



City of Mount Dora
510 North Baker Street
Mount Dora, Florida 32757
352-735-7126

Mount Dora City Council
Mount Dora City Hall Board Room
510 North Baker Street, Mount Dora, Florida 32757
September 6, 2022, 6:00 PM

AGENDA

CALL TO ORDER

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

1. Recognition of Representative Keith Truenow for Legislative Advocacy on Behalf of Mount Dora
2. 2022 Legislative Session Recap and 2023 Legislative Session Preview by Ryan Matthews and Angela Drzewiecki of Gray Robinson P.A.
3. Certificate of Recognition for the 100th Birthday of Joyce Conliffe 5
4. Certificate of Recognition for the 100th Birthday of Wilton Adams 7
5. Recognition of Girl Scouts for New Little Free Library 9

PUBLIC COMMENTS

- This is the time for the public to come forward with any comments on any subject related to City business that is not listed on the Agenda.
- Please complete a speaker card and provide it to the City Clerk prior to the meeting.
- Please clearly state your name and address for the record. If you are part of a group, try to designate a speaker.
- Please address all comments to the Mayor.
- We will try to answer your questions at the time asked; however, there may be times we will need to conduct research prior to providing an answer.

APPROVAL OF AGENDA

BOARD APPOINTMENTS

CONSENT AGENDA

- | | |
|--|----|
| 1. Request Approval of Meeting Minutes
-August 16, 2022 City Council Regular Session
-August 29, 2022 City Council Budget Work Session | 11 |
| 2. Request Approval of Task Authorization with Neel-Schaffer for Phase 2
Engineering for the North Donnelly Street Sidewalk Improvements | 24 |
| 3. Request Approval of Agreement with Rent.fun, LLC, for Self-service,
Person Powered, Recreational Watercraft Rental Operator Services | 48 |

ACTION ITEMS

PUBLIC HEARINGS - RESOLUTIONS/ORDINANCES

- | | |
|--|-----|
| 1. Request Approval of Resolution No. 2022-48 , Tentative Millage Rate for
Fiscal Year 2022-2023 | 62 |
| 2. Request Approval of Resolution No. 2022-49 , Tentative Budget for
Fiscal Year 2022-2023 | 66 |
| 3. Request Approval of Resolution No. 2022-55 , Final Fire Assessment Fee
for Fiscal Year 2022-2023 | 73 |
| 4. Request Approval of Resolution No. 2022-39 , Lake Franklin Estates
Final Plat (6 Lots) | 87 |
| 5. Request Approval of First Reading of Ordinance No. 2022-12 ,
Amending Chapter 42 of the Code of Ordinances to allow for Electric
Carriages | 133 |
| 6. Request Approval of First Reading of Ordinance No. 2022-10 , Land
Development Code Amendment | 142 |

7. Request Approval of **Resolution No. 2022-56**, Establishing the *Mount Dora Cares* Program to Provide a Temporary Credit to Electric Utility Customers 163

INFORMATIONAL

DISCUSSION ITEMS

1. Mayor Stile's Proposal for Deferred Utility Billing 167
2. Youth Council 169

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

COMMUNICATIONS AND REPORTS

- Council Member Cal Rolfson
- Council Member Nate Walker
- Council Member Doug Bryant
- Council Member John Cataldo
- Council Member Austin Guenther
- Vice-Mayor Marc Crail
- Mayor Crissy Stile

FUTURE MEETING DATES

- September 20, 2022, 6:00 PM, Regular Session
- October 4, 2022, 6:00 PM, Regular Session
- October 18, 2022, 6:00 PM, Regular Session
- November 1, 2022, 6:00 PM, Regular Session

ADJOURNMENT

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE AT THIS MEETING WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OR HEARING, SUCH PERSON MAY NEED A RECORD OF THESE PROCEEDINGS FOR SUCH PURPOSE, A 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 TO BE BASED. VERBATIM RECORD WILL NOT BE PROVIDED BY THE CITY OF MOUNT DORA.

NOTICE: IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT JESSICA BURNHAM, CITY CLERK, AT LEAST 48 HOURS PRIOR TO THE PROCEEDINGS. TELEPHONE (352) 735-7126 FOR ASSISTANCE. IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS, (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Certificate of Recognition for the 100th Birthday of Joyce Conliffe

Introduction:

This is an opportunity to recognize Mount Dora citizen Joyce Conliffe on the occasion of her 100th birthday.

Discussion:

Presentation only.

Budget Impact:

N/A

Strategic Impact:

N/A

Recommendation:

N/A

Attachment(s):

1. Conliffe.Joyce.Certificate of Recognition.09.06.2022

Prepared by: Jessica Burnham, City Clerk

Reviewed by:



CERTIFICATE OF RECOGNITION

WHEREAS, Ms. Joyce Conliffe has been a citizen of the City of Mount Dora for 90 years since moving here with her family at the age of ten; and

WHEREAS, Ms. Conliffe has recounted her enjoyment growing up in our beautiful city, fishing on Lake Dora and watching movies at the Princess Theatre; and

WHEREAS, Ms. Conliffe is a woman of great faith who loves her church family at First Baptist Church of Mount Dora, where she has been a member since 1932; and

WHEREAS, during a long and productive lifetime, Ms. Conliffe has demonstrated in countless ways her dedication to the welfare of others and has earned the respect and affection of people from all walks of life and all ages; and

WHEREAS, Ms. Conliffe has been a force for good and a stabilizing influence on those around her throughout her years;

NOW, THEREFORE, I, Crissy Stile, as Mayor of the City of Mount Dora, Florida, do hereby deem it an honor and pleasure on this sixth day of September 2022 to extend this Certificate of Recognition to Ms. Joyce Conliffe on the occasion of her 100th birthday, with sincere congratulations and best wishes for many more happy, productive years.

Crissy Stile, Mayor



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Certificate of Recognition for the 100th Birthday of Wilton Adams

Introduction:

This is an opportunity to recognize Mount Dora citizen Wilton Adams on the occasion of his 100th birthday.

Discussion:

Presentation only.

Budget Impact:

N/A

Strategic Impact:

N/A

Recommendation:

N/A

Attachment(s):

1. Adams.Wilton.Certificate of Recognition.09.06.2022

Prepared by: Jessica Burnham, City Clerk

Reviewed by:



CERTIFICATE OF RECOGNITION

WHEREAS, Mr. Wilton Adams has been a citizen of the City of Mount Dora for 98 years since moving here from the state of Georgia at the age of two; and

WHEREAS, Mr. Adams graduated in 1940 from Mount Dora High School, where he was an active participant in student activities and was co-captain of the football team; and

WHEREAS, Mr. Adams honorably served his country in the United States Army-Infantry Division; and

WHEREAS, Mr. Adams returned to Mount Dora after military duty and began employment as janitor at the Mount Dora Post Office; and

WHEREAS, until the Post Office moved from its downtown location, Mr. Adams could be seen walking there daily from his home on Crestview Drive; and

WHEREAS, Mr. Adams eventually advanced to the position of Postmaster, and retired after nearly 40 years of service to the United States Post Office; and

WHEREAS, the City of Mount Dora recognizes Mr. Adams as a treasure to this community for his exemplary life well lived and its indelible impact on the Mount Dora community;

NOW, THEREFORE, I, Crissy Stile, as Mayor of the City of Mount Dora, Florida, do hereby deem it an honor and pleasure on this sixth day of September 2022 to extend this Certificate of Recognition to Mr. Wilton Adams on the occasion of his 100th birthday, with sincere congratulations and best wishes for many more happy, productive years.

Crissy Stile, Mayor



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Recognition of Girl Scouts for New Little Free Library

Introduction:

This is an opportunity to recognize Girl Scouts Baley Burkett and Lydia Mercer for their efforts to bring a fourth little free library to Mount Dora.

Discussion:

Juliette Girl Scouts Baley Burkett and Lydia Mercer first announced their plans for a new little free library to City Council in March 2022, in hopes of installing one at Lincoln Avenue Community Park. The girls felt this location would draw the interest of siblings of children playing sports at the nearby ballfields. The Girl Scouts tackled this project with zeal, making important contacts and negotiating all aspects of the installation, including:

- Met with Parks staff to determine an ideal location.
- Made a formal presentation to the Mount Dora Library Association, which agreed to fund the entire \$700.
- Designed the brass plaque commemorating the installation.
- Decorated the little free library with permanent flowers of their own design.
- Assisted Public Works and the City Horticulturist with installation on August 3, 2022.

As a result of their civic-mindedness, both Baley and Lydia earned the Bronze Award, which is the highest award they can earn as Junior Girl Scouts, and Mount Dora has a new little free library where children can find free books to take home.

Budget Impact:

N/A

Strategic Impact:

N/A

Recommendation:

City Council to recognize Girl Scouts Baley Burkett and Lydia Mercer for their civic-minded determination to add a little free library to Lincoln Avenue Community Park.

Attachment(s):

Prepared by: Cathy Lunday, Library Director
Reviewed by: Cathy Lunday, Library Director
Jessica Burnham, City Clerk
Jeanann Hand, Deputy City Clerk
Patrick Comiskey, City Manager

Approved - 8/11/2022
Approved - 8/15/2022
Approved - 8/17/2022
Final Approval - 8/30/2022



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Request Approval of Meeting Minutes
-August 16, 2022 City Council Regular Session
-August 29, 2022 City Council Budget Work Session

Introduction:

This is a request for City Council to approve meeting minutes.

Discussion:

The City Clerk prepares minutes and presents them to City Council as an opportunity to make suggestions or corrections prior to final approval.

Budget Impact:

N/A

Strategic Impact:

N/A

Recommendation:

City Council to approve Meeting Minutes.

Attachment(s):

1. August 16 2022 Regular City Council Minutes DRAFT
2. August 29 2022 Budget Work Session City Council Minutes DRAFT

Prepared by: Jeanann Hand, Deputy City Clerk

Reviewed by: Jessica Burnham, City Clerk

Final Approval - 9/1/2022

**CITY OF
MOUNT DORA, FLORIDA
CITY COUNCIL
MINUTES**



**August 16, 2022 City Hall
510 N. Baker St.
Mount Dora, FL 32757**

CALL TO ORDER

Having been duly advertised as required by law, Mayor Crissy Stile called the Regular Session of City Council to order at 6:00 pm in the Mount Dora Council Chambers.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

Scout Troop 18 led a Moment of Silence and Pledge of Allegiance to the Flag.

ROLL CALL

Members Present

Crissy Stile, Mayor
Marc Crail, Vice-Mayor
John Cataldo, District 1
Cal Rolfson, District 2
Austin Guenther, District 3
Nate Walker, District 5
Doug Bryant, At-Large

Also Present

Patrick C. Comiskey, City Manager
Sherry G. Sutphen, City Attorney
Jessica Burnham, City Clerk

PUBLIC COMMENTS

Mayor Stile opened public comment.

John Tucker, 1826 Overlook Drive, spoke about the upcoming 3rd Annual Mount Dora Library Association's Golf Tournament.

Ozell Ward, 318 East Jackson Avenue, spoke on the Resource Center and provided council with his concerns in regards to the project.

Mayor Stile closed public comment.

APPROVAL OF AGENDA

***MOTION BY COUNCILMEMBER WALKER TO APPROVE THE AGENDA;
COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION
APPROVED BY A UNANIMOUS VOICE VOTE.***

CONSENT AGENDA

1. Request Approval of Change Order #1 for Mayer Electric (Fire Station #35)
2. Request Approval of Change Order #1 for Ajax Building (Public Works Facility)
3. Request Acceptance of the Edward Byrne Memorial Justice Assistance Grant
4. Request Approval of Amendment 1 to the Agreement for All-Requirements Purchase and Sale of Electric Energy with Orlando Utilities Commission
5. Request Approval of Meeting Minutes
 - August 2, 2022 City Council Regular Session
 - August 2, 2022 Northeast CRA Governing Board Regular Session

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE CONSENT AGENDA; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION WAS APPROVED BY A UNANIMOUS VOICE VOTE

PUBLIC HEARINGS - RESOLUTIONS/ORDINANCES

1. Request Approval of Final Reading of **Ordinance No. 2022-40**, Change in Zoning – Lake County Water Authority (Greenbelt Zoning)

City Attorney Sherry Sutphen read Ordinance No. 2022-40, Change in Zoning- Lake County Water Authority (Greenbelt Zoing) by title only.

ORDINANCE NO: 2022-40

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE ZONING DISTRICT CLASSIFICATION CHANGE FOR THAT PROPERTY GENERALLY LOCATED SOUTH OF SR 46, TERMINUS OF ROBIE AVENUE, AND WEST SIDE OF ROUND LAKE ROAD; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ZONING DISTRICT CLASSIFICATION CHANGE; PROVIDING FOR OFFICIAL ZONING MAP AMENDMENT; PROVIDING FOR IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR NON-CODIFICATION AND SCRIVENER'S

**ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.**

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

***MOTION BY COUNCILMEMBER WALKER FOR THE APPROVAL OF FINAL
READING OF ORDINANCE NO. 2022-40, CHANGE IN ZONING – LAKE COUNTY
WATER AUTHORITY (GREENBELT ZONING); COUNCILMEMBER ROLFSON
SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.***

YES Councilmember Walker
Councilmember Rolfson
Councilmember Guenther
Councilmember Bryant
Councilmember Cataldo
Vice-Mayor Crail
Mayor Stile

NO None

2. Request Approval of Final Reading of **Ordinance No. 2022-11**, Annexation for Mt. Dora Hills, LLC, et al (36.61 Acres)

City Attorney Sutphen read Ordinance No. 2022- 11, Annexation for Mt. Dora Hills, LLC, et al (36.61 Acres) by title only.

ORDINANCE NO: 2022-11

**AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING
TO THE VOLUNTARY ANNEXATION OF PROPERTY GENERALLY
LOCATED SOUTH SIDE OF SR 46 AND EAST OF BUTTERCUP
LANE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT;
PROVIDING FOR VOLUNTARY ANNEXATION; PROVIDING FOR EFFECT
OF ANNEXATION; PROVIDING AN AMENDMENT TO CHAPTER 2, CODE OF
ORDINANCES; PROVIDING FOR FILING REQUIREMENTS; PROVIDING FOR
IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A
SAVINGS CLAUSE; PROVIDING FOR LIMITED CODIFICATION AND
SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER GUENTHER TO APPROVE FINAL READING OF ORDINANCE NO. 2022-11, ANNEXATION FOR MT. DORA HILLS, LLC, ET AL (36.61 ACRES); COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Councilmember Guenther
Councilmember Cataldo
Councilmember Rolfson
Councilmember Walker
Councilmember Bryant
Vice-Mayor Crail
Mayor Stile

NO None

3. Request Approval of Final Reading of **Ordinance No. 2022-15**, Amending Ordinance 2021-01/Chapter 38, Article V, Public Parks and Recreation or as Otherwise Codified in the Code of Ordinances

City Attorney Sutphen read Ordinance No. 2022-15, Amending Ordinance 2021-01/Chapter 38, Article V, Public Parks and Recreation or as Otherwise Codified in the Code of Ordinances by title only.

ORDINANCE NO: 2022-15

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, AMENDING ORDINANCE 2021-01, OR CHAPTER 38, ARTICLE V, PUBLIC PARKS AND RECREATION OR AS OTHERWISE CODIFIED WITHIN THE CITY OF MOUNT DORA CODE OF ORDINANCES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENTS TO ORDINANCE 2021-01, CHAPTER 38, ARTICLE V, PARKS AND RECREATION, OR AS OTHERWISE CODIFIED WITHIN THE CITY OF MOUNT DORA CODE OF ORDINANCES; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Rolfson spoke on the agenda item and provided background on the ordinance.

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE FINAL READING OF ORDINANCE NO. 2022-15, AMENDING ORDINANCE 2021-01/CHAPTER 38, ARTICLE V, PUBLIC PARKS AND RECREATION OR AS OTHERWISE CODIFIED IN THE CODE OF ORDINANCES; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Councilmember Rolfson
Councilmember Guenther
Councilmember Walker
Councilmember Byrant
Councilmember Cataldo
Vice-Mayor Crail
Mayor Stile

NO None

4. Request Approval of Final Reading of **Ordinance No. 2022-16**, Amending Chapter 8, Animals, of the Code of Ordinances

City Attorney Sutphen read Ordinance No. 2022-16, Amending Chapter 8, Animals, of the Code of Ordinances by title only.

ORDINANCE NO: 2022-16

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, AMENDING THE CITY OF MOUNT DORA CODE OF ORDINANCES, CHAPTER 8, ANIMALS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENTS TO CHAPTER 8, ANIMALS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Patrick Comiskey, City Manager, provided the council with an overview of the item.

Discussion ensued on bee keeping within the city limits, the language in section "B" of the ordinance, zoning districts, and the cost savings for having it turned over to the county.

Mayor Stile opened public comment.

Ben Solomon, Scout Troop 18, inquired about the ordinance in relation to bees.

Ozell Ward, 318 East Jackson Street, inquired about the ordinance having regulations over bees.

Kyla Thames, 325 N. Trowell Avenue, Umatilla, inquired about the ordinance affecting any other type of insect like a butterfly farm.

Mayor Stile closed public comment.

MOTION BY VICE-MAYOR CRAIL FOR THE APPROVAL OF FINAL READING OF ORDINANCE NO. 2022-16, AMENDING CHAPTER 8, ANIMALS, OF THE CODE OF ORDINANCES; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Vice-Mayor Crail
Councilmember Guenther
Councilmember Walker
Councilmember Bryant
Councilmember Cataldo
Councilmember Rolfson
Mayor Stile

NO None

5. Request Approval of **Resolution No. 2022-52**, Establishing Temporary Waiver for Certain Reclaimed Water Meter Fees

City Attorney Sutphen read Resolution No. 2022-52, Establishing Temporary Waiver for Certain Reclaimed Water Meter Fees by title only.

RESOLUTION NO. 2022-52

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE TEMPORARY WAIVER OF CERTAIN RECLAIMED WATER METER FEES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING A RECLAIMED WATER METER FEE WAIVER; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Sandersfeld spoke on the agenda item and provided a history of the item.

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER GUENTHER FOR THE APPROVAL OF RESOLUTION NO. 2022-52, ESTABLISHING TEMPORARY WAIVER FOR CERTAIN RECLAIMED WATER METER FEES; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Councilmember Guenther
Councilmember Cataldo
Councilmember Rolfson
Councilmember Walker
Councilmember Bryant
Vice-Mayor Crail
Mayor Stile

NO None

6. Request Approval of **Resolution No. 2022-54**, Establishing Temporary Waiver for Late Fee Penalties and Temporary One-Time Waiver for Delinquent Fees

City Attorney Sutphen read Resolution No. 2022-54, Establishing Temporary Waiver for Late Fee Penalties and Temporary One-Time Wavier for Delinquent Fees, by title only.

RESOLUTION NO. 2022-54

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE TEMPORARY WAIVER OF UTILITY BILL LATE FEE PENALTIES AND DELINQUENT FEE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING A LATE FEE PENALTY WAIVER; PROVIDING A ONE-TIME DELINQUENT FEE WAIVER; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Manager Comiskey mentioned that with the increasing natural gas costs, the city would like to have the late fee penalty temporarily waived for residential utility customers and provide each residential customer with a one-time delinquent fee waived for one hundred eighty (180) days.

Discussion ensued on the possibility of also waiving a one-time electric cut-off for residential physical addresses being served as an electric utility customer of the City during the one hundred eighty day period.

Mayor Stile opened public comment.

Ozell Ward, 318 Jackson Street, spoke about the increasing fees.

Harlow Middleton, 699 East 5th Avenue, spoke about the increasing rates and urged the council to be creative.

Nicole Wortsman, 312 August Fern Loop, spoke about the increase in the fee and inquired about the difference between gasoline increases and natural gases.

Mayor Stile closed public comment.

Discussion took place on other flexible payment options.

MOTION BY COUNCILMEMBER ROLFSON FOR THE APPROVAL OF RESOLUTION NO. 2022-54, ESTABLISHING TEMPORARY WAIVER FOR LATE FEE PENALTIES AND TEMPORARY ONE-TIME WAIVER FOR DELINQUENT FEES WITH THE ADDITION OF ONE-TIME ELECTRIC CUT-OFF WAIVER; COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Councilmember Rolfson
Councilmember Walker
Councilmember Bryant
Councilmember Cataldo
Councilmember Guenther
Vice-Mayor Crail
Mayor Stile

NO None

INFORMATIONAL

1. Clarify revision to Exhibit E to the Agreement between the City of Mount Dora and Borrelli + Partners, Inc., for Design and Engineering for the Community Resource and Recreation Center. This revision was made to clarify the timeline of the agreement that was approved by City Council at the August 2, 2021 regular meeting.
2. Scrivener's error revision to correct the figure representing the Rolled Back Rate in Resolution No. 2022-14

City Attorney Sutphen provided the council with the corrections of the informational items.

CITY MANAGER'S REPORT

1. Lobbyist Update

City Manager Comiskey stated we will be holding a Work Session on August 22, 2022 at 10 a.m. to discuss items regarding construction projects.

Rita Meade, Interim Finance Director, spoke about setting up an audit committee to review a new audit firm and provided the council with the names of individuals who have agreed to serve on the committee and stated that the council would have to elect one elected official and four individuals to be on the committee.

Discussion ensued on the recommended individuals, which included Shelia Hayes, Charles Revell, Andrew Kurtz, Tom Klinker, and Jim Wentiz.

MOTION BY COUNCILMEMBER ROLFSON TO APPOINT SHELIA HAYES, CHARLES REVELL, ANDREW KURTZ, TOM KLINKER, AND MAYOR STILE TO THE AUDIT REVIEW COMMITTEE; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

CITY ATTORNEY'S REPORT

City Attorney Sutphen stated no new claims.

COMMUNICATIONS AND REPORTS

1. Council Member Austin Guenther

Councilmember Guenther commended the council for the way the meeting went.

2. Council Member Cal Rolfson

Councilmember Rolfson spoke about attending the 100th Anniversary Florida League of Cities Conference.

3. Council Member Nate Walker

Councilmember Walker spoke on the success of the back to school event.

4. Council Member Doug Bryant

Councilmember Bryant mentioned the new pickle ball courts were now open.

5. Council Member John Cataldo

Councilmember Cataldo spoke about attending the 100th Anniversary Florida League of Cities conference and encouraged everyone to come out to the first Uptown Saturday Night event being held this upcoming weekend.

6. Vice-Mayor Marc Crail

Vice-Mayor Crail thanked Interim Fire Chief Loewer for helping to provide a resident with information.

7. Mayor Crissy Stile

Mayor Stile spoke about a letter received from the county asking for nominations for the Women's Hall of Fame and also spoke about the success of the back-to-school bash event.

FUTURE MEETING DATES

1. August 29, 2022, 10:00 AM, Budget Work Session
2. September 6, 2022, 6:00 PM, Regular Session
3. September 20, 2022, 6:00 PM, Regular Session
4. October 4, 2022, 6:00 PM, Regular Session

ADJOURNMENT

***MOTION BY COUNCILMEMBER ROLFSON TO ADJOURN;
COUNCILMEMBER GUENTHER SECONDED THE MOTION.
MOTION APPROVED BY A UNANIMOUS VOICE VOTE.***

There being no further business for discussion, the meeting adjourned at approximately 7:45 p.m.

MAYOR CRISSY STILE,
City of Mount Dora

JESSICA BURNHAM
City Clerk

**CITY OF
MOUNT DORA, FLORIDA**

MINUTES



**August 29, 2022
City Hall
510 N. Baker St.
Mount Dora, FL 32757**

CALL TO ORDER

Having been duly advertised as required by law, Mayor Crissy Stile called the Budget Work Session for City Council to order at 10:00 AM in the Mount Dora Council Chambers.

ROLL CALL

Mayor Stile led the Pledge of Allegiance to the Flag.

Members Present

Crissy Stile, Mayor
Marc Crail, Vice-Mayor
Cal Rolfson, District 2
Nate Walker, District 5
Doug Bryant, At-Large (Via Zoom)

Also Present

Patrick C. Comiskey, City Manager
Jessica Burnham, City Clerk

Members Not Present

John Cataldo, District 1
Austin Guenther, District 3

DISCUSSION ITEMS

1. Budget Overview

Aneta Barton, Budget Director, provided the City Council with an overview of the discussion items for the Work Session. The presentation is attached as "Exhibit A."

Discussion took place on how the impact fee revenue gets calculated.

Rachel O' Ryan, Mount Dora Area Chamber of Commerce, spoke on the proposal from the Chamber which included downtown/uptown visitor maps, Welcome Center operations, and the Mount Dora Historical Walking and Driving Tour.

Ms. O' Ryan spoke on the possibility of expanding the Welcome Center operation hours to include Saturday hours.

Discussion ensued on staff and volunteers for the Chamber and the walking and driving tour maps.

The council reached a consensus to provide the Chamber with \$19,000 of funds, \$4,000 to go towards the downtown/uptown visitor maps, \$5,000 to go towards the Mount Dora

historical walking and driving tour maps, and \$10,000 to the Welcome Center operations with the stipulation that the Chamber would be open on Saturdays. Ms. O' Ryan stated she would bring that back to the Chamber Board and would get back to the council with their decision.

Discussion took place on the possibilities of having a city employee working at the Chamber on Fridays and alternating through the different departments.

Continuing, Ms. Barton spoke about Special Revenue Funds, Enterprise Funds, Internal Service Funds, the Debt Service Schedule, Property Tax, Capital Expenditures, and the Budget accomplishments for fiscal year 2022-2023.

Henry Thomas and Shawn Ocasio with Raftelis spoke about the Water, Wastewater, Reclaimed Water, Stormwater, and Sanitation Utility Rate Studies and provided Council with Rafetelis's recommendations. The presentation provided to the council is attached as " Exhibit B."

FUTURE MEETING DATES

1. September 6, 2022, 6:00 PM, Regular Session
2. September 20, 2022, 6:00 PM, Regular Session
3. October 4, 2022, 6:00 PM, Regular Session
4. October 18, 2022, 6:00 PM, Regular Session

ADJOURNMENT

MOTION BY COUNCILMEMBER ROLFSON TO ADJOURN; COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

There being no further business for discussion, the meeting adjourned at approximately 12:41 PM.

CRISSY STILE, MAYOR
City of Mount Dora

JESSICA BURNHAM
City Clerk



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Request Approval of Task Authorization with Neel-Schaffer for Phase 2 Engineering for the North Donnelly Street Sidewalk Improvements

Introduction:

This is a request for approval of the Task Authorization with Neel-Schaffer for Phase 2 of the Professional Engineering services for the North Donnelly Street Sidewalk Improvements.

Discussion:

On April 6, 2021, City Council adopted Resolution No. 2021-35, approving the task authorization for Phase 1A and Phase 1B of the Donnelly Boardwalk Sidewalk Improvements. Phase 1A (Conceptual Design) of the project included the boardwalk design consisting of a study based on field observations and measurements, preparing effective options to improve street stability, improving drainage support and constructing a new multi-use sidewalk. Phase 1B (Preliminary Engineering) of the project included the necessary tasks for 60% design plans for the future boardwalk. The information gathered was utilized to apply for a FEMA Hardening grant to fund 75% of the construction costs, with the City committing to fund the other 25% of construction costs.

Staff are ready to move forward with Phase 2 (Final Design Services) to prepare final plans and specifications for bidding. Completed engineering drawings are needed to meet the anticipated completion date supplied in the grant application for a chance to federally fund some of the construction.

Please see Attachment #1 for the approved Task Authorization for this project and Attachment #2 for the April 6, 2021 memo related to the Task Authorization and its Resolution.

Budget Impact:

To complete Phase 2 of the project, additional funds are required for: engineering drawings (\$63,200.00), natural resources assessment of the wetlands adjacent to the project area

(\$10,360.00), surveying services (\$6,103.50), and additional geotechnical services (\$46,343.00). The total cost to complete Phase 2 design is \$126,007. If approved, the funds will become available after October 1st with the Final Budget Amendment reflecting an increase in the project cost (GL 445-5555-580-63.01-SW1901) and subsequent costs will be covered by Stormwater Fund 440.

Strategic Impact:

Improvement of existing City infrastructure.

Recommendation:

City Council approve the Task Authorization with Neel-Schaffer for Phase 2 Engineering for the North Donnelly Street Sidewalk Improvements.

Attachment(s):

1. Attachment #1 Task Authorization with Reso No. 2021-35 Neel-Schaffer - N Donnelly Sidewalk
2. Attachment #2 Task Auth Memo.04.06.2021.Resolution 2021-35 Memorandum
3. Task Authorization

Prepared by: Ethan Hand

Reviewed by: GEORGE MAREK, Interim Public Works Director
Rita Meade, Interim Finance Director
Sherry Sutphen, City Attorney
Jessica Burnham, City Clerk
Jeanann Hand, Deputy City Clerk
Patrick Comiskey, City Manager

Approved - 8/3/2022

Approved - 8/4/2022

Approved - 9/1/2022

Approved - 9/1/2022

Approved - 9/1/2022

Final Approval - 9/1/2022

RESOLUTION 2021-35

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THAT TASK AUTHORIZATION WITH NEEL-SCHAFER, FOR THE NORTH DONNELLY STREET SIDEWALK IMPROVEMENTS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF THE TASK AUTHORIZATION AND AUTHORITY TO EXECUTE; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mount Dora, Florida, owns and maintains the Donnelly Street and the wooden boardwalk located just south of the intersection at State Road 441; and

WHEREAS, periodic area stormwater runoff over the years has caused erosion around the boardwalk, along with the aging materials of the boardwalk, make it necessary to stabilize, repair and renovate the same; and

WHEREAS, Neel-Schaffer, is a continuing services contractor of the City pursuant to that Agreement dated October 4, 2018, approved under Resolution 2018-176; and

WHEREAS, the City has determined that it is in the best interest, health, safety and welfare of the public to have Neel-Schaffer provide engineering services for the North Donnelly Street Boardwalk Improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MOUNT DORA, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. The City of Mount Dora has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Approval of Task Authorization and Authorization to Execute. The Task Authorization with Neel-Schaffer, attached hereto as **Exhibit "A"** is hereby approved. The Mayor to authorized to execute the Task Authorization on behalf of the City.

SECTION 3. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 4. Savings Clause. All prior actions of the City of Mount Dora pertaining to the Task Authorization with Neel-Schaffer, for engineering services for the North Donnelly Street Boardwalk Improvements, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

SECTION 6. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 6th day of April, 2021.

CATHERINE T. HOECHST
MAYOR of the City of Mount Dora, Florida

ATTEST:

GWEN KEOUGH-JOHNS, MMC
CITY CLERK

For the use and reliance of City of Mount Dora only.
Approved as to form and legality.

Sherry Sutphen, City Attorney

EXHIBIT “A”
to Resolution 2021-35
Task Authorization with Neel-Schaffer
for engineering services for the
North Donnelly Street Boardwalk Improvements

**CITY OF MOUNT DORA
TASK AUTHORIZATION FORM**

In accordance with the terms and conditions of the Agreement between Neel-Schaffer (Contractor) and the City of Mount Dora, approved under Resolution 2018-176, dated October 2018, the parties hereto agree to the scope of work, pricing, schedule and subcontractors set forth herein.

Project Amount: \$167,792
Budget Account Number: 445-5555-563.00-00 SW1901
City Project Manager: George Marek
Contractor: Neel-Schaffer
Contractor Project Manager: Steven Cockerham

NOTE: THE CONTRACTOR MAY NOT BEGIN WORK UNTIL THIS FULLY SIGNED TASK AUTHORIZATION AND A CITY PURCHASE ORDER ARE DELIVERED TO THE CONTRACTOR.

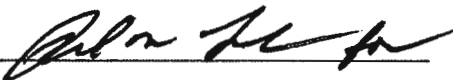
SUMMARY OF WORK TO BE COMPLETED

Each Task Authorization package shall include:

- Exhibit A – Scope of Work**
- Exhibit B – Sub-Contractors**
- Exhibit C – Schedule**
- Exhibit D – Compensation**

Recommended By:

Print: Josef Grusauskas, Department Director

Signature: 

Date: March 31, 2021

Reviewed By:

Print: John McKinney, Finance Director

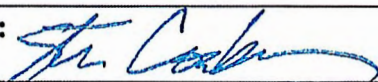
Signature: Jonathan C McKinney
Digitally signed by Jonathan C McKinney
Date: 2021.03.31 08:20:51 -04'00'

Date: _____

CONTRACTOR ACCEPTANCE

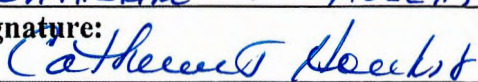
CITY APPROVAL

Print Name: **Steven Cockerham**

Signature: 

Date: 3/25/2021

Print Name: CATHERINE T. HOECHST

Signature: 

Date: 4/7/2021

March 9, 2021

Mr. George Marek, P.E.
Senior Project Manager
City of Mount Dora Public Works and Utilities Department
1250 North Highland Street
Mount Dora, FL 32757

RE: North Donnelly Street Sidewalk Improvements

Dear George,

The City of Mount Dora (the "City") has requested Neel-Schaffer, Inc. (the "Engineer") provide Engineering design services, prepare construction plans, apply for required permits and provide bidding phase services for the construction of a Mechanically Stabilized Earth (MSE) retaining wall or similar earthen slope system, boardwalk replacement and drainage infrastructure improvements along the west side of a portion of North Donnelly Street between Limit Avenue and Woodbury Avenue. See Figure 1 for project scope area. Because of the steep terrain along this portion of North Donnelly Street, the sidewalk along the west side of the road was constructed as a wood decking boardwalk, post, and pilings. The existing asphalt curbing along the west edge of pavement directs stormwater flow to inlets and flumes conveying drainage under the boardwalk causing erosion and weathering damage to the boardwalk and pilings.

The fee proposal outlined below presents the scope of work, estimated fees, and completion schedule for the engineering services described above. This proposal is presented in three phases:

- Phase 1A – Conceptual Design
- Phase 1B – Preliminary Engineering
- Phase 2 – Final Design

Construction administration and site observation is beyond the scope of this proposal.

Phase 1A – Conceptual Design

The scope of work for this phase includes conducting a study based on field observations and measurements and preparing options to improve street drainage, improve the side-slope of the embankment and construct a new sidewalk or multi-use path. Grant opportunities for project financing will be explored as part of this phase.

Task 1. Data Collection, Review and Subconsultant coordination

The Engineer will collect and review pertinent information and data related to the project. This may include record drawings, aerials, LIDAR survey data from Lake County GIS, tax maps and other public records. This will also include site visits to collect data, environmental screening, and review of any other design requirements.

- ***Ecological Assessment***

Neel-Schaffer will perform an ecological assessment to assess properties within the project scope for jurisdictional wetlands and threatened and endangered species. GIS, hydrological, soil and vegetation data will be collected to determine wetland and water boundaries within the project boundaries and proposed areas of disturbance. Maps summarizing the data will be prepared to supplement the findings of the field

survey. The Threatened and Endangered Species (T&E) survey will be performed to identify any federally listed threatened or endangered species, state listed species of concern or species-associated critical habitats within the project footprint.

Task 2. Conceptual Design Technical Memorandum

The Engineer will utilize the information described above to prepare conceptual designs of the roadway, sidewalk, and side slope improvements to the existing conditions. Two options will be explored as part of this task. One option will be to widen the roadway embankment and construct a 7' wide concrete sidewalk section along the west edge of pavement and the second option will be to widen the embankment and construct a 12' multi-use path. Both options will include conceptual cost for concrete curb and gutter, roadside safety barrier along the west edge of the roadway and pedestrian safety barrier along the west edge of the sidewalk or Multi-use path. The conceptual design options will include incorporating an MSE segmental block wall or similar earthen wall system to improve the roadway embankment side slopes. It is understood that the City of Mount Dora owns the property adjacent to and west of North Donnelly Street in the scope of work limits and construction of improvements in this area outside of the Right of Way is acceptable to the City. A Conceptual Design Technical Memorandum including schematic level drawings and opinion of probable cost for each option will be sent to the City for approval and selection of preferred option prior to beginning Phase 1B – Preliminary Design. This task includes meeting with the City to discuss any potential changes in design and select the preferred option for Preliminary Design.

SCHEDULE AND DELIVERABLES

- A Conceptual Design Technical Memorandum including drawings and opinion of probable cost will be submitted within 60 days of receiving an executed agreement between Neel-Schaffer and the City to allow time for completed ecological assessment and conceptual design. Submittal will include exhibits for City Council presentation by City staff.

COMPENSATION

We propose to provide these Phase 1A services for a total lump sum fee of \$ 24,900.00 based on the above tasks. The total fee is comprised of the following components:

- Neel-Schaffer (with Env. Assessment): \$20,700.00
- RLF Engineered Solutions, LLC: \$4,200.00
(MSE, earthen wall design)

The summary of fees and man-hour estimates for Phase 1A are presented in Tables 1 and 2.

Phase 1B – Preliminary Engineering

The scope of work for this phase includes conducting a study to determine the sources of the soil erosion under the existing boardwalk and preparing options to improve street drainage to eliminate future drainage issues, improve the side-slope of the embankment based on the option selected in Phase 1A and constructing a new sidewalk or multi-use path.

Task 1. Data Collection, Review and Subconsultant coordination

The Engineer will collect and review pertinent information and data related to the project including information collected during Phase 1A. This will include topographic survey data, geotechnical data, tax maps and other public records. This will also include site visits to collect data and review of any other design requirements.

- ***Geotechnical Investigation***

The Engineer will use a sub-consultant (PSI, Inc.) to conduct a geotechnical investigation of the general

subsurface soil and groundwater conditions. Design level geotechnical engineering evaluations will be done to determine the feasibility of utilizing the slope improvement system selected in Phase 1A to support the proposed sidewalk or multi-use path improvements. This will include external and global stability analysis and recommendations on soil subgrade preparations and compaction efforts required.

- ***Surveying and Utility location***

The Engineer will use a sub-consultant (Southeastern Surveying) to conduct a topographic survey of approximately 2 acres, which includes the portion of North Donnelly Street between Limit Avenue and Woodbury Avenue. The survey limits will be from the Centerline of North Donnelly Street to the west Right of Way line and a portion of the two parcels adjacent to and west of the road (see Figure 1). The topographic survey will include locating all improvements and utilities, as evidenced by above ground features, or as marked by the utility locators, including pavement, sidewalks, curbs, existing structures, drainage structures, and evidence of underground sanitary sewer, water, and other underground utilities. Other tasks will include: Obtain spot elevations on natural ground and existing improvements suitable for interpolation of one-foot contours to be shown on the final drawing. This work also includes establishing the location of the Right-of-Way lines based on a combination of sectional monumentation, existing Right-of-Way monumentation, and a review of parcel descriptions.

Task 2. Stormwater Modeling and Drainage Improvements Design

Proposed drainage improvements include construction of an FDOT Type "F" concrete curb and gutter section along portions of the west edge of pavement to include stormwater inlets to convey stormwater runoff from the roadway. Location, type and spacing of inlets will be determined during design to not conflict with existing buried utilities.

Stormwater modeling will be performed to design the infrastructure improvements and to generate a stormwater report to be included in the Preliminary Engineering Report. The preliminary written report to explain findings and provide recommended improvements will be provided and reviewed with City staff. The report will be finalized to address City comments. It is anticipated that the proposed improvements will not require Saint Johns River Water Management District (SJRWMD) permitting as these improvements would be classified as and exempt activity according to section 62-330.051 of the Florida Administrative Code.

Task 3. Preliminary Engineering Report

The Engineer will utilize the modeling and improvements design described above to create a preliminary design of the roadway, sidewalk, and side slope improvements to the existing conditions. The two options explored in Phase 1A, a 7' wide concrete sidewalk section along the west edge of pavement and a 12' multi-use path, are also addressed in this phase. Both options will include construction of concrete curb and gutter, roadside safety barrier along the west edge of the roadway and pedestrian safety barrier along the west edge of the sidewalk or Multi-use path. Both options will also incorporate the construction of slope improvement system to improve the roadway embankment side slopes. A preliminary engineering report including drawings and opinion of probable cost for each option will be sent to the City for approval and selection of preferred option prior to beginning Phase 2 – Final Design Services. This task includes meeting with the City to discuss any potential changes in design and select the preferred option for Final Design.

SCHEDULE AND DELIVERABLES

- A Preliminary Engineering Report including drawings of sidewalk or multi-use path incorporating side slope improvements, curb and gutter, roadside safety barrier and pedestrian safety barrier, and opinion of probable cost will be submitted within 60 days of receiving approval of Phase 1A from the City to allow time for completed topographic survey, geotechnical investigation, preliminary design options. Submittal will include exhibits for City Council presentation by City staff.

COMPENSATION

We propose to provide these Phase 1B services for a total lump sum fee of \$ 73,392.00 based on the above tasks. The total fee is comprised of the following components:

- Neel-Schaffer (with Env. Assessment): \$31,580.00
- Southeastern Surveying: \$19,062.00
- PSI, Inc. (Geotechnical Services): \$19,950.00
- RLF Engineered Solutions, LLC: \$2,800.00
(MSE wall design)

The summary of fees and man-hour estimates for Phase 1B are presented in Tables 3 and 4.

Phase 2 – Final Design Services

The scope of work for this phase includes preparing final plans and specifications for bidding for improving the street drainage to eliminate future drainage issues, improve the side-slope of the embankment and construct a new sidewalk or multi-use path based on the selected options of Phases 1A and 1B.

Task 1. Correspondence and Subconsultant coordination

The Engineer will incorporate geotechnical data, topographic data and utility locates, ecological assessment findings, and other findings and recommendations from Phases 1A and 1B. This will also include consultation and coordination with specialty subconsultants.

Task 2. Preparation of Construction Drawings

Construction drawings of the preferred option selected in Phase 1B will be prepared in AutoCAD using a 11" x 17" drawing format at a reasonable scale to clearly detail the proposed construction required to meet City of Mount Dora Criteria. The Engineer will prepare 60% level plans consisting of plan and profile and section views of the stormwater infrastructure and embankment improvements, sidewalk or multi-use path, details of the wall system, curbs, stormwater inlets, roadside safety barrier, pedestrian safety barrier and other details. The 60% level plans will then be submitted to the City for review.

Based on the review comments of the 60% submittal, the Engineer will prepare the 90% level construction plans, finalizing all the design elements required for bidding. The Engineer will submit the 90% Plans to the City for review.

Based on the review comments of the 90% submittal, Engineer will make necessary revisions per the comments and prepare the 100% construction Plans for final submittal.

Task 3. Preparation of Specifications and Opinion of Probable Cost

The Engineer will use the City standard Front-End documents including all required contract forms and general conditions. FDOT technical specifications will be utilized to address all construction items including concrete, pedestrian safety barrier, roadside safety barrier, asphalt, grading, stormwater inlets, wall systems, seeding, sodding, MOT, and other required items. The contract forms, general conditions and technical specifications will serve as the project manual for bidding. The Engineer will also perform quality control reviews and prepare and submit an Opinion of Probable Cost for review at the 60%, 90% and 100% level submittals. The City shall review all sections in the project manual and provide revision comments as deemed necessary.

Task 4. Coordination/Meetings

The Engineer will coordinate the work elements of this project with the City as described herein and will attend five meetings: at project initiation, preliminary design report submittal and 60% and 90% submittals and one public meeting.

Task 5. Bidding Services

The Engineer will provide an electronic PDF file of the plans and specifications for distribution to the bidders. The City will advertise the construction project, distribute bidding documents, and maintain the list of bidders and their contact information. The Engineer will be available by phone and email to respond to questions and comments from the bidders, provide clarification if needed, and prepare technical responses to be included in addenda. The Engineer will distribute the addenda documents to the bidders by email. Once the project is let and bids are opened, the Engineer will develop a bid tabulation and recommendation to award.

SCHEDULE AND DELIVERABLES

- 60% plans and specifications within 45 days of receiving the Notice to Proceed for Phase 2.
- 90% plans and specifications within 30 days of City review of the 60% documents.
- 100% plans and specifications within 14 Days of City review of 90% plans.

COMPENSATION

We propose to provide these services for a total lump sum fee of \$ 69,500.00 based on the above tasks. The total fee is comprised of the following components:

- Neel-Schaffer: \$63,200.00
- RLF Engineered Solutions, LLC: \$6,300.00

The summary of fees and man-hour estimates for Phase 2 are presented in tables 5 and 6.

The fees for Phases 1A, 1B and 2 are based on the terms and conditions of the CCNA contract between Neel-Schaffer, Inc., and the City of Mount Dora. Fees will be submitted monthly upon percent completion in accordance with the lump sum method described in the CCNA contract. Should additional services beyond the scope of this Letter Agreement be necessary, additional fees may be required. The lump sum fee cannot be increased unless approved by the City Council in writing. We will begin work upon receipt of an executed agreement and Purchase Order.

Sincerely,

NEEL-SCHAFFER, INC.



Steven R. Cockerham, P.E.
Senior Project Manager



Figure 1: Location Map – North Donnelly Street improvements

Exhibit B – Sub-Contractors

Phase 1A

- RFL Engineered Solutions, LLC

Phase 1B

- Southeastern Surveying
- PSI, Inc.
- RFL Engineered Solutions, LLC

Phase 2

- RFL Engineered Solutions, LLC

Exhibit C – Schedule

Phase 1A

- A Conceptual Design Technical Memorandum including drawings and opinion of probable cost will be submitted within 60 days of receiving an executed agreement between Neel-Schaffer and the City to allow time for completed ecological assessment and conceptual design. Submittal will include exhibits for City Council presentation by City staff.

Phase 1B

- A Preliminary Engineering Report including drawings of sidewalk or multi-use path incorporating side slope improvements, curb and gutter, roadside safety barrier and pedestrian safety barrier, and opinion of probable cost will be submitted within 60 days of receiving approval of Phase 1A from the City to allow time for completed topographic survey, geotechnical investigation, and preliminary design options. Submittal will include exhibits for City Council presentation by City staff.

Phase 2

SCHEDULE AND DELIVERABLES

- 60% plans and specifications within 45 days of receiving the Notice to Proceed for Phase 2.
- 90% plans and specifications within 30 days of City review of the 60% documents.
- 100% plans and specifications within 14 Days of City review of 90% plans.

Exhibit D - Compensation

Mr. George Marek, P.E.
March 9, 2021
Page 8

PHASE 1A – Conceptual Design

TABLE 1

NEEL-SCHAFFER SUMMARY OF FEES

Item Description	Sr. Engineer Manager	Sr. Engineer	Engineer IV	Sr. Designer	TOTAL
Total Manhours (See Table 2)	16	20	32	28	96
Labor Wage Rate (\$/hr)	\$180.00	\$160.00	\$115.00	\$105.00	
Total Labor Cost	\$2,880.00	\$3,200.00	\$3,680.00	\$2,940.00	\$12,700.00
MSE Wall Subconsultant (RLF)					\$4,200.00
Ecological Assessment (Neel-Schaffer)					\$8,000.00
TOTAL LUMP SUM FEE (rounded to nearest dollar)					\$24,900.00

TABLE 2

Neel-Schaffer Scope of Work and Manhour Estimate

Task Description		Sr. Engineer Manager	Sr. Engineer	Engineer IV	Sr. Designer	Total	Total Cost Per Task
1	Data Collection, Review and Subconsultant coordination	8	4	8	4	24	\$3,420.00
2	Conceptual Design Technical Memorandum	8	16	24	24	72	\$9,280.00
Subtotal Conceptual Design Services		16	20	32	28	96	\$12,700.00

PHASE 1B – Preliminary Engineering

TABLE 3

NEEL-SCHAFFER SUMMARY OF FEES

Item Description	Sr. Engineer Manager	Sr. Engineer	Engineer IV	Sr. Designer	TOTAL
Total Manhours (See Table 4)	16	64	124	40	244
Labor Wage Rate (\$/hr)	\$180.00	\$160.00	\$115.00	\$105.00	
Total Labor Cost	\$2,880.00	\$10,240.00	\$14,260.00	\$4,200.00	\$31,580.00
Geotechnical Investigation (PSI)					\$19,950.00
MSE Wall Subconsultant (RLF)					\$2,800.00
Surveying and Utility location Subconsultant (Southeastern Survey)					\$19,062.00
TOTAL LUMP SUM FEE (rounded to nearest dollar)					\$73,392.00

TABLE 4

Neel-Schaffer Scope of Work and Manhour Estimate

Task Description		Sr. Engineer Manager	Sr. Engineer	Engineer IV	Sr. Designer	Total	Total Cost Per Task
1	Data Collection, Review and Subconsultant coordination	4	8	24		36	\$4,760.00
2	Stormwater modeling and Improvements design	4	16	40		60	\$7,880.00
3	Preliminary Engineering Report	8	40	60	40	148	\$18,940.00
Subtotal Preliminary Engineering Services		16	64	124	40	244	\$31,580.00

PHASE 2 – Final Design

TABLE 5

NEEL-SCHAFFER SUMMARY OF FEES

Item Description	Sr. Engineer Manager	Sr. Engineer	Engineer IV	Sr. Designer	TOTAL
Total Manhours (See Table 6)	16	68	240	208	532
Labor Wage Rate (\$/hr)	\$180.00	\$160.00	\$115.00	\$105.00	
Total Labor Cost	\$2,880.00	\$10,880.00	\$27,600.00	\$21,840.00	\$63,200.00
MSE Wall Subconsultant (RLF)					\$6,300.00
TOTAL LUMP SUM FEE (rounded to nearest dollar)					\$69,500.00

TABLE 6

Neel-Schaffer Scope of Work and Manhour Estimate

	Task Description	Sr. Engineer Manager	Sr. Engineer	Engineer IV	Sr. Designer	Total	Total Cost Per Task
1	Correspondence and Subconsultant coordination	4	16	24		44	\$6,040.00
2	Preparation of Construction Drawings (Final Design)						
	<i>Cover and General notes (2 sheets)</i>			8	16	24	\$2,600.00
	<i>Plan and Profile sheets (7 sheets)</i>		8	40	80	128	\$14,280.00
	<i>Section sheets (4 sheets)</i>		4	40	80	124	\$13,640.00
	<i>Misc. Detail sheets (4 sheets)</i>		8	16	24	48	\$5,640.00
3	Preparation of Specifications and Opinion of Probable Costs		16	80		96	\$11,760.00
	<i>Quality Control Review</i>	8				8	\$1,440.00
4	Coordination/Meetings	4	8	16		28	\$3,840.00
5	Bidding Services		8	16	8	32	\$3,960.00
	Subtotal Final Design Services	16	68	240	208	532	\$63,200.00



CITY OF MOUNT DORA

510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

4-19-2021

PO# 21-51673 1 -

DATE: April 6, 2021

PO# 22-00027 -
10-13-21 13

TO: Honorable Mayor and City Council Members

FROM: Robin R. Hayes, City Manager

SUBJECT: Resolution No. 2021-35, Task Authorization with Neel-Schaffer for the North Donnelly Street Sidewalk Improvements

Introduction:

This is a request for City Council to approve Resolution No. 2021-35, Task Authorization with Neel-Schaffer for the North Donnelly Street Sidewalk Improvements.

Discussion:

Donnelly Street and its associated boardwalk, located between its intersections with US 441 and Limit Avenue, have experienced erosion from stormwater runoff in heavy rain events over the years. The erosion has been repaired with periodic maintenance. However, the wooden boardwalk has deteriorated over time. City staff routinely repairs the road and shoulder using standard repair techniques to keep them stabilized and maintain traffic safety. The City repairs or replaces wood on the boardwalk deck as needed to maintain pedestrian safety. Erosion and wood rot are reaching a point that major renovation to the boardwalk is needed. To address the major rehabilitation issue properly, Public Works staff has reached out to one of the City's prequalified, continuing engineering consultants to evaluate the road, drainage, and pedestrian sidewalk to determine the best and most cost effective remedial actions. The consultant was also asked to explore potential grant opportunities at local, state and federal levels to help offset the cost of this project.

Donnelly Street was originally a State Road. The Florida Department of Transportation dedicated it to Lake County in 1982. The City assumed maintenance of the road from Lake County soon afterwards.

The proposed scope of work is to be completed in phases over 2 years. Phase 1A - Conceptual Design is funded in the current fiscal year stormwater CIP. Phase 1A includes conducting a study based on field observations and measurements, preparing effective options to improve street stability, improving drainage support and constructing a new multi-use sidewalk. The information gathered will also provide a framework for potential grant opportunities to help

finance the future renovations. The stormwater CIP for next year's budget will contain funding for Phase 1B - Preliminary Engineering and Phase 2 Final Design Services at Council's discretion.

The initial phase of this project has been designed to provide the City a full understanding of the current roadway and drainage deficiencies and replace the wooden sidewalk with a more robust multi-purpose pedestrian path. As the costs are not fully known at this time, funds for the Phases 1B - Preliminary design and Phase 2 Final Design Services will be included in next year's stormwater CIP. The construction funding will be provided in a future CIP budget when fully vetted with any potential grant opportunities. In the meantime, staff will continue with routine maintenance as appropriate to maintain safety.

This is a multi-year CIP Stormwater project.

The anticipated Engineering Budget for this project is:

Phase 1A fees are	\$24,900.00	(Funded in FY 2020/21)
Phase 1B fees are	\$73,392.00	(To be funded in FY 2021/22 at Council discretion)
Phase 2 fees are	\$69,500.00	(To be funded in FY 2021/22 at Council discretion)

Total Project Engineering Budget \$167,792.00.

Budget Impact:

This Phase 1A fees of \$24,900 is funded in account 445-5555-563.00-00 SW1901.

Strategic Impact:

Infrastructure

Recommendation City Council to approve Resolution No. 2021-35, Task Authorization with Neel-Schaffer for the North Donnelly Street Sidewalk Improvements.

Attachment(s):

1. Resolution 2021-35.Neel Schaffer.TA N Donnelly St Sidewalk Improvements.SGS

Prepared by: Ethan Hand

Reviewed by: Josef Grusauskas, Utilities & Plant Operations Director
 John McKinney, Finance Director
 Sherry Sutphen , City Attorney
 Jessica Burnham, Deputy City Clerk
 Gwen Johns, City Clerk
 Robin Hayes, City Manager

Approved - 3/26/2021

Approved - 3/30/2021

Approved - 3/31/2021

Approved - 3/31/2021

Approved - 3/31/2021

Final Approval - 3/31/2021

**CITY OF MOUNT DORA
TASK AUTHORIZATION FORM**

In accordance with the terms and conditions of the Agreement between Neel-Schaffer, (Contractor) and the City of Mount Dora, approved under Resolution 2018-176, dated October 4, 2018, the parties hereto agree to the scope of work, pricing, schedule and subcontractors set forth herein.

Project Amount: \$126,007.00

Budget Account Number: 445-5555-563.00-00SW1901

City Project Manager: George Marek

Contractor: Neel-Schaffer

Contractor Project Manager: Steven Cockerham

**NOTE: THE CONTRACTOR MAY NOT BEGIN WORK UNTIL THIS FULLY SIGNED
TASK AUTHORIZATION AND A CITY PURCHASE ORDER
ARE DELIVERED TO THE CONTRACTOR.**

SUMMARY OF WORK TO BE COMPLETED

Each Task Authorization package shall include:

Exhibit A – Scope of Work
Exhibit B – Sub-Contractors
Exhibit C - Schedule
Exhibit D – Compensation

Recommended By:

Print: GEORGE MAREK

Date: 8/29/2022

Signature: 

Reviewed By:

Print: _____

Date: _____

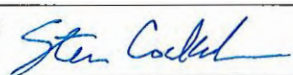
Signature: Rita K. Meade  Digitally signed by Rita K. Meade
Date: 2022.08.30 07:58:09 -0400

CONTRACTOR ACCEPTANCE

CITY APPROVAL

Print Name: Steven Cockerham, PE

Print Name:

Signature: 

Signature:

Date: 08/29/2022

Date:

Exhibit A

Scope of Work

Phase 2 – Final Design Services

The scope of work for this phase includes preparing final plans and specifications for bidding for improving the street drainage to eliminate future drainage issues, improve the side-slope of the embankment and construct a new sidewalk or multi-use path based on the selected options of Phases 1A and 1B.

Task 1. Correspondence and Subconsultant coordination

The Engineer will incorporate geotechnical data, topographic data and utility locates, ecological assessment findings, and other findings and recommendations from Phases 1A and 1B. This will also include consultation and coordination with specialty subconsultants for wetlands delineation and geotechnical engineering.

Task 2. Preparation of Construction Drawings

Construction drawings of the preferred option selected in Phase 1B will be prepared in AutoCAD using a 11" x 17" drawing format at a reasonable scale to clearly detail the proposed construction required to meet City of Mount Dora Criteria. The Engineer will prepare 60% level plans consisting of plan and profile and section views of the stormwater infrastructure and embankment improvements, sidewalk or multi-use path, details of the wall system, curbs, stormwater inlets, roadside safety barrier, pedestrian safety barrier and other details. The 60% level plans will then be submitted to the City for review.

Based on the review comments of the 60% submittal, the Engineer will prepare the 90% level construction plans, finalizing all the design elements required for bidding. The Engineer will submit the 90% Plans to the City for review.

Based on the review comments of the 90% submittal, Engineer will make necessary revisions per the comments and prepare the 100% construction Plans for final submittal.

Task 3. Preparation of Specifications and Opinion of Probable Cost

The Engineer will use the City standard Front-End documents including all required contract forms and general conditions. FDOT technical specifications will be utilized to address all construction items including concrete, pedestrian safety barrier, roadside safety barrier, asphalt, grading, stormwater inlets, seeding, sodding, MOT, and other required items. The contract forms, general conditions and technical specifications will serve as the project manual for bidding. The Engineer will also perform quality control reviews and prepare and submit an Opinion of Probable Cost for review at the 60%, 90% and 100% level submittals. The City shall review all sections in the project manual and provide revision comments as deemed necessary.

Task 4. Coordination/Meetings

The Engineer will coordinate the work elements of this project with the City as described herein and will attend five meetings: at project initiation, preliminary design report submittal and 60% and 90% submittals and one public meeting.

Task 5. Bidding Services

The Engineer will provide an electronic PDF file of the plans and specifications for distribution to the bidders. The City will advertise the construction project, distribute bidding documents, and maintain the list of bidders and their contact information. The Engineer will be available by phone and email to respond to questions and comments from the bidders, provide clarification if needed, and prepare technical responses to be included in addenda. The Engineer will distribute the addenda documents to the bidders by email. Once the project is let and bids are opened, the Engineer will develop a bid tabulation and recommendation to award.

Exhibit B Sub-Contractors

1. Southeastern Surveying
2. GAI Consultants
3. Intertek-PSI

Exhibit C Schedule

Phase 2 Schedule and Deliverables:

- 60% plans and specifications within 60 days of receiving the Notice to Proceed for Phase 2.
- 90% plans and specifications within 30 days of City review of the 60% documents.
- 100% plans and specifications within 14 days of City review of 90% plans.

Exhibit D Compensation

NEEL-SCHAFER SUMMARY OF FEES

Item Description	Sr. Engineer Manager	Sr. Engineer	Engineer IV	Sr. Designer	TOTAL
Total Manhours (See Table 6)	16	68	240	208	532
Labor Wage Rate (\$/hr)	\$180.00	\$160.00	\$115.00	\$105.00	
Total Labor Cost	\$2,880.00	\$10,880.00	\$27,600.00	\$21,840.00	\$63,200.00
Wetlands Delineation Boundary Survey (Southeastern Survey)					\$6,103.50
Wetlands Delineation and Permit coordination (GAI Consultants)					\$10,360.00
Itertek-PSI (Geotechnical Services)					\$46,343.00
TOTAL LUMP SUM FEE (rounded to nearest dollar)					\$126,007.00



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Request Approval of Agreement with Rent.fun, LLC, for Self-service, Person Powered, Recreational Watercraft Rental Operator Services

Introduction:

This is an opportunity to add a self-service, person-powered, recreational watercraft rental operator services to the kayak launch and wash station being constructed at Palm Island Park.

Discussion:

City staff have identified Rent.fun, LLC as the provider of a self-service, person-powered, recreational watercraft rental station service. This system will complement the kayak launch and wash station being constructed at Palm Island Park.

Each rental station will include person-powered, recreational watercraft, with associated paddles and lifejackets. Each craft offered for rent will be furnished with all items of safety equipment specified by state laws governing the use and operation of watercraft on State waterways.

When not in use, all equipment will be stored in a tamper-proof locker provided, maintained, and installed by the operator. The locker will include individual storage units suitable to store each kayak and/or paddleboard and associated lifejackets and paddles. Each storage unit will be secured by an app-controlled cellular lock, provided and maintained by the operator.

This will be a revenue-generating service for the Leisure Services Department. On a quarterly basis, the city will receive fifty percent (50%) of the contractor's gross rental revenue received from the station placed on the premises.

Budget Impact:

One-time fee of \$15,000 charged to GL 310-5555-580.63-01-PK2115.

Strategic Impact:

This added amenity will allow equal access to the community to enjoy the kayak launch and wash station that was identified in the Parks and Recreation Master Plan. The kayak project meets several elements of the City's Strategic Plan- Objective 1.4: Promote tourism by enhancing Mount Dora as a destination; Objective 2.3: Develop a parks and recreation system guided by the principles of the Parks and Recreation Master Plan; and Objective 2.3.1: Enhance connectivity and accessibility.

Recommendation:

City Council approve the agreement with Rent.fun, LLC, for Self-service, Person Powered, Recreational Watercraft Rental Operator Services.

Attachment(s):

1. Agreement.Rent.fun.SGS.8.19.22 (1) (1) (1)

Prepared by: Jeanann Hand, Deputy City Clerk

Reviewed by: Troy Shonk, Leisure Services Administrator
Amy Jewell, Leisure Services Director
Sherry Sutphen, City Attorney
Jessica Burnham, City Clerk
Jeanann Hand, Deputy City Clerk
Patrick Comiskey, City Manager

Approved - 8/29/2022

Approved - 8/30/2022

Approved - 9/1/2022

Approved - 9/1/2022

Approved - 9/1/2022

Final Approval - 9/1/2022

AGREEMENT

THIS AGREEMENT is made by and between the CITY OF MOUNT DORA, 510 N. Baker Street, Mount Dora, Florida 32757, hereinafter referred to as the “CITY”, and Rent.fun, LLC, a Michigan limited liability company, 201 South Division Street, Ann Arbor, Michigan 48104, hereinafter referred to as the “CONTRACTOR”.

WITNESSETH:

WHEREAS, pursuant to the City of Mount Dora Purchasing Policy, Policy 3.4-1(G), the CITY may procure products and services from a single source provider without following a competitive solicitation process; and

WHEREAS, on July 24, 2022, the City properly posted its notice of intent to award a single source procurement through SS# 22-LS-012; and

WHEREAS, the City has determined that the CONTRACTOR is a single source provider and is qualified to provide the desired services as set forth herein to the CITY; and

WHEREAS, the CITY has determined that it is in its best interest to enter into an agreement with the CONTRACTOR for self-service, person powered, recreational watercraft rental operator services; and

WHEREAS, the parties hereto have agreed to the terms and conditions set forth herein.

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

SECTION 1. RECITALS.

The above Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. PREMISES.

The CITY owns and maintains Palm Island Park (hereinafter referred to as the “Premises”).

SECTION 3. TERM.

The term of this Agreement shall be for a period of five (5) years beginning on the date of execution by the CITY. During the Term of this Agreement, the CITY agrees that the CONTRACTOR shall be the only self-service, person powered, recreational watercraft rental operator with the right to use the Premises.

SECTION 4. SCOPE OF SERVICES.

The CONTRACTOR shall be responsible for performing the services described in **Exhibit “A”** attached hereto. To the extent of any conflict between **Exhibit “A”** and the terms and conditions of this Agreement, the terms and conditions of this Agreement shall prevail.

SECTION 5. **OBLIGATIONS OF THE CONTRACTOR.**

Obligations of the CONTRACTOR shall include, but not be limited to, the following:

- A. It is understood that the CONTRACTOR shall provide and pay for all labor, tools, materials, permits, equipment, transportation, supervision, and any and all other items or services, of any type whatsoever, which may be necessary to fully complete and deliver the goods and/or services requested by the CITY, and shall not have the authority to create or cause to be filed any liens for labor and/or materials on or against the CITY or any property owned by the CITY. Such lien, attachment, or encumbrance, until it is removed, shall preclude any and all claims or demands for any payment expected by virtue of this Agreement.
- B. The CONTRACTOR will ensure that all of its employees, agents, sub-contractors, representatives, volunteers, and the like, fully comply with all of the terms and conditions set herein when providing services for the CITY in accordance herewith.
- C. The CONTRACTOR will maintain an adequate and competent staff and remain authorized to do business within the State of Florida. The CONTRACTOR may subcontract the services requested by the CITY; however, the CONTRACTOR is fully responsible for the satisfactory completion of all subcontracted work.

SECTION 6. **OBLIGATIONS OF THE CITY.**

- A. CITY will use reasonable efforts to report any maintenance or other issues relating to the Equipment on the Premises. CITY, however, is under no obligation to maintain or inspect the equipment, which obligation is solely that of the CONTRACTOR.
- B. CITY will use reasonable efforts to promote the Rental Stations Services to the public, which shall include linking to the program website from the CITY'S web properties and social media accounts.

SECTION 7. **STANDARD OF CARE.**

- A. The CONTRACTOR has represented to the CITY that it possesses a level of knowledge, experience, and expertise that is commensurate with firms in the areas of practice required for the services to be provided. By executing this Agreement, the CONTRACTOR agrees that the CONTRACTOR will exercise that degree of care, knowledge, skill, and ability as any other similarly situated contractor possessing the degree of skill, knowledge, experience, and expertise, working on similar activities. The CONTRACTOR shall perform the services requested in an efficient manner consistent with the CITY's stated objectives and standards.

- B. The CONTRACTOR covenants and agrees that it and its employees, agents, sub-contractors, representatives, volunteers, and the like, shall be bound by the same standards of conduct as stated above.

SECTION 8. **COMPENSATION.**

- A. Compensation to the CONTRACTOR will be in accordance with Florida Statutes, section 218.70, Florida's Prompt Payment Act. The CITY shall pay CONTRACTOR a one-time activation fee of Fifteen Thousand and 00/100 Dollars (\$15,000.00).
- B. On a quarterly basis, the CITY shall receive fifty percent (50%) of the CONTRACTOR's gross rental revenue received from the self-service, person powered, recreational watercraft rental station placed on the Premises. Revenue share payments shall be paid by CONTRACTOR to CITY on a quarterly basis by electronic transfer as coordinated with the CITY. In the event of missing or damaged, beyond repair, equipment, fifty percent (50%) of the actual cost of replacement of the same will be deducted from next quarterly payment for the City's portion of revenue share.

SECTION 9. **TERMINATION.**

Either party may terminate this Agreement, with or without cause, given thirty (30) days written notice to the other party.

SECTION 10. **PAYMENT WHEN SERVICES ARE TERMINATED.**

- A. In the event the CONTRACTOR terminates the Agreement within the first year of the Agreement, it shall reimburse the CITY for the initial payment made by the CITY in the amount of Fifteen Thousand Dollars (\$15,000.00).
- B. In the event of termination by either party, the CONTRACTOR shall remit payment to the CITY for fifty percent (50%) of the CONTRACTOR's gross rental revenue received through the date of termination, from the self-service, person powered, recreational watercraft rental station placed on the Premises.

SECTION 11. **INSURANCE.**

- A. The CONTRACTOR shall maintain the following types of insurance, with the respective limits, and shall provide proof of same to the CITY, in the form of a Certificate of Insurance prior to the start of any work hereunder:
 - 1. LIABILITY: One Million Dollars (\$1,000,000.00) each occurrence;
 - 2. GENERAL AGGREGATE: Five Million Dollars (\$5,000,000.00);

3. WORKERS' COMPENSATION: Employers' liability insurance which covers the statutory obligation for all persons engaged in the performance of the work required hereunder with limits not less than One Million Dollars (\$1,000,000.00) per occurrence. Evidence of qualified self-insurance status will suffice for this subsection.
- B. For every insurance policy required hereunder, the CONTRACTOR shall provide the CITY with a Certificate of Insurance evidencing such coverage for the duration of this Agreement. Said Certificate of Insurance shall be dated and show:
1. The name of the insured CONTRACTOR,
 2. The specified job by name and job number,
 3. List the "CITY OF MOUNT DORA" as an Additional Insurer,
 4. Recognizes the Indemnification requirements of this Agreement.
 5. The name of the insurer,
 6. The number of the policy,
 7. The effective date,
 8. The termination date,
 9. A statement that the insurer will mail notice to the CITY at least thirty (30) days prior to any material changes in the provisions or cancellation of the policy.
- C. Receipt of certificates or other documentation of insurance or policies or copies of policies by the CITY, or by any of its representatives, which indicates less coverage than is required, does not constitute a waiver of the CONTRACTOR's obligation to fulfill the insurance requirements specified herein.
- D. The CONTRACTOR shall ensure that any sub-contractor(s), hired to perform any of the duties contained in the Scope of Services of this Agreement, maintain the same insurance requirements set forth herein. In addition, the CONTRACTOR shall maintain proof of same on file and made readily available upon request by the CITY.
- E. The CONTRACTOR hereby waives for itself and for its insurers and underwriters, all rights which each of them may hold to recover in subrogation, indemnity, contribution or by direct cause of action for any damages, losses and costs of defense for risks against which insurance is provided, whether or not the same is required to be provided. The CONTRACTOR shall obtain consents, endorsements or such other action by insurers and underwriters as may be necessary to establish that the waiver of subrogation, indemnity, contribution and direct cause of action shall not abrogate, limit or otherwise affect any insurance provided by the CONTRACTOR and shall deliver evidence of the same to the CITY upon reasonable request.

SECTION 13. ENTIRE AGREEMENT.

This Agreement, including referenced exhibits and attachments hereto, constitutes the entire agreement between the parties and shall supersede, replace and nullify any and all prior agreements or understandings, written or oral, relating to the matters set forth herein, and any such prior agreements or understandings shall have no force or affect whatsoever on this Agreement.

SECTION 13. APPLICABLE LAW, VENUE, JURY TRIAL.

The laws of the State of Florida shall govern all aspects of this Agreement. In the event it is necessary for either party to initiate legal action regarding this Agreement, venue shall lie in Lake County, Florida. The parties hereby waive their right to trial by jury in any action, proceeding or claim, arising out of this Agreement, which may be brought by either of the parties hereto.

SECTION 14. PUBLIC RECORDS.

A. Pursuant to Florida Statutes, Section 119.0701:

IF YOU HAVE QUESTIONS REGARDING THE APPLICATION OF FLORIDA STATUTES, CHAPTER 119, TO YOUR DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CITY'S CUSTODIAN OF PUBLIC RECORDS:

**CITY CLERK: JESSICA BURNHAM
510 NORTH BAKER STREET
MOUNT DORA, FL 32757
(352) 735-7126
BURNHAMJ@CITYOFMOUNTDORA.COM**

B. CONTRACTOR agrees to comply with public records laws, specifically to:

1. Keep and maintain public records required by the CITY to perform the services set forth herein.
2. Upon request from the CITY's custodian of public records, provide the CITY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Florida Statutes, Chapter 119, or as otherwise provided by law.
3. Ensure that public records which are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law, for the duration of the contract term and following completion of the contract if the CONTRACTOR does not transfer the records to the CITY.

4. Upon completion of the contract, transfer, at no cost, to the CITY all public records in possession of the CONTRACTOR or keep and maintain public records required by the CITY to perform the services set forth herein. If the CONTRACTOR transfers all public records to the CITY upon completion of the contract, the CONTRACTOR shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the CONTRACTOR keeps and maintains public records upon completion of the contract, the CONTRACTOR shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the CITY, upon request from the CITY's custodian of public records, in a format that is compatible with the information technology systems of the CITY.

SECTION 15. INDEPENDENT CONTRACTOR.

This Agreement does not create an employee/employer relationship between the parties. It is the parties' intention that the CONTRACTOR, its employees, sub-contractors, representatives, volunteers, and the like, will be an independent contractor and not an employee of the CITY for all purposes, including, but not limited to, the application of the following, as amended: the Fair Labor Standards Act minimum wage and overtime payments, the Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue Code, the State of Florida revenue and taxation laws, the State of Florida workers' compensation laws, the State of Florida unemployment insurance laws, and the Florida Retirement System benefits. The CONTRACTOR will retain sole and absolute discretion in the judgment of the manner and means of carrying out the CONTRACTOR's activities and responsibilities hereunder.

SECTION 16. APPLICABLE LICENSING.

The CONTRACTOR, at its sole expense, shall obtain all required federal, state, and local licenses, occupational and otherwise, required to successfully provide the services set forth herein.

SECTION 17. COMPLIANCE WITH ALL LAWS.

The CONTRACTOR, at its sole expense, shall comply with all laws, ordinances, judicial decisions, orders, and regulations of federal, state, county, and municipal governments, as well as their respective departments, commissions, boards, and officers, which are in effect at the time of execution of this Agreement or are adopted at any time following the execution of this Agreement.

SECTION 18. INDEMNIFICATION.

The CONTRACTOR agrees to be liable for any and all damages, losses, and expenses incurred, by the CITY, in any way related to the services provided herein and this Agreement, caused by the acts and/or omissions of the CONTRACTOR, or any of its employees, agents, sub-contractors, representatives, volunteers or the like. The CONTRACTOR agrees to indemnify, defend and hold the CITY harmless for any and all such claims, suits, judgments or damages, losses and expenses, including but not limited to, court costs, expert witnesses, consultation

services and attorney's fees, arising from any and all acts and/or omissions of the CONTRACTOR, or any of its employees, agents, sub-contractors, representatives, volunteers, or the like through and including any appeals in any way related to the services provided herein and this Agreement. Said indemnification, defense, and hold harmless actions shall not be limited by any required insurance coverage amounts set forth herein and shall survive termination or natural termination of this Agreement. The CONTRACTOR waives any and all right or opportunity to contest the enforceability of this Section and agrees that in the event this Section, or any part thereof, is found unenforceable by the final unappealable judgment of a court of competent jurisdiction, this Section shall be construed so as to be enforceable to the maximum extent permitted by applicable law.

SECTION 19. **BANKRUPTCY OR INSOLVENCY.**

If the CONTRACTOR shall file a Petition in Bankruptcy, or if the same shall be adjudged bankrupt or insolvent by any Court, or if a receiver of the property of the CONTRACTOR shall be appointed in any proceeding brought by or against the CONTRACTOR, or if the CONTRACTOR shall make an assignment for the benefit of creditors, or proceedings shall be commenced on or against the CONTRACTOR's operations of the premises, the CITY may terminate this Agreement immediately notwithstanding any notice requirements set forth herein.

SECTION 20. **BINDING EFFECT.**

This Agreement shall be binding upon and enure to the benefit of the parties hereto, their heirs, personal representatives, successors, and/or assigns.

SECTION 21. **ASSIGNMENT.**

This Agreement shall only be assignable by the CONTRACTOR upon the express written consent of the CITY.

SECTION 22. **SEVERABILITY.**

All clauses found herein shall act independently of each other. If a clause is found to be illegal or unenforceable, it shall have no effect on any other provision of this Agreement. It is understood by the parties hereto that if any part, term, or provision of this Agreement is by the courts held to be illegal or in conflict with any law of the State of Florida or the United States, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid. If necessary, to preserve the intent of the parties, the parties shall negotiate in good faith to amend this Agreement, adopting a substitute provision for the one deemed invalid or unenforceable that is legally binding and enforceable.

SECTION 23. **WAIVER.**

Failure of the parties to insist upon strict performance of any of the covenants, terms, provisions, or conditions of this Agreement or to exercise any right or option herein contained, shall not be construed as a waiver or a relinquishment for the future of any such covenant, term, provision, or condition, or right of election, but same shall remain in full force and effect.

SECTION 24. **NOTICE.**

The parties hereto agree and understand that written notice, mailed or delivered to the last known mailing address, shall constitute sufficient notice to the CITY and the CONTRACTOR. All notices required and/or made pursuant to this Agreement to be given to the CLERK and the CONTRACTOR shall be in writing and given by way of the United States Postal Service, first class mail, postage prepaid, addressed to the following addresses of record:

CITY: City of Mount Dora
Attention: City Manager
510 N. Baker Street
Mount Dora, Florida 32756

CONTRACTOR: Rent.fun, LLC
201 South Division Street
Ann Arbor, Michigan 48104

SECTION 25. MODIFICATION.

The covenants, terms, and provisions of this Agreement may be modified by way of a written instrument, mutually accepted by the parties hereto. In the event of a conflict between the covenants, terms, and/or provisions of this Agreement and any written Amendment(s) hereto, the provisions of the latest executed instrument shall take precedence.

SECTION 26. HEADINGS.

All headings of the sections, exhibits, and attachments contained in this Agreement are for the purpose of convenience only and shall not be deemed to expand, limit, or change the provisions contained in such sections, exhibits, and attachments.

SECTION 27. ADMINISTRATIVE DOCUMENTATION CONFLICT.

In the event the CITY issues a purchase order, memorandum, letter, or any other instrument addressing the services, work, and materials to be provided and performed pursuant to this Agreement, it is hereby specifically agreed and understood that any such purchase order, memorandum, letter, or other instrument is for the CITY's internal purposes only, and any and all terms, provisions, and conditions contained therein, whether printed or written, shall in no way modify the covenants, terms, and provisions of this Agreement and shall have no force or effect thereon. Likewise, any invoice or other instrument issued by the CONTRACTOR shall in no way modify the covenants, terms and provisions of this Agreement and shall have no force or effect thereon.

SECTION 28. CONFLICT OF INTEREST.

The CONTRACTOR warrants that the CONTRACTOR has not employed or retained any company or person, other than a bona fide employee working solely for the CONTRACTOR, to solicit or secure this Agreement, and that the CONTRACTOR has not paid or agreed to pay any person, company, corporation, individual, or firm any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the award or making of this Agreement. For the breach or violation of this Paragraph, the CITY shall have the right to terminate this Agreement immediately, without liability and without regard to the notice requirements set forth herein.

SECTION 29. PUBLIC ENTITY CRIMES.

As required by section 287.133, Florida Statutes, the CONTRACTOR warrants that it is not on the convicted contractor list for a public entity crime committed within the past thirty-six (36) months. The CONTRACTOR further warrants that it will neither utilize the services of, nor contract with, any supplier, sub-contractor, or consultant in connection with this Agreement for a period of thirty-six (36) months from the date of being placed on the convicted contractor list.

SECTION 30. JOINT AUTHORSHIP.

This Agreement shall be construed as resulting from joint negotiation and authorship. No part of this Agreement shall be construed as the product of any one of the parties hereto.

SECTION 31. EQUAL OPPORTUNITY EMPLOYER.

The CONTRACTOR is an Equal Opportunity Employer and will comply with all equal opportunity employment laws. The CONTRACTOR will further ensure that all sub-contractors it utilizes in providing the services required hereunder will comply with all equal opportunity employment laws.

SECTION 32. AUDITING, RECORDS, AND INSPECTION.

In the performance of this Agreement, the CONTRACTOR shall keep books, records, and accounts of all activities, related to the Agreement, in compliance with generally accepted accounting procedures. Throughout the term of this Agreement, books, records, and accounts related to the performance of this Agreement shall be open to inspection during regular business hours by an authorized representative of the CITY and shall be retained by the CONTRACTOR, for a period of five (5) years after termination or completion of the Agreement or until the full CITY audit is complete, whichever comes first. The CITY shall retain the right to audit the books during the Five (5) year retention period. All books, records, and accounts related to the performance of this Agreement shall be subject to the applicable provisions of the Florida Public Records Act, chapter 119, Florida Statutes. The CITY also has the right to conduct an audit within sixty (60) days from the effective date of this Agreement to determine whether the CONTRACTOR has the ability to fulfill its contractual obligations to the satisfaction of the CITY. The CITY has the right to terminate this Agreement based upon the findings in this audit without regard to any notice requirement for termination.

SECTION 33. SOVEREIGN IMMUNITY.

The CITY expressly retains all rights, benefits and immunities of sovereign immunity in accordance with Section 768.28, Florida Statutes. Notwithstanding anything set forth in any section, article or paragraph of this Agreement to the contrary, nothing in this Agreement shall be deemed as a waiver of sovereign immunity or limits of liability which may have been adopted by the Florida Legislature or may be adopted by the Florida Legislature, and the cap on the amount and liability of the CITY for damages, attorney fees and costs, regardless of the number or nature of claims in tort, equity or contract, shall not exceed the dollar amount set by the Florida Legislature for tort. Nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim against the CITY which would otherwise be barred under the Doctrine of Sovereign Immunity or operation of law. This section shall not limit any remedies as specifically contained in this Agreement.

SECTION 34. EMPLOYMENT ELIGIBILITY VERIFICATION (E-VERIFY).

Pursuant to Florida Statutes, Section 448.095, the CONTRACTOR shall be registered with and utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility status of all employees performing work under this Agreement as well as all newly hired employees. In addition, the CONTRACTOR shall require any and all subcontractors performing work in accordance with this Agreement to register with and utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility status of all employees performing work under this Agreement as well as all newly hired employees. Any such subcontractor shall provide an affidavit to the CONTRACTOR stating that the subcontractor does not employ, contract with or subcontract with any ineligible individuals and the CONTRACTOR must keep a copy of said affidavit for the duration of this Agreement. Violation of this section is subject to immediate termination of this Agreement by the CITY without regard to any notice otherwise required herein. In the event the CITY incurs costs as a result of the CONTRACTOR'S breach of this provision, any and all such costs shall be paid by the CONTRACTOR immediately upon receipt of notice of the same from the CITY. Information on registration for and use of the E-Verify Program may be obtained at the Department of Homeland Security website: <http://www.dhs.gov/E-Verify>.

SECTION 35. USE OF CITY NAME, LOGO, SEAL, FLAG AND/OR LETTERHEAD.

The CONTRACTOR may only use the CITY'S name, logo, seal and/or flag with the express written permission of the City and consistent with any CITY policy related to the same. In addition, the CONTRACTOR shall not use the CITY'S letterhead, or any attempted rendition thereof, for issuing any correspondence related to this Agreement without the express written permission of the CITY.

(Signatures on Following Page)

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have executed this Agreement effective the ____ day of _____, 2022 ("Effective Date").

CITY OF MOUNT DORA

CRISSY STILE

MAYOR of the City of Mount Dora, Florida

ATTEST:

Jessica Burnham
City Clerk

For the use and reliance of City of Mount Dora only.
Approved as to form and legal sufficiency.

Sherry G. Sutphen
City Attorney

CONTRACTOR

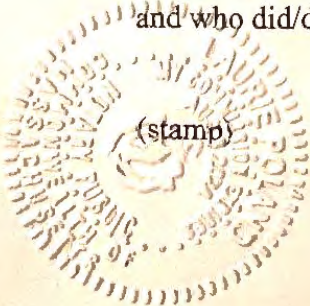
By: Adam Greenstein

Print: Adam Greenstein

Title: CEO

STATE OF Massachusetts
COUNTY OF Middlesex

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization of Adam Greenstein, as CEO, of Rent. Fun, who personally swore or affirmed that he/she is authorized to execute this Agreement and thereby bind the Contractor, and who is personally known to me or who produced license as identification, and who did/did not take an oath this 23 day of August, 2022.



LAURIE POLAND
NOTARY PUBLIC, State of Florida
Commonwealth of Massachusetts
My Commission Expires August 9, 2022
Exhibit "A"
Scope of Services

A. EQUIPMENT & INITIAL LAUNCH: CONTRACTOR will make available self-service,

person powered, recreational watercraft rental station services, as collectively defined below. Each rental station shall include:

- Person powered, recreational watercraft, with associated paddles and lifejackets
- Each craft offered for rent shall be furnished with all items of safety equipment specified by state laws governing the use and operation of watercraft on state water; and
- When not in use, all equipment shall be stored in a tamper-proof locker provided, maintained, and installed by Operator. The locker shall include individual storage units suitable to store each kayak and / or paddleboard and associated lifejackets and paddles. Each storage unit shall be secured by an app-controlled cellular lock, provided and maintained by Operator.

B. SIGNAGE. CONTRACTOR may provide signage at the Premises provided the same is approved by the CITY and is in compliance with the CITY's sign code. Operator will submit designs of any anticipated decals or signage for City's approval prior to installation, not to be unreasonably withheld. Operator shall be solely responsible for installation and maintenance of any decals or signage.

C. CUSTOMER SUPPORT: CONTRACTOR shall provide customer and technical support services to end users of its equipment to resolve billing issues, technical issues, and general inquiries.

D. MARKETING: CONTRACTOR shall develop and deliver to City a custom website designed to market the Rental Station Services prior to launch.

E. MAINTENANCE: CONTRACTOR will visit the Premises to perform general maintenance and cleaning of all equipment to ensure that all equipment is in good repair and condition for use. In the event a safety or maintenance issue is discovered on any equipment available for rent, such equipment shall be made unavailable to users and shall be removed and repaired before it is put back into service.



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Request Approval of **Resolution No. 2022-48**, Tentative Millage Rate for Fiscal Year 2022-2023

Introduction:

This is a request for the City Council to approve Resolution No. 2022-48, Tentative Millage Rate for the Fiscal Year 2022-2023 Budget.

Call Up Item
Mayor Asks Attorney to Read Resolution by Title Only
City Manager Background
Public Hearing
Discussion
Council Action

Discussion:

Florida Statutes, including Section 200.065, provide that the City Council shall adopt a tentative millage rate prior to the adoption of a tentative budget and shall otherwise comply with the controlling provisions of the law.

The Lake County Property Appraiser has certified the gross taxable value of property for operating purposes within the City of Mount Dora as \$1,552,911,834 and has certified a rolled-back rate of \$5.5029 per \$1,000 of taxable value for the City of Mount Dora. The City Council of the City of Mount Dora, Florida, deems it necessary to levy and does hereby levy a tentative tax of \$5.9603 mills upon all real and personal property, railroads and communication lines within the City for operational purposes. The operating levy of \$5.9603 mills represents an 8.31% change from the rolled-back rate of \$5.5029 per \$1,000 of taxable value.

Budget Impact:

This establishes the Tentative Millage for Fiscal Year 2022-2023 which will be budgeted at 95%, and which is estimated to be \$8,793,029 in ad valorem proceeds to the General Fund.

Strategic Impact:

Financial and Economic Sustainability

Recommendation:

City Council to conduct a public hearing about the Tentative Millage Rate for Fiscal Year 2022-2023 and approve Resolution No. 2022-48.

Attachment(s):

1. Resolution 2022-48 Tentative Millage Rate.SGS

Prepared by: Aneta Barton, Budget Director
Reviewed by: Sherry Sutphen, City Attorney
Jessica Burnham, City Clerk
Jeanann Hand, Deputy City Clerk
Patrick Comiskey, City Manager

Approved - 9/1/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022

RESOLUTION NO. 2022-48

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA PROVIDING FOR THE ADOPTION OF THE TENTATIVE MILLAGE RATE FOR FISCAL YEAR 2022-23; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR LEVY OF AD VALOREM TAXES AND PERCENTAGE INCREASE; PROVIDING FOR FINAL BUDGET HEARING; PROVIDING FOR IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, after conducting a public hearing on Tuesday, July 19, 2022, the City of Mount Dora adopted Resolution No.: 2022-41, certifying the proposed millage rate for Fiscal Year 2022-23 as required by Florida Statutes, Section 200.065; and

WHEREAS, the Lake County Property Appraiser has delivered notice of the City of Mount Dora's proposed property tax to each taxpayer for which the City of Mount Dora, Florida is the taxing authority; and

WHEREAS, following a review of the tentative budget as submitted, the City of Mount Dora has determined that a millage rate of 5.9603 mills is necessary to produce sufficient revenue to fund the Fiscal Year 2022-23 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MOUNT DORA, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. The City of Mount Dora has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Levy of Ad Valorem Taxes and Percentage Increase. The City of Mount Dora, Florida, hereby tentatively levies the millage rate specified and hereby states the percent, if any, by which the tentative millage rate exceeds the rolled back millage rate, as follows:

Taxing Entity	Tentative Millage Rate	Rolled Back Millage Rate	Percentage Increase Over/ (Under) the Rolled Back Rate
General Fund	5.9603 Mills	5.5029 Mills	8.31%

SECTION 3. Final Budget Public Hearing. The final public hearing related to the Fiscal Year 2022-23 budget adoption process is scheduled for Tuesday, September 20, 2022 at 6:00 p.m., and will be held at 510 N. Baker Street, Mount Dora, Florida 32757, where interested parties may appear and address the City Council on budget related matters.

SECTION 4. Implementation of Administrative Actions. The City Manager is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Resolution. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 5. Savings Clause. All prior actions of the City of Mount Dora pertaining to the adoption of the tentative millage rate for Fiscal Year 2022-23, which is the subject of this Resolution, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

SECTION 7. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 8. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 9. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 6th day of September, 2022.

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

JESSICA BURNHAM
CITY CLERK

For the use and reliance of City of Mount Dora only.
Approved as to form and legality.

Sherry Sutphen, City Attorney



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Request Approval of **Resolution No. 2022-49**, Tentative Budget for Fiscal Year 2022-2023

Introduction:

This is a request for the City Council to approve Resolution No. 2022-49, Tentative Budget for Fiscal Year 2022-2023.

Call Up Item
Mayor Asks Attorney to Read Resolution by Title Only
City Manager Background
Public Hearing
Discussion
Council Action

Discussion:

The City Council of the City of Mount Dora has complied with all requirements and procedures of Florida law in processing this resolution. The City Council pursuant to the Charter of the City of Mount Dora and Chapter 166, Florida Statutes, does hereby adopt Tentative General Fund, Enterprise Funds and all other related Fund Budgets and Capital Improvement Programs (CIP's), in the amount of \$134,951,114, which are attached to the Resolution as Exhibit "A," and which may later be amended by the City Council.

Florida Statutes, including Section 200.065, provide that the City Council shall adopt a Tentative Millage Rate prior to the adoption of a Tentative Budget and shall otherwise comply with the controlling provisions of Florida law.

Budget Impact:

Resolution No. 2022-49 establishes the Tentative Budget for Fiscal Year 2022-2023 for the General Fund, Special Revenue Funds, Debt Service, Capital Improvement Funds, Enterprise Funds and other Internal Services Funds.

Strategic Impact:

Financial and Economic Sustainability

Recommendation:

City Council to conduct a Public Hearing and adopt Resolution No. 2022-49 approving the Tentative Budget for all funds of \$134,951,114.

Attachment(s):

1. Resolution 2022-49 Tentative Budget.SGS
2. Exhibit A

Prepared by: Aneta Barton, Budget Director
Reviewed by: Sherry Sutphen, City Attorney
Jessica Burnham, City Clerk
Jeanann Hand, Deputy City Clerk
Patrick Comiskey, City Manager

Approved - 9/1/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022

RESOLUTION NO. 2022-49

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE TENTATIVE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF THE TENTATIVE BUDGET FOR FISCAL YEAR 2022-23; PROVIDING FOR FINAL BUDGET PUBLIC HEARING; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Mount Dora recommended a tentative annual budget for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023; and

WHEREAS, the City of Mount Dora held budget work sessions on April 25, 2022, May 23, 2022, July 11, 2022, July 25, 2022 and August 29, 2022, for the purpose of reviewing and, where appropriate, revising the proposed Fiscal Year 2022-23 budget;

WHEREAS, Florida Statutes, Section 200.065, commonly known as the Truth in Millage or TRIM Bill, requires that the City Council hold a public hearing to consider adoption of the tentative millage rate and budget for Fiscal Year 2022-23; and

WHEREAS, on September 6, 2022, after having first adopted a resolution establishing a tentative millage rate for Fiscal Year 2022-2023, the City of Mount Dora held a public hearing and considered adoption of its tentative budget for Fiscal Year 2022-23; and

WHEREAS, during the course of said public hearing, all persons desiring to voice objection or make comments upon the tentative budget for Fiscal Year 2022-23 were given an opportunity to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MOUNT DORA, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. The City of Mount Dora has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Approval of the Tentative Budget for Fiscal Year 2022-23. Pursuant to the City of Mount Dora Charter and Florida Statutes, Chapters 166 and 200, the City of Mount Dora hereby adopts the various tentative budgets as set forth in **Exhibit "A"** attached hereto.

SECTION 3. Final Budget Public Hearing. The final public hearing related to the Fiscal Year 2022-23 budget adoption process is scheduled for Tuesday, September 20, 2022 at 6:00 p.m., and will be held at 510 N. Baker Street, Mount Dora, Florida 32757, where interested parties may appear and address the City Council on budget related matters.

SECTION 4. Implementation of Administrative Actions. The City Manager is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Resolution. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 5. Savings Provision. All prior actions of the City of Mount Dora pertaining to the adoption of the tentative budget for Fiscal Year 2022-23, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

SECTION 7. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 8. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 9. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

Signatures on Following Page

PASSED AND ADOPTED this 6th day of September, 2022.

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

JESSICA BURNHAM
CITY CLERK

For the use and reliance of City of Mount Dora only.
Approved as to form and legality.

Sherry Sutphen
City Attorney

Resolution No. 2022-49

3 of 4

Exhibit “A”
Tentative Budget for
Fiscal Year 2022-23

Resolution No. 2022-49

4 of 4

Exhibit "A"

PROPOSED BUDGET FISCAL YEAR 2022 - 2023			
FUND	REVENUE	EXPENSES	Variance
001 - General Fund	\$ 26,034,761	\$ 26,034,761	\$ -
111 - Discretionary Sales Tax	\$ 1,798,097	\$ 1,798,097	\$ -
117 - Community Redevelopment Agency	\$ 3,043,184	\$ 3,043,184	\$ -
118 - Northeast Community Redevelopment Agency	\$ 8,420,199	\$ 8,420,199	\$ -
123 - Protective Inspections	\$ 4,407,761	\$ 4,407,761	\$ -
124 - Police Impact Fee	\$ 325,038	\$ 325,038	\$ -
125 - Fire Impact Fee	\$ 350,000	\$ 350,000	\$ -
126 - Library Impact Fee	\$ 687,502	\$ 687,502	\$ -
127 - Parks Impact Fee	\$ 720,500	\$ 720,500	\$ -
131 - Fire Assessment Fee	\$ 1,882,601	\$ 1,882,601	\$ -
150 - Cemetery	\$ 80,000	\$ 80,000	\$ -
200 - Debt Service	\$ 1,563,165	\$ 1,563,165	\$ -
310 - Capital Construction	\$ 14,946,935	\$ 14,946,935	\$ -
410 - Electric	\$ 10,974,098	\$ 10,974,098	\$ -
415 - Electric Construction	\$ 671,000	\$ 671,000	\$ -
421 - Water / Wastewater Utility	\$ 27,360,954	\$ 27,360,954	\$ -
422 - Wastewater Impact Fee	\$ 2,743,421	\$ 2,743,421	\$ -
423 - Water Impact Fee	\$ 1,323,177	\$ 1,323,177	\$ -
425 - Water / Wastewater Construction	\$ 12,875,000	\$ 12,875,000	\$ -
430 - Sanitation Utility	\$ 3,987,042	\$ 3,987,042	\$ -
440 - Stormwater Utility	\$ 3,619,743	\$ 3,619,743	\$ -
445 - Stormwater Construction	\$ 2,273,239	\$ 2,273,239	\$ -
500 - Public Work Warehouse	\$ 694,800	\$ 694,800	\$ -
501 - Vehicle Replacement	\$ 257,617	\$ 257,617	\$ -
510 - Self Insured Health	\$ 3,030,736	\$ 3,030,736	\$ -
515 - Property & Casualty & Workers Compensation	\$ 880,544	\$ 880,544	\$ -
Total City Wide Budget	<u>134,951,114</u>	<u>134,951,114</u>	<u>-</u>



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Request Approval of **Resolution No. 2022-55**, Final Fire Assessment Fee for Fiscal Year 2022-2023

Introduction:

This is a request for City Council to approve Resolution No. 2022-55, Fire Services Special Assessment for Fiscal Year 2022 - 2023.

Call Up Item
Mayor Asks Attorney to Read Resolution by Title Only
City Manager Background
Public Hearing
Discussion
Council Action

Discussion:

City of Mount Dora Ordinance No. 2015-08 authorizes the imposition of a Fire Services Assessment for fire protection services, facilities and programs against Assessed Property within the City. Each year, it is necessary for the City Council to pass a Preliminary Assessment Resolution establishing the maximum assessment rate, which was done on June 21, 2022. This Resolution, 2022-55, is the Final Assessment Resolution for fiscal year 2022-2023.

The Fire Services Assessment Rate per residential dwelling unit is \$209. This represents 58.37% of the maximum allowed by the Ordinance. Commercial Rates are based on the square footage of the facility. This resolution, if approved by City Council, will set the rate for residential and the rate for commercial properties for the coming year. Fire Services may include operating functions, salaries of the firefighters and officers, capital programs and projects.

Budget Impact:

The Fire Assessment Fee will allow the City to address the public safety needs of the City while creating a more diversified method of funding fire protection services, specifically building of the Fire Stations, purchase of capital equipment, and also operations in support of the Fire Services.

Strategic Impact:

Public Safety Objective: Aligns with the Fire Department's Standards of Cover as adopted by the Council.

Recommendation:

City Council to approve Resolution No. 2022-55.

Attachment(s):

1. Resolution 2022-55 Annual Fire Assessment.2022-23.SGS
2. Exhibit A Affidavit of Mailing - notarized
3. Exhibit B Proof of Publication
4. Exhibit C Certificate to NAVA

Prepared by: Jeanann Hand, Deputy City Clerk

Reviewed by: Aneta Barton, Budget Director
Sherry Sutphen, City Attorney
Jessica Burnham, City Clerk
Jeanann Hand, Deputy City Clerk
Patrick Comiskey, City Manager

Approved - 8/30/2022

Approved - 9/1/2022

Approved - 9/1/2022

Approved - 9/1/2022

Final Approval - 9/1/2022

RESOLUTION NO. 2022-55
Annual Fire Assessment Resolution
(FY 2022-23)

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF MOUNT DORA FOR FISCAL YEAR 2022-23; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AUTHORITY; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR REIMPOSITION OF FIRE SERVICES ASSESSMENTS; PROVIDING FOR CONFIRMATION OF PRELIMINARY ASSESSMENT RESOLUTION; PROVIDING FOR EFFECT OF ADOPTION OF THIS RESOLUTION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mount Dora, Florida enacted Ordinance No. 2015-08, which was codified into Chapter 78, Part VI and VII of the City of Mount Dora Code of Ordinances (hereafter referred to as the “City Code” or “Ordinance”), which authorizes the annual imposition of Fire Services Assessments for fire protection services, facilities and programs against Assessed Property within the City;

WHEREAS, the re-imposition of a Fire Services Assessment for fire protection services, facilities and programs each fiscal year is an equitable and efficient method of allocating and apportioning fire services assessed costs among parcels of assessed property; and

WHEREAS, the City desires to implement a Fire Services Assessment program in the City using the procedures provided by the Ordinance for the Fiscal Year beginning October 1, 2021; and

WHEREAS, on July 6, 2021, the City adopted Resolution No. 2021-73 (the “Initial Assessment Resolution”); and

WHEREAS, the Initial Assessment Resolution contains and references a brief and general description of the fire services to be provided to assessed property; describes the method of apportioning the fire services assessed costs to compute the Fire Services Assessment for fire protection services, facilities and programs against assessed property; estimates rates of assessment; and directs the updating and preparation of the assessment roll and provision of the notices required by the Ordinance; and

WHEREAS, in order to impose Fire Assessments for the Fiscal Year beginning October 1, 2021, the Ordinance requires the City to adopt an Annual Assessment Resolution which establishes the rates of assessment and approves the assessment roll for the upcoming Fiscal

Year, with such amendments as the City deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the assessment roll has heretofore been made available for inspection by the public, as required by the Ordinance; and

WHEREAS, notice of the public hearing has been published and mailed, as required by the terms of the Ordinance, which provides notice to all interested persons of the opportunity to be heard; and

WHEREAS, an affidavit regarding the notice mailed to each property owner is attached hereto as **Exhibit “A”** and the proof of the publication of said notice is attached hereto as **Exhibit “B”**; and

WHEREAS, a public hearing was held on September 12, 2019, and comments and objections of all interested persons have been heard and considered, as required by the Ordinance.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF MOUNT DORA, FLORIDA:

SECTION 1. Legislative Findings and Intent. The City of Mount Dora has complied with all requirements and procedures of Florida law in processing this Resolution. The above findings are hereby adopted.

SECTION 2. Authority. This Resolution is adopted pursuant to the provisions of the City Code, the Initial Assessment Resolution 2021-73, Florida Statutes, Section 197.3632, and other applicable provisions of Florida law.

SECTION 3. Purpose and Definitions.
A. This Resolution constitutes the Annual Assessment Resolution as defined in the Ordinance which directs the re-imposition of Fire Protection Assessments for Fiscal Year 2022-23.
B. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance and the Initial Assessment Resolution. Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa.

SECTION 4. Re-Imposition of Fire Services Assessments.
A. The parcels of Assessed Property described in the Assessment Roll, which is hereby approved, are hereby found to be specially benefited by the provision of the fire protection services, facilities and programs described or referenced in the Initial Assessment Resolution in the amount of the Fire Services Assessment set forth in the Assessment Roll, a copy of which was present or available for inspection at the above referenced public hearing and is incorporated herein by reference. It is hereby ascertained, determined and declared that each parcel of Assessed Property within the City will be specially benefited by the City’s provision of

fire protection services, facilities and programs in an amount not less than the Fire Services Assessment for such parcel, computed in the manner set forth in the Initial Assessment Resolution. Adoption of this Annual Assessment Resolution constitutes a legislative determination that all parcels assessed derive a special benefit in a manner consistent with the legislative declarations, determinations and findings, as set forth in the Ordinance and the Initial Assessment Resolution, from the fire protection services, facilities and programs to be provided and a legislative determination that the Fire Services Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the Initial Assessment Resolution.

B. The method for computing Fire Services Assessments described and referenced in the Initial Assessment Resolution is hereby approved. The Parcel Apportionment methodology adopted in Section 8 of the Initial Assessment Resolution is hereby approved.

C. For Fiscal Year 2022-23, the Fire Services Assessed Costs to be assessed is \$2,024,302. The Fire Services Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimate Fire Services Assessed Cost for Fiscal Year 2022-23, are hereby established as follows:

Residential Property Use Category	Rate Per Dwelling Unit
Residential	\$209.00
Non-Residential Property Use Categories	Rate Per Square Foot
Commercial	\$0.15
Industrial/Warehouse	\$0.03
Institutional	\$0.40

D. The above rates of assessment are hereby approved. Fire Services Assessments for fire protection services, facilities and programs in the amounts set forth in the Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property described in such Assessment Roll for Fiscal Year 2022-23.

E. Institutional Property whose use is wholly exempt from ad valorem taxation under Florida law provides facilities and uses to their ownership, occupants, and membership as well as the public in general that otherwise might be requested or required to be provided by the City, and such property uses serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Services Assessments upon Buildings located upon such parcels of Institutional Property whose Building Use is wholly exempt from ad valorem taxation under Florida law. Accordingly, no Fire Services Assessments shall be imposed upon Institutional Buildings located upon a parcel of Institutional Property whose Building Use is wholly exempt from ad valorem taxation under Florida law.

F. Government Property provides facilities and uses to the community, local constituents and the public in general that serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Services Assessments upon such parcels of Government Property. Government Property that is owned by federal government mortgage entities, such as the VA and HUD due to foreclosures, are not serving a governmental purpose or providing a public benefit but are instead being held by these federal government mortgage entities in a proprietary capacity. Accordingly, these properties shall not be considered Government Property for purposes of the Fire Services Assessments and shall not be afforded an exemption from the Fire Services Assessment that is granted to other Government Property.

G. Any shortfall in expected Fire Services Assessment proceeds due to any reduction or exemption from payment of the Fire Services Assessments required by law or authorized by the City Council shall be supplemented by a legally available fund, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Services Assessments.

H. As authorized in Section 78.989 of the City of Mount Dora Code of Ordinances, Interim Fire Services Assessments are also levied and imposed against all property for which a Certificate of Occupancy is issued after the adoption of this Annual Assessment Resolution based upon the rates of assessment approved herein.

I. Fire Protection Assessments shall constitute a lien upon the Assessed Property so assessed and shall be equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles, and claims, until paid. The lien for a Fire Services Assessment shall be deemed perfected upon the City Council's adoption of this Annual Assessment Resolution. Upon perfection, the lien for a Fire Services Assessment collected under the Uniform Assessment Collection Act shall attach to the property included on the Assessment Roll as of the prior January 1, the lien date for ad valorem taxes imposed under the tax roll.

J. The Assessment Roll, as herein approved, together with the correction of any errors or omissions as provided for in Section 78.988 of the City of Mount Dora Code of Ordinances, shall be delivered to the Tax Collector for collection using the Uniform Assessment Collection Act, as provided in the Ordinance, for Fiscal Year 2022-23. The Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate of Non-Ad Valorem Assessment Roll in substantially the form attached hereto as **Exhibit "C"**.

SECTION 5. Confirmation of Preliminary Assessment Resolution. For Fiscal Year 2022-23, the Initial Assessment Resolution is hereby ratified, confirmed and restated.

SECTION 6. Effect of Adoption of This Resolution. The adoption of this Annual Assessment Resolution shall be the final adjudication of the issues presented including, but not limited to, the determination of special benefit and fair apportionment to the Assessed Property; the method of apportionment and assessment; the rate of assessment; the Assessment Roll; and the levy and lien of the Fire Services assessments, unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Annual Assessment Resolution.

SECTION 7. Savings Clause. All prior actions of the City of Mount Dora pertaining to this purchase of fiber optic cable and installation services, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 8. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

SECTION 9. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 10. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 11. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 6th day of September, 2022.

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

JESSICA BURNHAM
CITY CLERK

For the use and reliance of City of Mount Dora
only. Approved as to form and legality.

Sherry G. Sutphen
City Attorney

Exhibit "A"
Affidavit regarding the notice mailed
to each property owner

Exhibit “B”
Proof of the publication

Exhibit “C”
Certificate of Non-Ad Valorem
Assessment Roll

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Aneta Barton who, after being duly sworn, deposes and says:

1. Aneta Barton, as Budget Director of the City of Mount Dora, Florida ("City"), pursuant to the authority and direction received from the City Council, timely directed the preparation of the Assessment Roll and the preparation and mailing of notices in accordance with Ordinance 2015-08 (the "Assessment Ordinance") and in conformance with the Preliminary Assessment Resolution adopted by the City Council on June 21, 2022 (the "Preliminary Assessment Resolution").

2. In accordance with the Resolution 2022-40 timely provided all necessary information for notification of the Fire Assessment to the Property Appraiser of Lake County to be included as part of the notice of proposed property taxes under section 200.069, Florida Statutes, the truth-in-millage notification. On August 16, 2022, the Lake County Property Appraiser caused to be mailed, by first class mail, the fire services assessment notices as part of the TRIM notices to each affected property owner at the addresses then shown on the real property assessment tax roll database maintained by the Lake County Property Appraiser. The information provided to the Property Appraiser to be included on the truth-in-millage notification included the following: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written

objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.

FURTHER AFFIANT SAYETH NOT.

Heather Burke, affiant

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization of Aneta Barton, who personally swore or affirmed that she is authorized to execute this Affidavit, and who is personally known to me, this 25th day of August, 2022.



[Signature]
NOTARY PUBLIC, State of Florida

Merry Lovern
Printed Name
My Commission Expires: 4/18/2025
Commission No. HH 109887

EXHIBIT B

LOCALiQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

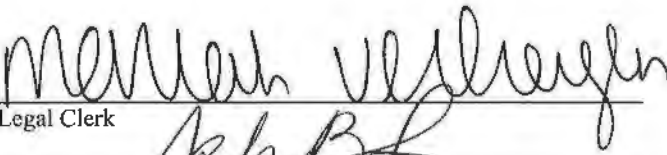
Emily Ragusa
City Of Mount Dora
510 N BAKER St
MOUNT DORA FL 32757

STATE OF FLORIDA, COUNTY OF LAKE

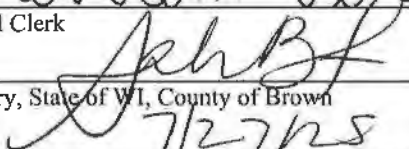
The Daily Commercial, a newspaper printed and published in the city of Leesburg, and of general circulation in the Counties of Lake and Sumter, State of Florida, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

08/14/2022

and that the fees charged are legal.
Sworn to and subscribed before on 08/14/2022



Legal Clerk



Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$513.10

Order No: 7635319

of Copies:

Customer No: 525201

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.



NOTICE OF HEARING TO RE-IMPOSE AND PROVIDE FOR COLLECTION OF FIRE SERVICES SPECIAL ASSESSMENTS

Notice is hereby given that the City Council of the City of Mount Dora, will conduct a public hearing to consider imposing fire services special assessments for the provision of fire protection services within the City for the Fiscal Year beginning October 1, 2022.

The hearing will be held at 6:00 p.m., or as soon thereafter as possible, on Tuesday, September 6, 2022, in the Council Chambers at the City of Mount Dora City Hall, 510 North Baker Street, Mount Dora, Florida, for the purpose of receiving public comment on the proposed assessments. This public hearing may be continued to a future date or dates. The times, places, and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice.

All affected property owners have a right to appear at the hearing and to file written objections with the City within twenty (20) days of this notice. If a person decides to appeal any decision made by the City with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the City Clerk no later than seven (7) days prior to the proceedings. Telephone (352) 735-7126 for assistance. If hearing impaired, telephone the Florida Relay Service numbers, (800) 955-8771 (TDD) or (800) 955-8770 (Voice) for assistance.

The assessments for each parcel of property will be based upon each parcel's Property Use classification and the total number of billing units attributed to that parcel. The following table reflects the proposed fire services assessment schedule being considered by City Council for the Fiscal Year beginning October 1, 2022:

Residential Property Use Category	Rate Per Dwelling
Residential	\$219.00
Non-Residential Property Use Categories	Rate Per Square Foot
Commercial	\$0.16
Industrial/Warehouse	\$0.03
Institutional	\$0.42

Copies of the Fire Services Special Assessment Ordinance, the Amended and Restated Initial Assessment Resolution, the Amended and Restated Final Assessment Resolution, the Preliminary Rate Resolution initiating and imposing the fire services assessment, the preliminary assessment roll, and other documentation related to the proposed Fire Services Special Assessment are available for inspection at the City Manager's office located at City Hall, 510 N. Baker Street, Mount Dora, Florida between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

The Fire Services Special Assessment will be collected on the ad valorem tax bill to be mailed in November 2022, as authorized by Florida Statutes, section 197.3632. Failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions regarding your Fire Services Special Assessment, please contact the City at (352) 735-7185 between 8:00 a.m. and 5:00 p.m., Monday through Friday.

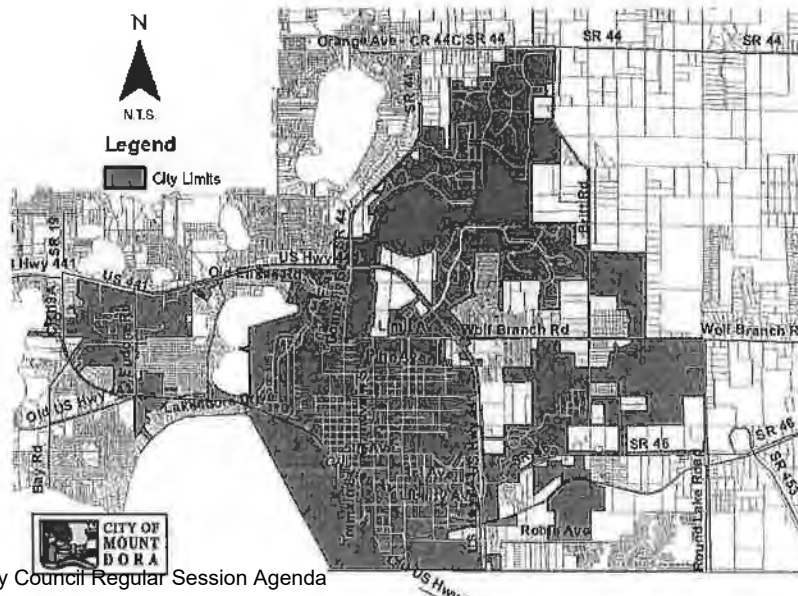


EXHIBIT C

CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLLS

I HEREBY CERTIFY that, I am the Mayor, or authorized agent of the City of Mount Dora, Florida (the "City"); as such I have satisfied myself that all property included or includable on the **City of Mount Dora Non-Ad Valorem Assessment Roll** for fire protection is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Lake County Tax Collector by September 15, 2022.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Lake County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this 6th day of September 2022.

THE CITY OF MOUNT DORA, FLORIDA

BY: _____

[to be delivered to Tax Collector prior to September 15]



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Request Approval of **Resolution No. 2022-39**, Lake Franklin Estates Final Plat (6 Lots)

Introduction:

This is a request for City Council to approve Resolution No. 2022-39.

Call Up Item
Mayor Asks Attorney to Read Resolution
City Manager Background
Applicant Comments
Public Hearing
Discussion
Council Action

Discussion:

Further final plan/replat descriptions and details are contained in Attachment #1 (Summary Report). This is a 1.22 acre parcel located at the northeast corner of 1st Avenue and Pinecrest Road. The application is to reconfigure the property via a replat from 9 lots to 6 lots to accommodate single-family dwelling units. The application depicts three (3) lots fronting on Pinecrest Road and three (3) lots fronting on Stanley Bell Drive. On January 19, 2022, the Planning and Zoning Commission approved a variance from the requirements for a reduction in the minimum lot width and lot size requirements within the RP Zoning District (lot size from 8,500 sf to 8,000sf and 75 ft lot width to 60 ft).

The sequence of events leading to the presentation to the City Council are as follows:

The Planning and Zoning Commission (PZC) at their regularly scheduled meeting held on August 17, 2022, recommended approval (Vote 6-0. One member was absent) of the final plat (replat).

The Development Review Committee (DRC) on June 6, 2022, recommended approval with conditions of the Lake Franklin Estates Replat.

Budget Impact:

There are no budgetary impacts to the City relative to the processing of the replat action.

Strategic Impact:

Development plans which address density and/or intensity changes are consistent with Growth Management and Economic Development Goals to foster development and growth opportunities.

Recommendation:

City Council approve Resolution No. 2022-39, Lake Franklin Estates Final Plat (6 lots).

Attachment(s):

1. Attachment 1 Summary Report (ADA)
2. Resolution 2022-39 Lake Franklin Estates Replat(9-6-2022).SGS
3. Exhibit A Lake Franklin Estates Plat

Prepared by: Vince Sandersfeld, Planning and Development Director

Reviewed by: Michele Janiszewski, Senior Planner
Sherry Sutphen, City Attorney
Jessica Burnham, City Clerk
Jeanann Hand, Deputy City Clerk
Patrick Comiskey, City Manager

Approved - 8/18/2022

Approved - 9/1/2022

Approved - 9/1/2022

Approved - 9/1/2022

Final Approval - 9/1/2022



**CITY OF
MOUNT
DORA**

Planning and Development
510 N. Baker St.
Mount Dora, FL 32757
352-735-7113
Fax: 352-735-7191

E-mail: plandev@cityofmoundora.com

**SUMMARY REPORT
FOR
LAKE FRANKLIN ESTATES (6 LOTS)**

Report Date:

September 20, 2022

Reference/Support:

LDC Section 4.1; LDC Section 3.4

Development Order for Variance (OR BK 5882, Page 703-706) – Reduction Lot Size/Lot Width

Owner/Applicant:	Maronda Homes - Ted Estes
Engineer:	Civil Design Solutions, LLC - Y.F. Steve Young, PE
General Location:	Northeast of the intersection of Pincrest Road and 1 st Avenue.
Site Address:	1715 E. 1st Street
Alternate Key No.	1133165
Zoning District:	RP
Future Land Use Category:	RP
Site Area:	53,279 SF or 1.22 +/- acres
Existing Use:	Single family dwelling unit with garage (Removed/Demolition June 2022)
Proposed Use:	6 lot residential subdivision (single-family detached dwelling)

DEVELOPMENT SUMMARY:

Development Standard	Requirement	Proposed
Density	Max. 6 d.u. / acre	4.91 d.u. / acre
Minimum Lot Size	Min. 8,500 SF	8,000*
Minimum Street Frontage	75'	60'*
Minimum lot width at Building line	75'	60'*
Building Height	Max. 35'	Max. 35'
Minimum Dwelling Size	Min. 1,200 SF Living Area	Min. 1,200 SF Living Area

**Project received a variance to these standards on January 19, 2022.*

SURROUNDING PROPERTY TABLE:

Direction	Jurisdiction	Future Land Use	Zoning District(s)	Existing Use(s)	Comments
North	City	LD	R-1A	Residential	None
South	City	HD	MHP	Mobile Home Park	Southernaire MHP
East	City	LD, RP	R-1A	Residential	None
West	City	LD, RP	R-1A, RP	Residential	None

ANALYSIS:

The subject property is 1.22 acres in size and developed with a single-family dwelling unit built in 1925. The subject property consists of nine (9) platted lots within the Lake Franklin Park Subdivision. The Florida Department of Transportation (FDOT) acquired the frontage (17 feet) of along 1st Avenue (platted lots 21, 22, 23, 24, and 25 of the Lake Franklin Park) and 10 feet along Stanley Bell Drive (lots 20 and 25). Stanley Bell Drive was re-configured as part of the US 441/SR 44 roadway improvements with a cul-de-sac. The parcel is located west of the US 441/SR 46 ramp flyover.

The property was rezoning to RP (Residential Professional) in 2010 (rezoning Ordinance No. 2008-1019, adopted June 1, 2010). The current RP zoning district permitted use allows for either single-family or duplex. On January 19, 2022, the property obtained a variance from the requirements of Section 3.4.9(5.b) and 3.4.9(5.d) of the City's Land Development Code (LDC) in order to allow for a reduction in the minimum lot width and lot size requirements within the RP Zoning District (see above Development Summary Table). The variance was approved with the following conditions:

- 1) Architectural design standards shall be in keeping with architectural complementary historic type styles and design of Mount Dora;
- 2) No vehicle ingress/egress for lot access (driveway) off 1st Avenue;
- 3) Proposed lot fencing facing 1st Avenue must be decorative type. No chain link or wooden fence types allowed facing 1st Avenue. PVC fencing acceptable restricted to tan exterior fence color;
- 4) Proposed Lot Width Variance: 60 feet for proposed lot numbers 2, 3, 4 and 5. Proposed corner lots 1 and 6 will maintain the RP zoning minimum 75 feet lot width;
- 5) Proposed Lot Size Variance: 8,000 square feet for proposed lot numbers 2, 3, 4 and 5. Proposed corner lots 1 and 6 will maintain the RP zoning minimum 8,500 sf lot size; and
- 6) Permitted uses of the proposed lots are restricted to residential single-family detached dwelling.

The current application is to reconfigure the property via a replat from 9 lots to 6 lots to accommodate single-family dwelling units. The application depicts three (3) lots fronting on Pinecrest Road and three (3) lots fronting on Stanley Bell Drive. The replat is consistent with the conditions of the variance.

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VICINITY MAP

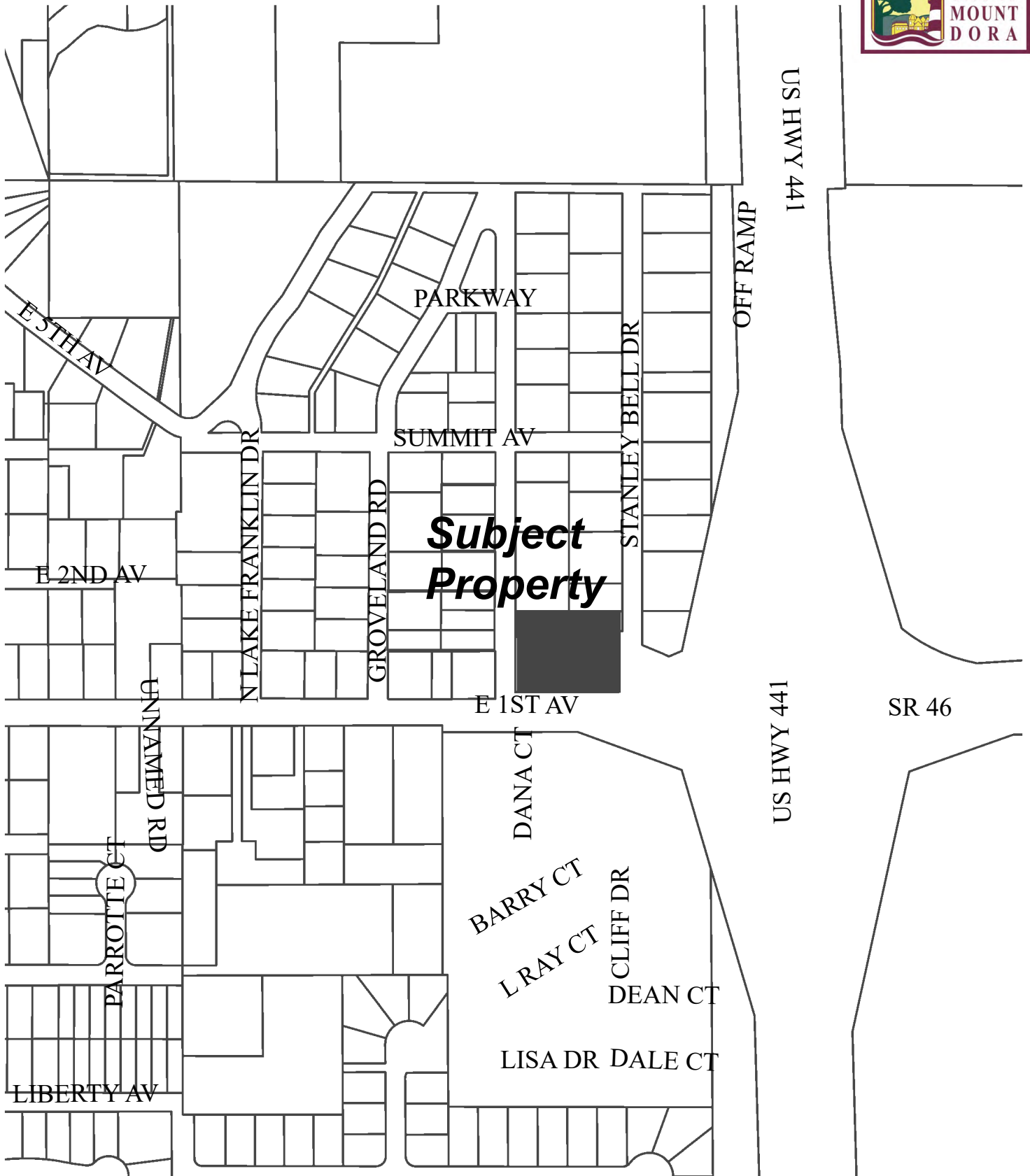
Legend

 Subject Property

N



N.T.S.



0 20 40
1 INCH = 40 FEET
JOB NUMBER
21-09-007- 1ST
AVE

LOTS 9, 10, 19, 20, 21, 22, 23, 24 AND 25, LESS THE SOUTH
17 FEET OF SAID LOTS 21, 22, 23, 24 AND 25, AND THE EAST
10 FEET OF SAID LOTS 20 AND 25, BLOCK 8,
LAKE FRANKLIN PARK,
AS RECORDED IN PLAT BOOK 6, PAGES 51,
PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

A PORTION OF THE NORTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 21, BLOCK 8, LAKE FRANKLIN PARK, AS RECORDED IN PLAT BOOK 6, PAGE 51; THENCE RUN NORTH 00°04'32" WEST ALONG THE WEST LINE OF THE SAID LOT 21, SAID LINE ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF PINECREST ROAD (A 50.00 FOOT PUBLIC RIGHT-OF-WAY PER THE SAID LAKE FRANKLIN PARK), A DISTANCE OF 17.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°04'32" WEST ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 203.00 FEET; THENCE DEPARTING THE SAID EASTERLY RIGHT-OF-WAY LINE, RUN NORTH 89°46'28" EAST, A DISTANCE OF 270.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STANLEY BELL DRIVE (ALSO KNOWN AS MORNINGSIDE DRIVE, A 50.00 FOOT PUBLIC RIGHT-OF-WAY PER THE SAID LAKE FRANKLIN PARK); THENCE RUN SOUTH 00°04'32" EAST ALONG THE SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 50.00 FEET; THENCE DEPARTING THE SAID WESTERLY RIGHT-OF-WAY, RUN SOUTH 89°46'28" WEST, A DISTANCE OF 10.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 10.00 FEET WEST OF THE SAID WESTERLY RIGHT-OF-WAY LINE, THENCE RUN SOUTH 00°04'32" EAST ALONG THE SAID PARALLEL LINE, A DISTANCE OF 153.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 17.00 FEET NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF 1ST AVENUE (ALSO KNOWN AS STATE ROAD 46, A VARYING WIDTH PUBLIC RIGHT-OF-WAY PER THE SAID LAKE FRANKLIN PARK); THENCE DEPARTING THE SAID WESTERLY PARALLEL LINE, RUN SOUTH 89°46'28" WEST ALONG THE SAID SOUTHERLY PARALLEL LINE, A DISTANCE OF 260.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 1.223 ACRES, MORE OR LESS, OF LAND.

L1
S00°04'32"E(C&M)
50.00'(C&M)
L2
S89°46'28"W(C&M)
10.00'(C&M)

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 5J-17 FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

This item has been electronically signed and sealed by Faun M. Hoffmeier, PSM on [Date/Time Stamp shown] using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.


DUSTIN W HOLLOWAY, P.S.M. LS 6676
H&H SURVEY CONSULTANTS, LLC LB 7821

DUSTIN W HOLLOWAY, P.S.M. LS 6676
H&H SURVEY CONSULTANTS, LLC LB 7821

Page 92 of 173

407.542.4977

PSM = PROFESSIONAL SURVEYOR &
MAPPER
LB = LICENSED BUSINESS
LS = LICENSED SURVEYOR
FND = FOUND
SET = SET "LB 7821"
IR[C] = IRON ROD [& CAP]
NL[D] = NAIL [& DISK]
CMON = CONCRETE MONUMENT
TYP = TYPICAL
SW = SIDEWALK
CONC = CONCRETE
EP = PAVEMENT
R/W = RIGHT-OF-WAY
% = AIR CONDITIONER (3.5'x3.5' PAU)
D.E. = DRAINAGE EASEMENT
U.E. = UTILITY EASEMENT
WBF = WOOD BOARD FENCE
CLF = CHAIN LINK FENCE
WVF = WHITE VINYL FENCE
(P) = PLAT
(M) = MEASURED
(C) = CLEANOUT
WM = WATER METER
MBX = MAILBOX
EM = ELECTRIC METER
TR = TELEPHONE RISER
ER = ELECTRIC RISER
(O) = POWER POLE

 WELL
  SANITARY MANHOLE
  DRAINAGE MANHOLE
  SEPTIC TANK
 _____ OE _____ W _____
 OVERHEAD ELECTRIC WATER PIPE

September 6, 2022 City Council Regular Session Agenda

131 W Broadway, Suite 1001, Oviedo, FL 32765

1. BASIS OF BEARING — THE WESTERLY LINE OF LOTS 9, 10, AND 21, BLOCK 8, LAKE FRANKLIN PARK, AS RECORDED IN PLAT BOOK 6, PAGES 51, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AS BEING S00°04'32"E AS A MEASURED.
2. DATE OF FIELD SURVEY: 2/18/2022.
3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING SURVEYOR.
4. PROPERTY LINES SHOULD NOT BE ESTABLISHED USING FENCE OR BUILDING TIES.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, BURIED UTILITIES, FOUNDATIONS AND FOOTERS WERE LOCATED.
6. BASED UPON MY REVIEW OF THE "FLOOD INSURANCE RATE MAP" OF CITY OF MOUNT DORA, FLORIDA, COMMUNITY PANEL NO. 12069C0367E, EFFECTIVE DATE 12/18/2012, THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X", DEFINED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.
7. NO INSTRUMENTS OF RECORD REFLECTING OWNERSHIP OR ENCUMBRANCES WERE PROVIDED, EXCEPT AS NOTED, NOR DID THIS SURVEYOR ABSTRACT THESE LANDS.
8. SURVEY FILE NUMBER: 21-09-007- 1ST AVE
9. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AND MORE SPECIFICALLY TO THE FLORIDA PERMANENT REFERENCE NETWORK (FPRN) CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) FLEU, SNFD, & ORL1, AND TO THE NAIL & DISK IDENTIFIED AS "LB7514" SHOWN HEREON.

PROPERTY ADDRESS:
1715 E. 1ST AVE.
MOUNT DORA, FL 32757

LOT SIZE:
53.279 SQ. FT.

X 23.4 = GROUND ELEVATION
 = PROPOSED DRAINAGE ARROW
 23.4 = PROPOSED ELEVATION
 = PROPOSED 12"x18" CORRUGATED METAL PIPE

Civil Construction Plans for Lake Franklin Estates

(Re-Plat of 1715 East First Avenue
Lots 9-10 & 10-25)

Prepared for



Maronda Homes
3999 West First Street
Sanford, Florida 32771

PROJECT TEAM

APPLICANT/OWNER

Maronda Homes
3999 West First Street
Sanford, Florida 32771

CIVIL ENGINEER

Civil Design Solutions, LLC
500 N. Maitland Avenue, Suite 111
Maitland, Florida 32751
Phone: 407.636.4198

SURVEYOR

H&H Survey Consultants, LLC
131 W. Broadway Street, Suite 1001
Oviedo, Florida 32765
phone: 407.542.4977

PERMITTING AGENCIES

LOCAL MUNICIPALITY

City of Mount Dora
510 N. baker Street
Mout Dora, Florida 32757
Phone: 352.735.7100

UTILITY SERVICE PROVIDERS

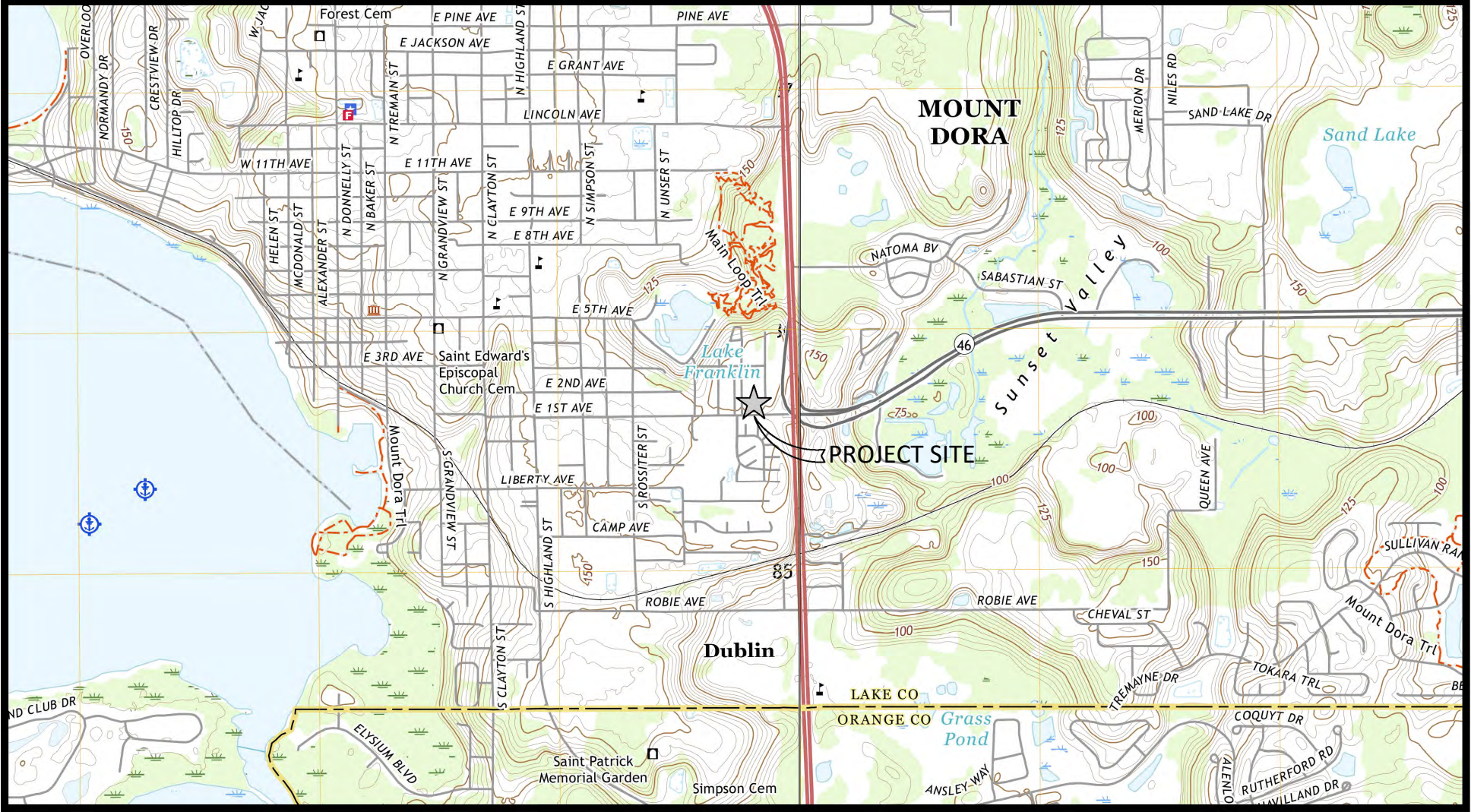
WATER & WASTEWATER

City of Mount Dora
900 North Donnelly Street
Mout Dora, Florida 32757
Phone: 352.735.7151

ELECTRIC

City of Mount Dora
900 North Donnelly Street
Mout Dora, Florida 32757
Phone: 352.735.7151

Location Map



SECTION 32 TOWNSHIP 19S RANGE 27E
LATITUDE 28°47'50.0"N LONGITUDE 81°37'37.0"W

SCALE: 1"=2,000'

Parcel Identification No. 32-19-27-1300-008-00900

Sheet Index				Submit					
Sheet Id.		Sheet Title		1	2	3	4	5	6
C0.00		Cover Sheet		✓	✓				
C1.00		Geometry, Grading, & Utility Plan		✓	✓				
C2.00	-	C3.00	City of Mount Dora - Standard Details	✓	✓				
		Date	Description						
1		5/5/2022	Submit to City of Mount Dora						
2		7/19/2022	Submit to City of Mount Dora						

Key Map:

Consultant(s)/Note(s)

NO.	DATE:	DESCRIPTIONS:
SUBMISSIONS/REVISIONS		
DATE:	04/29/2022	
VERTICAL DATUM:	NAVD 88	
JOB NO.:	MH20-001	
DESIGNED BY:	YFS	
DRAWN BY:	YFS	
CHECKED BY:	GB	
APPROVED BY:	YFS	
SCALE (FT)	NOTED/NTS	

Project Name:
Lake Franklin Estates
(Re-Plat of
1715 East First Avenue,
Lots 9-10 & 10-25)



Jurisdiction:

Mount Dora, Florida

Sheet Title:

Cover Sheet

Sheet No.

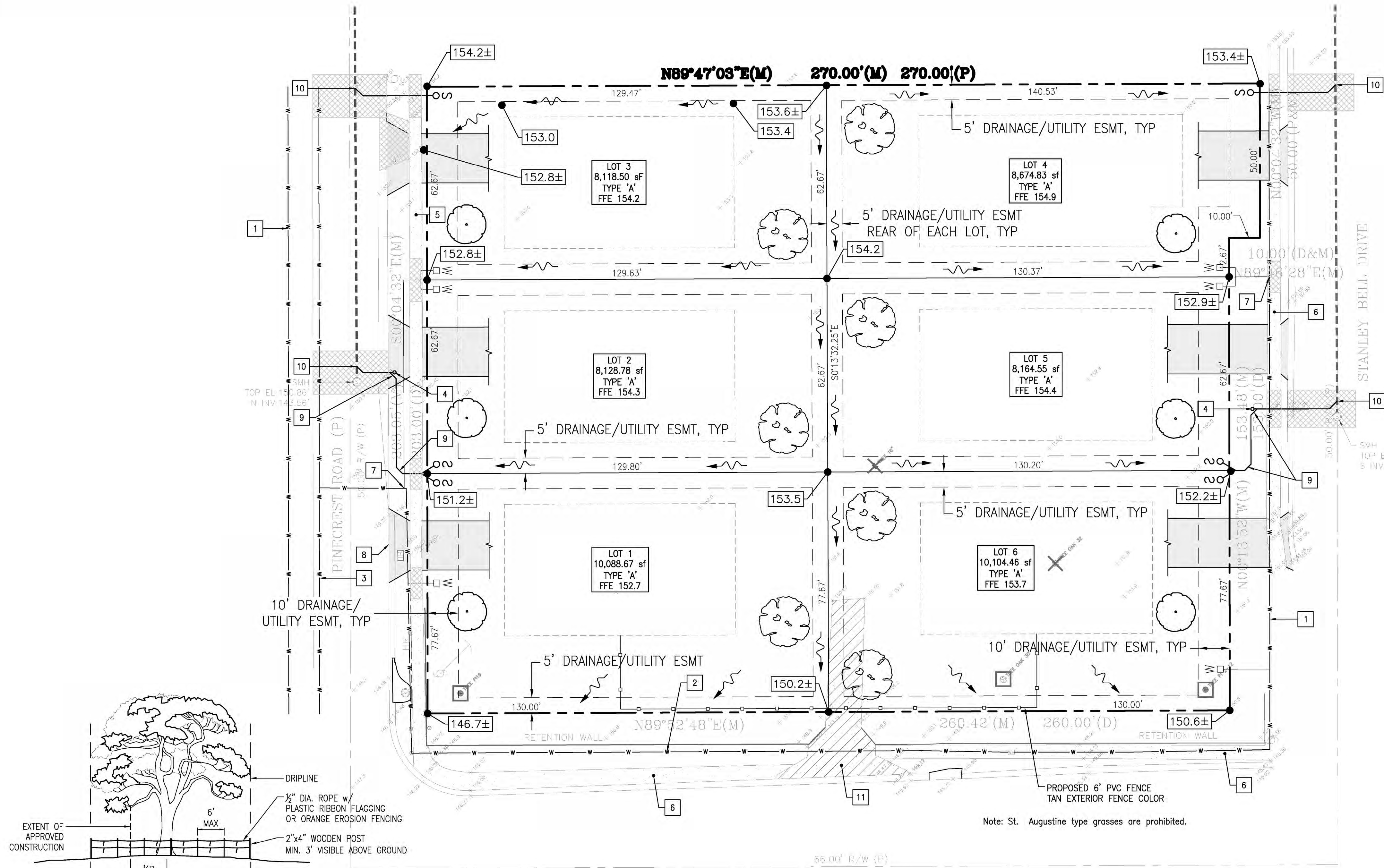
C0.00



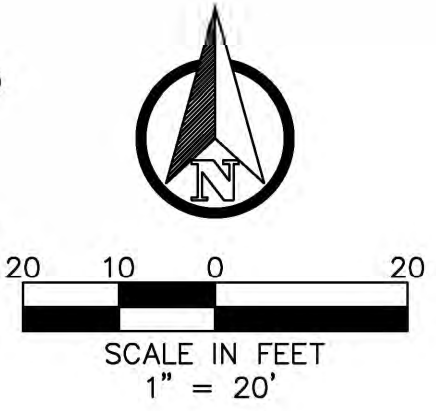
NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED

Date: 7/15/2022

This item has been electronically signed and sealed by:
Y.F. Steve Young, PE using a Digital Signature and date.
Printed copies of this document are not considered signed
and sealed and the signature must be verified on any
electronic copies.



- Legend:**
- OPEN CUT EXISTING PAVEMENT & CONCRETE TO BE REMOVED (SAW CUT CONCRETE & PAVEMENT FOR CLEAN EDGE)
 - EXISTING DRIVEWAY TO BE REMOVED
 - PROPOSED DRIVEWAY/LOT ACCESS. EXACT LOCATION WILL BE PERMITTED DURING BUILDING PERMIT PHASE.
 - EXISTING BOUNDARY/RIGHT-OF-WAY
 - PROPOSED LOT LINE
 - BUILDING SETBACK
 - UTILITY EASEMENT
 - EXISTING WATER MAIN (SCHEMATICALLY SHOWN)
 - 6" PVC FENCE, TAN EXTERIOR COLOR (SCHEMATICALLY SHOWN)
 - PROPOSED 1" WATER SINGLE SERVICE LINE w/ 3/4" METER SEE DETAIL, SHEET C2.00
 - PROPOSED 1 1/2" WATER DOUBLE SERVICE LINE w/ 3/4" METERS SEE DETAIL, SHEET C2.00
 - PROPOSED 6" SANITARY SINGLE SERVICE SEE DETAIL, SHEET C2.00
 - PROPOSED 6" SANITARY DOUBLE SERVICE SEE DETAIL, SHEET C2.00
 - PROPOSED UNIT NUMBER
 - EXISTING 2" WATER MAIN
 - EXISTING 4" WATER MAIN
 - EXISTING 8" WATER MAIN
 - 6" CLEAN-OUT SEE DETAIL, SHT C2.00
 - EXISTING 4' SIDEWALK, RECENTLY CONSTRUCTED BY FDOT
 - EXISTING 5' SIDEWALK, RECENTLY CONSTRUCTED BY FDOT
 - WET-TAP, CONTRACTOR SHALL VERIFY EXISTING WATER MAIN SIZE
 - CONCRETE CURB TO BE PERMITTED FOR REMOVAL DURING HOUSE CONSTRUCTION
 - 2~45° BENDS
 - 6" SADDLE WYE (WRAPPED IN FILTER FABRIC)
 - EXISTING DRIVEWAY TO BE REMOVED
 - SIDEWALK & WALL SHALL BE EXTENDED AND R/W TO BE RESTORED
 - WALL DESIGN SHALL BE BY OTHERS AND COORDINATED w/ FDOT



Consultant(s)/Note(s)

00 MM/DD/YY	Submit to
NO. DATE:	DESCRIPTIONS:
SUBMISSIONS/REVISIONS	
DATE:	04/29/2022
VERTICAL DATUM:	NAVD 88
JOB NO.:	MH20-001
DESIGNED BY:	YFS
DRAWN BY:	YFS
CHECKED BY:	GB
APPROVED BY:	YFS
SCALE (FT)	NOTED/NTS

Project Name:
**Lake Franklin Estates
(Re-Plat of
1715 East First Avenue,
Lots 9-10 & 10-25)**

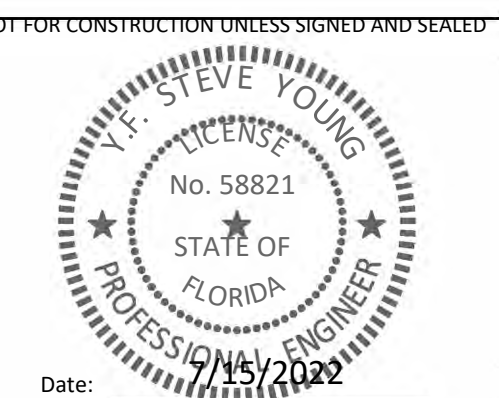


Jurisdiction:
Mount Dora, Florida

Sheet Title:
**Subdivision Development
Plan**

Sheet No.
C1.00

CDS CIVIL
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CIVIL ENGINEERING & LAND DEVELOPMENT SERVICES
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Maitland, Florida 32751
407.636.4198 www.cdsic-fl.com
FBPE CA No. 31631

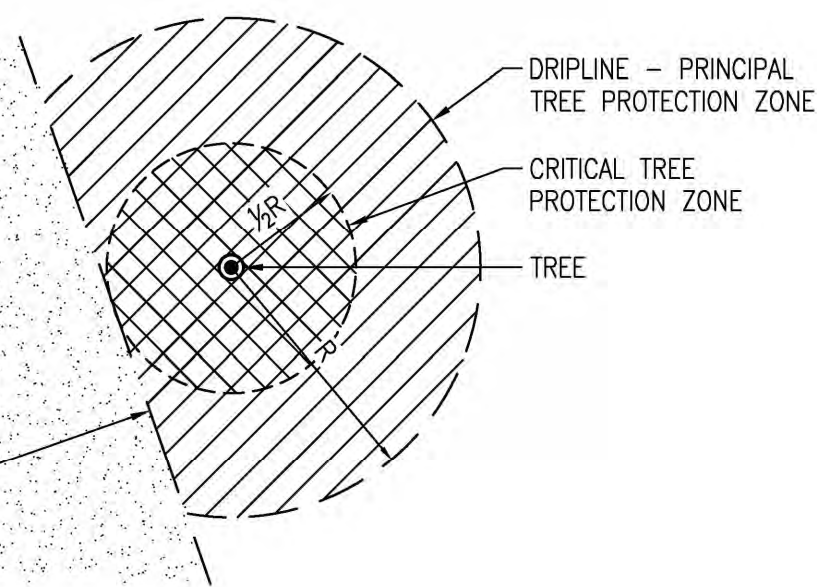


This item has been electronically signed and sealed by Y.F. Steve Young, PE using a Digital Signature and date. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

WHERE NOT SPECIFICALLY INDICATED ON THE PLANS, THE RADIUS OF THE DRIPLINE OF THE TREE(R) WILL BE CONSIDERED TO BE EQUAL TO THE DBH OF THE TRUNK FOR THE FIRST 24 INCHES OF DBH AND 50% FOR THAT PORTION LARGER.

DO NOT GRADE WITHIN THE DRIPLINE OF TREES WITH BOXBLADE. USE BACKHOE LOCATED OUTSIDE OF DRIPLINE. FINE GRADE MANUALLY.

MAXIMUM ALLOWABLE ENCROACHMENT WITHOUT REMEDIAL TREE PROTECTION EFFORTS



TREE PROTECTION DETAIL

N.T.S.

Landscape Tree Data	
Total existing number of trees sized 6"-23.99"	4
Total existing number of trees sized 6"-23.99" removed	1
Total existing number of trees sized 24" or greater	2
Total existing number of trees sized 24" or greater removed	1
Total number of trees replaced at ratio 1:1 for trees removed 6"-23.99"	1
Total number of trees replaced at ratio 1:6 for trees removed 24" or greater	6
Total number of trees replaced	7

Notes

New replacement trees must be canopy type, minimum 3.5 inches caliper, FL #1 Grade or Better, and 8-10 feet in height.

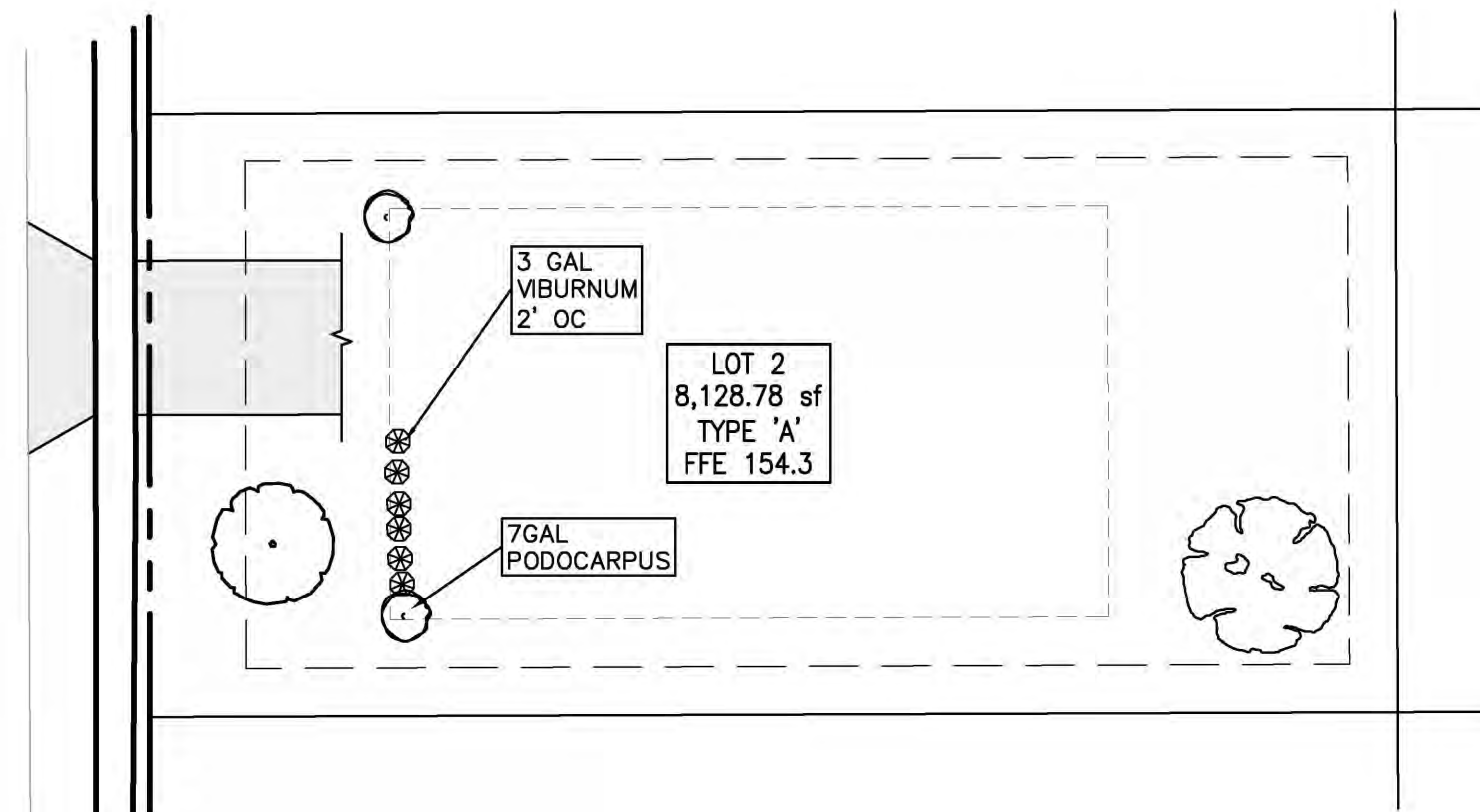
Landscape Legend:

EXISTING TREE TO BE REMOVED

EXISTING TREE TO BE PRESERVED

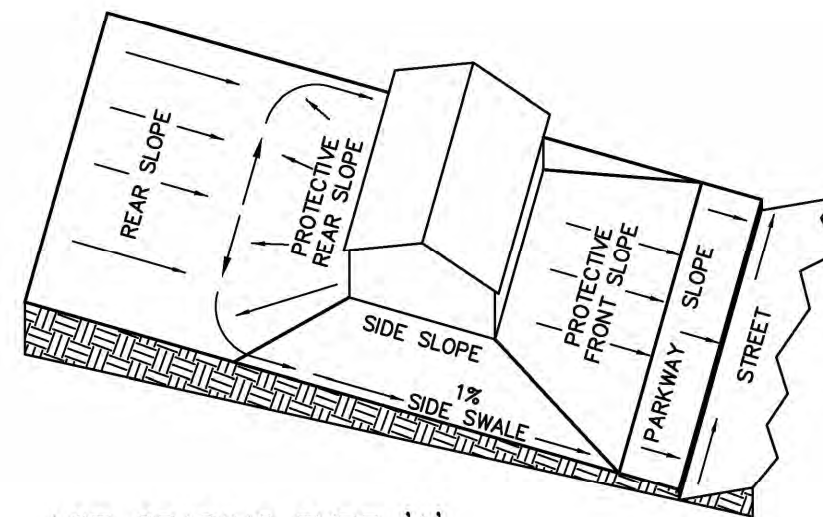
CANOPY TREE IN FRONT YARD MUST BE A MINIMUM 2" CALIPER, 8 FT IN HEIGHT, AND FLORIDA #1 GRADE OR BETTER. SAID LOT CANOPY SHALL BE PLANTED ON EACH RESIDENTIAL LOT AT A DISTANCE OF 3 FT FROM THE RIGHT-OF-WAY LINE OR ANY UTILITY EASEMENT ADJACENT TO THE RIGHT-OF-WAY, WHICHEVER IS FURTHER FROM THE CENTER LINE OF THE ROAD RIGHT-OF-WAY FOR THE LOT IN QUESTION. LDC Sec. 6.6.9.

NEW REPLACEMENT TREES MUST BE CANOPY TYPE, MINIMUM 3.5" CALIPER, FL #1 GRADE OR BETTER, AND 8-10 FT IN HEIGHT. LDC Sec. 4.3.3.2.a.

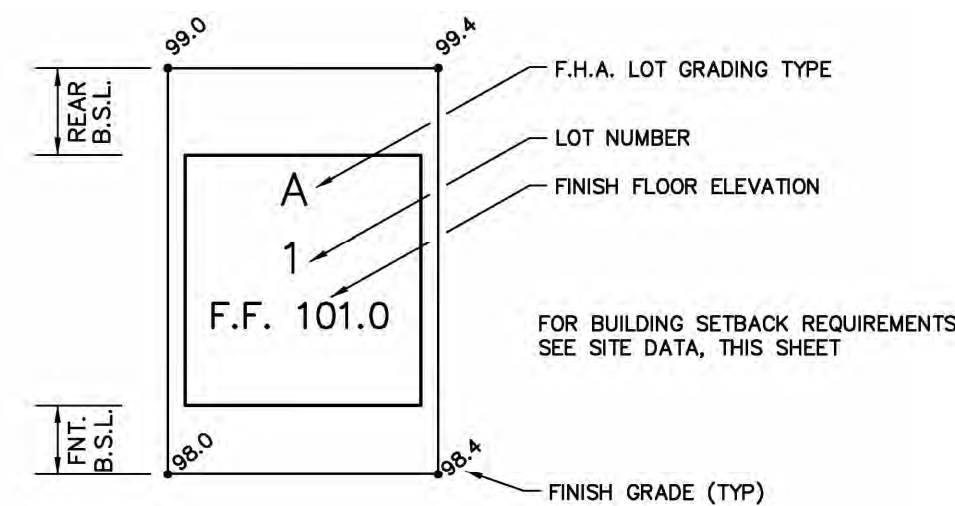


TYPICAL LOT LANDSCAPE TEMPLATE

N.T.S.



LOT GRADING TYPE 'A'
ALL DRAINAGE TO STREET

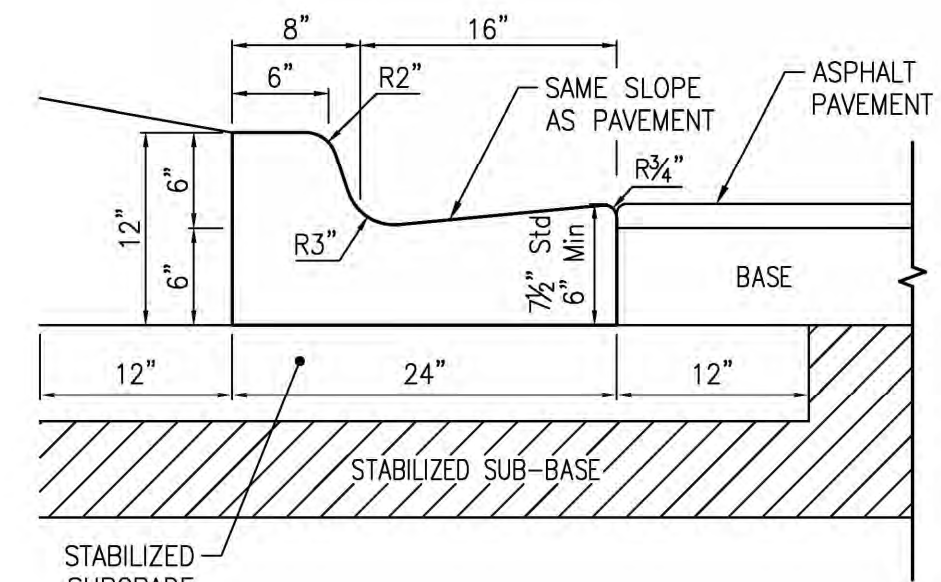


GENERAL NOTES

- CONTRACTOR SHALL GRADE LOT PAD 8" BELOW THE FIRST FLOOR ELEVATION.

TYPICAL LOT GRADING

N.T.S.



NOTE:

WHEN USED ON HIGH SIDE OF ROADWAYS, THE CROSS SLOPE OF THE GUTTER SHALL MATCH THE CROSS SLOPE OF THE ADJACENT PAVEMENT AND THE THICKNESS OF THE LIP SHALL BE 6", UNLESS OTHERWISE SHOWN ON PLANS.

TYPE 'F' CURB & GUTTER

FOOT INDEX 300' N.T.S.

7.13.3. STANDARD REQUIREMENTS.

1. GENERAL: THE MATERIALS OF CONSTRUCTION AND GENERAL INSTALLATION PROCEDURES, WITH THE EXCEPTION OF FIRE HYDRANTS, SHALL COMPLY WITH THE SPECIFIC APPLICABLE STANDARDS SET FORTH UNDER SECTION 7.3, "UTILITY EXCAVATION, TRENCHING AND BACKFILLING," SECTION 7.4, "BORING AND JACKING," AND SECTION 7.5, "PIPE, FITTINGS, VALVES AND APPURTENANCES," AS WELL AS "STANDARD DETAILS-WATER DISTRIBUTION SYSTEMS."

2. FIRE HYDRANTS: HYDRANTS SHALL COMPLY WITH AWWA STANDARD C502, "FIRE HYDRANTS FOR ORDINARY WATER WORKS SERVICE," AND SHALL BE EQUIPPED WITH A MINIMUM OF ONE PUMPER OUTLET NOZZLE 4 1/2 INCHES IN DIAMETER AND TWO HOSE NOZZLES 2 1/2 INCHES IN DIAMETER. THREADS, NOZZLE CAPS, OPERATING NUTS AND COLOR SHALL CONFORM TO CITY STANDARDS. UNITS SHALL BE TRAFFIC TYPE WITH BREAKABLE SAFETY CLIPS OR FLANGE, AND STEM WITH SAFETY COUPLING LOCATED BELOW BARREL BREAK LINE TO PRECLUDE VALVE OPENING. HYDRANTS SHALL BE DRY TOP TYPE. OUTLET NOZZLES SHALL BE ON THE SAME PLANE, WITH MINIMUM DISTANCE OF 18 INCHES FROM CENTER OF NOZZLES TO GROUND LINE. VALVE SHALL BE COMPRESSION TYPE WITH 5 1/2 INCHES MINIMUM OPENING UNLESS OTHERWISE REQUESTED AND SHOW INLET CONNECTION TO BE SIX INCHES MINIMUM.

A. HYDRANTS SHALL BE INSTALLED PLUMB AND IN TRUE ALIGNMENT WITH THE CONNECTION PIPES TO THE WATER MAIN. THEY SHALL BE SECURELY BRACED AGAINST THE END OF THE TRENCH (UNDISTURBED SOIL) WITH CONCRETE THRUST BLOCKS. THE GRAVEL OR CRUSHED STONE FOR THE DRAIN SUMP, FOLLOWED BY BACKFILLING, SHALL BE CAREFULLY PLACED AND COMPACTED. INSTALLED HYDRANTS SHALL BE PAINTED RED FOR THE FINAL COAT.

B. HYDRANT PLACEMENT IS TO BE A MINIMUM OF SIX FEET AND A MAXIMUM OF NINE FEET FROM THE CURB OR PAVED ROAD SURFACE UNLESS OTHERWISE APPROVED. THE CENTER OF THE STEAMER PORT SHALL BE 18 INCHES MINIMUM AND 24 INCHES MAXIMUM ABOVE FINAL GRADE. STEAMER PORT SHALL BE CORRECTLY POSITIONED FOR THE PROPER CONNECTION, WITH THE APPROVAL OF THE CITY (WATER AND FIRE DEPARTMENT).

3. JOINT RESTRAINING: PRESSURE PIPING FITTINGS AND OTHER ITEMS REQUIRING RESTRAINT, SHALL BE BRACED WITH 2,500 PSI CONCRETE THRUST BLOCKS OR OTHER RESTRAINING ASSEMBLIES. SAID RESTRAINING DEVICES SHALL BE DESIGNED FOR THE MAXIMUM PRESSURE CONDITION (TESTING) AND THE SAFE BEARING LOADS FOR HORIZONTAL THRUST, IF THRUST BLOCKING IS USED.



POTABLE WATER
GENERAL NOTES

PW001-1E

ISSUED: 2017

REVISED: --

8. SERVICE CONNECTIONS: CONNECTIONS TO WATER MAINS FOUR INCHES AND LARGER SHALL BE MADE BY DRILLING THE APPROPRIATE SIZE HOLE AND INSTALLATION OF SERVICE SADDLES, WITH SERVICES TO SMALLER SIZES ACCOMPLISHED BY IN LINE FITTINGS. A FITTING WITH THE SERVICE LINE EXTENDED TO THE PROPERTY LINE OR EASEMENT LINE, PERPENDICULAR TO SAID LINE, AND TERMINATING WITH A PLUGGED CURB STOP AND METER BOX WITH STANDARD PLASTIC METER BOX WITH CAST IRON LID. CONCRETE BOXES SHALL BE USED IN HIGH TRAFFIC AREAS PENDING METER INSTALLATION. ON CURBED STREETS THE EXACT LOCATION FOR EACH INSTALLED SERVICE SHALL BE MARKED BY ETCHING OR CUTTING A "W" IN THE CONCRETE CURB AND PAINTED BLUE. WHERE NO CURB EXISTS OR IS PLANNED, LOCATIONS SHALL BE ADEQUATELY MARKED BY A ONE-HALF-INCH STEEL REBAR, THREE INCHES BELOW FINAL GRADE.

7.13.4. TESTING.

1. THE CONTRACTOR SHALL PERFORM HYDROSTATIC TESTING OF ALL WATER DISTRIBUTION SYSTEMS, AS SET FORTH IN THE FOLLOWING AND SHALL CONDUCT SAID TESTS IN THE PRESENCE OF REPRESENTATIVES FROM THE CITY AND/OR OTHER AUTHORIZED AGENCIES, WITH 48 HOURS ADVANCE NOTICE PROVIDED, IN WRITING.

2. PIPING AND APPURTENANCES TO BE TESTED SHALL BE WITHIN SECTIONS BETWEEN VALVES, NOT EXCEEDING 2,000 FEET UNLESS ALTERNATE METHODS HAVE RECEIVED PRIOR APPROVAL FROM THE CITY. TESTING SHALL NOT PROCEED UNTIL CONCRETE THRUST BLOCKS ARE IN PLACE AND CURED, OR OTHER RESTRAINING DEVICES INSTALLED. ALL PIPING SHALL BE THOROUGHLY CLEANED AND FLUSHED PRIOR TO TESTING TO CLEAR THE LINES OF ALL FOREIGN MATTER. WHILE THE PIPING IS BEING FILLED WITH WATER, CARE SHALL BE EXERCISED TO PERMIT THE ESCAPE OF AIR FROM EXTREMITIES OF THE TEST SECTION, WITH ADDITIONAL RELEASE COCKS PROVIDED IF REQUIRED.



POTABLE WATER
GENERAL NOTES

PW001-1G

ISSUED: 2017

REVISED: --

NOTES:

1. THE CITY INSTALLS THE METER AND DUAL CHECK VALVE(S) IN THE SERVICE BOX. CONTRACTOR SPECIFIES 3/4" OR 1" SIZING FOR THE METER AND DUAL CHECK VALVES.

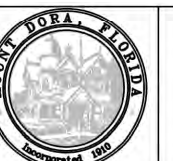
2. METER SHALL BE INSTALLED BETWEEN SIDEWALK AND CURB AND IN NO CASE SHALL IT BE INSTALLED IN SIDEWALK OR OTHER PAVED AREAS.

3. A DUAL CHECK BACKFLOW PREVENTER WILL BE FURNISHED WITH METER BY CITY OF MOUNT DORA ON ALL SINGLE FAMILY SERVICE CONNECTIONS. BACKFLOW PREVENTERS WILL NOT BE SUPPLIED BY THE CITY ON COMMERCIAL SERVICE CONNECTIONS. BACKFLOW PREVENTER REQUIREMENTS WILL VARY FOR COMMERCIAL CONNECTIONS.

4. ALL POTABLE WATER SERVICE AND PROPERTIES WITH ALTERNATIVE WATER SYSTEMS (WELL, ETC.) REQUIRE AN ABOVE GROUND BACKFLOW PROTECTION DEVICE ON THE OUTLET SIDE OF THE METER.

5. SERVICE LINES SHALL NOT BE LESS THAN METER SIZE.

6. 3/4" - 2" RESIDENTIAL WATER METERS WILL BE PROVIDED BY AND INSTALLED BY CITY OF MOUNT DORA



POTABLE WATER-SINGLE
SERVICE CONNECTION

PW004-1

ISSUED: 2017

REVISED: --

NOTES:

1. THE CITY INSTALLS THE METER AND DUAL CHECK VALVE(S) IN THE SERVICE BOX. CONTRACTOR SPECIFIES 3/4" OR 1" SIZING FOR THE METER AND DUAL CHECK VALVES.

2. METER SHALL BE INSTALLED BETWEEN SIDEWALK AND CURB AND IN NO CASE SHALL IT BE INSTALLED IN SIDEWALK OR OTHER PAVED AREAS.

3. A DUAL CHECK BACKFLOW PREVENTER WILL BE FURNISHED WITH METER BY CITY OF MOUNT DORA ON ALL SINGLE FAMILY SERVICE CONNECTIONS. BACKFLOW PREVENTERS WILL NOT BE SUPPLIED BY THE CITY ON COMMERCIAL SERVICE CONNECTIONS. BACKFLOW PREVENTER REQUIREMENTS WILL VARY FOR COMMERCIAL CONNECTIONS.

4. ALL POTABLE WATER SERVICE AND PROPERTIES WITH ALTERNATIVE WATER SYSTEMS (WELL, ETC.) REQUIRE AN ABOVE GROUND BACKFLOW PROTECTION DEVICE ON THE OUTLET SIDE OF THE METER.

5. SERVICE LINES SHALL NOT BE LESS THAN METER SIZE.

6. 3/4" - 2" RESIDENTIAL WATER METERS WILL BE PROVIDED BY AND INSTALLED BY CITY OF MOUNT DORA



POTABLE WATER DOUBLE SERVICE
CONNECTION FOR 3/4" & 1" METERS

PW005-1

ISSUED: 2017

REVISED: --

NOTES:

1. SERVICE CONNECTION DETAILS ARE BASED ON PVC PIPE AND FITTINGS, MODIFY FOR OTHER APPROVED TYPES OF PIPE.

2. SEWER CLEAN-OUTS NOT IN PAVEMENT SHALL HAVE CONCRETE COLLAR 18"x18"x4" OR 16"DIA. X 4" AROUND THEIR TOPS AND MUST BE INSTALLED AND ADJUSTED TO FINISHED GRADE AT THE RIGHT-OF-WAY/PROPERTY LINE.

3. ALL PVC TO CLAY SERVICE CONNECTIONS UNDER LOAD BEARING SURFACES SHALL USE DRW NON-SHEAR FERNOCO TYPE CONNECTORS OR APPROVED EQUAL.

4. 90° FITTINGS ARE PROHIBITED. MINIMUM 6" SPOOL BETWEEN 45° FITTINGS.

5. DOUBLE SERVICE CONNECTIONS ARE PERMITTED, MINIMUM 6" PIPE REQUIRED.

6. CLEANOUTS IN SIDEWALKS SHALL BE HOUSED IN METER BOX.



TYPICAL SEWER CONNECTION

SS001-1

ISSUED: 2017

REVISED: --

NOTE:

1. 4" LATERAL ACCEPTABLE FOR SINGLE FAMILY CONNECTION ONLY. MULTI-FAMILY OR COMMERCIAL SERVICE SHALL HAVE 6" MIN. LATERAL.

2. IN BACKLOT EASEMENTS, CONCRETE COLLAR WITH REBAR REQUIRED, SINGLE & DOUBLE.



SINGLE SANITARY SEWER
SERVICE

SS012-1

ISSUED: 2017

REVISED: --

NOTE:

1. IN BACKLOT EASEMENTS, CONCRETE COLLAR WITH REBAR REQUIRED, SINGLE & DOUBLE.



DOUBLE SANITARY SEWER
SERVICE

SS013-1

ISSUED: 2017

REVISED: --

NOT TO SCALE



GRAVITY CLEANOUT

SS014-1

ISSUED: 2017

REVISED: --

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NO. DATE:	DESCRIPTIONS:
SUBMISSIONS/REVISIONS	
DATE:	04/29/2022
VERTICAL DATUM:	NAVD 88
JOB NO.:	MH20-001
DESIGNED BY:	YFS
DRAWN BY:	YFS
CHECKED BY:	GB
APPROVED BY:	YFS
SCALE (FT)	NOTED/NTS

Project Name:

Lake Franklin Estates
(Re-Plat of
1715 East First Avenue,
Lots 9-10 & 10-25)



Jurisdiction:

Mount Dora, Florida

Sheet Title:

City of Mount Dora -
Utility Details

Sheet No.

C2.00

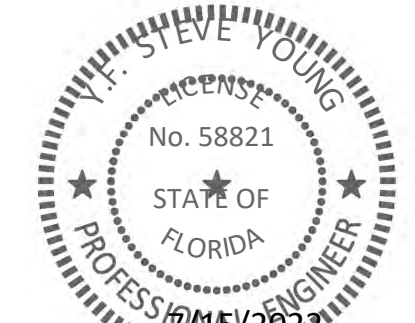


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STEVE YOUNG
No. 58821
STA OF FLORIDA
PROFESSIONAL ENGINEER

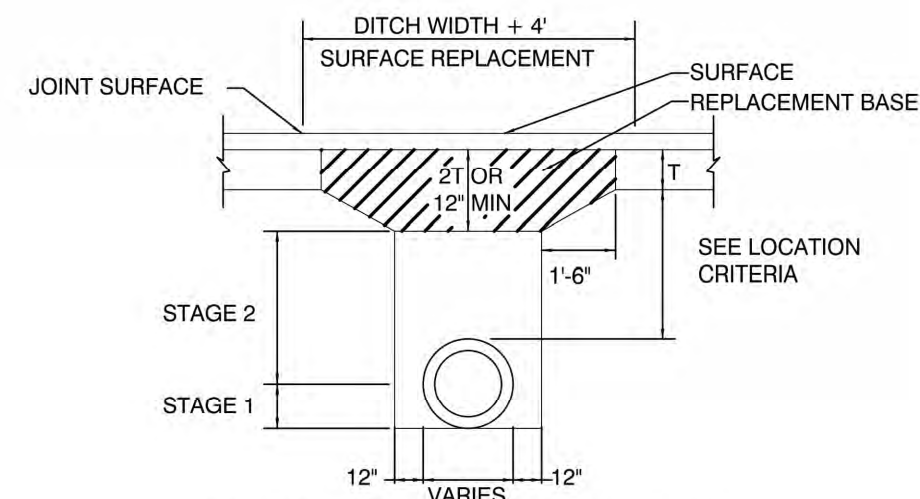
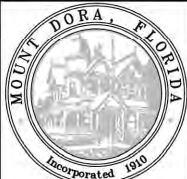
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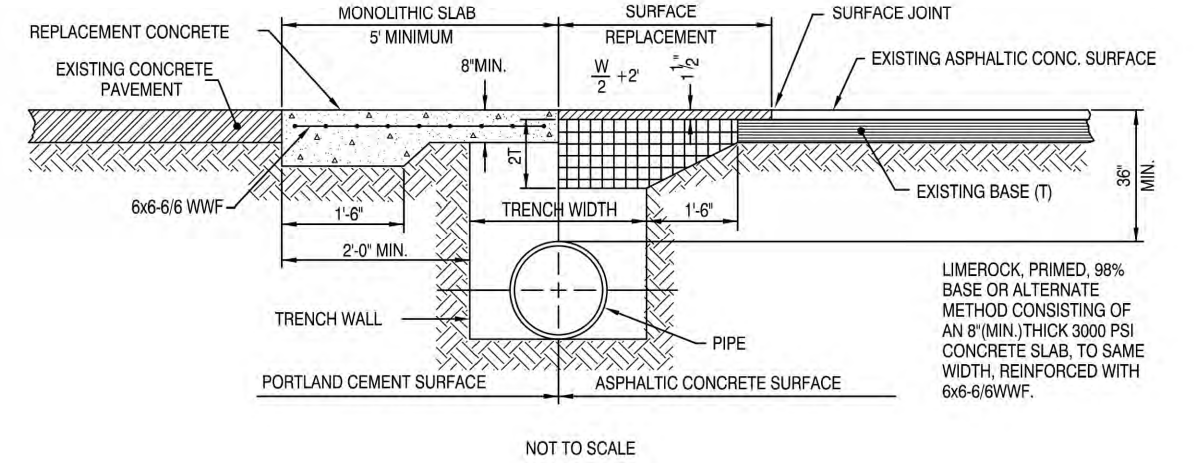
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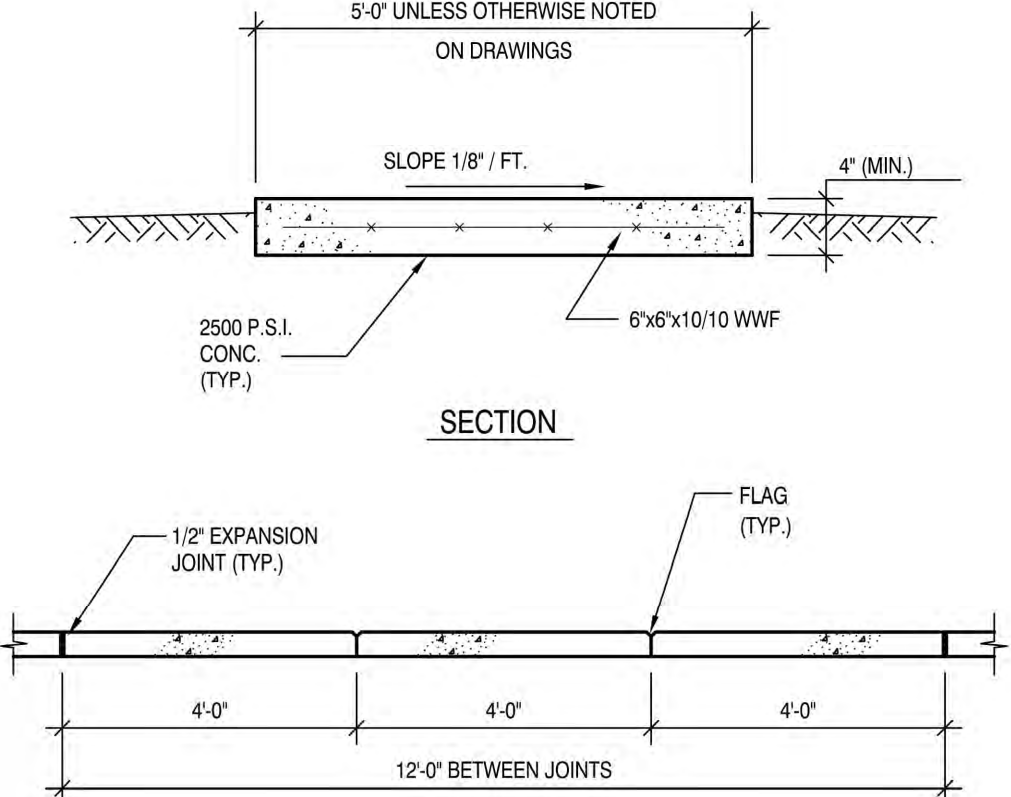
Page 95 of 173

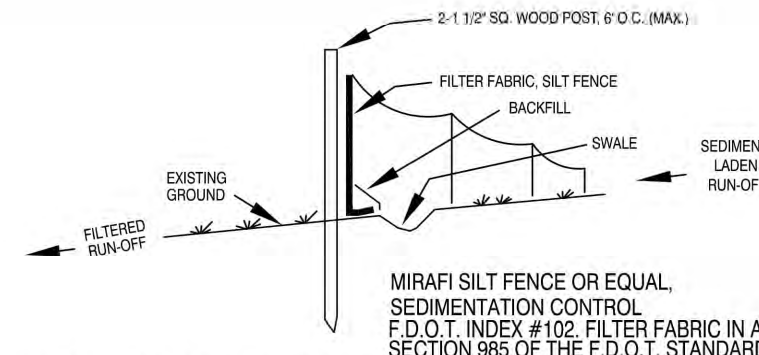
GENERAL UTILITIES CONSTRUCTION NOTES		
1. THE PUBLIC SERVICES DEPARTMENT MUST BE NOTIFIED A MINIMUM OF 48 HOURS PRIOR TO ANY WORK ON EXISTING CITY OF MOUNT DORA UTILITIES. THE CONTRACTOR MUST CONTACT, JOSH KRAMM, UTILITY LINE MANAGER AT HIS OFFICE (352) 735-7151 OR CELL PHONE (352) 516-3691, DISTRIBUTION SUPERVISOR - OFFICE (352) 735-7151 OR CELL PHONE (352) 460-7922, RUSSELL HOPPER, COLLECTION & LIFT STATION SUPERVISOR - OFFICE (352) 735-7151 OR CELL PHONE (352) 973-2032. 2. NO GRADING, CUTTING, OR FILLING SHALL COMMENCE UNTIL SUCH TIME AS APPROPRIATE EROSION AND SEDIMENTATION CONTROL DEVICES HAVE BEEN INSTALLED BETWEEN THE DISTURBED AREA AND WATER BODIES, WATERCOURSES OR WETLANDS. 3. CONSTRUCTION MUST BE PER THE DRC APPROVED SITE PLAN. DEVIATIONS IN ROADWAY, UTILITY OR DRAINAGE CONSTRUCTION WILL REQUIRE WRITTEN APPROVAL OF THE CITY ENGINEER OR THE DIRECTOR OF PUBLIC SERVICES. (NOTE: SIGNIFICANT CHANGES FROM THE DRC APPROVED PLAN MAY REQUIRE THE OWNER/DEVELOPER TO SUBMIT A REVISED SITE PLAN THROUGH THE DRC FOR REVIEW.) 4. CONTRACTOR SHALL PROVIDE AN EMERGENCY CONTACT NUMBER LIST FOR KEY SITE PERSONNEL. 5. ENGINEER OF RECORD REVIEWED SHOP DRAWING SUBMITTALS ARE REQUIRED FOR ALL WATER/ SEWER/ RECLAIMED AND STORMWATER SYSTEMS TO BE DEDICATED TO THE CITY OF MOUNT DORA. TWO SETS ARE REQUIRED FOR REVIEW. ONE SET WILL BE RETURNED TO THE ENGINEER OF RECORD. 6. OFF SITE OR ROADWAY RIGHT OF WAY CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL CONDITIONS OF THE APPROVED R/W PERMIT(S). A COPY OF THE APPROVED R/W PERMIT MUST BE KEPT ON-SITE AND READILY AVAILABLE DURING ALL CONSTRUCTION ACTIVITIES WITHIN THE R/W. 7. THE PUBLIC SERVICES DEPARTMENT MUST BE NOTIFIED A MINIMUM OF 48 HOURS PRIOR TO UTILITY TESTING. THE CONTRACTOR MUST CONTACT JOSH KRAMM, UTILITY LINE MANAGER, AT HIS OFFICE (352) 735-7151 OR CELL (352) 516-3691, DISTRIBUTION SUPERVISOR - OFFICE (352) 735-7151 OR CELL PHONE (352) 460-7922, RUSSELL HOPPER, COLLECTION & LIFT STATION SUPERVISOR - OFFICE (352) 735-7151 OR CELL PHONE (352) 973-2032. HYDROSTATIC TESTING SHALL BE PER THE APPLICABLE PROVISIONS AS SET FORTH IN AWWA STANDARDS. (MINIMUM 150 PSI @ 2 HOURS - POTABLE/RECLAIMED AND MINIMUM 100 PSI @ 2 HOURS - FORCE MAINS). 8. GRAVITY SEWER PIPING TESTS SHALL BE IN ACCORDANCE WITH UNI-BELL PVC PIPE ASSOCIATION; "RECOMMENDED PRACTICES FOR LOW-PRESSURE AIR TESTING OF INSTALLED SEWER PIPE". THE CONTRACTOR WILL BE REQUIRED TO PROVIDE VIDEO INSPECTION OF THE ENTIRE LINE DEMONSTRATING SATISFACTORY WORKMANSHIP AND SHOWING POSITIVE FLOW WITHIN THE SANITARY SYSTEM. ANY DEFECTS IN WORKMANSHIP, AREAS OF STANDING WATER OR "BELLIES" SHALL BE CAUSE FOR REJECTION. ONE DVD FORMAT COPY OF THE VIDEO INSPECTION MUST BE PROVIDED TO THE PUBLIC SERVICES DEPARTMENT. 9. THE CONTRACTOR WILL BE REQUIRED TO PROVIDE INSPECTION OF ALL STORM SYSTEM PIPES DEMONSTRATING SATISFACTORY WORKMANSHIP AND SHOWING POSITIVE FLOW WITHIN THE DRAINAGE SYSTEM. ANY DEFECTS IN WORKMANSHIP, AREAS OF STANDING WATER OR "BELLIES" SHALL BE CAUSE FOR REJECTION. ONE DVD FORMAT COPY OF THE VIDEO INSPECTION MUST BE PROVIDED TO THE PUBLIC SERVICES DEPARTMENT. 10. AFTER JUMPER CONNECTION IS REMOVED, WATER & RECLAIMED WATER SERVICES MUST BE LOCKED OUT AND KEY SUPPLIED TO CITY. 11. FOLLOWING SATISFACTORY PRESSURE TESTING, THE CONTRACTOR SHALL DISINFECT ALL SECTIONS OF THE WATER DISTRIBUTION SYSTEM, AND RECEIVE APPROVAL THEREOF FROM THE APPROPRIATE AGENCIES, PRIOR TO PLACING IN SERVICE. ADVANCE NOTICE SHALL BE PROVIDED TO THE CITY BEFORE DISINFECTING PROCEDURE START. THE DISINFECTION SHALL BE ACCOMPLISHED WITH THE APPLICABLE PROVISIONS OF AWWA STANDARD, "DISINFECTING WATER MAINS" AND ALL APPROPRIATE AGENCY APPROVALS.		
	STANDARD CONSTRUCTION DETAIL GENERAL NOTES	GU001-1A ISSUED: 2017 REVISED: --

GENERAL UTILITIES CONSTRUCTION NOTES		
12. COPIES OF SATISFACTORY BACTERIOLOGICAL TESTING AND THE FDEP "LETTER OF RELEASE REQUEST" SIGNED BY THE ENGINEER OF RECORD MUST BE SUBMITTED TO THE CITY ENGINEER FOR PROCESSING. NO POTABLE WATER LINE SHALL BE PLACED INTO SERVICE WITHOUT RECEIPT OF FDEP AUTHORIZATION. 13. FDEP CLEARANCE REQUEST MUST BE SUBMITTED THROUGH THE PUBLIC WORKS AND UTILITY DEPARTMENT. 14. EARTHWORK, PAVEMENT AND CONCRETE CONSTRUCTION NOT SPECIFICALLY ADDRESSED BY THE CITY LDC, SHALL BE THE CURRENT FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, WHICHEVER IS MORE STRINGENT. 15. COPIES OF ALL MATERIALS AND COMPACTION TESTING PER THE CURRENT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION MUST BE PROVIDED PRIOR TO CLOSEDOUT. 16. THE PUBLIC SERVICES DEPARTMENT REQUIRES A PRE-CLOSEOUT FIELD REVIEW WITH THE CONTRACTOR /SITE DEVELOPER. THE CONTRACTOR MUST CONTACT PUBLIC SERVICES- ENGINEERING AT (352) 735-7151, TO COORDINATE. ALL ISSUES IDENTIFIED AT THE FIELD REVIEW MUST BE ADDRESSED PRIOR TO PUBLIC SERVICES FINAL CLOSE OUT APPROVAL. 17. LIFT STATION START UP WILL REQUIRE A MINIMUM OF 48 HOURS PRIOR NOTIFICATION TO THE CITY. THE CONTRACTOR MUST CONTACT JOSH KRAMM, UTILITY LINE MANAGER, AT (352) 735-7151 OR (352) 551-9263 OR RUSSELL HOPPER, COLLECTION & LIFT STATION SUPERVISOR - OFFICE (352) 735-7151 OR CELL PHONE (352) 973-2032 TO COORDINATE THE START UP INSPECTION. 18. ALL MANUALS FOR LIFT STATION CONTROL PANELS, GENERATORS, AND PUMPS WILL BE REQUIRED PRIOR TO START UP. THESE MANUALS WILL BE SUBJECT TO CITY REVIEW / APPROVAL TO INCLUDE O&M MANUALS. NO LIFT STATION WILL BE ACCEPTED UNTIL SATISFACTORY DOCUMENTATION HAS BEEN PROVIDED. ANY LIFT STATION PUMP, SIZED LARGER THAN 20 HP, SHALL BE PROVIDED WITH A REBUILD KIT CONSISTING OF BEARINGS SEALS, O-RINGS AND WEAR RINGS. ALSO, A TOOL KIT WITH BOX IS REQUIRED. 19. DEDICATION OF IMPROVEMENTS TO THE PUBLIC SHALL BE IN ACCORDANCE WITH THE CITY OF MOUNT DORA LDC 4.3.4(4)(A) - BONDS, 5.3.5(1) - BONDS, AND 7.2.4 - BONDS AND WARRANTIES. THE CITY'S LAND DEVELOPMENT CODE IS AVAILABLE ONLINE AT WWW.MUNICODE.COM FOR YOUR REFERENCE. 20. AS-BUILT DRAWINGS - PER LDC 7.13.6: OWNER / DEVELOPER SHALL PROVIDE FOUR HARD COPIES AND ONE ELECTRONIC OF THE APPROVED FINAL ENGINEERING PLANS CONFORMED TO SHOW ALL AS-BUILT CONDITIONS. AS-BUILTS MUST SHOW ACCURATE MEASUREMENTS OF WATER AND SEWER LINES AND STRUCTURES FROM FIXED KNOWN LOCATIONS WITHIN THE DEVELOPMENT. CERTIFICATION OF THE PROJECT ENGINEER ATTESTING TO THE ACCURACY OF THE DRAWINGS IF REQUIRED, CITY ACCEPTANCE OF IMPROVEMENTS AND / OR ISSUANCE OF OCCUPANCY WILL BE WITHHELD UNTIL SATISFACTORY AS-BUILTS ARE PROVIDED.		
	STANDARD CONSTRUCTION DETAIL GENERAL NOTES	GU001-1B ISSUED: 2017 REVISED: --

	
REPLACEMENT OF FLEXIBLE PAVEMENT FOR PERMITTED PAVEMENT CUT	
DENSITY PROCEDURES: THE BACK FILL FOR THE FIRST AND SECOND STAGES SHALL BE PLACED IN 6" LAYERS (COMPACTED THICKNESS) AND SHALL BE COMPACTED TO 98% OF MAXIMUM DENSITY AS DETERMINED BY AASHTO T-180. TEST REPORTS SHALL BE FURNISHED TO THE CITY.	
STAGE #1 THE PERMITTEE SHALL PROVIDE ADEQUATE COMPACTED FILL BENEATH THE HAUNCHES OF THE PIPE, USING MECHANICAL TAMPS SUITABLE FOR THIS PURPOSE. THIS COMPACTION APPLIES TO THE MATERIAL PLACED BENEATH THE HAUNCHES OF THE PIPE AND ABOVE ANY BEDDING REQUIRED.	
STAGE #2 THE PERMITTEE SHALL OBTAIN A WELL-COMPACTED BED AND FILL ALONG THE SIDES OF THE PIPE AND TO A POINT INDICATING THE TOP OF SUB-GRADE MATERIAL.	
GENERAL NOTES: BASE AND BACK FILL MATERIALS SHALL BE EITHER OF THE SAME TYPE AND COMPOSITION AS THE MATERIALS REMOVED, OR OF EQUAL OR GREATER STRUCTURAL ADEQUACY. MATERIALS CONTAMINATED WITH DELETERIOUS SUBSTANCES DURING EXCAVATION SHALL NOT BE USED.	
REPLACED BASE MATERIAL OVER DITCH SHALL BE TWICE THE THICKNESS OF THE ORIGINAL BASE, (MINIMUM 12") BASE MATERIAL SHALL BE PLACED IN TWO OR THREE LAYERS AND EACH LAYER THOROUGHLY ROLLED OR TAMPED TO THE SPECIFIED DENSITY. ASPHALT CONCRETE PAYMENT THICKNESS SHALL EQUAL EXISTING THICKNESS BUT NOT LESS THAN TWO (2) INCHES. SURFACE TREATED PAVEMENT JOINT SHALL BE LAPPED AND FEATHERED AND EXTENDED AT LEAST 2' PAST EACH SURFACE JOINT. SURFACE MATERIAL WILL BE CONSISTENT WITH THE EXISTING SURFACE. LIMESTONE, SAND-CLAY, SHELL, ETC. BASES: 6" LAYERS COMPACTED THICKNESS DENSITY REQUIREMENTS: 98% UNDER ROADWAY 98% OUTSIDE THE TRAVELED ROADWAY, SUCH AS INTERSECTIONS, CROSSOVERS, TURNOUTS, ETC. 95% SHOULDER PAVEMENT METHOD AASHTO T-180	
	OPEN CUT DETAIL GU011-1 ISSUED: 2017 REVISED: --

	
OPEN CUT AND REPAIR DETAIL GU0011-2 ISSUED: 2017 REVISED: --	

		
CONCRETE WALKWAY DETAIL GU0019-1 ISSUED: 2017 REVISED: --		

		
EROSION CONTROL STRUCTURE GU0020-1 ISSUED: 2017 REVISED: --		

Key Map:

Consultant(s)/Note(s)

00 MM/DD/YY	Submit to
NO. DATE:	DESCRIPTIONS:
SUBMISSIONS/REVISIONS	
DATE:	04/29/2022
VERTICAL DATUM:	NAVD 88
JOB NO.:	MH20-001
DESIGNED BY:	YFS
DRAWN BY:	YFS
CHECKED BY:	GB
APPROVED BY:	YFS
SCALE (FT)	NOTED/NTS

Project Name:
Lake Franklin Estates
(Re-Plat of
1715 East First Avenue,
Lots 9-10 & 10-25)

MARONDA
Homes

Jurisdiction:
Mount Dora, Florida
Sheet Title:
City of Mount Dora -
Standard Details

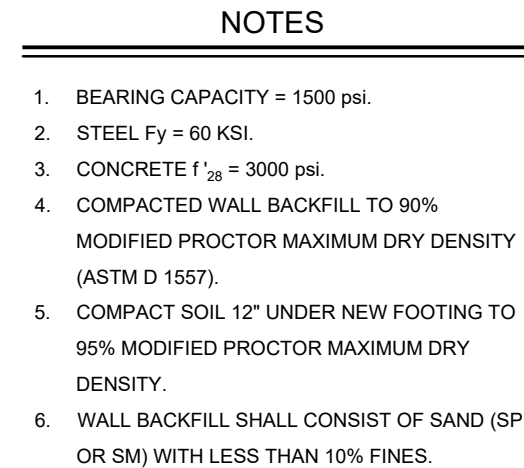
Sheet No.
C3.00

CDS CIVIL
DESIGN
SOLUTIONS
CIVIL ENGINEERING & LAND DEVELOPMENT SERVICES
500 N. Maitland Avenue, Suite 111
Maitland, Florida 32751
407.636.4158 www.cdsllc-fl.com
FBPE CA No. 31631

NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED

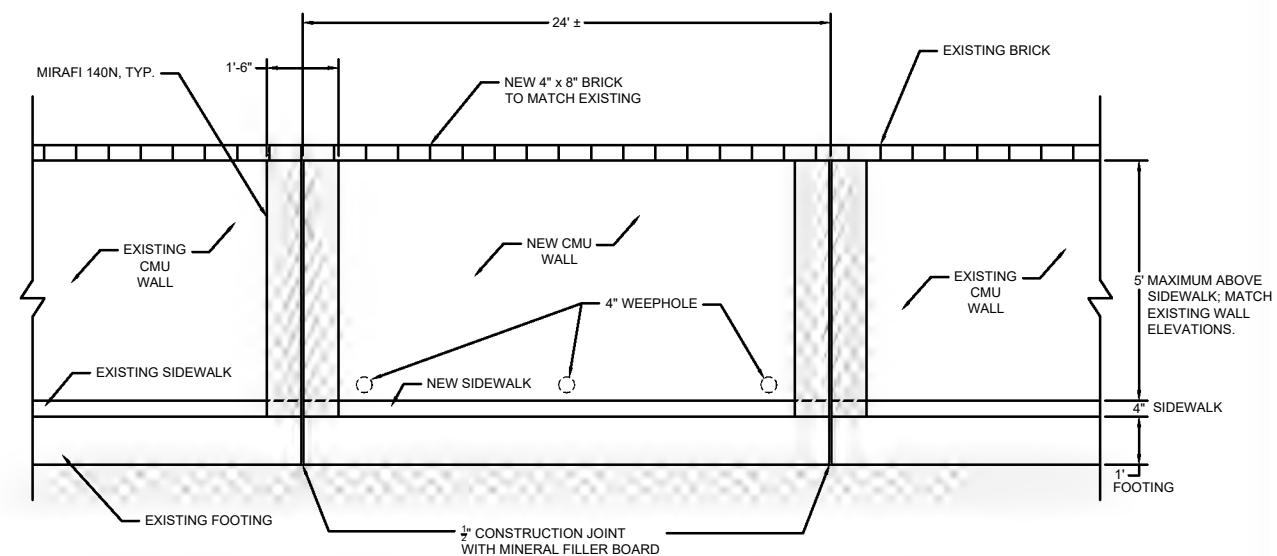
Y.F. STEVE YOUNG
No. 58821
STA. OF
FLORIDA
PROFESSIONAL ENGINEER
9/15/2022
Date:

This item has been electronically signed and sealed by Y.F. Steve Young, PE using a Digital Signature and date. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.



SECTION A-A
NEW WALL CROSS SECTION - 5' MAX. HEIGHT

SCALE: 1" = 2'



DETAIL A
WALL PROFILE
SCALE: 1" = 4'

NOTES

STEEL OMITTED FOR CLARITY

THIS PLAN COMPLIES WITH THE REQUIREMENTS OF 2020 FLORIDA BUILDING CODE (7TH EDITION)

 UNIVERSAL ENGINEERING SCIENCES	WALL DESIGN 1715 EAST 1 ST AVENUE MOUNT DORA, FLORIDA	FOR: MARONDA HOMES	
		DRAWN BY: N.F.	DATE: 7 - 6 - 2022
		CHECKED BY: K.D.	DATE: 7 - 7 - 2022
		REPORT NO:	SCALE: AS SHOWN
		PROJECT NO: 0115.2200169.0000	
SECTION A-A DETAIL			

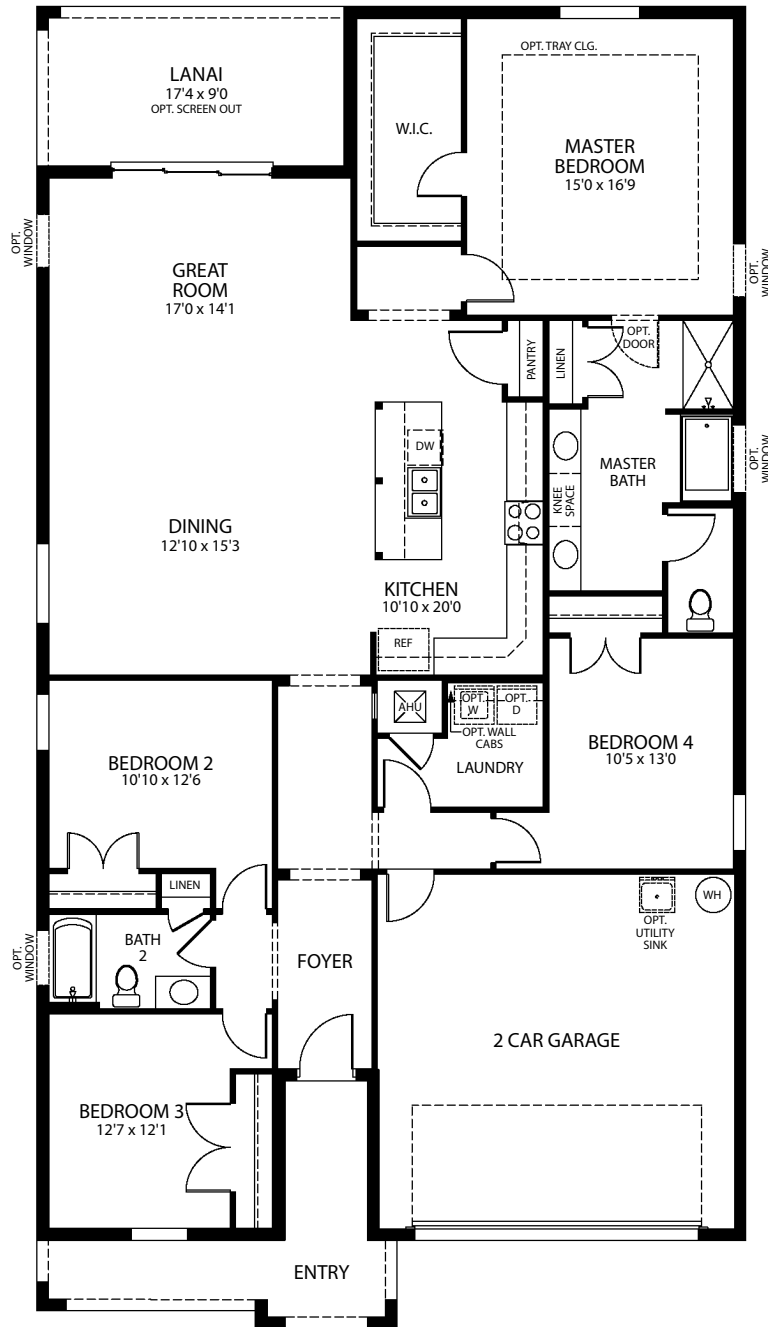
PAGE NO:

FIGURE 3

Elevation A Side (Color) Atlas



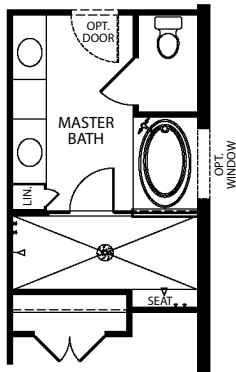




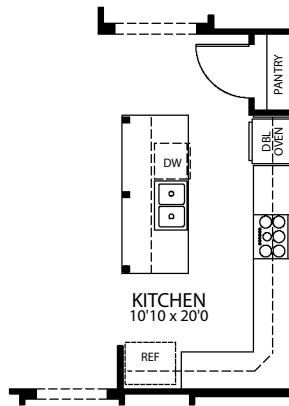
- 3 Bedrooms
- 2 Car Garage
- 2-3 Bathrooms
- 2,154 Finished Sq. Ft.



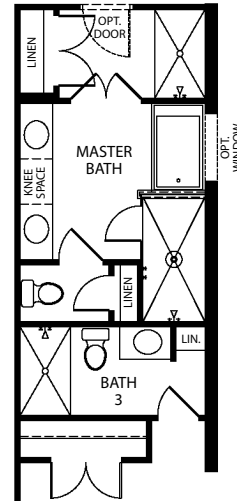
Opt. Deluxe Master Bath



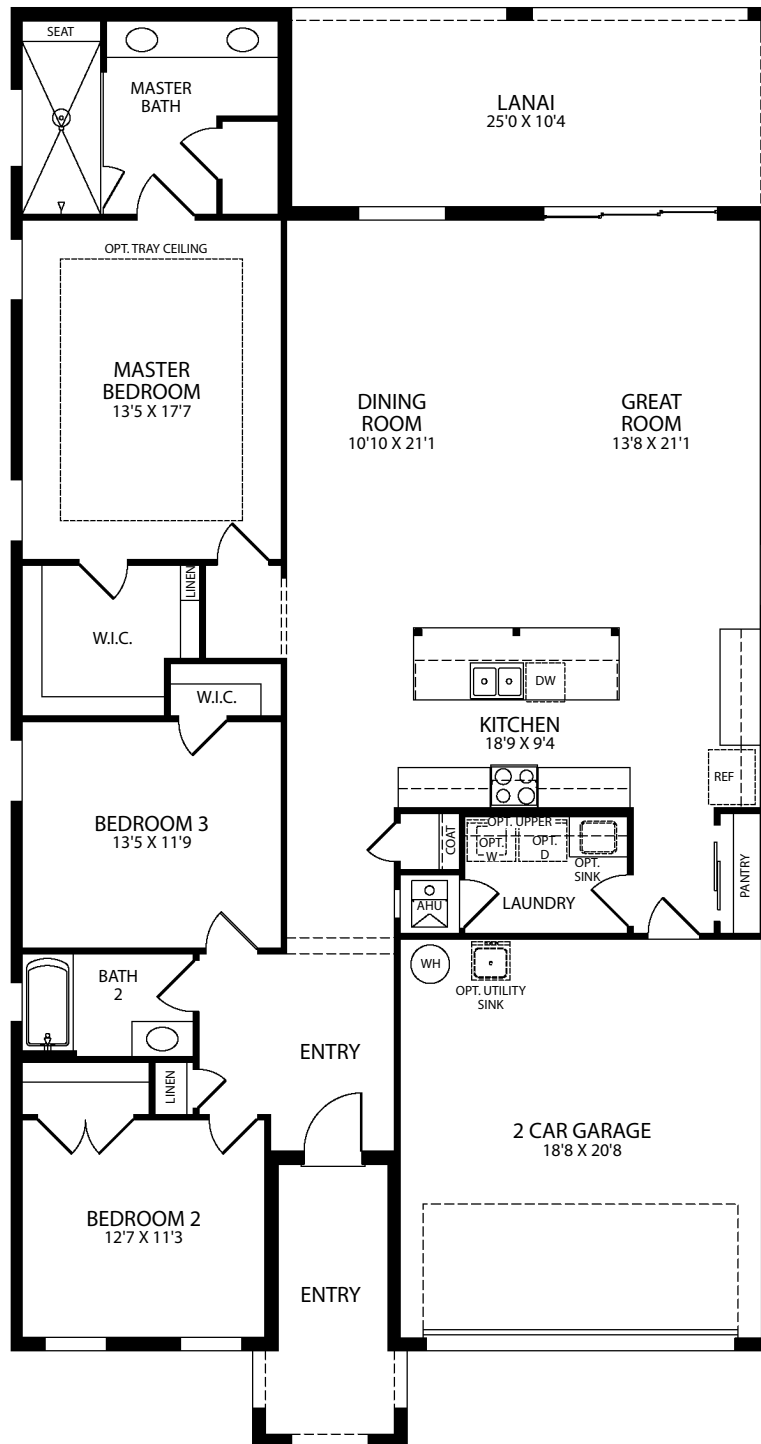
Opt. Gourmet Kitchen



Opt. Deluxe Master Bath with Bath 3



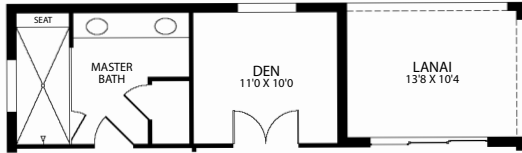




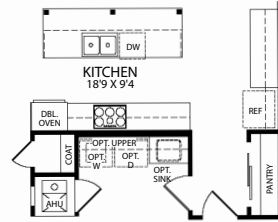
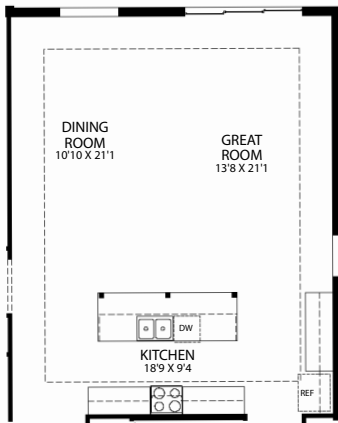
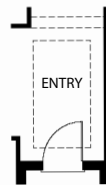
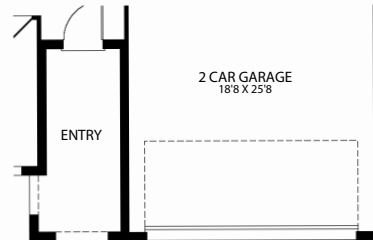
- 3 Bedrooms
- 2 Bathrooms
- 2 Car Garage
- 2,031 - 2,148
Finished Sq. Ft.



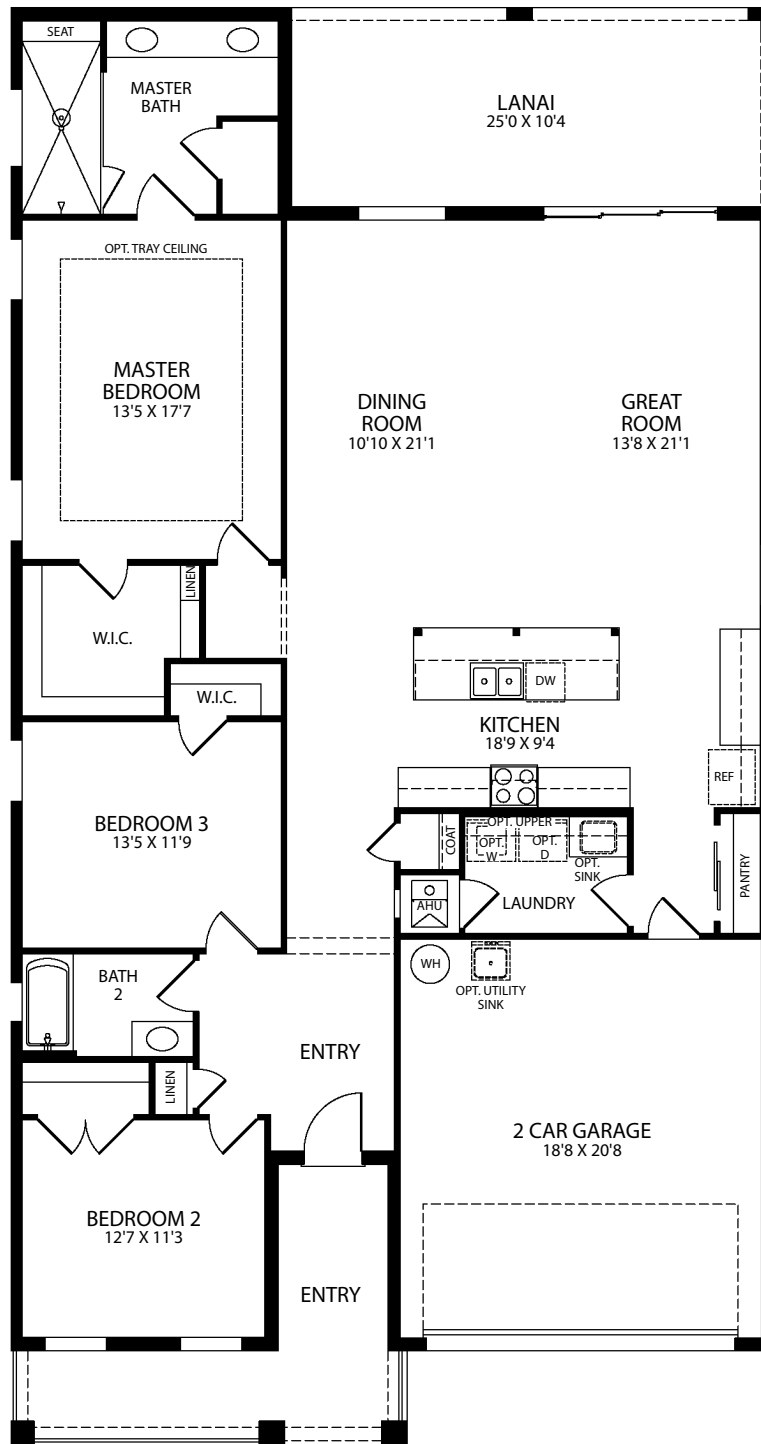
Opt. Den



Opt. Gourmet Kitchen

Opt. Raised Ceiling at Dining Room
and Kitchen with Great RoomOpt. Raised Ceiling
at EntryOpt. 5' Garage
Extension

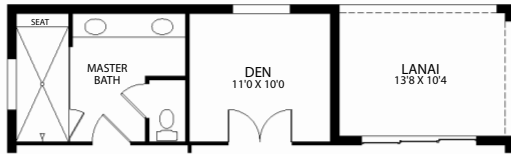




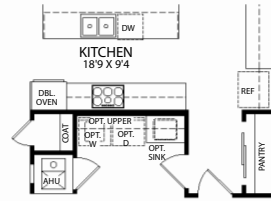
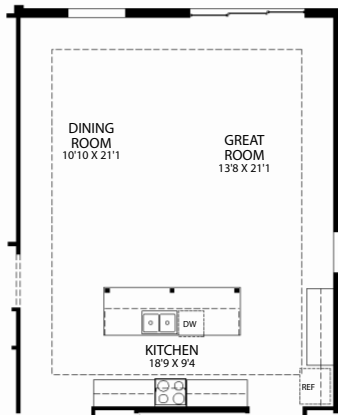
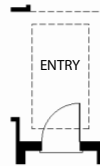
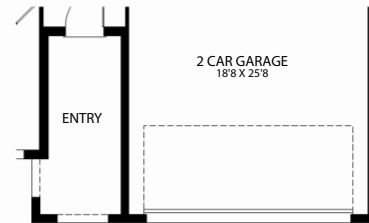
- 3 Bedrooms
- 2 Bathrooms
- 2 Car Garage
- 2,031 - 2,148 Finished Sq. Ft.



Opt. Den



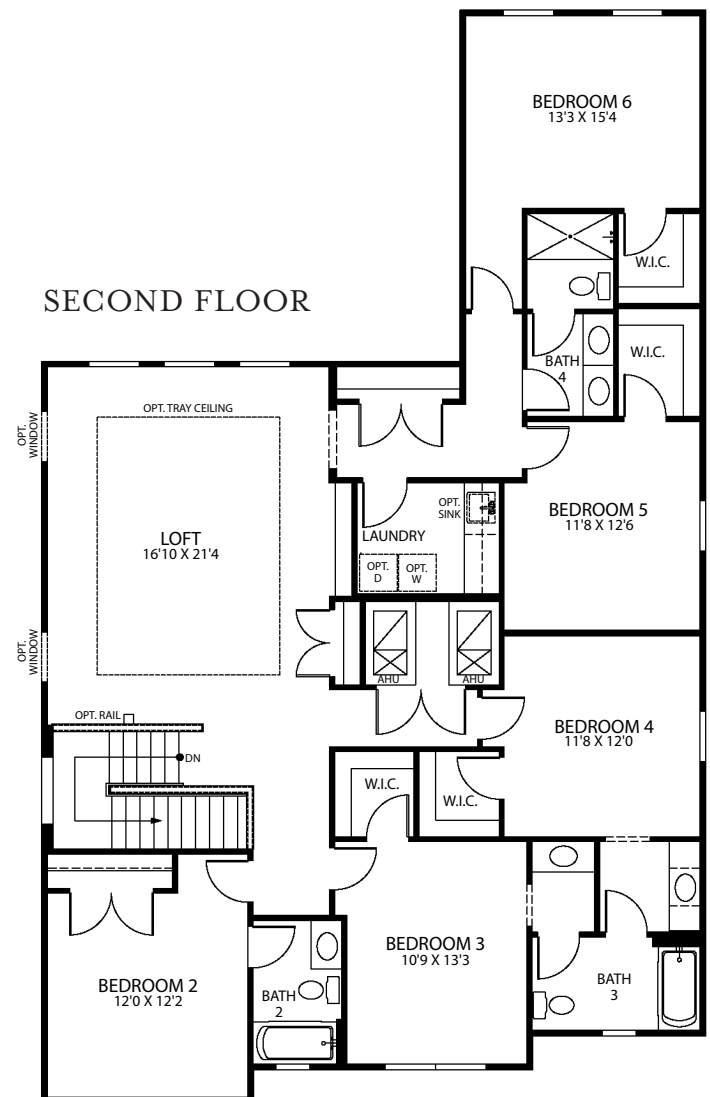
Opt. Gourmet Kitchen

Opt. Raised Ceiling at Dining Room
and Kitchen with Great RoomOpt. Raised Ceiling
at EntryOpt. 5' Garage
Extension

Elevation A Side (Color) Jupiter



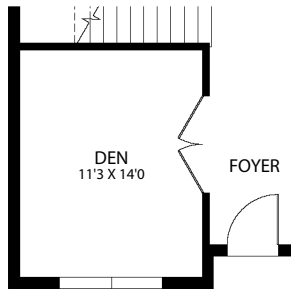




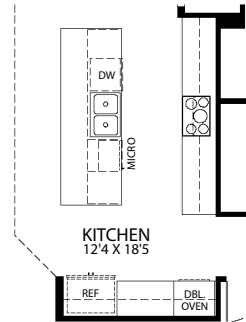
- 6 Bedrooms
- 2 Car Garage
- 4.5 Bathrooms
- 3,714 Finished Sq. Ft.



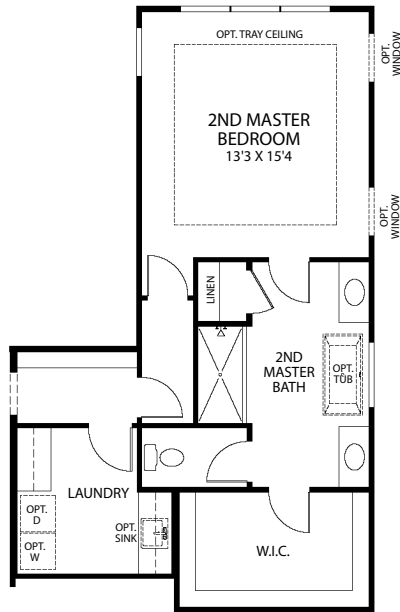
Opt. Den



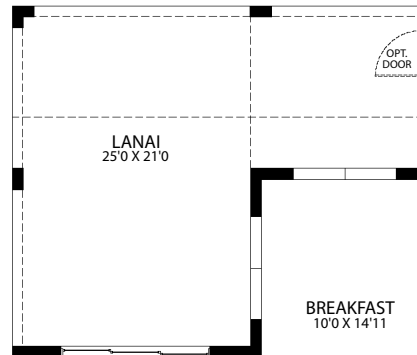
Opt. Gourmet Kitchen



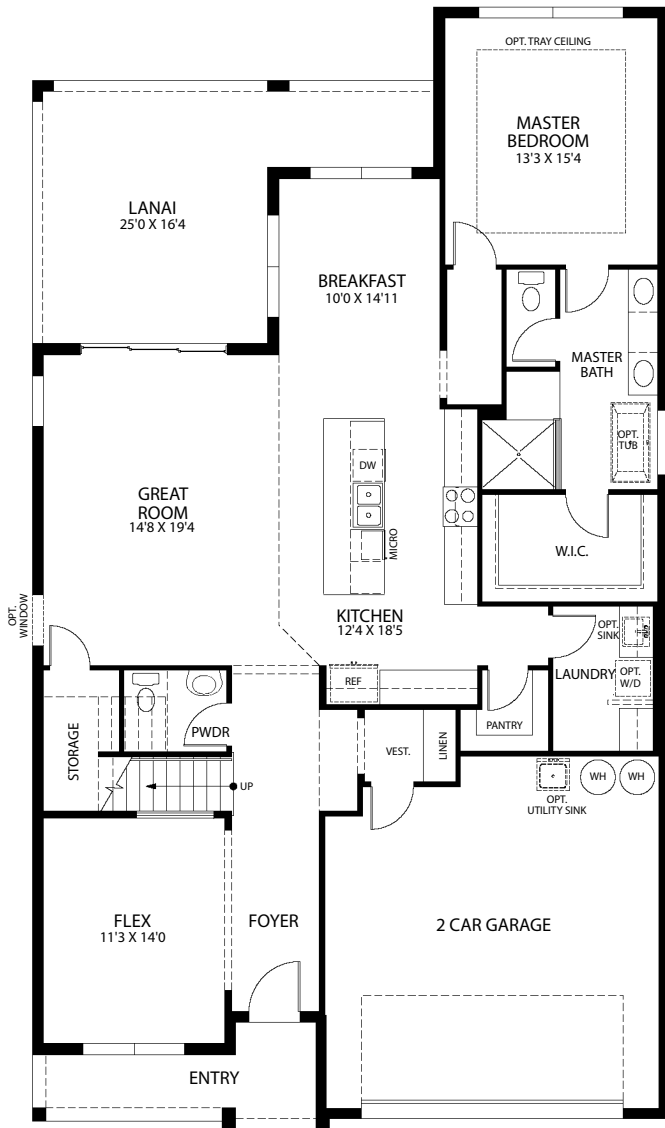
Opt. 2nd Floor Master



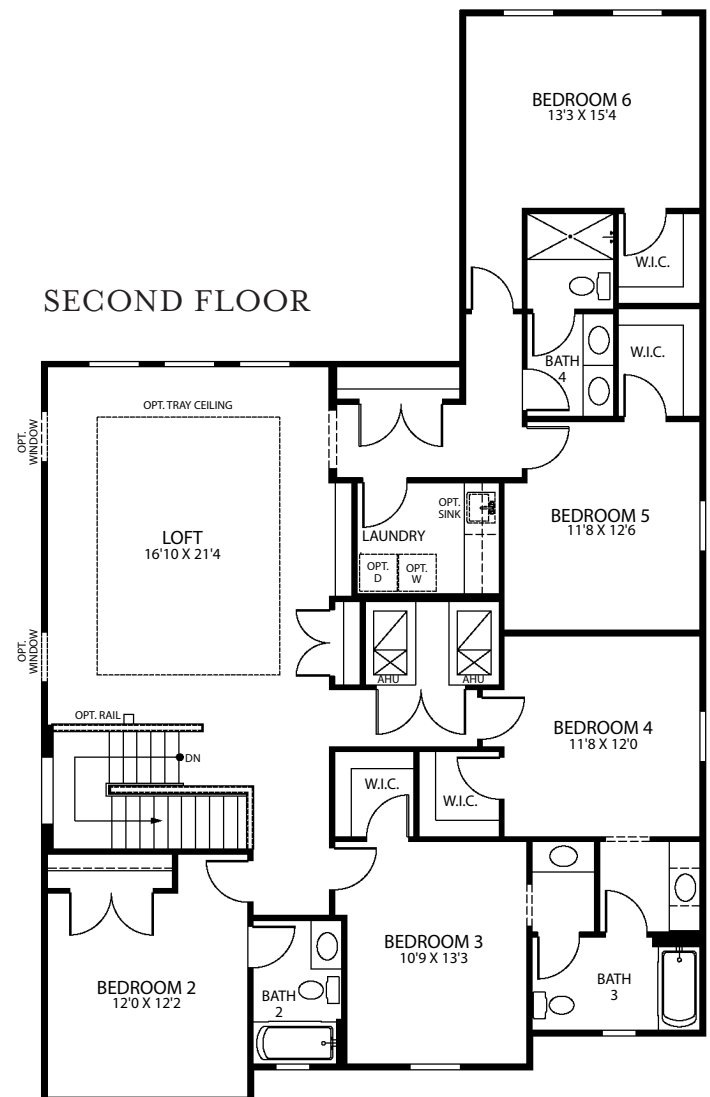
Opt. Extended Lanai







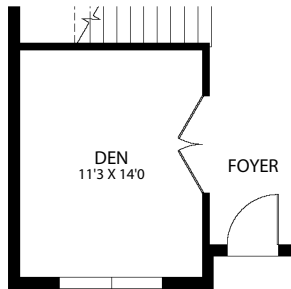
SECOND FLOOR



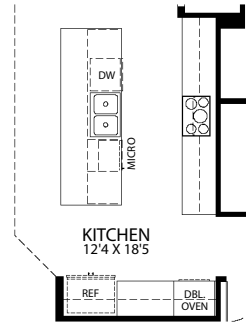
- 6 Bedrooms
- 2 Car Garage
- 4.5 Bathrooms
- 3,714 Finished Sq. Ft.



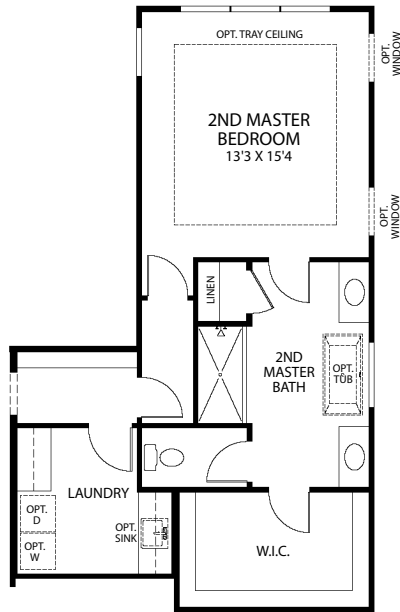
Opt. Den



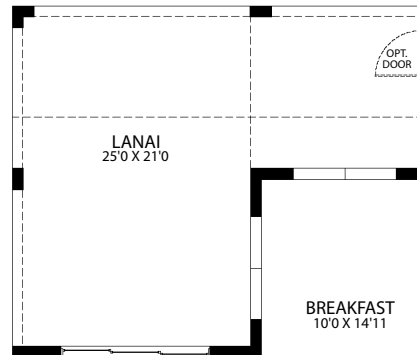
Opt. Gourmet Kitchen



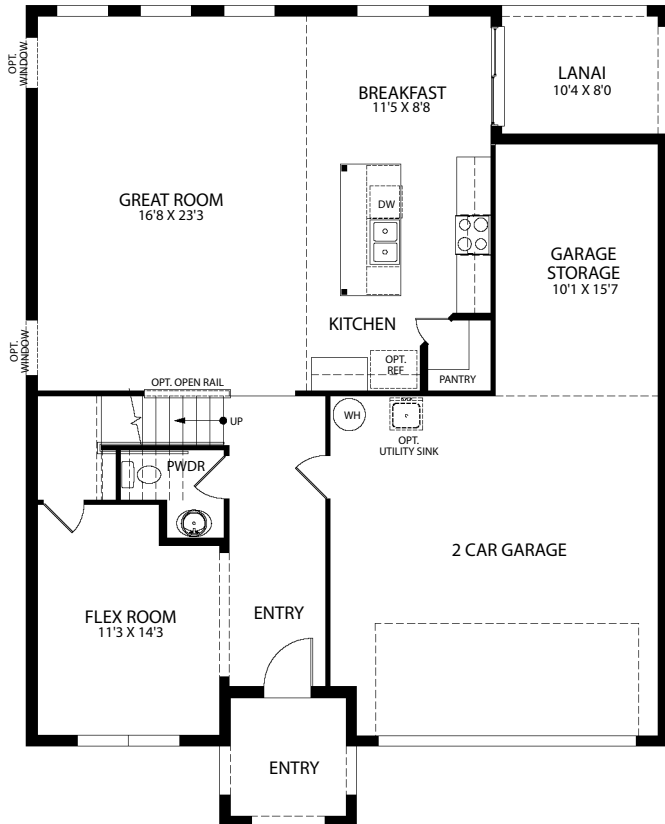
Opt. 2nd Floor Master



Opt. Extended Lanai







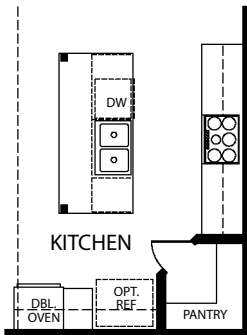
SECOND FLOOR



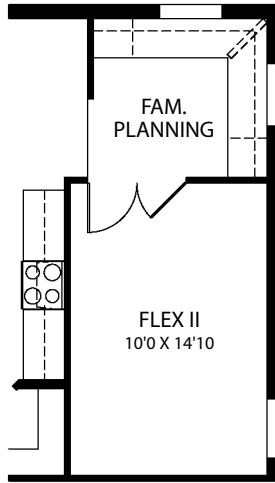
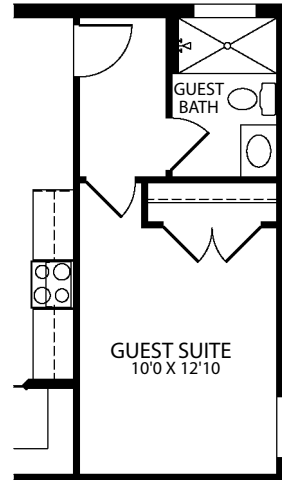
- 6 Bedrooms
- 2 Car Garage
- 4.5 Bathrooms
- 3,714 Finished Sq. Ft.



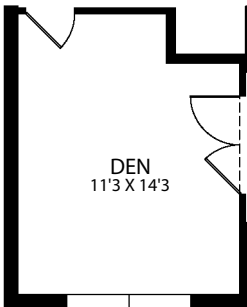
Opt. Gourmet Kitchen



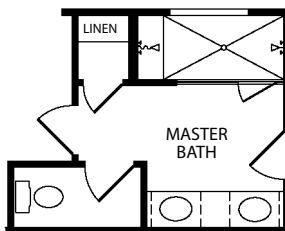
Opt. Flex II

Opt. Guest Suite
ILO Garage Storage

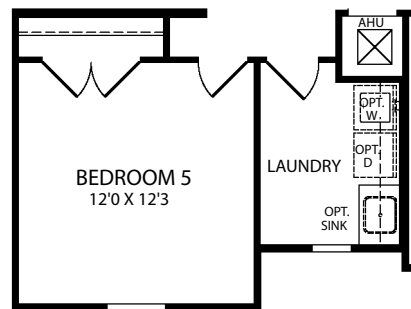
Opt. Den



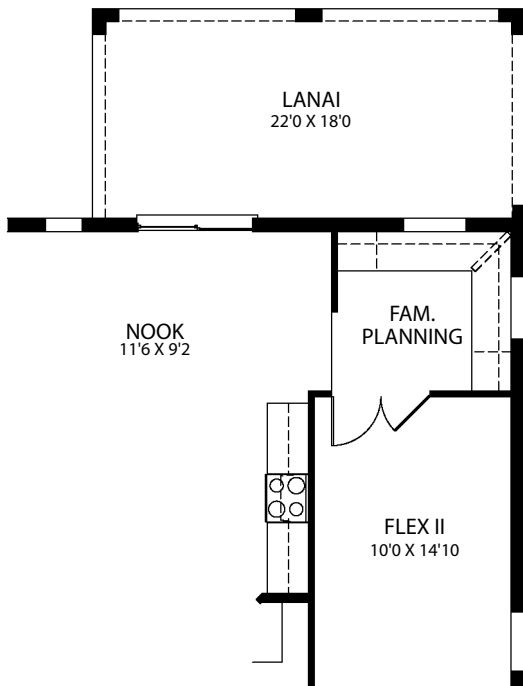
Opt. Deluxe Master Bath



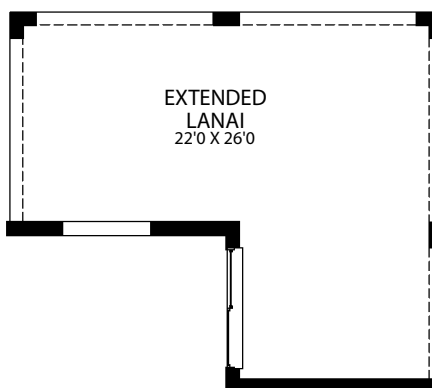
Opt. Bedroom 5 ILO Loft



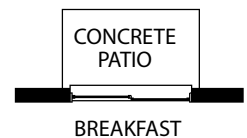
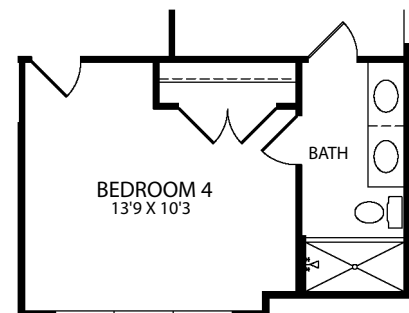
Opt. Lanai with Guest/Flex II



Opt. Extended Lanai



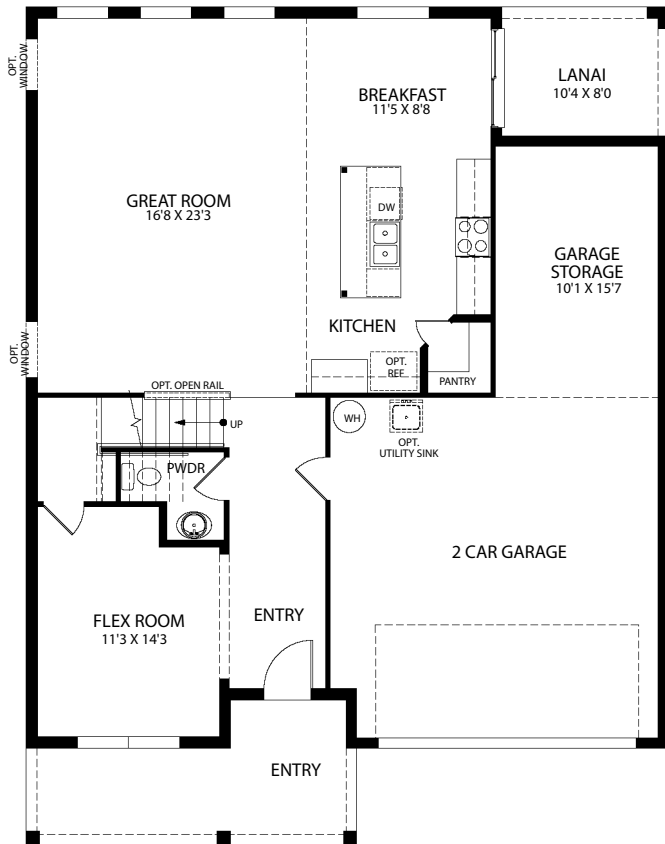
Opt. SGD at Breakfast

Opt. Full Bath at Bedroom
3 & 4 ILO W.I.C.

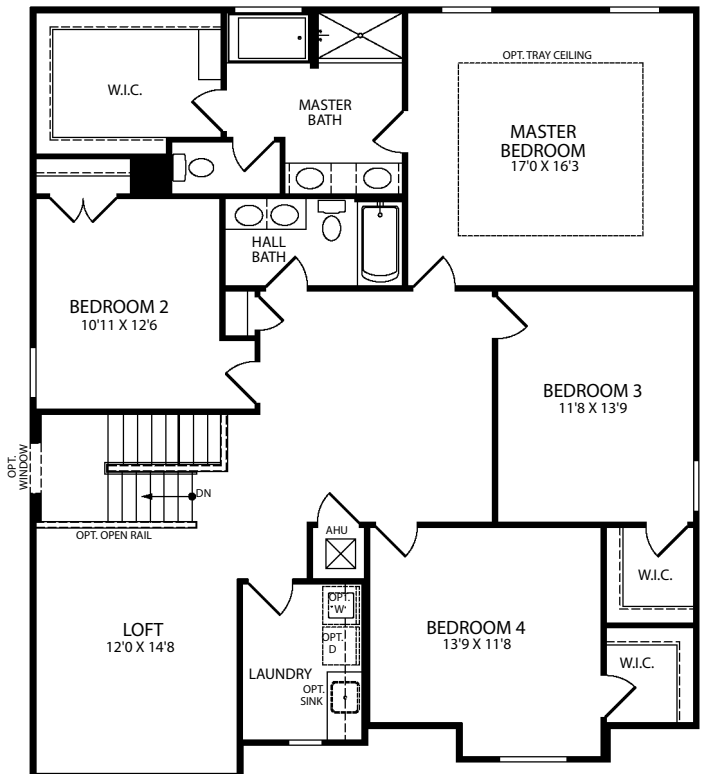


Optional Partial Stone Front





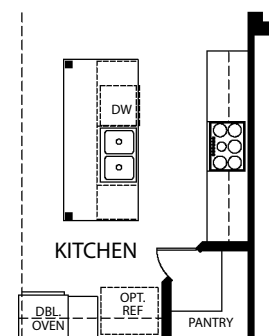
SECOND FLOOR



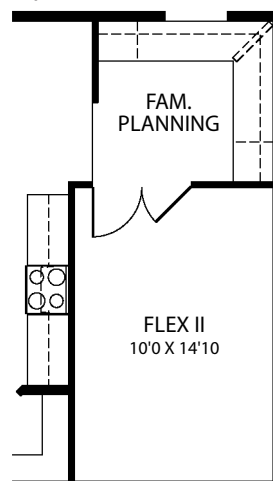
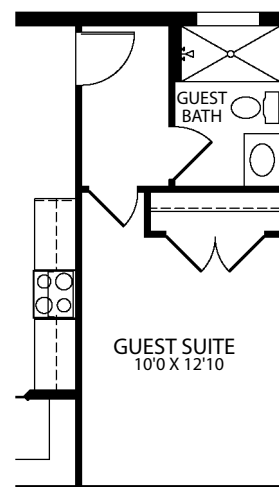
- 6 Bedrooms
- 2 Car Garage
- 4.5 Bathrooms
- 3,714 Finished Sq. Ft.



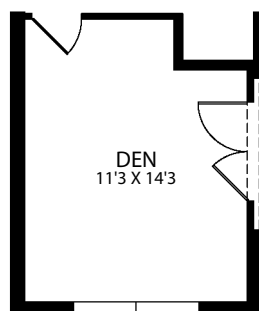
Opt. Gourmet Kitchen



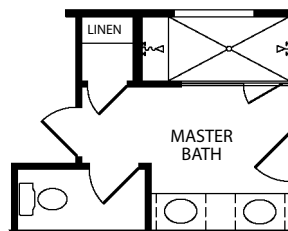
Opt. Flex II

Opt. Guest Suite
ILO Garage Storage

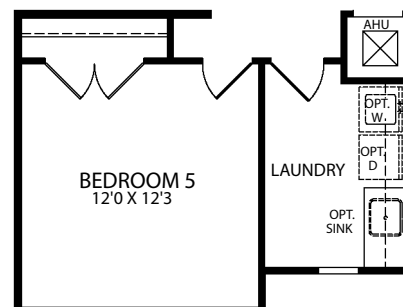
Opt. Den



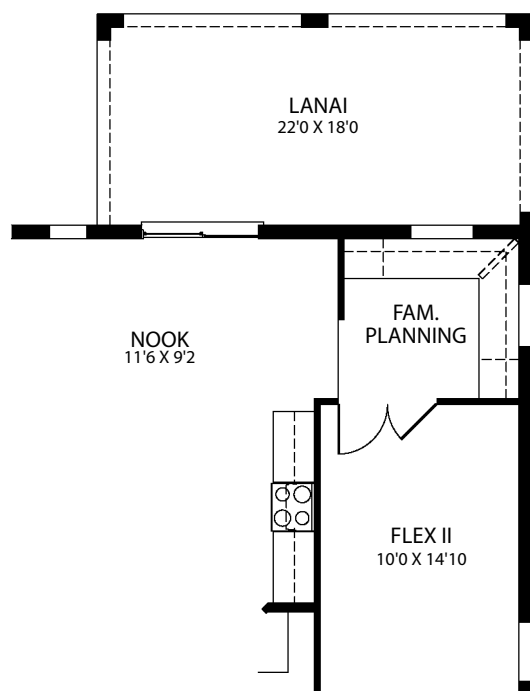
Opt. Deluxe Master Bath



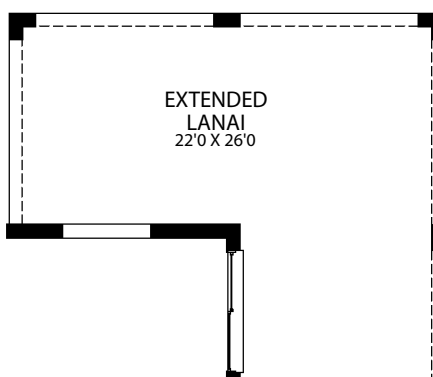
Opt. Bedroom 5 ILO Loft



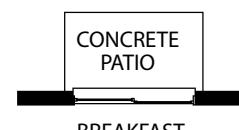
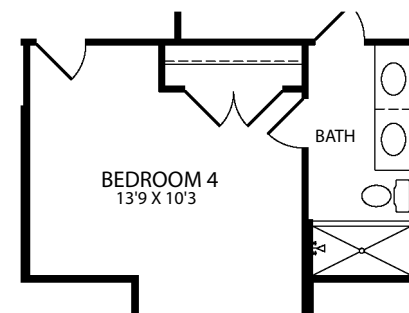
Opt. Lanai with Guest/Flex II



Opt. Extended Lanai



Opt. SGD at Breakfast

Opt. Full Bath at Bedroom
3 & 4 ILO W.I.C.

PR22-06FNLC

**FINAL PLAT / CONSTRUCTION PLAN
APPLICATION**

Date: _____ Project Name: _____

1. Applicant's Name: _____

Company's Name: _____

Address: _____

City, State & Zip: _____

Phone: _____ E-mail: _____

2. Property Owner's Name(s): _____

Company's Name: _____

Address: _____

City, State & Zip: _____

Phone: _____ E-mail: _____

3. Engineer's Name: _____

Company's Name: _____

Address: _____

City, State & Zip: _____

Phone: _____ E-mail: _____

4. Surveyor's Name: _____

Company's Name: _____

Address: _____

City, State & Zip: _____

Phone: _____ E-mail: _____

5. Zoning District: RP Residential Professional District
6. Future Land Use: Residential Professional/Office
7. Total Units/Lots: 6 Lots
8. Size of Property (Acres): 1.22
9. Wetland Areas (Acres): Existing: N/A Removed: _____
 Remaining: _____
10. Density (Developable Area): 6 lots/1.22ac=4.92
 (See LDC Definition for "Density" for developable area).
11. If this project is associated with a PUD, provide a summary report outlining each PUD condition with explanation as to how each PUD condition has been addressed with this submitted.
12. Are there any deviations from the Preliminary Plat Approval (circle)? Yes ☐ No ☒
- If yes, list and describe: N/A
- _____
- _____

CERTIFICATION AND SIGNATURE

I CERTIFY THAT, to the best of my knowledge and belief, all information supplied with this application is accurate and I have examined and am familiar with the Land Development Code of the City of Mount Dora, Florida and Chapter 177 of the Florida Statutes and have complied with the requirements of said regulations and statute. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.



Owner/Applicant Signature

Date

5/5/22

Final Plat and Construction Plan

Page 2



**CITY OF
MOUNT
DORA**

**Planning and Development
510 N. Baker St.
Mount Dora, FL 32757
352-735-7112**

E-mail: plandev@cityofmountdora.com

AGENT AUTHORIZATION

I/we, (Property owner name(s)) MARANDA HONES, as the owner(s)
of the real property described as follows,
1715 EAST FURST AVE 32-19-27-1300-008-00900 (Address, Parcel ID or
Alternate Key Number of subject property), do hereby authorize TED ESTES
to act as my/our Agent, to execute any petitions/applications or other documents necessary to
affect the request for RE-PLAT (Application Type),
and to appear on my/our behalf before any administrative, legislative or quasi-judicial body in
the City pertaining to the application described above and to act in all respects as my/our Agent
in matters pertaining to the application and City process.

Eric Sergi
Printed Name of Property Owner

[Signature]
Signature of Property Owner

7/11/22
Date

Printed Name of Property Owner

Signature of Property Owner

Date

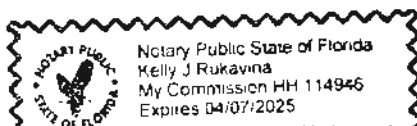
State of Florida

County of Seminole

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online
notarization, this 11 day of July, 2022, by ERIC B. SERGI

Personally known OR Produced Identification

Type of Identification Produced: _____



[Signature]
Notary Signature

Note: All applications shall be signed by the Owner(s) of the property, or the Agent as duly
authorized herein by the Owner(s).



Fidelity National Title Insurance Company

PROPERTY INFORMATION REPORT

Order No.: 10471606

Customer Reference Number SCL22-082

Addressee:

Steel City Title, Inc.

3999 West First Street (SR46), Suite 2

Sanford, FL 32771

407-302-9850

Fidelity National Title Insurance Company has caused to be made a search of the Public Records of Lake County, Florida, ("Public Records"), from , through 05/09/2022 8:00 AM, as to the following described real property lying and being in the aforesaid County, to-wit:

Lots 9, 10, 19, 20, 21, 22, 23, 24 and 25, Block 8, Lake Franklin Park, according to map or plat thereof as recorded in Plat Book 6, Page 51, of the Public Records of Lake County, Florida, less the South 17 feet of Lots 21, 22, 23, 24 and 25, and the East 10 feet of Lots 20 and 25.

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

Maronda Homes, LLC of Florida, a Florida limited liability company

The following liens against the said real property recorded in the aforesaid Public Records have been found:

1. Development Order ORB 5882, Page 703.
2. NOTE: 2021 Real Property Taxes in the gross amount of \$6,802.20 are Paid, under Tax I.D. No. 32-19-27-1300-008-00900.

Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

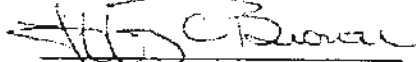
This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Addressee(s) only, and it may not be used or relied upon by any other party. This Report may not be used by a Fidelity National Title Insurance Company agent for the purpose of issuing a Fidelity National Title Insurance Company title insurance commitment or policy.

This Report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the

ATTACHMENT #1

Order No.: 10471606
Customer Reference Number SCL22-082

Fidelity National Title Insurance Company



Jeffrey C. Brower, Jeff.Brower@FNF.com 407-670-2442

Property Information Report

Page 2 of 2

UNANIMOUS WRITTEN CONSENT
OF THE BOARD OF DIRECTORS
OF
MARONDA HOMES, LLC OF FLORIDA

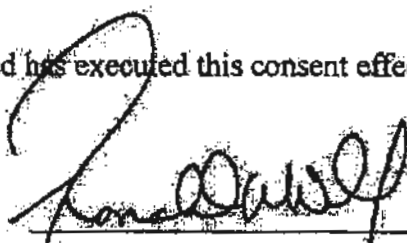
The undersigned, constituent the entire Board of Directors of Maronda Homes, LLC of Florida (the "Company") and waiving all requirements of notice, consents to the company action specified below and adopts the following resolutions by written consent, without a meeting, pursuant to the Florida Business Corporation Act:

RESOLVED, that the following persons be and are hereby authorized, empowered, and designation to enter into agreements to buy and sell individual lots and houses to individual purchases to execute deeds to effectuate the buying or selling of individual lots, and to enter into short-term leases not to exceed two (2) years for such individual houses:

I FURTHER CERTIFY that the following person hold the following offices with the Corporation,

Scott C. Howard	President
Ronald W. Wolf	Vice President, Treasurer
Kelly A. Campbell	Secretary Assistant Secretary
Eric G. Sergi	Vice President
P. Thomas Prior	Vice President
Robert George Intille	Vice President
Leslie Anderson	Vice President
Alex J. Adams	Vice President
Peter Chun	Vice President
Peter McConaghey	Vice President
Michael Kruszynski	Vice President
Todd Fitzgerald	Vice President
Tucker Dorsey	Vice President

IN WITNESS WHEREOF, the undersigned has executed this consent effective as of the 1st day of December 2021.


Ronald W. Wolf, Director

ATTACHMENT #1

INSTRUMENT#: 2022016010 OR BK 5889 PG 1907 PAGES: 1 2/3/2022 2:47:58 PM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT & COMPTROLLER, LAKE COUNTY, FLORIDA
REC FEES: \$10.00 DEED DOC:\$3164.00

Prepared by and Return to:
Steel City Title
Mary Pollard
3999 West First Street (S.R. 46)
Sanford, Florida 32771
Our File Number: SCT21-2221
\$452,000.00

For official use by Clerk's office only

STATE OF Florida)
COUNTY OF Lake) **SPECIAL WARRANTY DEED**
(Corporate Seller)

THIS INDENTURE, made this January 26, 2022, between Green Wheat LLC, a Florida limited liability company, a corporation, whose mailing address is: 15012 Colley Dr. Tavares, Florida 32778, party of the first part, and Maronda Homes, LLC, of Florida, a Florida limited liability company, whose mailing address is: 3999 West First Street, Sanford, Florida 32771, party/parties of the second part,

WITNESSETH:

First party, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, aliens, remises, releases, conveys and confirms unto second party/parties, his/her/their heirs and assigns, the following described property, to wit:

Lots 9, 10, 19, 20, 21, 22, 23, 24 and 25, Block 8, Lake Franklin Park, according to map or plat thereof as recorded in Plat Book 6, Page 51, of the Public Records of Lake County, Florida, less the South 17 feet of Lots 21, 22, 23, 24 and 25, and the East 10 feet of Lots 20 and 25.

Property Address: 1715 E 1ST AVE, MOUNT DORA, FLORIDA 32757

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household of Grantor(s) reside thereon.

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, easements and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining TO HAVE AND TO HOLD the same in fee simple forever.

AND the party of the first part hereby covenants with said party of the second part, that it is lawfully seized of said land in fee simple: that it has good right and lawful authority to sell and convey said land; that it hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the party of the first part.

IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth on January 28, 2022.

Signed, sealed and delivered
in the presence of:

Benjamin L. Champion as managing member of Green Wheat Management LLC of Florida a Florida Limited liability company as managing member of Green Wheat LLC of Florida, a Florida limited liability company

Witness signature
Tulsi Patel
Print witness name
Tulsi Patel
Witness signature
Bryan Bowman
Print witness name
Bryan Bowman

By:
Print Name: Benjamin L. Champion
Title: Managing Member

(Corporate Seal)

State of Florida
County of LAKE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 26 day of January, 2022, by Benjamin L. Champion.



Signature of Notary Public
Personally Known ☒ OR
Produced Identification ☒
Type of Identification Produced
FI / DL

DEED - Special Warranty Deed - Corporate

RESOLUTION NO. 2022-39

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA RELATED TO THE FINAL PLAT ENTITLED “LAKE FRANKLIN ESTATES”; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF FINAL PLAT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 4.3.4 of the City’s Land Development Code, Maronda Homes, LLC of Florida (Property Owner) submitted an application to the City of Mount Dora, for a final plat entitled “Lake Franklin Estates”; and

WHEREAS, on January 19, 2022, the City of Mount Dora Planning and Zoning Commission granted approval for reduction in the minimum lot width and lot sizes and issued a Development Order that was duly recorded in Official Records B Book 5882, Page 703 of the public records of Lake County, Florida; and

WHEREAS, consistent with the above Development Order, the Lake Franklin Estates final plat includes six (6) single-family detached residential dwelling units; and

WHEREAS, the City Attorney has reviewed the Lake Franklin Estates final plat and found it consistent with controlling Florida law; and

WHEREAS, the City Surveyor reviewed said Sandy Ridge Village Replat Final Plat (Replat), found it compliant with Florida Statutes, Chapter 177, and has executed the same; and

WHEREAS, the Development Review Committee reviewed the Lake Franklin Estates final plat on June 29, 2022, and recommended approval as being in compliance with the minimum requirements of the City’s Land Development Code and as being consistent with the City’s Comprehensive Plan and controlling Florida law; and

WHEREAS, the City of Mount Dora Planning and Zoning Commission reviewed the Lake Franklin Estates final plat on August 17, 2022, and recommended approval as being in compliance with the minimum requirements of the City’s Land Development Code and as being consistent with the City’s Comprehensive Plan and controlling Florida law; and

WHEREAS, the City of Mount Dora, Florida finds the Lake Franklin Estates final plat to be in compliance with the minimum requirements of the City’s Land Development Code and consistent with the City’s Comprehensive Plan and controlling Florida law.

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF MOUNT DORA, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. The City of Mount Dora has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Approval of Plat. The City hereby approves the Lake Franklin Estates final plat attached hereto as **Exhibit A.**

SECTION 3. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 4. Savings Clause. All prior actions of the City of Mount Dora pertaining to the Lake Franklin Estates final plat as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. Scrivener's Errors. Typographical errors and other matters of a similar nature which do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

SECTION 6. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

(Signatures on following page)

PASSED AND ADOPTED this 6th day of September, 2022.

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

JESSICA BURNHAM
CITY CLERK

For the use and reliance of City of Mount
Dora only. Approved as to form and legality.

Sherry G. Sutphen, City Attorney

EXHIBIT “A”
Lake Franklin Estates
Final Plat



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Request Approval of First Reading of **Ordinance No. 2022-12**, Amending Chapter 42 of the Code of Ordinances to allow for Electric Carriages

Introduction:

This is a request for City Council to approve the first reading of Ordinance No. 2022-12 and hold the second reading and adoption.

Call Up Item
Mayor Asks Attorney to Read Ordinance by Title Only
City Manager Background
Public Hearing
Discussion
Council Action

Discussion:

As directed by City Council at the June 21, 2022 meeting following the presentation from the owners of the Olde Mount Dora Carriage Company regarding the use of electric carriages in the downtown area, attached is a formal ordinance amending the City's traffic and vehicle chapter. The presentation from the Olde Mount Dora Carriage Company described a business plan for historic tours and event transportation to the downtown area via their "horseless" electric carriages. The vehicles are a Victorian style theme to complement the historic downtown.

The amendment to the Code of Ordinances provides definitions of the type of vehicles, permitting with routing plan, liability and indemnification, traffic regulations, rates and inspection standards. The proposed Electric Carriage ordinance limits the number to a maximum of three (3) permits, which are renewed yearly (October). Permits have a 6-month pilot period to evaluate the carriage operation, which may (or may not) be extended. A five percent (5%) monthly fee is required to be remitted to the City, based on gross receipts. The city will assist in providing locations for pick-up and drop-off staging area(s). Any special events with roadway closures and other impacts will be coordinated with the carriage operator, which will change the

routing and staging area accordingly.

The City's Public Works Department will be the staff point of contact for review and approval of right-of-way utilization permits. Each business owner, once a permit has been issued, will be required to procure a City Business Tax Receipt.

Budget Impact:

Enactment of the electric carriage permitting program will result in minimal revenue for the general fund.

Strategic Impact:

GOAL 1: Economic Development
Objective 1.4 Promote Tourism

Recommendation:

City Council approve First Reading of Ordinance No. 2022-12 and hold a hearing for second reading and adoption.

Attachment(s):

1. Ord No. 2022-12 Electric Carriages.SGS.081222

Prepared by:	Misty Sommer, Economic Development Manager	
Reviewed by:	Adam Sumner, CRA Administrator	Approved - 8/9/2022
	GEORGE MAREK, Interim Public Works Director	Approved - 8/11/2022
	Vince Sandersfeld, Planning and Development Director	Approved - 8/11/2022
	Rich Loewer, Deputy Fire Chief	Approved - 8/12/2022
	Michael Gibson, Interim Chief of Police	Approved - 8/26/2022
	Sharon Kraynik, Human Resources Director	Approved - 8/29/2022
	Amy Jewell, Leisure Services Director	Approved - 8/29/2022
	Sherry Sutphen, City Attorney	Approved - 9/1/2022
	Jessica Burnham, City Clerk	Approved - 9/1/2022
	Jeanann Hand, Deputy City Clerk	Approved - 9/1/2022
	Patrick Comiskey, City Manager	Final Approval - 9/1/2022

ORDINANCE NO: 2022-12

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO AN AMENDMENT TO CHAPTER 42 OF THE CITY OF MOUNT DORA CODE OF ORDINANCES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a primary objective of the City of Mount Dora Economic Development is to promote tourism by enhancing the City of Mount Dora as a welcoming destination for visitors; and

WHEREAS, the City has codified certain traffic control regulations in Chapter 42, of the City of Mount Dora Code of Ordinances; and

WHEREAS, the City desires to create a new article within Chapter 42, of the City of Mount Dora Code of Ordinances to include Electric Carriages; and

WHEREAS, the City has determined that expanding Chapter 42 of the City of Mount Dora Code of Ordinances to include Electric Carriages will promote tourism and further the Economic Development mission and goals of the City of Mount Dora.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MOUNT DORA, FLORIDA, AS FOLLOWS:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. The City of Mount Dora has complied with all requirements and procedures of the Florida law in processing this Ordinance. The above recitals are hereby adopted.

SECTION 2. AMENDING CITY OF MOUNT DORA CODE OF ORDINANCE, CHAPTER 42, TRAFFIC AND VEHICLES. The City of Mount Dora Code Ordinances, Chapter 42 – Traffic and Vehicles, is hereby amended as follows:

Note: Underlined words constitute additions to existing text.

CHAPTER 42 – TRAFFIC AND VEHICLES

The following new article and sections are added within Chapter 42:

ARTICLE IV. – ELECTRIC CARRIAGES

A. Definitions.

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

Approved Plan means the route of streets over which an Electric Carriage may travel within the corporate limits of the City of Mount Dora.

Approved Electric Carriage Stand means a location within the corporate limits of the City of Mount Dora which is approved by the City for a Permittee to pick up and drop off customers.

Electric Carriage means a vehicle which is propelled by one or more electric motors, using only energy stored in batteries, which has a unique princess-style look or shape and is capable of being used for the transportation of passengers.

Permit means the grant by the city to operate an Electric Carriage upon specified streets within the corporate limits of the City of Mount Dora.

Permittee means and includes, but is not limited to, an individual, firm, partnership, corporation, company, or any association who holds a Permit for the operation of an Electric Carriage within the corporate limits of the City of Mount Dora.

B. Compliance with this article required.

The operation of Electric Carriages within the corporate limits, and upon the streets of the City as specified in the Approved Plan, shall be subject to the conditions, regulations and restrictions set forth in this article and the Permit.

C. Permit required.

It shall be unlawful to operate, or cause to be operated, an Electric Carriage upon any streets within the corporate limits of the City unless a Permit has been issued therefor by the City. The Permit shall be affixed to the Electric Carriage for which it has been issued and shall be nontransferable to another Electric Carriage except for a replacement Electric Carriage.

D. Application for permit.

- (1) Any person desiring to obtain a permit to operate an Electric Carriage in the City shall submit a written application to the City in the form approved by the City.
- (2) The initial Permit issued to any Permittee shall be for a temporary period of six (6) months. At the end of the temporary Permit term, the Permit may either be extended or revoked. If extended, the Permit may be renewed in accordance herewith prior to October 1. If the temporary Permit is revoked, the Permittee may, within five (5) days of receipt of the revocation, submit a written appeal to the City Clerk to be heard by the City Council. The appeal shall be limited to the issues of compliance with the

provisions of this article and compliance with the provisions of the Permit and shall be placed on the next available City Council agenda for consideration. The decision of the City Council related to the appeal shall be final.

- (3) After the initial Permit, every Permit shall expire on October 1, each year, and must be renewed, in accordance with the requirements set forth herein, prior to October 1, each year.
- (4) Upon receipt of a complete application for a Permit and the fee imposed therefor by the City from time to time by Resolution.
- (5) Any person whose Permit for operation of an Electric Carriage in the City has been denied may, within five (5) days of receipt of the denial, submit a written appeal to the City Clerk to be heard by the City Council. The appeal shall be limited to the issues of the completeness of the application and compliance with the provisions of this article and shall be placed on the next available City Council agenda for consideration. The decision of the City Council related to the appeal shall be final.
- (6) The initial monthly fee for any Permit issued hereunder shall be five percent (5%) of the gross receipts of the Electric Carriage for which the Permit is issued. The holder of any Permit shall allow the City to inspect its books and accounting records related to the operation of such Electric Carriage at any reasonable time to ensure compliance with this subsection. The fee shall be paid monthly based upon the previous month's receipts to the City as directed by the City. The monthly Permit fee set forth herein may be reviewed by the City on an annual basis. The City may revise the Permit fee no more frequently than once each year.
- (7) No more than three (3) Permits shall be issued and active in the City at any given time. Permits shall be evaluated in the order received.
- (8) If a Permit issued under this section is lost or destroyed, the permit holder may obtain a duplicate Permit upon payment of a service charge in an amount imposed by the City from time to time by Resolution. A Permit may be transferred to a replacement Electric Carriage upon payment of a transfer fee in an amount imposed by the City from time to time by Resolution.
- (9) All persons holding an Electric Carriage Permit must maintain, in active operation, the Electric Carriage for which the Permit was issued. Any permit for an Electric Carriage which remains dormant for more than sixty (60) days may be declared void by the City.
- (10) Any Permittee to whom an Electric Carriage Permit has been issued may be entitled to renew such permit from year to year, provided that such Permittee is in full compliance with the provisions of this article and the Permit, and a renewal application, in the form acceptable to the City, and the appropriate renewal fee, as imposed by the City from time to time by Resolution, have been submitted to the City

by October 1. Upon receipt of the renewal application, the City shall grant or deny the renewal Permit. In the event of denial of a renewal Permit, the person may, within five (5) days of receipt of the denial, submit a written appeal to the City Clerk to be heard by the City Council. The appeal shall be limited to the issues of the completeness of the application and compliance with the provisions of this article and the Permit, and shall be placed on the next available City Council agenda for consideration. The decision of the City Council related to the appeal shall be final.

E. Adherence to Approved Plan.

Permittees must adhere to the routes and rates specified in the Approved Plan. Any deviation from the Permit and Approved Plan shall be a violation of this article.

F. Liability and indemnification.

- (1) By accepting an Electric Carriage Permit from the City, the Permittee agrees to be liable for any and all damages, losses, and expenses incurred, by the City, in any way related to the Electric Carriage and/or operation of the same within the corporate limits of the City. The Permittee further agrees to indemnify, defend and hold the City harmless for any and all such claims, suits, judgments or damages, losses and expenses, including but not limited to, court costs, expert witnesses, consultation services and attorney's fees, arising from any and all acts and/or omissions of the Permittee, or any of its employees, agents, sub-contractors, representatives, volunteers, or the like through and including any appeals in any way related to operation of the Electric Carriage within the corporate limits of the City. Said indemnification, defense, and hold harmless actions shall not be limited by any required insurance coverage amounts required by this article and shall survive revocation or expiration of a Permit issued to a Permittee.
- (2) The Permittee shall maintain, throughout the term of the Permit, the following types and amounts of liability insurance: insured:
 - (a) Workers' and unemployment compensation insurance as provided by the laws of Florida.
 - (b) \$100,000.00 for property damage, bodily injury, or death payable to any one person and \$200,000.00 for property damage, bodily injury or death when totaled with all other claims or judgments arising out of the same incident or occurrence.
- (3) The insurance policies obtained by a Permittee in compliance with this section shall be issued by a company acceptable to the City and a current certificate of insurance, along with written evidence of payment of all required premiums, shall be filed with the City and remain current during the term of the Permit. All such policies shall name the City as an additional insured, with a waiver of subrogation and shall contain a provision that written notice of cancellation or reduction in coverage of

the policy shall be delivered by registered mail to the City at least thirty (30) days in advance of the effective date thereof. Failure to provide the City with the required certificates of insurance shall not excuse a Permittee from having the required insurance coverage or from indemnifying the City as set forth herein.

G. Compliance with traffic regulations.

- (1) A Permittee, having been issued a Permit under this article to engage in the business of operating an Electric Carriage within the corporate limits of the City, shall be subject to all traffic laws, rules and regulations now in effect in the City or the State of Florida, or as adopted or enacted from time to time.
- (2) A Permittee may only use a City Approved Electric Carriage Stand to pick up and drop off its customers. The City may from time to time formulate and promulgate reasonable rules and regulations for the use of Approved Electric Carriage Stands so as to ensure equality of opportunity between operators, and to prevent discrimination between carriage stands and to prevent unfair practices between the owners, operators and drivers of such Electric Carriages for hire. The City reserves the right, in its sole discretion, to relocate, add or remove Approved Electric Carriage Stands.

H. Rates and charges to be displayed.

Each Permittee shall prominently display, in each permitted Electric Carriage, a card or sign which shows the schedule of the rates and charges for the transportation services furnished by the Permittee, the City permit number of such Electric Carriage and the name and address of both the Permittee and driver of such Electric Carriage. Such card or sign shall be posted in a conspicuous place in the Electric Carriage while it is in use in the City, so that it is clearly visible to all passengers. It shall be unlawful for any Permittee, operator, agent, lessee or driver of any Electric Carriage to charge more than the rate so posted.

I. Condition and inspection of Electric Carriages.

- (1) Each Electric Carriage shall be kept in a safe condition at all times. The City shall have the right to inspect, or cause to be inspected, any Electric Carriage as often as may be necessary for the purpose of ascertaining and causing to be corrected any unsafe conditions or any violations of this article or any other rule, regulation, ordinance or law relating to the operation of such Electric Carriages in the corporate limits of the City.
- (2) If any Electric Carriage shall fail to pass such inspection, it shall be removed from service on the day of inspection, and shall remain out of service until it has passed inspection.
- (3) No signs other than those required by this article shall be allowed on any permitted Electric Carriage.

- (4) Each Permittee shall assign qualified persons to be in charge of their operations in the City and shall give the contact information for such person to the City.
- (5) The operator or driver of a permitted Electric Carriage shall be well groomed and properly attired at all times as well as wear a tag bearing the operator's or driver's name.
- (6) The City may request the dismissal of any employee of a Permittee or an operator or driver of a permitted Electric Carriage, who violates any provision of this article or who is wanton, willful, negligent, or discourteous in the performance of his or her services.
- (7) Each Permittee shall provide operating and safety training for all employees and/or contractors.

J. Suspension or Revocation of permits.

Whenever there is reasonable cause to believe that a Permittee is violating the provisions of this article, the City may, in addition to any other remedies available under the law, upon written notice to the Permittee, sent certified mail, return receipt requested, suspend a Permit issued to a Permittee until such time as the violations are corrected to the satisfaction of the City. If a violation is not corrected within thirty (30) days, a Permit may be revoked. Any Permittee whose Permit is revoked under this section may, within five (5) days of receipt of the revocation, submit a written appeal to the City Clerk to be heard by the City Council. The appeal shall be limited to the issues of the revocation and compliance with the provisions of this article and the Permit, and shall be placed on the next available City Council agenda for consideration. The decision of the City Council related to the appeal shall be final.

SECTION 3. IMPLEMENTATION OF ADMINISTRATIVE ACTIONS. The City Manager is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed prudent.

SECTION 4. CODIFICATION AND SCRIVENER'S ERRORS.

A. The revisions to City of Mount Dora Code of Ordinances, Chapter 42, Traffic and Vehicles, as set forth in Section 2 above shall be codified in the City of Mount Dora Code of Ordinances.

B. The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the codifier of the City of Mount Dora Code of Ordinances.

C. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 5. **SAVINGS CLAUSE.** All prior actions of the City pertaining to the amendments to City of Mount Dora Code of Ordinances, Chapter 42, Traffic and Vehicles, as well as any and all other applicable matters, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 6. **CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 7. **SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 8. **EFFECTIVE DATE.** This Ordinance shall become effective immediately upon enactment by the City of Mount Dora.

FIRST READING: _____
SECOND READING: _____

PASSED AND ADOPTED this _____ day of _____, 2022.

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

Jessica Burnham City Clerk

For the use and reliance of City of Mount Dora only.
Approved as to form and legality.

Sherry G. Sutphen
City Attorney



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Request Approval of First Reading of **Ordinance No. 2022-10**, Land Development Code Amendment

Introduction:

This is a request for City Council to approve the first reading of Ordinance No. 2022-10 and hold the hearing for the second reading and adoption.

Call Up Item
Mayor Asks Attorney to Read Ordinance by Title Only
City Manager Background
Public Hearing
Discussion
Council Action

Discussion:

As directed by the City Council following action on a proposed Charter Amendment (Ordinance No. 2022-08) to limit building heights in certain areas, attached is a proposal to amend the City's Land Development Code to provide enhanced variance criteria. The height limitation area was described as the "*Building Height Impact District*" (Attachment #1 is a map of the areas). This ordinance effective date, if so accepted, will be subject to the November 8, 2022, general election ballot pertaining to the Charter Amendment, as the contents of the proposed LDC Amendment are related.

On September 21, 2021, City Council adopted Resolution No. 2021-115, which created the Building Height Advisory Committee. On March 4, 2022, the Building Height Advisory Committee provided several recommendations to City Council; enclosed is a summary of the recommendations prepared by the Committee dated March 17, 2022. One of the recommendations, in addition to consideration of a Charter Amendment, was an amendment to the City's Land Development Code to create additional variance criteria for properties within the Building Height Impact District.

The proposed Charter Amendment language allows for variances of five (5) feet building height for buildings within the Historic Preservation Review Boundary and buildings within 100 feet of Lake Dora shoreline. As such, the Building Height Committee recommended establishing a new criterion for variance requests pertaining to building height. Enclosed is a draft LDC amendment to implement the proposed criterion for variance requests pertaining to building height. The proposed criteria for a variance request pertaining to building height is more restrictive than the existing criteria for variance requests.

The Building Height Committee also recommended removing the 55 foot height allowance for parking garages in specific zoning districts. The height for parking garages was amended by Ordinance No. 2020-20 enacted on April 4, 2021. The Building Height Committee reasoned that the height of parking garages should be consistent with the height limitations of the underlying zoning district. The draft LDC Amendment removes the 55 feet for parking garages. If adopted, parking garages in the downtown area would be limited in height to 35 feet and further reduced to 25 feet along the Lake Dora shoreline.

The sequence of events leading to the presentation to the City Council are as follows:

The Planning and Zoning Commission (PZC) at their regularly scheduled meeting held on August 17, 2022, recommended the proposed LDC ordinance for approval. The PZC made a motion to approve the ordinance as presented but the motion failed due to a split vote (3-3). As such, the PZC was unable to provide an affirmative recommendation to the ordinance. Discussion from the PZC members that were present at this meeting are included in Attachment #2 meeting minutes.

The Planning and Zoning Commission (PZC) at their regularly scheduled meeting held on July 20, 2022, continued the draft LDC Amendment (Vote 6-0. One member was absent) in order to clarify the action of the Building Height Advisory Committee regarding adoption of the enhanced code changes.

Budget Impact:

Codification by the Municipal Code Corporation and legal notices for MDCO Amendment costs are estimated at \$3,500.00.

Strategic Impact:

Regulations related to design standards advance a legitimate public purpose and promote and protect the health, safety and welfare of the citizenry of Mount Dora and are consistent with Goal 1: Economic Development.

Recommendation:

City Council approve the First Reading of Ordinance No. 2022-10 and hold hearing for the second reading and adoption.

Attachment(s):

1. Attachment 1 Building Height Impact District Map
2. Attachment 2 Draft Planning & Zoning Commission Minutes Meeting 8-17-2022 (ADA)
3. LDC Ord 2022-10(1st Reading).SGS

Prepared by: Jeanann Hand, Deputy City Clerk

Reviewed by: Vince Sandersfeld, Planning and Development Director
Michele Janiszewski, Senior Planner
Sherry Sutphen, City Attorney
Jessica Burnham, City Clerk
Jeanann Hand, Deputy City Clerk
Patrick Comiskey, City Manager

Approved - 8/17/2022

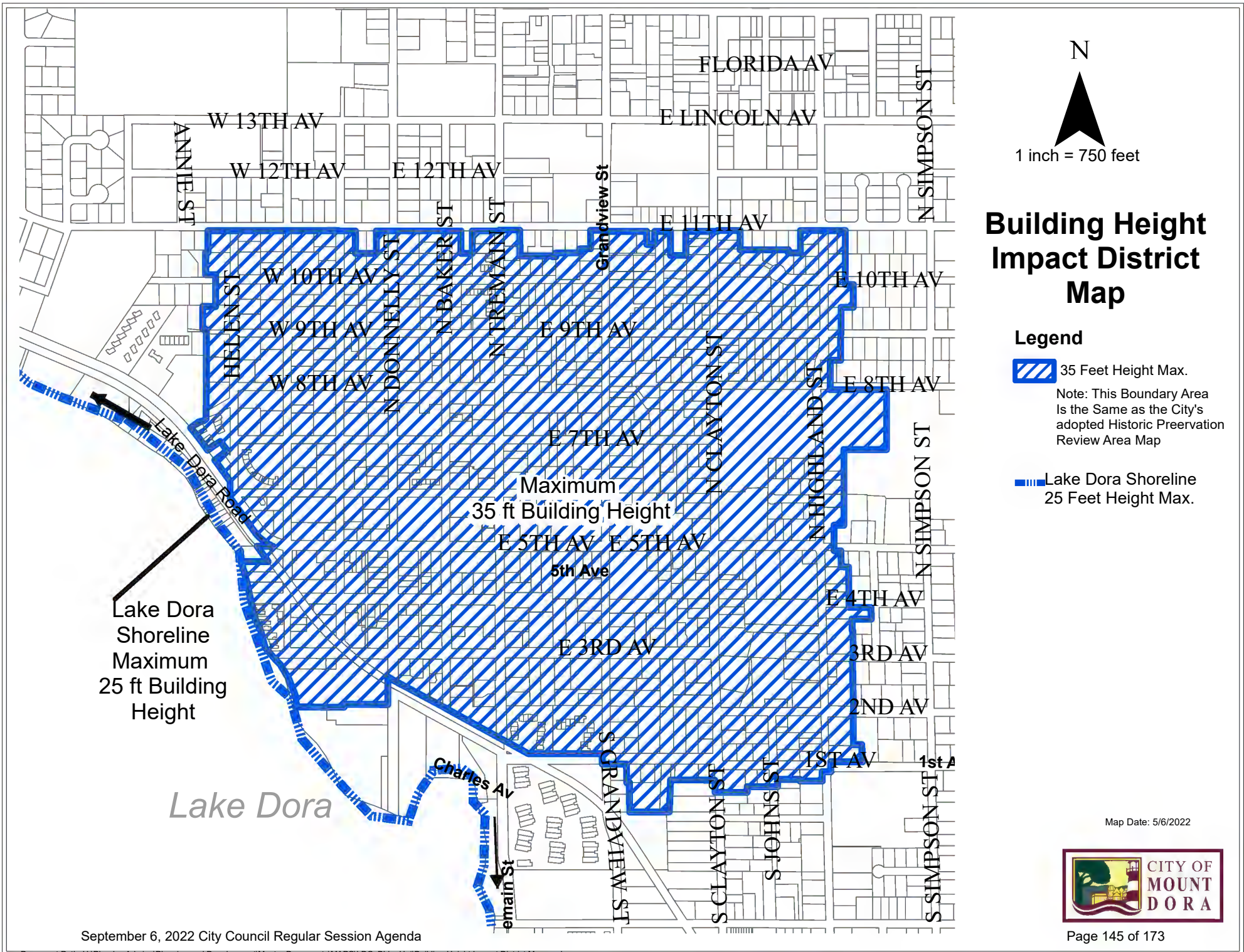
Approved - 8/19/2022

Approved - 9/1/2022

Approved - 9/1/2022

Approved - 9/1/2022

Final Approval - 9/1/2022





CITY OF MOUNT DORA, FLORIDA
PLANNING AND ZONING COMMISSION MINUTES
August 17, 2022

Call to Order

Having been duly advertised as required by law Chairman, Harmon Massey called the regular meeting of the Planning and Zoning Commission to order at 10:00 a.m. on Wednesday, August 17, 2022.

Roll Call with Determination of Quorum

Committee Members: Harmon Massey, *Chairperson*, Rebecca Carter, *Vice-Chair*, Miles Beach, Tom Dring, Kris Haukoos, Cathy Hoechst and James Homich

Absent: James Homich

City Staff and Attorney: Vince Sandersfeld, *Planning Director*; Michele Janiszewski, *Senior Planner*; Sherry Sutphen, *City Attorney*; Emily Ragusa, *Associate Planner*; Whitney Scott, *Administrative Coordinator*

Presenters: Kevin Roberson, *Kimley-Horn and Associate, Inc.*; Timothy Green, *Green Consulting Group*; Michael Vedder, *Vedder Holsters*

Approval of Minutes

Ms. Carter motioned to approve the meeting minutes dated July 20, 2022. Ms. Haukoos seconded the motion and the minutes were approved unanimously with a 6 – 0 vote.

Public participation/hearing for non-agenda items

None

New Business

A. Request for Final Plan and Plat (Replat); Lake Franklin Estates (Project Name); Maronda Homes (Owner); Maronda Homes (Applicant); Civil Design Solutions, LLC (Engineer). Project No. PR22-06FNLC.

1. Swearing in of witnesses by City Attorney
2. Ex Parte Communication regarding this item.
3. Staff/Applicant presentation
4. Public Input
5. Commission deliberation and action

City Attorney, Sherry Sutphen addressed the swearing in of witnesses. No Ex Parte Communication regarding this agenda item.

Ms. Janiszewski gave a summary of the proposed application and stated that Staff recommends approval with conditions of the project. Approval is subject to satisfactorily addressing the attached DRC Comments prior to scheduling City Council.

Mr. Beach noted that all the stipulations made by the Planning and Zoning Commission pertaining to the variance approved on the property were not mentioned in the current staff report.

Mr. Sandersfeld stated that all the stipulations did not need to be listed because they did not all pertain to the current application but will still be satisfied.

Ms. Janiszewski stated that staff will take this discussion into consideration and will include all requirements and stipulations in future staff reports, whether or not they are applicable at the time.

Ms. Sutphen and Mr. Beach discussed which items are applicable on a replat.

Mr. Sandersfeld and Ms. Janiszewski agreed to include all conditions for projects going forward.

Mr. Massey stated this would be a good practice to implement in the future.

On a motion by Mr. Beach, seconded by Ms. Carter, the Board voted to approve the application with a 6– 0 vote.

- B. **Request for Site Plan:** Longhorn Steakhouse (Project Name); 17020 US Hwy 441 (Site Address); Wal-Mart Stores (Owner); CASTO Net Lease Properties LLC (Applicant); Kimley-Horn and Associates, Inc. (Engineer); Kimley-Horn and Associates, Inc. (Landscape Architect); ACS Cincinnati (Architect). Project No. SP22-05.

1. Swearing in of witnesses by City Attorney
2. Ex Parte Communication regarding this item.
3. Staff/Applicant presentation
4. Public Input
5. Commission deliberation and action

City Attorney, Sherry Sutphen addressed the swearing in of witnesses. No Ex Parte Communication regarding these agenda items.

Ms. Janiszewski gave a summary of the proposed application and stated that Staff recommends approval of the above-referenced site plan for Longhorn Steakhouse.

Mr. Kevin Roberson from Kimley-Horn and Associates, Inc. gave a brief presentation of the Site Plan request.

Ms. Carter, Mr. Roberson and Ms. Janiszewski discussed the number of entrances depicted on the Site Plan.

Mr. Roberson stated that there are three entrances and they are all two-way.

On a motion by Ms. Carter, seconded by Ms. Hoechst, the Board voted to approve the application for a Site Plan with a 6– 0 vote.

C. Local Planning Agency. Request for Small- Scale Future Land Use Map; Vedder Holsters (Project Name); 1649 Lincoln Avenue (Site Address); Sean A Jones (Owner); Green Consulting Group, Inc. (Applicant). Project No. FLUM22-02SM.

1. Swearing in of witnesses by City Attorney
2. Ex Parte Communication regarding this item.
3. Staff/Applicant presentation
4. Public Input
5. Commission deliberation and action

City Attorney, Sherry Sutphen addressed the swearing in of witnesses. No Ex Parte Communication regarding these agenda items.

Ms. Janiszewski gave a summary of the proposed application and stated that Staff recommends approval of the small-scale application to amend the Future Land Use Map on 4.92+/- acres from High Density Residential to Industrial.

Mr. Dring and Mr. Green discussed the Northeast CRA Advisory board's opinion of the project at the last meeting.

Mr. Green stated that the project was well received by the members and was unanimously approved. Mr. Green shared that the main concern from the committee is the name of the facility containing the word 'holsters.'

Mr. Massey and Mr. Vedder discussed the jobs which will be generated by the new location.

Mr. Vedder stated that they are currently at a log jam and a lot of the projects are on hold due to the limited space of their current facility.

Mr. Vedder specified that there will be at least 10-12 jobs out of the gate and another 20 employees within the next year.

Ms. Haukoos questioned how many housing units are potentially being eliminated due to this change.

Ms. Janiszewski stated that the current zoning district would allow the property to be developed with 88 dwelling units.

Mr. Green stated that the 88 units is the maximum allowed at the land use and that the adjacent property is not developed at the density although it has the same zoning district and land use category.

On a motion by Ms. Hoechst , seconded by Mr. Dring and Mr. Beach, the Board voted to approve the application for small-scale with a 6– 0 vote.

- D. **Request for Final PUD;** Vedder Holsters (Project Name); 1649 Lincoln Avenue (Site Address); Sean A Jones (Owner); Green Consulting Group (Applicant); Green Consulting Group, Inc. (Landscape Architect). Project No. PUD22-01FNL.

1. Swearing in of witnesses by City Attorney
2. Ex Parte Communication regarding this item.
3. Staff/Applicant presentation
4. Public Input
5. Commission deliberation and action

City Attorney, Sherry Sutphen addressed the swearing in of witnesses. No Ex Parte Communication regarding these agenda items.

Ms. Janiszewski gave a summary of the proposed application and stated that Staff recommends approval of the above-referenced request Final PUD for Vedder Holsters and forward same for consideration by the City Council.

On a motion by Ms. Hoechst, seconded by Ms. Carter, the Board voted to approve the final PUD request with a 6– 0 vote.

- E. **Request for Land Development Code Amendment (Continuance from the July 20, 2022 PZC meeting)**

1. Staff presentation
2. Public Input
3. Commission deliberation and action

City Attorney, Sherry Sutphen addressed the swearing in of witnesses. No Ex Parte Communication regarding these agenda items.

Ms. Janiszewski gave a summary of the ordinance and stated that no changes were made to the ordinance since the previous meeting.

Mr. Massey recommended to forward to City Council for further action as they deem appropriate.

Mr. Massey expressed his cautions regarding the proposed charter for Building Heights.

Mr. Massey also shared his concerns with the ongoing parking issues that could prevent the City from competing and thriving in the future.

Ms. Haukoos stated that the downtown merchants have had some of their best years for profitability and doesn't believe that the parking issues are interfering at this time.

Ms. Haukoos expressed that she does not support expanding the city's building heights.

Ms. Haukoos agreed that there is a parking problem, but stated an additional parking problem was created by moving angled parking to parallel parking.

Ms. Hoechst expressed that she agreed with Mr. Massey regarding some of his concerns and further elaborated on the current issues pertaining to parking.

Ms. Hoechst stated that surface parking will not resolve the issue, a parking garage that will fit in to the historical criteria is necessary.

Ms. Carter shared her concerns, stating that we have approved several living units who will want to visit the downtown area but we have not prepared for the growth.

Ms. Carter also stated that she has spoken with many of the merchants and parking is their number one concern.

Ms. Hoechst questioned if restrictions for variances pertaining to building heights, within a reasonable time are attainable.

Ms. Janiszewski stated that within the existing requirements, there are seven required criteria which are difficult to meet. Ms. Janiszewski further explained that variances are rarely submitted or approved because they can be difficult to obtain with the existing variance criteria.

Mr. Massey recommended that this agenda item go to council for whatever decision they deem appropriate, stating that the Planning and Zoning Commission has addressed their concerns. Mr. Massey stated this is an issue that needs to be addressed as a community.

Ms. Sutphen stated that although it does continue to council regardless of the committees input, the item is on the agenda for a recommendation to have a vote as an effort to move forward.

Mr. Sandersfeld stated that the Land Development Code requires the Planning Commission provide recommendations to City council regarding amendments to the Land Development Code.

Ms. Sutphen stated that the item needs to be open to the public for comment.

Mr. John Tucker addressed the committee and discussed both issues with parking, as well as a statement made at the last Planning and Zoning Committee meeting.

Mr. Tucker stated that his role/duties on the Building Heights Committee was not charged with strengthening the Building Height Ordinances.

Mr. Beach stated that he wants the committee to consider this from the proper aspect regarding this ordinance, making sure that the focus is on addressing building height issues rather than parking garage issues.

Mr. Beach and Ms. Hoechst had a discussion regarding the proper aspects pertaining to the ordinance and parking.

Ms. Sutphen clarified that this is a draft of an ordinance and the committee can make their recommendations.

Ms. Sutphen stated that it goes into effect as drafted, in the event that the charter passes. She further explained that what is being considered is the actual ordinance with the variance criteria implemented.

The board members had a conversation with Ms. Sutphen for clarification regarding voting for the item.

Mr. Sandersfeld suggested looking at language in the charter with the actual ordinance to help clarify.

Ms. Sutphen and Mr. Sandersfeld stated that there is an actual variance process in place, so if this item were not to pass, there wouldn't be the heightened process.

Mr. Massey called for a motion.

Mr. Beach moved to approve the motion as written, Mr. Dring seconded the motion.

Mr. Massey called for a roll call vote.

On a roll call vote Mr. Beach, Mr. Dring, Ms. Haukoos voted Yes.

On a roll call vote Ms. Carter, Mr. Massey, Ms. Hoechst voted No. Motion Failed.

Mr. Massey stated that the roll call vote stands at 3-3 and that the matter moves forward to council.

Ms. Hoechst asked that council be informed of what the exact vote was and the discussion regarding the item.

Mr. Sandersfeld and staff agreed to have a draft/memo prepared for City Council for September 20, 2022 meeting.

Other Business

None

Announcement of next scheduled meeting date

Regularly Scheduled Meeting: Wednesday, September 21, 2022 (10:00 am)

Adjournment

The meeting was adjourned at 11:03 am

Whitney Scott,
Administrative Coordinator

Harmon Massey, Commission Chair

ORDINANCE NO: 2022-10

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO REVISIONS TO THE CITY OF MOUNT DORA LAND DEVELOPMENT CODE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENTS TO CITY OF MOUNT DORA LAND DEVELOPMENT CODE, CHAPTER II, GENERAL, CHAPTER III ZONING REGULATIONS, AND CHAPTER VIII, DEFINITIONS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Chapter 166, confers upon a local government, the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, pursuant to its home rule powers, the City of Mount Dora may regulate land use matters and design standards within the City limits through the adoption of Land Development regulations; and

WHEREAS, from time to time the City of Mount Dora provides updates and amendments to its Land Development regulations; and

WHEREAS, on September 21 2021, the City adopted Resolution No. 2021-115, which created the Building Height Advisory Committee and on March 17, 2022, following absolute dedication and clear focus to the task at hand, the City of Mount Dora Building Height Advisory Committee recommended various building height regulations to the City Council; and

WHEREAS, based on the report and recommendations of the Building Heights Advisory Committee, on June 7, 2022, the City of Mount Dora adopted Ordinance No. 2022-08, which calls for a proposed amendment to the City's Charter, limiting building height in certain areas with special provisions for variance capabilities, not to exceed 5 additional feet, to be placed on the ballot for consideration by the voters in the City of Mount Dora; and

WHEREAS, in the event the Charter Amendment passes after a vote of the electorate, the City of Mount Dora has determined that certain amendments to its Land Development Code will be necessary, and will advance a legitimate public purpose and promote and protect the health, safety and welfare of the citizens of the City of Mount Dora.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MOUNT DORA, FLORIDA, AS FOLLOWS:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. The City of Mount Dora has complied with all requirements and procedures of the Florida law in processing this Ordinance. The above recitals are hereby adopted.

SECTION 2. AMENDMENTS TO CITY OF MOUNT DORA LAND DEVELOPMENT CODE, CHAPTER II, GENERAL, CHAPTER III ZONING REGULATIONS, AND CHAPTER VIII, DEFINITIONS. The City of Mount Dora Land Development Code, is hereby revised and amended as follows:

Note: Underlined words constitute additions to existing text, ~~striketrough~~ constitutes deletions from existing text and asterisks (***) indicate omitted parts which are intended to remain unchanged.

CHAPTER II. – GENERAL

Section 2.5. - Planning and zoning commission.

Section 2.5.1 Powers and Duties

6. *Variances.* For lands located inside the boundary of the ‘Building Height Impact District’, as defined by sub-section 3.5.6.2, applicants shall adhere to the special variance provisions and public hearing procedures. All other variance types, shall meet the provisions of Section 2.5 of this code. The planning and zoning commission shall hear and decide requests for variances from the terms of the zoning regulations where, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship upon, and personal to, the applicant therefor, and not surrounding properties. In order to authorize a variance, the commission must find:

c. That granting the variance requested will not confer on the applicant any special privilege that is denied ~~by the chapter~~ to other lands, buildings or structures in the same zoning district;

d. That literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would result in work [incur] unnecessary and undue hardship on the applicant;

In granting any variance within their authority, the commission may prescribe appropriate conditions and safeguards, the violation of which shall be deemed a violation of this code. The commission may also prescribe a reasonable time limit within which the action for which the variance was requested shall be begun, completed or both.

CHAPTER III. - ZONING REGULATIONS

3.4. - Establishment of zoning districts.

3.4.5. PUD Planned Unit Development District:

4. *Site development standards.* Unless modified as provided for herein, the standards of conventional zoning districts and the design standards of this code shall apply. Revised standards may be approved for a PUD project to encourage creative development when the development proposal demonstrates increased protection of natural resources, improved living environment or increased efficiency of service delivery.

g. Special restrictions for a proposed PUD's located within the Building Height Impact District: Property located within the Building Height Impact District, as defined in sub-section 3.5.6.2, is subject to the building height limitation of the Building Height Impact District. No PUD may exceed the height restrictions of sub-section 3.5.6.2 of this code. Building and/or structure height maximum shall be 35 feet and within 100 feet of the normal high water control level of Lake Dora, shall be at a maximum of 25 feet within the Building Height Impact District.

3.4.7 C-2 Downtown Commercial District.

5. *Site development standards:*

b. Maximum building heights: 35 feet, and

i. ~~Within~~ within 100 feet of the normal high water control level of Lake Dora: 25 feet.

~~ii. Parking garage maximum height: 55 feet and 25 feet within 100 feet of Lake Dora.~~

3.4.7-A C-2-A Peripheral Commercial District.

Ordinance No. 2022-10

5. *Site development standards:*

b. Building height maximum: 35 feet and 25 feet within 100 feet of the normal high water control level of Lake Dora.

i. ~~Exception: Buildings within 100 feet of Lake Dora shall be at a maximum of 25 feet.~~

ii. ~~Parking garage maximum height: 55 feet and 25 feet within 100 feet of Lake Dora.~~

3.4.13. *PLI Public Lands and Institutions District.*

5. *Site development standards:*

b. Maximum building height: 35 feet, and
~~Parking garage maximum height: 55 feet and~~ 25 feet within 100 feet of the normal high water control level of Lake Dora.

3.4.16. *MU-1 Mixed Use Traditional and MU-2 Mixed Use Downtown Districts:*

7. *Site development standards:* The following requirements shall be observed in all mixed-use developments, except where the requirement is more specifically attributed to horizontal mixed use, or vertical mixed use, as the case may be.

c. *Maximum height* shall be restricted by district as follows:

(2) *MU-2:* Building height is limited to 35 feet and cannot exceed 25 feet in height for building buildings that are located within 100 feet of Lake Dora or in any other location in the MU-2 district where surrounding scenic views of Lake Dora cannot be maintained. ~~Parking garage maximum height 55 feet.~~

3.5. - Supplemental regulations.

3.5.6. Height.

1. Building and structure heights for lands located outside the Building Height Impact District may not exceed 35 feet for all zoning districts, except 60 feet within the MU-1 district, 65 feet within the C-3 district, and 100 feet within the WBI-E and WBI-G districts; and maximum 55 height for parking garages within the C-2, C2A, and PLI and MU-2 zoning districts. Chimneys, water, fire, telecommunication, radio and television towers, church spires, cooling towers, elevator bulkheads, smokestacks, and similar structures, and their necessary mechanical appurtenances may exceed 35 feet, subject to the restrictions herein, and any height limitations placed on such structures by the Federal Aviation Administration. No building, parking garage, or other structure shall exceed 25 feet if such building or structure is to be located within one hundred (100) feet of the normal high water control level of Lake Dora, or in any other location where surrounding scenic views of Lake Dora would be destroyed. Flagpoles may not exceed 45 feet in height in all zoning districts.

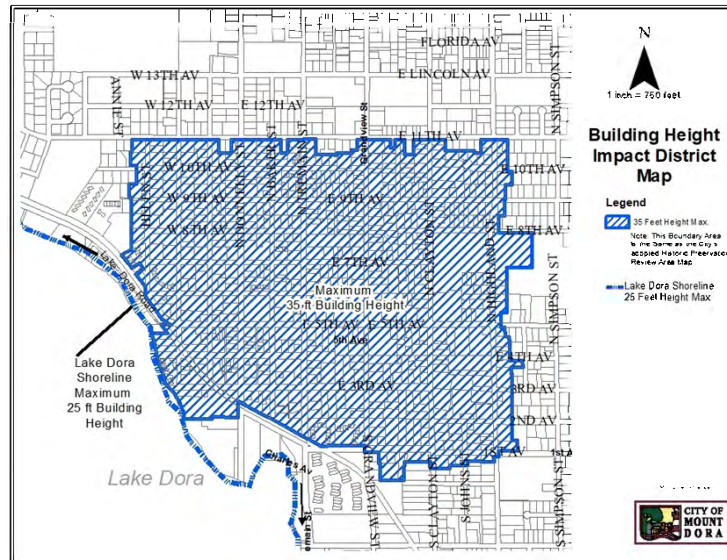
2. Building Height Impact District

a. The purpose and intent of this section is to help safeguard the cultural heritage, architectural uniqueness and general historic character of the City of Mount Dora, among other objectives as enacted. It accomplishes these purposes by establishing regulatory provisions that regulate unacceptable building and structural heights within the special area designated as the 'Building Height Impact District' within the map depiction geographically shown below. Further, the purpose of this sub-section is to promote the preservation and appreciation of properties within this district, to contribute to the overall economic health of the downtown area, to reduce adverse environmental impacts, to help ensure that future development and improvements remain consistent with the prevailing architectural character of the designated area and to help protect stable neighborhoods located within and in the vicinity of the Building Height Impact District.

The Building Height Impact District is pursuant to the provisions of the City of Mount Dora Charter, Article VII, Building Heights, Section 32, Limitations, Exceptions, Variances.

b. Any proposed text or map changes to Section 3.5.6.2 as it relates to the height of buildings and structures within the Building Height Impact District shall not be considered until it has been placed on a clearly worded ballot and decided by a majority vote (meaning at least one more vote over the minimum majority vote) of Mount Dora electorate.

Building Height Impact District Map



c. Height regulations affecting areas and lands within the Building Height Impact District (see map) specific for two distinct areas along with other provisions are as follows:

- i. The allowable height of buildings and structures located within the City's Historic Preservation Review Area as depicted in the City of Mount Dora Comprehensive Plan 2045, Future Land Use Map Series, Map II-2e, shall not exceed 35 feet; excluding but not limited to chimneys, water, fire, telecommunication, radio and television towers, church spires, cooling towers, elevator bulkheads, smokestacks, and similar structures, and any related necessary mechanical appurtenances. In no such case shall such appurtenance as described herein exceed five (5) feet in height, yielding a maximum building height of 40 feet.
- ii. No building or other structure shall exceed 25 feet if such building or structure is to be located within 100 feet of the normal high water control level of Lake Dora. Addition provisions include other location that would visually block 75% or more of surrounding panoramic view of Lake Dora. The maximum height as described herein excludes but not limited to chimneys, water, fire, telecommunication, radio and television towers, church spires, cooling towers, elevator bulkheads, smokestacks, and similar structures, and any related necessary mechanical appurtenances. In no such case shall such appurtenance as described herein exceed five (5) feet in height, yielding a maximum building height of 35 feet.
- iii. All building and structures shall adhere to applicable regulatory provisions as required by the Federal Aviation Administration.
- iv. Flagpoles may not exceed 45 feet in height.

d. *Variances Building Height Requirements within the 'Building Height Impact District'.* The Planning and Zoning Commission shall provide and forward a recommendation to the City Council for final action.

Following deliberation and public hearings of the proposed height variance request, the Planning and Zoning Commission and City Council shall find that the applicant has provided demonstrable substantial competent evidence that they have met each of the requirements cited below and the failure to meet any one of these items shall result in the Planning and Zoning Commission recommending denial and the City Council shall disapprove the variance application. Variance for such request shall provide an application and related fees of this code. City Council's action for approval shall be by a supermajority vote (meaning at least one more vote over the minimum majority vote). These requirements and variance criteria are as follows:

- i. No building or structure shall exceed 40 feet in height located within the City's Historic Preservation Review Area as depicted in the City of Mount Dora Comprehensive Plan 2045, Future Land Use Map Series, Map II-2e, except that no building or structure shall exceed 30 feet in height within the 100 feet of the normal high water control level;
- ii. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings within otherwise similarly situated properties;
- iii. That the special conditions and circumstances have not resulted from and do not result from the actions of the applicant;
- iv. That granting the variance requested will not confer on the applicant any special privilege that is denied to other lands, buildings or structures in the same zoning district;
- v. That literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other similarly situated properties under the terms of the chapter and would effect an unnecessary and undue hardship on the applicant to the extent that the absence of the requested variance would essentially constitute a taking of the property;
- vi. That the variance, if granted, would result in the minimum necessary impact in order to make possible the reasonable use of the land, building or structure;
- vii. That the grant of the variance will be in harmony with the general intent and purpose of this code and the comprehensive plan, will not in any way be detrimental to the subject property, the surrounding neighborhood or the public health, safety or welfare. The Planning and Zoning Commission may recommend and City Council may prescribe appropriate conditions to further protect the public, health, safety and welfare;
- viii. Shall provide enhanced architectural standards, elements, features and other design standards; and
- ix. Additional building floors, improvements, or vertical expansions to existing structures are not allowed.

e. The following public hearing requirements for building or structural height variance applications within the 'Building Height Impact District' shall be as follows:

- i. The Planning and Zoning Commission shall hold at least one public hearing with proper public notice of this sub-section and shall provide their recommendation for either approval, approval with conditions, or denial to the City Council for consideration and final action.
- ii. Following receipt of the planning and zoning commission recommendation, the city council shall hold a public hearing with proper public notice before taking final action on the variance application under review.
- iii. In the city council public hearing where final action is taken, any approval or approval with condition shall be achieved with at least a supermajority vote (at least one more vote beyond a simple majority) of voting members of council present during these proceedings.

f. Public Notice for Publication and Posting Requirements:

- i. The City shall be required publish notice of a public hearing noticed on a variance application to be prepared and published in a newspaper having general circulation in the City within 10 days of scheduled Planning and Zoning Commission or City Council public hearings. Notice shall be published in the non-legal (i.e display advertisement) section of the newspaper. Ad size shall be minimum two columns wide.
- ii. Owners of real property within 300 feet of the land subject to an application shall be mailed via United States Postal Service a notice of the variance request; and the owner names and addresses used to mail required notice to owners of neighboring property shall be those shown on the current ad valorem tax rolls of Lake County.
- iii. Public Notice Requirements (Posted Sign or Signs): The City shall be required to post notice of a minimum size 8-1/2 inches by 17 inches poster size on the land subject to the application for variance, at a location adjacent to each abutting street that is clearly visible to traffic along the street. If no part of the subject land abuts a street, then the notice shall be posted in the right-of-way of the nearest street, and in a manner consistent with the intent of the provisions of this code.
- iv. Posted notice shall be in a manner established by the Planning Director.
- v. The content of required public notice shall, at a minimum include the following: Identify the application; describe the nature and scope of the proposed variance request or action; and identify the date, time, and location of the public hearing(s) being noticed.

CHAPTER VIII. - DEFINITIONS

The following definitions shall apply throughout this code. Words not specifically defined or otherwise explained within this code shall be as defined in a standard dictionary or as understood by the development review coordinator. Definitions specifically related to signage shall be found within Chapter VI, Design Standards, Section 6.7, Signs.

Variance: As it relates to the Land Development Code ~~used in connection with the provisions of this act dealing with zoning~~, a variance is a relaxation ~~of the terms of the zoning ordinance dimensional requirements~~ and where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used ~~herein in this act~~, a variance is authorized only for ~~height~~, area, dimensions, and size of buildings, structures or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or classification or adjoining zoning districts or classifications. The provisions of the zoning regulations carry the presumption of correctness and variances shall not be the instrument used to dilute this fundamental tenant of land use regulation.

SECTION 3. IMPLEMENTATION OF ADMINISTRATIVE ACTIONS.

The City Manager is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed prudent.

SECTION 4. CODIFICATION AND SCRIVENER'S ERRORS.

A. The revisions to City of Mount Dora Land Development Code, as set forth in Section 2 above, shall be codified in the City of Mount Dora Code of Ordinances.

B. The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the codifier of the City of Mount Dora Land Development.

C. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 5. SAVINGS CLAUSE. All prior actions of the City pertaining to the amendments to the City of Mount Dora Land Development Code as set forth herein, as well as any and all other applicable matters, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 6. **CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 7. **SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 8. **EFFECTIVE DATE.** This Ordinance shall become effective if a majority of the electors, voting in the general election on November 8, 2022, vote in favor of such amendment enacted by Ordinance No. 2022-08 on June 7, 2022. Thereafter, the approved amendment shall be codified into the City of Mount Dora Land Development Code and be renumbered or re-lettered as deemed appropriate by the codifier.

PASSED AND ADOPTED this ____ day of ____, 2022.

FIRST READING: _____

SECOND READING: _____

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

Jessica Burnham
City Clerk

For the use and reliance of City of Mount Dora only.
Approved as to form and legality.

Sherry G. Sutphen
City Attorney



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Request Approval of **Resolution No. 2022-56**, Establishing the *Mount Dora Cares* Program to Provide a Temporary Credit to Electric Utility Customers

Introduction:

This is a request for City Council to approve Resolution No. 2022-56, establishing the *Mount Dora Cares* program to provide a temporary credit to electric utility customers.

Discussion:

City staff have continued to receive feedback from residents regarding the recent increase in electric utility bills due to a sharp rise in natural gas prices. Previously, City Council approved Resolution No. 2022-52, establishing a temporary waiver for late fee penalties, temporary one-time waiver for delinquent fees, and temporary one-time waiver for utility disconnect. To provide further relief to the City's electric utility customers, staff proposes establishing the *Mount Dora Cares* program, which provides a temporary monthly credit to the accounts of all electric utility customers for the September 2022, October 2022, and November 2022 billing cycles as follows:

CUSTOMER	CREDIT
Residential	\$50.00
Commercial	\$100.00

Budget Impact:

The estimated budget impact is \$989,700. The funds will come from Electric reserves.

Strategic Impact:

The *Mount Dora Cares* program will provide some economic relief to commercial and residential customers.

Recommendation:

City Council approve Resolution No. 2022-56, establishing the *Mount Dora Cares* program to provide a temporary credit to electric utility customers.

Attachment(s):

1. Resolution 2022-56 Mount Dora Cares Program Electric Credit.SGS.clean

Prepared by: Merry Lovern , Executive Assistant

Reviewed by: Aneta Barton, Budget Director

Sherry Sutphen, City Attorney

Jessica Burnham, City Clerk

Jeanann Hand, Deputy City Clerk

Patrick Comiskey, City Manager

Approved - 8/30/2022

Approved - 9/1/2022

Approved - 9/1/2022

Approved - 9/1/2022

Final Approval - 9/1/2022

RESOLUTION NO. 2022-56

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, ESTABLISHING THE *MOUNT DORA CARES* PROGRAM TO PROVIDE A TEMPORARY CREDIT TO ELECTRIC UTILITY CUSTOMERS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF THE MOUNT DORA CARES PROGRAM; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City operates an electric utility as set forth in Chapter 44, of the City of Mount Dora Code of Ordinances; and

WHEREAS, a recent sharp rise in natural gas prices has caused an increase in power cost charges to the City which has resulted in an unavoidable fee increase to the City's electric utility customers; and

WHEREAS, the City has determined that during this difficult financial time, providing temporary relief to its electric utility customers may help to alleviate some of the impacts from the increased power cost charges; and

WHEREAS, the implementation of a temporary electric utility credit is in the best interest, health, safety and general welfare of the electric utility customers of the City of Mount Dora.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MOUNT DORA, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. The City of Mount Dora has complied with all requirements and procedures of Florida law in processing this Resolution. The above findings are hereby adopted.

SECTION 2. Approval of the *Mount Dora Cares* Program. The City hereby establishes the *Mount Dora Cares* Program and approves a temporary monthly credit to the accounts of all electric utility customers for the September 2022, October 2022, and November 2022, billing cycles as follows:

CUSTOMER	CREDIT
Residential	\$50.00
Commercial	\$100.00

SECTION 3. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 4. Savings Clause. All prior actions of the City of Mount Dora pertaining to the *Mount Dora Cares* Program, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

SECTION 6. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 6th day of September, 2022.

CRISSY STILE, MAYOR
City of Mount Dora, Florida

ATTEST:

For the use and reliance of City of Mount Dora only. Approved as to form and legal sufficiency.

Jessica Burnham
City Clerk

Sherry G. Sutphen
City Attorney



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Mayor Stile's Proposal for Deferred Utility Billing

Introduction:

This is an opportunity for City Council to discuss Mayor Stile's proposal for deferred utility billing.

Discussion:

Beginning with the current billing cycle that is due now, every electric customer can opt to spread 50% of the next 6 months' bills over 18 months to make payments. Each customer will pay half their bill on their due date, the other 50% gets deferred 6 months and then gets spread over 12 months and added to their current bill each month.

For example, your total utility bill this month is \$426 and due on September 5, 2022. You pay \$213 on September 5th and the other \$213 is deferred 6 months (deferred bucket). Your total utility bill next month is \$496 and due on October 6, 2022. You pay \$248 and the other \$248 is deferred 5 months (deferred bucket). In February 2023 your utility bill is \$320 and due on March 2, 2023. You pay \$320 + 1/12 of the total of your deferred bucket (in this case, roughly \$100/month extra) for 12 months.

Budget Impact:

N/A

Strategic Impact:

N/A

Recommendation:

City Council to discuss Mayor Stile's proposal for deferred utility billing.

Attachment(s):

Prepared by: Merry Lovern , Executive Assistant
Reviewed by: Vershum Ford, PIO
Patrick Comiskey, City Manager

Approved - 9/1/2022
Final Approval - 9/1/2022



510 N. Baker St.
Mount Dora, FL 32757
352-735-7126

DATE: September 6, 2022

TO: Honorable Mayor and City Council Members

FROM: Patrick C. Comiskey, City Manager *Patrick C. Comiskey*

SUBJECT: Youth Council

Introduction:

This is an opportunity for the City Council to discuss the formation of a Mount Dora Youth Council.

Discussion:

The Florida League of Cities has a Municipal Youth Council Program, which encourages municipalities to form Youth Councils in their communities. Youth Councils help prepare young people to become future civic leaders and provide an opportunity to connect teens to their community and bring important youth issues to the City Council.

City staff will return with a Resolution for the establishment of the Youth Council at an upcoming City Council session.

Budget Impact:

None at this time.

Strategic Impact:

N/A

Recommendation:

City Council to discuss the formation of a Mount Dora Youth Council.

Attachment(s):

1. Youth Council Application 2022 DRAFT

Prepared by: Jessica Burnham, City Clerk

Reviewed by: Jeanann Hand, Deputy City Clerk
Patrick Comiskey, City Manager

Approved - 8/24/2022
Final Approval - 9/1/2022



**CITY OF
MOUNT
DORA**

YOUTH COUNCIL APPLICATION



**CITY OF
MOUNT
DORA**

The vision for the Youth Council is to empower caring young people who are dedicated to personal development and servant leadership. If you are interested in applying for membership to the City's Youth Council, please complete the following application.

Membership Criteria

- ❖ Applicants **MUST** be in grades 9th through 12th.
- ❖ Applicants must be willing to attend at least one meeting a month
- ❖ All applicants will be considered regardless of race, color, gender, national origin, or disability.

Please type or print clearly in blue or black ink. You may attach additional sheets if necessary. ALL information must be completed in order to be considered for the Youth Council.

(Please print)

Name: _____ Age: _____

School: _____ Grade: _____

Home Address: _____ Zip: _____

Telephone: _____ Cell Phone: _____

E-Mail: _____

Parent/Guardian: _____

Optional Information: _____

Please check all that apply:

_____ I have transportation to get to Youth Council meetings/events.

_____ I initiated my interest in this program.

_____ I was asked to apply for this position.

By whom / position/organization? : _____

Why do you want to serve as a member of the Youth Council? (Feel free to add a sheet of paper)

What are the three most important issues to you, your friends, and your family concerning your neighborhood?

1.

2.

3.

Please list any other activities you will be involved in during the school year. Include employment, sports, community, school and religious groups.

What personal skills and characteristics do you possess that would make you a good representative?

If you could bring one thing to this city or change one thing, what would it be?

Are you willing to attend meetings, events, and activities of the Youth Council for the year and commit to making a difference in our city?

☐ Yes ☐ No

Are you interested in community service points for this project?

☐ Yes ☐ No

Please list two adult references (non-relatives) with phone numbers. You must also attach a letter of recommendation from each of these individuals. The letters must be no more than one page in length and typed. Please include one letter from your school principal or other school based personnel and one letter from a community member who is familiar with you.

1. _____

2. _____

I have read and understand the commitment required for the Youth Council. I also realize the importance of teamwork and cooperation and I am willing to make this commitment.

Student Signature: _____ Date: _____

Parent/Legal Guardian Permission: I give my permission for
_____ To seek the position of representative on the Youth
Council.

Signature of Parent/Guardian: _____

Date: _____

Emergency Telephone Number: _____

Name of emergency contact and relationship to _____

Deadline to Apply: _____

Mail or email to: City of Mount Dora, Youth Council
Jessica Burnham
City Clerk
510 North Baker Street
Mount Dora, FL 32757

Thank You!