.00 feet to the west line of the east 15.00 feet of said southeast $\frac{1}{4}$ of the northeast 14 of the southeast $\frac{1}{4}$ for the point of beginning; thence continue north 88 degrees 50'36' west along said north line for a distance of 70.02 feet; thence run south 00 degrees 15'29' east for a distance of 647.72 feet to the north line of the south 15.00 feet of said southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$; thence run south 88 degrees 53'59' east along said north line for a distance of 70.02 feet to the aforesaid west line of the east 15.00 feet of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$; thence run north 00 degrees 15'29" west along said west line for a distance of 647.65 feet to the point of beginning.

Containing 8.53 acres, more or less

From: UE Urban Estate
To: R-3 Residential/Professional

CITY OF CLERMONT
ORDINANCE No. 2014-04

SECTION 2:

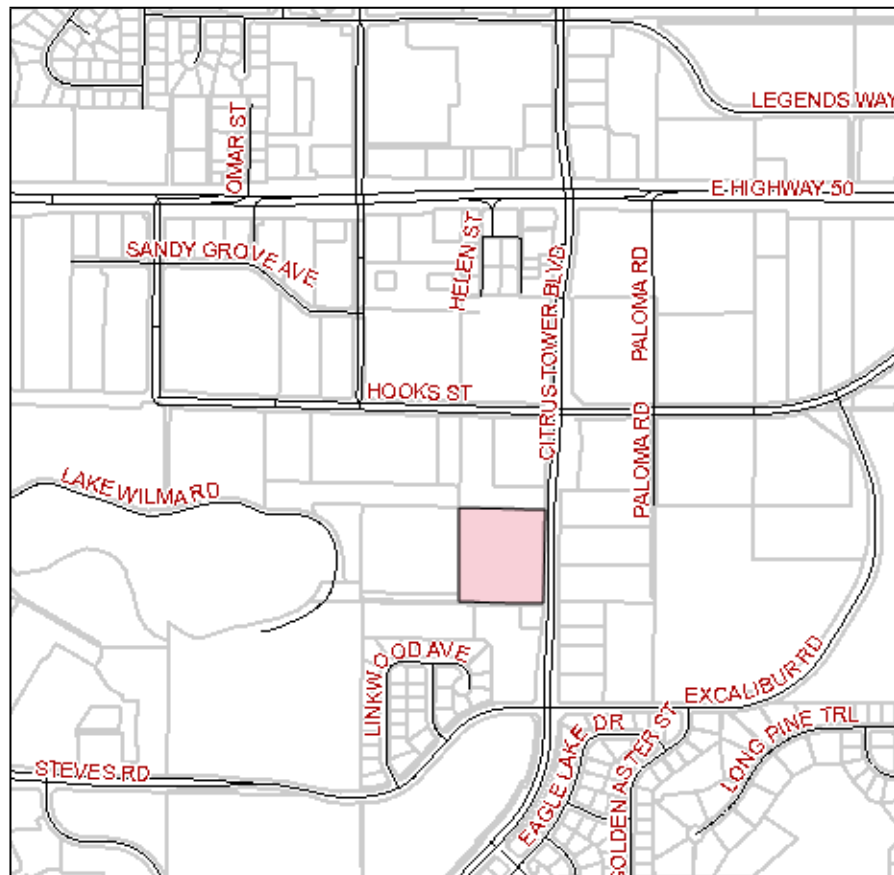
All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

SECTION 3:

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

SECTION 4:

The provisions of this Ordinance shall be effective as provided by law.



CITY OF CLERMONT
ORDINANCE No. 2014-04

on this 25th day of March, 2014.

CITY OF CLERMONT

Harold S. Turville, Jr., Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form:

Dan Mantzaris, City Attorney

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider the enactment of following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2014-04

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT, REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION.

LOCATION

Vacant property (Alt. Key 1017653) west of Citrus Tower Boulevard;
south of Hooks Street

LEGAL DESCRIPTION

Tract 48, in Section 29, Township 22 South, Range 26 East, in Lake Highlands Company, According to the plat thereof, as recorded in PB 2, PG 25, of the Public Records of Lake County, Florida.

Less the following parcel:

That part of Tract 48, according to the plat of Lake Highlands Company subdivision of Section 29, as recorded in PB 2, PG 25, of the public records of Lake County, Florida, lying in the southeast $\frac{1}{4}$ of Section 29, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the east $\frac{1}{4}$ corner of said Section 29; thence run south 00 degrees 15'19" east along the east line of said southeast $\frac{1}{4}$ of Section 29 for a distance of 662.64 feet to the north line of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of said southeast $\frac{1}{4}$ of section 29; thence run north 88 degrees 50'36" west along said north line for a distance of 15.00 feet to the west line of the east 15.00 feet of said southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$ for the point of beginning; thence continue north 88 degrees 50'36' west along said north line for a distance of 70.02 feet; thence run south 00 degrees 15'29' east for a distance of 647.72 feet to the north line of the south 15.00 feet of said southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$; thence run south 88 degrees 53'59' east along said north line for a distance of 70.02 feet to the aforesaid west line of the east 15.00 feet of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$; thence run north 00 degrees 15'29" west along said west line for a distance of 647.65 feet to the point of beginning.

Containing 8.53 acres, more or less

FROM UE URBAN ESTATE
TO R-3 RESIDENTIAL/PROFESSIONAL DISTRICT

This request will be considered by the Planning & Zoning Commission on Tuesday, February 4, 2014 at 7:00 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, February 25, 2014 at 7:00 p.m. for final enactment.

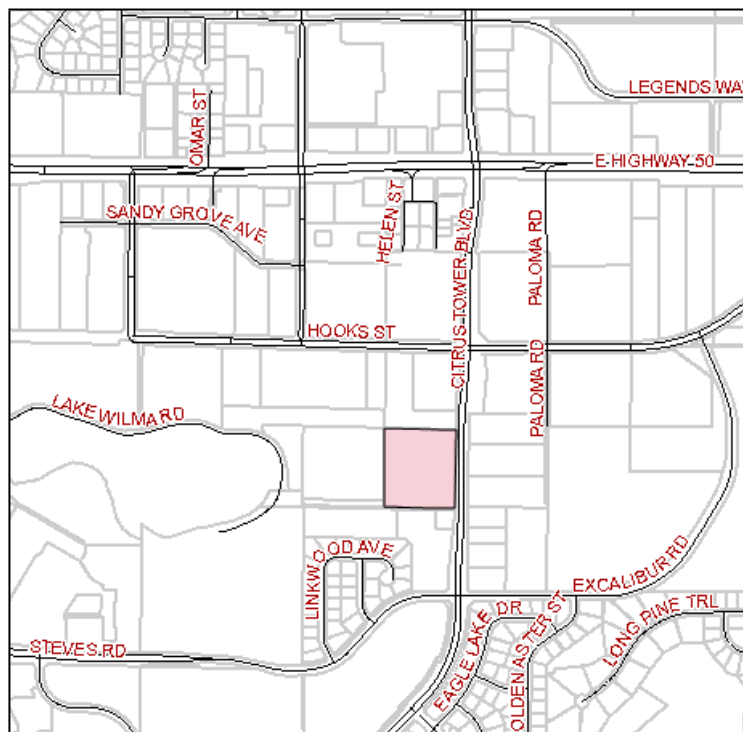
All meetings will be held at City Hall, located at 685 W. Montrose Street.

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made.

Tracy Ackroyd
City Clerk

Daily Commercial
January 28, 2014 and February 18, 2014





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Resolution No. 2014-05					
Requested Action					
Move to Approve Resolution 2014-05					
Staff Report					
The City desires to show evidence of its commitment to provide \$125,000 as leverage for the Small Cities Neighborhood Revitalization CDBG the City is submitting to the Florida Department of Economic Opportunity for Federal Fiscal Year 2013					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
Grant will require a city matching amount of \$125,000 in Fiscal Year 2015.					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					
1. Resolution No. 2014-05		2014-05 CDBG Leverage Funding Commitment.pdf			

**CITY OF CLERMONT
RESOLUTION NO. 2014-05**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AUTHORIZING THE USE OF ONE HUNDRED AND TWENTY-FIVE THOUSAND DOLLARS (\$125,000 OF THE CITY OF CLERMONT FUNDING AS LEVERAGE FOR THE SMALL CITIES NEIGHBORHOOD REVITALIZATION COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION THE CITY IS SUBMITTING TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR FEDERAL FISCAL YEAR 2013

WHEREAS, the City of Clermont (the “City”) desires to show evidence of its commitment to provide a specific amount of leverage funding to be used in carrying out the Small Cities Neighborhood Revitalization Community Development Block Grant Application.

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

1. That the City hereby commits to providing a minimum of one hundred and twenty-five thousand dollars (\$125,000) as leverage for a Community Development Block Grant application in the Neighborhood Revitalization category; and
2. That one hundred and twenty-five thousand dollars (\$125,000) of the leverage funding shall come from the City’s Water, Storm Water, and General Funds to make drainage improvements and replace water lines within certain areas of the City of Clermont; and
3. That the City understands these funds will be expended; following approval of the Community Development Block Grant, after the Department of Economic Opportunity site visit for the project, but prior to the City submitting the administrative closeout for the project to the Florida Department of Economic Opportunity.
4. This Resolution shall take effect immediately upon its adoption.

CITY OF CLERMONT
RESOLUTION NO. 2014-05

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida on this 25th day of February, 2014.

CITY OF CLERMONT

Harold S. Turville, Jr., Mayor

Attest:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Resolution No. 2014-06					
Requested Action					
Move to Approve Resolution 2014-06					
Staff Report					
The City desires to submit an application to the Florida Department of Economic Opportunity for a Small Cities CDBG to benefit persons of low and moderate income.					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
Grant requires a city matching amount of \$125,000 in Fiscal Year 2015.					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					
1. Resolution No. 2014-06		2014-06 CDBG App Submission Authorization.pdf			

**CITY OF CLERMONT
RESOLUTION NO. 2014-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA AUTHORIZING THE
SUBMISSION OF AN APPLICATION FOR THE SMALL CITIES
COMMUNITY DEVELOPMENT BLOCK GRANT TO THE FLORIDA
DEPARTMENT OF ECONOMIC OPPORTUNITY FOR FEDERAL
FISCAL YEAR 2013**

WHEREAS, the City of Clermont desires to submit an application to the Florida Department of Economic Opportunity for a Small Cities Community Development Block Grant to benefit persons of low and moderate income.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida, as follows:

1. That the City of Clermont hereby authorizes the filing of an application for a Neighborhood Revitalization Community Development Block Grant; and
2. That the Mayor of the City of Clermont is hereby authorized to execute all documents required in connection with the filing of said application to be submitted on March 12, 2014.
3. This resolution shall take effect immediately upon its adoption.

CITY OF CLERMONT
RESOLUTION NO. 2014-06

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida on this 25th day of February, 2014.

CITY OF CLERMONT

Harold S. Turville, Jr., Mayor

Attest:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date	
Tuesday, February 25, 2014	
Agenda Item Name	
Resolution No. 2014-07	
Requested Action	
Move to approve Resolution 2014-07	
Staff Report	
The City of Clermont is located in Lake County, Florida. Based on the 2010 United States Census, the City's population is 28,742. Of the 28,742 residents, 3,104 or 10.8 percent are below the poverty level. The City shall implement the following objectives: Long Term Objectives 1. To improve the physical environment of the community to make it more functional, safe and efficient and to preserve the integrity of the neighborhood. 2. To promote the public interest. 3. To inject long range considerations into the determination of short range decisions. 4. To bring professional and technical knowledge to bear on issues concerning social, economical, or physical development. 5. To facilitate effective cooperation and coordination between all concerned with community development. 6. To identify all available resources for major opportunities and to improve the way of life for all in the community. Short Term Objectives 1. To apply for Community Development Block Grant Funds in the Neighborhood Revitalization category to make drainage improvements and replace water lines within certain areas of the City of Clermont. 2. To explore other possible resources for major opportunities and to improve the way of life for citizens, especially those who live in deteriorated housing and neighborhoods.	
Legal Impact	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution 2014-07	2014-07 CDBG Long-Short Term Objectives.pdf	

**CITY OF CLERMONT
RESOLUTION NO. 2014-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA AUTHORIZING THE
IMPLEMENTATION OF THE LONG TERM AND SHORT TERM
OBJECTIVES OF THE CITY OF CLERMONT COMMUNITY
DEVELOPMENT PLAN**

WHEREAS, the City of Clermont is located in Lake County. Based on the 2010 United States Census, the City's population is 28,742. Of the 28,742 residents, 3,104 or 10.8 percent are below the poverty level.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida, that the City shall implement the following objectives:

Section 1. Long Term Objectives

1. To improve the physical environment of the community to make it more functional, safe, and efficient and to preserve the integrity of the neighborhood.
2. To promote the public interest.
3. To inject long range considerations into the determination of short range decisions.
4. To bring professional and technical knowledge to bear on issues concerning social, economical, or physical development.
5. To facilitate effective cooperation and coordination between all concerned with community development.
6. To identify all available resources for major opportunities and to improve the way of life for all in the community.

Section 2. Short Term Objectives

1. To apply for Community Development Block Grant Funds in the Neighborhood Revitalization category to make drainage improvements and replace water lines within certain areas of the City of Clermont.
2. To explore other possible resources for major opportunities and to improve the way of life for citizens, especially those who live in deteriorated housing and neighborhoods.

Section 3. Effective Date

This Resolution shall take effect immediately upon its adoption.

CITY OF CLERMONT
RESOLUTION NO. 2014-07

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida on this 25th day of February, 2014.

CITY OF CLERMONT

Harold S. Turville, Jr., Mayor

Attest:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Resolution No. 2014-10					
Requested Action					
Move to approve Resolution 2014-10					
Staff Report					
This Resolution authorizes the City Manager to negotiate and execute an Interlocal Agreement related to the Lake County Local Option Fuel Tax and similar to the 1995 Interlocal Agreement approved by the Council and related to the tax distribution. The Resolution is required due to Lake County's imposed deadline of June 1, 2014. The Resolution approves a proposed distribution formula negotiated and agreed to by the respective staff of the majority of the Lake County municipalities and provides a fair and equitable distribution formula for the City of Clermont.					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					
1. Resolution 2014-10		2014-10 localoptiongas2014.doc			
2. Local Option Gas Tax Letter		Two-Cent Local Option Fuel Tax.pdf			
3. Resolution No. 1995-18		1995-18.pdf			

**CITY OF CLERMONT
RESOLUTION NO. 2014-10**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AUTHORIZING AND DIRECTING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN INTERLOCAL AGREEMENT RELATED TO THE DISTRIBUTION OF LAKE COUNTY'S LOCAL OPTION GAS TAX AS AUTHORIZED BY SECTION 336.025, FLORIDA STATUTES AND IN ACCORDANCE WITH THIS RESOLUTION, PROVIDING THAT ANY PRIOR RESOLUTION OR ACT OF THE COUNCIL IN CONFLICT HERewith IS REPEALED AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as authorized by Section 366.025, Florida Statutes, the Lake County Board of County Commissioners adopted Ordinance 2014-1 re-imposing the one and two cent Local Option Fuel Tax for a period commencing September 1, 2014 and ending December 31, 2043;

WHEREAS, the Lake County Board of County Commissioners adopted Resolution 2014-4 declaring its intent to readopt and extend the one and two cent Local Option Fuel Tax authorized by Section 366.025, Florida Statutes;

WHEREAS, Resolution 2014-4 further provided that if a majority of the municipalities within Lake County did not adopt an Interlocal Agreement agreeing to a formula for distribution of the municipalities' portion of the Local Option Fuel Tax by June 1, 2014, that the distribution formula set forth in Section 366.025, Florida Statutes would be used to distribute the collected tax;

WHEREAS, it is in the best interest of the citizens of the City of Clermont that a formula other than that set forth in Section 366.025, Florida Statutes, be agreed upon so as to ensure the City of Clermont receives a more equitable share of the tax; and

WHEREAS, in order to meet the June 1, 2014 deadline, it is necessary that the Council authorize and direct the City Manager to complete and execute an applicable Interlocal Agreement with the Lake County municipalities in accordance with the provisions of this Resolution.

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

SECTION 1.

The City Manager is authorized and directed to negotiate an Interlocal Agreement with regard to the distribution of the municipalities' share of the Lake County Local Option Fuel Tax, in accordance with the following conditions:

CITY OF CLERMONT
RESOLUTION NO. 2014-10

1. The distribution formula for the tax shall be in accordance with the formula described as the Population and Road Miles Formula described as option 2, in Exhibit "A" attached hereto and incorporated herein.
2. The Lake County share of the collected tax shall not exceed 66.38 percent and the municipal share shall not be less than 33.62 percent.
3. The Interlocal Agreement shall meet all of the requirements of Section 366.025, Florida Statutes.

SECTION 2.

The City Manager is specifically authorized to enter into an Interlocal Agreement on behalf of the City Council to include the terms set forth above.

SECTION 3.

All resolutions, rules, regulations, restrictions or policies of the City of Clermont in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

CITY OF CLERMONT
RESOLUTION NO. 2014-10

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida this 25th day of February, 2014.

CITY OF CLERMONT

Harold S. Turville, Jr.
Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



February 4, 2014

Re: Two-Cent Local Option Fuel Tax

As you know, the current six-cent local option fuel tax was initially adopted by the Board of County Commissioners in two-cent increments in 1984, 1985, and 1986. The first two-cent increment expires August 31, 2014, the second expires August 31, 2015, and the third expires August 31, 2016. On January 14, 2014, the Board of County Commissioners held a public hearing and adopted Ordinance No. 2014-1 to re-impose the first 2 cent increment for a period of twenty-nine (29) years and four (4) months commencing September 1, 2014, and continuing through December 31, 2043. The BCC also adopted Resolution No. 2014-4 expressing its intent to adopt the local option gas tax and providing that if a statutorily required interlocal agreement between the County and its municipalities is not approved by June 1, 2014, that the statutory distribution of the tax will be utilized. Enclosed are copies of the adopted Ordinance and Resolution.

The average of the entire six-cent local option fuel tax is currently distributed as 66.38% County share and 33.62% Municipality share. The Board of County Commissioners has indicated that it wishes to keep the County share of the re-imposed gas tax at the same 66.38% that currently exists. The Board has also indicated a similar intent for the remaining renewals that expire in 2015 and 2016, respectively.

County staff is prepared to work with the municipalities to assist in the drafting of an interlocal agreement to determine the distribution of the municipal shares. As I previously noted, should an interlocal agreement with the County and municipalities representing a majority of the population of the incorporated area of Lake County not be adopted prior to June 1, 2014, the default distribution formula, provided by Florida Statute, will be utilized. That statutory distribution formula currently provides a 68.88% County share and 31.12% Municipality share.

Enclosed is a spreadsheet outlining various distribution scenarios that have been discussed in our managers' meetings. Different formulas have been developed involving population, transportation expenditures, and maintained road miles based on input from the municipalities. I believe the Board of County Commissioners will give serious consideration to any equitable agreement regarding the municipal share that meets the statutory requirements. I and my staff are willing to work with you to provide any assistance that we can.

COUNTY MANAGER'S OFFICE

P.O. BOX 7800 ♦ 315 W. MAIN ST. ♦ SUITE 308 ♦ TAVARES, FL 32778-7800 ♦ P 352.343.9888 ♦ F 352.343.9495

Board of County Commissioners ♦ www.lakecountyfl.gov

TIMOTHY I. SULLIVAN
District 1

SEAN M. PARKS, AICP, QEP
District 2

JIMMY CONNER
District 3

LESLIE CAMPIONE
District 4

WELTON G. CADWELL
District 5

I look forward to hearing from you soon. Please let me know if I can provide additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "David", written over the word "Sincerely,".

David C. Heath
County Manager

Enclosures: Ordinance No. 2014-1
Resolution No. 2014-4
Distribution Scenario spreadsheet

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1 **WHEREAS**, it is the intent of the Board of County Commissioners not to amend or
2 otherwise alter the ordinances governing three-cent, four-cent or six-cent local option fuel taxes;
3 and

4 **WHEREAS**, the Board of County Commissioners of Lake County, Florida hereby
5 declare that re-imposition of the local option fuel tax serves a valid and important public purpose
6 and shall be in the best interests of the citizens of Lake County, Florida.

7 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
8 Lake County, Florida as follows:

9
10 **Section 1. ~~Repealer.~~** Section 13-26, Lake County Code, entitled Two-cent tax, is
11 hereby repealed in its entirety.

12 **Section 2. ~~Re-imposition of Local Option Gas Tax.~~** Pursuant to Section 336.025
13 (1)(a), Florida Statutes, the Board of County Commissioners of Lake County, Florida re-imposes
14 the one and two cent local option fuel tax upon every gallon of motor fuel and diesel fuel sold in
15 Lake County and taxed under the provisions of part I or part II of Chapter 206, Florida Statutes,
16 for an additional twenty-nine (29) year and four (4) month period, commencing September 1,
17 2014 and continuing until December 31, 2043.

18 **Section 3. ~~Amendment.~~** Section 13-29, Lake County Code, entitled Two-cents
19 reimposed, is amended to read as follows:

20
21 **Sec. 13-29. - Two-cent tax reimposed.**

22 (a) Beginning September 1, ~~1994~~2014, and continuing for a period of ~~twenty-nine~~ twenty
23 ~~(2029) years and four (4) months~~ until August-December 31, 2014~~2043~~, there shall be reimposed
24 in addition to all other taxes allowed by law, a two-cent local option tax upon every gallon of
25 motor fuel and ~~special~~diesel fuel sold in Lake County, Florida, and taxed under the provisions of
26 Chapter 206, Florida Statutes.

27 (b) The tax shall be collected in the manner provided by ~~Florida Statute~~ Section 336.025(2),
28 Florida Statutes.

29 (c) The proceeds of the tax shall be distributed among the Lake County government and
30 eligible municipalities based on general law unless on or before June 1, 2014, an interlocal
31 agreement providing for a different distribution formula is approved by the Board of County
32 Commissioners and one or more municipalities located within the geographic boundaries of Lake
33 County, Florida, representing a majority of the population of the incorporated area within the
34 County, in which case the distribution shall be made in accordance with such interlocal
35 agreement.~~the following formula:~~ Any interlocal agreement entered into shall comply with
36 Section 336.025, Florida Statutes.

1 ~~(1) Lake County shall receive 61.82 percent of the tax proceeds, which percentage is the~~
2 ~~proportion of Lake County's transportation expenditures for the past five (5) fiscal years as to the~~
3 ~~total of such expenditures for Lake County and all municipalities within Lake County for that~~
4 ~~same period.~~

5 ~~(2) The eligible municipalities shall receive 38.18 percent of the tax proceeds, which amount~~
6 ~~shall be divided among the eligible municipalities based on current population.~~

7 ~~If on or before June 1, 1994, an interlocal agreement providing for the foregoing distribution~~
8 ~~formula is not approved by one or more of the municipalities located in Lake County~~
9 ~~representing a majority of the population of the incorporated area within the county, then the~~
10 ~~distribution of the tax proceeds shall be made according to general law.~~

11 ~~(d) In the absence of an interlocal agreement between the County and the municipalities, the~~
12 ~~proportions shall be recalculated every ten~~ Ten ~~(10) years from the date of the enactment of the~~
13 ~~enabling ordinance, the proportions shall be recalculated based upon the transportation~~
14 ~~expenditures of the immediately preceding five (5) years.~~

15 (e) The county manager is hereby directed to determine the percentage allocations as
16 provided in paragraph (c) and to provide copies to all municipalities within Lake County, and to
17 the Florida ~~d~~Department of rRevenue prior to July 1, 1994~~2014~~. The eClerk of the bBoard of
18 eCounty eCommissioners shall provide a certified copy of this section to the Florida
19 ~~d~~Department of rRevenue upon passage. Any dispute as to the determination of distribution
20 proportions shall be resolved as provided in Florida StatutesSection 336.025(5)(b), Florida
21 Statutes.

22 (f) Proceeds of the tax shall be used by Lake County and eligible municipalities only for
23 transportation expenses as defined in Florida Statute 336.025.

24 (g) The provisions of this section shall not affect any distribution of prior allocations of the
25 three-cent, four-cent, five-cent or six-cent local option gas tax.

26 **Section 4. Severability.** If any section, sentence, clause or phrase of the Ordinance
27 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
28 shall in no way affect the validity of the remaining portion of this Ordinance.

29 **Section 5. Inclusion in the Code.** It is the intent of the Board of County
30 Commissioners that the provisions of this Ordinance shall become and be made a part of the
31 Lake County Code and that the sections of this Ordinance may be renumbered or relettered and
32 the word "ordinance" may be changed to "section", "article" or such other appropriate word or
33 phrase in order to accomplish such intentions.

34
35 **Section 6. Filing with the Department of State.** The Clerk shall be and is
36 hereby directed forthwith to send a copy of this Ordinance to the Secretary of State for the State
37 of Florida in accordance with Section 125.66, Florida Statutes.

1
2 **Ordinance No. 2014-1; Gas Tax Ordinance**

3
4 **Section 7. Effective.** This Ordinance shall become effective upon filing with the
5 Secretary of State.

6
7 Enacted this 14th day of January, 2014.

8
9 Filed with the Secretary of State January 24, 2014.

10
11
12
13
14 **ATTEST:**

**BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA**

15
16
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18 Neil Kelly, Clerk of the
19 Board of County Commissioners
20 of Lake County, Florida

21
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32
Jimmy Conner, Chairman

This 16th day of January, 2014.

Approved as to form and legality:

30
31 Sanford A. Minkoff
32 County Attorney



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 24, 2014

Honorable Neil Kelly
Clerk of the Circuit Court
Lake County
550 West Main Street
P. O. Box 7800
Tavares, Florida 32778-7800

Attention: Courtney T. Vincent, Senior Secretary

Dear Mr. Kelly:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge of your electronic copy of Lake County Ordinance No. 2014-1, which was filed in this office on January 24, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

Enclosure

RESOLUTION NO. 2014-4

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY,
FLORIDA READOPTING AND EXTENDING THE ONE-CENT AND TWO-CENT LOCAL
OPTION GAS TAX.

WHEREAS, Florida Statute 336.025 allows the Board of County Commissioners to adopt and or
extend a one, two, three, four, five or six cent local option gas tax on every gallon of motor fuel and
special fuel sold in Lake County, Florida, and

WHEREAS, said statute requires that if an interlocal agreement has not been executed by
municipalities representing a majority of those persons living in the incorporated areas within Lake
County and the Board of County Commissioners by June 1, that the Board of County Commissioners
must adopt a Resolution of intent to levy the tax allowed under the statute, and

WHEREAS, the Board of County Commissioners of Lake County, Florida wishes to readopt and
extend the one and two cent tax effective September 1, 2014, in Lake County, Florida.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lake County,
Florida:

1. That this Resolution is adopted pursuant to Florida Statute 336.025 and is an expression
of the intent of the Board of County Commissioners to readopt and extend the one and two cent local
option gas tax pursuant to said statute.

2. Should no interlocal agreement with municipalities representing a majority of those
persons living in the incorporated areas within Lake County be adopted prior to June 1 of this year,
distribution proportions for said tax shall be as established in Florida Statute.

DONE AND RESOLVED this 14 day of January, 2014.

LAKE COUNTY BOARD OF COUNTY COMMISSIONERS

Jimmy Conner, Chairman

This 14 day of January, 2014.

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

Approved as to form and legality:

Sanford A. Minkoff
County Attorney

LAKE COUNTY, FLORIDA

LOCAL OPTION GAS TAX DISTRIBUTION SCENARIOS WITH LAKE COUNTY AT 66.38% FY 2014 est.

AGENCY	CURRENT DISTRIBUTION based on several formulas 1984 - 1994 First 2c distr. by 75% transportation exp. & 25% population/ 3-6c based on transp exp. 6 CENTS REVENUE		FORMULA #2 BASED ON POPULATION ¹ & ROAD MILES ² Distribution by 50% population & 50% road miles 6 CENTS REVENUE		FORMULA #3, BASED ON POPULATION, TRANSPORTATION EXPENDITURES & ROAD MILES Distribution by 1/3 of each: population, transportation expenditure and road miles 6 CENTS REVENUE		FORMULA #4, BASED ON POPULATION & TRANSPORTATION EXPENDITURES Distribution by 25% population & 75% transportation expenditures 6 CENTS REVENUE		DEFAULT FORMULA, BASED ON TRANSPORTATION EXPENDITURES (Past Five Years) Default formula if no other agreement 6 CENTS REVENUE	
	ESTIMATE	Distribution %	ESTIMATE	Distribution %	ESTIMATE	Distribution %	ESTIMATE	Distribution %	ESTIMATE	Distribution %
Lake County	\$5,407,046	66.38%	\$5,407,046	66.38%	\$5,407,046	66.38%	\$5,407,046	66.38%	\$5,611,600	68.888%
Astatula	\$26,914	0.33%	\$44,540	0.55%	\$34,720	0.43%	\$17,155	0.21%	\$7,942	0.098%
Clemont	\$293,044	3.60%	\$539,309	6.62%	\$448,150	5.50%	\$328,160	4.03%	\$190,820	2.343%
Eustis	\$642,671	7.89%	\$364,450	4.47%	\$508,193	6.24%	\$705,800	8.66%	\$823,440	10.109%
Fruitland Park	\$77,485	0.95%	\$82,020	1.01%	\$76,650	0.94%	\$67,830	0.83%	\$57,706	0.708%
Groveland	\$103,153	1.27%	\$164,655	2.02%	\$154,760	1.90%	\$143,050	1.76%	\$118,915	1.460%
Howey-in-the-Hills	\$19,159	0.24%	\$31,760	0.39%	\$23,136	0.28%	\$7,190	0.09%	\$163	0.002%
Lady Lake	\$144,689	1.78%	\$254,450	3.12%	\$255,730	3.14%	\$260,390	3.20%	\$239,851	2.944%
Leesburg	\$607,993	7.46%	\$357,140	4.38%	\$371,740	4.56%	\$401,150	4.92%	\$380,035	4.665%
Mascotte	\$64,573	0.79%	\$105,260	1.29%	\$86,070	1.06%	\$56,150	0.69%	\$32,437	0.398%
Minneola	\$53,886	0.66%	\$171,010	2.10%	\$133,770	1.64%	\$84,674	1.04%	\$32,323	0.397%
Montverde	\$21,717	0.27%	\$63,410	0.78%	\$48,235	0.59%	\$14,425	0.18%	\$7,160	0.088%
Mount Dora	\$337,310	4.14%	\$238,620	2.93%	\$253,890	3.12%	\$275,740	3.38%	\$272,427	3.344%
Tavares	\$261,625	3.21%	\$248,680	3.05%	\$275,300	3.38%	\$318,550	3.91%	\$320,252	3.931%
Umatilla	\$84,735	1.04%	\$73,650	0.90%	\$68,610	0.84%	\$58,690	0.72%	\$50,929	0.625%
TOTAL	\$8,146,000	100.0%	\$8,146,000	100.0%	\$8,146,000	100.0%	\$8,146,000	100.0%	\$8,146,000	100.0%

Source: ¹ Bureau of Economic and Business Research, University of Florida April 2013 estimate

² FDOT 2013 City County Mileage (Data as of Sept 30, 2012)

DT/Gas Tax/2014/LOGT distribution scenarios with cities Jan 2014

RECEIVED OCT 19 1984

INTERLOCAL AGREEMENT
BETWEEN
LAKE COUNTY
AND
THE CITY OF CLERMONT

RELATING TO
REIMPOSITION OF ONE-CENT AND TWO-CENT
LOCAL OPTION GAS TAX

THIS is an Agreement by and between LAKE COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "County"

and

City of Clermont, a municipal corporation pursuant to the laws of the State of Florida, hereinafter referred to as "Municipality".

WHEREAS, Florida Statute 336.025 allows counties to impose additional local option gas taxes to be used for transportation expenditures; and

WHEREAS, the Board of County Commissioners of Lake County has determined that it is necessary to reimpose the one-cent and two-cent local option gas tax in Lake County, Florida, to provide monies for the construction and maintenance of roads and for other transportation expenses as defined in Florida Statute 336.025; and

WHEREAS, the Board of County Commissioners of Lake County enacted Ordinance No. 1984-5 providing for the imposition of the one-cent and two-cent local option gas tax for a period of ten (10) years which shall expire August 31, 1994; and

WHEREAS, Florida Statute 336.025 (3) (a) (1) provides that County can, prior to July 1, of any year, establish by interlocal agreement with one or more municipalities within Lake County representing a majority of the population of the incorporated area within the County, a distribution formula for dividing the proceeds of the tax among the County and all eligible municipalities; and

WHEREAS, the allocations set out below are based in part on transportation expenditures for the past five (5) years for Lake County and upon current population for the municipalities;

NOW, THEREFORE, IN CONSIDERATION of the mutual promises, conditions, covenants and payments provided for herein, the parties agree as follows:

Section 1. This Agreement is entered into by County and Municipality pursuant to Florida Statute 336.025 and 163.01.

Section 2. The reimposition of the one-cent and two-cent local gas option tax shall be effective September 1, 1994 and continue for a period of twenty (20) years until August 31, 2014, pursuant to Ordinance No. 1994 - 8.

Section 3. Beginning October 1, 1995, proceeds of the reimposed one-cent and two-cent local option gas tax shall be divided among Lake County and the eligible municipalities in Lake County based upon the following formula:

- a) Lake County shall receive ^{61.05% K.W.}~~61.82%~~ of the tax proceeds (the "County Share"), which percentage is the proportion of Lake County's transportation expenditures

for the past five (5) fiscal years as to the total of such expenditures for Lake County and all municipalities within Lake County for that same period.

- b) The eligible municipalities shall receive ^{38.75%}~~38.18%~~ of the tax proceeds (the "Municipal Share"), which amount shall be divided among the eligible municipalities as follows:
- i) Seventy-five percent (75%) of the Municipal Share shall be divided among the eligible municipalities based on the transportation expenditures of each such municipality for the immediate preceding five (5) fiscal years, as a proportion of the total expenditures for all municipalities within Lake County for that period. Transportation expenditures shall be those certified by the State.
- ii) Twenty-five percent (25%) of the Municipal Share shall be divided among the eligible municipalities based on population, according to the latest official state estimate of population certified under Section 186.901, Florida Statutes.

It is the intent of the parties that the distribution of the Municipal Share among the eligible municipalities be recalculated each year prior to October 1, based on the foregoing formula.

Section 4. In the event that an interlocal agreement providing for the foregoing distribution formula is not approved on or before June 1, 1995, by one or more of the municipalities located in Lake County representing a majority of the population

of the incorporated area within the County, then the distribution of the tax proceeds shall be made according to general law.

Section 5 This Agreement may be modified only if agreed to in writing by County and municipalities representing a majority of the population of the incorporated area with Lake County, Florida.

IN WITNESS WHEREOF the parties hereto have made and executed this Interlocal Agreement on the respective dates under each signature: Lake County, through its Board of County Commissioners, signing by and through its Chairman, authorized to execute same by Board action on the 2nd day of May, 1995, and Robert A. Pore duly authorized to execute same.

ATTEST:


James C. Watkins, Clerk
of the Board of County
Commissioners of Lake
County, Florida

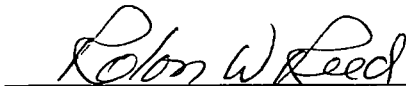
COUNTY

LAKE COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

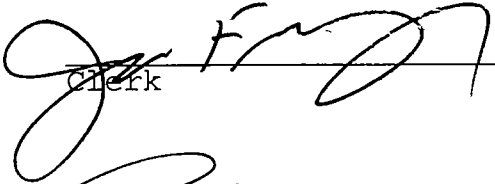

Rhonda H. Gerber, Chairman

This 12th day of May, 1995.

Approved as to form and
legality by County Attorney
for Lake County, Florida
Lake County Courthouse
315 West Main Street
Tavares, Florida 32778
(904) 343-9787


Rolon W. Reed
Interim County Attorney

ATTEST:


Clerk


Approved as to form and
legality.

MUNICIPALITY


Mayor/President

This 25th day of October, 1994.

Lake County League of Cities

P. O. Drawer 68
Eustis, Florida 32727-0068
Telephone: (904) 483-5430

October 13, 1994

Wayne Saunders, City Manager
City of Clermont
P. O. Box 120219
Clermont, Florida 32712

Dear Mr. Saunders:

Enclosed is a copy of the Interlocal Agreement Between Lake County and your city relating to reimposition of the one-cent and two-cent local option gas tax.

After the document has been approved and executed by your City Council/Commission, please forward two (2) signed copies to:

Mr. Jim Stivender, Jr., Senior Director
Department of Public Services
P. O. Box 7800
Tavares, Florida 32778-7800

If you have any questions about the enclosed document, please contact Mr. Joe Morrin, Mayor, Montverde; or Mr. Bob McKee, City Manager, Lady Lake.

Sincerely yours,

Alta C. Trask
ALTA C. TRASK, Executive Secretary

ACT:jf

Enclosure: Interlocal Agreement

returned 10/26/94 (aw)

*Kathy McDaniel
approved 12*

**DEPARTMENT OF
PUBLIC SERVICES**

P O BOX 7800
123 N. SINCLAIR AVE.
TAVARES FLORIDA 32778-7800
(904) 343-9655
SUNCOM: 659-1655
FAX: (904) 343-9596



ENGINEERING DIVISION
ROAD OPERATIONS DIVISION
SPECIAL SERVICES DIVISION
MOSQUITO/AQUATIC PLT. MGMT.
PARKS SERVICES

May 17, 1995

Wayne Saunders, City Manager
City of Clermont
P. O. Box 120219
Clermont, Florida 34712-0219

Dear Mr. Saunders:

Enclosed is an executed original of the interlocal agreement regarding the revised distribution of the one and two cent Local Option Gas Tax, which was approved by the Board of County Commissioners on May 2, 1995.

Based on these agreements the municipal share - 38.95% - is to be distributed based on the following formula: 75% transportation expenditures of each municipality for the immediately preceding 5 years, as a proportion of the total expenditures for all municipalities within Lake County for that period; and 25% based on population certified under Section 186.901, Florida Statutes. The distribution is to be recalculated each year based on the above formula.

I have requested, through Joe Morrin, President of the League of Cities and Alta Trask, Executive Secretary of the League of Cities that we be furnished with the revised distribution of the municipal share no later than June 1, 1995 and by May 1 in each year thereafter. This is necessary in order to insure sufficient time for transmittal to the State Department of Revenue by July 1 of each year.

Please do not hesitate to contact me if I may be of assistance.

Sincerely,

Kathy McDonald
Program Coordinator

- c. Rolon W. Reed, County Attorney (with one copy of Agreement)
Jim Stivender, Jr., Senior Director, Public Services
Susan Dugan, Purchasing Contract Specialist (with one original & one copy of Agreement)



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date		
Tuesday, February 25, 2014		
Agenda Item Name		
Ordinance No. 2014-06; <i>Final Walgreens Right of Way Closing</i>		
Requested Action		
Motion to Approve Ordinance No. 2014-06.		
Staff Report		
East Magnolia Street Right of Way Closing The described right-of-way is part of the proposed development for the new Walgreens retail store. Walgreens is preparing site plans for development, and the existing right-of-way is located in the middle of the proposed development. East Magnolia Street originally served three single family homes. The developer has these homes under contract as part of the proposed development for Walgreens. This portion of East Magnolia Street will no longer serve any purpose for access to the three homes. The City spent approximately \$5,600 in late 2012 and early 2013 on this portion of East Magnolia Street for improvements to both underground utilities and resurfacing of the right-of-way. The applicant has been made aware of these recent improvements and has shown a willingness to collaborate with the City by reimbursing these costs.		
Legal Impact		
Additional Analysis		
Fiscal Impact Summary		
No fiscal impact.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance 2014-06	2014-06 E Magnolia Street ROW closing.doc	
2. Exhibit 2 - Map	ROW Walgreens CC 2-25-14.doc	
3. Application	ROW closing application.pdf	
4. Site Plan	ROW site plan.pdf	
5. Advertisement	Walgreens ROW CC2-11 CC2-25-2014.doc	

CITY OF CLERMONT
ORDINANCE No. 2014-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THE PLATTED ROADWAY MAGNOLIA STREET, AS SHOWN ON THE PLAT OF FORTY PINES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGE 99 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; REPEALING ALL ORDINANCES IN CONFLICT HERewith, PROVIDING FOR SEVERABILITY, PUBLICATION, RECORDING, AND FOR AN EFFECTIVE DATE.

NOW THEREFORE, be it resolved and enacted by the City of Clermont, Florida that:

Section 1.

That any and all portions, closing and permanently abandoning the platted roadway as described:

Legal Description (Magnolia Street):

Magnolia Street, as shown on the plat of Forty Pines, according to the plat thereof recorded in Plat Book 12, Page 99, of the public records of Lake County, Florida.

Section 2.

The closing is done pursuant to the authority of the Charter of the City of Clermont, Lake County, Florida and the general laws of the State of Florida.

Section 3.

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

Section 4.

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

Section 5.

This Ordinance shall be published as provided by law and it shall become law and shall take effect immediately upon its Second Reading and Final Passage.

CITY OF CLERMONT
ORDINANCE No. 2014-06

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of February, 2014.

Harold S. Turville, Jr., Mayor

ATTEST:

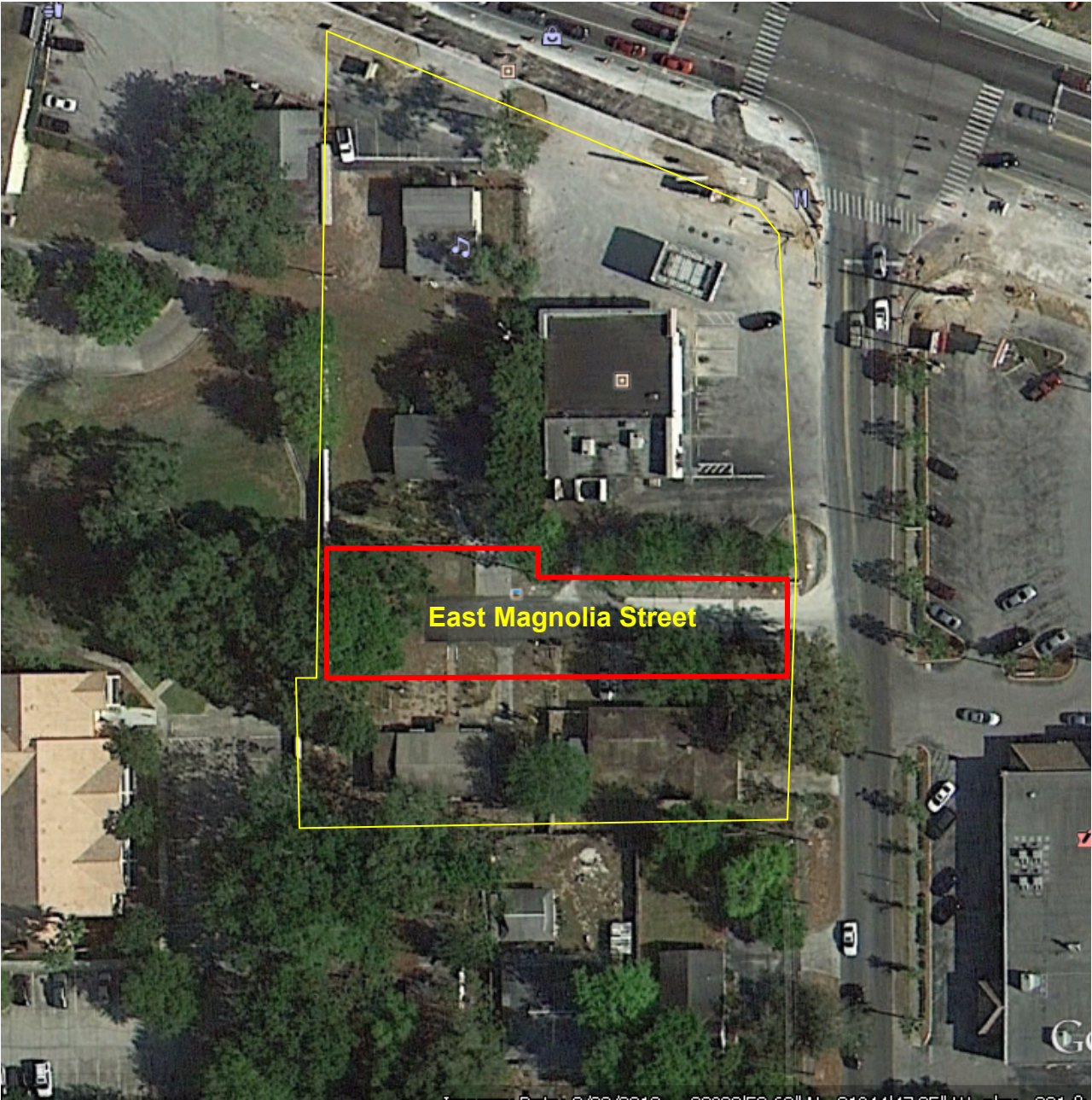
Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit 2







**CITY OF CLERMONT
STREET RIGHT-OF-WAY / EASEMENT CLOSING
PETITION**

DATE: 11/21/13

FEE: \$25.00

PETITIONER'S NAME: Jason Crews w/ The Ferber Company, Inc.

Address: 151 Sawgrass Corners Dr., Suite 202

City: Ponte Vedra Beach State: FL Zip: 32082

Phone: (904) 285-7600 Fax: (904) 280-8443

Legal Description of Petitioner's property abutting Street ROW/easement to be closed (Attach survey if available): Refer to the attached boundary survey. The petitioner owns all property to the north and south of the street's right-of-way up to the right-of-way line for Bloxam Ave.

If named - name of street to be closed: East Magnolia Street

Plot plan & legal description of Street ROW/Easement portion to be closed (From-To):
From Intersection with Bloxam Ave to End of Magnolia Street

Purpose or reason for closing: Property re-development to a proposed Walgreens, this includes re-development of the property north and south of existing street.

Attach a map and list of: Names and addresses of all property owners abutting the portion of the street requested to be closed and abandoned. X yes no

This petition is in accordance with the Clermont Land Development Code, Chapter 54, Division 2. Closing. Any person requesting a Street right-of-way or Easement Closing shall file a complete application submitted to the Planning Director in the Planning & Zoning Department, at least 45 days prior to the final hearing date of the City Council. A Street right-of-way or Easement Closing requires two readings of an ordinance by the City Council. The City Council meetings are held on the second and fourth Tuesdays of every month.

All applications must be complete, including applicable site plans and or pertinent descriptive materials in order to be processed. **The applicant must supply 35 copies of the application and supplemental materials. Include the original signed application.**

A plot plan (schematic drawing of the property involved) showing the location of that portion of the street requested to be closed and permanently abandoned, and including a survey of the property and street involved if deemed necessary by the city council or the city attorney.

Jason Crews

Petitioner Name (print)

x Jason Crews

Petitioner Name (signature)

***** NOTICE *****

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY IN PROCESSING AND WILL NOT BE SCHEDULED UNTIL SUCH CORRECTIONS ARE MADE.

City of Clermont
Planning & Zoning Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL 34712-0219
(352) 394-4083 Fax: (352) 394-3542

DIVISION 2. CLOSING

Sec. 54-46. Purpose of division.

The purpose of this division is to establish an orderly procedure for closing and permanently abandoning municipal streets within the city.

(Code 1962, § 19-1; Ord. No. 96-C, § 1, 8-28-73)

Sec. 54-47. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Street means any public street, avenue, road, alley, highway, lane, path or other public way located in the city as shown on any of the various maps and plats of the city, recorded in the county public records.

(Code 1962, § 19-1; Ord. No. 96-C, § 1, 8-28-73)

Cross references: Definitions generally, § 1-2.

Sec. 54-48. Procedure.

(a) *Filing of petition; information required.* Whenever anyone who is the owner of or has any legal interest in property abutting a street within the city shall desire that the street be closed and permanently abandoned, he shall file a petition at the office of the city clerk setting forth the following information:

- (1) The petitioner's full name and mailing address.
- (2) The legal description of his property involved.
- (3) A plot plan (schematic drawing of the property involved) showing the location of that portion of the street requested to be closed and permanently abandoned, and including a survey of the property and street involved if deemed necessary by the city council or the city attorney.
- (4) The purpose for which the street is requested to be closed.
- (5) The names and mailing addresses of all property owners abutting the portion of the street requested to be closed and abandoned.

(b) *Filing fee; notice; hearing; notification of property owners.* When a petition containing the information described in subsection (a) of this section is filed with the city clerk, along with the filing fee established by resolution of the council and on file in the city clerk's office, the clerk shall forthwith cause notice of the petition to be published as a legal notice in a local newspaper, no less than ten days prior to the date set for a hearing on the petition, and shall enter the matter on the agenda of the next regular meeting of the city council if the meeting is ten or more days forthcoming. Otherwise, the matter shall be advertised and set for hearing at the following regular meeting wherein ten days' notice could be given; furthermore, all property owners abutting that portion of the affected street shall be individually notified by an official letter from the city, stating the conditions of the request.

(c) *Council action.* At the regularly scheduled city council meeting wherein the requested street closing appears on the agenda, the city council will act upon the requested street closing. Upon motion and second of the city council, an ordinance may be introduced and passed, as provided by law, closing and permanently abandoning all or any portion of the street requested to be closed by the petition. Such ordinance shall be introduced and passed according to law.

(Code 1962, § 19-2; Ord. No. 96-C, § 2, 8-28-73)

Charter references: Construction of streets, sidewalks and other local improvements, § 5.

Sec. 54-49. Retention of utility easement.

Whenever it shall appear to the city council that the city does not have a utility easement along the street requested to be closed, the city shall retain a utility easement on any street closed and permanently abandoned pursuant to the provisions of this division.

(Code 1962, § 19-3; Ord. No. 96-C, § 3, 8-28-73)

Sec. 54-50. Recording of ordinances closing and abandoning streets.

Any municipal ordinance duly passed as provided by law, which closes and permanently abandons any street within the city, shall be recorded by the city clerk in the public records of the county.

(Code 1962, § 19-4; Ord. No. 96-C, § 4, 8-28-73)

BOUNDARY SURVEY - FOR - THE FERBER COMPANY, INC.

LEGAL DESCRIPTION:

(OFFICIAL RECORDS BOOK 1659, PAGES 13-14)
BEGIN AT THE NORTHWEST CORNER OF LOT 9 IN FORTY PINES, A SUBDIVISION IN THE CITY OF CLERMONT, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGE 99, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN SOUTH ALONG THE EAST LINE OF LOT 9 AND AN EXTENSION SOUTH THEREOF AND ALSO ALONG THE EAST LINE OF LOT 8 IN THE SAID FORTY PINES SUBDIVISION TO THE SOUTHEAST CORNER OF THE SAID LOT 8; THENCE RUN WEST ALONG THE SOUTH LINE OF THE SAID LOT 8 A DISTANCE OF 125 FEET TO THE SOUTHWEST CORNER OF THE SAID LOT 8; THENCE RUN NORTH ALONG THE WEST LINE OF THE SAID LOT 8, AND AN EXTENSION NORTH THEREOF, TO A POINT ON THE NORTHERLY LINE OF LOT 11 IN THE SAID FORTY PINES SUBDIVISION; THENCE RUN SOUTHEASTERLY ALONG THE NORTHERLY LINE OF LOTS 11, 10 AND 9 IN THE SAID FORTY PINES SUBDIVISION TO THE POINT OF BEGINNING.

(OFFICIAL RECORDS BOOK 3684, PAGES 124-126)
LOTS 9, 10, 11 AND 12 IN FORTY PINES, A SUBDIVISION IN THE CITY OF CLERMONT, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGE 99, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS AND EXCEPT:
THAT PART OF LOTS 11 AND 12 IN FORTY PINES, A SUBDIVISION IN THE CITY OF CLERMONT, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGE 99, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF LOT 12, THENCE RUN SOUTH ALONG THE WEST LINE OF THE SAID LOT 12 A DISTANCE OF 129.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12; THENCE RUN SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF THE SAID LOTS 12 AND 11 A DISTANCE OF 52.17 FEET TO A POINT THAT IS 50 FEET EAST OF THE WEST LINE OF THE SAID LOT 12 WHEN MEASURED AT A RIGHT ANGLE THERETO; THENCE RUN NORTH AND PARALLEL WITH THE WEST LINE OF THE SAID LOT 12 TO A POINT ON THE NORTHERLY LINE OF THE SAID LOT 12; THENCE RUN NORTHWESTERLY ALONG THE NORTHERLY LINE OF THE SAID LOT 12 A DISTANCE OF 53.93 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

BEGIN AT THE NORTHWEST CORNER OF LOT 9 IN FORTY PINES, A SUBDIVISION IN THE CITY OF CLERMONT, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGE 99, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN SOUTH ALONG THE EAST LINE OF LOT 9 AND AN EXTENSION SOUTH THEREOF AND ALSO ALONG THE EAST LINE OF LOT 8 IN THE SAID FORTY PINES SUBDIVISION TO THE SOUTHEAST CORNER OF THE SAID LOT 8; THENCE RUN WEST ALONG THE SOUTH LINE OF THE SAID LOT 8 A DISTANCE OF 125 FEET TO THE SOUTHWEST CORNER OF THE SAID LOT 8; THENCE RUN NORTH ALONG THE WEST LINE OF THE SAID LOT 8, AND AN EXTENSION NORTH THEREOF, TO A POINT ON THE NORTHERLY LINE OF LOT 11 IN THE SAID FORTY PINES SUBDIVISION; THENCE RUN SOUTHEASTERLY ALONG THE NORTHERLY LINE OF LOTS 11, 10 AND 9 IN THE SAID FORTY PINES SUBDIVISION TO THE POINT OF BEGINNING.

(OFFICIAL RECORDS BOOK 3957, PAGES 2221-2226)
THAT PART OF LOTS 11 AND 12 IN FORTY PINES, A SUBDIVISION IN THE CITY OF CLERMONT, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGE 99, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF LOT 12, THENCE RUN SOUTH ALONG THE WEST LINE OF THE SAID LOT 12 A DISTANCE OF 129.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12; THENCE RUN SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF THE SAID LOTS 12 AND 11 A DISTANCE OF 52.17 FEET TO A POINT THAT IS 50 FEET EAST OF THE WEST LINE OF THE SAID LOT 12 WHEN MEASURED AT A RIGHT ANGLE THERETO; THENCE RUN NORTH AND PARALLEL WITH THE WEST LINE OF THE SAID LOT 12 TO A POINT ON THE NORTHERLY LINE OF THE SAID LOT 12; THENCE RUN NORTHWESTERLY ALONG THE NORTHERLY LINE OF THE SAID LOT 12 A DISTANCE OF 53.93 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS
COMMENCE AT A 4-INCH BY 4-INCH CONCRETE MONUMENT STAMPED "B4838" MARKING THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE RUN SOUTH 88°32'54" EAST ALONG THE NORTH LINE OF SAID SECTION 30 A DISTANCE OF 1501.21 FEET TO A POINT ON THE CENTERLINE OF SURVEY OF STATE ROAD 50, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, F.P. 238429-3 SECTION 11070, SAID POINT BEING ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 5279.65 FEET; THENCE DEPARTING SAID NORTH LINE OF SECTION 30, FROM A TANGENT BEARING OF SOUTH 71°41'07" EAST RUN SOUTHEASTERLY ALONG SAID CENTERLINE OF SURVEY AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°45'12" AN ARC DISTANCE OF 775.34 FEET TO THE END OF SAID CURVE; THENCE CONTINUING ALONG SAID CENTERLINE OF SURVEY, RUN SOUTH 63°55'55" EAST 523.86 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 8584.42 FEET; THENCE CONTINUING ALONG SAID CENTERLINE OF SURVEY, RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°14'10" AN ARC DISTANCE OF 335.41 FEET TO A POINT ON THE NORTHERLY PROJECTION OF THE WEST LINE OF LOT 12, FORTY PINES, PLAT BOOK 12, PAGE 99, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID CENTERLINE OF SURVEY, SOUTH 00°46'50" WEST ALONG SAID PROJECTION 54.31 FEET TO THE NORTHWEST CORNER OF SAID LOT 12 AND THE SOUTHERLY EXISTING RIGHT OF WAY OF SAID STATE ROAD 50 AS SHOWN ON SAID RIGHT OF WAY MAP, BEING A POINT ON A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 864.42 FEET, ALSO BEING THE POINT OF BEGINNING; THENCE FROM A TANGENT BEARING OF SOUTH 66°18'32" EAST, RUN SOUTHEASTERLY ALONG SAID EXISTING RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°21'34" AN ARC DISTANCE OF 34.21 FEET TO THE EAST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1795, PAGE 1638, SAID PUBLIC RECORDS; THENCE DEPARTING SAID EXISTING RIGHT OF WAY, SOUTH 00°46'50" WEST ALONG THE EAST LINE 8.26 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 8848.00; THENCE FROM A TANGENT BEARING OF NORTH 66°40'31" WEST, RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°21'04" AN ARC DISTANCE OF 34.21 FEET TO A POINT ON SAID WEST LINE OF LOT 12; THENCE NORTH 00°46'50" EAST ALONG SAID WEST LINE 8.27 FEET TO THE POINT OF BEGINNING.

(OFFICIAL RECORDS BOOK 1039, PAGE 1863)
LOT 4, FORTY PINES SUBDIVISION, CITY OF CLERMONT, AS RECORDED IN THE PLAT BOOK 12, PAGE 99, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

(OFFICIAL RECORDS BOOK 758, PAGE 427)
LOT 5 IN FORTY PINES, A SUBDIVISION IN THE CITY OF CLERMONT, FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 12, PAGE 99, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

(OFFICIAL RECORDS BOOK 786, PAGE 1212)
LOT 7, FORTY PINES, ACCORDING TO THE RECORDED PLAT THEREOF, RECORDED IN PLAT BOOK 12, PAGE 99, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LEGEND AND ABBREVIATIONS:

AC	ACRES	PLS	PROFESSIONAL LAND SURVEYOR
ASPH	ASPHALT PAVEMENT	POC	POINT ON CURVE
CB	CALCULATED	PRC	POINT OF REVERSE CURVATURE
CHORD	CHORD BEARING	PRM	PERMANENT REFERENCE MONUMENT
CL	CHORD DISTANCE	PSM	PROFESSIONAL SURVEYOR MAPPER
CLF	CENTER LINE	R	RADIUS
CM	CHAIN-LINK FENCE	R/W	RIGHT OF WAY
CMC	CONCRETE MONUMENT	SB	SPLIT RAIL FENCE
CONC	CONCRETE	TEB	TEMPORARY BENCH MARK
DEED	DEED	TRM	TYPICAL
ESMT	EASEMENT	W	WITH
EP	EDGE OF PAVEMENT	W/V	WATER VALVE
F.D.O.T	FLORIDA DEPARTMENT OF TRANSPORTATION	WV	CENTRAL ANGLE
FIR	FLOOD (FLORIDA) INSURANCE RATE MAP	X	BREAK LINE
FNC	FENCE	SET	SET 4"x4" CM (BSA LB 1221)
FND	FOUND	FOUND	FOUND 4"x4" CM (AS NOTED)
HWF	HIDE-WIRE FENCE	SET	SET 1/2" (BSA LB 1221)
ID	IDENTIFICATION	FOUND	FOUND 1/2" (AS NOTED)
IP	IRON PIPE	SET	SET 5/8" IRC (BSA LB 1221)
IRC	IRON PIPE & CAP	FOUND	FOUND IRON ROD (AS NOTED)
IR	IRON ROD	FOUND	FOUND IRON PIPE (AS NOTED)
IRC	IRON ROD & CAP	FOUND	FOUND AXLE (AS NOTED)
LB	LAND	FOUND	FOUND "C" CUT
LB	LICENSED BUSINESS	FOUND	FOUND BENCHMARK (AS NOTED)
MEAS	MEASURED	WIRE	WIRE PULL BOX
MAP	MAP BOOK	CABLE	CABLE TELEVISION RISER BOX
N.A.V.D	NORTH AMERICAN VERTICAL DATUM	ELECTRIC	ELECTRIC JUNCTION BOX
N.V.D	NATIONAL GEODETIC VERTICAL DATUM	TELEPHONE	TELEPHONE RISER BOX
N/D	NOT DETERMINED	WATER	WATER METER
NO	NUMBER	TRAFFIC	TRAFFIC SIGNAL BOX
NR	NON-RADIAL	ELECTRIC	ELECTRIC TRANSFORMER
OR	OFFICIAL RECORDS BOOK	WOOD	WOOD UTILITY POLE
OR	OVER-HEAD UTILITIES	PEDESTRIAN	PEDESTRIAN SIGNAL POST
PLAT	PLAT	GUY	GUY ANCHOR
PLAT	PLAT BOOK	LIGHT	LIGHT POLE
POC	POINT OF CURVATURE	STORM	STORM MANHOLE
POC	POINT OF COMPOUND CURVATURE	ELECTRIC	ELECTRIC METER
POC	POURED CONCRETE MONUMENT	SANITARY	SANITARY MANHOLE
POC	PAGE/PAGES	FIBER	FIBER-OPTIC CABLE MARKER
POC	PROPERTY LINE	SINGLE	SINGLE POLE SIGN

CERTIFIED TO:
THE FERBER COMPANY, INC.

**PRELIMINARY
NOT FOR OFFICIAL USE**

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THIS SURVEY MEETS THE APPLICABLE "MINIMUM TECHNICAL STANDARDS" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J17.050-.052, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

WILLIAM D. DONLEY
FLORIDA LICENSED SURVEYOR & MAPPER NO. 5381

DATE

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

(CERTIFICATE OF AUTHORIZATION NO. LB 1221)

BOUNDARY SURVEY
- FOR -
THE FERBER
COMPANY, INC.

LOTS 4, 5, 7-10, AND A
PORTION OF LOTS 11 & 12
FORTY PINES, ACCORDING
TO P.B. 12, PG. 99
LAKE COUNTY, FLORIDA

FB/PG
10-22-28/1-7
FIELD DATE
03/23/2011
DRAWING DATE
03/24/2011
BY
LAT
APPROVED
WCD
PROJECT NO.
4WAL-J5
SCALE
1" = 20'

1
OF
1

REV	DATE	REVISION
1		

880 MAGNOLIA AVENUE
ORLANDO, FLORIDA 32807
Phone: 407.860.8400
Fax: 407.860.8401
www.bowyer-singleton.com
Certified Professional Surveyor
License No. 1251

BOWYER SINGLETON
Land Development & Transportation Engineers
Planners & Surveyors

LEGAL NOTICE

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday February 25, 2014 at 7:00 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2014-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THE 15 FOOT RIGHT-OF-WAY EASEMENT FOR 574.46 FEET OF THE PLATTED UNNAMED ROAD LYING SOUTH OF TRACT 48; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, PUBLICATION, RECORDING, AND FOR AN EFFECTIVE DATE.

This ordinance is available for public inspection in the Planning and Zoning Department, 685 W. Montrose Street, Clermont, Florida, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd, MMC

City Clerk
Daily Commercial
February 11, 2014



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date	
Tuesday, February 25, 2014	
Agenda Item Name	
Ordinance No. 2014-07; <i>Final Walgreens Rezoning</i>	
Requested Action	
Motion to Approve Ordinance No. 2014-07	
Staff Report	
Walgreens Rezoning The applicant is requesting to rezone these parcels from R-2 residential (Bumgarner Parcel) and C-1 commercial (Boudreau Parcel) to C-2 General Commercial in order to permit the construction of a new Walgreens stand alone store at the southwest corner of SR 50 and Bloxam Ave. These parcels (Exhibit 2), in conjunction with the parcels on the corner (north of these sites) that consist of Papa John's Pizza, the abandoned Citgo service station, the Music Station, and the existing home behind the Music Station, will be redeveloped into the new Walgreens store and site. This store will replace the existing Walgreens in the shopping plaza to the east. The proposed new store will be approximately 15,000 square feet and will be developed to the City's Land Development Code. The parcels are located in the Commercial Future Land Use Category (Exhibit 3), as depicted on the City's Future Land Use Map 1.1. Surrounding the parcels to the north, east, and south is the Commercial Land Use Category. To the west, the Land Use Category is Medium Density Residential. The Commercial Future Land Use Category, as stated in Policy 1.9.1 of the City's Comprehensive Plan, allows general retail sales and services. The proposed Walgreens Store would be consistent with this policy and permissible in this Future Land Use Category. The current zoning to the north and east of these parcels is C-2, General Commercial, as shown in Exhibit 3, from the City's Zoning Map. The rezoning of these parcels would be a logical extension, especially from the north, to allow full use of the property. The rezoning to the C-2 zoning district would allow redevelopment of the parcels in the area to the fullest extent permitted under the existing Commercial Future Land Use Category. The rezoning would continue to complete the infill of parcels designated in this area under the Commercial Future Land Use. Under Section 122-223 of the Land Development Code, the C-2 zoning district permits retail businesses. The proposed Walgreens Store would be consistent with this section of the code. The proposed rezoning of the parcels to C-2 would be consistent with this request and the area as a whole. The rezoning would provide for an opportunity to redevelop this area into a more appropriate use, as permitted under the Commercial Future Land Use Category. Therefore, staff recommends approval of this request based upon the information presented. <i>Commissioner Carlos Solis moved to recommend approval of the rezoning; seconded by Commissioner Bernadette Dubuss. The vote was 5-1 to recommend approval for the rezoning to City Council, with Commissioner Harry Mason</i>	

<i>opposing.</i>		
Legal Impact		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Exhibit 1 - Ordinance	2014-07 Walgreens rezone.doc
2.	Exhibit 2 & 3 Maps	Walgreens Exhibit 2 & 3 Maps.pdf
3.	Application	Rezoning application.pdf
4.	Site plan	REZ site plans.pdf
5.	Ad Ordinance 2014-07	Walgreens Rezone PZ2-4-2014 CC 2-25-2014.doc

CITY OF CLERMONT
ORDINANCE No. 2014-07

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, AND PUBLICATION.

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

SECTION 1:

The official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

LEGAL DESCRIPTIONS

673 East Magnolia Street:

Lot 5, Forty Pines Subdivision, City of Clermont, Florida, according to the Plat thereof, recorded in Plat Book 12, Page 99, Public Records of Lake County, Florida.

And

1550 Bloxam Avenue:

Lot 4, Forty Pines Subdivision, City of Clermont, Florida, according to the Plat thereof, recorded in Plat Book 12, Page 99, Public Records of Lake County, Florida.

Together containing .4 acres, more or less

From: R-2 MEDIUM DENSITY RESIDENTIAL & C-1 LIGHT COMMERCIAL
To: C-2 GENERAL COMMERCIAL

SECTION 2:

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

SECTION 3:

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

SECTION 4:

CITY OF CLERMONT
ORDINANCE No. 2014-07

The provisions of this Ordinance shall be effective as provided by law.



CITY OF CLERMONT
ORDINANCE No. 2014-07

CITY OF CLERMONT

Harold S. Turville, Jr., Mayor

ATTEST:

Tracy Ackroyd, City Clerk

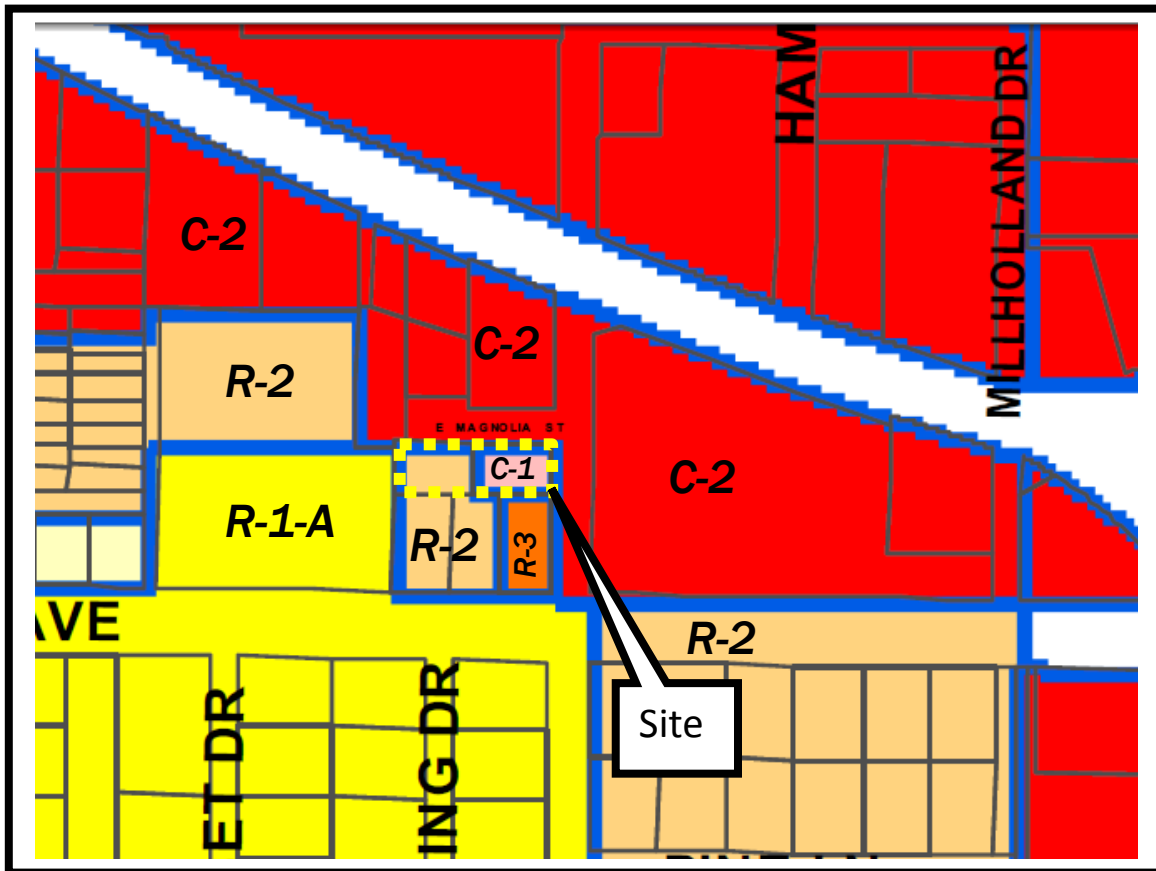
Approved as to form:

Dan Mantzaris, City Attorney

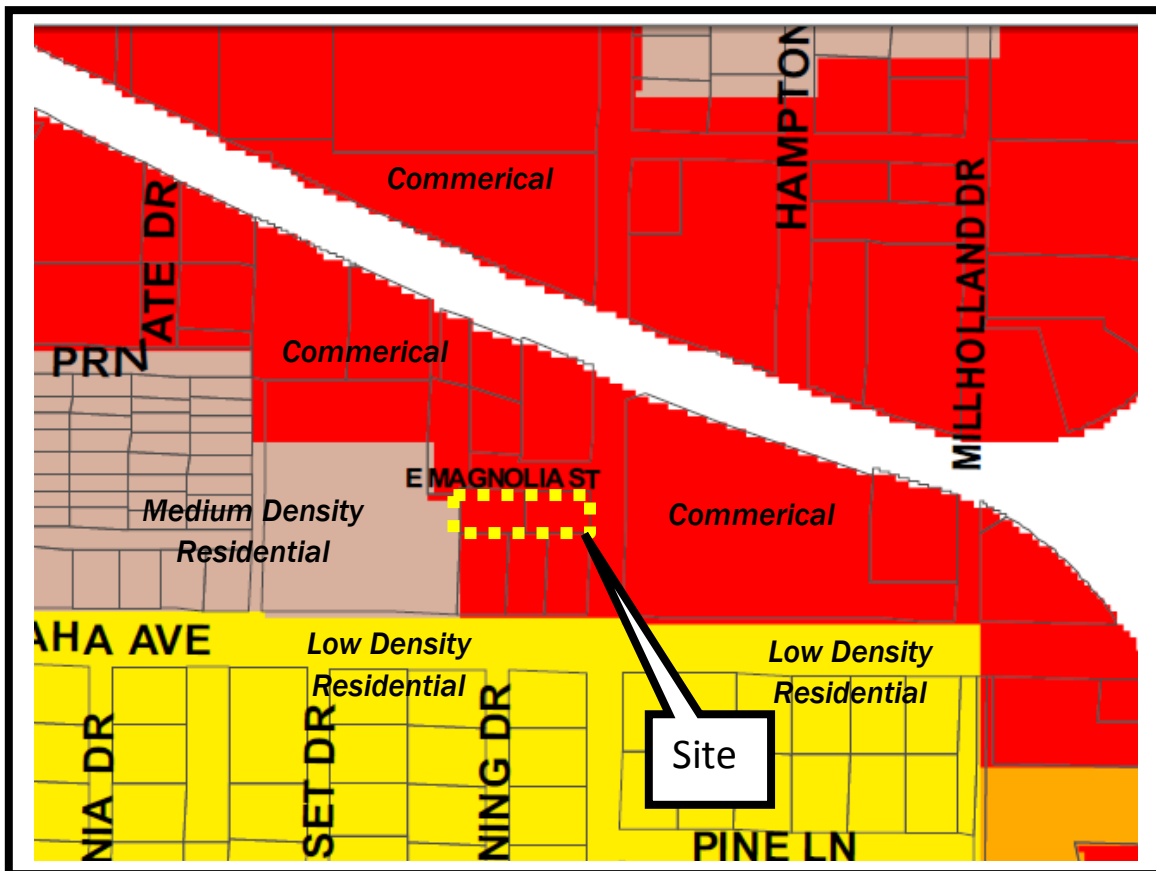
Exhibit 2 – Location



Exhibit 3 – Zoning



Future Land Use





**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: 11/20/13

FEE: \$350.⁰⁰

PROJECT NAME (if applicable): Clermont Walgreens

APPLICANT: The Ferber Company

CONTACT PERSON: Jason Crews

Address: 151 Sawgrass Corners Dr. Suite 202

City: Ponte Vedra Beach

State: FL

Zip: 32082

Phone: (904) 285-7600

Fax: (904) 280-8443

E-Mail: jcrews@ferbercompany.com

OWNER: Shirley G. Boudreau

Address: PO Box 314

City: Clermont

State: FL

Zip: 34711

Phone: 352-396-1122

Fax: 352-241-6365

Address of Subject Property: 1550 Bloxam Ave., Clermont, FL 34711

Legal Description (Include copy of survey): Lot 4, Forty Pines Subdivision, City of Clermont, Florida,
according to the Plat thereof, recorded in Plat Book 12, Page 99, Public Records of Lake County, Florida.

Acreage: 0.20

Land Use: Light Commercial District

(City verification required)

Present Zoning: C-1

(City verification required)

Proposed Zoning: C-2

******* NOTICE *******

**IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL
BE SUBJECT TO A DELAY IN PROCESSING AND WILL NOT BE SCHEDULED
UNTIL SUCH CORRECTIONS ARE MADE.**

**CITY OF CLERMONT
REZONING
APPLICATION
Page 2**

Answers to the following questions are required to complete this application.

What are you proposing to do that would require a rezoning?
Re-development of the above property and adjacent property into a pharmacy/drugstore with drive thru, parking lot and other site improvements to service the proposed pharmacy/drugstore.

Jason Crews

Applicant Name (print)

x Jason Crews
Applicant Name (signature)

Shirley G. Boudreau

Owner Name (print)

Cindy Moran

x Shirley G. Boudreau
Owner Name (signature)
Cindy Moran Attorney in fact
for Shirley Boudreau

***** NOTICE *****

**IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL
BE SUBJECT TO A DELAY IN PROCESSING AND WILL NOT BE SCHEDULED
UNTIL SUCH CORRECTIONS ARE MADE.**

**City of Clermont
Planning & Zoning Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-0219
(352) 394-4083 Fax: (352) 394-3542**



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: 12-18-13

FEE: \$350.⁰⁰

PROJECT NAME (if applicable): Clermont Walgreens

APPLICANT: The Ferber Company

CONTACT PERSON: Jason Crews

Address: 151 Sawgrass Corners Dr. Suite 202

City: Ponte Vedra Beach

State: FL

Zip: 32082

Phone: (904) 285-7600

Fax: (904) 280-8443

E-Mail: jcrews@ferbercompany.com

OWNER: Harry F. Bumgarner

Address: 1474 Curry Road

City: Roseburg

State: OR

Zip: 97471

Phone: _____

Fax: _____

Address of Subject Property: 673 W. Magnolia St., Clermont FL 34771

Legal Description (include copy of survey): Lot 5, Forty Pines Subdivision, City of Clermont, Florida,
according to the Plat thereof, recorded in Plat Book 12, Page 99, Public Records of Lake County, Florida.

Acreage: 0.20

Land Use: Medium Density Residential

(City verification required)

Present Zoning: R-2

(City verification required)

Proposed Zoning: C-2

******* NOTICE *******

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BE SUBJECT TO A DELAY IN PROCESSING AND WILL NOT BE SCHEDULED
UNTIL SUCH CORRECTIONS ARE MADE.**

**CITY OF CLERMONT
REZONING
APPLICATION
Page 2**

Answers to the following questions are required to complete this application.

What are you proposing to do that would require a rezoning?

Re-development of the above property and adjacent property into a pharmacy/drugstore with drive thru, parking lot and other site improvements to service the proposed pharmacy/drugstore.

Jason Crews

Applicant Name (print)

X Jason Crews
Applicant Name (signature)

Harry F. Bumgarner

Owner Name (print)

X Harry F. Bumgarner
Owner Name (signature)

***** NOTICE *****

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY IN PROCESSING AND WILL NOT BE SCHEDULED UNTIL SUCH CORRECTIONS ARE MADE.

City of Clermont Planning & Zoning Department 685 W. Montrose St. P.O. Box 120219 Clermont, FL. 34712-0219 (352) 394-4083 Fax: (352) 394-3542

SEE SHEET 1 FOR NOTES, LEGAL DESCRIPTION AND COMMENTS
SEE SHEET 2 FOR BOUNDARY INFORMATION
SEE SHEET 3 FOR ADDITIONAL TOPOGRAPHIC INFORMATION

LEGEND AND ABBREVIATIONS:

ALTA	AMERICAN LAND TITLE ASSOCIATION
ACSM	AMERICAN CONGRESS ON SURVEYING & MAPPING
NSPS	NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS
±	MORE OR LESS
EL	ELEVATION
LB	LICENSED BUSINESS
NO	NUMBER
PSM	PROFESSIONAL SURVEYOR AND MAPPER
LS	LAND SURVEYOR
ID	IDENTIFICATION
ORB	OFFICIAL RECORDS BOOK
C	CENTERLINE
R	RADIUS
L	ARC LENGTH
Δ	DELTA (CENTRAL ANGLE)
C.D.	CHORD LENGTH
C.B.	CHORD BEARING
(P)	PLAT MEASUREMENT
(D)	DEED MEASUREMENT
(M)	FIELD MEASUREMENT (AS SURVEYED)
(C)	CALCULATED MEASUREMENT
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
BC	BACK OF CURB ELEVATION
FL	FLOW LINE ELEVATION
PI	POINT OF INTERSECTION
LT	LEFT
RT	RIGHT
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
LLC	LIMITED LIABILITY COMPANY
VCP	VITRIFIED CLAY PIPE
HDPE	HIGH DENSITY POLYETHYLENE
DIP	DUCTILE IRON PIPE
PVC	POLYVINYL CHLORIDE
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
NAVD	NORTH AMERICAN VERTICAL DATUM
NGVD	NATIONAL GEODETIC VERTICAL DATUM
PB	PLAT BOOK
ORB	OFFICIAL RECORDS BOOK
PG(S)	PAGE(S)
R/W	RIGHT OF WAY
REF. PT.	REFERENCE POINT
INV.	INVERT
FFE	FINISHED FLOOR ELEVATION
REC	RECOVERED
CCR	CERTIFIED CORNER RECORD
RLS	REGISTERED LAND SURVEYOR
CM	CONCRETE MONUMENT
IRC	IRON ROD AND CAP
IR	IRON ROD
IP	IRON PIPE
CLF	CHAIN LINK FENCE
FCM	FOUND CONCRETE MONUMENT (LB 7077)
FN	FOUND NAIL AS NOTED
FD	FOUND NAIL & DISK (LB 1221)
UN	UNLESS OTHERWISE NOTED
SN	SET NAIL & DISK (LB 8011)
FA	FOUND AXLE
UN	UNLESS OTHERWISE NOTED
FI	FOUND IRON ROD AS NOTED
FS	FOUND 5/8" IRON ROD & CAP (LB 1221)
SI	SET 5/8" IRON ROD & CAP (LB 8011)
CB	CONTROL/BENCHMARK AS DESCRIBED
IG	CURB INLET GRATE
CB	CATCH BASIN
SM	STORM MANHOLE
TM	TELEPHONE MANHOLE
SH	SANITARY MANHOLE
SC	SANITARY CLEANOUT
EM	ELECTRIC MANHOLE
EM	ELECTRIC METER
ER	ELECTRIC RISER BOX
CT	CABLE TELEVISION RISER BOX
TR	TELEPHONE RISER BOX
UR	UTILITY RISER
W	WELL
ICV	IRRIGATION CONTROL VALVE
WM	WATER METER
WV	WATER VALVE
FH	FIRE HYDRANT
ACP	AIR CONDITIONER PAD
GV	GAS VALVE
FCCM	FIBER OPTIC CABLE MARKER
GLM	GAS LINE MARKER
CUP	CONCRETE UTILITY POLE
MUP	METAL UTILITY POLE
WUP	WOOD UTILITY POLE
UGA	UTILITY POLE GUY ANCHOR
LP	LIGHT POLE
MF	WETLAND FLAG
SN	SIGN (AS NOTED)
R	REFLECTOR
MAP	MAST ARM POLE
MB	MAILBOX
B	BOLLARD
BP	BACKFLOW PREVENTOR
SE	144.42 SPOT ELEVATION (IMPERVIOUS SURFACE)
SE	144.4 SPOT ELEVATION (PERVIOUS SURFACE)
---	LINE BREAK
- - -	FENCE LINE AS NOTED
- - -	OVERHEAD UTILITY LINE
- - -	APPROXIMATE TOP OF BANK
- - -	APPROXIMATE TOE OF SLOPE
- - -	EXISTING CONTOUR
■	CONCRETE AREA
■	ASPHALT AREA
■	PARCEL 109 LESS AND EXCEPT-ORB 3915, PAGE 1409
■	PARCEL 110 LESS AND EXCEPT-ORB 3943, PAGE 2055

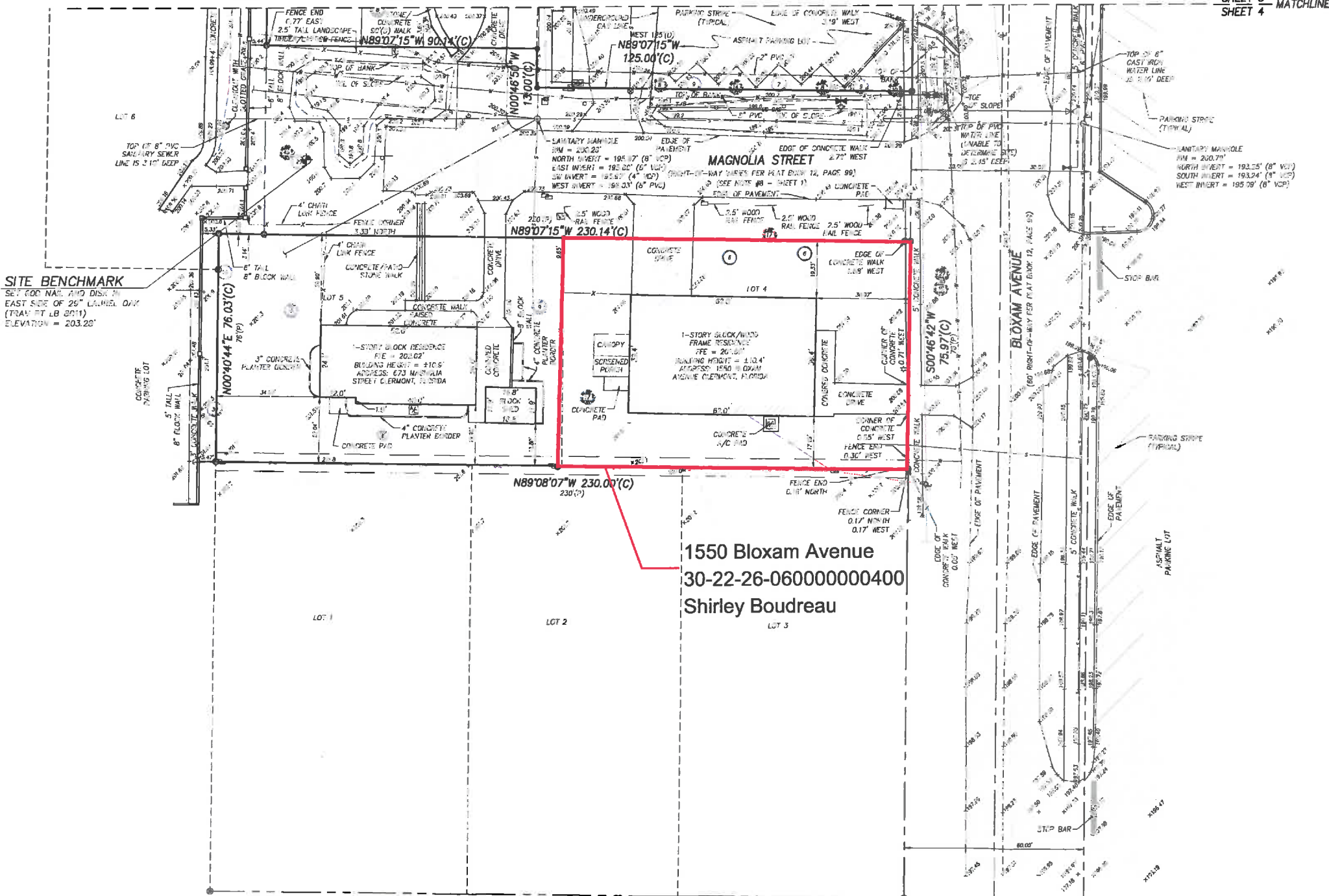
TREE LEGEND	
(SIZE DENOTED INSIDE SYMBOL)	
○	CAMPBELL
○	CEDAR
○	CHERRY
○	CHINABERRY
○	CREPE MYRTLE
○	CYPRESS
○	DOGWOOD
○	GUM
○	HICKORY
○	HOLLY
○	JUNIPER
○	LAUREL OAK
○	LIVE OAK
○	MAGNOLIA
○	MAPLE
○	MIMOSA
○	MISC
○	OAK
○	PALM
○	PECAN
○	PINE TREE
○	PLUM
○	SUGAR HACKBERRY
○	SYCAMORE



NOTE: Scale is not valid
due to plan reproduction

Description: Proposed redevelopment into a
pharmacy/drugstore with drive thru,
parking
lot and other site improvements to service facility

Applicant: The Ferber Company
Attn: Jason Crews
151 Sawgrass Corners Dr. Suite 202
(904) 285-7600



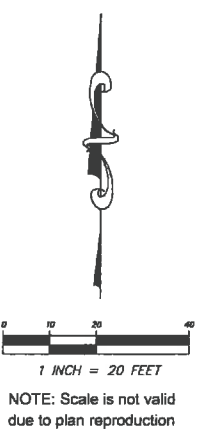
SHEET 3
SHEET 4 MATCHLINE

SEE SHEET 1 FOR NOTES, LEGAL DESCRIPTION AND COMMENTS
SEE SHEET 2 FOR BOUNDARY INFORMATION
SEE SHEET 3 FOR ADDITIONAL TOPOGRAPHIC INFORMATION

LEGEND AND ABBREVIATIONS:

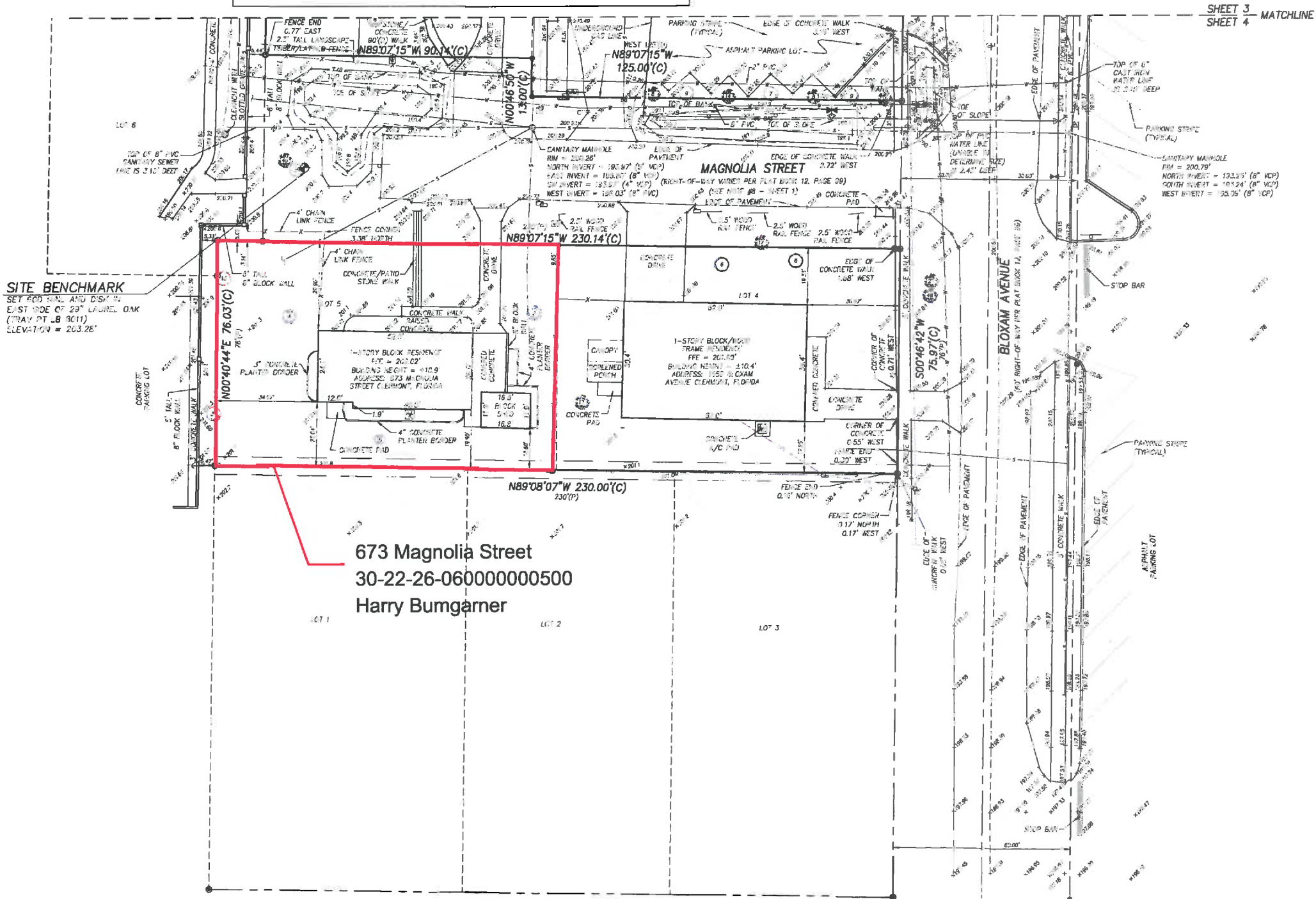
- ALTA AMERICAN LAND TITLE ASSOCIATION
ACSM AMERICAN CONGRESS ON SURVEYING & MAPPING
NSPS NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS
± MORE OR LESS
EL ELEVATION
LB LICENSED BUSINESS
NO. NUMBER
PSM PROFESSIONAL SURVEYOR AND MAPPER
LS LAND SURVEYOR
ID. IDENTIFICATION
ORB OFFICIAL RECORDS BOOK
C CENTERLINE
R RADIUS
L ARC LENGTH
Δ DELTA (CENTRAL ANGLE)
C.D. CHORD LENGTH
C.B. CHORD BEARING
(P) PLAT MEASUREMENT
(D) DEED MEASUREMENT
(M) FIELD MEASUREMENT (AS SURVEYED)
(C) CALCULATED MEASUREMENT
PC POINT OF CURVATURE
PT POINT OF TANGENCY
BC BACK OF CURB ELEVATION
FL FLOW LINE ELEVATION
PI POINT OF INTERSECTION
LT. LEFT
RT. RIGHT
FEMA FEDERAL EMERGENCY MANAGEMENT AGENCY
LLC LIMITED LIABILITY COMPANY
VCP VITRIFIED CLAY PIPE
HDPE HIGH DENSITY POLYETHYLENE
DIP DUCTILE IRON PIPE
PVC POLYVINYL CHLORIDE
CMP CORRUGATED METAL PIPE
RCP REINFORCED CONCRETE PIPE
NAD83 NORTH AMERICAN DATUM
NGVD NATIONAL GEODETIC VERTICAL DATUM
PB PLAT BOOK
ORB OFFICIAL RECORDS BOOK
PG(S) PAGE(S)
R/W RIGHT OF WAY
REF. PT. REFERENCE POINT
INV. INVERT
FTE FINISHED FLOOR ELEVATION
REC RECOVERED
COR CERTIFIED CORNER RECORD
RLS REGISTERED LAND SURVEYOR
CM CONCRETE MONUMENT
IR IRON ROD AND CAP
IP IRON PIPE
CLF CHAIN LINK FENCE
FC FOUND CONCRETE MONUMENT (LB 7077)
FN FOUND NAIL AS NOTED
FND FOUND NAIL & DISK (LB 1221)
UNLESS OTHERWISE NOTED
SET NAIL & DISK (LB 8011)
FOUND AXLE
UNLESS OTHERWISE NOTED
FOUND IRON ROD AS NOTED
FOUND 5/8" IRON ROD & CAP (LB 1221)
SET 5/8" IRON ROD & CAP (LB 8011)
CONTROL/BENCHMARK AS DESCRIBED
CURB INLET GRATE
CATCH BASIN
STORM MANHOLE
TELEPHONE MANHOLE
SANITARY MANHOLE
SANITARY CLEANOUT
ELECTRIC MANHOLE
ELECTRIC METER
ELECTRIC RISER BOX
CABLE TELEVISION RISER BOX
TELEPHONE RISER BOX
UTILITY RISER
WELL
IRRIGATION CONTROL VALVE
WATER METER
WATER VALVE
FIRE HYDRANT
AIR CONDITIONER PAD
GAS VALVE
FIBER OPTIC CABLE MARKER
GAS LINE MARKER
CONCRETE UTILITY POLE
METAL UTILITY POLE
WOOD UTILITY POLE
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Description: Proposed redevelopment into a pharmacy/drugstore with drive thru, parking lot and other site improvements to service facility

Applicant: The Ferber Company
Attn: Jason Crews
151 Sawgrass Corners Dr. Suite 202
(904) 285-7600



673 Magnolia Street
30-22-26-060000000500
Harry Bumgarner

SHEET 3
SHEET 4 MATCHLINE

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider the enactment of following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2014-07

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT, REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION.

LOCATION

673 West Magnolia Street
and
1550 Bloxam Avenue

LEGAL DESCRIPTION

673 West Magnolia Street:

Lot 5, Forty Pines Subdivision, City of Clermont, Florida, according to the Plat thereof, recorded in Plat Book 12, Page 99, Public Records of Lake County, Florida.

1550 Bloxam Avenue:

Lot 4, Forty Pines Subdivision, City of Clermont, Florida, according to the Plat thereof, recorded in Plat Book 12, Page 99, Public Records of Lake County, Florida.

Together containing .4 acres, more or less

FROM R-2 MEDIUM DENSITY RESIDENTIAL & C-1 LIGHT COMMERCIAL
TO C-2 GENERAL COMMERCIAL

This request will be considered by the Planning & Zoning Commission on Tuesday, February 4, 2014 at 7:00pm

A public meeting to consider the request will be held before the City Council on Tuesday, February 25, 2014 at 7:00pm for final enactment.

All meetings will be held at City Hall, located at 685 W. Montrose Street.

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00am and 5:00pm

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made.

Tracy Ackroyd
City Clerk

Daily Commercial
January 28, 2014 and February 11, 2014





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date		
Tuesday, February 25, 2014		
Agenda Item Name		
Ordinance No. 2014-10; <i>Introduction Firefighters' Pension Plan Amendment</i>		
Requested Action		
Introduce Ordinance No. 2014-10		
Staff Report		
The recently approved collective bargaining agreement with the International Association of Firefighters, AFL-CIO, Clermont Professional Firefighters Local 4350 contained several changes to the Firefighters Pension Plan. The changes agreed to between the City and the Union includes limiting the amount of overtime and unused sick and annual leave that may be included in the calculation of a firefighter's retirement benefit, adding a 20 year and out normal retirement date option, increasing the employee pension contribution rate from 1% to 4% of salary and allowing the City to use 100% of the annual Chapter 175 insurance premium tax revenues to fund the normal costs of the pension plan. Ordinance No. 2014-10 amends the pension plan adoption agreement for these changes.		
Legal Impact		
Additional Analysis		
Fiscal Impact Summary		
The proposed pension changes are included in the current year approved budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Ordinance No. 2014-10 - Firefighters Pension Plan	Ordinance No 2014-10 (Underlined) FF Pension.doc
2.	Adoption Agreement - Firefighters Pension Plan	Firefighters Adoption Agreement (Underlined) - 3-11-14.docx
3.	Ord. 2014-10 Advertisement	Ordinance # 2014-10.doc

CITY OF CLERMONT
ORDINANCE No. 2014-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING AND RESTATING THE CITY OF CLERMONT FIREFIGHTERS' PENSION TRUST FUND, AS ADOPTED BY ORDINANCE NO. 304-C; PROVIDING PLAN BENEFIT REVISIONS; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Clermont Firefighters' are presently provided pension and certain other benefits under Ordinance No. 304-C and;

WHEREAS, the City Council desires to restate the provisions of the Firefighters' Retirement Plan pursuant to the collective bargaining process;

WHEREAS, the bargaining unit; pursuant to the collective bargaining process, agrees to allow the City to use one hundred (100%) percent of the allowable annual Chapter 175 insurance premium tax revenues as determined by the pension plan actuary to fund the normal pension costs of this plan;

SECTION 1.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Clermont, Lake County, Florida that the following sections of the Firefighters' Retirement Plan Adoption Agreement shall be amended to read as follows (note strikethrough indicates removed words and underlined indicates added):

D. Salary

Means the fixed monthly remuneration paid a Firefighter; where, as in the case of a Volunteer Firefighter, remuneration is based on actual services rendered, salary shall be the total cash remuneration received yearly for such services, prorated on a monthly basis. The remuneration paid a Firefighter by the employer for a plan year excludes bonuses. The amount of annual overtime compensation that may be included in the calculation of the participant's retirement benefit shall be limited to the first three hundred (300) hours of overtime paid per calendar year. The amount of the accrued unused sick or annual leave payment at retirement that may be included in the calculation of the participant's retirement benefit shall be the lesser of (a) the total value of accrued unused sick or annual leave that would have been paid to the participant based on years of service as of February 11, 2014 or (b) the actual amount of accrued unused sick or annual leave paid to the participant at retirement.

CITY OF CLERMONT
ORDINANCE No. 2014-10

G. Benefit Amounts and Eligibility

G1) Normal Retirement Date

A Participant's Normal Retirement Date shall be the first day of the month coincident with or next following the attainment of age 55 and 10 years of service or attainment of ~~age 52 and 25 years of service~~ 20 years of service, regardless of age.

K. Employee Contributions

Members of the Plan shall be required to make regular contributions to the Fund in the amount of ~~one (1%)~~ four (4%) percent of their salary/~~pre~~ after tax, effective in the pay period beginning February 10, 2014.

SECTION 2. _

Any portion of the City of Clermont Code or any ordinance or part thereof in conflict with this Ordinance is hereby repealed to the extent of such conflict.

SECTION 3.

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

SECTION 4.

Plan benefit revisions provided by this Ordinance shall not apply to any plan member who has retired prior to February 11, 2014.

SECTION 5.

This ordinance shall be published as provided by law, and it shall become law and take effect upon its Second Reading and Final passage.

CITY OF CLERMONT
ORDINANCE No. 2014-10

Florida on this 11th day of March, 2014.

CITY OF CLERMONT

Harold S. Turville, Jr., Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

**FLORIDA MUNICIPAL PENSION TRUST FUND
DEFINED BENEFIT PLAN AND TRUST**

ADOPTION AGREEMENT

The undersigned Employer adopts the Florida Municipal Pension Trust Fund Defined Benefit Plan and Trust for those Employees who shall qualify as Participants hereunder, to be known as the Retirement Plan and Trust for the

Firefighters of the City of Clermont

It shall be effective as of the date specified below. The Employer hereby selects the following Plan specifications:

EMPLOYER INFORMATION

Employer:	City of Clermont
Contact Name and Title:	Joseph E. Van Zile Finance Director
Address:	P.O. Box 120219 Clermont, FL 34712-0219
Telephone:	(352) 241-7368
Fax:	(352) 394-4082
Email:	jvanzile@clermontfl.org

NAME AND ADDRESS OF TRUSTEE:

Florida Municipal Pension Trust Fund
301 S. Bronough St., Suite 300
P.O. Box 1757
Tallahassee, FL 32302-1757
TEL: (850)222-9684 Fax: (850)222-3806

LOCATION OF EMPLOYER'S PRINCIPAL OFFICE:

The Employer is located in the State of Florida
and this Trust shall be enforced and construed
under the laws of the State of Florida.

EMPLOYER FISCAL YEAR:

Twelve months commencing on October 1st and ending on September 30th.

A. PLAN INFORMATION

This Adoption Agreement shall establish a Plan and Trust with the following provisions:

- A1) **Effective Date:**
Effective Date: 12-31-99
- A2) **Plan Year (12 consecutive month period):**
Beginning October 1 and Ending September 30
- A3) **Plan Anniversary Date (Annual Valuation Date):** October 1
- A4) **Name of Plan Administrator:**
Florida League of Cities, Inc.
301 S. Bronough St.
Post Office Box 1757
Tallahassee, Florida 32302-1757
Tel: (850) 222-9684 Fax: (850) 222-3806
- A5) **Florida Municipal Pension Trust Fund I.D. Number:** 59-2961075
- A6) **Florida Municipal Pension Trust Funds' Agent for Legal Process:**
Florida League of Cities, Inc.
301 South Bronough St., P.O. Box 1757
Tallahassee, FL 32302-1757
Tel: (850) 222-9684 Fax: (850) 222-3806

B. PLAN

The Firefighters of the City of Clermont are eligible to participate in the Plan.

C. ELIGIBILITY

Firefighters are eligible to participate in the plan immediately when hired.

D. SALARY

Means the fixed monthly remuneration paid a Firefighter; where, as in the case of a Volunteer Firefighter, remuneration is based on actual services rendered, salary shall be the total cash remuneration received yearly for such services, prorated on a monthly basis. The remuneration paid a Firefighter by the employer for a plan year excludes bonuses. The amount of annual overtime compensation that may be included in the calculation of the bargaining unit member's retirement benefit shall be limited to the first three hundred (300) hours of overtime paid per calendar year. The amount of the accrued unused sick or annual leave payment at retirement that may be included in the calculation of the bargaining unit member's retirement benefit shall be the lesser of (a) the total value of accrued unused sick or annual leave that would have been paid to the bargaining unit member based on years of service as of the date of approval of this contract by the City Council or (b) the actual amount of accrued unused sick or annual leave paid to the bargaining unit member at retirement.

E. CREDITED SERVICE

Shall mean the total number of years and fractional parts of years of service as a Participant during which the Participant made required contributions to the Plan, omitting

intervening years or fractional parts of years when such Participant is not employed by the Employer.

E1) Option of Purchasing Prior Credited Service:

Credited service shall also include credited service purchased by a member in accordance with this section:

- a. Participants who were employed in a position covered by the Plan prior to the effective date of this ordinance may purchase up to five (5) additional years of credited service under the Plan for all or a portion of their previous full-time employment with the federal government, including military service, or any state, county, or city government other than the City of Clermont. Service other than Military Service must be as a Firefighter. Any participant who elects, prior to three (3) months from the effective date of this ordinance, to purchase previous full-time employment with the federal government, including military service, or any state, county, or city government other than the City of Clermont, shall pay the full actuarial cost of such credited service on or before six (6) months from the effective date of this ordinance in accordance with subsection (d) below. The calculation of the full actuarial cost shall be made using the assumptions contained in the actuarial valuation performed prior to the purchase of the service credits. The employee salary used as the initial salary for the projected salary shall be the salary for the year preceding the purchase of the service credits. The service credits shall be used for benefit accrual and for satisfying service requirements for benefits.
- b. Participants with a hire date after the effective date of this ordinance may purchase up to five (5) additional years of credited service at any time before completing three (3) months of service with the City of Clermont; provided the member has paid into the plan prior to completing six (6) months of service, the full actuarial cost of such credited service as determined by the plan actuary. The calculation of the full actuarial cost shall be made using the assumptions contained in the actuarial valuation performed prior to the purchase of the service credits. The employee salary used as the initial salary for the projected salary shall be the employee's annualized starting salary. The service credits shall be used for benefit accrual and for satisfying service requirements for benefits.
- c. No additional service credit will be allowed if the participant is receiving or will receive any other retirement benefit based on the prior government service.
- d. Payment for the purchase of credited service authorized in subsection E. 1 (a) and (b), above, shall be made in one of the following manners:
 - a. Cash lump sum payment.
 - b. Direct transfer or rollover of an eligible rollover distribution from a qualified Plan.

Full payment for the purchase of past service credit must be made before separation from City employment.

F. AVERAGE FINAL COMPENSATION

Full-Time Firefighters – one-twelfth of the average annual compensation of the 5 best years of the last 10 years of creditable service prior to retirement, termination or death, or the Full-time Firefighter career average of the Firefighter, whichever is greater.

Volunteer Firefighters - the average salary of the 5 best years of the last 10 best contributing years prior to change in status to a permanent Full-time Firefighter or retirement as a Volunteer Firefighter or the career average of the Firefighter, whichever is greater.

G. BENEFIT AMOUNTS AND ELIGIBILITY

G1) Normal Retirement Date:

A Participant's Normal Retirement Date shall be the first day of the month coincident with or next following the attainment of age 55 and 10 years of service or attainment of ~~age 52 and 25 years of service~~ 20 years of service, regardless of age.

(Only actual completed years of credited service will be used to determine normal retirement date)

G2) Normal Retirement Benefit:

The monthly normal retirement benefit for Full-time Firefighters shall be:

The sum of (1) the number of years service prior to October 1, 2002 multiplied by 2.25% and (2) the number of years of service after October 1, 2002, multiplied by 3% and multiplied by average final compensation.

The monthly normal retirement benefit for Volunteer Firefighters shall be the greater of:

(a) five dollars (\$5.00) a year multiplied by the years of credited volunteer service, or

(b) the sum of (1) the number of years of credited volunteer service prior to October 1, 2002 multiplied by 2.25% and (2) the number of years of credited volunteer service after October 1, 2002 multiplied by 3% and multiplied by average monthly compensation as a volunteer.

The monthly normal retirement benefit of a Volunteer Firefighter that changes status from a Volunteer Firefighter to a Full-time Firefighter shall be:

The sum of:

- (1) the accrued benefit as a volunteer firefighter, and
- (2) the accrued benefit as a full-time firefighter.

G3) Early Retirement Date:

A Participant may retire on his Early Retirement Date which shall be the first day of any month coincident with or next following the attainment of age 50 and the completion of 10 years of credited service.

(Only actual completed years of credited service will be used to determine early retirement date.)

G4) Early Retirement Benefit:

The accrued benefit will be reduced by three percent (3%) for each year by which early retirement precedes normal retirement.

H. DISABILITY BENEFITS

H1) Disability Benefits In-the-Line-of-Duty:

A member determined by the Board of Trustees to be totally and permanently disabled from a service connected injury or disease will receive the greater of a monthly pension equal to 42% of average monthly compensation or an amount equal to the accrued retirement benefit.

H2) Disability Benefits Off-Duty:

A member determined to be totally and permanently disabled by the Board of Trustees from a non-service connected injury or disease must have completed at least ten (10) years of service. A member who has completed the required years of service will receive the greater of (a) the accrued benefit, (b) the accumulated contributions at 5% interest, or (c) 25% of average compensation. A member who has not completed the required years of service will receive a return of accumulated employee contributions with 5% interest.

I. DEATH BENEFITS

I1) Death Prior to Vesting - In-Line-Of-Duty:

If a member dies prior to retirement in-the-line-of-duty, and he is not vested, his beneficiary shall receive a refund of one hundred percent (100%) of the member's accumulated contributions.

I2) Death After Vesting - In-Line-Of-Duty:

If a member dies prior to retirement in-the-line-of-duty, and he is vested, having completed the required years of credited service, his beneficiary shall receive the benefits otherwise payable to the member at the member's early or normal retirement date.

I3) Death Prior to Vesting - Off -Duty:

If a member dies prior to retirement other than in-the-line-of-duty, and he is not vested, his beneficiary shall receive a refund of one hundred percent (100%) of the member's accumulated contributions.

I4) Death After Vesting - Off-Duty:

If a member dies prior to retirement other than in-the-line-of-duty, but he is vested, having completed the required years of credited service, his beneficiary shall receive the benefits otherwise payable to the member at the member's early or normal retirement date.

J. TERMINATION OF EMPLOYMENT AND VESTING

The sum of the volunteer firefighter years of service and full-time firefighter years of service will be counted in total for vesting purposes.

If a member's employment is terminated either voluntarily or involuntarily the following benefits are payable:

- 1) If a member has less than five (5) years of credited service upon termination of employment, the member shall be entitled to a refund of his accumulated contributions or the member may leave the accumulated contributions deposited with the fund.
- 2) If a member has more than five (5) and less than ten (10) years of credited service upon termination of employment, the member shall be entitled to their accrued monthly benefit, starting at the member's otherwise normal or early retirement date, provided he does not elect to withdraw his contributions and provided he survives to his normal or early retirement date, in accordance with the following schedule:

<u>Years of Service</u>	<u>Vesting%</u>
5	50%
6	60%
7	70%
8	80%
9	90%

For the purposes of this section only, a member may start drawing his vested accrued benefit at the age of 55. Early retirement deduction will be based on the years between the age of 55 and the early retirement date.

- 3) If the member has ten (10) or more years of credited service upon termination of employment, the member shall be entitled to their accrued monthly retirement benefits, starting at the member's otherwise normal or early retirement date, provided he does not elect to withdraw his contributions and provided he survives to this normal or early retirement date. Early and normal retirement dates are based on actual years of service.

K. EMPLOYEE CONTRIBUTIONS

Members of the Plan shall be required to make regular contributions to the Fund in the amount of ~~one (1%)~~ four (4%) percent of their salary/~~pre~~ after-tax, effective in the pay period beginning February 10, 2014.

L. COST OF LIVING ADJUSTMENT

Not applicable unless otherwise stated.

M. DEFERRED RETIREMENT OPTION PROGRAM, "DROP"

I. ELIGIBILITY.

A participant who reaches the normal retirement date as a Firefighter for the City of Clermont and is a member of the City of Clermont Firefighters' Pension Plan

may enter into a Deferred Retirement Option Plan ("DROP") on the first day of the month following the attainment of normal retirement date as defined in the Plan Adoption Agreement. Participants who attained their normal retirement date prior to the enactment of the "DROP" shall be afforded the option of participating immediately or retroactively to the date that they actually attained their normal retirement date. This option must be exercised no later than (60) days after the Board provided notice of this option to the affected employee.

II. WRITTEN ELECTION.

An eligible participant electing to participate in the "DROP" must complete and execute the proper forms supplied by the plan and a resignation of employment. Election into the "DROP" is irrevocable once a participant completes the application to enter the "DROP".

III. LIMITATION AND DISQUALIFICATION FOR OTHER BENEFITS.

A participant may participate in the "DROP" only once. After commencement of participation the employee shall no longer earn or accrue additional vesting credits or credited years of service toward retirement benefits and shall not be eligible for disability or pre-retirement death benefits in the City of Clermont Firefighters' Pension Plan.

IV. CESSATION OR REDUCTION OF CONTRIBUTIONS.

Upon the effective date of a participant's commencement of participation in the "DROP", the participant's contributions to the City of Clermont Firefighters' Pension Plan will be discontinued.

V. BENEFIT CALCULATIONS.

For all City of Clermont Firefighters' Pension Plan purposes, the credited service and vesting credits of a participant participating in the "DROP" shall remain as they existed on the effective date of commencement of participation in the "DROP". The participant shall not earn or be credited with any additional vesting credits or credited service after beginning "DROP" participation. Service thereafter shall not be recognized by the City of Clermont Firefighters' Pension Plan or used for the calculation or determination of any benefits payable by such Plan.

The average final compensation of the participant shall remain as it existed on the effective date of commencement of participation in the "DROP". Payment for accrued unused leave (vacation, holiday, etc.) shall be made, at the option of the participant, from one of the following choices:

1. when commencing participation in the "DROP", or
2. as the leave is actually used during participation in the "DROP", or
3. when the participant actually terminates employment with the City.

Earnings thereafter shall not be recognized by the Plan or used for the calculation or determination of any benefits payable by the Plan. However, the value of any retirement gift provided by the City shall be based on the date that a participant actually leaves employment with the City including the "DROP" participation period.

VI. PAYMENTS TO DROP ACCOUNT.

The monthly retirement benefits that would have been payable had the member elected to cease employment and receive normal retirement benefits shall be deposited in the participant's "DROP" account.

VII. DROP ACCOUNT EARNINGS.

After each fiscal year quarter, the average daily balance in a participant's deferred retirement option account shall be credited at a rate of six and one-half percent (6.5%) annual interest compounded monthly. The Board of Trustees along with the City shall review the stated rate of return on an annual basis in order to determine the necessity of any adjustment for future "DROP" participants only.

VIII. MAXIMUM PARTICIPATION.

A participant may participate in the "DROP" for a maximum of sixty (60) months. At the conclusion of the sixty (60) months, the participants' covered city employment must terminate pursuant to the resignation submitted by the participant as part of the "DROP" application. The participant may terminate "DROP" participation by advancing their resignation from covered city employment to a date prior to that submitted by the participant as part of the "DROP" application.

IX. PAYOUT.

- A. Upon the termination of a members' covered City employment (for any reason, whether by retirement, resignation, discharge or death), the retirement benefits payable to the participant or the participant's beneficiary (if the participant selected an optional form of retirement benefit which provides for payments to the beneficiary) shall be paid to the member or beneficiary and shall no longer be deposited into the participant's "DROP" account.
- B. Within thirty (30) days after the end of any calendar quarter following the termination of a participant's employment, the balance in the participant's "DROP" account shall be payable at the participant's option:
 - 1. In full in a single lump sum payment, all accrued "DROP" benefits, plus interest, less withholding taxes remitted to the Internal Revenue Services (IRS), paid to the "DROP" participant or surviving beneficiary, or;
 - 2. As a direct rollover, all accrued "DROP" benefits, plus interest, paid directly from the "DROP" to the custodian of an eligible retirement plan as defined in Section 402(c)(8)(B), Internal Revenue Code (IRC). If benefit is to be paid to a surviving

beneficiary, the transfer shall be to an individual retirement account or annuity as described in Section 402(c)(9), IRC.

3. Partial lump sum – A portion of the accrued “DROP” benefits shall be paid to the participant or surviving beneficiary, less IRS tax, and the remaining “DROP” benefits shall be transferred directly to the custodian of an eligible retirement plan as defined in Section 402 (c)(8)(B), IRC. However, in the case of an eligible rollover distribution to the surviving beneficiary of a deceased participant, an eligible retirement plan is an individual retirement account or annuity as described in Section 402(c)(9), IRC. The “DROP” participant or surviving beneficiary shall specify the proportions.

Regardless of the option selected by the participant, the Board of Trustees has the right to accelerate payments in order to comply with Section 401 (A)(9) of the Internal Revenue Code and the right to defer payments to comply with Section 415 of the Internal Revenue Code.

X. DEATH.

If a “DROP” participant dies before their account balances are paid out in full, the participant’s designated beneficiary shall have the same rights as the participant to elect and receive the payout options set forth in paragraph nine (IX) above. “DROP” payments to a beneficiary shall be in addition to any retirement benefits payable to the participant. Participants who are or have been “DROP” participants are not eligible for pre-retirement death or disability benefits.

XI. FORMS.

The forms and notices approved by the City shall be used in the administration of the “DROP” Plan.

XII. AMENDMENT.

The Board of Trustees, upon approval by the City Council, can amend the “DROP” at any time. Such amendments shall be consistent with the provisions covering deferred retirement option plans set forth in any applicable collective bargaining agreement and shall be binding upon all future “DROP” participants and upon all “DROP” participants who have balances in their accounts. Such amendments may increase the expense, decrease the account earnings, or limit or restrict the payout options.

This Adoption Agreement may be used only in conjunction with the Basic Defined Benefit Plan Document.

This Adoption Agreement and the Basic Defined Benefit Plan Document shall together be known as the **Retirement Plan and Trust for the Firefighters of the City of Clermont.**

The Adoption Agreement and the Basic Defined Benefit Plan Document are furnished for the consideration of the Employer and its legal and financial advisors. The Florida Municipal Pension Trust Fund advises the sponsoring Employer to consult with its own attorney and financial advisors on the legal and tax implications of the Defined Benefit Plan

and the Adoption Agreement. Nothing herein should be construed as constituting legal or tax advice.

We understand that the Employer may amend any election in this Adoption Agreement by giving the Trustee written notification of such Amendment as adopted.

The Employer hereby agrees to operate under the provisions of the Master Trust Agreement creating the Florida Municipal Pension Trust Fund, which is incorporated in full into this Agreement and attached hereto as Exhibit A to the Basic Defined Benefit Plan Document and the Adoption Agreement.

IN WITNESS WHEREOF, the Employer and Trustee hereby cause this Agreement to be executed on this 11th day of March, 2014.

CITY OF CLERMONT

Harold S. Turville, Jr., Mayor_____

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider the enactment of the following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2014-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING AND RESTATING THE CITY OF CLERMONT FIREFIGHTERS' PENSION TRUST FUND, AS ADOPTED BY ORDINANCE NO. 304-C; PROVIDING PLAN BENEFIT REVISIONS; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

A public meeting to introduce will be held before the City Council on Tuesday, February 25, 2014 at 7:00pm.

A meeting to consider the Ordinance will be held before the City Council on Tuesday, March 11, 2014 at 7:00pm for final enactment.

All meetings will be held in Clermont City Hall located at 685 West Montrose Street, Clermont, FL 34711.

This ordinance is available for public inspection in the office of the City Clerk, 685 West Montrose Street, Monday through Friday between the hours of 8:00am and 5:00pm.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd, MMC
City Clerk

Daily Commercial
February 25, 2014



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Recommendation Request <i>Lake County Growth Management</i>					
Requested Action					
Move to recommend a flag pole height code change for the JPA to the Lake County Board of County Commissioners.					
Staff Report					
Lake County Board of County Commissioners will be considering a Joint Planning Area code amendment regarding flag pole height. Currently, the JPA code has a flag pole height limit of 35 feet. The proposal is to allow flag poles with a maximum height of 100 feet within the JPA area of Lake County. The current flag pole height for the City was approved by Ordinance No. 2013-04 in February 2013. This ordinance limited flag poles to a maximum height of 55 feet. Lake County Growth Management is requesting Clermont City Council's recommendation for this proposed change to present to the Lake County Board of County Commissioners in March 2014.					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date					
Tuesday, February 25, 2014					
Agenda Item Name					
Lake Hiawatha Preserve					
Requested Action					
Discussion					
Staff Report					
Legal Impact					
Additional Analysis					
Fiscal Impact Summary					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					