



CITY COMMISSION - CITY OF WILDWOOD

Mayor/Commissioner – Ed Wolf – Seat 1

Mayor Pro-Tem/Commissioner – Pamala Harrison-Bivins – Seat 2

Robby Strickland – Seat 3

Don C. Clark – Seat 4

Julian Green – Seat 5

Bill Ed Cannon – City Manager

AGENDA

REGULAR MEETING

JUNE 9, 2014 - 7:00 PM

City Hall Commission Chamber
100 N Main Street

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Department, ADA Coordinator, at 352-330-1330, Ext. 102, forty-eight (48) hours in advance of the meeting.

F.S.S. 286.0105A - If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City of Wildwood DOES NOT provide this verbatim record.

1. CALL TO ORDER:

- INVOCATION
- FLAG SALUTE
- PLEASE TURN OFF ALL CELL PHONES AND PAGERS

2. CONSENT AGENDA/INFORMATIONAL ITEMS

(A consent agenda may be presented by the Mayor at the beginning of a meeting. Items may be removed from the consent agenda on the request of any one Commissioner. Items not removed may be adopted by general consent without debate. Removed items may be either taken up immediately after the consent agenda or placed later on the agenda at the discretion of the Commission.)

a. Minutes for Approval: March 10, 2014 Regular Meeting, March 17, 2014 Workshop.

b. Bills for Approval

3. PRESENTATIONS AND/OR PROCLAMATIONS

4. PUBLIC HEARINGS – Timed -

Quasi-judicial Items

a. **ORDINANCE NO. 02014-27.** Second Final Reading. *AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA PROPOSING AN AMENDMENT TO THE CITY CHARTER OF THE CITY OF WILDWOOD, FLORIDA BY AMENDING SECTION 3-2 OF THE CHARTER; ADDING SECTIONS 3-3, 3-4, 3-5, AND 3-6 AND RENUMBERING CURRENT SECTIONS 3-3 THROUGH 3-30 TO ACCOMMODATE THE NEW SECTIONS; AMENDING SECTIONS 5-1 AND 5-2; PROVIDING A BALLOT TITLE AND WORDING FOR THE SUBSTANCE OF THE PROPOSED AMENDMENTS; PROVIDING FOR REFERENDUM BY THE ELECTORS OF THE CITY OF WILDWOOD FOR APPROVAL OR REJECTION OF THE CHARTER AMENDMENT PROPOSAL[S]; PROVIDING AN EFFECTIVE DATE.* This Ordinance amends the City Charter, subject to approval by referendum, to establish five Commissioner districts within the City; to

eliminate the seat of the mayor-commissioner; to provide that the City Commission shall annually elect one of its members mayor; to set forth the powers and duties of the mayor; and to alter the time of holding office and terms of officers to facilitate timely transition to a new city commission (Presentation: Staff Recommends Approval).

5. PUBLIC FORUM – 10 minute time limit

a. Request for Approval of Jackson Street “Unity Block Party” by Mr. Sam Saleem, Vice-President, Wildwood Community Development Center, Inc. (Attachments: Board Option).

6. ORDINANCES FIRST READING ONLY (NO VOTE)

a. **ORDINANCE NO. O2014-22.** *AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA; AMENDING AND RESTATING ORDINANCE 621 CONCERNING THE O’DELL PLANNED DEVELOPMENT; FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA, OWNED BY THE JAMES M. & MILDRED B. O’DELL TRUST; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.* This Ordinance amends and restates in its entirety Ordinance 621 that was passed by the City Commission (and subsequently extended after the overhaul of the Land Development Regulations), which allows for a mixed use planned development (MUPD) overlay on property zoned PD (Planned Development) for up to 1,000 residential units (based on a mix outlined within the Ordinance); 222,000 sq. ft. of commercial retail space; 40,000 sq. ft. of commercial office space; the realignment of C-462; construction over three phases. This Ordinance is in conformance with the City’s most current regulations and requirements. (Attachments: Staff Recommends Approval).

b. **ORDINANCE NO. O2014-28.** *AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA; PROPOSING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE ADOPTED LOCAL COMPREHENSIVE PLAN AND FUTURE LAND USE MAP IN ACCORDANCE WITH THE COMMUNITY PLANNING ACT OF 2011, AS AMENDED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.* This Ordinance changes the Future Land Use Map designation of Parcel G07D388 totaling 0.7 acres from City “Medium Density Residential” to City “Commercial” (Attachments: Staff Recommends Approval).

c. **ORDINANCE NO. O2014-29.** *AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA; PROPOSING A ZONING MAP AMENDMENT TO THE OFFICIAL ZONING MAP IN ACCORDANCE WITH SECTIONS 3.2 AND 3.3 OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.* This Ordinance changes the Zoning Map designation of Parcel G07D388 totaling 0.7 acres from City “R-3: Medium Density Residential” to City “C-1: General Commercial: Downtown” (Attachments: Staff Recommends Approval).

d. **ORDINANCE NO. O2014-30.** *AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA; PROVIDING FOR THE VOLUNTARY ANNEXATION OF CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 18.8 ACRES BEING GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROAD 44 AND WEST OF US HWY 301 (SR 35); IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST; WHICH IS CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF WILDWOOD AND LOCATED IN THE CITY’S JOINT PLANNING AREA; PROVIDING THAT SECTION 1-14 OF THE CITY OF WILDWOOD CODE OF ORDINANCES IS AMENDED TO INCLUDE THE ANNEXED PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.* This Ordinance annexes Parcels G08=035 and G08=107 totaling 18.8 acres. This property is located in the Joint Planning Area with Sumter County and meets all legal requirements for annexation (Attachments: Staff Recommends Approval).

e. **ORDINANCE NO. O2014-32. AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA; CREATING SECTION 3.23 OF THE CITY OF WILDWOOD LAND DEVELOPMENT REGULATIONS; PERTAINING TO ALLOWING DOGS ON OUTDOOR PATIOS AT SIDEWALK CAFES, KNOWN AS DOG FRIENDLY DINING; PROVIDING FOR CODIFICATION IN THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE..** In order to allow dogs on outdoor patios at sidewalk cafés, this ordinance is required under FS § 509.233 and provides for indemnification of the City under this Ordinance (Attachments: Staff Recommends Approval).

7. **RESOLUTIONS FOR APPROVAL**

a. **RESOLUTION R2014-20. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA DETERMINING THAT CERTAIN PROPERTY IS SURPLUS; DETERMINING THE MANNER OF DISPOSAL OF SAID PROPERTY; PROVIDING FOR AN EFFECTIVE DATE.** (Attachments: Staff Recommends Approval)

8. **FINANCIAL & CONTRACTS & AGREEMENTS**

a. City Clerk's Office Requests Approval of City Code Supplement Update. (Attachments: Staff Recommends Approval)

b. Utility Department Requests Approval of Kimley-Horn and Associates, Inc. Individual Project Order (IPO) No. 29 in the amount of \$98,500 for the design, permitting, bidding and construction inspection of a new 500 GPM WTP and 12" water main for the Ashley Well site. (Attachments: Staff Recommends Approval)

c. Utility Department Requests Approval of Change Order no. 2 to Salser Construction, LLC deducting \$9,177.07 from the contract. (Attachments: Staff Recommends Approval)

9. **GENERAL ITEMS FOR CONSIDERATION/DISCUSSION and OTHER BUSINESS**

a. 88th Annual FLC Conference – "Cities Take on Technology" Voting Delegate (Attachments: Board Option)

b. Bingo Hall Information & Discussion

10. **APPOINTMENTS**

11. **CITY MANAGER REPORTS**

12. **CITY CLERK REPORTS**

13. **OTHER DEPARTMENT REPORTS**

14. **COMMISSION MEMBERS REPORTS**

15. **CITY ATTORNEY REPORTS**

16. **ADJOURNMENT**

IMPORTANT DATES (No Attachments)

a. June 23, 2014, Commission Meeting 7:00 p.m.

b. July 4, 2014, Fourth of July HOLIDAY, City Closed

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
MARCH 10, 2014 - 7:00 PM
CITY HALL COMMISSION CHAMBER

(meeting taped)

The City Commission of the City of Wildwood met in Regular session March 10, 2014 at 7:00 p.m. in the City Hall Commission Chamber.

Present were: Mayor Wolf; Commissioners Strickland and Green. Also present: City Manager Cannon, Assistant City Clerk Roberts, City Attorney Hunt, Lieutenant Olbek, Development Services Director Peavy, Utilities Director Phillips, and AVT Law.

1. CALL TO ORDER:

The meeting was called to Order Followed by an invocation and Pledge of Allegiance to the American Flag.

2. CONSENT AGENDA/INFORMATIONAL ITEMS

(A consent agenda may be presented by the Mayor at the beginning of a meeting. Items may be removed from the consent agenda on the request of any one Commissioner. Items not removed may be adopted by general consent without debate. Removed items may be either taken up immediately after the consent agenda or placed later on the agenda at the discretion of the Commission.)

- a. Minutes for Approval: January 7, 2014 Special Meeting; January 13, 2014 Regular Meeting.
- b. Bills for Approval

Motion by Commissioner Strickland, second by Commissioner Green to approve the items on the Consent Agenda. Motion carried by unanimous vote.

3. PRESENTATIONS AND/OR PROCLAMATIONS

- a. NALC (National Association of Letter Carriers) "Stamp Out Hunger" National Food Drive Day for the City of Wildwood, May 10, 2014 (Attachment: Board Option)
- b. Arbor Day Celebration in the City of Wildwood, April 25, 2014 (Attachment: Board Option)

Motion by Commissioner Green, second by Commissioner Strickland to approve the items on the Presentations and/or Proclamations. Motion carried by unanimous vote.

4. Public Hearings – Timed
*Quasi-Judicial

DSD Peavy and Citizen Carol Specman sworn in.

- a. ORDINANCE NO. O2014-10. Second final reading. AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA; PROPOSING A FUTURE LAND USE MAP AMENDMENT TO THE ADOPTED LOCAL COMPREHENSIVE PLAN AND FUTURE LAND USE MAP IN

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ACCORDANCE WITH THE COMMUNITY PLANNING ACT OF 2011, AS AMENDED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. This Ordinance changes the Future Land Use Map designation of Parcels D20=002 and D20=008 totaling 100.3 acres from County "Agricultural" to City "Low Density Residential." (Attachments: Staff recommends Approval).

Ordinance No. O2014-10 was introduced and read by title only on second final reading. Public Hearing opened. Carolyn Specman of Moreland Parkway. The concern they have about building on property behind their home is privacy, safety, large oaks on roadway. Questions about what kind of buffer will be between them and the new project and the price of the homes.

DSD Peavy – Stage of Land Use Amendment and Rezoning Project is within our Joint Planning Area. Will require Site Plan. Buffers, HOA or Similar, the City cannot restrict Single Family Homes, Children, Age, and Gender. Cannot be discriminated against. City has tree Ordinance, penalties for removing trees. Development would be patrolled by Wildwood Police Department. City has good design standard. Visit website for Development Services. More hearings once the developer submits site plan.

Motion by Commissioner Green, second by Commissioner Strickland that O2014-10 be adopted on second final reading. Motion carried by unanimous vote.

- b. ORDINANCE NO. 2014-11. Second final reading. AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA; PROPOSING A ZONING MAP AMENDMENT TO THE OFFICIAL ZONING MAP IN ACCORDANCE WITH SECTION 3.2 AND 3.3 OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. This ordinance changes the Zoning Map designation of Parcels D20=002 and D20=008 totaling 100.3 acres from County "A5" to City "R-1: Low Density Residential". (Attachments: Staff Recommends Approval).

Motion by Commissioner Green, second by Commissioner Strickland the O2014-11 be adopted on second final reading. Motion carried by unanimous vote.

5. PUBLIC FORUM – 10 minute time limit

- a. Florida Department of Health, Sumter County, Free Health Summit on April 12, 2014. Dr. Sanford D. Zelnick, Health Officer turning over the floor to Disease and Intervention Specialist for the region Ms. Ka Tori Telfair. Handout for Health Summit Saturday April 12, 2014. Sumter County a Look at HIV handout. Would like the City to publicize the event.

6. ORDINANCES FIRST READING ONLY (NO VOTE)

- a. ORDINANCE NO. O2014-16. AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA; PROPOSING A FUTURE LAND USE MAP AMENDMENT TO THE ADOPTED LOCAL COMPREHENSIVE PLAN AND FUTURE LAND USE MAP IN ACCORDANCE WITH THE COMMUNITY PLANNING ACT OF 2011, AS AMENDED;

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PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. This Ordinance changes the Future Land Use map designation of Parcel D18=085 totaling 0.31 acres from County "Commercial" to City "466-301 Mixed Use". (Attachments: Staff Recommends Approval).

- b. ORDINANCE NO. O2014-17. AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA; PROPOSING A ZONING MAP AMENDMENT TO THE OFFICIAL ZONING MAP IN ACCORDANCE WITH SECTION 3.2 AND 3.3 OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. This Ordinance changes the Zoning Map designation of Parcel D18=085 totaling 0.31 acres from County "CL" to City "466-301 Mixed Use". (Attachments: Staff Recommends Approval).
- c. ORDINANCE NO. O2014-19. AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA; MODIFYING THE 5-YEAR CAPITAL IMPROVEMENT SCHEDULE OF THE CAPITAL IMPROVEMENT ELEMENT OF THE COMPREHENSIVE PLAN AS REQUIRED BY SECTION 163.3177(3)(b), FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. This Ordinance updates the City's 5-Year Schedule of Capital Improvements as required by state statute. (Attachments: Staff Recommends Approval).
- d. ORDINANCE NO. O2014-20. AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA; PROPOSING A ZONING MAP AMENDMENT TO THE OFFICIAL ZONING MAP IN ACCORDANCE WITH SECTIONS 3.2 AND 3.3 OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. This Ordinance changes the Zoning Map designation of Parcel G16=067 totaling 3 acres from City "R-1" to City "C2: General Commercial Neighborhood." (Attachments: Staff Recommends Approval).

Mayor Wolf: This is correcting an error that the City made. Taking that land back to what it was prior to our fights with Community Development in Tallahassee. DSD Peavy: there was a map error in the rezoning on the GIS. Was coded Low Density when it should not have been. R-1 zoning does not allow for commercial use or churches. Owner has been renting out the Club House to a Church. Attorney suggested correcting the zoning issue to bring into compliance with the City Land Use. Special Magistrate made it clear that it was a zoning issue. Commissioner Strickland: are we not in compliance if we don't change the zoning? DSD Peavy: not wrong just not in compliance. Owner would need to disclose this information if sold. Cannot use as a commercial building. Commissioner Strickland: have you seen the letter that the resident sent "Mary Clark" she had a couple legal questions and an attorney. Separate civil case. Just wants to make sure we don't get ourselves into a legal situation.

- e. ORDINANCE NO. O2014-21. AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA; AMENDING SECTION 3, PARAGRAPH B; SECTION 3, PARAGRAPH C AND SECTION 3, PARAGRAPH K OF ORDINANCE O2013-25; AND PROVIDING FOR AN EFFECTIVE DATE. This Ordinance is a revision to the Wildwood Entertainment Park Planned Development Ordinance O2013-25 to eliminate the requirement to seek Special Event Permits; to allow for temporary food vendors, and to require the project to

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connect to City water if restrooms are constructed. (Attachments: Staff Recommends Approval).

DSD Peavy: This is another Ordinance that may at the next hearing have some discussion and the effects on their way of life. Valid points about noise. Easier on staff to be able to permit what he is doing out there. Did not feel is necessary to continue to issue special event permits and individual vendor permits. Mayor Wolf: is there a time frame for them to meet some bars that we set or are they able to continue at this pace forever? DSD Peavy: only if they are wanting to use the big building for rodeo or concerts they will need to get a Certificate of Occupancy, building permits through the County. Commissioner Strickland: are they meeting all the requirements that the City put forth? DSD Peavy: residents have complained about the noise they go and talk to the business owner Mr. Whitman and he takes care of it. They are in compliance with what the City has asked, but the residents are upset that the City does not take an active role on having someone out there controlling the situation. Hours of operation. Continual noise of loud motors. Restriction of open headers on trucks. Has been a popular venue.

7. RESOLUTIONS FOR APPROVAL

- a. R2014-04: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA DECLARING CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS; DETERMINING THAT CERTAIN VEHICLES AND EQUIPMENT ARE TO BE DISPOSED OF THROUGH ON-LINE AUCTION OR DONATION TO A NON-PROFIT ORGANIZATION IF THERE IS A NEED AND JUNK TO BE DISPOSED OF AS TRASH; PROVIDING FOR AN EFFECTIVE DATE. (Attachments with following Exhibits) (Staff Recommends Approval)
 - 1) Fleet Services Department request items to be sold "as is" on a Public Online Auction. Exhibit A
 - 2) Parks & Recreation Department request items to be donated to the Sumter County Youth Center in Wildwood. Exhibit B
 - 3) Utilities Department request City staff to dispose of unusable, stored PVC pipe. Exhibit C

Mayor Wolf: Bruce there's no use at all for the pipe you have? It couldn't be used for drainage or anything that's not under pressure? UD Phillips: there's probably 500ft of it that has been sitting out in the sun for over 10 years. Spoke with Lewis Bryant and Rick Busch what their opinion is and since it is PVC Sewer Force Main they would not spec it. Several places will pay us .04 cents a pound for it. Mayor Wolf: alright.

Motion by Commissioner Green, second by Commissioner Strickland that R2014-04 be adopted. Motion carried by unanimous vote.

8. FINANCIAL & CONTRACTS & AGREEMENTS

9. GENERAL ITEMS FOR CONSIDERATION/DISCUSSION and OTHER BUSINESS

- a. Request from John Agnelli (Lakeside Landings) for relief from Design District Standards Section J(1)(l) and Section J(3)(a) concerning Temporary Off-Site Signage. (Attachments: Board Option)

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DSD Peavy: The Developer has requested item be moved to the March 24th Agenda if any question I can tell you what is going on. Mayor Wolf: they were given 100ft and 2ft off the ground, now they would like to landscape and would like 4ft off the ground since the landscaping may cover up part of the sign. Want them to have 4ft of landscape around that ground. All other the developers coming in could benefit. DSD Peavy: the request is for 12ft high sign instead of 8ft. Mayor Wolf: does want to maintain some standards.

Motion to table until the next meeting by Commissioner Green, second by Commissioner Strickland. Motion carried by unanimous vote.

10. APPOINTMENTS

11. CITY MANAGER REPORTS - Nothing

12. CITY ATTORNEY REPORTS

Workshop on March 17, 2014

1. Code Enforcement Issues
2. Redistricting
3. Bruce – State of Utilities
4. Spoke with Gidget about soliciting, who the Baker House will remain under for tax purpose.

13. CITY CLERK REPORTS

14. OTHER DEPARTMENT REPORTS

- a. Development Services – Letter of Recognition regarding Development Services Director, Melanie Peavy. (Attachment)
- b. Parks & recreation Department reports the following upcoming dates and events:
 1. Sumter County Youth Soccer, March 1, 2014 (Millennium Park Soccer Fields)
 2. Dixie Youth Baseball, March 8, 2014 (Millennium Park Ball Fields)
 3. Parks & Recreation Board Meeting, tentative date is March 11, 2014
 4. Wildwood Ides of March Madness 5K, March 15, 2014 (City hall, 8.00 a.m.)
 5. Movie night/Food Truck Event, March 15, 2014 (The Baker House, 6.00 p.m.)
 6. Food Truck Night, tentatively to resume in April
 7. Easter Eggstravaganza, April 19, 2014 (Millennium Park Ball Fields, 9am-12pm)

P&R Coord. Wheeler: All going good, opening day of soccer, no complaints. Baseball season started Saturday they had Jesus, AJ, and myself throw out the first pitches. They thanked the City for the work they did last year and also for the work done this year with the addition of the new clay. Emails sent out for the Parks and Rec Board meeting. Lost one member due to time restraints, awaiting response from two others. All other members are on board and meeting is set for tomorrow at 6pm. 5K starts this Saturday spoke with Erica expecting over 400 attending. Food Truck Night also Saturday evening. Speaking with Kurt that operates all the food trucks in the area and getting that set up to resume back in the City each month. Setting it for a certain night each month will make it more successful for the City.

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15. COMMISSION MEMBERS REPORTS

Commissioner Strickland: asking about the Old Library is there anything going on there.
Mayor Wolf: being used for storage. DSD Peavy: Public Works is looking in to using it.
Mayor Wolf: that park is not an asset to the City especially after dark. If we decide to keep it we need to light it and the parking lot on 301 by the tracks. Letter from James Presley's wife to kick off the FCAT at City Hall.

16. ADJOURNMENT

Upon a motion by Commissioner Green second by Commissioner Strickland the meeting was adjourned.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

S E A L

ATTEST: _____
Cassandra Lippincott, City Clerk

BY: _____
Ed Wolf, Mayor

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
WORKSHOP
MARCH 17, 2014 - 7:00 PM
CITY HALL COMMISSION CHAMBER

(meeting taped)

The City Commission of the City of Wildwood met in special session March 17, 2014 at 5:00 p.m. in the City Hall Commission Chamber.

Present were: Mayor Wolf; Commissioners Bivins, Strickland and Green. Also present: City Manager Cannon, Assistant City Clerk Roberts, City Attorney Hunt, Captain Smalt, and Utilities Director Phillips.

1. CALL TO ORDER:

2. PURPOSE OF WORKSHOP

- a. Presentation by Bruce Phillips for State of the Utilities as of March, 2014
- b. Code Enforcement Issues for discussion, Ashley Hunt, City Attorney
- c. Setting City Commission Districts discussion.

CA Hunt: Through meetings with the City Manager and Assistant City Manager and Code Enforcement Officer Smalt there were concerns made about properties and buildings within the city. No real policy or guidelines on how to treat these or foreclose them. Also how would you like to handle these in the future. Foreclosure would have to go back to the Magistrate and whatever penalties have been accruing, get his permission to foreclose them first. Property owners would be allowed to come forward and state why these actions should not be taken. City would still need to go through the legal process to foreclose. Officer Smalt: I have taken pictures and most homes have liens. Sumter County has inspected homes and have condemned. House on Stanley working with homeowner. All homes are uninhabited and most homeowners have worked with Code Enforcement. CA Hunt: set up priority system and foreclosure registry.

Officer Smalt 101 & 113 S. Main condemned in late 2012.

Manny Pesco: 101 S Main received permit to repair roof and Mr. Wilcox from County stopped them. Per Mr. Wilcox it was past six months. Wilcox: Pesco turned in plan but just small areas. Structural not just the roof. Contractor would have to certify the whole roof and contractor said he was not comfortable doing that.

Officer Smalt: Ms. Carrie went through system before historical. Mr. Pesco since historical, by Ordinance meets the definition for demolition. City would be liable if someone got hurt if the building collapsed.

M. Pesco: Will have to litigate if not able to rehab the building. Will not back off on this. Mayor Wolf: you have backed us in a corner and we will not back off on this either. M. Pesco: would have fixed this three months ago but the permit was pulled. Mayor Wolf: ask your structural engineer to come before the Special Magistrate. CA Hunt: Commission could authorize to foreclose and go to the Special Magistrate and ask for permission to foreclose and at that time Mr. Pesco could present reason at that point in time to stop that process from going forward. Mayor Wolf: well that will get that off the back burner maybe that's what we need to do. Next

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meeting let's put it on the Agenda and go to the Special Masters. CA Hunt: Both properties?
Mayor Wolf: Yes.

Hopefully this will help to have someone come in and save these buildings. M. Pesco: Will start rehab of building with or without permit. Commissioner Strickland: why was the roof not allowed to be put on? My question is what can he do to solve the problem? CA Hunt: If it has been condemned it will be a County issue. M. Pesco: I can fix the building and I invite you to come and look at the building. Officer Smalt: Mr. Pesco had agreed to 45 days and did not do within the 45 days. Mayor Wolf: what will need to be done to clear up this issue? Mr. Wilcox: The engineer has to certify the whole building, he has to fix the whole building not just the small area. Won't issue a permit until the City approves it to be done. Mayor Wolf: has to go before the Special Master's for approval again. Manny go through the County and get all the permits and process the County wants.

CA Hunt: Redistricting – Set up a steering committee. Maybe each Commissioner appoints someone to be on the committee. City of Fruitland has hired Mr. Beliveau to work with them. Simple but complex. Notes come from district, votes come from all districts for each district. Meet safe harbor divisions. Amendment to the Charter will need to be done if we want to change how to elect. Commissioner Green: what would it take to add another seat? Mayor Wolf: would have to add two. CA Hunt: A Charter Amendment as well. ACM McHugh: will need to redraw the lines by study and household census. 10 year line change. ACM McHugh: cost about \$9500 for Plan Group to draw lines. Would not want someone on staff to do, would want an outside consultant. CM Cannon: Each Commissioner bring back a member suggestion. Mayor Wolf and CM Cannon put on next Commission Meeting Agenda.

UD Phillips: Handout Attached - First off I have Rick Busch here from Kimley Horn if there are questions I can't answer. Please to say that we have a lot of the critical maintenance issues taken care of since the initial report in April 2012. Thank you for the support of 5 year Capital Plan and approval of Bond Issue. 300 new meter upgrades for this year and 789 Radio Read Meters now in the City. Purchased cross connection back flow software. Upgrades for 501 and Huey Street have been awarded and will begin next Monday. West Well on Ashley Property to start next week. Trailwinds wastewater lines mid-summer. Champagne Farms preliminary designs report has been completed and show \$27.7 million dollars to build the first stage of that plant to get the water from Champagne Farms site to get the water to the three DRI sites in the Southeast of the County. Okahumpka Service Plaza agreement with them to get rid of water plant. Most water comes from 501 Plant. SWMD – Lower Floridian at 501. Monitoring will cost anywhere from \$7000 to \$10,000 per year. Will establish transects of wetland. Will be required to monitor Aquifer at 501. Monitoring might go away. In the process of getting the WUP Permit Renewed.

Recommendations for Water again go back to meter upgrades. Would like to do a pilot program of going back and take 200 old meters and six month's worth of data and replace those with new Radio Read Meters and look at that data and see what we can do about funding a replacement of them. Last year we had 13.7% of unaccounted for water. If we stay around that we are going to start having problems with SWMD because they want us to stay around 10% or less. Problems with valves on left side with valve turnoffs affecting blocks and blocks of people to fix something.

Wastewater same things with Trailwinds, Headworks with by-pass, utility relocates with 466A, relocates with 468 and Turnpike. Upgraded lift stations. Construction companies around town

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using water from fire hydrants. If they do not have a meter on them they are stealing and please contact Bruce and the Water Department.

Discussion of Reuse Agreements and Reuse Fees. Extremely low on what we charge for Reuse. Locked into agreement for five more years. Asked attorney to look at it and no way to get out of agreement. Commissioner Strickland: Bruce didn't we talk about requiring or not requiring reuse lines? UD Phillips: our code requires reuse but we don't have any way to send reuse lines to them.

Wastewater Lift Stations - Would like to have a Maintenance Agreement \$18 a month. DEP and residents call the City when there is a problem with sewer lines when some Lift Stations are privately owned.

Next Agenda Oxford Community Rates and Parking Issues. If not Wildwood Residents charge more.

3. CITY MANAGER REPORTS

4. COMMISSION MEMBERS REPORTS

5. ADJOURNMENT

Upon a motion by Commissioner Green second by Commissioner Strickland the meeting was adjourned.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

S E A L

ATTEST: _____
Cassandra Lippincott, City Clerk

BY: _____
Ed Wolf, Mayor

BILLS FOR APPROVAL
City of Wildwood, Florida
June 9, 2014

CITY COMMISSION-LEGISLATIVE DEPARTMENT

1	Verizon Wireless	Cell Phone Service	\$	50.90
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CITY MANAGER-EXECUTIVE DEPARTMENT

2	Office Depot	Office Supplies	\$	7.90
3	Verizon Wireless	Cell Phone Service	\$	49.60

CITY CLERK-FINANCIAL & ADMINISTRATIVE DEPARTMENT

4	Century Link	Telephone Service	\$	48.14
5	Mitel	Phone Service Repair	\$	157.50
6	Office Depot	Office Supplies	\$	158.00
7	Sumter County Times	Subscription	\$	28.00
8	Respect of Florida	Flags	\$	18.45
9	Unifirst	Rugs	\$	24.62
10	Verizon Wireless	Cell Phone Service	\$	(14.81)

DEVELOPMENT SERVICES

11	Office Depot	Office Supplies	\$	142.15
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HUMAN RESOURCES

12	Office Depot	Office Supplies	\$	1.76
13	Verizon Wireless	Cell Phone Service	\$	49.60

POLICE DEPARTMENT

14	B & M Equipment	Boom Rental	\$	375.35
15	Brownells, Inc	Glock Sight Installation Kits	\$	381.40
16	CDW-G	Crucial 4GB DIMM	\$	93.18
17	Central Sumter Utility LLC	Electric Service	\$	38.85
18	Century Link	Maintenance Mitel 3000	\$	58.46
19	Chief Supply / Law Enforcement	Le Elite Deluxe, Cleaning Brush	\$	167.50
20	Dept of Management Services	DMS Service	\$	53.66
21	Interstate Battery Center	AA (5) 8 Packs	\$	133.00
22	Office Depot	Office Supplies	\$	251.37
23	Office Max	Office Supplies	\$	74.44
24	Resource One	Cleaning Supplies	\$	111.42
25	Respect of Florida	Flags	\$	73.78
26	Sherwin William			
27	Sumter County Animal Hospital	K-9 Vet Check	\$	418.02
28	The Sherwin Williams Co.	Paint	\$	460.21
29	Verizon Wireless	Cell Phone Service	\$	826.52

STREET DEPARTMENT

30	Culligan	Cooler Rental and Bottled Water	\$	19.00
31	Federal Express	Postage	\$	28.01
32	Key Scales Ford	New Engine 2011 Inmate Van	\$	3,725.66
33	Municipal Supply & Sign Co.	Blank w/Prism Std Holes, U Channels Delineator	\$	567.60
34	Sparr Building and Farm Supply	Post Driver	\$	60.69
35	Unifirst	Uniforms	\$	481.24
36	Verizon Wireless	Cell Phone Service	\$	49.60

FLEET SERVICES

37	Culligan	Cooler Rental and Bottled Water	\$	18.99
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June 9 2014
Page 2

38	Unifirst	Uniforms	\$	134.14
39	Verizon Wireless	Cell Phone Service	\$	49.60

COMMUNITY RE-DEVELOPMENT

40 Payroll June 1, 2014 Pay Period - .5 Employees

PARKS AND RECREATION

41	Bright House	Internet Service	\$	86.23
42	Central Irrigation Pump & Supply	Hunter Gear Rotor, Couplings, Vlvs, Tees, Elbows	\$	234.79
43	Century Link	Telephone Service	\$	48.13
44	Culligan	Rental Softener - Lake Deaton - Wigglesworth	\$	32.95
45	Earthscapes Unlimited Inc	Assorted Plants	\$	2,102.40
46	Nature Calls	Port O Let Rentals	\$	250.00
47	Office Depot	Office Supplies	\$	0.87
48	Unifirst	Uniforms	\$	458.83
49	Verizon Wireless	Cell Phone Service	\$	49.60

COMMUNITY CENTER & OXFORD COMMUNITY CENTER

50	Bright House	Internet Service	\$	352.76
51	Unifirst	Rugs	\$	65.67

PHYSICAL ENVIRONMENT ADMINISTRATIVE DEPARTMENT

52	Century Link	Telephone Service	\$	42.89
53	Mitel	Phone Service Repair	\$	157.50
54	Office Depot	Office Supplies	\$	1.76
55	Respect of Florida	Flags	\$	18.45
56	Unifirst	Rugs	\$	24.61

UTILITY DEPARTMENT

57	Century Link	Telephone Service	\$	210.56
58	Culligan	Cooler Rental and Bottled Water	\$	91.38
59	Dept of Management Services	DMS Service	\$	53.66
60	Federal Express	Postage	\$	22.67
61	Florida Commercial Appliance Repair	Repaired Burnt Wire at Door Switch	\$	60.00
62	Hardy Diagnostics	Phos Buf PC Bottle	\$	156.20
63	HD Supply WaterWorks	Couplings, Blades, Adaptors, PVC Swr Pipe, Etc	\$	1,505.42
64	MMD Computer Center, Inc.	TP-Link 5 Port 10/100 Switch	\$	40.00
65	Odyssey Manufacturing Company	Hypochlorite Solutions	\$	1,962.12
66	Office Depot	Office Supplies	\$	142.49
67	Plant Technicians	Environmental Testing	\$	210.00
68	Professional Maintenance Products	Lift Station Degreaser	\$	1,450.00
69	Raney's Truck Center	Control Base Assembly	\$	141.21
70	Sunstate Meter & Supply, Inc	Camlock Adaptor, Hydrant Meter, Conn, Bkflow Vlvs	\$	2,512.73
71	Test America	Environmental Testing	\$	871.50
72	Unifirst	Uniforms	\$	889.77
73	Verizon Wireless	Cell Phone Service	\$	198.81
74	Water Treatment & Controls Co.	Chlorine Sensor	\$	1,267.60

TOTAL	\$ 25,087.06
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CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

S E A L

ATTEST: _____
Cassandra Lippincott, City Clerk/Finance Dir.

Ed Wolf, Mayor

CITY COMMISSION OF THE CITY OF WILDWOOD

EXECUTIVE SUMMARY

SUBJECT: Ordinance O2014-27: Amendments to the City Charter: Creation of Voting Districts (Subject to Referendum)

REQUESTED ACTION: Approval of Ordinance O2014-27

<input type="checkbox"/> Work Session (Report Only)	DATE OF MEETING:	First Reading: 6/2/14
<input checked="" type="checkbox"/> Regular Meeting	<input type="checkbox"/> Special Meeting	Public Hearing: 6/9/14

CONTRACT:	<input checked="" type="checkbox"/> N/A	Vendor/Entity: _____
	Effective Date: _____	Termination Date: _____
	Managing Division / Dept: _____	

BUDGET IMPACT: _____

<input type="checkbox"/> Annual	FUNDING SOURCE:	_____
<input type="checkbox"/> Capital	EXPENDITURE ACCOUNT:	_____
<input checked="" type="checkbox"/> N/A		

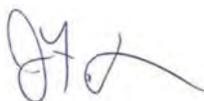
HISTORY/FACTS/ISSUES:

Ordinance O2014-27 amends Article III, Section 3-2 of the City Charter, adds four (4) new sections 3-3, 3-4, 3-5, and 3-6, renumbers the remaining sections in Section 3, and amends Sections 5-1 and 5-2 of the City Charter. Specifically, the Charter would be amended as follows:

- Amends Section 3-2 of the Charter to provide that the Commission shall consist of five commissioners with four year terms and eliminates the seat of the mayor-commissioner;
- Amends the Charter to change the composition of the Commission by providing that the five member Commission shall be comprised of five district representatives and empowering the City to establish district boundaries;
- Amends the Charter to provide that any candidate seeking or holding office shall be eligible provided they are permanent resident of the particular district;
- Amends the Charter to provide that the Commission annually elect one of its member to serve as mayor;
- Amends the Charter to set forth the powers and duties of the mayor; and
- Amends Sections 5-1 and 5-2 of the Charter to alter the time of holding office and terms of officers to facilitate the transition to a new City Commission.

If approved by the Commission, the Ordinance will be subject to a referendum by the voters within the City. The ballot language contained within the Ordinance will be forwarded to the Sumter County Supervisor of Elections for preparation of the November 2014 ballot.

Staff recommends approval of Ordinance O2014-27.



Jason F. McHugh, AICP
Assistant City Manager/Director of Strategic Planning

ORDINANCE NO. 02014-27

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA PROPOSING AN AMENDMENT TO THE CITY CHARTER OF THE CITY OF WILDWOOD, FLORIDA BY AMENDING SECTION 3-2 OF THE CHARTER; ADDING SECTIONS 3-3, 3-4, 3-5, AND 3-6 AND RENUMBERING CURRENT SECTIONS 3-3 THROUGH 3-30 TO ACCOMMODATE THE NEW SECTIONS; AMENDING SECTIONS 5-1 AND 5-2; PROVIDING A BALLOT TITLE AND WORDING FOR THE SUBSTANCE OF THE PROPOSED AMENDMENTS; PROVIDING FOR REFERENDUM BY THE ELECTORS OF THE CITY OF WILDWOOD FOR APPROVAL OR REJECTION OF THE CHARTER AMENDMENT PROPOSAL[S]; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Wildwood desires to amend the City Charter to provide for the addition of a commission seat and to create district representatives; and

WHEREAS, a review of the City Charter has taken place; and

WHEREAS, in furtherance of this goal the City Commission directed the City Manager and staff to conduct a review of the City Charter; and

WHEREAS, in light of the City Commission's goals and requests, the City Manager and staff provided the suggested revisions and additions to the City Charter; and

WHEREAS, Section 166.031, Florida Statutes, provides for amendments to municipal charters; and

WHEREAS, Section 2-2(b) of the City Charter provides that the City Commission may, by ordinance, propose amendments to the Charter, with those proposed ordinances to be put to a vote of the electors of the City; and

WHEREAS, the City Commission believes that proposing these amendment to the Charter be voted upon by the public will be in the best interest of the City and its citizens;

NOW THEREFORE, be it enacted by the people of the city of Wildwood, Florida as follows:

Section 1. Pursuant to Section 2-2(b) of the City Charter of the City of Wildwood, Florida, the City Commission of the City of Wildwood, Florida hereby proposes by ordinance that the City Charter be amended as set forth in Section 2 hereof.

Section 2. There shall be placed upon the ballot of the November 4, 2014 City general election proposed amendments to the City Charter addressing the following topics:

- (a) Amending the City Charter to provide that the City Commission shall consist of a five commissioners, whose terms of office shall be for four years;
- (b) Amending the City Charter to eliminate the seat of the mayor-commissioner;
- (c) Amending the City Charter to change the composition of the city commission by providing that the five member city commission shall be comprised of five district representatives and empowering the city commission to establish the district boundaries as required by law;
- (d) Amending the City Charter to provide that any candidate seeking or holding office as a district representative must be a permanent resident of the particular district in which the elector represents or seeks to represent;
- (d) Amending the City Charter to provide that the city commission shall annually elect one of its members mayor at the second regularly scheduled meeting of November and providing for procedures in the case of a special election for prematurely departing commissioner and for the selection of a mayor where the commission becomes deadlocked;
- (e) Amending the City Charter to set forth the powers and duties of the mayor including the powers and duties of the mayor with respect to all city commission meetings, the execution of legal instruments, civil process, ceremonial powers, and emergency powers; and
- (f) Amending the City Charter to alter the time of holding office and terms of officers to facilitate timely transition to a new city commission.

Section 3. The ballot titles and ballot summary of the proposed amendments for the referendum are set forth on Exhibit "A", attached hereto and by reference made a part hereof. Subject to voter approval, the City Manager, after consultation with the City

Attorney, is authorized to make changes to the City Charter as set forth on Exhibit "B", attached hereto.

Section 4. The above mentioned proposed amendments to the Charter shall be placed to a vote of the electors of the City of Wildwood at the next general election to be held Tuesday, November 4, 2014. Such election shall be held in conformity with the laws and ordinances now in force relating to elections in the State of Florida and the City of Wildwood, Florida.

Section 5. Prior to the day of the election, but not more than ten (10) days prior to the election, notice of the referendum provided above in substantially the form attached hereto as Exhibit "C" and a sample ballot shall be published in a newspaper published and of general circulation in the City of Wildwood.

Section 6. The above mentioned proposed amendments to the City Charter shall take effect (if approved by a vote of the electors of the City of Wildwood) upon certification of the election.

Section 7. This ordinance shall become effective immediately upon passage and adoption.

Section 8. Any existing ordinance of the City of Wildwood, or portions thereof, in conflict with the terms of this ordinance are hereby repealed.

Section 9. If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared unconstitutional, inoperative, or void, such holding or invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to have been the Commission's intent to pass this Ordinance without such unconstitutional, invalid, or inoperative part therein.

DONE AND ORDAINED this ____ day of _____, 2014, by the City Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: _____
Cassandra Lippincott, City Clerk

_____ Ed Wolf, Mayor

First Reading: _____

Second Reading: _____

Approved as to form:

Ashley S. Hunt, City Attorney

EXHIBIT "A"

Title:

CITY OF WILDWOOD CHARTER AMENDMENT CITY COMMISSION COMPOSITION, ELECTION, QUALIFICATIONS, POWERS, AND TERMS OF OFFICE

Summary:

SHALL THE CITY CHARTER BE AMENDED TO CHANGE THE COMPOSITION OF THE CITY COMMISSION TO FIVE DISTRICT REPRESENTATIVES FROM DISTRICTS ESTABLISHED BY ORDINANCE; AND TO CHANGE SELECTION OF THE COMMISSION FROM AT LARGE ELECTION TO ELECTORAL DISTRICTS; AND TO CHANGE THE ELECTED SEAT OF THE MAYOR TO ONE ELECTED BY THE COMMISSION; AND SET FORTH THE POWERS, QUALIFICATIONS, AND TERMS OF OFFICE FOR THE COMMISSION AND MAYOR TO CONFORM THE CITY CHARTER TO THESE AMENDMENTS?

- (a) YES – for adoption of the amendment.
- (b) NO – against adoption of the amendment.

EXHIBIT "B"

Section 3-2. - Composition of city commission.

A city commission is hereby created to consist of ~~a mayor commissioner whose term of office shall be for four years and four~~ **five** commissioners **of the City of Wildwood**, whose terms of office shall be for four years; all of whom shall be elected at large **by their respective districts** and qualified as prescribed in this charter; which terms of office shall begin on the second Monday in January and following their election.

Section 3-3. – Composition; districts

The five member city commission shall be comprised of five district representatives. The city commission shall, by ordinance, establish the district boundaries as required by law.

Section 3-4. – Residential Qualifications of Commission

Any candidate seeking or holding commission office as a district representative must be a permanent resident of the particular district which the candidate represents or seeks to represent. All other required qualifications are set forth in Section 5-2 of this Charter.

Section 3-5. –Mayor—Election

The city commission shall annually elect, at the second regularly scheduled meeting of November, one of its members mayor. No mayoral election shall be held by the commission following a special election held for the purpose of filling the unexpired term of a commissioner who did not finish out his or her full, normal term, unless the prematurely departing commissioner was also the mayor at the time of his or her departure. In case the members of the commission are unable to agree within five (5) days after the time fixed herein for their organizational meeting, upon the selection of the mayor, then the mayor shall be selected by lot conducted by the city clerk, who shall certify the result of such lot upon the journal of the commission.

Sec. 3-6. - Same—Powers and duties.

The mayor shall preside at all meetings of the commission and perform such other duties consistent with his office as may be imposed by it; and the mayor shall have a voice in and a vote in the proceedings of the commission, but no veto power. The mayor may use the title of mayor in any case in which the execution of legal instruments of writing or other necessity arising from the general laws of the state so requires; but this shall not be considered as conferring upon the mayor the administrative or judicial functions of a mayor under the general laws of the State. The mayor shall be recognized as the official head of the city by the courts for the purposes of serving civil processes; by the government in the exercise of military law, and for all ceremonial purposes. The mayor may take command of the police and govern the city by proclamation during times of grave public danger or emergency. The powers and duties of the mayor shall be such as are conferred upon the mayor by the city commission in pursuance of the provisions of this act, and no others. The city commission shall provide by ordinance for the manner of governing the city during times of grave public danger or emergency in the absence of the mayor, and shall define by ordinance the terms "grave public danger" and "emergency."

Section 3-3.7. - Powers of the city commission generally.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-4.8. - Powers of city vested in city commission, exceptions.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-5.9. - Misconduct.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-6.10. - Powers of impeachment.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-7.11. - Recall of city commission.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-8.12. - Vacancies on city commission.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-9.13. - Rules.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-10.14. - Disruptive, disorderly persons; contempt.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-11.15. - Designation of depositories.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-12.16. - Committees.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-13.17. - Regular meetings.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-14.18. - Manner of calling special meetings.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~15~~-19. - Manner of holding meetings.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~16~~-20. - Independent annual audit.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~17~~-21. - Interest of city commissioners in contracts of city.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~18~~-22. - Interference with appointment of employees or city officers.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~19~~-23. - Distinction between resolutions and ordinances.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~20~~-24. - Legislation imposing penalty to be by ordinance.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~24~~-25. - Subject of ordinances and resolutions.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~22~~-26. - Ordinance record book.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~23~~-27. - Codification of ordinances.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~24~~-28. - Publication of ordinances.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~25~~-29. - Form of resolution.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~26~~-30. - Record of resolutions.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~27~~-31. - Required vote for city commission action.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~28~~-32. - Form and adoption of ordinances, resolutions.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~29~~-33. - Emergency measures.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 3-~~30~~-34. - Certified copies of official documents admissible in evidence.

[EXISTING TEXT REMAINS UNCHANGED. THIS SECTION IS ONLY RENUMBERED.]

Section 5-1. - Time of holding; terms of officers; special elections.

The city commission, composed of ~~one mayor-commissioner and four~~ **five** commissioners shall run in five ~~groups~~ **districts**. The mayor-commissioner seat shall be **re-**designated as group **district 1 city commissioner seat**. The city commissioner seats presently designated as group 2, group 3, group 4 and group 5 shall ~~continue to~~

be so ~~re-designated~~ **as district 2, district 3, district 4, and district 5.** Each candidate for a seat on the city commission shall indicate or have indicated at the time of his or her qualification the group for which he or she is a candidate. The regular election for the offices of the city commissioners shall be held on the first Tuesday after the first Monday in November of each state general election year. **To provide for a transition to the election districts,** the mayor commissioner and the city commissioners in groups 2 and 4 serving at the time of enactment of this ordinance shall remain in the seats for which they currently hold office and each office shall be **preserved** extended until 2014 2018. **At that time the mayor-commissioner seat shall expire and be re-designated as district 1 city commissioner seat.** An election shall be held for the offices of mayor commissioner and the city commissioners in groups **districts** 1, 2 and 4 in 2014 **2018** for a 4 year term and every four years thereafter. **The city commissioners in groups 3 and 5 shall also remain in the seats for which they currently hold office until 2016.** An election shall be held for the offices of the city commissioners in groups **districts** 3 and 5 in 2012 **2016** for a 4 year term and every four years thereafter. Officers elected shall qualify and take office on the second Monday in January. The present members of the city commission shall serve as commissioners under this act until their successors are duly qualified, elected, and installed in office. Special elections shall be held from time to time as may be authorized by ordinance or this Charter.

Section 5-2. - Qualifications of city commissioners.

To be eligible to hold the office of city commissioner or ~~mayor commissioner~~ of the city or to qualify for nomination or election as such, the candidate shall be a bona fide resident of the City of Wildwood, the State of Florida, and a citizen of the United States of America and shall be duly qualified to vote at each respective city, state and national election and shall be otherwise qualified as is provided in this Charter and shall hold no other public elective office. Candidates for nomination or election for the office of city commissioner or ~~mayor commissioner~~ shall comply with all the rules and regulations set out in this Charter as to their conduct. Any commissioner who shall cease to possess the qualifications required herein shall forthwith forfeit his or her office.

EXHIBIT "C"

**NOTICE OF REFERENDUM IN THE CITY OF WILDWOOD, FLORIDA, ON
NOVEMBER 4, 2014**

NOTICE IS HEREBY GIVEN THAT A REFERENDUM will be held on November 4, 2014, in the City of Wildwood, Florida for the purpose of determining whether the City Charter should be amended to: (a) change the number of city commissioners to five; (b) eliminate the seat of the mayor-commissioner; (c) change the composition of the city commission by providing that the five member city commission shall be comprised of five district representatives with the city commission establishing the district boundaries as required by law; (d) change the requirements of eligibility for commission office to require that each district representative be a permanent resident of the particular district which the candidate represents or seeks to represent; (e) change the city charter to provide for the process of election of mayor on an annual basis by the city commission; (f) change the city charter to set forth the powers and duties of the mayor; and, (g) change in charter regarding the time of holding and terms of office;. A sample ballot is published in full below as part of this notice.

All qualified electors residing within the area of the City of Wildwood, Florida shall be entitled, qualified and permitted to vote at such referendum.

CITY OF WILDWOOD, FLORIDA

By: _____

City Manager

WILDWOOD COMMUNITY DEVELOPMENT CENTER, INC.

June 3, 2014

*Please place before
Commission on 6/9th meeting
BEC*

Mr. Bill Ed Cannon,
City Manager
City Hall
100 North Main Street
Wildwood, Florida 34785

Re: Unity Block Party

Dear Mr. Cannon:

We seek your approval to sponsor a Unity Block Party on Jackson St. on June 28, 2014 from 12:00 Noon to 8:00 PM. Attached is a drawing showing the set up on Jackson St. that we intend to use.

In connection with this request, we understand that if approval is granted, it may result in a delay regarding Jackson St. emergency response from the city. Signatures from key residents on the block are shown below as a part of this request.

If you have any questions concerning this event, please feel free to contact me at 352-748-7770 or email peacemakerone@earthlink.net.

Thank you kindly.

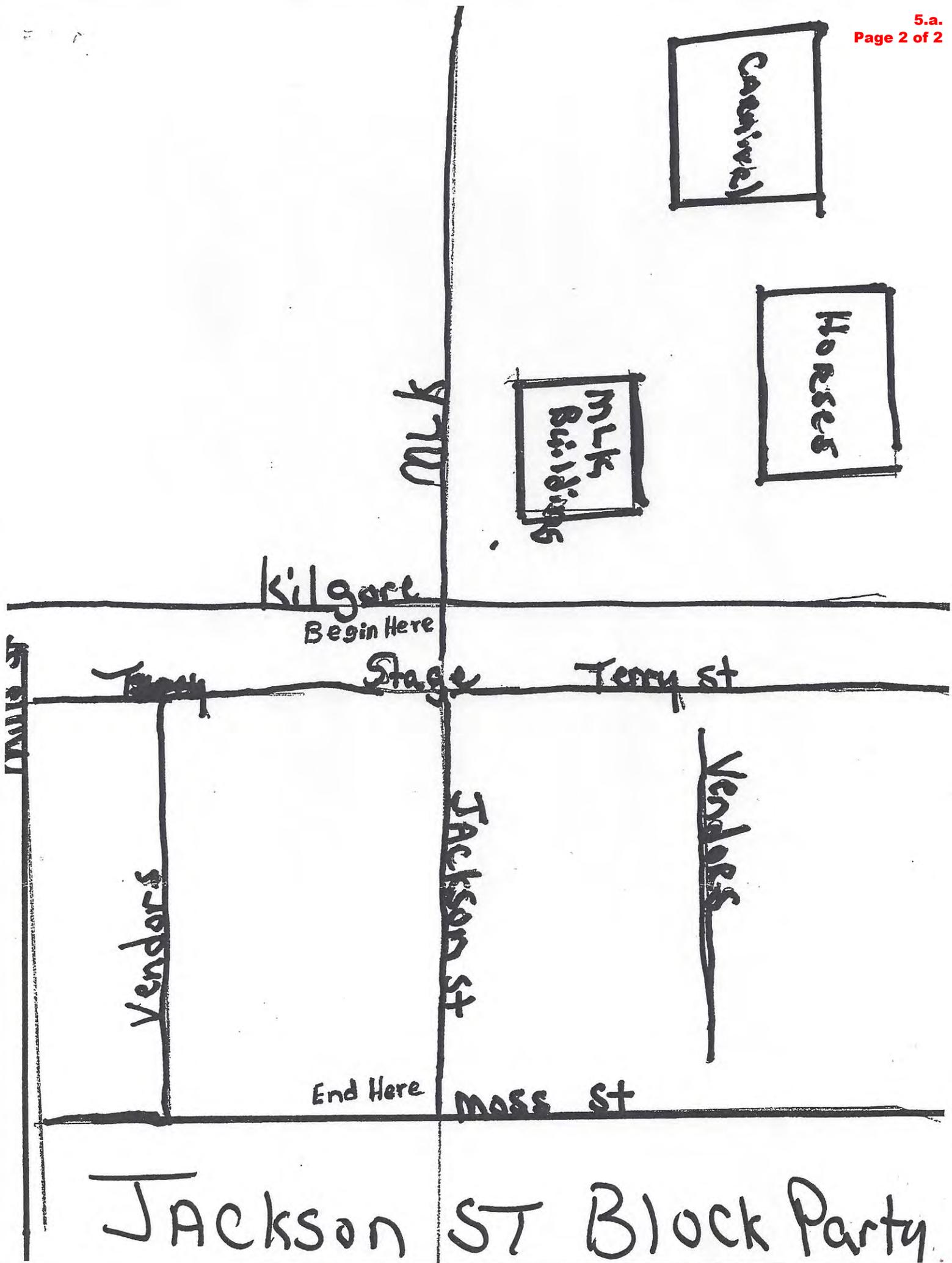
Sincerely,



Sam Saleem,
Vice-President

Encl.

*Hayward Sells
Dorothy A Harrison
Johnnie Mae Hae*



JACKSON ST Block Party

CITY COMMISSION OF THE CITY OF WILDWOOD

EXECUTIVE SUMMARY

SUBJECT: O'Dell Planned Development – RZ 1402-03

Approval of Ordinance O2014-22.

REQUESTED ACTION:

<input type="checkbox"/> Work Session (Report Only)	DATE OF MEETING:	<u>6/9/14 First Reading</u>
<input checked="" type="checkbox"/> Regular Meeting	<input type="checkbox"/> Special Meeting	<u>6/23/14 Adoption</u>

CONTRACT:	<input checked="" type="checkbox"/> N/A	Vendor/Entity:	_____
	Effective Date: _____	Termination Date:	_____
	Managing Division / Dept: _____		_____

BUDGET IMPACT: _____

<input type="checkbox"/> Annual	FUNDING SOURCE:	_____
<input type="checkbox"/> Capital	EXPENDITURE ACCOUNT:	_____
<input checked="" type="checkbox"/> N/A		

HISTORY/FACTS/ISSUES:

The applicant seeks approval from the City Commission for a modification to the “Planned Development” (PD) approval on a 430.44 acre property zoned “Planned Development” (PD).

The project is a Mixed Use Planned Development (MUPD) to build up to 1,000 residential units, 222,000 sq. ft. of commercial retail space, and 40,000 SF of commercial office space, with maximum limits on subtypes as defined in Ordinance O2014-22.

Pursuant to Section 8.6 of the Land Development Regulations, Ordinance O2014-22 adopts the O'Dell Planned Development Agreement. The Project’s legal description and conceptual plan have been incorporated into the Ordinance as exhibits. The PD Agreement outlines specific criteria and standards for the Project.

Due to higher DRI thresholds based on population, the applicant is seeking to increase the amount of approved development for the project that while still remaining below the new DRI threshold. City staff have taken this opportunity to completely overhaul the previously approved ordinance (as extended by the City Commission) originally passed in late 2008. The new ordinance contains updated language and requirements that reflect revisions to the Land Development Regulations passed in July 2011 (as amended).

The proposed development of the O'Dell PD will result in no deficiencies on the studied roadway segments. As part of their mitigation, the Developer will dedicate rights-of-way for CR 209, CR 232, and CR 462. The project also includes turn-lane improvements: northbound left-turn lane on US 301 at the Project Driveway 1; southbound right-turn lane on US 301 at the CR 462 W/Realigned; and westbound left turn lanes on CR 462 (Realigned) at Entrance 1, 2 and 3. In addition, the Developer has opted to redesign, permit, and construct the realignment of CR 462, resulting in a regionally

significant roadway segment running through the development.

The Sumter County School system has sufficient capacity for additional students that may be added as a result of the Project. The Project shall be required to connect to City utilities. The City has sufficient capacity in both water and wastewater to accommodate the Project.

The applicant has responded to and satisfied all comments and concerns raised at the Project Review Committee meeting. The Project meets or exceeds the minimum requirements of the Comprehensive Plan and the Land Development Regulations, and the Project Review Committee recommended the Project be placed on the Planning and Zoning Board agenda for consideration.

This office has duly noticed this meeting as prescribed by City of Wildwood Code for PUBLIC NOTICES in the City of Wildwood. Notice of Hearing has been sent via Certified Mail to all property owners adjoining the property in question. Notice also has been posted on the notice board at City Hall and on the bulletin board at the Wildwood Post Office. A notice of this meeting was published in a newspaper of general circulation (Daily Commercial) on May 2, 2014.

Staff recommends approval of Ordinance #02014-22 for the following reasons:

- The rights-of-way dedications for C-209, C-232, and C-462 will allow for improved and future traffic capacity;
- Ordinance O2014-22 includes standards and criteria that mitigate the potential impacts of the Project; and
- The Project meets the minimum requirements of the Comprehensive Plan and Land Development Regulations.

Case RZ 1402-03 was considered by the Planning & Zoning Board/Special Magistrate on Tuesday, May 13, 2014. The Planning & Zoning Board/Special Magistrate gave a favorable recommendation of Ordinance O2014-22 to the City Commission.



Melanie D. Peavy
Development Services Director

City of Wildwood
Planning & Zoning Board/Special Magistrate

The case below was heard on Tuesday, May 13th, 2014 by the Special Magistrate. The applicant seeks approval and favorable recommendation from the City of Wildwood Planning and Zoning Board/Special Magistrate of Ordinance O2014-22, modifying the approved planned development and providing for up to 1,000 residential units (based on a mix outlined within the Ordinance); 222,000 sq. ft. of commercial retail space; 40,000 sq. ft. of commercial office space; the realignment of C-462; to be built over three phases. The site is generally located to the southwest of US Hwy 301 (SR 35) and C-462E. The Land Planner of Record is Phil Stuepfert with HR Green of Yorkville, Illinois.

Case: RZ 1402-03

Parcels: D31=006, D31=007, D31=008, D31=010, D31=029, & D31=030.

Owner: Craig O'Dell

Applicant: SAME

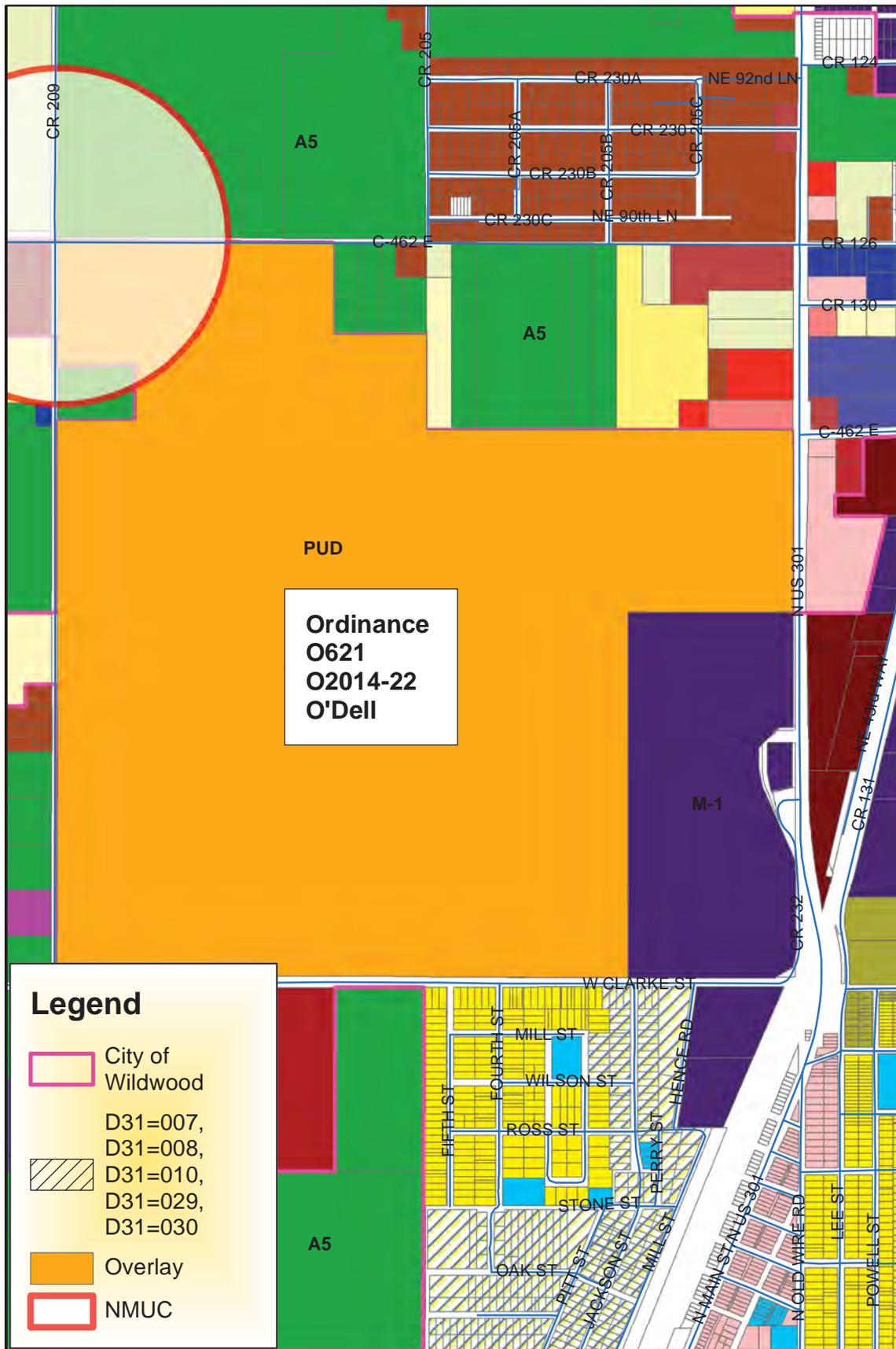
Under subsections 1.7(B)(2), 3.3(B)(3), and 8.2(E) of the Land Development Regulations (LDRs), the Planning and Zoning Board/Special Magistrate has a duty to make a recommendation to the City Commission on all proposed planned development zoning amendments in accordance with the procedure outlined in subsection 1.14 (B)(3) and the criteria for the approval of zoning amendments as defined in subsection 3.3(B)(4) of the LDRs.

Based upon the testimony and information presented, the Special Magistrate recommends approval of the Zoning Map Amendment and favorable recommendation of Ordinance O2014-22 to the City Commission, subject to Ordinance 621 being rescinded, in order to have one ordinance that embodies all requirements.

Dated: May 31, 2014



Archie O. Lowry, Jr.
Special Magistrate City of Wildwood



I:\Terr\GIS\Maps\Existing & Proposed Zoning\Zoning Overlay - O'Dell.mxd - 3/25/2014 9:24:07 AM - toneal



City of Wildwood
100 North Main Street
Wildwood, FL 34485
Phone: (352) 330-1330
www.wildwood-fl.gov



0 Feet 290 580

D31=007, D31=008, D31=010, D31=029, D31=030
O'DELL PROPERTY

WILDWOOD, FLORIDA

MARCH 2014

ZONING OVERLAY

ORDINANCE NO. O2014-22

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA; AMENDING AND RESTATING ORDINANCE 621 CONCERNING THE O'DELL PLANNED DEVELOPMENT; MODIFYING THE REQUEST FOR A PLANNED DEVELOPMENT PURSUANT TO SECTION 8.6 OF THE LAND DEVELOPMENT REGULATIONS. FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA; OWNED BY JAMES M. & MILDRED B. O'DELL TRUST; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Wildwood passed and ordained Ordinance 621 on November 10, 2008; and

WHEREAS, said Ordinance was recorded February 23, 2009, in O.R. Book 2038, Page 688, Public Records of Sumter County, Florida; and

WHEREAS, the City Commission had extended that Ordinance through subsequent Commission approval; and

WHEREAS, the O'Dell Planned Development Amendment Application was filed on February 28, 2014; and

WHEREAS, the City now wishes to Amend and Restate Ordinance 621 in its entirety by enacting this Ordinance O2014-22; and

WHEREAS, it is the intention of the City for this amendment and restatement to supersede Ordinance 621; and

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Wildwood, Florida, as follows:

The application filed by James M. & Mildred B. O'Dell Living Trust (hereinafter referred as the, "Developer") for a Mixed Use Planned Development was heard by and before the City Commission, Wildwood, Florida on this _____ day of _____ 2014. Based upon the verified application and supporting documents, analyses, maps, charts, other evidence and instruments, the advice, report and recommendations of the Project Review Committee and the testimony adduced and evidence received at the Public Hearing by the Planning and Zoning Board on May 13, 2014 and otherwise being fully advised, the City Commission does hereby find and determine as follows:

SECTION 1: GENERAL FINDINGS

- A. That the James M. & Mildred B. O'Dell Living Trust Planned Development Application (hereinafter referred to as the "Project") was duly and properly filed herein on February 28, 2014.
- B. That all fees required to be borne and paid by the Developer have been paid in accordance with the City of Wildwood Fee Schedule.
- C. That the Project was reviewed by the Project Review Committee and found to meet or exceed the minimum standards of the City's Comprehensive Plan, Land Development Regulations, Code of Ordinances, and all other applicable ordinances and regulations.
- D. That the Developer intends to develop a Project consisting of 430.44 acres, more or less, which is situated in Wildwood, Florida. This land is legally described on the Conceptual Development Plan attached hereto as Exhibit "B".
- E. That the Developer has complied with the conceptual development plan provision as required by Section 8.4 of the Land Development Regulations.
- F. That the City has complied with the due notice requirements of subsection 3.3(B)(3) of the Land Development Regulations.

SECTION 2: FINDINGS REGARDING PLANNED DEVELOPMENT OVERLAY

- A. That the Applicant has applied for a Mixed Use Planned Development (MUPD) of the lands described in "Exhibit A".
- B. That the zoning district of the subject land described in "Exhibit A" is classified as Planned Development (PD) on the City of Wildwood Zoning Map. The Project was an approved PD prior to the City adopting new Land Development Regulations and zoning map.
- C. That the Project is consistent with both the City of Wildwood Comprehensive Plan, the intent and purpose of the City of Wildwood Land Development Regulations, and does promote the public health, safety, morals, welfare, and orderly growth of the City of Wildwood.
- D. That the City of Wildwood Land Development Regulations are consistent with the provisions of the "Planned Development Agreement" as hereinafter set forth in Section 3 of this Ordinance. With respect to any conflict between the Land Development Regulations and the "Planned

- Development Agreement”, the provisions of the “Planned Development Agreement” shall govern. Unless specific conditions are included in the “Planned Development Agreement” waiving or replacing the terms and conditions of the Land Development Regulations, the terms and conditions of the most current Land Development Regulations shall prevail.
- E. This Ordinance shall become effective immediately upon its approval and adoption by the City Commission.

SECTION 3: PLANNED DEVELOPMENT AGREEMENT: GENERAL PROVISIONS

- A. Development Concept. The Project shall be developed as a Planned Development substantially in accordance with this Ordinance. This Planned Development Agreement shall govern the development of the Project.
- B. Conceptual Development Plan. The Project includes a conceptual development plan pursuant to Section 8.4 of the Land Development Regulations. The conceptual development plan prepared by HRGreen dated April 14, 2014 (revision date) is incorporated into this Ordinance as “Exhibit B” attached hereto. The conceptual development plan is substantially consistent with City of Wildwood Comprehensive Plan.
- 1) The conceptual development plan illustrates the general location of the following land uses:
 - a. Commercial Retail;
 - b. Commercial Office and Medical Office;
 - c. Single Family Residential;
 - d. Multi-family Residential; and
 - e. Parks/Recreation
 - 2) The conceptual development plan is conceptual in nature and may be affected or modified by final zoning approval and conditions, by compensating storage capacity in flood prone areas, final wetland or protected species locations and jurisdictional boundaries, final engineering, permitting, surveys, or conservation easements.
- C. Development Program. The Project shall be developed in three (3) phases in accordance with the conceptual development plan and this Section.
- 1) Residential Development. The residential component of the Project shall contain a mix of two (2) or more of the following housing types:

- a) Single Family Detached (SFD)
- b) Single Family Attached (SFA)
- c) Apartments/Condominium Buildings (ACB)

2) Land Use Breakdown. Acreages devoted to each land use over the life of the Project shall be in accordance with the following table:

Land Use	Total (Acres)
Commercial Retail	24.90
Office	10.00
Single Family Residential	164.40
Multi-family Residential	42.40
Parks/Recreation	11.90
Total	253.60

Note: There are 176.80 acres within the project that consist of drainage retention areas, open space, wetlands, and right-of-way for a total project area of 430.40 acres.

3) Maximum Development Potential. Residential and non-residential development within the Project shall not exceed the following:

Non Residential:

Land Use	Square Feet (SF)
Commercial Retail	222,000*
Office	40,000*

*Depending on market demands, the non-residential portion of the project may develop according to a sliding scale between non-residential mixes provided the maximum caps are not exceeded and the Project meets the minimum requirements of the Oxford Neighborhood Mixed Use (ONMU) land use.

Residential:

Land Use	Maximum Units	Maximum Acreage
Single Family Detached (SFD)	900*	180*
Single Family Attached (SFA) and Apartments/Condominium Buildings	675*	45*

*Depending on market demands, the residential portion of the Project may develop according to a sliding scale between single family and multi-family

residential acres and unit counts. The maximum number of residential units shall not exceed 1000. However, market demands may warrant a shift between the percentage of single family and multi-family uses. The residential portion of the projects shall meet the minimum requirements of the Oxford Neighborhood Mixed Use (ONMU) land use.

- D. Amendments. The Development Services Director, or designee, shall have the authority to approve non-substantial changes to the conceptual development plan without a public hearing. The determination of what constitutes a non-substantial change shall be at the Development Services Director's discretion. All modifications requiring an amendment to the Planned Development Agreement shall require review and recommendation of the Planning and Zoning Board and action by the City Commission in the same manner as an Application for Planned Development.
- E. Future Approvals. After this Ordinance is recorded, and prior to any construction occurring, a site plan or subdivision preliminary plan shall be submitted for review and approval in the manner required by Chapter 4 or Chapter 5 of the Land Development Regulations, whichever Chapter is applicable:
- 1) Developer's Agreement. Prior to approval of a site plan or a subdivision preliminary plan, the City and the Developer agree to enter into Utility or Developer's Agreements to address the provision of water, wastewater and reuse water to the Project. The agreement shall also specify, among other items, the ownership and maintenance of infrastructure associated with the Project.
- F. Principal Uses. Principal uses listed in Chapter 3, Table 3-6 of the Land Development Regulations for the Neighborhood Mixed Use - 7 (NMU-7) zoning district shall be allowed.
- G. Development Standards. Unless otherwise noted, the Project shall adhere to the zoning district standards prescribed in Chapter 3 of the Land Development Regulations for the Neighborhood Mixed Use - 7 (NMU-7) zoning district.
- 1) Residential Standards
 - a. Single Family Attached and Apartment/Condominium Buildings:
The minimum distance between structures shall be 20'.
 - b. Single Family Detached:
 - i. Minimum Lot Size – 5,500 SF
 - ii. Minimum Lot Width – 50'
 - iii. Setbacks:
 1. Front – 15' setback from primary structure and 20' setback for garages

2. Sides – 5' setback on lots less than 7,500 SF and 10' setback on lots over 7,500 SF
3. Rear – 15'

H. Design District Standards. Unless otherwise noted, the Project shall adhere to the Community Design District Standards pursuant to section 6.12 of the Land Development Regulations.

I. Recreation and Open Space. The Project shall maintain a minimum of 25% (107.7 acres) open space.

1) Buffers.

- a. The Project shall contain a 10' perimeter landscape buffer along US 301, C-462, realigned section of C-462. No landscape buffer shall be required along CR 209 and CR 232. However, additional right-of-way shall be provided to the City by the Developer. In lieu of the required buffer along CR 209 & CR 232, a decorative wall shall be constructed.
- b. The Project shall contain 10' wide interior landscape buffers between changes of use.
- c. The Project shall contain 25' landscape buffers adjacent to wetlands.
- d. Any on site booster pumps, tanks, or lift stations needed to serve the Project shall be screened, buffered and located outside of the perimeter buffer.

3) Open Space. Open space shall include wetlands, preservation areas, greenspace, and landscape buffers. Open space may also include trails, plazas, courtyards, and other public similar public areas. Open space may also include recreation areas and amenities provided said amenities or area is not enclosed within conditioned space. For purposes of meeting open space requirements, up to 50% of the drainage retention areas (stormwater management areas) may be included in the open space calculation; however, the amount of open space credit from the drainage retention areas shall not exceed 50% of the open space requirement. Open space shall not include open bodies of water, right-of-ways, yards or lots of record per plat, driveways, off street parking areas or other impervious surface areas that do not meet the criteria.

J. Environmental Considerations.

1) Gopher Tortoise Survey. Prior to development of the site, the Developer shall conduct a 100% survey for gopher tortoises.

- 2) Wetlands. Developer is required to submit an updated Formal Determination of Wetlands and Other Surface Waters from the Southwest Florida Water Management District.

K. Public Facilities.

- 1) Potable Water, Wastewater, and Reuse Water. The Project shall be connected to the City's water and wastewater system prior to any certificates of occupancy being issued. The Project will also connect to the City's reuse water system prior to certificates of occupancy being issued, if available. Expansion of the City's Potable Water and Sanitary Sewer systems shall be negotiated by a separate Developer's Agreement between the City and the Developer. Said agreement shall specify cost, ownership and maintenance, and timetables for delivery of services.
- 2) Solid Waste. Solid waste services shall be provided by the City or the City's contracted refuse service provider.
- 3) Stormwater. The Project shall contain a stormwater management system which meets the requirements of the Southwest Florida Water Management District, and Chapter 6, section 6.4 of the City's Land Development Regulations.
- 4) Underground Utilities. All on site utilities shall be underground. Developer is responsible for running utilities underground for the Project. The City shall insure that any utilities within any public utilities easement serving lands other than the Planned Development shall be underground.
- 5) Lighting. Exterior lighting of all buildings and parking lots shall be designed so that light is not directed off the Project. Exterior light fixtures should be fully shielded or designed with light-angle cut-offs so as to eliminate spill light, trespass light, and glare.
- 6) Easements. Project shall provide 20' Utility Easements along CR 209, CR 232 and the realigned C-462. See Exhibit "C".
- 7) Right-of-Way. Developer shall donate right-of-way along CR 209 and CR 232 to provide a total of 50' from centerline. See Exhibit "C".

L. Access and Transportation

- 1) Access. Project may provide two (2) access points on US 301 for commercial areas, four (4) access points on C-462 for commercial and office areas. The Project may also provide two (2) access points on CR 232, two (2) access points on CR 209 and two (2) access points on C-462 realigned for the residential areas. Internal cross-access shall be provided between land uses. Driveway permits for access on to C-462 shall be obtained through Sumter County. Driveway permits for US 301 shall be obtained through the

Florida Department of Transportation (FDOT). Driveway permits for CR 209 and CR 232 shall be obtained through the City of Wildwood.

2) Transportation System Improvements. The Developer shall be fully responsible for the following improvements to the transportation system to mitigate transportation impacts of the Project. These improvements were identified in the Traffic Impact Analysis submitted with the Planned Development application:

- a. The Developer shall donate sufficient right-of-way and construct a two lane roadway for the realignment of C-462. Sufficient right-of-way will be based on the C-462 Preliminary Engineering Study conducted by Sumter County provided there is no updated design information provided by Sumter County before construction of the realignment. Developer shall donate right-of-way along CR 209 and along CR 232 to provide a total of 50' from centerline.
- b. Individual development pods and land uses shall be interconnected by a series of roadways and trails within the Project. Internal roadways and trails shall be developed with accordance with the conceptual development plan and the typical roadway provided for local roads.
- c. The Project shall provide a system of multi-use trails and sidewalks that encourage walking and bicycling within the development as shown on the conceptual development plan.
- d. Golf carts. Golf carts may be allowed to utilize the multi-use paths within the Project pending final engineering approval at the time of site plan.

M. Maintenance of Common Areas. Maintenance and repair of structures, lawn mowing, and landscaping maintenance of all common areas within the Project shall be the responsibility of the property owner or its designee such as a property owners association, at no cost or obligation to the City. The Developer shall provide guidelines to the City for approval, not to be reasonably withheld, conditioned or delayed, for the maintenance of common areas. The City will be granted the right to enforce the common areas maintenance obligations against the Developer, as may be applicable, and to be reimbursed for the reasonable attorney's fees, costs and expenses, as may be reasonably incurred by the City.

N. Enforcement of Rules and Regulations. For the maintenance of the common areas referenced in Section 3(M) above, the applicable provisions in the Guidelines: (i) shall be made applicable to the Project; and (ii) shall be reviewed/approved by the City of Wildwood and a certificate of occupancy being issued for completed improvements; and (iii) will provide that the City of Wildwood shall have the right, but not the obligation, to enforce such maintenance obligations against a violating

party and that the City should be entitled to reasonable attorney's fees and costs for enforcement regardless of whether or not a suit has been filed.

- O. Impact Fees. The Planned Development shall be subject to all impact fees applicable at the time of permitting. All impact fees are to be paid before issuance of any building permit. Proof of Sumter County impact fees paid shall be provided to the City of Wildwood. Any impact fees adopted by the City of Wildwood, Sumter County or the Sumter County School Board prior to issuance of building permits shall also be applicable to the Planned Development.

- P. Expiration of Planned Development Agreement. Actual construction must begin within the Planned Development within 24 months of the final adoption of the Planned Development Agreement. If no construction has started on the approved Planned Development within 24 months, the Planned Development shall lapse and be of no further effect. The City Commission may extend the Planned Development for periods of up to six (6) months provided the applicant can show good cause why said the Project was delayed under the originally approved Planned Development Agreement. However, the City Commission shall not allow extensions beyond 84 months after the effective date of this Ordinance.

PASSED AND ORDAINED in regular session of the City Commission of the City of Wildwood, Sumter County, Florida, this ____ day of _____, 2014.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: _____ ED WOLF, MAYOR
Cassandra Lippincott, City Clerk

First Reading: _____

Second Reading: _____

Approved as to Form:

Ashley Hunt, City Attorney

Ordinance O2014-22

“Exhibit A”

O’Dell Planned Development

Parcels D31=006, D31=007, D31=008, D31=010, D31=029, & D31=030

Legal Description



CITRUS ENGINEERING & SURVEYING, INC.

• CONSTRUCTION SURVEYS • MORTGAGE SURVEYS • BOUNDARY SURVEYS •

3585 E. GULF TO LAKE HWY. - INVERNESS, FLORIDA 34453
PHONE: (352) 860-1145 FAX: (352) 860-2229

MAY 19, 2014

**A LEGAL DESCRIPTION FOR
MILDRED O'DELL TRUST OF
LAND IN SECTION 31, TOWNSHIP
18 SOUTH, RANGE 21 EAST,
SUMTER COUNTY, FLORIDA**

THE N1/2 OF THE NW1/4 OF SECTION 31, TOWNSHIP 18 SOUTH, RANGE 23 EAST. LESS LANDS IN OFFICIAL RECORD BOOK 118, PAGE 91, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA. AND LESS THE NE1/4 OF THE NE1/4 OF THE NW1/4. AND LESS ROAD RIGHT-OF-WAY OF CR 462 AND CR 209, AS MAINTAINED.

AND

THE S1/2 OF THE NW1/4 OF SECTION 31, TOWNSHIP 18 SOUTH, RANGE 23 EAST. LESS ROAD RIGHT-OF-WAY OF CR 209, AS MAINTAINED.

AND

THE S1/2 OF THE NE1/4 OF SECTION 31, TOWNSHIP 18 SOUTH, RANGE 23 EAST. LESS ROAD RIGHT-OF-WAY OF US. HIGHWAY NO. 301.

AND

THE W1/2 OF THE SW1/4 OF SECTION 31, TOWNSHIP 18 SOUTH, RANGE 23 EAST. LESS ROAD RIGHT-OF-WAY OF CR 209, AND CR 232, AS MAINTAINED.

AND

THE E1/2 OF THE SW1/4 OF SECTION 31, TOWNSHIP 18 SOUTH RANGE 23 EAST. LESS ROAD RIGHT-OF-WAY OF CR 232, AS MAINTAINED.

AND

THE W1/2 OF THE SE1/4 OF SECTION 31, TOWNSHIP 18 SOUTH, RANGE 23 EAST. LESS ROAD RIGHT-OF-WAY OF CR 232 AS MAINTAINED.

AND LESS

THAT PART OF THE SOUTHEAST ¼ OF SECTION 31, TOWNSHIP 18 SOUTH, RANGE 23 EAST, IN SUMTER COUNTY, FLORIDA; BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST ¼ OF SECTION 31, TOWNSHIP 18 SOUTH, RANGE 23 EAST IN SUMTER COUNTY, FLORIDA, SAID POINT BEING A RAILROAD SPIKE IN ASPHALT PAVEMENT (NO NUMBER), RUN N89°57'38"W ALONG

THE NORTH LINE OF THE SOUTHEAST $\frac{1}{4}$ A DISTANCE OF 44.54 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 301; SAID POINT BEING AN IRON PIN LABELED LB707; THENCE CONTINUE N89°57'38"W ALONG THE NORTH LINE OF THE SOUTHEAST $\frac{1}{4}$ A DISTANCE OF 525.00 FEET TO AN IRON PIN LABELED LB707; THENCE CONTINUE N89°57'38"W ALONG THE NORTH LINE OF THE EAST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ A DISTANCE OF 757.65 FEET TO A CONCRETE MONUMENT (NO NUMBER), SAID POINT BEING ON THE WEST LINE OF THE EAST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 31; THENCE S00°04'58"W ALONG THE WEST LINE OF THE EAST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ A DISTANCE OF 642.90 FEET TO AN IRON PIN LABELED LB707, AND THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, CONTINUE S00°04'58"W ALONG THE WEST LINE OF THE EAST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ A DISTANCE OF 1963.74 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 232, SAID POINT BEING A CONCRETE MONUMENT (NO NUMBER); THENCE N89°58'50"W ALONG THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 232 A DISTANCE OF 768.70 FEET TO AN IRON PIN LABELED LB707; THENCE N00°04'58"E 1436.10 FEET TO AN IRON ROD LABELED LB707; THENCE N55°34'25"E 932.85 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD IF ANY.

Ordinance O2014-22

“Exhibit B”

O’Dell Planned Development

Parcels D31=006, D31=007, D31=008, D31=010, D31=029, & D31=030

Conceptual Development Plan

Ordinance O2014-22

“Exhibit C”

O’Dell Planned Development

Parcels D31=006, D31=007, D31=008, D31=010, D31=029, & D31=030

Typical Cross Sections

COUNTY ROAD 209



COUNTY ROAD 232



COUNTY ROAD 462

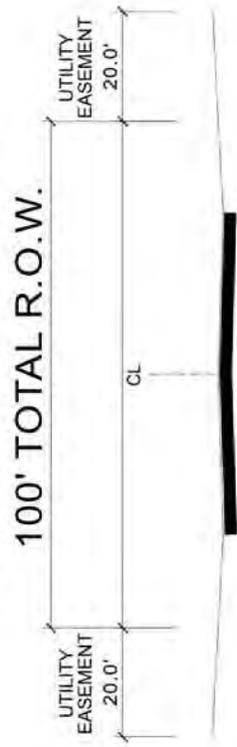


EXHIBIT 'C' - ADJACENT ROADWAY SECTIONS

O'DELL PROPERTY

WILDWOOD, FLORIDA



CITY COMMISSION OF THE CITY OF WILDWOOD

EXECUTIVE SUMMARY

SUBJECT: City-Initiated Comp. Plan Amendment, CP 1404-01

Approval of Ordinance O2014-28.

REQUESTED ACTION:

Work Session (Report Only)

DATE OF MEETING: 6/9/14 First Reading
6/23/14 Adoption

Regular Meeting

Special Meeting

CONTRACT: N/A

Effective Date: _____
Managing Division / Dept: _____

Vendor/Entity: _____
Termination Date: _____

BUDGET IMPACT: _____

- Annual
- Capital
- N/A

FUNDING SOURCE: _____

EXPENDITURE ACCOUNT: _____

HISTORY/FACTS/ISSUES:

Staff seeks approval for a Small Scale Future Land Use Map Amendment to the adopted Comprehensive Plan. On June 3, 2014, the case was heard before the Planning and Zoning Board/Special Magistrate acting as the Local Planning Agency in which the Special Magistrate recommended approval of Ordinance O2014-28. **Staff also recommends approval of Ordinance 02014-28 (attached).**

The 0.72 +/- acre subject parcel is intended to be utilized as a small retail store. The amendment reassigns the property from City "Medium Density Residential" to City "Commercial." Subject to approval of this small-scale land use change approval, the applicant has submitted a rezoning application for consideration.

Staff believes a Future Land Use Map designation of "Medium Density Residential" is appropriate based on the intended use of the property and should be approved for the following reasons:

- Justification of the proposed amendment has been adequately presented;
- The proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan;
- The subject amendment does not meet the criteria of urban sprawl or exemplify an energy inefficient land use pattern;
- The proposed amendment will not have an adverse effect on environmentally sensitive systems;
- The proposed amendment will not adversely affect transportation, potable water, sewer, schools, or other public facilities without providing remedies to correct the system or facility.

The attached maps illustrate the subject parcel's relation to the surrounding area as well as the existing and proposed Future Land Use Map designations within the vicinity.

A handwritten signature in black ink that reads "Melanie D. Peavy". The signature is written in a cursive, flowing style.

Melanie D. Peavy
Development Services Director

City of Wildwood, Florida
Planning & Zoning Board/Special Magistrate
as Local Planning Agency

The case below was heard on Thursday, June 3rd, 2014, by the Special Magistrate. The applicant seeks a small scale comprehensive plan amendment from City Medium Density Residential to City Commercial on 0.72 +/- acres. The site is generally located on the north side of E. Kentucky Avenue between First and Second Avenue, just to the east of US Hwy 301 (SR 35) in downtown Wildwood.

Case: CP 1404-01

Parcel: G07D388

Owner: Pat the Plumber, Inc.

Applicant: City of Wildwood

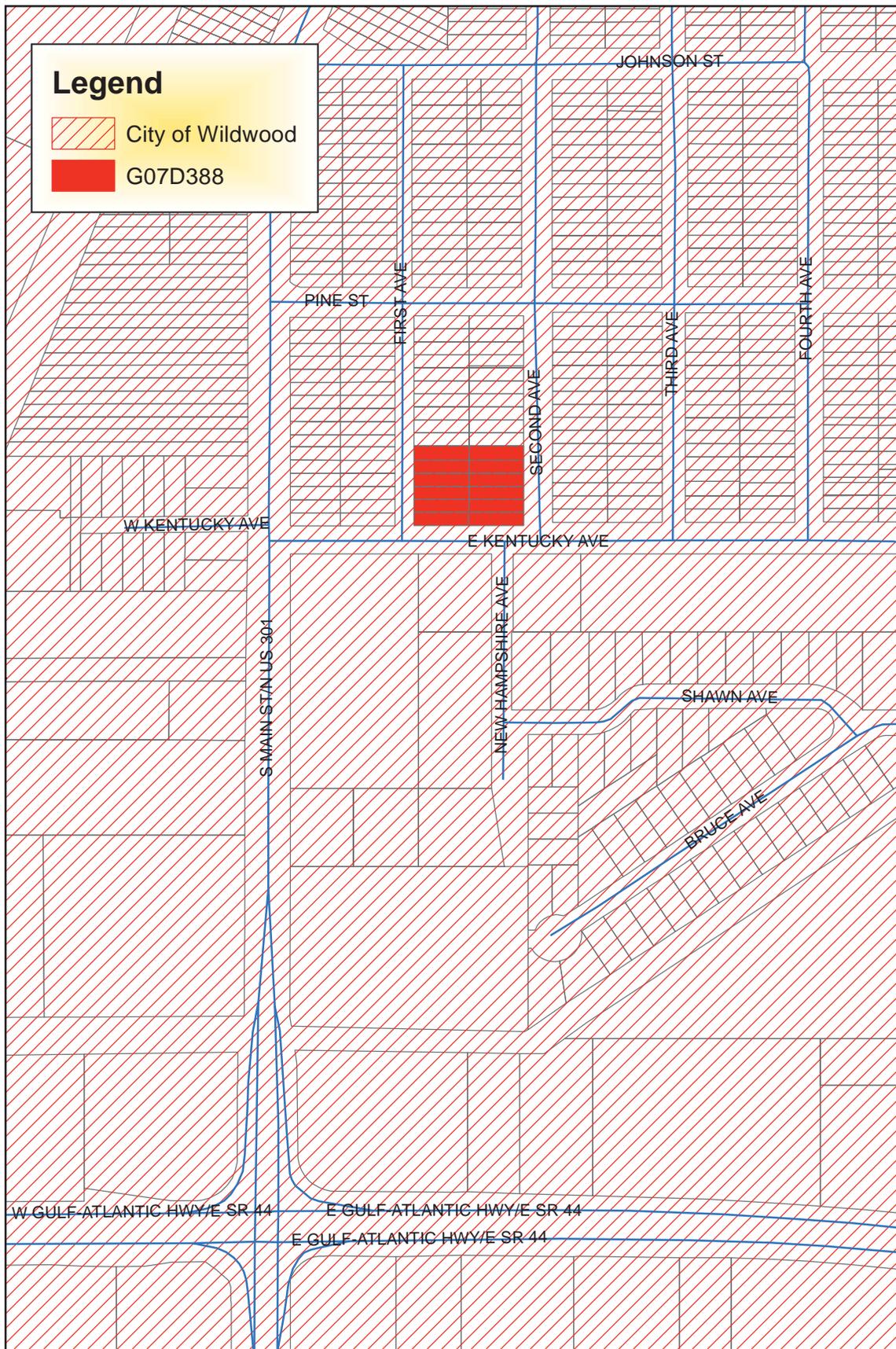
Under subsection 1.7(C) of the Land Development Regulations (LDRs), the Planning and Zoning Board/Special Magistrate as Local Planning Agency has a duty to make a recommendation to the City Commission on all proposed comprehensive plan amendments in accordance with the procedure outlined in subsection 1.14(B)(2) and the criteria for the approval of comprehensive plan amendments as defined in subsection 1.7(D) of the LDRs.

Based upon the testimony and information presented, the Special Magistrate recommends approval of the small scale land use map amendment and favorable recommendation of Ordinance O2014-28 to the City Commission.

Dated: June ____, 2014

/Proposed/

Archie O. Lowry, Jr.
Special Magistrate City of Wildwood



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City of Wildwood
100 North Main Street
Wildwood, FL 34485
Phone: (352) 330-1330
www.wildwood-fl.gov



0 Feet 120 240

G07D388
714 First Ave

WILDWOOD, FLORIDA

APRIL 2014

LOCATION MAP



Legend

-  G07D388
-  City of Wildwood

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	City of Wildwood 100 North Main Street Wildwood, FL 34485 Phone: (352) 330-1330 www.wildwood-fl.gov	 Feet 0 100 200 	G07D388 714 First Ave WILDWOOD, FLORIDA
	APRIL 2014	EXISTING FUTURE LAND USE	

ORDINANCE NO. O2014-28

AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA;
PROPOSING A SMALL SCALE FUTURE LAND USE MAP
AMENDMENT TO THE ADOPTED LOCAL
COMPREHENSIVE PLAN AND FUTURE LAND USE MAP
IN ACCORDANCE WITH THE COMMUNITY PLANNING
ACT OF 2011, AS AMENDED; PROVIDING FOR
CODIFICATION; PROVIDING FOR CONFLICT; AND
PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Wildwood, Florida, is proposing to amend the local Comprehensive Plan and Future Land Use Map of said City, to include a land use amendment described as follows, to-wit:

Parcel G07D388
Pat the Plumber Inc. Property
0.72 acres +/-

Legal Description:

Lots 21 through 32, Block N, SUNSET PARK, according to the Plat thereof as recorded in Plat Book 1, page 82 1/2, Public Records of Sumter County, Florida.

Subject to covenants, restrictions, reservations and easements of record, if any, which are not extended or reimposed hereby.

This property is to be reclassified from City comprehensive plan designation "Medium Density Residential" to City comprehensive plan designation "Commercial."

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida, as follows:

SECTION 1. The adopted local Comprehensive Plan and Future Land Use Map for the City of Wildwood, Florida, are hereby amended to include the above-referenced property and proposed land use amendment as indicated above. The amendment to the Future Land Use Map of the local comprehensive plan is attached hereto as "Exhibit A" and incorporated herein by reference.

SECTION 2. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 3. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said Ordinance.

SECTION 4. This Ordinance shall take effect upon its final reading by the City Commission of the City of Wildwood.

DONE AND ORDAINED this _____ day of _____, 2014, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

S E A L

Ed Wolf, Mayor

ATTEST: _____
Cassandra Lippincott, City Clerk

First Reading: _____

Second Reading: _____

Approved as to form:

Ashley Hunt, City Attorney

Ordinance O2014-28

“Exhibit A”

G07D388 (Pat the Plumber Inc.)

Proposed Future Land Use Map Designation



I:\TerraGIS\Maps\Existing & Proposed FLUP\Proposed FLU - G07D388.mxd - 5/29/2014 9:47:56 AM - lonesal



City of Wildwood
100 North Main Street
Wildwood, FL 34485
Phone: (352) 330-1330
www.wildwood-fl.gov



Feet
0 100 200

G07D388
714 First Ave

WILDWOOD, FLORIDA

APRIL 2014

PROPOSED FUTURE LAND USE

CITY COMMISSION OF THE CITY OF WILDWOOD

EXECUTIVE SUMMARY

SUBJECT: City-Initiated Rezoning – RZ 1404-01

REQUESTED ACTION: Approval of Ordinance O2014-29.

<input type="checkbox"/> Work Session (Report Only)	DATE OF MEETING: <u>6/9/14 First Reading</u>
<input checked="" type="checkbox"/> Regular Meeting	<u>6/23/14 Adoption</u>
	<input type="checkbox"/> Special Meeting

CONTRACT: <input checked="" type="checkbox"/> N/A	Vendor/Entity: _____
Effective Date: _____	Termination Date: _____
Managing Division / Dept: _____	_____

BUDGET IMPACT: _____

<input type="checkbox"/> Annual	FUNDING SOURCE: _____
<input type="checkbox"/> Capital	EXPENDITURE ACCOUNT: _____
<input checked="" type="checkbox"/> N/A	

HISTORY/FACTS/ISSUES:

Staff seeks approval from the City Commission for a rezoning from City “R-3: Medium Density Residential” to City of Wildwood “C-1: General Commercial - Downtown.”

The 0.72 +/- acre subject property is located on the north side of E. Kentucky Ave. between First and Second Avenue, just to the east of US Hwy 301 (SR 35) in downtown Wildwood. The property is subject to a concurrent Small Scale Comprehensive Plan amendment to change the Future Land Use Map designation to City “Commercial”. The requested zoning of “C-1: General Commercial - Downtown” would bring the property into compliance with the proposed Future Land Use Map designation.

Staff recommends approval of Ordinance O2014-29 subject to approval of Ordinance O2014-28, which establishes a future land use appropriate to the proposed zoning.

Case RZ 1404-01 was considered by the Planning & Zoning Board/Special Magistrate on Tuesday, June 3, 2014. The Planning & Zoning Board/Special Magistrate gave a favorable recommendation of the rezoning to the City Commission.



Melanie D. Peavy
Development Services Director

City of Wildwood
Planning & Zoning Board/Special Magistrate

The case below was heard on Thursday, June 3rd, 2014 by the Special Magistrate. The applicant seeks approval and favorable recommendation from the City of Wildwood Planning and Zoning Board/Special Magistrate for a Zoning Map Amendment from City “R-3: Medium Density Residential” to City “C-1: General Commercial: Downtown.” The property is generally located on the north side of E. Kentucky Avenue between First and Second Avenue, just to the east of US Hwy 301 (SR 35) in downtown Wildwood.

Case: RZ 1404-01

Parcel: G07D388

Owner: Pat the Plumber, Inc.

Applicant: City of Wildwood

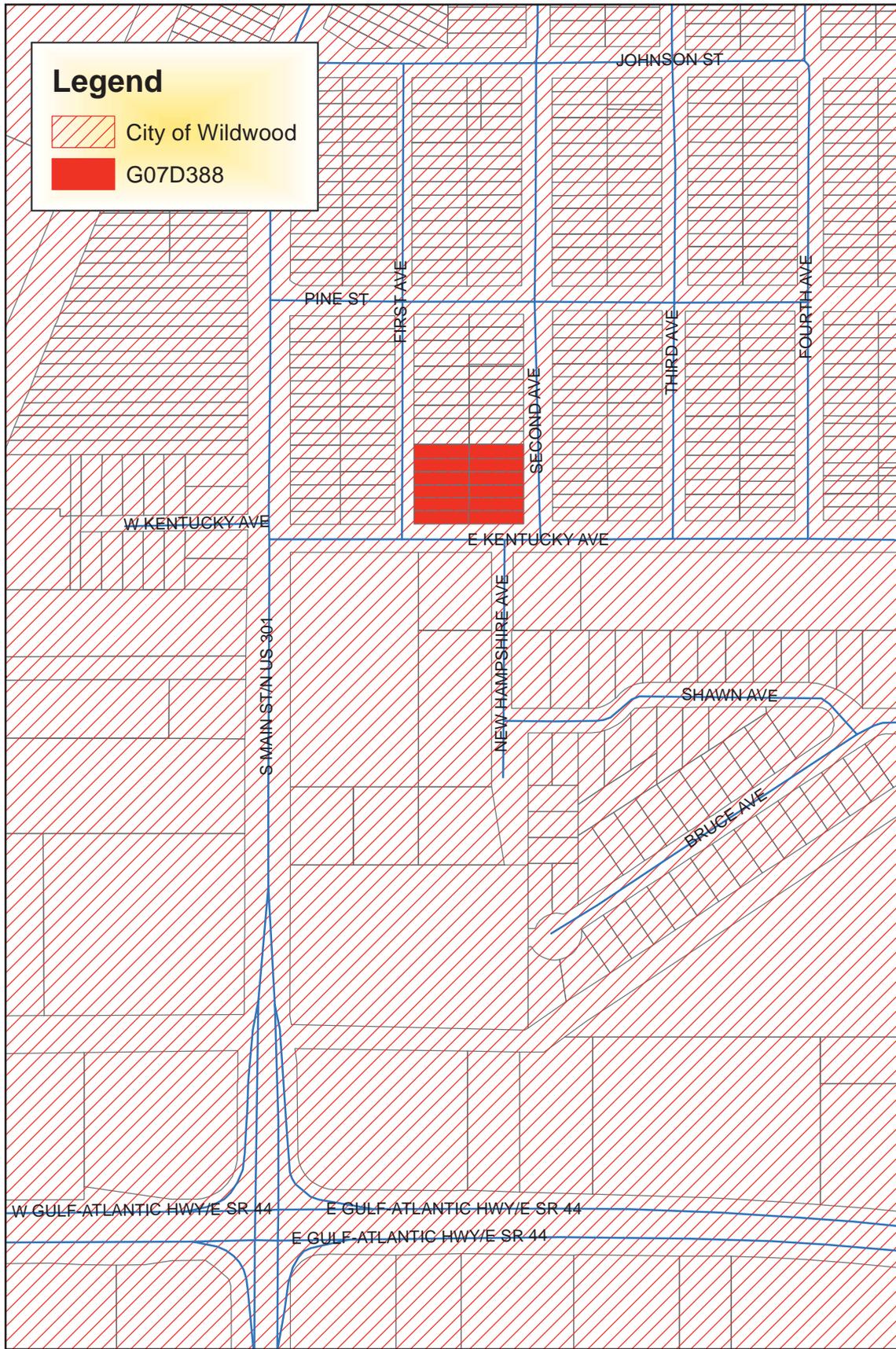
Under subsections 1.7(B)(2) and 3.3(B)(3) of the Land Development Regulations (LDRs), the Planning and Zoning Board/Special Magistrate has a duty to make a recommendation to the City Commission on all proposed zoning amendments in accordance with the procedure outlined in subsection 1.14 (B)(3) and the criteria for the approval of zoning amendments as defined in subsection 3.3(B)(4) of the LDRs.

Based upon the testimony and information presented, the Special Magistrate recommends approval of the Zoning Map Amendment and favorable recommendation of Ordinance O2014-29 to the City Commission.

Dated: June ____, 2014

/Proposed/

Archie O. Lowry, Jr.
Special Magistrate City of Wildwood



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City of Wildwood
100 North Main Street
Wildwood, FL 34485
Phone: (352) 330-1330
www.wildwood-fl.gov



0 Feet 120 240

G07D388
714 First Ave

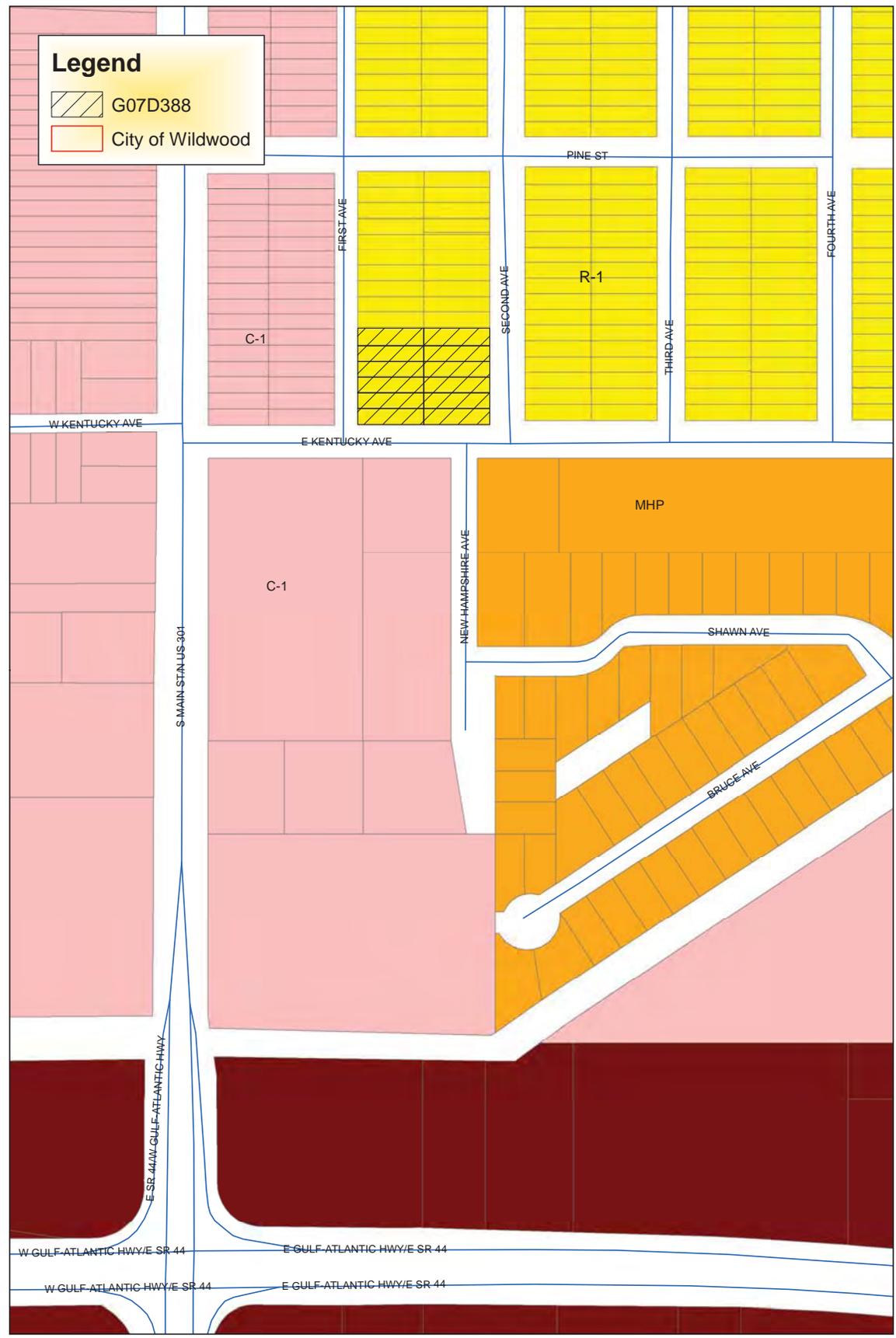
WILDWOOD, FLORIDA

APRIL 2014

LOCATION MAP

Legend

-  G07D388
-  City of Wildwood



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	City of Wildwood 100 North Main Street Wildwood, FL 34485 Phone: (352) 330-1330 www.wildwood-fl.gov	 Feet 0 100 200	G07D388 714 First Ave	
	WILDWOOD, FLORIDA			APRIL 2014

ORDINANCE NO. O2014-29

AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA;
PROPOSING A ZONING MAP AMENDMENT TO THE
OFFICIAL ZONING MAP IN ACCORDANCE WITH
SECTIONS 3.2 AND 3.3 OF THE LAND DEVELOPMENT
REGULATIONS; PROVIDING FOR CODIFICATION;
PROVIDING FOR CONFLICT; AND PROVIDING FOR AN
EFFECTIVE DATE

WHEREAS, the City of Wildwood, Florida, is proposing to amend the Official Zoning Map of said City, to include a rezoning of real property described as follows, to-wit:

Parcel G07D388
Pat the Plumber, Inc. Property
0.72 acres +/-

Legal Description:

Lots 21 through 32, Block N, SUNSET PARK, according to the Plat thereof as recorded in Plat Book 1, page 82 1/2, Public Records of Sumter County, Florida.

Subject to covenants, restrictions, reservations and easements of record, if any, which are not extended or reimposed hereby.

This property is to be reclassified from City "R-3: Medium Density Residential" to City of Wildwood "C-1: General Commercial: Downtown."

AND WHEREAS, the rezoning is consistent with the City's Comprehensive Plan and Land Development Regulations.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida, as follows:

SECTION 1. The Official Zoning Map of the City of Wildwood, Florida is hereby amended to include the above-referenced property as indicated above. The amendment to the Official Zoning Map is attached hereto as "Exhibit A" and incorporated herein by reference.

SECTION 2. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 3. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said Ordinance.

SECTION 4. This Ordinance shall take effect upon its final reading by the City Commission of the City of Wildwood.

DONE AND ORDAINED this _____ day of _____, 2014, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

S E A L

Ed Wolf, Mayor

ATTEST: _____
Cassandra Lippincott, City Clerk

First Reading: _____

Second Reading: _____

Approved as to form:

Ashley Hunt, City Attorney

Ordinance O2014-29

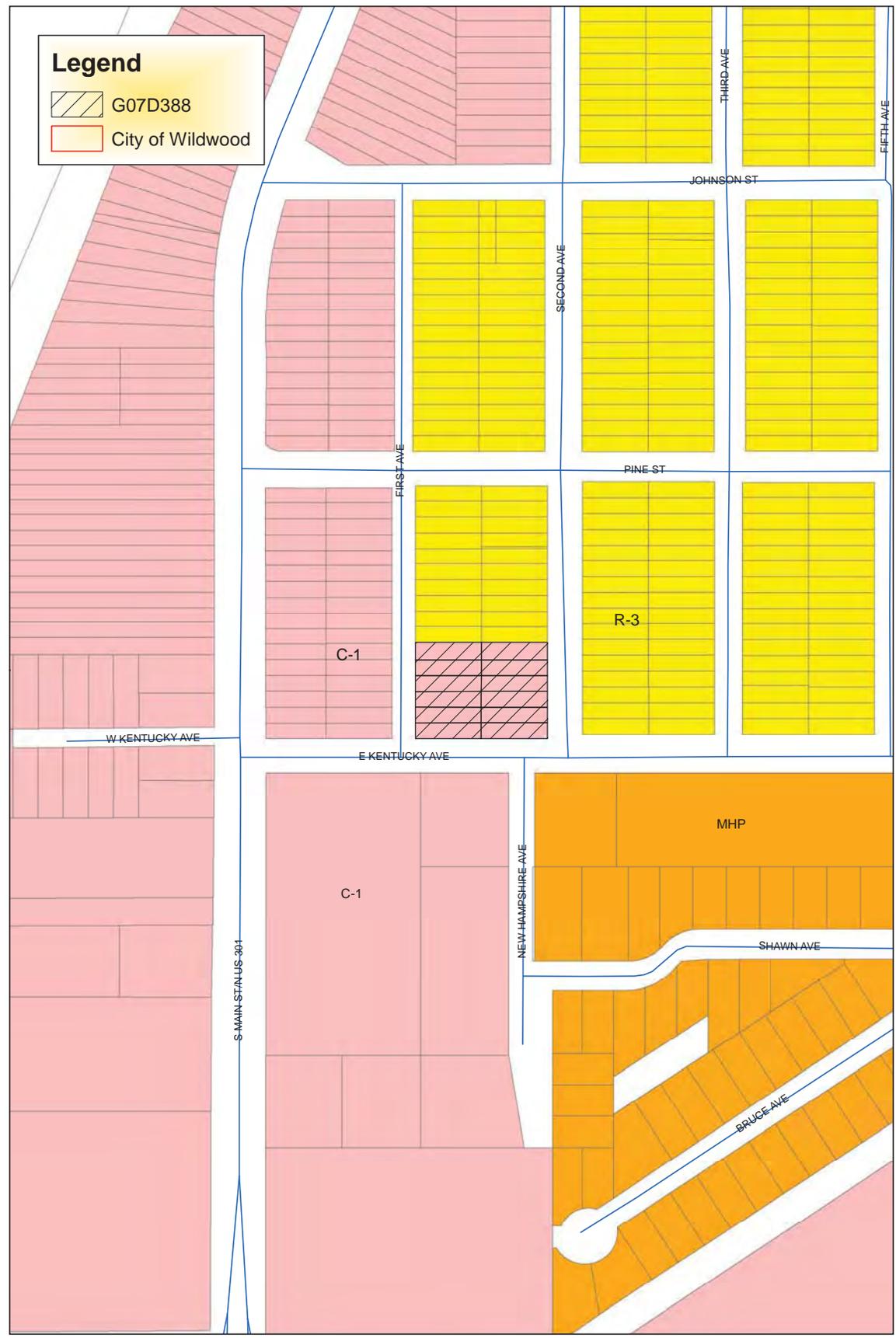
“Exhibit A”

G07D388 (Pat the Plumber, Inc.)

Proposed Zoning Map Designation

Legend

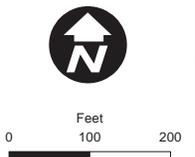
-  G07D388
-  City of Wildwood



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City of Wildwood
100 North Main Street
Wildwood, FL 34485
Phone: (352) 330-1330
www.wildwood-fl.gov



G07D388 714 First Ave	
WILDWOOD, FLORIDA	
APRIL 2014	PROPOSED ZONING

CITY COMMISSION OF THE CITY OF WILDWOOD

EXECUTIVE SUMMARY

SUBJECT: Nahas Chevrolet / Clark Annexation, Case AN 1404-01

Approval of Ordinance O2014-30

REQUESTED ACTION:

<input type="checkbox"/> Work Session (Report Only)	DATE OF MEETING: <u>6/9/14 First Reading</u>
<input checked="" type="checkbox"/> Regular Meeting	<u>6/23/14 Adoption</u>
	<input type="checkbox"/> Special Meeting

CONTRACT: <input checked="" type="checkbox"/> N/A	Vendor/Entity: _____
Effective Date: _____	Termination Date: _____
Managing Division / Dept: _____	_____

BUDGET IMPACT: _____

<input type="checkbox"/> Annual	FUNDING SOURCE: _____
<input type="checkbox"/> Capital	EXPENDITURE ACCOUNT: _____
<input checked="" type="checkbox"/> N/A	

HISTORY/FACTS/ISSUES:

On September 24, 2004, Cynthia Clark on behalf of Cindy Chevrolet entered into a pre-annexation agreement with the City of Wildwood in consideration of water and sewer service for the 18.8 +/- acre auto dealership property. This agreement was subsequently recorded with the Sumter County Clerk of Court and is attached for your reference.

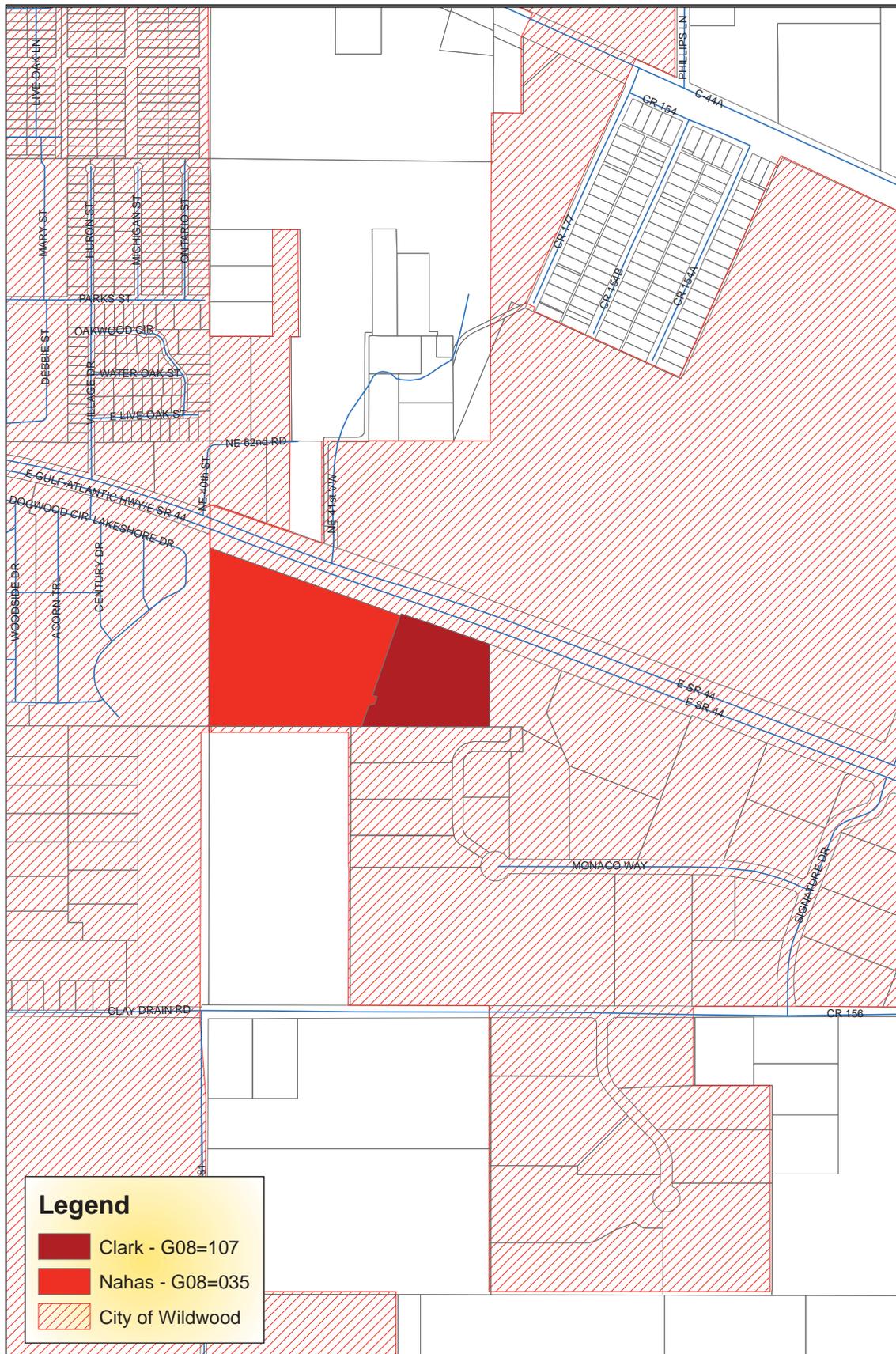
Per the terms of the agreement, the "property owner agrees to annex the property into the City at any time that it becomes reasonable and possible to do so upon request by the City at any time after three years from the date of this agreement." Ms. Clark has since sold the auto dealership and 13 of the acres on which it resides, while retaining 5.8 acres of property directly to the east of the dealership. Annexation into the City is now appropriate because the property is contained within the City's Joint Planning Area with Sumter County, which allows for voluntary annexations within the planning area that would otherwise not be permissible under statute due to the creation of a "pocket" or "enclave."

Staff recommends approval of Ordinance O2014-30.



Melanie D. Peavy
Development Services Director





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City of Wildwood
100 North Main Street
Wildwood, FL 34485
Phone: (352) 330-1330
www.wildwood-fl.gov



Feet
0 290 580

NAHAS CHEVROLET/CYNTHIA CLARK

WILDWOOD, FLORIDA

JUNE 2014

LOCATION MAP

ORDINANCE NO. O2014-30

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, PROVIDING FOR THE VOLUNTARY ANNEXATION OF CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 18.8 ACRES BEING GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROAD 44 AND WEST OF US HWY 301 (SR 35); IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST; WHICH IS CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF WILDWOOD AND LOCATED IN THE CITY'S JOINT PLANNING AREA; PROVIDING THAT SECTION 1-14 OF THE CITY OF WILDWOOD CODE OF ORDINANCES IS AMENDED TO INCLUDE THE ANNEXED PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

Now, therefore, **BE IT ORDAINED** by the City Commission of the City of Wildwood, Florida:

SECTION 1. Based upon the petition of the owner of the following described real property, which is generally located on the south side of State Road 44 and west of US Hwy 301 (SR 35), to be annexed into the City the property is hereby annexed into the City of Wildwood pursuant to Section 171.044, Florida Statutes. The City Commission finds that the property is contiguous to the City of Wildwood; is located within the City's Joint Planning Area with Sumter County; and meets all legal requirements for annexation. The annexed property lying in Sumter County, Florida owned by George E. Nahas, Terrall C. York, and Cynthia Clark, is more particularly described as follows:

Parcels G08=035 and G08=107
Nahas Chevrolet / Cynthia Clark
18.8 +/- Acres

LEGAL DESCRIPTION

PARCEL 1

THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, LYING SOUTH OF THE RIGHT-OF-WAY OF STATE ROAD 44.

LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE S89°57'02"E, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 8 A DISTANCE OF 710.38 FEET TO THE

POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH LINE N19°16'18"E, 103.34 FEET; THENCE N73°34'03"E, 27.92 FEET; THENCE N18°35'58"E, 37.16 FEET; THENCE N72°42'27"W, 22.25 FEET; THENCE N19°16'18"E, 405.04 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 44; (THE FOLLOWING 2 COURSES ARE ALONG THE SOUTH RIGHT-OF-WAY OF STATE ROAD 44); THENCE S72°08'09"E, 143.99 FEET; THENCE S70°56'13"E, 310.80 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE DEPARTING SAID RIGHT-OF-WAY S00°00'54"W, ALONG SAID EAST LINE A DISTANCE OF 384.44 FEET TO A POINT ON SAID SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE DEPARTING SAID EAST LINE N89°57'02"W ALONG SAID SOUTH LINE A DISTANCE OF 615.87 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A NON-EXCLUSIVE, PRIVATE EASEMENT FOR STORMWATER RUNOFF AND RETENTION AND FOR THE CONSTRUCTION AND MAINTENANCE OF STORMWATER FACILITIES OVER AND UPON THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY OF STATE ROAD 44.

DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE S89°57'02"E ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 8 A DISTANCE OF 710.38 FEET TO THE POINT OF BEGINNING; THENCE N19°16'18"E, 103.34 FEET; THENCE N73°34'03"E, 27.92 FEET; THENCE N18°35'58"E, 16.63 FEET; THENCE S89°57'02"E, 549.72 FEET TO THE EAST LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 8; THENCE S00°00'54"W, 121.27 FEET TO THE SOUTH LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 8; THENCE N89°57'02"W, 615.87 FEET TO THE POINT OF BEGINNING.

AND

PARCEL 2

THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY OF STATE ROAD 44 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE S89°57'02"E, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 8 A DISTANCE OF 710.38 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH LINE N19°16'18"E, 103.34 FEET; THENCE N73°34'03"E, 27.92 FEET; THENCE N18°35'58"E, 37.16

FEET; THENCE N72°42'27"W, 22.25 FEET; THENCE N19°16'18"E, 405.04 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 44; (THE FOLLOWING 2 COURSES ARE ALONG SAID SOUTH RIGHT-OF-WAY OF STATE ROAD 44); THENCE S72°08'09"E, 143.99 FEET; THENCE S70°56'13"E, 310.80 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY S00°00'54"W, ALONG SAID EAST LINE A DISTANCE OF 384.48 FEET TO A POINT ON SAID SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE DEPARTING SAID EAST LINE N89°57'02"W, ALONG SAID SOUTH LINE A DISTANCE OF 615.87 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A NON-EXCLUSIVE PRIVATE EASEMENT FOR STORMWATER RUNOFF AND RETENTION AND CONSTRUCTION AND MAINTENANCE OF STORMWATER FACILITIES OVER AND UPON THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY OF STATE ROAD 44.

DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE S89°57'02"E ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 8, A DISTANCE OF 710.38 FEET; THENCE N19°16'18"E, 103.34 FEET; THENCE N73°34'03"E, 27.92 FEET; THENCE N89°57'02"W, 562.90 FEET; THENCE N30°26'41"W, 69.65 FEET; THENCE S55°47'32"W, 114.00 FEET; THENCE N89°55'29"W, 78.53 FEET TO THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 8; THENCE S00°03'37"W, ALONG SAID WEST LINE, 101.64 FEET TO THE POINT OF BEGINNING.

SECTION 2. All of the above described annexed property shall liable for its proportionate share of the future and existing indebtedness of the City of Wildwood.

SECTION 3. All of the above described annexed property shall be subject to the laws and ordinance of the City of Wildwood as if this territory had been a part of the City of Wildwood at the time of passage and approval of said laws and ordinances.

SECTION 4. Until such time as the City amends its comprehensive plan, the current Sumter County zoning classification and future land use regulations will remain in full force and effect.

SECTION 5. Section 1-14 of the City of Wildwood Code of Ordinances is hereby amended to include the legal description of the annexed parcel pursuant to this Ordinance. The location map identifying the property to be annexed are attached hereto

as "Exhibit A" and incorporated herein by reference.

SECTION 6. If any portion of this Ordinance is declared invalid for any purpose, the remaining portion shall remain valid and in full force and effect.

SECTION 7. This Ordinance shall take effect upon final approval by the City Commission.

DONE AND ORDAINED this ____ day of _____, 2014, by the City Commission of the City of Wildwood, Florida.

SEAL

ATTEST:

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

Cassandra Lippincott, City Clerk

Ed Wolf, Mayor

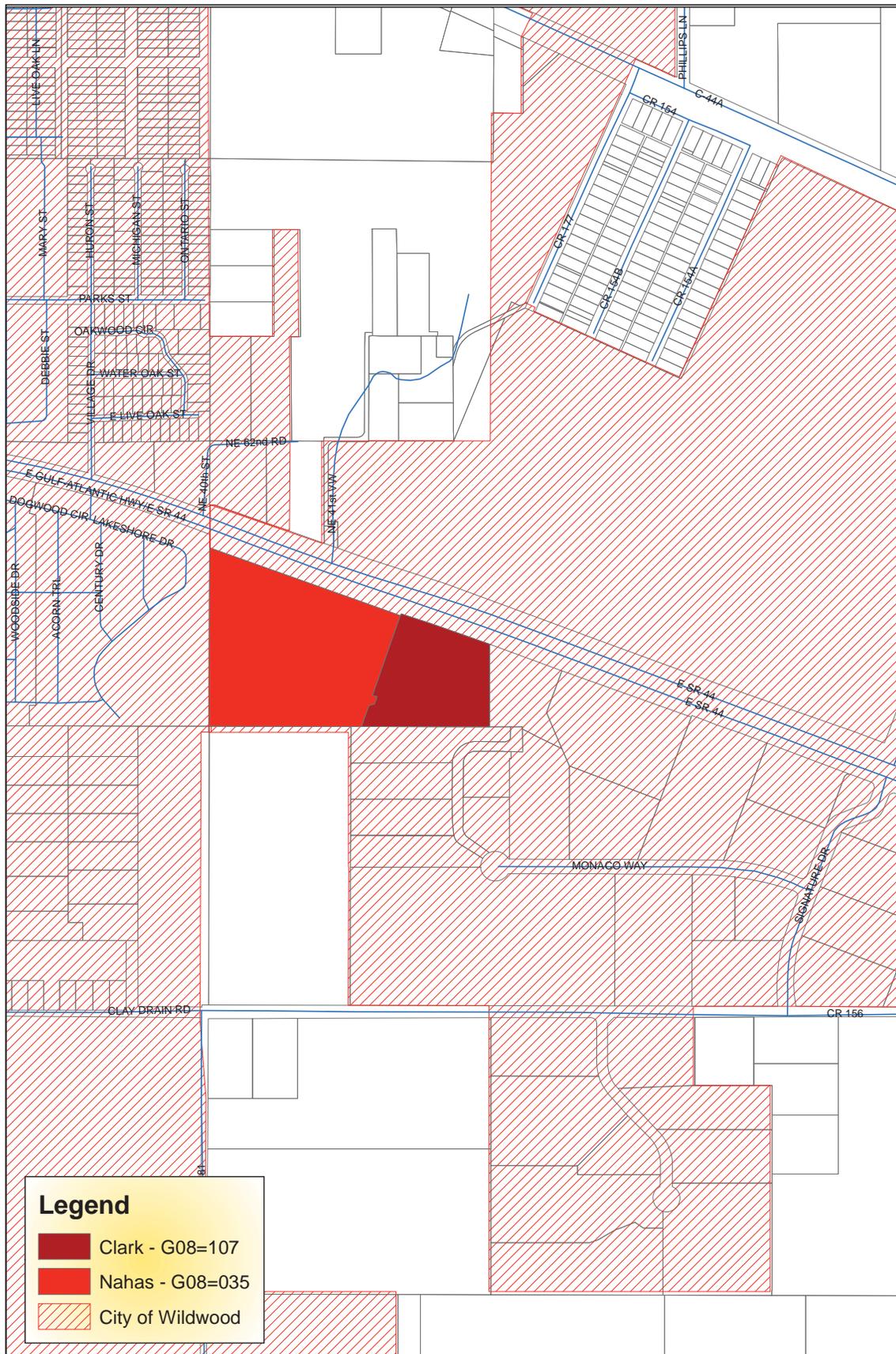
First Reading: _____

Second Reading: _____

Approved as to form:

Ashley Hunt, City Attorney

Ordinance O2014-30
“Exhibit A”
Nahas Chevrolet / Clark Property Annexation
Location Map



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City of Wildwood
100 North Main Street
Wildwood, FL 34485
Phone: (352) 330-1330
www.wildwood-fl.gov



0 Feet 290 580

A scale bar showing 0, 290, and 580 feet.

NAHAS CHEVROLET/CYNTHIA CLARK

WILDWOOD, FLORIDA

JUNE 2014

LOCATION MAP

CITY COMMISSION OF THE CITY OF WILDWOOD

EXECUTIVE SUMMARY

SUBJECT: Dog Friendly Dining – Local Option Ordinance

Approval of Ordinance O2014-32

REQUESTED ACTION:

Work Session (Report Only)

DATE OF MEETING: 6/9/14 First Reading
6/23/14 Adoption

Regular Meeting

Special Meeting

CONTRACT:

N/A

Vendor/Entity: _____

Effective Date: _____

Termination Date: _____

Managing Division / Dept: _____

BUDGET IMPACT: _____

Annual

FUNDING SOURCE: _____

Capital

EXPENDITURE ACCOUNT: _____

N/A

HISTORY/FACTS/ISSUES:

Square 1 Burgers Restaurant in the Pinellas Plaza development (part of the Villages of Wildwood DRI) has requested that the City implement a local option Ordinance that would allow them to offer “Dog Friendly Dining” on their outdoor patio.

Under Florida Statutes, section 509.233 allows local governments to implement, by ordinance, a local exemption procedure to certain provisions of the Food and Drug Administration Food Code, as currently adopted by the State of Florida Division of Hotels and Restaurants of the Department of Business and Professional Regulation (the “division”). The division is tasked with carrying out all laws and rules relating to the inspection and regulation of public food service establishments for the purpose of safeguarding the public health, safety, and welfare.

Staff recommends approval of Ordinance O2014-32.



Melanie D. Peavy
Development Services Director

ORDINANCE NO. O2014-32

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA; CREATING SECTION 3.23 OF THE CITY OF WILDWOOD LAND DEVELOPMENT REGULATIONS; PERTAINING TO ALLOWING DOGS ON OUTDOOR PATIOS AT SIDEWALK CAFES, KNOWN AS DOG FRIENDLY DINING; PROVIDING FOR CODIFICATION IN THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 509, Florida Statutes, requires the State of Florida Division of Hotels and Restaurants (the “Division”) of the Department of Business and Professional Regulation (the “Department”) to carry out all laws and rules relating to the inspection and regulation of public food service establishments for the purpose of safeguarding the public health, safety, and welfare; and

WHEREAS, subsection 509.032(7), Florida Statutes, expressly limits the general home rule powers of local governments as it relates to the regulation of public food service establishments; and

WHEREAS, notwithstanding subsection 509.032(7), Florida Statutes, the governing body of a local government may establish, by ordinance, a local exemption procedure to certain provisions of the Food and Drug Administration Food Code, as currently adopted by the division, in order to allow patrons’ dogs within certain designated outdoor portions of public food service establishments (also known as “Dog Friendly Dining”); and

WHEREAS, restaurants in the City of Wildwood have requested that the City pass a local exemption so that they may be permitted to offer Dog Friendly Dining to their patrons; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida, as follows:

SECTION 1. Section 3.23 of the Zoning Chapter of the City of Wildwood Land Development Regulations is hereby created to include the following:

- (A) Local exemption authorized. There is hereby established a local exemption procedure to certain provisions of the Food and Drug Administration Food Code, as currently adopted by the state division of hotels and restaurants, in order to

allow patrons' dogs within certain designated outdoor portions of public food service establishments.

(B) Limitations on exemption; permit requirements.

- (1) This exemption shall only provide a variance to those portions of the currently adopted Food and Drug Administration Food Code in order to allow patrons' dogs within certain designated outdoor portions of public food service establishments.
- (2) In order to protect the health, safety, and general welfare of the public, participating public food service establishments shall apply for and receive a permit from the City's Development Services Department (the "department") before allowing patrons' dogs on their premises. The department may establish a fee schedule for such permits. The application for the permit shall include the following information:
 - (a) The name, location, and mailing address of the public food service establishment.
 - (b) The name, mailing address, and telephone contact information of the permit applicant.
 - (c) A diagram and description of the outdoor area to be designated as available to patrons' dogs, including dimensions of the designated area; a depiction of the number and placement of tables, chairs, and restaurant equipment, if any; the entryways and exits to the designated outdoor area; the boundaries of the designated area and of other areas of outdoor dining not available for patrons' dogs; any fences or other barriers; surrounding property lines and public rights-of-way, including sidewalks and common pathways; and such other information reasonably required by the City. The diagram or plan should be accurate and to scale but need not be prepared by a licensed design professional.
 - (d) A description of the days of the week and hours of operation that patrons' dogs will be permitted in the designated outdoor area.
- (3) In order to protect the health, safety, and general welfare of the public, the following regulations and limitations shall apply to establishments which obtain such a permit:
 - (a) Employees shall be prohibited from touching, petting, or otherwise handling dogs while serving food or beverages or handling tableware or before entering other parts of the public food service establishment. All public food service establishment employees shall wash their hands promptly after touching, petting, or otherwise handling dogs.
 - (b) Patrons in a designated outdoor area shall be advised that they should wash their hands before eating. Waterless hand sanitizer shall be provided at all tables in the designated outdoor area.

- (c) Employees and patrons shall be instructed that they shall not allow dogs to come into contact with serving dishes, utensils, tableware, linens, paper products, or any other items involved in food service operations.
 - (d) Patrons shall keep their dogs on a leash at all times and shall keep their dogs under reasonable control. All dogs shall have all required licensing.
 - (e) Dogs shall not be allowed on chairs, tables, or other furnishings.
 - (f) All table and chair surfaces shall be cleaned and sanitized with an approved product between seating of patrons. Spilled food and drink shall be removed from the floor or ground between seating of patrons.
 - (g) Accidents involving dog waste shall be cleaned immediately and the area sanitized with an approved product in accordance with section 4-501.114 of the 2005 FDA Food Code. A kit with the appropriate materials for this purpose shall be kept near the designated outdoor area.
 - (h) A sign or signs reminding employees of the applicable rules shall be posted on premises in a manner and place as determined by the local permitting authority.
 - (i) A sign or signs reminding patrons of the applicable rules shall be posted on premises in a manner and place as determined by the local permitting authority.
 - (j) A sign or signs shall be posted in a manner and place as determined by the local permitting authority that places the public on notice that the designated outdoor area is available for the use of patrons and patron's dogs.
 - (k) Dogs shall not be permitted to travel through indoor or nondesignated outdoor portions of the public food service establishment, and ingress and egress to the designated outdoor portions of the public food service establishment must not require entrance into or passage through any indoor area of the food establishment.
- (4) A permit issued pursuant to this section shall not be transferred to a subsequent owner upon the sale of a public food service establishment but shall expire automatically upon the sale of the establishment. The subsequent owner shall be required to reapply for a permit pursuant to this section if the subsequent owner wishes to continue to accommodate patrons' dogs.
- (C) Violations. A violation of any of the permit requirements may result in suspension or revocation of the permit.
- (D) Location.
- (1) Dog Friendly Dining may be permitted in the following areas:

- (a) Private property; privately owned and maintained sidewalks and rights-of-way.
- (b) County or State maintained sidewalks or rights-of-way with proof of authorization of the appropriate jurisdiction.
- (2) Dog Friendly Dining may not be permitted in the following areas:
 - (a) City-maintained sidewalks or rights-of-way.
- (E) ***Indemnification Required.*** All applicants shall be required to acknowledge, at the time of application, that approval is conditioned on the applicant indemnifying and holding the City harmless for any loss or damage as a result of offering Dog Friendly Dining to their patrons. Such statement shall appear on the face of the Dog Friendly Dining application in bold, 14 pt. font.

SECTION 2. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 3. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said Ordinance.

SECTION 4. This Ordinance shall be effective upon adoption during the second and final reading by the City of Wildwood City Commission.

DONE AND ORDAINED this _____ day of _____, 2014, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

S E A L

Ed Wolf, Mayor

ATTEST: _____
Cassandra Lippincott, City Clerk

First Reading: _____
Second Reading: _____

Approved as to form:

Ashley Hunt, City Attorney

CITY COMMISSION OF THE CITY OF WILDWOOD

EXECUTIVE SUMMARY

SUBJECT: Declare Surplus and Trade for needed equipment

REQUESTED ACTION: _____

- Work Session (Report Only)
- Regular Meeting

DATE OF MEETING: June 9, 2014
 Special Meeting

CONTRACT:

N/A
 Effective Date: _____
 Managing Division / Dept: _____

Vendor/Entity: _____
 Termination Date: _____

BUDGET IMPACT:

None

- Annual
- Capital
- N/A

FUNDING SOURCE: _____

EXPENDITURE ACCOUNT: _____

HISTORY/FACTS/ISSUES:

Mayor, Commissioners

The police department acquired several weapons that were used for training props, secondary weapons or service weapons. I respectfully request that these weapons be approved for surplus and traded to a Licensed Federal Firearms Dealer for replacement firearms or emergency related equipment which can be utilized by the department. Listed below is a list of the weapons:

- | | |
|--------------------------------------|-------------------------|
| 1. Sig-Sauer P226 9mm semi-automatic | Serial number: U361344 |
| 2. Rugar P89 9mm semi-automatic | Serial number: 30443935 |
| 3. Rugar P85 9mm semi-automatic | Serial number: 30077172 |
| 4. Rugar P85 9mm semi-automatic | Serial number: 30076723 |
| 5. Smith & Wesson 9mm semi-automatic | Serial number: TEY5107 |
| 6. Taurus PT99 9mm semi-automatic | Serial number: TIL07786 |
| 7. Smith & Wesson 357 | Serial number: 26600 |
| 8. Smith & Wesson Mod 10-6 | Serial number: C911477 |
| 9. Rugar 357 | Serial number: 15929605 |
| 10. Smith & Wesson Mod 19-4 | Serial number: 61K1645 |
| 11. Colt 38 Cal. | Serial number: 118843 |
| 12. Charter Arms 38 cal. | Serial number: 183498 |

13. Taurus Mod-85

Serial number: NG47968

14. Smith & Wesson Mod 36

Serial number: J961378

15. US Arms 32 Cal.

Serial Number: 75469

16. SPAS 12 gage

Serial Number: A65666

RESOLUTION NO. R2014-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA DETERMINING THAT CERTAIN PROPERTY IS SURPLUS; DETERMINING THE MANNER OF DISPOSAL OF SAID PROPERTY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Wildwood is the owner of certain property that has been utilized in the Police Department of the City Operations; and,

WHEREAS, the City of Wildwood is the owner of certain equipment identified by attached Exhibit "A", and

WHEREAS, the Chief of Police has determined that the weapons have become antiquated and cannot be used for Police Service, the property as identified is hereby declared surplus for reasons of disposition.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA, THAT:

1. The item(s) identified as property are hereby declared surplus property.
2. The item(s) identified as property are to be disposed of by sale to a Licensed Federal Firearms Dealer approved by The Chief of Police.
3. This Resolution shall take effect immediately upon its final adoption by the City Commission of the City of Wildwood, Florida.

DONE AND RESOLVED, this 9th day of June, 2014, in regular session, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

S E A L

Ed Wolf, Mayor

ATTEST: _____
Cassandra Lippincott, City Clerk



WILDWOOD POLICE DEPARTMENT

E. W. Reeser, Chief of Police

100 E. Huey Street * Wildwood, FL 34785 Phone: (352)-330-1355 Fax: 352-330-1358

The police department acquired several weapons that were used for training props, secondary weapons or service weapons. I respectfully request that these weapons be approved for surplus and traded to a Licensed Federal Firearms Dealer for replacement firearms or emergency related equipment which can be utilized by the department. Listed below is a list of the weapons:

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| 15. US Arms 32 Cal. | Serial Number: 75469 |
| 16. SPAS 12 gage | Serial Number: A65666 |

Sincerely,

E. W. Reeser
E. W. Reeser
Chief of Police

CITY COMMISSION OF THE CITY OF WILDWOOD

EXECUTIVE SUMMARY

SUBJECT: Municode Code of Ordinances Update

REQUESTED ACTION: Approval of Supplement to the Code of Ordinances

Work Session (Report Only) **DATE OF MEETING:** 6/9/2014
 Regular Meeting Special Meeting

CONTRACT: N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: _____

BUDGET IMPACT: Estimated cost of \$6,200

Annual **FUNDING SOURCE:** General Fund
 Capital **EXPENDITURE ACCOUNT:** 001-0013-513.0310
 N/A

HISTORY/FACTS/ISSUES:

The last time the City Code of Ordinances was updated was in 2010. Since then there has been one supplement update, and since that update there has been 68 ordinances adopted by the City Commission. Ideally the City would try to update the Code of Ordinances with a supplement on a yearly basis. The quote from Municode is \$18.41/page. In the past the City has obtained 50 copies of the Code supplement updates. The total for the paper copies of the update is estimated at \$6,075.30. There will be \$50 in shipping costs and an additional \$75 to obtain an electronic file of the supplement. Total anticipated cost is \$6,200.30. Staff recommends approval.



municode

Municipal Code Corporation • PO Box 2235 Tallahassee, FL 32316
info@unicode.com • 800.262.2633
fax 850.575.8852 • www.municode.com

May 15, 2014

Ms. Cassandra Lippincott
City Clerk/Chief Financial Officer
City of Wildwood
100 North Main Street
Wildwood, FL 34785

Sent Via Email: clippincott@wildwood-fl.gov

Dear Ms. Ms. Lippincott:

Thank you for corresponding with our Sales and Marketing Representative, Alicia Bywaters! We would like to take this opportunity to acquaint you with Municipal Code Corporation (Municode). Each community has different needs and we offer a variety of services to meet those needs. This letter includes a general description of our company and the services we currently provide to the City, as well as additional services that are available to the City. We look forward to working with you over the years.

The Municode Team is driven by the desire to serve you and your citizens. We believe that quality customer relationships and exceptional service are what have set us apart in the legal codification industry since 1951. Our commitment to service inspires us to: provide you with the highest quality legal codification services in the industry; set the standard for online and mobile services; ensure that you receive the most accurate and timely supplements possible and to work with you as a long term partner. Our desire to serve you is why we have chosen this profession.

Why Municode?

Integrity - "Our word is our bond." We believe that long term relationships built on trust are built to stand the test of time. Our goal is to serve you and your citizens for the next 30 years or more.

Experience. With over 3,600 customers in all 50 states, and over 2,900 posted online, Municode is the most trusted and experienced codifier of local government Codes in the nation. Our team of Attorneys has an average of over 20 years of codification experience. With over 150 professionals committed to serving you, we have the depth of knowledge and experience that it takes to stay at the forefront of legal and technological developments.

Relationships. For over 60 years, we have earned the trust, loyalty and respect of our customers by focusing on what is most important to us: our customers. Municode has a team of 15 Customer Service Professionals dedicated to serving you, your team and your citizens. No matter what the challenge, we are here for you.

Quality. We are committed to excellence in every product that we create. Our team of over 40 Editors and Proofreaders, each averaging over eight years of service, is dedicated to providing you with the most accurate and timely product available in the nation.

Current Services

 Your Code of Ordinances was republished in 2010. Since then, there has only been one supplement published. Supplements are provided on a page-per-page substitution basis, with Code pages reprinted, or printed, as needed to reflect new ordinances. The cost for publishing supplements is in accordance with a per page rate which covers all editorial work and printing costs. There is an additional charge for graphics and tabular matter of \$10 each. Applicable sales taxes and actual shipping costs are added to the invoice for each supplement. No annual or minimum fee is applicable. We are currently scheduled to provide 50 copies of the supplements to the Code at \$18.41 per page. You can change the number of copies at any time, just contact us.

☞ Your Land Development Regulations (LDR) was republished in 2010; however, there have been no supplements published since then and this version may be out-of-date. Supplements are provided on a page-per-page substitution basis, with LDR pages reprinted, or printed, as needed to reflect new ordinances. The cost for publishing supplements is in accordance with a per page rate which covers all editorial work and printing costs. There is an additional charge for graphics and tabular matter of \$10 each. Applicable sales taxes and actual shipping costs are added to the invoice for each supplement. No annual or minimum fee is applicable. We are currently scheduled to provide 50 copies of the supplements to the LDR at \$17.50 per page. You can change the number of copies at any time, just contact us.

☞ **Supplementation** – To preserve your investment in the Code and LDR, they must be kept up-to-date with newly enacted ordinances. This is accomplished through Municode's Supplement service. Supplements can either be printed, or electronic. Electronic updates are worked into the Code, and the entire, updated document is sent as a "Supplement". Printed supplements included only changed pages, and must be inserted by the user of the Code. Separate schedules for Electronic Updates and Printed Supplements are possible - for example, the electronic version of the Code could be updated quarterly, but printed supplement issued annually.

☞ **Schedule** – We request that a copy of each ordinance be forwarded upon final enactment. Please include the ordinance number and date of adoption when submitting all legislation to Municode. Upon receipt of the ordinances, we will record the material in a file and hold for inclusion in the next supplement. We offer a variety of update schedules, such as bi-monthly, quarterly, semi-annual, or annual, to assist in the timely publication of supplements. Our records currently reflect no set schedule for the publication of supplements to the Code and LDR. The schedule can be adjusted, as needed, to reflect current needs.

☞ **Distribution Services** – With Municode as Total Code Administrator (TCA), we provide inventory for sale (Codes and/or reprint pamphlets) and we provide all services for outside subscribers. The TCA service is provided at no cost to you and totally at our expense.

ONLINE CODE. We currently host the City's Code of Ordinance online for an annual fee of \$700 invoiced each October. This includes our Premium service CodeBank. Municode uses a custom search application built upon dtSearch, a search API that provides instantaneous searching for over 2,900 Codes. Municode is currently providing 20 Mbps of bandwidth, 100 fully redundant servers (duplication and backup) and handles over 8,000 individual users and over 30,000 page views each day. A custom banner to match your website design can also be created for an additional charge. The Code is integrated with dtSearch and has the following tools available to the user.

- ☞ Mobile Friendly Site: Automatically downloads to iOS, Blackberry, Android and Windows;
- ☞ Save as Word/RTF;
- ☞ Saved Searching;
- ☞ Print and Email: Print, Save, email one or more Sections, Chapters and whole Titles;
- ☞ Internal Linking within the Code where cited;
- ☞ Mouseover Preview (or Pop ups);
- ☞ Static Linking: Copy links of any Section, Chapter or Title to share via email or social media;
- ☞ Pinpoint Searching: Ordinance searching included, search one or more Sections, Chapters & whole Titles;
- ☞ Scrolling Tables and Charts: Header stays fixed while you scroll through the table/chart;
- ☞ GIS - Municode can provide a permalink to any code section and assist City staff to create a link from their GIS system to relevant code sections.
- ☞ Collapsible TOC (Frameless Version);
- ☞ In-line Images and PDFs;
- ☞ Current Location Status Banner (breadcrumb trail) present while searching Code;
- ☞ Server Stability and Disaster Recovery Plan;
- ☞ **Co-Location in Atlanta, Georgia: only Codification Company to have geo-redundant servers in multiple states;**
- ☞ Phone, email and Web support for Citizens and Staff: 24 hour email response; Phone support from 8:00 a.m. to 8:00 p.m. Eastern Standard Time.

ADDITIONAL SERVICES. Municode provides many different services related to the Code. For example,

☞ **Additional Copies of the Code** - pages, Binders and/or Divider Tabs. Pamphlets that contain selected portions of the Code reprinted for separate sale and distribution. For orders please email dist@municode.com or call 1-800-262-2633 and ask to speak with our Distribution Department.

🔊 **OrdBank.** Creates a permanent, online collection of all ordinances sent to Municode. Prior to incorporating the ordinances into your Code via supplementation, they will be posted on your landing page for easy access. Once codified, each ordinance History Note is hyperlinked to the actual ordinance as enacted. OrdBank saves your municipality valuable time and money by enabling you, your staff and your citizens to gain instant access to your ordinances by simply clicking the history note.

🔊 **OrdLink + OrdBank.** Prior to incorporating the ordinances into your Code via supplementation, OrdLink hyperlinks newly adopted ordinances to the section being amended. Linked sections are highlighted in the Table of Contents and links are created from the amended sections to the new ordinances. Once the linked ordinances are incorporated into the Code, they added to your OrdBank and hyperlinked to your History Notes. For the linked ordinances to be searchable, they must be sent in an editable format. Scanned documents can be included in the list and are viewable, but not searchable.

🔊 **Electronic Agenda and Legislative Management (Legistar).** MCCi offers Legistar Software and related services which provides electronic automation and creation of Agendas. Pricing information can be supplied upon request.

🔊 **Document Scanning Services (MuniScan).** MCCi offers scanning, indexing and integration of hard copy documents with Laserfiche Software to provide the Client with the most powerful index retrieval search engine available with the following features: intuitive browse window, index cards, and fuzzy logic. Pricing information can be supplied upon request.

🔊 **Contract Management Software (Contract Assistant).** MCCi offers the Contract Assistant Software (developed by Blueridge Software) which is a web based solution designed to provide control and automation of the contract management process. Pricing information can be supplied upon request.

🔊 **Utility Billing Services (MuniBills).** MCCAdvantage offers billing, statement and remittance processing services as an additional benefit under this agreement. MCCAdvantage, a subsidiary of Municode, can provide the client with design, printing and mailing services for customer billing/statements of all types. These services also include remittance payment options, software and other billing solutions. Pricing information for this service can be supplied upon request.

🔊 Recodification or Republication may be something you should consider. Many cities and counties are redoing their Codes. Municode can provide in-house legal review with a recodification or simply republish the Code to begin a fresh start. We would be happy to provide a quotation for your next budget.

🔊 **Legal Review.** Municode has a full time staff of attorneys available to provide legal services. We offer in depth legal reviews; verification and updating of state law references; drafting of desired legislation. Even with the most diligent care possibly taken, it is difficult to ensure compliance of a Code and its content over the long term; state statutes are revised continually and new ordinances may overlook previously codified provisions, creating conflicts within the volume – a legal review approximately every 10 years is recommended

Municode prides itself on providing state-of-the-art legal publishing. We work hard to keep up with, and take advantage of, technological advances from which our clients can benefit. We hope this information has been helpful to you. If you have any questions or desire additional information, please e-mail us at info@municode.com or call and speak with a customer service representative, or me. We will also be happy to meet with you when we are next in your area.

Sincerely,

Dale Barstow
Vice President of Sales

DMB/amb

Cassandra Lippincott

From: Alicia Bywaters <AMB@municode.com>
Sent: Thursday, May 15, 2014 2:32 PM
To: Cassandra Lippincott
Subject: Wildwood, FL #14821 - Code of Ordinances
Attachments: WildwoodFLNCLamb.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Cassandra,

Good afternoon and thanks for providing the requested information! I have reviewed all material and included an estimate of cost below for Supplement No. 2 to the Wildwood, FL Code of Ordinances. We will hold the supplement and wait on your authorization before proceeding with its publication. We estimate the following:

330 pages at \$18.41 per page = \$6,075.30
Updated Media (WORD-DOCX via download) = \$75.00
Shipping 50 copies = \$50.00
Total Estimate = \$6,200.30

The above estimate includes 5 years' worth of material and averages to \$1,240.06 per year. The estimate includes the following ordinances:

- 2010: 03; 04; 05; 09; 11; 12; 19; 20; & 27
- 2011: 01; 05; 06; 09; 10; 11; 12; 14; 15; 16; 17; & 18
- 2012: 01; 02; 03; 04; 06; 07; 12; 16; 18; 19& 20
- 2013: 05; 06; 07; 08; 10; 12; 14; 16; 20; 21; 22; 26; 27; 28; 30; 31; 33; 35; 38; 39; 40; 41; 43; 46; 48; 49; 50; 54 & 55
- 2014: 01; 02; 06; 07; 08; 14 & 15

Please note that we cushion the estimates and upon completion of the supplement, we will only invoice for the actual number of pages generated by inclusion of the amendments.

Also, in regards to the City's Land Development Regulations (LDR), Marena stated that it would not be updated at this time. All material received for the LDR is on file and we'll continue to hold until the City is ready.

In addition to the above, I have also attached information regarding Municode and the services we provide the City.

We appreciate every opportunity to be of service to the City and we look forward to hearing from you in regards to the above. If you have any questions, please let me know.

Thanks and have a wonderful day!

Alicia

Please confirm receipt so that we can make sure you have received our information.

Sincerely,

Alicia M. Bywaters

Sales & Marketing Representative

800-262-2633 ext. 1254 | fax 850-575-8852

[Municipal Code Corporation](#) | [MCCInnovations](#) | [Facebook](#) | [Twitter](#)



CITY OF WILDWOOD

CITY COMMISSION REPORT Commission Meeting Date: June 9, 2014

Subject: Ashley Water Treatment Plant (WTP)

Submitted By: Bruce H. Phillips, PE, PLS, Utility Director

Department: Utility Department

Staff Recommendation (Motion Ready): Recommend approval of Kimley-Horn and Associates, Inc. Individual Project Order (IPO) No. 29 in the amount of \$98,500 for the design, permitting, bidding and construction inspection of a new 500 GPM WTP and 12” water main for the Ashley Well site.

BACKGROUND:

- The West Well has served as a redundant water supply for the SR 44/I-75 Interchange.
- The Agreement for the City to utilize this site has sunset and the property has been sold.
- The new owner has demanded that the City vacate the premises.

FINDING, CONCLUSIONS AND RECOMMENDATIONS:

FINDINGS:

- City staff, in conjunction with KHA provided the City Commission with several alternatives to the West Well facility.
- The City Commission voted to enter into an agreement to purchase a parcel at the NW corner of SR 44 and CR 231 subject to good water quality and sufficient quantity.

CONCLUSIONS:

- A 10” well has been constructed with the following results:
 - Water quality is excellent with only disinfection required
 - Water quantity is very abundant with less than 3 feet of drawdown at a flowing rate of 500 GPM.
 - On Friday, May 16, 2014 the City closed on the property.

LEGAL REVIEW:

- The City Attorney has been provided with a copy of IPO No. 29 for his review and comment.

RECOMMENDATIONS:

- Staff recommends approval of KHA's IPO #29 in the amount of \$98,500.

FISCAL IMPACT:

- This project was included in the capital projects funded from the bonds and the unrestricted cash and investments account transfer.

ALTERNATIVES:

- Alternatives were discussed at prior Commission meetings. This is finalizing the approved recommendations from the City Commission.

SUPPORT MATERIAL:

- Copy of KHA's IPO No. 29

INDIVIDUAL PROJECT ORDER NUMBER 29

Describing a specific agreement between Kimley-Horn and Associates, Inc. (Kimley-Horn), and The City of Wildwood (the Client or the City) in accordance with the terms of the Master Agreement for Continuing Professional Services dated January 7, 2009, which is incorporated herein by reference.

Identification of Project:

Project: Ashley Parcel Water Treatment Plant

Client: City of Wildwood

General Category of Services:

The City of Wildwood's West Well WTP facility consists of a 6" diameter well, 25 HP submersible well pump, 22,000 gallon hydropneumatic tank, and 17 gpd sodium hypochlorite disinfection system. The West Well WTP is capable of providing approximately 300 gpm (0.432 MGD) of finished potable water. According to recent monthly operating reports, the West Well WTP is producing an average of approximately 160,000 gpd.

The West Well WTP primarily serves the commercial interchange at I-75 and County Road 44. It also serves as a back-up water supply facility for the interchange in the event of a service disruption from the City's water distribution system.

Kimley-Horn understands that the City's lease on the West Well WTP has expired and will not be renewed. As a result, the City will remove the West Well WTP facility from service. The City intends to construct a new water supply and treatment facility to replace the West Well WTP.

The City has identified a 1.34 acre parcel (Sumter County Parcel #C33=040, aka "Ashley Parcel") as the new WTP site. The City has conducted a due diligence study to ensure the parcel is appropriate for the intended use. The due diligence study will include a boundary/topographical site survey, natural resources assessment, Phase I environmental site assessments, and construction/testing of a 10-inch public supply well.

The 10-inch public supply test well analysis results show that only disinfection treatment is required. Also, the pump test results show the well is capable of producing in excess of 750 gpm with minimal drawdown.

Kimley-Horn understands that the new WTP will require a potable water supply well and hydropneumatic water treatment plant (WTP) with a maximum day demand capacity of 500 gallons per minute (gpm).

Kimley-Horn assumes that the WTP will generally consist of the following components:

1. One potable water well (500 gpm capacity)
2. Two 10,000 gallon hydropneumatic tanks
3. One sodium hypochlorite disinfection system with storage tank
4. One emergency generator.

The Ashley WTP will also require approximately 1,750 feet of 12-inch water main to connect to the existing system on SR 44 approximately 3,500 feet west of the I-75/SR 44 interchange.

Specific Scope of Basic Services:

Task 1 – Survey

- A. Kimley-Horn will contract with a survey sub consultant to provide a full site topographic survey consisting of the following elements:
- All improvements
 - State Plane Coordinates
 - Trees 12-inch and larger in diameter
 - All easements depicted on survey as furnished by client or platted
 - Topographic data to include all of the subject parcel and 100 foot overlap on all surrounding parcels
 - Location of all visible utilities
 - Vertical datum will be on NAVD 1988
 - Contours will be collected on a 100' grid
 - Contours will be shown on a 1' for minor, and 5' for major
 - Locate and provide topography at all above ground improvements
 - Locate all above ground utilities (gate valves, water meters, etc.)
 - Confirm FEMA Flood Elevation
 - Full right of way and existing conditions along contiguous roadways

Task 2 – Geotechnical

- A. Kimley-Horn will coordinate with the project geotechnical engineer to establish the facility soil boring program, standard penetration testing and site soils analysis. The geotechnical sub consultant will be contracted directly with the Client.
- B. Kimley-Horn will contract with a geotechnical sub consultant to provide electrical resistivity and standard penetration testing of Parcel #C33=040. The electrical resistivity (ER) testing will provide 100% coverage of the site. Should the ER testing indicate subsurface anomalies, additional standard penetration (SPT) testing will be performed at those locations. The scope of geotechnical services includes two 30-foot deep and one 50-foot deep STP borings. A report detailing the ER and SPT tests will be provided.

Task 3 – Water Treatment Plant Design

- A. Kimley-Horn will prepare construction plans, specifications, and opinion of probable construction cost for an approximately 0.720 million gallons per day (MGD) maximum day demand WTP. The WTP components will consist of two 10,000 gallon hydropneumatic tanks, one 500 gpm (approx.) well pump, emergency standby diesel generator, sodium hypochlorite disinfection system, and associated yard piping, meter, electrical, and controls. The plant operation will be by basic pressure control for pump on/off operation.
- B. Kimley-Horn will prepare site construction plans for the WTP and supply well. The WTP site will consist of a paved or stabilized access driveway and fenced in control building. The WTP site is not expected to require stormwater retention ponds or associated stormwater permitting. If SWFWMD environmental resource permitting is required, it will be performed as an additional service.
- C. Kimley-Horn will coordinate with an electrical engineering sub consultant to provide design, permitting, specifications, shop drawing review and construction observations for the WTP electrical controls, emergency generator, well pump, video surveillance system, electronic operated gate, SCADA system, and site electric. The electrical engineering sub consultant will contract directly with Kimley-Horn.

- D. Kimley-Horn will coordinate with an architectural sub consultant to prepare the control building construction plans and specifications. The control building will consist of an approximately 250 SF concrete block structure to house electrical equipment and store plant records. The control building and parking area will be designed to ADA standards but will not have restroom facilities.
- E. Kimley-Horn will design an approximately 1,700 LF 12-inch PVC water main connecting the Ashley Parcel WTP to the existing 12-inch water main on the north side of SR 44 approximately 3,500 LF west of the I-75 intersection.
- F. Kimley-Horn will attend coordination meetings with the Client. Kimley-Horn will meet with the Client for an initial meeting and to discuss 90% and 100% plans. Kimley-Horn will submit the WTP plans, specifications, and opinion of probable construction cost (OPC) to the Client at the 90%, and 100% design level for review and approval.

Task 4 – Permitting

- A. *FDEP WTP Permit* – Kimley-Horn will prepare for and attend a pre-application conference call with the FDEP to discuss specific design and permit requirements. Kimley-Horn will prepare a WTP Preliminary Design Report per FAC 62-555.520(4)(a) for submittal to the FDEP as part of the application package. Kimley-Horn will prepare an FDEP Application for a Specific Permit to Construct PWS Components. Kimley-Horn will respond to up to two (2) rounds of reasonable FDEP requests for additional information (RAI's). Additional or unreasonable RAI's will be answered on an hourly plus expenses basis.
- B. *Sumter County Permitting* – Kimley-Horn will submit a Sumter County driveway connection permit application and a Sumter County ROW permit application for the water main on CR 231. A Sumter County site plan application will not be required.
- C. *FDOT ROW Permit* – Kimley-Horn will submit a FDOT ROW permit application for the 12-inch water main running along SR 44 from CR 231 to the City's existing water system.
- D. *SWFWMD WUP Permit* – Kimley-Horn will include the Ashley Parcel well in the SWFWMD water use permit (WUP) renewal application that is currently in progress under IPO #20. Kimley-Horn will transfer the permitted withdrawal rates from the West Well to the Ashley Parcel and update the specific well and pumping information for the SWFWMD database.

Task 5 – Bid Assistance

- A. Kimley-Horn will prepare bid packages consisting of plans and specifications (in EJDC format) to be included in the City's bid packages.
- B. The City will prepare and advertise the Bid Notification. Kimley-Horn will provide the technical information required for the notification language.
- C. Kimley-Horn will conduct a pre-bid meeting with prospective bidders.
- D. Kimley-Horn will administer distribution of the bid packages and maintain a log of the issued bid packages. Kimley-Horn will charge those requesting bid packages a fee for each set of issued documents. The fee is intended to cover the cost of reproduction, shipping and handling of the bid packages. The City will be provided with two (2) bid package sets at no cost.
- E. Kimley-Horn will respond to Request for Information's (RFIs) and prepare bid addendums as necessary during the bid process.
- F. Kimley-Horn will review the bid responses and tabulate the results. Kimley-Horn will provide the City with a written bid tabulation record along with a selection recommendation.

Task 6 – Construction Phase Services and Certifications

Kimley-Horn will provide professional construction phase services as specifically stated below and based on the following assumptions.

- The project is anticipated to have a 150 calendar day (21 week) construction duration.
 - Preconstruction conference preparation and attendance by the engineering Project Manager and Junior Professional up to 4 hours each (8 hours total).
 - Kimley-Horn will provide engineering site observations of up to 2 hours per week (average) for the anticipated 21 week construction duration. Site observation time includes plans interpretations/clarifications, test observations, and substantial/final completion inspections. Total anticipated construction observations time up to 42 hours.
 - Kimley-Horn will provide a project inspector for routine site observations and construction coordination. The project inspector will provide an average of 4 hours per week of site observations for the 21 week construction duration. Total anticipated project inspector time is up to 84 hours.
 - Engineering project manager/construction coordination of 2 hours per week (average) for the anticipated 21 week construction duration. Project manager/construction coordination includes change order processing, plans interpretations, project meetings, and project management. Total anticipated project management/construction coordination time up to 42 hours.
- A. *Pre-Construction Conference.* Kimley-Horn will attend a Pre-Construction Conference prior to commencement of Work at the Site. We will copy the appropriate permits, notices and documents and issue one (1) copy to the Contractor with four sets of Contract Documents.
- B. *Visits to Site and Observation of Construction.* Kimley-Horn will provide on-site construction observation services during the construction phase. We will make visits at intervals as directed by Client in order to observe the progress of the Work. Such visits and observations by Kimley-Horn are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on our exercise of professional judgment. Based on information obtained during such visits and such observations, we will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents, and we will keep Client informed of the general progress of the Work.

The purpose of Kimley-Horn's site visits will be to enable us to better carry out the duties and responsibilities specifically assigned in this Agreement to Consultant, and to provide Client a greater degree of confidence that the completed Work will conform in general to the Contract Documents. Consultant shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall Kimley-Horn have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, Kimley-Horn neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

- C. *Recommendations with Respect to Defective Work.* Kimley-Horn will recommend to Client that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, Kimley-Horn believes that such work will not produce a completed Project that conforms generally to Contract Documents.
- D. *Clarifications and Interpretations.* Kimley-Horn will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents to Client as appropriate to the orderly completion of Contractor's work. Any orders authorizing variations from the Contract Documents will be made by Client.
- E. *Change Orders.* Kimley-Horn may recommend Change Orders to Client, and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.
- F. *Shop Drawings and Samples.* Kimley-Horn will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.
- G. *Substitutes and "or-equal."* Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract Documents, but subject to the provisions of applicable standards of state or local government entities.
- H. *Inspections and Tests.* Kimley-Horn may require special inspections or tests of Contractor's work as Consultant deems appropriate, and may receive and review certificates of inspections within Consultant's area of responsibility or of tests and approvals required by laws and regulations or the Contract Documents. Consultant's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. Kimley-Horn shall be entitled to rely on the results of such tests and the facts being certified.
- I. *Disagreements between Client and Contractor.* Kimley-Horn will, if requested by Client, render written decision on all claims of Client and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the progress of Contractor's work. In rendering such decisions, Kimley-Horn shall be fair and not show partiality to Client or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity.
- J. *Applications for Payment.* Based on its observations and on review of applications for payment and accompanying supporting documentation, Kimley-Horn will determine the amount that Kimley-Horn recommends Contractor is paid. Such recommendations of payment will be in writing and will constitute Consultant's representation to Client, based on such observations and review, that, to the best of Consultant's knowledge, information and belief, Contractor's work has progressed to the point indicated and that such work-in-progress is generally in accordance with the Contract Documents subject to any qualifications stated in the recommendation. In the case of unit price work, Consultant's recommendations of payment will include determinations of quantities and classifications of Contractor's work, based on observations and measurements of quantities provided with pay requests.

By recommending any payment, Kimley-Horn shall not thereby be deemed to have represented that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to Consultant in this Agreement. It will also not impose responsibility on

Consultant to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, nor to determine that title to any portion of the work in progress, materials, or equipment has passed to Client free and clear of any liens, claims, security interests, or encumbrances, nor that there may not be other matters at issue between Client and Contractor that might affect the amount that should be paid.

- K. *Substantial Completion.* Kimley-Horn will, promptly after notice from Contractor that it considers the entire Work ready for its intended use, in company with Client and Contractor, conduct a site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. If after considering any objections of Client, Consultant considers the Work substantially complete, Consultant will notify Client and Contractor.
- L. *Final Notice of Acceptability of the Work.* Kimley-Horn will conduct a final site visit to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that Consultant may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Consultant shall also provide a notice that the Work is generally in accordance with the Contract Documents to the best of Consultant's knowledge, information, and belief based on the extent of its services and based upon information provided to Consultant upon which it is entitled to rely.
- M. *Record Drawings and Project Documentation.* Kimley-Horn will compile construction records provided by the contractor during construction, shop drawings, and Kimley-Horn records. Kimley-Horn will assemble and Operation and Maintenance Manual from the wastewater treatment plant manufacturer operations and maintenance submittal. Kimley-Horn will furnish two copies of final Operations and Maintenance Manual document to the Client.
- N. *Limitation of Responsibilities.* Kimley-Horn shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. Consultant shall not have the authority or responsibility to stop the work of any Contractor.

Additional Services if required:

The following services are not included in the scope of services, but can be provided as additional services if authorized by the Client. Compensation for additional services will be agreed to prior to their performance.

- Design and permitting of water treatment processes other than sodium hypochlorite disinfection. Additional (advanced) treatment such as iron removal and aeration (taste and odor) will be considered additional work and may be performed on a time and materials basis or as a lump sum price with a contract amendment.
- SWFWMD ERP (Stormwater) Permitting.

Schedule:

Kimley-Horn will provide the services described in the scope of services in an expeditious manner based upon an agreed upon schedule.

Fee and Billing:

The Engineer will complete the above scope of services for a lump sum fee of \$98,500, inclusive of expenses. A breakdown of fee by task is as follows:

Task	Labor Fee
Task 1 – Survey	Lump Sum: \$5,000
Task 2 – Geotechnical Testing	Lump Sum: \$4,500
Task 3 – Water Treatment Plant Design	Lump Sum: \$44,000
Task 4 – Permitting	Lump Sum: \$9,500
Task 5 – Bid Administration	Lump Sum: \$5,500
Task 6 – Construction Phase Services and Certifications	Lump Sum: \$30,000

Other Special Terms of Individual Project Order:

Services provided under this will be invoiced on a monthly basis. All invoices will include a description of services provided.

ACCEPTED:

THE CITY OF WILDWOOD, FLORIDA

KIMLEY-HORN AND ASSOCIATES, INC.

BY: _____

BY: 
M. Lewis Bryant, PE

TITLE: _____

TITLE: Associate

DATE: _____

DATE: May 27, 2014

CITY OF WILDWOOD

CITY COMMISSION REPORT Commission Meeting Date: June 9, 2014

Subject: Water Main Extension for Okahumpka Service Plaza

Submitted By: Bruce H. Phillips, PE, PLS, Utility Director

Department: Utility Department

Staff Recommendation (Motion Ready): Recommend approval of Change Order no. 2 to Salser Construction, LLC deducting \$9,177.07 from the contract.

BACKGROUND:

- The City Commission approved, at the July 8, 2013 Commission meeting, a Joint Participation Agreement between Florida's Turnpike Enterprise, AREAS USA FLTP, LLC and the City of Wildwood to construct a second 8" water main along the southerly side of the turnpike right of way from CR 468 to the Okahumpka Service Plaza and decommission the existing water treatment plant at the Plaza.
- The Commission, also at the July 8 meeting, authorized Kimley-Horn and Associates, Inc., to proceed with the design of the project.
- The estimated cost of the project, including design was \$463,000.
- The shared cost breakdown was:

▪ City of Wildwood	\$150,000
▪ Florida's Turnpike Enterprise	\$150,000
▪ AREAS USA FLTP, LLC	\$163,000
- The JPA calls for the City to upfront the construction cost with reimbursement by the Turnpike and AREAS at the completion of the project.
- The JPA also calls for AREAS to assume costs over and above the original estimate of \$463,000.00.

FINDING, CONCLUSIONS AND RECOMMENDATIONS:

FINDINGS:

Construction of the project is nearing completion. There have been a couple of changes during construction and two pay items that have not been used that need to be incorporated into the contract value.

CONCLUSIONS:

- City Staff and KHA staff have worked with Salser to put together a change order that reflects actual construction to date.
 - The result is a net deduction in the contract value of \$9,177.07.
 - Contract amount will therefore be \$400,406.00.

LEGAL REVIEW:

- N/A at this time, Attorney will review contract documents.

RECOMMENDATIONS:

- Approval of Change Order No. 2

FISCAL IMPACT:

- City and Turnpike will each pay \$150,000 and AREAS will pay the balance, \$164,456.00.

ALTERNATIVES:

- N/A with this being a negative change order.

SUPPORT MATERIAL:

- Copy of change order no. 2.

SECTION 00850 – CONTRACT CHANGE ORDER

Change Order No. 2

Date of Issuance: June 4, 2014

Effective Date: June 4, 2014

Project: Okahumpka Water Main Extension	Owner: City of Wildwood	Owner's Contract No.:
Contract: Okahumpka Water Main Extension		Date of Contract: January 13, 2014
Contractor: Salser Construction, LLC		Engineer's Project No.: 142173122

The Contract Documents are modified as follows upon execution of this Change Order:

- Description: 1. Remove "6" Insert Valve" from contract (\$8,413.32 reduction)
 2. Add "6" Linestop with cap on the end of the pipe" to contract (\$6,361.25 addition)
 3. Remove "Remove and Replace Unsuitable Backfill Material" from contract (\$5,850.00 reduction)
 4. Remove "FDOT Type F Curb Removal and Replacement" from contract (\$1,275.00 reduction)

Attachments (list documents supporting change):

Table of cost breakdown

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: \$ <u>454,383.52</u>	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days Substantial completion (days or date): <u>90</u> Ready for final payment (days or date): <u>120</u>
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : \$ <u>44,800.45</u>	[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : Substantial completion (days): <u>N/A</u> Ready for final payment (days): <u>N/A</u>
Contract Price prior to this Change Order: \$ <u>409,583.07</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>90</u> Ready for final payment (days or date): <u>120</u>
[Increase] [Decrease] of this Change Order: \$ <u>9,177.07</u>	[Increase] [Decrease] of this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>N/A</u>
Contract Price incorporating this Change Order: \$ <u>400,406.00</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>90</u> Ready for final payment (days or date): <u>120</u>

RECOMMENDED: By: _____ Engineer (Authorized Signature) Date: _____ Approved by Funding Agency (if applicable): _____	ACCEPTED: By: _____ Owner (Authorized Signature) Date: _____	ACCEPTED: By: _____ Contractor (Authorized) Date: _____ Date: _____
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END OF SECTION

CITY OF WILDWOOD OKAHUMPKA WATER MAIN EXTENSION					
PAY ITEM	DESCRIPTION	ESTIMATED QUANTITY		UNIT PRICE	AMOUNT
I. CHANGE ORDER #2					
1	CREDIT - 6" INSERT VALVE	-1	EA	\$ 8,413.32	(8,413.32)
2	ADDITION - 6" LINSTOP WITH CAP ON THE END OF THE MAIN	1	EA	\$ 6,361.25	6,361.25
3	CREDIT - REMOVE AND REPLACE UNSUITABLE BACKFILL MATERIAL	-450	CY	\$ 13.00	(5,850.00)
4	CREDIT - FDOT TYPE F CURB REMOVAL AND REPLACEMENT	-50	LF	\$ 25.50	(1,275.00)
				CHANGE ORDER #2 SUBTOTAL	\$ (9,177.07)
				Change Order #2 Total	\$ (9,177.07)



REC'D 5.23.14
DATE
EXECUTIVE DEPT. Jom

301 South Bronough Street • Suite 300 • P.O. Box 1757 • Tallahassee, FL 32302-1757 • (850) 222-9684 • Fax (850) 222-3806 • www.floridaleagueofcities.com

TO: Municipal Key Official
FROM: Michael Sittig, Executive Director
DATE: May 19, 2014

SUBJECT: 88th Annual FLC Conference –“*Cities take on Technology*”
VOTING DELEGATE AND RESOLUTION INFORMATION
August 14-16, 2014 – Westin Diplomat, Hollywood

As you know, the Florida League of Cities’ Annual Conference will be held at the Westin Diplomat, Hollywood, Florida on August 14-16. This year we are celebrating “*Cities take on Technology*”, which will provide valuable educational opportunities to help Florida’s municipal officials serve their citizenry more effectively.

It is important that each municipality designate one official to be the voting delegate. Election of League leadership and adoption of resolutions are undertaken during the business meeting. One official from each municipality will make decisions that determine the direction of the League.

In accordance with the League’s by-laws, each municipality’s vote is determined by population, and the League will use the Estimates of Population from the University of Florida for 2013.

Registration materials will be sent to each municipality in the month of June. Materials will also be posted on-line. Call us if you need additional copies. The League adopts resolutions each year to take positions on commemorative, constitutional or federal issues. We have attached the procedures your municipality should follow for proposing resolutions to the League membership. A resolution is not needed to become a voting delegate. If you have questions regarding resolutions, please call Allison Payne at the League at (850) 701-3602 or (800) 616-1513, extension 3602. **Proposed resolutions must be received by the League no later than July 9, 2014.**

If you have any questions on voting delegates, please call Gail Dennard at the League (850) 701-3619 or (800) 616-1513, extension 3619. **Voting delegate forms must be received by the League no later than August 11, 2014.**

Attachments: Form Designating Voting Delegate
Procedures for Submitting Conference Resolution

**88th Annual Conference
Florida League of Cities, Inc.
August 14-16, 2014
Hollywood, Florida**

It is important that each member municipality sending delegates to the Annual Conference of the Florida League of Cities, designate one of their officials to cast their votes at the Annual Business Session. League By-Laws requires that each municipality select one person to serve as the municipalities voting delegate. Municipalities do not need to adopt a resolution to designate a voting delegate.

Please fill out this form and return it to the League office so that your voting delegate may be properly identified.

Designation of Voting Delegate

Name of Voting Delegate: _____

Title: _____

Municipality of: _____

AUTHORIZED BY:

Name

Title

Return this form to:

Gail Dennard
Florida League of Cities, Inc.
Post Office Box 1757
Tallahassee, FL 32302-1757
Fax to Gail Dennard at (850) 222-3806 or email gdennard@flcities.com

Procedures for Submitting Resolutions
Florida League of Cities' 88th Annual Conference
Westin Diplomat
Hollywood, Florida
August 14-16, 2014

In order to fairly systematize the method for presenting resolutions to the League membership, the following procedures have been instituted:

- (1) Proposed resolutions must be submitted in writing, to be received in the League office by July 9, 2014, to guarantee that they will be included in the packet of proposed resolutions that will be submitted to the Resolutions Committee.
- (2) Proposed resolutions will be rewritten for proper form, duplicated by the League office and distributed to members of the Resolutions Committee. (Whenever possible, multiple resolutions on a similar issue will be rewritten to encompass the essential subject matter in a single resolution with a listing of original proposers.)
- (3) Proposed resolutions may be submitted directly to the Resolutions Committee at the conference; however, a favorable two-thirds vote of the committee will be necessary to consider such resolutions.
- (4) Proposed resolutions may be submitted directly to the business session of the conference without prior committee approval by a vote of two-thirds of the members present. In addition, a favorable weighted vote of a majority of members present will be required for adoption.
- (5) Proposed resolutions relating to state legislation will be referred to the appropriate standing policy committee. Such proposals will not be considered by the Resolutions Committee at the conference; however, all state legislative issues will be considered by the standing policy councils and the Legislative Committee, prior to the membership, at the annual Legislative Conference each fall. At that time, a state Legislative Action Agenda will be adopted.
- (6) Proposed resolutions must address either federal issues, state constitutional issues, matters directly relating to the conference, matters recognizing statewide or national events or service by League officers. All other proposed resolutions will be referred for adoption to either the Florida League of Cities Board of Directors or FLC President.

Municipalities unable to formally adopt a resolution before the deadline may submit a letter to the League office indicating their city is considering the adoption of a resolution, outlining the subject thereof in as much detail as possible, and this letter will be forwarded to the Resolutions Committee for consideration in anticipation of receipt of the formal resolution.

Important Dates

May 2014

Notice to Local and Regional League Presidents and Municipal Associations
regarding the Resolutions Committee

June 2014

Appointment of Resolutions Committee Members

July 9th

Deadline for Submitting Resolutions to the League office

August 14th

League Standing Council Meetings
Resolutions Committee Meeting
Voting Delegates Registration

August 16th

Immediately Following Breakfast – Pick Up Voting Delegate Credentials
Followed by Annual Business Session