

**PUBLIC NOTICE AND AGENDA OF THE GROVELAND CITY COUNCIL MEETING  
SCHEDULED TO CONVENE AT 5:00 P.M. MONDAY, JULY 20, 2020**

**Please note: In order to reduce public gatherings and the spread of COVID-19, the July 20, 2020 City Council Meeting will be held using telephonic video conferencing as authorized by Governor DeSantis in Executive Order 20-69. The public can attend the virtual meeting. Instructions to participate have been posted to the city's website under "public notices" at [www.groveland-fl.gov](http://www.groveland-fl.gov)**

MAYOR	EVELYN WILSON	<a href="mailto:evelyn.wilson@groveland-fl.gov">evelyn.wilson@groveland-fl.gov</a>
VICE MAYOR	MIKE RADZIK	<a href="mailto:mike.radzik@groveland-fl.gov">mike.radzik@groveland-fl.gov</a>
COUNCIL MEMBER	MIKE SMITH	<a href="mailto:mike.smith@groveland-fl.gov">mike.smith@groveland-fl.gov</a>
COUNCIL MEMBER	DINA SWEATT	<a href="mailto:dina.sweatt@groveland-fl.gov">dina.sweatt@groveland-fl.gov</a>
COUNCIL MEMBER	RANDOLPH WAITE	<a href="mailto:randolph.waite@groveland-fl.gov">randolph.waite@groveland-fl.gov</a>
CITY MANAGER	MICHAEL HEIN	<a href="mailto:michael.hein@groveland-fl.gov">michael.hein@groveland-fl.gov</a>
SERGEANT-AT-ARMS	CHIEF SHAWN RAMSEY	<a href="mailto:shawn.ramsey@groveland-fl.gov">shawn.ramsey@groveland-fl.gov</a>
CITY CLERK	VIRGINIA WRIGHT	<a href="mailto:virginia.wright@groveland-fl.gov">virginia.wright@groveland-fl.gov</a>
CITY ATTORNEY	ANITA GERACI-CARVER, ESQ	

**Please note:** Most written communication to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

### **Call to Order**

### **PLEDGE OF CONDUCT**

- **We may disagree, but we will be respectful of one another.**
- **We will direct all comments to issues.**
- **We will avoid personal attacks.**
- **Audience members wishing to speak must be recognized by the Mayor.**
- **Speaking without being recognized will be considered "Out of Order."**

### **OPENING CEREMONIES**

- a. Pledge of Allegiance
- b. Invocation

### **ROLL CALL**

### **AGENDA**

### **GUEST SPEAKER, PRESENTATIONS AND PROCLAMATIONS**

None.

### **PUBLIC COMMENT**

### **CONSENT AGENDA**

*Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a Council Member, staff member or member of the public wishes to discuss any item on the Consent Agenda, they can request the item be removed from the Consent Agenda for discussion. The remaining items on the Consent Agenda will be voted on with one motion being made for all items on the Consent Agenda. Then the item removed from the Consent Agenda will be separately considered and voted on.*

## Consideration of Approval:

**A. June 12, 2020 City Council Temporary Signs Workshop Meeting Minutes**

**B. June 15, 2020 City Council Meeting Minutes**

**C. July 2, 2020 City Council Budget Workshop Minutes**

**D. Resolution 2020-29 Lease Agreement between Mohamed Hassan and the City of Groveland**

A resolution of the City Council of the City of Groveland, Florida, approving a 5-year lease agreement between Mohamed Hassan and the City of Groveland for the property located at 146 Broad Street, Groveland; authorizing execution of the agreement; providing for an effective date.

**E. Resolution 2020-32: Memorandum of Understanding between the City of Groveland and the School Board of Lake County regarding the annexation of South Lake High School.**

A resolution of the City Council of the City of Groveland, Florida, approving the Memorandum of Understanding between City of Groveland and the School Board of Lake County regarding the annexation of South Lake High School; authorizing the Mayor to execute the Memorandum of Understanding; providing for an effective date.

**F. Resolution 2020-33: Interlocal Agreement between the City of Groveland and the School Board of Lake County relating to reimbursement of Duke Energy Franchise Fees.**

A resolution of the City Council of the City of Groveland, Florida, approving the Interlocal Agreement between City of Groveland and the School Board of Lake County relating to reimbursement of Duke Energy Franchise Fees; authorizing the Mayor to execute the Interlocal Agreement; providing for an effective date.

**G. Resolution 2020-34 Creation of a Youth Council**

A resolution of the City of Groveland, County of Lake, State of Florida authorizing the establishment of a Youth Council; providing for direction to the City Council; providing for an effective date.

**H. Ordinance 2020-08: Amendment of Sec. 50-135 – Open Air Sales, Open Air Food Sales and Seasonal Sales - Second Reading**

An ordinance of the City of Groveland, County of Lake, State of Florida, amending Article IV of Chapter 50 of the Groveland Code of Ordinances to remove requirements relating to garage or yard sales, clarifying terms and locations where open air sales, open air food sales inclusive of mobile food vendors, seasonal sales and special events may be held; removing transition language; requiring insurance, requiring mobile food vendor's license; providing for codification; providing for a severability clause; and providing for an effective date.

**I. Ordinance 2020-15: Loma Linda Annexation - First Reading**

An Ordinance extending and increasing the corporate limits of the City of Groveland, County of Lake, State of Florida, pursuant to the voluntary annexation provisions of section 171.044, Florida Statutes (2019);annexing 160 +/- acres of real property not embraced within the present limits of the City of Groveland; providing for findings; providing a legal description and a map; directing the City Manager to record certified copies of this Ordinance after approval with the clerk of the circuit court, the county manager of Lake County, and the secretary of the State of Florida; providing for conflicts and severability; providing for scrivener's errors; setting an effective date.

**J. Ordinance 2020-16: Loma Linda Annexation - First Reading**

An Ordinance extending and increasing the corporate limits of the City of Groveland, County of Lake, State of Florida, pursuant to the voluntary annexation provisions of section 171.044, Florida Statutes (2019);annexing 210.05 +/- acres of real property not embraced within the present limits of the City of Groveland; providing for findings; providing a legal description and a map; directing the City Manager to record certified copies of this Ordinance after approval with the clerk of the circuit court, the county manager of Lake County, and the secretary of the State of Florida; providing for conflicts and severability; providing for scrivener's errors; setting an effective date.

**K. Ordinance 2020-19: Palisades Golf Course Annexation - First Reading**

An Ordinance extending and increasing the corporate limits of the City of Groveland, County of Lake, State of Florida, Pursuant to the voluntary annexation provisions of section 171.044, Florida Statutes (2019); Annexing 227.07 +/- acres of real property not embraced within the present limits of the City of Groveland; providing for findings; providing a legal description and a map; directing the city manager to record certified copies of this Ordinance after approval with the Clerk of Circuit Court, the County Manager of Lake County, and the secretary of the State of Florida; providing for conflicts and severability; providing for scrivener's errors; setting an effective date.

**L. Ordinance 2020-22: Trailside Industrial Annexation- First Reading**

An Ordinance extending and increasing the corporate limits of the City of Groveland, County of Lake, State of Florida, pursuant to the voluntary annexation provisions of section 171.044, Florida Statutes (2019);annexing 2.21 +/- acres of real property not embraced within the present limits of the City of Groveland; providing for findings; providing a legal description and a map; directing the City Manager to record certified copies of this Ordinance after approval with the clerk of the circuit court, the County Manager of Lake County, and the secretary of the State of Florida; providing for conflicts and severability; providing for scrivener's errors; setting an effective date.

**M. Ordinance 2020-23: Amended Chapter 62 Solid Waste to provide for Exclusive Franchise – First Reading**

An ordinance of the City Council of the City of Groveland, County of Lake, State of Florida amending various sections in Chapter 62 of the Code of Ordinances of the City of Groveland relating to existing non-exclusive franchise agreements and transitioning to the award of an exclusive franchise agreement for commercial containers effective October 1, 2020; deleting obsolete language and clarifying provisions; providing for codification; providing for severability; providing for conflict; providing for an effective date.

**N. Ordinance 2020-26: Filling any Vacancy by Appointment of Remaining Council – First Reading**

An ordinance of the City of Groveland, County of Lake, State of Florida, providing for an amendment of the Charter of the City of Groveland by amending Article III, Section 3.06(d) to provide for a vacancy in the City Council to be filled by a majority vote of the remaining council members and not by special election regardless of the time remaining in the unexpired term or a reduction of the council to less than a quorum; providing specifying requisite ballot language for submission to electors; requesting the Supervisor of Elections to place the ballot language on the ballot for the November 2020, general election; providing for severability and conflicts; providing for inclusion in the charter; and providing for an effective date.

**O. Ordinance 2020-27: Interim Council Appointed by the Governor and a Transition Schedule – First Reading**

An ordinance of the City of Groveland, County of Lake, State of Florida, providing for an amendment of the Charter of the City of Groveland by amending article III, Section 3.06(e) to provide that the terms of office for an Interim Council appointed by the Governor will be until the next regular election rather than until vacancies are filled by special election and to provide a transition schedule for terms of office; providing specifying requisite ballot language for submission to electors; requesting the Supervisor of Elections to place the ballot language on the ballot for the November 2020, general election; providing for severability and conflicts; providing for inclusion in the Charter; and providing for an effective date.

**P. Resolution 2020-31: Agreement between Brigmond Construction, Inc. and Brigmond Properties, LLC, as Sellers and the City of Groveland, as Buyer**

A resolution of the City Council of the City of Groveland, Florida, approving the vacant land purchase and sale agreement between Brigmond Construction, Inc., and Brigmond Properties, LLC and the City of Groveland for several properties located in, Groveland, Florida; authorizing execution of the agreement; providing for an effective date.

**Q. Ordinance 2020-28: Eliminating References to Special Election in the Charter – First Reading**

An ordinance of the City of Groveland, County of Lake, State of Florida, providing for an amendment of the Charter of the City of Groveland authorizing language relating to special elections to be deleted in Section 3.03 if appropriate to accommodate revisions to the Charter; providing specifying requisite ballot language for submission to electors; requesting the Supervisor of Elections to place the ballot language on the ballot for the November 3, 2020, general election; providing for severability and conflicts; providing for inclusion in the Charter; and providing for an effective date.

**OLD BUSINESS**

**1. Consideration of Approval: Ordinance 2019-55 Indigo Lakes PUD Amendment**

**First Reading**

An Ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, Amending Restating, and Replacing in its entirety Ordinance 2006-08-67, for the herein described property owned by Indigo Land Groveland LLC, and located at 17200 Villa City Road, Groveland, Lake County, Florida; directing the City Manager to amend the zoning map as herein provided after the passage of this Ordinance; providing for severability; repealing all Ordinances in conflict herewith; and providing for an effective date.

**NEW BUSINESS**

**2. Consideration of Adoption: Proclamation of Mayor & City Council Encouraging All Residents and Visitors to Wear Masks**

**REPORTS**

- a. Council Member Reports
- b. City Manager Report
- c. City Attorney Report

**ADJOURNMENT**

**Groveland Code of Ordinances Sec. 2-58 (f).** *Any person desiring to address the Council shall first secure the permission of the presiding officer and shall give his name and address for the record. All remarks shall be addressed to the Council as a body and not to any member thereof unless permission to do so is first granted by the presiding officer. Unless further time is granted by the presiding officer or the council, member of the public shall limit their discussion or address to no more than five minutes. No question shall be asked a council member or city official except through the presiding officer.*

*If your address is exempt from public record you are not required to state it. In addition, do not give out your Social Security Number, phone number, email address or any other information you do not want others to have access to as the meetings are recorded and those recordings are considered public record.*

**Pursuant to the provisions of Chap. 286, F.S., Sec. 286.0105,** *if a person decides to appeal any decision made by this body with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and that for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based and is advised to make such arrangements at his or her own expense.*

**\*In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute,** *persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office no later than 72 hours in advance of the meeting at (352) 429-2141, ext. 2014; (352) 232-9057 or via email at [virginia.wright@groveland-fl.gov](mailto:virginia.wright@groveland-fl.gov)*

# CONSENT AGENDA

# MINUTES

**City of Groveland  
Minutes  
City Council  
Temporary Signs Workshop  
Friday, June 12, 2020**

The Groveland City Council held a Temporary Signs Workshop on Friday, June 12, 2020 3:00 p.m. that was held using telephonic video conferencing in order to reduce public gatherings and the spread of COVID-19, as authorized by Governor DeSantis in Executive Order 20-69. The public was able to attend the virtual meeting. Instructions to participate were posted to the City's website under "Public Notices" at [www.groveland-fl.gov](http://www.groveland-fl.gov) and at City Hall in the display board.

Mayor Evelyn Wilson called the meeting to order at 3:03 p.m. with the following members present: Vice Mayor Mike Radzik and Council Members, Dina Sweatt and Randolph Waite. City officials present were City Clerk Virginia Wright, Sergeant-at-Arms Chief Shawn Ramsey and City Attorney Anita Geraci-Carver.

Excused Absent: Council Member Mike Smith, City Manager Mike Hein.

Pursuant to Executive Order No. 20-69, issued by Governor DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location. Further, municipalities may utilize telephonic or video conferencing to hold public meetings.

Mayor Wilson thanked all for joining the Temporary Signs Workshop being held through the Zoom platform.

Mayor Wilson advised for council member discussion she would call on each member individually to avoid members talking over one another. If you wish to speak again after your initial comments or have additional questions, please click on "Raise Hand" so you can be recognized.

The procedures for public participation were explained by City Attorney Geraci-Carver as follows:

Public notice of this workshop was provided on the City's website and posted at City Hall. The public notice included directions for how members of the public can participate. The public has the option to join the Zoom meeting remotely using a computer to watch and listen to the meeting. Or the public can call into the workshop on their telephone and listen to the meeting. Regardless of which option, all attendees from the public are added in listen-mode only.

The notice also provided direction for members of the public who need special accommodation to participate in the meeting in accordance with the ADA to contact the City Clerk not later than 3 business days before the meeting.

## JUNE 12, 2020 CITY COUNCIL TEMPORARY SIGNS WORKSHOP

Community Development Director Tim Maslow stated the workshop is to provide a comprehensive overview of the City's current code standards relating to Temporary Signs, including campaign signs. The outcome of the workshop is that Council and candidates who have qualified for the November 3, 2020 City of Groveland Municipal Election would have a better understanding the standards for campaign signage. The agenda of the workshop will include: Intent, Code Standards, Examples, and Questions and Input.

Mr. Maslow noted the City's sign ordinance, Ordinance 2017-07-17, was adopted on July 16, 2018.

Mr. Maslow provided a PowerPoint presentation as follows:

### **Intent**

- Temporary Signs only, not permanent signs.
- Creating a fair and predictable playing field
- Protect the health, safety, and general welfare of the public.
- Reduce distractions to motorists and pedestrians which may cause vehicular accidents and motorists' injuries.
- Enforce Florida Statute Chapter 479.11(8).
- Enforce City Code Standards Chapter 141.

### **Code Standards:**

#### Residential R1-A, R1, R2

Code Section 141-15

Location: Private property, not within public rights-of-way, 5 ft. setback from ROW.

Signs allows per parcel: 3 per each street frontage.

Size: 48 sf

Max. Height: 16 ft.

Duration: 150 days in a calendar year.

#### Residential R3

Code Section 141-16

Location: Private property, not within public rights-of-way, 5 ft. setback from ROW.

Signs allows per parcel: 3 per each street frontage.

Size: 48 sf

Max. Height: 16 ft.

Duration: 150 days in a calendar year.

#### Agriculture

Code Section 141-17

JUNE 12, 2020 CITY COUNCIL TEMPORARY SIGNS WORKSHOP

Location: Private property, not within public rights-of-way, 5 ft. setback from ROW.  
Signs allows per parcel: 3 for each 1,000 ft. street frontage, 3 minimum.  
Size: 48 sf  
Max. Height: 16 ft.  
Duration: 150 days in a calendar year.

Commercial/Industrial

Code Section – 141-21

Location: Private property, not within public right-of-way, 5 ft. setback from ROW.  
Signs allows per parcel – 3 per each street frontage, 1 window sign per business.  
Size: 16 sf  
Max. Height: No max.  
Duration: No max.

**Maximum Duration – Exceptions (R1A, R1, R2)**

- A. One sign no larger than four square feet per residential parcel may be maintained on a residential parcel year-round;
- B. One sign no larger than four square feet per residential parcel may be maintained on a residential parcel when an owner consents and the residential parcel is being offered for sale through a licensed real estate agent, or if not offered for sale through a real estate agent, when the sign is owned by the property owner and the residential parcel is offered for sale by the owner through advertising in a local newspaper of general circulation, until such time as the sale has been consummated;
- C. One sign may be erected on construction sites no more than 60 days prior to construction and must be removed no later than 30 days after construction is completed. If construction is halted for more than 30 consecutive days, the one temporary sign allowed under this exception must be removed by the 31<sup>st</sup> day of construction halting.

**Maximum Duration – Exceptions (R3)**

- A. One sign no larger than four square feet per residential parcel may be maintained on a residential parcel, year-round;
- B. One sign no larger than four square feet per residential parcel may be maintained on a residential parcel when an owner consents and the residential parcel is being offered for sale through a licensed real estate agent, or if not offered for sale through a real estate agent, when the sign is owned by the property owner and the residential property is offered for sale by the owner through advertising through a local newspaper of general circulation, until such time as the sale has been consummated;
- C. One sign may be erected on construction sites no more than 60 days prior to construction and must be removed no later than 30 days after construction is

## JUNE 12, 2020 CITY COUNCIL TEMPORARY SIGNS WORKSHOP

completed. If construction is halted for more than 30 consecutive days, the one temporary sign allowed under this exception must be removed by the 31<sup>st</sup> day of construction.

### **Maximum Duration – Exceptions (Ag)**

- A. One sign no larger than 16 square feet per parcel may be maintained on the parcel, year-round;
- B. One sign no larger than 16 square feet per parcel may be maintained on the parcel when an owner consents and the parcel is being offered for sale through a licensed real estate agent, or if not offered for sale through a real estate agent, when the sign is owned by the property owner and the parcel is offered for sale by the owner through advertising in a local newspaper of general circulation, until such time as the sale has been consummated.
- C. One sign may be erected on construction sites no more than 60 days prior to construction and must be removed no later than 30 days after construction is completed. If construction is halted for more than 30 consecutive days, the one temporary sign allowed under this exception must be removed by the 31<sup>st</sup> days of construction halting.

### **Maximum Duration – Exceptions (Com/Ind)**

1. One sign no larger than 16 square feet per parcel may be maintained on the parcel, year-round;
2. One sign no larger than 16 square feet per parcel may be maintained on the parcel when an owner consents and the parcel is being offered for sale through a licensed real estate agent, or if not offered for sale through a real estate agent, when the sign is owned by the property owner and the parcel is offered for sale by the owner through advertising in a local newspaper of general circulation, until such time as the sale has been consummated;
3. One sign may be erected on construction sites no more than 60 days prior to construction and must be removed no later than 30 days after the construction is completed. If construction is halted for more than 30 consecutive days, the one temporary sign allowed under this exception must be removed by the 31<sup>st</sup> day of construction halting;
4. One window sign may be maintained by the occupant of each unit not to exceed four square (feet) may be maintained year-round.

### **Examples**

1. 7-Eleven property
2. Ford Park – SR19
3. Residential Lot

Vice Mayor Radzik suggested limiting 3 signs per alternate key so it does not look so crowded in the downtown area.

## JUNE 12, 2020 CITY COUNCIL TEMPORARY SIGNS WORKSHOP

Vice Mayor Radzik inquired what type of methodology was utilized for this workshop. Mr. Maslow stated he is open to input and would then evaluate the sign code and follow up with a report.

Vice Mayor Radzik inquired if a consensus to have staff make revisions to the sign code and bring back to Council would be necessary. City Attorney Geraci-Carver stated if Council wanted future revisions to the sign code they would need a consensus. Mayor Wilson requested council consensus for staff to provide revisions to the sign code. All Council Members present concurred.

Vice Mayor Radzik stated there is an increased potential for damage when there are no requirements for maximum height allowed for temporary signs. He reiterated 6 signs on an alternate key doesn't feel charming.

Mayor Wilson asked how to decide in situations where too many signs are placed on a property. She noted that considering it is currently an election year for federal, state, and counties, she felt it may be best to allow a larger number of signs.

Vice Mayor Radzik stated the first 3 signs would be allowed to stay on the property. He asked all to consider the signs could be erected now until November 2020. This would be approximately 150 days.

Mayor Wilson suggested when a candidate installs campaign signs they need to inform Code Enforcement or the Community Development Department, and report when and where the sign was installed. Mr. Maslow noted the City does not have a permitting process in place for temporary signs. If there is a violation it would go directly to the property owner.

Vice Mayor Radzik confirmed if a candidate has 4 signs on an owner's parcel that only allows 3 signs, the last sign installed would need to be removed. It would be up to the property owner to have that sign removed. Mr. Maslow stated the City does not get involved with whom posted the sign and the responsibility would fall on the property owner to be in compliance.

Mayor Wilson requested a consensus to revise the sign code for a maximum height out of the ground no more than 6 ft. – 8 ft. All Council Members present concurred.

Council Member Waite inquired if there had been a revision to the maximum height for temporary signs on private property.

Mr. Maslow stated commercial and industrial zoned property does not have a maximum height to clarify.

Councilwoman Sweatt stated in the past candidates received permission from property owners to install signs and kept the height at 6 ft.

## JUNE 12, 2020 CITY COUNCIL TEMPORARY SIGNS WORKSHOP

Mayor Wilson requested a consensus to revise the commercial and industrial signs to 6 ft. height maximum. All Council Members present concurred.

Vice Mayor Radzik stated 6 ft. high signs on residential property in areas not governed by an HOA is quite excessive. Councilwoman Sweatt agreed.

City Attorney Geraci-Carver provided background information reporting in the past, when the City installed the Christmas card signs along Main Street in the residential area, this led to the determination of size and height of the signs. Mayor Wilson inquired if the Christmas card signs were brought back, could this be an exception. City Attorney Geraci-Carver stated the sign code would need to be crafted very carefully as you cannot regulate content.

Mayor Wilson requested Council consensus for staff to review temporary event signs versus temporary signs, to include the height. All Council Members present concurred.

Council Member Waite asked for clarification regarding staff looking into the wording of temporary event signs in comparison to the wording of temporary signs. Mr. Maslow reported two things would be looked at. The current size of 48 square feet reduced, but there would be special exception language for special events. Council Member Waite requested to ensure the language is transferred properly to staff, so it is clearly translated. Mr. Maslow agreed that proper training of the code, its interpretation and intent is very important.

### **Enforcement**

#### CODE OF ORDINANCES - Section 141-7

(B) Removal of signs.

(1) Signs on public property or within right of ways shall be removed immediately, and may be remove by the City or its agenda without notice.

If the sign is on private property, city staff does not seek proof that they provided permission for the sign(s) to be posted. We do contact private property owners when we identify that a property has exceeded their maximum number of allowed signs and/or maximum size to be posted.

### **Content**

- City doesn't control content
- Sign size is silent on one sided vs. two sided
- Special events temporary signage applicable to these standards
- City does not enforce county properties

JUNE 12, 2020 CITY COUNCIL TEMPORARY SIGNS WORKSHOP

Vice Mayor Radzik stated it is not so much signs in right-of-ways, it is how long the signs have been installed, as there is no requirement as to when the sign was installed.

Mayor Wilson requested a consensus for Mr. Maslow to research some type of registration process for temporary signs. All Council Members present concurred.

Vice Mayor Radzik inquired as to why a registration process was not in place in 2017 when the sign ordinance was adopted. City Attorney Geraci-Carver reported at that time staff was not in favor. At one time years ago a sign deposit was required for political signs. However, staff didn't want a registration process due the extensiveness of time for such a process.

Mr. Maslow stated he would check into a digital approach for a registration process for temporary signs.

Vice Mayor Radzik inquired regarding FDOT right-of-way and jurisdiction. City Attorney Geraci-Carver stated an issue arose on a county road but wasn't on the City property so it had to be reported to the county. She noted she would look further into the issue and report her findings.

Vice Mayor Radzik asked if anyone knew what state has temporary or political signs. City Attorney Geraci-Carver reported there is a statute in reference to political signs. Vice Mayor Radzik inquired who has more jurisdiction in that case. City Attorney Geraci-Carver responded as long as it has not been preempted solely to the state the City is allowed to regulate, provided they are consistent or more restrictive than what the State allows. She reported she would check the statute for any conflicts, but believes the City is within its rights.

Mr. Maslow offered to answer any additional questions Council may have.

**ADJOURNMENT**

Mayor Wilson adjourned the meeting at 4:16 p.m.



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Evelyn Wilson, Mayor

Attest:

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Virginia Wright, City Clerk

**City of Groveland  
Minutes  
City Council Meeting  
Monday, June 15, 2020**

The Groveland City Council held a regularly scheduled meeting on Monday, June 15, 2020 in the E.L. Puryear Building located at 243 S. Lake Avenue, Groveland, FL 34736. Mayor Evelyn Wilson called the meeting to order at 5:02 p.m. with the following members present: Vice Mayor Mike Radzik and Council Members Mike Smith, Dina Sweatt and Randolph Waite. City officials present were City Manager Mike Hein, City Clerk Virginia Wright, Sergeant-at-Arms Chief Shawn Ramsey and City Attorney Anita Geraci-Carver.

Please note: In order to reduce public gatherings and the spread of COVID-19, the June 15, 2020 City Council Meeting was held with limited inside seating as authorized by Governor DeSantis in Executive Order 20-52, 20-112 and 20-139. Additional outside seating was available. Members of the public were able to attend and provide public comment at the meeting. Instructions to participate was posted to the city's website under "public notices" at [www.groveland-fl.gov](http://www.groveland-fl.gov) and at City Hall in the outside display board

**OPENING CEREMONIES**

- a. Pledge of Allegiance led by Vice Mayor Radzik.
- b. Invocation provided by Mayor Evelyn Wilson.

Mayor Wilson stated the applicant for Indigo Lakes PUD Amendment requested a continuance until the next City Council Meeting scheduled for July 20, 2020.

**Motion:** Councilwoman Sweatt moved to approve the continuance of *Agenda Item 1, Old Business - Consideration of Approval Ordinance 2019-55 Indigo Lakes PUD Amendment, First Reading*, to the July 20, 2020 City Council Meeting; seconded by Vice Mayor Radzik.

Motion passed with all Council Members present voting aye.

**GUEST SPEAKER, PRESENTATIONS AND PROCLAMATIONS**

- **Fire Department Presentation – Chief Carroll**  
Chief Carroll provided a PowerPoint presentation of the Fire Department's accomplishments and progress since his employment with the City as follows:
  - Cancer Prevention Initiatives – New Fire Truck with Clean Cab Compartments and Particulate Hoods.
  - Third Full-Time, Fully Staffed Fire Truck Protecting the City
  - Improved Training

## June 15, 2020 CITY COUNCIL MEETING MINUTES

- Methods/Documentation - Exceeds ISO Requirements
- Improved Processes – Requisition Forms for Purchases, Task Books, PowerDMS (Policy Management Software)
- Developed the Department's 10-Year Capital Improvement Plan (CIP)
- First Fire Department in Lake County to be able to receive Pre-Plans through the CAD System
- Reviewing and Updating all Department Policies
- Three Certified Emergency Vehicle Operator Instructors
- New Organizational Chart
- Community Outreach Programs
- Renaming of Fire Stations
- New Modular Fire Station

### **Community Outreach Programs**

- Residential KNOX Box Program
- Well Check Calls/Visits to Vulnerable Citizens
- Elementary School Age Fire Safety
- Home Fire Safety
- FIREWISE Home/Property
- Smoke Alarm/CO Detector Battery Replacement
- Fire Extinguisher Training
- Fire Safety Smoke House (Grant Opportunities)
- Community Emergency Response Team (CERT)
- Speaking Engagements at HOA's, Civic Groups, Faith-based Organizations, etc.
- Automated External Defibrillator Training

City Manager Hein commended Chief Carroll for all of his hard work and efforts.

Mayor Wilson requested a consensus to re-adopt and amplify Resolution 2018-09-31 opposing the placement of the Edmund K. Smith confederate statute in Lake County.

**Motion:** Council Member Smith moved to approve the creation of a resolution in support of opposing the confederate statue to be placed in Lake County; seconded by Vice Mayor Radzik.

Motion passed with all Council Members present voting aye.

### **PUBLIC COMMENT**

Amanda Traywick stated she was very impressed with the progress of the Lake David Park improvements.

### **CONSENT AGENDA**

**A. May 11, 2020 Special City Council Meeting Minutes**

**B. Resolution 2020-26: Agreement between the School Board of Lake County, Florida and the City of Groveland for School Resource Officer Program 2020-21**

A resolution of the City Council of the City of Groveland, Florida approving the agreement between the School Board of Lake County, Florida and the City of Groveland, Florida for School Resource Officer Program (2020-2021); authorizing execution of the agreement providing for an effective date.

**C. Ordinance 2020-03: Trailer Hub LLC Annexation - Second Reading**

An Ordinance extending and increasing the corporate limits of the City of Groveland, County of Lake, State of Florida, pursuant to the voluntary annexation provisions of Section 171.044 and Section 171.204, Florida Statutes (2019); annexing 0.51 +/- acres of real properties not embraced within the present limits of the City of Groveland; providing for findings; providing a legal description and a map; directing the City Manager to record certified copies of this Ordinance after approval with the Clerk of the Circuit Court, the County Manager of Lake County, and the Secretary of the State of Florida; providing for conflicts and severability; providing for scrivener's errors; setting an effective date.

**D. Ordinance 2020-04: Trailer Hub LLC Comprehensive Plan Amendment - Second Reading**

An Ordinance of the City Council of the City of Groveland, Lake County, Florida, amending the City of Groveland's Comprehensive Plan pursuant to 163.3184, Florida Statutes, by amending the Future Land Use Plan designation from Lake County Industrial to City of Groveland Industrial on the Future Land Use Map for the herein described properties of 0.51 +/- acres; authorizing the City Manager to amend said Comprehensive Plan; repealing all ordinances in conflict herewith; providing for severability and scrivener's errors; providing for an effective date.

**E. Ordinance 2020-05: Trailer Hub LLC Rezoning - Second Reading**

An Ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, to change the zoning from Lake County Industrial to City of Groveland M-1 Industrial District for the herein described properties within the City of Groveland, Florida, owned by Trailer Hub LLC, and located on the east side of Sampey Road; directing the City Manager to amend the zoning map as herein provided after the passage of this ordinance; providing for severability; repealing all ordinances in conflict herewith; providing for scrivener's errors and providing for an effective date.

**F. Ordinance 2020-06: V.J. Oleno Comprehensive Plan Amendment - Second Reading**

An Ordinance of the City Council of the City of Groveland, Lake County, Florida, amending the City of Groveland's Comprehensive Plan pursuant to 163.3184, Florida Statutes, by amending the Future Land Use Plan designation from Lake County Industrial to City of Groveland Industrial on the Future Land Use Map for

the herein described properties of 2.49 +/- acres; authorizing the City Manager to amend said Comprehensive Plan; repealing all ordinances in conflict herewith; providing for severability and scrivener's errors; providing for an effective date.

**G. Ordinance 2020-07: V.J. Oleno Rezoning- Second Reading**

An Ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, to change the zoning from Lake County Industrial to City of Groveland M-2 Heavy Industrial District for the herein described properties within the City of Groveland, Florida, owned by JCJ Family Partnership LTD and located on the west side of Independence Boulevard in the Christopher C. Ford Commerce Park; directing the City Manager to amend the zoning map as herein provided after the passage of this ordinance; providing for severability; repealing all ordinances in conflict herewith; providing for scrivener's errors and providing for an effective date.

**H. Ordinance 2020-08: Amendment of Sec. 50-135 – Open Air Sales, Open Air Food Sales and Seasonal Sales - First Reading**

An ordinance of the City of Groveland, County of Lake, State of Florida, amending Article IV of Chapter 50 of the Groveland Code of Ordinances to remove requirements relating to garage or yard sales, clarifying terms and locations where open air sales, open air food sales inclusive of mobile food vendors, seasonal sales and special events may be held; removing transition language; requiring insurance, requiring mobile food vendor's license; providing for codification; providing for a severability clause; and providing for an effective date.

**I. Ordinance 2020-20: Amendments to Recreation Advisory Committee – Second Reading**

An ordinance of the City Council of the City of Groveland, County of Lake, State of Florida amending various Sections in Chapter 2 of the Code of Ordinances of the City of Groveland relating to the Groveland Recreation Advisory Committee membership, terms and appointment; repealing periodic review by Council; providing for codification; providing for severability; providing for conflict; providing for an effective date.

**J. Ordinance 2020-21: Adoption of Procurement Policy – Second Reading**

An ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, requiring a procurement policy for the purchase of goods and services; adopting a procurement policy; providing for conflicts and severability; setting an effective date.

**K. Ordinance 2020-23: Amended Chapter 62 Solid Waste to provide for Exclusive Franchise – First Reading**

An ordinance of the City Council of the City of Groveland, County of Lake, State of Florida amending various sections in Chapter 62 of the Code of Ordinances of the City of Groveland relating to existing non-exclusive franchise agreements and transitioning to the award of an exclusive franchise agreement for commercial containers effective October 1, 2020; deleting obsolete language and clarifying

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provisions; providing for codification; providing for severability; providing for conflict; providing for an effective date.

City Clerk Wright read the following head notes into the record:

Ordinances 2020-03, 2020-04, 2020-05, 2020-06, 2020-07, 2020-08, 2020-2020, 2020-21 and 2020-23.

**Motion:** Council Member Smith moved to approve the Consent Agenda with the exception to remove *Ordinance 2020-23: Amended Chapter 62 Solid Waste to provide for Exclusive Franchise – First Reading* and to bring back to City Council at the next scheduled City Council Meeting; seconded by Council Member Waite.

Motion passed with all Council Members present voting aye.

**PUBLIC COMMENT**

None.

**Consideration of Approval:**

**OLD BUSINESS**

**(NOTE: AGENDA ITEM 1 LISTED BELOW WAS MOVED TO THE JULY 20, 2020 CITY COUNCIL MEETING)**

1. **Consideration of Approval: Ordinance 2019-55 Indigo Lakes PUD Amendment - First Reading**

An Ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, Amending Restating, and Replacing in its entirety Ordinance 2006-08-67, for the herein described property owned by Indigo Land Groveland LLC, and located at 17200 Villa City Road, Groveland, Lake County, Florida; directing the City Manager to amend the zoning map as herein provided after the passage of this Ordinance; providing for severability; repealing all Ordinances in conflict herewith; and providing for an effective date.

**PUBLIC COMMENT**

None.

**NEW BUSINESS**

2. **Appointments to the Recreation Advisory Committee (RAC)**

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City Manager Hein reported he had provided a memorandum to the Mayor and City Council on this date, which provided a list of recommendations of candidate appointments to the newly reconstituted Recreation Advisory Committee (RAC) based on the applications and conversations with the Mayor and Council. The list is as selected by the Mayor and Council is as follows:

Mayor Wilson – Paula Hall  
Vice Mayor Radzik – David Badillo  
Council Member Smith – Charles Kenzig  
Councilwoman Sweatt – Karyn Norwood  
Council Member Waite – Margie Jones  
School Representative – Ryan Wright  
At Large 2 year appointment – Amanda Traywick  
At Large 1 year appointment – Vacant

**Motion:** Council Member Smith moved to approve the appointments to the RAC as presented; seconded by Councilwoman Sweatt.

Motion passed with all Council Members present voting aye

**PUBLIC COMMENT**

None.

**3. Appointments to the Planning and Zoning Board**

City Manager Hein reported there is a vacancy on the Planning & Zoning Board. An application was received from Donald Tillman who is an educator and has served on various advisory boards. Mr. Tillman's expertise is in stormwater management. City Manager Hein felt Mr. Tillman would serve well on the Planning & Zoning Board as he is a very good fit. City Manager Hein requested Council approval of the appointment.

Vice Mayor Radzik stated he has had extensive discussions with Mr. Tillman and felt he would be an asset to serve on this board.

**Motion:** Vice Radzik moved to approve the appointment of Donald Tillman to fill the vacant position on the Planning & Zoning Board; seconded by Councilwoman Sweatt.

Motion passed with all Council Members present voting aye

**PUBLIC COMMENT**

None.

4. **Discussion: 2020 Draft Charter Amendments and Ballot Questions**

City Attorney Geraci-Carver reported there are four (4) ballot questions to amend the City's Charter provided for Council's consideration and direction. The ballot measure addresses special elections, primary elections, filling of a council vacancy and a transition schedule for council member terms in the event all council seats become vacant.

Council consensus was for City Attorney Geraci-Carver to craft an ordinance and bring back at the next City Council meeting.

**PUBLIC COMMENT**

Keith Breedlove stated the City should consider allowing the next election to serve as the special election instead of completing a term. Mr. Breedlove also inquired if the 2020 Census would be considered when redistricting and/or changing terms, so that each district has equal opportunities. He felt the current set up leaves odd numbered districts at a disadvantage, attracting a smaller number of voters.

Mayor Wilson noted recommendation to change the districting was presented two (2) years ago on the ballot, however, it did not pass.

Keith Keogh stated he was not sure of the proper protocol to change the way representatives are voted on across the City. He felt representatives should be chosen by their districts only. Mr. Keogh stated that currently there are major districts who control blocks of votes and are completely misrepresenting smaller districts.

**Discussion: July 4<sup>th</sup> Event**

City Manager Hein presented a PowerPoint presentation outlining of food baskets to include sparklers and flags for the July 4<sup>th</sup> that will be available for purchase at the Groveland General Store. Each basket has a variety of picnic type food, the names is as follows: The Star Spangled Basket, Freedom Basket, Independence Basket, Liberty Basket and All American Basket. Orders can be placed at [www.grovelandgeneral.com](http://www.grovelandgeneral.com) no later than Monday, June 29<sup>th</sup>. All orders can be picked up curbside on Friday, July 3, 2020 from 9 a.m. to 5:00 p.m. at Groveland General Store, 5812 Lake Catherine Road, Groveland, FL 34736.

City Manager Hein reported on July 4<sup>th</sup> starting at 9:15 p.m. the City will be providing two simultaneous firework displays over Groveland. One display will take place at Lake David, the other at Cherry Lake Park. The theme is "Look at the Sky on the 4<sup>th</sup> of July!" Due to the Covid-19 pandemic there will be no public gathers for this event.

City Manager Hein requested Council approval to proceed with the July 4<sup>th</sup> event.

## June 15, 2020 CITY COUNCIL MEETING MINUTES

All Council Members concurred to the July 4th event as presented.

Council Member Smith inquired if there are individuals parking at the two parks, would they be redirected. City Manager Hein stated Chief Ramsey would be working to mitigate any such gatherings. City Manager Hein noted there has also been some discussion to designate parking spaces. However, the main focus will be to encourage residents to enjoy the fireworks show from their home.

Mayor Wilson stated this is a great, safe idea.

### **REPORTS**

#### **Council Member Waite:**

- June 11<sup>th</sup> met with City Manager Hein.
- June 12<sup>th</sup> attended the Temporary Signs Workshop.

#### **Councilwoman Sweatt:**

- Councilwoman Sweatt stated that she, Mayor Wilson, and Council Member Waite planted trees in the month of May at the Groveland Festival Park in recognition of Arbor Day.
- May 20<sup>th</sup> attended the East Central Florida Planning Council (ECFRPC) Executive meeting. Councilwoman Sweatt reported she was nominated to serve on the Florida Regional Councils Association Board (FRCA). This is a statewide organization of the 10 regional planning councils. The policy board meeting twice per year to discuss issues affecting Florida's regional planning councils and to share this information with its partners and to set a legislative agenda. The regular meeting of the ECFRPC also took place on May 20<sup>th</sup>. Items of discussion were overview of pending projects and the numerous projects still in motion; how the Coronavirus pandemic is affecting cities; Resolution 02-2020 Central Florida Geographical System (CFGIS) joint participation agreement, an amendment between ECFRPC and the Florida Department of Transportation (FDOT) for the addition of tasks and funding for the CFGIS.
- Councilwoman Sweatt reported over the past 9 weeks she has attended numerous Zoom meetings to include the City Council Meetings, Council Update Meetings, and Florida League of Cities meetings.
- Completed the mandatory annual ethics training via an online Florida League of Cities training video.
- June 3, 2020 attended the Monument Committee Zoom Meeting.
- Continues to volunteer at the Faith Neighborhood Center Tuesday through Friday for 3-hours each day.

#### **Council Member Smith:**

- Attended the Harris Chain of Lakes Restoration Council Meetings on May 18<sup>th</sup> and June 5<sup>th</sup>.

## June 15, 2020 CITY COUNCIL MEETING MINUTES

- June 1<sup>st</sup> teleconference with Indigo Lakes development team.
- Council Member Smith stated citizens are complaining about not being able to pass through on streets due to vehicles begin parked on both sides of the street. Additionally, if a car cannot pass through, neither can an emergency vehicle, such as a police car, fire truck or ambulance. Council Member Smith noted as Council is aware the City tries to position emergency assets around the city to reduce response times, as sometimes just a short delay can adversely impact the outcome of the response to a call for assistance.

Council Member Smith requested Council consensus for staff to examine and develop an ordinance that limits the parking in the city to a single side of the street when the width of the paved street is less than 30 feet wide. He pointed out the distance may be some other figure, and he would refer this to staff to better define. Council Member Smith's reasoning for the distance noted, was that an SUV can be 7 feet in width and a fire truck 8-10 feet. If there is two vehicles parked on both sides of the street that would be 14 feet. That would leave 16 feet for a fire truck. The International Fire Code seeks to have 20 feet of space to allow for the opening of doors, retrieval of equipment, etc.

Vice Mayor Radzik report the parking of vehicles on both sides of the street had been previously discussed. He was in support of staff to examine and develop an ordinance that would limit parking within the city to a single side of the street.

All Council Members present concurred.

City Manager Hein stated he would have staff research this item and get back to Council.

### **Vice Mayor Radzik:**

- Recognized staff for all of their efforts in keeping Groveland safe and charming.
- May 20<sup>th</sup> attended the ECFRPC. Topics presented/discussed is as follows:
  - Presentation Affordable Housing CDGB in Kissimmee, FL.
  - Trust Fund
  - Green Space
  - Work Quality Stormwater Management (LMS) Grant Funding
  - Solar Energy including charging stations - has the City contemplated implementing charging stations at Parks and Public Safety Buildings.
  - Led Lighting
  - Underground Dumpsters
  - House Bills
  - Attainable Housing – Commissioner Parks had reported Lake County is adopting Seminole County's model.
  - Eliminating Business Tax Receipts
  - Gas Tax – How much of a reduction due to the pandemic.

## June 15, 2020 CITY COUNCIL MEETING MINUTES

- Met with representatives from the juice factory two weeks ago. Will meet with Dr. Finkle's attorney and staff tomorrow.

### **Mayor Wilson**

- Mayor Wilson reported she had received many calls from residents who had a variety of questions. She thanked City Manager Hein, Community Development Director Tim Maslow, City Attorney Geraci-Carver staff, the police department, and the fire department for responding to her inquiries so that she could assist the residents with their inquiries.
- Mayor Wilson stated the death of George Floyd and others have caused everyone to reflect on their roles, duties and responsibilities as elected officials. In an effort to rise to the challenge, *My Brother's Keeper Alliance* is calling on Mayors' to commit to the following actions:
  1. Review the Police Department's Use of Force Policy.
  2. Engage the community by including a diverse range of input.
  3. Report findings of the review to your community for feedback.
  4. Reform your community.

Mayor Wilson requested a consensus to sign the Mayor's Pledge and to work with the City Manager and Police Chief to report all findings and recommendations.

All Council Members present concurred.

### **City Manager**

- Recommended to cancel the July 6, 2020 City Council Meeting. All Council Members present concurred.
- City Manager Hein reported a resident was the potential victim of a telephone scam. The resident received a phone call from someone representing the City requesting payment of a utility bill. Citizens are encouraged to utilize the City's online bill pay portal or place payments in the drop-box outside of City Hall. A notice to the public will be prepared to alert them of the scam.

### **City Attorney**

- Crittenden property CRA closing has been extended to July 9<sup>th</sup>.
- Reminded Council the Financial Disclosure Statements are due July 1<sup>st</sup>.

### **ADJOURNMENT**

Mayor Wilson adjourned the meeting at 6:25 p.m.

June 15, 2020 CITY COUNCIL MEETING MINUTES



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Evelyn Wilson, Mayor

Attest:

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Virginia Wright, City Clerk

**City of Groveland  
Minutes  
City Council Budget Workshop  
Thursday, July 02, 2020**

The Groveland City Council held a Budget Workshop scheduled on Thursday, July 02, 2020 at 2:00 p.m. that was held using telephonic video conferencing in order to reduce public gatherings and the spread of COVID-19, as authorized by Governor DeSantis in Executive Order 20-69. The public was able to attend the virtual meeting. Instructions to participate were posted to the City's website under "Public Notices" at [www.groveland-fl.gov](http://www.groveland-fl.gov) and at City Hall in the display board.

Mayor Evelyn Wilson called the workshop to order at 2:03 p.m. with the following members present: Vice Mayor Mike Radzik, Council Members, Mike Smith, Dina Sweatt and Randolph Waite. City officials present were: City Manager Mike Hein and City Clerk Virginia Wright.

Absent: City Attorney Anita Geraci-Carver; Sergeant-at-Arms Chief Shawn Ramsey.

Mayor Wilson reported that pursuant to Executive Order No. 20-69, issued by Governor DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location. Further, municipalities may utilize telephonic or video conferencing to hold public meetings.

Mayor Wilson thanked everyone for joining us for the City Council Budget Workshop. She stated for council member discussion she would call on each member individually to avoid members talking over one another. If a member desired to speak again after their initial comment or have additional questions they were to click on the "Raise Hand" feature so they could be recognized.

Mayor Wilson reported a quorum was present.

Mayor Wilson asked City Clerk Wright to explain the procedures for public participation.

City Clerk Wright stated public notice of the workshop was provided on the City's website and posted at City Hall. The public notice included directions for how members of the public can participate. The public has the option to join the Zoom Workshop remotely using a computer to watch and listen to the workshop. Or the public can call into the workshop on their telephone and listen. Regardless of which option, all attendees from the public are added in listen-mode only.

The notice also provided direction for members of the public who need special accommodation to participate in the workshop in accordance with the ADA to contact the City Clerk no later than 3 business days before the meeting.

## JULY 2, 2020 CITY COUNCIL BUDGET WORKSHOP MINUTES

City Manager Hein reported the focus for today's workshop is on the General Fund and the departmental budgets associated with it. Another budget workshop is scheduled for Friday, July 10<sup>th</sup> to review the capital projects, utility funds, the CRA and enterprise funds. City Manager Hein pointed out there would be some decrease within the budget due to Covid-19 pandemic.

Finance Director John Ter Louw provided an overview of the FY2020-2021 General Fund budget as follows:

- **Current Assumptions and Changes**

Mr. Ter Louw reported the budget has no carryforward expectations for any projects which are currently or expected to be underway prior to the start of the new Fiscal Year. As the budget is finalized the numbers will be moved into the budget with the up-to-date forecasts.

The Ad Valorem Revenues are based on a 5.2 millage rate. Mr. Ter Louw reported current revenues which are estimated by the Florida Office of Economic & Demographics Research is unavailable at this time. Therefore, as a result, revenues are conservatively budgeted at a 10% reduction from this year's estimates.

A 3% increase in Salaries and a \$1,000 bonus is currently budgeted for each existing position.

Overall General Fund Expenses decreased by \$117,000 to a total of \$16.5 million.

General reoccurring revenues have been increased by \$1.3 million to \$12.1 million.

The Grant Fund which is handling the CDGB grant is not projected to have any new grants at this time.

- **Positions Requests and Changes from Prior Year**

**Public Safety Requests:**

- Fire Department reorganization is in for the full year which included the addition of Battalion Chiefs and a Deputy Chief of Operations.
- Three (3) School Resource Officers (SRO) – These are backfilled positions as related to the adding of South Lake Regional High School and Grey Middle School into the Groveland SRO Program.
- Part Time Dispatcher.

**General Requests:**

- One (1) Technology Visionary (Director of Innovation & Technology)

**Building Department**

- The Building Department is reflecting a change in the revenues due to a proposed change in the building permit fee structure which will reduce the overall fees, make them simpler to calculate and keep them in line with costs.

**Capital Revenues**

- Discretionary Taxes are estimated by the Florida Office of Economic & Demographic Research.
- Impact Fees are currently being estimated utilizing an estimate of 400 homes for both the current year and 500 homes for subsequent years.
- Impact Fees are assumed to be the same for the next 5 years for the purpose of calculating the rolling balances by fee type.
- Discretionary Sales Surtax is estimated to increase over time as the City grows.

**General Fund Revenues**

**Revenue Streams**

- The biggest revenue stream is taxes. It includes mostly Ad Valorem and other sales taxes the City receives.
- Major change to Franchise Fee collection. A single waste hauler for commercial solid waste removal will be proposed. Instead of collecting a franchise fee from the waste hauler, the fee will be collected from the City's Enterprise Fund.
- Intergovernmental Revenues are expected to be about \$2 million. This is a decrease of about \$200,000 less than last year.
- Miscellaneous Income consists of about \$200,000 in investment income. This will be reflected differently in the final budget report to show investment income separate from miscellaneous income.
- Debt is included as non-reoccurring as it has a term it goes to and expires. Current General Fund Debt will be paid off in full by April 1, 2027. This is the bank loan for the Public Safety Building construction.
- Total Non-Reoccurring Revenues \$2.28 million.

Vice Mayor Radzik inquired if all monies located in CDs or other investments are included in the budget under Capital Improvements or otherwise. Mr. Ter Louw stated yes.

## JULY 2, 2020 CITY COUNCIL BUDGET WORKSHOP MINUTES

### **General Fund Expenditures**

- Mayor and Council change reflects centralizing insurance liability costs to Finance.
- City Manager decrease is related to the completion of the Palisades purchase.
- City Clerk change reflects finishing the last phase of the records study and expected election costs.
- Finance Department change reflects centralizing insurance liability costs to Finance.
- Community Development Department change reflects the completion of the Future Land Use.
- Police Department will be offset by \$236,000 for providing SRO Officers to the School Board and those costs for the officers is reflected in this budget. This budget also reflects the increases to salaries approved last year due to market rate adjustments.
- Fire Department will be offset by \$418,000 as a result of the SAFER grant and reflects the full year cost of the reorganization of the department to included Battalion Chiefs.
- Dispatch changes reflects a recent market adjustment and part time Dispatcher for the full year.
- Code Enforcement change reflects the transfer of part time staff to the Building Department.
- Streets reflects a current re-evaluation of the storm water issues of the City and utilization of other funding options than General Revenues.
- Parks & Recreation changes reflects an increase in the number and quality of events that the City intends to put forth, including the 99th annual Founder's Day event.
- Internal Service Funds include IT, Fleet, and Facilities. This is the General Fund portion of expenses. Changes include the hiring of a technology visionary for network improvements for the aging infrastructure and contingency funds for unexpected building repairs and maintenance.

Mr. Ter Louw noted the Police Department and the Fire Department all had changes within the last few months.

Councilwoman Sweatt inquired if the SAFER Grant would be reduced over the years. Mr. Ter Louw stated the first two (2) years it would be 75% and the next final year would be 35%. After that the responsibility will 100% funded by City.

Vice Mayor Radzik stated he felt it would be prudent to have a consensus for the millage rate to be set at 5.2.

Mayor Wilson requested a consensus to set the millage rate at the not-to-exceed amount of 5.2. Vice Mayor Radzik, Council Members Sweatt and Waite, and Mayor Wilson all concurred; with Council member Smith disagreeing. Council Member Smith stated the entire budget needs to be examined in order to determine if an increase or decrease in

## JULY 2, 2020 CITY COUNCIL BUDGET WORKSHOP MINUTES

the millage rate needs to be made. Vice Mayor Radzik clarified the millage rate could still be adjusted if needed. Mayor Wilson stated Council had previously discussed the budget with department heads in which she felt provided sufficient time to review the budget. Council Member Smith stated he felt the millage rate should not be decided until the entire budget was reviewed.

City Manager Hein stated what is remarkable about the budget is its modesty. He feels it is a cautious and conservative budget. City Manager Hein is working with Human Resources Director Deo Persaud to create a detailed organizational chart to include the number of authorized positions to be available prior to the next budget workshop.

Council Member Smith stated he is concerned that most of the revenue projections are Mr. Ter Louw's best guess due to not having actual figures at this time.

Vice Mayor Radzik stated he did not feel comfortable while in the middle of a pandemic and a high unemployment rate, to impact citizens with an increase in the millage rate. He indicated this would not be fair to a large part of the City's population.

Council Member Smith asked what the projected expiration date for the Public Safety Project Manager is under the City Manager's budget. Mr. Ter Louw stated the position will expire at the end of the calendar year and there are provisions in place to ensure any accrued leave final payout is covered.

Council Member Smith inquired regarding employee leave due to COVID-19 cases. Mr. Ter Louw stated there is nothing specifically budgeted at this time. However, since employees are already budgeted to be working, any time off due to COVID-19 would just need to be transferred. In this case PTO would continue to be accrued while on sick leave.

- Human Resources Department - Mr. Ter Louw noted there is little change in the Human Resources Department budget. Currently there is one part-time HR Assistant to assist the HR Director.
- Legal Counsel Department Budget – Funds for City Attorney and external legal counsel.

Vice Mayor Radzik inquired what percentages of time are being allotted for the City Manager, City Clerk, and Finance Director in regards to the budget. Mr. Ter Louw stated each person was looked at individually depending on specific needs and expectations. For example the Community Development Director's time is allocated 65% to Community Development and 35% to the Building and Permitting Section. City Manager Hein stated the split would be more so in allocations of funds and not by department.

## JULY 2, 2020 CITY COUNCIL BUDGET WORKSHOP MINUTES

Vice Mayor Radzik asked if having an internal services fund where the City Manager, City Clerk, and Finance Director are parceled out would make sense. Similar to the internal services fund for IT. City Manager Hein reported he has seen this method to some degree and it often turns into another department called non-departmental. City Manager Hein stated it would probably cost more with the internal services fund method due to the City being small.

- Community Development – three new positions were hired this year; there are no major changes.

Vice Mayor Radzik inquired why the legal counsel budget is projected to stay the same when the procurement manager position was supposed to mitigate some of the need for legal counsel. City Manager Hein stated he does not anticipate a lot of legal review this year outside of land development and land use codes, or needing the full allotment of this year's budget. City Manager Hein also stated the decrease in time spent in City Council Meetings would also contribute.

Council Member Smith asked if the Operations Commander position is would be funded for this year. Mr. Ter Louw advised that it would not.

Vice Mayor Radzik inquired if there has been any contemplation on using non-sworn officers for the parking issues that had been brought up at the last City Council Meeting. Such as a dedicated person to enforce parking. City Manager Hein stated there is leeway in the form of unfilled positions in the Police department. Chief Ramsey is open to being flexible where needed.

- The Fire Department had several changes within the operating expenses such as preventative maintenance, and maintenance for gear and equipment. It is anticipated overtime will be reduced by at least \$100,000.

Vice Mayor Radzik inquired regarding the training rational of \$13,000 to \$33,000 next fiscal year. Mr. Ter Louw explained due to the Covid-19 pandemic the City was unable to send Fire Department staff to training. Chief Carroll wanted to ensure structured training for firefighters, as well as EMT and paramedics training.

- Dispatch – addition of one part-time dispatcher and filling of vacancies.
- Code Enforcement – reclassification of part-time employee Marilyn Rodriguez to part-time permitting clerk. Ms. Rodriguez handles the Business Tax Receipts (BTR) in which the city will be eliminating this fee.

## JULY 2, 2020 CITY COUNCIL BUDGET WORKSHOP MINUTES

Council Member Smith inquired if the City would be maintaining a registry of businesses after the BTR's are eliminated. Mr. Ter Louw stated the Economic Development Manager Dan Murphy will want to start a registration program for businesses.

Vice Mayor Radzik asked if there would be a list of businesses located on the City's website. Council Member Smith agreed that having a registration process would be helpful.

Council Member Smith inquired as to the value of Code Enforcement. City Manager Hein stated Water Conservation is separate activity. Code Enforcement is part of the Community Development Department and is being looked at to identify and rethink the purpose of this departmental section. Such as what can be done to enhance quality of life within the community. City Manager Hein and Community Development Director Tim Maslow had recent conversations regarding the expectations of Code Enforcement staff.

Vice Mayor Radzik asked where the expense for the special magistrate is in the budget. Mr. Ter Louw noted the special magistrate is paid from accounting line 311. Council Member Smith stated there should be a separate accounting line item for legal or merge into one line item. City Manager Hein stated he would provide a recommendation.

- Streets – major changes include the reduction in outlay capital expenses and an increase in operating expenses for sidewalks and road management.
- Economic Development – No major change.

Vice Mayor Radzik noted a huge difference of \$81,000 this year and inquired as to which operating expenses weren't accessed. City Manager Hein reported line item 485, Economic Incentives was untouched.

- Parks & Recreation – Changes include new hired personnel; State Road 50 maintenance. The operations expenses are higher than last year due to all of the City events such as, Founders Day, 4<sup>th</sup> of July and monthly events.

Council Member Smith inquired why there was a huge increase in liability insurance. Mr. Ter Louw stated the increase is related to the buildings and structures at the parks. Vice Mayor Radzik asked where the sponsorship is that would offset expenses. Mr. Ter Louw stated within the revenue line, and is currently budgeted for \$20,000.

Vice Mayor Radzik asked if the increase in line items are contingent upon getting a handle on the pandemic and can those funds be carried forward to next year. Mr. Ter Louw stated the funds can be carried forward.

## JULY 2, 2020 CITY COUNCIL BUDGET WORKSHOP MINUTES

- Transfers to/from Funds Budget – Mr. Ter Louw stated transfers are based off of To Debt Service, To IT and To Facilities & Fleet. The transfers are based on the budgets for corresponding items.

Vice Mayor Radzik inquired of Council Member Smith if he felt there was anything within the budget that would suggest that a 5.2 millage rate is too low. Council Member Smith replied he doesn't see anything that would suggest that, but he does not know how much of what has been covered represents the entire budget.

Vice Mayor Radzik stated it appears when looking at source of funds, most of the planned capital projects would be funded by impact fees. Mr. Ter Louw agreed noting 95% - 98% of the capital projects do not affect the general fund projects.

Vice Mayor Radzik asked if the only pressure on the millage rate would be if the revenue is less than 10% and there is an essential item. Mr. Ter Louw stated that is correct. The only pressure he can foresee is relative to the Economic and Demographic Research (EDR) revenues coming in lower than currently expected.

City Manager Hein stated when looked at from a strategic standpoint and a level of service, with the exception of the Fire Chief, most department heads have been through the budget cycle. The department heads understand the process and know best practices for budgeting. There is a lot of planning and implementation happening at this stage and some may require supplemental funding from a general fund. City Manager Hein stated he does not foresee a lot of that this year. City Manager Hein reported that Mr. Ter Louw has done a great job of setting up this budget in preparation of next year. This will be the first budget that will have completely separated the recurring and non-recurring revenues and expenses. This will allow for better comparisons moving forward.

Vice Mayor Radzik reported he had discussions with the City's auditors on July 1, 2020 regarding the Council's oversight into the financial aspects of the City. He encouraged the Council to continue to review monthly budgets, as their priority is financial responsibility. Vice Mayor Radzik stated the millage rate would need to be lowered over time. He felt as the City partners with businesses such as Kroger and Amazon, it would send the wrong message to keep the same millage rate.

City Manager Hein announced the conclusion of the virtual Budget Workshop for the General Fund. A virtual budget workshop for the enterprise fund and capital improvements is scheduled for Friday, July 10<sup>th</sup> at 2:00 p.m.

Mayor Wilson thanked Mr. Ter Louw and staff for their efforts on the budget.

JULY 2, 2020 CITY COUNCIL BUDGET WORKSHOP MINUTES

Vice Mayor Radzik inquired with regards to the pressures of the Covid-19 pandemic and possible future pandemics, if there any type of resources for employees such as mental health assistance. City Manager Hein reported the City has an employee assistance program as a part of the employee benefits package. In addition, Mr. Persaud has been in contact with the City's first responders to assist with any needs they may have. Council Member Smith noted the City also has the Retirement Advisory Committee and there will be a better understanding of what it would take to retain employees.

**ADJOURNMENT**

Mayor Wilson adjourned the workshop at 3:29 p.m.



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Evelyn Wilson, Mayor

Attest:

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Virginia Wright, City Clerk



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: JOHN TER LOUW, FINANCE DIRECTOR

SUBJECT: RESOLUTION 2020-29 APPROVING LEASE AGREEMENT FOR 146 BROAD STREET

DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

The City has a need to expand the administrative office space to better accommodate our employees and the public. The 146 Broad Street property has become an option which provides over double the space which is currently being utilized at 101 Broad Street and brings keeps the staff closer to City Hall. This lease provides better long-term security for office space as it's for a 5 year term. The lease calls for a payment of \$5,000 a month during the initial lease period and per the agreement would prepay the fifth year's rent.

#### **BUDGET IMPACT:**

This contract is not currently in the preliminary budget, however, there are funds available to allocate to pay for this lease and improvements, including savings from the end of the 101 Broad Street Lease, utilization of contingency funds, and allocation of rent to fund's based on expected staff at the property. The total will be \$100,000 for the FY 2020-21 budget for rent.

#### **LEGAL NOTICE:**

None.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the Resolution 2020-29

#### **ATTACHMENTS:**

Attachment 1 – Resolution 2020-29

Attachment 2 – Lease Agreement

**RESOLUTION 2020-29**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, APPROVING A 5-YEAR LEASE AGREEMENT BETWEEN MOHAMED HASSAN AND THE CITY OF GROVELAND FOR THE PROPERTY LOCATED AT 146 BROAD STREET, GROVELAND; AUTHORIZING EXECUTION OF THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Groveland is expanding and needs additional administrative office space to accommodate its employees and the public; and

**WHEREAS**, the City Council finds it beneficial to the City of Groveland and desires to approve the Lease Agreement with the terms and conditions outlined therein.

**WHEREAS**, is authorized under its Home Rule powers to lease property for municipal purposes.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AS FOLLOWS:**

Section 1. The Lease Agreement between Mohamed Hassan and City of Groveland a copy of which is attached hereto, is approved.

Section 2. The Council authorizes the City Manager to execute the Lease Agreement.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council of the City of Groveland, Florida.

PASSED AND RESOLVED this \_\_\_\_ day of July, 2020, by the City Council of the City of Groveland, Florida.

---

Evelyn Wilson, Mayor  
City of Groveland, Florida

ATTEST:

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Virginia Wright, City Clerk



Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: T.J. FISH, DIRECTOR OF TRANSPORTATION & PUBLIC WORKS

SUBJECT: RESOLUTION 2020-32 – APPROVING MEMORANDUM OF UNDERSTANDING WITH SCHOOL BOARD OF LAKE COUNTY FOR VOLUNARY ANNEXATION OF SOUTH LAKE HIGH SCHOOL

DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

City Administration has been coordinating with Lake County Schools on the voluntary annexation of South Lake High School and on considerations regarding the implications of annexation. Those coordination efforts have led to the School Board of Lake County taking actions to move forward on annexation of the high school. A Memorandum of Understanding (MOU) pertaining to the voluntary annexation of the high school and an Interlocal Agreement pertaining to City reimbursement of Duke Energy franchise fees to the School Board of Lake County (Resolution 2020-33) were approved by the School Board on July 13. The signed documents and a signed application for voluntary annexation are included as exhibits in support of Resolution 2020-32.

If the MOU pertaining to voluntary annexation is approved per Resolution 2020-32 and the Interlocal Agreement pertaining to the reimbursement of Duke Energy franchise fees is approved per Resolution 2020-33, the application for voluntary annexation will be processed and presented to the Planning & Zoning Board for their consideration and recommendation at the next meeting before the annexation ordinance would be brought before the City Council for consideration.

#### **BUDGET IMPACT:**

There are no expected changes to the approved budget.

#### **LEGAL NOTICE:**

None.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of Resolution 2020-32 approving the Memorandum of Understanding with the School Board of Lake County pertaining to the voluntary annexation of South Lake High School.

#### **ATTACHMENTS:**

- Attachment 1 – Resolution 2020-32
- Attachment 2 – Memorandum of Understanding
- Attachment 3 – Application for Voluntary Annexation

**RESOLUTION 2020-32**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF GROVELAND AND THE SCHOOL BOARD OF LAKE COUNTY REGARDING THE ANNEXATION OF SOUTH LAKE HIGH SCHOOL; AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Groveland desires to annex South Lake High School property located at 15600 Silver Eagle Road, Groveland, Lake County, Florida; and

**WHEREAS**, the Lake County School Board is desirous of annexing the property into the City of Groveland, providing that certain conditions are met; and

**WHEREAS**, the City of Groveland and the Lake County School Board are mutually agreed that the voluntary annexation of said property will be mutually beneficial to both parties; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AS FOLLOWS:**

Section 1. The Memorandum of Understanding – Annexation Agreement, a copy of which is attached hereto, is approved.

Section 2. The Council authorizes the Mayor to execute the Memorandum of Understanding – Annexation Agreement.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council of the City of Groveland, Florida.

PASSED AND RESOLVED this \_\_\_\_ day of \_\_\_\_\_, 2020, by the City Council of the City of Groveland, Florida.

\_\_\_\_\_  
Evelyn Wilson, Mayor  
City of Groveland, Florida

ATTEST:

\_\_\_\_\_  
Virginia Wright, City Clerk



Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above  
and foregoing Resolution. Motion was seconded by Council Member  
\_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: T.J. FISH, DIRECTOR OF TRANSPORTATION & PUBLIC WORKS

SUBJECT: RESOLUTION 2020-33 – APPROVING INTERLOCAL AGREEMENT WITH SCHOOL BOARD OF LAKE COUNTY FOR REIMBURSEMENT OF DUKE ENERGY FRANCHISE FEES

DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

City Administration has been coordinating with Lake County Schools on the voluntary annexation of South Lake High School and on considerations regarding the implications of annexation. Those coordination efforts have led to the School Board of Lake County taking actions to move forward on annexation of the high school. An Interlocal Agreement pertaining to City reimbursement of Duke Energy franchise fees to the School Board of Lake County (Resolution 2020-33) was approved by the School Board on July 13, along with a Memorandum of Understanding (MOU) pertaining to the voluntary annexation of the high school (Resolution 2020-32). The signed interlocal agreement is included as an exhibit of Resolution 2020-33.

If the MOU pertaining to voluntary annexation is approved per Resolution 2020-32 and the Interlocal Agreement pertaining to the reimbursement of Duke Energy franchise fees is approved per Resolution 2020-33, the application for voluntary annexation will be processed and presented to the Planning & Zoning Board for their consideration and recommendation at the next meeting before the annexation ordinance would be brought before the City Council for consideration. The Interlocal Agreement for reimbursement of Duke Energy franchise fees is only effective upon annexation of South Lake High School.

#### **BUDGET IMPACT:**

There are no expected changes to the approved budget.

#### **LEGAL NOTICE:**

None.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of Resolution 2020-33 approving the Interlocal Agreement with the School Board of Lake County pertaining to reimbursement of Duke Energy franchise fees.

#### **ATTACHMENTS:**

Attachment 1 – Resolution 2020-33  
Attachment 2 – Interlocal Agreement

**RESOLUTION 2020-33**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN CITY OF GROVELAND AND THE SCHOOL BOARD OF LAKE COUNTY RELATING TO REIMBURSEMENT OF DUKE ENERGY FRANCHISE FEES; AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Groveland desires to annex South Lake High School property located at 15600 Silver Eagle Road, Groveland, Lake County, Florida; and

**WHEREAS**, the Lake County School Board is desirous of annexing the property into the City of Groveland, providing that certain conditions are met; and

**WHEREAS**, the parties have provided for conditions of annexation in an interlocal agreement; and

**WHEREAS**, the City of Groveland and the Lake County School Board are mutually agreed that the voluntary annexation of said property will be mutually beneficial to both parties; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AS FOLLOWS:**

Section 1. The Interlocal Agreement between the City of Groveland and the Lake County School Board Relating to Reimbursement of Duke Franchise Fees, a copy of which is attached hereto, is approved.

Section 2. The Council authorizes the Mayor to execute the Interlocal Agreement.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council of the City of Groveland, Florida.

PASSED AND RESOLVED this \_\_\_\_ day of \_\_\_\_\_, 2020, by the City Council of the City of Groveland, Florida.

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Evelyn Wilson, Mayor  
City of Groveland, Florida

ATTEST:

\_\_\_\_\_  
Virginia Wright, City Clerk



Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



## CONSENT AGENDA

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS  
VIA: MIKE HEIN, CITY MANAGER  
FROM: KHRYSTYNA TREMAINE, COMMUNICATIONS MANAGER  
SUBJECT: YOUTH COUNCIL ADOPTION  
DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

The Mayor and city staff have followed the guidance and procedures outlined within the Florida League of Cities guide for creating a youth council, to allow for City Council to consider the adoption of a youth council advisory committee. The Groveland Youth Council will serve as an advisory role to the City Council and may address matters relating to and affecting youth in the community. The youth council also can address matters related to increasing youth participation in local government, come up with and recommend ways to improve communication with students in Groveland schools, plan and carry out service projects that benefit the city and come up with educational activities, recognition programs and employment opportunities for youth in the community.

#### **BUDGET IMPACT:**

N/A

#### **LEGAL NOTE:**

None

#### **STAFF RECOMMENDATION:**

Council consideration of the adoption of Resolution 2020-34.

#### **ATTACHMENTS:**

Attachment 1 Resolution 2020-34.

## RESOLUTION 2020-34

**A RESOLUTION OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA AUTHORIZING THE ESTABLISHMENT OF A YOUTH COUNCIL; PROVIDING FOR DIRECTION TO THE CITY COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.**

*WHEREAS*, many municipalities use youth councils to inject fresh ideas and youth perspectives into local decision-making; and

*WHEREAS*, youth councils are an exemplary means of promoting intergenerational dialogue and engaging civic responsibility among young people; and

*WHEREAS*, the City is in the process of annexing South Lake High School and is providing School Resource Officers to all schools within the City; and

*WHEREAS*, it has been determined by the City Council that the creation of a specially appointed advisory committee to be known as the City of Groveland Youth Council, is in the most optimal interest of the City of Groveland; and

*WHEREAS*, now therefore, City staff is instructed to cultivate participants reaching out to school principals, teachers, and local youth leaders; and

**NOW, THEREFORE, BE IT DECLARED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, THAT**

### **Section 1**

The Mayor and Council of the City of Groveland does hereby create a committee to be known and designated as the City of Groveland Youth Council subject to the following:

#### 1. Creation

The City of Groveland Youth Council shall consist of no less than five (5) members no more than twelve (12). The members must be City residents who are actively enrolled in a public or private middle or high school institution, to include members of the home school community. Qualifying students must be in grades six (6) through twelve (12). The members shall be appointed by the City Council and each member appointed shall serve a term of two (2) years, unless grade twelve (12) is completed during the term, at which time the position shall be declared vacant. The seats on the Youth Council shall be numbered one (1) through twelve (12). Appointment to seats one (1) through twelve (12) shall be made collectively by City Council members. City staff is instructed to work with principals of local schools to identify participants.

#### 2. Election of Officers

The City Youth Council shall elect a Chairman to conduct meetings and a Vice Chairman to conduct meetings in the absence of the Chairman. Elections shall be held at the first regular meeting after annual appointments are made by the Mayor and City Council.

### 3. Duties and Responsibilities

The City Youth Council will be encouraged to:

- a) Evaluate and review problems facing youth of the City.
- b) Facilitate neighborhood meetings with youth to discuss problems, needs suggested improvements for our community.
- c) Meet regularly with individual members of the Council and City staff to share ideas and discuss issues, concerns, and needed improvements.
- d) Attend City Council meetings as needed and participate in vision and goal sessions.
- e) Assist in planning youth/recreation activities.
- f) Evaluate and advise the City Council and/or City Manager on issues forwarded to the City Youth Council for advice.
- g) Any such other duties as the City Council and/or City Manager deem appropriate.

### **Section 2**

This Resolution shall take effect immediately upon its adoption.

**PASSED AND RESOLVED** this 20<sup>th</sup> day of July, 2020, by the City Council of the City of Groveland, Florida.

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Evelyn Wilson, Mayor  
City of Groveland, Florida

ATTEST:

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Virginia Wright  
City Clerk



Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above  
and foregoing Resolution. Motion was seconded by Council Member  
\_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: TIM MASLOW, COMMUNITY DEVELOPMENT DIRECTOR

FROM: ANDREW LANDIS, SENIOR PLANNER

SUBJECT: CONSIDERATION OF APPROVAL: ORDINANCE 2020-08  
AMENDMENT OF SEC. 50-135- OPEN AIR FOOD SALES AND  
SEASONAL SALES  
(SECOND READING)

DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

Ordinance 2020-08 revises City regulations governing special events, garage and open air sales, food trucks, and seasonal sales. The intent is to ease and simplify the current processes for residents and businesses. Community Development staff is sponsoring this item.

The proposed changes include:

#### Special Events

- Eased the parking requirements from one per every five attendees to identifying areas intended for vehicular parking on the site plan.
- Reduced time customer can file for special event permit to 15 days prior to event instead of 21 days.

#### Garage/Yard Sales

- Removed garage/yard sale permit requirement and city-issued signs requirement.
- Increased number of day's sales can be held from four (4) to twelve (12) per year.

#### Open Air Sales

- Increased number of times open air sales can be held from four (4) to twelve (12) per year with a maximum three day limit per event (maximum of 36 days per year).

#### Mobile Food Vendors (Food Trucks)

- Increasing time for mobile food vendor's vehicles from 30 minutes to three (3) hours.

- Introducing a new mobile food vendor license to be renewed annually.
- Seasonal Sales
- Increased the number of recognized holidays for seasonal sales from eight (8) to twelve (12).
- Increased the maximum number of seasonal sales during the period of one calendar year from five to 10, not to exceed a total of 50 days per year.
- Reduced minimum setback requirements from 25 feet to 10 feet from the ROW to help activate public realm.

**BUDGET IMPACT:**

None.

**LEGAL NOTE:**

None.

**STAFF RECOMMENDATION:**

Staff is recommending approval of Ordinance 2020-08.

**ATTACHMENTS:**

Attachment 1 Ordinance 2020-08

Attachment 2 Notice Support Documentation

**ORDINANCE 2020-08**

**AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING ARTICLE IV OF CHAPTER 50 OF THE GROVELAND CODE OF ORDINANCES TO REMOVE REQUIREMENTS RELATING TO GARAGE OR YARD SALES, CLARIFYING TERMS AND LOCATIONS WHERE OPEN AIR SALES, OPEN AIR FOOD SALES INCLUSIVE OF MOBILE FOOD VENDORS, SEASONAL SALES AND SPECIAL EVENTS MAY BE HELD; REMOVING TRANSITION LANGUAGE; REQUIRING INSURANCE, REQUIRING MOBILE FOOD VENDOR'S LICENSE; PROVIDING FOR CODIFICATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council desires to revise and clarify provisions within Article IV of Chapter 50 of the Code of Ordinances as set forth herein; and

**WHEREAS**, the City Council is authorized under Ch. 166 to enact legislation applicable within the municipal boundaries of the City of Groveland.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, as follows:**

**SECTION 1.** The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this ordinance.

**SECTION 2.** That Article IV of Chapter 50 of the City of Groveland Code of Ordinances is hereby amended to read as follows:

**ARTICLE IV. - SPECIAL EVENTS, GARAGE/YARD SALES, OPEN AIR SALES, SEASONAL SALES, AND TEMPORARY STRUCTURES**

**Sec. 50-130. - Definitions.**

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

*Arterial roadways* refers to State Road 50, State Road 33, US 27 and State Road 19.

*Developed lot* means a lot that has a principal building on it.

*Edibles* means any food or beverage intended for human consumption.

*Garage or yard sale* means the offering for sale or sale by a person, group of persons, firm or corporation of more than one item of personal property displayed or offered for sale on a lot, parcel, or tract of land within the municipal boundaries of the city located within an area zoned for a residential use.

*Mobile Food Vendor* means any person selling edibles from a vehicle.

*MFVL* means mobile food vendor's license.

*Neighborhood garage/yard sale* means a sale held by one or more homeowners or a homeowners' association (collectively, "homeowners' association"), whether incorporated or unincorporated, during which all residents of the neighborhood or subdivision are provided with an opportunity to display and sell personal property which is displayed or offered for sale on one or more lots, parcels, or tracts of land within such neighborhood or subdivision so long as such lots, parcels, or tracts are zoned for residential use.

*Open air food sales* means the sale of food or beverages from a temporary structure, such as a tent or booth, or from a mobile vending cart, trailer, or vehicle, including a Mobile Food Vendor. ~~The term "open air food sales" does not include mobile vehicles such as ice cream trucks or food coaches that do not stay in one location more than 30 minutes.~~

*Open air sales* means the offering, display or sale of goods, merchandise, or services not within a fully enclosed building. Sales conducted from tents, trucks, or other non-permanent structures shall be construed to be open air sales. Open air sales include seasonal sales and outdoor sales associated with a permanent business location such as a grand opening or a special promotion.

*Person* means any individual, organization, trust, foundation, association, partnership, corporation, society, or any combination of them, whether principal or agent.

*Seasonal sales* means open air sales customarily associated with holidays, including, but not limited to, Christmas trees, pumpkins, flower arrangements and other seasonal items.

*Special event* means any organized gathering of persons, comprised of groups or individuals, including gathering at shows, exhibitions, demonstrations, or assembly, other than the normal day-to-day or seasonal operations or concerns of licensed establishments within the city. The term "special event" shall include but is not limited to entertainment festivals, parades, fairs, festivals, carnivals, circuses, church events, athletic events, arts and crafts events, and special promotional activities for commercial establishments, such as holiday events, contests, on-location radio promotions, and shows.

*Temporary structure* means a structure without any foundation or footings which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased. For purposes of this section, the term "temporary structure" includes but is not limited to tents, canopies, stages and similar structures.

*Undeveloped properties* means lots or parcels with no substantial code compliant structure capable of housing a business.

Sec. 50-131. - Special events, garage/yard sales, open air sales, open air food sales and seasonal sales.

The purpose of this article is to protect the health, safety, and welfare of the citizens and inhabitants of the city by ensuring the provision of sufficient police, fire and support services for any gathering of groups or individuals for the purpose of participating in various special events, garage/yard sales, seasonal sales, open air food sales or in open air sales activities.

Sec. 50-132. - Permits required.

No person shall advertise, engage in, participate in, aid, form or start any ~~garage or yard sale~~, special event, or seasonal, open air food sales or open air sale or erect any tent or

temporary structure for public access for such an event unless a special event/sales permit is first obtained from the building community development department. A permit shall not be required for:

- (1) Funeral processions;
- (2) Church events on church property, unless a tent or temporary structure is erected;
- (3) Lawful picketing; and
- (4) Any bona fide athletic event or contest or other special event sponsored by any public or private school or the city.

Sec. 50-133. - Garage or yard sales.

(a) ~~*Duration; frequency. Frequency, duration.*~~ City residents, homeowners' associations, groups shall be allowed by right to conduct a neighborhood garage or yard sale on any single lot, parcel, or tract of land a maximum of twelve four times within any calendar year. It shall be a violation of this article for garage or yard sales to extend more than 48 hours ~~or to be conducted more than nine times in any calendar year on any single lot, parcel, or tract of land.~~ A permit to conduct a garage or yard sale shall not be issued to the same ~~person, group of persons, firm, or corporation more frequently than nine times in any calendar year.~~ A permit to conduct a neighborhood garage or yard sale shall not be issued to the same homeowners' association more frequently than two times in any calendar year.

(b) ~~*Permit required; application; display; Temporary signs.*~~

- (1) Signs shall be permitted to be placed on private property only with permission from the subject property's owner. Signs located in the roadway median or within ~~state, city, or county rights of way~~ may be removed and disposed of without notice. ~~It shall be a violation of this article for any person, group of persons, firm, or corporation to conduct a garage or yard sale on any lot, parcel, or tract of land or for a homeowners' association, whether incorporated or unincorporated, to conduct a neighborhood garage or yard sale without first obtaining a permit from the city. Such a permit must be obtained by requesting the same in writing from the city. The application for a permit to conduct a garage or yard sale shall state the names of the persons, firms, or corporations conducting the garage or yard sale and the time and place where it is to be held. The application for a permit to conduct a neighborhood garage or yard sale need only include the name of the association holding such sale (not each individual owner within the neighborhood or subdivision); the time and location of the neighborhood or subdivision where it is to be held; and the name, address, and phone number of a contact person who will maintain possession of the permit during the neighborhood garage or yard sale.~~
- (2) ~~A garage or yard sale shall be held only on the days stated in the permit. The permit provided for herein shall be displayed on the premises at which the sale is being conducted, except that in the case of a neighborhood garage or yard sale, the permit must only be posted on the contact person's property who is maintaining possession of the permit. The city council may charge a fee for the issuance of such permit as it may deem necessary to cover the cost thereof. Two temporary directional signs for a garage or yard sale shall be issued as part of the permit. Additional temporary directional signs,~~

~~up to a maximum of three additional per permit, may be purchased from the city by the permit holder. City issued temporary signs are the only signs authorized for use in directing patrons to garage or yard sales in the city.~~

- (c) *Cleanup.* At the conclusion of the garage or yard sale, all unsold articles and items and all tables, chairs, and display cases, and signs used in conjunction with such sale shall be removed or packed away so as not to be visible from any public street or adjoining property. All garage or yard sale signs shall be collected and disposed of properly.

Sec. 50-134. - Special events.

- (a) *Criteria for issuance of special event permits.* The ~~building~~ community development department shall issue a permit as provided herein after verification from the reviewing departments that the proposed event meets the minimum standards for issuance of a permit. The minimum standards are:
- (1) No substantial interference with the safe and orderly movement of pedestrian or vehicular traffic in, contiguous to, or in the vicinity of the event. Adequate on-site traffic circulation and parking will be maintained at all times, based on the type and size of event and on the projected attendance. The plan shall ~~provide~~ identify areas intended for at least one vehicular parking space for every five attendees (spectators and participants).
  - (2) Public safety standards shall be met, either through the auspices of the city, or through private sources, or both. Adequate police protection is being provided. The chief of police shall determine, based upon the permit application, whether and to what extent additional police protection reasonably will be required for the event for purposes of traffic, crowd control, and security. If the chief of police determines additional police protection for the event is necessary, it shall be noted as part of the permit. The applicant shall have the obligation to secure police protection acceptable to the chief of police at the sole expense of the applicant.
  - (3) Adequate fire protection and emergency medical services are being provided. The fire chief shall determine, based upon the permit application, the need for on-site fire watch or emergency medical personnel. If the fire chief determines additional fire or emergency medical personnel are necessary for the event, it shall be noted as part of the permit. The applicant shall have the obligation to secure protection required by the fire chief at the sole expense of the applicant.
  - (4) The public works department has determined, based on review of the application, that adequate health facilities, including sanitation facilities, refuse disposal, drainage, water supply, etc., will be available in or adjacent to the event area.
  - (5) Conformance with other regulatory requirements will be met. Full and complete compliance with all zoning and land use laws, beverage license and control laws and other laws, ordinances and regulations applicable to the city is required and shall be submitted through the ~~building~~ community development department. The special event and any sales occurring at the special event shall comply with all applicable requirements of the state and county regulatory agencies, including, but not limited to, the department of business and professional regulation, and the department of agriculture and consumer services.

- (6) For any special event that is not exclusively sponsored by the city and for which the estimated daily attendance will exceed 2,500 persons, approval by the city council shall be required as a prerequisite for issuance of the permit, in addition to all other criteria noted in this section.
- (b) *Permit application.* Any person seeking issuance of a special event permit shall file an application with the building community development department.
  - (1) *Filing period.* An application for a special event permit shall be filed not less than 21 ~~15~~ days before the date on which the event is scheduled to take place.
  - (2) *Contents.* The application for a permit shall include the following information. Some of the information may be excluded based on the size and type of a specific special event. Such exclusions must be approved by the city manager.
    - a. The name, address, and telephone number of the person or agent seeking to conduct the event.
    - b. The name, address, and telephone number of authorized agents of the sponsoring organization.
    - c. The dates and times the event is planned to occur.
    - d. The exact location of the event and written approval of the owner, lessee, or agent of the property where the special event will take place.
    - e. A complete description of the nature of the event and all activities planned, including but not limited to fireworks, laser shows, races, parachutists, animal acts, aviation shows and the like.
    - f. The approximate number of attendees (spectators or participants) to the event.
    - g. A site plan, drawn to scale. The site plan shall show the location of all required facilities, including adequate traffic control and parking, and the proposed layout of the event, including any temporary structures.
    - h. Adequate plans for sanitation facilities, sewage disposal, garbage and refuse disposal, drainage, floodlighting during darkness, potable water supply and food service.
    - i. A plan showing the location of all on-premises and off-premises signs which are allowed under this section for the special event.
    - j. An adequate plan for internal security, communications, fire protection and emergency services, where deemed necessary by the police and/or fire departments.
    - k. A master list with the name, address and telephone number of each vendor and an assurance that each food vendor possesses or will obtain all health and food service certifications prior to commencement of the special event.
    - l. Any additional information deemed necessary by the building community development department.
    - m. If the event is or includes a parade, the following additional information is required:

1. The exact location of any marshaling or staging areas for the parade.
2. The time at which units of the parade will begin to arrive at the staging areas and the times at which all such units will be disbursed.
3. The exact route to be traveled, including the starting point and termination point.
4. The approximate number of persons and/or animals and/or vehicles which will constitute the parade, including the types of animals and description of the vehicles.
5. State department of transportation permit if a state roadway is to be used.

(c) *Performance criteria.*

- (1) The maximum number of special events by any individual party during a one-year period is ~~twelve~~ four, with a maximum of three days per special event. The maximum number of "special event days" during a one-year period is ~~36 days, 12 days.~~ In order to exceed the limitation of the number of special events or special event days, the applicant shall petition the city council for a waiver from this restriction. Such petition shall be in the form of a letter from the applicant explaining why exceeding the standard limitation will not be a burden on the general public or on the surrounding property.
- (2) Special events shall be permitted only on public property or on properties zoned for mixed use or non-residential uses, excluding heavy industrial uses, C-1, C-2, CBD, M-1, or PUD (limited to the commercial components).
- (3) Off-premises and on-premises signs may be used to announce, identify or direct attendees to a special event.
  - a. *Off-premises signs.* Off-site directional signs, not exceeding six square feet, and not exceeding a total of ten signs, may be allowed for each special event during the duration of the event. A plan or map shall be submitted showing the location for each off-premises sign associated with the event. The signs may be placed on private property with the property owners' permission, or, with written permission of the city manager, on a site-by-site basis, on city rights-of-way. Such signs may be placed one day prior to the special event and shall be removed no later than one day after the special event. A deposit of \$20.00 per sign shall be made with the ~~building~~ community development department along with the special event application fee. The deposit for each sign shall be forfeited for each sign that is erected prior to or remains after the time restrictions stated herein.
  - b. *On-premises signs.* A plan or sketch for all signs to be placed on site, announcing or identifying the special event, shall be submitted with the application. Review of such signs shall be conducted by the city manager or designee and shall take into account traffic visibility, intrusion on adjacent properties, visibility of adjacent business signs and/or traffic signs and signals, and any other appropriate parameters. The administrative official's decision on signs may be appealed to the city council.
- (4) Any outstanding fees above the estimated cost of police or fire personnel payable to the city shall be paid in full within two days after the expiration of the permit.

- (5) If the event is to take place in any city-owned or city-controlled property, public liability and property damage insurance, with the city named as an additionally insured party, shall be obtained in an amount approved by the city's finance director after consideration of those factors set out in the permit application.

(d) *Other permits; inspections.*

- (1) A building permit shall be required, as applicable, for erection of any temporary structure, with the exception of one tent that is 196 square feet (14' x 14') or less in size and is monolithic and open on all sides.
- (2) If fireworks are a part of the special event, the applicant should include appropriate licenses with the application. In addition, as part of any special event incorporating a fireworks display on city property, the applicant will need to provide proof of public liability and property damage insurance in an amount approved by the city's finance director and name the city as an additional insured.
- (3) The special event, seasonal sale or open air sale shall begin only after all inspections by affected departments have been conducted and a determination has been made that all codes and ordinances have been satisfied. All necessary inspections of tents and/or temporary structures must be conducted and approved prior to opening of the special event, open air or seasonal sale.
- (4) The special events permit and any other permits associated with the event are required by the city to be posted in a conspicuous location on the special event site.

Sec. 50-135. - Open air sales, open air food sales, and seasonal sales.

- (a) *Permit application.* Any person seeking issuance of an open air sales, open air food sales, mobile food vendor, or seasonal sales permit shall file an application with the building community development department. The application for the permit shall contain the following information:
  - (1) The name, address, and telephone number of the person or agent seeking to conduct the sale.
  - (2) The name, address, and authorized agents of the sponsoring organization.
  - (3) The dates and times the sale is to occur.
  - (4) The address of the location of the sale.
  - (5) Written, notarized permission of the property owner of the property where the sale will take place.
  - (6) A complete description of the nature of the sale. The city prohibits the sale of fireworks in seasonal open air sales venues.
  - (7) A site plan, drawn to scale, showing the location of all required facilities, including adequate traffic control and parking, the proposed layout of the sale, including any temporary structures, and sanitation facilities.
  - (8) Any additional information deemed necessary by the building community development department.

(b) *Open air sales; performance criteria.*

- (1) Open air sales, other than approved seasonal sales, shall be permitted only as an accessory use to a permanent commercial building with a valid occupational license or if included in an approved city special event. ~~No open air sales, other than approved seasonal sales, shall be permitted as a temporary use which is not accessory to a permanent commercial building with a valid occupational license.~~
- (2) Open air sales shall be permitted only on public property or on properties zoned for mixed use or non-residential uses, excluding heavy industrial uses, C-1, C-2, CBD, M-1, or PUD (limited to the commercial components). No open air sales shall be permitted on properties zoned for residential use.
- (3) One temporary sign or banner shall be allowed on site and shall not exceed 16 square feet. A permit shall be required for use of any additional allowable signs.
- (4) The maximum number of open air sales, other than approved seasonal sales, per site during the period of one calendar year is twelve ~~four~~. The maximum number of days of sales per site, other than approved seasonal sales, during the period of one calendar year shall be 36 ~~42~~ days.
- (5) Minimum setbacks shall be 10 ~~25~~ feet from right-of-way, paved driving lanes. ~~No open air food sales shall be permitted in any public right-of-way and vehicular access must be provided so that traffic on adjacent public roads is not impeded.~~

(c) *Open air food sales; performance criteria.*

- (1) Open air food sales, including tent, booth, cart, trailer, mobile food vendor trucks ~~and vehicle vendors,~~ will be permitted only when a valid business tax receipt exists, unless exempted by Florida law, and subject to the following conditions have been met:
  - a. As part of an approved special event; or
  - b. As a mobile vendor, such as a tent, booth, cart, trailer, or vehicle, and shall include sales of fruits, vegetables, flowers and other consumables; and
  - c. As an accessory use to a permanent business location. Such accessory uses shall be reviewed as a special exception use, in accordance with the procedures outlined in this subpart.
- (2) Open air food sales ~~will only~~ shall be permitted only on public property or on properties zoned for mixed use or non-residential uses, C-1, C-2, CBD, M-1, or PUD (limited to the commercial components), or on public property, but only as part of an approved special event. No open air food sales shall be permitted on properties zoned for residential use. The exclusion of open air food sales on properties zoned for residential use does not include mobile food vendors that stay less than 90 minutes in one location. Open air food sales shall be permitted on open space tracts only with documented proof of the tract owner's permission.
- (3) A premises will only be allowed to hold open air food sales twelve ~~four~~ times per year with a maximum of three ~~five~~ sales days for each permit which will allow a maximum of 36 ~~20~~ sales days per calendar year. ~~A minimum of 60 days must elapse between each of the four allowed air food sales events.~~ Notwithstanding the foregoing, open air sales

shall be permitted without any limitation on the frequency or on the duration as part of an approved special event.

- (4) Open air food sales shall only be permitted on developed lots, or on public property as part of an approved special event.
  - (5) One temporary sign or banner, not exceeding eight square feet, per open air food sales event shall be allowed.
  - (6) Minimum setbacks shall be ~~10~~ 25 feet from ~~right-of-way~~ paved driving lanes. ~~No open air food sales shall be permitted in any public right-of-way except as part of an approved special event. Vehicular access must be provided so that traffic on adjacent public roads is not impeded.~~
  - (7) All open air food sales shall receive inspection by the appropriate regulatory agencies, including but not limited to, the department of agriculture, department of professional regulation, division of hotels and restaurants, county health department, or city code compliance officer. Evidence of such inspection shall be immediately made available for city inspection upon request; otherwise, the open air food sale event shall be immediately terminated by issuance of an order of the city manager.
- (d) *Seasonal sales; performance criteria.*
- (1) Seasonal sales shall be permitted only on public property or on properties zoned for mixed use or non-residential uses, excluding heavy industrial uses. No open seasonal sales shall be permitted on properties zoned for residential use, C-1, C-2, CBD, M-1, or PUD (limited to the commercial components).
  - (2) Seasonal sales shall be permitted on undeveloped or developed lots.
  - (3) For undeveloped property, adequate site access from an approved curb cut location shall be provided. No stopping or parking shall be permitted in the right-of-way unless in designated on-street parking or loading spaces.
  - (4) Two temporary signs or banners shall be permitted not to exceed 16 square feet each.
  - (5) The following is the list of holidays for which seasonal sales shall be approved for the purposes of this section: New Year's, President's Day, Easter, Mother's Day, Memorial Day, Father's Day, Fourth of July, Labor Day, Halloween, Veteran's Day, Thanksgiving and Christmas. The city prohibits the sale of fireworks in seasonal open air sales venues. A sale that is held within one week of the listed holidays shall be considered consistent with the intent of this section. Seasonal sales for a greater period of time or for different periods shall require written permission by the city manager.
  - (6) Minimum setbacks shall be ~~10~~ 25 feet from ~~right-of-way~~ paved driving lanes. Vehicle access must be provided so that traffic on adjacent public roads is not impeded.
  - (7) The maximum number of seasonal sales for each lot, parcel, or property during the period of one calendar year shall be ~~ten~~ five sales, not to exceed a total of ~~50~~ 35 days per year.
- (e) *Compliance for open air sales, open air food sales, and seasonal sales.* ~~All open air sales, open air food sales and seasonal sales within the city at the time of adoption of the ordinance~~

from which this article is derived are required to meet all of the conditions of this article except as provided herein.

- (1) Existing open air sales, open air food sales and seasonal sales that do not conform to these regulations at the time of adoption of the ordinance from which this article is derived may be considered legally existing nonconformities, provided:
  - a. All nonconforming open air sales, open air food sales and seasonal sales shall be in full compliance with this article within 18 months of the adoption date of the ordinance from which this article is derived.
  - b. The status as a legally existing nonconformity shall terminate upon any change in ownership, use, operation, or closure in excess of 20 calendar days.
- (2) Open air sales, open air food sales or seasonal sales lawfully existing on property annexed into the city limits may continue in existence, provided that compliance with this article is achieved within 18 months of the date of annexation.
- (3) In order to encourage compliance with the conditions of this article, if compliance takes place within nine months from the date of adoption of the ordinance from which this article is derived, the city will waive all associated application and permit fees.

Sec. 50-136. - Tents and temporary structures.

(a) *Permit required.*

- (1) It shall be unlawful for any person, company and/or group to erect any tent or temporary structure for use by the general public without making application for and receiving a building permit to do so in accordance with the conditions and limitations established by this article, with the exception of one tent that is 196 (14' x 14') square feet or less in size and is monolithic and open on all sides.
- (2) Tent or temporary structure permits shall be issued only in conjunction with approved special events or open air sales. Exceptions may be authorized by the building community development department for individual needs. Tents or similar temporary structures may not be used as accessory structures.

(b) *Permit application.* The building permit application for a tent or temporary structure shall, at a minimum, include the following:

- (1) A site plan of the proposed site including the existing structures, parking, and driving aisles, showing the location of the tent or temporary structure dimensioned with the property lines. The site plan shall be drawn to scale, on a survey or plot plan, and shall clearly show the property's boundaries, connecting streets and driveways, and any other pertinent site elements.
- (2) A flame retardant certificate for the tent.
- (3) The dates the tent or temporary structure will be in use.
- (4) A separate electrical permit may be required per the determination of the building official.

Sec. 50-137. - Application permit fees, inspection and certificate fees Permit fees.

Applications for a permit for a ~~garage or yard sale~~, special event, open air sale, open air food sales, or seasonal sale shall be accompanied by the fee and or deposit established by resolution. The permit fee is nonrefundable and includes city administrative processing costs and inspection fees.

Sec. 50-138. – Insurance requirements for Mobile Food Vendor(s):

- (a) No person shall offer for business sale any edibles pursuant to a mobile food vendor's license unless the business is covered by a comprehensive liability insurance policy insuring the public against injury or damage occasioned by negligence arising from incidental to the business activity.
- (b) Proof of the continued validity of the insurance policy shall be provided upon the city manager's request given on reasonable notice at any time that the mobile food vendor's license is valid and outstanding. Any failure to provide such proof shall render the mobile food vendor's license null and void and of no further use or effect.

Sec. 50-139. – Term; random distribution.

- (a) Mobile food vendor's licenses shall be issued on an annual basis coinciding with the city's fiscal year, October 1 through September 30.
- (b) Each mobile food vendor's license shall show a designation according to the following categories, for which payment shall have been made as provided by this section:
  - (1) Edibles
- (c) Each mobile food vendor's license to be used in connection with a vehicle shall be issued for one vehicle only. Licensees shall provide the Community Development Department with a current photograph of the vehicle in use.

Sec. 50-140. –Renewal.

(a) The Community Development Department shall renew the mobile food vendor's license of any applicant who:

- (1) Held a valid mobile food vendor's license which expired not more than 30 calendar days prior to filing of a complete application for renewal;
- (2) Has provided the city with new or updated information, documents, certification of inspection by the fire department and fees and continues to meet all requirements of such section and
- (3) Pays a late processing fee of \$25.00 for any renewal application filed after October 1.

Sec. 50-141. –Transferability.

The mobile food vendor's license is nontransferable and shall be used only by the person in whose name it is issued.

~~Sec. 50-138.~~ Sec. 50-142- Revocation.

The chief of police, fire chief, building official, compliance officer or city manager, or their designated representatives, shall have the authority to revoke a permit issued hereunder immediately upon violation of any one or more of the code requirements, compliance department requirements or conditions or standards of issuance as herein set forth.

~~Sec. 50-139.~~ Sec. 50-143- Notice.

Immediately upon issuance of a permit, the ~~building~~ community development department shall forward a copy of the permit to the following:

- (1) City manager;
- (2) Director of public works;
- (3) Chief of police;
- (4) Fire chief;
- (5) Community development director;
- (6) Finance director; and
- (7) Code compliance manager. ~~enforcement.~~

~~Sec. 50-140.~~ Sec. 50-144- Indemnification.

The applicant for a permit to hold a special event shall agree to indemnify and hold harmless the city, its servants, agents and employees, for any and all claims caused by or arising out of the activities permitted. In certain potentially hazardous situations, as determined by the city manager, the applicant shall provide an appropriate policy of insurance to protect the city from liability which might arise from the

**SECTION 3.** It is the intent of the City Council of the City of Groveland that the provisions of this chapter shall become and made a part of the City of Groveland Code of Ordinances; and grants authority to the codifier to renumber or re-letter sections, and change the words in this ordinance to section, article, chapter or such other appropriate word or phrase in order to accomplish such intentions

**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Groveland that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect immediately upon the enactment date.

**PASSED AND ORDAINED** in regular session of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Evelyn Wilson, Mayor  
City of Groveland, Florida

Attest:

\_\_\_\_\_  
Virginia Wright, City Clerk



Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: DEWAYNE JONES, PLANNER I

SUBJECT: CONSIDERATION OF APPROVAL ON ORDINANCE 2020-15 –  
LOMA LINDA ANNEXATION (FIRST READING)

DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

City Community Development Staff received an application from Poulos & Bennett, LLC, representing property owner Loma Linda Corporation, requesting voluntary annexation into the City of Groveland, pursuant to Chapter 171, Florida Statutes. Parcel 1 consists of 160 +/- acres, generally located on the south side of E. Dewey Robbins Rd in the northwest section of the Groveland's ISBA. The property is currently vacant.

Staff recommends approval of Ordinance 2020-15.

On July 2, 2020, the Planning & Zoning Board voted unanimously to approve Ordinance 2020-15

#### **BUDGET IMPACT:**

Annexation of the property and future development of the property will result in enhanced ad valorem revenues for the City.

#### **LEGAL NOTE:**

None.

#### **STAFF RECOMMENDATION:**

Community Development Staff- Approval of Ordinance 2020-15.  
Planning & Zoning Board- Approval of Ordinance 2020-15

**ATTACHMENTS:**

Attachment 1 Ordinance 2020-15 with Legal Description and Aerial Map

Attachment 2 Application Submittal & Support Documents

Attachment 3 Notice Support Documentation

Alternate Key - 1302340



*"City with Natural Charm"*

# ATTACHMENT 1

**ORDINANCE 2020-15**

**AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES (2019); ANNEXING 160 +/- ACRES OF REAL PROPERTY NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF GROVELAND; PROVIDING FOR FINDINGS; PROVIDING A LEGAL DESCRIPTION AND A MAP; DIRECTING THE CITY MANAGER TO RECORD CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL WITH THE CLERK OF THE CIRCUIT COURT, THE COUNTY MANAGER OF LAKE COUNTY, AND THE SECRETARY OF THE STATE OF FLORIDA; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; SETTING AN EFFECTIVE DATE.**

**WHEREAS**, Kathy Hattaway, AICP/Poulos & Bennett, LLC on behalf of Loma Linda Corp, a property owner in an unincorporated area of Lake County, has petitioned the City Council, Groveland, Florida, to annex property into the City of Groveland; and

**WHEREAS**, the property, as hereafter defined, is eligible for annexation; and

**WHEREAS**, the City Council has determined that the area proposed for annexation meets the requirements of §171.044, Florida Statutes; and

**WHEREAS**, this Ordinance has been advertised as required by law with a copy of said notice sent via certified mail to the Board of County Commissioners of Lake County as provided for by statute; and

**WHEREAS**, all other procedural and notice requirements mandated by State law and the City's Code of Ordinances have been followed and satisfied; and

**NOW THEREFORE**, be it ordained, by the City Council of the City of Groveland, Florida, as follows:

**Section 1: Legislative Findings.** The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Groveland.

**Section 2: Annexation.** The corporate limits of the City of Groveland, Florida, are hereby extended and increased to include and embrace within the corporate limits of the City of Groveland, the real property described as:

**Legal Description: See attached Exhibit A**

Parcel Id No.: 08-21-25-0001-000-00100; Alt. Key 1302340

(the "Property").

The Property is hereby annexed and declared to be a part of the City of Groveland. The Property is depicted in the map attached hereto as **Exhibit B**.

**Section 3: Applicability and Effect.** Upon this Ordinance becoming effective, the property annexed shall be subject to all laws, ordinances, and regulations enforced in the City of Groveland, and shall be entitled to the same privileges and benefits as other parts of the City of Groveland upon the effective date of the annexation.

**Section 4: Directions.** In accordance with Section 171.044(3), Florida Statutes (2019) within seven (7) days of the adoption of this Ordinance, certified copies of this shall be provided to the Clerk of the Circuit Court (Recording), and the Secretary of State of the State of Florida. It shall further be submitted to the Office of Economic and Demographic Research within 30 days of approval along with a statement specifying the population census effect and the affected land area. F.S. 171.091, Florida Statutes.

**Section 5: Conflicts.** All ordinances and parts of ordinances to the extent in conflict with this Ordinance are hereby repealed.

**Section 6: Severability.** If any provision or portion of this ordinance is declared by any court competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 7: Scrivener's Errors.** Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

**Section 8: Effective Date.** This ordinance shall become effective immediately upon passage by the City Council of the City of Groveland in accordance with law.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2020.

---

Evelyn Wilson, Mayor  
City of Groveland, Florida

Attest:

---

Virginia Wright, City Clerk



Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		

## Exhibit A

The Northeast one-quarter (1/4) of Section 8, Township 21 South, Range 25 East, less and except the eastern forty (40) feet of the Northeast one-quarter of the northeast one-quarter of Section 8, Lake County, Florida.



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

VIA: MIE HEIN, CITY MANAGER

FROM: DEWAYNE JONES, PLANNER I

SUBJECT: CONSIDERATION OF APPROVAL ON ORDINANCE 2020-16 –  
LOMA LINDA ANNEXATION (FIRST READING)

DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

City Community Development Staff received an application from Poulos & Bennett, LLC, representing property owner Loma Linda Corporation, requesting voluntary annexation into the City of Groveland, pursuant to Chapter 171, Florida Statutes. There are a total of four (4) parcels consisting of 210.05 +/- acres, generally located on the south side of E. Dewey Robbins Rd in the northwest section of the Groveland's ISBA. The property is currently vacant.

Staff recommends approval of Ordinance 2020-16.

On July 2, 2020, the Planning 7 Zoning Board voted unanimously to approved Ordinance 2020-16.

#### **BUDGET IMPACT:**

Annexation of the property and future development of the property will result in enhanced ad valorem revenues for the City.

#### **LEGAL NOTE:**

None.

#### **STAFF RECOMMENDATION:**

Community Development Staff- Approval of Ordinance 2020-16.  
Planning & Zoning Board- Approval of Ordinance 2020-16

**ATTACHMENTS:**

Attachment 1 Ordinance 2020-16 with Legal Description and Aerial Map

Attachment 2 Application Submittal & Support Documents

Attachment 3 Notice Support Documentation

Alternate Key – 1302358, 1210224, 1210305, 1302285



*"City with Natural Charm"*

**ORDINANCE 2020-16**

**AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES (2019); ANNEXING 210.05 +/- ACRES OF REAL PROPERTY NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF GROVELAND; PROVIDING FOR FINDINGS; PROVIDING A LEGAL DESCRIPTION AND A MAP; DIRECTING THE CITY MANAGER TO RECORD CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL WITH THE CLERK OF THE CIRCUIT COURT, THE COUNTY MANAGER OF LAKE COUNTY, AND THE SECRETARY OF THE STATE OF FLORIDA; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; SETTING AN EFFECTIVE DATE.**

**WHEREAS**, Kathy Hattaway, AICP/Poulos & Bennett, LLC on behalf of Loma Linda Corp, a property owner in an unincorporated area of Lake County, has petitioned the City Council, Groveland, Florida, to annex property into the City of Groveland; and

**WHEREAS**, the property, as hereafter defined, is eligible for annexation; and

**WHEREAS**, the City Council has determined that the area proposed for annexation meets the requirements of §171.044, Florida Statutes; and

**WHEREAS**, this Ordinance has been advertised as required by law with a copy of said notice sent via certified mail to the Board of County Commissioners of Lake County as provided for by statute; and

**WHEREAS**, all other procedural and notice requirements mandated by State law and the City's Code of Ordinances have been followed and satisfied; and

**NOW THEREFORE**, be it ordained, by the City Council of the City of Groveland, Florida, as follows:

**Section 1: Legislative Findings.** The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Groveland.

**Section 2: Annexation.** The corporate limits of the City of Groveland, Florida, are hereby extended and increased to include and embrace within the corporate limits of the City of Groveland, the real property described as:

**Legal Description: See attached Exhibit A**

Parcel Id No.: 05-21-25-0003-000-00901; Alt. Key 1210224

Parcel Id No.: 06-21-25-0004-000-00700; Alt. Key 1210305

Parcel Id No.: 07-21-25-0001-000-00101; Alt. Key 1302285

Parcel Id No.: 08-21-25-0002-000-00200; Alt. Key 1302358

(the "Property").

The Property is hereby annexed and declared to be a part of the City of Groveland. The Property is depicted in the map attached hereto as **Exhibit B**.

**Section 3: Applicability and Effect.** Upon this Ordinance becoming effective, the property annexed shall be subject to all laws, ordinances, and regulations enforced in the City of Groveland, and shall be entitled to the same privileges and benefits as other parts of the City of Groveland upon the effective date of the annexation.

**Section 4: Directions.** In accordance with Section 171.044(3), Florida Statutes (2019) within seven (7) days of the adoption of this Ordinance, certified copies of this shall be provided to the Clerk of the Circuit Court (Recording), and the Secretary of State of the State of Florida. It shall further be submitted to the Office of Economic and Demographic Research within 30 days of approval along with a statement specifying the population census effect and the affected land area. F.S. 171.091, Florida Statutes.

**Section 5: Conflicts.** All ordinances and parts of ordinances to the extent in conflict with this Ordinance are hereby repealed.

**Section 6: Severability.** If any provision or portion of this ordinance is declared by any court competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 7: Scrivener's Errors.** Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

**Section 8: Effective Date.** This ordinance shall become effective immediately upon passage by the City Council of the City of Groveland in accordance with law.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2020.

---

Evelyn Wilson, Mayor  
City of Groveland, Florida

Attest:

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Virginia Wright, City Clerk



Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		

**EXHIBIT A**

**LEGAL DESCRIPTION**

05 2125 0003 000 00901	Alt key 1210224	26.5 ac
06 2125 0004 000 00700	Alt key 1210305	6.0 ac
07 2125 0001 000 00101	Alt key 1302285	36.0 ac
08 2125 0002 000 00200	Alt key 1302358	142.0 ac

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, RUN THENCE NORTH 89°56'40" EAST ALONG THE SOUTH LINE OF SECTION 5, A DISTANCE OF 528.32 FEET; THENCE RUN NORTH 00°32'50" WEST PARALLEL WITH THE WEST LINE OF SAID SECTION 901.55 FEET TO A CONCRETE MARKER, AND THE POINT OF BEGINNING FOR THIS TRACT OF LAND; THENCE RUN WEST TO THE WEST BOUNDARY OF THE SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 5 (THE EAST BOUNDARY OF SECTION 6, TOWNSHIP 21 SOUTH, RANGE 25 EAST); THENCE RUN SOUTHWESTERLY TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 25 EAST; THENCE SOUTH 660 FEET; THENCE EAST 1320 FEET TO THE EAST BOUNDARY OF SECTION 7, AND CONTINUING EAST 990 FEET TO THE WEST BOUNDARY OF THE EAST 1/4 OF THE SOUTHWEST 1/4 OF NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 21 SOUTH, RANGE 25 EAST; THENCE NORTH TO THE NORTH BOUNDARY OF THE SOUTHWEST 1/4 OF NORTHWEST 1/4 OF SAID SECTION 8; THENCE EAST TO THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF NORTHWEST 1/4 OF SAID SECTION 8; THENCE SOUTH 1650 FT; THENCE EAST TO THE MID-SECTION LINE OF SECTION 8; THENCE RUN NORTH ALONG THE MID-SECTION LINE OF SECTION 8 TO THE NORTH 1/4 CORNER OF SAID SECTION 8; THENCE WEST 1320 FT. MORE OR LESS, TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF NORTHWEST 1/4 SAID SECTION 8; THENCE NORTH 901.55 FEET; THENCE, WEST TO THE POINT OF BEGINNING.

LESS AND EXCEPT COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW 1/4 OF NW 1/4) OF SECTION 8, TOWNSHIP 21 SOUTH, RANGE 25 EAST, AND RUN THENCE WEST 330 FEET FOR THE POINT OF BEGINNING FOR THIS TRACT; THENCE CONTINUE WEST 330 FEET, THENCE SOUTH 660 FEET; THENCE EAST 330 FEET, THENCE NORTH 660 FEET TO THE POINT OF BEGINNING.



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: DEWAYNE JONES, PLANNER I

SUBJECT: CONSIDERATION OF APPROVAL ON ORDINANCE 2020-19 –  
PALISADES ANNEXATION (FIRST READING)

DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

City Community Development Staff submitted a staff initiated application on behalf of Palisades Homeowner's Association, requesting voluntary annexation of Palisades Golf Course into the City of Groveland, pursuant to Chapter 171, Florida Statutes. The golf course parcel consists of 227.07 +/- acres, generally located on the east side of Jalarmy Road and south of Cherry Lake Road.

Staff recommends approval of Ordinance 2020-19.

On July 2, 2020, the Planning & Zoning Board voted unanimously to approved Ordinance 2020-19.

#### **BUDGET IMPACT:**

#### **LEGAL NOTE:**

None.

#### **STAFF RECOMMENDATION:**

Community Development Staff- Approval of Ordinance 2020-19.  
Planning & Zoning Board- Approval of Ordinance 2020-19.

#### **ATTACHMENTS:**

Attachment 1 Ordinance 2020-19 with Legal Description and Aerial Map  
Attachment 2 Application Submittal & Support Documents  
Attachment 3 Notice Support Documentation

**ORDINANCE 2020-19**

**AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES (2019); ANNEXING 227.07 +/- ACRES OF REAL PROPERTY NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF GROVELAND; PROVIDING FOR FINDINGS; PROVIDING A LEGAL DESCRIPTION AND A MAP; DIRECTING THE CITY MANAGER TO RECORD CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL WITH THE CLERK OF THE CIRCUIT COURT, THE COUNTY MANAGER OF LAKE COUNTY, AND THE SECRETARY OF THE STATE OF FLORIDA; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; SETTING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Groveland owns real property in an unincorporated area of Lake County, and the City Manager has petitioned the City Council, Groveland, Florida, to annex the property into the City of Groveland; and

**WHEREAS**, the property, as hereafter defined, is eligible for annexation; and

**WHEREAS**, the City Council has determined that the area proposed for annexation meets the requirements of §171.044, Florida Statutes; and

**WHEREAS**, this Ordinance has been advertised as required by law with a copy of said notice sent via certified mail to the Board of County Commissioners of Lake County as provided for by statute; and

**WHEREAS**, all other procedural and notice requirements mandated by State law and the City's Code of Ordinances have been followed and satisfied; and

**NOW THEREFORE**, be it ordained, by the City Council of the City of Groveland, Florida, as follows:

**Section 1: Legislative Findings.** The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Groveland.

**Section 2: Annexation.** The corporate limits of the City of Groveland, Florida, are hereby extended and increased to include and embrace within the corporate limits of the City of Groveland, the real property described as:

**Legal Description: See attached Exhibit A**

Parcel Id No.: 11-22-25-0002-000-02500; Alt. Key 3282396

Parcel Id No.: 12-22-25-0002-000-02300; Alt. Key 3282400

(the "Property").

The Property is hereby annexed and declared to be a part of the City of Groveland. The Property is depicted in the map attached hereto as **Exhibit B**.

**Section 3: Applicability and Effect.** Upon this Ordinance becoming effective, the property annexed shall be subject to all laws, ordinances, and regulations enforced in the City of Groveland, and shall be entitled to the same privileges and benefits as other parts of the City of Groveland upon the effective date of the annexation.

**Section 4: Directions.** In accordance with Section 171.044(3), Florida Statutes (2019) within seven (7) days of the adoption of this Ordinance, certified copies of this shall be provided to the Clerk of the Circuit Court (Recording), and the Secretary of State of the State of Florida. It shall further be submitted to the Office of Economic and Demographic Research within 30 days of approval along with a statement specifying the population census effect and the affected land area. F.S. 171.091, Florida Statutes.

**Section 5: Conflicts.** All ordinances and parts of ordinances to the extent in conflict with this Ordinance are hereby repealed.

**Section 6: Severability.** If any provision or portion of this ordinance is declared by any court competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 7: Scrivener's Errors.** Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

**Section 8: Effective Date.** This ordinance shall become effective immediately upon passage by the City Council of the City of Groveland in accordance with law.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Evelyn Wilson, Mayor  
City of Groveland, Florida

Attest:

\_\_\_\_\_  
Virginia Wright, City Clerk



Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		

EXHIBIT "A"

PARCEL 1

LEGAL DESCRIPTION - TRACT A:

That part of Tracts 1 through 6, Tracts 11 through 20, and Tracts 29 through 32, as shown on the plat of Groveland Farms, as recorded in Plat Book 2, Pages 10 and 11, Section 11, Township 22 South, Range 25 East, Lake County, Florida, and that part of Government Lot 1, the South 1/2 of Government Lot 2, the East 165.00 feet of Government Lot 5, and Government Lots 6 and 7, Section 11, Township 22 South, Range 25 East, Lake County, Florida, and that part of the West 1/2 of Section 12, Township 22 South, Range 25 East, Lake County, Florida, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, Lake County, Florida; thence run South 89°45'07" West along the North line of said Section 11 for a distance of 1823.44 feet; thence run South 32°48'00" East for a distance of 29.66 feet to the South right-of-way line of Cherry Lake Road as described in Official Records Book 787, Pages 1990 through 1992 and the Point of Beginning; thence continue South 32°48'00" East for a distance of 86.83 feet to a point on a non-tangent curve concave to the Southeast and having a radius of 225.00 feet and a chord bearing of North 74°00'00" East; thence run Northeasterly along the arc of said curve for a distance of 131.95 feet, through a central angle of 33°36'00" to the end of said curve; thence run South 89°12'00" East for a distance of 305.00 feet to the beginning of a tangent curve concave to the Southwest and having a radius of 225.00 feet; thence run Southeasterly along the arc of said curve for a distance of 186.56 feet, through a central angle of 47°30'27" to a point on a non-tangent curve concave to the Southeast and having a radius of 385.00 feet and a chord bearing of North 67°48'46" East; thence run Northeasterly along the arc of said curve for a distance of 131.51 feet, through a central angle of 19°34'15" to a point on a non-tangent curve concave to the Southeast and having a radius of 60.00 feet and a chord bearing of North 61°31'22" East; thence run Northeasterly along the arc of said curve for a distance of 94.60 feet, through a central angle of 90°20'25" to the end of said curve; thence run South 90°00'00" East for a distance of 189.21 feet; thence run South 00°00'00" West for a distance of 80.00 feet; thence run South 42°06'49" West for a distance of 337.01 feet; thence run South 23°11'55" West for a distance of 76.16 feet; thence run South 07°07'30" West for a distance of 161.25 feet; thence run South 09°27'44" East for a distance of 182.48 feet; thence run South 22°37'12" East for a distance of 130.00 feet; thence run South 30°57'50" East for a distance of 116.62 feet; thence run South 64°09'59" West for a distance of 133.92 feet to a point on a non-tangent curve concave to the Northeast and having a radius of 875.00 feet and a chord bearing of South 27°48'00" East; thence run Southeasterly along the arc of said curve for a distance of 27.49 feet through a central angle of 01°48'00" to the end of said curve; thence run North 65°53'38" East for a distance of 128.96 feet; thence run South 36°52'12" East for a distance of 150.00 feet; thence run South 48°00'46" East for a distance of 134.54 feet; thence run South 54°27'44" East for a distance of 172.05 feet; thence run South 72°38'46" East for a distance of 167.63 feet; thence run South 08°26'31" West for a distance of 130.40 feet to a point on a non-tangent curve concave to the North and having a radius of 875.00 feet and a chord bearing of South 84°42'00" East; thence run Easterly along the arc of said curve a distance of 198.53 feet, through a central angle of 13°00'00" to a point of reverse curvature of a curve

concave to the South and having a radius of 2525.00 feet; thence run Easterly along the arc of said curve a distance of 207.13 feet, through a central angle of 04°42'00" to the end of said curve; thence run North 10°42'33" East for a distance of 133.77 feet; thence run South 82°34'07" East for a distance of 231.95 feet; thence run South 78°41'24" East for a distance of 203.96 feet; thence run South 82°52'30" East for a distance of 161.25 feet; thence run North 85°14'11" East for a distance of 120.42 feet; thence run North 73°18'03" East for a distance of 104.40 feet; thence North 63°26'06" East for a distance of 89.44 feet; thence run North 51°20'25" East for a distance of 128.06 feet; thence run North 38°39'35" East for a distance of 128.06 feet; thence run North 26°33'54" East for a distance of 111.80 feet; thence run North 14°02'10" East for a distance of 82.46 feet; thence run North 05°21'21" East for a distance of 321.40 feet; thence run North 06°20'25" East for a distance of 362.22 feet; thence run South 75°57'01" East for a distance of 160.24 feet to a point on a non-tangent curve concave to the Southeast and having a radius of 1325.00 feet and a chord bearing of North 20°51'00" East; thence run Northeasterly along the arc of said curve for a distance of 25.44 feet, through a central angle of 01°06'00" to the end of said curve; thence run North 74°39'33" West for a distance of 170.57 feet; thence run North 85°54'52" West for a distance of 140.36 feet; thence run South 85°54'52" West for a distance of 140.36 feet; thence run South 64°58'59" West for a distance of 165.53 feet; thence run North 55°47'03" West for a distance of 302.32 feet; thence run North 00°00'00" East for a distance of 110.00 feet; thence run North 38°39'35" East for a distance of 128.06 feet; thence run North 89°52'50" East for a distance of 2400.00 feet; thence run South 79°52'31" East for a distance of 142.21 feet; thence run South 56°18'36" East for a distance of 72.11 feet; thence run South 30°57'50" East for a distance of 116.62 feet; thence run South 15°56'43" East for a distance of 218.40 feet; thence run South 64°31'08" West for a distance of 133.11 feet to a point on a non-tangent curve concave to the Northeast and having a radius of 100.00 feet and a chord bearing of South 73°32'19" East; thence run Southeasterly along the arc of said curve for a distance of 158.22 feet, through a central angle of 90°39'18" to a point of reverse curvature of a curve concave to the Southeast and having a radius of 460.00 feet; thence run Northeasterly along the arc of said curve for a distance of 208.69 feet, through a central angle of 25°59'37" to a point of reverse curvature of a curve concave to the Northwest and having a radius of 25.00 feet; thence run Northeasterly along the arc of said curve, for a distance of 37.98 feet, through a central angle of 87°02'43" to the end of said curve and the West right-of-way line of Jalarmy Road; thence run North 00°04'55" East along said West right-of-way line for a distance, of 422.71 feet to the aforementioned South right-of-way line of Cherry Lake Road; thence run North 89°55'05" West along said South right-of-way line for a distance of 890.97 feet; thence run South 89°55'39" West along said South right-of-way line for a distance of 2672.31 feet; thence run South 89°45'07" West along the South right-of-way line for a distance of 1807.45 feet to the Point of Beginning.

LESS: Commence at the Northwest corner of Section 12, Township 22 South, Range 25 East, Lake County, Florida; thence run South 89°55'05" East along the North line of said Section 12 for a distance of 891.00 feet to the Westerly right-of-way line of Jalarmy Road; thence South 00°04'55" West along said Westerly right-of-way line for a distance of 179.72 feet to the Point of Beginning; thence continue South 00°04'55" West along said Westerly right-of-way line for a distance of 200.00 feet; thence North 89°55'05" West parallel to the aforesaid North line of Section 12 for a distance of 210.00 feet; thence run North 00°04'55" East parallel to the aforesaid Westerly right-of-way line of Jalarmy Road for a distance of 200.00 feet; thence run South

89°55'05" East parallel to the aforesaid North line of Section 12 for a distance of 210.00 feet to the aforesaid Westerly right-of-way line of Jalarmy Road and the Point of Beginning, less the East 10.00 feet thereof.

LEGAL DESCRIPTION - TRACT B:

That part of Tracts 1 through 6, Tracts 11 through 20, and Tracts 29 through 32, as shown on the plat of Groveland Farms, as recorded in Plat Book 2, Pages 10 and 11, Section 11, Township 22 South, Range 25 East, Lake County, Florida, and that part of Government Lot 1, the South 1/2 of Government Lot 2, the East 165.00 feet of Government Lot 5, and Government Lots 6 and 7, Section 11, Township 22 South, Range 25 East, Lake County, Florida, and that part of the West 1/2 of Section 12, Township 22 South, Range 25 East, Lake County, Florida, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, Lake County, Florida; thence run North 89°55'39" East along the North line of said Section 11 for a distance of 2672.38 feet to the Northwest corner of Section 12, Township 22 South, Range 25 East; thence run South 89°55'05" East along the North line of said Section 12 for a distance of 231.89 feet; thence South 00°04'55" West for a distance of 372.59 feet to the Point of Beginning; thence run South 56°18'36" East for a distance of 72.11 feet; thence run South 28°36'38" East for a distance of 125.30 feet; thence run North 66°56'14" East for a distance of 125.95 feet to a point on a non-tangent curve, concave to the Northeast and having a radius of 675.00 feet and a chord bearing of South 29°47'10" East; thence run Southeasterly along the arc of said curve, for a distance of 126.90 feet, through a central angle of 10°46'19" to a point of reverse curvature of a curve concave to the West and having a radius of 100.00 feet; thence run Southerly along the arc of said curve for a distance of 136.29 feet, through a central angle of 78°05'18" to a point of compound curvature of a curve concave to the Northwest and having a radius of 855.00 feet; thence run Southwesterly along the arc of said curve for a distance of 254.93 feet, through a central angle of 17°05'01" to the end of said curve; thence run North 24°16'06" West for a distance of 125.70 feet; thence run South 67°22'48" West for a distance of 130.00 feet; thence run South 77°28'16" West for a distance of 184.39 feet; thence run South 81°52'12" West for a distance of 424.26 feet; thence run South 77°28'16" West for a distance of 184.39 feet; thence run South 63°26'06" West for a distance of 178.89 feet; thence run South 50°11'40" West for a distance of 156.21 feet; thence run South 28°13'51" East for a distance of 117.43 feet to a point on a non-tangent curve, concave to the Northwest and having a radius of 555.00 feet and a chord bearing of South 62°36'00" West; thence run Southwesterly along the arc of said curve for a distance of 34.87 feet, through a central angle of 03°36'00" to the end of said curve; thence run North 28°45'02" West for a distance of 113.49 feet; thence run South 75°04'07" West for a distance of 155.24 feet; thence run South 82°20'29" West for a distance of 299.49 feet to a point on a non-tangent curve, concave to the West and having a radius of 1145.00 feet and a chord bearing of North 07°21'00" East; thence run Northerly along the arc of said curve for a distance of 313.75 feet, through a central angle of 15°42'00" to a point of reverse curvature of a curve, concave to the East and having a radius of 1275.00 feet; thence run Northerly along the arc of said curve for a distance of 211.40 feet, through a central angle of 09°30'00" to the end of said curve; thence run North 82°16'49" East for a distance of 142.45 feet; thence run North 12°31'44" East for a distance of 184.39 feet; thence run North 71°37'57" West for a distance of 125.60 feet; to a point on a non-tangent curve, concave to the Southeast and having a radius of 1275.00 feet

and a chord bearing of North 20°36'00" East; thence run Northeasterly along the arc of said curve for a distance of 22.25 feet, through a central angle of 01°00'00" to the end of said curve; thence run South 71°35'10" East for a distance of 127.92 feet; thence run North 29°44'42" East for a distance of 80.62 feet; thence run North 60°15'18" East for a distance of 80.62 feet; thence run North 90°00'00" East for a distance of 1,260.00 feet to the Point of Beginning.

LESS: Any portion of above described Tract B lying within Lots 270 through 275, Palisades Phase 2D, according to the plat thereof as recorded in Plat Book 52, Pages 21 through 23, inclusive, Public Records of Lake County, Florida.

#### LEGAL DESCRIPTION - TRACT C:

That part of Tracts 1 through 6, Tracts 11 through 20, and Tracts 29 through 32, as shown on the plat of Groveland Farms, as recorded in Plat Book 2, Pages 10 and 11, Section 11, Township 22 South, Range 25 East, Lake County, Florida, and that part of Government Lot 1, the South 1/2 of Government Lot 2, the East 165.00 feet of Government Lot 5, and Government Lots 6 and 7, Section 11, Township 22 South, Range 25 East, Lake County, Florida, and that part of the West 1/2 of Section 12, Township 22 South, Range 25 East, Lake County, Florida, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, Lake County, Florida; thence run North 09°55'39" East along the North line of said Section 11 for a distance of 2672.38 feet to the Northwest corner of Section 12, Township 22 South, Range 25 East; thence run South 89°55'05" East along the North line of said Section 12 for a distance of 891.00 feet to the West right-of-way line of Jalarmy Road; thence South 00°04'55" West along said West right-of-way line for a distance of 618.06 feet to the Point of Beginning; thence continue South 00°04'55" West along said West right-of-way line for a distance of 1212.32 feet to the North right-of-way line of County Road 561A; thence run along said North right-of-way line the following courses and distances: run South 86°59'00" West for a distance of 128.74 feet; thence run North 03°01'00" West for a distance of 7.00 feet; thence run South 86°59'00" West for a distance of 79.69 feet to the beginning of a tangent curve concave to the Southeast and having a radius of 1950.08 feet; thence run Southwesterly along the arc of said curve for a distance of 1320.71 feet, through a central angle of 38°48'14" to the end of said curve; thence run South 48°10'46" West for a distance of 239.98 feet; thence run South 41°49'14" East for a distance of 5.00 feet; thence run South 48°10'46" West for a distance of 250.24 feet; thence run North 41°49'14" West for a distance of 5.00 feet; thence run South 48°10'46" West for a distance of 315.48 feet to the beginning of a tangent curve concave to the Northeast and having a radius of 25.00 feet; thence leaving said North right-of-way line run Northwesterly along the arc of said curve for a distance of 39.27 feet, through a central angle of 90°00'00" to the end of said curve; thence run North 41°49'14" West for a distance of 175.00 feet to the beginning of a tangent curve concave to the Southwest and having a radius of 960.00 feet; thence run Northwesterly along the arc of said curve for a distance of 314.94 feet, through a central angle of 18°47'47" to the end of said curve; thence run North 76°09'44" West for a distance of 242.55 feet to a point on a non-tangent curve concave to the Northeast and having a radius of 1775.00 feet and a chord bearing of North 66°30'00" West; thence run Northwesterly along the arc of said curve for a distance of 542.14 feet, through a central angle of 17°30'00" to the point of reverse curvature of a curve concave to the Southwest and having a radius of 925.00 feet; thence run Northwesterly along the

arc of said curve for a distance of 290.60 feet, through a central angle of 18°00'00" to the end of said curve; thence run North 75°45'00" West for a distance of 230.00 feet to the beginning of a tangent curve concave to the Northeast and having a radius of 325.00 feet; thence run Northeasterly along the arc of said curve for a distance of 463.43 feet, through a central angle of 81°42'00" to the end of said curve; thence run North 05°57'00" East for a distance of 113.21 feet to the beginning of a tangent curve concave to the Southeast and having a radius of 25.00 feet; thence run Northeasterly along the arc of said curve for a distance of 36.85 feet, through a central angle of 84°46'33" to a point of reverse curvature of a curve concave to the North and having a radius of 925.00 feet; thence run Easterly along the arc of said curve for a distance of 31.09 feet, through a central angle of 01°55'33" to a point of reverse curvature of a curve concave to the South and having a radius of 2475.00 feet; thence run Easterly along the arc of said curve for a distance of 302.38 feet, through a central angle of 07°00'00" to the end of said curve, thence run South 20°08'15" East for a distance of 171.06 feet; thence run South 82°52'30" East for a distance of 161.25 feet; thence run South 78°41'24" East for a distance of 203.96 feet; thence run South 63°26'06" East for a distance of 89.44 feet; thence run South 38°39'35" East for a distance of 128.06 feet; thence run South 50°11'40" East for a distance of 78.10 feet; thence run South 63°26'06" East for a distance of 89.44 feet; thence run South 90°00'00" East for a distance of 80.00 feet; thence run North 59°44'37" East for a distance of 138.92 feet; thence run North 55°18'17" East for a distance of 316.23 feet; thence run North 52°41'46" East for a distance of 132.00 feet; thence run North 26°34'28" West for a distance of 335.52 feet to a point on a non-tangent curve concave to the Southeast and having a radius of 535.00 feet and a chord bearing of North 73°34'53" East; thence run Northeasterly along the arc of said curve for a distance of 347.00 feet, through a central angle of 37°09'45" to the end of said curve; to a point of reverse curvature of a curve concave to the North and having a radius of 605.00 feet; thence run Easterly along the arc of said curve for a distance of 138.99 feet, through a central angle of 13°09'45" to the end of said curve; thence run South 28°28'04" East for a distance of 167.37 feet; thence run South 45°00'00" East for a distance of 84.85 feet; thence run South 55°00'29" East for a distance of 122.07 feet; thence run South 00°00'00" East for a distance of 40.00 feet; thence run South 15°31'27" West for a distance of 186.82 feet; thence run South 18°26'06" East for a distance of 126.49 feet; thence run South 45°00'00" East for a distance of 113.14 feet; thence run North 69°16'28" East for a distance of 197.80 feet; thence run North 15°04'07" East for a distance of 134.63 feet; thence run North 03°48'51" West for a distance of 150.33 feet; thence run North 85°54'52" East for a distance of 140.36 feet; thence run North 80°32'16" East for a distance of 243.31 feet; thence run South 88°05'27" East for a distance of 300.17 feet; thence run North 84°57'27" East for a distance of 341.32 feet; thence run North 71°33'54" East for a distance of 63.25 feet; thence run North 29°44'42" East for a distance of 80.62 feet; thence run North 00°00'00" East for a distance of 100.00 feet; thence run North 29°44'42" West for a distance of 80.62 feet; thence run North 57°59'41" West for a distance of 94.34 feet; thence run North 90°00'00" West for a distance of 60.00 feet; thence run South 63°26'06" West for a distance of 67.08 feet; thence run South 57°59'41" West for a distance of 94.34 feet; thence run South 84°17'22" West for a distance of 100.50 feet; thence run North 88°05'27" West for a distance of 300.17 feet; thence run North 90°00'00" West for a distance of 200.00 feet; thence run South 77°28'16" West for a distance of 184.39 feet; thence run North 90°00'00" West for a distance of 60.00 feet; thence run North 68°11'55" West for a distance of 53.85 feet; thence run North 45°00'00" West for a distance of 98.99 feet; thence run South 43°24'31" West for a distance of 144.49 feet to a point on a non-tangent curve, concave to the Northeast and having a radius of

535.00 feet and a chord bearing of North 37°38'43" West; thence run Northwesterly along the arc of said curve for a distance of 163.60 feet, through a central angle of 17°31'16" to the beginning of a compound curve concave to the Northeast and having a radius of 25.00 feet; thence run Northeasterly along the arc of said curve for a distance of 39.51 feet, through a central angle of 90°32'24" to the end of said curve; thence run South 42°08'44" East for a distance of 132.32 feet; thence run North 50°11'40" East for a distance of 156.21 feet; thence run North 66°22'14" East for a distance of 174.64 feet; thence run North 77°28'16" East for a distance of 184.39 feet; thence run North 83°59'28" East for a distance of 382.10 feet; thence run North 73°18'03" East for a distance of 208.81 feet; thence run North 66°48'05" East for a distance of 152.32 feet; thence run North 56°18'36" East for a distance of 144.22 feet; thence run North 41°38'01" East for a distance of 120.42 feet; thence run North 48°48'51" East for a distance of 106.30 feet; thence run North 63°26'06" East for a distance of 111.80 feet; thence run North 16°10'06" West for a distance of 106.22 feet to a point on a non-tangent curve, concave to the South and having a radius of 340.00 feet and a chord bearing of North 78°30'54" East; thence run Easterly along the arc of said curve for a distance of 83.26 feet, through a central angle of 14°01'48" to a point of compound curvature of a curve concave to the Southwest and having a radius of 25.00 feet; thence run Southeasterly along the arc of said curve for a distance of 41.26 feet, through a central angle of 94°33'07" to the Point of Beginning.

LEGAL DESCRIPTION - TRACT D:

That part of Tracts 1 through 6, Tracts 11 through 20, and Tracts 29 through 32, as shown on the plat of Groveland Farms, as recorded in Plat Book 2, Pages 10 and 11, Section 11, Township 22 South, Range 25 East, Lake County, Florida, and that part of Government Lot 1, the South 1/2 of Government Lot 2, the East 165.00 feet of Government Lot 5, and Government Lots 6 and 7, Section 11, Township 22 South, Range 25 East, Lake County, Florida, and that part of the West 1/2 of Section 12, Township 22 South, Range 25 East, Lake County, Florida, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, Lake County, Florida; thence run South 89°45'07" West along the North line of said Section 11 for a distance of 1357.42 feet; thence run South 00°14'53" East for a distance of 263.67 feet to the Point of Beginning; thence run North 80°32'16" West for a distance of 121.66 feet; thence run South 84°17'22" West for a distance of 100.50 feet; thence run South 50°11'40" West for a distance of 78.10 feet; thence run South 33°41'24" West for a distance of 72.11 feet; thence run South 21°24'47" West for a distance of 547.81 feet; thence run South 18°26'06" West for a distance of 189.74 feet; thence run South 08°07'48" West for a distance of 141.42 feet; thence run South 00°00'00" West for a distance of 120.00 feet; thence run South 11°18'36" East for a distance of 152.97 feet; thence run South 27°41'58" East for a distance of 451.77 feet; thence run South 53°58'21" East for a distance of 408.04 feet; thence run South 42°03'51" East for a distance of 552.27 feet; thence run South 45°00'00" East for a distance of 735.39 feet; thence run South 53°08'24" West for a distance of 184.23 feet; thence run South 33°54'00" East for a distance of 20.94 feet; thence run North 55°17'06" East for a distance of 189.45 feet; thence run South 38°19'37" East for a distance of 322.50 feet; thence run South 71°21'02" East for a distance of 84.43 feet; thence run North 60°01'06" East for a distance of 300.17 feet; thence run North 51°10'13" East for a distance of 526.31 feet; thence run North 59°12'57" East for a distance of 547.08 feet; thence run South 58°17'47" East for a distance of 188.80 feet to a point

on a non-tangent curve concave to the West and having a radius of 25.00 feet and a chord bearing of North 07°58'41" West; thence run Northerly along the arc of said curve for a distance of 45.94 feet, through a central angle of 105°16'40" to the end of said curve; thence run North 58°54'07" West for a distance of 221.15 feet to a point on a non-tangent curve concave to the Northeast and having a radius of 1825.00 feet and a chord bearing of North 69°46'39" West; thence run Northwesterly along the arc of said curve for a distance of 348.63 feet, through a central angle of 10°56'43" to the end of said curve; thence run South 53°13'42" West for a distance of 417.10 feet; thence run South 49°45'49" West for a distance of 85.15 feet; thence run South 84°17'22" West for a distance of 100.50 feet; thence run North 66°02'15" West for distance of 98.49 feet; thence run North 39°48'20" West for a distance of 78.10 feet; thence run North 11°53'19" East for a distance of 194.16 feet; thence run North 38°39'35" West for a distance of 64.03 feet; thence run North 72°21'00" West for a distance of 230.87 feet; thence run North 59°25'15" West for a distance of 255.54 feet; thence run North 58°06'33" West for a distance of 265.00 feet; thence run North 52°20'04" West for a distance of 360.03 feet; thence run North 26°33'54" West for a distance of 67.08 feet; thence run North 14°55'53" East for a distance of 155.24 feet; thence run North 38°09'26" East for a distance of 89.02 feet; thence run North 30°15'23" West for a distance of 69.46 feet; thence run North 39°48'20" West for a distance of 156.21 feet; thence run North 29°44'42" West for a distance of 161.25 feet; thence run North 26°33'54" West for a distance of 122.98 feet; thence run North 06°34'55" West for a distance of 130.86 feet; thence run North 82°33'08" East for a distance of 84.67 feet; thence run North 24°26'57" West for a distance of 29.48 feet; thence run South 80°56'40" West for a distance of 113.17 feet; thence run South 60°15'18" West for a distance of 80.62 feet; thence run South 20°33'22" West for a distance of 85.44 feet; thence run South 04°45'49" West for a distance of 120.42 feet; thence run South 14°55'53" East for a distance of 310.48 feet; thence run South 00°00'00" West for a distance of 120.00 feet; thence run South 16°41'57" East for a distance of 104.40 feet; thence run South 09°27'44" East for a distance of 60.83 feet; thence run South 09°27'44" West for a distance of 60.83 feet; thence run South 39°48'20" West for a distance of 78.11 feet; thence run South 67°22'48" West for a distance of 130.00 feet; thence run North 90°00'00" West for a distance of 20.00 feet; thence run North 56°18'36" West for a distance of 72.11 feet; thence run North 38°39'35" West for a distance of 64.03 feet; thence run North 21°48'05" West for a distance of 107.70 feet; thence run North 00°00'00" East for a distance of 100.00 feet; thence run North 11°18'36" East for a distance of 101.98 feet; thence run North 00°00'00" East for a distance of 80.00 feet; thence run North 14°02'10" West for a distance of 247.39 feet; thence run North 07°07'30" East for a distance of 80.62 feet; thence run North 14°55'53" East for a distance of 310.48 feet thence run North 30°57'50" East for a distance of 116.62 feet; thence run North 58°23'33" East for a distance of 152.64 feet; thence run North 88°56'05" East for a distance of 136.25 feet to a point on a non-tangent curve concave to the West and having a radius of 745.00 feet and a chord bearing of North 02°18'37" West; thence run Northerly along the arc of said curve for a distance of 27.21 feet, through a central angle of 02°05'35" to the end of said curve; thence run North 84°04'54" West for a distance of 99.66 feet; thence run North 00°00'00" East for a distance of 140.00 feet; thence run North 13°29'45" East for a distance of 102.84 feet; thence run North 03°21'59" West for a distance of 85.15 feet; thence run North 45°00'00" West for a distance of 49.50 feet; thence run North 30°20'37" East for a distance of 159.01 feet to a point on a non-tangent curve concave to the Southwest and having a radius of 175.00 feet and a chord bearing of North 69°00'00" West; thence run Northwesterly along the arc of said curve for a distance of 32.38 feet through a central angle of

10°36'00" to the end of said curve; thence run South 26°48'32" West for a distance of 155.54 feet to the Point of Beginning.

LEGAL DESCRIPTION - TRACT E:

That part of Tracts 1 through 6, Tracts 11 through 20, and Tracts 29 through 32, as shown on the plat of Groveland Farms, as recorded in Plat Book 2, Pages 10 and 11, Section 11, Township 22 South, Range 25 East, Lake County, Florida, and that part of Government Lot 1, the South 1/2 of Government Lot 2, the East 165.00 feet of Government Lot 5, and Government Lots 6 and 7, Section 11, Township 22 South, Range 25 East, Lake County, Florida, and that part of the West 1/2 of Section 12, Township 22 South, Range 25 East, Lake County, Florida, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, Lake County, Florida; thence run North 89°55'39" East along the North line of said Section 11 for a distance of 2672.38 feet to the Northwest corner of Section 12, Township 22 South, Range 25 East; thence run South 89°55'05" East along the North line of said Section 12 for a distance of 891.00 feet to the West right-of-way line of Jalarmy Road; thence South 00°04'55" West along said West right-of-way line for a distance of 1830.38 feet to the North right-of-way line of County Road 561A; thence run along said North right-of-way line the following courses and distances: thence run South 86°59'00" West for a distance of 128.74 feet; thence run North 03°01'00" West for a distance of 7.00 feet, thence run South 86°59'00" West for a distance of 79.69 feet to the beginning of a tangent curve concave to the Southeast and having a radius of 1950.08 feet; thence run Southwesterly along the arc of said curve for a distance of 1320.71 feet, through a central angle of 38°48'14" to the end of said curve; thence run South 48°10'46" West for a distance of 239.98 feet; thence run South 41°49'14" East for a distance of 5.00 feet; thence run South 48°10'46" West for a distance of 250.24 feet; thence run North 41°49'14" West for a distance of 5.00 feet; thence run South 48°10'46" West for a distance of 485.48 feet to the beginning of a tangent curve concave to the West and having a radius of 25.00 feet said point being the Point of Beginning; thence leaving said North right-of-way line run Northerly along the arc of said curve for a distance of 39.27 feet, through a central angle of 90°00'00" to the end of said curve; thence run North 41°49'14" West for a distance of 175.00 feet to the beginning of a tangent curve concave to the Southwest and having a radius of 840.00 feet; thence run Northwesterly along the arc of said curve for a distance of 170.65 feet, through a central angle of 11°38'25" to the beginning of a compound curve concave to the South and having a radius of 25.00 feet; thence run Westerly along the arc of said curve for a distance of 36.66 feet, through a central angle of 84°01'40" to the end of said curve; thence run South 48°34'42" East for a distance of 173.67 feet; thence run South 46°28'08" West for a distance of 137.93 feet; thence run South 59°58'54" West for a distance of 519.71 feet; thence run South 47°02'43" West for a distance of 396.23 feet; thence South 59°44'37" West for a distance of 555.70 feet; thence run South 01°27'00" East for a distance of 310.67 feet to a point on a non-tangent curve, concave to the North and having a radius of 1362.69 feet and a chord bearing of South 82°46'30" West; thence run Westerly along the arc of said curve for a distance of 329.18 feet, through a central angle of 13°50'27" to the end of said curve; thence run South 89°41'44" West for a distance of 127.62 feet; thence run North 00°00'00" East for a distance of 283.57 feet; thence run North 19°44'48" East for a distance of 105.16 feet thence run North 63°26'06" West for a distance of 122.98 feet; thence run North 46°19'56" West for a distance of 152.07 feet; thence run North

37°34'07" West for a distance of 164.01 feet; thence run North 19°26'24" East for a distance 90.14 feet; thence run North 55°19'57" East for a distance of 118.61 feet; thence run North 33°54'00" West for a distance of 172.00 feet to the beginning of a tangent curve concave to the Southwest and having a radius of 575.00 feet; thence run Northwesterly along the arc of said curve for a distance of 111.40 feet, through a central angle of 11°06'00" to the end of said curve; thence run South 61°56'37" West for a distance of 193.71 feet; thence run North 50°11'40" West for a distance of 39.05 feet; thence run South 39°40'04" West for a distance of 266.32 feet; thence run South 15°15'18" West for a distance of 114.02 feet; thence run South 04°45'49" East for a distance of 120.42 feet; thence run South 09°27'44" East for a distance of 121.66 feet, thence run South 17°55'40" East for a distance of 357.35 feet; thence run South 16°41'41" West for a distance of 100.02 feet, thence run South 89°41'44" West for a distance of 100.00 feet to the beginning of a tangent curve concave to the Southeast and having a radius of 643.69 feet; thence run Southwesterly along the arc of said curve for a distance of 305.55 feet, through a central angle of 27°11'52" to the end of said curve; thence run South 27°30'08" East for a distance of 30.00 feet to a point on a non-tangent curve, concave to the Southeast and having a radius of 613.69 feet and a chord bearing of North 76°05'48" East, said point also being on the North right-of-way line at County Road 561A; thence run along said North right-of-way line the following courses and distances: thence run Northeasterly along the arc of said curve for a distance of 291.31 feet, through a central angle of 27°11'52", to the end of said curve; thence run North 89°41'44" East for a distance of 133.32 feet; thence run South 00°18'16" East for a distance of 7.00 feet; thence run North 89°41'44" East for a distance of 707.51 feet; thence run North 00°18'16" West for a distance of 7.00 feet to a point on a non-tangent curve, concave to the Northwest and having a radius of 1392.69 feet and a chord bearing of North 82°46'30" East; thence run Northeasterly along the arc of said curve for a distance of 336.43 feet through a central angle of 13°50'27" to the end of said curve; thence run South 14°08'43" East for a distance of 7.00 feet; to a point on a non-tangent curve, concave to the Northwest and having a radius of 1399.69 feet and a chord bearing of North 62°01'01" East; thence run Northeasterly along the arc of said curve for a distance of 676.08 feet through a central angle of 27°40'30" to the end of said curve; thence run North 48°10'46" East for a distance of 1139.28 feet; thence run North 41°49'14" West for a distance of 7.00 feet; thence run North 48°10'46" East for a distance of 15.00 feet to the Point of Beginning.

#### LEGAL DESCRIPTION - TRACT F:

A portion of those lands described in Official Records Book 1403, Page 2348, of the Public Records of Lake County, Florida, and lying in Section 11, Township 22 South, Range 25 East, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, and run South 14°55'58" West a distance of 3124.21 feet for a Point of Beginning; thence run North 45°00'33" East, 28.64 feet; thence run South 44°59'24" East 120.44 feet to the point of curvature of a curve concave Southwesterly having a radius of 375.00 feet; thence from a chord bearing of South 31°40'04" East, run Southeasterly 174.39 feet along the arc of said curve through a central angle of 26°38'40" to the point of tangency; thence run South 18°20'44" East 9.54 feet; thence run South 76°53'58" West, 33.40 feet; thence run North 33°54'00" West, 172.00 feet to the point of curvature of a curve concave Southwesterly having a radius of 575.00 feet; thence from a chord bearing of North 39°27'00" West, run Northwesterly 111.40 feet along the arc of said

curve through a central angle of 11°06'00" to the Point of Beginning.

LEGAL DESCRIPTION - TRACT G:

A portion of those lands described in Official Records Book 1403, Page 2348, of the Public Records of Lake County, Florida, and lying in Section 11, Township 22 South, Range 25 East, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, and run South 89°45'07" West a distance of 1004.19 feet along the North line of the Northwest 1/4 of said Section 11; thence, departing said North line, run South 00°14'53" East 55.19 feet for a Point of Beginning, said point being on a curve concave Southerly, having a radius of 60.00 feet; thence from a chord bearing of South 90°00'00" East run Easterly along the arc of said curve a distance of 34.96 feet through a central angle 33°23'07" to a point on said curve; thence departing said curve, run North 90°00'00" West a distance of 34.47 feet to the Point of Beginning.

LEGAL DESCRIPTION - TRACT H:

A portion of those lands described in Official Records Book 1403, Page 2348, of the Public Records of Lake County, Florida, and lying in Section 11, Township 22 South, Range 25 East, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, and run South 89°45'07" West a distance of 1823.44 feet along the North line of the Northwest 1/4 of said Section 11; thence, departing said North line, run South 32°48'00" East 116.49 feet for a Point of Beginning, said point being on a curve concave Southeasterly, having a radius of 225.00 feet; thence from a chord bearing North 74°00'00" East, run Northeasterly along said curve an arc distance of 131.95 feet through a central angle 33°36'00" to the point of tangency; thence run South 89°12'00" East a distance of 90.91 feet to a point on a curve concave Southeasterly, having a radius of 300.00 feet; thence from a chord bearing South 71°06'28" West run Southwesterly along said curve an arc distance of 206.22 feet through a central angle 39°23'04" to a point on said curve; thence departing said curve, run North 38°35'04" West a distance of 39.51 feet to the Point of Beginning.

LESS AND EXCEPT the following described parcels of land from the above described tracts A, B, C, D, E, F, G and H:

LESS OUT PARCEL 1

The following parcel of land conveyed in that certain Warranty Deed recorded in Official Records Book 1519, Page 1968, Public Records of Lake County, Florida, being more particularly described as follows:

A portion of land lying within Section 11, Township 22 South, Range 25 East, Lake County, Florida, being more particularly described as follows:

Commence at the Northerly most corner of Lot 172 Palisades Phase 2A, as recorded in Plat Book 37, Pages 80 and 81 of the Public Records of Lake County, Florida; thence run North 38°39'35"

East, 23.33 feet; thence run North 26°33'54" East, 111.80 feet; thence run North 14°02'10" East, 82.46 feet; thence run North 05°21'21" East, 321.40 feet; thence run North 06°20'25" East 362.22 feet for a Point of Beginning; thence run North 00°00'00" East, 10.31 feet; thence run South 75°57'01" East 163.87 feet to a point on a curve concave Southeasterly having a radius of 1,325.00 feet; thence, from a chord bearing of South 20°31'03" West, run Southwesterly 10.07 feet along the arc of said curve through a central angle of 00°26'07" to a point on said curve; thence, leaving said curve, run North 75°57'01" West, 160.24 feet to the Point of Beginning.

#### LESS OUT PARCEL 2

The following parcel of land conveyed in that certain Warranty Deed recorded in Official Records Book 1778, Page 791, Public Records of Lake County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Lot 172, Palisades Phase 2A, as recorded in Plat Book 37, Pages 80 and 81, of the Public Records of Lake County, Florida; thence run the following courses and distances: North 61°19'30" East, 77.17 feet to a point on a curve concave Northeasterly and having a radius of 25.00 feet; thence from a chord bearing of South 45°51'35" East, run Southeasterly along the arc of said curve 57.00 feet through a central angle of 130°37'30" to a point of reverse curvature of a curve concave Southeasterly and having a radius of 585.00 feet; thence from a chord bearing of North 80°29'42" East, run Northeasterly along the arc of said curve 238.25 feet through a central angle of 23°20'05" to the point of reverse curvature of a curve concave Northwesterly and having a radius of 555.00 feet; thence from a chord bearing of North 71°24'45" East, run Northeasterly along the arc of said curve 401.99 feet through a central angle of 41°30'00" to the point of reverse curvature of a curve concave Southeasterly and having a radius of 685.00 feet; thence from a chord bearing of North 67°16'05" East, run Northeasterly along the arc of said curve 397.05 feet through a central angle of 33°12'40" to a point of tangency; thence run North 83°52'25" East, 400.00 feet to the point of curvature of a curve concave Northwesterly and having a radius of 855.00; thence from a chord bearing of North 71°56'12" East, run Northeasterly along the arc of said curve 356.25 feet through a central angle of 23°52'25" to the Point of Beginning; said point being on a curve; thence departing said curve run the following courses and distances: North 24°16'06" West, 125.70 feet; thence North 51°32'11" East, 183.07 feet; thence North 28°36'38" West, 132.28 feet; thence North 66°56'14" East, 125.95 feet to a point on a curve concave Northeasterly and having a radius of 675.00 feet; thence from a chord bearing of South 29°47'09" East, run Southeasterly along the arc of said curve 126.90 feet through a central angle of 10°46'19" to the point of reverse curvature of a curve concave Westerly and having a radius of 100.00 feet; thence from a chord bearing of South 03°52'20" West, run Southwesterly along the arc of said curve 136.29 feet through a central angle of 78°05'17" to the point of compound curvature of a curve concave Northwesterly and having a radius of 855.00 feet; thence from a chord bearing of South 51°27'29" West, run Southwesterly along the arc of said curve 254.93 feet through a central angle of 17°05'01" to the Point of Beginning.

#### LESS OUT PARCEL 3

The following parcel of land conveyed in that certain Warranty Deed recorded in Official Records Book 2005, Page 2489, Public Records of Lake County, Florida, being more

particularly described as follows:

A portion of land situate in Sections 11 and 12, Township 22 South, Range 25 East, Lake County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 11 (Northwest corner of said Section 12), said point also being a point on the centerline of right-of-way of Cherry Lake Road (a 50.00 foot right-of-way); thence run along the North line of said Section 12 and the centerline of right-of-way, South 89°55'05" East 891.00 feet to the intersection with the Northerly extension of the West right-of-way line of Jalarmy Road; thence departing said Section line and said centerline, run South 00°04'55" West 25.00 feet to the intersection of the existing South right-of-way line of Cherry Lake Road with the existing West right-of-way line of Jalarmy Road for a Point of Beginning; thence continue along said West right-of-way line South 00°04'55" West 15.00 feet; thence departing said West right-of-way line, run parallel with the existing South right-of-way line of said Cherry Lake Road the following three calls: North 89°55'05" West 890.95 feet; South 89°55'39" West 2672.26 feet; South 89°45'07" West 1797.84 feet; thence North 32°48'00" West 17.79 feet to a point on the existing South right-of-way line of said Cherry Lake Road; thence along said South right-of-way line the following three calls: North 89°45'07" East 1807.44 feet; North 89°55'39" East 2672.31 feet; South 89°55'05" East 890.97 feet to the Point of Beginning.

#### LESS OUT PARCEL 4-A

The following parcel of land conveyed in that certain Warranty Deed recorded in Official Records Book 2414, Page 479, Public Records of Lake County, Florida, being more particularly described as follows:

#### PALISADES PHASE 2C LEGAL DESCRIPTION:

That part of Government Lot 1, situate in Section 11, Township 22 South, Range 25 East, Lake County, Florida, and that part of Government Lot 4, situate in Section 12, Township 22 South, Range 25 East, Lake County, Florida, being more particularly described as follows:

Commence at the Northerly most Northeast corner of Palisades Phase 2A, as recorded in Plat Book 37, Pages 80 and 81, of the Public Records of Lake County, Florida: thence run South 67°32'21" East along the North line of said Palisades Phase 2A a distance of 156.63 feet; thence run South 02°39'30" East along the Northeasterly line of said Palisades Phase 2A a distance of 101.98 feet to a point on a curve concave Southeasterly and having a radius of 535.00 feet; thence departing said Northeasterly line, from a chord bearing of North 73°34'53" East run Northeasterly along the arc of said curve a distance of 347.00 feet through a central angle of 37°09'45" to the point of reverse curvature of a curve concave Northwesterly and having a radius of 605.00 feet; thence from a chord bearing of North 76°57'10" East, run Northeasterly along the arc of said curve a distance of 321.20 feet through a central angle of 30°25'09" to the cusp of a curve concave Southeasterly and having a radius of 25.00 feet; thence from a chord bearing of South 16°25'09" West, run Southwesterly along the arc of said curve a distance of 39.55 feet through a central angle of 90°38'54" to the point of compound curvature of a curve concave Northeasterly and having a radius of 535.00 feet; thence from a chord bearing of South 37°39'48" East, run Southeasterly along the arc of said curve a distance of 163.56 feet through a

central angle of 17°31'00" to a point on said curve; thence departing said curve, run North 43°24'31" East, 144.49 feet; thence South 45°00'00" East, 98.99 feet; thence South 68°11'55" East, 53.85 feet; thence South 90°00'00" East, 60.00 feet; thence North 77°28'16" East, 184.39 feet for a Point of Beginning; thence continue North 77°28'16" East, 46.10 feet; thence South 90°00'00" East, 155.17 feet; thence South 88°05'27" East, 299.67 feet; thence North 84°17'22" East, 99.83 feet; thence North 46°19'27" East, 54.55 feet; thence North 57°59'41" East, 37.44 feet; thence North 63°26'06" East, 72.75 feet; thence South 90°00'00" East, 70.46 feet; thence South 57°59'41" East, 105.11 feet; thence South 29°44'42" East, 90.97 feet; thence South 00°00'00" West 110.62 feet; thence South 29°44'42" West, 93.58 feet; thence South 71°33'54" West 73.23 feet; thence South 84°57'27" West 344.88 feet; thence North 88°05'27" West, 299.39 feet; thence South 80°32'16" West 242.26 feet; thence South 85°54'52" West 131.39 feet; thence South 03°48'51" East, 132.04 feet; thence South 15°04'07" West, 141.41 feet; thence South 69°16'28" West 198.41 feet; thence North 45°00'00" West, 10.97 feet; thence North 69°16'28" East, 197.80 feet; thence North 15°04'07" East, 134.63 feet; thence North 03°48'51" West, 150.33 feet; thence North 85°54'52" East, 140.36 feet; thence North 80°32'16" East, 243.31 feet; thence South 88°05'27" East, 300.17 feet; thence North 84°57'27" East, 341.32 feet; thence North 71°33'54" East, 63.25 feet; thence North 29°44'42" East, 80.62 feet; thence North 00°00'00" East, 100.00 feet; thence North 29°44'42" West, 80.62 feet; thence North 57°59'41" West, 94.34 feet; thence North 90°00'00" West, 60.00 feet; thence South 63°26'06" West, 67.08 feet; thence South 57°59'41" West, 94.34 feet; thence South 84°17'22" West, 100.50 feet; thence North 88°05'27" West, 300.17 feet; thence North 90°00'00" West, 200.00 feet to the Point of Beginning.

#### LESS OUT PARCEL 4-B

The following parcel of land conveyed in that certain Warranty Deed recorded in Official Records Book 2414, Page 479, Public Records of Lake County, Florida, being more particularly described as follows:

#### PALISADES PHASE 2D LEGAL DESCRIPTION:

That part of Government Lot 1 and Government Lot 4, situate in Sections 11 and 12, Township 22 South, Range 25 East, Lake County, Florida, being more particularly described as follows:

Commence at the Northerly most Northeast corner of Palisades Phase 2A, as recorded in Plat Book 37, Pages 80 and 81, of the Public Records of Lake County, Florida, said point also being the Southwest corner of Palisades Phase 2B, as recorded in Plat Book 43, Pages 90 and 91, of said Public Records of Lake County, Florida; thence run South 67°32'21" East along the North line of said Palisades Phase 2A and the South line of said Palisades Phase 2B, a distance of 156.63 feet; thence departing said North line of Palisades Phase 2A, run along the Southeasterly line of said Palisades Phase 2B, the following two (2) courses and distances: North 61°19'18" East, 77.17 feet to a point on a curve concave Northwesterly and having a radius of 1,145.00 feet; thence from a chord bearing of North 16°51'05" East, run Northeasterly along the arc of said curve a distance of 103.96 feet through a central angle of 05°12'08" to a point on said curve; thence departing said curve and said Southeasterly line of Palisades Phase 2B, run North 80°50'47" East, 152.85 feet; thence North 88°18'47" East, 165.92 feet; thence North 75°04'07" East, 129.11 feet; thence South 28°45'02" East, 114.52 feet to a point on a curve concave

Northwesterly and having a radius of 555.00 feet; thence from a chord bearing of North 62°36'00" East, run Northeasterly along the arc of said curve a distance of 34.87 feet through a central angle of 03°36'00" to a point on said curve; thence departing said curve, run North 28°13'51" West, 117.43 feet, thence North 50°11'40" East, 156.21 feet; thence North 63°26'06" East, 178.89 feet; thence North 77°28'16" East, 184.39 feet; thence North 81°52'12" East, 424.26 feet; thence North 77°28'16" East, 184.39 feet; thence North 67°22'48" East, 130.00 feet; thence North 51°32'11" East, 20.57 feet to the Northwest corner of Lot 240 of Palisades Phase 2E, as recorded in Plat Book 46, Pages 64, 65, and 66, of said Public Records of Lake County, Florida; thence run South 32°35'29" East along the Southwesterly line of said Lot 240 and a Southeasterly projection thereof, a distance of 177.35 feet to a point on the Southerly right-of-way line of Spring Lake Drive, as shown on said Palisades Phase 2E plat, said point also being a point on a curve concave Northwesterly and having a radius of 905.00 feet; thence from a chord bearing of North 56°04'33" East, run Northeasterly along the arc of said curve and said Southerly right-of-way line, a distance of 42.10 feet through a central angle of 02°39'56" to the Northwest corner of Lot 239 of said Palisades Phase 2E; thence departing said curve and said Southerly right-of-way line, run South 35°15'25" East along the Southwesterly line of said Lot 239, a distance of 121.38 feet to the Southerly most corner of said Lot 239; thence departing the boundary line of said Palisades Phase 2E, run South 56°18'36" West, 68.07 feet; thence South 66°48'05" West, 152.32 feet for a Point of Beginning; thence continue South 66°48'05" West 88.35 feet; thence South 73°18'03" West, 121.96 feet; thence South 83°59'28" West, 470.54 feet; thence North 77°28'16" East, 88.07 feet; thence North 83°59'28" East, 382.10 feet; thence North 73°18'03" East, 208.81 feet to the Point of Beginning.

#### LESS OUT PARCEL 5-A

A portion of those lands described in Official Records Book 1421, Page 383, of the Public Records of Lake County, Florida, and lying in Section 11, Township 22 South, Range 25 East, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, and run South 11°32'35" West a distance of 3215.36 feet for a Point of Beginning, being the Northeast corner of an existing access easement recorded in Official Records Book 1403, Page 2415, of the Public Records of Lake County, Florida; thence, departing said easement line, run North 53°08'24" East 47.41 feet to a point on a curve concave Southwesterly, having a radius of 425.00 feet; thence from a chord bearing of South 30°43'39" East, run Southeasterly 22.77 feet along the arc of said curve through a central angle of 03°04'11" to a point on said curve, thence departing said curve, run South 55°17'06" West 46.09 feet to an intersection with the Northeasterly line of said existing access easement; thence run North 33°54'00" West, along said existing Northeasterly line, 20.94 feet to the Point of Beginning.

#### LESS OUT PARCEL 5-B

A portion of those lands described in Official Records Book 1421, Page 383, of the Public Records of Lake County, Florida, and lying in Section 11, Township 22 South, Range 25 East, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, and run South 14°55'58" West a distance of 3124.21 feet for a Point of Beginning; thence run South

50°13'34" West, 182.44 feet; thence North 50°11'40" West, 40.00 feet; thence North 61°56'37" East 193.71 feet to the Point of Beginning.

#### LESS OUT PARCEL 5-C:

A portion of those lands described in Official Records Book 1421, Page 383, of the Public Records of Lake County, Florida, and lying in Section 11, Township 22 South, Range 25 East, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, and run South 89°45'07" West a distance of 1004.19 feet along the North line of the Northwest 1/4 of said Section 11; thence, departing said North line, run South 00°14'53" East 55.19 feet for a Point of Beginning, said point being on a curve concave Southeasterly, having a radius of 60.00 feet; thence from a chord bearing of South 44°49'48" West run Southwesterly along the arc of said curve a distance of 59.64 feet through a central angle 56°57'18" to a point of compound curvature of a curve concave Southeasterly, having a radius of 385.00 feet; thence from a chord bearing of South 67°48'46" West run Southwesterly along the arc of said curve a distance of 131.51 feet through a central angle of 19°34'15" to a point of compound curvature of a curve concave Southwesterly, having a radius of 225.00 feet; thence from a chord bearing of North 44°17'41" West run Northwesterly along the arc of said curve a distance of 20.44 feet through a central angle of 05°12'15" to a point of compound curvature of a curve concave Northeasterly, having a radius of 25.00 feet; thence from a chord bearing of South 84°29'11" East run Southeasterly along the arc of said curve a distance of 32.80 feet through a central angle of 75°10'47" to a point of reverse curvature of a curve concave Southeasterly, having a radius of 311.09 feet; thence from a chord bearing of North 62°41'33" East run Northeasterly along the arc of said curve a distance of 51.79 feet through a central angle of 09°32'16" to a point of reverse curvature of a curve concave Northwesterly, having a radius of 25.00 feet; thence from a chord bearing of North 43°31'52" East run Northeasterly along the arc of said curve a distance of 20.88 feet through a central angle of 47°51'39" to a point of reverse curvature of a curve concave Southeasterly, having a radius of 60.00 feet; thence from a chord bearing of North 54°48'01" East run Northeasterly along the arc of said curve a distance of 73.72 feet through a central angle of 70°23'58" to a point on said curve; thence departing said curve, run South 90°00'00" East a distance of 28.97 feet to the Point of Beginning.

#### LESS OUT PARCEL 5-D

A portion of those lands described in Official Records Book 1421, Page 383, of the Public Records of Lake County, Florida, and lying in Section 11, Township 22 South, Range 25 East, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, and run South 60°58'25" West a distance of 1395.28 feet to the Northeast corner of Lot 113, Palisades-Phase 1, as recorded in Plat Book 32, Pages 55 through 57 (inclusive) of the Public Records of Lake County, Florida, for Point of Beginning; thence run South 88°56'05" West 121.21 feet along the North line of said Lot 113 and 112 of said plat of Palisades-Phase 1, thence, departing said North line, run North 01°04'19" East 108.11 feet; thence North 00°34'34" East 291.64 feet; thence South 45°00'00" East 49.50 feet; thence South 03°21'59" East 85.15 feet; thence South 13°29'45" West 102.84 feet; thence South 00°00'00" East 140.00 feet; thence South 84°04'54"

East 99.66 feet to a point on a curve concave Easterly having a radius of 745.00 feet; thence, from a chord bearing of South 02°18'37" East, run Southerly along the arc of said curve 27.22 feet through a central angle of 02°05'35" to the Point of Beginning.

#### LESS OUT PARCEL 5-E

A portion of those lands described in Official Records Book 1421, Page 383, of the Public Records of Lake County, Florida, and lying in Section 11, Township 22 South, Range 25 East, being more particularly described as follows:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, and run South 57°32'12" West a distance of 1242.53 feet to the Northeast corner of Lot 114, Palisades-Phase 1, as recorded in Plat Book 32, Pages 55 through 57 (inclusive) of the Public Records of Lake County, Florida, for a Point of Beginning; thence, departing said Northeast corner, run North 09°27'44" West 48.05 feet; thence North 07°07'30" East 161.25 feet; thence North 23°11'55" East 76.16 feet; thence North 42°06'49" East, 43.76 feet; thence South 27°33'20" West, 75.46 feet; thence South 17°38'52" West 74.37 feet; thence South 10°14'04" West 74.35 feet; thence South 00°27'01" West a distance of 98.92 feet to the Point of Beginning.

#### EASEMENT DESCRIPTIONS

##### PARCEL 2:

Together with Easement for the benefit of Parcel 1 as created by access easement dated December 11, 1995, and recorded December 12, 1995, in Official Records Book 1403, Page 2415, of the Public Records of Lake County, Florida, for the purposes described therein, over, under and across the land described in Exhibit "B" of said easement, described as follows:

##### EASEMENT A-B:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, Lake County, Florida; thence run South 73°08'23" East for a distance of 1429.69 feet to the beginning of a non-tangent curve concave to the Southeast and having a radius of 1325.00 feet and a chord bearing of South 20°51'00" West and the Point of Beginning; thence run Southwesterly along the arc of said curve for a distance of 25.44 feet through a central angle of 01°06'00" to the end of said curve; thence run South 16°31'26" West for a distance of 20.00 feet; thence run South 87°21'53" East for a distance of 51.10 feet to the beginning of a non-tangent curve concave to the Northwest and having a radius of 1275.00 feet and a chord bearing of North 20°36'00" East; thence run Northeasterly along the arc of said curve for a distance of 22.25 feet through a central angle of 01°00'00" to the end of said curve; thence run North 60°59'52" West for a distance of 50.46 feet to the Point of Beginning.

##### EASEMENT A-D:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, Lake County, Florida; thence run South 84°11'46" West for a distance of 1201.60 feet to the Point of Beginning; thence continue South 84°11'46" West for a distance of 91.14 feet to the beginning of

a non-tangent curve concave to the Southwest and having a radius of 175.00 feet and a chord bearing of South 69°00'00" East; thence run Southeasterly along the arc of said curve for a distance of 32.38 feet through a central angle of 10°36'00" to the end of said curve; thence run South 85°25'52" East for a distance of 90.76 feet to the beginning of a non-tangent curve concave to the Southwest and having a radius of 225.00 feet and a chord bearing of North 46°55'34" West; thence run Northwesterly along the arc of said curve for a distance of 41.10 feet through a central angle of 10°28'01" to the Point of Beginning.

#### EASEMENT D-E:

Commence at the North 1/4 corner of Section 11, Township 22 South, Range 25 East, Lake County, Florida; thence run South 11°32'55" West for a distance of 3215.14 feet to the Point of Beginning; thence run North 77°51'12" West for a distance of 72.04 feet; thence run South 33°54'00" East for a distance of 72.80 feet; thence run North 56°06'00" East for a distance of 50.00 feet; thence run North 33°54'00" West for a distance of 20.94 feet to the Point of Beginning.

#### PARCEL 3:

Together with a 20 foot Utility Easement granted in that certain instrument recorded in Official Records Book 1791, Page 678, Public Records of Lake County, Florida, being more particularly described as follows:

That part of Government Lot 1, situate in Section 11, Township 22 South, Range 25 East, Lake County, Florida, and being more particularly described as follows:

Commence at the North 1/4 corner of said Section 11, Township 22 South, Range 25 East, Lake County, Florida; thence run North 89°55'39" East along the North line of the Northeast 1/4 of said Section 11, a distance of 1425.84 feet; thence leaving North line of the Northeast 1/4, of said Section 11, run South 00°04'21" East, 25.00 feet to a point on the South right-of-way line of Cherry Lake Road, as recorded in Official Records Book 787, Page 1991, of the Public Records of Lake County, Florida; continue thence South 00°04'21" East, 35.04 feet for a Point of Beginning; thence North 89°52'50" East, 20.00 feet; thence South 00°04'21" East, 132.18 feet; thence South 89°55'39" West, 20.00 feet; thence North 00°04'21" West, 132.14 feet, to the Point of Beginning.

#### PARCEL 4:

Together with 10 foot Utility Easements described in that certain instrument recorded in Official Records Book 1778, Page 797, and Modification of Grant of Easement recorded in Official Records Book 3091, Page 1257, all of the Public Records of Lake County, Florida, being more particularly described as follows:

#### THE FOLLOWING PORTION OF LOT 342:

A strip of land 10 feet wide lying along the Northwesterly boundary (the boundary dividing Lots 342 and 343) of Lot 342, Palisades Phase 2C, according to the plat thereof as recorded in Plat Book 52, Pages 18 through 20, of the Public Records of Lake County, Florida.

AND

THE FOLLOWING PORTION OF LOT 274:

A strip of land 10 feet wide lying along the Westerly boundary (the boundary dividing Lots 274 and 273) of Lot 274, Palisades Phase 2D, according to the plat thereof as recorded in Plat Book 52, Pages 21 through 23, of the Public Records of Lake County, Florida.

ALSO LESS AND EXCEPT those lands conveyed to Canam Palisades, Ltd. pursuant to that Special Warranty Deed recorded January 5, 2007 in Official Records Book 3341, Page 2064, Public Records of Lake County, Florida.



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: DEWAYNE JONES, PLANNER I

SUBJECT: CONSIDERATION OF APPROVAL ON ORDINANCE 2020-22 – TRAILSIDE INDUSTRIAL ANNEXATION (FIRST READING)

DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

City Community Development Staff received an application from property owner Trailside Industrial Inc., requesting voluntary annexation into the City of Groveland, pursuant to Chapter 171, Florida Statutes. The parcel consists of 2.21 +/- acres, generally located on the east side of Sampey Road. The property currently has an existing light industrial building on site.

Staff recommends approval of Ordinance 2020-22.

On July 2, 2020, the Planning & Zoning Board voted unanimously to approve Ordinance 2020-22.

#### **BUDGET IMPACT:**

Annexation of the property and future development of the property will result in enhanced ad valorem revenues for the City.

#### **LEGAL NOTE:**

None.

#### **STAFF RECOMMENDATION:**

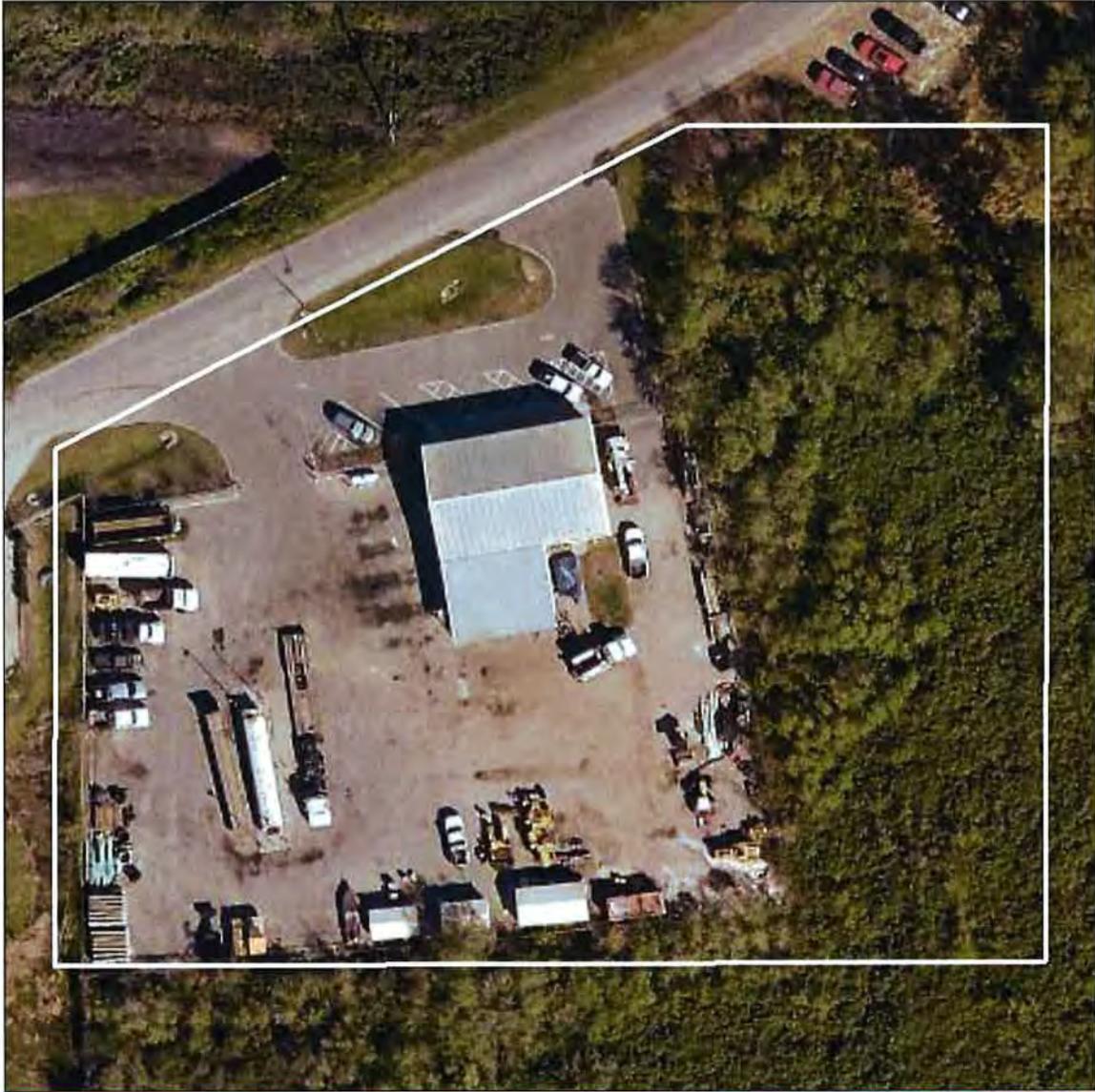
Community Development Staff- Approval of Ordinance 2020-22.  
Planning & Zoning Board- Approval of Ordinance 2020-22.

**ATTACHMENTS:**

Attachment 1 Ordinance 2020-22 with Legal Description and Aerial Map

Attachment 2 Application Submittal & Support Documents

Attachment 3 Notice Support Documentation



*"City with Natural Charm"*

**ORDINANCE 2020-22**

**AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES (2019); ANNEXING 2.12 +/- ACRES OF REAL PROPERTY NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF GROVELAND; PROVIDING FOR FINDINGS; PROVIDING A LEGAL DESCRIPTION AND A MAP; DIRECTING THE CITY MANAGER TO RECORD CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL WITH THE CLERK OF THE CIRCUIT COURT, THE COUNTY MANAGER OF LAKE COUNTY, AND THE SECRETARY OF THE STATE OF FLORIDA; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; SETTING AN EFFECTIVE DATE.**

**WHEREAS,** Trailside Industrial, Inc. as a property owner in an unincorporated area of Lake County, has petitioned the City Council, Groveland, Florida, to annex property into the City of Groveland; and

**WHEREAS,** the property, as hereafter defined, is eligible for annexation; and

**WHEREAS,** the City Council has determined that the area proposed for annexation meets the requirements of §171.044, Florida Statutes; and

**WHEREAS,** this Ordinance has been advertised as required by law with a copy of said notice sent via certified mail to the Board of County Commissioners of Lake County as provided for by statute; and

**WHEREAS,** all other procedural and notice requirements mandated by State law and the City's Code of Ordinances have been followed and satisfied; and

**NOW THEREFORE,** be it ordained, by the City Council of the City of Groveland, Florida, as follows:

**Section 1: Legislative Findings.** The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Groveland.

**Section 2: Annexation.** The corporate limits of the City of Groveland, Florida, are hereby extended and increased so as to include and embrace within the corporate limits of the City of Groveland, the real property described as:

**Legal Description: A part of Tract 17, GROVELAND FARMS, in Section 20, Township 22 South, Range 25 East, according to the plat thereof recorded in Plat Book 2, Pages 10 and 11, Public Records of lake County, Florida, being more particularly described as follows: Commence at the Southeast Corner of said Tract 17; run thence N00°15'56" E along the East line of said Tract 17, a distance of 359.94 feet of the POINT OF BEGINNING; thence S 89°59'29" W 347.37 feet; thence N 00°15'56" E 187.12 feet to the Southerly right of way line of Sampey Road (said right of way being 25 feet from the centerline thereof as maintained);**

thence N 62°39'09" E along said right of way line 253.05 feet to the North line of aforesaid Tract 17; thence N 89°59'29" E along said North line of Tract 17 a distance of 123.14 feet to the Northeast corner of said tract 17; thence S 00°15'56" W along the East line of said Tract 17, a distance of 303.34 feet to the POINT OF BEGINNING.

Parcel Id No.: 01-22-24-4300-017-00001; Alt. Key 1326591

(the "Property").

The Property is hereby annexed and declared to be a part of the City of Groveland. The Property is depicted in the map attached hereto as **Exhibit A**.

**Section 3: Applicability and Effect.** Upon this Ordinance becoming effective, the property annexed shall be subject to all laws, ordinances, and regulations enforced in the City of Groveland, and shall be entitled to the same privileges and benefits as other parts of the City of Groveland upon the effective date of the annexation.

**Section 4: Directions.** In accordance with Section 171.044(3), Florida Statutes (2019) within seven (7) days of the adoption of this Ordinance, certified copies of this shall be provided to the Clerk of the Circuit Court (Recording), and the Secretary of State of the State of Florida. It shall further be submitted to the Office of Economic and Demographic Research within 30 days of approval along with a statement specifying the population census effect and the affected land area. F.S. 171.091, Florida Statutes.

**Section 5: Conflicts.** All ordinances and parts of ordinances to the extent in conflict with this Ordinance are hereby repealed.

**Section 6: Severability.** If any provision or portion of this ordinance is declared by any court competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 7: Scrivener's Errors.** Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

**Section 8: Effective Date.** This ordinance shall become effective immediately upon passage by the City Council of the City of Groveland in accordance with law.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Evelyn Wilson, Mayor  
City of Groveland, Florida

Attest:

\_\_\_\_\_  
Virginia Wright, City Clerk



Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



## CONSENT AGENDA

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: JOHN TER LOUW, FINANCE DIRECTOR

SUBJECT: ORDINANCE 2020-23 AMENDED CHAPTER 62 – SOLID WASTE TO PROVIDE FOR EXCLUSIVE FRANCHISE – FIRST READING

DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

Currently, the City allows for a non-exclusive commercial franchise solid waste hauling inside the City limits. This allows multiple companies to be selected and utilized by the various commercial customers. As part of the non-exclusive contract, the City is entitled to 15% of the gross hauling charges and annual renewal fees from each of the awarded franchise haulers. This has created some of its own issues as the City attempts to collect fees for services and makes provisions for service.

One of the issues has been collections from the various haulers. With so many options available, both haulers and customers sometimes do not or chose not to understand the rules and provide their monthly report and check to the City. This leads to lost revenues which have to be tracked down individually and potentially costly as well. Another issue is the number of trucks utilizing the various side streets and alleyways to collect the solid waste. In a row of 5 commercial buildings we could have 5 different commercial haulers driving and picking up on different days. This leads to increased wear and tear on the roads, congestion and harder to hold each hauler accountable for any spilled trash.

This Ordinance will change the structure to allow only a single exclusive hauler for the commercial solid waste disposal. This would be similar to our residential solid waste hauler except specializing in the larger dumpsters and roll-off bins utilized for commercial, industrial and construction waste. Upon approval the City will issue an RFP and advertise to select an exclusive commercial hauler for the City. With an exclusive contract, there are 3 objectives which are believed to come out of this choice. Increased overall revenue, decreased wear on our ancillary roads, and comparable or reduced costs to current charges commercial customers are paying. These three items should be able achievable once a contract is determined and a service area confirmed as most rates are provided to customers assuming little guarantees of neighboring businesses also selecting service.

**BUDGET IMPACT:**

Budget impacts are included in the upcoming FY2021 Budget which would include increases in revenues and expenses.

**LEGAL NOTICE:**

None.

**STAFF RECOMMENDATION:**

Staff recommends approval of the Ordinance 2020-23

**ATTACHMENTS:**

Attachment 1 – Ordinance 2020-23

## ORDINANCE 2020-23

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA AMENDING VARIOUS SECTIONS IN CHAPTER 62 OF THE CODE OF ORDINANCES OF THE CITY OF GROVELAND RELATING TO EXISTING NON-EXCLUSIVE FRANCHISE AGREEMENTS AND TRANSITIONING TO THE AWARD OF AN EXCLUSIVE FRANCHISE AGREEMENT FOR COMMERCIAL CONTAINERS EFFECTIVE OCTOBER 1, 2020; DELETING OBSOLETE LANGUAGE AND CLARIFYING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Groveland currently awards annual non-exclusive franchise agreements to commercial haulers for commercial containers within the City of Groveland;

**WHEREAS**, the City has determined that awarding non-exclusive franchises is not efficient, involves considerable time obtaining the necessary information and documentation from the applicant, and that often, commercial haulers are conducting business within the City without obtaining the required non-exclusive franchise;

**WHEREAS**, this ordinance has been advertised not less than 10 days prior to its adoption; and

**WHEREAS**, City Council is authorized by Ch. 166, Florida Statutes, to enact legislation and the City Council finds the adoption of this ordinance serves a municipal purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA:**

**SECTION 1.** That Chapter 62 of the Code of Ordinances of the City of Groveland, is hereby amended to read:

### **Chapter 62 - SOLID WASTE**

#### ARTICLE I. - IN GENERAL

Secs. 62-1—62-18. - Reserved.

#### ARTICLE II. - COLLECTION AND DISPOSAL

Sec. 62-19. - Definitions.

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

Commercial and domestic building material means and includes sand, earth, wood, stone, brick, concrete, construction blocks, roofing, wallpaper and other building materials usually left over after a construction or remodeling project or removing of buildings.

Commercial establishment means any structure used or constructed for use for business operations. For purposes of this article, hotels and motels are commercial establishments. The term "commercial establishment" shall not include any residential unit or multifamily residential establishment.

Construction and demolition debris container means a suitably large container with a floor and four connecting sides made from solid material capable of hauling construction debris including concrete metals and wood. Unless the container is a truck itself, the container shall be capable of being loaded onto a truck for removal.

Construction sites means any area or piece of land on which construction work is being carried out. For purposes of this article, this would include all forms of construction including residential, commercial, industrial and other construction types.

Garbage means every refuse accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking and dealing in, or storage of, meats, fish, fowl, fruits or vegetables, and any other matter of any nature whatsoever, subject to decay and the generation of noxious or offensive gases or odors, or which, during or after decay, may serve as breeding or feeding material for flies or other germ-carrying insects, and any bottles, cans or other containers that, due to their ability to retain water, may serve as breeding places for mosquitoes or other water-breeding insects.

~~Garbage can means a container commonly sold as a garbage can of a capacity not to exceed 32 gallons, or of the type commonly sold as an ashcan of a capacity not to exceed 32 gallons; and in either case such can shall have two handles upon the sides of the can or a bail by which it may be lifted and shall have a tight fitting top.~~

Garden trash means all accumulations of grass or shrubbery cuttings and other refuse attending the care of lawns, shrubbery, vines and trees.

Mixed recyclables means aluminum cans, metal cans, plastic bottles and glass bottles.

Recyclable Material. Materials that are capable of being recycled and that would otherwise be processed or disposed of as solid waste.

Recycling means any process by which solid waste or materials which would otherwise become solid waste are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

Solid waste means garbage, trash, litter, yard trash, hazardous waste, construction and demolition debris, industrial waste or other discarded material, including solid or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural or governmental operations.

Solid waste disposal means disposition of solid waste by means of combustion, land filling or other final method of discard. Trash means refuse accumulations of paper, wooden or paper boxes or containers, sweepings and all other accumulations of a nature other than garbage, which are usual to housekeeping and to the operation of stores, offices and other business places.

~~Trash container means any plastic or aluminum container of a size not to exceed 35 gallons in capacity for the purpose of storing trash; such container need not have a cover, but the bottom shall be perforated to prevent the accumulation of water.~~

Sec. 62-20. - Solid waste disposal required; feces.

All residents, occupants or owners of premises in the city, ~~other than those whose solid waste is deposited in a dumpster or similar size receptacle contracted for with a commercial refuse hauler for the use and emptying of such receptacle,~~ are required to have accumulations of solid waste removed and disposed of by the franchise hauler contracted by the city for such disposal. The fees for collection and disposal of solid waste placed for collection shall be adopted by the city council by resolution and are on file in the city clerk's office.

Sec. 62-21. - Excess trash removal.

All persons are entitled to the removal by the city of trash from their premises upon the payment of the required garbage fee; provided that the quantity of trash shall not require more trash containers than garbage cans used by such licensee. If the amount of trash accumulation by any one such resident or occupant shall require the use of more than one trash container for each garbage can for which a fee has been paid, such person shall pay to the city an amount equal to the expense of removing, handling and disposing of such excess trash, which amount shall be determined by the sanitary provider; and this provision shall apply to residents and occupants who have accumulations of trash but no garbage. The city clerk shall issue special receipts for such trash removal fees.

Sec. 62-22. - Garbage cans required.

- (a) The city shall furnish each domestic residential customer a wheeled refuse container and recycling container in accordance with specifications approved by the city council.
- (b) The city or its designated agents, licensees, franchisees, employees, or contract representatives or any person with whom the city contractually agrees to allow to furnish commercial containers may furnish commercial containers to commercial establishments so long as the city approves of such furnishing. It shall be the duty of the director to regulate the replacement of all city-owned containers and other containers. When such city-owned or other containers are furnished to commercial establishments, such commercial establishments shall use such furnished containers and shall use no others without the director's approval.
- (c) No commercial refuse shall be deposited or collected from an open bin, trash room, oil drum, boxes or any other receptacles not specified in this chapter.
- (d) All refuse containers shall be maintained and kept in a sanitary condition by the users. Any container which fails to meet such sanitary standards is declared to be a nuisance.
- (e) All construction sites must provide an adequate construction and demolition debris container at the construction site for the duration of the construction. Construction debris shall be properly placed in the construction and demolition debris container. No person shall dispose of debris except in approved construction and demolition debris containers. Filled construction and demolition debris containers shall be promptly notified to the franchise hauler contracted by the city for such disposal for the emptying of such receptacle as hereinafter provided. If, in the opinion of the director of transportation and public works or designee, the construction and demolition debris container(s) on-site is/are not adequate, the public works director may require (after

written notice) additional construction and demolition debris containers to be on-site within 24 hours. The individual or agency named on the building permit is responsible for compliance with this section of the solid waste ordinance. Failure to comply with this section may result in code enforcement actions. In addition to the aforesaid enforcement procedures, in severe cases, the city manager is authorized to suspend the associated building permits if deemed necessary.

~~Unless provided by the franchise hauler, all residents or occupants of residences, apartments or places of business within the corporate limits of the city are hereby required to provide garbage cans of sufficient capacity to hold four days' accumulation of garbage.~~

Sec. 62-23. - Separation of garbage.

All garbage, tin cans and bottles shall first be drained of all liquids and shall be daily deposited in the required garbage cans. The wet garbage matter shall be wrapped in paper before being placed in the garbage can. Garbage cans shall be kept tightly covered at all times except when it is necessary to lift the cover to deposit garbage in the garbage can.

Sec. 62-24. - Accessibility.

Garbage cans are required to be kept in a place easily accessible to the sanitary inspectors; they shall not be kept upon neighboring property not in the ownership or tenancy of the person by whom the garbage is accumulated, whether such neighboring property is vacant or improved; they are required to be kept at a point on the lot line of the premises on the days of collection.

Sec. 62-25. - Inspection.

All garbage cans shall be subject to inspection and approval or condemnation by the city.

Sec. 62-26. - Disposal and periods thereof.

- (a) ~~*Businesses Commercial Establishment.*~~ Except as provided in this article, all garbage cans and trash containers shall be required to be emptied at least twice a week, and the contents thereof to be disposed of at least twice each week in a manner which shall not conflict with the terms of this article. This article applies to all businesses within the city, including rooming houses, hotels, restaurants or like users. These businesses shall utilize the services of the franchise hauler contracted by the city for such disposal, ~~with the following exception:~~ Those commercial enterprises that generate such an amount of waste as to require the use of a dumpster or similar size receptacle shall ~~contract~~ also utilize the services of the franchise hauler contracted by the city for such disposal ~~with a commercial refuse hauler~~ for the emptying of such receptacle ~~as hereinafter provided.~~
- (b) *Residences.* All garbage cans and trash containers other than those described in subsection (a) of this section shall be required to be emptied at least once each week, and the contents thereof shall be disposed of at least once each week in a manner that shall not conflict with the terms of this article. This subsection shall apply to residences.
- (c) *Construction Sites.* Construction debris shall be properly placed in the construction and demolition debris container. No person shall dispose of debris except in approved construction and demolition debris containers. Filled construction and demolition debris

containers shall be promptly notified to the franchise hauler contracted by the city for such disposal for the emptying of such receptacle as hereinafter provided.

~~Sec. 62-27. — Separate trash containers.~~

~~All residents or occupants of the city shall deposit all trash other than garbage or garden trash in a trash container of such type, condition and maximum size as defined in this article and shall weigh down or cover such trash so that the lighter materials thereof shall be prevented from being blown out of the container or off the premises. Sufficient containers shall be provided to hold four days' accumulation of trash. The containers shall be placed in a position on the premises similar to that required under this article for garbage cans; and where there are both garbage cans and trash containers on the same premises, the two types of receptacles shall be placed side by side.~~

Sec. 62-2827. - Acts prohibited.

- (a) It shall be unlawful for any person to permit the accumulation of garbage or trash within the city or to deposit such garbage or trash upon any vacant or unoccupied premises or upon any street, alley or park or any canal or waterway within the city.
- (b) Garbage and trash shall not be burned except in a wire trap or container to prevent spreading and burning. Materials that will not burn completely shall not be placed in such containers.
- (c) Trash and garbage shall be deposited in garbage cans with the lids thereon; except that garden trash may be deposited in a convenient place next to the street, and debris and trash caused from the clearing of a lot must be removed by the owner or contractor performing such work.
- (d) Spent oils and grease accumulations at garages and filling stations will not be removed except for the convenience or use of the city.

Sec. 62-2928. - Illegal accumulation.

It shall be unlawful and a violation of this article for any person to permit an accumulation of garbage upon any premises in the city for a period longer than seven days.

Sec. 62-3029. - Removal of garden trash.

All residents and occupants of premises of the city shall deposit garden trash, when and as it is accumulated, upon the parkway street immediately in front of the premises of the person by whom such accumulation is made, for removal and disposition by the employees of the garbage department hauler; except that each resident or occupant may arrange for the private removal and transportation of such garden trash ~~to points approved and designated by the sanitary inspector and under permits to be issued by such officer.~~ It shall be unlawful for any such resident or occupant to deposit such garden trash upon any adjoining lot or premises, whether vacant or improved, occupied or unoccupied, or upon any other lot or premises, or street, alley or park, or in any canal or waterway, lake or pool within the city. Garden trash containing no combustible

matter or matter that will, during decay, give off offensive odors, may be accumulated by the owner as a mulch or compost pile in the rear of the premises upon which it is accumulated.

Sec. 62-3430. - Removal of trash after winds.

Every property owner in the city on whose property improvements are located is required to clean up the trash and debris around his property after strong winds, which trash and debris is, or may be, a menace to the public health and safety. It is further provided that such cleanup shall be begun and concluded as soon as possible after the strong winds have passed.

Sec. 62-3231. - Deposit of personal property on another's real property.

The owner of personal property deposited on another's real property during strong winds as described in section 62-31 shall have the duty of removing such personal property ~~that is or may be a menace to the public health and safety.~~

Secs. 62-3332—62-52. - Reserved.

### ARTICLE III. - COMMERCIAL COLLECTION SERVICE FRANCHISES

Sec. 62-53. - Short title.

This article may be cited as the "City of Groveland Commercial Garbage Collection Ordinance."

Sec. 62-54. - Definitions.

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

Commercial and domestic building material means and includes sand, earth, wood, stone, brick, concrete, construction blocks, roofing, wallpaper and other building materials usually left over after a construction or remodeling project or removing of buildings.

Commercial establishment means any structure used or constructed for use for business operations. For purposes of this article, hotels and motels are commercial establishments. The term "commercial establishment" shall not include any residential unit or multifamily residential establishment.

Construction and demolition debris container means a suitably large container with a floor and four connecting sides made from solid material capable of hauling construction debris including concrete metals and wood. Unless the container is a truck itself, the container shall be capable of being loaded onto a truck for removal.

Construction sites means any area or piece of land on which construction work is being carried out. For purposes of this article, this would include all forms of construction including residential, commercial, industrial and other construction types.

Customer means a person who uses the solid waste or recycling services of a private hauler or the City.

Franchise means the right of a franchisee, granted pursuant to this article, to collect and transport nonresidential solid waste within the city.

*Franchisee* means the named person who obtains a franchise from the city pursuant to this article.

*Gross receipts* mean the entire amount of the fees (including the fair-market value of bartered services) collected by the franchisee, exclusive of taxes as provided by law, whether wholly or partially collected, within the city, for commercial solid waste removal and disposal.

*Multifamily residential establishment* means any structure other than a residential unit which is used, or constructed for use, as a multiple-dwelling facility. The term "multifamily residential establishments" shall include, without limitation, rooming houses, tourist courts, trailer parks, apartment buildings with rental or cooperative apartments, or multiple-story condominiums with common means of ingress and egress.

*Private hauler* means any person who removes, collects and transports for disposal for hire any solid waste over the streets or public rights-of-way within the incorporated area of the city.

*Residential unit* means any structure which is used, or constructed for use, as a single-family dwelling, duplex, cluster house or townhouse, and which is located on a single lot, parcel or tract of land. For the purposes of this article, any condominium structure which does not utilize a commercial dumpster shall be considered a residential unit. The term "residential unit" shall not include any multifamily residential establishment.

*Solid waste* means garbage, trash, litter, yard trash, hazardous waste, construction and demolition debris, industrial waste or other discarded material, including solid or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural or governmental operations.

*Solid waste disposal* means disposition of solid waste by means of combustion, land filling or other final method of discard.

Sec. 62-55. - Legislative findings.

The city council hereby makes the following legislative findings and declares them to be, in part, the legislative, legal, and public-policy bases for the enactment of the ordinance from which this article is derived:

- (1) It is the intent of the city to provide high-quality nonresidential solid waste collection throughout the city as an element of the city's solid waste disposal and recovery system. Because of overriding public health, safety, and welfare concerns associated with providing this service, it is necessary to regulate the collection of nonresidential solid waste through the franchising of those services.
- (2) The provisions of this article will also ensure that the commercial-waste collection and disposal service is efficient and responds to public complaints, and that the public convenience and the public investment in right-of-way property are protected. ~~No franchisee shall be entitled to compensation from the city if this program is terminated.~~

Sec. 62-56. - Commercial containers.

Commencing October 1, 2020, each multifamily residential establishment, and each commercial establishment shall be provided the appropriate size commercial dumpster to service the garbage and trash needs of the location. Dumpsters will be placed into service by the city

when the present container(s) owned by the business is deemed to be unfit for further service by the director of transportation and public works or designee. Contracts in force to lease containers as of the effective date of this section will be honored by the city for a period of the earlier of one (1) year or the expiration of the commercial hauler's franchisee agreement with the city.

- (1) Manual collection. Ninety (90) gallon rollouts will be provided by the city for businesses unable to utilize dumpsters. Additional containers will be issued as needed. The monthly fee for the use of the container(s) will be established or amended by resolution of the city council. Existing commercial customers utilizing ninety (90) gallon roll outs will be allowed to continuing using. All new commercial customers may utilize dumpster service unless the owner can prove that a hardship exists.
- (2) Containerized mechanical collection. Rectangular heavy duty metal containers with hinged lids, lift bar (fork) socket on each end, and such other features as may be necessary for any specific location or for compatibility with the sanitation service provider's equipment, shall be located at each place of business, for contents to be emptied and disposed of, as required by the city manager.
- (3) Location. Garbage and/or trash containers or receptacles shall be kept securely covered or closed at all times, except when being filled or emptied, and shall be placed so as to be easily accessible to sanitation services personnel and equipment and not constitute a nuisance or health hazard.

Sec. 62-5657. - Franchise required.

- (a) To protect and promote the health, safety, and general welfare of the citizens of the city, and to preserve and enhance the environment of the city by providing a comprehensive, nonresidential solid waste collection system, no person shall use the public streets, roads, alleys, ways, or places of the city for the purpose of collecting, transporting, or providing container service for nonresidential solid waste generated in the city without a valid and existing franchise. It shall be unlawful for any person to remove, collect and transport for disposal, from any commercial establishment, multifamily residential establishment or residential unit in the city, solid waste or recyclable material over the streets or public rights-of-way within the incorporated area of the city without first applying for and receiving the appropriate solid waste franchise from the city to carry on such business.
- (b) The franchise required by this article shall be in addition to any other permits, registration or occupational license which may be required by federal, state, or local law.
- (c) The city will not award non-exclusive franchises to private commercial collectors after the effective date of this ordinance. The city will award an exclusive franchise for services commencing October 1, 2020.

Sec. 62-57. — Authority to award non-exclusive franchise.

~~The city manager is hereby authorized and empowered to award non-exclusive franchises to private commercial collectors, who shall qualify to do business within the city, the right and privilege to contract for and collect refuse, garbage, trash and other solid waste materials from commercial establishments with the city, subject to the limitations and conditions set forth in this article. Any franchise granted by the city shall be nonexclusive, and the city reserves the right to award additional franchises or utilize other solid waste collection programs.~~

(Code 2006, § 86-35; Ord. No. 2004-02-06, § 5, 2-16-2004)

Sec. 62-58. ~~Application; issuance; insurance requirements.~~

~~(a) Applications for a franchise shall be made to the city on such form and in such manner as shall be prescribed by the city manager. The form shall elicit the following information and be accompanied by supporting documents and such other information as may be required by the city manager from time to time:~~

~~(1) *Name of applicant.* If the applicant is a partnership or corporation, the application shall state the names and business addresses of the principal officers and stockholders and other persons having any financial or controlling interest in the partnership or corporation; provided, however, that if the corporation is a publicly owned corporation having more than 25 shareholders, then only the names and business addresses of the local managing officers shall be required.~~

~~(2) *Character of applicant.* The applicant for a franchise under this article, if an individual, or, in the case of a firm, corporation, partnership, association or organization, any person having any financial, controlling or managerial interest therein, shall be of good moral character. In making such determination, the following information, which shall be submitted by the applicant, shall be considered:~~

~~a. *Penal history.* If the applicant is an individual, a record of all convictions and the reasons therefor shall be provided by the applicant. If the applicant is other than an individual, then the record of all convictions and the reason therefor of the principal controlling officers of the applicant shall be provided; provided, however, that in the case of a publicly held corporation having 25 or more shareholders, then only the information applicable to its local managing officers shall be required.~~

~~b. *Business history.* The applicant shall provide information as to whether such applicant has operated a solid waste collection-removal business in this or another state under a franchise, permit or license, and, if so, where and whether such franchise, permit or license has ever been revoked or suspended and the reasons therefor.~~

~~c. *Existence of business entity.* If the applicant is a corporation, the applicant shall submit proof of incorporation in good standing in the state of incorporation, and if a foreign corporation, the applicant shall provide information certifying that the applicant is qualified to do business in the state. If the applicant is other than a corporation and is operating under a fictitious name, the applicant shall be required to submit information that such fictitious name is registered and held by the applicant.~~

~~(3) *Equipment and method of operation.* The applicant for a franchise shall possess equipment capable of providing safe and efficient service. In making such a determination and approving the method of operation for each applicant, the city manager shall require the following information:~~

~~a. The type, number and a complete description of all equipment to be used by the applicant for providing service pursuant to this article.~~

- ~~b. — A statement that the applicant will use city and/or county approved facilities for disposing of all solid waste which the applicant collects and removes.~~
- ~~c. — The names of customers and addresses of each location served. Franchisees applying for renewals shall not be required to submit the information specified in this subsection (a)(3)c, but shall instead be required to submit the information specified in section 62-64.~~
- ~~(4) — Insurance requirements. The applicant for a franchise shall maintain insurance as specified in this article and shall furnish a public liability policy to the city and also file with the city a certificate of insurance for all policies written in the applicant's name. This certificate shall provide that the policies contain an endorsement requiring that the city shall be furnished with ten days' written notice by registered mail prior to cancellation of or material changes in the policies.~~
  - ~~a. — Comprehensive general liability insurance. The applicant shall carry in his own name a policy covering his operations in an amount not less than \$300,000.00 per occurrence for bodily injury and \$200,000.00 per occurrence for property damage liability.~~
  - ~~b. — Vehicle liability insurance. Applicants for a franchise shall maintain vehicle liability insurance covering each vehicle utilized in the business of solid waste collection and disposal in an amount not less than \$1,000,000.00 combined single limit per occurrence.~~
  - ~~c. — Liability of city. The insurance requirements in this article shall not be construed as imposing upon the city or any official or employee thereof any liability or responsibility for injury to any person or property by the insured or his agents or employees.~~
- ~~(5) — Customer list. The applicant for a franchise shall provide a list of existing customers in the city and service levels.~~
- ~~(6) — Proof of county and state permits and licenses. The applicant for a franchise shall provide proof of county and/or state permits and licenses.~~
- ~~(b) — The completed application shall be submitted to the city. Upon receipt of a completed application, the city manager or his designated representative shall review the application, and if satisfactory in all respects, and after payment of the application fee established by resolution, shall issue the franchise.~~

~~(Code 2006, § 86-36; Ord. No. 2004-02-06, § 6, 2-16-2004)~~

~~Sec. 62-59. — Denial.~~

~~Should the city manager deny an application for a franchise, the applicant shall be notified of such denial by certified mail not later than 14 days after taking such action. The notice of denial shall contain a statement of the reasons why the application was denied.~~

~~(Code 2006, § 86-37; Ord. No. 2004-02-06, § 7, 2-16-2004)~~

~~Sec. 62-60.— Appeals.~~

- ~~(a) The denial or revocation of a franchise by the city manager may be appealed to the city council. The notice of appeal shall be filed in writing with the city manager no later than 14 days after the receipt of the certified letter advising the applicant of the denial or revocation.~~
- ~~(b) The city manager shall fix the date and time for hearing the appeal. The hearing shall be held not less than 14 and not more than 60 days after receipt of the notice of appeal. The city council shall either affirm the decision of the city manager or direct the city manager to issue or reinstate the franchise.~~

~~(Code 2006, § 86-38; Ord. No. 2004-02-06, § 8, 2-16-2004)~~

~~Sec. 62-61~~58. - Term.

Franchises awarded pursuant to this article prior to October 1, 2020 shall expire one year from the date of issuance.

~~(Code 2006, § 86-39; Ord. No. 2004-02-06, § 9, 2-16-2004)~~

~~Sec. 62-62.— Renewal.~~

~~A franchise may be renewed from year to year by the city manager. Any such renewal may be subject to the same terms and conditions applicable to the issuance of the original franchise. The city manager shall charge and collect renewal fees in the amount established by resolution.~~

~~(Code 2006, § 86-40; Ord. No. 2004-02-06, § 10, 2-16-2004)~~

~~Sec. 62-63.— Transfer.~~

~~No franchise for the collection of solid waste issued under the provisions of this article may be assigned or transferred. In the event of any change in ownership and/or change in the name of the corporation or partnership, formal notification shall be given the city manager within 30 days thereof. Upon any sale, a new franchise license shall be obtained from the city.~~

~~(Code 2006, § 86-41; Ord. No. 2004-02-06, § 11, 2-16-2004)~~

~~Sec. 62-64.— Submission of customer list and collection data.~~

~~At least annually, but not more frequently than quarterly, as determined by the city manager, each franchisee shall supply the following information on a form and in the manner prescribed by the city manager:~~

- ~~(1) A listing, which is organized as prescribed by the city manager, as of the reporting date, of the names and addresses of customers, and the addresses of each location served. For each customer on the list, the private hauler will indicate the following:~~
- ~~a. Whether the customer served is a multifamily residential or commercial establishment;~~

b. ~~Frequency of service.~~

~~(2) A summary of the number of cubic yards of solid waste collected quarterly, based on scheduled service, as of the reporting date.~~

~~(Code 2006, § 86-42; Ord. No. 2004-02-06, § 12, 2-16-2004)~~

Sec. 62-6559. - Waste to be disposed of at approved facilities.

Any and all solid waste collected by a franchisee within the city should be disposed of at the solid waste disposal facilities provided, operated and designated or approved by the county, and at no other location or facility, except those which have been approved by the state department of environmental protection.

Sec. 62-6660 - Revocation.

- (a) The following shall constitute cause for revocation of a solid waste franchise by the city manager:
- (1) The violation of any of the provisions of the ordinances of the city or the county Code, which violation endangers the public health, safety, or welfare;
  - (2) The violation of any of terms or conditions of the franchise; or
  - (3) The failure to promptly pay the franchise fee provided for in this article.
- (b) The city manager may revoke a franchise for a violation. Upon a determination by the city manager that a franchise shall be revoked, the affected person shall be provided with written notice of such revocation and the reasons therefor. Upon receipt of such notice, the affected person may appeal the revocation to the city council, and the appeal and hearing thereon shall be conducted in accordance with the procedures set forth in section 62-60.

Sec. 62-6761. - Franchise fee.

- (a) It shall be unlawful for any private hauler operating in the city to either collect, remove or transport from properties in the city solid waste for disposal without payment of a solid waste franchise fee to the city.
- (b) On the 15th day of each and every month, each private hauler operating in the city shall file a report with the city manager. The report shall designate the names and addresses of each account located in the city that was provided solid waste collection and disposal service by the private hauler for the preceding month. The report shall include the gross monthly solid waste collection and disposal service fee receipts of all such accounts, which report shall be subject to audit by the city. Simultaneously with the filing of such report, each private hauler shall pay to the city a franchise fee equal to 15 percent of the total gross receipts collected the previous month of all of its accounts which are located in the city, as reflected on each monthly report.
- (c) An additional monthly surcharge, equal to one percent of total gross receipts for the preceding month, as reported to the city manager, shall be payable to the city if the 15 percent franchise fee is not paid by the 15th of the month.

Sec. 62-6862. - Required records.

Each private hauler is hereby required to establish and maintain appropriate records, showing in such detail as the city manager may prescribe, the amount of monthly solid waste collection and disposal service fee receipts of each account provided solid waste collection and disposal services which is located in the city. All such records shall be open to inspection by the city manager or his duly authorized agent at all reasonable times. The city manager is hereby authorized and empowered to promulgate from time to time such rules and regulations with respect to the establishment and maintenance of such records as he may deem necessary to carry into effect the purpose and intent of the provisions of this article.

Sec. 62-~~69~~63. - Restoration of property damaged by franchisee.

The franchisee agrees to repair all property, public or private, altered or damaged by the franchisee or its agents or employees in the performance of its services under this article to as good or better condition as it was before being damaged or altered.

Sec. 62-~~70~~64. - Compliance with applicable laws.

A franchisee shall conduct operations under this article in compliance with all applicable laws.

Sec. 62-~~71~~65. - Service standards.

Services provided by a franchisee shall comply with this article governing the time and frequency of solid waste collection and removal.

Sec. 62-~~72~~66. - Office hours; collection hours.

- (a) The franchisee's office shall remain open Monday through Friday from 8:30 a.m. to 5:00 p.m. for the purpose of handling complaints, and for that purpose, there shall be maintained an adequate number of telephones and a responsible person in charge during the hours specified. These requirements do not apply on legal holidays.
- (b) Collections shall normally be made in residential areas no earlier than 6:00 a.m. and no later than 7:00 p.m., or as otherwise prescribed by the city, with no service on Sunday, except in time of emergency or to maintain schedules due to holidays. Changes to these hours must be approved by the city manager.

Sec. 62-~~73~~67. - Collection equipment.

The franchisee shall have on hand at all times sufficient equipment in good working order to permit the franchisee to perform its duties under this article fully, adequately and efficiently. Equipment shall be purchased or manufactured from nationally known and recognized manufacturers of garbage collection and disposal equipment. Garbage-collection equipment shall be kept clean, sanitary, neat in appearance, and in good repair at all times. The franchisee shall at all times have available to it reserve equipment which can be put into service and operation within two hours of any breakdown. Such reserve equipment shall substantially correspond, in size and capability, to the equipment normally used by the franchisee to perform its duties under this article.

Sec. 62-~~74~~68. - Cleanup of spilled waste.

The franchisee shall not litter premises in the process of solid waste collection, but shall not be required to collect any waste material that has not been placed in approved containers or in a manner provided in this article. During hauling, all solid waste shall be contained, tied or enclosed so that leaking, spilling or blowing are prevented. In the event of spillage by the franchisee, the franchisee shall promptly clean up the litter.

Sec. 62-~~75~~69. - Responsibilities of franchisee in case of storms or other emergencies.

In case of an unusually severe storm or disruption caused by other severe emergencies not caused by the franchisee, the city manager may grant the franchisee reasonable variance from regular schedules. As soon as practicable after such storm or other emergency, the franchisee shall inform the city of the estimated time required before regular schedules and routes can be resumed, and upon request of the city manager, the franchisee shall provide notice to residential premises in the service area. In the event of a storm or emergency requiring mass cleanup operations, the franchisee shall, upon direction of the city, participate in the cleanup to the extent directed by the city. Where it is necessary for the franchisee and the city to acquire additional equipment and to hire extra crews to clean the city of debris and refuse resulting from the storm or disaster, the franchisee shall work with the city in all ways possible for efficient and rapid cleanup.

Sec. 62-~~76~~70. - Nondiscrimination policy required.

The franchisee agrees that it has adopted and will maintain and enforce a policy of nondiscrimination on the basis of race, color, religion, sex, age, handicap, disability or national origin. The nondiscrimination policy shall apply to employment practices of the franchisee and the provision of services.

Sec. 62-~~77~~71. - Customer complaints.

All complaints pertaining to pickup of waste shall be responded to and resolved within 24 hours. All other service complaints shall be investigated and responded to within 24 hours. The franchisee shall supply the city manager with copies of all customer complaints on a monthly basis and indicate the disposition of each. Such records shall be available for inspection by the city at all times during the business hours specified in this article. The form shall indicate the day and hour on which the complaint was received and the day and hour on which it was resolved. When a complaint is received on the day preceding a holiday or on a Saturday, it shall be serviced on the next working day. The franchisee shall establish procedures acceptable to the city to ensure that all customers are notified as to the complaint procedure.

Sec. 62-~~78~~72. - Adoption of additional regulations.

The city reserves the right to adopt ordinances regulating the services provided under this article.

Sec. 62-~~79~~73. - Effective date of franchises.

Each franchise granted pursuant to this article shall become effective when the franchise application is granted and the franchisee files with the city its written acceptance thereof in a form approved by the city attorney.

Sec. 62-8074. - Remedies.

All remedies provided in this article and any franchise awarded hereunder shall be deemed cumulative and additional, and not in lieu or exclusive of each other or of any other remedy available to the city at law or in equity. In the event the city shall prevail in any action arising hereunder, the city shall be entitled to recover its costs and expenses including attorney's fees.

Secs. 62-8175—62-99. - Reserved.

**SECTION 2. INCLUSION.** It is the intention of the City Council of the City of Groveland that the provisions of this Ordinance shall become and be made a part of the City of Groveland Code of Ordinances and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase to accomplish such intentions.

**SECTION 3. SEVERABILITY.** The provisions of this Ordinance are declared to be separable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 4. CONFLICT.** All ordinances or parts of ordinances, resolutions or parts of resolutions, which are in conflict with this ordinance are hereby repealed, to the extent necessary to alleviate the conflict, but shall continue in effect insofar as they are not in conflict herewith, unless repeal of the conflicting portion destroys the overall intent and effect of any of the conflicting ordinances, in which case those ordinances so affected shall be hereby repealed in their entirety.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon adoption.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

---

Evelyn Wilson, Mayor  
City of Groveland, Florida

Attest:

---

Virginia Wright, City Clerk



Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



CONSENT AGENDA ITEM  
MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS  
VIA: MIKE HEIN, CITY MANAGER  
FROM: ANITA GERACI-CARVER, CITY ATTORNEY  
SUBJECT: CONSIDERATION of Ordinance 2020-26 Filling any Vacancy by Appointment of Remaining Council  
DATE: July 20, 2020

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**GENERAL SUMMARY/BACKGROUND:** The proposed ballot question in Ordinance 2020-26 seeks to amend the City's charter so any vacancy created in the council, other than if the entire council were removed, is filled by appointment by the remaining members of Council. The appointment is for the remaining term of office.

After the need to hold a special election to fill the unexpired term of a council member who resigned, the first to occur after primary elections were implemented, a deficiency in the timing within the Charter to hold the special election became evident. The current timing requirements causes unavoidable difficulties for the Supervisor of Elections in meeting his obligations concerning absentee ballots. After further consideration of the issues the Charter has been reexamined. The ballot questions being proposed will eliminate the need for future special elections to be held to fill a vacancy.

The title, summary and question was shared with the Lake County Supervisor of Elections for review and comment.

**BUDGET IMPACT:**

If approved by the voters in November, there will be a savings to the City. Currently the cost to hold a special election is approximately \$23,000.00.

Minimal cost of less than \$1000.00 to translate into Spanish.

**LEGAL NOTE:** The deadline to submit ballot language to the Supervisor of Elections is August 21, 2020. The City must provide ballot language in English and Spanish. Time is needed between final adoption and August 21, 2020 for translation.

**STAFF RECOMMENDATION:** Motion to Approve Ordinance 2020-26.

**ATTACHMENTS:**  
Ordinance 2020-26

**ORDINANCE 2020-26**

**AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AN AMENDMENT OF THE CHARTER OF THE CITY OF GROVELAND BY AMENDING ARTICLE III, SECTION 3.06(d) TO PROVIDE FOR A VACANCY IN THE CITY COUNCIL TO BE FILLED BY A MAJORITY VOTE OF THE REMAINING COUNCIL MEMBERS AND NOT BY SPECIAL ELECTION REGARDLESS OF THE TIME REMAINING IN THE UNEXPIRED TERM OR A REDUCTION OF THE COUNCIL TO LESS THAN A QUORUM; PROVIDING SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 2020, GENERAL ELECTION; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, currently the City of Groveland Charter requires a special election to fill a vacancy in the council if there are more than six months remaining in the unexpired term and no regular election is scheduled within six month, or if the membership of the council is reduced to less than a quorum; and

**WHEREAS**, the Charter requires the special election be held no sooner than 60 days nor more than 90 days following the occurrence of a vacancy; and

**WHEREAS**, with the inclusion of a primary election in the Charter adopted in 2018, the current deadlines within which to hold a primary and special election do not provide sufficient time for the Lake County Supervisor of Elections Office to comply with Federal law; and

**WHEREAS**, by eliminating a special election to fill a council vacancy or vacancies, the need for a primary election is also eliminated and the time constraints removed; and

**WHEREAS**, the City of Groveland has advertised this ordinance no less than 10 days prior to the adoption as required by law; and

**WHEREAS**, the City Council desires to seek electors approval to amend the City Charter to eliminate the requirement to hold a special election, and potential primary, to fill a vacancy in the council if there are more than six months remaining in the unexpired term and no regular election is scheduled within six months, or lack of quorum; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, as follows:**

**SECTION 1. Findings.** In adopting this Ordinance, the City Council of the City of Groveland (the "City Council") hereby makes and expresses the following findings, purposes and intent:

(1) Section 166.031 of Florida Statutes, (2019) provides for the governing body of a municipality to submit to the electors of said municipality a proposed amendment to its charter through referendum. Upon adoption of an amendment by a majority of the electors voting in a referendum upon such amendment, the amendment shall be incorporated into the charter and the revised charter filed with the Department of State.

(2) Allowing for Council by majority vote to fill a vacancy on the council, even when more than six months remain in the unexpired term and no regular city election is scheduled within six months, and even if the council has been reduced to less than a quorum, eliminates the need for a costly special election and potential costly primary election, in the event more than two candidates qualify for the vacant seat.

**Section 2. Amendment of the City of Groveland's Charter.** Article III, Section 3.06(d) entitled Filling of vacancies is hereby amended to read as follows:

Sec. 3.06. (d)- filling of vacancies.

(d) *Filling of vacancies.* A vacancy in the council shall be filled ~~in one of the following ways:~~

~~(1) If there are less than six (6) months remaining in the unexpired term or if there are less than six (6) months before the next regular city election, the council by a majority vote of the remaining council members shall choose appointing a successor to serve the unexpired term. until the newly elected councilmember is qualified.~~

~~(2) If there are more than six (6) months remaining in the unexpired term and no regular city election is scheduled within six (6) months, the council shall fill the vacancy on an interim basis as provided in [subsection] (1) above, and shall schedule a special election to be held no sooner than sixty (60) days, nor more than ninety (90) days following the occurrence of the vacancy.~~

Notwithstanding any quorum requirements established herein, if at any time the membership of the council is reduced to less than a quorum, the remaining members may by majority vote appoint additional members in the manner provided above. ~~under either [subsection] (1) or (2) above.~~

**Section 3. Referendum Called.** The Charter amendment proposed in Section 2. of this Ordinance shall be presented to the City of Groveland electorate at a referendum. The City Council hereby authorizes, directs and requests the supervisor of elections to conduct the referendum, pursuant to applicable Florida law, with the date of the referendum to be November 3, 2020.

**Section 4. Forms of Ballot.** The form of ballot for the Charter amendment proposed in Section 2 of this Ordinance shall be as follows:

**FILLING VACANT SEAT PRIOR TO  
EXPIRATION OF TERM OF OFFICE**

Should the Charter be amended to provide that a vacant seat on city council, except upon natural expiration of a term of office, shall be filled by the remaining councilmembers appointing a successor to fill the vacancy for the remainder of the unexpired term and not by special election regardless of the length of time remaining in the term of office when the vacancy occurs or a reduction in council to less than a quorum?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

**Section 5. Severability.** If any provision or portion of this Ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

**Section 6. Repeal**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 7. Inclusion in Charter.** It is the intention of the City of Groveland and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City of Groveland Charter as approved by a majority of electors voting on such measure.

**Section 8. Effective Date.** This Ordinance shall become effective immediately upon its passage as a non-emergency ordinance at two scheduled meetings of the City Council. The Charter amendment provision provided herein shall be effective on November 3, 2020 subject to approval of a majority of electors voting on the measure and certification of the election results.

**PASSED AND ORDAINED** in regular session of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_\_ day of August, 2020.

\_\_\_\_\_  
EVELYN WILSON, MAYOR  
City of Groveland, Florida

ATTEST:

\_\_\_\_\_  
Virginia Wright  
City Clerk



Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_  
Passed Second Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



CONSENT AGENDA ITEM  
MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS  
VIA: MIKE HEIN, CITY MANAGER  
FROM: ANITA GERACI-CARVER, CITY ATTORNEY  
SUBJECT: CONSIDERATION of Ordinance 2020-27 interim council appointed by the governor and a transition schedule  
DATE: July 20, 2020

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**GENERAL SUMMARY/BACKGROUND:** Currently the charter provides that if the entire council becomes vacant, the Governor appoints an interim council to serve until an filled at a special election. The proposed ballot question in Ordinance 2020-27 seeks to amend the City's charter so that the interim council serves until the next regular election. The amendment also provides for a transition schedule since all five seats will be elected simultaneously.

If the next regular city election occurs in an even-numbered year, then three councilmembers, Districts (1), (3) and (5) shall be elected to serve a two-year term, and two councilmembers, Districts (2) and (4) shall be elected to serve an initial one-year term. If the next regular city election occurs in an odd-numbered year, then two councilmembers, Districts (2) and (4) shall be elected to serve a two-year term, and three councilmembers, Districts (1), (3) and (5) shall be elected to serve an initial one-year term.

After the need to hold a special election to fill the unexpired term of a council member who resigned, the first to occur after primary elections were implemented, a deficiency in the timing within the Charter to hold the special election became evident. The current timing requirements causes unavoidable difficulties for the Supervisor of Elections in meeting his obligations concerning absentee ballots. After further consideration of the issues the Charter has been reexamined. The ballot questions being proposed will eliminate the need for future special elections to be held.

The title, summary and question was shared with the Lake County Supervisor of Elections for review and comment.

**BUDGET IMPACT:**

If approved by the voters in November, there will be a savings to the City. Currently the cost to hold a special election is approximately \$23,000.00.

Minimal cost of less than \$1000.00 to translate into Spanish.

**LEGAL NOTE:** The deadline to submit ballot language to the Supervisor of Elections is August 21, 2020. The City must provide ballot language in English and Spanish. Time is needed between final adoption and August 21, 2020 for translation.

**STAFF RECOMMENDATION:** Motion to Approve Ordinance 2020-27.

**ATTACHMENTS:**

Ordinance 2020-27

**ORDINANCE 2020-27**

**AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AN AMENDMENT OF THE CHARTER OF THE CITY OF GROVELAND BY AMENDING ARTICLE III, SECTION 3.06(e) TO PROVIDE THAT THE TERMS OF OFFICE FOR AN INTERIM COUNCIL APPOINTED BY THE GOVERNOR WILL BE UNTIL THE NEXT REGULAR ELECTION RATHER THAN UNTIL VACANCIES ARE FILLED BY SPECIAL ELECTION AND TO PROVIDE A TRANSITION SCHEDULE FOR TERMS OF OFFICE; PROVIDING SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 2020, GENERAL ELECTION; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, currently the City of Groveland Charter provides that when the governor appoints an interim council because all members have been removed the interim council serves until a special election can be held; and

**WHEREAS**, the interim council will provide stability during a challenging time, as opposed to having a special election and potential primary election occurring; and

**WHEREAS**, if the interim council will serve until the next regular election, rather than until a special election is held, then a transition schedule for terms of office should be provided; and

**WHEREAS**, the City of Groveland has advertised this ordinance no less than 10 days prior to the adoption as required by law; and

**WHEREAS**, the City Council desires to seek electors approval to amend the City Charter to allow the interim council appointed by the governor to serve until the next regular election, and if approved, then implement a transition schedule.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, as follows:**

**SECTION 1. Findings.** In adopting this Ordinance, the City Council of the City of Groveland (the "City Council") hereby makes and expresses the following findings, purposes and intent:

(1) Section 166.031 of Florida Statutes, (2019) provides for the governing body of a municipality to submit to the electors of said municipality a proposed amendment to its charter through referendum. Upon adoption of an amendment by a majority of the electors voting in a referendum upon such amendment, the amendment

shall be incorporated into the charter and the revised charter filed with the Department of State.

(2) The City Council desires to seek electors approval to amend the City Charter to allow the interim council appointed by the governor to serve until the next regular election, and approval of a transition schedule for terms of office to maintain the election cycle for district seats.

**Section 2. Amendment of the City of Groveland's Charter.** Article III, Section 3.06(e) entitled Filling of vacancies is hereby amended to read as follows:

Sec. 3.06. (e)- Extraordinary vacancies

e) *Extraordinary vacancies.* In the event that all members of the council are removed by death, disability, law or forfeiture of office, the governor shall appoint an interim council that shall serve until the next regular city election. If the next regular city election occurs in an even-numbered year, then three councilmembers, Districts (1), (3) and (5) shall be elected to serve a two-year term, and two councilmembers, Districts (2) and (4) shall be elected to serve an initial one-year term. If the next regular city election occurs in an odd-numbered year, then two councilmembers, Districts (2) and (4) shall be elected to serve a two-year term, and three councilmembers, Districts (1), (3) and (5) shall be elected to serve an initial one-year term. ~~that shall call a special election as provided in [subsection] (d) above and such election shall be held in the same manner as the first election under this Charter.~~

**Section 3. Referendum Called.** The Charter amendment proposed in Section 2. of this Ordinance shall be presented to the City of Groveland electorate at a referendum. The City Council hereby authorizes, directs and requests the supervisor of elections to conduct the referendum, pursuant to applicable Florida law, with the date of the referendum to be November 3, 2020.

### **APPOINTMENT OF INTERIM COUNCIL UNTIL NEXT REGULAR ELECTION AND TRANSITION SCHEDULE**

Should the Charter of Groveland be amended to provide that the terms of office for an interim council appointed by the governor will be until the next regular election, rather than until the vacancies are filled by a special election, and provide for a transition schedule?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

**Section 5. Severability.** If any provision or portion of this Ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

**Section 6. Repeal**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 7. Inclusion in Charter.** It is the intention of the City of Groveland and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City of Groveland Charter as approved by a majority of electors voting on such measure.

**Section 8. Effective Date.** This Ordinance shall become effective immediately upon its passage as a non-emergency ordinance at two scheduled meetings of the City Council. The Charter amendment provision provided herein shall be effective on November 3, 2020 subject to approval of a majority of electors voting on the measure and certification of the election results.

**PASSED AND ORDAINED** in regular session of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_\_ day of August, 2020.

---

EVELYN WILSON, MAYOR  
City of Groveland, Florida

ATTEST:

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Virginia Wright  
City Clerk



Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_

Passed Second Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



## CONSENT AGENDA

### MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: TIM MASLOW, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: RESOLUTION 2020-31: VACANT LAND PURCHASE AND SALE AGREEMENT BETWEEN BRIGMOND CONSTRUCTION, INC. AND THE CITY OF GROVELAND

DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

As part of the City's revitalization efforts in Downtown and the Blue Street Quarters District, City staff has worked with Brigmond Construction, Inc. to identify targeted properties ripe for cleanup and redevelopment. Brigmond Construction has previously purchased these properties and has demolished dilapidated structures contributing to the area's blight. There are four properties included in this agreement that the City would be acquiring.

The first parcel's address is 308 South Main Ave and is commonly referred to as "the old hotel site." The parcel is .41 acres of vacant land. City staff sees this property as an ideal location for public parking which will help provide additional parking for the newly renovated Lake David Park and new mixed use redevelopment opportunities on South Lake Ave.

The second parcel is located on 824 East Broad St (SR50) and is .47 acres of vacant land. It previously included two duplexes and a bar that were in very poor condition which added to the blight in the Blue Street Quarters District. The City will be analyzing options for highest and best use of this property as it will serve as a catalyst for redevelopment in this community.

The third and fourth parcels are adjacent to each other, both located on Wright Street in Downtown. Their combined size is .37 acres and are also in vacant condition.

The environmental and boundary surveys will be completed by BESH engineering by July 30, 2020, prior to the scheduled closing of August 3, 2020.

**BUDGET IMPACT:**

\$420,000 spent from the City's General Fund.

**LEGAL NOTICE:**

None needed

**STAFF RECOMMENDATION**

Staff recommends City Council adopt Resolution 2020-31: Vacant Land Purchase and Sale Agreement between Brigmond Construction, Inc. and the City of Groveland and authorizing the close of escrow.

**ATTACHMENTS:**

Attachment 1 Resolution 2020-31

Attachment 2 Agreement

Attachment 3 Appraisal

**RESOLUTION 2020-31**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, APPROVING THE VACANT LAND PURCHASE AND SALE AGREEMENT BETWEEN BRIGMOND CONSTRUCTION, INC., AND BRIGMOND PROPERTIES, LLC AND THE CITY OF GROVELAND FOR SEVERAL PROPERTIES LOCATED IN, GROVELAND, FLORIDA; AUTHORIZING EXECUTION OF THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council finds the Vacant Land Purchase and Sale Agreement beneficial to the City of Groveland and desires to approve the Agreement with the terms and conditions outlined therein.

**WHEREAS**, is authorized under its Home Rule powers to acquire property for municipal purposes.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AS FOLLOWS:**

Section 1. The Vacant Land Purchase and Sale Agreement between Brigmond Construction, Inc., and Brigmond Properties, LLC and City of Groveland a copy of which is attached hereto, is approved.

Section 2. The Council authorizes the City Manager to execute the Agreement.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council of the City of Groveland, Florida.

PASSED AND RESOLVED this \_\_\_\_ day of July, 2020, by the City Council of the City of Groveland, Florida.

---

Evelyn Wilson, Mayor  
City of Groveland, Florida

ATTEST:

---

Virginia Wright, City Clerk



Approved as to Form:

\_\_\_\_\_  
 Anita Geraci-Carver  
 City Attorney

Passed First Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above  
 and foregoing Resolution. Motion was seconded by Council Member  
 \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS  
VIA: MIKE HEIN, CITY MANAGER  
FROM: ANITA GERACI-CARVER, CITY ATTORNEY  
SUBJECT: CONSIDERATION of Ordinance 2020-28 eliminating references to special election in the Charter  
DATE: July 20, 2020

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**GENERAL SUMMARY/BACKGROUND:** The proposed ballot question in Ordinance 2020-28 seeks to amend the City's charter to eliminate any references to special election in 3.03 of the City of Groveland Charter if the other two proposed ballot amendments are approved by the voters.

After the need to hold a special election to fill the unexpired term of a council member who resigned, the first to occur after primary elections were implemented, a deficiency in the timing within the Charter to hold the special election became evident. The current timing requirements causes unavoidable difficulties for the Supervisor of Elections in meeting his obligations concerning absentee ballots. After further consideration of the issues the Charter has been reexamined. The ballot questions being proposed will eliminate the need for any future special elections to be held.

The title, summary and question was shared with the Lake County Supervisor of Elections for review and comment.

**BUDGET IMPACT:**

If approved by the voters in November, there will be a savings to the City. Currently the cost to hold a special election is approximately \$23,000.00.

Minimal cost of less than \$1000.00 to translate into Spanish.

**LEGAL NOTE:** The deadline to submit ballot language to the Supervisor of Elections is August 21, 2020. The City must provide ballot language in English and Spanish. Time is needed between final adoption and August 21, 2020 for translation.

**STAFF RECOMMENDATION:** Motion to Approve Ordinance 2020-28.

**ATTACHMENTS:**  
Ordinance 2020-28

**ORDINANCE 2020-28**

**AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AN AMENDMENT OF THE CHARTER OF THE CITY OF GROVELAND AUTHORIZING LANGUAGE RELATING TO SPECIAL ELECTIONS TO BE DELETED IN SECTION 3.03 IF APPROPRIATE TO ACCOMMODATE REVISIONS TO THE CHARTER; PROVIDING SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 3, 2020, GENERAL ELECTION; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, currently Sec. 3.03 of the City of Groveland Charter includes references to special elections; however, if the proposed ballot amendments are approved by the voters, then any references to special elections in Sec. 3.03 should be deleted; and

**WHEREAS**, the City of Groveland has advertised this ordinance no less than 10 days prior to the adoption as required by law; and

**WHEREAS**, the City Council desires to seek electors approval to amend the City Charter as provided for below.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, as follows:**

**SECTION 1. Findings.** In adopting this Ordinance, the City Council of the City of Groveland (the "City Council") hereby makes and expresses the following findings, purposes and intent:

(1) Section 166.031 of Florida Statutes, (2018) provides for the governing body of a municipality to submit to the electors of said municipality a proposed amendment to its charter through referendum. Upon adoption of an amendment by a majority of the electors voting in a referendum upon such amendment, the amendment shall be incorporated into the charter and the revised charter filed with the Department of State.

(2) It is beneficial to remove superfluous reference to special elections if the requirement for a special election is eliminated by the voters.

**Section 2. Amendment of the City of Groveland's Charter.** The Charter is hereby amended as follows:

**Section 3. Referendum Called.** The Charter amendment proposed in Section 2. of this Ordinance shall be presented to the City of Groveland electorate at a referendum. The City Council hereby authorizes, directs and requests the supervisor of elections to conduct the referendum, pursuant to applicable Florida law, with the date of the referendum to be November 3, 2020.

**Section 4. Forms of Ballot.** The form of ballot for the Charter amendment proposed in Section 2 of this Ordinance shall be as follows:

**REMOVAL OF LANGUAGE RELATING TO  
SPECIAL ELECTIONS TO ACCOMMODATE  
REVISIONS TO THE CHARTER IF  
APPROPRIATE**

Should the language in Sec. 3.03 of the Charter of Groveland be revised by removing language relating to special elections if the requirement for a special election is eliminated by other charter amendments?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

**Section 5. Severability.** If any provision or portion of this Ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

**Section 6. Repeal.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 7. Inclusion in Charter.** It is the intention of the City of Groveland and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City of Groveland Charter as approved by a majority of electors voting on such measure.

**Section 8. Effective Date.** This Ordinance shall become effective immediately upon its passage as a non-emergency ordinance at two scheduled meetings of the City Council. The Charter amendment provision provided herein shall be effective on November 7, 2018 subject to approval of a majority of electors voting on the measure and certification of the election results.

**PASSED AND ORDAINED** in regular session of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_\_ day of August, 2020.

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EVELYN WILSON, MAYOR

City of Groveland, Florida

ATTEST:

\_\_\_\_\_  
Virginia Wright  
City Clerk

Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_  
Passed Second Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		

# OLD BUSINESS



## AGENDA ITEM 1

### MEMORANDUM

TO: HOMORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: TIMOTHY MASLOW, COMMUNITY DEVELOPMENT DIRECTOR

FROM: ANDREW LANDIS, SENIOR PLANNER

SUBJECT: CONSIDERATION OF APPROVAL: ORDINANCE 2019-55 – INDIGO LAKES PUD AMENDMENT (FIRST READING)

DATE: JULY 20, 2020

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#### **GENERAL SUMMARY/BACKGROUND:**

City Community Development staff received an application from Jimmy Crawford, representing property owner Indigo Land Groveland LLC, requesting to update and amend PUD Ordinance 2006-08-67 affecting 162.76 +/- acres of vacant property with a Future Land Use designation of City of Groveland Mixed Use and a Zoning designation of Planned Unit Development (PUD). The subject property is located on the east side of Villa City Road, west of Lake Lucy in the City of Groveland.

The applicant requests to amend the current PUD to allow for additional single family residential lots with reduced setbacks and changes to other development standards.

#### **BUDGET IMPACT:**

There are no budgetary impacts.

#### **LEGAL NOTE:**

The City Council is authorized pursuant to F. S. 166.041 and Sec. 153-118 of the City's Land Development Code to approve PUD zoning ordinances. The PUD zoning ordinance is consistent with the City's Comprehensive Plan. The PUD allows and provides for deviations from the City's Land Development Code which is permitted with Council approval.

#### **STAFF & ADVISORY RECOMMENDATIONS:**

At the January 16, 2020 Planning & Zoning Board Meeting, Members voted three (3) to two (2) to deny Ordinance 2019-55.

Some of the primary concerns raised by P&Z Board Members regarding the proposed PUD Amendment include:

- Monotonous housing with no diversity of housing types (single family only)
- Narrow lot widths of 40 and 50 feet
- Side yard setbacks of 5 feet
- Front loaded garages that dominate the façades of the homes

The City Council voted 4-1 at their February 18, 2020 meeting to send the item back to the Planning & Zoning Board for additional review. The applicant has proposed several changes to the plan in response to Council and Planning Board Member comments and recommendations.

The most significant recent changes include:

- The applicant is offering to donate +/- 4.3 hilltop acres to the City for a public park located at the old mansion site
- The applicant would retain the +/- six (6) acres on the northern edge of the property previously offered to the City for parkland for ten (10) development lots
- The City would give the applicant +/- two (2) acres of City-owned land located at the southwest corner of the project for an additional thirteen (13) development lots
- The applicant has extended the commercial core to the municipal park to allow for additional mixed use development
- The applicant proposes attached single family units fronting the municipal park, with rear loaded garages accessed by alleys
- The applicant has relocated the community pool and tot lot to a more central location in the residential-only portion of the neighborhood

On March 5, 2020, the Planning & Zoning Board voted 5-2 to approve Ordinance 2019-55 amending the Indigo Lakes PUD.

The approval includes two conditions:

1. Construction Plans, including road and road right-of-way, park design, and open space areas must be reviewed and approved by the Planning & Zoning Board prior to issuance of a site development permit.
2. The architecture of each new building and home type, including elevations, must be reviewed and approved by the Planning & Zoning Board prior to building permit approval. Buildings which have already received P&Z's approval do not require additional reviews.

Planning & Zoning Board Members discussed the improvements to the plan and thanked the applicants for their efforts to address concerns raised by Council Members, P & Z Board Members, and Staff.

Outstanding issues of concern that were discussed included:

- A desire for larger lots (60', 70', 80')
- All 40 foot lots should have alleys or enhanced parking
- 40 foot lots should be located internal to the community and not at the edges

- Front loaded garages that dominate the facades of homes

Community Development Staff recommends approval of Ordinance 2019-55 with the following conditions:

1. Construction Plans, including road and road right-of-way, park design, and open space areas must be reviewed and approved by the Planning & Zoning Board prior to issuance of a site development permit.
2. The architecture of each new building and home type, including elevations, must be reviewed and approved by the Planning & Zoning Board prior to building permit approval. Buildings which have already received P&Z's approval do not require additional reviews.

**ATTACHMENTS:**

Attachment 1 PUD Amendment Ordinance 2019-55, legal description (Exhibit A),  
Regulating Plan (Exhibit B), and Conceptual Zoning Map (Exhibit C)

Attachment 2 Application Submittal

Attachment 3 Public Notice Support Documentation

ATTACHMENT 1  
INDIGO LAKES  
PUD AMENDMENT  
2019-55

CITY OF BOULDER

Indigo Lakes Village  
Planned Unit Development (PUD)  
Code

10/11/11

## ORDINANCE 2019-55

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING THE CITY OF GROVELAND PLANNED UNIT DEVELOPMENT (PUD) FOR THE HEREIN DESCRIBED PROPERTY WITHIN THE CITY OF GROVELAND, FLORIDA, OWNED BY INDIGO LAND GROVELAND LLC, AND LOCATED AT 17200 VILLA CITY ROAD, GROVELAND, LAKE COUNTY, FLORIDA; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Groveland, Florida, as follows:

### Section 1: Purpose and Intent.

That the zoning classification of the following described property, being situated in the City of Groveland, Florida, shall hereafter be designated as PUD as defined in the Groveland Land Development Regulations.

### Section 2: Legal Description.

The property that is subject to this Ordinance (the "Property") consists of approximately 155 gross acres being more particularly described in **Exhibit "A"** attached hereto and incorporated herein.

### Section 3: Zoning Classification.

That the property being so designated as PUD is subject to the following terms and conditions:

- a. **General.** Development of this project shall be governed by the contents of this document and applicable sections of the City of Groveland Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City.

Where in conflict, the terms of this document shall take precedence over the City of Groveland Land Development Regulations and Code of Ordinances, the Conceptual Development Plan, and all other applicable rules, regulations and ordinances of the City.

Unless otherwise noted, the definition of all terms shall be the same as the definitions set forth in the City of Groveland Land Development Regulations.

- b. **Purpose.** The purpose of this PUD is to:

1. Create an attractive and high-quality environment which is compatible with the scale and character of the local environment;
2. Develop a residential area that is safe, comfortable and attractive to pedestrians;
3. Create a community with direct visual and physical access to open land, with amenities in the form of community open space, and with a strong community identity;
4. Provide a network of open space;
5. Provide for a diversity of lot sizes and housing choices to accommodate a variety of age and income groups and residential preferences, so that the City's population diversity may be maintained;
6. Provide connectivity and a safe and comfortable transportation design for residents including pedestrian and bicycle trails, transit and vehicular roads;
7. Foster the development of complete communities that allow residents to meet their daily needs within walking distance; and
8. Retain a significant portion of the land within the project as Conservation lands.



# Indigo Lakes Village PUD: Land Uses

The following text and use table outlines permitted uses for the Edge, Center, and Core sub-zones within the Indigo Lakes PUD (see **Exhibit C**)

Table U1 Uses by Zone

USES	EDGE	CENTER	CORE
<b>RESIDENTIAL &amp; HOSPITALITY</b>			
Multifamily Residential			P
Townhomes/Single Family Attached		P	P
Single Family Detached	P	P	
Live/Work Units			P
Accessory Dwelling Unit	P	P	
Short Term Rental			P
Hotel, Resort & Inn			P
Residential Care			P
<b>CIVIC</b>			
Assembly			P
Hospital & Clinic			P
Library/Museum/Post Office			P
Law Enforcement & Fire			P
School			P
<b>RETAIL &amp; SERVICE</b>			
Neighborhood Retail			P
General Retail			
Craftsman Retail			
Neighborhood Service			P
General Service			
<b>OFFICE</b>			
Office			P
Home Occupation			P
<b>AMUSEMENT</b>			
Recreation Indoor			P
Recreation Outdoor			
<b>INDUSTRIAL</b>			
Light Industrial			
Heavy Industrial			

Key  
P Permitted

c. **Land Uses.** Allowed uses within the PUD include single-family detached residential uses, Village Core Mixed Use, and related accessory uses, including, but not limited to, recreational uses and facilities. Institutional/public facility uses shall also be allowed where Village Core Mixed uses are allowed. The project shall be developed substantially in accordance with the attached **Exhibit "B"**, which was last revised on January 15, 2020, by Knight Engineering Services and is made an integral part of this PUD. In addition, uses allowed in the Agricultural zoning category shall be allowed in areas within the PUD that have not been developed for another allowed use. Mobile or manufactured homes shall be prohibited.

The approximate acreage devoted to each land use shall be generally as follows:

- d. **Residential.** The PUD shall not exceed 452 single family detached residential units.
- e. **Village Core Mixed Use.** An area of 2.97 +/- acres is identified Village Core Mixed Use. Within this area a maximum of 60,000 square feet of non-residential development will be permitted.

Use	Acres
Residential	65.85 +/-
Village Core Mixed Use	2.97 +/-
Upland/Usable Open Space	26.46 +/-
Wetland/Lake Open Space	16.27 +/-
Total Open Space <sup>1</sup>	42.73 +/-
Amenities /Public Facilities	4.76 +/-
Road Right-of-Way	22.14 +/-

<sup>1</sup>Land dedicated as Public Park shall count as Open Space. Such Public Park shall be dedicated prior to the first record final plat is recorded for the Property.



# Indigo Lakes Village PUD: Sub-zones

The following table and graphics outline standards for the Edge, Center, and Core zoning districts within the Indigo Lakes Village PUD.

	EDGE RESIDENTIAL	CENTER RESIDENTIAL	CORE MIXED USE	
LOT				<p><sup>1</sup>The building façade shall extend along the front yard line a minimum of the designated percentage of the lot width.</p> <p><sup>2</sup>HVAC and other mechanical and structural components shall not encroach the side setbacks.</p> <p><sup>3</sup>Side setbacks along corner lots shall be a minimum of 10' for Edge and Center.</p> <p><sup>4</sup>Detached homes shall have a minimum 5' side setback and 10' for lots wider than 60'. <sup>5</sup>Max. Building width for Center and Core is 100'. <sup>6</sup>Max. Lot Coverage for lots wider than 60' is 50%.</p>
PORCH & BALCONY				<p><sup>1</sup>The front porch or balcony shall meet the designated minimum depth and width.</p> <p><sup>2</sup>Porches and balconies shall not be screened or enclosed for non-residential uses.</p> <p><sup>3</sup>Arcades, colonnades, and awnings may serve as porches for the Core and Center zones.</p> <p><sup>4</sup>Primary entrances shall face the primary street.</p>
OUTBUILDINGS			N/A	<p><sup>1</sup>Outbuildings shall not exceed 22' height.</p> <p><sup>2</sup>Outbuildings shall use similar materials and architectural details to the principal building.</p>
PARKING			SATISFIED BY ON-STREET PARKING	<p><sup>1</sup>On-site parking shall be accessed from the alley for the core and center zones. If an alley is not provided, each lot may have no more than one ingress/egress from the primary street.</p> <p><sup>2</sup>A garage is considered an outbuilding and shall follow the specifications for outbuildings.</p>
HEIGHT				<p><sup>1</sup>Buildings or other structures shall not exceed the maximum height depicted in the graphic.</p> <p><sup>2</sup>Towers or chimneys with less than a 200 SF footprint may exceed the building height by 10'.</p>
MAX NET DENSITY	8 du/acre	12 du/acre	24 du/acre	

The "EDGE" zone is suitable for larger homes on larger lots with private yards, garages, and guest units. Lake adjacent lots have a minimum 80' lot width.

The "CENTER" zone features a mix of detached and attached housing types on smaller lots.

The "CORE" zone is comprised of building types massed together to create a main street atmosphere with retail at the ground floor and residential or office above.



## Indigo Lakes Village PUD: Residential Standards

The following text, tables and graphics outline standards for single family detached residential homes within the Indigo Lakes PUD.

### f. Single Family Residential Setbacks

The following minimum setbacks shall apply to single-family detached units and to the perimeter of multi-family residential developments:

**Front:** Any part of the structure (including but not limited to dwelling, storage, side-loaded garage and porches, but excluding front-loading garage): 10 feet

**Front Loaded Garage:** 25 feet

**Rear:** 20 feet for principal residential structure and 5 feet for garages, pools, pool decks, and patios. If any pool, pool deck or patio, is located closer than 20 feet from the rear property line, landscaping shall be provided along the rear property line to buffer adjacent properties.

**Side:** Detached unit: 5 feet, except 10 feet for corner lots as measured to the right-of-way line of the street side. An open space tract may be located in said 10 feet setback, as generally depicted on the Conceptual Development Plan.

Attached unit: 0 feet between units, 10 feet between buildings

**g. Lot Size:** A range of lot sizes shall be provided to create variety and offer opportunity for different income households. The minimum lot size shall be 3,600 square feet for single family detached residential lots. Lot size diversity within blocks is encouraged.

**h. Dwelling Size:** The minimum dwelling size shall be 1,000 square feet for all single-family detached units based on heated/air-conditioned space under roof exclusive of garages, carports, and porches.

**i. Lot Width:** In accordance with the principle of providing diversity within the development a variety of lot widths shall be permitted in the range of 20-85 feet. Lot width diversity within blocks is encouraged. However, for any irregularly shaped (e.g. pie shaped) single-family detached lots, the minimum lot width may be reduced to 30 feet at the building line with a minimum street frontage of 20 feet.

**j. Lot Coverage:** Single-family detached lots shall have a maximum lot coverage of 75% to include principal dwelling, all paved areas and swimming pool decks. The impervious surface area for the overall PUD shall not exceed 50%.

**k. Height of Structures:** No single family detached residential structure shall exceed 2½ stories or 35 feet in height.

**l. Building Design.** Building design will be in accordance with Chapter 137, Article II: Architectural Standards of the City's Land Development Regulations as the same exists on the Effective Date of this ordinance, except that deviations from the following sections are granted for the PUD: Section 137-76(b) and 145-47(d)(2) (front porches); and Sections 137-77 and 145-47(d)(3) (garages). The deviations are based on the additional open space and recreational amenities which have been incorporated into the project, as well as the following additional design standards that shall apply to the residential component of the PUD:

1. A diversity of housing styles, shapes and materials will be required in order to create variety in the streetscape.
2. The houses' architectural styles shall be either Florida vernacular, craftsman, or a current interpretation of these styles using architectural principles such as massing, human scale, rhythm, and proportion.
3. House facades shall be varied and articulated to provide visual interest to pedestrians along the street frontage. Architectural accents characteristic of the approved styles are strongly encouraged on facades. Except for lots narrower than 50 feet wide, no more than fifty percent (50%) of the front façade of a house shall consist of unarticulated block wall or garage door.
4. All homes shall have carriage style garage doors.
5. All homes shall have paver style driveways.
6. Two-story homes shall have lap-style siding, shake-style siding, board and batten, or similar materials on the second story.
7. All floor plans offered by homebuilders shall include an option whereby homeowners may purchase a front porch. Porches on homes that are less than 32 feet wide may vary from dimensional guidelines contained herein due to space limitations.
8. Front-facing gables on one-story houses must be clad with siding, trim, and an accent.
9. All floor plans shall include at least one option with front facing gables.
10. For homes built on lots narrower than 50 feet, garages without a second story above them shall include a gable end roof.



## Indigo Lakes Village PUD: Residential Standards

The following text, tables and graphics outline standards for single family detached residential homes within the Indigo Lakes PUD

11. Variations in color shall be required in order to avoid the same principal color on houses next to each other.
12. To ensure visual richness, roofs of the main body of all homes shall be hip, gable or other form of pitched roof. Flat roofs on the main body of a home shall be prohibited. Roof materials shall be either patterned shingles or metal panel.
13. Window trim, shutters and/or banding shall be used on the front facade of all residential units. Articulation of side street facades for corner lots shall also be required. On each level or part of the street facing facades, rows of windows shall be spaced evenly and contain consistent sizes and shapes to create visual harmony.
14. To avoid monotony, the same home plan and elevation will not be duplicated directly across the street, on either side of, or diagonally from a particular plan and elevation.
15. Different house sizes and styles shall be integrated architecturally in order to give the development a harmonious appearance.
16. Community Landscaping shall be incorporated into the overall design as a means of linking the development areas with the open spaces.
17. Individual Lot landscaping shall reinforce and complement the architectural style. Trees and palms shall be used to frame the street facing entry features and façade elements. Evergreen shrubs and understory trees shall be used to mask utilities and blank areas of side facades visible from the street.
18. Entry/monument signage for the main and secondary project entrances shall feature prominent columns with stone, stucco or similar materials, the project name, references to Groveland and/or the City logo and a decorative fence, as generally depicted on the Conceptual Development Plan.
19. The Community Development Director may grant deviations for design restrictions contained herein for home designs which meet the intent of this paragraph but vary slightly from the restrictions.

**City Park/Surplus City Parcel A** 4.3± acre tract, in the location shown on the Concept Plan, shall be contributed to the City, at no cost to City, for use as a municipal park. The developer of the Property shall have the right, but not the obligation, to construct park improvements according to plans ("Park Improvement Plans") that are reviewed and approved by City staff. If the developer opts to construct park improvements, the park shall be conveyed to the City within thirty (30) days of completion of construction. The park shall be conveyed to the City within thirty (30) days of approval of Park Improvement Plans if the City or a third party is constructing the park. If Developer opts to construct park improvements, it shall be entitled to Parks and Recreation Impact Fee Credits in an amount equal to the cost of design and construction of park improvements, including, without limitation, costs to design and build retaining walls related to City-required tree save areas or grading restrictions within the park.

A City-owned 2.01± acre tract (Lake County Parcel 12-22-24-0021-00A-00000) in the southwest corner of the Property (the "Triangle Parcel"), shall be conveyed by City to the developer, at no cost to the developer, for use as a drainage retention area that will handle stormwater from, among other areas, the City Park. This conveyance shall occur upon Developer's request, but not sooner than thirty (30) days after approval of construction plans that include the Triangle Parcel.

The City shall maintain naming rights to the municipal hilltop park.

## Indigo Lakes Village PUD: Site Development

The following text, tables, and graphics outline site development standards within the Indigo Lakes PUD.

- m. **Recreation and Open Space.** A minimum twenty percent (20%) of the overall Property will be open space. The open space shall include, but not be limited to, park lands, project buffer areas, drainage areas, retention areas and landscaped areas. Up to half of the required open space may be met with wetland preservation or natural water bodies exclusive of Lake Lucy. At least half of the required open space shall be met with a mix of open space types as defined in this code.
- n. **Waterfront and Wetlands Buffer Requirement.** No development shall be allowed within jurisdictional wetlands on the property without the proper mitigation and permits approved by the St. Johns River Water Management District. No development except passive recreation, as described in Policy 1.6.3 of the Conservation Element of the Comprehensive Plan, lake access and maintenance, as authorized by the St. Johns River Water Management District, shall be permitted in wetland/lake areas.
- A minimum building setback and upland buffer of 25 feet shall be maintained adjacent to the wetland jurisdiction line, per City of Groveland requirements. No improvements having an impervious surface (with the exception of wet retention areas) may be located within the upland buffer of 50 feet adjacent to the wetland jurisdiction line. Buffer requirements of the St. Johns River Water Management District shall also be maintained adjacent to the wetland jurisdiction line. If required by the St. Johns River Water Management District, the District buffer shall be within a deeded conservation easement.
- o. **Boat Docks and Prohibition on a Community Boat Ramp Allowing Motorized Watercraft.** Communal docks, parks, observation areas and non-motorized canoe/kayak launches shall be allowed on Lake Lucy. A communal boat ramp allowing motorized watercraft is prohibited. Residents may seek permits for private individual docks. No overnight mooring of boats or other watercraft shall be allowed on any communal dock in the project.
- p. **Potable Water and Wastewater.** The project shall connect to the City potable water system and the City sanitary sewer system prior to any certificate of occupancy being issued for any structure (except temporary construction uses) on the project. Reuse lines shall be installed for irrigation of residential lots and common areas; however, until such time as reuse service becomes available, irrigation of residential lots and common areas may be provided by an on-site irrigation system, wells or by potable water. If the City requires upsizing of utilities beyond that necessary to serve the project, the City will reimburse the Developer for the cost of any upsizing pursuant to a utility agreement with the Developer.
- q. **Solid Waste.** Solid Waste collection shall be pursuant to City regulations, as amended.
- r. **Drainage.** The maintenance of the drainage system shall be the responsibility of the Homeowners Association(s) and/or CDD if established. All stormwater ponds and treatment facilities shall be unfenced.
- s. **Transportation.** There shall be a minimum of four (4) ingress and egress points for the project. These shall be in the approximate locations shown on the Conceptual Development Plan. Streets within the project shall have a minimum fifty-foot (50') right-of-way with a minimum twenty-four foot (24') pavement width and two-foot (2') curb and gutter on each side. Provision shall be made for underground utilities.
- All portions of the development should be accessible by a direct, convenient, attractive, safe, and comfortable system of pedestrian facilities, and the development' should provide appropriate pedestrian amenities. Construction access shall be in accordance with the permitting requirements of the City, Lake County and Florida Department of Transportation, as applicable, and shall also comply with National Pollutant Discharge Elimination System (NPDES) permit requirements.
- The use of golf carts on internal streets shall be allowed, if allowed by the homeowner's association governing the Property. No golf cart use shall be allowed on Villa City Road or external to the Property.
- A twenty-five percent (25%) reduction in parking requirements shall be allowed for the Village Core Mixed Use portions of the PUD, due to the emphasis on community commercial and pedestrian, golf cart and bicycle access. Golf cart parking may be allowed, but shall not count toward the vehicular parking requirements.
- A fifty percent (50%) increase shall be required in the bicycle parking/storage facilities required for the commercial portions of the PUD. School bus stops out of the traffic flow areas shall be provided, the location and standards for which shall be coordinated with the Lake County School Board.

## Indigo Lakes Village PUD: Site Development

The following text, tables, and graphics outline site development standards within the Indigo Lakes PUD.

- t. **Streets, Sidewalks, and Trails.** The development shall have a connected street system that serves vehicles, pedestrians and bicycles which connects to recreation facilities and adjacent residential community areas. A minimum of a five-foot (5') sidewalk shall be constructed along both sides of all streets within the project. All streets shall be constructed to the City of Groveland standards and shall be public, dedicated to the City, non-gated streets. A minimum of two (2) off-street parking spaces shall be required for each single-family detached residential unit constructed in the project.

The City agrees to vacate the existing right-of-way within the boundaries of the development prior to/or concurrent with any new right-of-way dedication or platting.

A typical street layout is illustrated as Exhibit B.

Curb radii shall follow FDOT Green Book Chapter 19 standards.

A pedestrian trail that measures 7,000+/- linear feet shall be constructed along Lake Lucy as illustrated in Exhibit B.

A minimum 8' wide multi-purpose path shall be constructed along the project boundary with Villa City Road. Such multi-purpose path may be located in the right-of-way with the approval of Lake County and/or within the twenty-nine (29) foot wide landscape buffer.

Street trees shall be planted within the right-of-way of all streets every 40 feet on center, except as may otherwise be approved by City staff. Such trees shall be planted with root barriers so as not to interfere with utility lines and comply with the City's Landscape Regulations for trees in the right-of-way.

- u. **Landscape Buffers.** Landscape buffers within the project shall comply with City Land Development Regulations (including for installation, irrigation and plant materials), and a minimum twenty-nine (29) foot wide landscape buffer shall be provided along those areas where the perimeter of the PUD abuts Villa City Road.

Additionally, the community will feature native landscaping within the common areas.

Landscaping along rear lot lines shall be encouraged, to be installed when the home is constructed on each lot, and shall be required if a pool, patio, or pool deck is located in the rear yard or added by a resident after the home is occupied.

- w. **Tree Replacement.** Tree replacement within the project shall comply with City Land Development Regulations except as modified herein. Owner shall locate and map all protected trees

8" or above in diameter at breast height or 54" above grade. Owner is not required to locate, map or protect trees less than 8" diameter at breast height or 54" above grade, whether on the protected list or not. Protected trees of 36" or above in diameter at breast height or 54" above grade must be preserved unless such tree is located within the area where any building, roadway, pavement, retention pond or other improvement is proposed to be constructed, or where a grade change necessary to proposed development of the site will be made which is too severe for the tree to survive, or within a five-foot offset of the footprint for the residence.

If after such removal the lot will not contain the minimum number of trees required for the lot by the City Land Development Regulations, then owner shall be required to plant the amount of substitute trees required to comply with such regulations on such lot or within the common areas. The owner will be required to replace removed protected trees inch-for-inch of removed tree diameter at breast height with replacement trees of the types listed in Sec. 133-38 or of any other variety approved by the Community Development Director. If the planting will take place on the lot, then such planting is to be performed prior to issuance of a certificate of occupancy. If the planting will take place within the common areas, then such planting is to be performed prior to the city issuing a certificate of completion for the applicable phase of the subdivision or city accepting the conveyance of infrastructure improvements and real property for such phase, whichever occurs last; however, if neither can be accomplished for a reason acceptable to city, owner shall post a bond in an amount acceptable to city and for a duration acceptable to city until such trees are planted and viable.

Lots up to 6,000 square feet in size shall contain no less than 2 protected trees, neither of which may include a street tree. Lots over 6,000 square feet in size shall contain, at a minimum, the number of protected trees required for such lot(s) by Sec. 133-127(a)(l). The following shall not count as a protected tree: trees listed in Sec. 117-21 of the City Land Development Regulations; trees associated with a bona fide agriculture operation; and trees less than 8" in diameter at breast height or 54" above grade.

Canopy trees with a diameter of 12" or greater within buffer adjacent to Villa City Rd. or at municipal hilltop park site are not to be removed or disturbed under any circumstance without approval from City Council.

## Indigo Lakes Village PUD: Site Development

The following text, tables, and graphics outline site development standards within the Indigo Lakes PUD.

- x. **Lighting.** Decorative street lighting shall be installed at every intersection and at intervals of 300 feet, or as approved by City Staff. Street lighting shall be installed by the Owner/Developer. In accordance with Dark Sky standards, full cutoff lighting fixtures that are fully shielded and produce downward directional lighting shall be used for streetlights in order to minimize glare, overhead sky glow and light trespass. The streetlights shall be owned and maintained by the homeowners' association or CDD to the extent such responsibilities are not assumed by the electric utility provider. In the event the street lighting fixtures required by this paragraph are not authorized by the electric utility provider, then the developer shall coordinate with City staff to select an alternate fixture that is offered by the electric utility provider and most closely reflects the intent of this paragraph. A lighting/photometric plan shall be submitted to the City as part of an application for construction plan approval.
- y. **Utilities.** All utilities shall be underground and may be constructed in phases, in accordance with a phasing plan approved by City staff City acknowledges it has sufficient capacity to service the project with potable water and sanitary sewer service.
- z. **Signage.** Allowed ground signage, monument signage and wayfinding signage for the project is depicted on the Conceptual Development Plan. Additional signage may be approved by City staff in accordance with the City Land Development Regulations.
- aa. **Maintenance of Common Areas.** Maintenance of all common areas within the residential component of the project shall be the responsibility of the Homeowner's Association(s) formed to govern such subdivision and/or a CDD.
- bb. **Community Development District.** The Developer may create a community development district ("CDD") pursuant to Chapter 190, Florida Statutes, in order to provide for the financing, management and control of common areas and infrastructure for all or any part of the project or for any other purpose allowed by law.
- cc. **Impact Fees.** The Developer acknowledges that the City of Groveland has impact fees for water, wastewater, fire, police and recreation, and administrative facilities and that the project shall be subject to such impact fees. Impact fees for the project shall be paid in accordance with the City Land Development Regulations.
- dd. **Uncovered Artifacts During Construction.** Development shall cease construction activities on a development site when unidentifiable artifacts are uncovered during either land preparation or construction. The developer shall notify the City of such potential discovery, and the City and/or developer shall contact the Florida Department of State of such discovery. Construction shall not resume in the affected area until the State has determined the archeological significance of the discovery and the restrictions which shall be imposed on development. Development may continue in other areas of the project which will not impact the site of the discovery.
- ee. **Amendments.** Any substantial deviation from the Conceptual Development Plan, or any deviation from the terms of this Ordinance, shall be approved by the City Council in accordance with the legal procedures to amend zoning ordinances. The following criteria shall be used to identify a substantial deviation to the Conceptual Development Plan: (1) a change which would add a new land use not previously approved by this PUD; (2) a change which would increase the overall density or intensity approved for the Property by this PUD; or (3) a reduction in the number or substantial change in the location of external access points shown on the plan. All other changes to the Conceptual Development Plan, and any modifications to any design or other development standards contained in the Land Development Regulations of the City that may be required to effectuate such changes and are consistent with the City's Comprehensive Plan, shall be considered non-substantial and subject to administrative approval by City staff. In approving a modification to a design or development standard contained in the Land Development Regulations, City staff may impose one or more conditions that are reasonably calculated to mitigate the identifiable land use impacts of the modified standard, if any. For avoidance of doubt, a change to a development standard that is set forth in both the Conceptual Development Plan and in this Ordinance shall require approval by the City Council in accordance with the legal procedures to amend zoning ordinances.
- ff. **Expiration of PUD.** Unless an extension is approved by City Staff, this PUD shall expire if application for construction plan approval is not submitted, from the Effective Date of this Ordinance, or if no infrastructure construction has commenced on the Property within two (2) years from the approval of the construction plans for the project. Any request for extension must be submitted to the City by the applicant prior to the PUD expiring.

## Indigo Lakes Village PUD: General Standards

The following tables and graphics outline community-wide standards for the Indigo Lakes PUD

	Village
Size (acres)	80 - 192
Pedestrian Shed	¼ Mile
Minimum Open Space	20%
Maximum Impervious Surface Area	50%
Transportation Adjacency	Adjacent to 1 Arterial
Minimum Connectivity	1 External Connection Every ¼ Mile of Perimeter
Maximum Block Perimeter	1,800 LF
Minimum Villa City Rd. Buffer	29"



# Indigo Lakes Village PUD: Open Space

The following table and graphics outline standards for the Square, Plaza, Green, Pocket Park, and Greenway within the Indigo Lakes PUD.

Figure OS1

OPEN SPACE PERIMETER

**GREEN**

- Width: 200' min.
- Coverage: 35% max.
- Size: 1-10 Acres
- Street Frontage: 50% min.
- Open Water: 30% max.
- Fixtures:
  - Canopy Trees
  - Benches
  - Decorative Lighting
  - Walking Paths



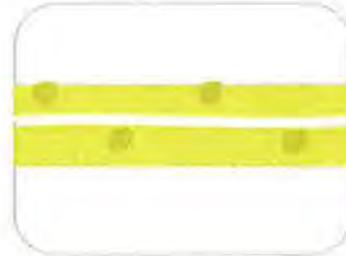
The "GREEN" is partially bordered by building frontages with a landscape consisting of grassy lawns, trees, and walking paths for relaxation and recreational purposes.

Figure OS2

OPEN SPACE PERIMETER

**GREENWAY TRAIL**

- Width: 50' min.
- Coverage: 60% max.
- Size: 1-10 Acres
- Street Frontage: N/A
- Open Water: 30% max.
- Fixtures:
  - Canopy Trees
  - Benches
  - Decorative Lighting
  - Walking Paths



The "GREENWAY TRAIL" is a linear open space that often follows a natural feature, such as a river, stream, or ravine, and connects to other open space types.

**SQUARE**

- Width: 80' min.
- Coverage: 60% max.
- Size: 25-3 Acres
- Street Frontage: 100% min.
- Open Water: 30% max.
- Fixtures:
  - Canopy Trees
  - Benches
  - Decorative Lighting
  - Walking Paths



The "SQUARE" is spatially defined by building frontages and consists of walking paths, lawns, and trees for civic, social, and commercial purposes.

**POCKET PARK**

- Width: 40' min.
- Coverage: 90% max.
- Size: .1 Acres
- Street Frontage: 25% min.
- Open Water: 30% max.
- Fixtures:
  - Canopy Trees
  - Benches
  - Decorative Lighting



The "POCKET PARK" provides small scale open space for recreation and gathering for neighborhood residents within walking distance.

**PLAZA**

- Width: 80' min.
- Coverage: 90% max.
- Size: 25-1 Acres
- Street Frontage: 30% min.
- Open Water: 50% max.
- Fixtures:
  - 1 canopy tree per 500 sf
  - 1 bench per 2,500 sf
  - Decorative Lighting



The "PLAZA" is spatially defined by building frontages and consists of mostly paved surfaces and trees for civic, social, and commercial purposes.

**MID-BLOCK PASSAGE**

- Width: 1' min.
- Coverage: 90% max.
- Size: N/A
- Street Frontage: 30% min.
- Open Water: 0% max.
- Fixtures:
  - Decorative Lighting
  - Walking Paths



The "MID-BLOCK PASSAGE" provides mid-block pedestrian access and activates courtyards, cafes and seating areas not fronting a street type.



# Indigo Lakes Village PUD: Block Configuration

The following standards apply to ensure proper structure and layout of blocks.

## a. Interconnected Street Pattern.

The network of streets within the community shall form an interconnected pattern with multiple intersections and resulting block sizes as designated in the requirements for each Community Type.

1. The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new developments.
2. Cul-de-sac and dead end streets are prohibited.
3. Streets shall follow natural features rather than interrupting or dead-ending at the feature.
4. Streets shall terminate at either an open space or a building facade.
5. Streets shall be designed as described in the Street Types section.

## b. Block Configuration.

Refer to Figure (B1) for an illustration of Typical Block Elements.

1. The shape of a block shall be generally rectangular, but may vary due to natural features or site constraints.
2. Blocks shall typically be two lots deep with the exception of blocks containing open space. Blocks may also include an alley.
3. Blocks shall typically be fronted with lots on at least two faces, preferably on the longest street faces.
4. For increased energy efficiency, block orientation shall be along an east-west longitudinal axis to the maximum extent feasible. For long, central corridor buildings, this block orientation will encourage development of buildings oriented along an east-west axis, with smaller east and west facing facades, resulting in taking advantage of passive solar design.

## c. Maximum Block Size.

Block sizes shall meet the requirements for each Community Type. A network of streets as described in the, Street Types section, are required to meet the maximum block size requirements. Deviations may be permitted where connections cannot be made because of physical obstacles, such as wetlands and water bodies, railroad and existing highway rights of-way.

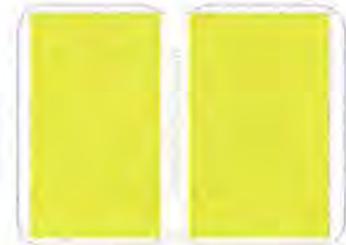
Figure B1

 BLOCK PERIMETER (MAX. 1,600 LF)

STANDARD BLOCK



ALLEY BLOCK



"H" ALLEY BLOCK



"H" ALLEY BLOCK



## Indigo Lakes Village PUD: General Standards

The following text, tables, and graphics outline general standards within the Indigo Lakes PUD.

### **Section 4: Consistent with Comprehensive Plan.**

That the herein described PUD is consistent with the Comprehensive Plan of the City of Groveland, Florida.

### **Section 5: Official Zoning Map.**

That the City Manager, or designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Groveland, Florida, to include said designation.

### **Section 6: Severability.**

That if any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

### **Section 7: Conflict.**

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

### **Section 8: Effective Date.**

This Ordinance shall become effective immediately upon its approval and adoption by the City Council.

### **Section 9: Construction Plan and Architectural Reviews**

Plan review for home facades, commercial buildings, amenity buildings, parks, and open spaces shall be conducted by the Planning and Zoning Board. Plan review for homes, commercial buildings, and amenity buildings shall occur prior to issuance of a building permit for said plans. Plan review for parks, not including the City Park, and open spaces shall occur prior to issuance of construction plan approval. Such plan reviews shall be limited to assuring compliance with the objective standards contained in this ordinance. Building permits for home plans (and associated facades) for which the City has previously issued a building permit shall be allowed without such review.

The Planning and Zoning Board shall have approved the concept plan for the City Park improvements prior to issuance of construction plan approval for said improvements.

EXHIBIT A

PARCEL 1:

THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, LYING SOUTHEASTERLY OF C.R. 565, IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

ALSO

THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

TRACTS 53 AND 54, GROVELAND FARMS, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 2:

TRACTS 59 AND 60, IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, IN GROVELAND FARMS, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 3:

PARCEL A: THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL B: THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL C: THE WEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL D: THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4, EAST OF ROAD, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL E: THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 EAST OF ROAD, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL F: ALL OF TRACTS 35, 45 AND 46, LYING EAST OF C.R. ROAD 565, AND THAT PART OF THE EAST 297 FEET OF TRACT 36, LYING EAST OF C.R. ROAD 56,5 ALL LYING AND BEING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, GROVELAND FARMS, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

- THE ABOVE DESCRIBED PARCELS CONTAIN 162.756 ACRES MORE OR LESS. OF THAT 116.947 ACRES UPLAND AND 45.809 ACRES WETLAND.

# NEW BUSINESS

## Agenda Item 2.

2. **Consideration of Adoption: Proclamation of Mayor & City Council Encouraging All Residents and Visitors to Wear Masks**

Note: Additional Information to Follow