

**PUBLIC NOTICE AND AGENDA OF THE GROVELAND CITY COUNCIL MEETING  
SCHEDULED TO CONVENE AT 7:00 P.M., MONDAY, MAY 16, 2016 IN THE E.L. PURYEAR  
BUILDING LOCATED AT 243 S. LAKE AVENUE, GROVELAND, FLORIDA**

MAYOR	TIM LOUCKS	tim.loucks@groveland-fl.gov
VICE-MAYOR	KAREN MCMICAN	karen.mcmican@groveland-fl.gov
COUNCIL MEMBER	MIKE RADZIK	mike.radzik@groveland-fl.gov
COUNCIL MEMBER	DINA SWEATT	dina.sweatt@groveland-fl.gov
COUNCIL MEMBER	JOHN GRIFFIN	john.griffin@groveland-fl.gov
CITY ATTORNEY	ANITA GERACI-CARVER, ESQ.	
CITY MANAGER	REDMOND D. JONES, II	redmond.jones@groveland-fl.gov
ACTING CITY CLERK	LISA CORTESE	lisa.cortese@groveland-fl.gov
SERGEANT-AT-ARMS	CHIEF M. SMITH TENNYSON	melvin.tennyson@groveland-fl.gov

**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.

**AGENDA**

**Call to Order**

**Opening Ceremonies**

- a. Pledge of Allegiance
- b. Invocation

**Roll Call**

**Guest Speaker, Presentations and Proclamations**

- a. Bill Gearing, LTC, USA, Ret./Military Officers Association of America – Combat Wounded Parking Sign
- b. Michael Woods, Lake-Sumter MPO – LakeXpress Route Changes
- c. Economic Development Report – Rodney Lucas, Economic Development Manager

**Reports**

- a. Council Member Reports
- b. City Manager Report
- c. City Attorney Report
- d. Citizen Advisory Committee Member Reports

**Consent Agenda**

- Approval of City Council Meeting Minutes May 2, 2016

**Old Business**

1. Ordinance 2015-11-32: PUD Amendment – Trilogy \*Second and Final Reading

**New Business**

2. Interlocal Agreement between City of Groveland and Lake-Sumter MPO Relating to Maintenance of GIS for City of Groveland

3. Lake David Hotel Vesting Rights Determination
4. Ordinance 2016-05-12: Comp Plan Amendment – *Hope Plaza*
5. Ordinance 2016-05-13: PUD Rezoning – *Hope Plaza*
6. Ordinance 2016-05-14: Vacation of Easement - *Southgate*
7. Resolution 2016-05-13: Variance of Side Setback – *Eagle Pointe*
8. Discussion re: Review of Proposed Charter Amendment Extending Council Terms to 3 Year Terms
9. Resolution 2016-05-14: Affirming City-wide Goals
10. Resolution 2016-05-15: Establishment of Business Advisory Board (BAB)

### **Public Comments\***

### **Announcements**

### **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, members of the public shall limit their discussion or address to no more than five minutes. No question shall be asked a councilmember 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.



**LAKE COUNTY**  
**FLORIDA**



**“Transit in Your Town”**  
**LakeXpress Transit Service Overview**

Presented to the City of Groveland  
May 16, 2016

# Presentation Overview



- Lake County Public Transit Division
- LakeXpress Fixed-Route Services
- Lake County Connection (Demand Response/ADA)
- Accomplishments
- Service Enhancements
- Planning & Partnerships
- Next Steps

# Community Services Department Organizational Chart

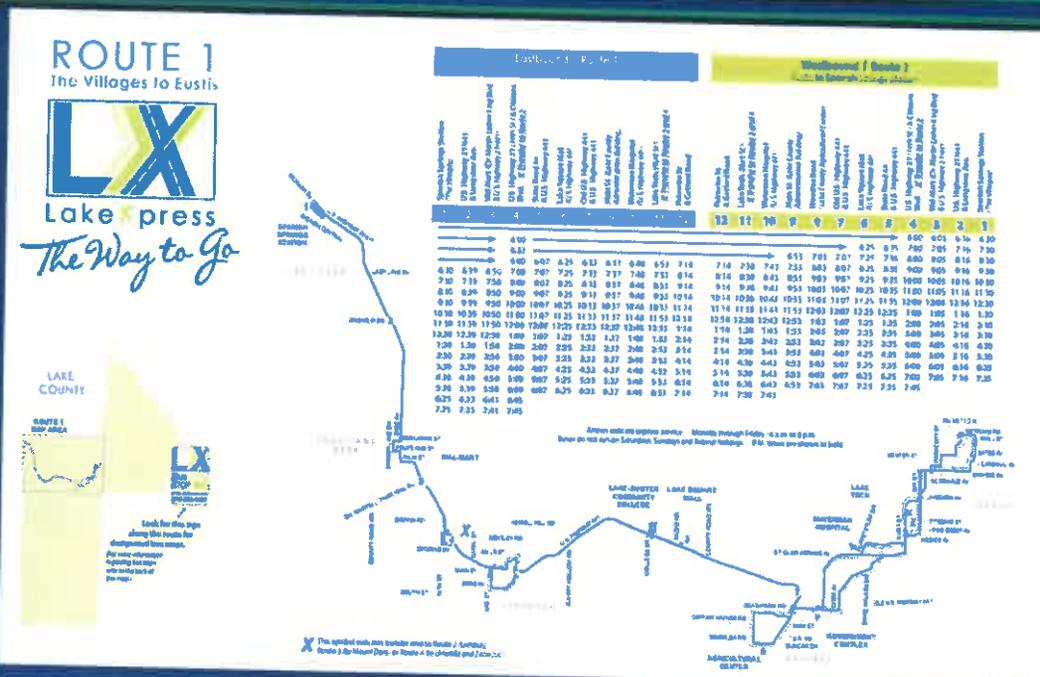


## LakeExpress Fixed-Route Service Quick Facts



- Four Fixed-Routes serving the following areas:
  - **Route 1** – The Villages, Lady Lake, Fruitland Park, Leesburg, Tavares, and Eustis
  - **Route 2** – Leesburg
  - **Route 3** – Eustis and Mount Dora
  - **Route 4** – Altoona, Umatilla, Eustis, Mt. Dora, and Zellwood & LYNX (Every 2 Hours)
  - **Route 50** – Mascotte, Groveland, Clermont and Winter Garden Regional Shopping Center
- Fixed-Route Ridership: 307,566
- Paratransit Ridership: 130,373
- Operates Monday - Friday: 5:00a.m. – 8:00p.m.; Fare: \$1.00
- Seniors, Veterans, Disabled ride for **\$.50** and Students ride **FREE!**

# Route 1 Map The Villages to Eustis



# Route 2 Map Leesburg Circulator



**ROUTE 2**  
Leesburg Circulator

*The Way to Go*

LAKE COUNTY

Shows a map of Lake County with a yellow highlight on the Leesburg area.

Look for the sign along the route for designated bus stops.

Some bus stops are located on private property. Access to these stops may be restricted.

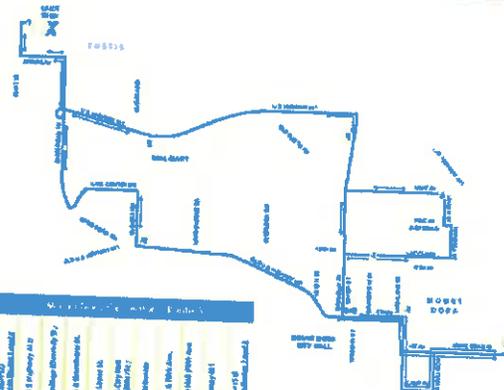
**Leesburg Circulator - Route 2**

*Note: This schedule is based on the 2015 Florida Department of Transportation (FDOT) schedule. Actual times may vary.*

Direction	1	2	3	4	5	6	7	8
0600	0600	0615	0630	0645	0655	0705	0715	0725
0700	0700	0715	0730	0745	0755	0805	0815	0825
0800	0800	0815	0830	0845	0855	0905	0915	0925
0900	0900	0915	0930	0945	0955	1005	1015	1025
1000	1000	1015	1030	1045	1055	1105	1115	1125
1100	1100	1115	1130	1145	1155	1205	1215	1225
1200	1200	1215	1230	1245	1255	1305	1315	1325
1400	1400	1415	1430	1445	1455	1505	1515	1525
1600	1600	1615	1630	1645	1655	1705	1715	1725
1800	1800	1815	1830	1845	1855	1905	1915	1925
1900	1900	1915	1930	1945	1955	2005	2015	2025
2000	2000	2015	2030	2045	2055	2105	2115	2125
2200	2200	2215	2230	2245	2255	2305	2315	2325
2400	2400	2415	2430	2445	2455	2505	2515	2525

*Monday through Friday 6:00 am to 9:00 pm. Hours of service may vary on Saturdays, Sundays and holidays. For more information, visit the website at www.lcx.com.*

# Route 3 Map Mount Dora Circulator



**LAKE COUNTY**  
 COUNTY'S BEST VALUE

Look for this sign along the route for designated bus stops.

Download the mobile app for more information.

**Mount Dora Circulator - Routes**

1	2	3	4	5	6	7	8	9	10	11
4:30	6:00	8:00	9:51	11:51	2:00	2:00	2:12	2:12	2:27	2:30
7:30	7:30	7:30	7:51	7:51	8:00	8:00	8:12	8:12	8:27	8:30
9:30	9:30	9:30	9:51	9:51	10:00	10:00	10:12	10:12	10:27	10:30
11:30	11:30	11:30	11:51	11:51	12:00	12:00	12:12	12:12	12:27	12:30
12:30	12:30	12:30	12:51	12:51	1:00	1:00	1:12	1:12	1:27	1:30
2:30	2:30	2:30	2:51	2:51	3:00	3:00	3:12	3:12	3:27	3:30
3:30	3:30	3:30	3:51	3:51	4:00	4:00	4:12	4:12	4:27	4:30
5:30	5:30	5:30	5:51	5:51	6:00	6:00	6:12	6:12	6:27	6:30
6:30	6:30	6:30	6:51	6:51	7:00	7:00	7:12	7:12	7:27	7:30

X This symbol indicates transfer areas for Routes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Operating through Friday 4:30am last pass. Service also ends on Saturdays, Sundays, and public holidays. \*100% Green and Recycled Ink.

05/05/16 12:30:00

# Route 4 Map Altoona to Zellwood



**ROUTE 4**  
Altoona to Zellwood

*The Way to Go*

**Southbound - Route 4**  
See legend for symbols

Time	1	2	3	4	5	6	7
7:00	8:15	8:30	8:45	9:15	9:30	9:45	10:15
10:20	10:35	10:50	11:05	11:20	11:35	11:50	12:15
12:30	12:45	13:00	13:15	13:30	13:45	14:00	14:15
14:30	14:45	15:00	15:15	15:30	15:45	16:00	16:15
16:30	16:45	17:00	17:15	17:30	17:45	18:00	18:15
18:30	18:45	19:00	19:15	19:30	19:45	20:00	20:15

**Northbound - Route 4**  
See legend for symbols

Time	7	6	5	4	3	2	1
7:00	8:15	8:30	8:45	9:15	9:30	9:45	10:15
10:20	10:35	10:50	11:05	11:20	11:35	11:50	12:15
12:30	12:45	13:00	13:15	13:30	13:45	14:00	14:15
14:30	14:45	15:00	15:15	15:30	15:45	16:00	16:15
16:30	16:45	17:00	17:15	17:30	17:45	18:00	18:15
18:30	18:45	19:00	19:15	19:30	19:45	20:00	20:15

# Route 50 Map Mascotte to Winter Garden



## ROUTE 50 Mascotte to Winter Garden



LAKE COUNTY



Mascotte to Winter Garden												Winter Garden to Mascotte											
0	1	2	3	4	5	6	7	8	9	10	11	12	11	10	9	8	7	6	5	4	3	2	1
540	551	566	577	591	601	611	621	631	641	651	661	670	680	690	700	710	720	730	740	750	760	770	780
660	670	680	690	700	710	720	730	740	750	760	770	780	790	800	810	820	830	840	850	860	870	880	890
780	790	800	810	820	830	840	850	860	870	880	890	900	910	920	930	940	950	960	970	980	990	1000	1010
900	910	920	930	940	950	960	970	980	990	1000	1010	1020	1030	1040	1050	1060	1070	1080	1090	1100	1110	1120	1130
1020	1030	1040	1050	1060	1070	1080	1090	1100	1110	1120	1130	1140	1150	1160	1170	1180	1190	1200	1210	1220	1230	1240	1250
1140	1150	1160	1170	1180	1190	1200	1210	1220	1230	1240	1250	1260	1270	1280	1290	1300	1310	1320	1330	1340	1350	1360	1370
1260	1270	1280	1290	1300	1310	1320	1330	1340	1350	1360	1370	1380	1390	1400	1410	1420	1430	1440	1450	1460	1470	1480	1490
1380	1390	1400	1410	1420	1430	1440	1450	1460	1470	1480	1490	1500	1510	1520	1530	1540	1550	1560	1570	1580	1590	1600	1610
1500	1510	1520	1530	1540	1550	1560	1570	1580	1590	1600	1610	1620	1630	1640	1650	1660	1670	1680	1690	1700	1710	1720	1730
1620	1630	1640	1650	1660	1670	1680	1690	1700	1710	1720	1730	1740	1750	1760	1770	1780	1790	1800	1810	1820	1830	1840	1850
1740	1750	1760	1770	1780	1790	1800	1810	1820	1830	1840	1850	1860	1870	1880	1890	1900	1910	1920	1930	1940	1950	1960	1970
1860	1870	1880	1890	1900	1910	1920	1930	1940	1950	1960	1970	1980	1990	2000	2010	2020	2030	2040	2050	2060	2070	2080	2090
1980	1990	2000	2010	2020	2030	2040	2050	2060	2070	2080	2090	2100	2110	2120	2130	2140	2150	2160	2170	2180	2190	2200	2210
2100	2110	2120	2130	2140	2150	2160	2170	2180	2190	2200	2210	2220	2230	2240	2250	2260	2270	2280	2290	2300	2310	2320	2330
2220	2230	2240	2250	2260	2270	2280	2290	2300	2310	2320	2330	2340	2350	2360	2370	2380	2390	2400	2410	2420	2430	2440	2450
2340	2350	2360	2370	2380	2390	2400	2410	2420	2430	2440	2450	2460	2470	2480	2490	2500	2510	2520	2530	2540	2550	2560	2570
2460	2470	2480	2490	2500	2510	2520	2530	2540	2550	2560	2570	2580	2590	2600	2610	2620	2630	2640	2650	2660	2670	2680	2690
2580	2590	2600	2610	2620	2630	2640	2650	2660	2670	2680	2690	2700	2710	2720	2730	2740	2750	2760	2770	2780	2790	2800	2810
2700	2710	2720	2730	2740	2750	2760	2770	2780	2790	2800	2810	2820	2830	2840	2850	2860	2870	2880	2890	2900	2910	2920	2930
2820	2830	2840	2850	2860	2870	2880	2890	2900	2910	2920	2930	2940	2950	2960	2970	2980	2990	3000	3010	3020	3030	3040	3050
2940	2950	2960	2970	2980	2990	3000	3010	3020	3030	3040	3050	3060	3070	3080	3090	3100	3110	3120	3130	3140	3150	3160	3170
3060	3070	3080	3090	3100	3110	3120	3130	3140	3150	3160	3170	3180	3190	3200	3210	3220	3230	3240	3250	3260	3270	3280	3290
3180	3190	3200	3210	3220	3230	3240	3250	3260	3270	3280	3290	3300	3310	3320	3330	3340	3350	3360	3370	3380	3390	3400	3410
3300	3310	3320	3330	3340	3350	3360	3370	3380	3390	3400	3410	3420	3430	3440	3450	3460	3470	3480	3490	3500	3510	3520	3530
3420	3430	3440	3450	3460	3470	3480	3490	3500	3510	3520	3530	3540	3550	3560	3570	3580	3590	3600	3610	3620	3630	3640	3650
3540	3550	3560	3570	3580	3590	3600	3610	3620	3630	3640	3650	3660	3670	3680	3690	3700	3710	3720	3730	3740	3750	3760	3770
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3900	3910	3920	3930	3940	3950	3960	3970	3980	3990	4000	4010	4020	4030	4040	4050	4060	4070	4080	4090	4100	4110	4120	4130
4020	4030	4040	4050	4060	4070	4080	4090	4100	4110	4120	4130	4140	4150	4160	4170	4180	4190	4200	4210	4220	4230	4240	4250
4140	4150	4160	4170	4180	4190	4200	4210	4220	4230	4240	4250	4260	4270	4280	4290	4300	4310	4320	4330	4340	4350	4360	4370
4260	4270	4280	4290	4300	4310	4320	4330	4340	4350	4360	4370	4380	4390	4400	4410	4420	4430	4440	4450	4460	4470	4480	4490
4380	4390	4400	4410	4420	4430	4440	4450	4460	4470	4480	4490	4500	4510	4520	4530	4540	4550	4560	4570	4580	4590	4600	4610
4500	4510	4520	4530	4540	4550	4560	4570	4580	4590	4600	4610	4620	4630	4640	4650	4660	4670	4680	4690	4700	4710	4720	4730
4620	4630	4640	4650	4660	4670	4680	4690	4700	4710	4720	4730	4740	4750	4760	4770	4780	4790	4800	4810	4820	4830	4840	4850
4740	4750	4760	4770	4780	4790	4800	4810	4820	4830	4840	4850	4860	4870	4880	4890	4900	4910	4920	4930	4940	4950	4960	4970
4860	4870	4880	4890	4900	4910	4920	4930	4940	4950	4960	4970	4980	4990	5000	5010	5020	5030	5040	5050	5060	5070	5080	5090
4980	4990	5000	5010	5020	5030	5040	5050	5060	5070	5080	5090	5100	5110	5120	5130	5140	5150	5160	5170	5180	5190	5200	5210
5100	5110	5120	5130	5140	5150	5160	5170	5180	5190	5200	5210	5220	5230	5240	5250	5260	5270	5280	5290	5300	5310	5320	5330
5220	5230	5240	5250	5260	5270	5280	5290	5300	5310	5320	5330	5340	5350	5360	5370	5380	5390	5400	5410	5420	5430	5440	5450
5340	5350	5360	5370	5380	5390	5400	5410	5420	5430	5440	5450	5460	5470	5480	5490	5500	5510	5520	5530	5540	5550	5560	5570
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6060	6070	6080	6090	6100	6110	6120	6130	6140	6150	6160	6170	6180	6190	6200	6210	6220	6230	6240	6250	6260	6270	6280	6290
6180	6190	6200	6210	6220	6230	6240	6250	6260	6270	6280	6290	6300	6310	6320	6330	6340	6350	6360	6370	6380	6390	6400	6410
6300	6310	6320	6330	6340	6350	6360	6370	6380	6390	6400	6410	6420	6430	6440	6450	6460	6470	6480	6490	6500	6510	6520	6530
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6660	6670	6680	6690	6700	6710	6720	6730	6740	6750	6760	6770	6780	6790	6800	6810	6820	6830	6840	6850	6860	6870	6880	6890
6780	6790	6800	6810	6820	6830	6840	6850	6860	6870	6880	6890	6900	6910	6									

# LakeXpress Activity Centers



- City Government
- Library
- Shopping
- Connections to Orlando



# Transit Stops and Shelters



- 34 Transit Stops in Groveland.



## Lake County Connection (Paratransit) Service Quick Facts



- **Lake County Connection**  
County-wide paratransit (Door-to-Door) service is primarily intended for mobility-impaired, mentally-impaired and senior citizens who meet ADA and/or Transportation Disadvantaged eligibility requirements
- Operates Monday - Friday: 6:00a.m. – 7:00p.m.
- Annual Ridership: 118,202 trips in FY 14/15 (July – June)
- Groveland Ridership: 4,393 (based on originating city)

# Accomplishments



## Route 50 Commuter Connection

- Service began December 2015 and travels from Mascotte to Orange County, connecting to LYNX Route 105 in Winter Garden.
  - Average weekday ridership of **93 passengers**
  - Highest Ridership – March 28, 2016 – **167 passengers**
  - Lowest Ridership – December 1, 2015 – **19 passengers**



# Accomplishments



## RouteShout Traveler Application

- Free, real-time, fixed-route travel information app.
- Smart-phone and computer device application.
- Provides service alerts, detours, special messages for passengers at bus stops and for trip planning.



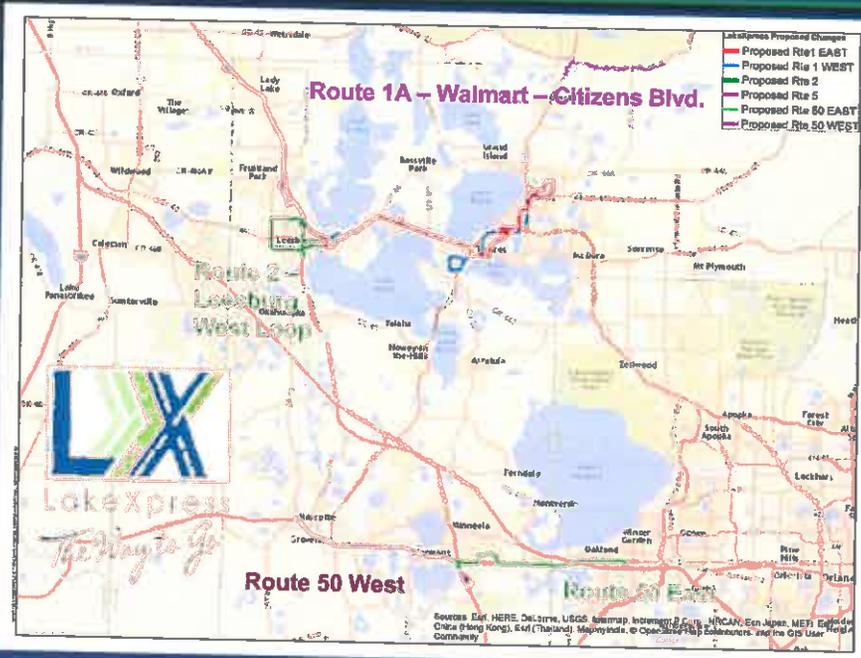
# Service Enhancements Route 1A



## Service Highlights

- One-hour headway
- Connects to Walmart in Marion County and The Villages Hospital in Sumter County
- Lake County currently receives Marion and Sumter County share of 5307 (fixed-route) funds.

# Service Enhancements Routes 1, 2 and 50



## Service Highlights

- Better on-time performance (OTP)
- Scheduled to take effect Tuesday, May 31, 2016
- New service to shopping and employment
- More reliable service

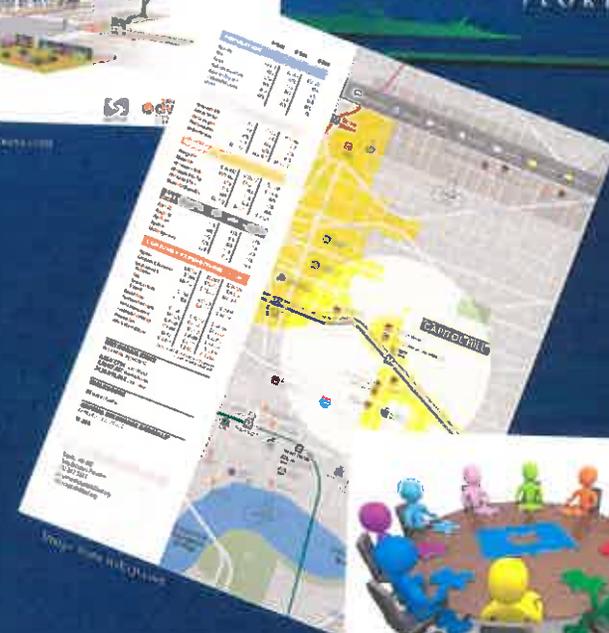
# Planning

## ➤ Bus Stop Design & Siting Guidelines

- Inform transit infrastructure needs during development review process;
- Geo-code and number all existing bus stops (GTFS file upload to Google® Transit); and
- Leverage limited capital resources.

## ➤ Transit & Economic Development

- Transit "Walk-abouts" with municipalities;
- Transit Industry Roundtable with MPO; and
- Neighborhood Profile Marketing Tools for Transit and Economic Development.





# Planning



## ➤ Transit Shelter Designs & Technology

- Real-Time Traveler Information
- LED Technology
- Wi-Fi Capabilities
- Leverage City Infrastructure Funds with Design Overlays and Streetscape Projects



Image courtesy of Chattanooga Regional Transit Authority



Image courtesy of SunTrans

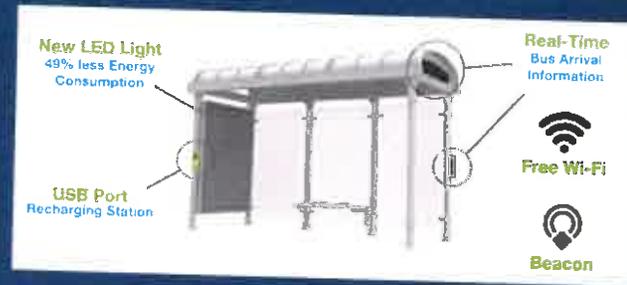


Image courtesy of SmartShelter.com

# Planning

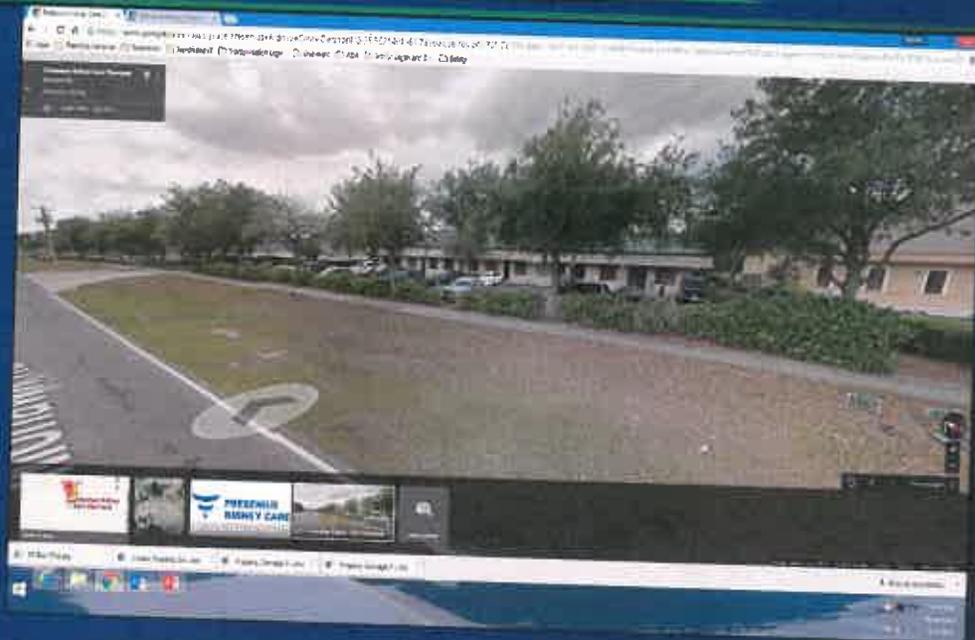


## ➤ Development/Design Review for Transit Access

- Healthcare facilities
- Dialysis Centers
- Nursing Homes

## ➤ City Zoning & Permitting Process to Support Transit Accessibility

- Design Review Committee
- Transit Standards
- Livability and Walk Scores



# Planning



## ➤ Adequate Public Facilities

- ADA Vehicle Access/Egress
- ADA Vehicle Parking
- APF Based on Number of Dialysis Chairs in Service



Image courtesy of fda.com



Image courtesy of allenhealthcare.org

# Partnerships



## ➤ **Local Municipalities**

- "Transit in Your Town" – Presentations to local municipalities on current transit services, plans, facilities and ridership

## ➤ **Lake-Sumter MPO**

- Value of Transit Neighborhood Profiles- Double-sided overview of transit service and the number of jobs within ½ mile of transit shed

## ➤ **Tavares Middle School**

- Travel Training for Special Needs Students

## ➤ **Library Services**

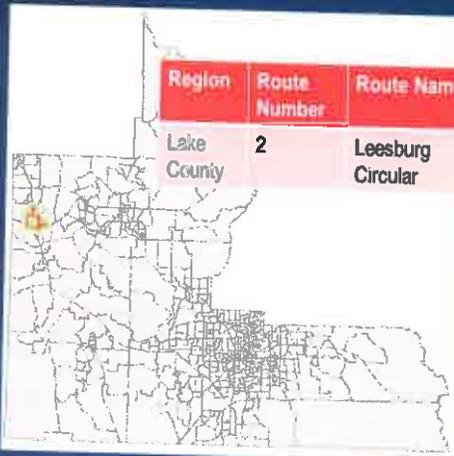
- Discussing Combined Library Card Registration during the Annual "Stuff the Bus" Campaign; and
- Mobile Library Card Registration using LakeXpress Bus at various County Locations.

# Partnerships

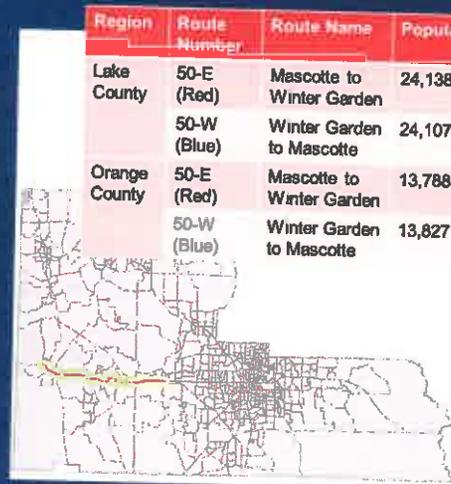


## ➤ Lake-Sumter MPO

- Value of Transit Neighborhood Profiles- Double-sided overview of transit service and the number of jobs within .75 mile of transit shed.



Region	Route Number	Route Name	Population	Employment	Area (Acre)
Lake County	2	Leesburg Circular	15,682	10,956	9,257



Region	Route Number	Route Name	Population	Employment	Area (Acre)
Lake County	50-E (Red)	Mascotte to Winter Garden	24,138	5,552	15,357
	50-W (Blue)	Winter Garden to Mascotte	24,107	5,543	15,330
Orange County	50-E (Red)	Mascotte to Winter Garden	13,788	3,348	4,906
	50-W (Blue)	Winter Garden to Mascotte	13,827	3,379	4,904

## Next Steps



- Continued installation of ADA-accessible transit stops and shelters
- Service enhancements on all Routes and new Route 1A and 50 West/Route 50 East
- RouteShout real-time bus information app
- Incorporating Transit in Development Review

# Contact Information



## Lake County Transit Staff

David Hope, Transit Operations Supervisor (Fixed Route)  
[dhope@lakecountyfl.gov](mailto:dhope@lakecountyfl.gov); 352-323-5714

Amy Bradford, Transportation Representative (ADA/Paratransit and Transportation Disadvantaged)  
[abradsford@lakecountyfl.gov](mailto:abradsford@lakecountyfl.gov); 352-323-5723

Tomika Monterville, Manager  
[tmonterville@lakecountyfl.gov](mailto:tmonterville@lakecountyfl.gov); 352-323-5733

Questions?



Comments, Suggestions and Questions



***City of Groveland***  
**Minutes**  
**City Council Meeting**  
**Monday, May 02, 2016**

The Groveland City Council held a regularly scheduled meeting on Monday, May 02, 2016 in the E.L. Puryear Building located at 243 S. Lake Avenue. Mayor Tim Loucks called the meeting to order at 7:15 pm with the following members present: Vice Mayor Karen McMican, Council Members Mike Radzik, Dina Sweatt, and John Griffin. City officials present were City Attorney Anita Geraci-Carver, City Manager Redmond Jones, Acting City Clerk Lisa Cortese and Sergeant-at-Arms Chief M. Smith Tennyson.

**OPENING CEREMONIES**

The meeting opened with the Pledge of Allegiance led by Council Member Dina Sweatt. The invocation was given by Council Member John Griffin.

**GUEST SPEAKERS, PRESENTATIONS AND PROCLAMATIONS**

- Audio Presentation for Solutions for Sound Quality at the Puryear Building  
*Fabian Pusey from All Systems Tech LLC, answered questions from City Council.*
- Presentation of Certificate of Completion for the 2016 Institute for Elected Officials to Council Member Mike Radzik and Vice-Mayor Karen McMican.

**REPORTS**

**a. Council Members**

- Council Member John Griffin announced that on July 4<sup>th</sup> 2016 at the Puryear Building he would be speaking to the public about the Seminole Tribe of Florida and invited residents to attend.
- Council Member Dina Sweatt reported that she attended the Southlake Regional Park Master Plan Community Forum on April 20<sup>th</sup>. On April 23<sup>rd</sup> she volunteered at Clermont Elementary, planting landscape in preparation for their upcoming anniversary. Mrs. Sweatt attended the MPO Governing Board Meeting on April 27<sup>th</sup> and attended the Agenda Review Meeting on April 28<sup>th</sup>.
- Council Member Mike Radzik accepted an invitation to tour the Niagara Bottling Plant with the City Manager on April 19<sup>th</sup>. Mr. Radzik attended the Southlake Regional Park Master Plan Community Forum on April 20<sup>th</sup>. On April 21<sup>st</sup> Mr. Radzik met with Kevin Moss from DOT in Orlando regarding the Hwy 50 Realignment Project and reported that there is a six-month delay for drawing completions due to the Rails-to-Trails change of location but stated that Mr. Moss indicated that this should not delay the project.
- Vice-Mayor Karen McMican attended the Agenda Review Meeting on April 28<sup>th</sup>.
- Mayor Tim Loucks attended a preliminary planning board meeting in Clermont regarding the Southlake Regional Park. Mayor Loucks also reported he would be traveling to Tallahassee on May 19<sup>th</sup> to meet with the liaison for the clemency board for Governor Scott's office to discuss the clemency and pardon process for the Groveland Four.

**b. City Manager**

City Manager Redmond Jones gave his written reports and updates  
*Consensus from City Council to issue a \$10.50 voucher for the month of May for  
reclaim customers.*

**c. City Attorney**

**d. Citizen Advisory Committee**

**CONSENT AGENDA**

• **Approval of City Council Meeting Minutes 04-18-16**

*Council Member John Griffin moved to approve; seconded by Council Member Dina Sweatt. The motion was approved with all members present voting aye.*

• **Approval of City Council Workshop Meeting Minutes 04-18-16**

*Council Member Dina Sweatt moved to approve; seconded by Vice-Mayor Karen McMican. The motion was approved with all members present voting aye.*

**OLD BUSINESS**

*Consensus from City Council to move items eleven and twelve before item number four.*

**1. Ordinance 2016-01-01: Density Clarification Cypress Lake Preserve (formerly known as Montevista Farms) Comprehensive Plan Amendment – Second Reading**

*Council Member Dina Sweatt moved to approve; seconded by Vice-Mayor Karen McMican. The motion was approved with all members present voting aye.*

**2. Ordinance 2016-01-02: City of Groveland Comprehensive Plan Amendment Open Space Requirement Cypress Lake Reserve (formerly known as Montevista Farms) – Second Reading**

*Council Member Mike Radzik moved to approve; seconded by Council Member John Griffin. The motion was approved with all members present voting aye.*

**3. Ordinance 2016-01-03: City of Groveland Comprehensive Plan Amendment – Future Land Use Amendment Cypress Lake Reserve (formerly known as Montevista Farms) – Second Reading**

*Council Member Dina Sweatt moved to approve; seconded by Council Member John Griffin. The motion was approved with all members present voting aye.*

*\*Consensus from City Council to move items eleven and twelve before item five.*

**4. Ordinance 2016-01-04: Cypress Lake Reserve (formerly known as Montevista Farms) Planned Unit Development – Second Reading**

*Council Member Dina Sweatt moved to approve; seconded by Council Member John Griffin. The motion was approved with all members present voting aye.*

**5. Approve RFP for Utility Rate Study**

*Vice-Mayor Karen McMican moved to approve; seconded by Council Member John Griffin.*

*Vice-Mayor Karen McMican and Council Member John Griffin amended their motion to approve to include removing capital improvement requirements from item number two on the request for proposal. The motion was approved with all members present voting aye.*

**6. Approve RFP for Water, Sewer, and Reclaimed Water Impact Fee Study**

*Council Member Mike Radzik moved to approve; seconded by Vice-Mayor Karen McMican. The motion was approved with all members present voting aye.*

**7. Ordinance 2016-03-08: Restrict Council from Taking Action On Matters Brought Forward During Public Comment – Second Reading**

*Council Member Mike Radzik moved to approve; seconded by Council Member John Griffin. The motion was approved with all members present voting aye.*

**8. Ordinance 2016-04-09: Adopting Amendment to ISBA – Second Reading**

*Council Member Mike Radzik moved to approve; seconded by Council Member Dina Sweatt. The motion was approved with all members present voting aye.*

**9. Ordinance 2016-04-10: Defining a Consistent and Fair Lien Reduction Process – Second Reading**

*Council Member John Griffin moved to approve; seconded by Council Member Dina Sweatt. The motion was approved with all members present voting aye.*

**10. Ordinance 2016-04-11: Council Participation Via Video Conferencing – Second Reading**

*Council Member Mike Radzik moved to approve; seconded by Council Member John Griffin.*

*Council Member Mike Radzik and Council Member John Griffin amended their motion to approve to include removing vacation from paragraph two on page one and the paragraph in section two subsection b. page two. The motion was approved with all members present voting aye.*

**11. Resolution 2016-05-11: Landscape Variance (Rockers Lockers)**

**12. Approve Rockers Lockers Lot 3-5 Site Plan**

*Council Member Mike Radzik moved to table both item eleven and item twelve; seconded by Council Member Dina Sweatt. The motion was approved with all members present voting aye.*

**13. Resolution 2016-05-12: Setting Fee for Code Enforcement Lien Reduction or Waiver Request**

*Council Member Mike Radzik moved to approve; seconded by Vice-Mayor Karen McMican.*

*Motion died due to lack of vote.*

*Consensus to table item and discuss at a future workshop.*

**PUBLIC COMMENT**

**ANNOUNCEMENTS**

**ADJOURNMENT**

*Mayor Tim Loucks adjourned the meeting at 9:55pm.*

Attest:



\_\_\_\_\_  
Tim Loucks, Mayor

\_\_\_\_\_  
Lisa Cortese, Acting City Clerk



## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b>	May 16, 2016
<b>ITEM NUMBER:</b>	1
<b>AGENDA ITEM:</b>	<b>Ordinance 2015-11-32: PUD Amendment – Trilogy 2<sup>nd</sup> Hearing</b>
<b>CITY GOAL:</b>	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
<b>PREPARED BY:</b>	Ken Comia, City Planner
<b>DATE:</b>	May 9, 2016

### BACKGROUND:

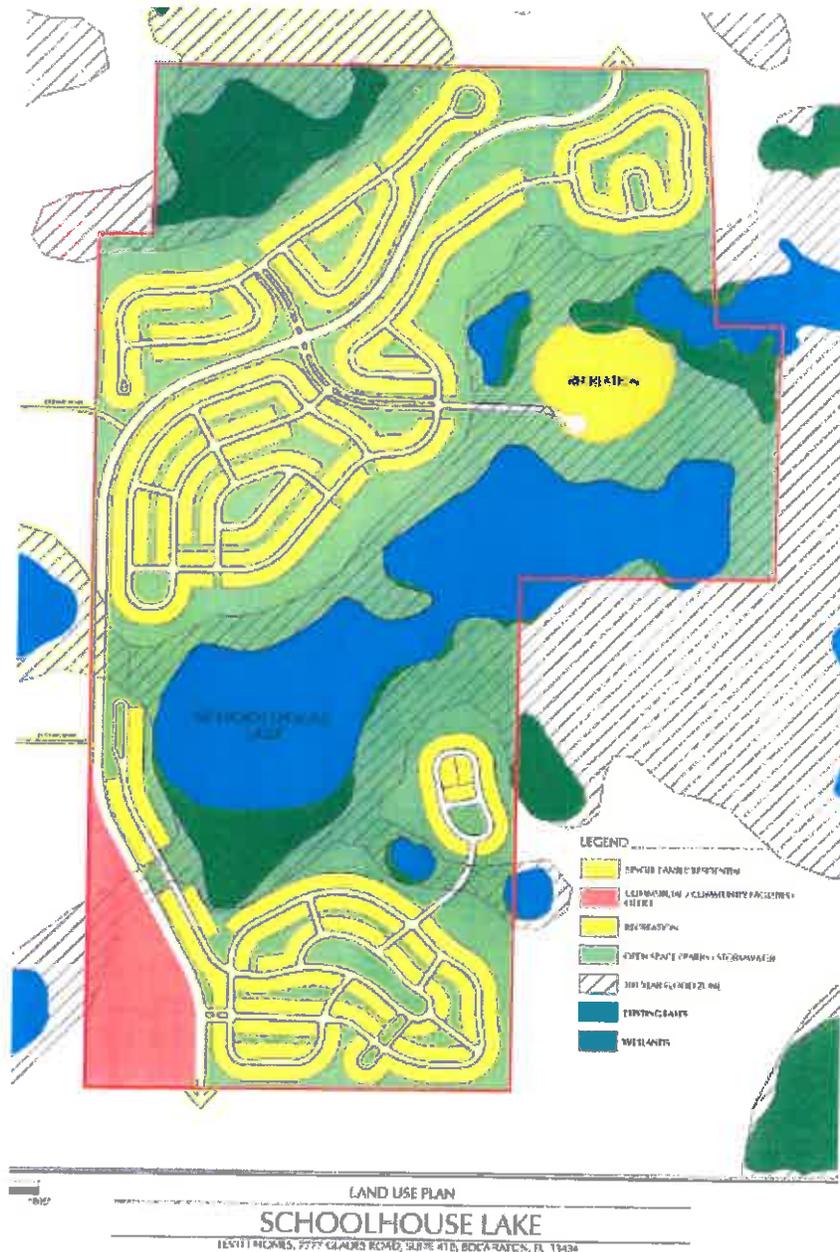
In 2002 Levitt homes created a Planned Unit Development for a Mixed Use community for what is known today as Trilogy.

In 2010 MFS Cascades, LLC took ownership of the Trilogy Subdivision and entered into an agreement dedicating 30 acres of land to the City of Groveland in lieu of paying parks and recreation impact fees. The land that was dedicated to the City of Groveland is located at the southwest corner of Wilson Lake Parkway and South Libby Road:



*"The city with a future, watch us grow!"*

This land is identified to be developed as commercial property per the PUD and the concept plan:



Interest in the City owned property has been for a residential development not commercial. In order to permit the development of single family homes Trilogy and the City of Groveland are co-applicants in a Comprehensive Plan and PUD Amendment.

The Comprehensive Plan amendment would change the future land use from Mixed Use to Single Family Medium Density. The PUD amendment would remove all commercial requirements.

*"The city with a future, watch us grow!"*

To be consistent with the adoption of the Comprehensive Plan Amendment, passed on February 1, 2016, staff recommends adoption of the PUD ordinance.

Approval of this motion will amend the PUD by removing commercial requirements.

<b>STAFF RECOMMENDATION:</b> Approve the motion
<b>REVIEWED BY CITY MANAGER:</b>
<b>COUNCIL ACTION:</b>
<b>MOTION BY:</b>
<b>SECOND BY:</b>

*"The city with a future, watch us grow!"*

**ORDINANCE 2015-11-32**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING ORDINANCE 2013-12-27, (THE PUD) TO REMOVE COMMERCIAL USES, THE HEREAFTER DESCRIBED LANDS WITHIN THE CITY OF GROVELAND, FLORIDA; OWNED BY MFS CASCADES, LLC AND SHEA HOMES ACTIVE ADULT LLC, LOCATED AT W. LIBBY ROAD, GROVELAND, LAKE COUNTY, FLORIDA, PROVIDING FOR DIRECTIONS TO THE CITY MANAGER; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Trilogy subdivision, formally known as Cascades, is located off Wilson Lake Parkway and was zoned Planned Unit Development in Ordinance 2002-09-41 and thereafter amended in Ordinance 2002-09-41A, and Ordinance 2013-12-27 (collectively, the "PUD");

**WHEREAS**, MFS Cascades LLC and Shea Homes Active Adult LLC, the owner and applicant wishes to amend the PUD by permitting a ten foot front setback for any part of the structure including but not limited to dwelling, storage, side loading garages, porches, but excluding front loading garages.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Groveland, Florida, as follows:

**Section 1: Purpose and Intent.**

The zoning classification of the following described property, being situated in the City of Groveland, Florida, shall remain designated as PUD as defined in the City of Groveland Land Development Code. The PUD, pursuant to the application by MFS Cascades LLC and Shea Homes Active Adult LLC, the owner of the property hereinafter described, to amend the PUD zoning designation granted in Ordinance 2002-09-41 as thereafter amended in Ordinance 2002-09-41A and Ordinance 2013-12-27, is amended as set forth below.

**LEGAL DESCRIPTION:**

A portion of Sections 26, 27, 34 and 35, Township 21 South, Range 25 East, Lake County, Florida, being more particularly described as follows:

Begin at the southeast corner of said Section 34, being a 6" x 6" concrete monument as per certified corner record 050778, dated December 14, 1994; thence North 89°45'40" West, along the south line of said Section 34 for a distance of 1,323.84 feet; thence departing said south line run North 00°21'44" East, along the west line of the East ½ of the East ½ of said Section 34 for a distance of 5,344.61 feet to a point on the north line of said Section 34; thence North 00°37'21" East along the west line of the Southeast ¼ of the Southeast ¼ of said Section 27, for a distance of 1,326.41 feet to the northwest corner of said Southeast ¼ of the Southeast ¼ Section 27; thence South 89°46'07" East along the north line of said Southeast ¼ of the Southeast ¼, for a distance of 420.01 feet; thence departing said north line run North 00°37'21" East, for a distance of 1,326.94 feet to a point

on the north line of the Southeast ¼ of said Section 27; thence South 89°50'28" East, along said north line for a distance of 912.78 feet to the East ¼ corner of said Section 27; thence South 89°24'56" East, along the north line of the Southwest ¼ and the Southeast ¼ of said Section 26 for a distance of 3,353.25 feet; thence departing said north line run South 03°14'47" East, for a distance of 1,204.39 feet; thence South 01°38'39" East, for a distance of 784.35 feet to a point on the north line of the South ½ of the Southwest ¼ of the Southeast ¼ of said Section 26; thence South 89°31'34" East, along said north line for a distance of 516.82 feet to the northeast corner of said South ½; thence South 00°31'52" West, along the east line of the Southwest ¼ of the Southeast ¼ of said Section 26 for a distance of 661.29 feet to the southeast corner of said Southwest ¼ of the Southeast ¼; thence South 00°54'01" West, along the east line of the Northwest ¼ of the Northeast ¼ of said Section 35 for a distance of 1,326.94 feet to the southeast corner of said Northwest ¼ of the Northeast ¼; thence North 89°36'57" West, along the south line of the Northwest ¼ of the Northeast ¼ and the Northeast ¼ of the Northwest ¼ of said Section 35, for a distance of 1,985.75 feet to a point on the east line of the West ½ of the East ½ of said Section 35; thence South 00°35'34" West, along said east line for a distance of 4,012.95 feet to the south line of said Section 35; thence North 89°36'39" West, along said south line for a distance of 1,977.99 feet to the Point of Beginning.

## **Section 2: Zoning Classification.**

That the property being so designated as PUD is subject to the following terms and conditions:

### **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, 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.

The purpose of this PUD is to:

1. Allow a mixture of complimentary land uses that include housing, retail, offices, commercial services, education, civic, community and recreation uses, to create economic and social vitality and to encourage the linking of trips;
2. Create an attractive and high quality environment which is compatible with the scale and character of the local environment;
3. Protect and enhance the environment, and promote sustainable development principles;
4. Develop commercial, residential and mixed-use areas that are safe, comfortable and attractive to pedestrians;
5. Provide social and community facilities to serve the new development and to enhance existing provision in the area;
6. Reinforce streets as public places that encourage pedestrian and bicycle travel;

7. Provide roadway and pedestrian connections to residential areas; and
8. Provide a network of open space provision.

**Land Uses**

The Concept Plan for the Project is attached hereto as Exhibit A and is an integral part of this PUD document. Elements in the Concept Plan include residential, retail, offices and community facilities. The approximate acreage devoted to each land use shall be as follows:

Single Family/Multi-Family – 370 acres

Recreation – 18 acres

Open Space – 145 acres

Conservation — 170 acres

Note: Residential and open space acreage will be determined through field verification of wetlands, topography and a 100-year flood study.

Non-substantial deviations from the acreages shall be allowed provided there is no increase in density or intensity.

Residential

The gated development proposes a maximum of 1499 single-family detached and multi-family dwelling units with over 17 acres designated to accommodate the proposed community recreational facility. Multi-family shall not exceed 350 units of the 1499 total single-family units. The term multi-family shall be limited to duplexes, attached villas, condominiums and townhomes, and shall not include apartments.

Open Space

The approximately 333 acres of open space includes: Schoolhouse Lake; approximately 209 acres of land deemed flood prone pursuant to the FIRM map prepared by FEMA which includes areas designated as wetlands; and upland areas that will accommodate passive recreational uses and required stormwater facilities.

In addition to the uses set forth above, the Project will also include 19 acres of road right-of-way for the proposed collector road.

**Phasing**

The Project may be constructed in multiple phases. Each phase shall be developed in conformance with this ordinance and no individual phase may exceed the densities or intensities projected in the Concept Plan.

All phases in the development shall be constructed to be capable of operating independently or in conjunction with other constructed phases with respect to drainage, vehicular circulation, utilities, and other improvements and services.

The Owner/Developer shall adopt deed restrictions which prohibit manufactured or otherwise prefabricated homes.

### **Residential**

The gated development proposes a maximum of 1499 single-family detached and multi-family dwelling units.

### Setbacks

The following minimum setbacks shall be applied to single family dwelling units:

- Front: Any part of the structure (including but not limited to dwelling, storage, side loading garage, porches, but excluding front loading garage): 10 feet  
Front loading garages: 20 feet
- Side: For lots 50 feet or greater in width, the minimum side yard setback shall be 5 feet. For lots narrower than 50 feet in width, the side yard setback may be between 0 feet and 5 feet, provided that in no event shall the separation between dwelling units on adjacent lots be less than 10 feet.
- Rear: 10 feet
- Street side: 10 feet

### Dwelling Size

A range of lot sizes shall be provided in order to create variety and offer opportunity for different income households. There is no minimum lot size.

The minimum dwelling size for active adult residential units shall be 1,200 square feet of heated/air conditioned space under roof, exclusive of garage, carports and porches.

The maximum number of home sites should provide views of and access to adjoining open space.

### 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 30 feet and above. The minimum lot width at building line shall be 30 feet with a minimum street frontage of 20 feet.

### Lot Coverage

Lots shall have a maximum lot coverage of 70% to include principal dwelling, all paved areas and swimming pools. In compliance with the Comprehensive Plan, the maximum impervious surface of the entire project site will be no more than 60%.

### Height of Structures

No residential structure shall exceed 2½ stories or 35 feet in height.

### Building Design

The following principles seek to promote a high quality residential development that will create a sense of place and community through the development of the site. These design principles are illustrated in Exhibit D.

- A diversity of housing styles, shapes and materials will be encouraged in order to create variety in the streetscape,
- The different housing types shall be integrated architecturally in order to give the development a harmonious appearance.
- Exterior wall materials may include stucco, wood clapboarding (including vinyl or aluminum imitation clapboard siding, or brick of a shape, color and texture similar to that found in the City.
- The creation of visual richness should be considered when choosing materials and details. Local characteristics are encouraged.
- The use of front porches and side entrances for garages are encouraged.
- A variety of roof heights, pitches and materials will be encouraged.
- Landscaping should be incorporated into the overall design as a means of linking the development areas with the open spaces.

### Public Spaces

Priority should be given to the creation of a hierarchy of public spaces that relate to buildings and create a sense of community. Public spaces are "public" when they are within view of a street or other public space, accessible by pedestrians, and can be occupied by people. The public space may include sidewalks, a plaza or park.

Commercial buildings shall have at least one primary entrance facing a street, or be directly accessed by a sidewalk or plaza within. Building entrances shall open directly to the outside, corner buildings have corner entrances whenever possible. Sidewalks and/or plazas should be provided with weather protection (e.g., awnings/canopies), and appropriate street furnishings. Appropriate pedestrian amenities include, but are not limited to street tree well cut-outs, space for outdoor seating, trash cans, sidewalk displays and public art.

Landscape buffering should be provided within and between parking lots and all adjacent sidewalks.

### **Recreational and Open Space**

A minimum of 25% (333 +/- acres) shall be recreational and open space. The open space shall include, but not be limited to, project buffer areas, recreation areas, drainage areas, retention areas, landscaped areas and community parks. The open space shall be interconnected wherever possible to provide a continuous network within and adjoining the site, and directly accessible to the largest practicable number of residential lots,

The following recreational uses are permitted:

- Clubhouse with associated amenities such as pool, tennis courts, shuffleboard courts or other recreational amenities;
- Children's playground;

- Ball park;
- Basketball;
- Football/soccer fields;
- Multi-purpose trail;
- Other recreational uses not prohibited by the Land Development Regulations.

### **Pedestrian/Bicycle/Multi-purpose Trail**

A pedestrian/bicycle/multi-purpose trail system shall be provided throughout the open space system connecting homes and streets with community facilities and natural features. The trail shall be suitably landscaped, either by retaining existing natural cover, or according to the overall landscape plan for the site, the trail may be constructed of a pervious material.

### **Waterfront and Wetlands Buffer Requirement**

No development shall be allowed within jurisdictional wetlands on the property. All development except passive recreation as defined in Policy 5-1.6.4 of the Comprehensive Plan shall maintain a fifty foot (50') setback from any shoreline or wetland,

### **Public Facilities**

#### Potable Water and Wastewater

The Project shall be connected 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. Expansion of the City Potable Water and Sanitary Sewer systems shall be negotiated by separate Utility Agreement between the City and the Owner/Developer. Such Utility Agreement may include prepayment of impact fees to aid expansion of facilities, a pioneer agreement subject to a five (5) year sunset period, reimbursement of offsite costs paid by the Owner/Developer by impact fee credits and/or cash reimbursement at the time of interconnections, if any and the provision of re-use lines for irrigation purposes. Irrigation of common areas within the Project may be connected to an on-site irrigation well or wells.

#### Solid Waste

Solid Waste collection shall be pursuant to City regulations, as amended.

#### Drainage

The maintenance of the drainage system shall be the responsibility of the Homeowners Association(s).

### **Transportation**

There shall be appropriate points of ingress and egress for the Project, subject to local government approval. These shall be in the approximate locations shown on the Concept Plan.

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.

#### Streets and Sidewalks

The development should have a connected street system that serves vehicles, pedestrians and bicycles and which connects the property to adjacent residential/community areas.

Streets shall be laid out to promote pedestrian circulation and ease of access to the community areas. The road which connects The Summit project, through Schoolhouse Lake, to Hwy. 27 shall have an eighty foot (80') right-of-way with a minimum of twelve (12) feet of pavement per lane. Minor streets shall have a fifty foot (50') right-of-way with a minimum 20 foot pavement width. Provision shall be made for underground utilities. A typical minor street layout is illustrated at Exhibit C. A minimum of a four foot (4') sidewalk shall be constructed along both sides of all residential roads.

Within the commercial / community facilities / office land use district maximum opportunities for shared parking shall be utilized.

Shade trees shall be planted within the right-of-way of all streets. Such trees shall be spaced at intervals no greater than forty feet along both sides of each street and the species shall comply with the City's Landscape Regulations for trees in the right-of-way.

All streets shall be constructed to the City of Groveland standards.

### **Landscaping Requirements**

Landscaping will be provided in areas identified as open space. The landscaping shall conform to the landscape plan to be submitted by the applicant simultaneous with or prior to the filing of the first plat, which shall be subject to the approval of the City Council at its sole and absolute discretion. All landscaping in open spaces and right-of-way shall be maintained by the Homeowner's Association.

### **Species**

Landscaping within the development shall emphasize native species trees, shrubs and flowers to reduce maintenance, help ensure longevity, and to reinforce the natural environment of the area. Species should be selected partly on the basis of their visual interest at different times of the year. Among the species that are recommended in this ordinance are all trees native to Florida according to the *Guide to the Vascular Plants of Central Florida* by Richard P. Wunderlin, including, but not limited to those in the following table:

<b>CANOPY TREES</b>	<b>UNDERSTORY TREES</b>	<b>SHRUBS</b>
Live Oak ( <i>Quercus virginiana</i> )	Drake Elm ( <i>Ulmus parvifolia</i> )	Sweet Viburnum ( <i>Viburnum odoratissimum</i> )
Laurel Oak ( <i>Quercus laurifolia</i> )	Weeping Bottlebrush ( <i>Callistemon viminalis</i> )	Sandanka Viburnum ( <i>Viburnum suspensum</i> )
Shumard Oak ( <i>Quercus shumardii</i> )	Redbud ( <i>Cercis canadensis</i> )	Privet ( <i>Ligustrum lucideum</i> )
Red Maple ( <i>Acer rubrum</i> ),	Dogwood ( <i>Cornus florida</i> )	Waxed Leaf Ligustrum ( <i>Ligustrum japonicum</i> )
Sweetgum ( <i>Liquidambar styraciflua</i> ),	Cherry Laurel ( <i>Prunus caroliniana</i> )	Podocarpus ( <i>Podocarpus macrophylla</i> )
Southern Magnolia ( <i>Magnolia grandiflora</i> ),	Wax Myrtle ( <i>Myrica cerifera</i> )	Pittosporum ( <i>Pittosporum tobira</i> )
Sweet Bay ( <i>Magnolia virginiana</i> )	Crape Myrtle ( <i>Lagustromia indica</i> )	Saw Palmetto ( <i>Serenoa repens</i> )
Bald Cypress ( <i>Taxodium distichum</i> )	Red Cedar ( <i>Juniperus silicicola</i> )	Azaleas ( <i>Rhododendron spp.</i> )
	Loblolly Pine ( <i>Pinus taeda</i> )	
	American Holly ( <i>Ilex opaca</i> )	
	Sand Pine ( <i>Pinus clausa</i> )	
	Slash Pine ( <i>Pinus elliottii</i> )	

Canopy trees shall have a minimum DBH size of 2 inches, and understory trees a minimum of 1.5 inches, measured 4 inches above the ground upon planting. Shrubs shall be a minimum of 30

inches in height and 3 gallons immediately upon planting. All landscaped and common areas shall be properly irrigated.

### **Lighting**

Decorative street lighting shall be installed at every intersection, at the end of each cul-de-sac and at intervals of 300 feet. Street lighting shall be installed by the Owner/Developer. Within residential areas, this street lighting may be provided by individual decorative yard lamps so long as those lamps are illuminated by bulbs of at least 60 watts and are no more than 100 feet apart. All lighting for the commercial portions of the Project shall be directional, shielded lighting designed to minimize offsite impact.

### **Utilities**

All utilities shall be underground.

### **Signage**

All signage shall comply with the City Land Development Regulations.

### **Crime Prevention and Security**

The site design, buildings, signs, landscaping, parking, and other elements shall provide a safe environment for residents, businesses, customers, employees, occupants, and adjacent properties.

Crime prevention shall be considered in the site design through application of all of the following guidelines:

- All proposed building entrances, parking areas, pathways and other elements should be defined with appropriate features that express ownership. Such features should not conflict with the need for natural surveillance;
- The proposed site layout, building and landscape design should promote natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site. For example, window placement, the use of front porches or stoops, use of low or see-through walls, and appropriate use of landscaping and lighting can promote natural surveillance. Sight-obscuring shrubs and walls should be avoided, except as necessary for buffering; and
- The proposed site layout and building design should encourage legitimate activity in public spaces. For example, locating outdoor seating in areas that are visible from inside a restaurant helps to discourage crime and supports the activity of dining.

### **Environmental Assessment**

A Phase I Environmental Assessment will be completed and submitted to the City prior to any Development Order being issued regarding the Project.

### **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. Maintenance of the common areas within the commercial portions of the Project shall also be performed by an Owner's Association formed and charged with that responsibility, at no cost or obligation to the City. However, the City shall have the right, with thirty (30) days written notice provided to the

party obligated for such maintenance, to provide maintenance within the commercial parcel(s) in the event the commercial / community facilities / office district is not maintained by the responsible party in a satisfactory manner. If the City exercises its right for maintenance under this paragraph it shall be entitled to reimbursement of reasonable costs provided for maintenance by the responsible party.

**Community Development District**

The Owner/Developer may bring forward an application to the City for the establishment of such a District which will be considered separately on its own merits. In this circumstance a pioneer agreement for the provision of utilities would not be appropriate.

**Impact Fees**

The Owner/Developer acknowledges that the City of Groveland has impact fees for water, wastewater, fire, police and recreation, and that the Project shall be subject to such impact fees.

**City of Groveland Community Redevelopment Area**

A voluntary contribution of \$100 per home will be sought from the developer/builder towards improvements to the Groveland Community Redevelopment Area. This money shall be held by the Community Redevelopment Trust Fund and will be used towards the development and/or implementation of the Community Redevelopment Plan.

**Amendments**

Any substantial deviation from the PM Concept Plan, or deviation from the terms of this Ordinance, shall be approved by the City Council in accordance with the legal procedures to amend zoning ordinances.

**Section 3: Consistent with Comprehensive Plan.**

That the zoning classification is consistent with the Comprehensive Plan of the City of Groveland, Florida.

**Section 4: 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 5: 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 6: Conflict.**

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 7: Effective Date.**

This Ordinance shall become effective immediately upon its approval and adoption by the City Council.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
HONORABLE TIM LOUCKS, MAYOR  
City of Groveland, Florida

ATTEST:

\_\_\_\_\_  
Lisa Cortese, Acting 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
Tim Loucks		
John Griffin		
Mike Radzik		
Dina Sweatt		
Karen McMican		



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 16, 2016

**ITEM NUMBER:** 2

**AGENDA ITEM:** Interlocal Agreement between City of Groveland and Lake-Sumter MPO Relating to Maintenance of GIS for City of Groveland

**CITY GOAL:** Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.

**PREPARED BY:** Anita Geraci-Carver, City Attorney

**DATE:** May 11, 2016

**BACKGROUND:** The City's Geographic Information System ('GIS') requires continuing maintenance, data updates, interactive maps, new custom print maps, analysis, and other services on an as-needed basis so that its GIS system remains operable for use by the City and the public. The City of Groveland currently utilizes the Lake-Sumter MPO to perform these tasks as well as projects on an as-needed basis. The prior Amended and Restated Agreement between the City and MPO was entered into in May of 2012, and expired in 2015. However, the parties have continued to operate under the terms of and conditions of the prior Agreement.

The Parties desire to enter into the attached Interlocal Agreement which will have a term of 12 months, but will automatically renew for up to 3 additional 12 month periods, unless a party terminates by giving 30 days advance notice. The Agreement can be terminated without cause with 30 days advance notice.

The rates charged by the MPO to perform the services are the same as in the prior Agreement.

**STAFF RECOMMENDATION:** Motion to Approve Interlocal Agreement between City of Groveland and Lake-Sumter MPO Relating to Maintenance of GIS for City of Groveland

**REVIEWED BY CITY MANAGER:**

**COUNCIL ACTION:**

**MOTION BY:**

**SECOND BY:**

*"The city with a future, watch us grow!"*

05/12/16  
17:11:47

CITY OF GROVELAND  
Vendor Detail Query  
For claims processed from: 5/05 to 5/16

Page: 1 of 2  
Report ID: AP200A

Doc #	Invoice #/Description	Claim Date	Check	Check Date	Amount	Inv Date	Acct. Period
Vendor #/Name: 1827 LAKE-SUMTER MPO							
CL 35198	1 1 GIS Services	05/30/12	41646	05/31/12	1,702.00	05/23/12	5/12
					<b>2011/12</b>		
					<b>Total:</b>	<b>1,702.00</b>	
CL 36906	1 2 GIS Services	12/13/12	42923	12/13/12	1,342.00	11/26/12	11/12
CL 36906	2 2 GIS Services	12/13/12	42923	12/13/12	230.00	11/26/12	11/12
CL 36906	3 2 GIS Services	12/13/12	42923	12/13/12	460.00	11/26/12	11/12
CL 36906	4 2 GIS Services	12/13/12	42923	12/13/12	552.00	11/26/12	11/12
CL 37792	1 3 GIS Services 1/1-3/29/13	04/04/13	43603	04/04/13	1,348.00	03/29/13	3/13
					<b>2012/13</b>		
					<b>Total:</b>	<b>3,932.00</b>	
CL 39788	1 4 GIS Svcs-July 1-Sept 30,	12/18/13	45124	12/18/13	1,541.00	11/29/13	12/13
CL 40499	1 5 GIS Services-10/1-12/31/1	03/13/14	45624	03/14/14	1,049.00	03/11/14	3/14
CL 42127	1 6 GIS Svcs 1/1-6/30/14	10/03/14	46768	10/03/14	161.00	07/29/14	9/14
CL 42127	2 6 GIS Svcs 1/1-6/30/14	10/03/14	46768	10/03/14	368.00	07/29/14	9/14
CL 42127	3 6 GIS Svcs 1/1-6/30/14	10/03/14	46768	10/03/14	260.00	07/29/14	9/14
CL 42127	4 6 GIS Svcs 1/1-6/30/14	10/03/14	46768	10/03/14	260.00	07/29/14	9/14
CL 42127	5 6 GIS Svcs 1/1-6/30/14	10/03/14	46768	10/03/14	69.00	07/29/14	9/14
CL 42127	6 6 GIS Svcs 1/1-6/30/14	10/03/14	46768	10/03/14	69.00	07/29/14	9/14
CL 42127	7 6 GIS Svcs 1/1-6/30/14	10/03/14	46768	10/03/14	276.00	07/29/14	9/14
					<b>2013/14</b>		
					<b>Total:</b>	<b>4,053.00</b>	
CL 43136	1 7 GIS Services 7/1/14-9/30/	01/22/15	47468	01/22/15	138.00	01/12/15	1/15
CL 43136	2 7 GIS Services 7/1/14-9/30/	01/22/15	47468	01/22/15	138.00	01/12/15	1/15
CL 43136	3 7 GIS Services 7/1/14-9/30/	01/22/15	47468	01/22/15	138.00	01/12/15	1/15
CL 43136	4 7 GIS Services 7/1/14-9/30/	01/22/15	47468	01/22/15	138.00	01/12/15	1/15
CL 43136	5 7 GIS Services 7/1/14-9/30/	01/22/15	47468	01/22/15	120.00	01/12/15	1/15
CL 43137	1 8 GIS Services 10/1/14-12/3	01/22/15	47468	01/22/15	260.00	01/12/15	1/15
CL 43137	2 8 GIS Services 10/1/14-12/3	01/22/15	47468	01/22/15	72.00	01/12/15	1/15
CL 43185	1 7 GIS Services 7/1/14-9/30/	01/22/15	172	01/23/15	368.00	01/12/15	1/15
CL 43186	1 8 GIS Services 10/1/14-12/3	01/22/15	172	01/23/15	138.00	01/12/15	1/15
CL 43186	2 8 GIS Services 10/1/14-12/3	01/22/15	172	01/23/15	260.00	01/12/15	1/15
CL 43186	3 8 GIS Services 10/1/14-12/3	01/22/15	172	01/23/15	368.00	01/12/15	1/15
CL 44609	1 9 SR50 Realignment Map	06/11/15	48068	06/11/15	138.00	06/01/15	6/15
CL 44609	2 9 CDGB Map Mods & Revs	06/11/15	48068	06/11/15	69.00	06/01/15	6/15
CL 44609	3 9 Future Land Use Amend Map	06/11/15	48068	06/11/15	96.00	06/01/15	6/15
CL 44609	4 9 Added New Aerials 2014 In	06/11/15	48068	06/11/15	46.00	06/01/15	6/15
CL 44609	5 9 GIS Data Support ESRI 3rd	06/11/15	48068	06/11/15	46.00	06/01/15	6/15
CL 44609	6 9 Renewal webGIS Software L	06/11/15	48068	06/11/15	260.00	06/01/15	6/15
CL 44658	1 9 GIS Services-Network Data	06/12/15	1007	06/12/15	138.00	06/01/15	6/15
CL 44658	2 9 GIS Services-Network Data	06/12/15	1007	06/12/15	138.00	06/01/15	6/15
CL 44658	3 9 GIS Svcs-webGIS Software	06/12/15	1007	06/12/15	260.00	06/01/15	6/15
					<b>2014/15</b>		
					<b>Total:</b>	<b>3,329.00</b>	
CL 46745	1 10 CUP Mapping-6/1/15-12/31	01/14/16	2027	01/14/16	736.00	12/31/15	1/16
CL 46868	1 10 Data & Map Creation,edit	01/22/16	48984	01/22/16	828.00	12/31/15	1/16
CL 46868	2 10 CDGB Map Mods & Revision	01/22/16	48984	01/22/16	69.00	12/31/15	1/16
CL 46868	3 10 City Properties Digital	01/22/16	48984	01/22/16	46.00	12/31/15	1/16
CL 46868	4 10 Annexations History Anal	01/22/16	48984	01/22/16	69.00	12/31/15	1/16
CL 46868	5 10 Comp Plan Ammend Maps/Re	01/22/16	48984	01/22/16	184.00	12/31/15	1/16
CL 46868	6 10 GIS Data Support ESRI	01/22/16	48984	01/22/16	46.00	12/31/15	1/16
					<b>2015/16</b>		
					<b>Total:</b>	<b>1,978.00</b>	
<b>Grand Total:</b>					<b>14,994.00</b>		

**AGREEMENT  
BETWEEN  
CITY OF GROVELAND  
AND  
THE LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION  
RELATING TO THE MAINTENANCE OF A  
GEOGRAPHIC INFORMATION SYSTEM (GIS)  
FOR THE CITY OF GROVELAND**

This is an Agreement between: **CITY OF GROVELAND**, a Florida municipality, hereinafter referred to as '**CITY**';

**AND**

The **LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION**, a special government regional transportation planning entity, hereinafter referred to as the "**MPO**".

**RECITALS**

**WHEREAS**, the **CITY**'s Geographic Information System, hereinafter referred to as '**GIS**', requires continuing maintenance, data updates, interactive maps, new custom print maps, analysis, and other services on an as-needed basis so that the **CITY**'s GIS system remains operable for use by **CITY** staff and the public; and

**WHEREAS**, the **MPO**, in its capacity as the coordinator of a comprehensive transportation planning process for the Lake and Sumter County areas, maintains a GIS system and data and retains staff for the purpose of maintaining the same; and

**WHEREAS**, the **CITY** determined it necessary to maintain its GIS, and requested that the **MPO** conduct a general assessment of the tasks that would be required and the costs involved for said maintenance; and

**WHEREAS**, the **MPO**'s assessment included recommendations for the development, exchange, and maintenance of data components such as digital parcel base map, master address and structure location layer, a city-wide street coverage, ortho-photography, wetlands layer, a hydrological layer, future land use layer, a city zoning layer, and any other geographic layers necessary to fully establish and maintain a City-wide Geographic Information System which provides relevant map products that may become necessary to serve the citizens of Groveland and the **CITY**; and

**WHEREAS**, the **CITY** and the **MPO** desire to execute this Agreement and maintain the **CITY**'s GIS as set forth in this Agreement, with the purpose of achieving effective management of information, avoidance of redundancy, and reduction of expense for their constituents and customers;

**NOW THEREFORE**, in consideration of the promises, mutual covenants, conditions and payments hereinafter contained, the parties agree as follows:

- I. **RECITALS:** The foregoing recitals are true and correct and incorporated herein.
- II. **PURPOSE:** The purpose of this Agreement is for the CITY to secure MPO's services in having its GIS data, GIS software and plotters maintained in operational status, and in making its GIS data continuously available on a complete or limited basis, as determined by the CITY, to CITY staff and to the public.
- III. **CITY REQUIREMENTS:**
  - A. The CITY is responsible for furnishing and maintaining its own computer hardware and software, in accordance with **Exhibit "A"**, for use with the established digital and hardcopy map products, for complete or limited access to GIS by CITY departments and/or the public, or for the provision of advanced GIS training.
  - B. The CITY acknowledges that allowing access to GIS for all CITY departments will require a Local Area Network (LAN) Intranet site that connects all CITY departments with direct, "read-only" access to the digital map and associated data from GIS, and that public access to a basic digital map and selected data is feasibly made through the Internet. The CITY agrees that it shall be solely responsible for the costs, equipment, infrastructure or other components needed to provide this access, whether or not the same is listed in **Exhibit "A"**.
  - C. CITY shall pay to MPO costs for GIS personnel and any applicable reimbursable costs in accordance with **Exhibit "B"** necessary to meet project needs. CITY agrees to promptly review all invoices transmitted by the MPO and to remit payment within thirty (30) days of receipt.
- IV. **MPO REQUIREMENTS:**
  - A. The MPO is responsible for furnishing and maintaining its own computer hardware and software, in accordance with **Exhibit "A"**, for maps and layer production.
  - B. The MPO will supply the CITY with existing GIS data. Sections of existing data will be replaced over time by new data or re-engineered data after they have been quality assured. These updated data will be furnished monthly or quarterly on a mutually agreed upon basis, depending upon the needs and request of the CITY.

C. MPO shall designate its GIS Manager, or another designated representative of the MPO, to serve as the CITY's GIS Liaison to add input and direction to the continued implementation effort in accordance with the project guidelines.

V. **MEETINGS AMONG PARTIES:** It is the intention of the parties, and in particular MPO's GIS Manager and CITY's Planner and IT personnel, to meet whenever is necessary to collaborate on continuing GIS needs.

VI. **TERM:** This Agreement shall become effective on the day the last party executes it, and shall remain in full force for the twelve (12) month period immediately following said date of execution, unless renewed or extended as provided for herein. The Parties may renew or extend the Term in one-year increments by approving and executing a written agreement with the same formalities as this Agreement. Either party may terminate this Agreement pursuant to the provisions below:

A. **Written Notice of Termination:** Either party may terminate this Agreement without cause by providing written notice to the other thirty (30) days prior to termination. Upon receipt of notice of termination or upon sending notice itself, MPO shall cease performing all tasks associated with Agreement and shall send an invoice to CITY for any work performed up to and including the date of termination of the Agreement.

B. **General Termination Terms:** Notice of termination shall be sent to the addresses shown below, and shall be considered properly given as of the date received. However, notice of termination, regardless of the party initiating, shall not relieve the CITY of its obligation to fully compensate the MPO for all services rendered by the MPO up to and including the date of termination of the Agreement.

VII. **PRIOR AGREEMENTS:** This Agreement shall supersede any previous Interlocal Agreement for GIS services previously entered between the parties, and the previous Agreement entered into between the parties dated on or about May 23, 2012, shall be terminated effective upon execution of this Agreement as defined herein.

VIII. **NOTICES:** Wherever provision is made in this Agreement for the giving, serving or delivering of any notice, statement, or other instrument, such notice shall be in writing and shall be deemed to have been duly given, served and delivered, if delivered by hand or mailed by United States registered or certified mail or sent by facsimile, addressed as follows:

**MPO**

T.J. Fish, Executive Director  
1616 S. 14<sup>th</sup> St.  
Leesburg, FL 34748

**CITY**

Redmond Jones, Groveland City Manager  
156 S. Lake Ave.  
Groveland, FL 34736

- IX. ENTIRE AGREEMENT:** This document embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein.
- X. RENEWAL:** This Agreement renews automatically for the term stated in this Agreement unless terminated or extended as provided in this Agreement.
- XI. EXTENSION:** If any work or service hereunder is in progress but not completed as of the date of termination, this Agreement may be extended upon written approval of the parties for a period of time not to exceed an additional one hundred and eighty (180) calendar days.
- XII. SEVERABILITY:** If any provision of this Agreement is found by a court of competent jurisdiction to be invalid, it shall be considered deleted here from, and shall not invalidate the remaining provisions.
- XIII. MODIFICATION:** No modification, amendment or alternation of the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

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

Lake~Sumter Metropolitan Planning Organization

\_\_\_\_\_  
Leslie Campione, Chairman

This \_\_\_\_\_ day of \_\_\_\_\_, 2016

Approved as to Form and Legality:

\_\_\_\_\_  
Melanie Marsh, MPO Attorney

**Interlocal Agreement between Groveland & Lake-Sumter MPO  
GIS Maintenance Services**

**CITY OF GROVELAND, FLORIDA**

\_\_\_\_\_  
Tim Loucks, Mayor

This \_\_\_\_ day of \_\_\_\_\_, 2016.

**ATTEST:**

\_\_\_\_\_  
Lisa Cortese, Acting City Clerk

Approved as to form and legality:

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

**EXHIBIT - A**

**GIS COMPUTER SOFTWARE AND HARDWARE SPECIFICATIONS**

**Software – ESRI ArcGIS Desktop 9.3+**

**Processor: 2+ Gightz**

**Memory: 512 Mg**

**Storage Devices: 40 – 80 GB Drive**

**Peripherals: An HP printer that can plot up to a tabloid size**

**Communications: FTP / Broadband Internet Access**

**Exhibit B**

**Scope of Services**

**Lake-Sumter MPO GIS Services**

**I. Purpose**

This scope of services describes the tasks involved in the continuing maintenance of City of Groveland's Geographic Information System (GIS). The City requires that various components of its GIS be maintained and operable for City staff and developed for public access.

**II. Costs and Reimbursable Expenses**

**MPO GIS Personnel** **\$46.00 per hour**

**Training:**

**Initial Trainee (Assigned by CITY)** **No Charge**  
**Additional Trainees** **\$400.00 per person, per 8hr session**

**Software Site License:** **No Charge**

**Software Maintenance:** **No Charge**

**Printing Requests by CITY:**

**HP Specialty (Glossy) Paper 36x150ft** **\$100.0 per Roll**

**HP Coated (Regular) Paper 36x150ft** **\$30.00 per Roll**

**Travel for Council Meetings or other  
Special Meetings** **\$0.555 per Mile and Incidental  
Expenses**

**III. MPO Tasks**

1. Maintenance and general/basic services, included but not limited to data updates, interactive maps, new custom print maps, training, and analysis.

**IV. Project Schedule**

Tasks will be completed pursuant to the scope, gravity, and urgency of the work requested by the CITY on an as-needed, on-demand basis. The MPO will assess the time frame needed to complete the needed task(s) and provide an estimate of costs and completion date.

**V. Invoicing**

MPO shall send the CITY an invoice on the last day of each quarter of the calendar year for services rendered during that quarter. The estimates provided by MPO as to the number of labor hours anticipated for completion of each task may be exceeded in invoicing if labor hours actually exceed those estimated by MPO.



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 2, 2016

**ITEM NUMBER:** 3

**AGENDA ITEM:** Lake David Hotel – Vesting Rights Determination

**CITY GOAL:** Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.

**PREPARED BY:** Anita Geraci-Carver, City Attorney

**DATE:** April 21, 2016

**BACKGROUND:** On March 21, 2016 Council approved an Agreement with Mr. Hassan, who recently purchased the Lake David Motel. The Agreement requires Mr. Hassan to bring the property into Florida and City code compliance in exchange for a waiver of the lien. The details are more particularly set forth in that Agreement.

However, the Agreement had first been brought forward to Council on March 7, 2016. The Agreement before Council at that meeting provided for Mr. Hassan to seek a rezoning of the property to Central Business District. The development plan included residential upstairs with retail/restaurant/office downstairs. At the meeting Mr. Hassan stated to City Council that he was not in agreement with rezoning the property or the development plan. Rather Mr. Hassan stated that his plan is to bring the property into compliance, but continue with the property's past use of the property with individual apartments on both first and second floors.

Based on Mr. Hassan's request, a vested rights determination is required because the current Future Land Use designation of the property is Single Family Medium Density and the zoning is R-2. Neither the FLU nor the zoning allow 10 apartments with private kitchens and private restrooms. Therefore, the property was operating as a legally existing non-conforming use. In order to develop 10 apartments a comprehensive plan amendment changing the future land use and a rezoning will be required. Additional approvals may be required as well because it is doubtful that setbacks and parking requirements can be met.

The City's Code in Sections 153-85 thru 153-87 regulate nonconforming uses. I have summarized those code sections in this report. A use, building or structure lawfully in existence on 1/21/85 made nonconforming on or after that date can continue "so long as it remains the same use" even if the ownership changes. A structure that has less than 50% of its previous existing floor area made unsafe or unusable may be restored, reconstructed and used as before however, the repairs must be made within 6 months after damages occur or such use shall not be rebuilt except as a conforming use. A nonconforming use/structure is terminated and cannot continue if "discontinued, vacant, abandoned or not used for a period of 6 consecutive months", or if 50% or more is

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destroyed or made unsafe by casualty and the repairs are not completed within 6 months after the damages, or any extension thereof granted by council. Based on the City's Code, since the structure was not brought into compliance within 6 months, the nonconforming use cannot continue. However, there is an additional process to be considered.

The City's Code, Sec. 101-33 states that any person alleging the existence of vested rights relating to comprehensive plan requirements must demonstrate to the city council's satisfaction the legal requisites of those vested rights. The doctrine of vested rights allows a property owner to develop a property under the land comprehensive plan and development code in effect at the time the permit or development order was issued, rather than any new comprehensive plan requirements, new land development regulations or new zoning regulations. If vested, the City cannot impose its new regulations on the property.

Florida common law provides that vested rights may be established if a property owner has (1) in good faith reliance, (2) upon some act or omission of government (3) made such a substantial change in position or has incurred such extensive obligations and expenses (4) that it would make it highly inequitable to interfere with the acquired right. *Hollywood Beach Hotel Co. v. City of Hollywood*, 329 So.2d 10 (Fla. 1976); *Sakolsy v. City of Coral Gables*, 151 So.2d 433 (Fla. 1963).

The City's legislative actions and approvals are of importance in making a vested right determination. Unfortunately, due to the historical use of the property as a weekly rental motel/hotel/apartments the City has not located individual ordinances assigning the future land use or the zoning. It appears the City assigned the FLU and zoning as part of the City's adoption of its FLU map and zoning map.

The City did not conduct rental inspections at the Lake David Motel because the Business Tax Receipt and the Department of Business and Professional Regulation has the property designated as a hotel/motel. Therefore, DBPR regulated the operation. The City determined that sometime between April 2012 and June 2014 DBPR no longer regulated the property. The City's last report from DBPR is dated April 23, 2012. On May 24, 2014 the fire department responded. On July 9, 2014 a Condemned Notice was posted. An e-mail from the prior owner dated July 28, 2014 confirms the last tenant removed his or her belongings. The property manager was allowed to reside in the caretaker apartment after it was determined to be safe, but all other residents were required to vacate. On February 9, 2015 the property manager moved out of the building. On March 3, 2015 the City conducted a rental inspection with the prior owner because a new property manager was moving into the building. The inspection failed and the property has been vacant since.

In reviewing the City's records, Winslow Engineering Group, Inc. conducted a visual structural review and in a letter to the prior property owner dated March 18, 2015 detailed the engineer's findings. According to a letter from the prior owner dated September 20, 2014, he acquired the Lake David Motel 30 years before and at that time was occupied as a weekly rental, although there were two long term residents when he acquired the property.

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The City's notes indicate there were 17 rooms. 3 of 17 had private full bathrooms, with the remaining 14 rooms sharing 4 full bathrooms.

Mr. Hassan purchased the property on November 24, 2015. Prior to his purchase he had been in discussions with the City regarding the code enforcement fines and the property. Although there is some disagreement between Mr. Hassan and City staff relating to Mr. Hassan's intended use of the property and the discussions surrounding the proposed use. If Mr. Hassan demonstrates to Council that he, in good faith, relied on communications with the City for the use he proposes (10 apartments with individual restrooms and kitchens) prior to purchasing the property and purchased the property in reliance on those communications then Council may determine the use and structure is vested.

<b>STAFF RECOMMENDATION:</b> Receive testimony/evidence from Mr. Hassan and City staff, then (a) motion finding owner has a vested right in the use of the Lake David Motel for 10 apartments OR (b) motion finding owner does not have a vested right in the use of the Lake David Motel for 10 apartments.
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 16, 2016

**ITEM NUMBER:** 4

**AGENDA ITEM:** Ordinance 2016-05-12: Comp Plan Amendment – Hope Plaza

**CITY GOAL:** Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.

**PREPARED BY:** Ken Comia, City Planner

**DATE:** May 9, 2016

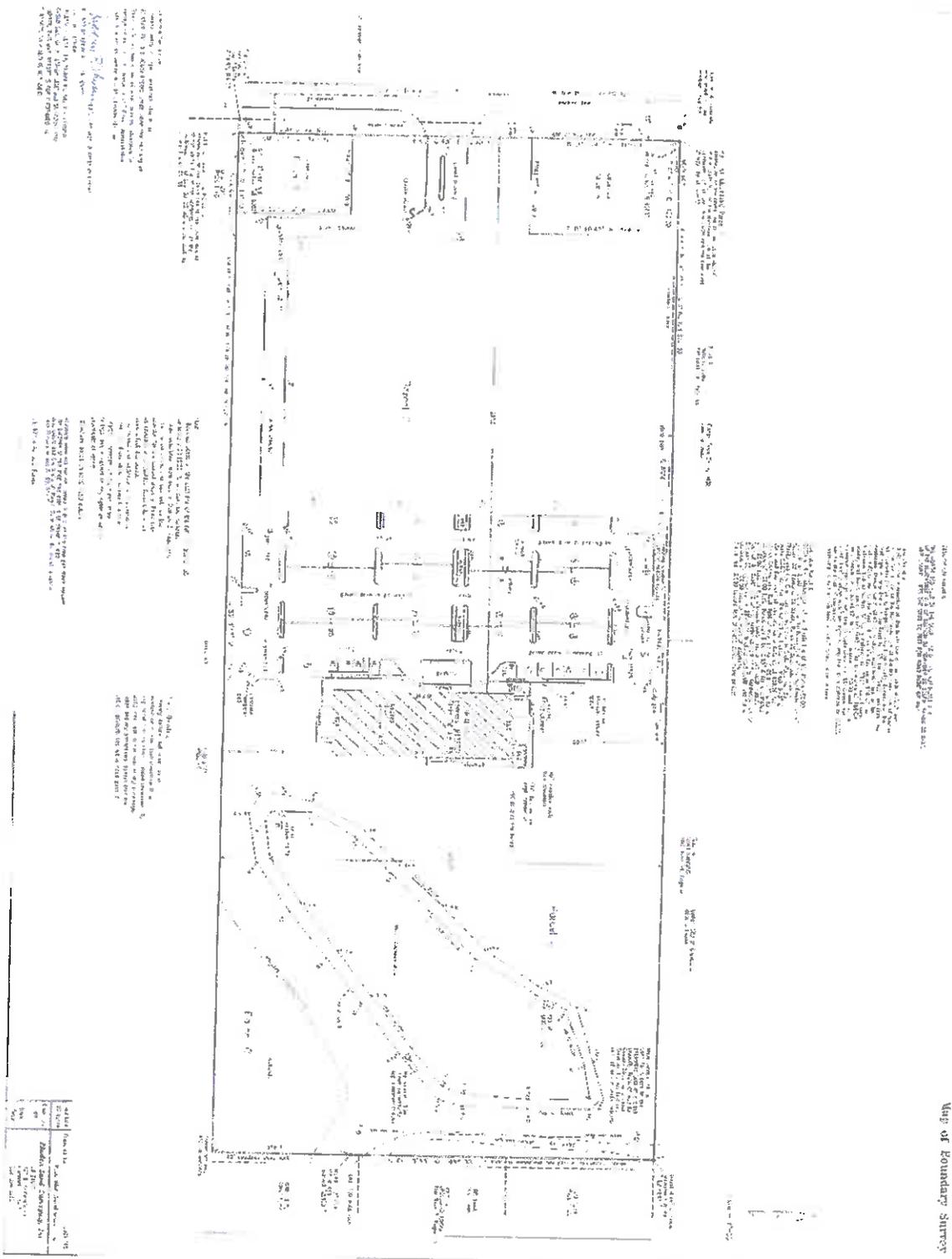
### BACKGROUND:

This property is located off of State Road 33.



The applicant, Pastor Tony McCoy, has requested a Comprehensive Plan amendment for a future land use designation from City of Groveland Green Swamp Single Family Low Density and Conservation to City of Groveland Green Swamp Commercial and Conservation.

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...the surveyor...  
 ...the boundary...  
 ...the survey...  
 ...the map...  
 ...the surveyor...  
 ...the boundary...  
 ...the survey...  
 ...the map...

...the surveyor...  
 ...the boundary...  
 ...the survey...  
 ...the map...  
 ...the surveyor...  
 ...the boundary...  
 ...the survey...  
 ...the map...

Station	Bearing	Distance
1	N 89° 15' 00" E	1000.00
2	S 89° 15' 00" W	1500.00
3	N 89° 15' 00" E	1000.00
4	S 89° 15' 00" W	1500.00

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Hope International Church currently operates on the property. Pastor McCoy is seeking to create legal outparcels to develop light commercial uses in addition to the church building. This requires a future land use designation of Green Swamp Commercial. The future land use designation allows retail, office/personal services, recreation, churches, assisted living facilities, and schools. It requires paved roads, central water and sewer; all of which are provided for to the current site.

The portion of the parcel designated City of Groveland Conservation will remain City of Groveland Conservation and no future development will be placed on this segment.

After the first reading of the comprehensive plan amendment the ordinance will go to the State for review. Once approved by the State it will return to City Council for final approval along with the adoption of a rezoning of the property.

<b>STAFF RECOMMENDATION: Approve the motion</b>
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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**ORDINANCE 2016-05-12**

**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(4), FLORIDA STATUTES, BY AMENDING THE COMPREHENSIVE LAND-USE PLAN DESIGNATION FROM CITY OF GROVELAND GREEN SWAMP SINGLE FAMILY LOW DENSITY AND CONSERVATION TO CITY OF GROVELAND GREEN SWAMP COMMERCIAL AND CONSERVATION ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.**

**WHEREAS**, the City of Groveland, Florida, adopted Ordinance 92-02-01, adopting the Comprehensive Plan for the City of Groveland which has since been amended; and

**WHEREAS**, the request for this large scale plan amendment is initiated by the applicant, Hope International Church, Inc. as owner of the Property; and

**WHEREAS**, the applicant desires to develop commercial outparcels, while maintaining the existing church on site; and

**WHEREAS**, the property subject of this large scale plan amendment is located in the Green Swamp Area of Critical State Concern and will follow the State Coordinated Review Process; and

**WHEREAS**, the Local Planning Agency of the City of Groveland held a public hearing on this ordinance which was advertised in accordance with the law; and

**WHEREAS**, the City Council of the City of Groveland public hearing has been advertised as required by law for two public hearings with the first public hearing occurring at least 7 days after the first advertisement was published and the second public hearing for adoption of this ordinance occurring at least 5 days after the day of the second advertisement; and

**WHEREAS**, the City Council of the City of Groveland hereby finds and determines that the plan amendment is internally consistent with the City's Comprehensive Plan; and

**WHEREAS**, it is in the best interests of the City of Groveland to amend the Comprehensive Plan for the City of Groveland as set forth herein.

**WHEREAS**, the City of Groveland desires to amend the Comprehensive Plan for the City of Groveland as set forth below.

**Now, therefore, it be ordained by the City Council of the City of Groveland, Florida:**

**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. Comprehensive Plan Amendment**

A. The Property is legally described as:

The North 495 Feet of the South ½ of the Northeast ¼ of the Northwest ¼ of Section 30, Township 22 South, Range 25 East, Lake County, Less the West 50 Feet for Road Right of Way.

B. That portion of the Future Land Use Element referenced as the Future Land Use Map of the City of Groveland Comprehensive Plan is hereby amended by changing the designation of the Property described above, on the City of Groveland Future Land Use Map from Green Swamp Single Family Low Density and Conservation and designating the Property on the Future Land Use Map to:

**GREEN SWAMP COMMERCIAL:** 13.792 acres more particularly depicted and described in **Exhibit A** hereto which shall be developed at a maximum intensity of 40 percent impervious surface and a 0.5 floor area ratio.

**CONSERVATION:** .748 acres more particularly depicted and described in **Exhibit A** hereto.

## **Section 3. Severability**

Upon a determination that by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

## **Section 4. Direction to the City Manager.**

The City Manager is hereby authorized to amend the comprehensive plan and future land-use map as indicated herein.

## **Section 5. Repeal**

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

## **Section 6. Transmittal**

After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity and the East Central Florida Regional Planning Council, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, Lake County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the City of Groveland, Florida.

## **Section 7. Effective Date**

This ordinance shall become effective upon the date a final order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in

accordance with Section 163.3184, Florida Statutes. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
HONORABLE TIM LOUCKS, MAYOR  
City of Groveland, Florida

Attest:

\_\_\_\_\_  
Lisa Cortese, Acting City Clerk



Approved as to form and legality:

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

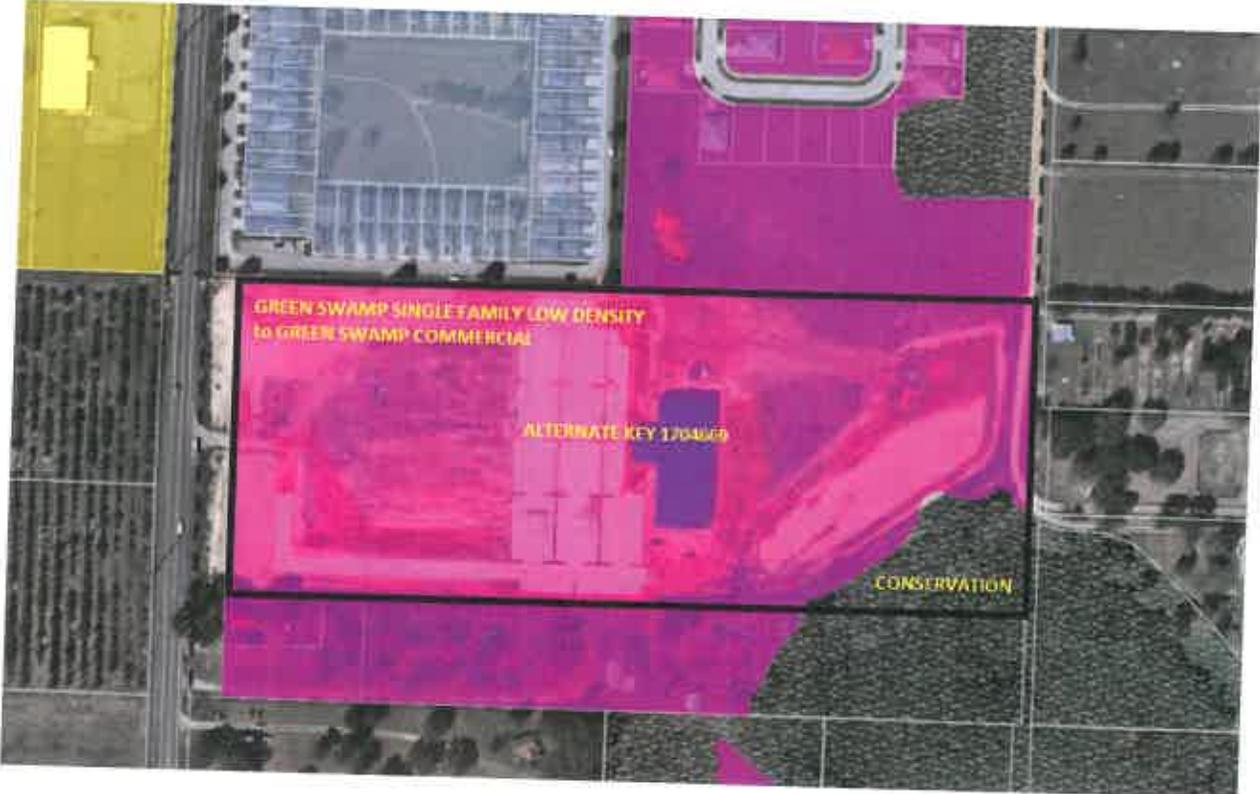
First Reading \_\_\_\_\_

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
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		

**EXHIBIT "A"**





## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 16, 2016

**ITEM NUMBER:** 5

**AGENDA ITEM:** Ordinance 2016-05-13: PUD Rezoning – *Hope Plaza*

**CITY GOAL:** Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.

**PREPARED BY:** Ken Comia, City Planner

**DATE:** May 9, 2016

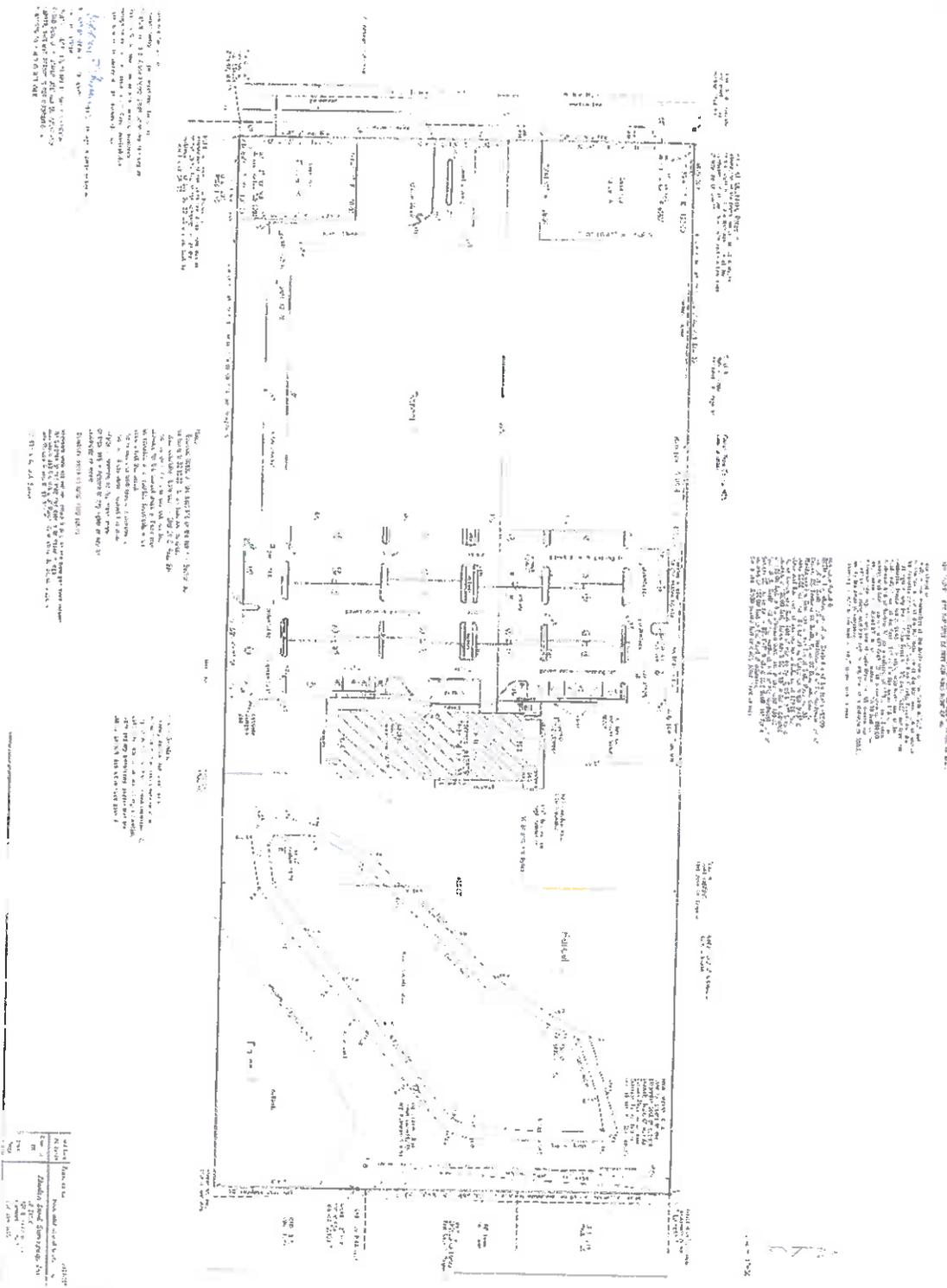
### BACKGROUND:

This property is located off of State Road 33.



The applicant, Pastor Tony McCoy, has requested a Comprehensive Plan amendment for a future land use designation from City of Groveland Green Swamp Single Family Low Density and Conservation to City of Groveland Green Swamp Commercial and Conservation.

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Hope International Church currently operates on the property. Pastor McCoy is seeking to create legal outparcels to develop light commercial uses in addition to the church building. This requires a future land use designation of Green Swamp Commercial. The future land use designation allows retail, office/personal services, recreation, churches, assisted living facilities, and schools. It requires paved roads, central water and sewer; all of which are provided for to the current site.

This ordinance designates the zoning of the project, which is consistent with its future land use designation.

The following uses shall be allowed as permitted uses on the entire site:

Assisted living facility  
Business services, excluding rental and leasing services  
Church  
Communication sales and service  
Professional offices  
Restaurants, including drive-ins  
Retail (excluding gasoline services and businesses using chemical operations)  
School  
Personal services, such as barber and beauty shops

Other similar no more intensive uses will be permitted at the discretion of the City Manager or designee. All other uses are prohibited.

Since this parcel is located in the Green Swamp Area of Critical State Concern, whenever the City issues any development order, copies of such orders are prescribed by rule by the state land planning agency (Department of Economic Opportunity) shall be transmitted to the state land planning agency, the regional planning agency, and the owner of developer of the Property affected by such order, as prescribed pursuant to Sections 380.05 and 380.07, Florida Statutes.

#### **Additional Requirements**

Within the Green Swamp ACSC, commercial development is subject to the following additional criteria:

- 1) Development is limited to 5,000 square feet gross leasable area.
- 2) Development shall be designed in order to reduce impervious surfaces and to minimize their impacts. Maximum combined lot coverage and impervious surface on the Property shall not exceed 40 percent. Development shall comply with the Guiding Principles for Development in the Green Swamp Area of Critical State Concern.
- 3) The front setback shall be 35 feet. Where the side or rear abuts residential development or is shown for residential use on the Comprehensive Plan Future

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Land Use Map, the minimum setbacks shall be 25 feet to include a ten-foot landscape buffer.

- 4) Maximum height shall be 35 feet or 2½ stories.
- 5) All parking areas and all other paved areas, shall be landscaped to achieve a 60 percent canopy.
- 6) The church, school and assisted living facility shall not be in full use simultaneously. The church and school shall not be in session simultaneously at any time. The owner shall regulate parking on the property to ensure vehicles only park in the 299 designated parking spaces and at no other locations on the property described above. Parking is reduced and restricted to the 299 designated parking spaces being allowed in this variance.
- 7) Land Development Regulations require a total of 374 parking spaces comprised as follows: Church use – 236, School use – 75 and Assisted Living Facility use – 75. The City hereby reduces the required parking spaces to 299 designated parking spaces, in part because of the cross usage.
- 8) Owner shall comply with all other provisions of the City of Groveland Code and Land Development Regulations including Paragraph 9B of Section 2.4, General Off-Street Parking Criteria, of Chapter VIII: Parking Requirements, of the City of Groveland's Land Development Regulations which states, "No grassed parking area shall be established within any required open space or landscaped area...". The grassed areas on the property will constitute the 60% required open space. As such, the owner agrees not to allow parking on these grassed areas.

Once Comprehensive Plan Amendment is approved by the State it will return to City Council for final approval along with the adoption of this rezoning.

<b>STAFF RECOMMENDATION: Approve the motion</b>
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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**ORDINANCE 2016-05-13**

**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(4), FLORIDA STATUTES, BY AMENDING THE COMPREHENSIVE LAND-USE PLAN DESIGNATION FROM CITY OF GROVELAND GREEN SWAMP SINGLE FAMILY LOW DENSITY AND CONSERVATION TO CITY OF GROVELAND GREEN SWAMP COMMERCIAL AND CONSERVATION ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.**

**WHEREAS**, the City of Groveland, Florida, adopted Ordinance 92-02-01, adopting the Comprehensive Plan for the City of Groveland which has since been amended; and

**WHEREAS**, the request for this large scale plan amendment is initiated by the applicant, Hope International Church, Inc. as owner of the Property; and

**WHEREAS**, the applicant desires to develop commercial outparcels, while maintaining the existing church on site; and

**WHEREAS**, the property subject of this large scale plan amendment is located in the Green Swamp Area of Critical State Concern and will follow the State Coordinated Review Process; and

**WHEREAS**, the Local Planning Agency of the City of Groveland held a public hearing on this ordinance which was advertised in accordance with the law; and

**WHEREAS**, the City Council of the City of Groveland public hearing has been advertised as required by law for two public hearings with the first public hearing occurring at least 7 days after the first advertisement was published and the second public hearing for adoption of this ordinance occurring at least 5 days after the day of the second advertisement; and

**WHEREAS**, the City Council of the City of Groveland hereby finds and determines that the plan amendment is internally consistent with the City's Comprehensive Plan; and

**WHEREAS**, it is in the best interests of the City of Groveland to amend the Comprehensive Plan for the City of Groveland as set forth herein.

**WHEREAS**, the City of Groveland desires to amend the Comprehensive Plan for the City of Groveland as set forth below.

**Now, therefore, it be ordained by the City Council of the City of Groveland, Florida:**

**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. Comprehensive Plan Amendment**

A. The Property is legally described as:

The North 495 Feet of the South ½ of the Northeast ¼ of the Northwest ¼ of Section 30, Township 22 South, Range 25 East, Lake County, Less the West 50 Feet for Road Right of Way.

B. That portion of the Future Land Use Element referenced as the Future Land Use Map of the City of Groveland Comprehensive Plan is hereby amended by changing the designation of the Property described above, on the City of Groveland Future Land Use Map from Green Swamp Single Family Low Density and Conservation and designating the Property on the Future Land Use Map to:

**GREEN SWAMP COMMERCIAL:** 13.792 acres more particularly depicted and described in **Exhibit A** hereto which shall be developed at a maximum intensity of 40 percent impervious surface and a 0.5 floor area ratio.

**CONSERVATION:** .748 acres more particularly depicted and described in **Exhibit A** hereto.

## **Section 3. Severability**

Upon a determination that by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

## **Section 4. Direction to the City Manager.**

The City Manager is hereby authorized to amend the comprehensive plan and future land-use map as indicated herein.

## **Section 5. Repeal**

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

## **Section 6. Transmittal**

After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity and the East Central Florida Regional Planning Council, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, Lake County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the City of Groveland, Florida.

## **Section 7. Effective Date**

This ordinance shall become effective upon the date a final order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in

accordance with Section 163.3184, Florida Statutes. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
HONORABLE TIM LOUCKS, MAYOR  
City of Groveland, Florida

Attest:

\_\_\_\_\_  
Lisa Cortese, Acting City Clerk



Approved as to form and legality:

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

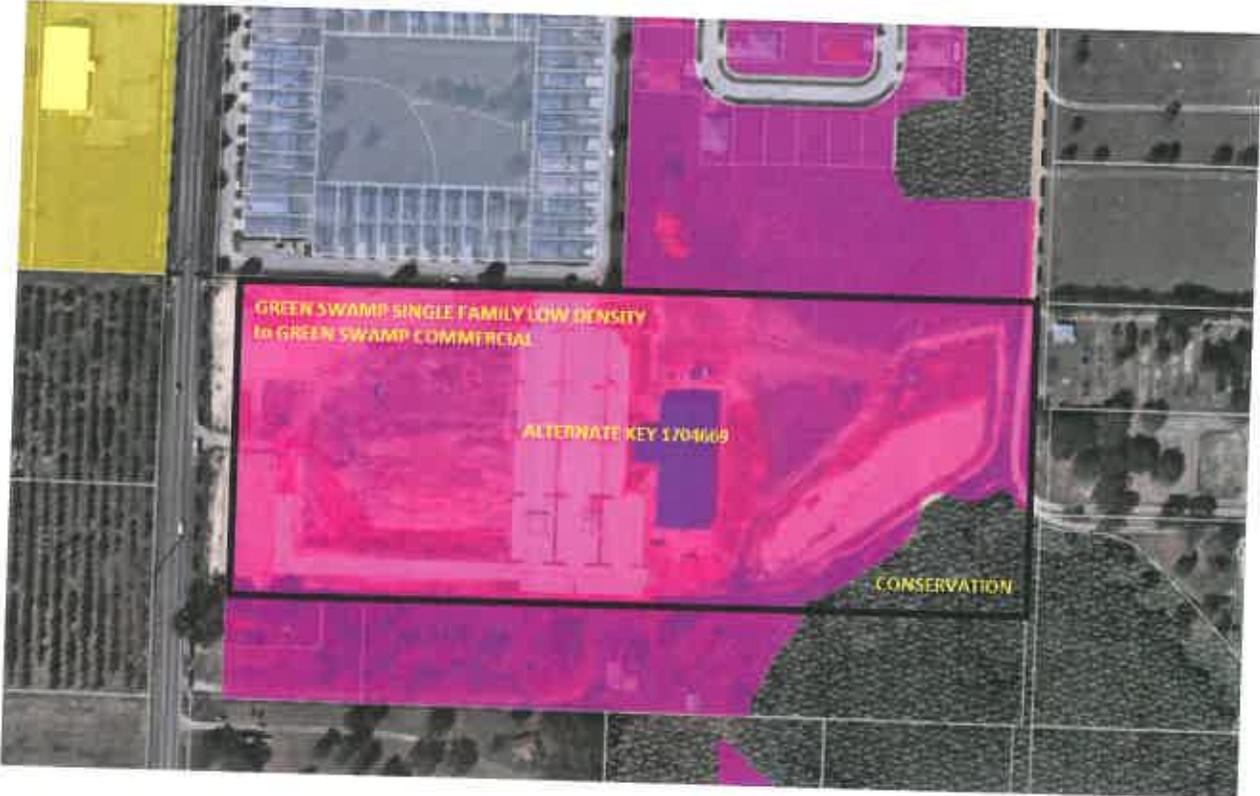
First Reading \_\_\_\_\_

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
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		

**EXHIBIT "A"**





## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b>	May 16, 2016
<b>ITEM NUMBER:</b>	6
<b>AGENDA ITEM:</b>	<b>Ordinance 2016-05-14: Vacation of Easement - Southgate</b>
<b>CITY GOAL:</b>	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
<b>PREPARED BY:</b>	Ken Comia, City Planner
<b>DATE:</b>	May 11, 2016

### BACKGROUND:

Cary Malever, Southgate of Lake County, LLC, Owner, is vacating an easement within the Southgate development.



Adjacent property owners have maintained access to their land.

<b>STAFF RECOMMENDATION:</b>	Approve the motion
<b>REVIEWED BY CITY MANAGER:</b>	
<b>COUNCIL ACTION:</b>	
<b>MOTION BY:</b>	
<b>SECOND BY:</b>	

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**ORDINANCE 2016-05-14**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, VACATING CERTAIN RIGHTS OF WAY SHOWN ON THE PLAT OF GROVELAND FARMS, AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LOCATED IN SECTION 21, TOWNSHIP 22 SOUTH, RANGE 25 EAST; VESTING OF TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Cary Malever of Southgate of Lake County, LLC, owner, seeks to vacate certain public rights of ways affect development of its property identified with Alternate Keys 1704651, 3684915, 1070333, 1008905, 1114845.

**WHEREAS**, the City Council is empowered pursuant to §166.042, *Florida Statutes*, to vacate public rights of ways within its municipal boundaries; and

**WHEREAS**, the City Council of the City of Groveland, Florida, has determined that the rights-of-way described herein below, are not needed for public use and convenience, now or in the future, and it is in the public interest to abandon the same as a right-of-way; and

**WHEREAS**, this Ordinance has been properly advertised in a newspaper of general circulation not less than ten days prior to the Local Planning Agency and City Council hearings on this Ordinance and property owners within a 150-foot radius of the property were provided written notice delivered by U.S. Mail, Certificate of Bulk Mailing.

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

**Section 1: Vacation.**

The rights-of-way as shown on the Plat of Groveland Farms recorded in Plat Book 2, Pages 10 and 11, Public Records of Lake County, Florida, located in Section 21, Township 22 South, Range 25 East, and more particularly described as follows:

**LEGAL DESCRIPTION**

The South 25 feet of the South 165 feet of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 30, Township 22 South, Range 25 East, Lake County, Florida, LESS AND EXCEPT the East 1033.26 feet thereof.

is hereby closed and vacated as a public right-of-way. **See attached Sketch of Description.**



ATTEST:

\_\_\_\_\_  
Lisa Cortese, Acting 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
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		



# REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 16, 2016

**ITEM NUMBER:** 7

**AGENDA ITEM:** Resolution 2016-05-13: Variance to Side Setback – *Eagle Pointe*

**CITY GOAL:** Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.

**PREPARED BY:** Ken Comia, City Planner

**DATE:** May 9, 2016

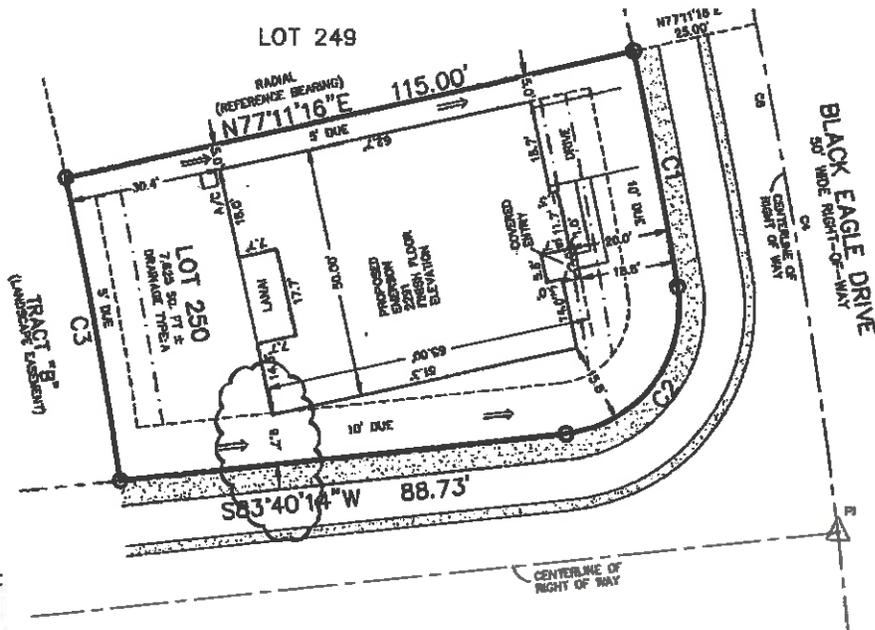
## BACKGROUND

**Location:** 662 Black Eagle Drive

**Zoning:** PUD

The applicant, Royal Oak Homes is requesting a variance to allow a home on a corner lot to encroach into the side setback. The side setbacks in Eagle Pointe are five feet; however, on corner lots the street side setback requirement is ten feet.

The model home that the buyer has requested at 662 Black Eagle Drive is slightly wider than most other models and the uniqueness of this particular lot presents this slight issue. Royal Oak Homes has petitioned the City Council to allow for a 0.3 foot encroachment into the 10 foot street side setback requirement under the Eagle Pointe PUD.



PREPARED FOR:



FINISHED PAD  
ELEVATION=  
112.3'

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**RESOLUTION 2016-05-13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, GRANTING A VARIANCE FROM SECTION 153-150(E)(1)(A) OF THE LAND USE AND DEVELOPMENT CODE OF THE CITY OF GROVELAND, FLORIDA BY REDUCING THE STREET SIDE SETBACK FROM 10 FEET TO 9.7 FEET FOR THE REAL PROPERTY LOCATED AT 662 BLACK EAGLE DRIVE, OWNED BY ROYAL OAK HOMES, LLC; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Royal Oak Homes, LLC, has petitioned for a variance from a certain provision of the City of Groveland Code of Ordinances, for property located at 662 Black Eagle Drive in the City of Groveland, Florida;

**WHEREAS**, such property is identified with Alternate Key 3896825 is more particularly described as:

Lot 250, Eagle Pointe Phase II, as recorded in Plat Book 66, Page 51-53, Public Records of Lake County, Florida.

**WHEREAS**, applicant desires to request a variance from the City of Groveland's minimum street side setback for a corner lot within the Planned Unit Development zoning district; and

**WHEREAS**, to accommodate a particular model home, a variance from the requirements contained in the City of Groveland Land Development Regulations, Appendix A, Article IV, Section 4.15 and Ordinance 2003-07-34 is required; and

**WHEREAS**, this Resolution was properly advertised once in a newspaper of general circulation in Lake County, Florida, no less than 10 days prior to Council's consideration of this Resolution and property owners within 150 feet of the subject site were timely provided written notice delivered by U.S. Mail, Bulk Certificate of Mailing; and

**WHEREAS**, the City Council of the City of Groveland has considered the petition in accordance with the standards for granting variances contained in Section 8.03, City of Groveland Code of Ordinances

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

**Section 1** The petition for variance filed by Royal Oak Homes, LLC, and located at 662 Black Eagle Drive, the City of Groveland, Florida, more particularly described as:

Lot 250, Eagle Pointe Phase II, as recorded in Plat Book 66, Page 51-53, Public Records of Lake County, Florida.

is granted as follows:

1. The City of Groveland's street side setback requirement within the Eagle Pointe Subdivision PUD of a minimum of 10 feet may be decreased to a street side setback requirement of 9.7 feet (0.3 feet encroachment into the 10 feet).
2. The variance to the setback requirement is granted only in connection with the above described property and for no other purpose.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
 HONORABLE TIM LOUCKS, MAYOR  
 City of Groveland, Florida

Attest:

\_\_\_\_\_  
 Lisa Cortese, Acting City Clerk



Approved as to form and legality:

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

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
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 16, 2016

**ITEM NUMBER:** 8

**AGENDA ITEM:** Discussion re: Review of Proposed Charter Amendment extending Council terms to 3 year terms

**CITY GOAL:** Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.

**PREPARED BY:** Anita Geraci-Carver, City Attorney

**DATE:** May 10, 2016

**BACKGROUND:** During the Council Goal Setting Session, Council expressed its desires to place a charter amendment on the November 2016 ballot that, if approved, will extend Councilmember terms from 2 years to 3 years.

Attached for discussion purposes only is the draft ordinance with proposed charter language. New language is underlined. Deleted language is stricken. I have removed superfluous language.

Council is requested to provide comments to the proposed language and provide direction for any changes. The ordinance will then be placed on future Council agendas in June, and a public hearing scheduled.

**STAFF RECOMMENDATION:** Provide comments to the proposed ordinance and direction for any changes

**REVIEWED BY CITY MANAGER:**

**COUNCIL ACTION:**

**MOTION BY:**

**SECOND BY:**

*"The city with a future, watch us grow!"*

**ORDINANCE 2016-xx-xx**

**AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AMENDMENT OF THE CITY OF GROVELAND CHARTER BY AMENDING ARTICLE III, SECTION 3.03 ENTITLED ELECTION AND TERMS AND AMENDING ARTICLE III, SECTION 3.04 ENTITLED DUTIES OF MAYOR AND ELECTION OF VICE-MAYOR TO PROVIDE FOR THREE YEAR TERMS OF OFFICE FOR COUNCILMEMBERS AND MAYOR RATHER THAN TWO YEAR TERMS OF OFFICE; TO PROVIDE SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 2016 GENERAL ELECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Article III, Section 3.03, of the City of Groveland Charter states in part that the mayor and councilmember shall serve for a two-year term; and

**WHEREAS**, Article III, Section 3.04 of the City of Groveland Charter states in part that if the office of mayor is vacated due to death, resignation or removal, the vice-mayor shall serve as mayor until the next regular election when the office is filled for a full two-year term;

**WHEREAS**, the City Council desires to place on the ballot at the upcoming general election in November 2016 a proposed amendment to the City of Groveland Charter providing for an extension of council member terms from a two year term to a three year term; and

**WHEREAS**, the City Council desires that the terms of office remain staggered; and

**WHEREAS**, it is the intent of the City Council that elections occur every two years, however, Council recognizes that to do so requires the current term for Districts 2 and 4 to be extended until the general election in November 2018.

**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, (2016) 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) Lengthening the term of office for the mayor and councilmember positions enhances Council productivity and provides consistency, thereby serving legitimate governmental interests.

**Section 2. Amendment of the City of Groveland's Charter.** Article III, Section 3.03 entitled Election and terms and Article III, Section 3.04 entitled Duties of mayor and election of vice-mayor are hereby amended to read as follows:

Sec. 3.03 Election and terms.

The regular election of city councilmembers shall be held on the first Tuesday after the first Monday of November. Councilmembers shall be elected to one of five (5) seats with one of the five (5) seats being reserved for the mayor. The mayor shall be elected on a city-wide basis by the electors of the City of Groveland and is not required to reside in a particular political district. ~~Effective January 10, 2009, There shall be four (4) city council political districts as nearly equal in population as practicable. There shall be four (4) council members; one (1) for each of the four (4) city council political districts established and they shall be elected on a city-wide basis by the electors of the City of Groveland. At the time of qualifying or appointment the city council candidate must reside in the political district in which he or she seeks to hold office, except that if no one qualifies for or seeks appointment for a political district, then the seat for that term and political district may be filled in accordance with article III, section 3.06 by a resident not residing in that political district. Each councilmember, except as otherwise provided in this section 3.03, shall reside in the political district for which he or she qualifies at the time of election and throughout the term of office, provided that any councilmember who is removed from a district by redistricting may continue to serve the balance of the term of office. The boundaries of the four (4) political districts shall be shown on the map attached as "Exhibit A" and made a part hereof. However, the city council may by ordinance adopted by a majority vote of the councilmembers change the boundaries of the districts from time to time in accordance with law. Seats for Districts 1, 3 and 5 shall be elected ~~Three (3) councilmembers shall be elected~~ at the general election held on the first Tuesday following the first Monday of November in 2016 and every three years thereafter. even-numbered years. The candidates councilmembers shall be qualified and entered upon the ballot as Districts 1, 3 and 5. Of these districts, District 1 shall be that seat reserved for the mayoral candidate and the person elected to District 1 shall serve as mayor for a ~~two~~ three-year term. He or she shall be a member of the council and will preside over the meeting of the council. Seats for Districts 2 and 4 ~~There~~ shall be elected at the general election held on the first Tuesday following the first Monday of November 2018 in odd-numbered years two (2) councilmembers and every three years thereafter. Candidates for such offices shall be designated as candidates from Districts 2 and 4 and shall be elected for a ~~two~~ three-year term. Each candidate for city council may qualify in one (1) district only and at all subsequent elections candidates or councilmembers shall~~

be elected for a three-year term. All councilmembers, including the mayor, shall be elected to begin office at the first regular city council meeting following their election.

**Sec. 3.04 Duties of mayor and election of vice-mayor.**

The mayor shall preside at meetings of the council and shall be a member of the council and shall be recognized as head of city government for all ceremonial purposes, by the governor for purposes of military law; for service of process; execution of contracts, deeds and other documents and as the city official designated to represent the city in all agreements with other entities. He shall have no other administrative duties except as required to carry out the responsibilities herein. At the first council meeting after each regular city election, the council shall elect one of its members as a vice-mayor. The vice-mayor shall act as mayor during the absence or disability of the mayor. In case of the death, resignation, or removal of the mayor, the vice-mayor shall vacate the office of councilmember and serve as mayor until the next regular election when the office shall be filled for a full ~~two~~ three-year term.

**Section 3. Transitional provisions.** In the event Charter Referendum No. 1 is approved by the voters at the November 2016 election, the Councilmembers elected in November 2016, shall serve three (3) year terms. The current terms of those councilmembers not standing for election in November 2016 shall be extended until the general election in November 2018, at which time those councilmembers shall stand for election to a three-year term. Councilmembers elected thereafter shall serve three (3) year terms.

**Section 4. 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 8, 2016.

**Section 5. Forms of Ballot.** The form of ballot for the Charter amendment proposed in Section 2 of this Ordinance shall be as follows:

**CHARTER REFERENDUM NO. 1**

**DO YOU FAVOR AN AMENDMENT TO THE CITY CHARTER THAT EXTENDS THE TERM OF OFFICE OF COUNCILMEMBERS FROM TWO (2) YEARS TO THREE (3) YEARS?**

YES – To increase the term of office from two years to three years

NO – To retain the current two year term of office

**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. 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 7. 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 9, 2016, 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 \_\_\_\_\_, 2016.

\_\_\_\_\_  
Tim Loucks, Mayor

Attest:

\_\_\_\_\_  
Lisa Cortese, Acting 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
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		



**CITY OF GROVELAND**  
**2012**  
**COUNCIL**  
**DISTRICTS**  
**LAKE COUNTY**

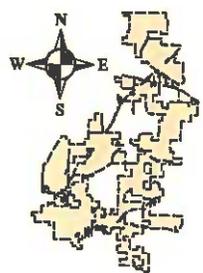
**LEGEND**

- County Road
- State Road
- US Highway
- Turnpike
- Water Body
- Property Delineation
- Municipal Area
- Future Planning Area

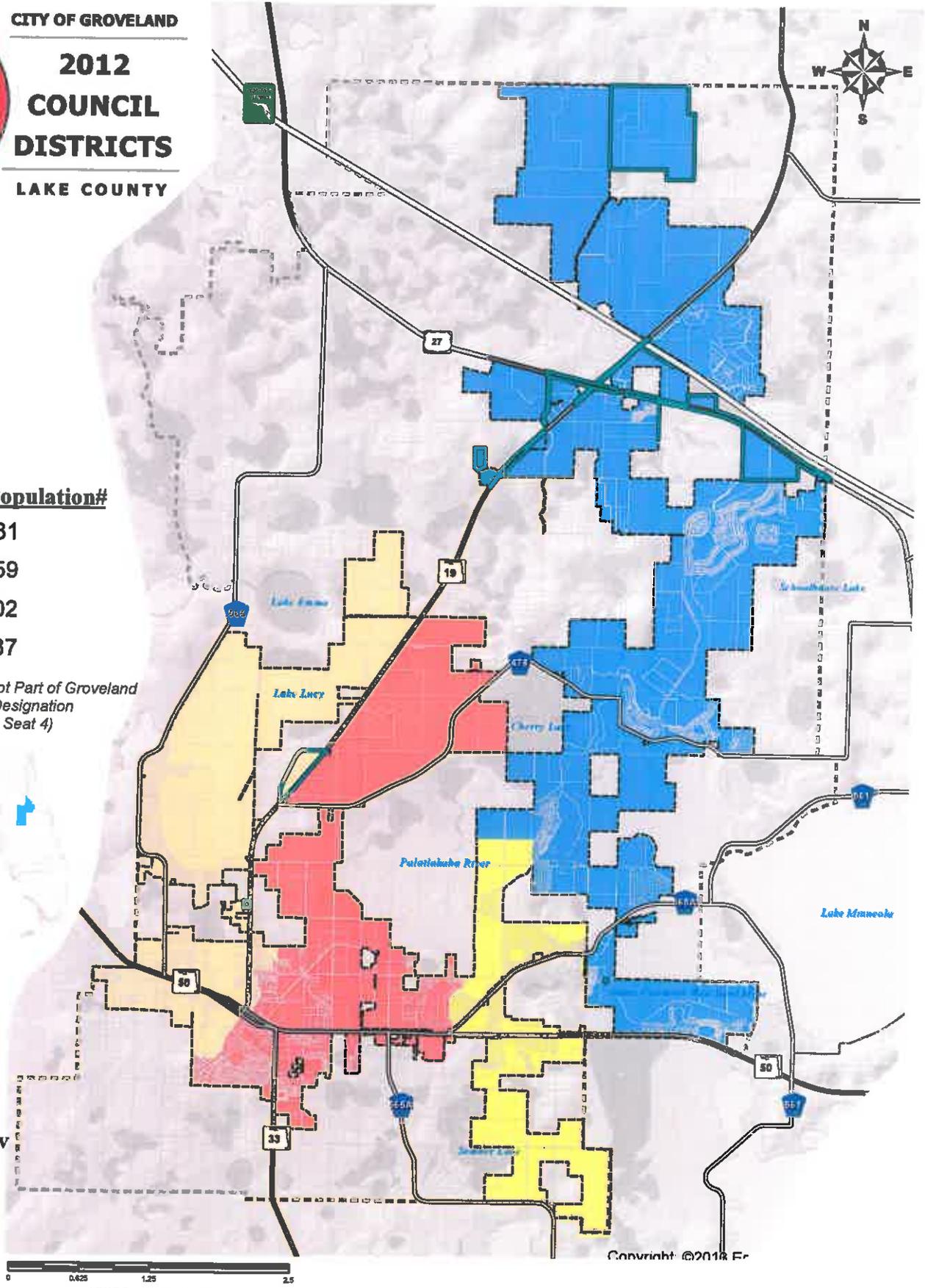
**District Name - Population#**

- Seat 2 - 1,981
- Seat 3 - 2,359
- Seat 4 - 2,002
- Seat 5 - 2,387

<sup>\*\*\*</sup>Census Block Not Part of Groveland  
 Census Place Designation  
 (Seat 2; Seat 3; Seat 4)



**CITY OF GROVELAND**  
 156 S. LAKE AVENUE  
 GROVELAND, FL 34736  
 WWW.GROVELAND-FL.GOV



0 0.625 1.25 2.5  
 1 INCH EQUALS 1.25 MILES

Copyright ©2012 Fr

**DATA SOURCES:**  
 US Census Bureau, Population 2010  
 Lake County GIS Department, Planimetrics  
 Data Compilation and Map production by the  
 Lake-Sumter Metropolitan Planning Organization

This map product was prepared from a Geographic Information System established by the City of Groveland, the Lake-Sumter Metropolitan Planning Organization, and Lake County Board of County Commissioners. Its employees, agents and personnel, make no warranty as to its accuracy, and in particular its accuracy as to labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. The City of Groveland, the Lake-Sumter Metropolitan Planning Organization and Lake County Board of County Commissioners, its employees, agents and personnel **MAKE NO WARRANTY OF MERCHANTABILITY OR WARRANTY FOR FITNESS OF USE FOR A PARTICULAR PURPOSE EXPRESS OR IMPLIED WITH RESPECT TO THIS MAP PRODUCT.** Independent verification of all data contained on this map product should be obtained by any user of this map.

**BASED ON**  
**US CENSUS 2010**

MAP COMPOSITION:  
 AUGUST, 2012



**NOTE:**  
 A census-designated place (CDP) is a concentration of population identified by the United States Census Bureau for statistical purposes. CDPs are delineated for each decennial census as the statistical counterparts of incorporated places such as cities, towns and villages. CDPs are populated areas that lack separate municipal government, but which otherwise physically resemble incorporated places.



## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b> May 16, 2016
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<b>ITEM NUMBER:</b> 9
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<b>AGENDA ITEM:</b> Resolution 2016-05-14: Affirming City-wide Goals
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<b>CITY GOAL:</b> Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
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<b>PREPARED BY:</b> Redmond Jones, City Manager
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<b>DATE:</b> May 4, 2016
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### BACKGROUND:

Lyle Sumek Associates, Inc. took the City Council through a process of identifying fears, dreams, values and common themes within individual visions for the city. The Council prioritized objectives for the year 2016-2017.

<b>STAFF RECOMMENDATION:</b> Approve Resolution 2016-05-14
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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*"The city with a future, watch us grow!"*

## **RESOLUTION 2016-04-15**

### **RESOLUTION AFFIRMING THE CITY-WIDE GOALS THROUGH THE YEARS OF 2016-2017, AND ACCEPTING PRIORITIZED OBJECTIVES IDENTIFIED AS: TOP PRIORITY, AND HIGH PRIORITY FOR THE YEAR 2016-2017.**

**WHEREAS**, the Mayor, City Council, and the City Manager are strongly committed to inclusive planning and performance accountability for Groveland City Government; and

**WHEREAS**, the Mayor and City Council provide legislative leadership consistent with their public policy-making responsibilities; and

**WHEREAS**, the Mayor, City Council and City Manager participated in a Council Retreat that established the 2016-2017 fiscal year goals and objectives for the City of Groveland on April 6<sup>th</sup> 2016.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Groveland, Florida that:

#### **SECTION 1.**

With an overall goal of moving the community forward with teamwork and sound government business practices; the City of Groveland's Motto is "A City with a Future, Watch Us Grow"; the City of Groveland's Vision Statement is creating solutions for our future; and "the Mission of the City of Groveland is to Inform, Involve, and Inspire the Citizens We Serve. We understand that Groveland will have smart growth with continued focus, dedication, and discipline in providing quality services." It was also clear that the consensus of the Mayor and City Council was the enhancement of Groveland's over-all quality of life in our growing estimated 12,000-person community.

#### **SECTION 2.**

The 2016 – 2017 City Wide Goals for the City of Groveland for 2016 – 2017 are expressed and detailed as follows:

- **Financially Sound City Providing Exceptional Services.**
- **Upgraded City Facilities and Infrastructure.**
- **Beautiful, Livable and Growing Groveland.**

Lyle Sumek Associates, Inc. took the City Council through a process of identifying fears, dreams, values and common themes within individual visions for the city. The Council prioritized the following objectives (in order of most priority):

**SECTION 3.**

The Mayor and Council direct the City Manager to focus the activities of staff toward the stated goals and objectives and provide progress reports as necessary for their successful resolution and/or attainment.

**SECTION 4.**

This resolution shall take effect immediately upon its passage and adoption.

**PASSED** and **RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016  
by the City Council of the City of Groveland.

\_\_\_\_\_  
Tim Loucks, Mayor

**ATTEST:**

\_\_\_\_\_  
Lisa Cortese, Acting City Clerk

Approved as to form and legality:

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

### **Policy Agenda 2016 – 2017**

Policy Agenda – is an issue that needs direction or a policy decision by the City Council; or needs a major funding decision by the City Council; or an issue that needs Council leadership by the governing body in the community; or with other governmental bodies (city government, other city governments, state governments, federal government)

- Questions of “What: is the City’s Policy of Regulation?”

#### **Top Priority**

- Soccer Complex (4)
- Water Rate Study (4)
- Council Sound System (4)
- South Groveland Old Water Main Replacement (3)
- Reclaimed Water Impact (3)

#### **High Priority**

- J.T. Memorial Ballfields (4)
- Highway 50 Re-Alignment (3)
- David Blanks Park Restroom (3)
- City Sign Program: Development, Wayfinding, Entry, Information (3)
- Fund Balance: 20% Reserve (3)
- City Charter Review (3)

### **Management Agenda 2016 – 2017**

- Public – Private Partnership White Paper
- Staff Development and Training
- Departments Understanding Value Stream
- Merit/Bonus Management System
- Municipal Complex
- Fishing Pier at Lake David
- Consumptive Use Permit
- Villa City Development Agreement
- Business Advisory Board
- Lien Reduction Ordinance

### **On The Horizon 2017 – 2021**

- Employee Compensation
- Employee Survey
- Police Explorers: Direction, Funding
- Development Survey (Developers/Residents)
- Storm Water Fee
- Complete Survey: Scope, Method, Direction
- Building Permitting and Inspection In-house: Evaluation Report with Options, Direction
- Fire Safety Inspector: Position Funding

**On The Horizon 2017 – 2021  
(continued)**

- Stream Lined Payroll System, Automated
- Fire Service Assessment Fee
- Police Citizen Academy: Development
- Pensions: Evaluation, Direction
- Police Accreditation
- Recycling Program
- Road Paving Assessment Fee
- Long Range Financial Plan with Projections
- Law Enforcement: Additional Equipment
- Sidewalk Policy and Program
- Fire Station 95: Design
- Fire Engine: Replacement and Funding
- Sampey Wastewater Treatment Plant: Expansion
- City Capital Condition Assessment and Long Range Plan
- Communications Center Radio Equipment
- Sunshine Wastewater Treatment Plant: Expansion
- Bio Solids: Fertilizer Phase
- Road Improvement Program: Service Level, Additional Funding
- Reclaimed Water/Water for Development Plan (with Lake County)
- Subdivision Project Resolution (Green Valley West)
- Coast-to-Coast Trail (FDOT)
- Land Banking/Disposal
- Green Building Standards: Development
- Chamber of Commerce Relationship: Direction
- Economic Development Incentives
- Downtown Planters: Direction, Funding
- Parks Master Plan
- Development Plan and Reality
- Sister Cities Program: Development
- Amphitheater Direction (Private Development)
- County Regional Park: Advocacy
- Youth Council: Development
- Downtown Streetscape Master Plan: Development
- Entrance Beautification Project: Location, Design
- Veterans Park: Monuments
- Highway 50 Median Landscape Project (FDOT)
- Cistern Grant Program
- Landscape Policy/Ordinance (link to Lake County)
- Sign Ordinance: Review
- Highway 27 Development Strategy
- Kids Park: Scope, Direction
- Destination Hotel: Needs Assessment
- Multi-Family Housing Development
- Comprehensive Plan: Update



CITY OF GROVELAND  
156 S. LAKE AVENUE  
GROVELAND, FL 34736

PHONE 352-429-2141  
FAX 352-429-3852

## Memorandum

**To:** Mayor, Council & City Manager  
**From:** Lisa Cortese  
**Date:** May 16, 2016  
**Subject:** Goal Setting/Strategic Planning Session

The council has recently undergone a goal setting exercise in which the following goals were developed:

- **Financially Sound City Providing Exceptional Service.**
- **Upgraded City Facilities and Infrastructure.**
- **Beautiful, Livable and Growing Groveland.**

Lyle Sumek Associates, Inc. took the City Council through a process of identifying fears, dreams, values and common themes within individual visions for the city. The Council prioritized the following objectives (in order of most priority):

### **Policy Agenda 2016 – 2017**

#### **Top Priority**

- Reclaimed Water Impact (3)
- Water Rate Study (4)
- Council Sound System (4)
- South Groveland Old Water Main Replacement (3)
- Soccer Complex (4)

#### **High Priority**

- City Charter Review (3)
- Highway 50 Re-Alignment (3)
- David Blanks Park Restroom (3)
- City Sign Program: Development, Wayfinding, Entry, Information (3)
- Fund Balance: 20% Reserve (3)
- J.T. Memorial Ballfields (4)

## **Management Agenda 2016 – 2017**

- Public - Private Partnership: White Paper
- Staff Development and Training
- Departments Understanding Value Stream
- Merit/Bonus Management System
- Municipal Complex
- Fishing Pier at Lake David
- Consumptive Use Permit
- Villa City Development Agreement
- Business Advisory Board
- Lien Reduction Ordinance

## **Management in Progress 2016 – 2017**

- Truth/Rumor Website
- Citywide Sensitivity Training/Sexual Harassment Training
- Cellphones: Update (Community Development)
- New Police Uniforms: Council Presentation
- Police Organization Restructure and Duties Assigned
- Citywide Team Building Exercise
- New Building Permit Software (TRAKiT)
- Building Permit Fees Rate System
- Wellness Program Expansion
- Safety Meetings/Training
- Digitalizing Police Information
- Financial System Software and Staffing: Initiate Data Transfer (After Water Rate Study)
- Laser Fiche Training
- Citizen Orientation Package
- FOIA Records Request Tracking System
- Candidate Handbook: Update
- Council Orientation Manual
- Business Attraction: Hwy 27
- Historical Museum: Direction
- Marketing Package: City Owned Land to Sell for Redevelopment
- CDBG: Next House (1)
- City – Schools Program: 1 Hour per Month
- Marketing Brochures: Economic Development and Land Bank
- Park Assessment

## **Major Projects 2016 – 2017**

- Fire Traffic Pre-Emption System: Installment
- Water Main Replacement (Hwy 50 and SR 19)
- Monument Sign: City of Groveland
- Silver Eagle Reclaim Storage Tank Additional Storage

## **Major Projects 2016 – 2017 (continued)**

- **SCADA System: Installation (Telemetry System)**
- **Raw Water Wells Abandonment**
- **Lower Florida Well (North Service Area): Design**
- **Eagle Ridge Phase 3: Sampey to Sunshine Reclaimed System**
- **20" Force Main Wastewater to Green Valley**
- **John Wesley Griffin Park: Completion**
- **Ronald Sefton Gaffney Memorial Park: Completion**



## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b> May 10, 2016
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<b>ITEM NUMBER:</b> 10
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<b>AGENDA ITEM:</b> Resolution 2016-05-15: Establishment of Business Advisory Board (BAB)
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<b>CITY GOAL:</b> Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.
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<b>PREPARED BY:</b> Anita Geraci-Carver, City Attorney
--------------------------------------------------------

<b>DATE:</b> May 10, 2016
---------------------------

**BACKGROUND:** City Council expressed its interest in establishing a Business Advisory Board to advise the City Council on matters affecting businesses in the City. The CRA Board has also expressed interest in hearing from local businesses within the CRA district as to those issues which are of importance to businesses in the CRA.

The resolution establishes the Business Advisory Board. It is modeled from the establishment of the Recreation Advisory Committee, however, since it has not been determined whether the Business Advisory Board will be an ongoing board, it is being proposed for adoption in the form of a resolution and will not be codified. The resolution provides for Council to re-evaluate the Board within a year to determine whether it should continue. If Council decides at that time to continue with the BAB, then an ordinance can be brought forward for adoption which mirrors this resolution.

The resolution provides for Council to appoint 7 members plus alternates. Those eligible to be appointed are business owners and business managers of businesses in the City of Groveland. There must be appointments from the CRA district as well as from the City at large. The resolution provides that the BAB will be advisory to the City Council, as well as to the CRA and staff. The appointments however are made by City Council.

<b>STAFF RECOMMENDATION:</b> Motion to Approve Resolution
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
-------------------

*"The city with a future, watch us grow!"*

## RESOLUTION 2016-05-15

**A RESOLUTION ESTABLISHING THE CITY OF GROVELAND BUSINESS ADVISORY BOARD (B.A.B); PROVIDING FOR DUTIES; PROVIDING FOR MEMBERSHIP AND TERMS OF OFFICE; PROVIDING FOR ORGANIZATIONAL STRUCTURE AND QUORUM; PROVIDING FOR REPORTING RESPONSIBILITY; PROVIDING FOR RECORD KEEPING; PROVIDING FOR REIMBURSEMENT OF EXPENSES; REQUIRING COMPLIANCE; PROVIDING FOR APPOINTMENT AND REMOVAL; PROVIDING THAT THERE IS NO PROPERTY RIGHT IN SUCH APPOINTMENT; PROVIDING FOR ANNUAL REVIEW BY THE CITY COUNCIL TO DETERMINE CONTINUANCE OF THE BOARD'S EXISTENCE; PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

**WHEREAS**, the City Council desires to establish a board comprised of owners and managers of businesses located within the municipal boundaries of the City of Groveland to advise the City, the CRA and the City Manager on matters relating to and affecting businesses within the City of Groveland; and

**WHEREAS**, the City Council is authorized pursuant to the Florida Home Rules Power Act, F.S. Chapter 166 to create such a board.

**THEREFORE BE IT RESOLVED** by the City Council of the City of Groveland, Florida,

**Section 1. Establish Board.** The City Council of the City of Groveland, Florida, hereby establishes a board to be comprised of business owners and business managers of businesses located within the municipal boundaries of the City Groveland. The board is established to assist the City Council as is hereinafter set forth. The Business Advisory Board may be referred to as the B.A.B. The Board, once established, shall continue in existence until further resolution of the City Council.

**Section 2. Board Duties.**

- (a) The Board shall be advisory to the City Council and to the City Manager and staff. The Board may also be advisory to the CRA. The primary duties of the Board shall include the following:
  - (1) To serve in an advisory capacity on matters pertaining to public issues relating to businesses within the City limits.
  - (2) To serve in an advisory capacity on matters pertaining to code enforcement, general zoning matters, and infrastructure improvements within the CRA district and City wide.
  - (3) To serve in an advisory capacity with respect to the establishment of events and other

forms of promotion beneficial to businesses.

- (4) To recommend solutions to issues arising from day to day operations within the business areas located in the City of Groveland.
  - (5) To recommend guidelines for grounds up keep and maintenance of facilities located within the CRA district and City wide.
  - (6) To serve in an advisory capacity with respect to policies for the acquisition, development and improvement of downtown, the CRA district and City wide areas within the City limits.
  - (7) To recommend to Council a comprehensive plan and use program based on the needs and interest of the business community to assure and stimulate public interest, and to solicit to the fullest extent the cooperation of the business community as well as public and private agencies.
  - (8) To give input on business related grant requests and assist to Council and City Staff with lobbying granting agencies or organizations for funding.
- (b) The Board may initiate such efforts and investigations as it deems appropriate in order to properly inform itself and to provide the greatest degree of assistance to the Council, the City Manager, staff, the CRA and the public.

### **Section 3. Membership; Terms.**

(a) The Board shall consist of seven members, who serve for terms of three years. All members must either own a business within the municipal boundaries of the City of Groveland or manage such a business within the municipal boundaries of the City of Groveland. Manage for purposes of this section shall mean oversee the entire daily business operation of the business. Four of the members must be an owner of or manage a business located in the CRA district and three of the members must be an owner of or manage a business located in municipal boundaries but outside of the CRA district. Only one representative per business can serve on the Board at any one time. No person shall be eligible for appointment who currently serves on two or more City boards or committees unless such person resigns from a board or committee prior to or coincident to commencing service to the Board. The initial appointments shall be four members for two years and three members for one year. All subsequent appointments shall be for three year terms.

(b) The Council may name two members as alternate members to serve in the absence of a regular member for the purpose of establishing a quorum. The choice of alternate members to serve in the absence of a regular member shall be done on an alternating basis. Appointment of an alternate member shall be for a three-year term.

**Section 4. Organization; Quorum.** The members of the Board shall select from their own membership a Chairman, a Vice Chairman and Secretary for a one-year term and the Board shall organize itself as it deems proper in order to appropriately carry out the duties assigned to it, including the enactment of rules of procedure. Roberts Rules of Procedure, newly revised shall be used for procedural rules in the absence of the adoption of alternative procedures. A majority of regular members of the Board shall constitute a quorum necessary for the conduct of business of the Board and meetings shall be held at the call of the Chairman, or in his/her absence the Vice Chairman or at the direction of a majority of regular members of the Council or CRA or by the City Manager. The Board shall meet as often as necessary to achieve its goals and perform its duties but shall meet not less often than quarterly.

**Section 5. Records; Meetings.** All records and minutes of the Board shall be filed with the City Manager's Office and shall be subject to the Public Records Law, Chapter 119 F.S. The Board will receive such support from the City Manager's staff as is available. All meetings shall be open to the public and shall be conducted in a manner that is consistent with F.S. Chapter 286. The meetings shall be held at such times and places as will make them accessible to members of the public. It shall be the obligation of the chairman to inform the City Manager of the time and place of meetings so that notices of such meetings can be properly posted or otherwise disseminated.

**Section 6. Reimbursement of Expenses.** Members of the Board shall serve without compensation but shall be reimbursed for any necessary and reasonable expenses incurred in the conduct of the business of the Board, if such expenses have received approval by the Council prior to their expenditure.

**Section 7. Reports.** The Board shall not less often than once a year, make a written report to Council. The written report shall detail the accomplishments of the Board for the preceding year and the Board's current and future projects and goals. This report shall be submitted by March 31<sup>st</sup> of each year. In addition, the Board shall not less often than quarterly, make a verbal report to Council at a regular City Council meeting. The verbal report shall include current and future projects that the Board desires to undertake, the status of any projects of the Board and any concerns of the Board. The City Manager will notify the Board of the date of Council meetings for the purpose of the Board providing a written report to the Council.

**Section 8. Compliance with Ordinances.** The Board shall comply with and abide by all ordinances or resolutions of the Council that are generally applicable to boards and committees of the City of Groveland. The City Manager and the Chairman shall coordinate to insure that the Chairman is aware of all such generally applicable ordinances or resolutions and the Chairman shall make these matters known to the members of the Board at the earliest available opportunity. Such matters shall include but not be limited to attendance requirements, voting procedures, abstention from voting, filing of notices of conflict, the requirements of laws regarding ethics in the conduct of the public business, removal from office of members and similar matters of general

concern. All existing or future ordinances or resolutions generally applicable to the Board shall be deemed to be incorporated herein and by reference made a part of this resolution.

**Section 9. Appointment and Removal.** Appointment to the Board shall not constitute a property right in the meaning of the Constitution of the United States or the State of Florida and the members of the Board shall be appointed to and removed from the Board in the manner as deemed appropriate by the Council in its sole discretion. The members of the Board shall serve at the pleasure of the City Council. If a member is absent for three consecutive meetings, the member is subject to removal from the Board by the City Council upon a majority vote of Council.

**Section 10. Continuance of Board.** Annually, commencing May 2017, the Council shall place on its agenda and shall discuss whether or not the Board should continue in existence, whether or not its functions and duties are appropriate because of change in circumstances and all other matters relevant to the continuing existence of the Board.

**Section 8. Effective Date.** This Resolution shall become effective immediately upon final passage and adoption.

ADOPTED at a regular meeting of the City Council of the City of Groveland, Florida, this \_\_\_\_\_ day of May, 2016.

\_\_\_\_\_  
Tim Loucks, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk/Acting City Clerk



Approved as to form:

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

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
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		

**CITY OF GROVELAND  
APPLICATION FOR BUSINESS ADVISORY BOARD MEMBERSHIP**

The City Council requires an applicant to complete an application in order to be considered by the City Council for appointment to the Business Advisory Board.

**(Please Print)**

Name: \_\_\_\_\_ Application Date: \_\_\_\_\_  
Street Address, Including Zip Code: \_\_\_\_\_

Telephones: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Cell: \_\_\_\_\_

Place of Business: \_\_\_\_\_

Title/Position Held: \_\_\_\_\_

Email Address: \_\_\_\_\_

**ELIGIBILITY**

Do you currently own a business within the City of Groveland municipal boundaries Yes \_\_\_ No \_\_\_

\_\_\_\_\_

If yes, please list the name and physical address of the business:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you currently manage a business within the City of Groveland municipal boundaries Yes \_\_\_ No \_\_\_

\_\_\_\_\_

(For purposes of this position, manage means: oversee the entire daily business operation of the business)

If yes, please list the name and physical address of the business:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MISCELLANEOUS INFORMATION**

Do you currently serve on any other City of Groveland board or committee? Yes \_\_\_ No \_\_\_

Are you related to a City of Groveland Council member or employee by blood, adoption or marriage? Yes \_\_\_ No \_\_\_

Potential Conflict of Interest: Have you ever been engaged in any business enterprise that has a contract or financial interest with the City of Groveland? If yes, please provide details, such as the name of the enterprise, the nature of the business, and the positions you hold or have held. Yes \_\_\_ No \_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Please return this form to:  
Office of the City Clerk, 156 S. Lake Ave, Groveland, FL 34736**