



**MONTVERDE TOWN COUNCIL  
REGULAR MEETING AGENDA  
AUGUST 8, 2023, AT 7:00 P.M.**

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The Montverde Staff and Council invite you to join the Town Hall meeting in person, on your computer, or by dialing in to listen. You can watch and listen to the meeting from home by following the directions below. (Note: you will not be able to ask any questions during the meeting if you attend by zoom or dialing in). Join the Zoom Meeting by clicking on the link below, copying and pasting the link into your browser, or going directly to zoom on your browser. Once in zoom, enter the Meeting ID and Passcode to be joined to the meeting. You may also call into the meeting by using the call-in number.

<https://us06web.zoom.us/j/83699855762?pwd=cGJ4UDRzdkNUL2J2NIU5b2JYaENnZz09>

Meeting ID: 836 9985 5762

Passcode: 820875

Call in Number: 646-558-8656

**TOWN COUNCIL MEMBERS**

Joe Wynkoop, Mayor

Allan Hartle, Vice Mayor

Billy Bates, Councilmember

Jim Ley, Councilmember

Jim Peacock, Councilmember

**STAFF**

Paul Larino, Town Manager

Anita Geraci-Carver, Town Attorney

Sean Parks, Town Planner

Lisa Busto, Associate Planner

Sandra Johnson, Town Clerk

Mai Yang, Finance Director

**DISCLAIMER**

This booklet has been prepared for the convenience of the Montverde Town Council In discussing matters before them. Every effort has been made to include all items to be discussed at this Town Council Meeting, however, the Mayor or Council Members may add items, which are not part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

**CALL TO ORDER AND OPENING CEREMONIES**

- Pledge of Allegiance
- Invocation
- Roll Call

**I. PRESENTATION AND ADMINISTRATIVE MATTERS**

- A. Proclamation for Daughters of the American Revolution for celebrating Constitution Week.

**II. CITIZENS QUESTION/COMMENT PERIOD**

The Town Council invites the public to come forward with questions, comments, and concerns. Action will not be taken by the Council at this meeting, but questions may be answered by Staff or issues may be referred for appropriate Staff action. If further action is necessary, the item may be placed on a future agenda for further review and consideration.

NOTE: Public Comment will not be taken under Citizens Questions/Comment Period for matters listed on this agenda. Public Comment on such items will be taken once the agenda item is before the Council for consideration.

**III. DEPARTMENT & COMMITTEE REPORTS**

- A. Town Manager Larino’s Report.
- B. Town Attorney Geraci-Carver Report.
- C. Town Planner Parks Report.
- D. Lake County Commission Report.
- E. Fire Department Report
- F. Committee Reports
- G. Town Council Reports.
- H. Mayor Wynkoop Report.

**IV. JULY FINANCE REPORT**

Beginning Bank Balance	\$ 4,683,973.72
Revenues	\$ 657,695.29
Expenditures	\$ 408,435.96
Ending Balance	<u>\$ 4,933,233.05</u>
Grant Clearing Account	\$ 5,872,965.47
Total Bank Balance	\$ 10,654,171.47

V. **CONSENT AGENDA**

*The Council may take one vote to act on all items on the Consent Agenda or remove items for further discussion. If any member of the public desires to speak about an item on the consent agenda, you will need to step forward to the microphone and request that the item be pulled from the consent agenda before the town council votes to approve.*

- A. Minutes of the Town Council Regular Meeting held July 11, 2023.
- B. Minutes of the Town Council Special Meeting/Workshop held July 18, 2023.
- C. **Ordinance No. 2023-33** An Ordinance of the Town of Montverde, Florida, amending Chapter 5 of the Town of Montverde Code of Ordinances to include Article III titled unfit and unsafe buildings; including definitions, reporting or observance of violations, identifying an inappropriate or unsafe structure, disposition of unfit structures, determination of owner and manner of serving notice, process for violations and an appeal procedure; providing for liens, emergency action and penalties; providing for codification and severability; providing for the repeal of ordinances in conflict herewith; and providing for an effective date. **(Second Reading)**

VI. **DISCUSSION AND ACTION ITEM**

- A. Discussion on NPDES Permitting
- B. Discussion on the Fiscal Year 2023-2024 Budget
- C. Discussion on Stormwater Projects

VII. **PUBLIC HEARINGS, ORDINANCESPR AND RESOLUTIONS**

- A. **Resolution No. 2023-62** A Resolution of the Town Council of the Town of Montverde, Florida, granting a variance from Section 10-52(e) in Chapter 10 of the Montverde Land Development Code from the minimum lot width at building to allow a minimum lot width at building of 84' rather than the required 90' minimum lot width at building required in R1M zoning for the real property located at 17129 Lakeside Drive, Montverde, Florida, owned by Sarah Soltis and Justin Moorefield; providing for conditions; and providing for an effective date.
- B. **Ordinance No. 2023-34** An Ordinance of the Town of Montverde, Florida amending zoning regulations in Chapter 8 of the Town of Montverde Land Development Code to include a declaration of Unity of Title process for the combination of real property within the Town of Montverde; providing for the repeal of ordinances in conflict herewith; providing for codification and severability, and providing for an effective date. **(First Reading)**

- C. **Ordinance No. 2023-35** An Ordinance of the Town of Montverde, Florida, Amending Article VI in Chapter 2 of the Town of Montverde Code of Ordinances to impose a pass-through convenience surcharge usage fee; providing for codification and severability; providing for the repeal of ordinances in conflict herewith; and providing for an effective date. **(First Reading)**
- D. **Ordinance No. 2023-36** An Ordinance of the Town Council of the Town of Montverde, Florida, adopting amendment to Interlocal Service Boundary Agreement; and providing for an effective date.
- E. **Resolution No. 2023-69** A Resolution of the Town Council of the Town of Montverde, Florida approving the First Amendment to Interlocal Agreement for fire protection and rescue services between Lake County, Florida and the Town of Montverde; providing for an effective date.
- F. **Resolution No. 2023-63** A Resolution of the Town Council of the Town of Montverde Florida, granting final plat approval for Willow Ridge Phase 2 consisting of 126 lots located on Blackstill Lake Road and Fosgate Road within the Town of Montverde, Lake County, Florida; providing for conditions, and providing for an effective date.
- G. **Resolution No. 2023-70** A Resolution of the Town Council of the Town of Montverde, Florida, authorizing the Town Manager and Town Attorney to bid at the foreclosure sale to be held in Lake County Case No. 35-2022-CCA-000162; authorizing the bid amount to equal the amount set forth in the final judgement of foreclosure; and providing for an effective date.
- H. **Resolution No. 2023-71** A Resolution of the Town of Montverde, Lake County , Florida, approving State Revolving Fund Amendment 2 to loan agreement DW351300 between the State of Florida Department of Environmental Protection and the Town of Montverde Florida, to reschedule loan repayment activities to allow the town additional time to complete planning and design activities to allow the town additional time to complete planning and design activities for Drinking Water Capital Projects designated as Project DW351300; designating authorized representatives; providing for conflicts, severability, and effective date.
- I. **Resolution No. 2023-73** A Resolution of the Town Council of the Town of Montverde, Florida, authorizing the Town Manager to hire a temporary, part time employee to serve as the Project Manager for the construction of the library in lieu of a Construction Manager with guarantee maximum price; repealing Resolution No. 2023-68; and providing for an effective date.

## **VIII. REMINDERS AND ADJOURNMENT**

- A. Town Council Discussion items
- B. Motion to Adjourn.

The Town Council reserves the right to move any Agenda item to an earlier time during the meeting as its schedule permits, except in the case of the items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286 Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the Town Council with respect to any matter considered at this Council 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.

Persons with disabilities needed assistance to participate in any of these proceedings should contact Town Hall at (407) 469-2681, 48 business hours in advance of the scheduled meeting.

**PROCLAMATION CELEBRATING CONSTITUTION WEEK**

# PROCLAMATION

**WHEREAS**, September 17, 2023. marks two hundred thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS**, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

**WHEREAS**, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

**NOW, THEREFORE**, I, Joe Wynkoop, Mayor of the Town of Montverde in the State of Florida, do hereby proclaim September 17 through 23, 2023 be

## CONSTITUTION WEEK

In Montverde, Florida and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the Town of Montverde to be affixed this 8<sup>TH</sup> Day of August in the year two thousand twenty-two.

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**Joe Wynkoop, Mayor**

**Attest:**

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**Sandra Johnson, Town Clerk**

## **CITIZENS QUESTIONS/COMMENTS**



## **TOWN MANAGER'S REPORT**



INTERNATIONAL CITY/COUNTY  
MANAGEMENT ASSOCIATION  
777 N Capitol St. NE, Ste. 500  
Washington, DC 20002-4290  
202.962.3680 | 202.962.3500 (f)  
icma.org

**Paul Larino, Credentialed by  
International Local Government Management Organization**

WASHINGTON, D.C.— Paul Larino, Town Manager of the Town of Montverde, Florida, recently received the Credentialed Manager designation from ICMA, the International City/County Management Association. Mr. Larino is one of over 1,300 local government management professionals currently credentialed through the ICMA Voluntary Credentialing Program.

ICMA's mission is to advance professional local government through leadership, management, innovation, and ethics and by increasing the proficiency of appointed chief administrative officers, assistant administrators, and other employees who serve local governments and regional entities around the world. The organization's 13,000 members in 27 countries include educators, students, and other local government employees.

To receive the prestigious ICMA credential, a member must have significant experience as a senior management executive in local government; have earned an advanced degree, preferably in public administration or a related field; and demonstrated a commitment to high standards of integrity, lifelong learning, and professional development.

Paul Larino has also participated and has made significant contributions to several other organizations, including: the Florida City and County Managers Association, the Colorado City Managers Association, the Northwest Area Community Improvement District, 4-H Leader, High Plains Bank Community Advisory Board, Morgan County Economic Development Corporation, and has volunteered for numerous organizations and events over his career.

ICMA, the International City/County Management Association, advances professional local government worldwide. The organization's mission is to advance professional local government through leadership, management, innovation, and ethics.

ICMA identifies leading practices to address the needs of local governments and professionals serving communities globally. We provide services, research, publications, data and information, peer and results-oriented assistance, and training and professional development to thousands of city, town, and county leaders and other individuals and organizations worldwide. The management decisions made by ICMA's members affect millions of people living in thousands of communities, ranging in size from small towns to large metropolitan areas.

## **TOWN ATTORNEY'S REPORT**

## **SUMMARY OF LAW ENACTED 2023**

## SUMMARY OF LAW ENACTED IN 2023

**Ch. 2023-4** – intercollegiate athletes – requiring at least two workshops before the graduation of an intercollegiate athlete, requiring the second workshop to include more rigorous instruction, and prohibiting the workshops from being provided in the same semester; added as a topic of the workshop entrepreneurship; provides that the college or an employee is not liable for damages to an intercollegiate athletes ability to earn compensation for his NIL resulting from decisions and actions routinely taken in the course of intercollegiate athletics; strikes other statutory language

**Ch 2023-17** – affordable housing (See attached)

**Ch 2023-18** – carry of a concealed weapon or f/a; school safety and training requirements – defines a handgun as a firearm capable of being carried and used by one hand, such as a pistol or revolver; applies the school guardian program to private schools if the sheriff’s office or local agency will not provide officers; requires private school to pay the full cost of implementing and all training costs; allows for carrying a concealed weapon without a concealed weapons permit provided the person is carrying a valid ID and presents it upon LEO demand; adds the ability of nonresidents to carry a concealed weapon or firearm in FL if at least 21 years of age, a US citizen and satisfies the criteria for receiving and maintaining a FL concealed weapons license; By Oct 1, 2023 each law enforcement agency must have a written active assailant response policy that meetings statutory requirements – is consistent with the agency’s response capabilities and includes response procedures

specifying the command protocol and coordination with other LEO agencies; must review the model policy developed by the Marjory Stoneman Douglas High School Public Safety Commission when developing its policy; must provide at least annual training on the policy; must provide training within 180 days of adoption of the policy and each time is amended or replaced; provide by October 1, 2023 written certification to the department from the Chief verification that the agency officially adopted a written active assailant response policy; requires us of the Florida specific behavioral threat assessment instrument once developed by the Office of Safe Schools; establishes the Florida Safe Schools Canine Program for the purpose of designating a person, school or business as a FL Safe Schools Canine Partner if provides monetary or in-kind donation to the LEO agency to purchase, train or care for a firearm detection canine; provides a process for designation and award; makes available \$1.5 million in reoccurring funds to FDLE to implement a grant program for local LEO agencies to provide firearm safety training.

**Ch 2023-19** – public records exemption pertaining to safe-school officers at private schools – creates a public records exemption for information that may identify whether a particular individual has been assigned as a safe-school officer at a private school; such an exemption already existed for public and charter schools

**Ch. 2023-20** – Trails – allows FDOT to establish a program to recognize local communities located along or in proximity to one or more long-distance nonmotorized recreational trails as trail towns.

**Ch. 2023-24** – provides for trespass offense if a person who is not authorized enters campus of College to threaten or intimidate another person and is warned to depart and refuses to do so

**Ch 2023-28** - Attempts to eliminate the consideration of environmental, social and governance (ESG) from government investment strategies, procurements, bond issuances and use of banks. Prohibits local governments from issuing bonds used to further an ESG purpose; includes green bonds, Certified Climate Bonds, other environmental bonds marketed as promoting an environmental objective, etc. Requires that any contract between a government entity and an investment manager include provisions requiring a disclaimer in communications from the investment manager. Amends the definition of a qualified public depository to prohibit deposits in banks that deny or cancel services of its customers based on a person's political opinions, speech, etc. Amends procurement requirements of all governmental entities to prohibit government bodies from giving a preference to vendors based on ESG factors or requesting information from vendors related to ESG.

**Ch 2023-31** – at least every 7 years the City must evaluate its comprehensive plan to determine if plan amendments are necessary. This is referred to as the EAR process (evaluation and appraisal report). The planning period will increase from 5 years to 10 years. Additionally, an affidavit signed by the mayor is now required certifying that all elements of the City's comprehensive plan looks at a 10 year planning period and must cite the source and date of the population projections used in establishing the 10 year planning period.

Updates to the required elements and any optional elements in the City's comprehensive plan must be processed in the same plan amendment cycle for amendments deemed necessary in the EAR.

Failure to submit the EAR letter and affidavit or transmit plan updates timely will prevent the City from initiating any comprehensive plan

amendments, and privately initiated plan amendments may be denied.  
and 10 to 20 years

Regulation of single-family residential design elements – building design elements may not be applied to a single-family or two-family dwelling unit unless one of the exceptions is met:

- (i) On National Register of Historic Places, or designated as a historic property or within historic district under a local preservation ordinance;
- (ii) regulations adopted to implement National Flood Insurance Program or Florida Building Code;
- (iii) dwelling is within a CRA;
- (iv) regulations are to ensure protection of coastal wildlife;
- (v) is within a PUD approved before July 1, 2023;
- (vi) or is within a City that has a design review board or an architectural review board created before January 1, 2020.

Distribution electric substation – City regulation limitations that applied to new distribution electric substations now applies also to changes in existing electric substations.

Mobility funding system 163.3180(5)(i)

**Ch. 2023-32** – Government issued devices and prohibited applications – prohibits on a government issued cell phone, desktop computer, laptop computer, computer tablet, or other electronic device capable of connecting to the internet which is leased or owned by the City any statutorily prohibited applications (see s.112.22, F.S.); public employer is required to block all prohibited applications, restrict access to any prohibited application, and retain the ability to remotely-wipe and



uninstall any prohibited application from a government issued device that is believed to have been adversely impacted by a prohibited application. Allows for a request to the Department of Management Services for a waiver to allow designated employees or officers to download or access a prohibited application on a government-issued device; provides an exemption for a law enforcement officer if conditions are met.

**Ch. 2023-33** – prohibits city from knowingly entering into a contract with an entity which would give access to an individual’s personal identifying information if entity is owned by government of a foreign country of concern, the government of a foreign country of concern has a controlling interest in the entity, or the entity is organized under the laws or of has its principal place of business in a foreign country of concern. Foreign country of concern is defined in s. 287.138. Also prohibits granting economic incentives to certain foreign entities. Requires a government entity including a city to require the recipient or applicant of economic incentives to provide an affidavit signed under penalty of perjury attesting that the recipient or application is not a foreign entity. Prohibits purchase or acquisition of real property by, and to certain foreign principals.

**Ch. 2023-40** – E-verify system private employers with over 25 employees, etc. A municipality is prohibited from providing funds for the purpose of issuing an identification card or document to an individual who does not provide proof of lawful presence in the U.S.; requires a public agency to use the E-Verify system to verify a new employee’s employment eligibility within 3 business days after the first day the new employee begins working for pay. If the system is unavailable then the employer must use the Form I-9; however, the employer must document the unavailability of the E-Verify system by retaining a screenshot from each day which shows the employer’s lack of access to the system, a public announcement that the E-Verify system is not available, or any

other communication or notice recorded by the employer regarding the unavailability of the system. Must retain the documentation for at least 3 years. May not continue to employ an unauthorized alien.

Additionally, must require in any contract that the contractor, and any subcontractor, register with and use the E-Verify system to verify the work authorization status of all new employees of the contractor or subcontractor. Otherwise, a contract cannot be entered into. A subcontractor must provide the contractor an affidavit stating that the subcontractor does not employ, contract within, or subcontract with an unauthorized alien. The affidavit must be retained for the duration of the contract.

Requires a law enforcement agency having custody of a person who becomes a qualifying offender solely because of the issuance of an immigration detainer by a federal immigration agency shall ensure that a DNA sample is taken from the offender immediately after the agency receives the detainer and shall secure and transmit the sample in a timely manner to FDLE.

**Ch. 2023-42 and Ch. 2023-43.** Prohibits mask mandates, prohibits COVID-19 vaccinations and testing mandates, or proof of vaccination. Prohibits governmental entities and educational institutions from adopting, implementing, or enforcing an international health organization's guidelines unless authorized by law.

**Ch. 2023-44** – provides that photographs or video or audio recordings of the killing of a minor, and autopsy reports of minors whose deaths were related to acts of domestic violence are confidential and exempt from inspection and copying under the Public Records Act.

**Ch. 2023-48** – Temporary commercial kitchen and mobile food dispensing vehicles. Preempts regulation for temporary commercial

kitchens to the State. Also allows a mobile food dispensing vehicle or temporary commercial kitchen operated on the same premises of a separately licensed food service establishment to operate during the same hours of operation as the separately licensed food service establishment.

**Ch. 2023-49** – Ethics requirements for city officials. Requires elected mayors and elected members of the governing body of a municipality, as well as candidates for those offices to final an annual full disclosure of financial interests (Form 6) beginning January 1, 2024. Filing must be using the Commission on Ethics’ electronic filing system for all filers, Form 6 and Form 1, January 1, 2024. Adds that CRA members are exempt from completing the ethics training in the year they begin their term if the term begins after March 31. Clarifies that a candidate may submit a verification or receipt of a previous financial disclosure filing to the qualifying officer in lieu of the full financial disclosure.

**Ch. 2023-60** – security relating to Governor. Exempts from public records requirements those records held by a law enforcement agency relating to security and transportation services provided for the Governor, the Governor’s immediate family, visiting governors and their families, and other specified state officials, and the Governor’s office and mansion.

**Ch. 2023-61** – saves from repeal exemptions from public records and public meeting requirements concerning the name of an individual appointed as a safe school officer.

**Ch. 2023-64** – Homeowner Associations. Makes significant revisions to Ch. 720, F.S.

Regardless of any covenants, restrictions, bylaws, rules, or requirements of an association, and unless prohibited by general law or local ordinance, an Association may not restrict parcel owners or their tenants from installing, displaying, or storing any items on a parcel which are not

visible from the parcel's frontage or an adjacent parcel, including, but not limited to, artificial turf, boats, flags, and recreational vehicles.

Prohibits association documents from precluding the display of up to two portable, removable flags as described in s.720.304(2)(a) (an expanded list of allowable flags), but also requiring all flags be displayed consistent with the requirements for the US flag under 36 U.S.C. chapter 10.

**Ch. 2023-67** – prohibits a person under 14 years of age from operating a golf cart on public roads; changes the statute to require a person under 18 years of age who is operating a golf cart on a public road/street to have a valid learners' D/L, a valid D/L or valid government issued photo ID.

**Ch 2023-75** – removes the scheduled repeal date of the public record and public meeting exemptions for security or fire safety system plans under s.119.071(3)(a) and s.286.0113(1); repeals s.281.301 because it is duplicative of foregoing statutes.

**Ch. 2023-101** – redistricting of city districts

Each municipality shall, from time to time, fix the boundaries of its districts

- so as to keep them as nearly equal in proportion to their respective populations as practicable,
- provided that such changes may not be made in the 270 days before a regular general election for the governing body of the municipality.
- Districts may not be drawn with the intent to favor or disfavor a candidate for member of the governing body or an incumbent member of the governing body based on the candidate's or incumbent's residential address.

Any ordinance enacted or adopted by a municipality on or after July 1, 2023, which is in conflict with this section is void.

**Ch. 2023-102** – Amends laws relating to charter schools; provides that private tutoring maybe provided to up to 25 students in any commercial building with a valid certificate of occupancy, library, community service, museum, performing arts, theatre, cinema, or church facility; in any facility owned by a Florida College System institution or university; in any similar public institution facility; and in any facility recently used to house a school or child care facility licensed under s.402.305 within the preexisting zoning and land use designations within the facility without obtaining a special exception, rezoning, or a land use change so long as the provision of such tutoring meets all applicable state and local health, safety, and welfare laws, codes and rules including those pertaining to fire safety and building safety.

**Ch. 2023-106** – Safety in Private Spaces Act. Intent is to provide restrooms and changing facilities for exclusive use by females or males, respective to their sex. Applies to educational facilities, state colleges, universities, public buildings owned or leased by the state, county, city or special district as well as jails and detention facilities. Provides for limited exceptions, such as but not limited to, chaperone a child under 12 years of age, an elderly person, or a person with a disability or developmental disability; law enforcement or governmental regulatory purposed; rendering emergency medical assistance, etc.

**Ch. 2023-115** – In any comprehensive plan amendment challenges the statute now allows the prevailing party to recover fees and costs. It clarifies the scope of review under s163.3215, F.S. for a local government to grant or deny a development order by providing the order may only be challenged if it would materially alter the use, density, or intensity of the

property in a manner not consistent with the comprehensive plan. It also prohibits local governments from enforcing land development regulations relating to any characteristic of development other than use, or intensity or density of use against a Florida College System institution.

**Ch. 2023-120** – Makes numerous changes to the state’s election laws including changes to notices, precinct boundaries, oaths of office, and others. Preempts local governments from enacting a campaign finance reporting schedule that differs from the schedule required by state law. Amends s.100.342, F.S. to allow notice of a special election or referendum to be published on the county’s website, city’s website or supervisor of election’s website rather than requiring in a local newspaper.

**Ch. 2023-134** – Imposes requirements in contracts between a local government and a contractor to include a punch list of items to render complete, satisfactory, and acceptable and outlines the estimated cost of each item necessary to complete the work; requires a local government to pay the entire contract balance within 20 days after the punch list is created, except for 150% of the portion attributed to those items on the punch list; limits a local government’s ability to withhold amounts to only those subject to a written good faith dispute or claims against public surety bonds. Undisputed portions of a contract must be paid within 20 days. Preemption of local preference requirements for public construction projects when state funds are used.

**Ch. 2023-137** – Prohibits withholding of a business tax receipt or development permit, or enacting or enforcing an ordinance or resolution prohibiting a drone delivery service’s operation based on the location of the drone port, except minimum setback and landscaping ordinances. Exempts drone ports, except for stairwells from the Florida Building Code. Drone port is defined in the statute.

**Ch. 2023-145** – The head of a law enforcement agency may authorize travel expenses for a law enforcement officer employee to attend the funeral service of a law enforcement officer who was killed in the line of duty provided the funeral service is within the State of Florida

**Ch. 2023-151** – Provides additional authority for cities and counties to adopt slow speed, minimum wake boating area if within 500 feet of a sewage pumpout station at any public or private nonresidential marina if the sewage pumpout station is within 100 feet of the marked channel of the Florida Intercoastal Waterway.

**Ch. 2023-154** – Ag Florida Farm Team Card for tax exemption. A farmer whose property has been classified as agriculture (s.193.461, F.S.) or has implemented agricultural best management practices adopted by the Department of Agriculture and Consumer Services may apply to the Department for a Florida farm tax exempt agricultural materials (TEAM) card to claim the applicable sales tax exemptions in the statute. A farmer may present the TEAM card to a selling dealer in lieu of a certificate or affidavit otherwise required. Applications will be accepted beginning January 1, 2024.

By 2025 or upon expiration of existing food service contracts, whichever is earlier, all food commodities purchased by a Florida College System or any contracted food service provider thereof must be grown or produced in Florida when available, practical, and feasible. Provides for preference to food commodities grown or produced in Florida, and in competitive solicitation for purchase of food commodities. Requires certain agencies, the university system and the Florida College System to submit a form developed by the Department by August 1, 2024 reporting certain information relating to expenditures and quantities of such commodities.

**Ch. 2023-156** – Provides for a sheriff to have concurrent jurisdiction with any city law enforcement agency within the city. A county may not allow a city’s police to provide any services provided by the sheriff, including policing or police functions in the unincorporated county except pursuant to a mutual aid agreements. Additionally, the legislature specified the percentage reduction (5%) of the law enforcement budget when compared to the current fiscal year’s approved operating budget that then allows the state attorney or a member of the governing body to file a petition to challenge the reduction in the law enforcement agency’s operating budget. Provides a more detailed process for the challenge.

**Ch. 2023-157** – Freezes the local communications services tax (CST) rates at its current rate until January 1, 2026. Decreases tax on rental or license fees for use of real property from 5.5 percent to 4.5 percent effective December 1, 2023. Extends tax exemption on agricultural materials to those used to construct or repair permanent or temporary fencing used to contain, confine, or process cattle, including gates and energized fencing systems, used in agricultural operations on lands classified as agricultural lands. Exempts firearm safes from sales tax. Provides for sales tax holidays.

**Ch. 2023-169** – BMAP (see attached)

**Ch. 2023-173-** Creates the Department of Commerce. Provides for the transfer of duties, authority, etc. from Enterprise Florida Inc. to the Department of Commerce. Renames the Department of Economic Opportunity (DEO) to the Department of Commerce.

**Ch. 2023-174** – Allows the county or city to enforce school zone speed limit on a roadway properly maintained as a school zone: (i) within 30 minutes before through 30 minutes after the start of a regularly scheduled breakfast program, (ii) within 30 minutes before through 30 minutes after



the start of a regularly scheduled school session, (iii) during the entirety of a regularly scheduled school session, (iv) within 30 minutes before through 30 minutes after the end of a regularly scheduled school session through use of a speed detection system for detection of speed and capturing of photographs or videos for violations in excess of 10 miles per hour over the speed limit in force at the time of the violation. A county or city may install or contract with a vendor to install a speed detection system. The county or city must adopt an ordinance to authorize installation of the speed detection system, and during the public hearing must consider traffic data or other evidence supporting the installation and operation of the system, and the county or city must determine school zone constitutes a heightened safety risk that warrants additional enforcement measures.

**Ch. 2023-204** – provides for licensure by reciprocity for water and wastewater facility operators

**Ch. 2023-309** – local ordinances; addresses Testa v. Town of Juniper Island relating to continuation of an agenda item to subsequent meeting without requirement to readvertise provided date, time, and location of the new meeting dated is announced during the public meeting (see attached summary)

**Ch. 2023-304** – Whenever the Governor issues a declaration of state of emergency for a natural emergency during which a permanent residential structure was damaged and rendered uninhabitable, the county or city cannot prohibit the placement of one temporary shelter on the residential property for up to 36 months after the date of the declaration of emergency or until a certificate of occupancy is issued on the permanent residential structure on the property, whichever occurs first, if three circumstances apply: (i) the resident makes a good faith effort to rebuild or renovate

including but not limited to applying for a building permit, submitting a plan or design, or obtaining a construction loan; (ii) the temporary shelter is connected to water and electric utilities and does not present a threat to health and human safety; and (iii) the resident lives in the temporary shelter. “Temporary shelter” includes, but is not limited to, a recreational vehicle, trailer, or similar structure placed on a residential property.

Requires the Division of Emergency Management to post on its website by June 1, 2023 a model local government contract for debris removal to be used. They must update the contract annually and post the revised contract by June 1<sup>st</sup> of each year. DEM must also administer a revolving loan program for local government hazard mitigation projects.

Encourages local governments to develop an emergency financial plan for major natural disasters. The plan should include a calculation of the costs for the natural disaster event and a determination of the financial resources available to the local government. If insufficient funds are available, the emergency financial plan should identify strategies to close the gap between the disaster event costs and the local government’s financial capacity. Such strategies may include rainy day funds, reprioritizing its annual budget, and borrowing. The local government should annually review its emergency financial plans to address changes in conditions.

Authorizes local governments to create inspection teams to review and approve expedited permits for temporary housing solutions, repairs and renovations after a natural disaster. Encourages interlocal agreements between local governments to provide additional inspection services during a state of emergency.

Following a state of emergency declared pursuant to s. 252.36, F.S. for a natural emergency local governments impacted by the emergency shall approve special processing procedures to expedite permit issuance for

permits that do not require technical review, including, but not limited to, roof repairs, reroofing, electrical repairs, service changes, or the replacement of one window or one door. Local governments may waive application and inspection fees for permits expedited under this provision of the law.

An emergency declaration extends the period remaining to exercise the rights under a permit or other authorization for 24 months in addition to the tolled period (current law is 6 months in addition to the tolled period). The extended period to exercise the rights under a permit or other authorization may not exceed 48 months in total in the event of multiple natural emergencies for which the Governor declares a state of emergency. The tolling and extension of permits and other authorizations under this paragraph shall apply retroactively to September 28, 2022.

A public utility is not liable for damages based in whole or in part on changes in the reliability, continuity, or quality of utility services which arise in any way out of an emergency or disaster, including, but not limited to, a state of emergency declared under s. 252.36, F.S.

**Ch. 2023-305** – Prohibits a local government from requiring an initiative or referendum process in regard to any land development regulation including adopting new land development regulations or amending existing regulations.

**Ch. 2023-256** – Relates to substitution of work experience for post secondary education requirements. If the head of the public employer allows substitution of work experience for postsecondary education, the number of years of direct experience cannot exceed those set forth in the statute relating to the type of degree required.

## **Ch. 2023-229 – Building Permits/Fire Safety.**

If the building code administrator, plans examiner, or inspector requests another local enforcing agency employee or a person contracted by the local enforcing agency to review the plans and that employee or person identifies specific plan features that do not comply with the applicable codes, the building code administrator, plans examiner, or inspector must provide this information to the local enforcing agency who then provides the information to the permit applicant.

After the local enforcing agency issues a permit, the local enforcing agency may not make or require any substantive changes to the plans or specifications except changes required for compliance with the Florida Building Code, the Florida Fire Prevention Code, or the Life Safety Code, or local amendments thereto. If a local enforcing agency makes or requires substantive changes to the plans or specifications after a permit is issued, the local enforcing agency must identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide the information to the permitholder in writing.

A plans examiner or inspector who fails to provide the building code administrator with the reasons for making or requiring substantive changes to the plans or specifications is subject to disciplinary action against his or her certificate.

A building code administrator who fails to provide a permit applicant or permitholder with the reasons for making or requiring substantive changes to the plans or specifications is subject to disciplinary action against his or her certificate.

If a municipality, county, or special district determines that the building plans for a building permit application do not comply with the Florida Fire

Prevention Code or the Life Safety Code, or local amendments thereto, the local fire official must identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the determination is based, and provide this information to the permit applicant.

After a municipality, county, or special district issues a building permit, it may not make or require any substantive changes to the building plans except those required for compliance with the Florida Fire Prevention Code or the Life Safety Code, or local amendments thereto.

If a municipality, county, or special district makes or requires substantive changes to building plans after a permit is issued, the local fire official must identify the specific plan features that do not comply with the Florida Fire Prevention Code or the Life Safety Code, or local amendments thereto, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit holder.

A local fire official who is also a certified firesafety inspector and who fails to comply with the above paragraphs is subject to disciplinary action against his or her certificate.

**Ch. 2023-282** – A municipality may not terminate a chief of police without providing the chief of police written notice of his or her termination. After providing a chief of police written notice of his or her termination, a municipality must allow the chief of police to appear at the next regularly scheduled public meeting of the governing body of the municipality and provide a full and complete response to his or her termination at the meeting. An employment contract between a municipality and a chief of police may not waive or modify these requirements or include a nondisclosure clause that prohibits a chief of

police from responding to his or her termination as authorized by this new law.

**Ch. 2023-313** – Exempts from inspection and copying those records and personal identifying information relating to enrollment of persons in a special persons registry and held by a local law enforcement agency. These public documents are confidential and exempt from the Public Records Act.

**Ch. 2023-285** – Except to the extent necessary to enforce the Florida Building Code adopted pursuant to s. 553.73, F.S. or the Florida Fire Prevention Code adopted pursuant to s. 633.202, F.S. a municipality, county, special district, or other political subdivision of the state may not enact or enforce a resolution, an ordinance, a rule, a code, or a policy or take any action that restricts or prohibits or has the effect of restricting or prohibiting the use of an appliance, including a stove or grill, which uses the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the following entities:

A municipality, county, special district, or other political subdivision of the state may not enact or enforce a resolution, ordinance, rule, code, or policy or take any action that restricts or prohibits or has the effect of restricting or prohibiting the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the following entities to serve customers that such entities are authorized to serve:

- (a) A public utility or an electric utility as defined in this chapter;
- (b) An entity formed under s. 163.01 that generates, sells, or transmits electrical energy;
- (c) A natural gas utility as defined in s. 366.04(3)(c);
- (d) A natural gas transmission company as defined in s. 368.103; or

(e) A Category I liquefied petroleum gas dealer or Category II liquefied petroleum gas dispenser or Category III liquefied petroleum gas cylinder exchange operator as defined in s. 527.01.

As used in this subsection, the term “appliance” means a device or apparatus manufactured and designed to use energy and for which the Florida Building Code or the Florida Fire Prevention Code provides specific requirements.

**Ch. 2023-296** – Relates to public safety emergency communications systems.

If an assessment of a new building’s interior radio coverage and signal strength under the Florida Fire Prevention Code determines that installation of a two-way radio communication enhancement system is required, a contractor having the appropriate license issued by the department must submit a design to the local authority having jurisdiction for a two-way radio communication enhancement system to correct noncompliant radio coverage. The local authority having jurisdiction may not withhold issuance of a temporary certificate of occupancy for the building based solely on the need for a two-way radio communication enhancement system. Upon approval of the design by the local authority having jurisdiction, the jurisdiction must require the installation of the two-way radio communication enhancement system within 12 months after the issuance of a temporary certificate of occupancy. An extension for a temporary certificate of occupancy may not be unnecessarily withheld.

Except as provided in this subsection, all new and existing buildings must meet the minimum radio signal strength requirements for public safety agency communications as provided in the Florida Fire Prevention Code.

The local authority having jurisdiction as defined in the Florida Fire Prevention Code may require:

1. The installation of a two-way radio communication enhancement system in a new or existing building if the interior of the building does not meet the minimum radio signal strength as required in the Florida Fire Prevention Code.

2. An assessment of a new or existing building's interior radio coverage and signal strength, for purposes of determining the need for a two-way radio communication enhancement system within the building, not more frequently than once every 3 years for an existing high-rise building and an existing building having more than 12,000 total gross square feet and once every 5 years for all other existing buildings, unless:

- a. Such building undergoes Level III building alteration or rehabilitation as defined in the Florida Building Code;

- b. Such building undergoes reconstruction as determined by the Florida Fire Prevention Code;

- c. A public safety agency reports to the local authority having jurisdiction that the agency's communication devices failed to function correctly inside a building due to poor signal coverage; or

- d. A building is determined to be an imminent life safety threat to first responders.

Any modification to an existing system or any installation of a new system must have the express consent of the frequency licenseholder of the frequencies for which the system is intended to amplify. The consent must be maintained in a recordable format that can be presented to a



Federal Communications Commission representative or other relevant agency investigating radio interference.

If public safety agency communications signal strength or delivered audio quality, as defined in the Florida Fire Prevention Code, is determined by the local authority having jurisdiction to be inadequate at the exterior of the building, a two-way radio communication enhancement system or minimum radio strength assessment is not required.

If a local authority having jurisdiction modifies its public safety emergency communication system such that modifications to existing two-way radio communication enhancement system installations are required, the local authority having jurisdiction must give owners of the existing two-way radio communication enhancement systems at least 180 days' notice before requiring any modification. Notwithstanding the foregoing, a local authority having jurisdiction that requires an existing building to retrofit its two-way radio communication enhancement system after the effective dates in s. 633.202(18)(a) must give the building owner at least 1 year to complete the retrofit. The 1-year period begins when the local authority having jurisdiction cites the building owner with a notice of code violation in accordance with chapter 162.

The following occupancies or buildings are not required to meet minimum radio signal strength requirements or have a radio signal strength assessment for public safety agency communications:

1. One- and two-family dwellings and townhouses.
2. Buildings having less than 12,000 total gross square feet with no underground areas.

3. Apartments and transient public lodging establishments that are less than three stories high and that have direct access from the apartment or guest area to an exterior means of egress.

4. Wood frame apartment buildings that are not required to install twoway radio communication enhancement systems or equivalent systems

The provisions of s. 633.208 and this section which authorize local adoption of more stringent requirements than those specified in the Florida Fire Prevention Code and minimum firesafety codes do not apply to the requirements in this subsection. The local authority having jurisdiction may not enforce requirements that are more stringent than those specified in the Florida Fire Prevention Code and this subsection with respect to the requirement for, design of, or installation of a two-way radio communication enhancement system.

The State Fire Marshal shall incorporate this subsection into the Florida Fire Prevention Code and may adopt rules to implement, interpret, and enforce this subsection.

Ch. 2023-240 – Creates a drone replacement grant program within the Florida Department of Law Enforcement for law enforcement agencies who turn in drones that are not longer in compliance with Florida law.

A county or municipal government may not adopt or amend a fertilizer management ordinance pursuant to s. 403.9337, F.S. which provides for a prohibited application period not in existence on June 30, 2023. This prohibition will expire July 1, 2024. In Appropriation No. 146 of Ch. 2023- \$250,000 in nonrecurring funds is to be used by the University of Florida Institute of Food and Agricultural Sciences (IFAS) to evaluate the effectiveness of the timing of seasonal fertilizer restrictions on urban landscapes toward achieving nutrient target objectives for



waterbodies statewide. IFAS must submit a final report to the chairs of the Senate and House Appropriations Committee by December 31, 2023.

## **SUMMARY OF CHAPTER 2023-17**



## **SUMMARY OF CHAPTER 2023-17**

### **(Senate Bill No. 102)**

**Except as otherwise provided, Effective July 1, 2023**

- Cities cannot impose rent controls
- Cities can continue to adopt ordinances etc. for purpose of increasing the supply of affordable housing using land use mechanisms, such as inclusionary housing ordinances
- Affordable Housing -
  - Not applicable in area of critical state concern
  - Council may approve development of housing that is affordable (defined in s. 420.0004, FS) including but not limited to a mixed-use resident development on parcel zoned for commercial or industrial use so long as at least 10% of the units is for affordable housing.
  - City must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40% of the residential units in a proposed multifamily rental development are, for at least 30 years, are affordable (defined in s. 420.0004, FS).
    - City may not require a proposed multifamily development to obtain zoning or land use change, special exception, conditional use approval, variance, or

comprehensive plan amendment for the building height, zoning, and densities authorized under the foregoing section. For mixed use projects, at least 65% of total square footage must be used for residential purposes.

- City may not restrict the density for an affordable housing development below the highest allowed density on any land in the city where residential development is allowed.
- City may not restrict the height for proposed affordable housing development below the highest currently allowed height for a commercial or residential development located within the City within one mile of the proposed development or 3 stories, whichever is higher.
- A proposed affordable housing development must be administratively approved and no further action by the Commission if the development satisfies the City's LDRs for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such LDRs include but are not limited to regulations relating to setbacks, and parking requirements.
- City must consider reducing parking requirements for a proposed affordable housing development if the development is located within ½ mile of a major transit stop, as defined by the City's LDRs, and the major transit stop is accessible from the development

- A city that designated less than 20% of the land area within its jurisdiction for commercial or industrial use must authorize a proposed affordable housing multifamily development in areas zoned for commercial or industrial use only if the proposed multi-family development is mixed-use residential.
- These provisions do not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b), FS in any area zoned as industrial.
- Expires 10/1/2033
  
- Disposition of municipal property for affordable housing
  - By October 1, 2023 and every 3 years thereafter the City shall prepare an inventory of all real property within its jurisdiction to which the City or any dependent special district within its boundaries holds fee simple title which is appropriate for use as affordable housing.
  - Inventory list must be publicly available on its website
  - May be used for affordable housing through a long-term land lease requirement development and maintenance of affordable housing.
  - Cities are encouraged to adopt best practices for surplus land programs including but not limited to:

- Establishing eligibility criteria for the receipt or purchase of surplus land by developers
  - Making the process for requesting surplus land publicly available
  - Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring reversion of property not used for affordable housing within a certain timeframe
- Effective 1/1/2024 – Affordable housing property exemption
    - Land that is owned entirely by a non-profit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of IRC and in compliance with Rev. Proc. 96-32, 1996-1 C.B.717, and is leased for a minimum of 99 years for purpose of and is predominantly used for providing housing to natural persons or families meeting extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, F.S. is exempt from ad valorem taxation.
      - Land is predominately use for qualifying purposes if the square footage of the improvement on the land used for qualifying housing is greater than 50% of the square footage of all improvements on the land. First applies to the 2024 tax roll and is repealed 12/31/2059.
    - Provides definitions



- Allows a county or city to adopt an ordinance to exempt from taxation those portions or property used to provide affordable housing and details criteria.
- Provides tax credits.
- Includes a state housing strategy relating to affordable housing. Intent is for state and local governments working in partnership with communities and private sector.
- Creates a Florida Hometown Hero Program relating to financial assistance to purchase a home.
- Requires a local government to maintain on its website a policy containing procedures and expectations for expedited processing of those building permits and development orders required by law to be expedited. (F.S. 553.792(1)(a))

**SUMMARY OF CHAPTER 2023-169**

**HB 1379**



## **SUMMARY OF CHAPTER 2023-169**

### **HB 1379**

Currently required to include a capital improvement element in the comprehensive plan to consider the need for and location of public facilities to encourage the efficient use of the facilities. The 5 year schedule of capital improvements must now include a list of projects necessary to achieve the pollutant load reductions attributable to the local government as established in a basin management action plan pursuant to s. 403.067(7).

Also must include in the capital improvement element data and analyses upgrades in treatment facilities to meet future needs, prioritizing advanced waste treatment. For a jurisdiction having any development of more than 50 residential lots, whether built or unbuilt, with more than one onsite sewage treatment and disposal system per 1 acre, the element must consider the feasibility of providing sanitary sewer services with a 10-year planning horizon, must identify the name and location of the wastewater facility, the capacity of the facility and associated transmission facilities, projected wastewater flow at that facility for the next 20 years, including expected future new construction and connections of onsite sewage treatment and disposal systems to sanitary sewer, and a timeline for the construction of the sanitary sewer system. Must update the comprehensive plan by July 1, 2024. An onsite sewage treatment and disposal system includes a septic system, grease interceptor, etc..

If the local government is part of the Wekiva Spring - Outstanding Florida Spring, then it is currently required to develop a remediation plan if the onsite sewage treatment and disposal systems with the BMAP

contributes at least 20% of nonpoint source nitrogen pollution or if FDEP requires remediation to achieve the total maximum daily load. Must identify cost-effective and financially feasible projects to reduce the nutrient impacts from septic systems.

Also if within Wekiva Spring – then no new septics where connection is available (defined in 381.0065(2)(a)) to publicly owned or investor-owned sewage system. On lots of 1 acre or less, if not available, then only enhanced nutrient-reducing onsite sewage treatment and disposal systems or other systems that achieve at least 65% nitrogen reduction are authorized.

Must include in the BMAP a list of projects that will achieve the pollutant load reductions needed to meet the total maximum daily load or the load allocations established. Each project must include a planning level cost estimate and an estimated date of completion, and an estimated amount of nutrient reduction that is reasonably expected to be achieved.

Annually local governments subject to a BMAP or located within the basin of a waterbody not attaining nutrient or nutrient-related standards must provide FDEP status of construction of a sanitary sewer.

## **FINANCE REPORT – JULY 2023**

**Town of Montverde**

**Cash Balance Finance Report**

**And**

**Budget to Actual Report**

<b>Date of Report:</b>	<b>AUGUST 2, 2023</b>
<b>Report Beginning Period:</b>	<b>JULY 1, 2023</b>
<b>Report Ending Period:</b>	<b>JULY 31, 2023</b>

**Prepared by: Mai Yang, Finance Director**

**Reviewed by: Paul Larino, Town Manager**

**Cash Summary**

<b>Available Bank Cash - Grants Clearing Account:</b>	<b>\$ 5,872,965.47</b>
<b>Available Bank Cash - Fund Account:</b>	<b>\$ 4,781,206.00</b>
<b>Available Book Cash – Fund Account:</b>	<b>\$10,654,171.47</b>
<b><u>Fund Cash:</u></b>	
<b>Restricted Funds:</b>	<b>\$ 7,458,634.22</b>
<b>Unrestricted Funds:</b>	<b>\$ 3,195,537.25</b>
<b><u>Total Cash:</u></b>	<b>\$10,654,171.47</b>

**TOWN OF MONTVERDE**  
**FINANCE CASH REPORT AS OF: FY JULY 2023 - SEPTEMBER 2023**

**Book and Cash Account**

**Operating Cash Account 1 and 2:**

Beginning Bank Balance	\$4,683,973.72
Revenues	\$657,695.29
Expenditures	<u>\$408,435.96</u>
Ending Bank Balance	\$4,933,233.05
Pending/Outstanding Liabilities	<u>(\$152,027.05)</u>
Available Cash	\$4,781,206.00

**Grant Clearing Cash Account:**

Beginning Bank Balance	\$4,869,411.67
Revenues	\$1,003,553.80
Expenditures (Transfers)	<u>\$0.00</u>
Ending Bank Balance	\$5,872,965.47

**Total Cash Account:**

\$10,654,171.47

**Restricted Funds:**

Parks & Recreation Impact Fee Fund	\$84,844.85
Fire Protection Impact Fee Fund	\$0.00
Road & Street Impact Fee Fund	\$91,723.17
Administrative Impact Fee Fund	\$208,083.19
Water Impact Fee Fund	\$748,987.30
Water Deposit	\$118,101.00
Water Cash	\$77,335.89
ARPA	\$854,267.35
County ARPA	\$5,000,000.00
Interest on the ARPA accounts	\$18,698.12
Capital Projects Appropriations	\$151,000.00
One Half Cent Sales Tax (Transportation Fee)	\$95,521.35
Police	\$6,436.00
Historical	\$3,636.00

**Restricted Funds Total:**

\$7,458,634.22

**Available Unrestricted Funds for General Account:**

\$3,195,537.25



Budget to Actual Summary

Total Reporting Months in this Report: 10 of 12  
 Percentage of the Budget Year: 83.0%

Revenues – General Fund

General Revenue Budgeted: \$2,068,182.06  
 General Revenue Budget Received YTD: \$2,493,126.59  
 Percentage of Budget Received: 120.55%  
 Remaining Revenue to be Received in FY 2022: \$ (424,944.53)

Expenditures – General Fund

General Fund Expenditures Budgeted: \$2,366,582.06  
 General Fund Expenditures Expended YTD: \$1,773,686.00  
 Percentage of Budget Expended: 74.95%  
 Remaining General Fund Budgeted to Expend: \$ 592,896.06

Revenues – Water Fund

Water Revenue Budgeted: \$ 641,276.00  
 Water Revenue Budget Received YTD: \$ 941,737.08  
 Percentage of Budget Received: 146.85%  
 Remaining Revenue to be Received in FY 2022: \$ (300,461.08)

**Expenditures – Water Fund**

Water Fund Expenditures Budgeted:	\$ 641,276.00
Water Fund Expenditures Expended YTD:	\$ 445,610.83
Percentage of Budget Expended:	69.49%
Remaining Water Fund Budgeted to Expend:	\$ 195,665.17

**Revenues – Sewer Fund**

Sewer Revenue Budgeted:	\$ 65,000.00
Sewer Revenue Budget Received YTD:	\$ 118,690.46
Percentage of Budget Received:	182.60%
Remaining Revenue to be Received in FY 2022:	\$ (53,690.46)

**Expenditures – Sewer Fund**

Sewer Fund Expenditures Budgeted:	\$ 65,000.00
Sewer Fund Expenditures Expended YTD:	\$ 25,842.69
Percentage of Budget Expended:	39.76%
Remaining Water Fund Budgeted to Expend:	\$ 39,157.31

**Revenues – Capital Fund**

<b>Capital Revenue Budgeted:</b>	<b>\$ 1,438,000.00</b>
<b>Capital Revenue Budget Received YTD:</b>	<b>\$ 18,698.12</b>
<b>Percentage of Budget Received:</b>	<b>1.30%</b>
<b>Remaining Revenue to be Received in FY 2022:</b>	<b>\$ 1,419,301.88</b>

**Expenditures – Capital Fund**

<b>Capital Fund Expenditures Budgeted:</b>	<b>\$ 11,506,956.00</b>
<b>Capital Fund Expenditures Expended YTD:</b>	<b>\$ 202,834.20</b>
<b>Percentage of Budget Expended:</b>	<b>1.71%</b>
<b>Remaining Capital Fund Budgeted to Expend:</b>	<b>\$ 11,304,121.80</b>

**\*See page 23 for details**

GENERAL FUND REVENUES

General Fund Revenues		Fund 1 Account Code	JULY ACTUALS	Year to Date Actuals	Remaining Balance to Receive	Amended Budget	
311100	AD VALOREM TAXES	Revenue	\$9.24	\$396,255.15	\$15,246.85	\$411,502.00	96.29%
311110	DELINQUENT AD VAL TAXES	Revenue	\$0.00	\$0.00	\$10.00	\$10.00	0.00%
312410	LOCAL OPTON GAS TAX	Revenue	\$5,906.91	\$57,468.63	\$17,531.37	\$75,000.00	76.62%
312600	DISCRETIONARY TAX	Revenue	\$13,493.31	\$148,666.04	\$26,333.96	\$175,000.00	84.95%
314145	ELECTRIC SERVICE TAX	Revenue	\$10,253.54	\$70,415.02	\$9,584.98	\$80,000.00	88.02%
314450	NATURAL GAS SERVICE TAX	Revenue	\$435.47	\$2,939.67	\$260.33	\$3,200.00	91.86%
315100	COMMUNICATIONS SERVICE TAX	Revenue	\$6,013.84	\$56,705.98	(\$4,705.98)	\$52,000.00	109.05%
316100	PROFESSIONAL/OCCUPATIONAL LICENSES	Revenue	\$0.00	\$146.83	(\$96.83)	\$50.00	293.66%
323100	ELECTRIC FRANCHISE FEES	Revenue	\$16,981.54	\$118,955.44	\$16,044.56	\$135,000.00	88.12%
323400	NATURAL GAS FRANCHISE FEES	Revenue	\$611.36	\$4,005.05	(\$5.05)	\$4,000.00	100.13%
325200	FIRE ASSESSMENT FEES	Revenue	\$0.00	\$0.00	\$0.00	\$0.00	
329504	PERMIT FIRE REVIEW	Revenue	\$0.00	\$224.25	\$275.75	\$500.00	44.85%
329505	REINSPECTION FEE	Revenue	\$10,700.00	\$23,975.00	(\$20,875.00)	\$3,100.00	773.39%
329506	PLAN REVIEW	Revenue	\$16,526.30	\$131,394.54	(\$88,894.54)	\$42,500.00	309.16%
329507	BUILDING PERMIT FEES	Revenue	\$49,736.29	\$373,149.36	(\$258,149.36)	\$115,000.00	324.48%
329508	ADMINISTRATIVE FEES	Revenue	\$17,224.76	\$129,846.86	(\$99,846.86)	\$30,000.00	432.82%
329509	STATE PERMIT SURCHARGE	Revenue	\$1,602.70	\$12,144.96	(\$8,644.96)	\$3,500.00	347.00%
329510	ZONING APPLICATION FEES	Revenue	\$2,130.00	\$16,175.00	(\$7,375.00)	\$8,800.00	183.81%
329515	ROW UTILIZATION FEES	Revenue	\$0.00	\$250.00	\$1,950.00	\$2,200.00	11.36%
334908	BALANCE FORWARD FUND APPROPRIATION-GENERAL	Revenue	\$0.00	\$0.00	\$88,721.00	\$88,721.00	0.00%
335120	STATE REVENUE SHARING	Revenue	\$5,417.18	\$50,855.10	\$9,144.90	\$60,000.00	84.76%
335150	ALCOHOLIC BEVERAGE LICENSE	Revenue	\$0.00	\$0.00	\$100.00	\$100.00	0.00%
335180	HALF CENT SALES TAX	Revenue	\$10,618.04	\$95,521.35	\$24,478.65	\$120,000.00	79.60%
335185	GRANTS AND DONATIONS	Revenue	\$0.00	\$0.00	\$2,500.00	\$2,500.00	0.00%
338190	LIBRARY INTERLOCAL W/LAKE COUNTY	Revenue	\$10,473.25	\$71,105.75	(\$47,105.75)	\$24,000.00	296.27%
338195	ONE CENT GAS - LAKE COUNTY	Revenue	\$616.48	\$6,149.45	\$850.55	\$7,000.00	87.85%
341208	LIEN SEARCH CHARGE	Revenue	\$25.00	\$850.00	\$950.00	\$1,800.00	47.22%
341210	NOTARY, COPY FAX FEES	Revenue	\$0.00	\$323.50	(\$123.50)	\$200.00	161.75%
341215	PUBLIC RECORD REQUEST	Revenue	\$0.00	\$0.00	\$50.00	\$50.00	0.00%
341220	MVA TRAFFIC SIGNAL MAINTENANCE	Revenue	\$1,313.88	\$1,313.88	\$986.12	\$2,300.00	57.13%
343400	GARBAGE SERVICE CHARGES	Revenue	\$21,937.13	\$182,855.33	\$82,144.67	\$265,000.00	69.00%
343410	GARBAGE SERVICE LATE CHARGES	Revenue	\$177.18	\$1,259.10	(\$59.10)	\$1,200.00	104.93%
347249	TRUNK OR TREAT	Revenue	\$0.00	\$500.00	(\$300.00)	\$200.00	250.00%
347255	MONTVERDE DAY	Revenue	\$250.00	\$26,415.00	\$21,585.00	\$48,000.00	55.03%
347256	LIGHT UP MONTVERDE	Revenue	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
347257	EASTER EVENT	Revenue	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
347260	LICENSE PLATE REVENUE	Revenue	\$0.00	\$15.00	(\$5.00)	\$10.00	150.00%
347261	LICENSE TAX COLLECTION-FROM DEPT HWY SAFETY	Revenue	\$35.25	\$135.00	(\$35.00)	\$100.00	135.00%
351100	COURT FINES	Revenue	\$683.82	\$4,372.07	(\$1,572.07)	\$2,800.00	156.15%
352100	LIBRARY FINES	Revenue	\$33.85	\$306.70	(\$206.70)	\$100.00	306.70%
354200	CODE COMPLIANCE FINES	Revenue	\$995.00	\$9,491.00	(\$9,491.00)	\$0.00	#DIV/0!
361000	FEMA - HURRICANE REVENUE	Revenue	\$0.00	\$6,933.33	\$66,755.73	\$73,689.06	9.41%
361100	INTEREST EARNINGS	Revenue	\$2,148.49	\$20,822.08	(\$16,322.08)	\$4,500.00	462.71%
362100	17406 7th Street - Beauty Shop	Revenue	\$1,234.00	\$12,499.09	\$1,500.91	\$14,000.00	89.28%
362240	RENTAL REVENUE - BALLFIELD	Revenue	\$0.00	\$348.00	(\$148.00)	\$200.00	174.00%
362260	RENTAL INCOME - CELL TOWER	Revenue	\$0.00	\$38,549.46	(\$549.46)	\$38,000.00	101.45%
362300	POST OFFICE RENTAL REVENUE	Revenue	\$1,568.00	\$15,680.00	\$2,420.00	\$18,100.00	86.63%
364100	SALE OF ASSET (EQUIP/VEHICLE/MACHINERY)	Revenue	\$0.00	\$6,100.00	\$119,400.00	\$125,500.00	4.86%
366000	DONATIONS	Revenue	\$0.00	\$20.00	\$480.00	\$500.00	4.00%
366240	RENTAL OF COMMUNITY BUILDING	Revenue	\$0.00	\$965.00	\$1,035.00	\$2,000.00	48.25%
366245	CONTRIBUTIONS TO CEMETRY	Revenue	\$0.00	\$25.00	\$175.00	\$200.00	12.50%
369900	OTHER MISCELLANEOUS REVENUE	Revenue	\$97,503.60	\$396,992.62	(\$371,992.62)	\$25,000.00	1587.97%
388800	LIBRARY BOOK SALES	Revenue	\$0.00	\$6.00	\$44.00	\$50.00	12.00%
<b>TOTAL GENERAL FUND REVENUES</b>			<b>\$306,655.41</b>	<b>\$2,493,126.59</b>	<b>(\$424,944.53)</b>	<b>\$2,068,182.06</b>	<b>120.55%</b>

**WATER FUND REVENUE**

**400 WATER ENTERPRISE REVENUES**

	JULY ACTUALS	Year to Date Actuals	Remaining Bal to Expend	Amended Budget	
343300 WATER SERVICE CHARGES POTABLE	\$87,491.37	\$412,960.29	\$54,715.71	467,676.00	88.30%
343301 IRRIGATION WATER SERVICE	\$8,151.94	\$54,803.43	(\$16,803.43)	38,000.00	144.22%
343303 BULK WATER SALES	(\$420.00)	\$30,633.00	(\$29,633.00)	1,000.00	3063.30%
343310 WATER LATE FEE	\$1,313.30	\$5,065.17	(\$1,865.17)	3,200.00	158.29%
343320 ADMIN-HOOKUP FEES	\$1,260.00	\$11,546.43	(\$5,746.43)	5,800.00	199.08%
343330 WATER METER INSTALL FEES	\$25,200.00	\$409,500.00	(\$284,500.00)	125,000.00	327.60%
343500 SURCHARGE	\$30.33	\$15,419.35	(\$15,419.35)	0.00	
361100 INTEREST EARNING	\$920.78	\$1,769.41	(\$1,269.41)	500.00	353.88%
369900 OTHER MISC REVENUES	\$0.00	\$40.00	\$60.00	100.00	40.00%
Water Fund Revenues:	<b>\$123,947.72</b>	<b>\$941,737.08</b>	<b>(\$300,461.08)</b>	<b>641,276.00</b>	<b>146.85%</b>

**TOTAL WATER REVENUES: \$123,947.72 \$941,737.08 (\$300,461.08) 641,276.00 146.85%**

**SEWER (WASTE WATER) REVENUE**

**421 SEWER ENTERPRISE REVENUES**

	JULY ACTUALS	Year to Date Actuals	Remaining Bal to Expend	Amended Budget	
343305 SEWER SERVICE CHARGE	\$3,205.16	\$25,119.27	\$3,880.73	\$29,000.00	86.62%
343307 SEWER CONNECTION FEE	\$8,500.00	\$85,000.00	(\$49,000.00)	\$36,000.00	236.11%
343500 SEWER SURCHARGE	\$3,226.45	\$8,571.19	(\$8,571.19)	\$0.00	
Sewer - Waste Water Fund Revenues:	<b>\$14,931.61</b>	<b>\$118,690.46</b>	<b>(\$53,690.46)</b>	<b>\$65,000.00</b>	<b>182.60%</b>

**TOTAL SEWER REVENUES: \$14,931.61 \$118,690.46 (\$53,690.46) \$65,000.00 182.60%**

## GRANTS, LOANS AND APPROPRIATION, MISCELLANEOUS REVENUE

GRANTS AND LOANS	JULY	Year To Date Revenues	Amended Budgeted Revenue	Revenue To Be Received
DEP STATE GRANTS	\$0.00	\$0.00	\$216,000.00	\$216,000.00
INTEREST EARNINGS	\$3,553.80	\$18,698.12	\$0.00	(\$18,698.12)
LIBRARY IMPACT FEE INTRAGOVERNMENTAL	\$0.00		\$972,000.00	\$972,000.00
FUND BALANCE FORWARD APPROPRIATION	\$0.00	\$0.00	\$250,000.00	\$250,000.00
TOTAL	\$3,553.80	\$18,698.12	\$1,438,000.00	\$1,419,301.88

## TOTAL RECAP OF REVENUE

### Town of Montverde Revenue and Appropriation

Revenues	JULY REVENUES	Year To Date Revenues	Amended Annual Budget	Revenue To Be Received	Percent Received
Total General Fund Revenues	\$306,655.41	\$2,493,126.59	\$2,068,182.06	(\$424,944.53)	120.55%
Total Water Fund Revenues	\$123,947.72	\$941,737.08	\$641,276.00	(\$300,461.08)	146.85%
Total Sewer Fund Revenues	\$14,931.61	\$118,690.46	\$65,000.00	(\$53,690.46)	182.60%
Total Impact Fees	\$79,207.92	\$564,929.31	\$713,000.00	\$148,070.69	79.23%
Total Grant and Loan	\$3,553.80	\$18,698.12	\$1,438,000.00	\$1,419,301.88	1.30%
<b>SUB-TOTAL</b>	<b>\$528,296.46</b>	<b>\$4,137,181.56</b>	<b>\$4,925,458.06</b>	<b>\$788,276.50</b>	<b>84.00%</b>

GENERAL FUND GROUP EXPENDITURES

General Fund Group Expenditures	JULY ACTUALS	Year to Date Actuals	Remaining Bal to Expend	Amended Annual Budget	
Council Stipend/Seminars (511)	\$3,834.52	\$49,471.64	\$19,278.36	\$68,750.00	71.96%
Town Manager Department (512)	\$12,429.46	\$142,908.92	\$47,353.08	\$190,262.00	75.11%
Financial & Administrative (513)	\$17,977.59	\$133,983.79	\$32,436.21	\$166,420.00	80.51%
Legal Section (514)	\$5,544.09	\$65,013.23	\$13,486.77	\$78,500.00	82.82%
Permitting (519)	\$53,106.67	\$429,127.97	(\$37,684.97)	\$391,443.00	109.63%
Citizens on Patrol Program (520)	\$5,215.96	\$104,854.85	\$55,795.15	\$160,650.00	65.27%
FireControl (522)	\$78.55	\$26,811.79	\$40,188.21	\$67,000.00	40.02%
Code Compliance (524)	\$1,230.24	\$12,933.53	\$5,266.47	\$18,200.00	71.06%
Garbage/Solid Waste Control (534)	\$17,503.37	\$146,092.83	\$73,907.17	\$220,000.00	66.41%
Public Works Department (539)	\$4,267.37	\$118,130.21	\$171,922.85	\$290,053.06	40.73%
Road Department & Street (541)	\$5,557.00	\$189,483.41	\$61,954.59	\$251,438.00	75.36%
Special Events Section (559)	\$2,442.50	\$78,259.75	\$8,260.25	\$86,520.00	90.45%
Cemetery Section (569)	\$0.00	\$2,700.00	\$4,730.00	\$7,430.00	36.34%
Library Section (571)	\$6,602.04	\$104,816.82	\$39,586.18	\$144,403.00	72.59%
Parks Department (572)	\$11,365.01	\$169,097.26	\$56,415.74	\$225,513.00	74.98%
<b>TOTAL GENERAL FUND EXPENDITURE</b>	<b>\$147,154.37</b>	<b>\$1,773,686.00</b>	<b>\$592,896.06</b>	<b>\$2,366,582.06</b>	<b>74.95%</b>



	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
<b>COUNCIL STIPEND/MEMBERSHIP/SEMINARS (511)</b>						
WORKERS COMPENSATION- <i>QUARTERLY</i>	1-511000-240	\$0.00	\$550.00	\$0.00	\$550.00	100.00%
UNIFORM AND CLOTHING	1-511000-250	\$0.00	\$146.20	\$353.80	\$500.00	29.24%
COUNCIL STIPEND	1-511000-342	\$3,050.00	\$30,000.00	\$6,600.00	\$36,600.00	81.97%
TRAVEL	1-511000-400	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
ELECTION EXPENSE	1-511000-445	\$0.00	\$0.00	\$2,500.00	\$2,500.00	0.00%
INSURANCE- <i>QUARTERLY</i>	1-511000-450	\$0.00	\$4,800.00	\$0.00	\$4,800.00	100.00%
PRINTING AND COPYING	1-511000-470	\$0.00	\$20.81	\$479.19	\$500.00	4.16%
OTHER CURRENT CHARGES	1-511000-490	\$0.00	\$2,274.12	(\$2,274.12)	\$0.00	
COUNCIL WORKSHOP & COMMUNITY MEALS	1-511000-491	\$784.52	\$9,957.07	\$4,942.93	\$14,900.00	66.83%
OFFICE SUPPLY	1-511000-510	\$0.00	\$355.54	\$644.46	\$1,000.00	35.55%
SUBSCRIPTIONS & MEMBERSHIP	1-511000-540	\$0.00	\$1,347.90	\$1,152.10	\$2,500.00	53.92%
SEMINARS AND TRAINING	1-511000-550	\$0.00	\$20.00	\$2,480.00	\$2,500.00	0.80%
ECONOMIC DEVELOPMENT	1-511000-551	\$0.00	\$0.00	\$1,900.00	\$1,900.00	0.00%
<b>ACCOUNT TOTAL</b>		<b>\$3,834.52</b>	<b>\$49,471.64</b>	<b>\$19,278.36</b>	<b>\$68,750.00</b>	<b>71.96%</b>

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
<b>TOWN MANAGER DEPARTMENT (512)</b>						
REGULAR SALARY & WAGES	1-512000-110	\$7,852.16	\$80,338.08	\$21,739.92	\$102,078.00	78.70%
CELL PHONE ALLOWANCE	1-512000-111	\$36.92	\$387.66	\$92.34	\$480.00	80.76%
CAR ALLOWANCE	1-512000-112	\$477.24	\$4,957.02	\$1,242.98	\$6,200.00	79.95%
EMPLOYEE CHRISTMAS/PERFORM BONUS	1-512000-121	\$0.00	\$6,000.00	\$4,500.00	\$10,500.00	57.14%
FICA MATCHING	1-512000-210	\$637.34	\$6,695.31	\$2,291.69	\$8,987.00	74.50%
RETIREMENT PLAN	1-512000-220	\$2,277.12	\$25,696.77	\$3,920.23	\$29,617.00	86.76%
HEALTH INSURANCE	1-512000-230	\$1,021.38	\$10,036.80	\$2,763.20	\$12,800.00	78.41%
SHORT TERM DISABILITY	1-512000-234	\$87.30	\$873.00	\$327.00	\$1,200.00	72.75%
WORKERS COMPENSATION- <i>QUARTERLY</i>	1-512000-240	\$0.00	\$500.00	\$0.00	\$500.00	100.00%
UNIFORMS & CLOTHING	1-512000-250	\$0.00	\$98.58	\$401.42	\$500.00	19.72%
TRAVEL	1-512000-400	\$0.00	\$0.00	\$4,500.00	\$4,500.00	0.00%
TELEPHONE	1-512000-410	\$0.00	\$55.66	(\$55.66)	\$0.00	
INSURANCE - <i>QUARTERLY</i>	1-512000-450	\$0.00	\$2,800.00	\$0.00	\$2,800.00	100.00%
EMPLOYEE APPRECIATION/TRAINING MEALS	1-512000-492	\$0.00	\$1,813.37	\$686.63	\$2,500.00	72.53%
OFFICE SUPPLIES	1-512000-510	\$0.00	\$218.88	\$781.12	\$1,000.00	21.89%
OPERATING SUPPLIES	1-512000-520	\$0.00	\$308.99	\$691.01	\$1,000.00	30.90%
SUBSCRIPTIONS & MEMBERSHIP	1-512000-540	\$40.00	\$900.80	\$899.20	\$1,800.00	50.04%
SEMINARS AND TRAINING	1-512000-550	\$0.00	\$1,228.00	\$2,572.00	\$3,800.00	32.32%
<b>ACCOUNT TOTAL</b>		<b>\$12,429.46</b>	<b>\$142,908.92</b>	<b>\$47,353.08</b>	<b>\$190,262.00</b>	<b>75.11%</b>

TOWN  
MANAGER  
100%

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
<b>FINANCE &amp; ADMINISTRATION (513)</b>						
REGULAR SALARIES & WAGES	1-513000-120	\$8,515.02	\$60,467.51	\$11,995.49	\$72,463.00	83.45%
OVERTIME	1-513000-140	\$308.27	\$3,236.77	\$1,263.23	\$4,500.00	71.93%
FICA MATCHING	1-513000-210	\$713.23	\$5,380.87	\$996.13	\$6,377.00	84.38%
RETIREMENT PLAN	1-513000-220	\$1,197.32	\$7,845.42	\$784.58	\$8,630.00	90.91%
HEALTH INSURANCE	1-513000-230	\$869.24	\$8,578.98	\$721.02	\$9,300.00	92.25%
SHORT TERM DISABILITY	1-513000-234	\$31.06	\$310.79	\$239.21	\$550.00	56.51%
WORKS COMPENSATION - <i>QUARTERLY</i>	1-513000-240	\$0.00	\$1,200.00	\$0.00	\$1,200.00	100.00%
UNIFORMS AND CLOTHING	1-513000-250	\$214.12	\$214.12	\$285.88	\$500.00	240.00%
PROFESSIONAL SERVICES	1-513000-310	\$0.00	\$0.00	\$2,500.00	\$2,500.00	0.00%
ACCOUNTING & AUDITING	1-513000-320	\$3,750.00	\$10,250.00	(\$1,750.00)	\$8,500.00	120.59%
BANK FINANCE CHARGES	1-513000-330	\$37.50	\$312.50	\$87.50	\$400.00	78.13%
CONTRACTUAL SERVICES TOTAL	1-513000-340	\$427.62	\$9,673.08	(\$173.08)	\$9,500.00	101.82%
TRAVEL	1-513000-400	\$0.00	\$67.01	\$932.99	\$1,000.00	6.70%
TELEPHONE	1-513000-410	\$36.11	\$1,342.83	\$2,157.17	\$3,500.00	38.37%
INTERNET	1-513000-411	\$166.67	\$1,385.71	\$1,114.29	\$2,500.00	55.43%
POSTAGE & FREIGHT	1-513000-420	\$218.51	\$968.65	\$31.35	\$1,000.00	96.87%
UTILITIES	1-513000-430	\$775.70	\$4,234.81	\$265.19	\$4,500.00	21.53%
RENTALS & LEASES (copier)	1-513000-440	\$47.00	\$1,282.29	\$1,717.71	\$3,000.00	141.16%
INSURANCE - <i>QUARTERLY</i>	1-513000-450	\$0.00	\$8,500.00	\$0.00	\$8,500.00	15.09%
REPAIR AND MAINTENANCE	1-513000-460	\$425.00	\$5,387.51	\$2,612.49	\$8,000.00	106.25%
PRINTING & COPYING	1-513000-470	\$0.00	\$180.66	\$819.34	\$1,000.00	538.75%
OTHER CHARGES (recording & misc. fees)	1-513000-490	\$43.88	\$1,408.15	\$591.85	\$2,000.00	9.03%
OFFICE SUPPLIES	1-513000-510	\$84.90	\$969.53	\$1,530.47	\$2,500.00	56.33%
OPERATING SUPPLIES	1-513000-520	\$0.00	\$150.16	\$849.84	\$1,000.00	96.95%
SUBSCRIPTIONS, MEMBERSHIPS & TRAINING	1-513000-540	\$75.00	\$149.00	\$851.00	\$1,000.00	15.02%
SEMINARS AND TRAINING	1-513000-550	\$41.44	\$487.44	\$1,512.56	\$2,000.00	7.45%
ALL TOOLS AND EQUIPMENT	1-513000-560	\$0.00	\$0.00	\$500.00	\$500.00	97.49%
<b>ACCOUNT TOTAL</b>		<b>\$17,977.59</b>	<b>\$133,983.79</b>	<b>\$32,436.21</b>	<b>\$166,420.00</b>	<b>80.51%</b>

TOWN CLERK 40%  
FINANCE DIR  
100 %

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
<b>TOTAL SECTION (514)</b>						
PROFESSIONAL SERVICES - LEGAL	1-514000-310	\$3,527.50	\$42,391.69	\$2,608.31	\$45,000.00	94.20%
LEGAL SERVICE ZONING REVIEW/DEVELOPMENT	1-514000-311	\$2,016.59	\$22,621.54	\$9,878.46	\$32,500.00	69.60%
OTHER CURRENT CHARGES	1-514000-490	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
OFFICE SUPPLIES	1-514000-510	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
<b>ACCOUNT TOTAL</b>		<b>\$5,544.09</b>	<b>\$65,013.23</b>	<b>\$13,486.77</b>	<b>\$78,500.00</b>	<b>82.82%</b>

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
<b>PERMITTING (519)</b>						
REGULAR SALARIES & WAGES	1-519000-120	\$2,982.81	\$30,578.62	\$7,541.38	\$38,120.00	80.22%
OVERTIME	1-519000-140	\$108.08	\$2,861.87	\$3,138.13	\$6,000.00	47.70%
FICA MATCHING	1-519000-210	\$147.55	\$1,657.08	\$1,702.92	\$3,360.00	49.32%
RETIREMENT PLAN	1-519000-220	\$419.37	\$4,146.76	\$400.24	\$4,547.00	91.20%
HEALTH INSURANCE	1-519000-230	\$909.75	\$8,959.34	\$1,840.66	\$10,800.00	82.96%
SHORT TERM DISABILITY	1-519000-234	\$32.03	\$320.22	\$145.78	\$466.00	68.72%
WORKERS COMPENSATION - <i>QUARTERLY</i>	1-519000-240	\$0.00	\$350.00	\$0.00	\$350.00	100.00%
UNIFORMS AND CLOTHING	1-519000-250	\$0.00	\$0.00	\$150.00	\$150.00	0.00%
PROFESSIONAL SERVICES - PARKS CONSULT	1-519000-310	\$680.00	\$12,059.32	\$1,440.68	\$13,500.00	89.33%
BUILDING OFFICIAL FEES	1-519000-315	\$31,852.63	\$300,315.09	(\$48,315.09)	\$252,000.00	119.17%
BANK FINANCE CHARGE	1-519000-330	\$319.62	\$15,691.91	\$2,408.09	\$18,100.00	86.70%
CONTRACTUAL SERVICES	1-519000-340	\$1,277.62	\$29,366.30	\$633.70	\$30,000.00	97.89%
MUNICODE	1-519000-350	\$0.00	\$3,508.18	\$2,991.82	\$6,500.00	53.97%
TELEPHONE	1-519000-410	\$0.00	\$617.07	\$382.93	\$1,000.00	61.71%
INTERNET	1-519000-411	\$166.67	\$494.97	\$505.03	\$1,000.00	49.50%
RENTALS AND LEASES	1-519000-440	\$47.00	\$1,020.75	(\$220.75)	\$800.00	127.59%
INSURANCE - <i>QUARTERLY</i>	1-519000-450	\$0.00	\$2,500.00	\$0.00	\$2,500.00	100.00%
PRINTING AND COPYING	1-519000-470	\$0.00	\$148.32	\$601.68	\$750.00	19.78%
OTHER CURRENT CHARGES	1-519000-490	\$0.00	\$172.41	\$77.59	\$250.00	68.96%
OFFICE SUPPLIES	1-519000-510	\$0.00	\$36.08	\$713.92	\$750.00	4.81%
OPERATING SUPPLIES	1-519000-520	\$13,228.15	\$13,228.15	(\$12,728.15)	\$500.00	2645.63%
SUBSCRIPTIONS, MEMBERSHIP	1-519000-540	\$80.00	\$117.00	(\$117.00)	\$0.00	
SEMINARS AND TRAINING	1-519000-550	\$855.39	\$978.53	(\$978.53)	\$0.00	
<b>ACCOUNT TOTAL</b>		<b>\$53,106.67</b>	<b>\$429,127.97</b>	<b>(\$37,684.97)</b>	<b>\$391,443.00</b>	<b>109.63%</b>

UTILITY/PERMIT  
50%  
TOWN CLERK  
20%

GENERAL FUND EXPENDITURE BREAKDOWN BY DEPARTMENT

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
<b>PUBLIC SAFETY (520)</b>						
WORKERS COMP. - <i>QUARTERLY</i>	1-520000-240	\$0.00	\$400.00	\$0.00	\$400.00	100.00%
UNIFORMS & CLOTHING	1-520000-250	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
CONTRACTUAL SERVICE - HIGHWAY PATROL	1-520000-343	\$4,806.00	\$46,806.30	\$25,693.70	\$72,500.00	64.56%
CONTRACTUAL SERVICE -PARK SECURITY	1-520000-344	\$0.00	\$31,567.56	\$22,432.44	\$54,000.00	58.46%
TELEPHONE	1-520000-410	\$40.27	\$402.91	\$97.09	\$500.00	80.58%
INTERNET	1-520000-411	\$0.00	\$4,022.32	\$5,477.68	\$9,500.00	42.34%
UTILITIES	1-520000-430	\$262.93	\$1,499.56	\$50.44	\$1,550.00	96.75%
EQUIPMENT LEASES (VEHICLES)	1-520000-442	\$0.00	\$13,487.40	\$12.60	\$13,500.00	99.91%
INSURANCE - <i>QUARTERLY</i>	1-520000-450	\$0.00	\$1,200.00	\$0.00	\$1,200.00	100.00%
REPAIR & MAINTENANCE	1-520000-460	\$0.00	\$3,091.08	(\$1,091.08)	\$2,000.00	154.55%
OTHER CURRENT CHARGES	1-520000-490	\$73.07	\$592.23	(\$92.23)	\$500.00	118.45%
VOLUNTEER APPRECIATION	1-520000-493	\$0.00	\$346.75	\$153.25	\$500.00	69.35%
OPERATING SUPPLIES	1-520000-520	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
FUEL	1-520000-521	\$33.69	\$1,438.74	\$2,061.26	\$3,500.00	41.11%
<b>ACCOUNT TOTAL</b>		<b>\$5,215.96</b>	<b>\$104,854.85</b>	<b>\$55,795.15</b>	<b>\$160,650.00</b>	<b>65.27%</b>

GENERAL FUND EXPENDITURE BREAKDOWN BY DEPARTMENT

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
<b>FIRE CONTROL (522)</b>						
UTILITIES	1-522000-430	\$78.55	\$870.73	(\$870.73)	\$0.00	
INSURANCE - <i>QUARTERLY</i>	1-522000-450	\$0.00	\$4,500.00	\$0.00	\$4,500.00	100.00%
TOTAL REPAIR & MAINTENANCE	1-522000-460	\$0.00	\$21,441.06	\$41,058.94	\$62,500.00	34.31%
<b>ACCOUNT TOTAL</b>		<b>\$78.55</b>	<b>\$26,811.79</b>	<b>\$40,188.21</b>	<b>\$67,000.00</b>	<b>40.02%</b>

**DE COMPLIANCE (524)**

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
PROFESSIONAL SERVICES	1-524000-310	\$0.00	\$5,799.93	\$4,700.07	\$10,500.00	55.24%
LEGAL SERVICE	1-524000-313	\$931.50	\$6,761.89	(\$761.89)	\$6,000.00	112.70%
POSTAGE & FREIGHT	1-524000-420	\$199.74	\$199.74	\$650.26	\$850.00	23.50%
OTHER CURRENT CHARGES	1-524000-490	\$99.00	\$171.97	\$78.03	\$250.00	68.79%
OFFICE SUPPLY	1-524000-510	\$0.00	\$0.00	\$100.00	\$100.00	0.00%
SEMINARS AND TRAINING	1-524000-550	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
<b>ACCOUNT TOTAL</b>		<b>\$1,230.24</b>	<b>\$12,933.53</b>	<b>\$5,266.47</b>	<b>\$18,200.00</b>	<b>71.06%</b>

**GARBAGE/SOLID WASTE (534)**

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
CONTRACTUAL SERVICES (WASTE PRO)	1-534000-340	\$17,503.37	\$146,092.83	\$73,907.17	\$220,000.00	66.41%
BAD DEBT	1-534000-570			\$0.00	\$0.00	
<b>ACCOUNT TOTAL</b>		<b>\$17,503.37</b>	<b>\$146,092.83</b>	<b>\$73,907.17</b>	<b>\$220,000.00</b>	<b>66.41%</b>

**PUBLIC WORKS (539)**

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
REGULAR SALARIES & WAGES	1-539000-120	\$1,368.31	\$13,850.63	\$3,947.37	\$17,798.00	77.82%
OVERTIME	1-539000-140	\$23.09	\$650.08	\$2,849.92	\$3,500.00	18.57%
FICA MATCHING	1-539000-210	\$105.92	\$1,122.99	\$443.01	\$1,566.00	71.71%
RETIREMENT PLAN	1-539000-220	\$188.81	\$1,828.41	\$371.59	\$2,200.00	83.11%
HEALTH INSURANCE	1-539000-230	\$370.07	\$3,640.29	\$1,173.71	\$4,814.00	75.62%
SHORT TERM DISABILITY	1-539000-234	\$19.42	\$194.29	(\$45.29)	\$149.00	130.40%
WORKERS COMPENSATION - QUARTERLY	1-539000-240	\$0.00	\$237.52	(\$0.52)	\$237.00	100.22%
UNIFORMS AND CLOTHING	1-539000-250	\$0.00	\$613.71	(\$363.71)	\$250.00	245.48%
CONTRACTUAL SERVICES	1-539000-340	\$0.00	\$196.20	\$803.80	\$1,000.00	19.62%
TRAVEL	1-539000-400	\$0.00	\$0.00	\$250.00	\$250.00	0.00%
TELEPHONE	1-539000-410	\$40.27	\$402.91	\$147.09	\$550.00	73.26%
UTILITIES	1-539000-430	\$0.00	\$0.00	\$1,500.00	\$1,500.00	0.00%
EQUIPMENT LEASES (VEHICLES)	1-539000-442	\$0.00	\$26,800.00	\$0.00	\$26,800.00	100.00%
INSURANCE - QUARTERLY	1-539000-450	\$0.00	\$4,800.00	\$0.00	\$4,800.00	100.00%
REPAIR & MAINTENANCE	1-539000-460	\$150.16	\$3,898.33	\$8,101.67	\$12,000.00	32.49%
OTHER CURRENT CHARGES	1-539000-490	\$0.00	\$401.60	(\$151.60)	\$250.00	160.64%
OFFICE SUPPLIES	1-539000-510	\$0.00	\$76.56	\$123.44	\$200.00	2.73%
OPERATING SUPPLIES	1-539000-520	\$0.00	\$1,130.00	(\$630.00)	\$500.00	226.00%
FUEL	1-539000-521	\$339.32	\$1,916.91	\$7,583.09	\$9,500.00	20.18%
SUBSCRIPTIONS, MEMBERSHIP	1-539000-540	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
SMALL TOOLS & EQUIPMENT	1-539000-560	\$0.00	\$24.32	(\$24.32)	\$0.00	
HURRICANE REPAIR/EXPENSE	1-539000-606	\$0.00	\$54,683.46	\$19,005.60	\$73,689.06	74.21%
MACHINERY AND EQUIPMENT	1-539000-640	\$1,662.00	\$1,662.00	\$126,338.00	\$128,000.00	1.30%
<b>ACCOUNT TOTAL</b>		<b>\$4,267.37</b>	<b>\$118,130.21</b>	<b>\$171,922.85</b>	<b>\$290,053.06</b>	<b>40.73%</b>

P.W. DIRECTOR  
25%

ROADS AND STREETS (541)	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget		
REGULAR SALARIES & WAGES	1-541000-120	\$0.00	\$20,114.96	\$22,370.04	\$42,485.00	47.35%	P.W. TECH 2 100%
OVERTIME	1-541000-140	\$0.00	\$644.14	\$2,855.86	\$3,500.00	18.40%	
FICA MATCHING	1-541000-210	\$0.00	\$1,558.76	\$2,180.24	\$3,739.00	41.69%	
RETIREMENT	1-541000-220	\$0.00	\$2,699.81	\$2,360.19	\$5,060.00	53.36%	
HEALTH INSURANCE	1-541000-230	\$0.00	\$7,087.82	\$1,798.18	\$8,886.00	79.76%	
SHORT TERM DISABILITY	1-541000-234	\$0.00	\$299.20	\$135.80	\$435.00	68.78%	
WORKERS COMPENSATION - QUARTERLY	1-541000-240	\$0.00	\$583.00	\$0.00	\$583.00	100.00%	
UNIFORM & CLOTHING	1-541000-250	\$0.00	\$0.00	\$350.00	\$350.00	0.00%	
PROFESSIONAL SERVICES	1-541000-310	\$0.00	\$0.00	\$2,000.00	\$2,000.00	0.00%	
CONTRACTUAL SERVICES	1-541000-340	\$100.00	\$8,345.50	\$7,654.50	\$16,000.00	19.62%	
UTILITIES	1-541000-430	\$17.56	\$200.19	\$11,799.81	\$12,000.00	1.67%	
STREET LIGHTING - POWER	1-541000-431	\$4,173.12	\$40,590.30	(\$5,590.30)	\$35,000.00	115.97%	
INSURANCE - QUARTERLY	1-541000-450	\$0.00	\$5,800.00	\$0.00	\$5,800.00	100.00%	
REPAIR & MAINTENANCE	1-541000-460	\$1,266.32	\$17,811.42	(\$3,811.42)	\$14,000.00	127.22%	
SIGNAL MAINTENANCE	1-541000-461	\$0.00	\$0.00	\$2,600.00	\$2,600.00	0.00%	
OTHER CURRENT CHARGES	1-541000-490	\$0.00	\$1,751.96	(\$751.96)	\$1,000.00	175.20%	
OPERATING SUPPLIES	1-541000-520	\$0.00	\$248.16	\$2,251.84	\$2,500.00	9.93%	
ROAD MATERIAL & SUPPLIES	1-541000-530	\$0.00	\$0.00	\$7,000.00	\$7,000.00	0.00%	
DECORATIONS/FLAGS	1-541000-607	\$0.00	\$2,294.88	\$1,205.12	\$3,500.00	65.57%	
INFRASTRUCTURE -	1-541000-630	\$0.00	\$73,432.64	\$6,567.36	\$80,000.00	91.79%	
MACHINERY AND EQUIPMENT	1-541000-640	\$0.00	\$6,020.67	(\$1,020.67)	\$5,000.00	120.41%	
<b>ACCOUNT TOTAL</b>		<b>\$5,557.00</b>	<b>\$189,483.41</b>	<b>\$61,954.59</b>	<b>\$251,438.00</b>	<b>75.36%</b>	

SPECIAL EVENTS (559)	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget		
WORKERS COMP - QUARTERLY	1-559000-240	\$0.00	\$540.00	\$0.00	\$540.00	100.00%	
INSURANCE - QUARTERLY	1-559000-450	\$0.00	\$2,280.00	\$0.00	\$2,280.00	100.00%	
MONTVERDE DAY	1-559000-481	\$2,442.50	\$58,406.54	\$6,593.46	\$65,000.00	89.86%	
LIGHT UP MONTVERDE	1-559000-482	\$0.00	\$6,204.28	\$1,795.72	\$8,000.00	77.55%	
FALL & SPRING CONCERT SERIES	1-559000-483	\$0.00	\$5,377.00	(\$377.00)	\$5,000.00	107.54%	
EASTER EVENT	1-559000-484	\$0.00	\$4,425.02	(\$2,225.02)	\$2,200.00	201.14%	
TRUNK OR TREAT	1-559000-485	\$0.00	\$1,026.91	\$2,473.09	\$3,500.00	29.34%	
<b>ACCOUNT TOTAL</b>		<b>\$2,442.50</b>	<b>\$78,259.75</b>	<b>\$8,260.25</b>	<b>\$86,520.00</b>	<b>90.45%</b>	

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
<b>CEMETERY (569)</b>						
WORKERS COMP - <i>QUARTERLY</i>	1-569000-420	\$0.00	\$300.00	\$0.00	\$300.00	100.00%
POSTAGE AND FREIGHT	1-569000-420	\$0.00	\$0.00	\$980.00	\$980.00	0.00%
INSURANCE - <i>QUARTERLY</i>	1-569000-450	\$0.00	\$2,400.00	\$0.00	\$2,400.00	100.00%
REPAIR & MAINTENANCE	1-569000-460	\$0.00	\$0.00	\$2,500.00	\$2,500.00	0.00%
OTHER CURRENT CHARGES	1-569000-490	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
BENEVOLENCE	1-569000-494	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
OFFICE SUPPLIES	1-569000-510	\$0.00	\$0.00	\$250.00	\$250.00	0.00%
<b>ACCOUNT TOTAL</b>		<b>\$0.00</b>	<b>\$2,700.00</b>	<b>\$4,730.00</b>	<b>\$7,430.00</b>	<b>36.34%</b>

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
<b>LIBRARY (571)</b>						
REGULAR SALARIES & WAGES	1-571000-120	\$4,388.04	\$50,079.27	\$21,529.73	\$71,609.00	69.93%
OVERTIME	1-571000-140	\$10.14	\$843.64	\$1,156.36	\$2,000.00	42.18%
FICA	1-571000-210	\$333.78	\$3,868.70	\$2,432.30	\$6,301.00	61.40%
RETIREMENT	1-571000-220	\$596.83	\$6,230.99	\$2,297.01	\$8,528.00	73.07%
HEALTH INSURANCE	1-571000-230	\$267.02	\$3,121.16	\$8,378.84	\$11,500.00	27.14%
SHORT TERM DISABILITY	1-571000-234	\$46.62	\$466.20	\$198.80	\$665.00	70.11%
WORKERS COMPENSATION- <i>QUARTERLY</i>	1-571000-240	\$0.00	\$350.00	\$0.00	\$350.00	100.00%
UNIFORMS & CLOTHING	1-571000-250	\$0.00	\$95.45	\$154.55	\$250.00	38.18%
CONTRACTUAL SERVICES TOTAL	1-571000-340	\$377.62	\$8,894.15	(\$4,394.15)	\$4,500.00	197.65%
TRAVEL	1-571000-400	\$0.00	\$159.96	\$90.04	\$250.00	63.98%
TELEPHONE	1-571000-410	\$0.00	\$906.21	\$1,293.79	\$2,200.00	41.19%
INTERNET - MONTHLY	1-571000-411	\$0.00	\$13,500.00	\$2,500.00	\$16,000.00	84.38%
POSTAGE AND FREIGHT	1-571000-420	\$0.00	\$0.00	\$250.00	\$250.00	0.00%
UTILITIES	1-571000-430	\$0.00	\$3,624.97	\$875.03	\$4,500.00	80.55%
RENTALS AND LEASES	1-571000-440	\$581.99	\$893.08	(\$893.08)	\$0.00	#DIV/0!
INSURANCE - <i>QUARTERLY</i>	1-571000-450	\$0.00	\$6,500.00	\$0.00	\$6,500.00	100.00%
REPAIR AND MAINTENANCE	1-571000-460	\$0.00	\$3,285.78	(\$2,285.78)	\$1,000.00	328.58%
PROMOTIONAL ACTIVITIES	1-571000-480	\$0.00	\$250.00	\$250.00	\$500.00	50.00%
OTHER CURRENT CHARGES	1-571000-490	\$0.00	\$541.12	(\$41.12)	\$500.00	108.22%
OFFICE SUPPLIES	1-571000-510	\$0.00	\$830.29	\$169.71	\$1,000.00	83.03%
OPERATING SUPPLIES	1-571000-520	\$0.00	\$62.99	\$437.01	\$500.00	12.60%
SUBSCRIPTIONS, MEMBERSHIP	1-571000-540	\$0.00	\$208.21	\$291.79	\$500.00	41.64%
MACHINE AND EQUIPMENT	1-571000-640	\$0.00	\$0.00	\$500.00	\$500.00	0.00%
LIBRARY BOOKS	1-571000-660	\$0.00	\$104.65	\$4,395.35	\$4,500.00	2.33%
<b>ACCOUNT TOTAL</b>		<b>\$6,602.04</b>	<b>\$104,816.82</b>	<b>\$39,586.18</b>	<b>\$144,403.00</b>	<b>72.59%</b>

LIBRARY  
DIRECTOR 100%  
PT LIBRARIAN  
100%

	Fund 1 Account Code	JULY	Year To Date Actual	Remaining Bal to Expend	Amended Annual Budget	
<b>PARKS &amp; RECREATION (572)</b>						
WORKERS COMP - <i>QUARTERLY</i>	1-572000-240	\$0.00	\$600.00	\$0.00	\$600.00	100.00%
CONTRACTUAL SERVICES	1-572000-340	\$185.00	\$10,306.85	(\$306.85)	\$10,000.00	103.07%
CONTRACT MOWING SERVICE	1-572000-345	\$4,800.00	\$48,350.00	\$26,650.00	\$75,000.00	64.47%
TELEPHONE	1-572000-410	\$0.00	\$0.00	\$250.00	\$250.00	0.00%
INTERNET	1-572000-411	\$402.60	\$2,046.15	\$2,653.85	\$4,700.00	43.54%
UTILITIES	1-572000-430	\$746.52	\$5,403.60	\$396.40	\$5,800.00	93.17%
RENTALS AND LEASES	1-572000-440	\$0.00	\$260.00	(\$260.00)	\$0.00	
INSURANCE - <i>QUARTERLY</i>	1-572000-450	\$0.00	\$11,200.00	\$0.00	\$11,200.00	100.00%
REPAIR & MAINTENANCE	1-572000-460	\$5,230.89	\$86,335.47	\$8,164.53	\$94,500.00	91.36%
PRINTING AND COPYING	1-572000-470	\$0.00	\$0.00	\$1,000.00	\$1,000.00	0.00%
OTHER CURRENT CHARGES	1-572000-490	\$0.00	\$227.44	\$2,272.56	\$2,500.00	9.10%
OPERATING SUPPLIES	1-572000-520	\$0.00	\$3,482.79	\$3,980.21	\$7,463.00	46.67%
FUEL	1-572000-521	\$0.00	\$884.96	\$2,615.04	\$3,500.00	25.28%
CAPITAL OUTLAY -	1-572000-605	\$0.00	\$0.00	\$6,500.00	\$6,500.00	0.00%
MACHINERY AND EQUIPMENT	1-572000-640	\$0.00	\$0.00	\$2,500.00	\$2,500.00	0.00%
<b>ACCOUNT TOTAL</b>		<b>\$11,365.01</b>	<b>\$169,097.26</b>	<b>\$56,415.74</b>	<b>\$225,513.00</b>	<b>74.98%</b>
<b>GENERAL FUNDS TOTAL</b>		<b>\$147,154.37</b>	<b>\$1,773,686.00</b>	<b>\$592,896.06</b>	<b>\$2,366,582.06</b>	<b>74.95%</b>



WATER FUND EXPENDITURES

WATER FUND EXPENDITURES

	FUND 400 ACCOUNT CODE	JULY ACTUALS	Year to Date Actuals	Remaining Bal to Expend	Amended Annual Budget	
SALARIES	400-533000-120	\$10,167.27	\$87,706.11	\$54,028.89	\$141,735.00	61.88%
OVERTIME	400-533000-140	\$274.48	\$6,443.96	\$2,056.04	\$8,500.00	75.81%
FICA	400-533000-210	\$838.34	\$7,757.02	\$4,715.98	\$12,473.00	62.19%
RETIREMENT	400-533000-220	\$1,417.03	\$11,720.57	\$5,779.43	\$17,500.00	66.97%
HEALTH INSURANCE	400-533000-230	\$3,138.12	\$24,652.99	\$11,347.01	\$36,000.00	68.48%
SHORT TERM DISABILITY	400-533000-234	\$105.87	\$1,058.50	\$15,941.50	\$17,000.00	6.23%
OTHER EMPLOYER CONTRIBUTION	400-533000-239	\$0.00	\$0.00	\$100.00	\$100.00	0.00%
WORKERS COMP - <i>QUARTERLY</i>	400-533000-240	\$0.00	\$4,584.48	(\$384.48)	\$4,200.00	109.15%
UNIFORMS & CLOTHING	400-533000-250	\$0.00	\$0.00	\$700.00	\$700.00	0.00%
PROFESSIONAL SERVICES	400-533000-310	\$0.00	\$0.00	\$3,500.00	\$3,500.00	0.00%
ACCOUNTING & AUDITING	400-533000-320	\$3,750.00	\$10,250.00	(\$750.00)	\$9,500.00	107.89%
BANK FINANCE CHARGES	400-533000-330	\$803.94	\$8,772.47	(\$1,272.47)	\$7,500.00	116.97%
CONTRACTUAL SERVICES	400-533000-340	\$6,177.14	\$63,959.60	(\$9,959.60)	\$54,000.00	118.44%
MUNICODE	400-533000-350	\$0.00	\$562.50	\$1,937.50	\$2,500.00	22.50%
TRAVEL	400-533000-400	\$0.00	\$0.00	\$1,500.00	\$1,500.00	0.00%
TELEPHONE	400-533000-410	\$116.61	\$3,846.13	\$2,153.87	\$6,000.00	64.10%
INTERNET	400-533000-411	\$639.26	\$5,490.52	(\$490.52)	\$5,000.00	109.81%
POSTAGE & FREIGHT	400-533000-420	\$81.75	\$1,702.77	(\$502.77)	\$1,200.00	141.90%
UTILITIES	400-533000-430	\$4,899.42	\$33,187.15	(\$8,187.15)	\$25,000.00	132.75%
RENTALS & LEASES	400-533000-440	\$47.00	\$1,282.29	\$1,717.71	\$3,000.00	42.74%
INSURANCE - <i>QUARTERLY</i>	400-533000-450	\$0.00	\$26,212.00	\$7,788.00	\$34,000.00	77.09%
REPAIR & MAINTENANCE	400-533000-460	\$1,104.79	\$13,556.31	\$26,443.69	\$40,000.00	33.89%
PRINTING & COPYING	400-533000-470	\$0.00	\$169.13	\$330.87	\$500.00	33.83%
OTHER CURRENT CHARGES	400-533000-490	\$0.00	\$1,265.05	\$1,234.95	\$2,500.00	50.60%
OFFICE SUPPLIES	400-533000-510	\$369.91	\$624.67	\$875.33	\$1,500.00	41.64%
OPERATING SUPPLIES	400-533000-520	\$1,710.53	\$15,901.84	\$2,098.16	\$18,000.00	88.34%
FUEL	400-533000-521	\$294.18	\$2,703.26	\$5,696.74	\$8,400.00	32.18%
SUBSCRIPTIONS & MEMBERSHIPS	400-533000-540	\$0.00	\$686.35	\$813.65	\$1,500.00	45.76%
SEMINARS AND TRAINING	400-533000-550	\$50.00	\$496.00	\$1,954.00	\$2,450.00	20.24%
SMALL TOOLS AND EQUIPMENT	400-533000-560	\$0.00	\$301.28	\$5,198.72	\$5,500.00	5.48%
BULK WATER	400-533000-577	\$1,590.05	\$8,882.59	\$41,117.41	\$50,000.00	17.77%
WATER METER	400-533000-609	\$4,412.50	\$101,835.29	(\$1,835.29)	\$100,000.00	101.84%
MACHINERY AND EQUIPMENT	400-533000-640	\$0.00	\$0.00	\$20,018.00	\$20,018.00	0.00%
<b>TOTAL WATER FUND EXPENITURES</b>		<b>\$41,988.19</b>	<b>\$445,610.83</b>	<b>\$195,665.17</b>	<b>\$641,276.00</b>	<b>69.49%</b>

P.W. DIR  
75%  
UTILITY/ PERMIT  
50%,  
TOWN CLERK  
40%  
P.W. TECH 1  
65%

SEWER FUND EXPENDITURES

SEWER FUND EXPENDITURES

	FUND 421 ACCOUNT CODE	JULY ACTUALS	Year to Date Actuals	Remaining Bal to Expend	Amended Annual Budget		
SALARIES	421-533000-120	\$1,079.50	\$2,818.02	\$7,181.98	\$10,000.00	28.18%	PW TECH 1
OVERTIME	421-533000-140	\$15.29	\$72.69	(\$72.69)	\$0.00		35%
FICA	421-533000-210	\$83.76	\$221.16	\$578.84	\$800.00	27.65%	
RETIREMENT	421-533000-220	\$148.55	\$346.28	\$953.72	\$1,300.00	26.64%	
HEALTH INSURANCE	421-533000-230	\$426.44	\$834.96	\$1,865.04	\$2,700.00	30.92%	
SHORT TERM DISABILITY	421-533000-234	\$0.00	\$0.00	\$1,200.00	\$1,200.00	0.00%	
OTHER EMPLOYER CONTRIBUTION	421-533000-239	\$0.00	\$0.00	\$100.00	\$100.00	0.00%	
WORKERS COMP - <i>QUARTERLY</i>	421-533000-240	\$0.00	\$0.00	\$320.00	\$320.00	0.00%	
UNIFORMS & CLOTHING	421-533000-250	\$0.00	\$0.00	\$100.00	\$100.00	0.00%	
CONTRACTUAL SERVICES	421-533000-340	\$0.00	\$5,971.76	(\$5,971.76)	\$0.00		
TELEPHONE	421-533000-410	\$0.00	\$55.66	(\$55.66)	\$0.00		
UTILITIES	421-533000-430	\$29.20	\$124.32	\$14,875.68	\$15,000.00	0.83%	
REPAIR & MAINTENANCE	421-533000-460	\$0.00	\$11.89	\$11,468.11	\$11,480.00	0.10%	
PRINTING AND COPYING	421-533000-470	\$0.00	\$111.24	(\$111.24)	\$0.00		
OTHER CURRENT CHARGES	421-533000-490	\$0.00	\$990.95	(\$990.95)	\$0.00		
SUBSCRIPTIONS, MEMBERSHIP	421-533000-540	\$0.00	\$99.80	(\$99.80)	\$0.00		
BULK SEWER CHARGES TO CLERMONT	421-533000-576	\$2,593.76	\$14,183.96	\$7,816.04	\$22,000.00	64.47%	
<b>TOTAL WATER FUND EXPENITURES</b>		<b>\$4,376.50</b>	<b>\$25,842.69</b>	<b>\$39,157.31</b>	<b>\$65,000.00</b>	<b>39.76%</b>	

## TOTAL RECAP OF EXPENSE

Town of Montverde  
EXPENDITURE

Expenditure	July Expenditure	Year To Date Expenditures	Amended Annual Budget	Remaining To Be Expended	Percent Expended
General Fund	\$147,154.37	\$1,773,686.00	\$2,366,582.06	\$592,896.06	74.95%
Water Fund	\$41,988.19	\$445,610.83	\$641,276.00	\$195,665.17	69.49%
Sewer Fund	\$4,376.50	\$25,842.69	\$65,000.00	\$39,157.31	39.76%
Water-Capital Project	\$0.00	\$83,039.50	\$310,000.00	\$226,960.50	26.79%
Sewer-Capital Project	\$0.00	\$51,440.44	\$250,000.00	\$198,559.56	20.58%
Storm Water-Capital Project	\$0.00	\$108,600.00	\$216,000.00	\$107,400.00	50.28%
Library-Capital Project	\$9,000.00	\$42,793.76	\$1,942,956.00	\$1,900,162.24	2.20%
Sports Court-Capital Project	\$0.00	\$0.00	\$348,000.00	\$348,000.00	
<b>Total</b>	<b>\$202,519.06</b>	<b>\$2,531,013.22</b>	<b>\$6,139,814.06</b>	<b>\$3,608,800.84</b>	<b>41.22%</b>

## CAPITAL BUDGET EXPENDITURES

FUND		DESCRIPTION	JULY ACTUAL	YEAR TO DATE	REMAINING BALANCE TO EXPENSE	AMENDED ANNUAL BUDGET
<b>422</b>	<b>SEWER ENTREPRISE (WASTEWATER)</b>					
	533-635	CAPITAL OUTLAY SEWER - BUILDINGS				
	533-635	CAPITAL OUTLAY SEWER - EQUIPMENT				
	533-634	CAPITAL OUTLAY SEWER -ENGINEERING		\$51,440.44	\$8,948,559.56	\$9,000,000.00
		IMPACT FEES - CAPITAL OUTLAY				\$1,000,000.00
						\$10,000,000.00
<b>430</b>	<b>STORM WATER</b>					
	533-630	CAPITAL OUTLAY-INFRASTRUCTURE				
	533-634	CAPITAL OUTLAY-ENGINEERING	\$0.00	\$108,600.00	\$107,400.00	\$216,000.00
<b>500</b>	<b>LIBRARY</b>					
	571-635	CAPITAL OUTLAY- BUILDINGS				
	571-634	CAPITAL OUTLAY-ENGINEERING	\$9,000.00	\$42,793.76	\$1,900,162.24	\$120,900.00
170	513-605	ADMIN IMPACT FEES-APPROPRIATIONS				\$117,000.00
		ARPA FUND				\$853,956.00
		LAKE COUNTY IMPACT FEES				\$851,100.00
		TOTAL				\$1,942,956.00
<b>550</b>	<b>PARKS (SPORT COURTS)</b>					
	572-635	CAPITAL OUTLAY- BUILDINGS				
	572-634	CAPITAL OUTLAY-ENGINEERING	\$0.00	\$0.00	\$348,000.00	\$260,000.00
140	572-605	PARK IMPACT FEES - APPROPRIATIONS				\$88,000.00
		TOTAL				\$348,000.00
		<b>CAPITAL BUDGET EXPENDITURES TOTAL:</b>	<b>\$9,000.00</b>	<b>\$202,834.20</b>	<b>\$11,304,121.80</b>	<b>\$11,506,956.00</b>

### IMPACT FEES REVENUE RECAP

FUND	ACCOUNT	ACCOUNT DESCRIPTION		JULY ACTUALS	YEAR TO DATE ACTUALS	REMAINING BALANCE TO RECEIVE	AMENDED ANNUAL BUDGET
140	363270	PARKS & RECREATION IMPACT FEE	REVENUE	\$7,728.21	\$54,996.42	(\$36,996.42)	\$18,000.00
	363271	PARKS & RECREATION IMPACT FEE APPROPRIATION	REVENUE	\$0.00	\$0.00	\$88,000.00	\$88,000.00
150	363225	FIRE PROTECTION IMPACT FEE	REVENUE	\$0.00	\$0.00	\$0.00	\$0.00
	363226	FIRE PROTECTION IMPACT FEE APPROPRIATION	REVENUE		\$0.00	\$0.00	\$0.00
160	363240	ROAD AND STREET IMPACT FEE	REVENUE	\$6,950.07	\$49,459.02	(\$24,459.02)	\$25,000.00
	363241	ROAD AND STREET IMPACT FEE APPROPRIATION	REVENUE		\$0.00	\$0.00	
170	363250	ADMINISTRATIVE IMPACT FEE	REVENUE	\$16,221.06	\$116,366.55	(\$86,366.55)	\$30,000.00
	363251	ADMINISTRATIVE IMPACT FEE APPROPRIATION	REVENUE		\$0.00	\$117,000.00	\$117,000.00
420	363230	WATER IMPACT FEES	REVENUE	\$48,308.58	\$344,107.32	(\$219,107.32)	\$125,000.00
	363231	WATER IMPACT FEES APPROPRIATION	REVENUE		\$0.00	\$310,000.00	\$310,000.00
		TOTAL IMPACT FEES AND APPROPRIATIONS:		\$79,207.92	\$564,929.31	\$148,070.69	\$713,000.00

### IMPACT FEES EXPENSE RECAP

FUND	ACCOUNT	ACCOUNT DESCRIPTION		JULY ACTUALS	YEAR TO DATE ACTUALS	AMENDED ANNUAL BUDGET
140	572000	PARKS & RECREATION IMPACT FEE	EXPENSE	\$0.00	\$0.00	\$88,000.00
150	522000	FIRE PROTECTION IMPACT FEE	EXPENSE	\$0.00	\$73,962.02	\$0.00
160	541000	ROAD AND STREET IMPACT FEE	EXPENSE	\$0.00	\$0.00	\$0.00
170	513000	ADMINISTRATIVE IMPACT FEE	EXPENSE	\$0.00	\$0.00	\$117,000.00
420	533000	WATER IMPACT FEES	EXPENSE	\$0.00	\$83,039.50	\$310,000.00
		TOTAL IMPACT FEES AND APPROPRIATIONS:		\$0.00	\$157,001.52	\$515,000.00

### IMPACT FEES BALANCE

FUND	ACCOUNT	ACCOUNT DESCRIPTION		TOTAL IMPACT FEES
140	363270	PARKS & RECREATION IMPACT FEE	BALANCE	\$84,844.85
150	363225	FIRE PROTECTION IMPACT FEE	BALANCE	
160	363240	ROAD AND STREET IMPACT FEE	BALANCE	\$91,723.17
170	363250	ADMINISTRATIVE IMPACT FEE	BALANCE	\$208,083.19
420	363230	WATER IMPACT FEES	BALANCE	\$748,987.30
		TOTAL BALANCE		\$1,133,638.51

## **CONSENT AGENDA**

**MINUTES OF TOWN COUNCIL REGULAR MEETING JULY 11,  
2023**

**MONTVERDE TOWN COUNCIL  
REGULAR MEETING MINUTES  
JULY 11, 2023, AT 7:00 P.M.**

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**TOWN COUNCIL MEMBERS**

Joe Wynkoop, Mayor  
Allan Hartle, Vice Mayor  
Jim Peacock, Councilmember  
Billy Bates, Councilmember

**ABSENT**

Jim Ley, Councilmember

**STAFF**

Paul Larino, Town Manager  
Anita Geraci-Carver, Town Attorney  
Sean Parks, Town Planner  
Lisa Busto, Associate Planner  
Sandy Johnson, Town Clerk

**CALL TO ORDER AND OPENING CEREMONIES**

Mayor Wynkoop called the meeting to order at 7:00 p.m. He led the Pledge of Allegiance.

**PRESENTATION AND ADMINISTRATIVE MATTERS**

Selection of voting delegate for Florida League of Cities Conference. Mayor Wynkoop nominated Councilmember Ley to be the voting delegate. Approved.

Attendance of Mayor/Council to Florida League of Cities Conference, the Mayor stated he would be interested in going, Town Manager Larino asked that if you are going to attend, please let Sandy know.

**MINUTES APPROVAL**

Minutes of the June 13, 2023, Regular Meeting. Councilmember Bates moved to approve the minutes. Councilmember Peacock seconded. Minutes approved 4-0.

Minutes of the June 20, 2023, Workshop. Councilmember Bates moved to approve the minutes. Councilmember Peacock seconded. Minutes approved 4-0.

**CITIZENS COMMENTS**

Banks Helfrich, 9100 Sams Lake Road, Clermont spoke to the Council regarding various issues and his sustainable farm.

Don Lipham, 16533 Pine Timber Avenue, would like to know what the rules about golf carts are.



Mayor Wynkoop stated that you can't ride on county roads, you can cross a county road.

Town Manager Larino stated that this is being addressed in the JPA.

Councilmember Bates asked if we could do this prior to getting County approval.

Town Attorney Geraci-Carver stated that it would be okay for you to give staff directions to prepare an Ordinance that you would approve for this.

Councilmember Bates moved to approve golf cart usage pending an Ordinance coming forward. Councilmember Hartle approved based on the fact we could have further discussion when the Ordinance is presented. Approved 4-0 with Councilmember Ley being absent.

## **DEPARTMENT & COMMITTEE REPORTS**

### **Town Manager Larino's Report.**

Follow up citizen's cross walks on Ridgewood at Magnolia Terrace. The County will put the crosswalks and signage if we would extend the sidewalks. Council is ok with 4-foot sidewalks.

We have electronic locks for parks which will lock the parks at night. We will install it in the next few weeks.

Replacing the fence at Truskett park 150' section with the existing type of fence.

Meeting with Lake TV about You-Tube for meetings. We are going to do a few minutes of video recording of seniors in towns with the history of town.

The sheriff is doing weekend patrols. Traffic stops and some patrolling in the area.

The donation to boy scouts, spoke with our attorney – limitation on some, but they do assist the town putting the flags out and assist with town events. \$500. Mayor Wynkoop moved to donate \$500 to boy scouts. Councilmember Peacock seconded. Motion approved 4-0 (Councilmember Lew being absent).

Sports courts reworked the basketball court preserve the trees in the area. Hopefully get some bids out.

Library plans are being worked on and the next contractor we will be talking to is Scorpion.

We got the audit back this week – another clean audit.

Gave an update on the staff training.

### **Town Attorney Geraci-Carver Report.**

Update on Santana case property in Mineola go up for bid, September 12<sup>th</sup>, unless the judgement amount is paid. The town is awarded the judgement amount.

### **Town Planner Parks Report.**

Continuing to get zoning clearance and new permits from Willow Ridge. Driveway clearance. Making changes to comp plan – new Florida statutes.

Mayor Wynkoop asked about the water trucks.

Elevate the Lake has discussed with Niagara, and they are going to speak to their haulers to see if they will start using the alternative route.

Sean would like the name and address of trucking company with license plate, and I will reference your video as a letter from a County Commissioner.

Countywide conservation project, coming along.

## **Fire Department Report**

Fire Run Report June 2023

**Town Council Reports.**

**Councilmember Peacock** – was at Floor and Décor this week. Is there going to be an entrance to Costco off of CR 455?

County Commissioner Parks, No.

**Vice Mayor Hartle**, it was very nice to see the 4<sup>th</sup> of July parade and thanks to those who are involved in organizing. Loved seeing all the flags hanging in the Town. Shout out to Groveland for receiving the Dark Sky Certification.

**Councilmember Bates** has nothing to report.

**Mayor Wynkoop Report.**

Go online and make yourself familiar with bank statements.

Would like to look at regulations for metal buildings in the downtown area.

Waste Pro contract up in a year and every year we need to put them on notice that we are not got to renew the contract. Otherwise, the contract automatically renews.

Town Manager Larino stated this is 120-day notice.

ISBA to extend for 30 years.

Vice Mayor Hartle stated Friday Lake County League of Cities luncheon and the sheriff is speaking. If anyone has anything they would like to tell the sheriff, I will be your spoke person.

Councilmember designation for Trail Town by the Florida Department of Environmental Protection and the Florida Greenway.

County Commissioner Parks stated Clermont and Mt. Dora are the only two cities in Lake County that have that designation. You might have to have a trail connection to another city.

**JUNE FINANCE REPORT**

Beginning Bank Balance	\$ 4,519,602.44
Revenues	\$ 597,538.51
Expenditures	\$ 433,167.23
Ending Balance	<u>\$ 4,683,973.72</u>
Grant Clearing Account	\$ 4,869,411.67
Total Bank Balance	\$ 9,403,986.42

**DISCUSSION AND ACTION ITEM**

Legislative update

Town Attorney Geraci-Carver went through several of the legislative changes.

Town Manager Larino explained the photo enforcement in school zones and asked if the Council was interested in pursuing. Council not interested.

Review of Clean Waterways Act Requirements for Wastewater Plans & Onsite Sewage Treatment and Disposal System (OSTDS) Remediation Plans in Basin Management Action Plans (BMAPs)

Webinar power point presented by Town Manager Larino.

## **PUBLIC HEARINGS, ORDINANCE AND RESOLUTIONS**

**Ordinance No. 2023-33** An Ordinance of the Town of Montverde Florida amending Chapter 5 of the Town of Montverde Land Development Code to include Article III titled unfit and unsafe buildings; including definitions, reporting or observance of violations, identifying an unfit or unsafe structure, disposition of unfit structures, determination of owner and manner of serving notice, process for violations and an appeal procedure; providing for liens, emergency action and penalties; providing for codification and severability; providing for the repeal of ordinances in conflict herewith; and providing for an effective date. **(First Reading)**

Town Attorney Geraci-Carter read the Ordinance by title only.

Town Manager Larino Explained the need for the ordinance.

Mayor Wynkoop opened the public hearing.

Jose Gonzales, 17404 3<sup>rd</sup> Street have you talked to the owners of the property.

Mayor Wynkoop closed the public hearing.

Councilmember Bates made a motion to approve Ordinance No. 2023-33 and set August 8, 2023 as the second reading. Councilmember Peacock seconded. Approved 4-0 (Councilmember Ley was absent)

**Resolution No. 2023-64** A Resolution of the Town of Montverde Florida, approving the Memorandum of Understanding for driver's license and/or motor vehicle record data exchange between the Town of Montverde and the Florida Department of Highway Safety and Motor Vehicles; providing for a three year term unless sooner terminated or cancelled or otherwise extended by an amendment; authorizing the Town Manager to execute the Memorandum of Understanding and implement administrative actions; providing for scrivener's errors; providing for conflicts; providing for severability; and providing an effective date

Town Attorney Geraci-Carter read the Resolution No. 2023-64 by title only.

Peacock

Town Manager Larino Explained the need for this service.

Mayor Wynkoop opened the public hearing.

Mayor Wynkoop closed the public hearing.

Councilmember Bates made a motion to approve Resolution 2023-64. Councilmember Peacock seconded. Resolution 2023-64 approved by a roll call vote 3-1 (Vice Mayor Hartle voted against the Resolution, Councilmember Ley was absent).

**Resolution No. 2023-65** A Resolution of the Town Council of the Town of Montverde Florida, authorizing the Town Manager to execute the agreement initiation Form, agreement contact Information form and any other necessary documents for the FDEP Montverde Storm water Grant Agreement in the amount of \$375,000; and providing for an effective date.

Town Attorney Geraci-Carter read the Resolution 2023-65 by title only.

Town Manager Larino Explained the need for this service.

Mayor Wynkoop opened the public hearing.

Mayor Wynkoop closed the public hearing.

Councilmember Peacock made a motion to approve Resolution 2023-65. Vice Mayor Hartle seconded. Resolution 2023-65 approved 4-0 (Councilmember Ley was absent)

**Resolution No. 2023-66** A Resolution of the Town Council of the Town of Montverde Florida, approving task order #2023-01-WWTP for Montverde Wastewater Collection and Treatment System for design services of the system, between the Town of Montverde and Woodard & Curran, inc. issued pursuant to RFQ 21-01; authorizing the town manager to execute the agreement; providing for an effective date.

Town Attorney Geraci-Carter read the Resolution No. 2023-66 by title only.

Town Manager Larino explained the agreement for the Wastewater Treatment Plant.

There was extensive discussion.

Scott Shannon with Woodard and Curran answered questions.

Mayor Wynkoop opened the public hearing.

Don Lipham 16533 Pine Timber what is the budget for this project. I think we need more information before we make any decisions.

Mike Whidden 17635 Broad Street, we have to do the engineering to know what the cost is.

Mayor Wynkoop closed the public hearing.

John Arellano 17531 County Road 455, we cannot be the first city to have to plan a Wastewater Treatment Plant. Why can't we figure out the cost? We need to proceed while we have the grant money.

Scott Shannon with Woodard and Curran stated that we have given you the forecast.

Councilmember Peacock made a motion to approve Resolution 2023-66. Vice Mayor Hartle seconded. Resolution 2023-66 approved 3-1 (Mayor Wynkoop voted against, Councilmember Ley was absent).

## **REMINDERS AND ADJOURNMENT**

Town Council Discussion items

Motion to Adjourn.

Mayor Wynkoop moved to adjourn the meeting. Councilmember Peacock seconded. Meeting adjourned at 9:30 p.m.

**MINUTES OF TOWN COUNCIL SPECIAL MEETING/WORKSHOP  
JULY 18, 2023**

**MONTVERDE TOWN COUNCIL  
SPECIAL MEETING/WORKSHOP MINUTES  
July 18, 2023**

**COUNCIL MEMBERS PRESENT**

Joe Wynkoop, Mayor  
Allan Hartle, Vice Mayor  
Billy Bates, Councilmember  
Jim Peacock, Councilmember  
Jim Ley, Councilmember

**STAFF PRESENT**

Paul Larino, Town Manager  
Anita Geraci-Carver, Town Attorney  
Sean Parks, Town Planner  
Mai Yang, Finance Director  
Sandy Johnson, Town Clerk

**CALL TO ORDER AND OPENING CEREMONY**

Mayor Wynkoop called the meeting to order and lead the group in the Pledge of Allegiance.

**DISCUSSION AND ACTIONS ITEMS**

**2023-2024 Budget**

Town Manager went through the Revenues to the FY 2023-2024 budget.  
There was brief discussion.

Mayor Wynkoop asked about the salaries being.

Town Manager went through the Expenditures for the FY 2023-2024 budget.

**Town Council Budget**

Insurance – We spread out the liability insurance throughout the departments.

Election cost increased about 33%

Meals are increased for the community meals, light up Montverde, etc.

**Town Manager Budget**

The Town Manager's department is being removed and spread throughout different departments.

Mayor would like a spreadsheet with the Town Manager showing where the expenses have been moved to and the total amount.

**Salary Expense**

Town Manager Larino presented a spreadsheet that showed where everyone's salary is coming from.

**Legal Department**

Town Manager stated that we are redoing many of the ordinances and this will increase the legal expense.

**Permitting Department**

Town Manager explained we have added salaries in permitting which we had not done in the past.

The Mayor questioned the percentages of the salary document.

There was extensive discussion.

Town Manager Larino stated he would make the changes to the salary document for the Council.

Councilmember Peacock asked about the building official expense and what CitizenServe was.

There was brief discussion.

Bank finance charges went down because at the last meeting you agreed to bring an ordinance putting a convenience fee on credit card charges on everything but utility bills. That is the difference.

### **Public Safety Department**

No issues

Mayor questioned the fire department not paying any rent for the building. Councilmember Ley stated he agreed, but the County has been very good to the Town.

There was extensive discussion on the new fire department and the delay involved.

Vice Mayor Hartle said a lot of people walk by and say all the money we spent on that building, and we can't use it.

Town Attorney Geraci-Carver stated we will need to make an amendment for the extension on the interlocal agreement to allow them to stay in the building.

Town Manager Larino stated that the fire department do help with a lot of events and many other things.

Vice Mayor Hartle asked what caused the increase of insurance cost.

Town Manager Larino explained the cost increase, audit of what is covered showed many properties missing.

### **Public Works**

Councilmember Peacock asked about the lease.

Town Manager Larino stated that is the skid loader.

### **Roads and Streets**

Mayor questioned the Lake Maintenance.

Town Manager Larino stated he has made this a separate category so we can track. This is maintenance on Lake Florence, Four Lakes etc. On time maintenance on Franklin Pond. Infrastructure and street repair, speed limit signs, work on trees along the right of way to start building a canopy. Asphalt repair, will be at minimum.

Vice Mayor Hartle asked if we have had an increase in sidewalks repair.

Town Manager Larino, we purchased a grinder last year which has made the repairs less costly. Would like to start connecting sidewalks where it needs.

Councilmember Ley would like to see some curbing added to the projects.

### **Montverde Day and Light up Montverde**

Montverde Day is just a slight increase. We have two sponsors this year. Adding to the games and bouncy houses (with staff).

Vice Mayor Hartle asked about the thank you'd.

Town Manager Larino stated that we do give thank you bags and cards to the sponsors.

Town Manager Larino said on light up Montverde. New Christmas Tree, I would like to go from 12' to 28' about \$40,000 including ornaments and lights.

Would like to make some improvements to the Stecher house so we can use it for storage.

### **Library**



Town Manager stated the Contractual Services Book and Materials increase is working towards the opening of the new library. Town Manager Larino explained that we are going to have an increase in circulation and use, Montverde Academy doesn't have a "paper" library anymore and they are going to use our library. They will be asking for 1100 new library cards. We are going to market the library in all the new developments.

### **Parks and Recreation**

The increases are for the new stage. Contractual services increase of \$5,000 is for seasonal planting, etc.

### **Discussion on New Welcome Signs**

Town Manager Larino showed examples of new signage for welcome signs. This is just a conversation at this point. Looking to the future.

Mayor Wynkoop stated that he thought he was going to Disney. He liked the old signs with the logo.

Vice Mayor Hartle stated that he likes these but would like to have the sign that shows when a Council Meeting is going to be.

Councilmember Peacock stated he likes this, doesn't notice the current signs.

Councilmember Bates said just have them on one side of the road.

Town Manager Larino stated that he would look at other options that would incorporate the logo with the sign.

Mayor Wynkoop asked to bring this back with the suggested revisions.

## **PUBLIC HEARING, ORDINANCES AND RESOLUTIONS**

**Resolution 2023-68** A Resolution of the Town Council of the Town of Montverde, Lake County, Florida, approving AIA document A133-2019 standard form of agreement between owner and construction manager at constructor where basis of payment is the cost of the work plus a fee with a guaranteed maximum price; authorizing the Town Manager to execute the agreement; providing for an effective date.

Town Attorney Geraci-Carver read the Resolution by title only.

Town Manager Larino worked with AD Morgan and could not get to a price we agreed upon, so this is allowing us to talk to the second bidder.

Town Attorney Geraci-Carver stated that the A1A agreement attached to the resolution is not complete and she asked that she be allowed to add amendments for state and federal guidelines.

Mayor Wynkoop opened the public hearing,  
No one wishes to speak in favor of or against.  
Mayor Wynkoop closed the public hearing.

Mayor Wynkoop moved to approve Resolution 2023-68 with the amendment Town Attorney Geraci-Carver requested. Councilmember Ley seconded. Resolution 2023-68 approved 5-0.

**Resolution 2023-67** A Resolution of the Town Council of the Town of Montverde, Lake County, Florida, adopting a not to exceed millage rate of 2.8300 Levying of Ad Valorem Taxes for Fiscal Year 2023-2024 and setting the date, time and place of Public Hearing on the budget for Fiscal Year 2023-2024, providing for an effective date.

Town Attorney Geraci-Carver read the Resolution by title only.

Town Manager Larino explained that the millage rate of 2.83 is the same as last year.

Mayor Wynkoop opened the public hearing,  
No one wishes to speak in favor of or against.  
Mayor Wynkoop closed the public hearing.

There was a brief discussion.

Mayor Wynkoop moved to approve Resolution 2023-67. Councilmember Bates seconded. Resolution 2023-67 approved 5-0.

### **Reminders and Adjournment**

Mayor Wynkoop moved to adjourn. Councilmember Peacock seconded.

Meeting adjourned at 8:04 p.m.

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**Joe Wynkoop, Mayor**

**ATTEST**

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**Sandy Johnson, Town Clerk**

**ORDINANCE NO. 2023-33**

**ORDINANCE 2023-33**

**AN ORDINANCE OF THE TOWN OF MONTVERDE, FLORIDA, AMENDING CHAPTER 5 OF THE TOWN OF MONTVERDE CODE OF ORDINANCES TO INCLUDE ARTICLE III TITLED UNFIT AND UNSAFE BUILDINGS; INCLUDING DEFINITIONS, REPORTING OR OBSERVANCE OF VIOLATIONS, IDENTIFYING AN UNFIT OR UNSAFE STRUCTURE, DISPOSITION OF UNFIT STRUCTURES, DETERMINATION OF OWNER AND MANNER OF SERVING NOTICE, PROCESS FOR VIOLATIONS AND AN APPEAL PROCEDURE; PROVIDING FOR LIENS, EMERGENCY ACTION AND PENALTIES; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council is authorized pursuant to Ch. 166, and 163, Florida Statutes, to adopt this ordinance, and recognize municipal authority to enact regulations to protect health, safety, and welfare; and

**WHEREAS**, the Town of Montverde actively participates in the enforcement of regulations important to ensuring safe, sanitary, and habitable property maintenance and structures and desires to impose clear requirements within the Town of Montverde; and

**WHEREAS**, under its Home Rule powers, the Town may regulate and govern property maintenance to ensure the well-being of its citizens; and

**WHEREAS**, the Town of Montverde has determined that it is in the best interest of the health, safety, and welfare of its citizens, businesses, and patrons of such businesses within the Town, to adopt the regulations set forth herein for the maintenance and control of structures; and

**WHEREAS**, the Town Council of the Town of Montverde held a public hearing which was advertised in accordance with law and held such public hearing no less than 10 days after the day advertisement was published.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Montverde, Florida, as follows:

**SECTION 1. Legislative Findings and Intent.** The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this Ordinance.

**SECTION 2.** Article III in Chapter 5, of the Town of Montverde Code of Ordinances is created to read as follows:

## ARTICLE II. – UNFIT AND UNSAFE BUILDINGS

### Sec. 5-50. Definitions.

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

*Abandoned* means a dilapidated, deteriorated or decayed building or structure that is vacant and unsecured.

*Unfit or unsafe* mean structures, dwellings, dwelling units, multiple dwellings, including garages, sheds and similar accessory structures and fences, which by reason of inadequate maintenance, obsolescence or abandonment are dilapidated, deteriorated, decayed, unsafe, unsanitary, constitute a fire hazard or are otherwise dangerous to human life or property or are no longer adequate for the purposes for which they were originally intended.

### Sec. 5-51. Reporting unfit or unsafe dwellings or structures.

Upon receipt of a written complaint to the town manager of dwellings or structures which appear to be an unfit or unsafe dwelling or structure or portion thereof, including accessory buildings, within the terms of this article, or if the town manager has reason to believe that a dwelling or structure, including accessory buildings, presents an imminent threat to public health, safety, or welfare or imminent destruction of habitat or sensitive resources, the town manager is authorized to utilize the services of the building official, engineers, architects or other professionals, in order to determine the condition of the structure in question and such costs shall be assessed in the same manner as provided for in section 5-59.

### Sec. 5-52. Unfit or unsafe dwellings or structures, declared nuisance.

- (a) When a dwelling or other structure, or any portion thereof, including accessory buildings, is found unfit or unsafe for human habitation, or may imperil the health, safety, welfare and morals of the occupants thereof or of the surrounding areas, upon inspection by the town manager or designee, such official shall require the repair, securing, demolition or removal thereof.
- (b) The term "unfit or unsafe dwelling or structure or portion thereof, including accessory buildings," shall include:
  - (1) Dwellings or structures, or portions thereof, including accessory buildings, that are structurally unsafe, unstable, unsanitary, inadequately provided with exit facilities, or use of unsafe equipment that is in such disrepair or condition that the equipment is a hazard to life, health, property or safety of the public or occupants of the dwelling or structure;
  - (2) Any structure not provided with permanent means of adequately securing all openings against unauthorized entry;
  - (3) Constituting a fire hazard;
  - (4) Unsuitable or improper for the use of occupancy for which they are intended because is insanitary, is of a condition conducive for vermin or rat infested,

contains fifth and contamination, broken glass, or lacks ventilation or other essential equipment required by any applicable code;

- (5) Constituting a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment;
- (6) Dangerous to life or property including but not limited to means of ingress or egress fails to conform to the approved building or fire code, any portion of the dwelling or structure has been damaged by fire, wind, flood, vandalism, deterioration, neglect, or abandonment or by any other cause to such an extent that it is likely to partially or completely collapse or to become detached or dislodged; or
- (7) Otherwise in violation of any of the following: the Florida Building Code, the Florida Fire Prevention Code and the Life Safety Code, the International Codes published by the International Code Council, and the National Electric Code (NFPA 70), .

(c) Such structures are further declared a nuisance or unsafe dwelling or structure.

#### **Sec. 5-53. Authority to order disposition of unfit structure.**

- (a) The town manager shall order the vacation, demolition, removal or securing of any unfit or unsafe dwelling or structure, including accessory buildings, or may order the repair, restoration or replacement of any part of any structure, including accessory buildings, in the town when any such part or parts, by reason of fire, age, decay, deterioration, structural defects, improper design, unstable foundation or termites, affords the opportunity of being a nuisance to the public, or a haven for vagrants, criminals or trespassers, or by acts of God or other causes shall be dangerous to the occupants thereof or to surrounding buildings and the occupants thereof, a menace to public health, a fire hazard, or so unsafe as to endanger life or property or render the use of the public streets dangerous.
- (b) In default of the owner or other parties in interest repairing, restoring or demolishing, removing, securing or replacing such part of such dwelling or structure, including accessory buildings within the specified time or such other reasonable time fixed in such order by virtue of section 5-54 or 5-57, the town manager may order vacation of the premises and proceed under the provisions of section 5-56.

#### **Sec. 5-54. Determination of owner.**

When the town manager or designee verifies the existence of a dwelling or structure, including accessory buildings, which is unfit or unsafe or which constitutes a nuisance as set out in section 5-52, it shall be his/her duty to determine the owner of record of the real estate upon which the dwelling or structure, including accessory buildings, is located, and send a notice of violation and/or order of condemnation to such party and all other persons who are determined to have an interest in the property as verified by an ownership and encumbrance report from the town attorney or a licensed title company doing business within the county. Such notice shall be in writing and shall contain the following:

- (1) A designation of the premises affected;

- (2) A statement of the reasons it is being issued;
- (3) A specified time for the performance of any act it requires, with a minimum of ten (10) days and a maximum of thirty (30) days to obtain a permit and begin the required work, unless extended for good reason by the town manager. The work shall be completed within thirty (30) days from the issuance of the permit;
- (4) An outline of remedial action which, if taken, will effect compliance with the provisions of this article and with the rules and regulations adopted pursuant thereto;
- (5) A statement that upon failure to remedy the violation or violations covered by such notice within the time specified, the owner or occupant shall be subject to the action of the town provided for in this article.

**Sec. 5-55. Manner of serving notice.**

- (a) Notice to any owner or other interested person and notice of any hearing or other proceeding pursuant to any motion or resolution adopted under the authority of this article may be served by certified mail, return receipt requested, addressed to the party to be served at his/her residence address or at his/her business address, or by personal service in the same manner provided by state statute for personal service of original process in civil actions, except that such service may be made by not only the persons named in such statutes, but also by an officer, agent or employee of the city, in which case return and proof of service may be made by affidavit.
- (b) If notice sent by certified mail is returned undelivered and the address of such party cannot be ascertained after diligent search and inquiry, service may be effected by publishing a notice two (2) times, one (1) week apart, in a newspaper of general circulation in the city, qualified to print legal advertisements. The first of such publications shall be at least eight (8) days before the time required for any action or the time set for any public hearing as stated therein, and a copy of the notice shall be posted upon the structure and at town hall. Such service shall deemed complete on the date of the second publication. Any notice of hearing to assess and levy liens shall describe the land proposed to be so assessed.
- (c) Where any property or interest therein is owned by tenants by the entirety or by joint tenants, each tenant shall be deemed to be the agent of the other and notice to one (1) of them shall be deemed to be notice to both or all of them, and service upon one (1) of them shall be deemed to be service upon both or all of them.

**Sec. 5-56. Action by town for failure to comply.**

If the owner or other parties in interest shall fail to comply with any order issued pursuant to section 5-53 within the time therein fixed, the town, acting through its town manager after advising the town council, is authorized to vacate, demolish, remove, repair or secure either with town forces or by independent contractor submitting the lowest and best bid, any such dwelling or structure, including accessory buildings.

**Sec. 5-57. Extension of time to comply with order.**

- (a) If the interested parties shall have obtained a building or demolition permit within the specified period and in good faith and in due time begun work to comply with the order to repair, demolish, or otherwise dispose of the unfit structure, but it appears that they will not be able to complete the work by the date ordered, they may file a written request to the town manager stating the reasons they have been unable to fully comply. If reasonable grounds are shown therefor, the town manager is authorized to issue extensions not to exceed sixty (60) days in which to fully comply with the original order.
- (b) In exceptional cases, the town manager may further extend, by thirty (30) days, the period allowed by the previous town manager action, upon written request as merited by special hardship, unusual difficulty or unique problems. All appeals or requests for extensions shall be made either in person or by certified mail, return receipt requested, to the town clerk.

**Sec. 5-58. Appeal procedure.**

Appeals from an order issued pursuant to section 5-53 may be taken by any interested party who has been aggrieved, except in emergency cases as set forth in section 5-61. Such party is afforded a right of hearing upon a written request for such hearing to the special master within ten (10) days of receipt of notice of violation. A notice of appeal hearing by the special master shall be published once in a newspaper of general circulation in the town at least ten (10) days prior to the time and place of the hearing. The party requesting such appeal hearing may be charged a reasonable fee, which fee may include the actual cost of advertising and notice of the hearing. When the findings of the special master sustain the town manager, the special master may set a new deadline date for compliance or authorize the town manager to proceed at the expiration of thirty (30) days to demolish and remove the dwelling or structure, including accessory buildings, and report the cost to the town council. Having exhausted all administrative remedies before the special master, the appellant who remains aggrieved, within thirty (30) days from the day of the special master's order, may appeal to the circuit court, upon posting of adequate bond, as prescribed by law. Should the hearing be continued at the request of or for the convenience of the appellant, or any other person with party status, any additional cost to the town, including cost of readvertising or other notice, shall be paid by the appellant or other party requesting the continuance, prior to the commencement of the continued hearing. All costs to the town for the hearing and advertising thereof, must be paid prior to the day of the scheduled hearing. If not paid, the special master may postpone the hearing pending receipt of the funds due the town. Only one (1) such continuance shall be authorized any appellant requesting a hearing under this section. If a hearing has been continued once and the fees owed the town are still not paid prior to the continuance date, the appellant shall be deemed to have withdrawn the application for a hearing before the special master and the appealed order shall be deemed final.

**Sec. 5-59. Assessment of cost as lien on property.**

- (a) Upon expiration of the appeal period, if no appeal having been taken, the town manager, after proceeding under this article, shall report the abatement of the nuisance by the town. The special master shall assess the entire cost of such vacation, demolition, removal or securing, including any unpaid fees and costs arising out of any appeal hearing, against the



real property, upon which such costs was incurred. This assessment, including rodent extermination where employed, all administrative costs, postal expense, newspaper advertising or other similar costs, when made, constitutes a lien upon such property.

- (b) The town shall record a notice of lien in the public records of Lake County, Florida, showing the nature of the lien, the amount thereof and an accurate legal description of the property, including the street address. The lien shall date from the date of recording and recite the names of all persons notified or interested parties. Such municipal lien shall bear interest from the date of recording at the rate of nine (9) percent per year and shall be enforceable by foreclosure in the same manner and time as a town code enforcement lien if unsatisfied after the expiration of ninety (90) days from the date of recording the notice of lien.
- (c) Such lien may be foreclosed and collected in the manner and procedure by which real property mortgages are foreclosed and collected, including an award of reasonable attorney's fees and costs for recording the notice of lien and prosecuting the foreclosure proceedings.

**Sec. 5-60. Appearance of interested parties before council.**

Any interested party appearing before the special master to object to or appeal any proposal or order issued pursuant to this article may appear in person, by counsel or by an agent.

**Sec. 5-61. Emergency condemnations—Authority to take action; hearing.**

- (a) In cases where there is imminent peril to the public safety or general welfare or immediate danger to the life or safety of any person or where the public is endangered by hurricane hazards, unless an unfit or unsafe dwelling or structure, including accessory buildings, is immediately repaired, vacated or demolished or removed, the town manager shall report such facts to the special master at its next regular meeting or other meeting called to hear emergency condemnations. Upon a proper showing and considering all evidence, the special master may authorize the town manager to take appropriate, specific action at the expiration of fifteen (15) days from the date of the special master's order.
- (b) Public notice of the hearing of emergency cases only shall be given by posting a copy of the special master's agenda, or a good and sufficient notice of such hearing on the bulletin board in town hall for at least ten (10) days prior thereto and by certified mail, return receipt requested, to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database. Failure to effect personal notice upon the individual owner shall not prevent the town from abating the nuisance and assessment of a lien on the realty as the proceedings are in rem.

**Sec. 5-62. Same—Rehearing of case.**

Where the owner or other party in interest fails to appear at an emergency condemnation hearing pursuant to section 5-61, such person may seek relief from the circuit court upon posting adequate bond as prescribed by law.

**Sec. 5-63. Notice of council's action.**

The minutes of the special master or its orders under section 5-61 shall be posted on the bulletin board at town hall. In addition, the town manager shall advise the owner or record title holder of the special master's action by the most expeditious means available, including telephone or e-mail where urgent, excluding, however, notice by publication. Notwithstanding the failure of the owner to receive actual notice or failure of the town manager to serve notice of the special master's action, the notice given at the bulletin board at town hall shall be good notice to all the world.

**Sec. 5-64. Penalty for violation of article.**

- (a) If the owner or occupant fails to comply with the written notice or order of the town manager or the special master issued pursuant to this article, then the owner or occupant may be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for a term not to exceed sixty (60) days, or by both such fine and imprisonment. Each day that a violation shall continue to exist shall be considered a separate violation and may be prosecuted as such.
- (b) If any dwelling or building or other structure described in this article is occupied and the occupant refuses to vacate the structure, in addition to the penalties set out in subsection (a), the town may apply to the circuit court for the appropriate order requiring vacation of premises and compliance with this article.

**SECTION 3. Codification.** It is the intent of the Town Council of the Town of Montverde that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in renumbering and codifying the provision of this Ordinance.

**SECTION 4. Severability.** If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

**SECTION 5. Conflicts.** In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this Town, the provision of this Ordinance shall govern.

**SECTION 6. Effective Date.** This Ordinance shall become effective immediately upon adoption.

**PASSED AND DULY ADOPTED** by the Town of Montverde, Lake County, Florida this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

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

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

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

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

	YEA	NAY
Billy Bates, Councilmember		
Allan Hartle, Vice Mayor		
Jim Ley, Councilmember		
Jim Peacock, Councilmember		
Joe Wynkoop, Mayor		

## **DISCUSSION AND ACTION ITEMS**

2023 Expenditure TM

FUND	ACCOUNT	OBJECT	ACCOUNT	DESCRIPTION	2024		2023		2022		2021		2020		2019	
					PROPOSED BUDGET	BUDGET AS OF JUNE	2023 FY BUDGET	BUDGET YTD AS OF JUNE	2022 ACTUAL	BUDGET (AMENDED)	2021 ACTUAL	BUDGET	2020 ACTUAL	2019 ACTUAL		
1	512000	110	TOWN MANAGER DEPARTMENT	REGULAR SALARY & WAGES	\$ 120,000.00	\$ 9,781.33	\$ 8,987.00	6,057.97	7,999.42	8,300.00	7,270.00	95,548.00	0.00	0.00	0.00	0.00
1	512000	111	TOWN MANAGER DEPARTMENT	CELL ALLOWANCE	\$ 480.00	\$ 350.74	480.00	479.96	479.96	480.00	480.00	0.00	0.00	0.00	0.00	0.00
1	512000	112	TOWN MANAGER DEPARTMENT	CAR ALLOWANCE	\$ 7,200.00	\$ 4,479.78	6,200.00	4,479.78	4,800.12	4,800.00	4,800.00	0.00	0.00	0.00	0.00	0.00
1	512000	121	TOWN MANAGER DEPARTMENT	EMPLOYEE CHRISTMAS PERFORMANCE BONUSES AND WORK PERFORMANCE BONUSES	\$ 11,500.00	\$ 7,000.00	10,500.00	7,000.00	9,537.50	10,500.00	10,500.00	0.00	0.00	0.00	0.00	0.00
1	512000	210	TOWN MANAGER DEPARTMENT	FICA MATCHING	\$ 9,781.33	\$ 6,057.97	8,987.00	6,057.97	7,999.42	8,300.00	7,270.00	7,270.00	0.00	0.00	0.00	0.00
1	512000	220	TOWN MANAGER DEPARTMENT	RETIREMENT PLAN	\$ 29,617.00	\$ 23,419.65	29,617.00	23,419.65	30,095.54	28,495.00	25,156.00	25,156.00	0.00	0.00	0.00	0.00
1	512000	230	TOWN MANAGER DEPARTMENT	HEALTH INSURANCE	\$ 14,000.00	\$ 9,015.42	12,800.00	9,015.42	10,835.06	12,800.00	8,503.00	8,503.00	0.00	0.00	0.00	0.00
1	512000	234	TOWN MANAGER DEPARTMENT	SHORT TERM DISABILITY	\$ 1,200.00	\$ 785.70	1,200.00	785.70	1,047.60	1,150.00	961.00	961.00	-1,180.80	-688.80	-688.80	-688.80
1	512000	239	TOWN MANAGER DEPARTMENT	OTHER EMPLOYER CONTRIBUTIONS	\$ -	\$ 0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-262.92	-153.37	-153.37
1	512000	240	TOWN MANAGER DEPARTMENT	WORKERS COMPENSATION	\$ 550.00	\$ 500.00	500.00	500.00	208.00	208.00	230.00	230.00	100.00	100.00	100.00	100.00
1	512000	340	TOWN MANAGER DEPARTMENT	CONTRACTUAL SERVICES	\$ -	\$ 0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	18,000.00	18,000.00	
1	512000	400	TOWN MANAGER DEPARTMENT	TRAVEL	\$ 4,500.00	\$ 4,500.00	4,500.00	4,500.00	1,566.88	5,800.00	532.00	532.00	0.00	0.00	0.00	0.00
1	512000	410	TOWN MANAGER DEPARTMENT	TELEPHONE	\$ -	\$ 55.66	0.00	55.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	512000	450	TOWN MANAGER DEPARTMENT	INSURANCE	\$ 2,800.00	\$ 2,800.00	2,800.00	2,800.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
1	512000	492	TOWN MANAGER DEPARTMENT	EMPLOYEE APPRECIATION/TRAINING MEALS	\$ 2,500.00	\$ 1,813.37	2,500.00	1,813.37	1,207.20	2,500.00	0.00	0.00	0.00	0.00	0.00	0.00
1	512000	510	TOWN MANAGER DEPARTMENT	OFFICE SUPPLIES	\$ 1,000.00	\$ 218.88	1,000.00	218.88	2,096.64	750.00	208.00	208.00	0.00	0.00	0.00	0.00
1	512000	520	TOWN MANAGER DEPARTMENT	OPERATING SUPPLIES	\$ 1,000.00	\$ 308.99	1,000.00	308.99	746.76	500.00	73.00	73.00	0.00	0.00	0.00	0.00
1	512000	521	TOWN MANAGER DEPARTMENT	UNIFORMS & CLOTHING	\$ 500.00	\$ 98.58	500.00	98.58	345.04	500.00	703.00	703.00	45.00	45.00	45.00	45.00
1	512000	540	TOWN MANAGER DEPARTMENT	SUBSCRIPTIONS, MEMBERSHIP	\$ 2,200.00	\$ 860.80	1,800.00	860.80	670.35	1,200.00	1,045.00	1,045.00	350.00	350.00	350.00	350.00
1	512000	550	TOWN MANAGER DEPARTMENT	SEMINARS AND TRAINING	\$ 3,800.00	\$ 1,228.00	3,800.00	1,228.00	3,274.16	4,500.00	525.00	525.00	0.00	0.00	0.00	0.00
			<b>TOTALS</b>		\$ 212,628.33	\$ 130,478.64	\$ 190,262.00	\$ 130,478.64	\$ 173,220.14	\$ 180,783.00	\$ 142,754.00	\$ 19,051.28	\$ 17,346.83	\$ 17,346.83	\$ 17,346.83	\$ 17,346.83

**BY POSITION**

<u>POSITION</u>	<u>ALLOCATIONS</u>	<u>\$ ALLOCATIONS</u>	<u>DEPARTMENT</u>
PW TECH I	65%	\$ 27,300.00	WATER
	30%	\$ 12,600.00	PUBLIC WORKS
	5%	\$ 2,100.00	SEWER
	<u>100%</u>	<u>\$ 42,000.00</u>	
LIBRARY DIR	100%	\$ 54,681.02	LIBRARY
LIBRARY ASST	100%	\$ 20,560.00	LIBRARY
PUBLIC WORKS DIR.	75%	\$ 56,036.82	WATER
	25%	\$ 18,678.94	PUBLIC WORKS
	<u>100%</u>	<u>\$ 74,715.76</u>	
PUBLIC WORKS TECH II	75%	\$ 33,440.75	ROADS & STREETS
	25%	\$ 11,146.92	SEWER
	<u>100%</u>	<u>\$ 44,587.67</u>	
UTILITY BILLING / SPLIT POSITION	75%	\$ 20,790.00	WATER
	25%	\$ 6,930.00	SEWER
	<u>100%</u>	<u>\$ 27,720.00</u>	
UTILITY BILLING ASSISTANT /SPLIT	90%	\$ 20,779.20	WATER
	10%	\$ 2,308.80	SEWER
	<u>100%</u>	<u>\$ 23,088.00</u>	
PERMITTING OFFICIAL	100%	\$ 50,992.18	PERMITTING
TOWN CLERK	40%	\$ 29,058.20	WATER
	40%	\$ 29,058.20	FINANCE / ADMINISTRATION
	20%	\$ 14,529.10	PERMITTING
	<u>100%</u>	<u>\$ 72,645.51</u>	
FINANCE DIR.	65%	\$ 30,544.11	FINANCE / ADMINISTRATION
	30%	\$ 14,097.28	WATER
	5%	\$ 2,349.55	SEWER
	<u>100%</u>	<u>\$ 46,990.94</u>	
TOWN MANAGER	25%	\$ 30,000.00	PERMITTING
	30%	\$ 36,000.00	FINANCE / ADMINISTRATION
	35%	\$ 42,000.00	WATER
	5%	\$ 6,000.00	CODE ENFORCEMENT
	<u>5%</u>	<u>\$ 6,000.00</u>	<u>SEWER</u>
	<u>100%</u>	<u>\$ 120,000.00</u>	

**BY DEPARTMENT**

<u>DEPARTMENT</u>	<u>TOTAL BUDGET</u>	<u>POSITION</u>	<u>% OF TOTAL BUDGET</u>	<u>BUDGET ALLOCATION</u>
WATER \$	210,061.50	PW TECH	13%	\$ 27,300.00
		PUBLIC WORKS DIR.	27%	\$ 56,036.82
		UTILITY BILLING/SPLIT	10%	\$ 20,790.00
		UTILITY BILLING ASSISTANT /SPLIT	10%	\$ 20,779.20
		TOWN CLERK	14%	\$ 29,058.20
		FINANCE DIRECTOR	7%	\$ 14,097.28
		TOWN MANAGER	20%	\$ 42,000.00
			<u>100%</u>	<u>\$ 210,061.50</u>
PUBLIC WORKS \$	31,278.94	PW TECH I	40%	\$ 12,600.00
		PUBLIC WORKS DIR.	60%	\$ 18,678.94
			<u>100%</u>	<u>\$ 31,278.94</u>
SEWER \$	30,835.26	PW TECH I	7%	\$ 2,100.00
		PUBLIC WORKS TECH II	36%	\$ 11,146.92
		UTILITY BILLING / SPLIT POSITION	22%	\$ 6,930.00
		UTILITY BILLING ASSISTANT /SPLIT	7%	\$ 2,308.80
		FINANCE DIR.	8%	\$ 2,349.55
		TOWN MANAGER	19%	\$ 6,000.00
			<u>100%</u>	<u>\$ 30,835.26</u>
LIBRARY \$	75,241.02	LIBRARY DIR	73%	\$ 54,681.02
		LIBRARY ASST	27%	\$ 20,560.00
			<u>100%</u>	<u>\$ 75,241.02</u>
ROADS & STREETS \$	33,440.75	PUBLIC WORKS TECH II	100%	\$ 33,440.75
PERMITTING \$	95,521.28	PERMITTING OFFICIAL	53%	\$ 50,992.18
		TOWN CLERK	15%	\$ 14,529.10
		TOWN MANAGER	31%	\$ 30,000.00
			<u>100%</u>	<u>\$ 95,521.28</u>
FINANCE / ADMINISTRATION \$	95,602.31	FINANCE DIR.	32%	\$ 30,544.11
		TOWN CLERK	30%	\$ 29,058.20
		TOWN MANAGER	38%	\$ 36,000.00
			<u>100%</u>	<u>\$ 95,602.31</u>
CODE ENFORCE. \$	6,000.00	TOWN MANAGER	100%	\$ 6,000.00

**PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS**



**RESOLUTION NO. 2023-62**

**RESOLUTION 2023-62**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, GRANTING A VARIANCE FROM SECTION 10-52(e) IN CHAPTER 10 OF THE MONTVERDE LAND DEVELOPMENT CODE FROM THE MINIMUM LOT WIDTH AT BUILDING TO ALLOW A MINIMUM LOT WIDTH AT BUILDING OF 84' RATHER THAN THE REQUIRED 90' MINIMUM LOT WIDTH AT BUILDING REQUIRED IN R1M ZONING FOR THE REAL PROPERTY LOCATED AT 17129 LAKESIDE DRIVE, MONTVERDE, FLORIDA, OWNED BY SARAH SOLTIS AND JUSTIN MOOREFIELD; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Jason Vallery, Vallery Custom Builders as applicant on behalf of the owners, Sarah Soltis and Justin Moorefield, has petitioned for a variance from the minimum lot width at building for property zoned as R1M as set forth in the Montverde Land Development Code, for property assigned Alt. Key No. 1463441 located at 17129 Lakeside Drive in the Town of Montverde, Florida; and

**WHEREAS**, applicant requests a variance from the Town of Montverde's minimum 90' lot width at building for properties zoned R1M as established in the municipal boundaries of Montverde; and

**WHEREAS**, applicant asserts the property is 84' in width and the owners desire to construct a new single-family home on the property, and will meet all other zoning requirements including side setbacks; and

**WHEREAS**, the variance being granted is the minimum available that will allow reasonable use of the land because there are no alternatives available that would allow construction of single-family residence on the property; and

**WHEREAS**, a public hearing on this Resolution was held by the Planning and Zoning Board and property owners within 300 feet of the subject site were provided written notice no less than two weeks prior the public hearing delivered by U.S. Mail containing the name of the applicant, the nature of the requested variance and the date and time of the public hearing; and

**WHEREAS**, a public hearing on this Resolution was held by the Town Council after public notice advertising this resolution two times with the last advertisement occurring no less than 10 days prior to Town Council holding the public hearing; and

**WHEREAS**, the Planning and Zoning Board and Town Council of the Town of Montverde have considered the petition in accordance with the standards for granting variances contained in Section 10-12 of the Montverde Land Development Code and there is competent substantial evidence in support of the requested variance.

**NOW THEREFORE**, be it resolved by the Town Council of the Town of Montverde, Florida, as follows:

**Section 1.** The petition for variance filed by Jason Vallery, Vallery Custom Builders as applicant on behalf of the owners, Sarah Soltis and Justin Moorefield, for property located at 17129 Lakeside Drive in the Town of Montverde, Florida, more particularly described as:

The East 84 feet of the South 200 feet Lot X, Lakeside Division of Montverde, according to the plat thereof as recorded in Plat Book 4, Page 38, of the Public Records of Lake County, Florida; Parcel ID No. 01-22-26-0600-000-00X02; Alt. Key 1463441

is **GRANTED** with the following conditions:

1. All other requirements of properties zoned R1M must be met, including but not limited to side year minimum building setbacks.
2. Issuance of a Variance Permit shall not constitute zoning clearance or building permit approval from the Town of Montverde.
3. Such Variance shall expire One Hundred Eighty (180) days from the effective date of this Resolution if owner does not obtain a building permit to construct a single-family residence. If a building permit is timely issued, then owners must obtain a certificate of occupancy within 365 days from issuance of the building permit, unless the building permit is lawfully extended or reissued, but in any event a certificate of occupancy must be issued no later than two (2) years from the effective date of this Resolution.

**Section 2.** This resolution shall be effective after adoption in accordance with law.

Passed and adopted by the TOWN COUNCIL of the TOWN OF MONTVERDE, Florida this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

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

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

	YEA	NAY
Billy Bates, Councilmember		
Allan Hartle, Vice Mayor		
Jim Ley, Councilmember		
Jim Peacock, Councilmember		
Joe Wynkoop, Mayor		



# STAFF REPORT

**TO:** Town Council  
**DATE:** August 8, 2023, 2023  
**APPLICANT:** Jason Vallery (on behalf of Moorefield/Soltis)  
**RE:** Resolution 2023-62 - Request for Variance on Lot Width  
at 17129 Lakeside Drive (Alt Key 1463441)  
**FROM:** Sean M. Parks, AICP, QEP – Consulting Town Planner

---

## **REQUESTED ACTION / RECOMMENDATION:**

Approval or Denial of the Variance Request with any conditions stipulated by the Planning and Zoning Board. The applicant is seeking approval for a Variance from the required minimum lot width to allow new home construction.

**Staff recommends APPROVAL of the Variance Request for the reasons established in this report. Approval of this Variance Request would be in compliance or consistent with the Town's LDC and Comprehensive Plan.**

## **DESCRIPTION OF PROPERTY:**

The property (ALT Key No. 1463441) is located at 17129 Lakeside Drive and is zoned Single Family-Medium Density (R1-M) – Figure 1. The property is owned by Justin Moorefield and Sarah Soltis. The applicable Montverde LDC is provided below.

## **BACKGROUND INFORMATION:**

Parks Consulting Services (PCS) has conducted a Variance Request review for the above referenced project. Jason Vallery, of Vallery Custom Builders (Applicant), has requested approval for a variance from the minimum lot width criteria stipulated in Chapter 10 and Chapter 4 of the Town on Montverde's Land Development Code (LDC). The applicant is requesting the variance to bring into compliance the construction of a new home.



# STAFF REPORT

## Chapter 10, Sec. 10-51

- (1) *Site development standards.* The following schedule reflects the site development standards of the R1-M single family medium zoning district:

Minimum lot size for buildings	10,400 square feet
Minimum lot width at building	90 feet
Minimum street frontage	50 feet
Maximum lot coverage	65%
Front yard minimum building setbacks	25 feet
Front yard adjacent to SR 455, minimum building	35 feet
Side yard minimum building setbacks	7½ feet
Rear yard minimum building setbacks	25 feet
Maximum building height	Two stories or 35 feet
Parking, residential	Minimum of two off-
Parking, other uses	See chapter 4 Design
Landscaping and buffers	See chapter 4 Design
Signs	See chapter 4 Design
Access	See chapter 4 Design
Minimum lot size for buildings	10,400 square feet



# STAFF REPORT

The Variance Criteria as outlined in the Town of Montverde Land Development Regulations, Sec 10-12 states a variance can be granted if ALL of the following are true:

- 1) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district, such on-site conditions may include, but are not limited to, topography, preservation of vegetation, access, vehicular and pedestrian safety and preservation of scenic views;

**The Subject Property was platted prior to the current Land Development Code (LDC). Staff's research indicates the previous owner(s) developed the parcel in full compliance with the prior version(s) of the LDC. The Subject Property width is not consistent with the widths of other adjacent parcels which are consistent with the current LDC. The adjacent parcels were platted at the same time as the Subject Property. Thus, the Subject Parcel is unique. The width of the lot is restricted by existing developed lots on both sides.**

- 2) That the special conditions and circumstances do not result from the actions of the applicant;

**The width of the lot was determined by the adjacent homes and lots and not the actions of the applicant. The Subject Property was platted prior to the current Land Development Code (LDC). Staff's research indicates the previous owner(s) developed the parcel in full compliance with the prior version(s) of the LDC. The Subject Property width is not consistent with the widths of other adjacent parcels which are consistent with the current LDC. The adjacent parcels were platted at the same time as the Subject Property. Thus, the Subject Parcel is unique. The width of the lot is restricted by existing developed lots on both sides.**

- 3) That literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;



# STAFF REPORT

Literal interpretation of the LDC would result in making the property unusable and thus a violation of the applicant's reasonable expectation of property rights. The required lot width is more than is necessary for construction of a new home. All setbacks will be met by the applicant. The applicant proposes to construct a residential structure within the same footprint of the previous home (now demolished).

- 4) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

The proposed lot with of 84-feet is adequate for the construction of a new home and required side-yard setbacks of 7.5-feet on each side. There is only a 6-ft difference in the actual lot width versus the required lot width of 90-ft.

- 5) That the granting of the variance will be in harmony with the general intent and purpose of this Code and the Comprehensive Plan, will not be injurious to the neighborhood or otherwise detrimental to the public welfare;

The granting of this variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The applicant proposes a residential structure in similar size to neighboring structures and within the same footprint of a structure previously located on the Subject Property.

- 6) The granting of the variance will not be detrimental to the property or improvements in the area in which the property is located.

The granting of this variance will not be detrimental to the property or improvements in the area in which the property is located. The applicant proposes a residential structure in similar size to neighboring structures and within the same footprint of a structure previously located on the Subject Property.





# STAFF REPORT

## RESOLUTION 2023-62

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, GRANTING A VARIANCE FROM SECTION 10-52(e) IN CHAPTER 10 OF THE MONTVERDE LAND DEVELOPMENT CODE FROM THE MINIMUM LOT WIDTH AT BUILDING TO ALLOW A MINIMUM LOT WIDTH AT BUILDING OF 84' RATHER THAN THE REQUIRED 90' MINIMUM LOT WIDTH AT BUILDING REQUIRED IN R1M ZONING FOR THE REAL PROPERTY LOCATED AT 17129 LAKESIDE DRIVE, MONTVERDE, FLORIDA, OWNED BY SARAH SOLTIS AND JUSTIN MOOREFIELD; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Jason Vallery, Vallery Custom Builders as applicant on behalf of the owners, Sarah Soltis and Justin Moorefield, has petitioned for a variance from the minimum lot width at building for property zoned as R1M as set forth in the Montverde Land Development Code, for property assigned Alt. Key No. 1463441 located at 17129 Lakeside Drive in the Town of Montverde, Florida; and

**WHEREAS**, applicant requests a variance from the Town of Montverde's minimum 90' lot width at building for properties zoned R1M as established in the municipal boundaries of Montverde; and

**WHEREAS**, applicant asserts the property is 84' in width and the owners desire to construct a new single-family home on the property, and will meet all other zoning requirements including side setbacks; and

**WHEREAS**, the variance being granted is the minimum available that will allow reasonable use of the land because there are no alternatives available that would allow construction of single-family residence on the property; and

**WHEREAS**, a public hearing on this Resolution was held by the Planning and Zoning Board and property owners within 300 feet of the subject site were provided written notice no less than two weeks prior the public hearing delivered by U.S. Mail containing the name of the applicant, the nature of the requested variance and the date and time of the public hearing; and



# STAFF REPORT

**WHEREAS**, a public hearing on this Resolution was held by the Town Council after public notice advertising this resolution two times with the last advertisement occurring no less than 10 days prior to Town Council holding the public hearing; and

**WHEREAS**, the Planning and Zoning Board and Town Council of the Town of Montverde have considered the petition in accordance with the standards for granting variances contained in Section 10-12 of the Montverde Land Development Code and there is competent substantial evidence in support of the requested variance.

**NOW THEREFORE**, be it resolved by the Town Council of the Town of Montverde, Florida, as follows:

**Section 1.** The petition for variance filed by Jason Vallery, Vallery Custom Builders as applicant on behalf of the owners, Sarah Soltis and Justin Moorefield, for property located at 17129 Lakeside Drive in the Town of Montverde, Florida, more particularly described as:

The East 84 feet of the South 200 feet Lot X, Lakeside Division of Montverde, according to the plat thereof as recorded in Plat Book 4, Page 38, of the Public Records of Lake County, Florida; Parcel ID No. 01-22-26-0600-000-00X02; Alt. Key 1463441

is **GRANTED** with the following conditions:

1. All other requirements of properties zoned R1M must be met, including but not limited to side yard minimum building setbacks.
2. Issuance of a Variance Permit shall not constitute zoning clearance or building permit approval from the Town of Montverde.
3. Such Variance shall expire One Hundred Eighty (180) days from the effective date of this Resolution if owner does not obtain a building permit to construct a single-family residence. If a building permit is timely issued, then owners must obtain a certificate of occupancy within 365 days from issuance of the building permit, unless the building permit is lawfully



# STAFF REPORT

extended or reissued, but in any event a certificate of occupancy must be issued no later than two (2) years from the effective date of this Resolution.

**Section 2.** This resolution shall be effective after adoption in accordance with law.

Passed and adopted by the TOWN COUNCIL of the TOWN OF MONTVERDE, Florida this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

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

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

	YEA	NAY
Billy Bates		
Allan Hartle		
Jim Ley		
Jim Peacock		
Joe Wynkoop		



# STAFF REPORT

FIGURE 1





ADDRESS  
17129 Lakeside Drive  
Montverde, FL 34765



- LEGEND**
- CC = Contour
  - ID = Identification
  - LB = Licensed Boundary
  - FR = Found Iron Pipe
  - PE = Found Iron Pole
  - C/S = Concrete Stake
  - D = Distorted Angle
  - L = Line
  - W = Well
  - W = Wire Fence
  - PG = Pegs
  - DB = Durable Bar
  - EM = Elder Marker
  - LI = Light Pole
  - TR = Telephone Pole
  - TR = Transformer
  - PA = Post Equipment
  - CB = Cable TV Box
  - CH = Chute
  - OFF = Office
  - PK = Power Pole
  - MB = Metal Box
  - PC = Pinner Peg
  - AD = Adjusted Utility
  - DB = Downed Utility
  - OC = Official Record Book
  - WB = Wood Fence

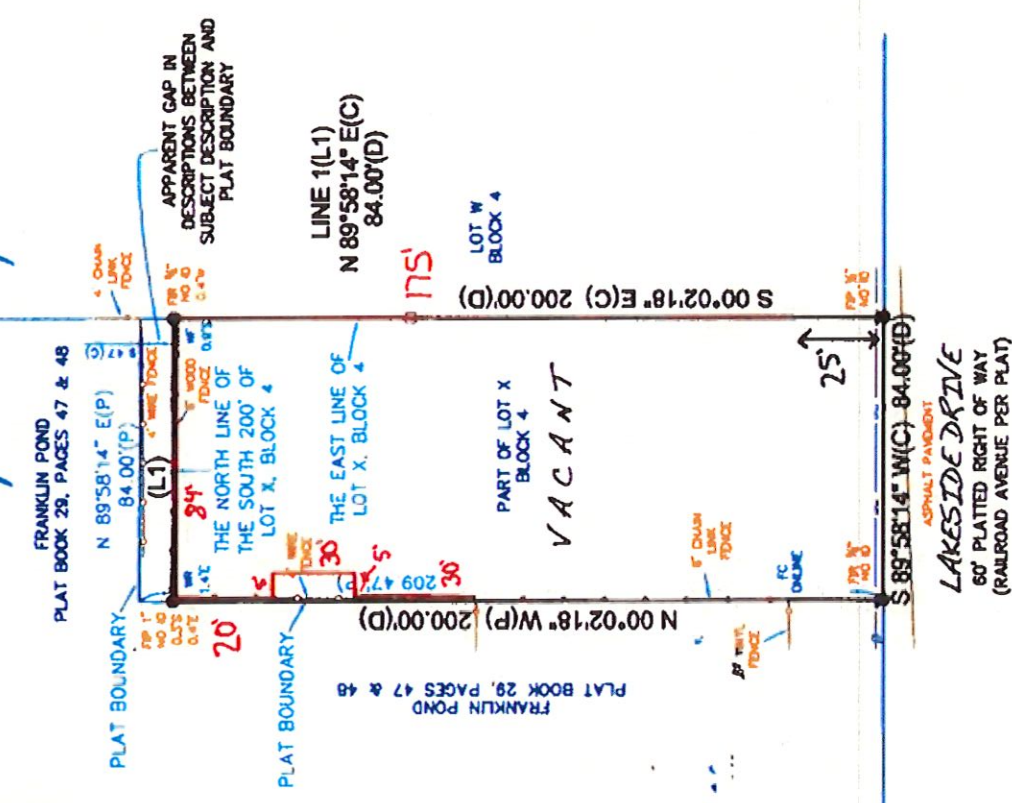
**Legal Description**  
(per OR Book 5513, Page 923)  
The East 84 feet of the South 200 feet Lot X, Lakeside Division of Montverde, according to the plat thereof, as recorded in Plat Book 4, Page 38, of the Public Records of Lake County, Florida.



JOB #	V1823-4678
CLIENT #	
FIELD DATE	10/12/12
DRAWN BY	
APPROVED BY	BO
SCALE	1" = 40'

Survey Administrator and Assistant

# Boundary Survey



**CERTIFICATE No. (for Publication)**  
John B. and Judith M. Sherrill  
Subdividers  
Professional Surveyors  
17129 Lakeside Drive  
Montverde, FL 34765

**BLOCK 2236**  
SUBJECT PROPERTY BOUNDARY APPEARS TO BE LOCATED IN BLOCK 2236, AS AREAS DETERMINED TO BE OUTSIDE THE 60-FEET PLATTED RIGHT OF WAY. THE ACCURACY OF THE ABOVE INFORMATION, THE LOCAL F.L.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.

**LIST OF POSSIBLE ENCROACHMENTS**  
NONE UTILIZED IN WITHIN SUBJECT PROPERTY.  
CONTRIBUTORS OF FENCES HAVE BEEN DETERMINED.

**BOUNDARY OF BOUNDARY**  
BASED ON THE BEST USE OF SUBJECT PROPERTY VEHICLES AND A HISTORY OF SUBJECT'S POSSESSION.

**NOTES**

- Unsurveyed utility installations, underground pipelines, conduits, manholes, or other subsurface utilities are shown for information only. They are not to be used for construction purposes.
- The purpose of this survey is for the use in obtaining title insurance and financing and for other purposes.
- As of the date of this survey, the subject property is vacant.
- The property boundaries are subject to all liens, mortgages, and other interests which may exist on the property.
- Subdividers warrant that the information herein was obtained by reasonable care and skill and is true and correct to the best of their knowledge.
- Subdividers warrant that they are duly licensed and qualified to perform the service herein.
- Subdividers warrant that the information herein was obtained by reasonable care and skill and is true and correct to the best of their knowledge.

**THE SURVEY IS PREPARED FOR THE EXCLUSIVE USE OF THE PROPERLY LISTED PROPERTY TO WHICH IT APPLIES. THE SURVEYOR HAS NO LIABILITY TO ANY OTHER PARTY.**

LB 7788

**VISIONLAND**  
241 S. Pritchard Ave., Winter Park, FL 32789 (407) 399-8474

**SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY PREPARED UNDER MY SUPERVISION.

Ernest W. Duncan, P.E.M.  
PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA REGISTRATION # 18,812  
NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND/OR ORIGINAL ISSUED SEAL OF THE LISTED FLORIDA LICENSED SURVEYOR AND MAPPER

DATE: 10/12/12  
REVISION: DATE: REVISION: DATE: REVISION:

HOME PLAN  
TO BE DESIGNED  
ONCE VARIANCE  
APPROVED

Please call with  
questions

Jason Vallery  
407-234-4183

**OWNER'S AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF LAKE

Before me, the undersigned authority, personally appeared Justin C. Moorfield who being by me first duly sworn on oath, deposes and says:

- (1) That he/she is the fee-simple owner of the property legally described on page one of this application.
- (2) That he/she desires approval for:  
zoning variance
- (3) That he/she has appointed Valley Custom Builders, LLC to act as agent in his/her behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his/her stead.

Justin C. Moor  
Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this 20 day of May, 2023 by Justin C. Moorfield who is personally known to me or who has produced Justin C. Moorfield identification and who did (did not) take an oath.

Alexandra Devoe  
Notary Public



ALEXANDRA DEVOE  
Notary Public  
State of Florida  
Comm# HH388782  
Expires 4/19/2027

**NOTE**

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.

**ORDINANCE NO. 2023-34**



**ORDINANCE 2023-34**

**AN ORDINANCE OF THE TOWN OF MONTVERDE, FLORIDA, AMENDING ZONING REGULATIONS IN CHAPTER 8 OF THE TOWN OF MONTVERDE LAND DEVELOPMENT CODE TO INCLUDE A DECLARATION OF UNITY OF TITLE PROCESS FOR THE COMBINATION OF REAL PROPERTY WITHIN THE TOWN OF MONTVERDE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Montverde desires to provide a formal process to allow for a lot, plot or parcel of land to be joined with or combined with an adjacent property or portion of an adjacent property under the same ownership as an indivisible building site; and

**WHEREAS**, the Town finds that the declaration of unity of title process is efficient, less costly and yet still allows for review and regulation by the Town; and

**WHEREAS**, the Planning and Zoning Board of the Town of Montverde considered this ordinance at a public meeting and has made a recommendation to Town Council; and

**WHEREAS**, the Town Council of the Town of Montverde held a public hearing which was advertised in accordance with law and held such public hearing no less than 10 days after the day advertisement was published.

**WHEREAS**, the Town of Montverde has determined that it is necessary to amend the Town's Land Development Code to protect the health, safety, and welfare of its citizens;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Montverde, Florida, as follows:

**SECTION 1. Legislative Findings and Intent.** The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this Ordinance.

**SECTION 2.** That Section 8-27 of Article I in Chapter 8, Part III (Land Development Code) of the Montverde Code of Ordinances shall be created to read as follows:

**Sec. 8-27. Declaration of Unity of Title.**

(a) *Purpose and intent.*

To combine separate lots, plots, parcels, acreage or portions thereof as a unified, indivisible building site.

(b) *Standards.*

- (1) A declaration of unity of title may be applied for lots in either platted subdivision or a metes and bounds legal description, provided that each parcel or lot is currently recognized as a lot of record or legally created lot approved by the town.
- (2) Existing access to each lot may not be altered for each lot (i.e., an easement may not be added or extended).

(c) *Submittal.*

- (1) A completed and executed Declaration of Unity of Title form provided by the town.
- (2) A sketch of description of the property as unified.
- (3) Current property record cards of the affected parcels.
- (4) Warranty deeds for the affected parcels.

(d) *Review and Recording.*

- (1) The town manager or designee shall transmit a copy of the proposed declaration of unity of title submittal to the town planner, town attorney and town engineer/surveyor of the town for review and comments.
- (2) If the proposed submittal meets the conditions of these regulations and otherwise complies with all applicable laws and ordinances, the town manager or designee shall approve the declaration of unity of title and record in the public records of Lake County, Florida at the applicant's expense.

**SECTION 3. Codification.** It is the intent of the Town Council of the Town of Montverde that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in renumbering and codifying the provision of this Ordinance.

**SECTION 4. Severability.** If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

**SECTION 5. Conflicts.** In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this Town, the provision of this Ordinance shall govern.

**SECTION 6. Effective Date.** This Ordinance shall become effective immediately upon adoption.

**PASSED AND DULY ADOPTED** by the Town of Montverde, Lake County, Florida this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

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

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

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

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

	YEA	NAY
Billy Bates, Councilmember		
Allan Hartle, Vice Mayor		
Jim Ley, Councilmember		
Jim Peacock, Councilmember		
Joe Wynkoop, Mayor		



# STAFF REPORT

**TO:** Town Council  
**FROM:** Sean M Parks, AICP, QEP Town Planner  
**DATE:** August 8, 2023  
**SUBJECT:** Unity of Title Code Addition  
**APPLICANT:** Town of Montverde

---

## **REQUESTED ACTION / RECOMMENDATION:**

### **Provide Approval of New Code for Unity of Title**

The proposed code protects property rights and is not an economic burden to potentially affected parties. The proposed ordinance protects the Town's quality of life and small-town charm.

### **Sec. 8-27. Declaration of Unity of Title.**

#### *(a) Purpose and intent.*

To combine separate lots, plots, parcels, acreage or portions thereof as a unified, indivisible building site.

#### *(b) Standards.*

- (1) A declaration of unity of title may be applied for lots in either platted subdivision or a metes and bounds legal description, provided that each parcel or lot is currently recognized as a lot of record or legally created lot approved by the town.
- (2) Existing access to each lot may not be altered for each lot (i.e., an easement may not be added or extended).

#### *(c) Submittal.*

- (1) A completed and executed Declaration of Unity of Title form provided by the town.
- (2) A sketch of description of the property as unified.
- (3) Current property record cards of the affected parcels.
- (4) Warranty deeds for the affected parcels.



# STAFF REPORT

(d) *Review and Recording.*

- (1) The town manager or designee shall transmit a copy of the proposed declaration of unity of title submittal to the town planner, town attorney and town engineer/surveyor of the town for review and comments.
- (2) If the proposed submittal meets the conditions of these regulations and otherwise complies with all applicable laws and ordinances, the town manager or designee shall approve the declaration of unity of title and record in the public records of Lake County, Florida at the applicant's expense.

## ORDINANCE 2023-34

**AN ORDINANCE OF THE TOWN OF MONTVERDE, FLORIDA, AMENDING ZONING REGULATIONS IN CHAPTER 8 OF THE TOWN OF MONTVERDE LAND DEVELOPMENT CODE TO INCLUDE A DECLARATION OF UNITY OF TITLE PROCESS FOR THE COMBINATION OF REAL PROPERTY WITHIN THE TOWN OF MONTVERDE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Montverde desires to provide a formal process to allow for a lot, plot or parcel of land to be joined with or combined with an adjacent property or portion of an adjacent property under the same ownership as an indivisible building site; and

**WHEREAS**, the Town finds that the declaration of unity of title process is efficient, less costly and yet still allows for review and regulation by the Town; and

**WHEREAS**, the Planning and Zoning Board of the Town of Montverde considered this ordinance at a public meeting and has made a recommendation to Town Council; and

**WHEREAS**, the Town Council of the Town of Montverde held a public hearing which was advertised in accordance with law and held such public hearing no less than 10 days after the day advertisement was published.



# STAFF REPORT

**WHEREAS**, the Town of Montverde has determined that it is necessary to amend the Town's Land Development Code to protect the health, safety, and welfare of its citizens;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Montverde, Florida, as follows:

**SECTION 1. Legislative Findings and Intent.** The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this Ordinance.

**SECTION 2.** That Section 8-27 of Article I in Chapter 8, Part III (Land Development Code) of the Montverde Code of Ordinances shall be created to read as follows:

**Sec. 8-27. Declaration of Unity of Title.**

- (a) *Purpose and intent.*  
To combine separate lots, plots, parcels, acreage or portions thereof as a unified, indivisible building site.
- (b) *Standards.*
  - (1) A declaration of unity of title may be applied for lots in either platted subdivision or a metes and bounds legal description, provided that each parcel or lot is currently recognized as a lot of record or legally created lot approved by the town.
  - (2) Existing access to each lot may not be altered for each lot (i.e., an easement may not be added or extended).
- (c) *Submittal.*
  - (1) A completed and executed Declaration of Unity of Title form provided by the town.
  - (2) A sketch of description of the property as unified.
  - (3) Current property record cards of the affected parcels.
  - (4) Warranty deeds for the affected parcels.
- (d) *Review and Recording.*
  - (1) The town manager or designee shall transmit a copy of the proposed declaration of unity of title submittal to the town planner, town attorney and town engineer/surveyor of the town for review and comments.



# STAFF REPORT

(2) If the proposed submittal meets the conditions of these regulations and otherwise complies with all applicable laws and ordinances, the town manager or designee shall approve the declaration of unity of title and record in the public records of Lake County, Florida at the applicant's expense.

**SECTION 3. Codification.** It is the intent of the Town Council of the Town of Montverde that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in renumbering and codifying the provision of this Ordinance.

**SECTION 4. Severability.** If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

**SECTION 5. Conflicts.** In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this Town, the provision of this Ordinance shall govern.

**SECTION 6. Effective Date.** This Ordinance shall become effective immediately upon adoption.

**PASSED AND DULY ADOPTED** by the Town of Montverde, Lake County, Florida this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

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



# STAFF REPORT

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

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

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

	YEA	NAY
Billy Bates		
Allan Hartle		
Jim Ley		
Jim Peacock		
Joe Wynkoop		





# Declaration of Unity of Title

THIS Declaration of Unity of Title, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by; \_\_\_\_\_

Name of Property Owner(s)

\_\_\_\_\_  
Address of Property Owner(s)

of; \_\_\_\_\_ Title/Position  
Name of Partnership/Corporation (if applicable)

County of \_\_\_\_\_, State of \_\_\_\_\_, hereinafter referred to as "Declarant," pursuant to the Town of Montverde Land Development Regulations, being the fee owner of the following described real property located in Montverde, Florida, to wit:

Alternate Key Number(s): \_\_\_\_\_

Sec. \_\_\_\_\_ Twp. \_\_\_\_\_ Rng. \_\_\_\_\_

More Particularly Described as (state legal description, include maps, attached if insufficient space).

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

Hereby make the following declarations of condition, limitation and restriction on said lands, hereinafter to be known and referred to as a Declaration of Unity of Title, as to the following particulars:

1. That the aforesaid plot of, or combination of separate lots, plots, parcels, acreage or portions thereof, shall hereinafter be declared to be unified under one title as an indivisible building site, unless the Town approves a Development Order consistent with the Town's Land Development Regulations.
2. That the said property shall henceforth be considered as one plot or parcel of land, and that no portion thereof shall be sold, assigned, transferred, conveyed or devised separately except in its entirety as one plot or parcel of land.
3. Purpose of unity:

DECLARANT further agrees that this Declaration of Unity of Title shall constitute a covenant to run with the land, as provided by law, and shall be binding upon the Declarant, his/her heirs, successors and assigns, and all parties claiming under him/her until such time as the same may be released in writing by the Town of Montverde. Declarant also agrees that this Declaration of Unity of Title shall be recorded in the Public Records of Lake County, Florida.

IN WITNESS WHEREOF, Declarant has executed this instrument in the manner provided by law, on the day and year first above written. Signed, Sealed and Delivered in our presence as witnesses:

**Witnesses**

**Owner/Partner/Corporation**

1. \_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Type/Print Name of Witness

\_\_\_\_\_  
Type/Print Name

2. \_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Second Property Owner Signature

\_\_\_\_\_  
Type/Print name of Witness

\_\_\_\_\_  
Type/Print Name

\_\_\_\_\_  
Type/Print Title/Position

State of Florida  
County of Lake  
Town of Montverde

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

Personally Known OR Produced Identification

Type of Identification Produced \_\_\_\_\_

\_\_\_\_\_  
Notary Signature  
(SEAL)

**\*\*FOLLOWING TO BE COMPLETED BY TOWN STAFF ONLY\*\***

Reviewed by Town of Montverde, Florida on this \_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ and approved as to sufficiency and form.

Staff Print Name: \_\_\_\_\_  
Job Title: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

**ORDINANCE NO. 2023-35**

## ORDINANCE 2023-35

**AN ORDINANCE OF THE TOWN OF MONTVERDE, FLORIDA, AMENDING ARTICLE VI IN CHAPTER 2 OF THE TOWN OF MONTVERDE CODE OF ORDINANCES TO IMPOSE A PASS-THROUGH CONVENIENCE SURCHARGE USAGE FEE; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council is authorized pursuant to Ch. 166 and s. 215.322, Florida Statutes, to adopt this ordinance, and recognizes municipal authority to impose fees on users of services; and

**WHEREAS**, the Town of Montverde accepts payment by credit cards, charge cards, bank debit cards, and electronic funds transfers and in doing so the Town is charged a fee by the credit card company or bank; and

**WHEREAS**, the Town of Montverde desires to offset the fees that credit card companies and banks are charging the Town by passing the fee on to the user; and

**WHEREAS**, the Town Council of the Town of Montverde held a public hearing which was advertised in accordance with law and held such public hearing no less than 10 days after the day advertisement was published.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Montverde, Florida, as follows:

**SECTION 1. Legislative Findings and Intent.** The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this Ordinance.

**SECTION 2.** Section 2-201. In Article VI in Chapter 2, of the Town of Montverde Code of Ordinances is created to read as follows:

**Sec. 2-201. Convenience surcharge usage fee.**

- (a) The town accepts payment by use of credit cards, charge cards, bank debit cards, and electronic funds transfers for financial obligations that are owing to the town. Excluding a utility payment, any user shall be required to pay a convenience surcharge usage fee for each transaction. The town will verify both the validity of any credit card, charge card, bank debit card, or electronic funds transfer used and the existence of appropriate credit with respect to the party using the card or transfer.
- (b) The convenience surcharge usage fee shall be 3.5% of the amount of the payment due the Town.

**SECTION 3. Codification.** It is the intent of the Town Council of the Town of Montverde that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in renumbering and codifying the provision of this Ordinance.

**SECTION 4. Severability.** If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

**SECTION 5. Conflicts.** In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this Town, the provision of this Ordinance shall govern.

**SECTION 6. Effective Date.** This Ordinance shall become effective immediately upon adoption.

**PASSED AND DULY ADOPTED** by the Town of Montverde, Lake County, Florida this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

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

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

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

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

	YEA	NAY
Bill Bates, Councilmember		
Allan Hartle, Vice Mayor		
Jim Ley, Councilmember		
Jim Peacock, Councilmember		
Joe Wynkoop, Mayor		

**ORDINANCE NO. 2023-36**

**ORDINANCE 2023-36**

**AN ORDINANCE OF THE TOWN COUNCIL OF  
THE TOWN OF MONTVERDE, FLORIDA,  
ADOPTING AMENDMENT TO INTERLOCAL  
SERVICE BOUNDARY AGREEMENT; AND  
PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in 2010 the Town of Montverde, City of Clermont, City of Minneola, Pine Island Community Development District, an independent special district created by §190, *Florida Statutes*, and Lake County, entered into an Interlocal Service Boundary Agreement (“ISBA”) pursuant to §171.203, *Florida Statutes*; and

**WHEREAS**, the Town desires to adopt an amendment to the ISBA extending the Term of Agreement as therein defined, and provide for the Ferndale Special Area not develop at a density greater than its current entitlement which is one (1) dwelling unit for five (5) net acres; and

**WHEREAS**, Florida municipalities possess Municipal Home Rule Powers pursuant to Article VIII, Section 2(b) of the Florida Constitution and Section 166.021, *Florida Statutes*; and

**WHEREAS**, the Town Council of the Town of Montverde finds that the benefits of intergovernmental communications and coordination will accrue to all parties of the ISBA; and

**WHEREAS**, the Town Council of the Town of Montverde has determined that the best interests of its citizens would be served by adopting the Amendment to ISBA; and

**WHEREAS**, the Town may enter into the Amendment to ISBA pursuant to the authority of Article VIII of the Florida Constitution and Chapters 163.3177, 166.021 and 171.203, *Florida Statutes* (2023).

NOW, THEREFORE, be it ordained by the Town Council of the Town of Montverde, Florida as follows:

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

**SECTION TWO:** The Town Council hereby adopts the Amendment to Interlocal Service Boundary Agreement between The Town of Montverde, The City of Clermont, The City of Minneola, Pine Island Community Development District and Lake County attached hereto and incorporated herein as **Exhibit “A”** which shall be kept on file in the office of the Town Clerk.



**SECTION THREE:** This Ordinances shall take effect immediately upon final adoption by the Town Council of the Town of Montverde, Florida, subject to approval by all parties to the Agreement.

**PASSED AND DULY ADOPTED** by the Town of Montverde, Lake County, Florida this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

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

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

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

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

	YEA	NAY
Bill Bates, Councilmember		
Allan Hartle, Vice Mayor		
Jim Ley, Councilmember		
Judy Smith, Councilmember		
Joe Wynkoop, Mayor		

**AMENDMENT TO INTERLOCAL  
SERVICE BOUNDARY AGREEMENT  
BETWEEN**

**The Town of Montverde,  
The City of Clermont,  
The City of Minneola, Pine Island  
Community Development District and  
Lake County**

**AMENDMENT TO INTERLOCAL SERVICE BOUNDARY AGREEMENT  
BETWEEN THE TOWN OF MONTVERDE, THE CITY OF CLERMONT,  
THE CITY OF MINNEOLA, PINE ISLAND COMMUNITY  
DEVELOPMENT DISTRICT AND LAKE COUNTY**

This Amendment to the Interlocal Service Boundary Agreement is made by and between the TOWN OF MONTVERDE, the cities of CLERMONT and MINNEOLA, all of which are Florida municipalities (collectively referred to as “Cities” and individually as “Montverde”, “Clermont”, “Minneola”), PINE ISLAND COMMUNITY DEVELOPMENT DISTRICT, an independent special district created by Chapter 190, Florida Statutes (“PINE ISLAND”) and LAKE COUNTY, a political subdivision of the State of Florida (the “County”).

**WITNESSETH**

**WHEREAS**, Florida municipalities possess Municipal Home Rule Powers pursuant to Article VIII, Section 2(b) of the Florida Constitution and Section 166.021, *Florida Statutes*.

**WHEREAS**, the County possesses Home Rule powers pursuant to Article VIII, Section 1(b), of the Florida Constitution and Section 125.01, *Florida Statutes*.

**WHEREAS**, the stated purpose of the Florida Interlocal Cooperation Act of 1969, Section 163.01, *Florida Statutes*, is to “permit local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities.”

**WHEREAS**, the principal goal of the Interlocal Service Boundary Agreement Act Section 171.20, *Florida Statutes* is to “encourage local governments to jointly determine how to provide services to residents and property in the most efficient and effective manner while balancing the needs and desires of the community.” It is also intended to provide “a more flexible process for adjusting municipal boundaries and to address a wider range of the effects of annexation” . . . “to encourage intergovernmental coordination in planning, service delivery, and boundary adjustments and to reduce intergovernmental conflicts and litigation between local governments” . . . “to promote sensible boundaries that reduce the costs of local governments, avoid duplicating local services, and increase political transparency and accountability” . . . and “to prevent inefficient service delivery and an insufficient tax base to support the delivery of those services.”

**WHEREAS**, in 2010, Cities, Pine Island and County entered into an Interlocal Service Boundary Agreement (the “Agreement”), in order to specifically identify lands deemed logical for future annexations into Cities and land to remain unincorporated (“Unincorporated Service Area”), for Montverde, County and Minneola to provide for the adoption of the Goals, Objectives, and Strategies of the Green Mountain Scenic Bylaw, as well as to provide for the exclusion of utilities in the Ferndale Special Area unless approved in advance by County.

**WHEREAS**, Cities, Pine Island and County wish to amend the Agreement to extend the Term of Agreement and to preserve the density of development in the Ferndale Special Area to those provided for in the 2030 Lake County Comprehensive Plan in effect as of the Effective Date of this Amendment as hereinafter defined.

**WHEREAS**, Cities, Pine Island and County find that the benefits of intergovernmental communications and coordination will accrue to all Parties.

**WHEREAS**, this Amendment to the Agreement is entered into pursuant to the authority of Article VIII of the Florida Constitution and Chapters 125.01, 163.3177, 166.021 and 171.203, 190.011, *Florida Statutes* (2021).

**NOW THEREFORE**, in consideration of the mutual covenants set forth herein and in the Agreement, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to amend the Agreement as follows:

1. **RECITALS**. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this Amendment to the Agreement.

2. **FERNDALE SPECIAL RURAL PROTECTION AREA**. Properties within the Ferndale Special Area as depicted in Exhibit F of the Agreement are designed as Rural and Conservation on the future land use map of Lake County, Florida. The 2030 Lake County Comprehensive Plan limits density for properties designated as Rural to a maximum of 1 dwelling unit for 5 net acres. The Parties agree that during the Term of Agreement, properties within the Ferndale Special Area shall not be developed at a density greater than 1 dwelling unit for 5 net acres.

3. **TERM OF AGREEMENT**. Paragraph 9. Term of Agreement of the Agreement is hereby amended to read as follows:

9. **TERM OF AGREEMENT**. The Term of Agreement shall commence upon the effective date of this Amendment to Interlocal Service Boundary Agreement and terminate twenty (20) years from the Effective Date, unless otherwise extended or terminated by the Parties in writing. The Effective Date of this Amendment to Interlocal Service Boundary Agreement shall be the date of final adoption by the last party.

4. **SEVERABILITY**. If any portion of this Amendment to the Agreement is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this Amendment to the Agreement, the portion deemed invalid or unenforceable shall be severed here from and the remainder of this Amendment to the Agreement shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

5. **FULL FORCE AND EFFECT OF OTHER PROVISIONS**. All provisions of the Agreement not specifically amended herein shall remain in full force and effect.

*SIGNATURE PAGES TO FOLLOW*

**BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

\_\_\_\_\_  
Kirby Smith, Chairman

This \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

\_\_\_\_\_  
Gary J. Cooney, Clerk of the  
Board of County Commissioners  
of Lake County, Florida

Approved as to form and legality:

\_\_\_\_\_  
Melanie Marsh  
County Attorney

**TOWN OF MONTVERDE**

\_\_\_\_\_  
Joe Wynkoop  
Mayor

This \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

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

**CITY OF CLERMONT, FLORIDA**

\_\_\_\_\_  
Tim Murry, Mayor

This \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Tracy Ackroyd, City Clerk

Approved as to form and legality:

\_\_\_\_\_  
Daniel F. Mantzaris, City Attorney

**CITY OF MINNEOLA**

\_\_\_\_\_  
Pat Kelley  
Mayor

This \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Kristine Thompson, City Clerk

Approved as to form and legality:

\_\_\_\_\_  
Scott Gerken, City Attorney



**PINE ISLAND COMMUNITY DEVELOPMENT DISTRICT  
LAKE COUNTY, FLORIDA**

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

This \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_

Approved as to form and legality:

\_\_\_\_\_  
\_\_\_\_\_, District Attorney

**RESOLUTION NO. 2023-69**

**RESOLUTION 2023-69**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, APPROVING THE FIRST AMENDMENT TO INTERLOCAL AGREEMENT FOR FIRE PROTECTION AND RESCUE SERVICES BETWEEN LAKE COUNTY, FLORIDA, AND THE TOWN OF MONTVERDE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on May 11, 2021 the Town of Montverde and Lake County entered into the Interlocal Agreement for Fire Protection and Rescue Services for the provision of fire protection and rescue services within the Town of Montverde, and the Interlocal Agreement also provided for construction of a new fire station by Lake County; and

**WHEREAS**, construction of the new fire station has been delayed, and the County seeks an extension to December 31, 2024 to obtain a certificate of occupancy for the new fire station, and in the interim will pay for water, sewer and electricity while using Fire Station 85; and

**WHEREAS**, the Town Council of the Town of Montverde, Florida finds the amendment to the agreement is beneficial to the Town of Montverde and its residents; and

**WHEREAS**, the Town Council of the Town of Montverde, Florida desires to enter into the First Amendment to Interlocal Agreement between Lake County, Florida and the Town of Montverde, Florida for Fire Protection and Rescue Services.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

Section 1. The First Amendment to Interlocal Agreement for Fire Protection and Rescue Services between Lake County, Florida and the Town of Montverde, Florida, a copy of which is attached hereto, is approved.

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

Section 3. This resolution shall take effect immediately upon its final adoption by the Town Council of the Town of Montverde, Florida.

**PASSED AND RESOLVED** this \_\_\_\_ day of \_\_\_\_\_, 2023, by the Town Council of the Town of Montverde, Florida.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

---

Sandy Johnson, Town Clerk

Approved as to form and legality:

---

Anita Geraci-Carver, Town Attorney

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT FOR  
FIRE PROTECTION AND RESCUE SERVICES**

**THIS IS A FIRST AMENDMENT TO INTERLOCAL AGREEMENT** between Lake County, a political subdivision of the State of Florida, (hereinafter the “County”) and the Town of Montverde, a municipal corporation organized under the laws of the State of Florida, (hereinafter the “Town”) for fire protection and rescue services.

**WITNESSETH**

**WHEREAS**, Section 163.01, Florida Statutes, provides that local governments may enter into interlocal agreements to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage; and

**WHEREAS**, the Town is served by a volunteer Fire and Rescue Department but is interested in having the County assume responsibility for the delivery of fire protection and rescue services within the Town’s limits; and

**WHEREAS**, Lake County Fire Rescue (hereinafter “LCFR”), is capable of providing these services and is willing to partner with the Town; and

**WHEREAS**, Lake County Ordinance 1998-63, as amended by 2003-99, provides the method for the County to impose and collect an annual Fire Rescue Assessment; and

**WHEREAS**, Section 125.01(1)(q), Florida Statutes, and Section 10.5-33, Lake County Code, authorizes the County to impose fire rescue assessments in all or a portion of the County including incorporated areas within a municipality through the creation of a municipal service taxing or benefit unit; and

**WHEREAS**, Town of Montverde Ordinance 2017-044 authorizes the collection, by the Town of Montverde, a Fire Rescue Impact Fee; and

**WHEREAS**, Section 10.5-54, Lake County Code, requires a municipality to request and consent to the provision of fire rescue services, facilities, and programs by the County in the municipal area by way of an ordinance; and

**WHEREAS**, the parties did enter into an Interlocal Agreement on May 11, 2021, for the purposes of transferring the provision of fire services from the Town to the County. As part of that Interlocal Agreement, the County agreed to construct a new fire station by certain specified dates; and

**WHEREAS**, the parties have determined that it is in the best interests of the residents of the Town and the County to amend the construction timelines of the original Agreement.

**THEREFORE**, the parties hereby agree as follows:

**Section 1. Legal Findings of Fact.** The foregoing recitals are hereby adopted as legislative findings of the parties and are ratified and confirmed as being true and correct and are hereby made a specific part of this agreement upon adoption hereof.

**Section 2. Amendment.** Section 3.F of the original Interlocal Agreement shall be amended to read as follows:

F. **Facilities.**

1) The Town owns certain real property located at 17105 Porter Avenue, Montverde, Florida, known as “Fire Station 85”, including improvements and fixtures located within and thereon. Until the new fire station as described in subsection 3) below has received its certificate of occupancy and for a period of thirty (30) days thereafter (to allow a reasonable time for moving), the Town shall allow the County to use and occupy Fire Station 85 at no cost to the County, for fire and emergency medical services vehicles and personnel.

2) During the term of this agreement, the Town, at its expense, shall be responsible for the following concerning Fire Station 85:

- a. Maintain, replace, and repair, as necessary and to their current levels, the exterior, structure, roofing, electrical systems, parking area/lot, sidewalks, plumbing, mechanical, HVAC systems including maintenance and repairs, pest control, lawn/landscaping, and fire protection system maintenance and inspection. However, the County will pay for water, sewer, and electricity while using Fire Station 85;
- b. Provide and maintain property insurance;
- c. Take all immediate steps necessary to cure the building of any air quality or environmental issues that may arise; and
- d. Provide housing provisions for additional unit with two (2) personnel on October 1, 2022.

3) A new fire station will be constructed under the following conditions:

- a. The Town conveys to the County the land for construction of the fire station. The portion to be conveyed will front on CR 455 and the County will be permitted to install an emergency signal at the intersection of the access point and CR 455. Approximately three (3) acres is needed with access to a major roadway. The County will have the property appraised when it conducts its due diligence prior to closing using a MAI certified appraiser of the County's choice. The parties hereby agree that the purchase price will be not less than \$150,000.00 except as otherwise provided in this subsection. If the fair market value as determined by the appraisal is less than \$150,000.00, then the Town will obtain an MAI certified appraiser of the Town's choice at the Town's expense. If the fair market value as determined by the Town's appraisal is equal to or more than \$150,000.00, then the purchase price will remain \$150,000.00. However, if the fair market value as determined by the Town's appraisal is less than \$150,000.00 then the appraised value as determined by the County's appraisal and the appraised value as determined by the Town's appraisal will be averaged together to determine the purchase price.
- b. The parties agree that the property transfer will take place at the point the County is ready to publicly bid the construction project. Closing shall take place in escrow according to the general provisions of the escrow closing then in use by the Closing Agent fifteen (15) days after the satisfaction or waiver of the County's right to obtain, at its expense, a survey, appraisal, environmental inspections/studies, title commitment and title insurance, or any required rezoning approvals, unless extended by the parties. Closing shall be held at the offices of the Closing Agent selected by the County, or such other place as may be agreed to by the parties. The Closing Agent's charges for such escrow closing shall be borne equally by the parties. The cost of any transfer taxes, transfer tax stamps, or any other exercise or other taxes or fees levied in connection with the sale, purchase, or transfer of title to the Property shall be borne equally by the parties. The Town will be responsible for all costs and expenses associated with transferring marketable title to the County. The parties will share equally in the cost of recording the deed. The County will

receive a buyer's credit in the amount of any utility impact fees or connections fees paid (or to be paid) to the Town when the County obtains a permit for the new fire station.

- c. The County will construct a fire station at the County's expense, using the impact fees collected by the Town and other available County funds. ~~Construction of the fire station shall start (site work) no later than March 31, 2023, and The County will use all good faith and reasonable efforts to~~ obtain a certificate of occupancy no later than ~~October 31, 2023~~December 31, 2024; provided, however, if construction has continued in good faith, but not yet completed by the deadline, the Town Manager and County Manager may mutually agree in writing to an extension. The fire station shall meet all the Town's Land Development Code requirements. County will be responsible for all costs associated with construction including, but not limited to, utility extensions, road improvements, and permits.

**Section 3. Other Provisions.** All other provisions of the original Interlocal Agreement dated May 11, 2021, shall remain in full force and effect unless duly amended in writing by the parties.

**IN WITNESS WHEREOF**, the parties have signed this Interlocal Agreement on the respective dates under each signature: Lake County, through its Board of County Commissioners, signing by and through its Chairman and by the Town of Montverde, Florida, through its Town Commission, signing by its duly authorized representative.

ATTEST:

**LAKE COUNTY, FLORIDA through its  
BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Gary J. Cooney, Clerk  
Board of County Commissioners  
of Lake County, Florida

\_\_\_\_\_  
Kirby Smith, Chairman

This \_\_\_\_ of \_\_\_\_\_, 2023.

Approved as to form and legality:

\_\_\_\_\_  
Melanie Marsh  
County Attorney



**TOWN OF MONTVERDE, FLORIDA**

\_\_\_\_\_  
Joe Wynkoop, Mayor

This \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Town Clerk

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver  
Town Attorney

**RESOLUTION NO. 2023-63**

**RESOLUTION 2023-63**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, GRANTING FINAL PLAT APPROVAL FOR WILLOW RIDGE PHASE 2 CONSISTING OF 126 LOTS LOCATED ON BLACKSTILL LAKE ROAD AND FOSGATE ROAD WITHIN THE TOWN OF MONTVERDE, LAKE COUNTY, FLORIDA; PROVIDING FOR CONDITIONS, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Allen & Company through Tivia Bryan, as applicant on behalf of the owner, Pulte Home Company, LLC, has petitioned for final plat approval of Phase 2 of Willow Ridge, a residential subdivision consisting of single-family lots; and

**WHEREAS**, the subject property consists of 35.77 acres and is zoned PUD; and

**WHEREAS**, the Planning and Zoning Committee and the Town Council have considered the application in accordance with the provisions for granting final plat approval set forth in Section 8.8 – 8.14 Town of Montverde Land Development Regulations; and

**WHEREAS**, the proposed final plat is consistent with the PUD zoning approved by the Town Council; and

**WHEREAS**, the Town Council finds that the final Plat of Willow Ridge Phase 2 is in compliance with the Town’s Comprehensive Plan and Land Development Code.

**NOW THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Montverde, Florida, as follows:

**Section 1. Granting of Final Plat Approval.**

Approval of the final plat of Willow Ridge Phase 2, **a copy of which is attached hereto**, is GRANTED.

**Section 2. Conditions of Approval.** The final plat of Willow Ridge Phase 2 as described above and on file with the Town is APPROVED with the following CONDITION:

- Compliance with Florida Statutes, Town Code of Ordinances and Land Development Code as determined by the town manager, town engineer, town planner and town attorney. Any substantive changes to the final plat will require reconsideration by the town council.

**Section 3. Effective Date.**

This resolution shall become effective immediately upon its passage.

Passed and adopted by the TOWN COUNCIL of the TOWN OF MONTVERDE,  
Florida this \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

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

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

	YEA	NAY
Billy Bates, Councilmember		
Allan Hartle, Vice Mayor		
Jim Ley, Councilmember		
Jim Peacock, Councilmember		
Joe Wynkoop, Mayor		



# STAFF REPORT

TO: Town Council  
DATE: August 8, 2023  
APPLICANT: Allen & Company (Tivia Bryan)  
FROM: Sean M. Parks, AICP, QEP – Consulting Town Planner

---

## REQUESTED ACTION / RECOMMENDATION:

Approval of Resolution 2022-63 granting Final Plat approval pending completion of any outstanding review comments for the Willow Ridge Phase 2 located on Black Still Lake Road.

**Applicant:** Allen & Company (Tivia Bryan)  
16 E. Plant Street  
Winter Garden, FL 34787

**Owner:** Pulte Home Company  
4901 Vineland Road, Suite 500  
Orlando, FL 32811

## Property Information:

Willow Ridge is located south of Fosgate Road, West and North of Black Still Lake Road, and East of the Florida Turnpike – ALT Key Nos. 3809251, 2873752, 1723813, and 3809254 (See Figure 1). Phase 2 is comprised of 35.77 acres.

## RESOLUTION 2023-63

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, GRANTING FINAL PLAT APPROVAL FOR WILLOW RIDGE PHASE 2 CONSISTING OF 126 LOTS LOCATED ON BLACKSTILL LAKE ROAD AND FOSGATE ROAD WITHIN THE TOWN OF MONTVERDE, LAKE COUNTY, FLORIDA; PROVIDING FOR CONDITIONS, AND PROVIDING FOR AN EFFECTIVE DATE.



# STAFF REPORT

**WHEREAS**, Allen & Company through Tivia Bryan, as applicant on behalf of the owner, Pulte Home Company, LLC, has petitioned for final plat approval of Phase 2 of Willow Ridge, a residential subdivision consisting of single-family lots; and

**WHEREAS**, the subject property consists of 35.77 acres and is zoned PUD; and

**WHEREAS**, the Planning and Zoning Committee and the Town Council have considered the application in accordance with the provisions for granting final plat approval set forth in Section 8.8 – 8.14 Town of Montverde Land Development Regulations; and

**WHEREAS**, the proposed final plat is consistent with the PUD zoning approved by the Town Council; and

**WHEREAS**, the Town Council finds that the final Plat of Willow Ridge Phase 2 is in compliance with the Town’s Comprehensive Plan and Land Development Code.

**NOW THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Montverde, Florida, as follows:

**Section 1. Granting of Final Plat Approval.**

Approval of the final plat of Willow Ridge Phase 2, **a copy of which is attached hereto**, is GRANTED.

**Section 2. Conditions of Approval.** The final plat of Willow Ridge Phase 2 as described above and on file with the Town is APPROVED with the following CONDITION:

- Compliance with Florida Statutes, Town Code of Ordinances and Land Development Code as determined by the town manager, town engineer, town planner and town attorney. Any substantive changes to the final plat will require reconsideration by the town council.



# STAFF REPORT

**Section 3. Effective Date.**

This resolution shall become effective immediately upon its passage.

Passed and adopted by the TOWN COUNCIL of the TOWN OF MONTVERDE, Florida this \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

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

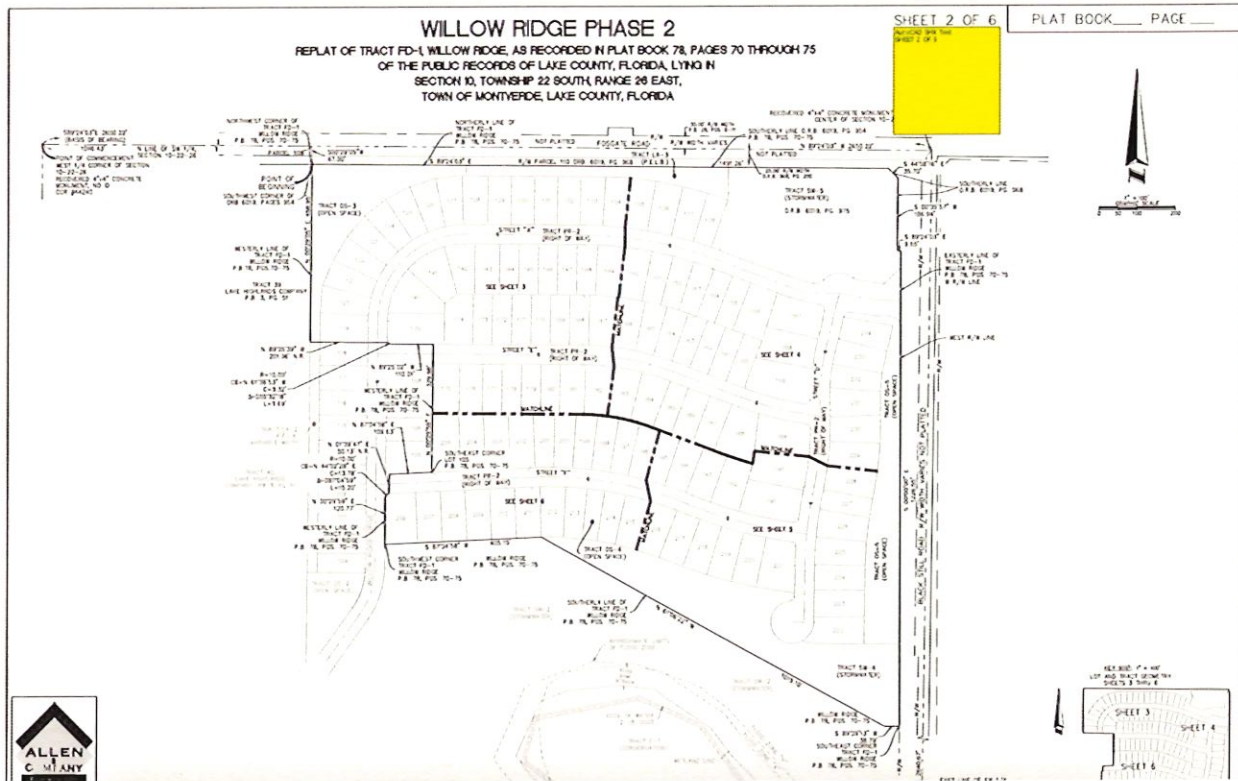
Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Billy Bates, Councilmember		
Allan Hartle, Vice Mayor		
Jim Ley, Councilmember		
Jim Peacock, Councilmember		
Joe Wynkoop, Mayor		



# STAFF REPORT

**Figure 1**





**RESOLUTION NO. 2023-70**

**RESOLUTION 2023-70**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO BID AT THE FORECLOSURE SALE TO BE HELD IN LAKE COUNTY CASE NO. 35-2022-CAA-000162; AUTHORIZING THE BID AMOUNT TO EQUAL THE AMOUNT SET FORTH IN THE FINAL JUDGMENT OF FORECLOSURE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council initiated and prosecuted Lake County Case No. 35-2022-CA-000162, Town of Montverde v. Kimberly Santana for an outstanding code lien and ongoing failure to bring her property into compliance with Town Code; and

**WHEREAS**, the Town was awarded a final judgment of foreclosure against real property owned by Kimberly Santana identified as Parcel 18-22-26-0700-002-00700 located at 111 West Pearl Street, Minneola, FL; and

**WHEREAS**, the judgment amount entered in favor of the Town is \$132,356.50 plus interest, and a sale date has been scheduled; and

**WHEREAS**, the Town Council finds it to be in the public interest to authorize the town manager and the town attorney to attend the foreclosure sale and bid up to the amount of the final judgment.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true and correct and are incorporated herein by reference.

Section 2. The Town Council authorizes the town manager and the town attorney to attend the foreclosure sale in Lake County Case No. 35-2022-CA-000162, Town of Montverde v. Kimberly Santana and further authorizes them to bid up to the amount of the final judgment.

Section 3. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND RESOLVED this 8th day of August, 2023 by the Town Council of the Town of Montverde, Florida.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

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

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

	YEA	NAY
Billy Bates, Councilmember		
Allan Hartle, Vice Mayor		
Jim Ley, Councilmember		
Jim Peacock, Councilmember		
Joe Wynkoop, Mayor		

IN THE CIRCUIT COURT  
OF THE FIFTH JUDICIAL CIRCUIT,  
IN AND FOR LAKE COUNTY, FLORIDA

TOWN OF MONTVERDE,

Petitioner,

Case No. 35-2022-CA-000162

v.

KIMBERLY SANTANA,

Respondent.

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**FINAL JUDGMENT OF FORECLOSURE**

THE CAUSE came before the Court on January 24, 2023, upon consideration of petitioner's Motion for Final Judgment as to Count 1, and for Writ of Execution. A clerk's default has been entered against respondent. The Court, having reviewed the petitioner's motion, having heard from the parties, and being otherwise advised as to the premises of this cause, FINDS, ORDERS, and ADJUDGES:

1. **Final Judgment.** Petitioner's Motion for Final Judgment is granted, and a Final Judgment of Foreclosure is issued as to respondent's property described below in accordance with sections 45.031 and 162.09(3), Fla. Stat.

2. **Amounts Due.** There is due and owing to petitioner:

Principal amount due for liens; outstanding fines accrued, from August 16, 2019 to January 24, 2023, per Special Master Order of Fine:	\$ 125,600.00 <sup>1</sup>
Recording fees; Special Master Order of December 18, 2019:	\$ 35.50
Recording fees; Special Master Order of August 31, 2020:	\$ 18.50
Petitioner's attorneys' fees:	

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<sup>1</sup> Fines of \$100 per day began to accrue as of August 16, 2019. As of January 24, 2023, the date of the hearing on petitioner's motion, 1,256 days had passed, and thus accrued fines totaled \$125,600.00.

Finding as to reasonable number of hours: **25.50 hours**

Finding as to reasonable hourly rate: **\$225/hour**

Attorney fee total: \$ 5,737.50

Petitioner's costs:

Filing fee: \$ 410.00

Service of process costs: \$ 115.00

Court reporter costs: \$ 440.00

TOTAL SUM \$ 132,356.50

Such total sum shall bear interest from this date forward at the prevailing legal rate of interest.

**3. Lien on Property.** Petitioner holds a lien for the total sum superior to all claims or estates of respondent, on the following described property in Lake County, Florida:

Real property at 111 West Pearl Street, Minneola, Florida  
34756 (parcel ID: 18-22-26-0700-002-00700; Alternate Key:  
1661510; Property Description: Minneola, Minneola Park  
LOT 7, BLK 2 PB 6 PG 67 ORB 2483 PG 410)

**4. Sale of Property.** If the total sum with interest at the prevailing legal rate of interest, and all costs accrued subsequent to this judgment, are not paid, the clerk of this court shall sell the property at public sale on the 1<sup>st</sup> day of September, **2023**, to the highest bidder for cash, except as prescribed in Paragraph 5, at the courthouse located at 550 W. Main St., Tavares, FL 32778, in accordance with section 45.031, Fla. Stat., using the following method:<sup>2</sup>

At the Lake County Courthouse; 550 W. Main St.; 1st Floor; Near Information Desk; Tavares, FL 32778; beginning at 11:00 a.m.

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<sup>2</sup> Section 45.031(1)(a), Fla. Stat., provides in part: "In the order or final judgment, the court shall direct the clerk to sell the property at public sale on a specified day that shall be not less than 20 days or more than 35 days after the date thereof, on terms and conditions specified in the order or judgment. A sale may be held more than 35 days after the date of final judgment or order if the plaintiff or plaintiff's attorney consents to such time."

**5. Costs.** Petitioner shall advance all subsequent costs of this action and shall be reimbursed for them by the clerk if petitioner is not the purchaser of the property for sale, provided, however, that the purchaser of the property for sale shall be responsible for the documentary stamps payable on the certificate of title. If petitioner is the purchaser, the clerk shall credit petitioner's bid with the total sum with interest and costs accruing subsequent to this judgment, or such part of it as is necessary to pay the bid in full.

**6. Distribution of Proceeds.** On filing the certificate of title the clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of petitioner's costs; second, documentary stamps affixed to the certificate; third, petitioner's attorneys' fees; fourth, the total sum due to petitioner, less the items paid, plus interest at the prevailing legal rate of interest from this date to the date of the sale; and by retaining any remaining amount pending further order of this court.

**7. Right of Redemption/Right of Possession.** On filing the certificate of sale, respondent and all persons claiming under or against respondent since the filing of the notice of lis pendens shall be foreclosed of all estate or claim in the property and respondent's right of redemption as prescribed by section 45.0315, Fla. Stat., shall be terminated, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. Upon the filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property.

**8. Attorneys' Fees.** The Court finds, based upon the declaration presented by counsel for petitioner, that **25.5 hours** were reasonably expended by petitioner's counsel and that an hourly rate of **\$225** is appropriate. Petitioner's counsel represents that the attorney fee awarded does not exceed counsel's contract fee with petitioner. The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to *Florida Patient's Compensation Fund v. Rowe*, 472 So. 2d 1145 (Fla. 1985).

**9. NOTICE PURSUANT TO SECTION 45.031, FLA. STAT.**

IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT.

IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN SIXTY (60) DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

**10. Retention of Jurisdiction.** The Court retains jurisdiction over this action to enter further orders that are proper, including, without limitation, writs of possession and deficiency judgments.

DONE AND ORDERED in Tavares, Lake County, Florida, on this 6 day of July, 2023.

*/s/* LAWRENCE J. SEMENTO

SENIOR COVERAGE JUDGE 7

Copies:

Dale A. Scott, Esq.  
Roper, P.A.  
2707 E. Jefferson St.  
Orlando, FL 32803  
Counsel for Petitioner Town of Montverde

Anita Geraci-Carver, Esq.  
Law Office of Anita Geraci-Carver, P.A.  
1560 Bloxam Ave.  
Clermont, FL 34711  
Town Attorney, Town of Montverde

Kimberly Santana  
16751 Seventh St. (aka 16751 C.R. 455)  
Montverde, FL 34756  
Respondent, pro se

**RESOLUTION NO. 2023-71**



## RESOLUTION 2023-71

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF MONTVERDE, LAKE COUNTY, FLORIDA, APPROVING STATE REVOLVING FUND AMENDMENT 2 TO LOAN AGREEMENT DW351300 BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE TOWN OF MONTVERDE, FLORIDA TO RESCHEDULE LOAN REPAYMENT ACTIVITIES TO ALLOW THE TOWN ADDITIONAL TIME TO COMPLETE PLANNING AND DESIGN ACTIVITIES FOR DRINKING WATER CAPITAL PROJECTS DESIGNATED AS PROJECT DW351300; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.**

**WHEREAS**, the Town of Montverde, Florida, entered into a loan agreement authorizing a loan amount of \$163,125.00 with the Department of Environmental Protection under the State Revolving Fund for project financing of drinking water capital projects designated as Project DW351300; and

**WHEREAS**, the loan agreement was amended in that Drinking Water State Revolving Fund Amendment 1 to Loan Agreement DW351300 to provide for additional time to complete planning and design activities and defer repayment; and

**WHEREAS**, the Town needs additional time to complete design activities and therefore it is necessary to further amend the loan agreement to account for a revised repayment schedule.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, AS FOLLOWS:**

SECTION I. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION II. The State Revolving Fund Amendment 2 to Loan Agreement DW351300 Town of Montverde, a copy of which is attached hereto, is approved.

SECTION III. The Mayor is hereby designated as the authorized representative to execute the State Revolving Fund Amendment 2 to Loan Agreement DW351300 Town of Montverde which will become a binding obligation in accordance with its terms when signed by both parties. The town manager is authorized to represent the Town in carrying out the Town's responsibilities under the loan agreement as amended. The town manager is authorized to delegate responsibilities to appropriate town staff to carry out technical, financial, and administrative activities associated with the loan agreement as amended.

SECTION IV. All resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

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

SECTION VI. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND RESOLVED at a meeting of the Town Council of the Town of Montverde, Florida this \_\_\_\_ day of August, 2023.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, Town 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
Billy Bates, Councilmember		
Allan Hartle, Vice Mayor		
Jim Ley, Councilmember		
Jim Peacock, Councilmember		
Joe Wynkoop, Mayor		

**STATE REVOLVING FUND  
AMENDMENT 2 TO LOAN AGREEMENT DW351300  
TOWN OF MONTVERDE**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the TOWN OF MONTVERDE, FLORIDA, (Project Sponsor) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Project Sponsor shall be referred to as "Parties" or individually as "Party".

The Department and the Project Sponsor entered into a State Revolving Fund Loan Agreement, Number DW351300, as amended; and

Loan repayment activities need rescheduling to give the Project Sponsor additional time to complete Planning and Design Activities; and

Certain provisions of the Agreement need revision.

The Parties hereto agree as follows:

1. Unless repayment is further deferred by amendment of the Agreement, Semiannual Loan Payments as set forth in Section 10.05 shall be received by the Department beginning on February 15, 2024, and semiannually thereafter on August 15 and February 15 of each year until all amounts due under the Agreement have been fully paid.

2. The items scheduled under Section 10.07 of the Agreement are rescheduled as follows:

(2) Completion of Planning and Design Activities is scheduled for August 15, 2023.

(3) Establish the Loan Debt Service Account and begin Monthly Loan Deposits no later than August 15, 2023.

(4) The first Semiannual Loan Payment in the amount of \$9,133 shall be due February 15, 2024.

3. All other terms and provisions of the Loan Agreement shall remain in effect.

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This Amendment 2 to Loan Agreement DW351300 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Secretary or Designee and the Project Sponsor has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Department.

for  
**TOWN OF MONTVERDE**

\_\_\_\_\_  
Mayor

Attest:

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Attorney

SEAL

for  
**STATE OF FLORIDA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

\_\_\_\_\_  
Secretary or Designee

\_\_\_\_\_  
Date

**Resolution No. 2023-73**

**RESOLUTION 2023-73**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, AUTHORIZING THE TOWN MANAGER TO HIRE A TEMPORARY, PART-TIME EMPLOYEE TO SERVE AS PROJECT MANAGER FOR CONSTRUCTION OF THE LIBRARY IN LIEU OF CONSTRUCTION MANAGER WITH GUARANTEED MAXIMUM PRICE; REPEALING RESOLUTION 2023-68; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council finds that it is necessary to reduce costs to construct the library within the amount budgeted for the project; and

**WHEREAS**, the Town Council recognizes that contracting with a construction manager at risk with a guaranteed maximum price will not allow the project to be constructed as designed within the budgeted amount; and

**WHEREAS**, the Town of Montverde has been awarded grant funds and impact fee funds to construction the library and it is necessary to commence construction as soon as possible; and

**WHEREAS**, the Town Council finds it to be in prudent and financially efficient to allow the town manager to hire a temporary, part-time employee to serve as project manager for construction of the library; and

**WHEREAS**, the Town Council finds it to be in the public interest to repeal Resolution 2023-68 which approved a contract with a construction manager at risk and further to authorize the town manager to hire such an employee to serve as project manager.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true and correct and are incorporated herein by reference.

Section 2. The Town Council authorizes the town manager to hire a temporary, part-time employee to serve as project manager for construction of the library whose duties will include but not be limited to overseeing construction, managing sub-contractors and materials.

Section 3. Resolution 2023-68 is hereby repealed.

Section 4. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND RESOLVED this \_\_\_\_\_ day of August, 2023 by the Town Council of the Town of Montverde, Florida.

\_\_\_\_\_  
Joe Wynkoop, Mayor

Attest:

\_\_\_\_\_  
Sandy Johnson, Town Clerk

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, Town 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
Bill Bates, Councilmember		
Allan Hartle, Vice Mayor		
Jim Ley, Councilmember		
Jim Peacock, Councilmember		
Joe Wynkoop, Mayor		