



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
November 1, 2022, 6:00 PM

AGENDA

CALL TO ORDER

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

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

1. Planning and Zoning Commission, District 2 4

CONSENT AGENDA

1. Request Adoption of **Resolution No. 2022-70**, Approval for Light Up Mount Dora Fireworks Display 9

2. Request Authorization to Purchase Fiber Optic Equipment and Installation from Precision Contracting Services, Inc., in the Amount of \$510,032.18, to Extend Fiber From the Existing Fiber Trunk to the New Fire Station #35, Wastewater Treatment Plant #1, Perc Ponds (for Solar Farm) Near Fire Station #35, Lateral Extension to the Parking Garage and to Complete the Fiber Move to Underground on Royellou as Part of the Electric Department Underground Project 13

3. Request Approval of Meeting Minutes 26
 - October 11, 2022 City Council Work Session
 - October 18, 2022 City Council Regular Session

ACTION ITEMS

1. Direction related to proposed language revision to Joint Planning Agreement (JPA) with Lake County 69

2. City Manager Annual Review 101

PUBLIC HEARINGS - RESOLUTIONS/ORDINANCES

1. Request Adoption of the Single Reading (Final/Adoption) **Ordinance No. 2022-18**, Small-Scale Future Land Use Map Amendment for Green Wheat LLC and Donnelly LLC (1.14 Acres) 102

2. Request Approval of First Reading of **Ordinance No. 2022-19**, Change in Zoning for Green Wheat, LLC and Donnelly, LLC 140

3. Request Approval of Final Reading and Adoption of **Ordinance No. 2022-26**, Amending City of Mount Dora Code of Ordinances, Chapter 2, Article VIII, Boards and Commissions, Division 1, Generally 177

4. Request Adoption of **Resolution No. 2022-68**, Revising CRA Advisory Committee 184

5. Request Adoption of **Resolution No. 2022-69**, Revising Northeast CRA Advisory Board 188

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

COMMUNICATIONS AND REPORTS

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

FUTURE MEETING DATES

- November 15, 2022, 6:00 PM, Regular Session
- December 6, 2022, 6:00 PM, Regular Session
- December 20, 2022, 6:00 PM, Regular Session
- January 3, 2023, 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 THE 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: November 1, 2022

TO: Honorable Mayor and City Council Members

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

SUBJECT: Planning and Zoning Commission, District 2

Introduction:

This is an opportunity to appoint a member to the Planning and Zoning Commission.

Discussion:

Pursuant to the City's Code of Ordinances, Advisory Board and Commission members serve two-year terms and may be reappointed for additional terms.

The Planning and Zoning Commission has 1 (one) vacant seat which will expire December 31, 2022.

Vacant: District 2 - Councilmember Rolfson

Budget Impact:

None

Strategic Impact:

N/A

Recommendation:

Council appoint Ms. Barbara Cowherd Tietmeyer to the Planning and Zoning Commission.

Attachment(s):

1. Cowherd Tietmeyer.Barbara.P&Z.10.17.2022

Prepared by: Jeanann Hand, Interim City Clerk
Reviewed by: Patrick Comiskey, City Manager

Final Approval - 10/24/2022



CITY OF
MOUNT
DORA

Volunteer Application

Please return to Human Resources 510 N Baker St. upon completion.

Name: TIETMEYER BARBARA COWHERD
 Last First Middle
 Address: 5007 GREENBRIAR TEL MOUNT DORA FL 32757
 Street City State Zip Code
 Telephone Number: 407 493-9597 Email Address: COWHERDLAW@GMAIL.COM

Are you at least 16 years of age?

Yes ☒ No ☐

What is your education level?

High school (currently a student) ☐ High school Diploma ☐ Bachelor's Degree ☐ Other ☒ J.D.

Have you ever been convicted of a crime or been a defendant in a civil action for an intentional tort?

Yes ☐ No ☒

If yes, please explain

Have you ever been employed by the City of Mount Dora?

Yes ☐ No ☒

If yes, please indicate date(s) of employment, department/division, positions and reason for leaving.

Please indicate your primary volunteer area of interest:

☐ Library ☐ Parks ☐ Recreation ☐ Special Events ☒ Other (P+Z)

We appreciate your interest in volunteering for the City of Mount Dora.

You will find our City offices and departments to be pleasant, rewarding places in which to spend your volunteer time. As follow-up to this application, you may be required to attend an in-person or telephone interview, and by providing your signature below, give the City of Mount Dora authority to conduct a background check.

I authorize any person, school, current employer (except as expressly noted), past employer(s), and organizations named in this application form or other documentation, to provide the City with relevant information and opinion, personal or otherwise, that may be useful in making a decision regarding my volunteerism. I release all parties from all liability for any damage that may result from furnishing information and opinion to you.

In consideration of allowing me to volunteer, I agree to obey the rules and standards of conduct for the City of Mount Dora. I understand that nothing contained in this application or in the potential interview process is intended to create a contract between the City and myself for either employment or for the providing of any benefits. I agree that my volunteer activities may be terminated at any time, for any reason, at the option of myself or the City. This constitutes my entire agreement with the City of Mount Dora with regard to the length of my volunteer activities.

Public Relations Policy

A. The City's volunteers shall at all times be courteous, friendly, and helpful to all persons seeking help or information.

B. As information concerning subjects under discussion by the City Council is unreliable unless confirmed by the Mayor or designee, premature discussion of such subjects may cause misunderstanding and confusion. Therefore, volunteers shall courteously decline to reveal or discuss subject matter yet to be confirmed, and should refer interested persons to the proper department head, City Manager or the Mayor.

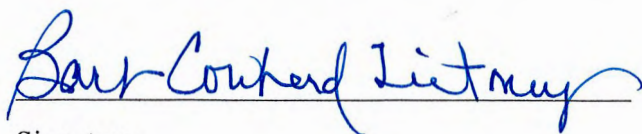
C. No volunteer shall publish a news release or represent the position of the City to the news media unless authorized to do so by the Mayor or the Mayor's designee.

Dress and Appearance

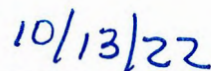
Volunteers' assigned duties dealing with the public should be properly groomed and wear neat attire that is appropriate for their designated environment.

By signing below, I authorize and release the City of Mount Dora to perform a thorough background investigation which may include: Checking Criminal History, Social Security Validation, Driving Record, Drivers License Validation, DCF background check and other background check deemed necessary.

The City of Mount Dora may collect your Social Security Number for the following purposes: Classification of Accounts; Identification and Verification; Credit Worthiness; Billing and Payments; Data collection; Reconciliation; Tracking; Benefit Processing; Tax Reporting and Background Checks. Social Security numbers are also used as a unique numeric Identifier and may be used for search purposes.



Signature



Date

BARBARA M. COWHERD TIETMEYER

5007 Greenbriar Trl.
Mount Dora, FL

e-mail: cowherdlaw@gmail.com
Cell: (407)493-9597

Professional Experience:

Member Florida Bar April 2001 - Bar No. 0469203

Admitted U.S. District Court, Middle District of Florida - August 2001

Cowherd Law Firm, P.L. – Owner - August 2012 – September 2022

Estate Planning, including all documents necessary to effectuate long term estate planning needs: Wills, Trusts, Durable Powers of Attorney, Health Care Power of Attorney, Designation of Health Care Surrogate, Living Will and Designation of Preneed Guardian. Probate for families and for civil litigation needs. Civil Litigation: representing individuals, as well as business and professional issues, representation of lenders in mortgage foreclosures, including discovery, depositions, and trials

Groelle & Salmon, P.A. – Associate, September 2016 – September 2017

Tampa, FL

Complex commercial litigation involving defense of first party claims, and third party liability claims, including personal injury and wrongful death claims, sexual tort claims against churches and charitable organizations, construction defect claims: responsible for all aspects of defense of claim, including analysis of liability, defense strategy, preparation of litigation budget, preparation of responses to pleadings and third party complaints, investigation, depositions, settlement negotiations, research, prepare and argue motions for summary judgment, memoranda and responses thereto, discovery and responses thereto, and attend hearings on various other written motions, mediation, preparation of evidence, witnesses and jury instructions for trial.

Allen Dell, P.A. – Associate Attorney, January 2011 – July 2012

Tampa, FL

Complex commercial litigation involving multi-year prosecution of federal claim for defective design and construction of 15.5 billion gallon reservoir, including review and analysis of millions of pages of documents; e-discovery, research, and preparation of pre-trial motions involving motions for summary judgment, disqualification of experts, exclusion of evidence, striking affirmative defenses, change of venue, as well as preparation of demonstrative and evidentiary exhibits for trial

Butler Pappas Weihmuller Katz & Craig - Associate, August 2007 – December 2010

Tampa, FL

Complex litigation involving defense of liability claims, including personal injury and wrongful death claims, sexual tort claims against churches and charitable organizations, products liability claims, and nursing homes: responsible for all aspects of defense of claim, including analysis of liability, defense strategy, preparation of litigation budget, preparation of responses to pleadings, investigation, depositions, settlement negotiations, research, prepare and argue motions for summary judgment, memoranda and responses thereto, discovery and responses thereto, and attend hearings on various other written motions, mediation, preparation of evidence, witnesses and jury instructions for trial, as well as appellate briefs.

Bailey & Myers P.A. - Associate Attorney, April 2001 - July 2007

Maitland, FL

Represented plaintiffs in complex personal injury and wrongful death actions, sexual tort claims, and insurance coverage disputes: responsible for investigation, settlement negotiations, research, drafting pleadings, motions, memoranda and responses thereto, discovery and responses thereto, and attending hearings on various motions, preparation of evidence, witnesses and jury instructions for trial, responsible for mediations and participated in trials. Practice also included estate planning, probate and guardianship proceedings and litigation.

Education:**Stetson University College of Law**Juris Doctor, *Cum Laude*Gulfport, FL
December 2000**Moot Court**

Brief Editor - Best Brief for Appellant, National Environmental Law Competition 2000

Brief published in *Pace Environmental Law Review*, Summer 2001

Florida Bar Foundation Public Service Fellow 1998 - 2000

Second DCA Intern to The Honorable Chris W. Altenbernd, Sept.-Dec. 2000

Federal Judicial Intern U.S. Magistrate Judge Mark. A. Pizzo, June-Aug. 1999

Book Award for excellence in Civil Procedure

Dean's Fellow, Teaching Fellow, Tutor - Civil Procedure

Dean's Award (Awarded by Dean for academic success/contribution to Stetson community)

University of Central Florida

Bachelor of Arts, Legal Studies; Minor in Business Administration

Orlando, FL
May 1998**Memberships:**

Hillsborough County Bar Association

Member 2007 - present

Orange County Bar Association

Affiliate Member 1995-1997

Member 2001 - 2007, 2014

Academy of Florida Trial Lawyers

Paralegal Member 1995 - 1997

Member 2001-2007

ATLA - Member 2001- 2007

ABA - Member 2001-2007

Florida Bar - Member 2001 - present

Middle District of Florida - Member 2001 - present

National Association of Elder Law

Attorneys - Member 2005 - 2007

Association of Florida Elder Law

Attorneys - Member 2005 - 2007

Central Florida Association of

Women Lawyers - Member 2001-2006

Stetson Lawyers Association Advisory Council

Member 2005 - 2013

Vice President, 2009-10

President, 2010-11

Community Service:

Ombudsman, Long-Term Care Ombudsman Council - 1999-2000

Central Care Mission, Inc. (Board of Directors) - 2002 - 2010

Taste of Compassion (Executive Board) - 2003 - 2010

Orange County Bar Association Award of Excellence - 2006

Center Pointe Community Church of the Nazarene - Board of
Directors - 2007

Calvary Lutheran Church Mission Team 2013-2014, 2015-2021

Other Activities:

Adjunct Professor (Paralegal Studies) Valencia Community College - 2003 - 2005

Orange County Bar Legal Aid Society 2006 New Lawyer Award for participation in The Homeless Advocacy
Project and Guardian ad Litem programs

Member of ABA Recertification Self-Study Committee at Stetson University College of Law - 2008 - 2009.

Recipient of 2008 Outstanding Alumni Representative Award presented by Stetson University College of Law

Recipient of 2011 President's Award for Outstanding Leadership as President of Stetson Lawyers Association



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

DATE: November 1, 2022

TO: Honorable Mayor and City Council Members

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

SUBJECT: Request Adoption of **Resolution No. 2022-70**, Approval for Light Up Mount Dora Fireworks Display

Introduction:

This is a request for City Council to approve Resolution No. 2022-70, Approval of Fireworks Display for Light Up Mount Dora on November 26, 2022.

Discussion:

This year's Light Up Mount Dora will feature a fireworks display visible from Elizabeth Evans Park. Section 22-48 of the City of Mount Dora Code of Ordinances requires City Council approval for fireworks.

Budget Impact:

\$5,000 is budgeted in the Fiscal Year 2022-2023 budget, from account #001-1340-572.52-01.

Strategic Impact:

This item fulfills several elements of the City's Strategic Plan, including Objective 1.4. Promote tourism by Enhancing Mount Dora as a Destination, Objective 2.3.2. Increase engagement and collaboration with residents, and Objective 2.3.3. Support Special Events and dedicated open space.

Recommendation:

Council adopt Resolution No. 2022-70 allowing for a fireworks display at this year's Light Up Mount Dora.

Attachment(s):

1. Reso No. 2022-70 Light Up Mount Dora Fireworks.SGS

Prepared by: Jeanann Hand, Interim City Clerk

Reviewed by: Troy Shonk, Parks & Recreation Director
carsonc carsonc, Special Events Manager
Aneta Barton, Budget Director
Sherry Sutphen, City Attorney
Jeanann Hand, Interim City Clerk
Patrick Comiskey, City Manager

Approved - 10/12/2022

Approved - 10/21/2022

Approved - 10/21/2022

Approved - 10/25/2022

Approved - 10/25/2022

Final Approval - 10/25/2022

RESOLUTION NO. 2022-70

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE 2022 LIGHT UP MOUNT DORA EVENT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING AUTHORIZATION FOR FIREWORKS DISPLAY AND DOCK CLOSURE; PROVIDING FOR AUTHORITY TO THE CITY MANAGER FOR IMPLEMENTING 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 wishes to sponsor and host a fireworks display, taking the necessary COVID-19 safety precautions, as part of the 2022 Light Up Mount Dora event; and

WHEREAS, the City's 2022 Light Up Mount Dora event is scheduled for Saturday, November 26, 2022; and

WHEREAS, the 2022 Light Up Mount Dora event requires the closing of the Grantham Point and Simpson Cove Docks in order to launch fireworks beginning at 6:20 p.m.; and

WHEREAS, Section 22-48, City of Mount Dora Code of Ordinances, requires City Council approval of any fireworks launched in the City.

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. Authorization for Fireworks Display and Dock Closure. The City hereby authorizes the 2022 Light Up Mount Dora fireworks display and closure of the Grantham Point and Simpson Cove Docks in order for the fireworks to be safely launched.

SECTION 3. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as may 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 fireworks display and closure of the Grantham Point and Simpson Cove Docks, 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.

PASSED AND ADOPTED this 1st day of November, 2022.

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

Jeanann Hand
Interim 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: November 1, 2022

TO: Honorable Mayor and City Council Members

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

SUBJECT: Request Authorization to Purchase Fiber Optic Equipment and Installation from Precision Contracting Services, Inc., in the Amount of \$510,032.18, to Extend Fiber From the Existing Fiber Trunk to the New Fire Station #35, Wastewater Treatment Plant #1, Perc Ponds (for Solar Farm) Near Fire Station #35, Lateral Extension to the Parking Garage and to Complete the Fiber Move to Underground on Royellou as Part of the Electric Department Underground Project

Introduction:

This is a request for authorization to purchase fiber optic equipment and installation in the amount of \$510,032.18, to extend fiber from the existing fiber trunk to the new Fire Station #35, Wastewater Treatment Plant #1, Perc Ponds (for solar farm) near Fire Station #35, lateral extension to the parking garage and to complete the fiber move to underground on Royellou as part of the Electric Department underground project.

Discussion:

The current City of Mount Dora purchasing policies and procedures, as well as Chapter 287, Florida Statutes, grant the authority to piggyback the purchase of goods and services as a form of inter-governmental cooperative purchasing in which a public purchaser requests competitive sealed bids, enters into a contract, and arranges, as part of the contract, for other public purchasing units to purchase from the selected vendor under the same terms and conditions as itself in order to reduce administrative time and costs involved in the procurement process (i.e., cost of preparing bid specifications, advertising, etc.).

Fiber optics improve the entire backhaul of the city's internal network by increasing capacity, reducing latency, and eliminating nearly all noise or electromagnetic interference. The eventual goal is to create a fiber optic ring that enables redundancy and allows for the expansion of network assets, including camera systems, WiFi (public and internal), and easy expansion to remote locations by creating stub-outs or utilizing wireless transmission in conjunction with the fiber.

Precision Contracting Services Inc., a company based out of Jupiter, Florida, has provided the vast majority of our existing fiber optic network. Several phases have already been completed. This resolution will authorize the connectivity of fiber to the remaining locations on the west side of the city, connect the parking garage, and move a portion of the Downtown WiFi from the existing utility poles to the underground conduit that Electric installed on Royellou. Staff believes it is in the best interest of the City of Mount Dora to continue to utilize the cooperative purchasing contract with Precision Contracting Services, Inc. for fiber optic equipment and installation. The attached quotes provided by Precision Contracting Services, Inc. (Attachment #1) for fiber optic equipment and installation are based on the Brevard County contract pricing.

Budget Impact:

A total of \$540,685 was appropriated within the adopted Fiscal Year 2022-23 budget for the intended purpose - account number 310-555-580.63-01-IT2307 (Improvements Other Than Buildings). The quotes for these projects total \$510,032.18.

Strategic Impact:

Improves the City's fiber optic network infrastructure and overall Public Safety, Infrastructure Sustainability, and Economic Growth within the Community.

Recommendation:

City Council authorize the purchase of fiber optic equipment and installation.

Attachment(s):

1. Attachment #1 Exhibit A - PCS Quotes
2. Amendment 2 to Piggyback Agreement

Prepared by: Jeanann Hand, Interim City Clerk

Reviewed by: Jim Faulkner, Director of Information Technology
Aneta Barton, Budget Director
Sherry Sutphen, City Attorney
Jeanann Hand, Interim City Clerk
Patrick Comiskey, City Manager

Approved - 10/18/2022

Approved - 10/21/2022

Approved - 10/25/2022

Approved - 10/25/2022

Final Approval - 10/25/2022



PRECISION CONTRACTING SERVICES INC.

Precision Fiber

Optic Systems

15834 Guild Court
Jupiter, Florida 33478
Phone: 561.743.9737
Fax: 561.743.0775
www.pcsfiber.com

To:	PCS Orlando	Contact:	Rick Arnold
Address:	File Copy Winter Garden, FL	Phone:	407-877-1900
		Fax:	407-877-1902
Project Name:	21.01.22 City Of Mt Dora-Fiber Broadband FS#35	Bid Number:	
Project Location:	Fire Station #35, Mount Dora, FL	Bid Date:	10/29/2020

Line #	Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
City Of Mt Dora-FO Link For Fire Station #35						
MOT	9999	Maintenance Of Traffic (MOT)	1.00	PCNT	\$2,069.29	\$2,069.29
1	633-1-10	ITS Fiber Management Strand Mapping	2.25	MILE	\$1,500.00	\$3,375.00
2	633-1-20	ITS Fiber Mgt Design & Permitting	2.25	MILE	\$4,500.00	\$10,125.00
3	633-1-30	ITS Fiber Mgt Electronics Asbuilts	2.25	MILE	\$3,000.00	\$6,750.00
4	633-1-40	ITS Fiber Mgt GPS Surveying	2.25	MILE	\$2,500.00	\$5,625.00
6	530-4-101	BICSI Reg Comm Dist Design Services	300.00	HR	\$185.00	\$55,500.00
14	530-9-106b	Communication Duct Installer (Rods/Entrys)	480.00	HR	\$95.00	\$45,600.00
19	630-5-12-ep	2" PVC Additional Pipe/Cost For 2"-3Cell (F&I)	250.00	LF	\$2.75	\$687.50
28	630-6-14-db	Direct Bore 2" HDPE, Spl Conditions (F&I)	250.00	LF	\$18.50	\$4,625.00
34	630-7-TW	Detectable Tracer Wire (F&I)	2,500.00	LF	\$0.75	\$1,875.00
35	630-7-MT	Detectable Marking Tape (F&I)	30.00	LF	\$0.85	\$25.50
36	630-7-JL	Jet Line (F&I)	400.00	LF	\$0.50	\$200.00
39	635-8-232	Handhole, Comp 24" X 36" X 24" (F&I)	5.00	EACH	\$925.00	\$4,625.00
56	633-4-113-24	FO Cable 24F SM LT UG (F&I)	1,200.00	LF	\$1.65	\$1,980.00
57	633-4-113-48	FO Cable 48F SM LT UG (F&I)	12,360.00	LF	\$1.80	\$22,248.00
81	633-8-24A-1	F0 Splice/Term Cabinet, 24F Wall/Rack (F&I)	1.00	EACH	\$2,325.00	\$2,325.00
117	633-8-72A	F0 Splice Closure 72F Aerial/UG (F&I)	1.00	EACH	\$3,725.00	\$3,725.00
121	633-8-RE	FO Closure Re-Entry Kit Cable Prep F&I	1.00	EACH	\$350.00	\$350.00
126	633-8-A	Fusion Splice Heat Shrink	48.00	EACH	\$55.00	\$2,640.00
128	633-10-1A	Messenger Cable 1/4" (F&I)	11,200.00	LF	\$1.65	\$18,480.00
130	633-10-B	Pole Attach LT W/ J-Hook Concrete (F&I)	22.00	EACH	\$225.00	\$4,950.00
131	633-10-C	Pole Attach LT W/ J-Hook Wood (F&I)	44.00	EACH	\$185.00	\$8,140.00
132	633-10-D	Place Pole Riser 2" GRS F&I	140.00	LF	\$16.00	\$2,240.00
138	633-10-600	Down Guy 1/4" 6' Anchor (F&I)	7.00	EACH	\$425.00	\$2,975.00
165	101-1E	Mobilization Within (10) Ten Working Days	1.00	LS	\$650.00	\$650.00

Total Price for above City Of Mt Dora-FO Link For Fire Station #35 Items: \$211,785.29

Alternate#1 - FO Link WWTP #1

MOT	9999	Maintenance Of Traffic (MOT)	0.00	PCNT	\$2,069.29	\$0.00
1	633-1-10	ITS Fiber Management Strand Mapping	0.08	MILE	\$1,500.00	\$120.00
2	633-1-20	ITS Fiber Mgt Design & Permitting	0.08	MILE	\$4,500.00	\$360.00
3	633-1-30	ITS Fiber Mgt Electronics Asbuilts	0.08	MILE	\$3,000.00	\$240.00
4	633-1-40	ITS Fiber Mgt GPS Surveying	0.08	MILE	\$2,500.00	\$200.00
6	530-4-101	BICSI Reg Comm Dist Design Services	80.00	HR	\$185.00	\$14,800.00
14	530-9-106b	Communication Duct Installer (Rods/Entrys)	80.00	HR	\$95.00	\$7,600.00
19	630-5-12-ep	2" PVC Additional Pipe/Cost For 2"-3Cell (F&I)	120.00	LF	\$2.75	\$330.00
28	630-6-14-db	Direct Bore 2" HDPE, Spl Conditions (F&I)	420.00	LF	\$18.50	\$7,770.00
34	630-7-TW	Detectable Tracer Wire (F&I)	520.00	LF	\$0.75	\$390.00
35	630-7-MT	Detectable Marking Tape (F&I)	20.00	LF	\$0.85	\$17.00
36	630-7-JL	Jet Line (F&I)	650.00	LF	\$0.50	\$325.00
39	635-8-232	Handhole, Comp 24" X 36" X 24" (F&I)	2.00	EACH	\$925.00	\$1,850.00

Line #	Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
56	633-4-113-24	FO Cable 24F SM LT UG (F&I)	600.00	LF	\$1.65	\$990.00
57	633-4-113-48	FO Cable 48F SM LT UG (F&I)	340.00	LF	\$1.80	\$612.00
81	633-8-24A-1	FO Splice/Term Cabinet, 24F Wall/Rack (F&I)	1.00	EACH	\$2,325.00	\$2,325.00
121	633-8-RE	FO Closure Re-Entry Kit Cable Prep F&I	1.00	EACH	\$350.00	\$350.00
126	633-8-A	Fusion Splice Heat Shrink	24.00	EACH	\$55.00	\$1,320.00
191	783-4-111	FO Conduit 2" Above Ground Per FDOT Specs. (F&I)	20.00	LF	\$23.85	\$477.00

Total Price for above Alternate#1 - FO Link WWTP #1 Items: \$40,076.00

Total Bid Price: \$251,861.29

Notes:

• **City Of Mt Dora-Fiber Broadband For Fire Station #35**

* F&I&Document 48F & 24F FO trunk cabling install by aerial & ug methods.

Alternate#1 - FO Link WWTP #1

Additional cost to extend FO link to WWTP#1

• **SCOPE OF WORK**

PCS INCLUDES FO network design services and drawings for project permitting purposes. City to provide actual permitting & fees.

PCS INCLUDES Furnish & Install of designated FO cabling.

PCS INCLUDES all splicing, terminations, and OTDR testing of completed FO communications network installed by PCS.

PCS INCLUDES geo-location & as-built documentation of completed network installed by PCS. Deliverables in PDF & Electronic formats.

PCS EXCLUDES any electronics/switches from this proposal.

- **General - Unit Prices** All prices quoted are **UNIT PRICES**. Project invoices and payments shall be determined by actual field measurements for quantities installed on project. **ALL PRICING SHOWN HERE FROM THE CURRENT & ACTIVE FO MASTER CONTRACT BETWEEN BREVARD COUNTY, FL AND PRECISION CONTRACTING SERVICES, INC.**

- **General - MOT (Excludes Lane Closures)** **PCS INCLUDES** MOT for the immediate work area of their crews as required by the MUTCD. However any MOT requiring lane closures, detours, traffic diversions or police officers necessary for the safe performance of work by PCS is to be provided by others. **PCS EXCLUDES** the cost for lane closures, detours, traffic diversions and/or police officers from scope of work in PCS proposal.

- **General - Mobilization** PCS will mobilize a total of _1_ times for the proposed work after noticed by the contractor. This MOB is excluded provided this scope is contracted with at least 1 Estimate with MOB. Additional Mobilizations will be billed as additions to contract at \$650 per Mobilization.

- **General - No Bond (Sales Tax Included)** **PCS EXCLUDES** the cost for a performance bond. Sales Tax or Use Tax has been included for all materials.

- **General – Fiber Pathway** PCS is not responsible for damage by others to FO Cable or other equipment after placement by PCS.

- **General - 30 Day Notice – Work Days** PCS requires 30 days written notice for project scheduling. PCS will require 45 work days to perform the proposed work.

- **General – As-Built Plans/Standard Specifications** **PCS INCLUDES** Fiber Optic Splicing Diagrams detailing all cable splices, terminations, equipment port assignments, and optical circuits within the communication network. As-Built submittals will include an electronic file with an inventory of all traffic control signals, devices & support structures. The inventory includes required horizontal position geographic coordinate data collected using Differential Global Positioning System (DGPS) equipment. The inventory includes required manufacturer, model, and serial number for each device or completed assembly. The inventory includes required GPS coordinate data for pull boxes as well as conduit & cable at 100 foot intervals including change in direction.

- **General - Complete Proposal** Proposed pricing is based on award of all items bid upon. PCS reserves the right to modify unit prices if all quoted items are not awarded. Prices are only valid for 90 days of the bid date. PCS reserves the right to modify or withdraw their offer if either a letter of intent or a contract is not received within 90 days of the bid date.

- **General - Proposal as Addendum to Contract** This proposal in its entirety and including all notes of clarification shall be added as an addendum to any resulting contract for the referenced project. In the event of conflict, the City's standard contract terms will control.

- **All Contracts, Purchase Orders, Change Orders, and/or similar paperwork should be sent directly to contracts@pcsfiber.com. For other inquiries, call 561-743-9737.**

Payment Terms:

Payment terms: NET 30 Days and 18% APR for balances exceeding 30 Days. May use VISA to pay amounts due.

Required Documentation:

Each order must be accompanied by a signed Purchase Order, Change Order or Contract.
These documents are required in addition to the signature of acceptance below.

ACCEPTED:

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Buyer: _____

Signature: _____

Date of Acceptance: _____

CONFIRMED:

Precision Contracting Services, Inc

Authorized Signature: _____

Estimator: Robert Sanford
561-743-9737, ext. 7101 rsanford@pcsfiber.com



PRECISION CONTRACTING SERVICES INC.

Precision Fiber

Optic Systems

15834 Guild Court
Jupiter, Florida 33478
Phone: 561.743.9737
Fax: 561.743.0775
www.pcsfiber.com

To:	PCS Orlando	Contact:	Rick Arnold
Address:	File Copy Winter Garden, FL	Phone:	407-877-1900
		Fax:	407-877-1902
Project Name:	21.03.26 City Of Mt Dora-NW Perc Ponds Fiber Broadband	Bid Number:	
Project Location:	NW Perc Ponds, Mount Dora, FL	Bid Date:	3/26/2021

Line #	Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
City Of Mt Dora-NW Perc Ponds SCADA Fiber Lateral						
MOT	9999	Maintenance Of Traffic (MOT)	1.00	PCNT	\$1,584.63	\$1,584.63
1	633-1-10	ITS Fiber Management Strand Mapping	1.00	MILE	\$1,500.00	\$1,500.00
2	633-1-20	ITS Fiber Mgt Design & Permitting	1.00	MILE	\$4,500.00	\$4,500.00
3	633-1-30	ITS Fiber Mgt Electronics Asbuilts	1.00	MILE	\$3,000.00	\$3,000.00
4	633-1-40	ITS Fiber Mgt GPS Surveying	1.00	MILE	\$2,500.00	\$2,500.00
6	530-4-101	BICSI Reg Comm Dist Design Services	200.00	HR	\$185.00	\$37,000.00
14	530-9-106b	Communication Duct Installer (Rods/Entrys)	200.00	HR	\$95.00	\$19,000.00
28	630-6-14-db	Direct Bore 2" HDPE, Spl Conditions (F&I)	2,600.00	LF	\$18.50	\$48,100.00
34	630-7-TW	Detectable Tracer Wire (F&I)	2,650.00	LF	\$0.75	\$1,987.50
35	630-7-MT	Detectable Marking Tape (F&I)	2,650.00	LF	\$0.85	\$2,252.50
39	635-8-232	Handhole, Comp 24" X 36" X 24" (F&I)	6.00	EACH	\$925.00	\$5,550.00
55	633-4-113-12	FO Cable 12F SM LT UG (F&I)	1,000.00	LF	\$1.55	\$1,550.00
56	633-4-113-24	FO Cable 24F SM LT UG (F&I)	6,500.00	LF	\$1.65	\$10,725.00
79	633-8-12A-1	F0 Splice/Term Cabinet, 12F Wall/Rack (F&I)	2.00	EACH	\$1,425.00	\$2,850.00
81	633-8-24A-1	F0 Splice/Term Cabinet, 24F Wall/Rack (F&I)	1.00	EACH	\$2,325.00	\$2,325.00
117	633-8-72A	F0 Splice Closure 72F Aerial/UG (F&I)	1.00	EACH	\$3,725.00	\$3,725.00
121	633-8-RE	FO Closure Re-Entry Kit Cable Prep F&I	1.00	EACH	\$350.00	\$350.00
126	633-8-A	Fusion Splice Heat Shrink	24.00	EACH	\$55.00	\$1,320.00
128	633-10-1A	Messenger Cable 1/4" (F&I)	2,800.00	LF	\$1.65	\$4,620.00
130	633-10-B	Pole Attach LT W/ J-Hook Concrete (F&I)	18.00	EACH	\$225.00	\$4,050.00
132	633-10-D	Place Pole Riser 2" GRS F&I	40.00	LF	\$16.00	\$640.00
138	633-10-600	Down Guy 1/4" 6' Anchor (F&I)	3.00	EACH	\$425.00	\$1,275.00
165	101-1E	Mobilization Within (10) Ten Working Days	1.00	LS	\$650.00	\$650.00

Total Price for above City Of Mt Dora-NW Perc Ponds SCADA Fiber Lateral Items: \$161,054.63

Total Bid Price: \$161,054.63

Notes:

• CITY OF MOUNT DORA

SCOPE OF WORK - Fiber Lateral For Northwest Perc Ponds Fiber Broadband

PCS INCLUDES FO network design services and drawings for project permitting purposes. City to provide actual permitting & fees.

PCS INCLUDES Furnish & Install of designated FO pathways and FO cabling.

PCS INCLUDES all splicing, terminations, and OTDR testing of completed FO communications network installed by PCS.

PCS INCLUDES geo-location & as-built documentation of completed network installed by PCS. Deliverables in PDF & Electronic formats.

PCS EXCLUDES any electronics/switches from this proposal.

- **General - Unit Prices** All prices quoted are UNIT PRICES. Project invoices and payments shall be determined by actual field measurements for quantities installed on project. ALL PRICING SHOWN HERE FROM THE CURRENT & ACTIVE FO MASTER CONTRACT BETWEEN BREVARD COUNTY, FL AND PRECISION CONTRACTING SERVICES, INC.

- **General - MOT (Excludes Lane Closures) PCS INCLUDES** MOT for the immediate work area of their crews as required by the MUTCD. However any MOT requiring lane closures, detours, traffic diversions or police officers necessary for the safe performance of work by PCS is to be provided by others. **PCS EXCLUDES** the cost for lane closures, detours, traffic diversions and/or police officers from scope of work in PCS proposal.
- **General - Mobilization** PCS will mobilize a total of _1_ times for the proposed work after noticed by the contractor. This MOB is excluded provided this scope is contracted with at least 1 Estimate with MOB. Additional Mobilizations will be billed as additions to contract at \$650 per Mobilization.
- **General - No Bond (Sales Tax Included) PCS EXCLUDES** the cost for a performance bond. Sales Tax or Use Tax has been included for all materials.
- **General – Fiber Pathway** PCS is not responsible for damage by others to FO Cable or other equipment after placement by PCS.
- **General - 30 Day Notice – Work Days** PCS requires 30 days written notice for project scheduling. PCS will require 45 work days to perform the proposed work.
- **General – As-Built Plans/Standard Specifications PCS INCLUDES** Fiber Optic Splicing Diagrams detailing all cable splices, terminations, equipment port assignments, and optical circuits within the communication network. As-Built submittals will include an electronic file with an inventory of all traffic control signals, devices & support structures. The inventory includes required horizontal position geographic coordinate data collected using Differential Global Positioning System (DGPS) equipment. The inventory includes required manufacturer, model, and serial number for each device or completed assembly. The inventory includes required GPS coordinate data for pull boxes as well as conduit & cable at 100 foot intervals including change in direction.
- **General - Complete Proposal** Proposed pricing is based on award of all items bid upon. PCS reserves the right to modify unit prices if all quoted items are not awarded. Prices are only valid for 90 days of the bid date. PCS reserves the right to modify or withdraw their offer if either a letter of intent or a contract is not received within 90 days of the bid date.
- **General - Proposal as Addendum to Contract** This proposal in its entirety and including all notes of clarification shall be added as an addendum to any resulting contract for the referenced project. In the event of conflict, the City's standard contract terms will control.
- **All Contracts, Purchase Orders, Change Orders, and/or similar paperwork should be sent directly to contracts@pcsfiber.com. For other inquiries, call 561-743-9737.**

Payment Terms:

Payment terms: NET 30 Days and 18% APR for balances exceeding 30 Days. May use VISA to pay amounts due.

Required Documentation:

Each order must be accompanied by a signed Purchase Order, Change Order or Contract. These documents are required in addition to the signature of acceptance below.

ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: Precision Contracting Services, Inc Authorized Signature: _____ Estimator: Robert Sanford 561-743-9737, ext. 7101 rsanford@pcsfiber.com
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PRECISION CONTRACTING SERVICES INC.

15834 Guild Court
Jupiter, Florida 33478
Phone: 561.743.9737
Fax: 561.743.0775
www.pcsfiber.com

Precision Fiber

Optic Systems

To:	PCS Orlando	Contact:	Rick Arnold
Address:	File Copy Winter Garden, FL	Phone:	407-877-1900
		Fax:	407-877-1902
Project Name:	21.04.20 City Of Mt Dora-Parking Garage Fiber Broadband	Bid Number:	
Project Location:	Parking Garage, Mount Dora, FL	Bid Date:	4/20/2021

Line #	Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
City Of Mt Dora-Parking Garage FO Lateral						
MOT	9999	Maintenance Of Traffic (MOT)	1.00	PCNT	\$266.26	\$266.26
1	633-1-10	Fiber Management Strand Mapping	0.10	MILE	\$1,500.00	\$150.00
2	633-1-20	Fiber Mgt Design & Permitting	0.10	MILE	\$4,500.00	\$450.00
3	633-1-30	Fiber Mgt Electronics Asbuilts	0.10	MILE	\$3,000.00	\$300.00
4	633-1-40	Fiber Mgt GPS Surveying	0.10	MILE	\$2,500.00	\$250.00
6	530-4-101	BICSI Reg Comm Dist Design Services	40.00	HR	\$185.00	\$7,400.00
14	530-9-106b	Communication Duct Installer (Rods/Entrys)	40.00	HR	\$95.00	\$3,800.00
28	630-6-14-db	Direct Bore 2" HDPE, Spl Conditions (F&I)	200.00	LF	\$18.50	\$3,700.00
34	630-7-TW	Detectable Tracer Wire (F&I)	200.00	LF	\$0.75	\$150.00
35	630-7-MT	Detectable Marking Tape (F&I)	10.00	LF	\$0.85	\$8.50
36	630-7-JL	Jet Line (F&I)	200.00	LF	\$0.50	\$100.00
55	633-4-113-12	FO Cable 12F SM LT UG (F&I)	350.00	LF	\$1.55	\$542.50
79	633-8-12A-1	F0 Splice/Term Cabinet, 12F Wall/Rack (F&I)	1.00	EACH	\$1,425.00	\$1,425.00
117	633-8-72A	F0 Splice Closure 72F Aerial/UG (F&I)	1.00	EACH	\$3,725.00	\$3,725.00
143	668-110-60	Cabinet 37" X 20" X 17" W/ Conc Base (F&I) (Spl Cabinet Hoffman 24x24x24)	1.00	EACH	\$4,850.00	\$4,850.00
165	101-1E	Mobilization Within (10) Ten Working Days	1.00	LS	\$650.00	\$650.00
Total Price for above City Of Mt Dora-Parking Garage FO Lateral Items:						\$27,767.26

Total Bid Price: \$27,767.26

Notes:

• CITY OF MOUNT DORA

SCOPE OF WORK - Fiber Optic Broadband For The Parking Garage

PCS INCLUDES FO network design services and drawings for project permitting purposes. City to provide actual permitting & fees.

PCS INCLUDES Furnish & Install of designated FO pathways and FO cabling.

PCS INCLUDES all splicing, terminations, and OTDR testing of completed FO communications network installed by PCS.

PCS INCLUDES geo-location & as-built documentation of completed network installed by PCS. Deliverables in PDF & Electronic formats.

PCS EXCLUDES any electronics/switches from this proposal.

PCS EXCLUDES all electrical work required for cabinets. City to provide concrete pole for cabinet mount.

- **General - Unit Prices** All prices quoted are UNIT PRICES. Project invoices and payments shall be determined by actual field measurements for quantities installed on project. Pricing from Brevard County FO Master Contract adopted by City of Mt. Mora.
- **General - MOT (Excludes Lane Closures)** **PCS INCLUDES** MOT for the immediate work area of their crews as required by the MUTCD. However any MOT requiring lane closures, detours, traffic diversions or police officers necessary for the safe performance of work by PCS is to be provided by others. **PCS EXCLUDES** the cost for lane closures, detours, traffic diversions and/or police officers from scope of work in PCS proposal.

- **General - Mobilization** PCS will mobilize a total of _1_ times for the proposed work after noticed by the contractor. This MOB is excluded provided this scope is contracted with at least 1 Estimate with MOB. Additional Mobilizations will be billed as additions to contract at \$650 per Mobilization.
- **General - No Bond (Sales Tax Included) PCS EXCLUDES** the cost for a performance bond. Sales Tax or Use Tax has been included for all materials.
- **General – Fiber Pathway** PCS is not responsible for damage by others to FO Cable or other equipment after placement by PCS.
- **General - 30 Day Notice – Work Days** PCS requires 30 days written notice for project scheduling. PCS will require 10 work days to perform the proposed work.
- **General – As-Built Plans/Standard Specifications PCS INCLUDES** Fiber Optic Splicing Diagrams detailing all cable splices, terminations, equipment port assignments, and optical circuits within the communication network. As-Built submittals will include an electronic file with an inventory of all traffic control signals, devices & support structures. The inventory includes required horizontal position geographic coordinate data collected using Differential Global Positioning System (DGPS) equipment. The inventory includes required manufacturer, model, and serial number for each device or completed assembly. The inventory includes required GPS coordinate data for pull boxes as well as conduit & cable at 100 foot intervals including change in direction.
- **General - Complete Proposal** Proposed pricing is based on award of all items bid upon. PCS reserves the right to modify unit prices if all quoted items are not awarded. Prices are only valid for 90 days of the bid date. PCS reserves the right to modify or withdraw their offer if either a letter of intent or a contract is not received within 90 days of the bid date.
- **General - Proposal as Addendum to Contract** This proposal in its entirety and including all notes of clarification shall be added as an addendum to any resulting contract for the referenced project. In the event of conflict, the City's standard contract terms will control.
- **All Contracts, Purchase Orders, Change Orders, and/or similar paperwork should be sent directly to contracts@pcsfiber.com. For other inquiries, call 561-743-9737.**

Payment Terms:

Payment terms: NET 30 Days and 18% APR for balances exceeding 30 Days. May use VISA to pay amounts due.

Required Documentation:

Each order must be accompanied by a signed Purchase Order, Change Order or Contract. These documents are required in addition to the signature of acceptance below.

ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: Precision Contracting Services, Inc Authorized Signature: _____ Estimator: Robert Sanford 561-743-9737, ext. 7101 rsanford@pcsfiber.com
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PRECISION CONTRACTING SERVICES INC.

Precision Fiber

Optic Systems

15834 Guild Court
Jupiter, Florida 33478
Phone: 561.743.9737
Fax: 561.743.0775
www.pcsfiber.com

To:	PCS Orlando	Contact:	Rick Arnold
Address:	File Copy Winter Garden, FL	Phone:	407-877-1900
		Fax:	407-877-1902
Project Name:	22.06.17 City Of Mt Dora-Fiber Downtown WiFi UG	Bid Number:	
Project Location:	Downtown WiFi UG Work, Mount Dora, FL	Bid Date:	6/17/2022

Line #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
City Of Mt Dora -Downtown WiFi UG Work					
MOT	Maintenance Of Traffic (MOT)	1.00	PCNT	\$3,319.00	\$3,319.00
4	ITS Fiber Mgt GPS Surveying	0.12	MILE	\$2,500.00	\$307.50
6	BICSI Reg Comm Dist Design Services	80.00	HR	\$185.00	\$14,800.00
7	CADD Operator	10.00	HR	\$100.00	\$1,000.00
8	Clerical Support Services	2.00	HR	\$45.00	\$90.00
10	FO/Electronics Technician (Onsite)	40.00	HR	\$110.00	\$4,400.00
12	FO Cable Installer (Onsite)	180.00	HR	\$100.00	\$18,000.00
14	FO Duct Installer (Rods/Entrys/Box Site Prep)	90.00	HR	\$95.00	\$8,550.00
19	2" PVC Additional Pipe In Trench (F&I)	310.00	LF	\$2.75	\$852.50
28	Direct Bore 2" HDPE, Spl Conditions (F&I)	310.00	LF	\$18.50	\$5,735.00
30	Conduit 2" GRS F&I	20.00	LF	\$25.00	\$500.00
34	Detectable Tracer Wire (F&I)	950.00	LF	\$0.75	\$712.50
36	Jet Line (F&I)	950.00	LF	\$0.50	\$475.00
39	Handhole, Comp 24" X 36" X 24" (F&I)	4.00	EACH	\$925.00	\$3,700.00
42	Pull Box 17x30x12 (F&I)	1.00	EACH	\$795.00	\$795.00
69	FO Cable 12F SM Plenum (F&I)	1,150.00	LF	\$2.35	\$2,702.50
165	Mobilization Within (10) Ten Working Days	1.00	LS	\$650.00	\$650.00
180	FO Connection Splice Per FDOT Specs (F&I)	24.00	EACH	\$40.00	\$960.00
181	FO Connection Termination Per FDOT Specs (F&I)	24.00	EACH	\$75.00	\$1,800.00

Total Price for above City Of Mt Dora -Downtown WiFi UG Work Items: \$69,349.00

Total Bid Price: \$69,349.00

Notes:

• CITY OF MOUNT DORA

SCOPE OF WORK - Downtown WiFi UG Work

PCS INCLUDES FO network design services and drawings for project permitting purposes. City to provide actual permitting & fees.

PCS INCLUDES 2" UG FO pathway with boxes and trace wire.

PCS INCLUDES to F&I 12F plenum cable to be spliced at existing closure one end and terminated at existing panel other end. Final install to be otdr tested.

PCS INCLUDES geo-location & as-built documentation of completed network installed by PCS. Deliverables in PDF & Electronic formats.

PCS EXCLUDES any electronics/switches from this proposal.

- **General - Unit Prices** All prices quoted are **UNIT PRICES**. Project invoices and payments shall be determined by actual field measurements for quantities installed on project. ALL PRICING SHOWN HERE FROM THE CURRENT & ACTIVE FO MASTER CONTRACT BETWEEN BREVARD COUNTY, FL AND PRECISION CONTRACTING SERVICES, INC.

- **General - MOT (Excludes Lane Closures) PCS INCLUDES** MOT for the immediate work area of their crews as required by the MUTCD. However any MOT requiring lane closures, detours, traffic diversions or police officers necessary for the safe performance of work by PCS is to be provided by others. **PCS EXCLUDES** the cost for lane closures, detours, traffic diversions and/or police officers from scope of work in PCS proposal.
- **General - Mobilization** PCS will mobilize a total of _1_ times for the proposed work after noticed by the contractor. This MOB is excluded provided this scope is contracted with at least 1 Estimate with MOB. Additional Mobilizations will be billed as additions to contract at \$650 per Mobilization.
- **General - No Bond (Sales Tax Included) PCS EXCLUDES** the cost for a performance bond. Sales Tax or Use Tax has been included for all materials.
- **General – Fiber Pathway** PCS is not responsible for damage by others to FO Cable or other equipment after placement by PCS.
- **General - 30 Day Notice – Work Days** PCS requires 30 days written notice for project scheduling. PCS will require 20 work days to perform the proposed work.
- **General – As-Built Plans/Standard Specifications PCS INCLUDES** Fiber Optic Splicing Diagrams detailing all cable splices, terminations, equipment port assignments, and optical circuits within the communication network. As-Built submittals will include an electronic file with an inventory of all traffic control signals, devices & support structures. The inventory includes required horizontal position geographic coordinate data collected using Differential Global Positioning System (DGPS) equipment. The inventory includes required manufacturer, model, and serial number for each device or completed assembly. The inventory includes required GPS coordinate data for pull boxes as well as conduit & cable at 100 foot intervals including change in direction.
- **General - Complete Proposal** Proposed pricing is based on award of all items bid upon. PCS reserves the right to modify unit prices if all quoted items are not awarded. Prices are only valid for 90 days of the bid date. PCS reserves the right to modify or withdraw their offer if either a letter of intent or a contract is not received within 90 days of the bid date.
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- **All Contracts, Purchase Orders, Change Orders, and/or similar paperwork should be sent directly to contracts@pcsfiber.com. For other inquiries, call 561-743-9737.**

Payment Terms:

Payment terms: NET 30 Days and 18% APR for balances exceeding 30 Days. May use VISA to pay amounts due.

Required Documentation:

Each order must be accompanied by a signed Purchase Order, Change Order or Contract. These documents are required in addition to the signature of acceptance below.

ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: Precision Contracting Services, Inc Authorized Signature: _____ Estimator: Robert Sanford 561-743-9737, ext. 7101 rsanford@pcsfiber.com
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ATTACHMENT #2

AMENDMENT 2 TO THE AGREEMENT BETWEEN THE CITY OF MOUNT DORA AND PRECISION CONTRACTING SERVICES, INC.

THIS AMENDMENT made by and between the and the City of Mount Dora Florida, a municipal corporation of the State of Florida, 510 N. Baker Street, Mount Dora, Florida 32757, hereinafter referred to as CITY and Precision Contracting Services, Inc., 15834 Guild Court, Jupiter, Florida 33478, hereinafter referred to as CONTRACTOR, as evidenced by the signatures affixed below.

WITNESSETH:

WHEREAS, on April 16, 2019, the CITY executed a Piggyback Agreement with CONTRACTOR for Fiber Optics Construction, Rehab, Maintenance and Emergency Repairs, based on an Agreement that had been competitively negotiated by Brevard County (hereinafter referred to as Agreement); and

WHEREAS, on April 6, 2021, the parties execute the First Amendment to the Agreement which revised the Term thereof; and

WHEREAS, the parties have determined that it is in their best interest to once again amend the Agreement to extend the Term accordingly.

NOW, THEREFORE, in consideration of the mutual covenants, terms and provisions contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Agreement between the CITY and CONTRACTOR is amended as follows:

1. Section 1, Term, of the Agreement is hereby extended through April 1, 2023, with the option to review for one additional period of one (1) year. The parties agree to give one another notice of renewal or non-renewal at least thirty (30) days prior to the expiration of this renewal period.
2. All of the terms and conditions of the original Agreement, or any modification thereof, shall remain in full force and effect, and to the extent of any conflict between this Amendment and the original Agreement, or any modification thereof, this Amendment shall prevail.

Signatures on Following Page

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have executed this Amendment effective the 15 day of march, 2022.

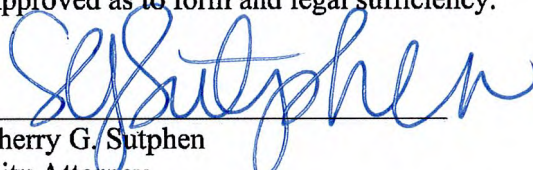
CITY OF MOUNT DORA


CRISSY STILE
MAYOR of the City of Mount Dora, Florida

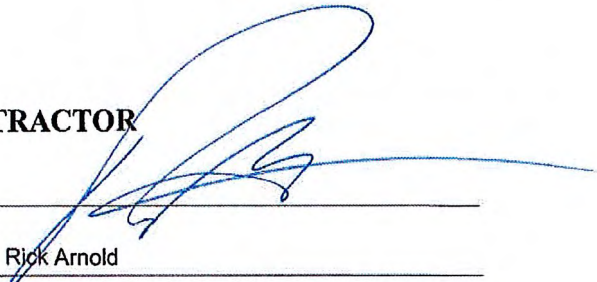
ATTEST:


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

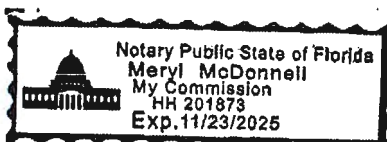
CONTRACTOR

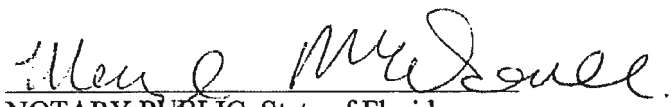
By: 
Print: Rick Arnold
Title: Vice President

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization of Meryl McDonnell, as 1 Rick Arnold, of Precision Contracting Services, Inc., 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 FL DL as identification, and who did not take an oath this 25 day of February, 2022.

(stamp)




NOTARY PUBLIC, State of Florida



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

DATE: November 1, 2022

TO: Honorable Mayor and City Council Members

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

SUBJECT: Request Approval of Meeting Minutes

- October 11, 2022 City Council Work Session
- October 18, 2022 City Council Regular 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. October 11, 2022 Work Session Minutes DRAFT
2. October 18, 2022 Regular City Council Minutes_DRAFT

Prepared by: Jeanann Hand, Interim City Clerk

Reviewed by:

**CITY OF
MOUNT DORA,
FLORIDA
MINUTES**



**October 11, 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 Work Session of the Mount Dora City Council to order at 6:00 PM in the Mount Dora Council Chambers.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

Councilmember Walker led a Moment of Silence and Pledge of Allegiance to the Flag.

ROLL CALL

Present

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

Also Present

Patrick C. Comiskey, City Manager
Jeanann Hand, Interim City Clerk

Not Present

John Cataldo, District 1

DISCUSSION ITEMS

1. City Facilities

Councilmembers continued the discussion that began at the August 22nd Work Session regarding new facility locations, purposes, and personnel placement. This item is on the Regular Session agenda for October 18th; tonight's Work Session intends to provide additional information and opportunity for discussion prior to voting on the item. The facilities being considered require decisions that will affect especially the Fire Department, Parks and Recreation Department, and Utilities Department. Five options for facility use and purpose were provided in a PowerPoint and distributed as a pdf which is attached to the minutes as Exhibit A.

Councilmembers discussed the facility locations and purposes amongst themselves and with City staff. Concerns included responsibility regarding City spending and appropriate accommodation of each department's needs.

Interim Fire Chief Rich Loewer relayed information regarding Fire Department performance. He distributed a handout to Councilmembers, which is attached to the minutes as Exhibit B. Councilmembers agreed in their favor of option four.

2. City Hall Expansion

Deputy Planning Director Adam Sumner presented a PowerPoint and distributed a pdf detailing proposed expansions for City Hall. The presentation is attached to the minutes as Exhibit C. It was suggested that the Building and Planning Departments are lacking the space they need to operate efficiently and the proposed construction would provide the needed space. The expansion's impact on the historical character of the building was mentioned.

Use of City Hall as an Emergency Operations Center was discussed.

Appropriate partial use of Building Department funds for the proposed expansion project was broached. Mayor Stile suggested the purchase of the recently vacated building once used by BB&T as an alternative to the proposed building expansion. Parking was discussed.

City procedures following Hurricane Ian and the City's emergency operations were discussed. Interim Public Works Director George Marek provided an update on debris removal.

FUTURE MEETING DATES

1. October 18, 2022, 6:00 PM, Regular Session
2. November 1, 2022, 6:00 PM, Regular Session
3. November 15, 2022, 6:00 PM, Regular Session
4. December 6, 2022, 6:00 PM, Regular Session

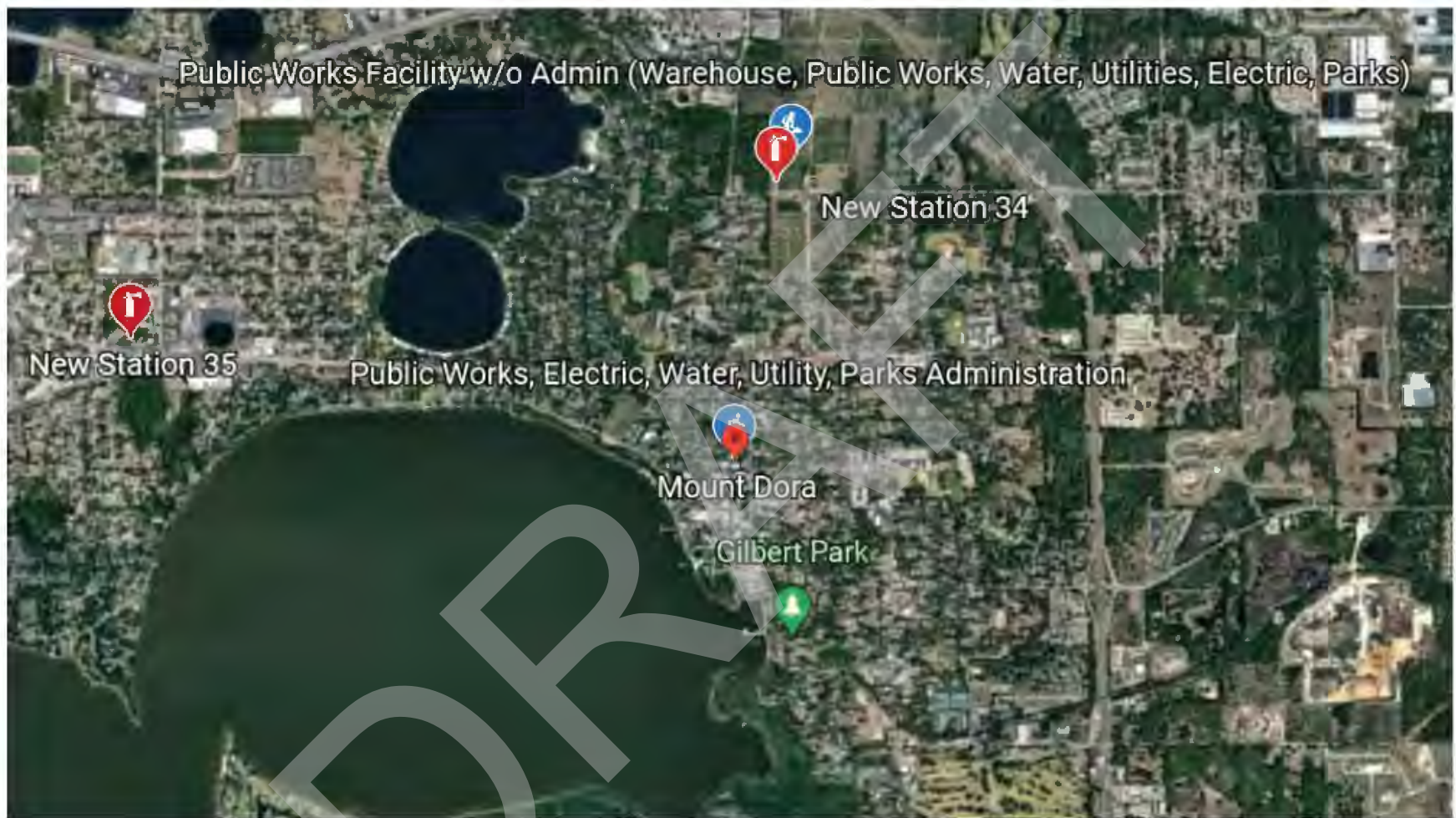
ADJOURNMENT

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

There being no further business for discussion, the meeting adjourned at approximately 7:48 PM.

CRISSY STILE, MAYOR
City of Mount Dora

JEANANN HAND
Interim City Clerk





Option 1 - Status Quo

New Fire Station 34 Limit Ave	Old Fire Station 34 Donnelly	Old Fire Station 35	New Building 19A	PW Complex Limit Ave	WWTP#2 US441 & WTP#2	Annex Building	Simpson Farmhouse
Old Station 34 move to new station 34 with EOC	Old Fire Station 34 Donnelly	Available for Future Use	Fire Station 35	1. Electric 2. Public Works 3. Water / Waste Water 4. Parks and Rec 5. Inventory 6. Equipment 7. Storm Water Complications	No Changes	Electric, Water / Waste Water, PW mgmt., Parks & Rec	No Changes
Total 17,444 SF EOC 6,370 SF Ops. 7,676 SF Bay 3,398 SF	Total 8,598 SF Ops. 4,278 SF Bay 4,320 SF	Total 4,125 SF Ops. 2,525 SF Bay 1,600 SF	Total 9,050 SF Ops. 4,937 SF Bay 4,113 SF	Total 23,900 SF Ops. 15,679 SF WH 8,221 SF CS 14,400 SF RAS 29,400 SF		Total 8,427 SF	
COST \$ 19,000,000	\$ -	\$ -	\$ 7,500,000	\$ 18,000,000	\$ -	\$ 180,000	\$ -

AVAILABLE \$

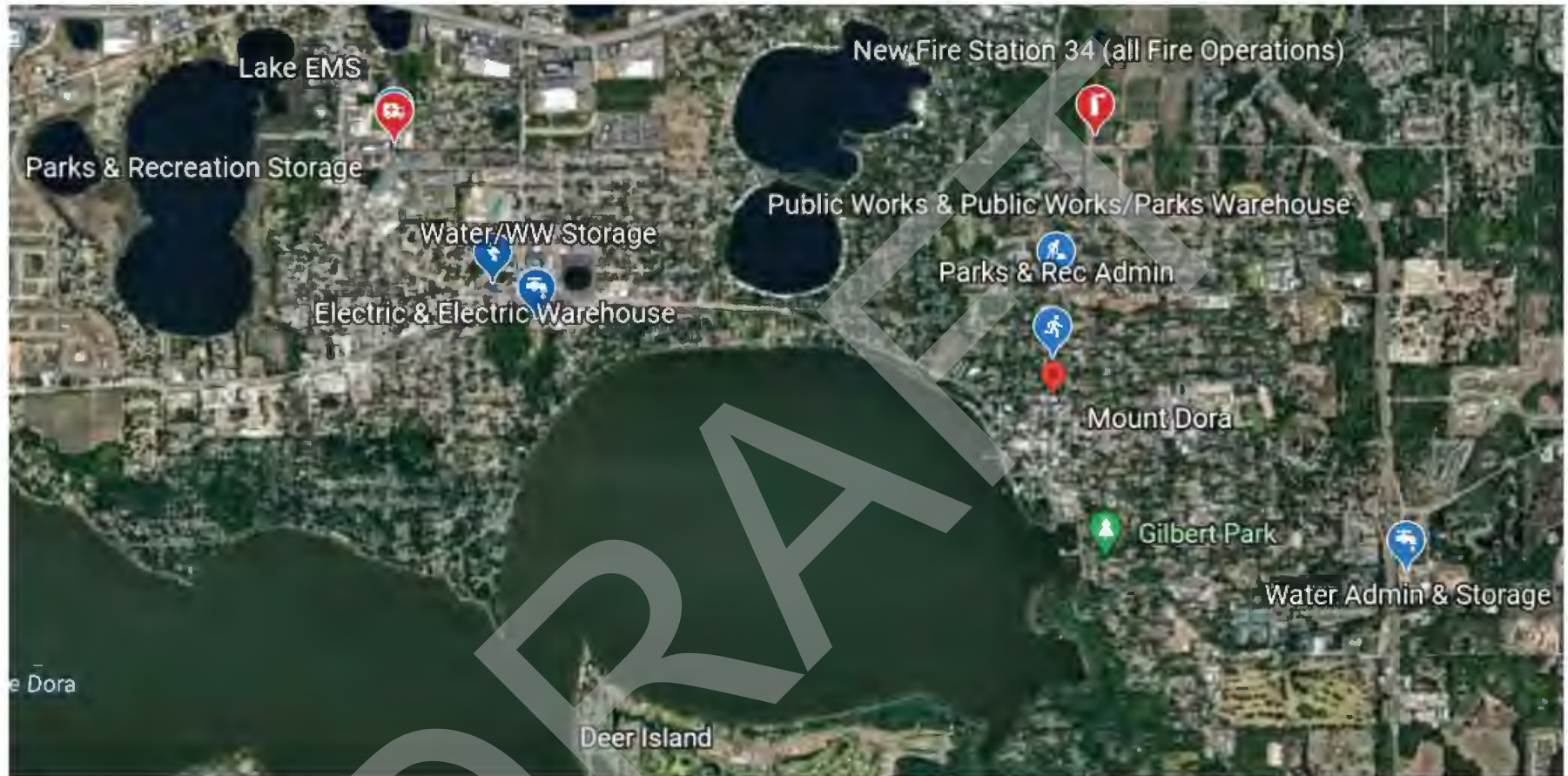
Fire Bond \$ 12,044,210
 PW Bond \$ 10,357,923
 ARPA \$ 7,145,392

Fire Bond	PW Bond	ARPA
\$ 12,044,210	\$ 10,357,923	\$ 7,145,392
\$ (19,000,000)	\$ (18,000,000)	
\$ (597,990)	\$ 7,145,392	
\$ (7,553,780)	\$ (180,000)	
Loan	Loan	
	\$ (676,685)	

Loan estimate	\$ 8,230,465
Annual Payment estimate	\$ 600,000

TOTAL Cost	\$ 44,680,000
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Option 2 - original CM recommendation





Option 2 - original CM recommendation

	New Fire Station 34 Limit Ave	Old Fire Station 34 Donnelly	Old Fire Station 35	New Building 19A	PW Complex Limit Ave	WWTP#2 US441 & WTP#2	Annex Building	Simpson Farmhouse
	Entire Fire Department move to new station 34 with EOC	1. Public Works 2. Public Works Admin. / Management 3. Renovate Building 4. Build Pole Barns at end of 11th	1. Parks and Rec. Storage 2. Part of Ambulance Service remains at old station 35 3. Renovate Building	1. Electric 2. Electric Admin./ Management 3. Electric Inventory 4. Add. \$250,000 for adjustments and awnings	Eliminate	1. Water 2. Water Admin. / Management 3. Water Inventory 4. Build Pole Barns at WWII & End of 11th	Parks & Rec Admin. / Management	Library
	Total 17,444 SF EOC 6,370 SF Ops. 7,676 SF Bay 3,398 SF	Total 8,598 SF Ops. 4,278 SF Bay 4,320 SF	Total 4,125 SF Ops. 2,525 SF Bay 1,600 SF	Total 9,050 SF Ops. 4,937 SF Bay 4,113 SF			Total 8,427 SF	
COST	\$ 19,000,000	\$ 3,000,000	\$ 1,000,000	\$ 7,750,000	\$ -	\$ 3,000,000	\$ 180,000	\$ -

AVAILABLE S

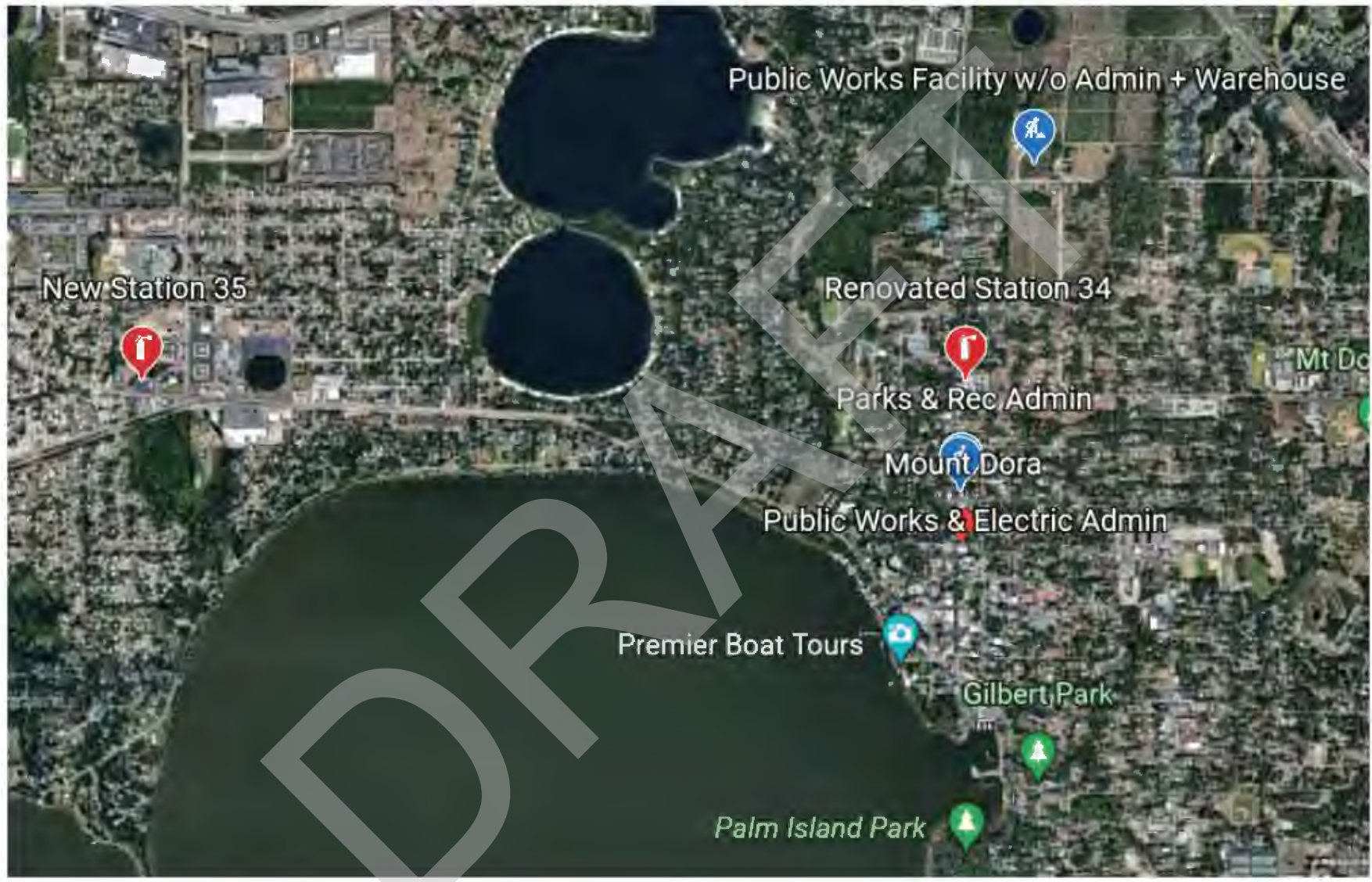
Fire Bond	\$	12,044,210
PW Bond	\$	10,357,923
ARPA	\$	7,145,392

Fire Bond	PW Bond	ARPA
\$ 12,044,210	\$ 10,357,923	\$ 7,145,392
\$ (19,000,000)	\$ (3,000,000)	\$ (4,392,077)
\$ 7,500,000	\$ (1,000,000)	\$ 2,753,315
\$ 544,210	\$ (3,000,000)	<i>Remaining</i>
<i>Remaining</i>	\$ (7,750,000)	
	\$ 4,392,077	
	\$ (180,000)	
	\$ 0	

Addt. Estimated Debt Payment of \$201,318 from Electric Dept.



Option 3 - suggestion from Council workshop





Option 3 - suggestion from Council workshop

	New Fire Station 34 Limit Ave	Old Fire Station 34 Donnelly	Old Fire Station 35	New Building 19A	PW Complex Limit Ave	WWTP#2 US441 &WTP#2	Annex Building	Simpson Farmhouse
	Eliminate	1.Fire Station 34 remains 2. Renovate Building Total 8 598 SF Ops. 4,278 SF Bay 4,320 SF	Available for future use Total 4,125 SF Ops. 2,525 SF Bay 1,600 SF	Fire Station 35 Total 9,050 SF Ops. 4,937 SF Bay 4,113 SF	1. Electric 2.Public Works 3. Water / Waste Water 4. Parks and Rec 5. Inventory 6. Equipment Total 23,900 SF Ops. 15,679 SF WH 8,221 SF CS 14,400 SF RAS 29,400 SF	No Changes	No Changes Total 8,427 SF	Library
COST	\$ -	\$ 3,000,000	\$ -	\$ 7,500,000	\$ 17,000,000	\$ -	\$ 180,000	\$ -

AVAILABLE \$

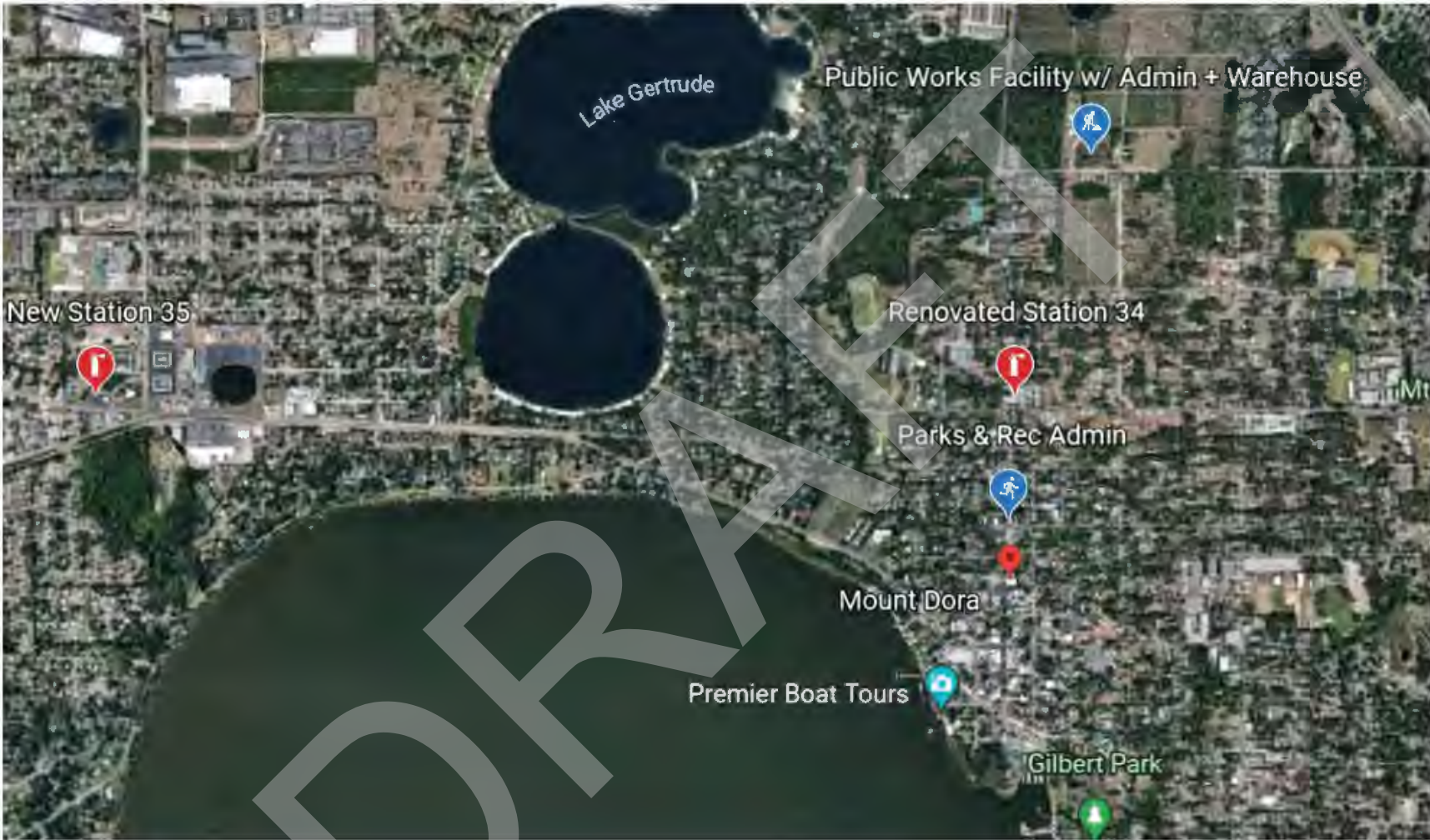
Fire Bond	\$ 12,044,210
PW Bond	\$ 10,357,923
ARPA	\$ 7,145,392

Fire Bond	PW Bond	ARPA
\$ 12,044,210	\$ 10,357,923	\$ 7,145,392
\$ (3,000,000)	\$ (17,000,000)	
\$ (597,990)	\$ 7,145,392	
\$ 8,446,220	\$ (180,000)	
Remaining	Remaining	
	\$ 323,315	

TOTAL Cost	\$ 27,680,000
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Option 4 - all staff agreeable proposal





Option 4 - all staff agreeable proposal

	New Fire Station 34 Limit Ave	Old Fire Station 34 Donnelly	Old Fire Station 35	New Building 19A	PW Complex Limit Ave	WWTP#2 US441 &WTP#2	Annex Building	Simpson Farmhouse
	Eliminate	1.Fire Station 34 remains 2. Renovate Building Total 8 598 SF Ops. 4,278 SF Bay 4,320 SF	Available for future use Total 4,125 SF Ops. 2,525 SF Bay 1,600 SF	Fire Station 35 Total 9,050 SF Ops. 4,937 SF Bay 4,113 SF	1. Electric 2.Public Works 3. Water / Waste Water 4. Parks and Rec 5. Inventory 6. Equipment 7. Water, Electric & Public Works Admin. / Management Total 29,900 SF Ops. 21,679 SF WH 8,221 SF CS 14,400 SF RAS 29,400 SF	Available for future use	Parks & Rec Admin. / Management Total 8,427 SF	Library
COST	\$ -	\$ 3,000,000	\$ -	\$ 7,500,000	\$ 18,500,000	\$ -	\$ 180,000	\$ -

AVAILABLE \$

Fire Bond	\$ 12,044,210
PW Bond	\$ 10,357,923
ARPA	\$ 7,145,392

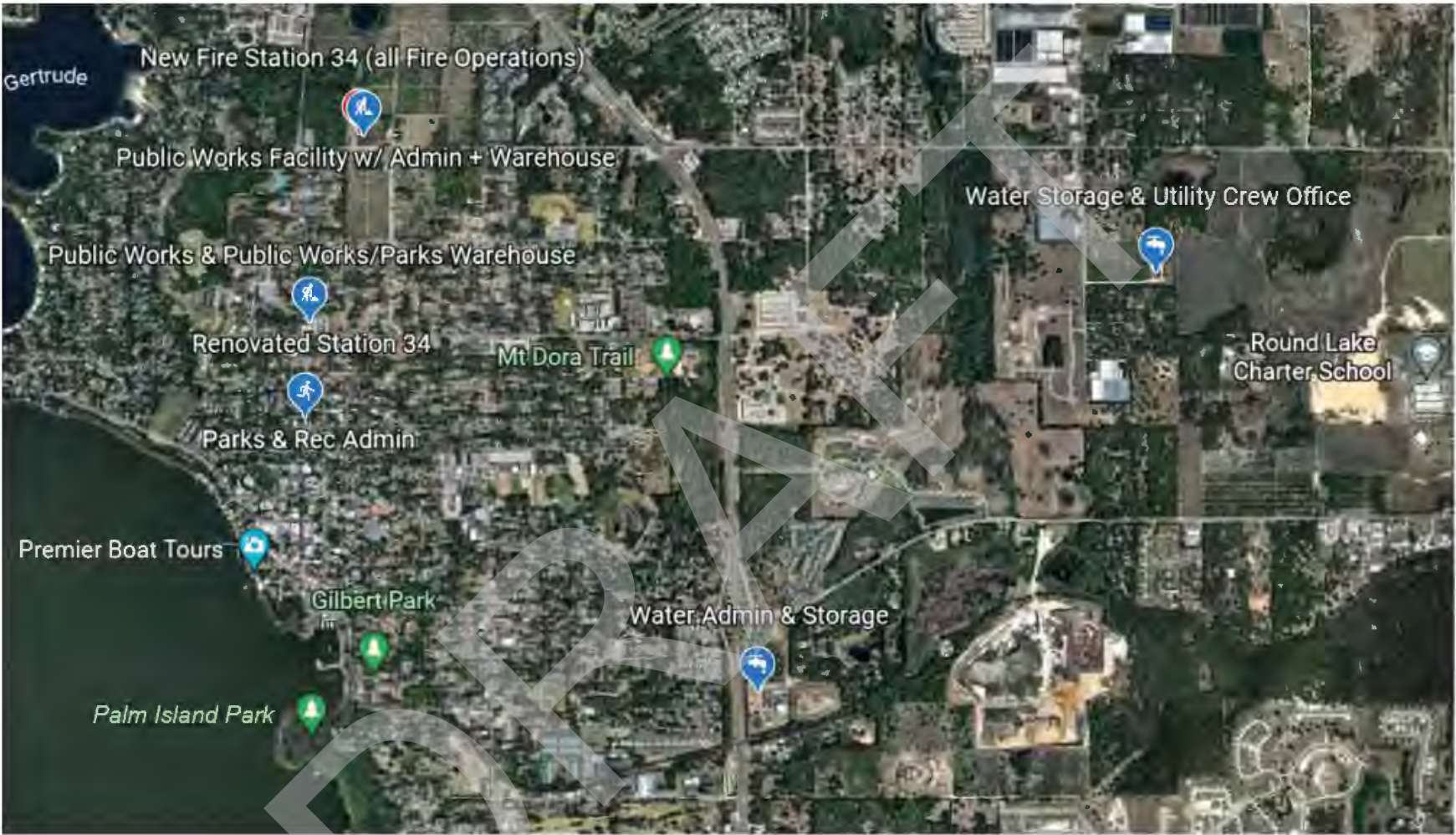
Fire Bond	PW Bond	ARPA
\$ 12,044,210	\$ 10,357,923	\$ 7,145,392
\$ (3,000,000)	\$ (18,500,000)	
\$ (597,990)	\$ 7,145,392	
\$ 8,446,220	\$ (180,000)	
Remaining	\$ (1,176,685)	
	Loan	

<i>Loan estimate</i>	\$ 1,176,685
<i>Annual Payment estimate</i>	\$ 86,000

TOTAL Cost	\$ 29,180,000
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Option 5 - new CM recommendation





Option 5 - new CM recommendation

New Fire Station 34 Limit Ave	Old Fire Station 34 Donnelly	Old Fire Station 35	New Building 19A	PW Complex Limit Ave	WWTP#2 US441 & WTP#2	Annex Building	Simpson Farmhouse
Eliminate	Entire fire department move to old station 34 Total 8,598 SF Ops. 4,278 SF Bay 4,320 SF	Part of Ambulance Service remains at old station 35 Total 4,125 SF Ops. 2,525 SF Bay 1,600 SF	1. Electric 2. Electric Admin. / Management 3. Electric Inventory 4. Add. \$250,000 for adjustments and awnings Total 9,050 SF Ops. 4,937 SF Bay 4,113 SF	1. Public Works 2. Water / Waste Water 3. Inventory 4. Equipment 5. Water & Public Works Admin. / Management Total 19,680 SF Ops. 15,679 SF WH 4,001 SF CS 8,739 SF RAS 21,400 SF	No Changes	Parks & Rec Admin. / Management and Crew Total 8,427 SF	Library
COST	\$ -	\$ 3,000,000	\$ -	\$ 7,750,000	\$ 15,000,000	\$ -	\$ 180,000

AVAILABLE \$

Fire Bond	\$ 12,044,210
PW Bond	\$ 10,357,923
ARPA	\$ 7,145,392

Fire Bond	PW Bond	ARPA
\$ 12,044,210	\$ 10,357,923	\$ 7,145,392
\$ (3,000,000)	\$ (15,000,000)	
\$ 7,500,000	\$ (7,750,000)	
\$ 16,544,210	\$ 7,145,392	
Remaining	\$ (180,000)	
	\$ (5,426,685)	
	Loan	

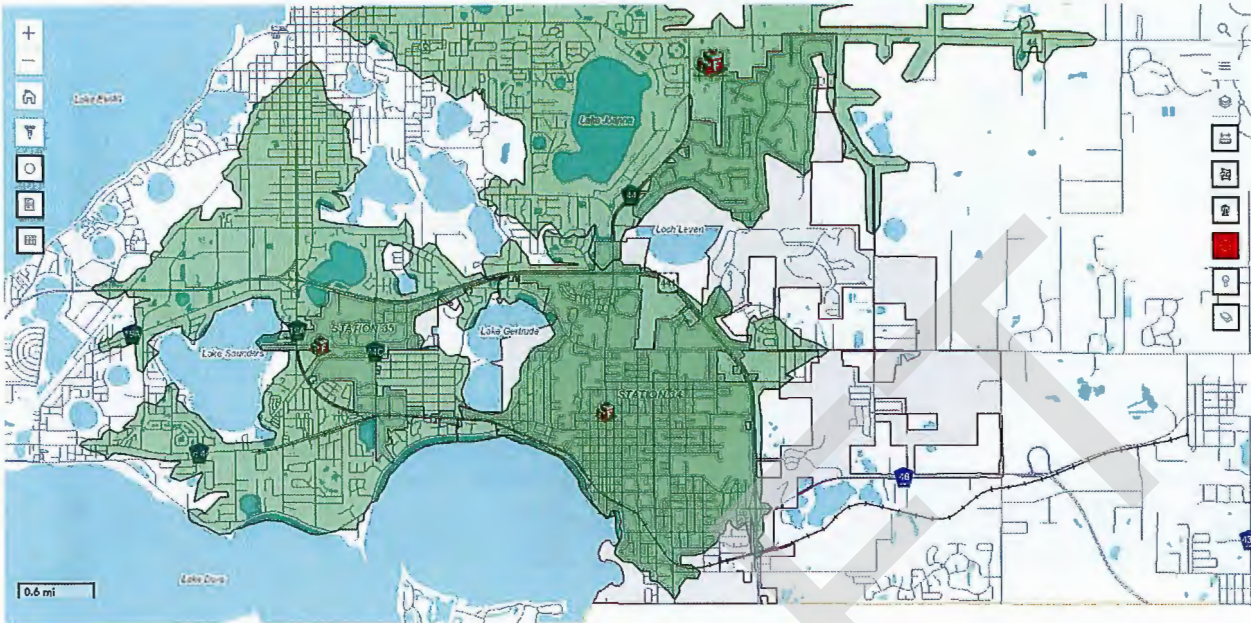
Loan estimate	\$ 5,426,685
Annual Payment estimate	\$ 395,500

Add. Estimated Debt Payment of \$201,318 from Electric Dept.

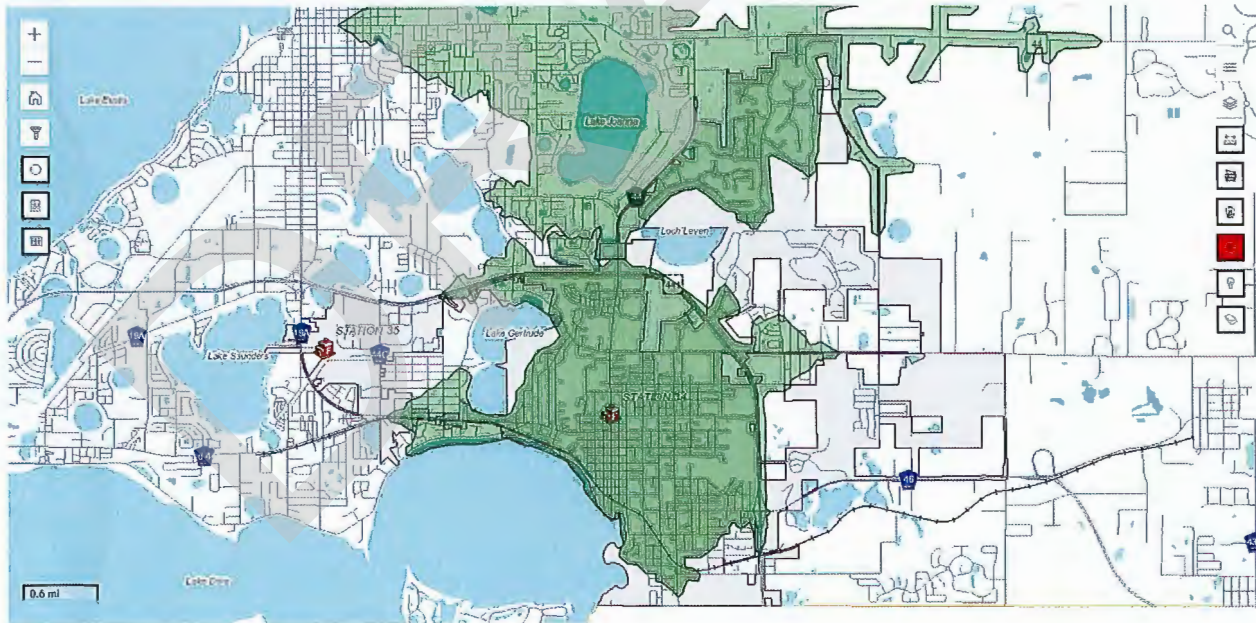
TOTAL Cost	\$ 25,930,000
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EXHIBIT B

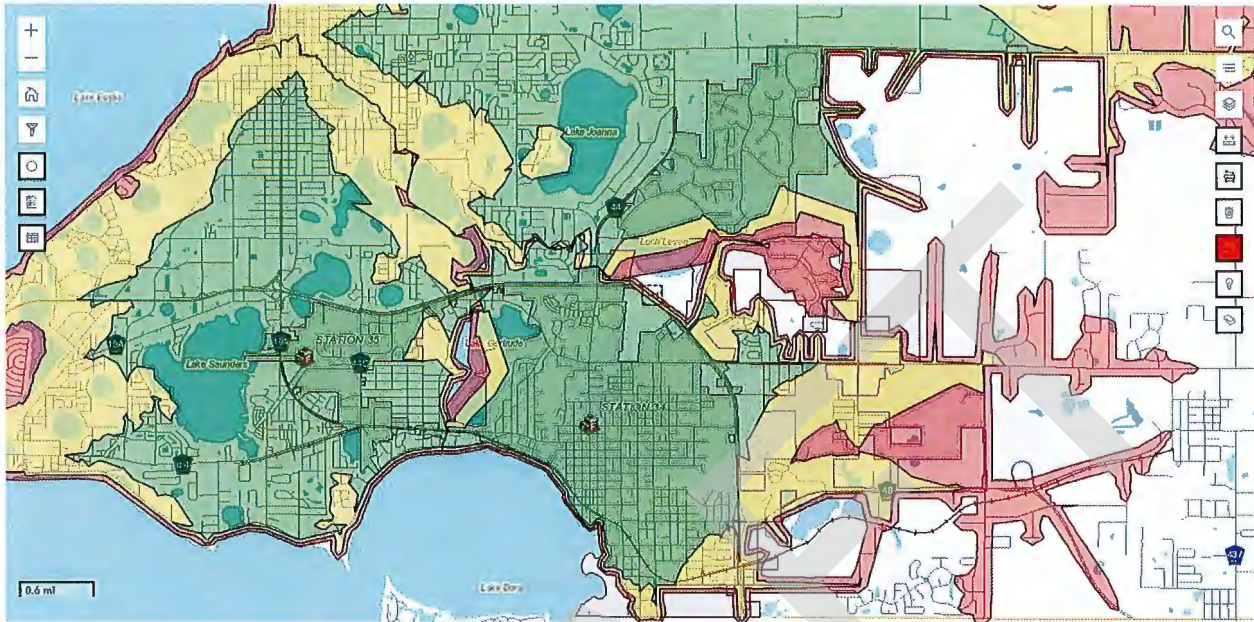
4 Minute Travel Time From Old Station 35, Station 34 (Donnelly), and Lake County Station 27



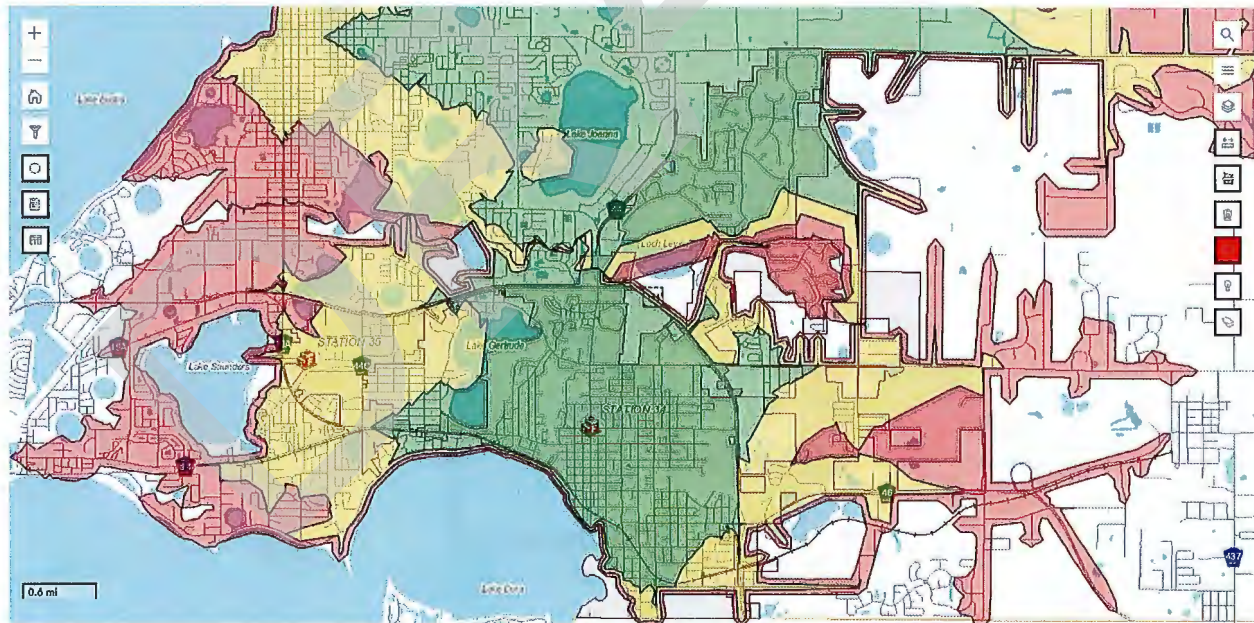
4 Minute travel time from Station 34 (Donnelly) and Lake County Station 27



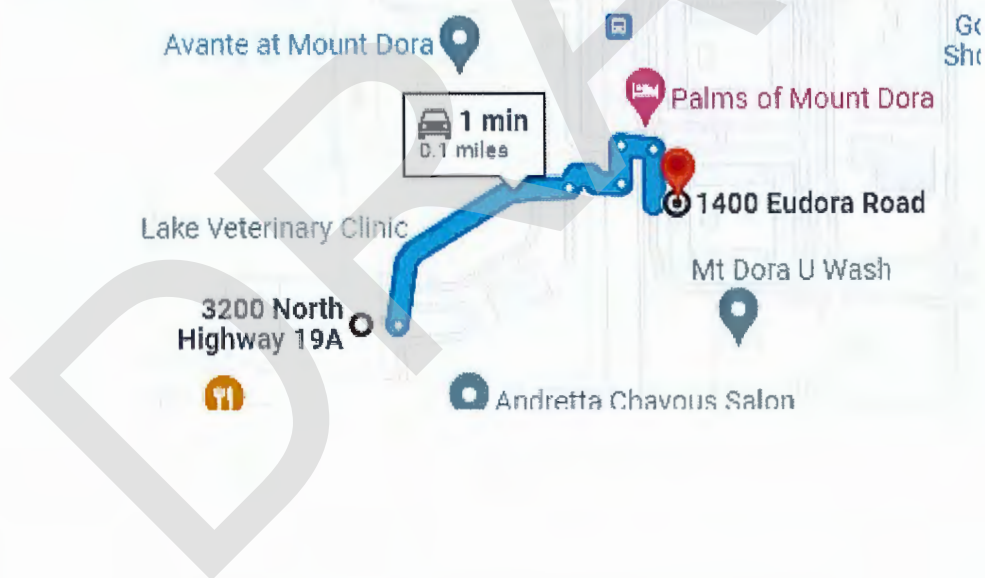
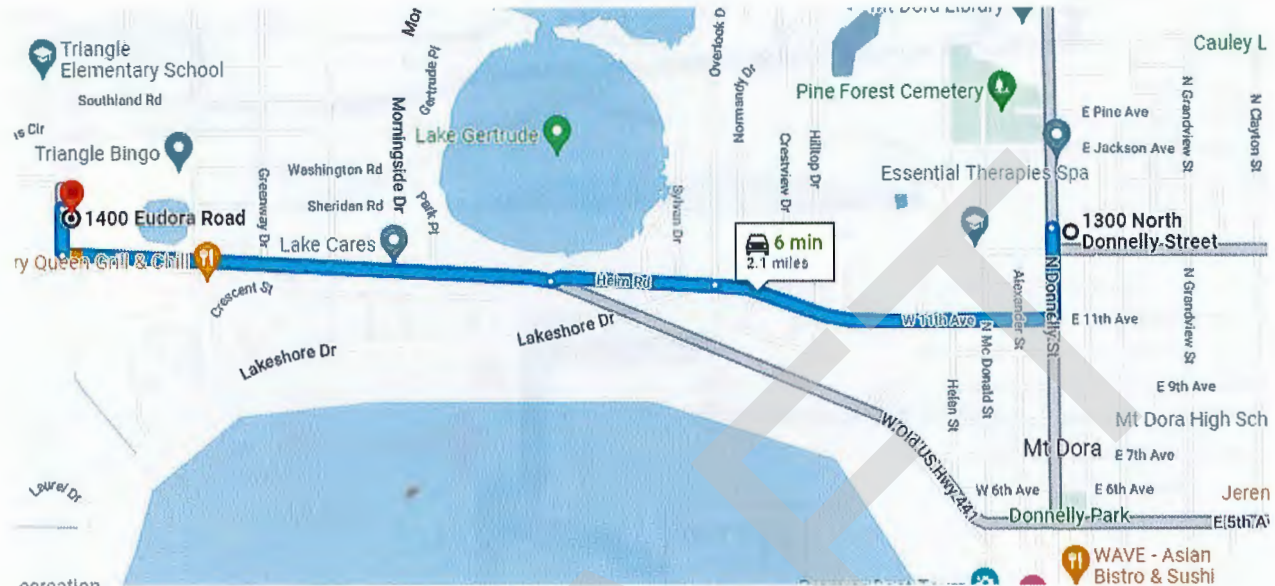
4, 6, & 8 Minute travel times from Station 34 (Donnelly) Old Station 35, and Lake County Station 27



4, 6, & 8 Minute travel times from Station 34 (Donnelly) and Lake County Station 27



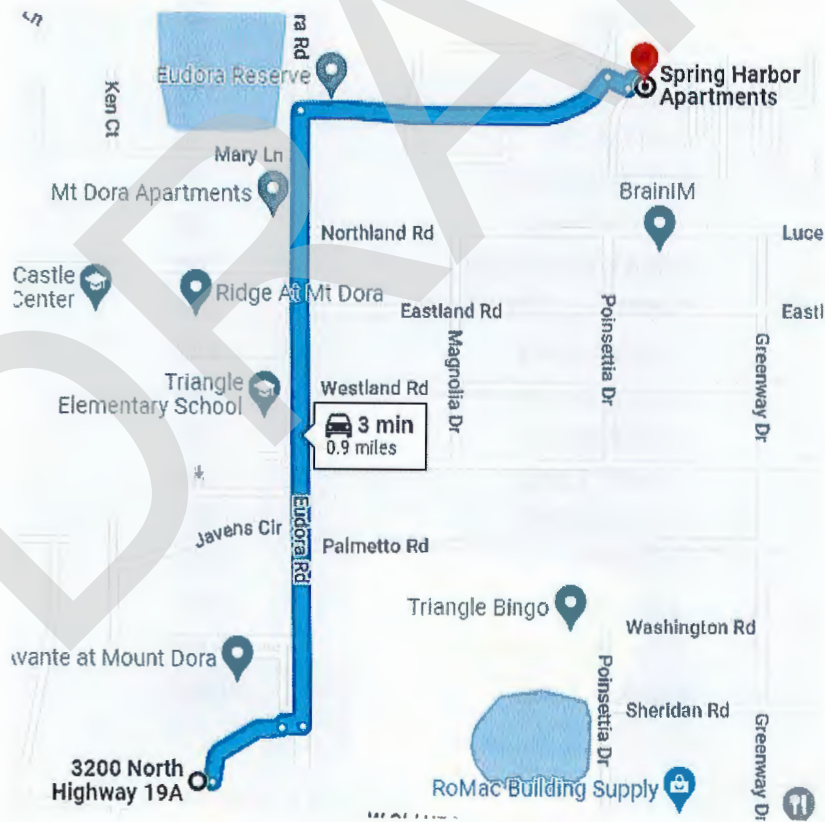
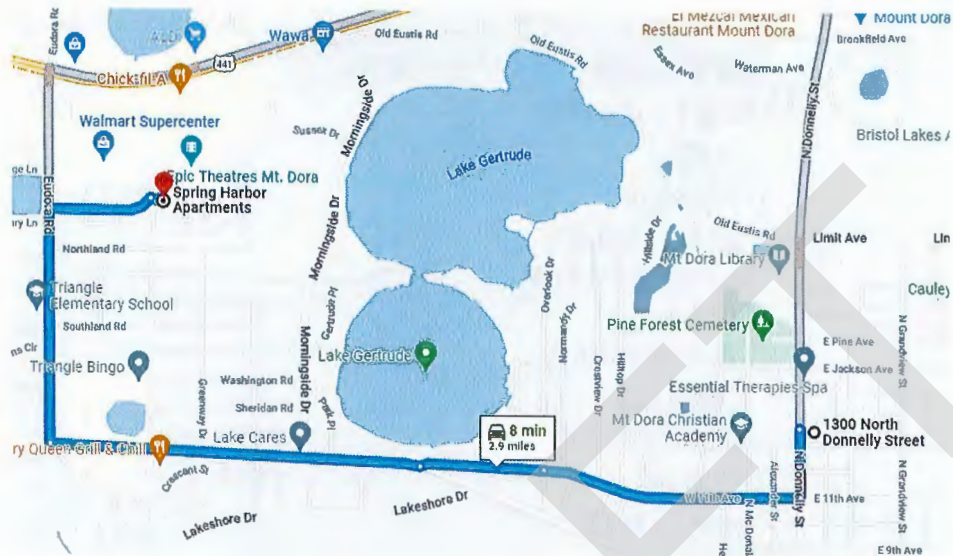
1400 Eudora Road 64 Responses Jan 20' – Aug 22'



3001 Northland Road 114 Responses Jan 20' – Aug 22'



Spring Harbor Apartments 191 Responses Jan 20' – Aug 22'



Lake County E-27 (44B)

Row Labels	Count of Beat	
Eustis	1209	27.4%
Groveland	3	0.1%
Lake County	1866	42.2%
Leesburg	2	0.0%
Lady Lake	2	0.0%
Marion County	1	0.0%
Mount Dora	1262	28.6%
Tavares	17	0.4%
Tavares ISBA	54	1.2%
Umatilla	4	0.1%
Grand Total	4420	



CITY OF
MOUNT
D O R A

EXHIBIT C

City Hall Expansion

October 18, 2022



The Need

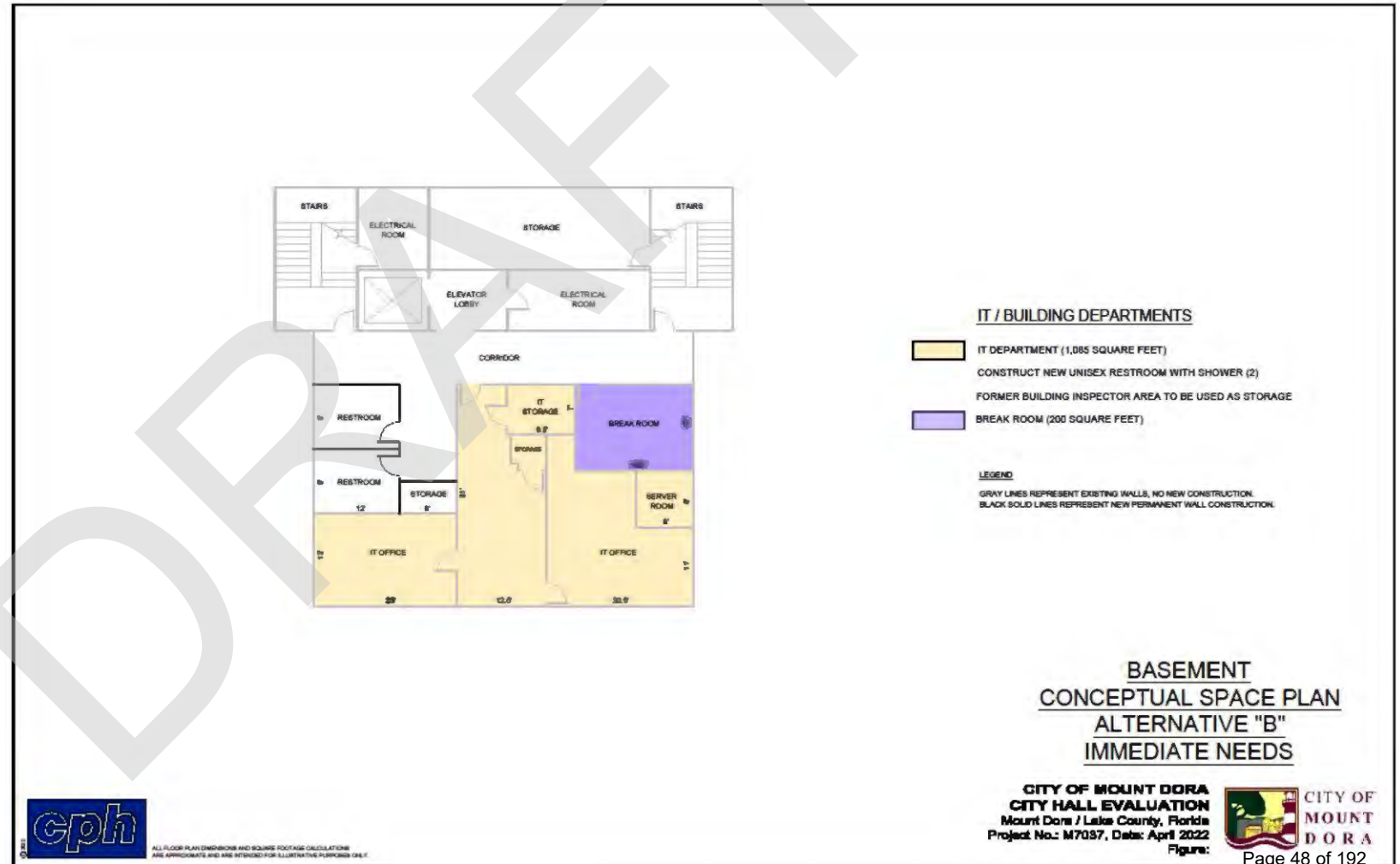
- Currently City Hall is maxed on staff, council chambers is often overflowing during public hearings, and there is no bathroom in the basement for the staff working there.
- There are multiple staff members sharing office spaces as we are out of offices.
- The Building Department has staff on the second floor and in the basement. They would be more efficient to all be in one location.
- Staff retained CPH Engineering to review all cost feasible options to renovate, expand, and/or reallocate space to make all staff more efficient.
- The building is in need of a new roof and during the summer months the AC system struggles to keep the building cool.



CITY OF
MOUNT
DORA

City Hall Basement

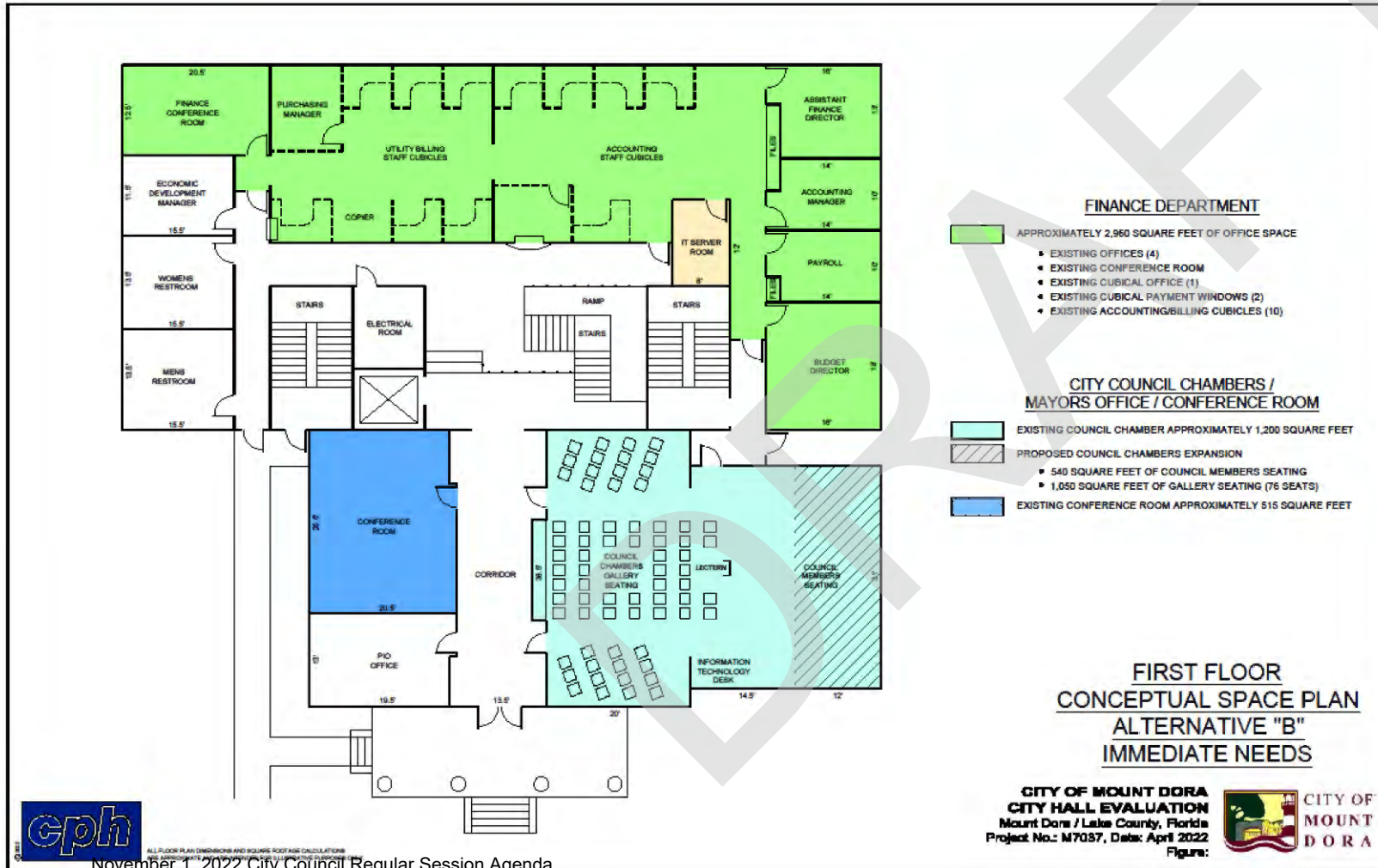
- Adding two unisex restrooms with showers and a janitors closet in the basement.





CITY OF
MOUNT
DORA

City Hall 1st Floor



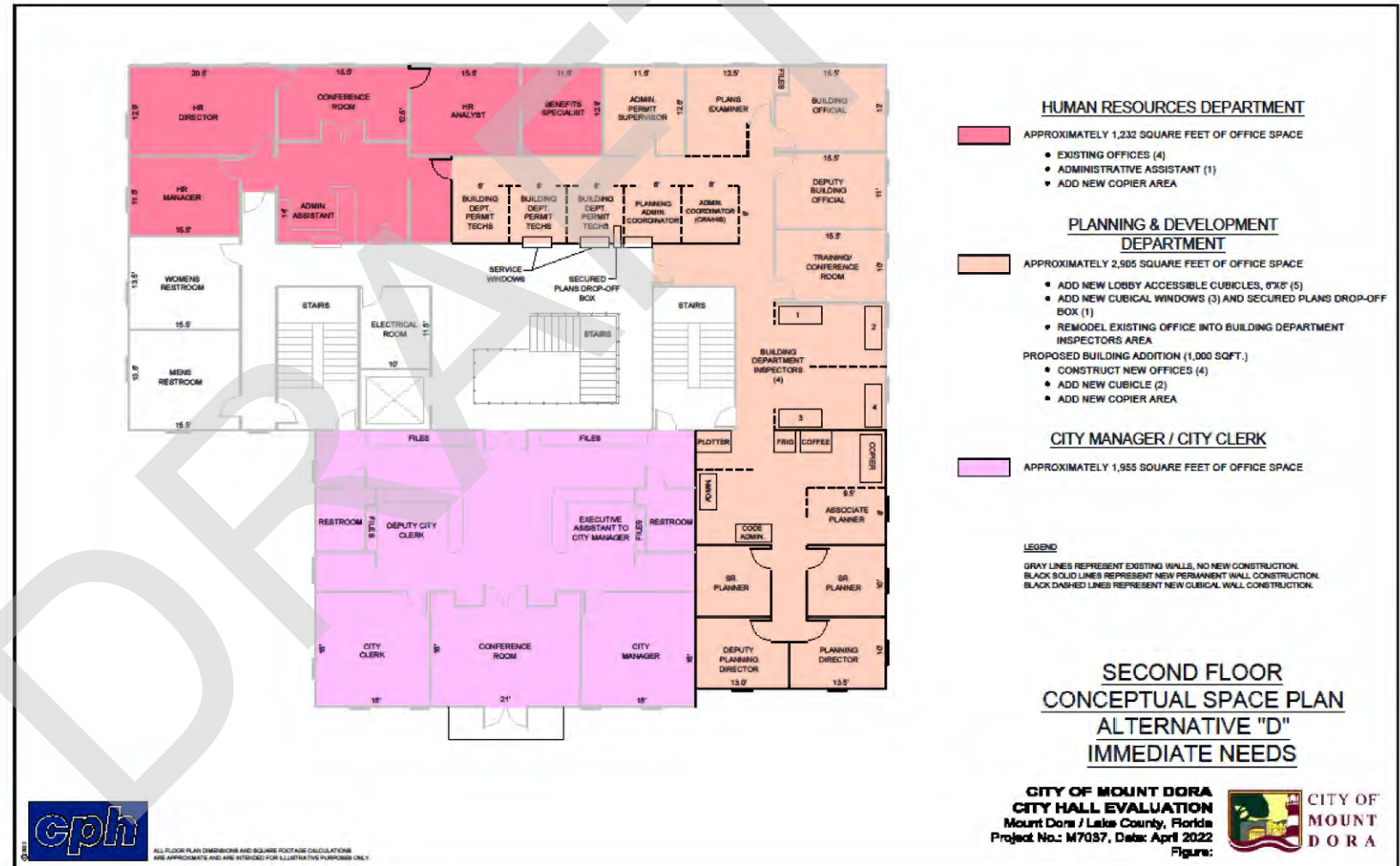
- Existing audience seating in Council Chambers is 50.
- Potential audience seating after expansion is 80.



CITY OF
MOUNT
DORA

City Hall 2nd Floor

- Adding 930 sq. ft. expansion to relocate building staff from the basement to 2nd Floor to have all building staff in same location, adding office space to get the Building Official and Deputy Building Official their own offices, adding a conference room/training room, adding one customer service window and space for Code Compliance. Moving the door between HR and Permit Techs and giving a permit tech cubicle to HR.





Cost Estimates

City Hall Expansion Probable Construction Cost			
Improvement	Cost	Funding Source	
Expand Council Chambers Exterior	\$58,590	Building Department	
Expand Council Chambers Interior	\$58,590	General Fund	
2 Basement Restrooms with Showers	\$56,500	General Fund	
Second Floor Building Exp.	\$455,700	Bulding Department	
Covert Planning Office to Cubicles	\$27,375	Bulding Department	
Add Door in HR Conference Rm.	\$4,500	General Fund	
Relocate Server Room to 1st Floor	TBD	General Fund	
Install Pump System in exister Server Room	\$20,000	General Fund	
Move HR Door and Build a Wall + add a Sprinkler	\$8,000	General Fund	
Mechanical & Electrical Upgrades	\$22,000	50/50	
Total Estimated Construction Cost	\$711,255		
Archituect & Engineering Costs	\$71,126	50/50	
Building Total	\$588,228		
General Fund Total	\$194,153		
This is an architects estimate of probable constrstuction costs based on a floorplan concept.			
Once construction documents are completed we will be able to better determine the construction cost.			
* Other Costs to be determined through design and engineering include furniture, historic enhancements, etc...			



Next Steps

- Task Authorization for an architect and engineer to complete the construction documents.
- Work with a CMAR to develop more refined construction cost estimates as the design documents get completed.
- Complete plan for continued city operations during construction.
- Final designs will have to go to Historic Preservation Board for review as part of the process.

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



**October 18, 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 the City Council to order at 6:00 P.M. in the Mount Dora Council Chambers.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

Councilmember Rolfson 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
Jeanann Hand, Interim City Clerk

PRESENTATIONS

1. National Animation Day Proclamation Presented to Steamroller Animation
Economic Development Manager Misty Sommer introduced representatives from Steamroller Animation Studios and read the proclamation into the record.
2. Florida City Government Week Essay Contest Winners
The Interim City Clerk explained the essay contest and introduced the two winners, who read their essays and received certificates and donated prizes. The essays are attached to this item and marked as Exhibit A.
3. City of Mount Dora Fun Fact
Mayor Stile explained the origin of the cannon by the Mount Dora light house. An article related to the topic, which was displayed at the meeting, is attached to the minutes and marked as Exhibit B.

PUBLIC COMMENTS

Mayor Stile opened public comment.

Adrian Cooms, 408 West Ninth Avenue, asked questions regarding the City's JPA with Lake County. He would be emailing the City Attorney with further inquiry.

Mayor Stile closed public comment.

APPROVAL OF AGENDA

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

1. Historic Preservation Board, District 5

Councilmember Walker recommended the appointment of Robert Gordon to the District 5 seat on the Historic Preservation Board.

MOTION BY COUNCILMEMBER WALKER TO APPOINT ROBERT GORDON TO THE HISTORIC PRESERVATION BOARD; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

CONSENT AGENDA

1. Request Approval of Agreement between the State of Florida and the City of Mount Dora for the Simpson Farmhouse Project
2. Request Approval of Meeting Minutes
 - September 20, 2022 City Council Regular Session
 - September 27, 2022 City Council Special Session
 - October 4, 2022 City Council Regular Session

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

ACTION ITEMS

1. Request Approval of Task Authorization/GMP Guaranteed Maximum Price for City Hall Roof Replacement Faden

City Manager Patrick Comiskey introduced Construction Manager Chet Cramer, who provided background on the item, explaining the need for the roof replacement.

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

Vice-mayor Crail asked for clarification regarding the guaranteed maximum price.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE TASK AUTHORIZATION AND GUARANTEED MAXIMUM PRICE FOR THE CITY HALL ROOF REPLACEMENT; COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

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

NO None

2. Request Approval of Task Authorization/Guaranteed Maximum Price GMP for Simpson Farmhouse Restoration Faden

City Manager Comiskey introduced Chet Cramer, who explained the reason for the project.

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

Discussion took place regarding the grade of the windows and the restoration's effect on the historical character of the facility. Clarification was made regarding what the GMP would cover as far as a comprehensive restoration was concerned. Mr. Cramer provided project budget details involving the project grant and its match. Library Director Cathy

Lunday provided further information on the restoration. Mention was made of repurposing of the window glass.

Mayor Stile opened public comment.

Jay Smith, 1046 McDonald Street, spoke on the value of the window glass.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE TASK AUTHORIZATION AND GUARANTEED MAXIMUM PRICE FOR THE SIMPSON FARMHOUSE RESTORATION; COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES	Councilmember Rolfson Councilmember Walker Councilmember Cataldo Councilmember Guenther Councilmember Bryant Vice-mayor Crail Mayor Stile
NO	None

3. Request City Council Direction Regarding City Facilities for Fire, Electric, Public Works, Water/Wastewater and Parks and Recreation

City Manager Comiskey provided background on the item.

Clarification was provided regarding the cost difference between options four and five.

Councilmembers discussed their reasons for their preferences among the options provided for these projects at this point.

Mayor Stile opened public comment.

Michell Middleton spoke about the fire assessment fee, the use of funds collected, and public awareness of this issue.

Mayor Stile closed public comment.

MOTION BY VICE-MAYOR CRAIL TO PROCEED WITH OPTION FOUR, THE ALL-STAFF AGREEABLE PROPOSAL FOR THE FUTURE BUILDING PROJECTS; COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

<i>YES</i>	Vice-mayor Crail Councilmember Walker Councilmember Bryant Councilmember Rolfson Mayor Stile
<i>NO</i>	Councilmember Cataldo Councilmember Guenther

PUBLIC HEARINGS - RESOLUTIONS/ORDINANCES

1. Request Approval of Final Reading and Adoption of **Ordinance No. 2022-14**, Final PUD Master Plan for Vedder Holsters

City Attorney Sutphen read Ordinance No. 2022-14 by title only

ORDINANCE NO. 2022-14

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE ZONING DISTRICT CLASSIFICATION CHANGE FOR THAT PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF LINCOLN AVENUE AND WEST OF U.S. HIGHWAY 441; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE REZONING AND APPROVAL OF THE VEDDER HOLSTERS PLANNED UNIT DEVELOPMENT TERMS AND CONDITIONS; 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.

Councilmember Guenther announced his recusal from participation in this item.
Councilmember Guenther's Form 8B is attached to these minutes and marked as Exhibit C.

City Manager Comiskey explained this was the final reading for the ordinance.

Tim Green, representing Green Consulting Group, 4070 United Avenue confirmed the business owner would be hiring employees who reside in the community. Parking, customer base, and project timeline were mentioned.

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE FINAL READING AND ADOPTION OF ORDINANCE NO. 2022-14, FINAL PUD MASTER PLAN FOR VEDDER HOLSTERS; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES	Councilmember Rolfson Councilmember Cataldo Councilmember Walker Councilmember Bryant Vice-mayor Crail Mayor Stile
NO	None

2. Request Adoption of **Resolution No. 2022-67**, Adjustment of the Electric Base Rate and Power Cost Charge

City Attorney Sutphen read Resolution No. 2022-67 by title only.

RESOLUTION NO. 2022-67

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO ADJUSTMENTS TO THE ELECTRIC UTILITY POWER COST CHARGE AND BASE RATE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF ELECTRIC UTILITY POWER COST CHARGE AND BASE RATE ADJUSTMENTS; PROVIDING FOR THE IMPLEMENTATION OF ADMISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDINGFOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Manager Comiskey explained the purpose and reason for the item. The rate adjustment will go into effect November 1st. Discussion took place regarding the base rate and the stability of the rate adjustment.

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

MOTION BY VICE-MAYOR CRAIL TO APPROVE ADOPTION OF RESOLUTION NO. 2022-67, ADJUSTMENT OF THE ELECTRIC BASE RATE AND POWER COST CHARGE; COUNCILMEMBER ROLFSON SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES	Vice-mayor Crail Councilmember Rolfson Councilmember Cataldo Councilmember Guenther Councilmember Walker Councilmember Bryant Mayor Stile
NO	None

3. Request Approval of First Reading of **Ordinance No. 2022-26**, Amending City of Mount Dora Code of Ordinances, Chapter 2, Article VIII, Boards and Commissions, Division 1, Generally

City Attorney Sutphen read Ordinance No. 2022-26 by title only.

ORDINANCE NO. 2022-26

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO BOARDS AND COMMISSIONS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENTS TO CHAPTER 2, ARTICLE VIII, BOARDS AND COMMISSIONS, DIVISION 1, GENERALLY; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION, SCRIVENER'S ERRORS AND THE ADJUSTMENT OF PRONOUNS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Sutphen explained this ordinance is the first step in formally establishing uniformity among City boards and commissions. These changes to this section of the City code will apply to all boards and commissions, rather than enacting the changes in separate documents.

The content of the changes was discussed. Requirements not mentioned in this ordinance are being written into documents to be presented at upcoming meetings.

Mayor Stile opened public comment.

Harlow Middleton, 699 East Fifth Avenue, spoke about task forces and special committees, and the residency requirement.

Christine King-Harris, 402 Jackson Avenue, spoke regarding the release of assets.

Michell Middleton, 112 East Fifth Avenue, spoke about consideration of business owners.

Joe Lewis, 148 Charles Avenue, asked for differentiation between business owner and property owner.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE FIRST READING OF ORDINANCE NO. 2022-26, AMENDING THE MOUNT DORA CODE OF ORDINANCE, CHAPTER 2, ARTICLE VIII, BOARDS AND COMMISSION, DIVISION 1, GENERALLY, AND TO INCLUDE AS A SUBSECTION E, INCLUDING PROPERTY OWNERSHIP WITHIN THE CITY IN ADDITION TO RESIDENCY AS QUALIFIED MEMBERSHIP, AND EXEMPTING OUT AD HOC COMMITTEES CREATED BY CITY COUNCIL; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES	Councilmember Rolfson
	Councilmember Guenther
	Councilmember Cataldo
	Councilmember Walker
	Councilmember Bryant
	Vice-mayor Crail
	Mayor Stile
NO	None
Councilmember Walker stated for the record he still believes residency should be a requirement.	

CITY MANAGER'S REPORT

At City Manager Comiskey's request, staff reported on various activities within the city. Mr. Comiskey announced the appointment of Troy Shonk as Parks and Recreation Director and Rita Meade as Finance Director.

CITY ATTORNEY'S REPORT

City Attorney Sutphen explained the City Manager annual evaluation process and the next steps regarding the Lake County JPA.

Discussion ensued regarding Lake County's relationship with Clermont, types of annexation, enforcement, and short and long term goals. City Attorney Sutphen reviewed some of the proposed changes to the document in its current state. Councilmembers considered revisions. City Attorney Sutphen will continue to revise the document. It was agreed there will be an item on the November 1st City Council agenda to review City Attorney Sutphen's revised proposed JPA language.

COMMUNICATIONS AND REPORTS

1. Council Member John Cataldo
Councilmember Cataldo mentioned expressed interest in an uptown beautification committee.
2. Council Member Austin Guenther
Councilmember Guenther thanked Troy Shonk for help with placing Pop Warner teams.
3. Council Member Cal Rolfson
Councilmember Rolfson remarked upon the reception, suggested a plaque for the cannon and mentioned the importance of citizen input.
4. Council Member Nate Walker
Councilmember Walker congratulated essay winners and mentioned an upcoming food giveaway.
5. Council Member Doug Bryant
No report.
6. Vice-Mayor Marc Crail
Vice-mayor Crail commented on City Government Week activities, the arborist and tree committee, and awarded Public Works Director George Marek gold suspenders.
7. Mayor Crissy Stile
Mayor Stile thanked City Manager Comiskey for the reception, mentioned the upcoming craft fair and new statistics regarding the library.

FUTURE MEETING DATES

1. November 1, 2022, 6:00 PM, Regular Session
2. November 15, 2022, 6:00 PM, Regular Session
3. December 6, 2022, 6:00 PM, Regular Session
4. December 20, 2022, 6:00 PM, Regular Session

ADJOURNMENT

MOTION BY COUNCILMEMBER GUENTHER 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 7:56 P.M.

CRISSY STILE, MAYOR
City of Mount Dora

JEANANN HAND
Interim City Clerk



CITY OF
MOUNT
D O R A

2022
FLORIDA CITY
GOVERNMENT
WEEK
"If I Were Mayor"
Essay Contest
"If I were Mayor,
I would..."



Florida City
Government Week



CITY OF
MOUNT
D O R A



Florida City
Government Week

2022

FLORIDA CITY GOVERNMENT WEEK
"If I Were Mayor" Essay Contest Winner

Name: Nola Carranza

Round Lake Charter School

Mrs. Peggy Reider (Civics Teacher)

"If I were Mayor I would..."

If I were Mayor, I would make the railroad/train tracks in Downtown Mount Dora into a bike and walking trail. It would be awesome to have a safe place to bike or walk, without the crazy traffic in Mount Dora slowing us down. Also, with all the festivals it is almost impossible to get a nice walk in without absolute and utter chaos.

Mount Dora is a beautiful place don't get me wrong; the trees, flowers, and pretty houses. But it gets hard to enjoy the mouth dropping scenery in Mount Dora when there is craziness all around you. I know that the Mayor is not the only person making the decisions. There are seven members (including the Mayor) to help deal with all the issues in Mount Dora. But this idea could help make the city better. It could bring more people in; not just for the restaurants, or the houses but for the nature.

Mount Dora is an extraordinary place, it has cool festivals, parks, restaurants, and shops. But sometimes you just want to buckle down, and enjoy the city for what it is...the nature. This walking trail can do that. I know being Mayor is difficult, trying to help the residents and make them happy. But this is what the residents want... With this idea we are one step close to making Mount Dora the absolute best it can be.



CITY OF
MOUNT
DORA



Florida City
Government Week

2022

FLORIDA CITY GOVERNMENT WEEK

"If I Were Mayor" Essay Contest Winner

Name: Madeline Leon

Period 3rd

Mount Dora Middle School

Mr. Savoy Advanced Civics

"If I were Mayor I would..."

If I were Mayor, I would increase the number of trees in the city, positively impact young people, and organize enjoyable charity events. The majority of people believe that being a Mayor is a regular job, but I don't agree. Being a Mayor comes with significant responsibility. As a Mayor, for instance, you are in charge of the welfare of your city. In addition to having many duties, being a Mayor has a lot of advantages, such as visiting schools, meeting with residents, and making decisions about what will or won't help your city.

If I were Mayor, I would encourage the planting of more trees across the city since the presence of more trees will reduce the amount of pollution in the air, and who doesn't enjoy breathing clean air? Trees also provide a habitat for a wide variety of wildlife species. Many birds and mammals find food, shelter, and protection in trees.

Secondly, I'd use my position to positively affect kids. For instance, visiting schools to inform students about what it's like to serve as Mayor and the duties that go along with the job. I would also encourage them to engage in an enjoyable extra-curricular activity. I would also strongly encourage kids to be the best they can be because doing so can change their perspective on education.

Lastly, if I were Mayor, I would organize a lot of charitable activities both to entertain kids and to earn money for the city's needs. For example, constructing shelters, starting a sports team, and creating new and improved events to make the city a better and enjoyable place to live in. These charity events would benefit our community while also bringing joy to children, so everyone wins.

In summary, I would be the best Mayor because I'd increase the number of trees in the city, have a beneficial impact on children, and organize entertaining charity events. I would enjoy being a Mayor, making all these improvements to our city and making it a better place to live.



1 of 3 matches



"Famous lighthouse"

Find

Cancel

MOUNT DORA'S MYSTERIOUS RELIC



TOM BENITEZ/STAFF PHOTOGRAPHER

Mount Dora Mayor Melissa DeMarco shows off the cannon back on display after undergoing conservation.

SPIFFED-UP CANNON GOES BACK ON DISPLAY

By Martin E. Comas
STAFF WRITER

MOUNT DORA — In its heyday, as the story goes, the old cannon sitting next to Mount Dora's famous lighthouse once blasted cannonballs off Spanish ships in the early part of the 18th century, most likely at pirate vessels trilling the Caribbean.

But it's a mystery how the old black gun ended up at the bottom of the ocean off Florida's coast and eventually into the hands of a former Mount Dora City Council member, who donated the relic to the city.

The cannon — likely made between 1690 and 1730 — spent the past three years being "scrubbed down" and spiffed up in a Tallahassee lab by state archaeologists.

Now it's back in Mount Dora, looking shiny and nearly new atop a brick platform at Grantham Point Park, as if ready to fire a volley across Lake Dora. It is one of the many historical items the state Bureau of Archaeological Research has conserved during the past 35 years.

Conserving historical pieces is important, state officials say, because it draws the fascination of people — including tourists — who wonder what life was like in Florida centuries ago. That includes Mount Dora's little-known Spanish cannon.

"I think visitors and residents will be fascinated by it," Mount Dora Mayor Melissa DeMarco said about the old cannon. "And it adds

another unique element to our city's charm."

Still, not much is known about the cannon because of its age. Jim Conway, a council member during the early 1990s, was an avid deep-sea diver who said he pulled the cannon from the Atlantic in South Florida. He reportedly kept the cannon on his front porch for years before donating it to the city in 1987 when Mount Dora was building a lighthouse at Grantham Point. Conway died in April 2001, so where exactly he discovered the old gun and how it was used likely will remain a mystery forever.

For more information, contact Tom Benitez at 352-742-5927.

tom.benitez@tda.com or
352-742-5927



11 of 63



FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Guenther - Austin - William Frederick		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Mount Dora City Council	
MAILING ADDRESS 2223 Overlook Drive		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY Mount Dora	COUNTY Lake	NAME OF POLITICAL SUBDIVISION: District 3	
DATE ON WHICH VOTE OCCURRED October 18, 2022		MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Austin Guenther, hereby disclose that on October 18, 20 22 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☒ inured to the special gain or loss of Mike Vedder, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

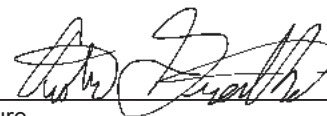
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

October 19, 2022

Date Filed

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



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

DATE: November 1, 2022

TO: Honorable Mayor and City Council Members

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

SUBJECT: Direction related to proposed language revision to Joint Planning Agreement (JPA) with Lake County

Introduction:

This is an opportunity for Council to discuss the recent Lake County proposal to amend the City/County JPA.

Discussion:

As directed by City Council at the October 18, 2022, meeting, this item pertains to the Lake County Board of County Commissioners' recent action to consider termination of the City/County Joint Planning Agreement (JPA). At this County meeting, the action taken was to table the termination proposal to allow the City to consider the matter of the language in question related to the provision of Article II, Paragraph 5 of the JPA. Attachment #1 is the recent BCC October 11, 2022, agenda item packet and includes the JPA document, 1st Amendment to the JPA, and the County Attorney's memorandum dated October 3, 2022 for background materials.

JPA History: The original JPA was implemented in September 2004. There was one subsequent amendment in May 2015, which modified (removed) a small boundary area on the western side of the City at Old US Highway 441 and Bay Road (this amendment is included in Attachment #1).

JPA is allowed under Florida Statutes and as a means for inter-governmental coordination. The City/County JPA includes the following principles:

- Timing of urban growth
- Density of urban and pre-urban areas
- Limiting private utility providers to areas outside the JPA
- Environmental resource management, including potential greenbelt areas
- Innovative and flexible planning such as mixed-use, clustering and open space provisions

- Transportation planning consistent with the Lake County transportation plan.

Resource: Intergovernmental Coordination Element, Policy 3.b of the City of Mount Dora Comprehensive Plan 2045: *"Maintain and amend as needed, the joint planning agreement with Lake County. Issues shall be considered that ensure implementation of the agreements to the fullest extent possible and provide regular review of land development applications of mutual interest as standard procedure."*

Budget Impact:

Annexation is directly related to impact fees.

Strategic Impact:

Goal 1: Economic Development

Recommendation:

Provide staff and City Attorney direction as to proposed amendments to the City/County JPA.

Attachment(s):

1. Amended JPA language Article III, Para 5.SGS
2. Attachment 1 Lake County BCC 10-11-2022 JPA Agenda Item

Prepared by: Jeanann Hand, Interim City Clerk

Reviewed by: Vince Sandersfeld, Planning and Development Director
Sherry Sutphen, City Attorney
Jeanann Hand, Interim City Clerk
Patrick Comiskey, City Manager

Approved - 10/20/2022

Approved - 10/26/2022

Approved - 10/26/2022

Final Approval - 10/26/2022

Amended JPA language Article III, Para 5.SGS

Article III – Creation of Joint Planning Area

5. Requests for municipal services within the JPA may, at the discretion of the City, require a covenant to annex ~~or, if contiguous to the City boundary, annexation into the City in order to~~ in connection with receiving ~~receive~~ municipal services. If the City notifies the County as part of a Development Order application review process that a covenant to annex will be required because of the provision of City utilities to the development and the property is located within the JPA, the County shall require a covenant to annex in a form approved by the City as part of the ~~not approve a Development Order approval process, until such time as a covenant to annex has been executed by the City and the Development Order applicant unless the City refuses to provide utilities per this section, or does not allow the Development Order applicant to recoup all costs of the utility line extension not directly attributable to the development as others hook up to such lines within a reasonable time period not to exceed five (5) years.~~ If the City notifies the County as part of the Development Order application review process that annexation will be required because of the provision of City utilities to the development and the property is located within the JPA and contiguous to the City's boundary, the County shall not approve a Development Order, but shall ~~require the Development Order applicant to annex and submit to the City's development process unless the City refuses to provide utilities per this section, or does not allow the Development Order applicant to recoup all costs of the utility line extension not directly attributable to the development as others hook up to such lines within a reasonable time period not to exceed five (5) years.~~

The City shall provide utility services within the JPA and may, at the discretion of the City, require those persons desiring service to pay the initial expense of extending utility services through a refundable facilities program which allows the person extending utility services to recoup all costs of the utility line extension not directly attributable to the person desiring services as other hook up to such lines within a reasonable time period not to exceed five (5) years. As part of the development order process, for development located in the JPA, the County shall not issue development orders within the JPA without reviewing the proposed development with the City to ensure the appropriate utility design for the development. If the City is willing to provide utility services or provide utility services through a refundable facilitate program as described above, the County shall not permit any new private utilities, septic tanks or wells to be constructed as part of development within the JPA without the prior approval of the City.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA
OFFICE OF THE COUNTY MANAGER
AGENDA ITEM COVER SHEET**

DATE: 09/28/2022

MEETING DATE: 10/11/2022

TO: Jennifer Barker, County Manager

ITEM TYPE: Other

THRU:

ITEM ID: 20377

Melanie Marsh, County Attorney

BY: Nova Atkinson, Paralegal

SUBJECT: Termination of the Joint Planning Agreement with the City of Mount Dora

RECOMMENDATION/REQUIRED ACTION:

Request to:

1. Terminate the Joint Planning Agreement (JPA) with the City of Mount Dora as the JPA contains a provision that is contrary to law;
2. Authorize the Chairman to send the required termination notice; and
3. Continue working with the City of Mount Dora on developing a new JPA as part of the joint planning initiative facilitated by the East Central Florida Regional Planning Council.

BACKGROUND SUMMARY: On September 28, 2004, the County and the City of Mount Dora (City) entered into a Joint Planning Agreement (JPA) for the purposes of developing procedures for the timely review and processing of annexation requests and development applications. The City is seeking to enforce the provisions of Article III, Paragraph 5, as it pertains to a specific development application that states:

If the City notifies the County as part of a development order application review process that annexation will be required because of the provision of city utilities to the development and the property is located in the JPA and is contiguous to the City's boundary, the County shall not approve the development order, but shall require the development order applicant to annex and submit to the City's development process unless the City refuses to provide utilities pursuant to this section ..."

After being reviewed by the County Attorney, this provision appears to be contrary to applicable law. The County Attorney's legal opinion is attached.

The recommendation is to terminate the JPA with the City of Mount Dora and authorize the Chairman to send the required 180-day notice. The termination recommendation results from the referenced provision being contrary to applicable law. The goal is to develop a new JPA with the City of Mount Dora as part of the joint planning initiative that began in February 2022, and that is being facilitated by the East Central Florida Regional Planning Council.

Fiscal Impact:

Account No.:

Advertised Date:

Paper:

Attachments:

1.	Mount Dora JPA
2.	Mount Dora JPA_1st Amendment
3.	CA_JPA Legal Op_Mt. Dora JPA_final_10.03.22

STAFF APPROVALS AND DATES:

Nova Atkinson	Created/Initiated - 9/28/2022
Melanie Marsh	Approved - 10/2/2022
Niki Booth	Approved - 10/3/2022
Allison Tesla	Approved - 10/3/2022
Melanie Marsh	Approved - 10/3/2022
Jennifer Barker	Approved - 10/5/2022
Misty Spahn	Final Approval - 10/5/2022

ACTION TAKEN BY BOARD:

Action: New

Continued/Deferred Until:

Other:

R. County Attorney

CFN 2005044850
 Bk 02793 Pgs 1347 - 1369; (23pgs)
 DATE: 03/30/2005 09:29:31 AM
 JAMES C. WATKINS, CLERK OF COURT
 LAKE COUNTY
 RECORDING FEES 197.00

CITY OF MOUNT DORA - LAKE COUNTY

JOINT PLANNING AGREEMENT

This Joint Planning Agreement is made and entered this 28th day of September 2004 by and between the City of Mount Dora, a Florida Municipal Corporation (the "City") and Lake County, Florida, a political subdivision of the State of Florida (the "County").

PREAMBLE

WHEREAS, the County and the City recognize that proper intergovernmental coordination is essential for sound growth management; and

WHEREAS, the County and City seek to have compatible land uses adjacent to their common boundary; and

WHEREAS, pursuant to Part II of Chapter 163, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act (the "Act"), and Chapters 9J-5 and 9J-12, Florida Administrative Code, the City and the County adopted and subsequently amended Comprehensive Plans (the "Comprehensive Plan(s)"); and

WHEREAS, the State Comprehensive Plan requires local governments to direct development to those areas which have in place the land and water resources, physical abilities and service capacities to accommodate growth in an environmentally acceptable manner and use incentives and disincentives to achieve a separation of urban and rural land uses; and

WHEREAS, the State Comprehensive Plan requires local governments to protect the substantial investment in public facilities which already exists and to plan for and finance new facilities in a timely, orderly and efficient manner; and

Mount Dora/Lake County JPA – August 23, 2004

1 WHEREAS, the City and the County are desirous of engaging in joint efforts to
2 comprehensively plan certain areas within the City limits of the City of Mount Dora and as well
3 as certain areas located within the boundaries of Lake County, (the "Joint Planning Area" or the
4 "JPA"); and

5 WHEREAS, the JPA, as depicted in Exhibit "A," delineates areas to which the City of
6 Mount Dora is providing utility and other municipal services or intends to provide utility and
7 other municipal services within the next five years; and

8 WHEREAS, the City and the County wish to agree on certain procedures for the timely
9 review and processing of annexation and development proposals within the JPA; and

10 WHEREAS, there is no intent for this Agreement to restrict the County's authority to
11 amend its Comprehensive Plan, Official Zoning Map, or apply land development regulations
12 consistent with the provisions contained herein or otherwise to make land use decisions for
13 unincorporated areas within the JPA; and

14 WHEREAS, there is no intent for this Agreement to restrict the City's authority to amend
15 its Comprehensive Plan, Official Zoning Map, or apply land development regulations consistent
16 with the provisions contained herein, or otherwise to make land use decisions for lands within
17 the corporate boundaries of the City or within the JPA should such lands be annexed by City; and

18 WHEREAS, this joint planning agreement (this "Agreement") will provide a basis for
19 the evaluation of future development applications and annexation proposals as well as for the
20 adequate provision of public services; and

21 WHEREAS, the City and County wish to identify a joint planning area and have

Mount Dora/Lake County JPA – August 23, 2004

1 determined that a joint planning agreement will foster intergovernmental coordination and
2 cooperation, economical provision of services, including police, fire and other services, and
3 adequate utilization of existing and proposed infrastructure; and

4 WHEREAS, this Agreement provides the City and the County with ample opportunities
5 for renegotiation in response to changed circumstances, including the ability to seek refinement
6 or expansion of the Joint Planning Area; and

7 WHEREAS, public hearings with due public notice have been held by the City and the
8 County prior to approval of this Agreement and as set forth in Section 163.3171(3), Florida
9 Statutes; and

10 WHEREAS, it is the intent of the City and the County that this Agreement shall be
11 immediately applicable to any issuance of a Development Order, as defined in Article II of this
12 Agreement, for a parcel of land located in the JPA and submitted to the County or the City after
13 the effective date of this agreement; and

14 WHEREAS, annexation of properties can affect the responsibility for maintenance of
15 public facilities such as roadways and drainage facilities; and

16 WHEREAS, the County and the City desire to enter into this Joint Planning Agreement to
17 address post-annexation issues related to road right-of-way and drainage facility maintenance
18 responsibility as well as development order requests within the Joint Planning Area; and

19 WHEREAS, it is desirable for the City and the County to enter into such an agreement to
20 better identify areas proposed for future municipal service, and jurisdiction and to ensure better
21 coordination of government services and reduce or eliminate substantial future non-conformities;

Mount Dora/Lake County JPA – August 23, 2004

1 and

2 WHEREAS, the establishment of this agreement will provide for a better defined
3 boundary between the City and the County including the elimination of enclaves and reduce
4 confusion to residents and service providers; and

5 WHEREAS, the agreement will facilitate the flow of information regarding land
6 development issues between the City and the County; and

7 WHEREAS, the City and County desire to provide opportunities for employment in
8 proximity to nearby populations centers, and uphold this mutual objective as a tenant of smart
9 growth; and

10 WHEREAS, the City and County recognize Mount Dora and the unincorporated area of
11 Sorrento/Mount Plymouth as distinctive communities, and desire to protect the unique character
12 of each; and

13 WHEREAS, the City and County recognize the scenic nature of Wolfbranch Road and
14 character of established residential neighborhoods appurtenant to this roadway corridor; and

15 WHEREAS, the City and County affirm a shared commitment to furthering
16 transportation and conservation objectives of the Wekiva River Basin Coordinating Committee
17 as set forth by the Wekiva Parkway and Protection Act, Part III, Chapter 369, Florida Statutes
18 (2004);

19 NOW, THEREFORE, in consideration of the mutual covenants set forth in this
20 Agreement, the receipt and sufficiency of which are hereby acknowledged, the City and the
21 County agree with each other to create and participate in this Agreement as follows:

Mount Dora/Lake County JPA – August 23, 2004

ARTICLE I - INCORPORATION OF PREAMBLE

1. Incorporation of Preamble. The preamble above is true and correct and is incorporated into this Agreement as if fully set forth below. This Agreement shall be considered an interlocal agreement pursuant to the authority given to the County and the City, including the authority found within, but not limited to, Sections 163.01, 163.3171, and 163.3177(6)(h)1.a, Florida Statutes (2003), as well as Chapter 125, Chapter 166 and Chapter 171, Florida Statutes and the Constitution of the State of Florida.

ARTICLE II - DEFINITIONS

1. Act. Means the "Local Government Comprehensive Planning and Land Development Regulation Act" set forth in Section 163.3161 *et. seq.*, Florida Statutes, as the same may be amended or superseded from time to time.

2. Agreement. Means this Agreement, as the same may be amended or supplemented as provided for herein.

3. City. Means the City of Mount Dora, a Florida municipal corporation.

4. City Comprehensive Plan. Means the comprehensive plan of the City adopted pursuant to the Act, as amended from time to time.

5. City Council. Means the elected legislative governing board of the City of Mount Dora.

6. Collector Road. Means the type of road that provides for movement between local streets and the regional road network. A collector road may include an arterial road.

7. County. Means Lake County, Florida, a political subdivision of the State of

Mount Dora/Lake County JPA – August 23, 2004

1 Florida.

2 8. County Commission. Means the elected legislative governing board of Lake
3 County.

4 9. County Comprehensive Plan. Means the comprehensive plan of the County
5 adopted pursuant to the Act, as amended from time to time.

6 10. County-Maintained Roads. Means roadways, or segments thereof, along with
7 associated drainage facilities, actually maintained or required to be maintained by the County,
8 which may or may not have been transferred to the County for maintenance responsibility by the
9 State of Florida as outlined in Chapter 335, Florida Statutes, as amended or superseded from time
10 to time.

11 11. Development. Means development as set forth in Sections 163.3164(6) and
12 380.04, Florida Statutes (2003), as amended or superseded from time to time.

13 12. Employment Center. Means an area in which light industrial, wholesale,
14 manufacturing and assembly uses, offices and combinations of these uses are appropriate, as
15 designated on the Lake County Future Land Use Map.

16 13. Enclave. Means enclave as set forth in Section 171.031, Florida Statutes (2003),
17 as amended or superseded from time to time.

18 14. Future Land Use Element. Means to that section of either the City's or the
19 County's Comprehensive Plan, which includes all of the requirements of Section 163.3177(6)(a),
20 Florida Statutes (2003), as the same may be amended or renumbered from time to time.

21 15. Governing Body. Means, in the case of the County, the County Commissioners,

Mount Dora/Lake County JPA – August 23, 2004

1 and in the case of the City, the City Council.

2 16. Infrastructure or Utility Improvements. Means any proposed sewer, water, reuse
3 water, stormwater, right-of-way, roadway, electric, gas, telecommunication, park, open space,
4 public building, public utility, public drainage, or public retention owned or operated by a local
5 government or private entity.

6 17. Joint Planning Area or JPA. Means that area depicted in Exhibit "A."

7 18. JPA Map. Means and refers to the map attached hereto and incorporated herein
8 by reference as Exhibit "A", which designates parcels of land encompassed by this Agreement.

9 19. Land Development Regulations. Means ordinances enacted by the City or the
10 County for the regulation of any aspect of land development.

11 20. Local Planning Agency or LPA. Means the respective recommending agencies
12 appointed by the County Commission or City Council to review comprehensive plan and Land
13 Development Regulation amendments, and designated as the "local planning agency" pursuant to
14 Section 163.3174, Florida Statutes. The City LPA is currently the City Planning and Zoning
15 Commission. The County LPA is currently the Land Planning Agency (Planning Board).

16 21. Non-conforming use. Means existing land use that is prohibited by current
17 regulations.

18 22. Parcel of Land. Means any quantity of land capable of being described with such
19 precision or exactness that its location and boundaries may be established, which is designated by
20 the City, by the County, or by its owner or developer as land to be used or developed as a unit or
21 which has been used or developed as a unit.

Mount Dora/Lake County JPA – August 23, 2004

23. Professional Employment Center. Means an area in which light industrial, offices, and combinations of these uses are appropriate, as designated on the Lake County Future Land Use Map.

24. Significant Development Order. Means any determination or decision requiring either legislative, quasi-judicial, or administrative review and approval by either governing body related to annexations or Covenant to Annex agreements, comprehensive plan amendments, site plans (excluding those resulting in less than a fifty percent (50%) expansion of a building, unless such expansion results in changes to parking, stormwater, water connections, or wastewater connections), development of regional impact ("DRI"), planned unit developments ("PUD"), subdivision and plat approvals, rezonings, special exceptions, conditional uses, special permits, or utility improvements.

25. Unincorporated JPA. Means the area of the JPA that is not currently within the municipal limits of the City, as depicted in Exhibit "A."

26. Vested Development. Means development that has been issued a final development order.

ARTICLE III - CREATION OF JOINT PLANNING AREA

1. Joint Planning Area Created.

The Joint Planning Area shall consist of those lands identified in Exhibit "A."

2. The County and the City will use their best efforts to incorporate the boundaries of the Joint Planning Area into the Future Land Use Maps of their respective plans and to

Mount Dora/Lake County JPA – August 23, 2004

1 including the terms and conditions stated herein. The County and the City will use their best
 2 efforts to amend their Land Development Regulations to incorporate the terms and conditions
 3 stated herein. The County and the City will use their best efforts to implement the ideas set forth
 4 in Article V hereof.

5 3. a. It is the intent of the City and the County that the comprehensive plans of
 6 the City and the County shall ensure that the lands in the Joint Planning Area are developed
 7 consistent with development within the City, and, at the same time, develop in a way that will
 8 ensure efficient provision of public infrastructure and services in this area. Any property
 9 annexed subsequent to the adoption hereof shall be limited to a maximum density no greater than
 10 the highest density allowed within the Future Land Use category established for the property by
 11 the County immediately prior to annexation.

12 b. The amendments contemplated in paragraph a, above, shall cover growth
 13 management issues and may include, but are not limited to, the following topics:

- 14 (1) Timing of urban growth
- 15 (2) Density of urban and pre-urban areas
- 16 (3) Limiting private utility providers to areas outside the JPA
- 17 (4) Environmental resource management, including potential greenbelt
 18 areas
- 19 (5) Innovative and flexible planning such as mixed-use, clustering and
 20 open space provisions
- 21 (6) Transportation planning consistent with Lake County

Mount Dora/Lake County JPA – August 23, 2004

5. Requests for municipal services within the JPA may at the discretion of the City, require a covenant to annex or, if contiguous to the City boundary, annexation into the City in order to receive municipal services. If the City notifies the County as part of a Development Order application review process that a covenant to annex will be required because of the provision of City utilities to the development and the property is located within the JPA, the County shall not approve a Development Order until such time as a covenant to annex has been

10

1 executed by the City and the Development Order applicant unless the City refuses to provide
2 utilities per this section, or does not allow the Development Order applicant to recoup all costs of
3 the utility line extension not directly attributable to the development as others hook up to such
4 lines within a reasonable time period not to exceed five (5) years. If the City notifies the County
5 as part of a Development Order application review process that annexation will be required
6 because of the provision of City utilities to the development and the property is located within
7 the JPA and contiguous to the City's boundary, the County shall not approve a Development
8 Order, but shall require the Development Order applicant to annex and submit to the City's
9 development process unless the City refuses to provide utilities per this section, or does not allow
10 the Development Order applicant to recoup all costs of the utility line extension not directly
11 attributable to the development as others hook up to such lines within a reasonable time period
12 not to exceed five (5) years.

13 The City shall provide utility services within the JPA and may, at the discretion of the
14 City, require those persons desiring service to pay the initial expense of extending utility
15 services through a refundable facilities program which allows the person extending utility
16 services to recoup all costs of the utility line extension not directly attributable to the person
17 desiring service as others hook up to such lines within a reasonable time period not to exceed
18 five (5) years. The County shall not issue development orders within the JPA without reviewing
19 the proposed development with the City to ensure the appropriate utility design for the
20 development. If the City is willing to provide utility services or provide utility services through a
21 refundable facilities program as described above, the County shall not permit any new private

1 utilities, septic tanks or wells to be constructed as part of development within the JPA without
2 prior approval by the City.

3 6. a. The City shall annex only lands in the Joint Planning Area and shall not
4 annex any lands outside of the Joint Planning Area without amendment of Exhibit "A" of this
5 Agreement.

6 As real property within the area depicted as unincorporated is annexed into
7 the City, it shall be unnecessary to amend this Agreement or Exhibit "A."

8 b. Terms of Annexation Related to Transfer of Infrastructure. All future
9 municipal annexation-related transfers of infrastructure shall occur consistent with the following
10 terms: Upon annexation of a sum greater than fifty (50%) of the existing front footage of
11 properties abutting any subject road right-of-way, other than a State of Florida operated and
12 maintained right-of-way, located between the two nearest collector streets (or streets with a
13 higher classification) intersecting right-of-ways (i.e. cross streets), except for existing County
14 roads currently being maintained within the City, the City shall assume maintenance
15 responsibility for such road right-of-way segment and associated drainage facilities not
16 terminating at any right-of-way centerline, but between and extending to and including the above
17 mentioned local cross street intersections, or as may be mutually designated. All such transfers of
18 maintenance responsibility related to an annexation shall include the entire width of the right-of-
19 way adjacent to annexed properties.

20 The following list of County roads shall not require assumption of
21 maintenance:

Mount Dora/Lake County JPA – August 23, 2004

1. Wolfbranch Road;
2. Robie Avenue;
3. Old Highway 441;
4. CR19A;
5. Britt Road; and
6. Round Lake Road.

c. Terms of Non-Annexation Related Transfer of Infrastructure and Right-of-Way. Transfers of maintenance responsibility and ownership from the County to the City related to road right-of-ways and their associated drainage facilities not associated with an annexation shall require an agreement between the City and the County.

7. County Right-of-Way Maintenance Responsibility. Unless this Agreement is modified pursuant to Article V below, the County agrees to continue to maintain, regardless of any adjacent annexations, the particular roadways or segments thereof, and associated drainage facilities within the JPA. The County agrees to continue to maintain these facilities until transferred to the City in accordance with the terms of this Agreement, or as this Agreement is modified pursuant to Article V below. Upon execution of this Agreement, any new roads constructed by the County in the City shall be maintained and owned by the County.

**ARTICLE IV – PROCEDURES FOR REVIEWING AND
COMMENTING ON DEVELOPMENT ORDERS
WITHIN THE JPA**

1. Forwarding of Development Order applications from the County to the City and

Mount Dora/Lake County JPA – August 23, 2004

1 from the City to the County. The City and the County, within five (5) working days of receipt of
2 any applications or preliminary plans associated with an application for a Significant
3 Development Order within the JPA shall provide a copy of such application materials to the
4 designated department, division or office of the other party as is designated by the other party via
5 written correspondence to the persons described in Section 6, Article V herein. The City or the
6 County may request a meeting to discuss the effect of such development.

7 The County/City staff shall provide to the City/County its comments on the matters
8 above, within ten (10) working days of receipt of a copy of any such application. The noted time
9 frames may be extended by consent of both parties in order for the City staff or the County staff
10 to review the objecting party's comments so long as the time frames within the City's or the
11 County's Land Development Regulations are met. If at any time the secondary jurisdiction shall
12 consider the Development Order at a public meeting, the landowner or applicant for the proposed
13 Development Order shall be given notice of the time, date, and place of the public meeting.

14 If a modification of a development order application is submitted to the primary
15 jurisdiction, the secondary jurisdiction shall be afforded review pursuant the review time periods
16 described herein.

17 2. Review of Development Applications described in 1, above. In addition to the
18 evaluation and comments normally prepared by the City or the County agency initially accepting
19 an application for a Development Order, any comments submitted by the agency of secondary
20 jurisdiction in their review of the copy of a Development Order application shall be considered
21 by the agency of primary jurisdiction in its review of the Development Order, which review shall

Mount Dora/Lake County JPA – August 23, 2004

1 include an examination of the relationship between the application, the City's and the County's
2 Comprehensive Plans, Land Development Regulations and this Agreement.

3 3. When reviewing any Development Order plan(s) or application(s) for properties
4 within the JPA that are bound by a City covenant to annex, the City staff shall provide review
5 comments and forward such covenant to annex directly to the County. Formal review of said
6 plan(s) or application(s) along with the permitting, inspection and the issuance of Certificates of
7 Occupancy on such properties shall then be the responsibility of the County. Such properties
8 shall meet the supplemental development criteria, if any, as stipulated in the City's covenant to
9 annex and related agreements. The County shall not issue a Certificate of Occupancy until the
10 City has approved all public infrastructure to be transferred to the City pursuant the terms
11 established in the covenant to annex and related agreements and any additional City
12 requirements, including concurrency, have been met, which requirements shall be forwarded to
13 the County as part of the Development Order application review process.

14 4. Development Orders within the City's portion of the JPA. The governing and/or
15 administrative body of the City shall consider the comments of the County for property annexed
16 after execution of this agreement.

17 **ARTICLE V - SPECIFIC DEVELOPMENTAL** 18 **AND ENVIRONMENTAL CONSIDERATIONS**

19 1. It is the intent of the City and the County to designate and promote the creation of
20 an employment center located in the vicinity of Round Lake Road and State Road 46, as
21 conceptually depicted in Exhibit "B." The objective of this land use designation shall be to

Mount Dora/Lake County JPA – August 23, 2004

1 provide quality job opportunities, including professional offices, convenient to both the City of
2 Mount Dora and unincorporated area of Sorrento and Mount Plymouth. The City and the County
3 shall coordinate efforts to develop Comprehensive Plan policies that are appropriate for this
4 employment center, ensure compatibility with neighboring land uses, and respect the distinct
5 identities of both the city and the unincorporated area.

6 2. It is the intent of the City and the County to create a local scenic roadway
7 designation for Wolfbranch Road and to develop Comprehensive Plan policies that protect the
8 aesthetic characteristics of this residential corridor. Such policies shall consider lighting,
9 signage, buffers, protection of canopy trees, and restrictions on incompatible development.

10 3. It is the intent of the City and the County to designate a transitional area within the
11 JPA between Round Lake Road and the Mount Plymouth/Sorrento Urban Compact Node, as
12 depicted in Exhibit "B." The objective of this designation shall be to support the professional
13 employment center identified in paragraph 1 and to provide for transitional residential densities
14 of no more than one unit per acre, compatible with established neighborhoods in the Wolfbranch
15 Road corridor.

16 4. It is the intent of the City and the County to coordinate with state agencies and
17 local governments to implement requirements of the Wekiva Parkway and Protection Act.
18 Within the JPA, these activities may include but are not limited to the establishment of
19 Comprehensive Plan policies and land development regulations, creation of a master stormwater
20 management plan, and the protection of habitat and recharge areas. Consistent with this, the City
21 and the County shall explore cooperative efforts to acquire environmentally sensitive land within

1 the JPA and consider development of a trail system to link natural areas with the surrounding
2 community and employment center.

3 ARTICLE VI - GENERAL PROVISIONS

4 1. Disclaimer of Third Party Beneficiaries. This Agreement is solely for the benefit
5 of the parties executing this Agreement, and no right or cause of action shall accrue upon or by
6 reason hereof, to or for the benefit of any third party not a formal named party hereto. Nothing in
7 this Agreement expressed or implied is intended or shall be construed to confer upon or give any
8 person or corporation other than the parties hereto any right, remedy or claim under or by reason
9 of this Agreement or any provisions or conditions hereto; and all of the provisions,
10 representations, covenants and conditions herein contained shall inure to the sole benefit of, and
11 shall be binding upon, the parties hereto and their respective and express representatives,
12 successors and assigns.

13 2. Renegotiation. The County or the City may call for renegotiation of this
14 Agreement by written notice to the other party at any time. The City and the County may
15 renegotiate this Agreement in response to changed circumstances, to seek refinement, expand or
16 contract the JPA boundary, or alter the designated time allowances as described in this
17 Agreement. Upon such written notice, for a period of 90 days thereafter, the City and the County
18 shall attempt to renegotiate this Agreement in good faith. During that 90-day period, where
19 either party, in its sole discretion and in good faith, determines that such renegotiations have
20 reached an impasse, it may invoke the conflict resolution procedures set forth in Chapter 164,
21 Florida Statutes. If no Agreement is negotiated during the 90-day period or during the conflict

Mount Dora/Lake County JPA – August 23, 2004

1 resolution process, the terms of this Agreement shall continue to govern and remain in full force
2 and effect. Should the City or the County seek judicial review of this Agreement, or to enforce
3 this Agreement, the City and the County recognize that venue will be properly located in Lake
4 County, Florida for any action regarding this Agreement. The failure of any party to this
5 Agreement to enforce any provision contained herein shall in no event be deemed a waiver of its
6 rights to thereafter enforce this Agreement. Utilization of one remedy to enforce this Agreement
7 shall not be deemed the only method by which to enforce the provisions of this Agreement.

8 3. Severability, Construction and Interpretation. In the event that any section,
9 subsection, sentence, clause, or word of this Agreement shall be held by a court of competent
10 jurisdiction to be partially or wholly invalid or unenforceable for any reason whatsoever, any
11 such invalidity, illegality, or unenforceability shall not affect any of the other remaining articles,
12 sections, subsections, sentences, clauses or words of this Agreement, and this Agreement shall be
13 read and/or applied as if the invalid, illegal, or unenforceable section, subsection, sentence,
14 clause, or word did not exist. This Agreement was mutually negotiated by all parties who have
15 executed the same. Consequently, it is the intent of the parties that no provision shall be more
16 harshly construed against either party as the drafter hereof.

17 4. Effective Date. Prior to this Agreement, or any amendment hereto, becoming
18 effective, it shall be approved and executed by both parties hereto, and pursuant to Section
19 163.01(11), Florida Statutes (2003), this Agreement shall become effective immediately after
20 filing of this Agreement with the Clerk of the Circuit Court of Lake County, Florida. This
21 Agreement shall be recorded in the public Records of Lake County, Florida, and the cost thereof,

Mount Dora/Lake County JPA – August 23, 2004

1 if any, shall be shared equally by both governing bodies.

2 5. Termination and Amendment.

3 a. Termination.

4 (1) This Agreement shall renew automatically after five (5) years from
5 the date of final adoption, and every five (5) years thereafter, unless it is terminated pursuant to
6 paragraph 2 below.

7 (2) Either party may terminate this Agreement at any time by
8 delivering written notice to the other party of its intent to terminate this Agreement at least 180
9 days prior to the intended date of termination.

10 b. Amendment. This Agreement may be amended at any time provided both
11 parties authorize said amendment.

12 c. Amendment or Termination of Agreement to be in Writing. Except as
13 provided for herein, no amendment or termination of this Agreement shall be binding on either
14 party unless a written instrument terminating or amending this Agreement is executed by the
15 County Commission Chairman and the Mayor after being duly authorized to do so by their
16 respective governing bodies, and such termination or amendment shall not be effective until after
17 it has been filed with the Clerk of the Circuit Court of Lake County, Florida. Except as set forth
18 herein, all instruments amending or terminating this Agreement shall be recorded in the Public
19 Records of Lake County, Florida.

20 6. Notice; Proper Form. Any notice to be delivered hereunder to either the City or
21 the County by the other party shall be in writing and shall be deemed to be delivered when: (a)

Mount Dora/Lake County JPA – August 23, 2004

hand delivered to the official designated hereunder with receipt acknowledged in writing, or (b) upon receipt of such notice when deposited in the United States Mail, postage prepaid, certified or registered mail, return receipt requested, addressed to the party at the address set forth under the party's name below, or at such other address as the party shall have specified by written notice to the other party delivered in accordance herewith. Copies need not, but are encouraged to be sent pursuant to the above referenced provisions. Mere delivery of copies shall not be determined to be a compliance with the requirements hereof:

COUNTY

CITY

County Manager
Lake County Administration Building
P.O. Box 7800
315 West Main Street
Tavares, FL 32778-7800

City Manager
City of Mount Dora
P.O. Box 176
510 North Baker Street
Mount Dora, FL 32757

Either party to this Agreement may unilaterally amend the address or designee to whom notices are to be delivered by providing notice to the other party as provided herein.

7. Rules of Construction. As used in this Agreement, the plural includes the singular, and the singular includes the plural. Use of one gender includes all genders. Subtitles or catchlines for articles, sections, or subsections herein are used for ease in reading this Agreement, and the subtitles or catchlines do not form a substantive part of this Agreement for purposes of interpretation. This Agreement shall be liberally interpreted to achieve its goals and purposes.

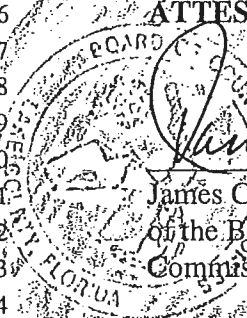
IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: the COUNTY through its Board of County

Mount Dora/Lake County JPA – August 23, 2004

Commissioners, signing by and through its Chairman, duly authorized to execute same by Board action on the 28th day of September, 2004, and the CITY through its City Council, signing by and through its Mayor, duly authorized to execute same by Council action on the 3rd day of August, 2004.

COUNTY

ATTEST:

LAKE COUNTY, through its
BOARD OF COUNTY COMMISSIONERS


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

Debbie Stivender
Debbie Stivender, Chairman

This 15th day of October,
2004.

Approved as to form and legality:

Sanford A. Minkoff
Sanford A. Minkoff
County Attorney

CITY

ATTEST:

Bernice Brinson
Bernice Brinson, City Clerk

James E. Yatsuk
James E. Yatsuk, Mayor

This 8th day of October, 2004.

Approved as to form and legality:

Gary J. Cooney
Gary J. Cooney, City Attorney

The quality of this image
is equivalent to the quality
of the original document.

Mount Dora/Lake County JPA – August 23, 2004

**FIRST AMENDMENT TO JOINT PLANNING AREA AGREEMENT BETWEEN
LAKE COUNTY AND THE CITY OF MOUNT DORA**

THIS FIRST AMENDMENT TO THE JOINT PLANNING AREA AGREEMENT ("Amendment") in made and entered into as of the 3rd day of March, 2015, by and between **LAKE COUNTY, FLORIDA**, a political subdivision of the State of Florida ("County") and the **CITY OF MOUNT DORA**, a Florida municipal corporation ("City").

RECITALS

WHEREAS, County and City have entered into a certain Joint Planning Agreement on September 28, 2004 ("Agreement"); and

WHEREAS, the City wishes to provide for better intergovernmental relations and coordinate planning efforts, as authorized pursuant to Section 163.01, Florida Statutes; and

WHEREAS, the County and City Joint Planning Agreement may be amended from time to time provided authorization by both parties; and

WHEREAS, the City Council of the City of Mount Dora and the Board of County Commissioners of Lake County wish to eliminate any conflict in jurisdictional boundaries for annexation and utility provision between the City of Mount Dora and City of Tavares; and

WHEREAS, the City requested that the County amend the Agreement's Land Use Map; and

WHEREAS, the local planning agencies of both the County and City have considered the Amendment and made recommendations to the Lake County Board of County Commissioners and the Mount Dora City Council, respectively; and

WHEREAS, pursuant to 163.3171(3), Florida Statutes, this Amendment has been approved at advertised public hearings held by both the Lake County Board of County Commissioners and the Mount Dora City Council.

NOW, THEREFORE, in Consideration of the covenants made by each party to the other and of the mutual advantages to be realized by the parties hereto, the receipt and sufficiency of which is hereby acknowledged, County and City hereby agree as follows.

SECTION I. The Recitals set forth above are true and correct and are incorporated herein by reference.

SECTION II. The Joint Planning Agreement dated September 28, 2004, is hereby amended to reflect an adjustment in the Joint Planning Area boundary in the vicinity of the intersection of Bay Road and Old Highway 441. The boundary of the JPA Map attached hereto and incorporated herein by reference as Exhibit "A," which designates parcels of land encompassed by the terms and conditions of said Agreement.

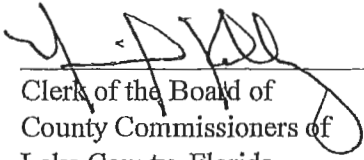
SECTION III. The City and County shall amend their respective Comprehensive Plans pursuant to the revised JPA Map boundary of this Amendment accordingly and in a timely manner.

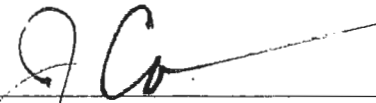
SECTION IV. Except as expressly set forth herein, the Joint Planning Agreement remains unchanged and in full force and effect.

IN WITNESS WHEREOF, the County and City have executed this Amendment on behalf of the County and City, respectively, and have set their seals hereto as of the date set forth above.

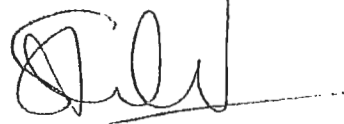
COUNTY
ATTEST:

LAKE COUNTY, though its
BOARD OF COUNTY COMMISSIONERS


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

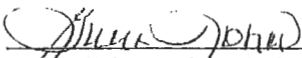

Jimmy Conner, Chairman
This 10th Day of May, 2015

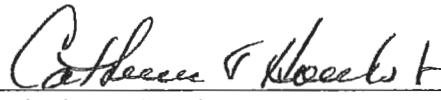
Approved as to form and legality:


Sanford A. Minkoff
County Attorney

CITY
ATTEST:

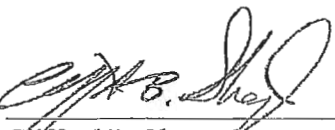
CITY OF MOUNT DORA


Gwen Johns, City Clerk
City of Mount Dora


Catherine T. Hoechst, Mayor
City of Mount Dora

This 5 Day of May, 2015

Approved as to form and legality:


Clifford B. Shepard
City Attorney



MELANIE MARSH
County Attorney
DAVID LANGLEY
Assistant County Attorney
RACHEL BARTOLOWITS
Assistant County Attorney

MEMORANDUM

Lake County Board of County Commissioners • County Attorney's Office
315 W. Main St., Tavares, FL 32778 • 352-343-9787 • www.lakecountyfl.gov

TO: Board of County Commissioners
FROM: Melanie Marsh, County Attorney 
DATE: October 3, 2022
SUBJECT: Mount Dora Joint Planning Agreement

Question Presented

Can a municipality, through a Joint Planning Agreement, prohibit the County from approving development applications for property owners in the unincorporated county, thereby placing an affirmative duty on the County to require the property owner to annex into the municipality and submit to the municipality's jurisdiction?

Brief Answer

No. An agreement entered into by a municipality with relation to a subject which it has authority to act is *ultra vires* if the provisions of the contract attempt to exercise such authority in a manner that is contrary to the authorizing legislation. An *ultra vires* contract is invalid and unenforceable.

Discussion

On September 28, 2004, the County and the City of Mount Dora entered into a Joint Planning Agreement (JPA) for the purposes of developing procedures for the timely review and processing of annexation requests and development applications within a defined geographical boundary. Although the language of the JPA clearly states that the document was not intended to restrict the ability of either the City or the County to make land use decisions for properties within their respective jurisdictions, there is a provision within the JPA that conflicts with the stated intent. In a letter dated May 3, 2022, the City of Mount Dora asserted that the JPA requires the County, upon request of the City, to refuse to approve development applications for a property within the unincorporated area, thereby placing an affirmative obligation on the County to require the property owner to annex. This letter was submitted to the County as part of the City's review of a specific development application for a project known as Mt. Dora Groves, which is a mixed use residential and commercial development spanning both sides of U.S. 441 within the JPA boundaries. The City has reiterated this same position in three subsequent letters dated July 27, 2022, August 18, 2022, and September 27, 2022. The provision in question, more specifically, Article III, Paragraph 5, *City of Mount Dora – Lake County Joint Planning Agreement* states:

If the City notifies the County as part of a development order application review process that annexation will be required because of the provision of city utilities to the development and the property is located in the JPA and is contiguous to the City's boundary, the County shall not approve the development order, but shall require the development order applicant to annex and submit to the City's development process unless the City refuses to provide utilities pursuant to this section..."

(Emphasis added). After reviewing the City's concerns and the applicable law, it appears that this provision renders the JPA *ultra vires*, and, therefore, invalid.

The power to annex is granted to municipalities through the Florida Constitution and Florida Statutes. Article 8, Section 2, of the Florida Constitution states that municipal annexation shall be as provided for by general or special law. Part I, Chapter 171, Florida Statutes, is known as the Florida Municipal Annexation or Contraction Act and its purpose is to establish uniform legislative standards throughout the state for the adjustment of municipal boundaries. Section 171.0413, Florida Statutes, further governs the involuntary annexation process. Under this provision, if a city deems it necessary to annex property without a willing property owner, the city must hold two public hearings and then adopt an annexation ordinance. After the ordinance is adopted, the matter must be submitted to a vote of the registered electors of the area proposed to be annexed. If the annexation is approved through referendum, the ordinance will become effective thereafter.

Since the power to annex is governed expressly through the Florida statutes, a municipality cannot contract with another to require annexation through other means. In this case, the language of the JPA places an affirmative obligation on the County to deny the development application and, **"...require the development order applicant to annex and submit to the City's development process."** Clearly, this language seeks to force the property owner into an involuntary annexation by using the County as the proverbial hammer. The Florida Supreme Court has opined as far back as 1956 that, "...benefits ... conferred upon a city constitutes no excuse for unauthorized methods employed to obtain such benefits". *Cook v. Navy Point, Inc.*, 88 So.2d 532, 535 (Fla. 1956).

Further, this provision of the JPA, if enforced, essentially forces the County to refuse to process the developer's application for zoning and land use approvals. The law does not permit a local government to refuse to process an application for development. Such refusal would amount to a violation of the applicant's procedural due process rights. *Garden Country Club, Inc. v. Palm Beach County*, 712 So.2d 398 (Fla. 4th DCA 1998). Taking this one step further, could the City argue that the language of the JPA does not prohibit the County from processing the application? In response, arguing that the County can still process the application but must, after the public hearing process is complete, deny the application, still opens the door to a substantive due process claim. *City of Pompano Beach v. Yardarm Restaurant, Inc.*, 834 So.2d 861 (Fla. 4th DCA 2003)¹. Either way, this particular provision of the JPA is a contractual provision that exceeds the legal authority of both the County and the City, again, making the JPA *ultra*

¹ In *Yardarm*, the court ruled against the developer on its substantive due process claims on the grounds that the actions of city employees to delay the issuance of building permits, wrongful revocation of building permits, and attempts to repeal special exceptions were executive in nature because no city council action was taken. However, the opinion goes on to discuss that had the city council as a body took a final vote on any permit, site plan, or variance concerning the development, the substantive due process claim could have been supported therefore making a claim for damages ripe for review.

vires, and void as a matter of law². The Florida Supreme Court stated it best when it opined:

In the conduct of municipal business, officials to whom it is entrusted are limited by terms of law defining their powers and duties, and they cannot deal as private individuals with municipal contracts. A court of equity will not tolerate slipshod methods in the conduct of municipal business.

Universal Const. Co. v. Gore, 51 So.2d 429 (Fla. 1950).

Conclusion

Article III, Paragraph 5, *City of Mount Dora – Lake County Joint Planning Agreement*, purports to require the County to refuse to process a development application for a property within the County's jurisdiction, upon request of the City of Mount Dora, for the sole purpose of forcing the property owner to annex and submit to the City's jurisdiction. This provision is contrary to Florida law, thereby making the JPA *ultra vires*. An *ultra vires* contract is invalid and unenforceable. However, because the JPA contains a requirement that is unenforceable, and if complied with, may subject the County to liability, litigation, or a protracted dispute resolution process, it is recommended that the Board of County Commissioners terminate the Agreement.

² See *Morgan Company, Inc. v. Orange County*, 818 So.2d 640 (Fla. 5th DCA 2002)(holding that a contractual provision requiring the county to support a rezoning application, even though not requiring an approval of an application, amounts to contract zoning which is illegal under Florida law.); See also *County of Volusia v. City of Deltona*, 925 So.2d 340 (Fla. 5th DCA 2006)(holding that a pre-annexation agreement effectively contracted away the local government's police powers and was invalid and not enforceable.)



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

DATE: November 1, 2022

TO: Honorable Mayor and City Council Members

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

SUBJECT: City Manager Annual Review

Introduction:

This is a request for City Council to make a recommendation on a salary and compensation adjustment, based on the City Manager's Performance Review.

Discussion:

Every year, each City Councilmember is given an opportunity to review the performance of the City Manager. The results will be compiled and discussed in an open forum.

Budget Impact: N/A

Strategic Impact:

City Council performs the annual evaluation of the City Manager.

Recommendation:

It is recommended that City Council discuss the City Manager's annual performance evaluation.

Attachment(s):

Prepared by: Jeanann Hand, Interim City Clerk

Reviewed by: Sherry Sutphen, City Attorney

Final Approval - 10/25/2022



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

DATE: November 1, 2022

TO: Honorable Mayor and City Council Members

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

SUBJECT: Request Adoption of the Single Reading (Final/Adoption) **Ordinance No. 2022-18**, Small-Scale Future Land Use Map Amendment for Green Wheat LLC and Donnelly LLC (1.14 Acres)

Introduction:

This is a request for City Council to approve the single reading and adoption of Ordinance No. 2022-18.

Call Up Item

Mayor Asks Attorney to Read Ordinance by Title Only

City Manager Background

Applicant Presentation

Testimony by others on behalf of applicant or opposition with a legitimate interest in the matter, who can provide substantial competent evidence.

Rebuttal by Applicant

Discussion

Council Action

Discussion:

Section 163.3187(2) of the Florida Statutes requires only one public hearing before the City Council for Small-Scale Future Land Use Map Amendments. These are only associated with amendments of 50.00 acres or less.

Further descriptions and the land use report are contained in Attachment #1 (PZC/LPA Staff Report). The advertisements for the adoption hearing are provided in Attachment #2. The applicant is requesting an amendment to the City's Future Land Use Map. The proposed amendment will change approximately 1.14 acres from Lake County Urban Low Density (4 dwelling units per acre) to City Low-Medium Density (4 du/ac). The map amendment is required following the annexation to change from County to City designation with equal density.

This Ordinance shall take effect 31 days after the adoption of the annexation Ordinance, per Florida Statutes.

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

The Planning and Zoning Commission (PZC), acting as the Local Planning Agency, at their regularly scheduled meeting held on October 19, 2022, recommended approval of the Small-Scale Future Land Use Map Amendment from High Density Residential to Industrial land use designation.

The Development Review Committee (DRC) on September 28, 2022, reviewed and recommended approval of the Small-Scale Future Land Use Map Amendment.

Budget Impact:

There are no budgetary impacts on the City relative to the processing of the future land use map amendment action.

Strategic Impact:

Future Land Use Map amendments which address density and/or intensity changes are consistent with Growth Management and Economic Development Goals to foster development and growth opportunities. GOAL 1: Economic Development; Objective 1.3. Attract new commercial businesses/residential development.

Recommendation:

City Council adopt under single reading Ordinance No. 2022-18 for the Small-Scale Future Land Use Map Amendment.

Attachment(s):

1. Attachment 1 PZC-LPA Staff Report (ADA)
2. Attachment 2 Legal Ad Publications (ADA)
3. Ordinance 2022-18 Green Wheat FLUM.SGS
4. Exhibit A Future Land Use Map Amendment

Prepared by: Vince Sandersfeld, Planning and Development Director

Reviewed by: Sherry Sutphen, City Attorney
Jeanann Hand, Interim City Clerk
Patrick Comiskey, City Manager

Approved - 10/25/2022

Approved - 10/25/2022

Final Approval - 10/25/2022



CITY OF MOUNT DORA

Planning and Development
510 N. Baker St.
Mount Dora, FL 32757
352-735-7113
plandev@cityofmoundora.com

DATE: October 19, 2022

TO: Planning and Zoning Commission

FROM: Development Review Committee
 Vince Sandersfeld, Planning Director

THROUGH: Michele Janiszewski, AICP, Senior Planner

RE: Application to Amend the Future Land Use Map; Change in land use from Lake County Urban Low Density (4 du/ac) to City Low-Medium Density (4 du/ac); 1.14 Acres (Site Area); Located on the east side of SR 44 and south of Meadenhall Boulevard (site address: 18310 and 18514 SR 44); Ben Champion (Applicant); Green Wheat LLC and Donnelly LLC (Owners).
 Project No. FLUM22-03SM.

SUMMARY OF RECOMMENDATION:

Staff recommends approval of the small-scale application to amend the land use category on 1.14+/- acres from Lake County Urban Low Density (4 du/ac) to Mount Dora Low-Medium Density (4 du/ac) and forward same to City Council.

REFERENCES/SUPPORT:

LDC Section 3.3

Policy 4.g(2) FLUE of the Mount Dora Comprehensive Plan 2045

Annexation Ordinance 2022-17

SITE SUMMARY:

Owners	Green Wheat LLC and Donnelly LLC
Applicant	Ben Champion
Address	18310 and 18514 SR 44
General Location:	Located along the south side of SR 44, north of Loch Levan Landing
Alternate Key Nos.	3929583 and 2569476
Zoning District:	Lake County Agriculture
Proposed Zoning District:	R-1A (Processing under Separate Application)
Future Land Use Category:	Lake County Urban Low (4 dwelling units per acre)
Proposed Land Use Category	Low-Medium Density (4 du/ac)
Overlays:	None
Site Area:	1.14 +/- acres
Existing Use:	Single family residence and vacant land

SURROUNDING PROPERTY TABLE:

Direction	Jurisdiction	Future Land Use	Zoning District(s)	Existing Use(s)	Comments
North	City	PL/I	PLI	Church/Worship	Lighthouse Baptist Church
South	City	MD	R-1A	Residential Subdivision	Loch Levan Phase II
East	City	PL/I	PLI	Church/Worship	Lighthouse Baptist Church
West	County	Res Low Density	R-1	SR 44/SFR	Adjacent to SR 44 Right-of-Way

ANALYSIS:

The subject property was annexed into the City of Mount Dora with the adoption of Ordinance 2022-17 on October 4, 2022. The property contains 1.14 acres and is developed with a single family dwelling unit utilizing an onsite well and septic system. The property needs to be obtain a City zoning and land use district as these are recent annexed parcels. The applicant has applied to amend the future land use map to change it from Lake County Urban Low Density to City Low/Medium Density.

The subject property was split into two lots by the applicant in July. Policy 4.g (2) of Mount Dora's 2045 Comprehensive Plan establishes a maximum density of four (4) dwelling units per acre for the Low/Medium Density Residential land use category. Each parcel is comprised of 29,277 and 20,459 square feet so both properties meet the density requirements of the proposed Low/Medium Density Residential land use category. One parcel is developed with a single family dwelling unit which is a permitted use within the Low/Medium Density Residential land use category. The applicant intends to construct a second single family dwelling unit on the vacant parcel. This development would have a de minus impact on public services. Any more dense or intense development of the subject property would require the submittal of a development application and DRC review.

The change in zoning application is being processed simultaneously with the FLUM application.

PUBLIC IMPACTS AND CAPACITY ANALYSIS:

Housing: The proposed Future Land Use change from County Urban Low Density to City Low/Medium Density Residential would not affect the amount of land available for residential uses. There are no significant housing and population impacts with the proposed future land use map amendment, as the change is equal density. $(1.14 \text{ ac} \times 4 \text{ du/ac} = 4 \text{ units}) \times 2.6 \text{ pph} = \text{Maximum 8 persons}$.

Traffic: Based on the existing entitlements, the proposed land use category will not result in any additional average daily trips (ADT). The surrounding roadway network should have sufficient capacity to accommodate an additional single family dwelling unit. Further review and evaluation would be required if seeking to develop the property with a more intense use.

Wastewater:	Policy 1.d, Infrastructure Element of the Comprehensive Plan establishes level-of-service standards as: (1) Water level-of-service standard: 350 gallons per day (GPD) per equivalent residential unit (ERU); (2) Sewer level-of-service standard: 300 GPD per ERU; and (3) Solid waste level-of-service standard: 7.1 pounds per capita per day. Based on the density requirements, the most development which could be undertaken on the subject property would be to construct a second single family dwelling units.
Potable Water:	The minimum design for water distribution systems shall provide for at least 100 percent of the combined maximum day-demand rate and required fire flow for said rate, with special provisions for peak flows in excess thereof. The allowable minimum service pressure under said design condition shall not be less than 20 pounds per square inch. Normal flow demands for design shall be calculated on the basis of full ultimate development as known, or projected. The proposed change and will not negatively impact capacity.
Reclaim Water:	Conversation Element requires participation in the City reuse for irrigation purposes. Goal 2, Policy 1.c. (1) of the Infrastructure Element requires water conservation practices by utilizing the City reclaimed system available at this location.
Solid Waste:	City's standard is 7.1 pounds per capita per day (LOS disposal).
Stormwater:	Protect water resources in Mount Dora. Control of erosion, sedimentation and flooding are mandatory. Limit post-improvement stormwater discharge to pre-improvement rates based on the 25-year, 96-hour storm. Building first floor elevations must be flood-free for the 100-year, 96-hour storm. Comply with Land Development Code Chapter 6.2 drainage standards. Upon development or permitting of new single-family residential dwelling, the owner is required to provide a drainage plan per LDC..
Habitat:	The property is developed with a single family dwelling unit so there are no anticipated adverse impacts to any natural habitats. Future removal of existing trees will require a permit issued by the City's Department of Public Works.
Environmental:	The survey provided did not provide any wetland delineation and Lake County GIS shows no indication of wetland or flood zone on the property.

ATTACHMENT #1

Planning and Zoning Commission Meeting - October 19, 2022

Green Wheat LLC and Donnelly LLC – FLUM22-03SM

Page 4 of 4

NOTIFICATIONS:

JPA Notice to Lake County: September 9, 2022

Legal Notice PZC and Notice to City Council: October 7, 2022

Notice to Surrounding Owners: October 7, 2022

Non-Legal with Map Ad City Council Single Reading and Adoption: October 21, 2022

Ordinance Enactment Legal Ad: October 21, 2022

PUBLIC HEARING SCHEDULE:

DRC Review: September 28, 2022

PZC: October 19, 2022

City Council FLUM Single Reading and Adoption: November 1, 2022

ATTACHMENTS:

Vicinity Map

Future Land Use Composite City-County Map

Future Land Use Map Amendment

Zoning Composite City-County Map

Application

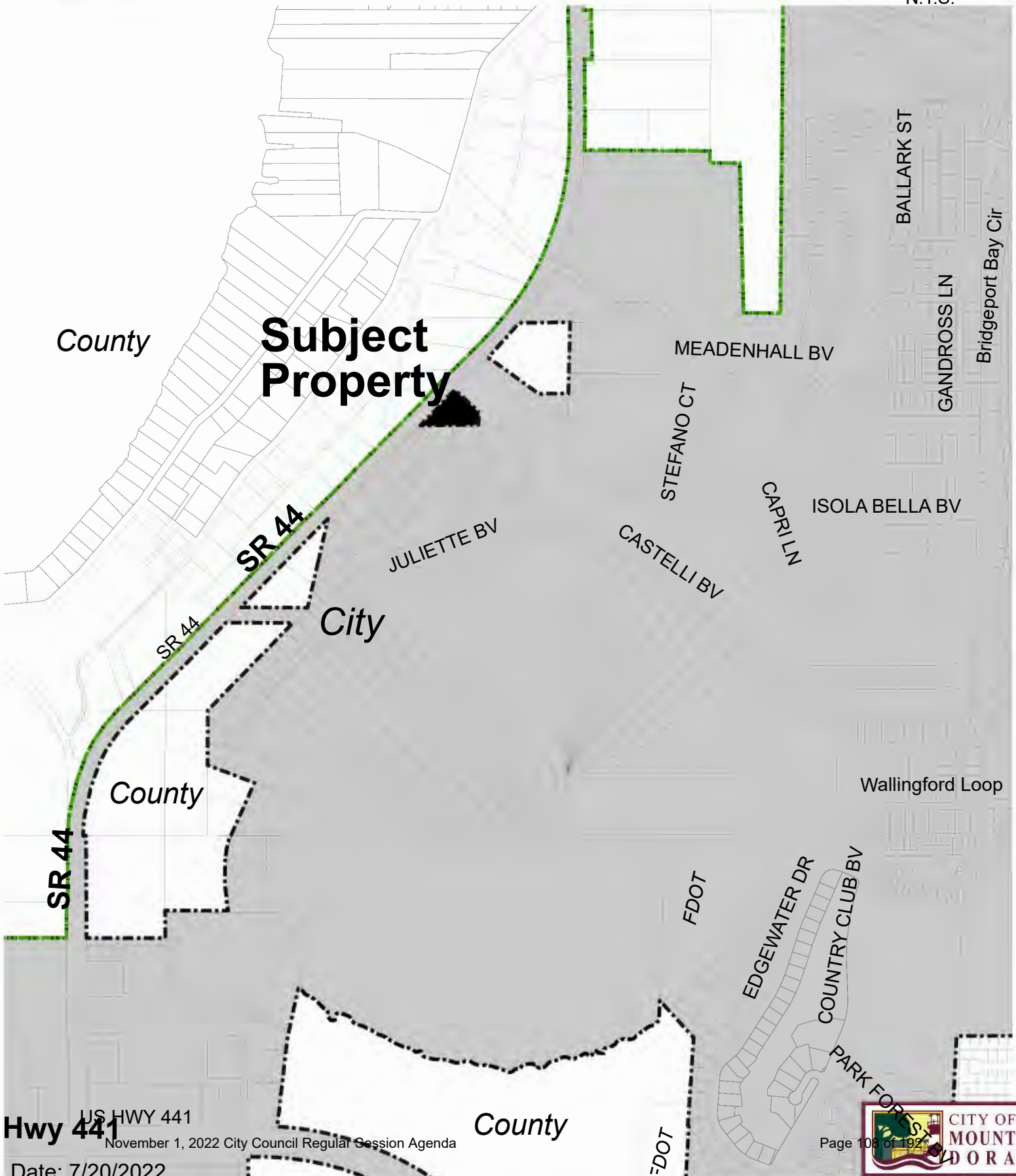


N.T.S.

Legend

-  Subject Property
-  JPA Boundary
-  City Limits

Vicinity Map



FUTURE LAND USE MAP (Composite City/County)

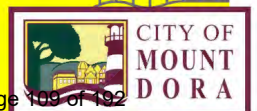
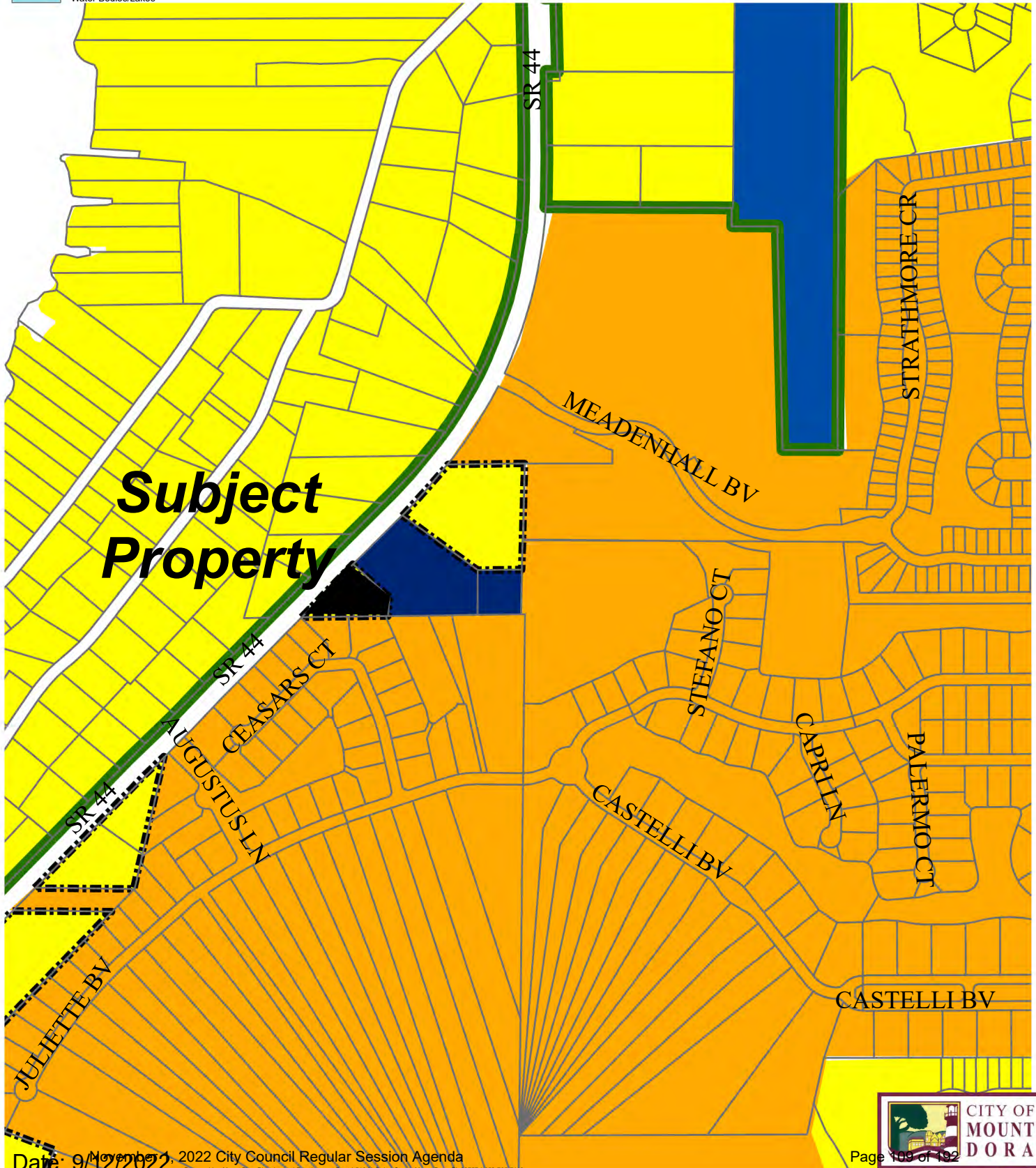
Legend

- JPA
- City Limits
- Subject Property

Lake County FLU

FLU2025

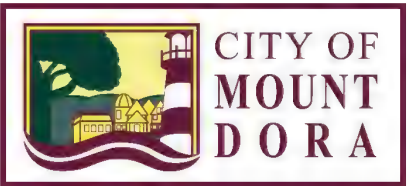
- Urban Low Density (4 du/ac)
- Urban Medium Density (7 du/ac)
- Public Service Facility and Infrastructure
- Low Density Residential (2.5 DU/AC or Less)
- Medium Density Residential (6 DU/AC or Less)
- Public Lands/Institutions
- Conservation
- Water Bodies/Lakes



City of Mount Dora Future Land Use Map

Planning Time Frame: 2045

FLUM Amendment - Green Wheat LLC and Donnelly LLC



0 1,450 2,900 Feet

Map II-2a

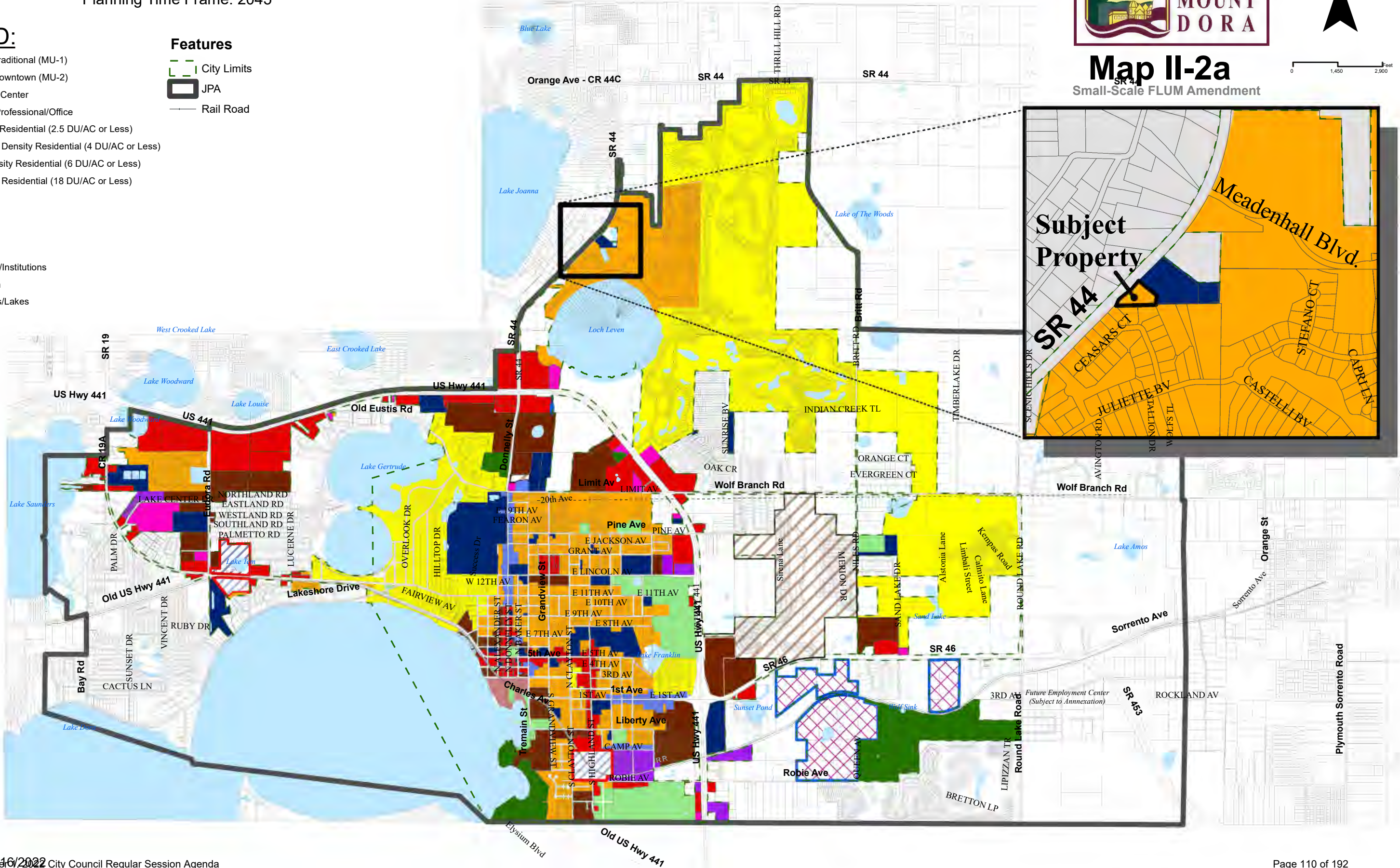
Small-Scale FLUM Amendment

LEGEND:

- Mixed Use Traditional (MU-1)
- Mixed Use Downtown (MU-2)
- Employment Center
- Residential Professional/Office
- Low Density Residential (2.5 DU/AC or Less)
- Low/Medium Density Residential (4 DU/AC or Less)
- Medium Density Residential (6 DU/AC or Less)
- High Density Residential (18 DU/AC or Less)
- Industrial
- Commercial
- Office
- Recreation
- Public Lands/Institutions
- Conservation
- Water Bodies/Lakes

Features

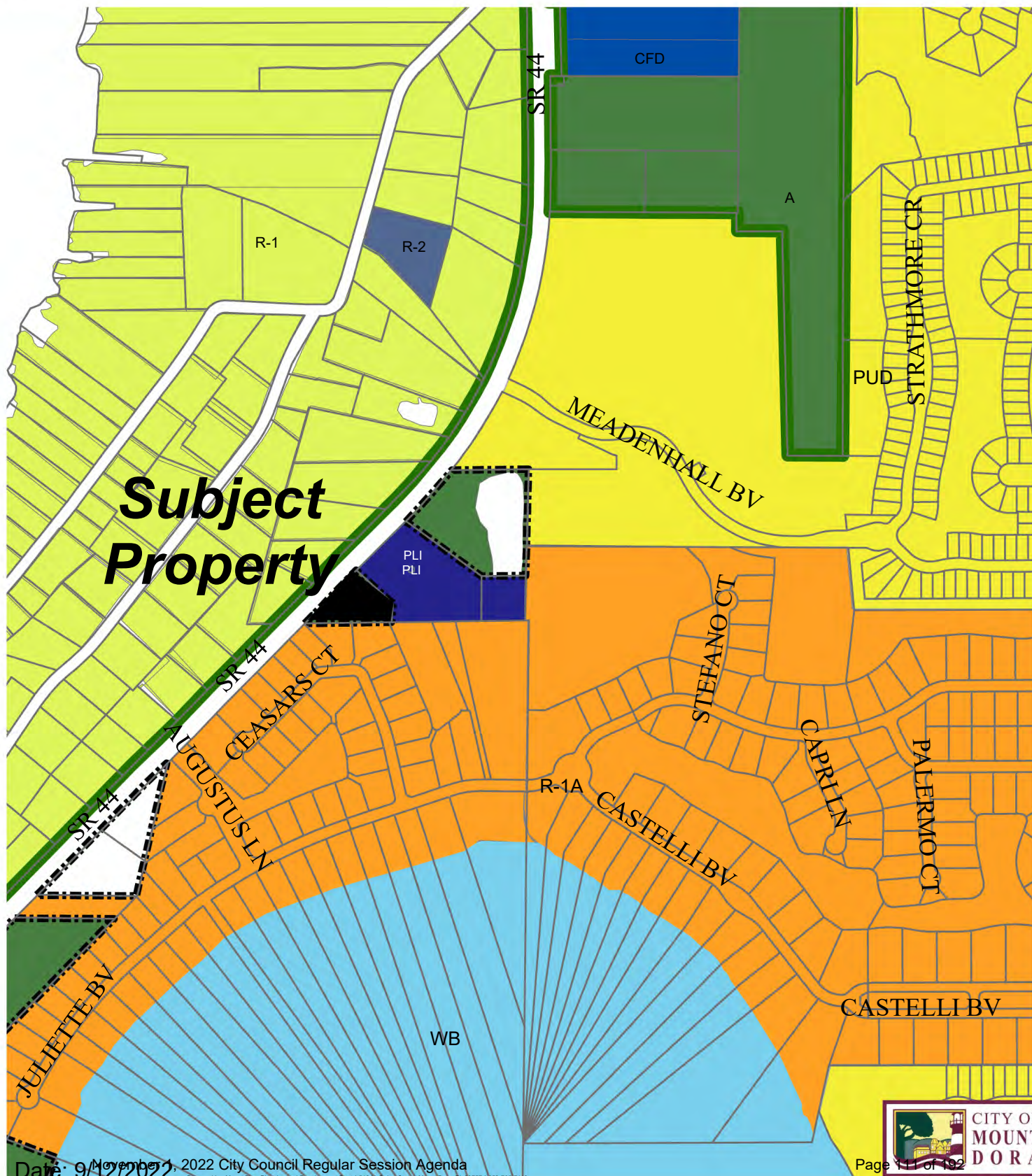
- City Limits
- JPA
- Rail Road



ZONING MAP (Composite City/County)

Legend

-  JPA
-  City Limits
-  Subject Property





**CITY OF
MOUNT
DORA**

RECEIVED
By scottw at 9:19 am, Sep 06, 2022

FLUM22-03SM

**City of Mount Dora
Planning and Development
510 N. Baker St.
Mount Dora, FL 32757
352-735-7112
E-mail: plandev@cityofmountdora.com**

**FUTURE LAND USE MAP AMENDMENT
SMALL-SCALE (10 ACRES OR LESS)
APPLICATION**

Date : 8/12/2022 Project Name: SR44 Infill

1. Applicant's Name: Ben Champion
 Company's Name: Green Wheat LLC & Donnelly LLC
 Address: 15012 Colley Dr
 City, State & Zip: Tavares FL 32778
 Phone: 407-687-4314 E-mail: ben@championwealth.com

2. Owner's Name: Same as applicant
 Company's Name: _____
 Address: _____
 City, State & Zip: _____
 Phone: _____ E-mail: _____

3. The property generally located and list adjacent streets: Between Augustus Blvd
 (Loch Leven) and Meadenhall Blvd on SR44. East side of SR44.

4. The address(s) of the property: 18510 & 18514 STATE ROAD 44

5. Size of property in Acres: 1.14 Square Feet: 49,658

6. Current Zoning District: Lake County Agricultural

7. Requested Zoning District: Mount Dora R-1A
 (Separate application required for change in zoning district)

8. Future Land Use Category : Lake County Urban Low Density (4 du/ac)

9. Requested Future Land Use Category: Mount Dora Low-Medium Density (4 du/ac)

10. Present use and structures on the property (list number of residential dwelling units):

Single Family Residential

2 lots, 1 with single family residence and 1 vacant

11. Building Size Existing: **1,288 sq ft** Proposed: **no change**

12. Surrounding Future Land Use, Zoning, and Existing Use by City/County (fill-in table):

Direction	City/County	FLU	Zoning	Existing Use(s)
North	City	PLI	PLI	Church
South	City	Medium Density Residential	R-1A	Single Family Residential
East	City	PLI	PLI	Church
West	County	Urban Low	R-1	Single Family Residential

(districts/categories may be abbreviated)

13. Present use and structures on the property (list number of residential dwelling units):

See above

14. Proposed use of property: **No proposed changes. Existing Single Family Home to remain**

15. List the specific Comprehensive Plan Policy that allows proposed use: **Future Land Use Element. Objective 4. Policy "g(2)."**

16. State the reason for this request: **Gain benefits of being in the City limits of Mt Dora to include water/sewer.**

17. Describe changed condition justifying the amendment: **Annexation into City of Mount Dora**

18. Describe whether and how the proposed amendment is consistent with the City of Mount Dora's Comprehensive Plan: **Property adjacent to Loch Leven which is Medium Density Residential Same Future Land Use Category and zoning requested.**

19. Describe the extent to which the proposed amendment is compatible with existing land uses: **2 single family residential lots on 1.14 acres is less than half of the maximum density allowed by Medium Density Residential.**

20. Describe the extent to which the proposed amendment affects the capacities of public facilities and services: Ads 2 lots with 1 existing home into city limits. City will provide water and sewer but customer will pay for it. Existing home already generates trips on public roads, so only 1 additional home to traffic impact. Other city services provided, but properties will be paying City of Mount Dora taxes.
21. Describe the extent of environmental impacts on the resources of proposed amendment: None
22. Describe the extent to which the proposed amendment will result in an orderly and logical development pattern: This is infill, property is surrounded by City of Mount Dora on east side of SR44.
- Water and sewer are already available on SR44 from City of Mount Dora. Parcel is already in City of Mount Dora Utility District.

CERTIFICATION AND SIGNATURE

AFFIDAVIT

I, Ben Champion, being first duly sworn, depose and say that I apply for the request contained herein, and that all answers, information, sketches, data and other supplementary matter attached to or included herewith as part of this application, are accurate and true to the best on my knowledge and belief.

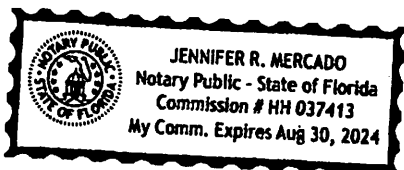
[Signature]
Signature of Applicant

Benjamin Champion
Print or Type Name

STATE OF FLORIDA
COUNTY OF LAKE
CITY OF MOUNT DORA

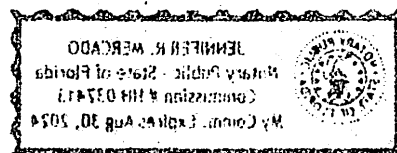
The foregoing instrument was acknowledged before me this 19th day of August 2022 by Benjamin Champion who is personally known to me or who has produced Florida Drivers License as identification and who did X or did not take an oath.

SEAL:



[Signature]
Notary Public

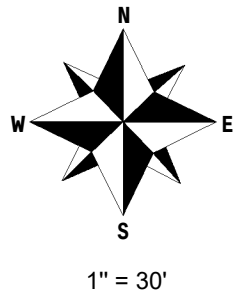
Jennifer R. Mercado
Print or Type Name



BOUNDARY SURVEY

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4712 PAGE 544
IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST TO BE
MORE PARTICULARLY DESCRIBED AS FOLLOWS :

COMMENCE AND BEGIN AT A FOUND 1" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AS BEING WEST 639.8' FROM THE SE CORNER OF GOVERNMENT LOT 2 (NOT FOUND); THENCE CONTINUE S 90°00'00" W, AS A BASE OF BEARING 92.22' ON THE SOUTH LINE OF GOVERNMENT LOT 2 TO A SET 5/8" IRON ROD AND CAP PSM #5795; THENCE N 05°07'28" E 72.65' TO A SET 5/8" IRON ROD AND CAP PSM #5795; THENCE N 44°54'50" W 113.44' TO A SET 5/8" IRON ROD AND CAP PSM #5795 ON THE EASTERLY LINE OF THE 100' RIGHT OF WAY TO STATE ROAD 44B; THENCE ON SAID RIGHT OF WAY LINE N 45°13'16" E 105.00' TO A FOUND 1" IRON PIPE; THENCE S 47°04'51" E 214.18' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE S 04°59'54" W 81.20' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE N 89°54'31" W 58.49' TO THE 1" IRON PIPE AT THE POINT OF COMMENCEMENT/POINT OF BEGINNING . SAID LAND CONTAINING 0.670 ACRES .



THIS SURVEY IS CERTIFIED TO :
GREEN WHEAT, LLC

THIS IS TO CERTIFY THAT THIS SKETCH
AND THE SURVEY UPON WHICH IT IS BASED
WERE MADE IN COMPLIANCE WITH THE
MINIMUM TECHNICAL STANDARDS OF THE
FLORIDA ADMINISTRATION CODE 5J-17.052

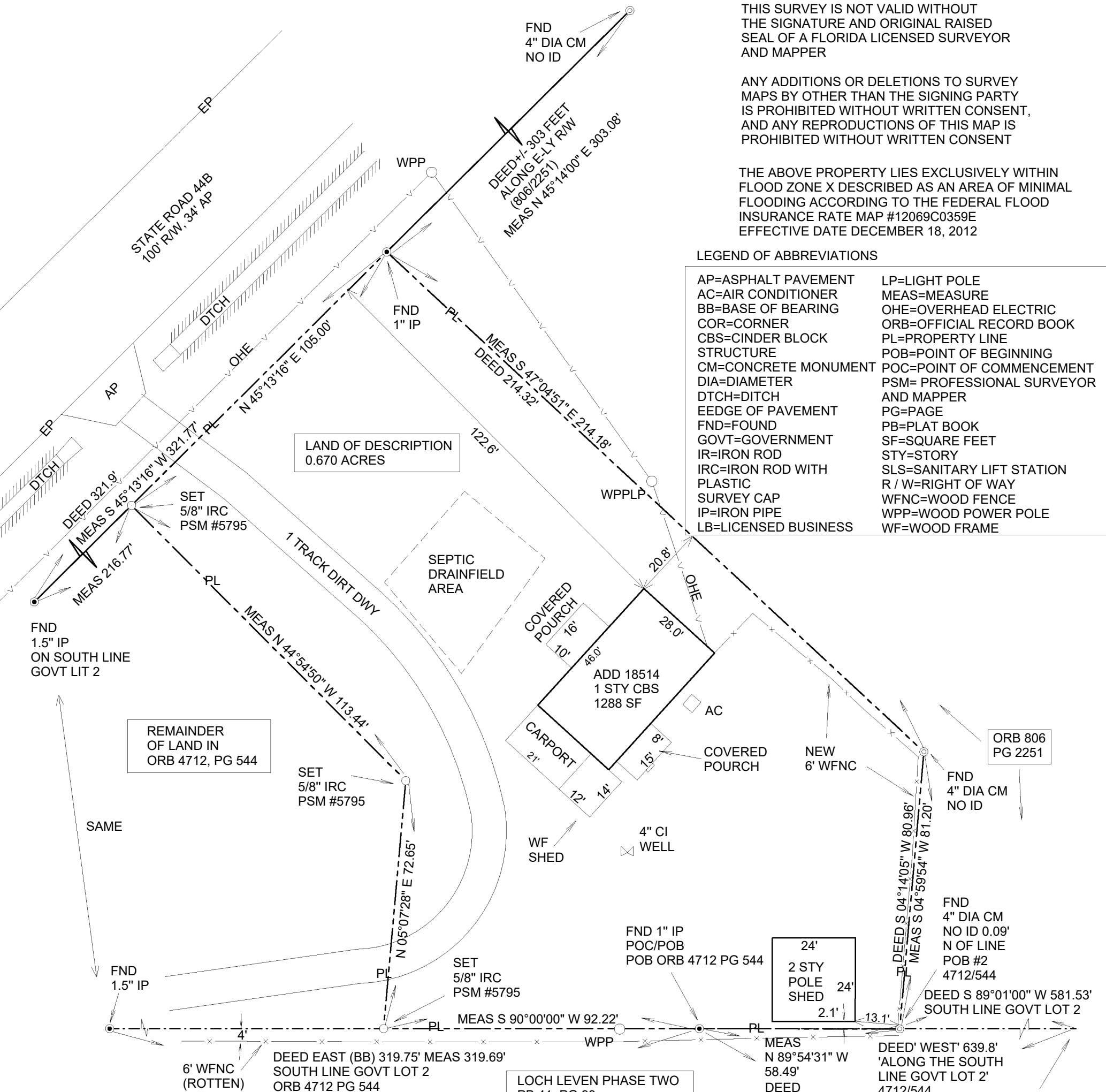
THIS SURVEY IS NOT VALID WITHOUT
THE SIGNATURE AND ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR
AND MAPPER

ANY ADDITIONS OR DELETIONS TO SURVEY
MAPS BY OTHER THAN THE SIGNING PARTY
IS PROHIBITED WITHOUT WRITTEN CONSENT,
AND ANY REPRODUCTIONS OF THIS MAP IS
PROHIBITED WITHOUT WRITTEN CONSENT

THE ABOVE PROPERTY LIES EXCLUSIVELY WITHIN
FLOOD ZONE X DESCRIBED AS AN AREA OF MINIMAL
FLOODING ACCORDING TO THE FEDERAL FLOOD
INSURANCE RATE MAP #12069C0359E
EFFECTIVE DATE DECEMBER 18, 2012

LEGEND OF ABBREVIATIONS

AP=ASPHALT PAVEMENT	LP=LIGHT POLE
AC=AIR CONDITIONER	MEAS=MEASURE
BB=BASE OF BEARING	OHE=OVERHEAD ELECTRIC
COR=CORNER	ORB=OFFICIAL RECORD BOOK
CBS=CINDER BLOCK	PL=PROPERTY LINE
STRUCTURE	POB=POINT OF BEGINNING
CM=CONCRETE MONUMENT	POC=POINT OF COMMENCEMENT
DIA=DIAMETER	PSM= PROFESSIONAL SURVEYOR
DTCH=DITCH	AND MAPPER
EEDGE OF PAVEMENT	PG=PAGE
FND=FOUND	PB=PLAT BOOK
GOVT=GOVERNMENT	SF=SQUARE FEET
IR=IRON ROD	STY=STORY
IRC=IRON ROD WITH	SLS=SANITARY LIFT STATION
PLASTIC	R / W=RIGHT OF WAY
SURVEY CAP	WFNC=WOOD FENCE
IP=IRON PIPE	WPP=WOOD POWER POLE
LB=LICENSED BUSINESS	WF=WOOD FRAME



DATE OF SURVEY : JUNE, 2022
DATE OF DRAWING : 6-27-22
FIELD BOOK 216 PAGE 2-11

ALL TERRAIN SURVEYING AND MAPPING LLC
LICENSED BUSINESS NUMBER #8412
STATE OF FLORIDA

SURVEYED AND DRAFTED BY
TOM SLATER PROFESSIONAL SURVEYOR
AND MAPPER #5795 STATE OF FLORIDA
41742 LOCUST STREET
EUSTIS, FLORIDA 32736
OFFICE (352)483-1300
CELL (352)602-9650
EMAIL : cassia5795@yahoo.com

November 1, 2022 City Council Regular Session Agenda

SURVEY NOTES

- 1) SUBJECT TO ALL RESTRICTIONS EASEMENTS AND RIGHT OF WAY OF RECORD
- 2) UNDERGROUND ENCROCHMENTS NOT LOCATED
- 3) BEARINGS ARE BASED UPON THE SOUTH LINE OF GOVERNMENT LOT 2 AS BEING EAST ACCORDING TO DEED WHICH IS PATENTLY AMBIGUOUS IN REGARDS TO CALLING FOR THE SAME LINE AS BEING S 89°01'00" W RECORDED IN OFFICIAL RECORD BOOK 4712, PAGE 544
- 4) THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE SEARCH, THE DESCRIPTION WAS PROVIDED BY THE CLIENT
- 5) FLOOD ZONE DEPICTIONS ARE EXTRAPOLATED FROM FEMA FLOOD MAPS AND DO NOT CONSTITUTE A SURVEY

BOUNDARY SURVEY

LEGAL DESCRIPTION :

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544
IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST
MORE PARTICULARLY DESCRIBED AS FOLLOWS :

COMMENCE AT A FOUND 1" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2
SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST DESCRIBED IN OFFICIAL RECORD
BOOK 4712, PAGE 544 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AS BEING WEST
639.8' FROM THE SE CORNER SAID GOVERNMENT LOT 2 (NOT FOUND); THENCE CONTINUE
S 90°00'00" W 92.22' ON THE SOUTH LINE OF GOVERNMENT LOT 2 TO A SET 5/8" IRON
ROD AND CAP PSM #5795 AND POINT OF BEGINNING; THENCE N 05°07'28" E 72.65' TO A
SET 5/8" IRON ROD AND CAP PSM #5795; THENCE N 44°54'50" W 113.44' TO A SET 5/8"
IRON ROD AND CAP PSM #5795 ON THE EASTERLY LINE OF THE 100' RIGHT OF WAY
TO STATE ROAD 44B; THENCE ON SAID RIGHT OF WAY LINE S 45°13'16" W 216.77' TO A
FOUND 1.5" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2; THENCE N 90°00'00" E,
AS A BASE OF BEARING, 227.47' TO THE POINT OF BEGINNING
SAID LAND CONTAINING 0.471 ACRES

THE ABOVE PROPERTY LIES EXCLUSIVELY WITHIN
FLOOD ZONE X DESCRIBED AS AN AREA OF MINIMAL
FLOODING ACCORDING TO THE FEDERAL FLOOD
INSURANCE RATE MAP #12069C0359E
EFFECTIVE DATE DECEMBER 18, 2012

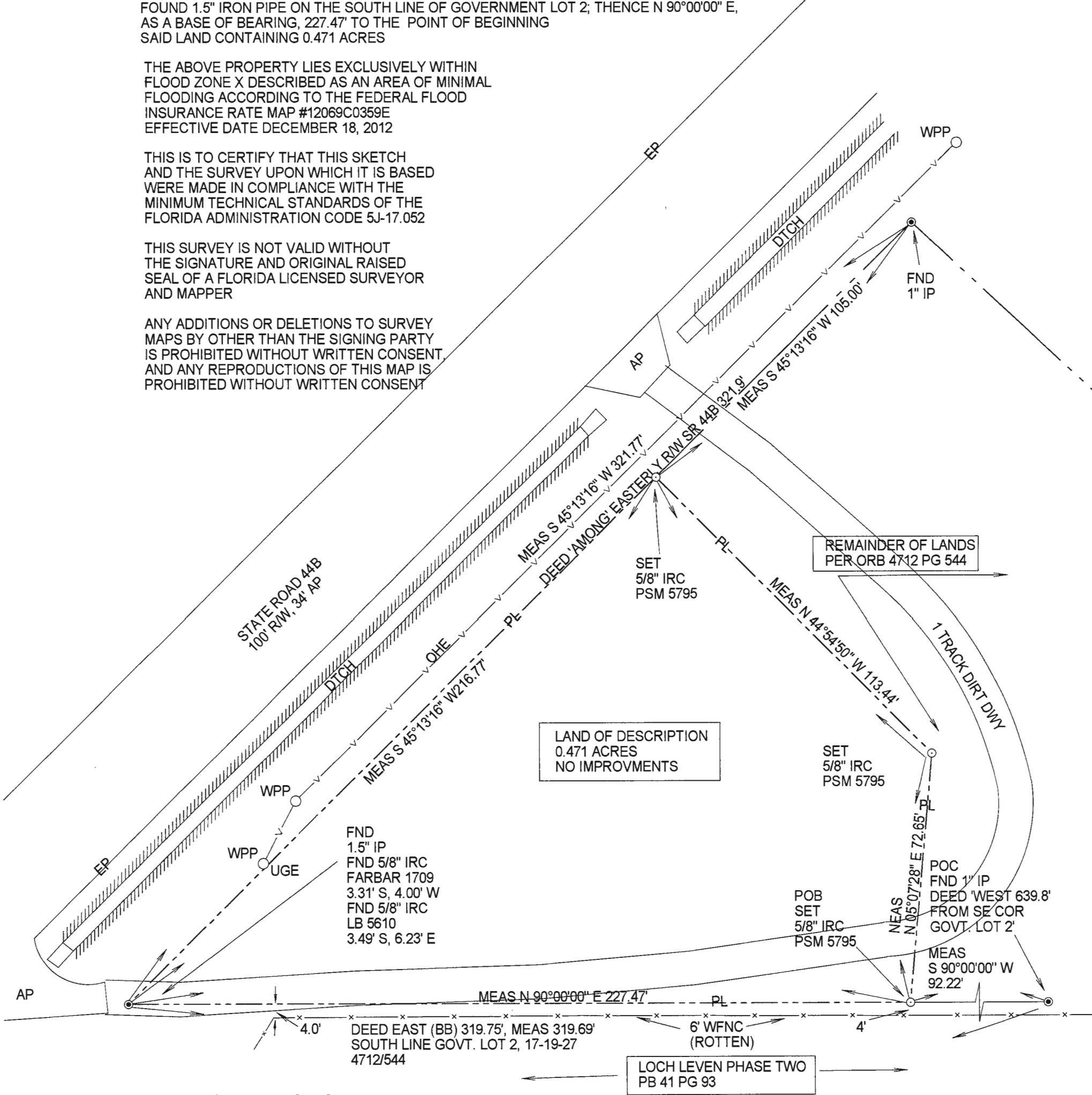
THIS IS TO CERTIFY THAT THIS SKETCH
AND THE SURVEY UPON WHICH IT IS BASED
WERE MADE IN COMPLIANCE WITH THE
MINIMUM TECHNICAL STANDARDS OF THE
FLORIDA ADMINISTRATION CODE 5J-17.052

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

ANY ADDITIONS OR DELETIONS TO SURVEY
MAPS BY OTHER THAN THE SIGNING PARTY
IS PROHIBITED WITHOUT WRITTEN CONSENT,
AND ANY REPRODUCTIONS OF THIS MAP IS
PROHIBITED WITHOUT WRITTEN CONSENT



THIS SURVEY IS CERTIFIED TO :
DONNELLY LLC



SURVEY NOTES

- 1) SUBJECT TO ALL RESTRICTIONS EASEMENTS AND RIGHT OF WAY OF RECORD
- 2) UNDERGROUND ENCROCHMENTS NOT LOCATED
- 3) BEARINGS ARE BASED UPON THE SOUTH LINE OF GOVERNMENT LOT 2 AS BEING EAST ACCORDING TO DEED
- 4) THIS SURVEY WAS CONDUCTED WITHOUT THE BENIFIT OF A TITLE SEARCH, THE DESCRIPTION WAS PROVIDED BY THE CLIENT
- 5) FLOOD ZONE DEPICTIONS ARE EXTRAPOLATED FROM FEMA FLOOD MAPS AND DO NOT CONSTITUTE A SURVEY

DATE OF SURVEY : JUNE, 2022
DATE OF DRAWING : 6-25-22
FIELD BOOK 216 PAGE 2-11

ALL TERRAIN SURVEYING AND MAPPING LLC
LICENSED BUSINESS NUMBER #8412
STATE OF FLORIDA

LEGEND OF ABBREVIATIONS

AP=ASPHALT PAVEMENT	OHE=OVERHEAD ELECTRIC
BB=BASE OF BEARING	ORB=OFFICIAL RECORD BOOK
DTCH=DITCH	PL=PROPERTY LINE
EP=EDGE OF PAVEMENT	POB=POINT OF BEGINNING
FND=FOUND	POC=POINT OF COMMENCEMENT
GOVT=GOVERNMENT	PSM= PROFESSIONAL SURVEYOR
IR=IRON ROD	AND MAPPER
IRC=IRON ROD WITH PLASTIC	PG=PAGE
SURVEY CAP	R / W=RIGHT OF WAY
IP=IRON PIPE	UGE=UNDERGROUND ELECTRIC
LB=LICENSED BUSINESS	WFNC=WOOD FENCE
MEAS=MEASURE	WPP=WOOD POWER POLE

SURVEYED AND DRAFTED BY
TOM SLATER PROFESSIONAL SURVEYOR
AND MAPPER #5795 STATE OF FLORIDA
41742 LOCUST STREET
EUSTIS, FLORIDA 32736
OFFICE (352)483-1300
CELL (352)602-9650
EMAIL : tomslater5795@yahoo.com

Tom Slater
6-27-22

PROPERTY RECORD CARD

General Information

Name: GREEN WHEAT LLC **Alternate Key:** 2569476

Mailing Address: 15012 COLLEY DR **Parcel Number:** 17-19-27-0001-000-00119
TAVARES, FL 32778 **Millage Group and City:** 0002 Unincorporated
[Update Mailing Address](#) **2021 Total Certified Millage Rate:** 13.7509

Property Location: 18514 STATE ROAD 44 EUSTIS FL, 32736 **Trash/Recycling/Water/Info:** [My Public Services Map](#)

Property Name: [Submit Property Name](#)

School Information: [School Locator & Bus Stop Map](#) [School Boundary Maps](#)

Property Description: FROM THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 SECTION 17 TOWNSHIP 19 SOUTH RANGE 27 EAST THENCE ON THE SOUTH LINE OF SAID GOVERNMENT LOT 2 SOUTH 89-01-00 WEST 581.53 FEET FOR THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 89-01-00 WEST 150.64 FEET, NORTH 04-17-50 EAST 73.04 FEET, NORTH 45-44-28 WEST 113.19 FEET TO THE EASTERLY RIGHT OF WAY OF STATE ROAD 44B & POINT A, RETURN TO THE POINT OF BEGINNING, RUN THENCE NORTH 04-17-50 EAST 80.96 FEET, NORTH 47-53-25 WEST 214.32 FEET TO THE EASTERLY RIGHT OF WAY OF STATE ROAD 44B, SOUTHWESTERLY ALONG RIGHT OF WAY LINE TO POINT A ORB 4712 PG 544

NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
2	SINGLE FAMILY (0100)	0	0	.67AC	1.000	Lot	\$0.00	\$40,000.00	

[Click here for Zoning Info](#)
[FEMA Flood Map](#)

Residential Building(s)

Building 1

Residential

Building Value: \$67,296.00

Summary

Year Built: 1968	Total Living Area: 1288	Central A/C: Yes	Attached Garage: No
Bedrooms: 3	Full Bathrooms: 2	Half Bathrooms: 0	Fireplaces: 0

[Incorrect Bedroom, Bath, or other information?](#)

Section(s)

Section Type	Ext. Wall Type	No. Stories	Floor Area
CARPORT FINISHED (CPF)		1.00	294
FINISHED LIVING AREA (FLA)	Block (02)	1.00	1288

OPEN PORCH FINISHED (OPF)

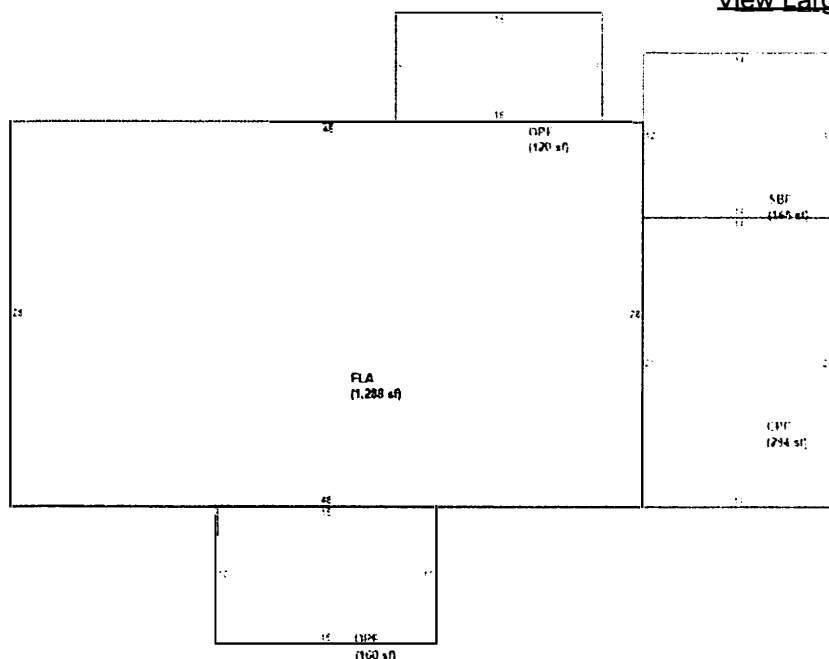
1.00

280

UTILITY STORAGE FINISHED BLOCK (SBF)

1.00

168

[View Larger / Print / Save](#)

Miscellaneous Improvements

No.	Type	No. Units	Unit Type	Year	Depreciated Value
1	UTILITY BLDG UNFINISHED (UBU1)	120	SF	1968	\$192.00
2	CARPORT/POLE SHED UNFINISHED (UCP1)	576	SF	1989	\$691.00

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
4712 / 544	11/2015	Warranty Deed	Unqualified	Improved	\$90,200.00
4648 / 1613	06/2015	Certificate of Title	Unqualified	Improved	\$100.00
3573 / 1130	01/2008	Quit Claim Deed	Unqualified	Improved	\$100.00
2582 / 82	05/2004	Quit Claim Deed	Unqualified	Improved	\$0.00
850 / 2053	08/1985	Quit Claim Deed	Unqualified	Improved	\$1.00
850 / 2052	08/1985	Quit Claim Deed	Unqualified	Improved	\$1.00

[Click here to search for mortgages, liens, and other legal documents.](#)

Values and Estimated Ad Valorem Taxes

Values shown below are 2022 CERTIFIED VALUES.

The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of value for tax purposes.

November 1, 2022 City Council Regular Session Agenda

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$108,179	\$40,590	\$40,590	5.0529	\$205.10
SCHOOL BOARD STATE	\$108,179	\$108,179	\$108,179	3.5940	\$388.80
SCHOOL BOARD LOCAL	\$108,179	\$108,179	\$108,179	2.9980	\$324.32
LAKE COUNTY WATER AUTHORITY	\$108,179	\$40,590	\$40,590	0.3229	\$13.11
NORTH LAKE HOSPITAL DIST	\$108,179	\$40,590	\$40,590	0.0000	\$0.00
ST JOHNS RIVER FL WATER MGMT DIST	\$108,179	\$40,590	\$40,590	0.2189	\$8.89
LAKE COUNTY MSTU STORMWATER	\$108,179	\$40,590	\$40,590	0.4957	\$20.12
LAKE COUNTY MSTU AMBULANCE	\$108,179	\$40,590	\$40,590	0.4629	\$18.79
LAKE COUNTY VOTED DEBT SERVICE	\$108,179	\$40,590	\$40,590	0.0918	\$3.73
LAKE COUNTY MSTU FIRE	\$108,179	\$40,590	\$40,590	0.5138	\$20.86
			Total:	13.7509	Total: \$1,003.72

NOTE: Information on this Property Record Card is compiled and used by the Lake County Property Appraiser for the sole purpose of ad valorem property tax assessment administration in accordance with the Florida Constitution, Statutes, and Administrative Code. The Lake County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted [Site Notice](#).

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Property data last updated on March 21, 2022.
Site Notice

PROPERTY RECORD CARD

General Information

Name: **DONNELLY LLC** **Alternate Key:** 3929583
Mailing Address: 15012 COLLEY DR **Parcel Number:** 17-19-27-0002-000-09000
 TAVARES, FL 32778 **Millage Group and City:** 0002 Unincorporated
[Update Mailing Address](#) **2021 Total Certified Millage Rate:** 13.7509
Trash/Recycling/Water/Info: [My Public Services Map](#)
Property Location: STATE ROAD 44 EUSTIS FL, 32736 **Property Name:** --
[Update Property Location](#) [Submit Property Name](#)
School Information: [School Locator & Bus Stop Map](#)
[School Boundary Maps](#)
Property Description: FROM THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 SECTION 17 TOWNSHIP 19 SOUTH RANGE 27 EAST THENCE ON THE SOUTH LINE OF SAID GOVERNMENT LOT 2 SOUTH 89-01-00 WEST 732.17 FEET FOR THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 89-01-00 WEST 227.38 FEET TO THE EASTERLY RIGHT OF WAY OF STATE ROAD 44B, THENCE NORTH 44-15-32 EAST 217.44 FEET, SOUTH 45-44-28 EAST 113.19 FEET SOUTH 04-17-50 WEST 73.04 FEET TO THE POINT OF BEGINNING ORB 5879 PG 64 ORB 5987 PG 232

NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT RESIDENTIAL (0000)	0	0		1.000	Lot	\$0.00	\$40,000.00

[Click here for Zoning Info](#)

[FEMA Flood Map](#)

Miscellaneous Improvements

There is no improvement information to display.

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
5987 / 232	07/2022	Misc Deed/Document	Unqualified	Vacant	\$100.00
5879 / 64	01/2022	Warranty Deed	Unqualified	Vacant	\$100.00

[Click here to search for mortgages, liens, and other legal documents.](#)

Values and Estimated Ad Valorem Taxes

Values shown below are 2022 CERTIFIED VALUES.

The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
November 1, 2022 City Council Regular Session Agenda					

LAKE COUNTY BCC GENERAL FUND	\$40,000	\$40,000	\$40,000	5.0529	\$202.12
SCHOOL BOARD STATE	\$40,000	\$40,000	\$40,000	3.5940	\$143.76
SCHOOL BOARD LOCAL	\$40,000	\$40,000	\$40,000	2.9980	\$119.92
LAKE COUNTY WATER AUTHORITY	\$40,000	\$40,000	\$40,000	0.3229	\$12.92
NORTH LAKE HOSPITAL DIST	\$40,000	\$40,000	\$40,000	0.0000	\$0.00
ST JOHNS RIVER FL WATER MGMT DIST	\$40,000	\$40,000	\$40,000	0.2189	\$8.76
LAKE COUNTY MSTU STORMWATER	\$40,000	\$40,000	\$40,000	0.4957	\$19.83
LAKE COUNTY MSTU AMBULANCE	\$40,000	\$40,000	\$40,000	0.4629	\$18.52
LAKE COUNTY VOTED DEBT SERVICE	\$40,000	\$40,000	\$40,000	0.0918	\$3.67
LAKE COUNTY MSTU FIRE	\$40,000	\$40,000	\$40,000	0.5138	\$20.55
				Total:	Total:
				13.7509	\$550.05

NOTE: Information on this Property Record Card is compiled and used by the Lake County Property Appraiser for the sole purpose of ad valorem property tax assessment administration in accordance with the Florida Constitution, Statutes, and Administrative Code. The Lake County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted [Site Notice](#).

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Property data last updated on March 21, 2022.

Site Notice

ATTACHMENT #1 County FLUM



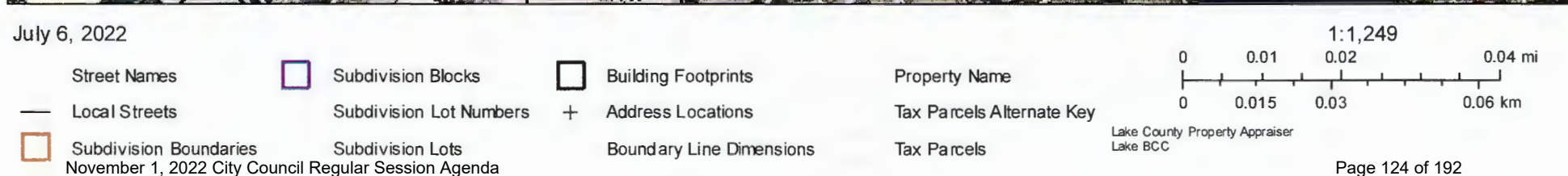
July 6, 2022

Street Names
 Local Streets
 Subdivision Boundaries
 Subdivision Blocks
 Subdivision Lot Numbers
 Subdivision Lots
 Building Footprints
 Address Locations
 Boundary Line Dimensions

Property Name
 Tax Parcels Alternate Key
 Tax Parcels

1:1,249
 0 0.01 0.02 0.04 mi
 0 0.015 0.03 0.06 km
 Lake County Property Appraiser
 Lake BCC

LUM



Lake County Board of County Commissioners

Prepared by and Return to:
Bay National Title Company
Jonathon D. Angerosa
13577 Feather Sound Drive, Ste 250
Clearwater, FL 33762

File #: GRC-36164

Parcel ID #: 17-19-27-000100000119

For official use by Clerk's office only

SPECIAL WARRANTY DEED
(Corporate Seller)

THIS INDENTURE, made this 11/21 2015, between U.S. Bank Trust, N.A. as Trustee for LSF9 Master Participation Trust, with a mailing address of 6031 Connection Drive, Irving, TX 75039, party of the first part, and Green Wheat LLC, a Florida limited liability company whose mailing address is 1502 N. Donnelly Street, Suite 105, Mount Dora, FL 32757, 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:

FROM THE SOUTHEAST CORNER OF GOVERNMENT LOT 2, IN SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, RUN THENCE WEST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 2, 639.8 FEET, FOR A POINT OF BEGINNING; RUN THENCE NORTH 25 DEGREES 09 MINUTES EAST 108.4 FEET; THENCE NORTH 47 DEGREES 57 MINUTES WEST 189.85 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD 44B; RUN THENCE SOUTHWESTERLY AMONG THE EASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD 44B, 321.9 FEET TO THE SOUTH LINE OF GOVERNMENT LOT 2; RUN THENCE EAST 319.75 FEET TO THE POINT OF BEGINNING. AND FROM THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 IN SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, RUN THENCE SOUTH 89 DEGREES 01 MINUTE 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 2 A DISTANCE OF 581.53 FEET FOR A POINT OF BEGINNING; CONTINUE THENCE SOUTH 89 DEGREES 01 MINUTE 00 SECONDS WEST ALONG SAID SOUTH LINE GOVERNMENT LOT 2 A DISTANCE OF 58.27 FEET; THENCE NORTH 25 DEGREES 09 MINUTES 00 SECONDS EAST 108.40 FEET; THENCE SOUTH 47 DEGREES 57 MINUTES 00 SECONDS EAST 24.47 FEET; THENCE SOUTH 4 DEGREES 14 MINUTE 05 SECONDS WEST 80.96 FEET TO THE POINT OF BEGINNING.

More commonly known as: 18514 State Road 44, Eustis, FL 32736

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 fully warrants the title to said land

This document is being executed by virtue of a Power of

Attorney recorded on 10/24/14, in OR BK 18566, PG

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 11/2/15 2015.

Signed, sealed and delivered
in the presence of:

Witness signature

Schakira Hernandez

Print witness name

Witness signature

Timothy J. Walter

Print witness name

Texas

State of

Dallas

County of

THE FOREGOING INSTRUMENT was acknowledged before me this 2 day of Nov 2015 by:

Odette Hodges

who is the

Authorized Signatory

of

Caliber Home Loans, Inc. as Attorney in Fact for U.S. Bank Trust, N.A. as Trustee for LSF9 Master Participation Trust who is personally known to me or who has produced driver's license as identification.

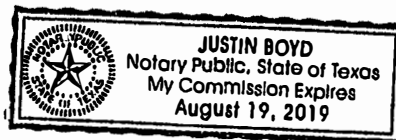
Notary Public

Justin Boyd

Print Notary Name

My Commission Expires:

Notary Seal



U.S. Bank Trust, N.A. as Trustee for LSF9 Master
Participation Trust by Caliber Home Loans, Inc. as
Attorney in Fact

By

Odette Hodges

Print Name: Odette Hodges Authorized Signatory

Address: 6031 Connection Drive
Irving, TX 75039

(Corporate Seal)

INSTRUMENT#: 2022092497 OR BK 5987 PG 232 PAGES: 3 7/6/2022 3:36:11 PM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT & COMPTROLLER, LAKE COUNTY, FLORIDA
REC FEES: \$27.00 DEED ,DOC:\$0.70

Prepared by:

Name Benjamin L. Champion
Address 15012 Colley Dr
Tavares FL 32778

STATE OF FLORIDA
COUNTY OF LAKE

Property Appraiser's Parcel ID No. 17-19-27-0002-000-09000

DEED OF CORRECTION

KNOW ALL MEN BY THESE PRESENTS THAT:

That whereas Green Wheat LLC, a Florida Limited Liability Corporation located at 15012 Colley Dr, Tavares FL 32778, hereinafter referred to as Grantor, did, on or about the 18th day of January 2022, execute and deliver to Donnelly LLC, a Florida Limited Liability Corporation located at 15012 Colley Dr, Tavares FL 32778, hereinafter referred to as Grantee, a conveyance of the certain lands, situated in Lake County, Florida, and more particularly described in in that certain Warranty Deed recorded, on or about, January 18th, 2022; in Official Records of Lake County Book 5879 Pages 64 and 65 and incorporated herein by reference.

Whereas said conveyance contains a mutual mistake and was; and whereas, to prevent difficulties hereafter, it is appropriate to correct the record in this regard;

NOW, THEREFORE, the said Grantor, in consideration of the premises aforesaid and of One Dollar (\$1.00) to them paid by Grantee, which is hereby acknowledged, hereby grant, bargain, sell, and convey unto the said Grantee all of the tract of land situated in the County of Lake, State of Florida, which is described in Exhibit "A" attached hereto.

TO HAVE AND TO HOLD the premises, described in said Exhibit "A" herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto Grantee and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto the Grantee, and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This is a correction deed, given and accepted as such in substitution for such earlier said deed, and it shall be effectual as of and retroactive to such date. However, except as herein corrected, such prior deed shall remain in full force and effect.

IN WITNESS WHEREOF, this instrument is executed on this the 6th day of July,
2022.

Signed, sealed and delivered in the presence of:

Beverly Thomas
Witness Signature

Beverly Thomas
Printed Name

Barbara Kreidel
Witness Signature

Barbara Kreidel
Printed Name

For Green Wheat LLC
[Signature]
Signature of Grantor Benjamin L. Champion
as Manager Green Wheat Management LLC
Printed Name

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online
notarization, this 6th day of July (date), by Benjamin Laurens Champion
(name of person acknowledging), who is personally known to me or who has produced
FLD (type of identification) as identification.

Beverly Thomas (Signature)

(Seal)

Beverly Thomas
(Notary's Name print, type of stamp)

(Title or Rank)

(Serial number, if any)

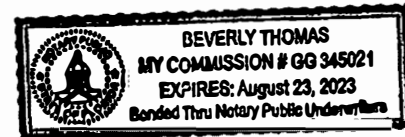


EXHIBIT A**LEGAL DESCRIPTION:**

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544 IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 1" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2 SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AS BEING WEST 639.8' FROM THE SE CORNER SAID GOVERNMENT LOT 2 (NOT FOUND); THENCE CONTINUE S 90°00'00" W 92.22' ON THE SOUTH LINE OF GOVERNMENT LOT 2 TO A SET 5/8" IRON ROD AND CAP PSM #5795 AND POINT OF BEGINNING; THENCE N 05°07'28" E 72.65' TO A SET 5/8" IRON ROD AND CAP PSM#5795; THENCE N 44°54'50" W 113.44' TO A SET 5/8" IRON ROD AND CAP PSM #5795 ON THE EASTERLY LINE OF THE 100' RIGHT OF WAY TO STATE ROAD 44B; THENCE ON SAID RIGHT OF WAY LINE S 45°13'16" W 216.77' TO A FOUND 1.5" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2; THENCE N 90°00'00" E, AS A BASE OF BEARING, 227.47 TO THE POINT OF BEGINNING SAID LAND CONTAINING .471 ACRES

GRANTOR RETAINS THE FOLLOWING:

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4712 PAGE 544 IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AND BEGIN AT A FOUND 1" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AS BEING WEST 639.8' FROM THE SE CORNER OF GOVERNMENT LOT 2 (NOT FOUND); THENCE CONTINUE S 90°00'00" W, AS A BASE OF BEARING 92.22' ON THE SOUTH LINE OF GOVERNMENT LOT 2 TO A SET 5/8" IRON ROD AND CAP PSM #5795; THENCE N 05°07'28" E 72.65' TO A SET 5/8" IRON ROD AND CAP PSM#5795; THENCE N 44°54'50" W 113.44'; TO A SET 5/8" IRON ROD AND CAP PSM #5795 ON THE EASTERLY LINE OF THE 100' RIGHT OF WAY TO STATE ROAD 44B; THENCE ON SAID RIGHT OF WAY LINE N 45°13'16" E 105.00' TO A FOUND 1" IRON PIPE; THENCE S 47°04'51" E 214.18' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE S 04°59'54" W 81.20' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE N 89°54'31" W 58.49' TO THE 1" IRON PIPE A THE POINT OF COMMENCEMENT/POINT OF BEGINNING. SAID LAND CONTAINING 0.670 ACRES.

Services

Please see attached availability letters from City of Mt Dora Public Works showing availability of water and sewer. Both parcels have frontage on SR44. A recently improved swale separates SR44 from Property. No improvements are planned for Property other than possible future construction of one additional single family residence. Drainage for that construction would be addressed in site plan building permit.

Need and Justification for Change

The need is annexation into City of Mount Dora, which necessitates a future land use change from County to City. The requested future land use is the same density as it is currently with Lake County 4 du/ac and less density as existing use to the south at Loch Leven.

**NOTICE OF PROPOSED ENACTMENT
ORDINANCE NO. 2022-18
CITY OF MOUNT DORA, FLORIDA**

Notice is hereby given that the City Council of the City of Mount Dora, Florida proposes to enact Ordinance 2022-18. The final public hearing on the ordinance will be held on Tuesday, November 1, 2022 at 6:00 p.m., or as soon thereafter as possible at Mount Dora City Hall, 510 North Baker Street, Mount Dora, Florida.

The title and substance of Ordinance 2022-18 is as follows:

ORDINANCE NO: 2022-18

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO A CHANGE IN FUTURE LAND USE DESIGNATION AND AMENDMENT TO THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY OF MOUNT DORA COMPREHENSIVE PLAN 2045; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF CHANGE IN FUTURE LAND USE DESIGNATION AND AMENDMENT TO FUTURE LAND USE MAP; PROVIDING FOR THE 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.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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.

The file may be inspected by the public at the Planning and Development Department, City Hall, 510 N. Baker Street, Mount Dora, Florida between the hours of 8:00 AM and 5:00 PM, Monday through Friday.

Notice: If any person decides to appeal any decisions made at this meeting with respect to any matter considered at this meeting, 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.

Notice: In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact Planning and Development no later than seven (7) days prior to the proceedings. Telephone (352) 735-7112 for assistance. If hearing impaired, telephone the Florida Relay Service numbers, (800) 955-8771 (TDD) or (800) 955-8770 (Voice) for assistance.

Published Legal Notice: October 21, 2022

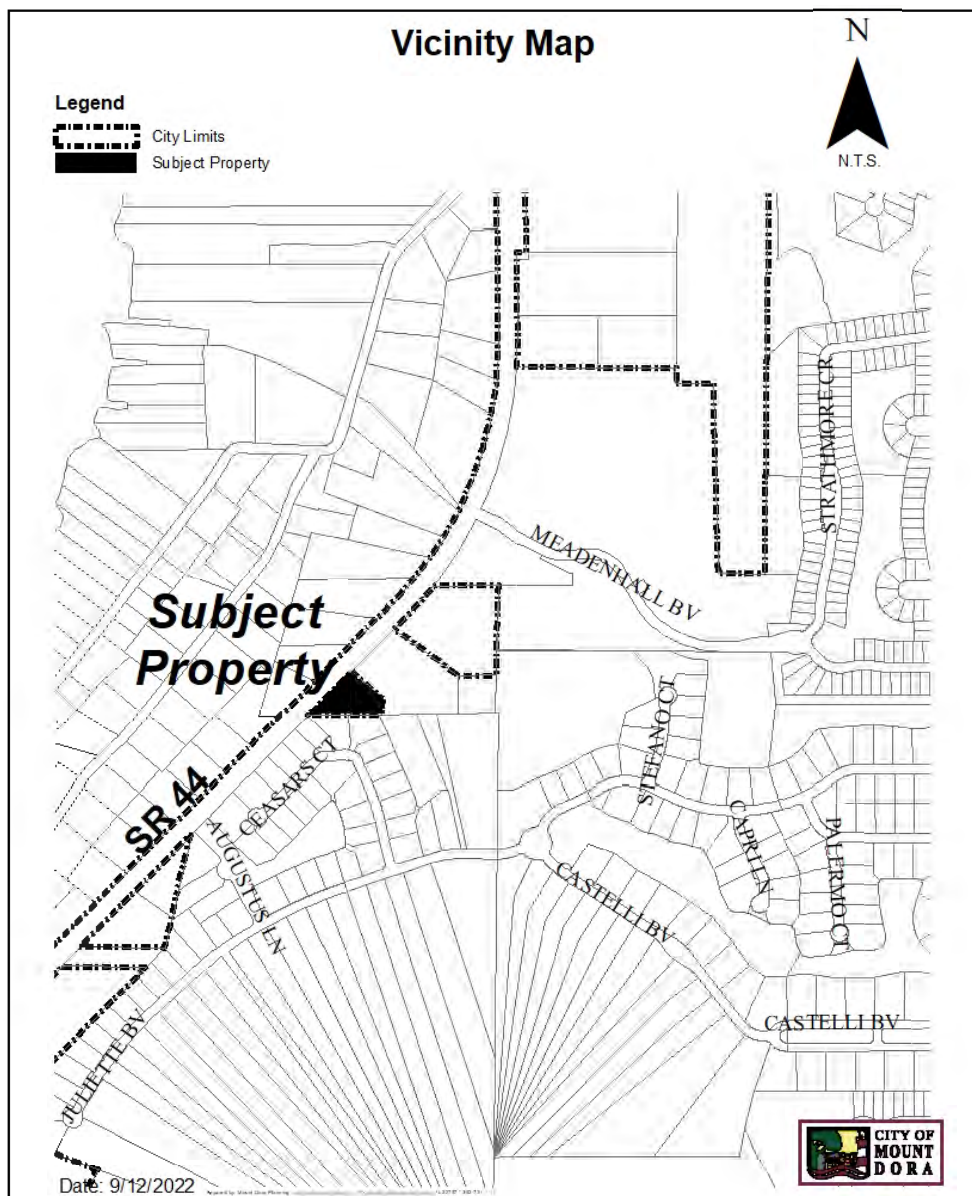
NOTICE OF COMPREHENSIVE PLAN CHANGE FUTURE LAND USE MAP AMENDMENT ORDINANCE NO. 2022-18 CITY OF MOUNT DORA, FLORIDA

Notice is hereby given that the Planning & Zoning Commission and the City Council of the City of Mount Dora, Florida will conduct a public hearings to consider the adoption of Ordinance No. 2022-18 for proposed changes to the City of Mount Dora Comprehensive Plan to amend the Future Land Use Map. The title and substance of proposed Comprehensive Plan Ordinance is as follows:

ORDINANCE NO: 2022-18

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO A CHANGE IN FUTURE LAND USE DESIGNATION AND AMENDMENT TO THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY OF MOUNT DORA COMPREHENSIVE PLAN 2045; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF CHANGE IN FUTURE LAND USE DESIGNATION AND AMENDMENT TO FUTURE LAND USE MAP; PROVIDING FOR THE 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.

Further, the adoption of Ordinance No. 2022-18 includes a Future Land Use Map Amendment changing certain lands from County Urban Low Density to City Low/Medium Residential Density as depicted on the map of this advertisement below:



The City of Mount Dora Local Planning Agency (Planning and Zoning Commission) will conduct a public hearing to consider this ordinance on **Wednesday, October 19, 2022 at 10:00 a.m.**, or as soon thereafter as possible at City Hall, 510 North Baker Street, Mount Dora, Florida.

The City Council of the City of Mount Dora, Florida will conduct public hearings to consider the adoption of Ordinance No. 2022-18 on **Tuesday, November 1, 2022**. The meeting will be held at City Hall, 510 North Baker Street, Mount Dora, Florida and will begin at 6:00 p.m., or as soon thereafter as possible

Interested parties may appear at the meeting and be heard with respect to the proposed comprehensive plan amendment.

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.

The file may be inspected by the public at the Planning and Development Department, City Hall, 510 North Baker Street, Mount Dora, Florida between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Notice: If any person decides to appeal any decision made at this meeting with respect to any matter considered at this meeting 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 records include the testimony and evidence upon which the appeal is to be based.

Notice: In accordance with the American with Disabilities Act persons with disabilities needing special accommodations to participate in this proceeding shall contact the Planning and Development Department no later than seven (7) days prior to the proceedings. Telephone (352) 735-7112 for assistance. If hearing impaired, telephone the Florida Relay service numbers (800) 955-8771 (TDD), or (800) 955-8770 (Voice) for assistance.

For Questions or Comments, please email staff at **planningcomments@cityofmoundora.com**.

Title in 18 point
2 column, 10.5 inch; Non-legal
Publish: October 7, 2022

ORDINANCE NO: 2022-18

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO A CHANGE IN FUTURE LAND USE DESIGNATION AND AMENDMENT TO THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY OF MOUNT DORA COMPREHENSIVE PLAN 2045; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF CHANGE IN FUTURE LAND USE DESIGNATION AND AMENDMENT TO FUTURE LAND USE MAP; PROVIDING FOR THE 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.

WHEREAS, the City of Mount Dora is committed to planning and managing for future growth and redevelopment of property located within the City limits; and

WHEREAS, the Florida Statutes, Section 163.3167 empowers the City of Mount Dora to adopt and amend the City of Mount Dora Comprehensive Plan 2045; and

WHEREAS, pursuant to Florida Statutes, Section 163.3187, Green Wheat LLC and Donnelly LLC (Property Owner) submitted an application to the City requesting a change in Future Land Use designation and amendment to the Future Land Use Map of the Future Land Use Element of the City of Mount Dora Comprehensive Plan 2045 pertaining to that property located on the east side of SR 44 and south of Meadenhall Boulevard, as depicted in **Exhibit "A"** attached hereto (Property); and

WHEREAS, the proposed Comprehensive Plan Amendment qualifies as small-scale development amendment because the Property is not more than fifty acres in size, the proposed amendment does not involve a text change to the goals, policies and objectives of the City and only proposes a land use change to the City's Future Land Use Map and,

WHEREAS, the Property is not located within an area of critical state concern; and

WHEREAS, in accordance with applicable law, notice of the proposed Comprehensive Plan amendment was provided to Lake County and to the public by way of publication in a newspaper of general circulation in the City; and

WHEREAS, on October 19, 2022, the City of Mount Dora Planning and Zoning Commission approved the proposed amendment to the Future Land Use Map of the Future Land Use Element of the City of Mount Dora Comprehensive Plan 2045 pertaining to the Property; and

WHEREAS, Florida Statutes, Section 163.3187(2) requires that the City conduct only one public hearing for Small-Scale Future Land Use Map Amendments; and

WHEREAS, after conducting a public hearing, the City of Mount Dora finds that the proposed amendment to the Future Land Use Map of the Future Land Use Element of the City of Mount Dora Comprehensive Plan 2045 pertaining to the Property serves a legitimate public purpose and is in the best interest of the health, safety and welfare of the citizens of the City of Mount Dora, Florida.

NOW, THEREFORE, BE IT ORDAINED 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 the Florida law in processing this Ordinance. The above recitals are hereby adopted.

SECTION 2. APPROVAL OF CHANGE IN FUTURE LAND USE DESIGNATION AND AMENDMENT TO FUTURE LAND USE MAP.

A. The Future Land Use designation of City Low-Medium Density (4 du/ac) is hereby assigned to that Property located east side of SR 44 and south of Meadenhall Boulevard, identified by Tax Parcel ID # 17-19-27-0001-000-00119 Alt. Key # 2569476; Tax Parcel ID # 17-19-27-0002-000-09000 Alt. Key # 3929583 and more particularly described as:

GREEN WHEAT, LLC ALT KEY PARCEL #2569476:
THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4712 PAGE 544 IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AND BEGIN AT A FOUND 1" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AS BEING WEST 639.8' FROM THE SE CORNER OF GOVERNMENT LOT 2 (NOT FOUND); THENCE CONTINUE S 90°00'00" W, AS A BASE OF BEARING 92.22' ON THE SOUTH LINE OF GOVERNMENT LOT 2 TO A SET 5/8" IRON ROD AND CAP PSM #5795; THENCE N 05°07'28" E 72.65' TO A SET 5/8" IRON ROD AND CAP PSM#5795; THENCE N 44°54'50" W 113.44'; TO A SET 5/8" IRON ROD AND CAP PSM #5795 ON THE EASTERLY LINE OF THE 100' RIGHT OF WAY TO STATE ROAD 44B; THENCE ON SAID RIGHT OF

WAY LINE N 45°13'16" E 105.00' TO A FOUND 1" IRON PIPE; THENCE S 47°04'51" E 214.18' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE S 04°59'54" W 81.20' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE N 89°54'31" W 58.49' TO THE 1" IRON PIPE A THE POINT OF COMMENCEMENT/POINT OF BEGINNING. SAID LAND CONTAINING 0.67 ACRE.

DONNELLY LLC, ALT KEY PARCEL #3929583:
THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544 IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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ALL THE ABOVE CONTAINING 1.14 ACRES, MORE OR LESS.

B. The Future Land Use Map II-2a of the Future Land Use Element of the City of Mount Dora Comprehensive Plan 2045, adopted by City of Mount Dora Ordinance 2020-04, on June 16, 2020; amended by City of Mount Dora Ordinance No. 2022-13, on September 20, 2022, is hereby amended to include the Future Land Use assignment set forth herein.

SECTION 3. IMPLEMENTING ADMINISTRATIVE ACTIONS. The City Manager is hereby authorized and directed to take such actions as are 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 effectual and prudent.

SECTION 4. SAVINGS CLAUSE. All prior actions of the City of Mount Dora pertaining to the requested Future Land Use change and amendment to Future Land Use Map II-2a of the Future Land Use Element of the City of Mount Dora Comprehensive Plan 2045, as well

as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 5. NON-CODIFICATION AND SCRIVENER'S ERRORS. The provisions of this Ordinance shall not be codified in the City of Mount Dora Code of Ordinances. 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.

SECTION 6. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 7. SEVERABILITY. If any Section or portion of a Section of this Ordinance 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 Ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective immediately upon adoption; however, pursuant to Florida Statutes, Section 163.3187, the subject small-scale Future Land Use Map amendment shall become effective 31 days after adoption of this Ordinance by the City, unless otherwise challenged within 30 days after said adoption. In the event of a timely challenge, the subject small-scale Future Land Use Map amendment shall become effective once the Florida Department of Economic Opportunity or the Administration Commission issues a final order determining that the adopted small-scale Future Land Use Map amendment is in compliance with the Plan.

SINGLE AND FINAL READING: November 1, 2022

PASSED AND ADOPTED this 1st day of November, 2022.

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

JEANANN HAND, INTERIM CITY CLERK

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

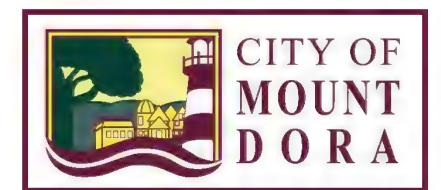
Sherry G. Sutphen, City Attorney

EXHIBIT “A”
Future Land Use Map Amendment

City of Mount Dora Future Land Use Map

Planning Time Frame: 2045

FLUM Amendment - Green Wheat LLC and Donnelly LLC



0 1,450 2,900 Feet

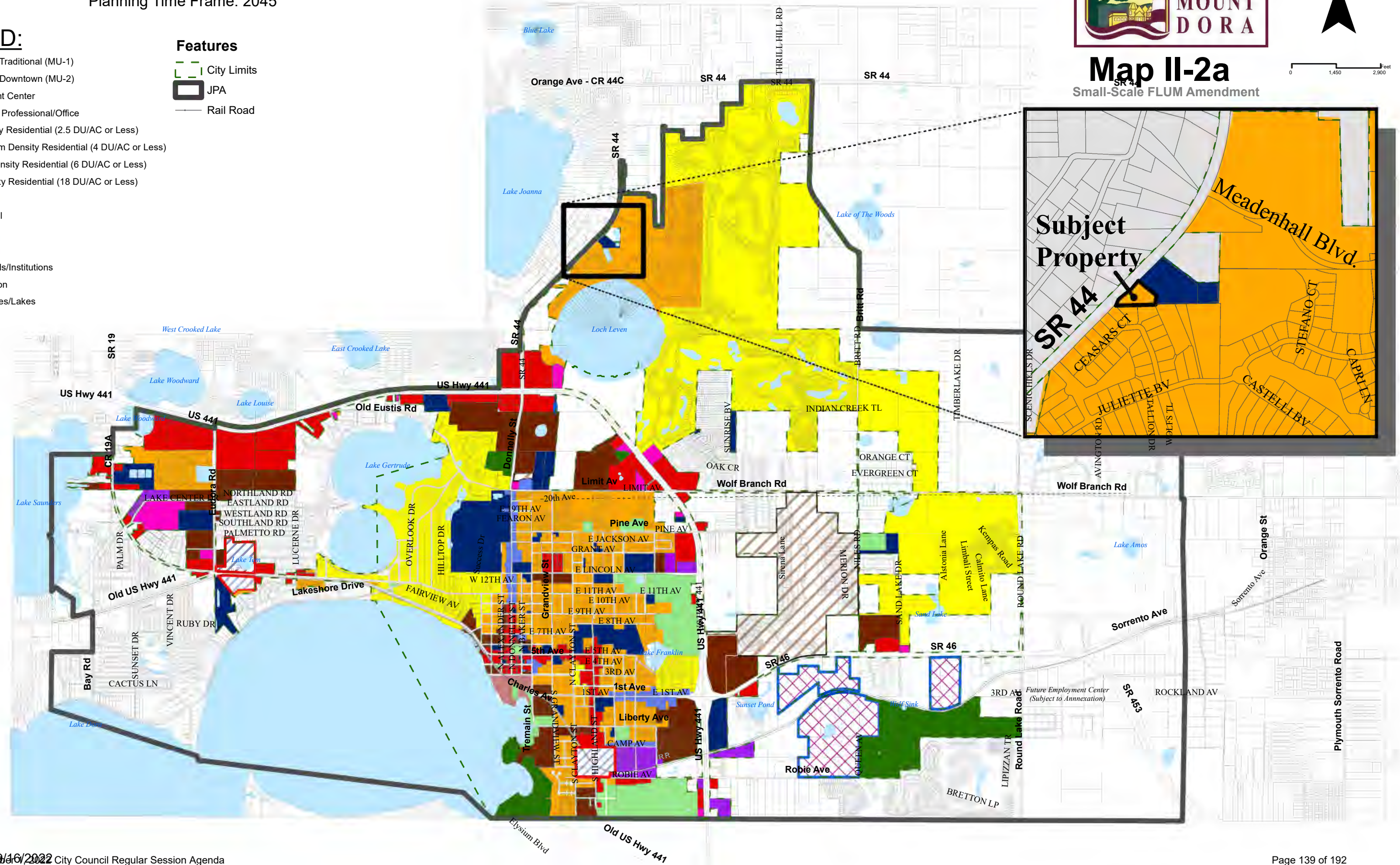
Map II-2a
Small-Scale FLUM Amendment

LEGEND:

- Mixed Use Traditional (MU-1)
- Mixed Use Downtown (MU-2)
- Employment Center
- Residential Professional/Office
- Low Density Residential (2.5 DU/AC or Less)
- Low/Medium Density Residential (4 DU/AC or Less)
- Medium Density Residential (6 DU/AC or Less)
- High Density Residential (18 DU/AC or Less)
- Industrial
- Commercial
- Office
- Recreation
- Public Lands/Institutions
- Conservation
- Water Bodies/Lakes

Features

- City Limits
- JPA
- Rail Road



Prepared by: Mount Dora Planning and Development Dept.
510 North Baker Street
Mount Dora, FL 32727
352-735-7112



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

DATE: November 1, 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. 2022-19**, Change in Zoning for Green Wheat, LLC and Donnelly, LLC

Introduction:

This is a request for City Council to approve the first reading of Ordinance No. 2022-19 and hold the hearing for the second reading and adoption.

Discussion:

Further rezoning descriptions and details are contained in Attachment #1 (*PZC Memo*). Legal advertisement for this hearing is included in Attachment #2. The subject property was annexed into the City of Mount Dora with the adoption of Ordinance 2022-17 on October 4, 2022. The property contains 1.14 acres and is developed with a single family dwelling unit on one of the parcels. The second parcel is vacant land. The property requires assignment of a City zoning and land use designations. As such, the applicant has applied to rezone the property from County Agriculture to City R-1A. This proposed zoning is consistent with the surrounding single-family zoning districts.

The change in zoning is subject to adoption of the Future Land Use Map Amendment (companion Ordinance No. 2022-18).

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 October 19, 2022, recommended approval of the rezoning to R-1A zoning. Approval subject to the Future Land Use Residential Low-Medium Density 4 du/ac designation being processed under Ordinance No. 2022-18.

The Development Review Committee (DRC) on September 28, 2022, recommended approval of the change in zoning and forwarded the same to the PZC.

Budget Impact:

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

Strategic Impact:

Rezoning requests which address density and intensity changes are consistent with Growth Management Goals. This particular change in zoning is consistent with the City's goals for conservation protection measures and land use regulations.

Recommendation:

City Council to approve First Reading of Ordinance No. 2022-19 and hold a hearing for second reading and adoption.

Attachment(s):

1. Attachment 1 PZC Staff Report (ADA)
2. Attachment 2 Legal Advertisement Publication (ADA)
3. Ordinance 2022-19 Green Wheat Rezoning.SGS
4. Exhibit A Property Depiction Map

Prepared by: Vince Sandersfeld, Planning and Development Director
Reviewed by: Vince Sandersfeld, Planning and Development Director
Sherry Sutphen, City Attorney
Jeanann Hand, Interim City Clerk
Patrick Comiskey, City Manager

Approved - 10/3/2022
Approved - 10/25/2022
Approved - 10/25/2022
Final Approval - 10/25/2022



CITY OF MOUNT DORA

Planning and Development
510 N. Baker St.
Mount Dora, FL 32757
352-735-7113
plandev@cityofmoundora.com

DATE: October 19, 2022

TO: Planning and Zoning Commission

FROM: Development Review Committee
 Vince Sandersfeld, Planning Director

THROUGH: Michele Janiszewski, AICP, Senior Planner

RE: Rezoning Application; Change in Zoning for assignment from Lake County Agriculture to City R-1A; 1.14 Acres (Site Area); Located on the east side of SR 44 and south of Meadenhall Boulevard (site address: 18310 and 18514 SR 44); Ben Champion (Applicant); Green Wheat LLC and Donnelly LLC (Owners). Project No. RZ-22-03.

SUMMARY OF RECOMMENDATION:

Staff recommends approval of the application to rezone 1.14+/- acres from Lake County Agriculture to City R-1A. Approval is subject to Future Land Use designation. PZC recommendation to be forwarded to City Council.

REFERENCES/SUPPORT:

LDC Section 3.3

Policy 4.g(3) FLUE of the Mount Dora Comprehensive Plan 2045

Annexation Ordinance No. 2022-17

FLUM Ordinance No. 2022-18 (being processed in concert)

SITE SUMMARY:

Owners	Green Wheat LLC and Donnelly LLC
Applicant	Ben Champion
Address	18310 and 18514 SR 44
General Location:	Located along the south side of SR 44, north of Loch Levan Landing
Alternate Key Nos.	3929583 & 2569476
Zoning District:	Lake County Agriculture
Proposed Zoning District:	Single-Family Dwelling Unit or R-1A
Future Land Use Category:	Lake County Urban Low (4 du/ac)
Proposed Land Use Category	Low-Medium Density 4 du/ac (Separate Application)
Overlays:	None
Site Area:	1.14 +/- acres
Existing Use:	Single family residence and vacant land

DEVELOPMENT STANDARDS:

Development Standard	Agriculture (Existing)	R-1A (Proposed)
Density	4 du/acre	4 du/acre
Min. Lot Size	Five acres	Min. 10,000 SF
Max. Building Height	40'	35'
Max. Impervious Surface Ratio (ISR)	10%	65%
Min. Open Space	35%	35%

SURROUNDING PROPERTY TABLE:

Direction	Jurisdiction	Future Land Use	Zoning District(s)	Existing Use(s)	Comments
North	City	PL/I	PLI	Church/Worship	Lighthouse Baptist Church
South	City	MD	R-1A	Residential Subdivision	Loch Levan Phase II
East	City	PL/I	PLI	Church/Worship	Lighthouse Baptist Church
West	County	Res Low Density	R-1	SR 44/SFR	Adjacent to SR 44 Right-of-Way

ANALYSIS:

The subject property was annexed into the City of Mount Dora with the adoption of Ordinance 2022-17 on October 4, 2022. The property contains 1.14 acres and is developed with a single family dwelling unit utilizing an onsite well and septic system. The property needs to be obtain a City zoning and land use district, as these are recent annexed parcels. As such, the Applicant has applied to rezone the property from County Agriculture to City Single Family Dwelling Unit (R-1A).

The subject property was split into two lots by the Applicant in July. Land Development Code (LDC) Section 3.4.2.5, establishes a minimum lot size of 10,000 square feet for property zoned R-1A. LDC Section 3.4.2.5 also establishes a twenty-five (25) minimum street frontage for the R-1A zoning district. One lot is developed with a single family dwelling unit, contains approximately 29,277 square feet, and has 105' of road frontage along State Road 44. The other lot is vacant, contains approximately 20,459 square feet, and has 216.77' of road frontage along State Road 44. As such, both the parcels meet the minimum lot size and frontage requirements of the proposed zoning district.

STANDARDS FOR REVIEW:

Pursuant to LDC Section 3.3.4, the City shall consider the following criteria in reviewing applications for a rezoning:

1. **The need and justification for the change:**

The subject property has been annexed into the City limits and needs to be assigned a City zoning district and land use category. The Applicant is seeking to designate the property as R-1A which is consistent with the abutting the property to the south. The subject property is comprised of two parcels, both of which meet the minimum lot size

and frontage requirements of the R-1A zoning district. As such, the application to rezone the property from Agriculture to R-1A is consistent with the City's Land Development Code.

2. The effect of the change, if any, on the particular property and on surrounding property.
The assignment of the proposed R-1A is consistent with the proposed land use for the subject property and the surrounding neighborhood.
3. The amount of undeveloped land having the same classifications as that requested in the general area and throughout the city.
The application is to designate a zoning district to property which was recently annexed into the City limits. The R-1A zoning district is an appropriate and compatible zoning district for the property.
4. The availability and provision of adequate services and facilities:
Services and facilities are currently available to this property. Further evaluations will be determined at time of site plan/platting or permitting depending upon the proposed use(s).
5. The impact on the natural environment:
There are no anticipated, adverse impacts on the natural environment as a result of this rezoning. A portion of this property is current development with a single-family dwelling.
6. Other Criteria as may be applicable:
Staff did not identify any additional, pertinent information regarding this application.

NOTIFICATIONS:

JPA Notice to Lake County: September 9, 2022

Legal Notice PZC and Notice to City Council: October 7, 2022

Notice to Surrounding Owners: October 7, 2022

Non-Legal with Map Ad City Council 1st Reading: October 21, 2022

Ordinance Enactment Legal Ad: November 4, 2022

Non-Legal with Map Ad City Council Adoption: November 4, 2022

PUBLIC HEARING SCHEDULE:

DRC Review: September 28, 2022

PZC: October 19, 2022

City Council 1st Reading: November 1, 2022

City Council 2nd Reading/Adoption: November 15, 2022

ATTACHMENTS:

Vicinity Map

Future Land Use Composite City-County Map

Zoning Composite City-County Map

Application

N

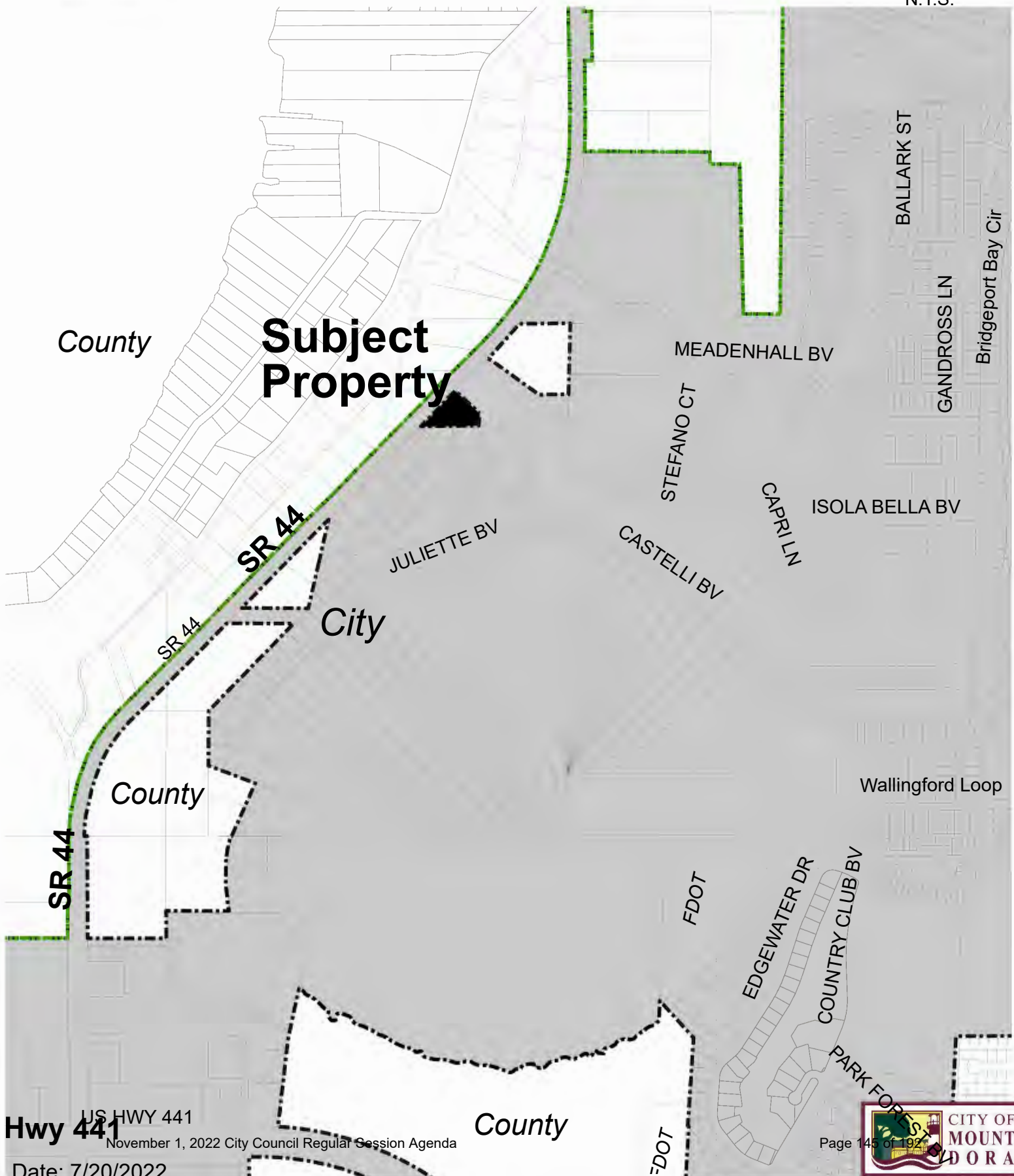


N.T.S.

Legend

-  Subject Property
-  JPA Boundary
-  City Limits

Vicinity Map



Hwy 441

US HWY 441

November 1, 2022 City Council Regular Session Agenda

Date: 7/20/2022

Prepared by: Mount Dora Planning and Development Dept * 510 N. Baker Street, Mount Dora, FL 32757 * 352-735-7112



FUTURE LAND USE MAP (Composite City/County)

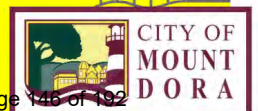
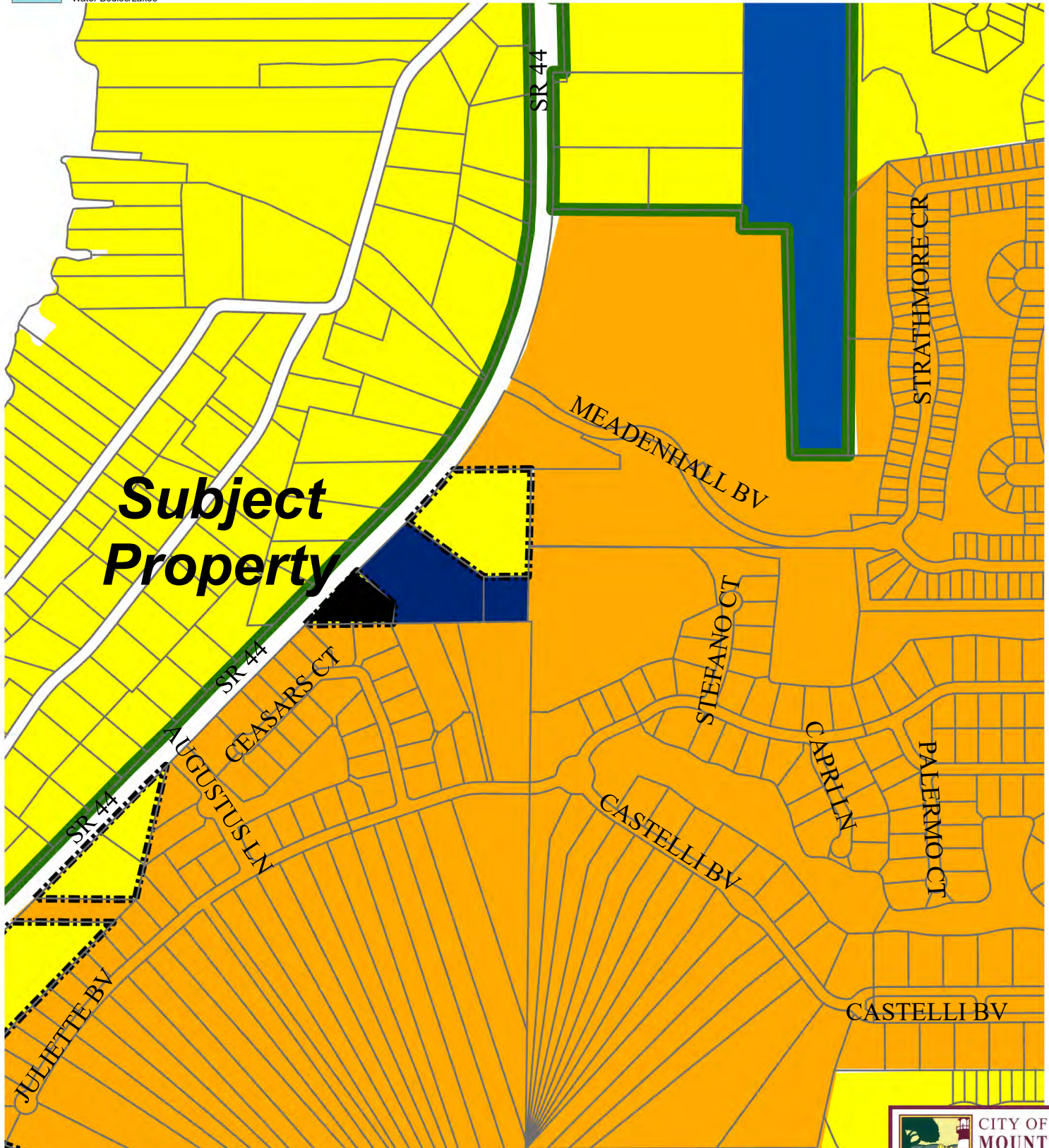
Legend

- JPA
- City Limits
- Subject Property

Lake County FLU

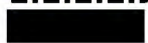
FLU2025

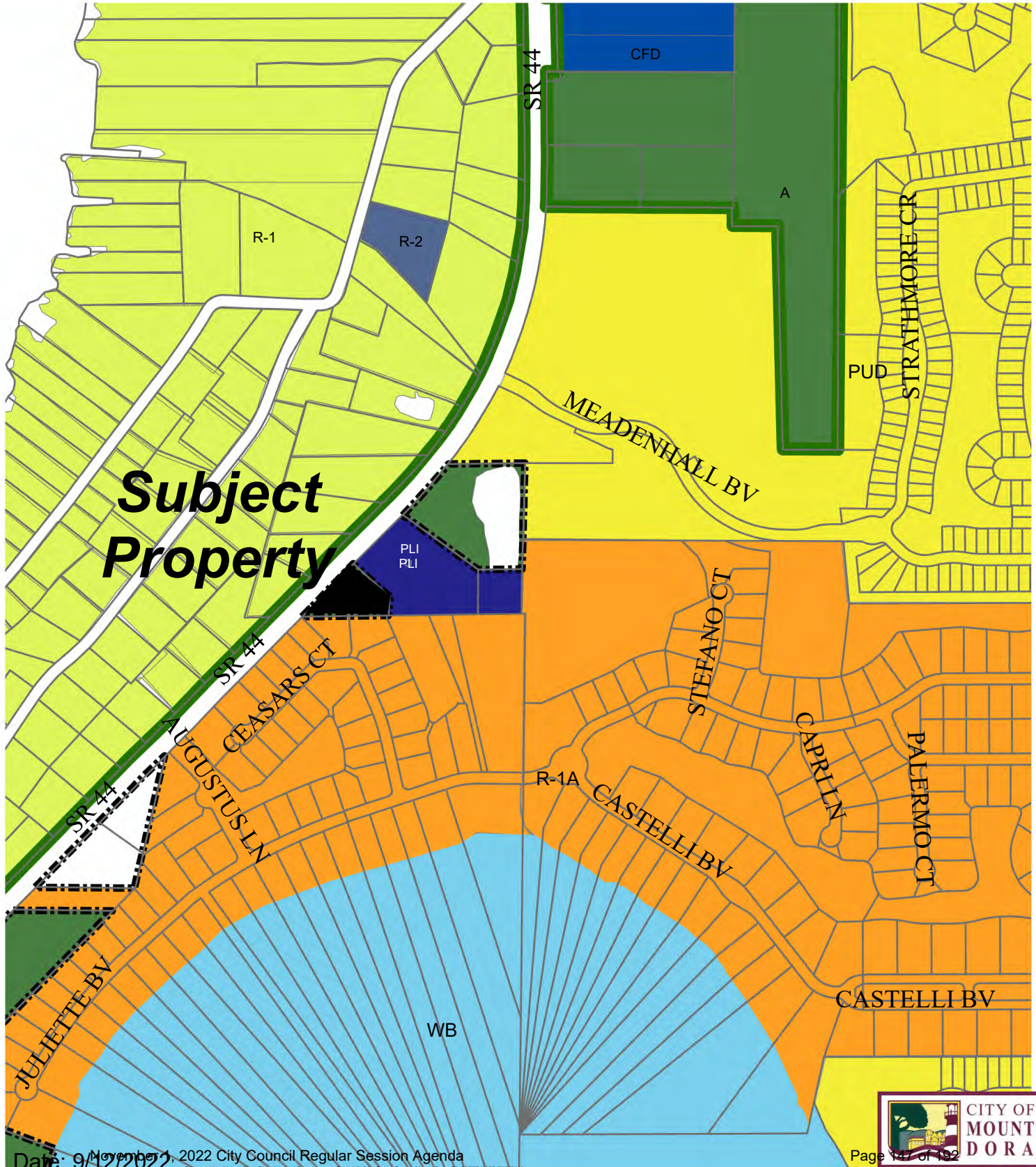
- Urban Low Density (4 du/ac)
- Urban Medium Density (7 du/ac)
- Public Service Facility and Infrastructure
- Low Density Residential (2.5 DU/AC or Less)
- Medium Density Residential (6 DU/AC or Less)
- Public Lands/Institutions
- Conservation
- Water Bodies/Lakes



ZONING MAP (Composite City/County)

Legend

-  JPA
-  City Limits
-  Subject Property



RECEIVED

By scottw at 9:09 am, Sep 06, 2022



**CITY OF
MOUNT
DORA**

Z22-03

**City of Mount Dora
Planning and Development
510 N. Baker St.
Mount Dora, FL 32757
352-735-7112
Fax: 352-735-7191
E-mail: plandev@cityofmountdora.com**

**REZONING
APPLICATION**

Date: 6/15/2022

1. Applicant's Name: Ben Champion
 Company's Name: Green Wheat LLC and Donnelly LLC
 Address: 15012 Colley Dr
 City, State & Zip: Tavares FL 32778
 Phone: 407-687-4314 E-mail: ben@championwealth.com
2. Owner's Name: Ben Champion
 Company's Name: Green Wheat LLC and Donnelly LLC
 Address: Same as above
 City, State & Zip: _____
 Phone: _____ E-mail: _____
3. The property generally located and list adjacent streets: Between Augustus Blvd
(Loch Leven) and Meadenhall Blvd on SR44. East side of SR44.
4. The address(s) of the property: 18510 & 18514 STATE ROAD 44
5. Size of property in Acres: 1.14 Square Feet: 49,658
6. Current Zoning District: Lake County Agricultural
7. Requested Zoning District: Mount Dora R-1A
8. Future Land Use Category: Applied for Mount Dora Low-Medium Density
9. Present use and structures on the property (list number of residential dwelling units):
Single Family Residential, 1 with single family residence and 1 vacant

10. Building Size (Existing): 1,288 sq ft
11. Proposed use of property: Single Family Residential, 1 existing home and 1 vacant residential lot
12. State the reason for this request, per Section 3.3 of the City's land Development Code (attached additional sheets and support data):
Annexation of both lots into City of Mt Dora requires
City of Mt Dora zoning.
13. Is the proposed use permissible in the requested district? Yes
14. Surrounding Future Land Use, Zoning, and Existing Use by City/County (fill-in table):

Direction	City/County	FLU	Zoning	Existing Use(s)
North	City	PLI	PLI	Church
South	City	Medium Density Residential	R-1A	Single Family Residential
East	City	PLI	PLI	Church
West	County	Urban Low	R-1	Single Family Residential

(districts/categories may be abbreviated)

CERTIFICATION AND SIGNATURE**AFFIDAVIT**

I, Ben Champion, being first duly sworn, depose and say that I apply for the request contained herein, and that all answers, information, sketches, data and other supplementary matter attached to or included herewith as part of this application, are accurate and true to the best on my knowledge and belief.

[Signature]
Signature of Applicant

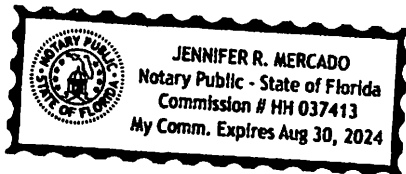
Ben Champion
Print or Type Name

STATE OF FLORIDA
COUNTY OF LAKE
CITY OF MOUNT DORA

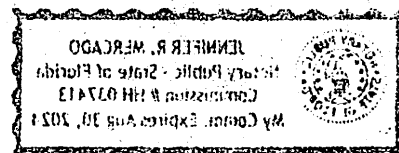
The foregoing instrument was acknowledged before me this 19th day of August 2022 by Benjamin Champion who is personally known to me or who has produced Florida Champion as identification and who did X or did not _____ take an oath.

SEAL:

[Signature]
Notary Public



Jennifer R. Mercado
Print or Type Name

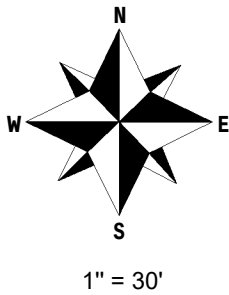


BOUNDARY SURVEY
LEGAL DESCRIPTION :

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK4712 PAGE 544
IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST TO BE
MORE PARTICULARLY DESCRIBED AS FOLLOWS :

COMMENCE AND BEGIN AT A FOUND 1" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT
LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST DESCRIBED IN OFFICIAL RECORD
BOOK 4712, PAGE 544 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AS BEING WEST 639.8'
FROM THE SE CORNER OF GOVERNMENT LOT 2 (NOT FOUND); THENCE CONTINUE
S 90°00'00" W, AS A BASE OF BEARING 92.22' ON THE SOUTH LINE OF GOVERNMENT LOT 2
TO A SET 5/8" IRON ROD AND CAP PSM #5795; THENCE N 05°07'28" E 72.65' TO A SET 5/8"
IRON ROD AND CAP PSM #5795; THENCE N 44°54'50" W 113.44' TO A SET 5/8" IRON ROD AND
CAP PSM #5795 ON THE EASTERLY LINE OF THE 100' RIGHT OF WAY TO STATE ROAD 44B;
THENCE ON SAID RIGHT OF WAY LINE N 45°13'16" E 105.00' TO A FOUND 1" IRON PIPE; THENCE
S 47°04'51" E 214.18' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE S 04°59'54" W
81.20' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE N 89°54'31" W 58.49' TO THE
1" IRON PIPE AT THE POINT OF COMMENCEMENT/POINT OF BEGINNING .
SAID LAND CONTAINING 0.670 ACRES .

ATTACHMENT #1



THIS SURVEY IS CERTIFIED TO :

GREEN WHEAT, LLC

THIS IS TO CERTIFY THAT THIS SKETCH
AND THE SURVEY UPON WHICH IT IS BASED
WERE MADE IN COMPLIANCE WITH THE
MINIMUM TECHNICAL STANDARDS OF THE
FLORIDA ADMINISTRATION CODE 5J-17.052

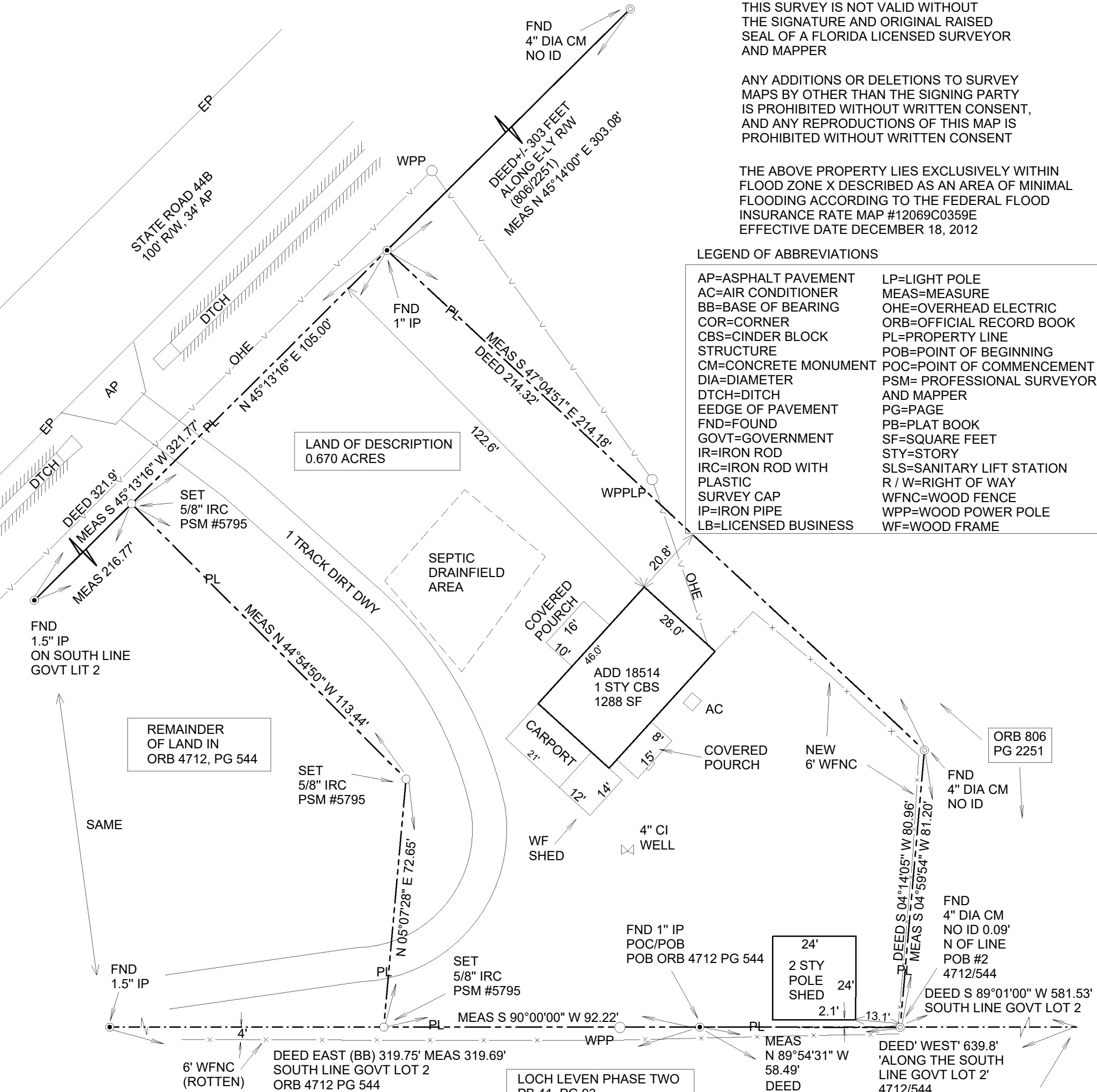
THIS SURVEY IS NOT VALID WITHOUT
THE SIGNATURE AND ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR
AND MAPPER

ANY ADDITIONS OR DELETIONS TO SURVEY
MAPS BY OTHER THAN THE SIGNING PARTY
IS PROHIBITED WITHOUT WRITTEN CONSENT,
AND ANY REPRODUCTIONS OF THIS MAP IS
PROHIBITED WITHOUT WRITTEN CONSENT

THE ABOVE PROPERTY LIES EXCLUSIVELY WITHIN
FLOOD ZONE X DESCRIBED AS AN AREA OF MINIMAL
FLOODING ACCORDING TO THE FEDERAL FLOOD
INSURANCE RATE MAP #12069C0359E
EFFECTIVE DATE DECEMBER 18, 2012

LEGEND OF ABBREVIATIONS

AP=ASPHALT PAVEMENT	LP=LIGHT POLE
AC=AIR CONDITIONER	MEAS=MEASURE
BB=BASE OF BEARING	OHE=OVERHEAD ELECTRIC
COR=CORNER	ORB=OFFICIAL RECORD BOOK
CBS=CINDER BLOCK	PL=PROPERTY LINE
STRUCTURE	POB=POINT OF BEGINNING
CM=CONCRETE MONUMENT	POC=POINT OF COMMENCEMENT
DIA=DIAMETER	PSM= PROFESSIONAL SURVEYOR
DTCH=DITCH	AND MAPPER
EEDGE OF PAVEMENT	PG=PAGE
FND=FOUND	PB=PLAT BOOK
GOVT=GOVERNMENT	SF=SQUARE FEET
IR=IRON ROD	STY=STORY
IRC=IRON ROD WITH	SLS=SANITARY LIFT STATION
PLASTIC	R / W=RIGHT OF WAY
SURVEY CAP	WFNC=WOOD FENCE
IP=IRON PIPE	WPP=WOOD POWER POLE
LB=LICENSED BUSINESS	WF=WOOD FRAME



DATE OF SURVEY : JUNE, 2022
DATE OF DRAWING : 6-27-22
FIELD BOOK 216 PAGE 2-11

ALL TERRAIN SURVEYING AND MAPPING LLC
LICENSED BUSINESS NUMBER #8412
STATE OF FLORIDA

SURVEYED AND DRAFTED BY
TOM SLATER PROFESSIONAL SURVEYOR
AND MAPPER #5795 STATE OF FLORIDA
41742 LOCUST STREET
EUSTIS, FLORIDA 32736
OFFICE (352)483-1300
CELL (352)602-9650
EMAIL : cassia5795@yahoo.com

November 1, 2022 City Council Regular Session Agenda

SURVEY NOTES

- 1) SUBJECT TO ALL RESTRICTIONS EASEMENTS AND RIGHT OF WAY OF RECORD
- 2) UNDERGROUND ENCROCHMENTS NOT LOCATED
- 3) BEARINGS ARE BASED UPON THE SOUTH LINE OF GOVERNMENT LOT 2 AS BEING EAST ACCORDING TO DEED WHICH IS PATENTLY AMBIGUOUS IN REGARDS TO CALLING FOR THE SAME LINE AS BEING S 89°01'00" W RECORDED IN OFFICIAL RECORD BOOK 4712, PAGE 544
- 4) THIS SURVEY WAS CONDUCTED WITHOUT THE BENIFIT OF A TITLE SEARCH, THE DESCRIPTION WAS PROVIDED BY THE CLIENT
- 5) FLOOD ZONE DEPICTIONS ARE EXTRAPOLATED FROM FEMA FLOOD MAPS AND DO NOT CONSTITUTE A SURVEY

BOUNDARY SURVEY

LEGAL DESCRIPTION :

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544
IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST
MORE PARTICULARLY DESCRIBED AS FOLLOWS :

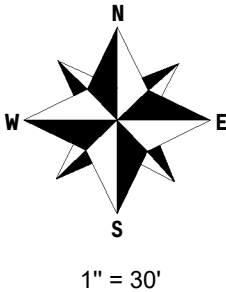
COMMENCE AT A FOUND 1" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2
SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST DESCRIBED IN OFFICIAL RECORD
BOOK 4712, PAGE 544 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AS BEING WEST
639.8' FROM THE SE CORNER SAID GOVERNMENT LOT 2 (NOT FOUND); THENCE CONTINUE
S 90°00'00" W 92.22' ON THE SOUTH LINE OF GOVERNMENT LOT 2 TO A SET 5/8" IRON
ROD AND CAP PSM #5795 AND POINT OF BEGINNING; THENCE N 05°07'28" E 72.65' TO A
SET 5/8" IRON ROD AND CAP PSM #5795; THENCE N 44°54'50" W 113.44' TO A SET 5/8"
IRON ROD AND CAP PSM #5795 ON THE EASTERLY LINE OF THE 100' RIGHT OF WAY
TO STATE ROAD 44B; THENCE ON SAID RIGHT OF WAY LINE S 45°13'16" W 216.77' TO A
FOUND 1.5" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2; THENCE N 90°00'00" E,
AS A BASE OF BEARING, 227.47' TO THE POINT OF BEGINNING
SAID LAND CONTAINING 0.471 ACRES

THE ABOVE PROPERTY LIES EXCLUSIVELY WITHIN
FLOOD ZONE X DESCRIBED AS AN AREA OF MINIMAL
FLOODING ACCORDING TO THE FEDERAL FLOOD
INSURANCE RATE MAP #12069C0359E
EFFECTIVE DATE DECEMBER 18, 2012

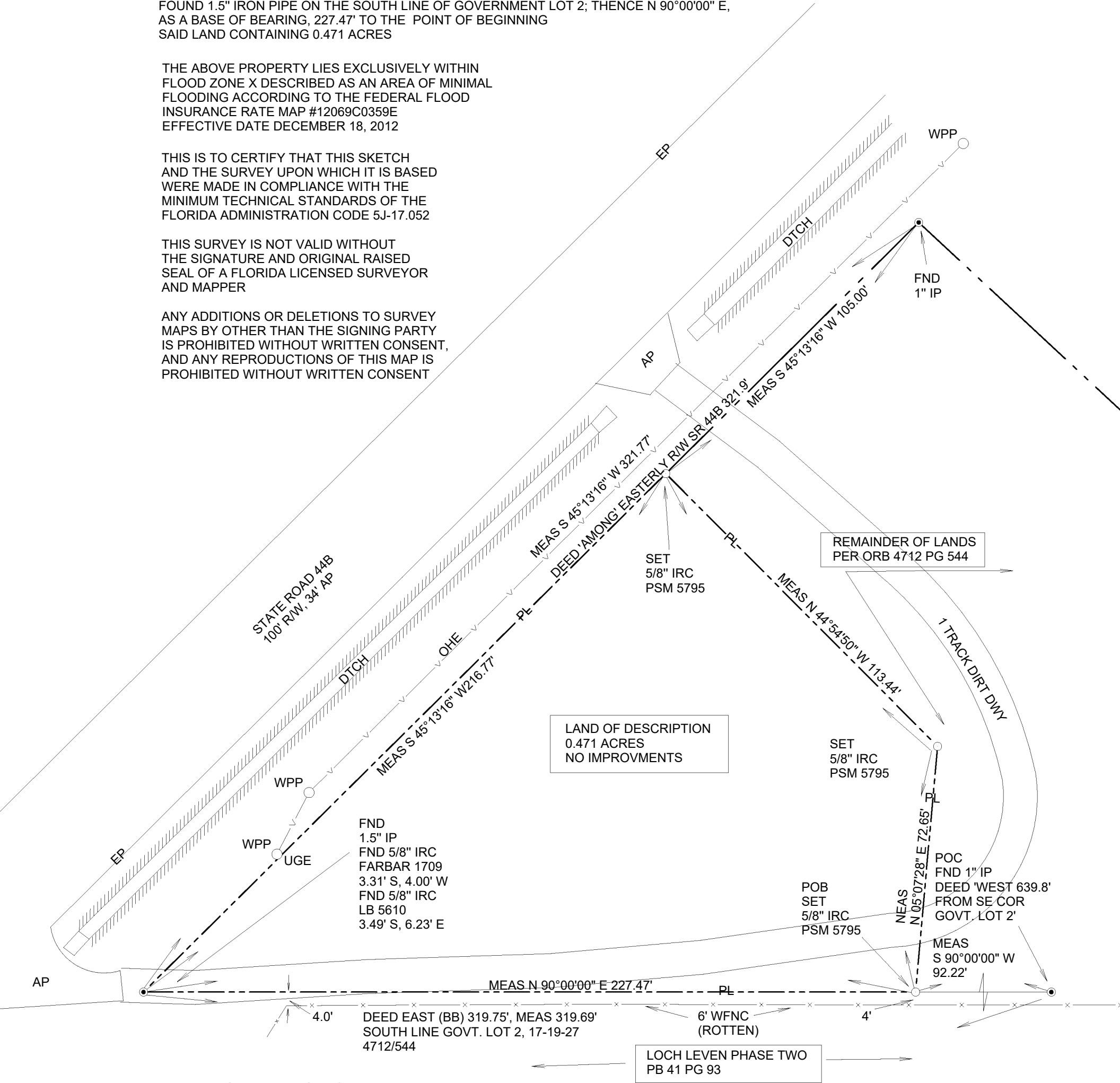
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SEAL OF A FLORIDA LICENSED SURVEYOR
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MAPS BY OTHER THAN THE SIGNING PARTY
IS PROHIBITED WITHOUT WRITTEN CONSENT,
AND ANY REPRODUCTIONS OF THIS MAP IS
PROHIBITED WITHOUT WRITTEN CONSENT



THIS SURVEY IS CERTIFIED TO :
DONNELLY LLC



SURVEY NOTES

- 1) SUBJECT TO ALL RESTRICTIONS EASEMENTS AND RIGHT OF WAY OF RECORD
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- 3) BEARINGS ARE BASED UPON THE SOUTH LINE OF GOVERNMENT LOT 2 AS BEING EAST ACCORDING TO DEED
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DATE OF SURVEY : JUNE, 2022
DATE OF DRAWING : 6-25-22
FIELD BOOK 216 PAGE 2-11

ALL TERRAIN SURVEYING AND MAPPING LLC
LICENSED BUSINESS NUMBER #8412
STATE OF FLORIDA

LEGEND OF ABBREVIATIONS

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SURVEYED AND DRAFTED BY
TOM SLATER PROFESSIONAL SURVEYOR
AND MAPPER #5795 STATE OF FLORIDA
41742 LOCUST STREET
EUSTIS, FLORIDA 32736
OFFICE (352)483-1300
CELL (352)602-9650
EMAIL : cassia5795@yahoo.com

ATTACHMENT #1
County FLUM



July 6, 2022

1:1,249

Street Names

Subdivision Blocks

☐

Building Footprints

Property Name

Tax Parcels Alternate Key

Tax Parcels

— Local Streets

Subdivision Lot Numbers

+ Address Locations


 Subdivision Boundaries Subdivision Lots
 November 1, 2022 City Council Regular Session Agenda

Subdivision Lots

Boundary Line Dimensions

A number line with two scales. The top scale is labeled in miles (mi) with major tick marks at 0, 0.01, 0.02, and 0.04. The bottom scale is labeled in kilometers (km) with major tick marks at 0, 0.015, 0.03, and 0.06. The scales are aligned such that 0.01 mi corresponds to 0.015 km, 0.02 mi corresponds to 0.03 km, and 0.04 mi corresponds to 0.06 km.

Lake County Property Appraiser
Lake BCC

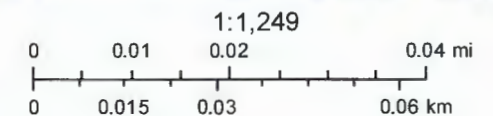
ATTACHMENT #1 County ~~FLUM~~ Zoning



July 6, 2022

- | | | |
|------------------------|-------------------------|--------------------------|
| Street Names | Subdivision Blocks | Building Footprints |
| Local Streets | Subdivision Lot Numbers | + Address Locations |
| Subdivision Boundaries | Subdivision Lots | Boundary Line Dimensions |
- November 1, 2022 City Council Regular Session Agenda

Property Name
Tax Parcels Alternate Key
Tax Parcels



Lake County Property Appraiser
Lake BCC

City of Mount Dora
FLUM

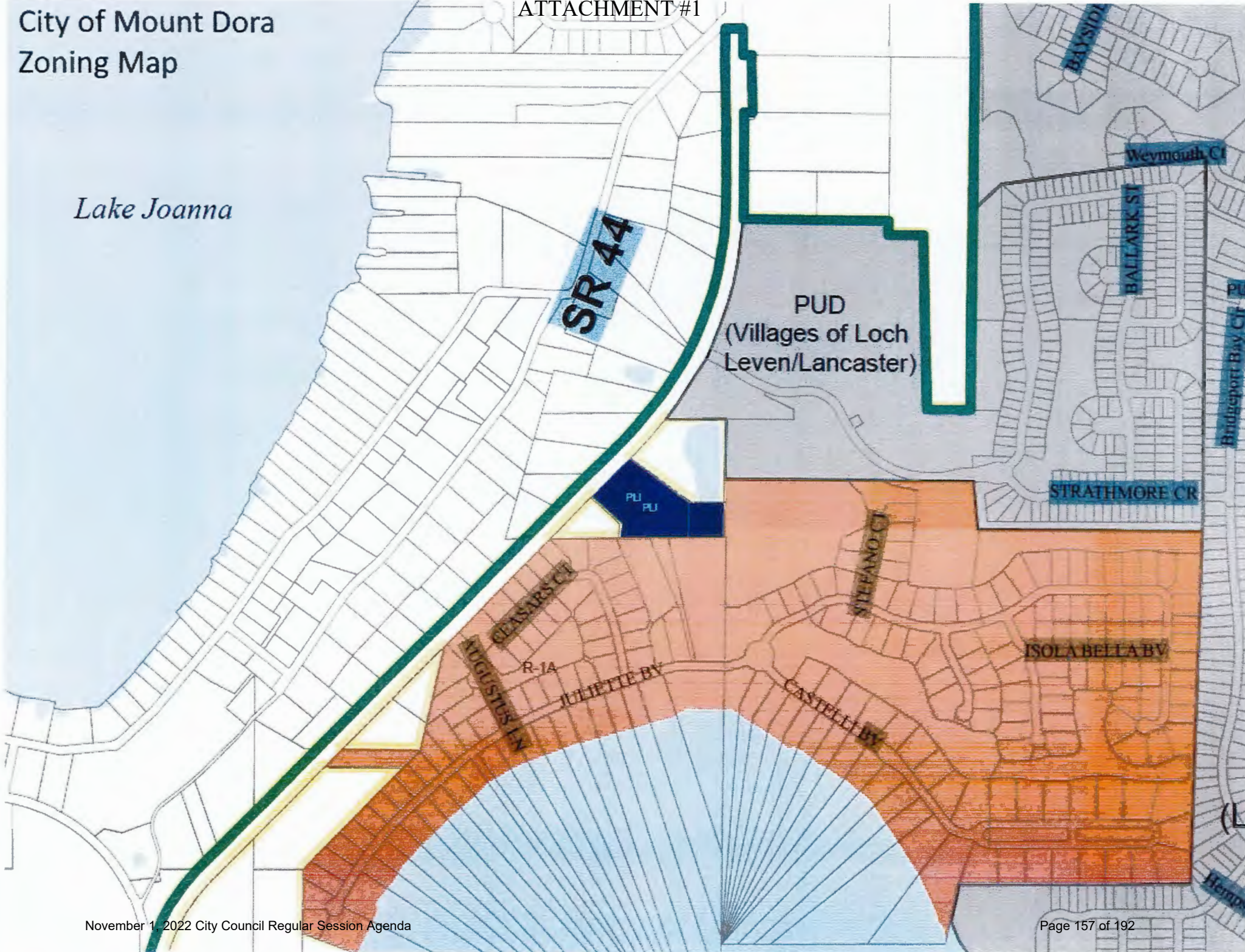
SR 44

LD

R44

City of Mount Dora
Zoning Map

ATTACHMENT #1



PROPERTY RECORD CARD

General Information

Name: GREEN WHEAT LLC **Alternate Key:** 2569476

Mailing Address: 15012 COLLEY DR **Parcel Number:** 17-19-27-0001-000-00119
TAVARES, FL 32778
[Update Mailing Address](#) **Millage Group and City:** 0002 Unincorporated

2021 Total Certified Millage Rate: 13.7509

Trash/Recycling/Water/Info: [My Public Services Map](#)

Property Location: 18514 STATE ROAD 44 EUSTIS FL, 32736 **Property Name:** --
[Update Property Location](#) [Submit Property Name](#)
[School Locator & Bus Stop Map](#)
[School Boundary Maps](#)

School Information:

Property Description: FROM THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 SECTION 17 TOWNSHIP 19 SOUTH RANGE 27 EAST THENCE ON THE SOUTH LINE OF SAID GOVERNMENT LOT 2 SOUTH 89-01-00 WEST 581.53 FEET FOR THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 89-01-00 WEST 150.64 FEET, NORTH 04-17-50 EAST 73.04 FEET, NORTH 45-44-28 WEST 113.19 FEET TO THE EASTERLY RIGHT OF WAY STATE ROAD 44B & POINT A, RETURN TO THE POINT OF RUN THENCE NORTH 04-17-50 EAST 80.96 FEET, NORTH 47-5 WEST 214.32 FEET TO THE EASTERLY RIGHT OF WAY OF STATE 44B, SOUTHWESTERLY ALONG RIGHT OF WAY LINE TO POINT A 4712 PG

NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
2	SINGLE FAMILY (0100)	0	0	.67AC	1.000	Lot	\$0.00	\$40,000.00	

[Click here for Zoning Info](#)[FEMA Flood Map](#)

Residential Building(s)

Building 1

Residential

Building Value: \$67,296.00

Summary

Year Built: 1968	Total Living Area: 1288	Central A/C: Yes	Attached Garage: No
Bedrooms: 3	Full Bathrooms: 2	Half Bathrooms: 0	Fireplaces: 0

[Incorrect Bedroom, Bath, or other information?](#)

Section(s)

Section Type	Ext. Wall Type	No. Stories	Floor Area
CARPORT FINISHED (CPF)		1.00	294
FINISHED LIVING AREA (FLA)	Block (02)	1.00	1288

ATTACHMENT #1

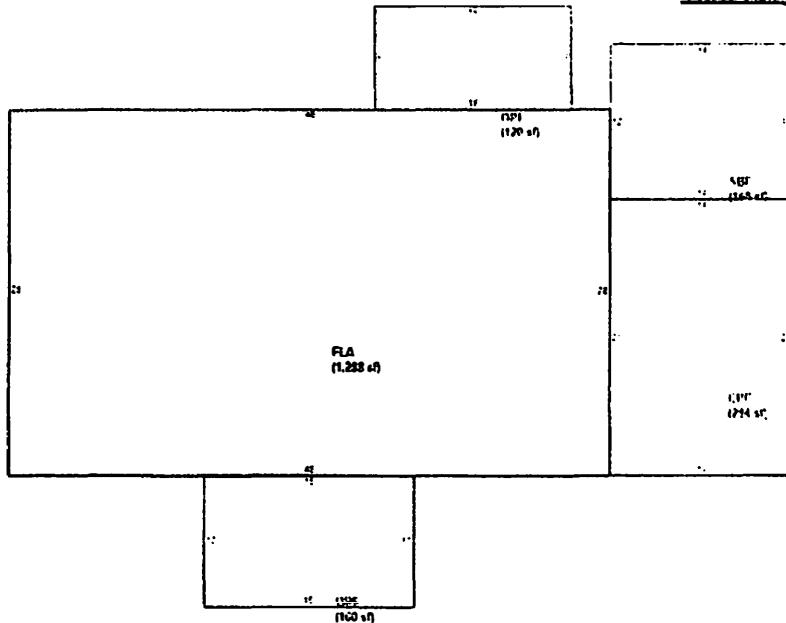
9/5/22, 1:36 AM

Property Details : Lake County Property Appraiser

OPEN PORCH FINISHED (OPF)
UTILITY STORAGE FINISHED BLOCK (SBF)

1.00 280
1.00 168

[View Larger / Print / Save](#)



Miscellaneous Improvements

No.	Type	No. Units	Unit Type	Year	Depreciated Value
1	UTILITY BLDG UNFINISHED (UBU1)	120	SF	1968	\$192.00
2	CARPOT/POLE SHED UNFINISHED (UCP1)	576	SF	1989	\$691.00

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
4712 / 544	11/2015	Warranty Deed	Unqualified	Improved	\$90,200.00
4648 / 1613	06/2015	Certificate of Title	Unqualified	Improved	\$100.00
3573 / 1130	01/2008	Quit Claim Deed	Unqualified	Improved	\$100.00
2582 / 82	05/2004	Quit Claim Deed	Unqualified	Improved	\$0.00
850 / 2053	08/1985	Quit Claim Deed	Unqualified	Improved	\$1.00
850 / 2052	08/1985	Quit Claim Deed	Unqualified	Improved	\$1.00

[Click here to search for mortgages, liens, and other legal documents.](#)

Values and Estimated Ad Valorem Taxes

Values shown below are 2022 CERTIFIED VALUES.

The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

ATTACHMENT #1

9/5/22, 1:36 AM

Property Details : Lake County Property Appraiser

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$108,179	\$40,590	\$40,590	5.0529	\$205.10
SCHOOL BOARD STATE	\$108,179	\$108,179	\$108,179	3.5940	\$388.80
SCHOOL BOARD LOCAL	\$108,179	\$108,179	\$108,179	2.9980	\$324.32
LAKE COUNTY WATER AUTHORITY	\$108,179	\$40,590	\$40,590	0.3229	\$13.11
NORTH LAKE HOSPITAL DIST	\$108,179	\$40,590	\$40,590	0.0000	\$0.00
ST JOHNS RIVER FL WATER MGMT DIST	\$108,179	\$40,590	\$40,590	0.2189	\$8.89
LAKE COUNTY MSTU STORMWATER	\$108,179	\$40,590	\$40,590	0.4957	\$20.12
LAKE COUNTY MSTU AMBULANCE	\$108,179	\$40,590	\$40,590	0.4629	\$18.79
LAKE COUNTY VOTED DEBT SERVICE	\$108,179	\$40,590	\$40,590	0.0918	\$3.73
LAKE COUNTY MSTU FIRE	\$108,179	\$40,590	\$40,590	0.5138	\$20.86
			Total:	Total:	
			13.7509		\$1,003.72

NOTE: Information on this Property Record Card is compiled and used by the Lake County Property Appraiser for the sole purpose of ad valorem property tax assessment administration in accordance with the Florida Constitution, Statutes, and Administrative Code. The Lake County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted [Site Notice](#).

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Property data last updated on March 21, 2022.

Site Notice

9/5/22, 1:35 AM

Property Details : Lake County Property Appraiser

PROPERTY RECORD CARD

General Information

Name: **DONNELLY LLC** **Alternate Key:** 3929583
Mailing Address: 15012 COLLEY DR
 TAVARES, FL
 32778
Parcel Number: 17-19-27-0002-000-09000
Update Mailing Address **Millage Group and City:** 0002 Unincorporated
2021 Total Certified Millage 13.7509
Rate:

Trash/Recycling/Water/Info: [My Public Services Map](#)**Property Location:** STATE ROAD 44
EUSTIS FL, 32736**Property Name:**

[Submit Property Name](#)
[School Locator & Bus Stop Map](#)
[School Boundary Maps](#)

School Information:

Property Description: FROM THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 SECTION 17 TOWNSHIP 19 SOUTH RANGE 27 EAST THENCE ON THE SOUTH LINE OF SAID GOVERNMENT LOT 2 SOUTH 89-01-00 WEST 732.17 FEET FOR THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 89-01-00 WEST 227.38 FEET TO THE EASTERLY RIGHT OF WAY OF STATE ROAD 44B, THENCE NORTH 44-15-32 EAST 247.44 FEET, SOUTH 45-44-28 EAST 113.19 FEET SOUTH 04-17-50 WEST 73.04 FEET TO THE POINT OF BEGINNING ORB 5879 PG 64 ORB 5987 PG 232

NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land being sold only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT RESIDENTIAL (0000)	0	0		1.000	Lot	\$0.00	\$40,000.00

[Click here for Zoning Info](#)[FEMA Flood Map](#)

Miscellaneous Improvements

There is no improvement information to display.

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional offset book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Click the link to search all documents for property name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
5987.232	07/2022	Misc Deed/Document	Unqualified	Vacant	\$100.00
5879.64	01/2022	Warranty Deed	Unqualified	Vacant	\$100.00

[Click here to search for mortgages, liens, and other legal documents.](#)

Values and Estimated Ad Valorem Taxes

Values shown below are 2022 CERTIFIED VALUES.
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Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes

ATTACHMENT #1

9/5/22, 1:35 AM

Property Details : Lake County Property Appraiser

LAKE COUNTY BCC GENERAL FUND	\$40,000	\$40,000	\$40,000	5.0529	\$202.12
SCHOOL BOARD STATE	\$40,000	\$40,000	\$40,000	3.5940	\$143.76
SCHOOL BOARD LOCAL	\$40,000	\$40,000	\$40,000	2.9980	\$119.92
LAKE COUNTY WATER AUTHORITY	\$40,000	\$40,000	\$40,000	0.3229	\$12.92
NORTH LAKE HOSPITAL DIST	\$40,000	\$40,000	\$40,000	0.0000	\$0.00
ST JOHNS RIVER FL WATER MGMT DIST	\$40,000	\$40,000	\$40,000	0.2189	\$8.76
LAKE COUNTY MSTU STORMWATER	\$40,000	\$40,000	\$40,000	0.4957	\$19.83
LAKE COUNTY MSTU AMBULANCE	\$40,000	\$40,000	\$40,000	0.4629	\$18.52
LAKE COUNTY VOTED DEBT SERVICE	\$40,000	\$40,000	\$40,000	0.0918	\$3.67
LAKE COUNTY MSTU FIRE	\$40,000	\$40,000	\$40,000	0.5138	\$20.55
				Total:	Total:
				13.7509	\$550.05

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Property data last updated on March 21, 2022.
Site Notice

INSTRUMENT#: 2015130350 OR BK 4712 PG 544 PAGES: 2 12/2/2015 1:24:42 PM
 NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
 REC FEES: \$18.50 DEED DOC:\$631.40

Prepared by and Return to:
 Bay National Title Company
 Jonathon D. Angeross
 13577 Feather Sound Drive, Ste 250
 Clearwater, FL 33762

File #: GRC-36164

Parcel ID #: 17-19-27-000100000119

For official use by Clerk's office only

SPECIAL WARRANTY DEED

(Corporate Seller)

THIS INDENTURE, made this 11/21 2015, between U.S. Bank Trust, N.A. as Trustee for LSF9 Master Participation Trust, with a mailing address of 6031 Connection Drive, Irving, TX 75039, party of the first part, and Green Wheat LLC, a Florida limited liability company whose mailing address is 1502 N. Donnelly Street, Suite 105, Mount Dora, FL 32757, 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:

FROM THE SOUTHEAST CORNER OF GOVERNMENT LOT 2, IN SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, RUN THENCE WEST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 2, 689.8 FEET, FOR A POINT OF BEGINNING; RUN THENCE NORTH 25 DEGREES 09 MINUTES EAST 108.4 FEET; THENCE NORTH 47 DEGREES 57 MINUTES WEST 189.85 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD 44B; RUN THENCE SOUTHWESTERLY AMONG THE EASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD 44B, 321.9 FEET TO THE SOUTH LINE OF GOVERNMENT LOT 2; RUN THENCE EAST 319.75 FEET TO THE POINT OF BEGINNING. AND FROM THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 IN SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, RUN THENCE SOUTH 89 DEGREES 01 MINUTE 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 2 A DISTANCE OF 581.53 FEET FOR A POINT OF BEGINNING; CONTINUE THENCE SOUTH 89 DEGREES 01 MINUTE 00 SECONDS WEST ALONG SAID SOUTH LINE GOVERNMENT LOT 2 A DISTANCE OF 58.27 FEET; THENCE NORTH 25 DEGREES 09 MINUTES 00 SECONDS EAST 108.40 FEET; THENCE SOUTH 47 DEGREES 57 MINUTES 00 SECONDS EAST 24.47 FEET; THENCE SOUTH 4 DEGREES 14 MINUTE 05 SECONDS WEST 80.96 FEET TO THE POINT OF BEGINNING.

More commonly known as: 18514 State Road 44, Eustis, FL 32736

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 fully warrants the title to said land

This document is being executed by virtue of a Power of
 Attorney recorded on 10/24/14, in OR BK 18566, PG
 2220, of the official records of Pinellas County, Florida

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 11/2/15 2015.

Signed, sealed and delivered
in the presence of:

Witness signature

Schaking Hernandez

Print witness name

Witness signature

Timothy J. Walter

Print witness name

Texas

State of

Dallas

County of

U.S. Bank Trust, N.A. as Trustee for LSF9 Master
Participation Trust by Caliber Home Loans, Inc. as
Attorney in Fact

By

Print Name: Odette Hodges Authorized Signatory

Address: 6031 Connection Drive
Irving, TX 75039

(Corporate Seal)

THE FOREGOING INSTRUMENT was acknowledged before me this 2 day of Nov 2015
by:

Odette Hodges

who is the

Authorized Signatory

of Caliber Home Loans,

Inc. as Attorney in Fact for U.S. Bank Trust, N.A. as Trustee for LSF9 Master Participation Trust who is personally known to
me or who has produced driver's license as identification.

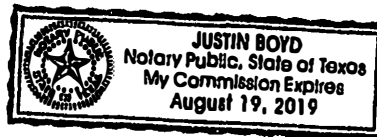
Notary Public

Justin Boyd

Print Notary Name

My Commission Expires:

Notary Seal



INSTRUMENT#: 2022092497 OR BK 5987 PG 232 PAGES: 3 7/6/2022 3:36:11 PM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT & COMPTROLLER, LAKE COUNTY, FLORIDA
REC FEES: \$27.00 DEED DOC:\$0.70

Prepared by:

Name Benjamin L. Champion
Address 15012 Colley Dr
Tavares FL 32778

STATE OF FLORIDA
COUNTY OF LAKE

Property Appraiser's Parcel ID No. 17-19-27-0002-000-09000

DEED OF CORRECTION

KNOW ALL MEN BY THESE PRESENTS THAT:

That whereas Green Wheat LLC, a Florida Limited Liability Corporation located at 15012 Colley Dr, Tavares FL 32778, hereinafter referred to as Grantor, did, on or about the 18th day of January 2022, execute and deliver to Donnelly LLC, a Florida Limited Liability Corporation located at 15012 Colley Dr, Tavares FL 32778, hereinafter referred to as Grantee, a conveyance of the certain lands, situated in Lake County, Florida, and more particularly described in in that certain Warranty Deed recorded, on or about, January 18th, 2022; in Official Records of Lake County Book 5879 Pages 64 and 65 and incorporated herein by reference.

Whereas said conveyance contains a mutual mistake and was; and whereas, to prevent difficulties hereafter, it is appropriate to correct the record in this regard;

NOW, THEREFORE, the said Grantor, in consideration of the premises aforesaid and of One Dollar (\$1.00) to them paid by Grantee, which is hereby acknowledged, hereby grant, bargain, sell, and convey unto the said Grantee all of the tract of land situated in the County of Lake, State of Florida, which is described in Exhibit "A" attached hereto.

TO HAVE AND TO HOLD the premises, described in said Exhibit "A" herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto Grantee and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto the Grantee, and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This is a correction deed, given and accepted as such in substitution for such earlier said deed, and it shall be effectual as of and retroactive to such date. However, except as herein corrected, such prior deed shall remain in full force and effect.

IN WITNESS WHEREOF, this instrument is executed on this the 6th day of July, 2022.

Signed, sealed and delivered in the presence of:

Beverly Thomas
Witness Signature

Beverly Thomas
Printed Name

Barbara Kreidel
Witness Signature

Barbara Kreidel
Printed Name

For Green what LLC
\$
Signature of Grantor Benjamin L. Champion
as Manager Green what Management LLC
Printed Name

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 6th day of July (date), by Benjamin Laurens Champion (name of person acknowledging), who is personally known to me or who has produced FLD (type of identification) as identification.

Beverly Thomas (Signature)

(Seal)

Beverly Thomas
(Notary's Name print, type of stamp)
(Title or Rank)
(Serial number, if any)

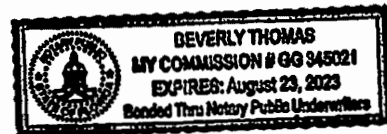


EXHIBIT A**LEGAL DESCRIPTION:**

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544 IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 1" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2 SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AS BEING WEST 639.8' FROM THE SE CORNER SAID GOVERNMENT LOT 2 (NOT FOUND); THENCE CONTINUE S 90°00'00" W 92.22' ON THE SOUTH LINE OF GOVERNMENT LOT 2 TO A SET 5/8" IRON ROD AND CAP PSM #5795 AND POINT OF BEGINNING; THENCE N 05°07'28" E 72.65' TO A SET 5/8" IRON ROD AND CAP PSM#5795; THENCE N 44°54'50" W 113.44' TO A SET 5/8" IRON ROD AND CAP PSM #5795 ON THE EASTERLY LINE OF THE 100' RIGHT OF WAY TO STATE ROAD 44B; THENCE ON SAID RIGHT OF WAY LINE S 45°13'16" W 216.77' TO A FOUND 1.5" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2; THENCE N 90°00'00" E, AS A BASE OF BEARING, 227.47 TO THE POINT OF BEGINNING SAID LAND CONTAINING .471 ACRES

GRANTOR RETAINS THE FOLLOWING:

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4712 PAGE 544 IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AND BEGIN AT A FOUND 1" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AS BEING WEST 639.8' FROM THE SE CORNER OF GOVERNMENT LOT 2 (NOT FOUND); THENCE CONTINUE S 90°00'00" W, AS A BASE OF BEARING 92.22' ON THE SOUTH LINE OF GOVERNMENT LOT 2 TO A SET 5/8" IRON ROD AND CAP PSM #5795; THENCE N 05°07'28" E 72.65' TO A SET 5/8" IRON ROD AND CAP PSM#5795; THENCE N 44°54'50" W 113.44'; TO A SET 5/8" IRON ROD AND CAP PSM #5795 ON THE EASTERLY LINE OF THE 100' RIGHT OF WAY TO STATE ROAD 44B; THENCE ON SAID RIGHT OF WAY LINE N 45°13'16" E 105.00' TO A FOUND 1" IRON PIPE; THENCE S 47°04'51" E 214.18' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE S 04°59'54" W 81.20' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE N 89°54'31" W 58.49' TO THE 1" IRON PIPE A THE POINT OF COMMENCEMENT/POINT OF BEGINNING. SAID LAND CONTAINING 0.670 ACRES.

Traffic Impact Analysis

One additional home will generate approximately 10 additional daily trips. This will mostly impact SR44 which is not a City of Mt Dora maintained road.

Need and Justification for Change

The need is annexation into City of Mount Dora, which necessitates a zoning change from County to City. The requested zoning R-1A is the same density as it is currently with Lake County 4 du/ac and the same zoning as Loch Leven which is adjacent to the south.

Vacant land with same zoning as requested include Altkey#: 3378636, 3871520, 1048311, 1109311, and 1109329

This zoning will further the purposes and intent of City's Comprehensive Plan by having identical zoning for adjacent properties and compatible zoning for any other adjacent parcels that do not have identical zoning. In this case, Loch Leven has same zoning as proposed and Church to the north has compatible zoning.

Please see availability letter from City of Mount Dora Public Works that shows water and sewer is available. Road Frontage is on State Road 44 which is not maintained by City of Mount Dora.

No impact on natural environment is anticipated other than the eventual construction of one additional home by some other party in the future.

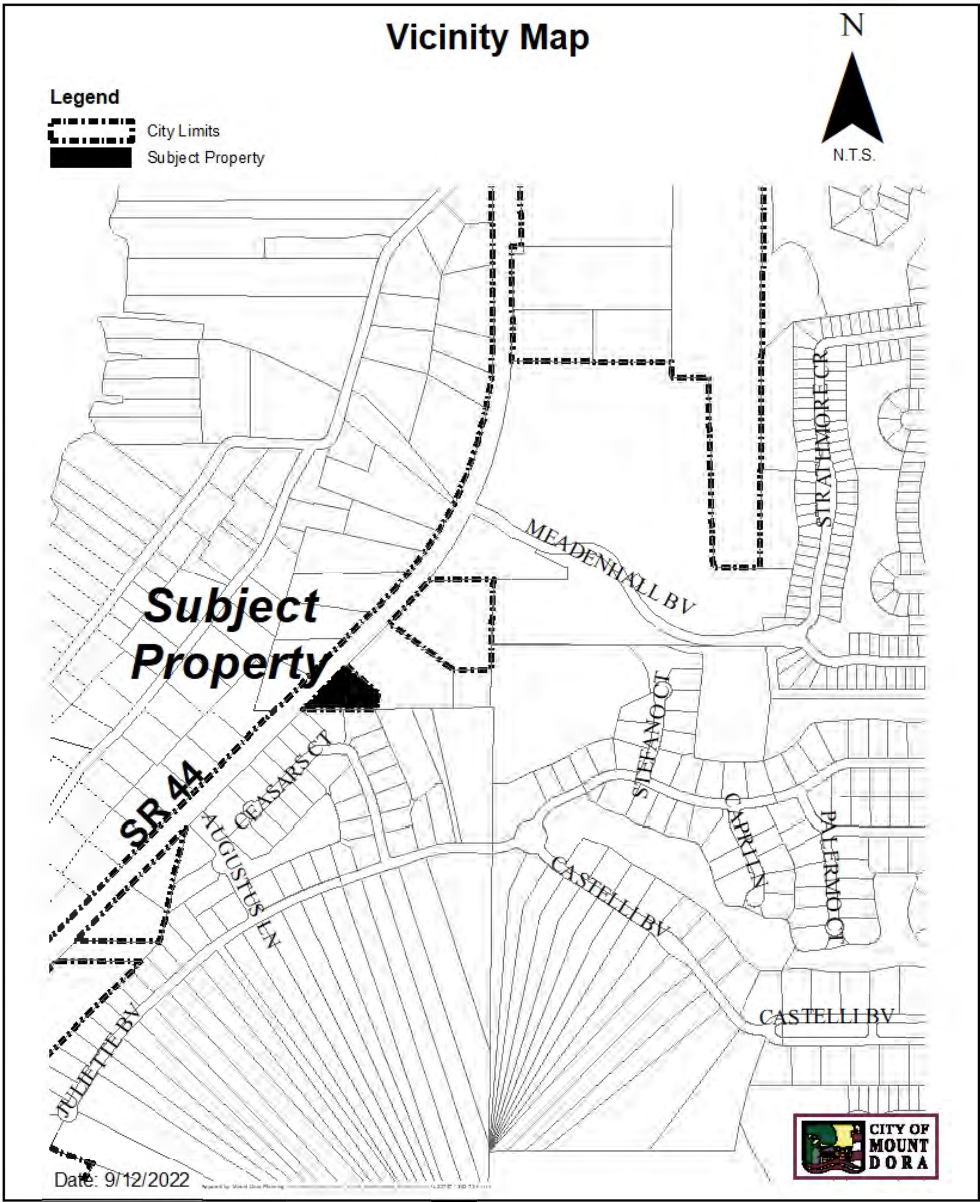
NOTICE OF ZONING CHANGE
ORDINANCE NO. 2022-19
CITY OF MOUNT DORA, FLORIDA

Notice is hereby given that the Planning & Zoning Commission and the City Council of the City of Mount Dora, Florida will conduct a public hearings to consider the adoption of Ordinance No. 2022-19 for proposed changes to the City of Mount Dora Zoning Map. The title and substance of proposed Comprehensive Plan Ordinance is as follows:

ORDINANCE NO: 2022-19

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE ZONING DISTRICT CLASSIFICATION CHANGE FOR THAT PROPERTY LOCATED EAST SIDE OF SR 44 AND SOUTH OF MEADENHALL BOULEVARD; 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.

Further, the adoption of Ordinance No. 2022-19 includes a Zoning Map Amendment changing certain lands from County Agriculture to City R-1A as depicted on the map of this advertisement below:



The City of Mount Dora Local Planning Agency (Planning and Zoning Commission) will conduct a public hearing to consider this ordinance on **Wednesday, October 19, 2022 at 10:00 a.m.**, or as soon thereafter as possible at City Hall, 510 North Baker Street, Mount Dora, Florida.

The City Council of the City of Mount Dora, Florida will conduct public hearings to consider the adoption of Ordinance No. 2022-18 on **Tuesday, November 1, 2022** and **Tuesday, November 15, 2022**. Both meetings will be held at City Hall, 510 North Baker Street, Mount Dora, Florida and will begin at 6:00 p.m., or as soon thereafter as possible

Interested parties may appear at the meeting and be heard with respect to the proposed comprehensive plan amendment.

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.

The file may be inspected by the public at the Planning and Development Department, City Hall, 510 North Baker Street, Mount Dora, Florida between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Notice: If any person decides to appeal any decision made at this meeting with respect to any matter considered at this meeting 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 records include the testimony and evidence upon which the appeal is to be based.

Notice: In accordance with the American with Disabilities Act persons with disabilities needing special accommodations to participate in this proceeding shall contact the Planning and Development Department no later than seven (7) days prior to the proceedings. Telephone (352) 735-7112 for assistance. If hearing impaired, telephone the Florida Relay service numbers (800) 955-8771 (TDD), or (800) 955-8770 (Voice) for assistance.

For Questions or Comments, please email staff at **planningcomments@cityofmoundora.com**.

Title in 18 point
2 column, 10.5 inch; Non-legal
Publish: October 7, 2022

ORDINANCE NO: 2022-19

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE ZONING DISTRICT CLASSIFICATION CHANGE FOR THAT PROPERTY LOCATED EAST SIDE OF SR 44 AND SOUTH OF MEADENHALL BOULEVARD; 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.

WHEREAS, Green Wheat LLC and Donnelly LLC, as the fee simple owners of the property submitted an application to the City of Mount Dora requesting a zoning district classification change and a Zoning Map amendment for that property located on the east side of SR 44 and south of Meadenhall Boulevard, as depicted in **Exhibit “A”** (Property); and

WHEREAS, the requested zoning district classification change and Zoning Map amendment are consistent with the City of Mount Dora Comprehensive Plan and meet the criteria established by Florida Statutes, Chapter 166; and

WHEREAS, pursuant to applicable law, notice has been given to Lake County and to the public by publication in a newspaper of general circulation in the City; and

WHEREAS, on October 19, 2022, the City of Mount Dora Planning and Zoning Commission approved the requested zoning district classification change and Zoning Map Amendment; and

WHEREAS, the City of Mount Dora held a duly noticed public hearing on the proposed zoning district classification change for the Property to Single Family Residential (R-1A), considered the findings and advice of staff and considered the written information, oral comments and supporting data and analysis provided by citizens and all interested parties; and

WHEREAS, the City of Mount Dora finds such zoning district classification change and Zoning Map amendment serves a legitimate public purpose and is in the best interest of the health, safety and welfare of the citizens of the City of Mount Dora, Florida.

NOW, THEREFORE, BE IT ORDAINED 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 Ordinance. The above recitals are hereby adopted as legislative findings and intent of the City of Mount Dora.

SECTION 2. ZONING DISTRICT CLASSIFICATION CHANGE. Pursuant to City of Mount Dora Land Development Code, Chapter III, the Property as more particularly described below is hereby rezoned and assigned the Single-Family Residential (R-1A) zoning classification:

PARCEL 1 (Alternate Key No. 2569476):

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4712 PAGE 544 IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AND BEGIN AT A FOUND 1" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AS BEING WEST 639.8' FROM THE SE CORNER OF GOVERNMENT LOT 2 (NOT FOUND); THENCE CONTINUE S 90°00'00" W, AS A BASE OF BEARING 92.22' ON THE SOUTH LINE OF GOVERNMENT LOT 2 TO A SET 5/8" IRON ROD AND CAP PSM #5795; THENCE N 05°07'28" E 72.65' TO A SET 5/8" IRON ROD AND CAP PSM#5795; THENCE N 44°54'50" W 113.44'; TO A SET 5/8" IRON ROD AND CAP PSM #5795 ON THE EASTERLY LINE OF THE 100' RIGHT OF WAY TO STATE ROAD 44B; THENCE ON SAID RIGHT OF WAY LINE N 45°13'16" E 105.00' TO A FOUND 1" IRON PIPE; THENCE S 47°04'51" E 214.18' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE S 04°59'54" W 81.20' TO A FOUND 4" DIAMETER CONCRETE MONUMENT; THENCE N 89°54'31" W 58.49' TO THE 1" IRON PIPE A THE POINT OF COMMENCEMENT/POINT OF BEGINNING. SAID LAND CONTAINING 0.670 ACRES.

PARCEL 2 (Alternate Key 3929583):

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4712, PAGE 544 IN GOVERNMENT LOT 2, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THE 100' RIGHT OF WAY TO STATE ROAD 44B; THENCE ON SAID RIGHT OF WAY LINE S 45°13'16" W 216.77' TO A FOUND 1.5" IRON PIPE ON THE SOUTH LINE OF GOVERNMENT LOT 2; THENCE N 90°00'00" E, AS A BASE OF BEARING, 227.47 TO THE POINT OF BEGINNING SAID LAND CONTAINING 0.471 ACRES.

SECTION 3. OFFICIAL ZONING MAP AMENDMENT. The Official City Zoning Map of the City of Mount Dora shall be amended to conform to the zoning assignment approved in Section 2 of this Ordinance.

SECTION 4. IMPLEMENTING ADMINISTRATIVE ACTIONS. The City Manager is hereby authorized and directed to take such actions as are 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 effectual and prudent.

SECTION 5. SAVINGS CLAUSE. All prior actions of the City of Mount Dora pertaining to the zoning district classification change and Zoning Map amendment related to the Property, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 6. NON-CODIFICATION AND SCRIVENER'S ERRORS. The provisions of this Ordinance shall not be codified in the City of Mount Dora Code of Ordinances. 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.

SECTION 7. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 8. SEVERABILITY. If any Section or portion of a Section of this Ordinance 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 Ordinance.

SECTION 9. EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption.

Signatures on Following Page

FIRST READING: November 1, 2022

SECOND READING: _____ 2002

PASSED AND ADOPTED this ____ day of _____, 2022.

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

JEANANN HAND
INTERIM 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”
Property Depiction

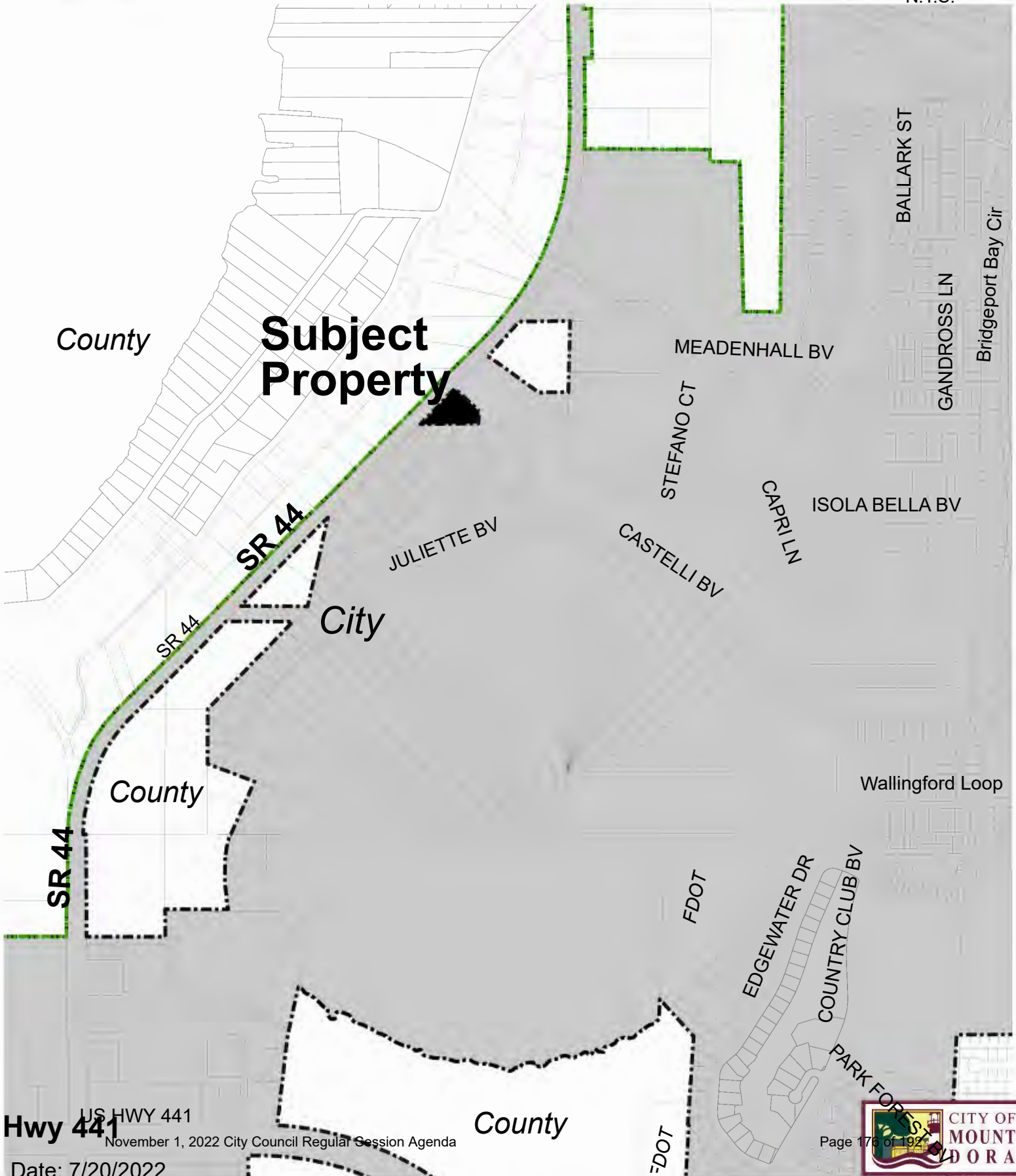


N.T.S.

Legend

-  Subject Property
-  JPA Boundary
-  City Limits

Vicinity Map



Hwy 441

US HWY 441

November 1, 2022 City Council Regular Session Agenda

Date: 7/20/2022

Prepared by: Mount Dora Planning and Development Dept * 510 N. Baker Street, Mount Dora, FL 32757 * 352-735-7112

Page 176 of 192





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

DATE: November 1, 2022

TO: Honorable Mayor and City Council Members

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

SUBJECT: Request Approval of Final Reading and Adoption of **Ordinance No. 2022-26**, Amending City of Mount Dora Code of Ordinances, Chapter 2, Article VIII, Boards and Commissions, Division 1, Generally

Introduction:

This is a request for City Council to approve the final reading of and adopt Ordinance No. 2022-26.

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

Discussion:

On July 5, 2022, councilmembers agreed upon certain membership standards that would apply to all boards and commissions created by City Council appointment as described in the City's Code of Ordinances. Ordinance No. 2022-26 is the first step in formally establishing this uniformity regarding board and commission membership, revising Chapter 2, Article VIII, Division 1, in the City's Code of Ordinances, which contains general information applicable to all city-appointed boards and commissions.

Since the first reading of the ordinance, which took place on October 18, 2022, the **only material changes are the NEW additions in Section 2 - (d) and (f).**

Ordinance 2022-26 will be followed by additional ordinances and resolutions addressing revisions to those documents specific to particular boards and commissions.

Budget Impact:

There is no budget impact for this item.

Strategic Impact:

Uniform membership standards for City-appointed boards and commissions demonstrate principles consistent with all elements of the City's strategic plan.

Recommendation:

City Council to approve final reading and adoption of Ordinance No. 2022-26.

Attachment(s):

1. Attachment #1 Legal Notice Publication Proof.Order 7953039_Confirmation
2. Ordinance No. 2022-26 Revising Boards and Commissions Generally.SGS

Prepared by: Jeanann Hand, Interim City Clerk
Reviewed by: Sherry Sutphen, City Attorney
Jeanann Hand, Interim City Clerk
Patrick Comiskey, City Manager

Approved - 10/25/2022
Approved - 10/25/2022
Final Approval - 10/25/2022



Order Confirmation

Not an Invoice

Account Number:	525201
Customer Name:	City Of Mount Dora
Customer Address:	City Of Mount Dora 510 N BAKER St MOUNT DORA FL 32757
Contact Name:	City Of Mount Dora
Contact Phone:	3527357183
Contact Email:	
PO Number:	

Date:	10/21/2022
Order Number:	7953039
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	85.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	10/23/2022 - 10/23/2022	Govt Public Notices
LEE dailycommercial.com	1	10/23/2022 - 10/23/2022	Govt Public Notices

Total Order Confirmation

\$144.30

Ad Preview

NOTICE OF PROPOSED ENACTMENT ORDINANCE NO. 2022-26 CITY OF MOUNT DORA, FLORIDA

Notice is hereby given that the City Council of the City of Mount Dora, Florida proposes to enact Ordinance 2022-26. The final public hearing on the ordinance will be held on Tuesday, November 1, 2022 at 6:00 p.m., or as soon thereafter as possible at City Hall, 510 North Baker Street, Mount Dora, Florida.

The title and substance of Ordinance 2022-26 is as follows:

ORDINANCE NO. 2022-26

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO BOARDS AND COMMISSIONS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENTS TO CHAPTER 2, ARTICLE VIII, BOARDS AND COMMISSIONS, DIVISION 1, GENERALLY; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION, SCRIVENER'S ERRORS AND THE ADJUSTMENT OF PRONOUNS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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.

The file may be inspected by the public at the City Clerk's office, City Hall, 510 N. Baker Street, Mount Dora, Florida between the hours of 8:00 AM and 5:00 PM, Monday through Friday.

Notice: If any person decides to appeal any decisions made at this meeting with respect to any matter considered at this meeting, 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.

Notice: 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's office 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) 935-8771 (TDD) or (800) 935-8770 (Voice) for assistance.

ORDINANCE NO.: 2022-26

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO BOARDS AND COMMISSIONS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENTS TO CHAPTER 2, ARTICLE VIII, BOARDS AND COMMISSIONS, DIVISION 1, GENERALLY; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION, SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Chapter 166, confers upon a municipality the proprietary powers to enable it to conduct municipal government and perform municipal services designed to promote the public health, safety and general welfare of its citizens, when not expressly prohibited by law; and

WHEREAS, consistent with City of Mount Dora Charter, Section 9, the City may create and/or empanel voluntary boards and committees as it deems necessary and appropriate to carry out the functions and services of the City; and

WHEREAS, from time to time the City of Mount Dora provides updates and amendments to voluntary boards and committees which it creates and/or empanels; and

WHEREAS, the City of Mount Dora Code of Ordinances, Chapter 2, Article VIII, Division 1, sets forth general provisions applicable to all voluntary boards and committees created by the City; and

WHEREAS, the City of Mount Dora has determined that it is appropriate to update and revise the City of Mount Dora Code of Ordinances, Chapter 2, Article VIII, Boards and Commissions, Division 1, Generally, as set forth herein, in order to 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:

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 CHAPTER 2, ARTICLE VIII, BOARDS AND COMMISSIONS, DIVISION 1, GENERALLY.

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.

Section 2.235. - Membership and Terms, is hereby created as follows:

Sec. 2-235. – Membership and terms.

- (a) The Term of a member shall be two (2) years in length.
- (b) Meeting attendance by communication media technology is limited to three (3) times each Term for each member. Authorization for additional attendance through communications media technology may be given in the sole discretion of the city manager.
- (c) Members may not serve simultaneously on more than one (1) City volunteer board.
- (d) All members will be required to be either a resident or a property owner within the jurisdictional boundaries of the City and in the case of a property owner that is a business entity, the member must be expressly authorized by the business entity to serve on its behalf.
- (e) All members will be required to complete annual training as deemed necessary and appropriate by the City.
- (f) The above requirements shall not be applicable to a temporary committee created for a specific purpose with an established sunset. The specific requirements for the operations of any such temporary committee shall be established within the Resolution creating the committee.

SECTION 3. IMPLEMENTING ADMINISTRATIVE ACTIONS. The City Manager is hereby authorized and directed to take such actions as are 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 effectual and prudent.

SECTION 4. SAVINGS CLAUSE. All prior actions of the City pertaining to membership and terms of City of Mount Dora boards and commissions, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 5. CODIFICATION; SCRIVENER'S ERRORS.

A. Sections in this Ordinance shall be codified in the City of Mount Dora Code of Ordinances and 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.

B. 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 6. CONFLICTS. It is the intent of the City to repeal the language of any and all ordinances and/or resolutions related to the creation and membership of City of Mount Dora boards and/or commissions which are in effect on the effective date of this Ordinance and which are in conflict with the requirements set forth in Section 2 of this Ordinance. While official action will be taken to revise the language of all such ordinances and resolutions which are in conflict herewith, to the extent of such a conflict on the effective date of this Ordinance, the language of this Ordinance shall prevail.

SECTION 7. SEVERABILITY. If any Section or portion of a Section of this Ordinance 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 Ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

FIRST READING: October 18, 2022

SECOND READING: _____

PASSED AND ADOPTED this ____ day of _____ 2022.

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

Jeanann Hand, Interim 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: November 1, 2022

TO: Honorable Mayor and City Council Members

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

SUBJECT: Request Adoption of **Resolution No. 2022-68**, Revising CRA Advisory Committee

Introduction:

This is an opportunity for Council to approve the first reading of Ordinance No. 2022-68, Revising and Restating CRA Advisory Committee

Discussion:

On July 5, 2022, councilmembers agreed upon certain membership standards that would be consistent with all boards and commissions created by City Council appointment. The previous item's Ordinance No. 2022-26 is the first step in formally establishing this uniformity regarding board and commission membership, revising Chapter 2, Article VIII, Division 1, in the City's Code of Ordinances, which contains general information applicable to all city-appointed boards and commissions. The adoption of Ordinance 2022-26 is to be followed by additional ordinances and resolutions addressing revisions to those documents specific to particular boards and commissions.

Resolution No. 2022-68 repeals the prior resolution creating the CRA Advisory Board and updates the terms of the Board to reflect the new standards defined by Council at the July 5, 2022 meeting.

Budget Impact:

There is no budget impact.

Strategic Impact:

Uniform membership standards for City-appointed boards and commissions demonstrate principals consistent with all elements of the City's strategic plan.

Recommendation:

Councilmembers adopt Resolution No. 2022-68.

Attachment(s):

1. Resolution No. 2022-68 Revising CRA Advisory Committee.SGS.FINAL

Prepared by: Jeanann Hand, Interim City Clerk

Reviewed by: Sherry Sutphen, City Attorney
Jeanann Hand, Interim City Clerk
Patrick Comiskey, City Manager

Approved - 10/25/2022

Approved - 10/25/2022

Final Approval - 10/25/2022

RESOLUTION NO. 2022-68

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE MOUNT DORA COMMUNITY REDEVELOPMENT AGENCY (CRA) ADVISORY COMMITTEE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF PRIOR RESOLUTION; PROVIDING FOR UPDATED AND RESTATED CRA ADVISORY BOARD; 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, Florida Statutes, Chapter 166, confers upon a municipality, the proprietary powers to enable it to conduct municipal government, perform municipal services designed to promote the public health, safety and general welfare of its citizens and when not expressly prohibited by law; and

WHEREAS, consistent with City of Mount Dora Charter, Section 9, the City may create and/or empanel voluntary boards and committees as it deems necessary and appropriate to carry out the functions and services of the City; and

WHEREAS, from time to time the City of Mount Dora provides updates and amendments to voluntary boards and committees which it creates and/or empanels; and

WHEREAS, on March 21, 2000, the City adopted City of Mount Dora Resolution No.: 2000-06, which created the CRA Advisory Committee; and

WHEREAS, the City of Mount Dora has determined that it is appropriate to update and restate its creation of the CRA Advisory Committee as set forth herein, in order to 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 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. Repeal of Prior Resolution. City of Mount Dora Resolution No.: 2000-06, is hereby repealed in its entirety.

SECTION 3. Updated and Restated CRA Advisory Board. The CRA Advisory Board shall consider those matters over which the Mount Dora CRA exercises jurisdiction. The Advisory Board shall be comprised of seven (7) members, with one (1) member being appointed by the

Mayor and one member appointed by each of the six (6) City Council members. The CRA Advisory Board members shall serve at the pleasure of the City Council pursuant to the City of Mount Dora Code of Ordinances, Chapter 2, Administration, Article VIII, Boards and Commissions.

SECTION 3. Implementation of 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 CRA Advisory Committee, 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 ____ day of _____, 2022.

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

Jeanann Hand, Interim 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: November 1, 2022

TO: Honorable Mayor and City Council Members

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

SUBJECT: Request Adoption of **Resolution No. 2022-69**, Revising Northeast CRA Advisory Board

Introduction:

This is an opportunity for Council to approve the first reading of Resolution No. 2022-69, Revising Northeast CRA Advisory Board

Discussion:

On July 5, 2022, councilmembers agreed upon certain membership standards that would be consistent with all boards and commissions created by City Council appointment. The previous item's Ordinance No. 2022-26 is the first step in formally establishing this uniformity regarding board and commission membership, revising Chapter 2, Article VIII, Division 1, in the City's Code of Ordinances, which contains general information applicable to all city-appointed boards and commissions. The adoption of Ordinance 2022-26 is to be followed by additional ordinances and resolutions addressing revisions to those documents specific to particular boards and commissions.

Resolution No. 2022-69 repeals the prior resolution creating the Northeast CRA Advisory Board and updates the terms of the Board to reflect the new standards defined by Council at the July 5, 2022 meeting.

Budget Impact:

There is no budget impact.

Strategic Impact:

Uniform membership standards for City-appointed boards and commissions demonstrate principals consistent with all elements of the City's strategic plan.

Recommendation:

Councilmembers adopt Resolution No. 2022-69.

Attachment(s):

1. Resolution No. 2022-69 Revising Northeast CRA Advisory Committee

Prepared by: Jeanann Hand, Interim City Clerk

Reviewed by: Sherry Sutphen, City Attorney
Jeanann Hand, Interim City Clerk
Patrick Comiskey, City Manager

Approved - 10/25/2022

Approved - 10/25/2022

Final Approval - 10/25/2022

RESOLUTION NO. 2022-69

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE MOUNT DORA NORTHEAST COMMUNITY REDEVELOPMENT AGENCY (NORTHEAST CRA) ADVISORY COMMITTEE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF PRIOR RESOLUTION; PROVIDING FOR UPDATED AND RESTATED NORTHEAST CRA ADVISORY BOARD; 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, Florida Statutes, Chapter 166, confers upon a municipality, the proprietary powers to enable them to conduct municipal government, perform municipal services designed to promote the public health, safety and general welfare of its citizens and when not expressly prohibited by law; and

WHEREAS, consistent with City of Mount Dora Charter, Section 9, the City may create and/or empanel voluntary boards and committees as it deems necessary and appropriate to carry out the functions and services of the City; and

WHEREAS, from time to time the City of Mount Dora provides updates and amendments to voluntary boards and committees which it creates and/or empanels; and

WHEREAS, on March 21, 2000, the City adopted City of Mount Dora Resolution No.: 2000-07, which created the Northeast CRA Advisory Committee; and

WHEREAS, the City of Mount Dora has determined that it is appropriate to update and restate its creation of the Northeast CRA Advisory Committee as set forth herein, in order to 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 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. Repeal of Prior Resolution. City of Mount Dora Resolution No.: 2000-07, is hereby repealed in its entirety.

SECTION 3. Updated and Restated Northeast CRA Advisory Board. The Northeast CRA Advisory Board shall consider those matters over which the Mount Dora Northeast CRA exercises jurisdiction. The Advisory Board shall be comprised of seven (7) members, with one (1) member

being appointed by the Mayor and each of the City Council members. The Northeast CRA Advisory Board members shall serve at the pleasure of the City Council pursuant to the City of Mount Dora Code of Ordinances, Chapter 2, Administration, Article VIII, Boards and Commissions. Each member shall serve for terms of two (2) years and may only serve eight (8) consecutive years in the same position. The time served by a person appointed to fill the remainder of a vacant position shall not be included in the eight-year limitation.

- a. A term-length break will be required after serving two consecutive terms.

SECTION 3. Implementation of 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 Northeast CRA Advisory Committee, 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 ____ day of _____, 2022.

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

Jeanann Hand, Interim City Clerk

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

Sherry G. Sutphen, City Attorney