

**PUBLIC NOTICE AND AGENDA OF THE GROVELAND CITY COUNCIL MEETING  
SCHEDULED TO CONVENE AT 7:00 P.M., WEDNESDAY, JUNE 8, 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**

- Proclamation Acknowledging Janet Hoffman and Keith Woll for Actions Taken Saving the Life of Another
- Pastor Tony McCoy Police Department Acknowledgement

**Reports**

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

**Consent Agenda**

- Approval of Agenda Review Minutes 5-12-2016
- Approval of Revised City Council Meeting Minutes 5-2-2016
- Approval of City Council Meeting Minutes 5-16-2016
- Approval of City Council Workshop Minutes 5-16-2016
- Approval of Special Meeting Minutes 5-18-2016

### **Old Business**

1. Approval of Interlocal Agreement between City of Groveland and Lake-Sumter MPO Relating to Maintenance of GIS for City of Groveland
2. Approval of Ordinance 2016-05-14: Southgate Easement Vacation – Second Reading

### **New Business**

3. Discussion – City of Groveland Charter Review
4. Approval of Resolution 2016-05-14: Affirmation of City-wide Goals
5. Approval of Resolution 2016-06-15: Open Air Sales Permit Fee
6. Approval of Resolution 2016-06-16: Strict Compliance with City Policies
7. Approval of Resolution 2016-06-17: Support South Lake Regional Park
8. Approval of Policy Deviation – PTO
9. Approval of Resolution 2016-06-18: Amend the Recreation Advisory Committee Requirements for Membership

### **Public Comment\***

### **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.

# *Proclamation*

## *Acknowledgment of Janet Hoffman and Keith Woll for Actions Taken Saving the Life of Another*

**Whereas**, heart attack is the number one cause of death in the United States and more than 600,000 Americans die of heart disease each year. In the United States that is one in every four deaths in this country; and

**Whereas**, heart attacks sometimes cause the heart to stop pumping. Cardio-pulmonary resuscitation (CPR), and Automated External Defibrillator (also known as AED's) then become a critical and potentially life-saving first-aid procedure; and

**Whereas**, a rapid response of 911 emergency medical services, and having access to devices such as AED's can dramatically improve the survival and recovery rate of those who experience sudden illness or injury; and

**Whereas**, on the morning of Saturday, April 23, 2016 the fast thinking and life-saving decision making of Janet Hoffman, Keith Woll, and additional neighbors saved a victim of a heart attack, who showed signs of no pulse or breath; and

**Whereas**, the acts and deeds of Mrs. Hoffman and Mr. Woll to call 911, initiate CPR, and apply the use of an AED resuscitated the heart attack victim, who was then able to be stabilized and evaluated at South Lake Hospital; and

**Whereas**, the victim is now home recovering from a successful surgery.

**Now, Therefore, be it Proclaimed**, I, Tim Loucks, Mayor of the City of Groveland, on the behalf of its citizens, do hereby proclaim our warm appreciation and gratitude to Janet Hoffman and Keith Woll for their life saving heroics.

**In Witness Thereof**, I have hereunto set my hand and caused the Great Seal of the City of Groveland to be affixed this 6<sup>th</sup> day of June, 2016.



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Tim Loucks, Mayor

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Lisa Cortese, Acting City Clerk

**City of Groveland**  
**Minutes**  
**City Council Agenda Review Meeting**  
**Thursday, May 12, 2016**

The Groveland City Council held a regularly scheduled Agenda Review Meeting on Thursday, May 12, 2016 in the Conference Room in City Hall located at 156 S. Lake Avenue. Mayor Tim Loucks called the meeting to order at 3:15pm with the following members present: Vice Mayor Karen McMican, and Council Member Dina Sweatt. City officials present were City Attorney Anita Geraci-Carver, City Manager Redmond Jones, City Clerk Teresa Maxwell and Sergeant-at-Arms Chief M. Smith Tennyson. Absent were Council Members Mike Radzik and John Griffin.

**AGENDA**

**1. Agenda Review of May 16, 2016 Regular City Council Meeting**

*The attending council members reviewed the prepared agenda making the following changes:*

➤ **Item #3 – Lake David Hotel Vesting Rights Determination**

*Consensus to include the verbatim transcription of Item #6 entitled “Approval of Agreement Between the City of Groveland and Mohamed Hassan” from the March 7, 2016 Council Meeting with this agenda item.*

➤ **Item #2 – Interlocal Agreement between City of Groveland and Lake-Sumter MPO Relating to Maintenance of GIS for City of Groveland**

*Consensus to include a financial report listing all charges paid to the Lake-Sumter MPO for GIS services and a summation of the services rendered to date.*

➤ **Guest Speakers, Presentations and Proclamations**

*Consensus to switch the placement of (b.) Bill Gearing, LTC, USA, Ret./Military Officers Association of America – Combat Wounded Parking Sign with (a) Michael Woods, Lake-Sumter MPO – LakeXpress Route Changes in order to allow Ret. LTC. Gearing the opportunity to address the council first before moving on to other business.*

➤ **Change of New Business Item Placement Order**

*Consensus to change the placement of items under NEW BUSINESS to expedite items that will have applicant representation in order to eliminate excess wait time. The new ordering appears as follows:*

**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 COMMENT**

**ANNOUNCEMENTS**

**ADJOURNMENT**

*Mayor Tim Loucks adjourned the meeting at 3:27pm.*



Attest:

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Tim Loucks, Mayor

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Teresa Maxwell, City Clerk

***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 Speaker, 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.*

*Prior to a vote, Council Member Mike Radzik retracted his motion requesting instead to have a workshop on this matter. Vice-Mayor Karen McMican retracted her second. 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

# ***City of Groveland***

Minutes

**City Council Meeting**

Monday, May 16, 2016

The Groveland City Council held a regularly scheduled meeting on Monday, May 16, 2016 in the E.L. Puryear Building located at 243 S. Lake Avenue. Mayor Tim Loucks called the meeting to order at 7:10 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 Pastor Tony McCoy.

### **Guest Speaker, Presentations and Proclamations**

- **Bill Gearing, LTC, USA, Ret./Military Officers Association of America – Combat Wounded Parking Signs**  
*Lt. Col. Gearing presented the City Council with a Combat Wounded Warrior parking sign honoring wounded military veterans. Consensus from City Council to have staff research enforcing the use of the parking space designated for combat wounded military veterans.*
- **Michael Woods, Lake-Sumter MPO – LakeXpress Route Changes**  
*Tameka Monterville/Lake County Transit gave a presentation to Council outlining changes to the LakeXpress Route along SR 50.*
- **Economic Development Report – Rodney Lucas, Economic Development Manager**  
*Rodney Lucas gave his written report to Council.*

## **REPORTS**

### **a. Council Members**

- Council Member Dina Sweatt attended the Business of the Month photo shoot for We are the Future Academy on May 6<sup>th</sup>. On May 7<sup>th</sup> she attended the Groveland police department's Community Safety Day and property room sale. On May 11<sup>th</sup> Mrs. Sweatt attended the Community Service Awards Dinner. On May 13<sup>th</sup> Mrs. Sweatt took a tour of the Niagara Bottling Plant and also attended the Lake County League of Cities Luncheon. Mrs. Sweatt attended the agenda review meeting on May 12<sup>th</sup> Mrs. Sweatt announced that Bright House offers Lakefront TV on channel 497 and the channel showcases local events in our community and around Central Florida.
- Council Member Mike Radzik attended the Living Legends series featuring Mr. Griffin on May 12<sup>th</sup>. Mr. Radzik suggested moving the location for the agenda review meeting that is easier for residents to attend and also asked if possible to begin the meeting at a later time. *Consensus from City Council to have staff bring back a resolution requiring that there be strict enforcement of City policies and any deviation from City Policy be brought forward for City Council approval.*

*Consensus from Council to hold future agenda review meetings at the Lake David Center, and begin the meetings at 4:30pm.*

*Consensus from Council to schedule workshop to discuss the location for a future public safety complex and/or fire station at 5:30pm on May 23<sup>rd</sup> prior to the regularly scheduled Community Redevelopment Agency meeting.*

- Vice Mayor Karen McMican reported that she continues to judge the “Yard of the Month” for the Waterside Pointe community. On May 6<sup>th</sup> she attended the Business of the Month photo shoot for We are the Future Academy. On May 7<sup>th</sup> she attended the Groveland police department’s Community Safety Day and property room sale. On May 11<sup>th</sup> she attended a lunch and learn seminar on social media at the Southlake Chamber. Mrs. McMican attended the agenda review meeting on May 12<sup>th</sup>. Mrs. McMican invited the public to the upcoming Memorial Day Remembrance event that will take place on May 28<sup>th</sup> beginning at 11:00am located at Trilog Orlando.
- Mayor Tim Loucks attended the Business of the Month photo shoot for We are the Future Academy on May 6<sup>th</sup>. Mr. Loucks attended the Power House Gala in Mt. Dora. The gala supports a substance abuse rehabilitation facility and funds that were raised at the event will operate the facility for 12 months. On May 12<sup>th</sup> he attended the Living Legends series event. Mr. Loucks attended a meeting with the County regarding the South Lake Regional Park and Max Hooks Road.

*Consensus from Council to direct staff to support the County in obtaining easements for the current route/road for the Southlake Regional Park project in the form of a resolution.*

**b. City Manager**

City Manager Redmond Jones gave his written report and updates.

*Consensus from City Council to purchase a ½ page ad in the Quality City magazine for the annual conference special issue.*

**c. City Attorney**

**d. Citizen Advisory Committee**

George Rosario chairman for the Recreation Advisory Committee updated the City Council on various committee items including the resignation of RAC member, Edmund Meyer who had asked that his resignation be read aloud. Mr. Rosario also reported that board member William Szemcsak was removed from the RAC due to absences. Mr. Rosario stated that a resolution regarding board policies was sent to the RAC to review and amend. Mayor Loucks asked the city manager to look into the events that led to the RAC being asked to review the resolution. Mr. Rosario reported that the RAC currently has three vacancies. He also reported that the RAC recommended Lake David Park for the future site for the Splash Park but he indicated that an assessment would need to be done regarding water pressure to confirm the best location at Lake David for the Splash Park. Mr. Rosario reported that the RAC had made a recommendation to the Council in April to proceed with

Clermont Football Club for a soccer venue at the Groveland Commerce Park also known as Sampey Field.

He asked that the Board be provided in writing the Council's decision to not accept this recommendation for the Groveland Commerce Park location and include the CRA decision to use the Wilson Lake Parkway location for the Clermont Football Club soccer venue.

Mr. Rosario also reported that the Board will be discussing a possible recommendation to implement fees for use of city park facilities at the next RAC meeting.

*Mayor Tim Loucks called a three-minute break at 8:40 p.m.*

*Mayor Tim Loucks resumed the Council meeting at 8:50 p.m.*

### **CONSENT AGENDA**

#### **Approval of City Council Meeting Minutes 05-02-16**

*Council Member Dina Sweatt moved to approve; seconded by Council Member John Griffin.*

*Both Council Members Dina Sweatt and John Griffin amended their motion to table this item and bring back at the next Council meeting.*

*The motion was approved with all members present voting aye.*

### **OLD BUSINESS**

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

*Council Member Mike Radzik moved to approve; seconded by Council Member Dina Sweatt.*

*The motion was approved with all members present voting aye.*

### **NEW BUSINESS**

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

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

*The motion was approved with all members present voting aye.*

#### **3. Lake David Hotel Vesting Rights Determination**

*Council Member Mike Radzik moved to approve option (a) owner has a vested right in the use of the Lake David Motel for 10 apartments; seconded by Council Member John Griffin.*

*The motion was approved with all members present voting aye.*

#### **4. Ordinance 2016-05-12: Comp Plan Amendment – Hope Plaza**

*Council Member Dina Sweatt moved to approve; seconded by Council Member John Griffin.*

*The motion was approved with all members present voting aye.*

#### **5. Ordinance 2016-05-13: PUD Rezoning – Hope Plaza**

*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 and include the changes made to the Ordinance during the LPA (pg. 2 Subsection  
2. second to last paragraph to read: Other similar no more intensive uses will be permitted  
at the discretion of the City Manager or designee and with approval of the City Council.  
The motion was approved with all members present voting aye.*

**6. Ordinance 2016-05-14: Vacation of Easement – Southgate**

*Council Member Dina Sweatt moved to approve; seconded by Council Member Mike Radzik.*

*The motion was approved with all members present voting aye.*

**7. Resolution 2016-05-13: Variance of Side Setback – Eagle Pointe**

*Vice Mayor Karen McMican moved to approve; seconded by Council Member Dina Sweatt.*

*The motion was approved with all members present voting aye.*

**8. Discussion Re: Review of Proposed Charter Amendment Extending Council Terms to 3 Year Term**

*Consensus from City Council to workshop this item.*

**9. Resolution 2016-05-14: Affirming City-wide Goals**

*Council Member Mike Radzik moved to table this item; seconded by Council Member Dina Sweatt.*

*The motion was approved with all members present voting aye.*

**10. Resolution 2016-05-15: Establishment of Business Advisory Board (BAB)**

*Council Member Mike Radzik moved to approve; seconded by Council Member Dina Sweatt.*

*Both Council Members Mike Radzik and Dina Sweatt amended their motion to table this item for further clarification.*

*The motion was approved with all members present voting aye.*

**PUBLIC COMMENT**

*Consensus from City Council for staff to keep Council informed of ongoing issues at Waterside Pointe.*

**ANNOUNCEMENTS**

*Consensus from City Council to meet in a Special Meeting to formally give the City Manager thirty-day notice subject to terms of the charter and the employment contract on May 18<sup>th</sup> 2016 at 9:30 a.m. located at the Puryear Building.*

**ADJOURNMENT**

*Mayor Tim Loucks adjourned the meeting at 10:25pm.*

Attest:



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Tim Loucks, Mayor

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Lisa Cortese, Acting City Clerk

***City of Groveland***  
Workshop Minutes  
**City Council**  
Monday, May 16, 2016

The Groveland City Council met in a workshop on Monday, May 16, 2016 in the E.L. Puryear Building located at 243 S. Lake Avenue. Mayor Tim Loucks called the meeting to order at 5:40pm with the following members present: Vice Mayor Karen McMican, Council Members Mike Radzik and Dina Sweatt. 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. Board Member John Griffin was absent.

**AGENDA**

**1. Discussion of Building Department Fees (Part II)**

*Acting Community Development Director, Rodney Lucas gave a presentation detailing the following topics:*

➤ Action Plan

- Analysis on all expenses to enforce the building code
- Monthly cost to enforce the building code based on International Code Council
- Cost to operate the Building Department
- Revenues
- Building Department five-year budget trend
- Anticipated current and future cost for FY 2016-2017 to enforce building code

*This matter was further discussed at length before allowing public comment.*

**PUBLIC COMMENT**

**ADJOURNMENT**

*Mayor Tim Loucks adjourned the meeting at 6:25pm.*



Attest:

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

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

***City of Groveland***  
Special Minutes  
**City Council**  
Wednesday, May 18, 2016

The Groveland City Council met in a special meeting on Wednesday, May 18, 2016 in the E.L. Puryear Building located at 243 S. Lake Avenue. Mayor Tim Loucks called the meeting to order at 9:35am with the following members present: Vice Mayor Karen McMican, Council Members Mike Radzik, John Griffin and Dina Sweatt. 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 Vice-Mayor Karen McMican. The invocation was given by Pastor Tony McCoy

**AGENDA**

**1. Consider Removal of City Manager, Redmond Jones II**

*Council Member John Griffin moved to retain City Manager, Redmond Jones and continue in his job capacity as City Manager at the City of Groveland; seconded by Vice-Mayor Karen McMican.*

*Mayor Tim Loucks opened the floor to public comment.*

*The motion was approved with Council Member John Griffin, Vice-Mayor Karen McMican, and Mayor Tim Loucks voting aye. Council Members Mike Radzik and Dina Sweatt voted nay.*

**ADJOURNMENT**

*Mayor Tim Loucks adjourned the meeting at 10:50am.*



Attest:

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

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



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** June 6, 2016

**ITEM NUMBER:** 1

**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 25, 2016

**BACKGROUND:** At the May 16, 2016 City Council Agenda Council approved an Interlocal Agreement between the City of Groveland and Lake-Sumter MPO Relating to Maintenance of GIS for City of Groveland. Unfortunately, the version in the Council agenda packet which was approved by Council was not the final version of the Interlocal Agreement. Therefore, it is recommended that Council reconsider this matter, and approve the Interlocal Agreement in final form which provides for 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 information below is from the prior staff report which gives you details about the Interlocal Agreement.

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.

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

**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!"*

**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 term of this Agreement shall automatically renew or extend for up to three (3) additional, 12 month periods unless a party provides written notice of termination as hereafter provided. 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:

\_\_\_\_\_  
Teresa Begley, 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 render 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:** June 6, 2016

**ITEM NUMBER:** 2

**AGENDA ITEM:** Ordinance 2016-05-14 – Southgate Easement Vacation – 2<sup>nd</sup> Reading

**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 20, 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.

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

<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 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 ¼ of the NW ¼ 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.**

## SKETCH OF DESCRIPTION



### **Section 2: Vesting of title.**

Title to said vacated right-of-way shall vest in accordance with law.

### **Section 3: 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 4: Conflict.**

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

### **Section 5: Effective Date.**

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

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

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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
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** June 6, 2016

<b>ITEM NUMBER:</b>	3
<b>AGENDA ITEM:</b>	Discussion - City of Groveland Charter Review
<b>CITY GOAL:</b>	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
<b>PREPARED BY:</b>	Anita Geraci-Carver, City Attorney
<b>DATE:</b>	May 25, 2016

**BACKGROUND:** During the City Council Goal Setting Session, Council directed the City Attorney to review the Charter. I have reviewed the Charter for legal conformity. The Charter complies with statutory requirements in that it (1) prescribes the form of government, (2) clearly defines the responsibility for legislative and executive functions, and (3) does not prohibit the legislative body (City Council) from exercising its powers to levy any tax authorized by the Constitution or general law. Additionally, it does not include language that is prohibited by law. From a legal perspective there is no need to amend the Charter.

While not required, it is recommended that local governments review their Charter periodically, 5 – 10 years, or when there have been significant changes in the community, such as excessive growth, etc. Charters vary from local government to local government, and may include topics that others do not, one example is ‘how does the jurisdiction resolve a tie vote for city council election. Those are the type of topics to be undertaken in and discussed as part of a Charter Review. A review is generally to ensure legal compliance, determine if the Charter is representative of the people and community, and does the form of government work for the size of the community. The Council can undertake a review of the Charter, or can appoint a Charter Review Committee made up of citizens to make recommendations to Council for any proposed Charter amendments.

**STAFF RECOMMENDATION:** No action required. Provide any direction Council desires.

**REVIEWED BY CITY MANAGER:**

**COUNCIL ACTION:**

**MOTION BY:**

**SECOND BY:**

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

PART I - CHARTER<sup>(1)</sup>

## Footnotes:

— (1) —

*Editor's note—Printed herein is Ordinance No. 87-09-04, as adopted by the council on November 16, 1987, and approved at a referendum on December 9, 1987, by a 52/34 vote, and effective on January 1, 1988. Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original. Obvious misspellings have been corrected without notation. For stylistic purposes, headings and catchlines (and punctuation therein) have been made uniform. Capitalization and expression of numbers in text have been made consistent with the scheme of the document. Additions for clarity are indicated by brackets.*

*State Law reference— Charter amendments, F.S. § 166.031.*

## ARTICLE I. - CREATION AND POWERS

## Sec. 1.01. - Creation and powers.

The City of Groveland, Lake County, Florida, is hereby created which shall have all governmental, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law.

**State Law reference—** General grant of municipal powers, F.S. § 166.021.

## ARTICLE II. - CORPORATE LIMITS

## Sec. 2.01. - Description of corporate limits.

A description of the corporate limits of the city is on file in the office of the city clerk.

**State Law reference—** Local government boundaries, F.S. ch. 170.

## ARTICLE III. - LEGISLATIVE

## Sec. 3.01. - City council: Powers and composition.

There shall be a city council with all legislative powers of the city vested therein consisting of five (5) members who shall be electors of the city.

## Sec. 3.02. - Qualifications.

Any registered elector of the City of Groveland who has established primary residency within the City limits twenty-four months prior to the first day of the qualifying period shall be eligible to seek qualification for the elected office of city councilmember. Primary residency shall mean the dwelling, in which the person eats, sleeps and receives regular postal delivery.

(Ord. No. 2006-08-81, § 2, 8-21-2006; election of 11-7-2006)

**State Law reference—** Qualifications of electors, F.S. § 166.032.

## 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) councilmembers; 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 as 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. Three (3) councilmembers shall be elected at the general election held on the first Tuesday following the first Monday of November in even-numbered years. The 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-year term. He or she shall be a member of the council and will preside over the meeting of the council. There shall be elected at the general election held on the first Tuesday following the first Monday of November in odd-numbered years two (2) councilmembers and candidates for such offices shall be designated as candidates from Districts 2 and 4 and shall be elected for a two-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 two-year term. All councilmembers, including the mayor, shall be elected to begin office at the first regular city council meeting following their election.

(Ord. No. 2008-07-25, § 2, 1-10-2009; Ord. No. 2009-09-37, § 2, 9-9-2009; election of 11-3-2009)

## 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-year term.

**Sec. 3.05. - Limitations.**

- (a) *Appointment and removal.* Neither the council nor any of its members shall in any manner dictate the appointment or removal of any city officer or employee whom the manager or any of his subordinates are empowered to appoint, but the council may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officers and employees. Appointment and removal of department heads and other employees shall be by the city manager who will advise councilmembers in writing of this action within seventy-two (72) hours.
- (b) *Interference with administration.* Except for the purpose of inquiries and investigations, the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the manager solely through the manager; neither the council nor its members shall give orders to any such officer or employee, either publicly or privately. Nothing in the foregoing is to be construed to prohibit individual members of the council from closely scrutinizing by personal observation, all aspects of city government operations so as to obtain independent information in the formulation of sound policies to be considered by the council. It is the express intent of this Charter, however, that recommendations for improvement in city government operations by individual councilmembers be made to and through the city manager, so that the manager may coordinate efforts of all city departments to achieve the greatest possible savings through the most efficient and sound means available.
- (c) *Holding other office.* No former elected city official shall hold any compensated, appointive city office or employment until one (1) year after the expiration of the term for which he or she was elected.

**Sec. 3.06. - Vacancies; forfeiture of office; filling of vacancies.**

- (a) *Vacancies.* The office of a councilmember shall become vacant upon his death, resignation, removal from office or any manner authorized by law or forfeiture of his office, such forfeiture to be declared by the remaining members of the council.
- (b) *Forfeiture of office.* A councilmember shall forfeit his office if he lacks at any time during his term of office any qualification for the office prescribed by this Charter or law.
- (c) *Absenteeism.* A councilmember shall forfeit his office if he fails to attend four (4) consecutive regular meetings of the council without being excused by the council.
- (d) *Filling of vacancies.* A vacancy in the council shall be filled in one of the following ways:
  - (1) If there are less than six (6) months remaining in the unexpired term or if there are less than six (6) months before the next regular city election, the council by a majority vote of the remaining members shall choose a successor to serve until the newly elected councilmember is qualified.
  - (2) If there are more than six (6) months remaining in the unexpired term and no regular city election is scheduled within six (6) months, the council shall fill the vacancy on an interim basis as provided in [subsection] (1) above, and shall schedule a special election to be held no sooner than sixty (60) days, nor more than ninety (90) days following the occurrence of the vacancy.

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

- (e) *Extraordinary vacancies.* In the event that all members of the council are removed by death, disability, law or forfeiture of office, the governor shall appoint an interim council that shall call a special election as provided in [subsection] (d) above and such election shall be held in the same manner as the first election under this Charter.

**State Law reference—** Provisions relative to filling vacancies required, F.S. § 166.031(6).

**Sec. 3.07. - Procedure.**

- (a) *Meetings.* The council shall meet regularly twice monthly at such time and places as the council may prescribe by rule. Special meetings may be held on the call of the mayor or of a majority of the members and, whenever practicable, upon no less than twenty-four (24) hours' notice to each member and the public.
- (b) *Rules and minutes.* The council shall determine its own rules and order of business and shall provide for the keeping of minutes of its proceedings.
- (c)

*Voting.* Voting, on ordinances and resolutions, shall be by roll call vote on final action and shall be recorded in the minutes. A majority of the council shall constitute a quorum; but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to penalties prescribed by the rules of the council. No action of the council except as otherwise provided in the preceding sentence and in section 3.06 shall be valid or binding unless adopted by the affirmative vote of the majority of a quorum present.

- (d) *Compensation.* The council may determine the compensation of councilmembers by ordinance, but no ordinance increasing such compensation shall become effective until the next regular election.

#### ARTICLE IV. - ADMINISTRATIVE

##### Sec. 4.01. - City manager.

The city manager shall be chief executive officer and head of the administrative branch of the city government. He shall be responsible to the council for the proper administration of all affairs of the city and to that end, he shall have the authority and shall be required to carry out his responsibilities as spelled out in the following sections.

##### Sec. 4.02. - Appointment, removal, compensation.

- (a) *Appointment.* The council shall appoint a city manager for an indefinite term by a majority vote of all the councilmembers.
- (b) *Removal.* The council may remove the manager by a majority vote of all the councilmembers and, upon demand by the manager, a public hearing shall be held prior to a vote to remove the manager.
- (c) *Compensation.* The compensation of the manager shall be fixed from time to time by the council and shall not be reduced during his tenure.

##### Sec. 4.03. - Acting city manager.

By letter filed with the council, the manager shall designate, subject to approval of the council, a qualified city administrative officer to exercise the powers and perform the duties of manager during his temporary absence or disability. During such absences or disability, the council may revoke such designation at any time and appoint another officer of the city to serve until the manager shall return or his disability shall cease.

##### Sec. 4.04. - Authority and duties of the city manager.

- (a) The city manager shall appoint a city clerk, subject to approval by a majority vote of the council.
- (b) The city manager shall appoint, and when he deems it necessary for the good of the city, suspend or remove all city employees and appointive administrative officers provided for by or under this Charter except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter. He may authorize any administrative officer who is subject to his direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.
- (c) Direct and supervise the administration of all departments, offices and agencies of the city, except as otherwise provided by this Charter or by law; create upon approval of the council by resolution, changes in any or all department organizations, including combinations, deletions, creation of departments, units or divisions, and transfer responsibilities between departments, units or divisions.
- (d) Attend all council meetings and shall have the right to take part in discussion but may not vote.
- (e) See that all laws, provisions of this Charter and acts of the council subject to enforcement by him or by officers subject to his direction and supervision, are faithfully executed.
- (f) Prepare and submit the annual budget, budget message, and capital program to the council in a form provided by ordinance.
- (g) Submit to the council and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year.
- (h) Make such other reports as the council may require concerning the operations of city departments, offices and agencies, subject to his direction and supervision.
- (i) Keep the council fully advised as to the financial condition and future needs of the city and make such recommendations to the council concerning the affairs of the city as he deems desirable.
- (j) Sign contracts on behalf of the city pursuant to the provisions of appropriations ordinances.
- (k) Perform such other duties as are specified in this Charter or may be required by the council.

#### ARTICLE V. - TRANSITION SCHEDULE

##### Sec. 5.01. - Continuation of former Charter provisions.

All provisions of Laws of Fla., ch. 9764 (1923), as amended by special law or otherwise which are not embraced herein and which are not inconsistent with this Charter shall become ordinances of the city subject to modifications or repeal in the same manner as other ordinances of the city.

##### Sec. 5.02. - Ordinances preserved.

All ordinances in effect upon the adoption of this Charter, to the extent not inconsistent with it, shall remain in force until repealed or changed as provided herein.

**Sec. 5.03. - Rights of officers and employees.**

Nothing in this Charter except as otherwise specifically provided shall affect or impair the rights or privileges of persons who are city officers or employees at the time of adoption. Elected officers shall continue to hold their offices and discharge the duties thereof until their successors are elected.

**Sec. 5.04. - Pending matters.**

All rights, claims, actions, orders, contracts and legal or administrative proceedings involving the city shall continue except as modified pursuant to the provisions of this Charter.

**Sec. 5.05. - Time of taking full effect.**

This Charter shall be in full effect for all purposes on the first day of January following approval in public referendum.

**Editor's note—** See editor's note to Charter.

**ARTICLE VI. - FINANCIAL PROCEDURES****Sec. 6.01. - Fiscal year.**

The fiscal year of the city shall begin October 1 of each year and end on September 30 of each year.

**State Law reference—** Fiscal year from Oct. 1—Sept. 30 is required, F.S. § 218.33.

**Sec. 6.02. - Budget.**

The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the manager deems desirable or the council may require. In organizing the budget, the manager shall utilize the most feasible combination of expenditure classifications by fund, organizational unit, program, purpose or activity and object. It shall begin with a clear, general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures for the preceding fiscal year.

**Sec. 6.03. - Council action on budget.**

- (a) *Amendment before adoption.* The council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income.
- (b) *Adoption.* The council shall adopt the budget on or before September 30 of the fiscal year currently ending. If it fails to adopt the budget by this date, the amounts appropriated for current operations for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the council adopts a budget for the ensuing fiscal year. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.
- (c) *Amendments after adoption.*
  - (1) *Supplemental appropriations.* If during the fiscal year the manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the council by ordinance may make supplemental appropriations for the year up to the amount of such excess.
  - (2) *Emergency appropriations.* To meet a public emergency affecting life, health, property or the public peace, the council may make emergency appropriations. Such appropriations may be made by emergency ordinance in accordance with the provisions established by law to the extent that there are no available unappropriated revenues to meet such appropriations. The council may by such emergency ordinance authorize the issuance of emergency notes, which may be renewed from time to time but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.
  - (3) *Reduction of appropriations.* If at any time during the fiscal year it appears probable to the manager that the revenue available will be insufficient to meet the amount appropriated, he shall report to the council without delay, indicating the estimated amount of the deficit, any remedial action taken by him and his recommendations as to any other steps to be taken. The council shall then take such further action as it deems necessary to prevent or minimize any deficit and for that purpose it may be required for the council to pass an ordinance to reduce one or more appropriations.
- (d) *Transfer of appropriations.*
  - (1) *[Unencumbered appropriations.]* At any time during the fiscal year the finance director, with authorization of the manager, may transfer all or part of any unencumbered appropriation balance among programs within a department, office or agency. Upon written request by the manager, the council may, by resolution, transfer part or all of any unencumbered appropriation balance from one department, office or agency to another department, office or agency.

- (2) *Limitations; effective date.* No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.
- (3) *Payments and obligations prohibited.* No payment shall be made or obligation incurred against any allotment or appropriation unless the finance director certifies that there are sufficient funds available to cover the claim to meet the obligation when it becomes due and payable. No officer of the city other than the manager or the manager and the mayor in concert when required, may enter into any financial agreement with any other business or business person, on behalf of the city.

**CHARTER COMPARATIVE TABLE - ORDINANCES**

This table shows the location of the sections of amendments to the Charter. The charter was adopted by the council as Ordinance No. 87-09-04, on November 16, 1987, and approved at a referendum on December 9, 1987, by a 52/34 vote, and effective on January 1, 1988.

Ordinance Number	Date	Section	Section In Charter
2006-08-81	8-21-2006	2	<u>3.02</u>
	11- 7-2006 (Elect.)		<u>3.02</u>
2008-07-25	1-10-2009	2	<u>3.03</u>
2009-09-37	9- 9-2009	2	<u>3.03</u>
	11- 3-2009 (Elect.)		<u>3.03</u>



## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b> June 6, 2016
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<b>ITEM NUMBER:</b> 4
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<b>AGENDA ITEM:</b> Resolution 2016-05-14
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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 II
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<b>DATE:</b> May 31, 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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## RESOLUTION 2016-05-14

### **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):

### **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
- 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

**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:

\_\_\_\_\_  
Acting City Clerk, City Clerk

Approved as to form and legality:

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



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** June 6, 2016

**ITEM NUMBER:** 5

**AGENDA ITEM:** Resolution 2016-06-15 – Open Air Sales Permit Fee

**CITY GOAL:** Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.

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

**DATE:** May 24, 2016

**BACKGROUND:** Staff has requested a revision to the City's Fee Schedule. As I understand the request from staff, they would like Council to no longer charge a permit fee for open air sales if the applicant is conducting sales with the proceeds of the sales going towards a charitable purpose, even if the applicant is not a nonprofit, tax exempt organization. Currently the City charges the following permit fees for open air sales:

- One or two day sale \$40.00
- Three to five day sale \$60.00
- More than five day sale \$75.00

An open air sale is defined as follows in the City's code:

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

Seasonal sales have a different permit fee rate.

Permits are required in order to have an open air sale, garage or yard sale, or special event with minor exceptions. The Code provides that other than for approved seasonal sales, open air sales are only allowed as an accessory use to a permanent commercial building with a valid occupational license, and are not allowed as a temporary use not accessory to a permanent commercial building.

If a local government or a nonprofit, tax exempt organization in Groveland is holding a special event, the City does not charge a permit fee, although the applicant must still obtain a permit. The City relies on paperwork to determine if an organization is a nonprofit, tax exempt organization in Groveland.

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For open air sales, staff does not want to use the term nonprofit, tax exempt organization in Groveland, rather staff has suggested *no fees if open air sales profits are used in general charity activities.*

The attached resolution provides for staff's recommended language with a slight revision, and I have added a definition for "charity activities". I have also added a requirement that the applicant submit proof to the City that the profits were utilized for charity activities.

<b>STAFF RECOMMENDATION:</b> Staff has recommended approval of Resolution 2016-06-15
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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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**RESOLUTION 2016-06-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING THE CITY OF GROVELAND'S FEE SCHEDULE TO NOT CHARGE A PERMIT FEE FOR OPEN AIR SALES IF PROFITS FROM SUCH SALE IS USED IN GENERAL CHARITY ACTIVITIES; PROVIDING FOR SEVERABILITY; REPEALING LANGUAGE IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council recognizes the importance of open air sales activities to create a sense of community;

**WHEREAS**, these types of events often include offerings, displays or sales of goods, merchandise, or services not within a fully enclosed building; and

**WHEREAS**, the City Council also desires to encourage profits generated from open air sales to be utilized for charitable purposes, and is therefore willing to forego collection of a permit fee when profits are utilized for general charity activities and proof of such is provided to the City.

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

**SECTION 1.** That the fees set forth in Resolution 2014-09-18 for Open air sale is hereby amended to read as follows:

Open air sale:

No permit fee will be assessed to an applicant if open air sale profits are used for the purpose of general charity activities.

- One or two day sale                   \$ 40.00
- Three to five day sale               \$ 60.00
- More than five day sale             \$ 75.00

General charity activities for purposes of this resolution shall mean: one designed to benefit, ameliorate, or uplift mankind mentally, morally, or physically. Examples are: relief of poverty, improvement of government, advancement of education, health, or religion, fostering kindness to animals, patriotism and community well-being.

The applicant must provide written documentation to the City of proof that profits generated from the open air sale were used for a general charitable activities purpose. Failure to provide such proof within 10 business days from the date of the open air sale will result in the applicant being required to pay the applicable open air sale permit fee.

**SECTION 2.** It is the intention of the City Council of the City of Groveland that the provisions of this Ordinance shall be codified and made a part of the City of Groveland Code of Ordinances.

**SECTION 3.** If any portion of this resolution is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect, the portion deemed

invalid or unenforceable shall be severed here from and the remainder of this resolution shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

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

**SECTION 5.** The provisions within this resolution shall take effect immediately upon adoption.

**PASSED AND RESOLVED** 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:

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



Approved as to Form:

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

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

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

	YEA	NAY
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		



## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b> June 6, 2016
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<b>ITEM NUMBER:</b>	6
<b>AGENDA ITEM:</b>	Resolution 2016-06-16: Strict Compliance with City Policies
<b>CITY GOAL:</b>	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
<b>PREPARED BY:</b>	Anita Geraci-Carver, City Attorney
<b>DATE:</b>	May 25, 2016

**BACKGROUND:** At the May 16, 2016 City Council directed that a resolution be brought to Council requiring that there be strict enforcement of City policies and any deviations be brought forward to the City Council for approval. The Resolution presented provides:

All City of Groveland policies, including those contained in the personnel policy manual, as may hereafter be amended and renamed, shall be strictly adhered to and not deviated from without first obtaining City Council approval.

<b>STAFF RECOMMENDATION:</b> Motion to Approve Resolution 2016-06-16
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<b>REVIEWED BY CITY MANAGER:</b>
<b>COUNCIL ACTION:</b>
<b>MOTION BY:</b>
<b>SECOND BY:</b>

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**RESOLUTION 2016-06-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, REQUIRING STRICT COMPLIANCE WITH CITY POLICIES; PROVIDING FOR ANY PROPOSED DEVIATIONS FROM CITY POLICY BE PRESENTED TO CITY COUNCIL FOR CONSIDERATION; REQUIRING CITY COUNCIL APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Groveland approved policies for operation of the City, including those contained in a personnel policy manual, as may be amended and renamed; and

**WHEREAS**, City Council believes it is in the best interest of the City of Groveland that City policies be adhered to and not deviated from without City Council approval.

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

1. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this resolution.
2. All City of Groveland policies, including those contained in the personnel policy manual, as may hereafter be amended and renamed, shall be strictly adhered to and not deviated from without first obtaining City Council approval.
3. This resolution shall be effective immediately upon adoption.

ADOPTED at a regular meeting of the City Council of the City of Groveland, Florida, this 6th day of June, 2016.

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

ATTEST:

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



Approved as to form and legality:

\_\_\_\_\_  
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		



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** June 6, 2016

**ITEM NUMBER:** 7

**AGENDA ITEM:** Resolution 2016-06-17: Support South Lake Regional Park

**CITY GOAL:** Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.

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

**DATE:** May 25, 2016

**BACKGROUND:** At the City Council meeting on May 16, 2016 Council directed a resolution be drafted in support of Lake County and the south Lake regional park, improvements to Max Hooks Road and pledging the City of Groveland's cooperation to Lake County.

**STAFF RECOMMENDATION:** Motion to Approve Resolution 2016-06-17

**REVIEWED BY CITY MANAGER:**

**COUNCIL ACTION:**

**MOTION BY:**

**SECOND BY:**

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**RESOLUTION 2016-06-17**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND SUPPORTING THE EFFORTS OF LAKE COUNTY IN THE PLANNING, DESIGN AND CONSTRUCTION OF THE LAKE COUNTY REGIONAL PARK PLANNED FOR SOUTH LAKE COUNTY AND GENERALLY LOCATED SOUTH OF STATE ROAD 50 AND WEST OF MAX HOOKS ROAD; PLEDGING THE CITY OF GROVELAND'S COOPERATION AND SUPPORT FOR ROADWAY IMPROVEMENTS OF MAX HOOKS ROAD**

**WHEREAS**, the City Council of the City of Groveland recognizes the benefits a south Lake regional park will bring to the City of Groveland, its residents, and all residents in south Lake County; and

**WHEREAS**, due to the close proximity of the planned south Lake regional park to the Groveland municipal boundaries and its utilities, the City of Groveland desires to pledge its support and cooperation to the Lake County Board of County Commissioners in its ongoing efforts to plan, design and service the south Lake regional park; and

**WHEREAS**, the City of Groveland is aware that improvements may be needed to Max Hooks Road to better serve and access the regional park, and the City of Groveland supports those efforts and extends its cooperation to Lake County.

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

1. The City of Groveland supports the Lake County Board of County Commissioners' effort in the planning, design and construction of the south Lake regional park.
2. The City of Groveland supports improvements to Max Hooks Road to better serve and access the regional park.
3. The City of Groveland pledges its ongoing support to Lake County and the Lake County Board of County Commissioners, and assures its citizens as well as Lake County that the City of Groveland will cooperate with Lake County in planning, designing and constructing the park, services and roadway improvements.

**DULY PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

ATTEST:

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



Approved as to form and legality:

\_\_\_\_\_  
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		



## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b> June 6, 2016
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<b>ITEM NUMBER:</b> 8
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<b>AGENDA ITEM:</b> Approval of Policy Deviation - PTO
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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> Anita Geraci-Carver, City Attorney
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<b>DATE:</b> May 24, 2016
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**BACKGROUND:** Recently a payroll processing issue surfaced. It was discovered in connection with reviewing an employee's leave. The City's policies provide that personal time off does not accrue during an employee's leave, and that the personal time off is to be prorated for the calendar year when out on leave. However, the payroll processing system provides for PTO to continue to accrue during the leave, and does not prorate the amount of PTO. The result of this processing error is an additional 50 hours +/- of PTO being provided to an employee. The payroll system has been adjusted so accrual will not continue going forward.

Council recently directed all policy deviations to be brought to Council for approval. The City Manager, HR Manager and legal counsel all recommend that Council approve this policy deviation, and not require the employee to repay the City for the additional hours provided.

<b>STAFF RECOMMENDATION:</b> Approval of policy deviation relating to accrual of PTO to employee's benefit
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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:** June 6, 2016

**ITEM NUMBER:** 9

**AGENDA ITEM:** Resolution 2016-06-18: Amend the Recreation Advisory Committee Requirements for Membership

**CITY GOAL:** Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.

**PREPARED BY:** Rebekah Morgan

**DATE:** May 11, 2016

**BACKGROUND:** The Recreation Advisory Committee Resolution 2004-05-13B states in Section 2 Membership; Terms that one member must be a representative from a school within *the City's Chapter 180 District*. Demetrius Isom was selected to be the 180 Chapter District representative, but he is no longer employed by Lake County Schools and does not reside within Groveland city limits, therefore losing his eligibility to retain his seat. He was removed from the RAC effective April 21, 2016. He has petitioned the RAC to recommend that Council amend the RAC requirements for membership to allow a representative to be from either the 180 Chapter District or a board member of a youth recreation or sports organization operating within Groveland. Mr. Isom is currently a board member of South Lake Pop Warner.

**RAC RECOMMENDATION:** The Recreation Advisory Committee was unable to reach a decision regarding this matter and have elected to send the matter to Council to provide direction. It was noted during the discussion that Vice Chairwoman K. Jones is an employee of Lake County Schools and could fulfill the requirement for being the Chapter 180 District Representative. It was also noted that committee member Ashley Cain is a board member of South Lake Pop Warner. Both committee members reside within City limits.

**REVIEWED BY CITY MANAGER:**

**COUNCIL ACTION:**

**MOTION BY:**

**SECOND BY:**

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## RESOLUTION 2016-06-18

**A RESOLUTION AMENDING THE GROVELAND RECREATION ADVISORY COMMITTEE REQUIREMENTS FOR MEMBERSHIP; PROVIDING FOR THE APPOINTMENT OF A REPRESENTATIVE FROM YOUTH RECREATION OR SPORTS ORGANIZATION INCLUSIONARY TO THE SCHOOL REPRESENTATIVE FROM A SCHOOL WITHIN THE CITY'S CHAPTER 180 DISTRICT; PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

**WHEREAS**, the City Council deems it desirable that a citizen committee be created to assist in providing input into the parks and recreation services provided by the City of Groveland and for the purpose of making recommendations to the City Council regarding issues relative to the provision of parks and recreation services within the City of Groveland; now therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

### **SPECIAL PROVISIONS**

**Section 1. Committee Established.** That the City Council of the City of Groveland, Florida, hereby establishes a citizen committee to assist the City Council as is hereinafter set forth. This citizen committee shall be named the Groveland Recreation Advisory Committee. The Committee, once established, shall continue in existence until further resolution of the City Council.

**Section 2. Committee Duties.** The Committee shall be advisory to the City Council and to the City Manager and his staff. The primary duties of the Committee shall include the following:

- A. To serve in an advisory capacity to the Council and City Manager on matters pertaining to public recreation, parklands and related facilities.
- B. To serve in an advisory capacity to the Council and City Manager on matters pertaining to art, literature, music, theatre, and other related activities.
- C. To serve in an advisory capacity to the Council and City staff with respect to the establishment of user/rental fee schedules for parks, sports fields and public facilities.
- D. To recommend solutions to scheduling and use conflicts of City recreational facilities.
- E. To establish rules and regulations for use and improvement of public parklands, recreation areas, squares, and grounds, including playgrounds, concessions and recreational and related facilities and programs installed and maintained therein.
- F. To serve in an advisory capacity to the Council and City staff with respect to policies for the acquisition, development and improvement of parklands and recreational areas.
- G. To recommend to the Council a comprehensive recreation and parkland use program based on the needs and interest of the community to assure and stimulate public interest, and to solicit to the fullest extent the cooperation of schools, local youth and public and private agencies.
- H. To give input on park and recreation grant requests and assist City Council and City Staff with lobbying granting agencies or organizations for funding.

- I. The Committee 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 City Council, the City Manager and his staff and the public.

**Section 2. Membership; Terms.** The Committee shall consist of seven (7) members, who serve for terms of three (3) years. One member must be a representative from either a youth recreation or sports organization or a school within the City's Chapter 180 District. The remaining six members of the Committee shall be residents of the City of Groveland. 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 Committee. The initial appointments shall be three (3) members for two years and two (2) members for one year. All subsequent appointments shall be for three (3) year terms. The City Council may in its discretion from time to time, name ex officio members to the Committee as it deems appropriate. Ex officio members may participate in all meetings, but shall not vote. The City Council may name two (2) 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

## GENERAL PROVISIONS

**Section 1. Organization; Quorum.** The members of the Committee shall select from their own membership a Chairman, a Vice Chairman and Secretary for a one-year term and the Committee 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 Committee shall constitute a quorum necessary for the conduct of business of the Committee and meetings shall be held at the call of the Chairman, or in his/her absence the Vice Chairman or at the call of a majority of regular members of the Committee or the City Manager. The Committee shall meet as often as necessary to achieve its goals and perform its duties but shall meet not less often than quarterly.

**Section 2. Records; Meetings.** All records and minutes of the Committee shall be filed with the City Manager's Office and shall be subject to the Public Records Law, Chapter 119 F.S. The Committee 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 Chapter 286 F.S. 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 3. Reimbursement of Expenses.** Members of the Committee shall serve without compensation but shall be reimbursed for any necessary and reasonable expenses incurred in the conduct of the business of the Committee, if such expenses have received approval by the City Council prior to their expenditure.

**Section 4. Reports.** The Committee shall, not less often than once a year, make a written report to the City Council. The written report shall detail the accomplishments of the Committee for the preceding year and the Committee's current and future projects and goals. This report shall be submitted by March 31"of each year.

At the Committee's option, the Chairman of the Committee or such other person as the Committee shall designate may make a personal report to the City Council in such event the City Manager shall advise the Chairman of the Committee when such report has been placed on the agenda of the City Council. The Chairman shall report to the Council on the work of the Committee, on any problems or concerns that the Committee is experiencing and on the current and future projects that the Committee desires to undertake.

**Section 5. Compliance with Ordinances.** The Committee shall comply with and abide by all ordinances or resolutions of the Council that are generally applicable to the 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 Committee 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 Committee shall be deemed to be incorporated herein and by reference made a part of this resolution.

**Section 6. Appointment and Removal.** Appointment to the Committee 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 Committee shall be appointed to and removed from the Committee in the manner as deemed appropriate by the City Council, in its sole discretion. The members of the Committee shall serve at the pleasure of the City Council.

- A. Absenteeism. A committee member shall forfeit his/her membership on the committee if he/she fails to attend four (4) consecutive meetings without being excused by the committee prior to the absence.
- B. Ineligibility. A committee member shall forfeit his/her membership on the committee if he/she fails to maintain residency with the city limits of Groveland; or is no longer affiliated with a youth recreation or sports organization or school within the City's Chapter 180 District.

**Section 7. Continuance of Committee.** No later than three years from the establishment of the Committee and every third year thereafter, the City Council shall place on its agenda and shall discuss whether or not the Committee 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 Committee.

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

Passed and adopted by the City COUNCIL of the City of GROVELAND, Florida this 16<sup>th</sup>  
Day of May 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 \_\_\_\_\_

## Rebekah Morgan

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**From:** teresa maxwell  
**Sent:** Wednesday, May 04, 2016 11:02 AM  
**To:** Redmond Jones; Rebekah Morgan  
**Subject:** RAC Member Demetrius Isom  
**Attachments:** Amended RAC Resolution.docx

Demetrius Isom called me this morning to discuss his position on the RAC Committee. He was inquiring about his no longer being eligible to retain his seat on the committee. I informed Mr. Isom that due to his no longer being employed by Lake County Schools and the fact that he resides in the county he could retain his seat and would be removed. However, Demetrius is very passionate about his membership with the RAC and is active with local youth organizations; including seating on the board of South Lake Pop Warner.

There are a couple options if Mr. Isom wants so badly to retain his appointment to the committee. He could ask the RAC to make him an ex-officio expert member without voting rights. I mentioned this to him, but he wants to retain his voting powers. The other option is to amend the resolution to allow for members who are affiliated with youth recreation or sports organizations that serve the South Lake area. Mr. Isom liked this option and stated he would address this with the RAC at their next meeting.

I prepared and attached a resolution with these changes to the eligibility for your review.

**Teresa Maxwell, CMC, CPM**  
City Clerk of Groveland  
156 S. Lake Ave, Groveland, FL 34736  
352-429-2141 x231 | Fax: 352-429-3852

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