



LAKE MARY CITY COMMISSION

**Lake Mary City Hall
100 N. Country Club Road**

**Regular Meeting
AGENDA**

THURSDAY, JUNE 02, 2016 7:00 PM

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Approval of Minutes: May 19, 2016**
- 6. Special Presentations**
 - A. Special Recognition: Pfc. Johnny Thomson & John Kelly - Lake Mary Police Department**
 - B. Proclamation - Code Enforcement Officer Appreciation Week**
- 7. Citizen Participation - This is an opportunity for anyone to come forward and address the Commission on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a**

public hearing are generally so noted on the agenda and public input will be taken when the item is considered.

8. Unfinished Business

- A. Ordinance No. 1542 - Amending Chapter 130 of the Code of Ordinances entitled "General Provisions" to repeal Sections 130.01 - 130.05 and amend Section 130.06 and adding a new section governing curfews- Second Reading (Public Hearing) (Jackie Sova, City Manager)**
- B. Ordinance No. 1543 - Repealing Chapter 131 of the Code of Ordinances entitled "Morals and Gambling" - Second Reading (Public Hearing) (Jackie Sova, City Manager)**
- C. Ordinance No. 1544 - Repealing Chapter 133 of the Code of Ordinances entitled "Safety" - Second Reading (Public Hearing) (Jackie Sova, City Manager)**

9. New Business

- A. Resolution No. 983 - Accepting Improvements for Crystal Reserve subdivision (John Omana, Community Development Director)**
- B. Ordinance No. 1545 - Repealing Chapter 132 of the Code of Ordinances entitled "Offenses Against Persons and Property", creating a new Section 157.24 "Injuring Shade Trees" and amending Section 4 "Sign Permits and Construction and Maintenance Standards" of Appendix I "Sign Code" to incorporate sign restrictions being repealed - First Reading (Public Hearing) (Steve Noto, City Planner)**

10. Other Items for Commission Action

11. City Manager's Report

A. Items for Approval

- a. Employee Health Insurance**
- b. Professional Debris Removal Services Contract Extensions**
- c. Surplus scanner**

B. Items for Information

- a. None**

C. Announcements

12. Mayor and Commissioners Report - (1)

A. Appointment/Reappointment to Advisory Boards

13. City Attorney's Report

14. Adjournment

THE ORDER OF ITEMS ON THIS AGENDA IS SUBJECT TO CHANGE

Per the direction of the City Commission on December 7, 1989, this meeting will not extend beyond 11:00 P. M. unless there is unanimous consent of the Commission to extend the meeting.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY ADA COORDINATOR AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT (407) 585-1424.

If a person decides to appeal any decision made by this Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Per State Statute 286.0105.

NOTE: If the Commission is holding a meeting/work session prior to the regular meeting, they will adjourn immediately following the meeting/work session to have dinner in the Conference Room. The regular meeting will begin at 7:00 P. M. or as soon thereafter as possible.

UPCOMING MEETINGS: June 16, 2016

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held May 19, 2016,
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake
3 Mary, Florida.

4
5 1. Call to Order

6
7 The meeting was called to order by Mayor David Mealor at 7:04 P.M.

8
9 Mayor Mealor recognized Christopher D'Hedouville of Boy Scout Troop 507 who is
10 working on his Eagle Scout badge. One of his service projects is working on the Lake
11 Mary Cemetery and thanked him for that.

12
13 2. Moment of Silence

14
15 3. Pledge of Allegiance

16
17 The Pledge of Allegiance was led by Boy Scout Christopher D'Hedouville.

18
19 4. Roll Call

20
21 Mayor David Mealor Jackie Sova, City Manager
22 Commissioner Gary Brender Carol Foster, City Clerk
23 Deputy Mayor George Duryea Dianne Holloway, Finance Director
24 Commissioner Sidney Miller Steve Noto, City Planner
25 Commissioner Jo Ann Lucarelli Tom Tomerlin, Economic Development Dir.
26 Bruce Paster, Public Works Director
27 Bryan Nipe, Parks & Recreation Director
28 Colin Morgan, Deputy Police Chief
29 Steve Bracknell, Police Chief – Arrived Late
30 Frank Cornier, Fire Chief
31 Katie Reischmann, City Attorney
32 Mary Campbell, Deputy City Clerk
33

34 5. Approval of Minutes: May 5, 2016

35
36 **Motion was made by Commissioner Miller to approve the minutes of the May 5,**
37 **2016, meeting, seconded by Commissioner Lucarelli and motion carried**
38 **unanimously.**

39
40 Mayor Mealor recognized the gentleman from the scout troop working on his Eagle
41 Scout badge. Any member of the scouts is welcome at any time. Any member of this
42 Commission or the City Manager would be glad to work with you.

43
44 Mayor Mealor recognized the representatives from the Forest community. The liaisons
45 from that group have been very helpful to the City.

1 6. Special Presentations

2
3 A. Special Recognition: Pfc. Ionut "Romy" Komives – Lake Mary Police
4 Department

5
6 Mayor Mealor said one of the joys we have as a Commission is our special
7 recognitions. First we will be recognizing Pfc. Romy Komives of our Police Department.
8 He asked Deputy Chief Morgan and Officer Komives to come forward.

9
10 Deputy Chief Morgan said tonight we are here with Officer Komives for special
11 recognition for a lifesaving award. On March 4, 2016, Patrolman First Class Komives
12 was responding to International Parkway in reference to a reported car crash.
13 Information was received that a person at the scene of the crash was not breathing and
14 Pfc. Komives was the first to arrive and saw the woman in the driver's seat of the
15 crashed vehicle. The woman was unconscious so he removed her from the vehicle and
16 discovered she was not breathing and had no pulse. When Fire Rescue responded to
17 the scene, Officer Komives was performing CPR. The seriousness of the woman's
18 condition was such that even our Traffic Homicide Unit was called out and that is
19 usually only called out for death cases. Due to Pfc. Komives' diligence and prompt
20 efforts and passion for saving the lady's life, he was able to make a difference for this
21 woman and her family. The City of Lake Mary and the Lake Mary Police Department
22 would like to thank Officer Komives for a job well done.

23
24 Mayor Mealor presented to Officer Komives a plaque from the City of Lake Mary Police
25 Department for his dedication to service and protection of life by quickly administering
26 lifesaving CPR to the victim of a crash. Thank you from the members of the City of
27 Lake Mary Police Department on a job well done.

28
29 B. City Employee of the First Quarter – Pfc. Ionut "Romy" Komives – Lake Mary
30 Police Department

31
32 Deputy Chief Morgan said Officer Romy Komives was selected by the City Manager for
33 the Employee of the First Quarter Award. He presented an award to Officer Komives.

34
35 C. Presentation of leather helmets in recognition of 10 years of service – Lake
36 Mary Fire Department:

- 37 a. Donnie Mathis, Firefighter/Paramedic
38 b. Brandon Zumbrum, Firefighter/Paramedic
39 c. Jason Roberts, Firefighter/EMT
40 d. Kyle Fuller, Firefighter/EMT

41
42 Chief Cornier said we would like to recognize several of our firefighters for their ten
43 years of service to this community. The Lake Mary Fire Department has a standing
44 position to provide leather helmets for members who have successfully completed this
45 milestone of ten years with the department. When these firefighters wear their helmets,
46 it identifies them as senior members of the department. Also these members have

1 shown their dedication and commitment and excellent service to the citizens and visitors
2 of Lake Mary. He asked Donnie Mathis, Brandon Zumbrum, Jason Roberts, and Kyle
3 Fuller to come forward.
4

5 Chief Cornier said he would like to say a few words about each of these individuals and
6 their accomplishments and character with the department. All of these gentlemen
7 started in November of 2005. We are doing the recognition later than normal because
8 these leather helmets are custom made so it takes about four months to fabricate and
9 come in and then get the individuals together to be recognized at a City Commission
10 meeting.
11

12 Chief Cornier said Donnie Mathis has been with us since 2005. In 2011 he was
13 assigned as a driver/engineer with the department. He has a Bachelor's Degree in
14 EMS, he is a State of Florida Paramedic, and holds a state certification of Fire Officer I.
15 Awards he received during his tenure with the department are Star Life and that is for
16 resuscitating someone in cardiac arrest. He has also been awarded the City Manager's
17 Award in 2008 and some technical rescue awards. He is an adjunct instructor for EMT
18 and paramedic at Seminole State College.
19

20 Chief Cornier said Brandon Zumbrum was also hired in 2005. He is currently on the
21 lieutenant ride-up list so when one of our officers is off, he rides in that position. He has
22 an AS degree in EMS and fire. He is currently working on his BS in Health Science at
23 Seminole State College. He is a paramedic and holds a state fire certification as Fire
24 Instructor I and II and a Fire Officer I and II. He has helped out tremendously on the
25 awards committee serving two terms. He also teaches at Seminole State as an adjunct
26 paramedic instructor. He is a preceptor instructor for new paramedics within the
27 department.
28

29 Chief Cornier said Jason Roberts was hired in November 2005. He is currently a
30 driver/engineer with the department which was given to him in 2013. He has an AA and
31 an AS in Fire Science. He has state certification as an Instructor/Investigator. He also
32 hosts several technical level classes and certification in road rescue and trench rescue.
33 He was awarded Firefighter of the Year in 2012, City Employee of the Year in 2012,
34 received a Chief's Unit Citation and two Stars of Life for resuscitating a victim. He is
35 also an adjunct instructor at Seminole State College.
36

37 Chief Cornier Kyle Fuller was hired in 2005 and is currently on the driver/engineer list.
38 He is currently completing his fire officer certification and is certified in several technical
39 rescue classes. The awards he received are three Stars of Life for resuscitating people
40 in cardiac arrest, and two technical rescue awards. He has been instrumental in helping
41 in several projects within the department.
42

43 Chief Cornier awarded them the leather helmet for being with the department for ten
44 years and a certificate of recognition for their accomplishments and the service they
45 provide.
46

1 Mayor Mealor thanked the family members here this evening. He thanked the other
2 men and women of our Public Safety Department that came out in support of this. What
3 you just heard of these four gentlemen speaks volumes about who we are as a
4 community. These people are exceptional professionals but what they do goes far
5 beyond a job title. For the young man here who will strive to be a leader someday, all
6 you have to do is look at the example and listen to what was read about what these four
7 individuals do beyond the job title. When we speak of professionalism that personifies
8 it. On behalf of the Lake Mary City Commission and City Manager, it is an absolute
9 honor to recognize you this evening and congratulated them on a job well done. We are
10 thankful to have you in our community.

11
12 Chief Cornier thanked everyone for their attention and support.

13
14 Chief Cornier said this week was EMS Week and thanked the members of the Lake
15 Mary Fire Department for the job they do. They truly provide an excellent service for
16 our citizens and visitors. That is performed every day. He thanked them for their
17 service and was sure the Commission and City Manager appreciate everything they do.

18
19 The City Commission and City Manager responded affirmatively.

20
21 Mayor Mealor announced under New Business, Item 9-A has been pulled by request of
22 the applicant.

23
24 7. Citizen Participation – This is an opportunity for anyone to come forward and
25 address the Commission on any matter relating to the City or of concern to our
26 citizens. This also includes: 1) any item discussed at a previous work session;
27 2) any item not specifically listed on a previous agenda but discussed at a
28 previous Commission meeting; or 3) any item on tonight’s agenda not labeled as
29 a public hearing. Items requiring a public hearing are generally so noted on the
30 agenda and public input will be taken when the item is considered.

31
32 Paula Smith, Treasurer for the Lake Mary Historic Museum, and Jerry Engle, Curator for
33 the Museum came forward. Ms. Smith said they were here to announce the publishing
34 of *The Walking Tour of Old Lake Mary*. She distributed copies to the Commission. It is
35 something we will have at the museum and will be free to the public. We are excited
36 about having this finished. It is a labor of love for Jerry.

37
38 Gerald “Jerry” Engle said every now and then you get the pleasure as an old guy to do
39 something that is a lot of fun for the community. Of the 61 years he has been in this
40 world, 52 of them were spent in this area. In that amount of time he has been fortunate
41 to know a few people, talk to a few people, and have seen a lot of changes. It has been
42 an eye opener. He never thought he would be right here involved with a museum but
43 by the grace of God and the grace and mercy of a few fine people he is here and
44 enjoying this.

45

1 Mr. Engle said there was not much about him that would be of great interest. He was in
2 the Navy and got out of the Navy as a lieutenant. He did time on destroyers hunting
3 submarines and things like that. That was an interesting part of his life. He went to
4 elementary school at the old Lake Mary Elementary and attended what was then
5 Seminole Junior College and got his Associates Degree in Art. He went ahead to what
6 is now UCF but was Florida Tech at the time and got his Bachelor of Fine Arts. He was
7 a photographer for a number of years.

8
9 Chief Bracknell arrived at this time (7:20 P.M.).

10
11 Mr. Engle said he fell in love with history from an early part of his life. There are people
12 who say if you don't have defined borders, you don't have a country. If a community
13 doesn't preserve its history or try to find out about its history, how do you have a
14 community? You just have a free for all of people coming in. He said Paula said it was
15 a labor of love and indeed it was but was not just him. It was the labor on the part of
16 quite a few people in the museum and Paula not the least of them going over the work,
17 correcting his spelling, editing, and making things sound better. He said he was grateful
18 for that. The book is good for people walking, good for people bicycling, and thought it
19 was good for people in their cars. They just have to be careful of the traffic we have
20 now that we didn't used to. He said it was his pleasure to present that on behalf of the
21 museum and the staff there who are great people as a gift to the people of Lake Mary.
22 He thanked the Commission for the opportunity to present it. He hopes it lives up to
23 what we have said about it.

24
25 Mayor Mealar thanked Mr. Engle. He said just thumbing through it, it is absolutely first
26 class. Sometimes we overlook those people in this community that do so much. They
27 don't do it for the recognition but do it because they care. He said your exhibit at the
28 museum is probably one of the finest he has ever observed and had been in a number
29 of museums across the country and Europe. All one has to do is to look at American
30 pickers and to realize the value of what is on exhibit in that museum. He said Mr. Engle
31 is to be commended. He commended anyone that has any interest in the Civil War or
32 that period of American history. The book will be a treasure. He thanked Mr. Engle and
33 Ms. Smith for all they do on behalf of the community and museum.

34
35 No one else came forward and citizen participation was closed.

36
37 8. Unfinished Business

- 38
39 A. Ordinance No. 1541 – Providing for bear-proof commercial containers and
40 carts for collection services and establishing a service fee for those services
41 in the West Seminole County Urban Bear Management Area (WSCUBMA) –
42 Second Reading (Public Hearing) (Dianne Holloway, Finance Director)
43 a. Resolution No. 981 – Establishing customer charges for solid waste
44 collection of commercial bear-proof containers, commercial garbage carts
45 and courtesy service of commercial garbage carts
46

1 The City Attorney read Ordinance No. 1541 by title only on second reading.

2

3 The City Attorney read Resolution No. 981 by title only.

4

5 Ms. Holloway said what we have done since the last meeting is clarify a few issues.
6 One is to make sure that it was clear that the surcharges are on a monthly basis and to
7 clarify the exhibits to the ordinance. Now that we are going to adopt the franchise fee
8 amendment, we need to adopt the rates to pass through to the customer.

9

10 Commissioner Brender asked if only the 96 gallon had a surcharge.

11

12 Ms. Holloway answered negatively. We have two surcharges. The dumpsters which
13 we call containers will have a surcharge and any commercial handcarts which could be
14 the 96 or the 64 gallon. They are different for the different sizes.

15

16 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1541. No
17 one came forward and the public hearing was closed.

18

19 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1541 on**
20 **second reading, seconded by Commissioner Brender and motion carried by roll-**
21 **call vote: Commissioner Brender, Yes; Deputy Mayor Duryea, Yes;**
22 **Commissioner Miller, Yes; Commissioner Lucarelli, Yes; Mayor Meador, Yes.**

23

24 **Motion was made by Commissioner Brender to approve Resolution No. 981,**
25 **seconded by Commissioner Lucarelli and motion carried unanimously.**

26

27 9. New Business

28

29 A. Weldon Boulevard Streetscape Project – Agreement between the US 17-92
30 Community Redevelopment Agency and the City of Lake Mary (Tom
31 Tomerlin, Economic Development Director)

32

33 Dr. Tom Tomerlin, Economic Development Director, came forward. He said this is the
34 Weldon Boulevard Streetscape Project. This has been going on for about a year. We
35 first proposed this gateway feature be located on 17-92. It will impact the property
36 associated with Victoria Square Plaza, the Math & Science Charter School, the triangle
37 at the end of Weldon Boulevard that is within the jurisdiction of Seminole State College,
38 and the Publix Plaza. We have worked with those property owners regarding this
39 project.

40

41 Dr. Tomerlin said on April 26, 2016, the Community Redevelopment Agency, which is
42 the terminal board (there were two review boards before them but they are the decision
43 making board), ruled in favor of the project with the funding level of \$355,470.33. What
44 we have before the Commission is the standard agreement that spells out the
45 particulars of that grant. The project work according to the agreement should be
46 completed within two years. There is an option to extend that if we need to. The CRA

1 Board, which is the five County Commissioners sitting as the CRA, did make it known at
2 that public meeting that should we run into situations where there is some kind of cost
3 overrun that we could revisit the funding level at a later date.

4
5 Dr. Tomerlin said he would field any questions but we are recommending that the Mayor
6 execute this agreement with the CRA.

7
8 Commissioner Lucarelli thanked Tom (Tomerlin) and our staff for their help and
9 perseverance to push this through. She said she appreciated it.

10
11 Mayor Mealor said he commended staff and the Commission for workshopping this and
12 talking about its importance and also our County colleagues for their support.
13 Commissioner Lucarelli talked about perseverance and there is a term in Vogue right
14 now called “grit”, and she has shown a great deal of grit as we worked through this
15 process and is to be commended.

16
17 Dr. Tomerlin said Commissioner Lucarelli’s support on this was instrumental in getting
18 to this point.

19
20 **Motion was made by Commissioner Lucarelli to authorize the Mayor to execute**
21 **the agreement for the Weldon Boulevard Streetscape Project, seconded by**
22 **Commissioner Miller and motion carried by roll-call vote: Deputy Mayor Duryea,**
23 **Yes; Commissioner Miller, Yes; Commissioner Lucarelli, Yes; Commissioner**
24 **Brender, Yes; Mayor Mealor, Yes.**

25
26 Mayor Mealor said the County started the first phase of what will be known as Reagan
27 Center and this is going to be a wonderful entry feature as one goes toward that
28 significant project.

29
30 B. Uber Pilot Project Agreement between Uber Technologies, Inc. and the City
31 of Lake Mary. Interlocal Agreement between cities participating in the Uber
32 Pilot Project (Tom Tomerlin, Economic Development Director)

33
34 Dr. Tom Tomerlin, Economic Development Director, came forward. He said we
35 workshopped this item on April 7th. We talked about several mobility options but one of
36 the focus areas was on the Uber Pilot. He introduced Jonathan Carden who is
37 Marketing Director with Uber and could help field questions. We have two items before
38 the Commission. It is the Uber Agreement with Uber Technologies and the Interlocal
39 Agreement between five cities. These five cities starting from north and going south is
40 Sanford, Lake Mary, Longwood, Altamonte Springs, and Maitland. It is the four SunRail
41 cities in Seminole County plus the first one in Orange County in Maitland. Longwood
42 heard this item and approved it at this Monday’s City Commission meeting. Both the
43 Cities of Sanford and Maitland will be considering this at their May 23rd meeting.

44
45 Dr. Tomerlin said the Uber Agreement spells out the particulars associated with it. Two
46 items were tweaked in the agreement. One is removal of the language referring to this

1 as a partnership between the City and Uber Technologies. The other item of note is
2 explicitly referencing our sovereign immunity indemnity limits. That was a concern
3 expressed at the workshop.

4
5 Dr. Tomerlin said Katie (Reischmann) has reviewed this carefully and would like her to
6 provide input. Prior to that he wanted to address what the interlocal agreement is all
7 about. The interlocal agreement between the five cities is establishing a municipal
8 mobility working group. What municipal mobility working group means is we are going
9 to meet as cities and try to collectively figure this out when it comes to mobility. This
10 Uber Pilot Program is one of the tools we would like to have. We think this pilot period
11 of one year which will begin on July 1st and extend to July 5, 2017 is going to be a
12 period in which we can test this technology out, see how it fits in, and how it actually
13 moves people within our cities.

14
15 Dr. Tomerlin said there is a 20% subsidy, or a 20% discount, to an Uber rider that
16 begins and ends its ride within the city limits of Lake Mary. That discount is bumped up
17 to 25% provided one of the end points or beginning points is at the SunRail Station stop.
18 That last mile connection is what we scratch our heads about the most in terms of
19 where our employment centers are versus where our SunRail Station is.

20
21 Dr. Tomerlin said the financial exposure for this program is going to depend on how
22 much this subsidy influences consumer behavior. Any subsidy would be expected to
23 increase the amount of product that clears the market. That is what a subsidy does.
24 We are providing an estimate of the direct financial impact of \$4,500 to \$10,000 for this
25 pilot one-year period. That \$10,000 would be a bump of 125% of ridership. If the
26 subsidy is that effective, it could be that high. We don't know what the end amount will
27 be. That is a range.

28
29 Dr. Tomerlin said Katie (Reischmann) pointed out that aside from the direct financial
30 impact of providing that 20% and 25% subsidy, there is also financial exposure in terms
31 of some liability as well as attorney fees that may be attached to that. He asked Ms.
32 Reischmann to elaborate on that.

33
34 Ms. Reischmann said it is only a one-year pilot program and is a one-year contract so it
35 is limiting our liability. We are agreeing to indemnify Uber in the unlikely event that we
36 are sued as being somehow at fault for an accident. That would be unlikely the way the
37 indemnity is written but obviously any indemnity by us of a private party is of concern. It
38 is also limited to our sovereign immunity limits which sounds good but those limits are at
39 \$200,000 per incident and \$300,000 per occurrence. It's a lot of money.

40
41 Ms. Reischmann said the terms of this contract were well negotiated by Altamonte and
42 their attorney, but they are somewhat at odds with the Public Records Act. Not in a
43 horrible way but they are not completely in line. The way it is written is if there is a
44 public records request that Uber isn't willing to fulfill because of trade secrets or whatnot
45 then we are on the hook for our attorney's fees and ultimately we would potentially be
46 held responsible for the failure by Uber to provide records. That would be subject to

1 debate by us but in any event, the point is that there is some language in here that
2 might cause us to incur some additional liability. There are a few other minor things like
3 we can use each other's logos in a form approved by us. All of this is subject to the fact
4 that this is a one-year contract and is most likely going to be perfectly fine for a pilot
5 project.

6
7 Commissioner Miller asked if we are self-insured for this liability we have.

8
9 Ms. Reischmann answered affirmatively.

10
11 Commissioner Miller said so it is our liability 100%.

12
13 Ms. Reischmann said the indemnity would be in the event we are sued because of a
14 claim by a person in an Uber vehicle that the City somehow was at fault. This language
15 doesn't say in part. It implies if we were wholly at fault. The only way we could be is if
16 we were deemed to be somehow governing the whole Uber driver's actions. It would be
17 very extreme but when people sue they tend to sue broadly.

18
19 Ms. Sova said we are members of an insurance pool so while we are self-insured we
20 are members of a self-insurance pool. This has been run by the pool's attorney as well.

21
22 Commissioner Miller asked the qualifications for Uber drivers and does that matter to us
23 in any way.

24
25 Ms. Reischmann said there aren't any in the State of Florida and there aren't any in the
26 City of Lake Mary. Many cities have established qualifications but Lake Mary has not.
27 What is written in here is some background checks and some requirement for them to
28 provide insurance. It's somewhat equivalent to what other cities have imposed.

29
30 Dr. Tomerlin said Uber does provide their own liability coverage. In this pilot program
31 the word pilot is exactly what it means. It's a thing where we come back a year later
32 with this municipal mobility working group and assess outcomes. There has been
33 discussion about how we study that, can we bring the group together and bring a third
34 party in to assess the monitoring reports. Monitoring reports will be provided by Uber.
35 Just track the performance of it and see if it is a viable option to continue into the future.

36
37 Commissioner Brender said this indemnification deal we're coming up with, if we are
38 paying 20% to 25% of the fare, he would imagine that any lawyer that gets involved in
39 this is going to hold us 25% at fault whether we are at fault or not.

40
41 Ms. Reischmann said not because we are paying part of the fare but because they
42 would say in some way we are controlling the actions of the driver through this
43 agreement. She thought there had been a push to take out anything in here that implies
44 that we have any involvement in Uber's operations. She thought we are protected but
45 everybody sues everybody. As the City Manager indicated, our insurance attorney has
46 looked at this and felt comfortable with the language because it didn't seek to require us

1 to indemnify for even a 1% fault because we didn't properly review the background
2 checks or something.

3
4 Commissioner Brender asked if we are obligated to do that kind of stuff. We are not a
5 partnership with Uber. If we are not a partnership are we obligated to set up rules for
6 Uber drivers.

7
8 Ms. Reischmann said the only reason we would be is if it was claimed that we were
9 endorsing them through the use of Uber over other taxis and things like that. It is a
10 stretch.

11
12 Commissioner Brender said he liked the concept and idea and is hoping it is successful.
13 He wanted to make sure we are covered in as many ways as a good attorney can think
14 about how to undo it.

15
16 Ms. Reischmann said she had spoken with a lot of other city attorneys and we all agree
17 that it is an acceptable document as it reads now for a one-year term.

18
19 Mayor Mealor said because we are asking for the Uber Pilot Project Agreement and the
20 Interlocal Agreement, he asked if we should treat those separately or can the motion
21 include both.

22
23 Ms. Reischmann suggested treating them separately.

24
25 **Motion was made by Commissioner Lucarelli to approve the Uber Pilot Program**
26 **Agreement and authorize the Mayor to execute, seconded by Commissioner**
27 **Brender and motion carried by roll-call vote: Commissioner Miller, Yes;**
28 **Commissioner Lucarelli, Yes; Commissioner Brender, Yes; Deputy Mayor Duryea,**
29 **Yes; Mayor Mealor, Yes.**

30
31 **Motion was made by Commissioner Miller to approve the Interlocal Agreement**
32 **between cities participating in the Uber Pilot Program and authorize the Mayor to**
33 **execute, seconded by Commissioner Lucarelli and motion carried by roll-call**
34 **vote: Commissioner Lucarelli, Yes; Commissioner Brender, Yes; Deputy Mayor**
35 **Duryea, Yes; Commissioner Miller, Yes; Mayor Mealor, Yes.**

36
37 C. Resolution No. 982 – Accepting Improvements and approving a Utility
38 Easement for Feather Edge Condominium Association and Feather Edge II
39 Condominium Association (Bruce Paster, Public Works Director)

40
41 The City Attorney read Resolution No. 982 by title only.

42
43 Mr. Paster said what is before the Commission is some public records cleanup. Feather
44 Edge Condominium Association and Feather Edge II were constructed many years ago
45 and the City has owned and maintained the utilities in the respective developments. In
46 a records request someone asked for copies of our easements. Looking through the

1 public record he found some easements for Feather Edge II and found some bills of
2 sale for some water lines, but the public records did not include all of the utilities we
3 have been maintaining over the years. He talked with both condominium associations
4 and explained this to them. They very much want to keep things the way they were and
5 wanted the City to officially own and maintain the utilities and they have easement
6 rights to do that. The documents were written up and signed by them. He requested
7 we accept the Bill of Sale and the easements and have them properly recorded.

8
9 **Motion was made by Commissioner Lucarelli to approve Resolution No. 982,**
10 **authorize the Mayor to execute Utility Easement Agreements for Feather Edge**
11 **Condominium Association, Inc. and Feather Edge II Condominium Association,**
12 **Inc., and City to accept respective Bills of Sale to officially convey the public**
13 **utility improvements to the City. Seconded by Commissioner Miller and motion**
14 **carried unanimously.**

15
16 Mayor Meador said the next three items will be discussed as a group and we will vote on
17 them separately.

18
19 D. Ordinance No. 1542 – Amending Chapter 130 of the Code of Ordinances
20 entitled “General Provisions” to repeal Sections 130.01 – 130.05 and amend
21 Section 130.06 and adding a new section governing curfews – First reading
22 (Public Hearing) (Jackie Sova, City Manager)

23
24 The City Attorney read Ordinance No. 1542, Ordinance No. 1543, and Ordinance No.
25 1544 by title only on first reading.

26
27 Ms. Sova said these are ordinances that have been superseded by State Statute. They
28 are old and antiquated and probably should have been repealed years ago. Recently
29 we had a raffle with City employees related to Relay for Life and somebody got
30 themselves all nervous that we were breaking the law. We took the stand that we were
31 finally going to clean these matters up. We are going to repeal Chapter 130 but adopt a
32 regulation related to curfew. We are going to repeal Chapter 131 and Chapter 133.
33 Chapter 132 will be coming back to you because we need to move a couple of pieces to
34 the Land Development Code and we are going to take those to Planning & Zoning first.

35
36 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1542,
37 Ordinance No. 1543, and/or Ordinance No. 1544. No one came forward and the public
38 hearings were closed.

39
40 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1542 on**
41 **first reading, seconded by Commissioner Miller and motion carried by roll-call**
42 **vote: Commissioner Brender, Yes; Deputy Mayor Duryea, Yes; Commissioner**
43 **Miller, Yes; Commissioner Lucarelli, Yes; Mayor Meador, Yes.**

1 E. Ordinance No. 1543 – Repealing Chapter 131 of the Code of Ordinances
2 entitled “Morals and Gambling” – First Reading (Public Hearing) (Jackie Sova,
3 City Manager)
4

5 Ordinance No. 1543 was read by title only, presented and public hearing held under
6 Item D.
7

8 **Motion was made by Commissioner Miller to approve Ordinance No. 1543 on first**
9 **reading, seconded by Commissioner Brender and motion carried by roll-call vote:**
10 **Deputy Mayor Duryea, Yes; Commissioner Miller, Yes; Commissioner Lucarelli,**
11 **Yes; Commissioner Brender, Yes; Mayor Meador, Yes.**
12

13 F. Ordinance No. 1544 – Repealing Chapter 133 of the Code of Ordinances
14 entitled “Safety” – First Reading (Public Hearing) (Jackie Sova, City Manager)
15

16 Ordinance No. 1544 was read by title only, presented and public hearing held under
17 Item D.
18

19 **Motion was made by Commissioner Brender to approve Ordinance No. 1544 on**
20 **first reading, seconded by Commissioner Lucarelli and motion carried by roll-call**
21 **vote: Commissioner Miller, Yes; Commissioner Lucarelli, Yes; Commissioner**
22 **Brender, Yes; Deputy Mayor Duryea, Yes; Mayor Meador, Yes.**
23

24 10. Other Items for Commission Action
25

26 There were no items to discuss at this time.
27

28 11. City Manager’s Report
29

30 A. Items for Approval
31

32 a. Surplus of several water and sewer maintenance items
33

34 Ms. Sova said this is a request to surplus several water and sewer maintenance items:
35 a portable generator, a water line pressure tester, and a sewer inspection camera kit.
36 These are not serviceable any longer and requested authorization to dispose of these
37 items.
38

39 **Motion was made by Commission Brender to declare McCulloch MITE-E-LITE**
40 **1200 watt model portable generator LM ID #71001010, water line pressure tester**
41 **LM ID #71001004, and UEMSI DDU1 sewer inspection camera kit surplus and**
42 **authorize City Manager to dispose of same. Seconded by Commissioner**
43 **Lucarelli and motion carried unanimously.**
44

45 B. Items for Information
46

1 a. Monthly Department Reports – March & April

2
3 C. Announcements

4
5 Ms. Sova said all non-emergency offices will be closed Monday, May 30th, in
6 observance of Memorial Day. Waste Pro will collect as regularly scheduled so there will
7 be no change in waste collection.

8
9 12. Mayor and Commissioners' Reports

10
11 Commissioner Lucarelli said the Seminole State College Alumni Association had their
12 first annual meeting and Legacy Awards. Don Eslinger received the Legacy Award.
13 They had a recent graduate telling her story which was heartwarming. She said she got
14 voted in as an officer on the new incoming board. They voted to start a new scholarship
15 fund and will be having fundraisers to support that.

16
17 Commissioner Lucarelli said she attended the Seminole County Sports Complex grand
18 opening and it was a great event. It is a beautiful facility.

19
20 Commissioner Lucarelli said she attended a post Mother's Day celebration with the men
21 and women of Love Ministry Group and it was a lot of fun. They help support at-risk
22 families like domestic violence and things like that. Some are reaching out to the
23 homeless and finding solutions for people who need help, especially if there are children
24 involved. They had some talented musicians there.

25
26 Commissioner Lucarelli said she attended the new University of Florida Cancer Center
27 grand opening and toured the center. She was impressed and glad we have a local
28 cancer center. She thought it was cool getting this medical corridor on Rinehart.

29
30 Mayor Meador congratulated Commissioner Lucarelli on being selected as one of the
31 inaugural officers for the alumni group.

32
33 Commissioner Brender said he was glad to be back in the good old USA. He always
34 tells friends that if they ever want to become a patriot just travel overseas for a few
35 weeks and come back and would realize how lucky we are to live in the US. It was a
36 great experience. He travels with a new view of infrastructure and city planning. When
37 you walk into a city that was built in 200 B.C. there wasn't a great deal of planning that
38 went into it. It gives you a new perspective on how incredibly different things are.

39
40 Commissioner Brender said he, Mr. Nipe and Admiral Dedman had been discussing
41 Heritage Park. We have discussed some other ideas and asked Mr. Nipe to give an
42 overview. He asked for the Commission's input. We are looking at breaking ground on
43 the first phase late in the summer and Phase 2 will come about next year.

44
45 Mr. Nipe said seen in prior work sessions and at the State of the City, we have had a
46 different iteration come to us working with Admiral Dedman and

1 Commander/Commissioner Brender. We came up with a new Veteran's Memorial as
2 part of Heritage Park. He showed a rendering on the overhead. The central area
3 becomes the Veteran's Memorial. It has two walls to memorialize those veterans who
4 served and live or have lived in Lake Mary as well as a monolith set within a fountain
5 with emblems of military branches. Those will be set in a circular fashion. Leading you
6 out of the veteran's area and into our Heritage Park area that focuses on the history of
7 Lake Mary will be our memorials of our public safety folks (police and fire). He showed
8 a 3-D overview of the veteran's portion on the overhead. The police and fire is to the
9 right and the memorial wall to the left.

10
11 Mr. Nipe said looking at this conceptually, we have these two walls that can
12 commemorate all those veterans. Symmetrically speaking it fits well. The walls are
13 large and can fit quite a few names. As it stands in concept, one of those walls is about
14 the size of what Oviedo has and they are up to 1,400 names at this point. We thought
15 we could keep both walls and eventually fill them both up. In the short run focus on a
16 new idea and a new educational opportunity and that would be memorializing the wars
17 that the United States have had boots on ground or overseas. We looked at creating
18 panels going across the left wall that would conceptually identify each war beginning
19 with the Revolutionary War and going through what we are dealing with post-9/11 in the
20 Middle East and elsewhere. We will give a brief summary of our involvement. Because
21 we have a lack of geography classes nowadays, we will identify through an atlas and
22 some hash marks throughout the world exactly where those wars were fought. To the
23 right shows how the panel might sit. There will be a dozen or so panels.

24
25 Mr. Nipe said we bring this to the Commission as an idea. He, Commissioner Brender
26 and Ms. Sova have spoken about it. We think it is a nice idea and an educational
27 opportunity. We think it fits well in this Veteran's Memorial.

28
29 Commissioner Brender said hopefully we will encapsulate the concept we have been
30 trying to build into this that it is both memorial and educational as well as something that
31 brings us forward. He read where somebody had done surveys among 14 and 15-year-
32 olds and they asked about 9/11. There was a substantial number of them who said was
33 that the thing in New York or I don't know what it is. We having lived through it know it
34 but there is an entire generation that to them that was just another day in history. This
35 introduces the sites and the potential for education. We can get help from the School
36 Board to let classes see it.

37
38 Mayor Meador said Commissioner Lucarelli mentioned the dedication of the Seminole
39 County Sports Complex. It is a remarkable facility. It is first class. He says that as a
40 lead into Commissioner Brender being selected as a representative to the Tourism
41 Council and that group will have some remarkable opportunities ahead of them. He
42 was pleased Commissioner Brender was selected for that role. It will be very helpful to
43 this community.

44
45 Deputy Mayor Duryea had no report at this time.

46

1 Commissioner Miller said he attended the Ethics Training in Longwood. The two
2 presenters were dynamite. He said he had a list of things and would be speaking with
3 Ms. Reischmann.

4
5 Commissioner Miller said he and the Mayor attended Metro Orlando EDC's James B.
6 Greene Awards Tuesday night where Lars Houmann and Randy Berridge were
7 recognized and awarded.

8
9 Commissioner Miller said Lake Como used to be a lake but is now a swamp. We have
10 five or six entities that back up to Lake Como. With all the attention going on with the
11 Zika virus, he heard that there are insecticide companies going around and selling and
12 offering where they can spray something which attaches to the underside of the plants
13 which continues to kill mosquitoes 30 to 60 days. There is some new way other than
14 just smoking them out. He asked if that was a role for the City or should the HOA of
15 these communities band together to try to fix that. He thought the City should worry
16 about it from the parks standpoint.

17
18 Ms. Sova said our Assistant Public Works Director attended a meeting this morning with
19 the County Mosquito Control folks. He asked Mr. Paster to bring them up to date.

20
21 Mr. Paster said Dave Dovan is on the committee with Seminole County. They meet
22 monthly. The County takes care of the aerial spraying and puts larvicide in the water
23 bodies. They have a hotline number and they take complaints. Based on the number
24 of calls and the areas of the calls, they can do more targeted spraying in those areas. It
25 is all coordinated throughout the entire county. He said he would bring this specific area
26 up to the County and will also look into other products. He said he wasn't familiar with
27 the product Commissioner Miller mentioned but is something he would look into.

28
29 Commissioner Miller said someone just told him about it a couple of days ago. He said
30 he could back up and try to find out who is selling it.

31
32 Commissioner Lucarelli said they spray here because she hears the truck late at night
33 and early morning.

34
35 Mr. Paster answered affirmatively. We kept our sprayer and if the weather is just right
36 and we get complaints we can go above and beyond the County's program and do our
37 own spraying.

38
39 Commissioner Miller said he was contacted by the Timacuan Homeowners' Association
40 about stormwater management. They wanted to get rid of their own stormwater
41 management and try to find competent people to help manage this. He said there is a
42 tax for stormwater that everybody pays. We do main roads. Typically subdivision
43 HOAs have an agreement that says they are responsible for managing their own
44 stormwater. He told them who they should call because they wanted to figure out some
45 way to pay us to manage it for them but Mr. Paster has not had a phone call yet.

1 Commissioner Miller said he attended the Municipal Advisory Committee with Metroplan
2 Orlando. He hoped the City Manager has received the bill and understands that we are
3 to pay that in order to have a voice.

4
5 Ms. Sova said she believed it did come through already and would double check.

6
7 13. City Attorney's Report

8
9 Ms. Reischmann had no report at this time.

10
11 14. Adjournment

12
13 There being no further business, the meeting adjourned at 8:10 P.M.

14
15
16
17
18 _____
19 David J. Meador, Mayor

20
21
22 _____
23 Mary Campbell, Deputy City Clerk

24
25
26
27 ATTEST:

28
29
30
31 _____
32 Carol A. Foster, City Clerk



Lake Mary, Florida
Office of the Mayor
Proclamation

- Whereas*, Code Enforcement Officers provide for the safety, health and welfare of the citizens in the community through the enforcement of building, zoning, animal control, environmental and other codes and ordinances; and
- Whereas*, Code Enforcement Officers are often not credited for the jobs that they do in saving lives and improving neighborhoods; and
- Whereas*, every day, assisted by support and program staff, they attempt to provide quality customer service to the public for the betterment of the community; and
- Whereas*, too many times their efforts go unnoticed, even after code compliance has been accomplished due to their efforts and expertise; and
- Whereas*, Code Enforcement Officers are dedicated, well trained, and highly responsible individuals who take their jobs seriously and are proud of their department and the local government within which they serve; and
- Whereas*, the Florida Association of Code Enforcement (FACE) has declared the first week of June be set aside by local governments to honor and recognize Code Enforcement Officers.

NOW, THEREFORE, I, DAVID J. MEALOR, by virtue of the authority vested in me as Mayor of the City of Lake Mary, Florida, do hereby proclaim the week of **June 6, 2016, through June 10, 2016**, as:

“CODE ENFORCEMENT OFFICER APPRECIATION WEEK”

in the City of Lake Mary, Florida, and encourage citizens to join this Commission in expressing appreciation for the dedication and outstanding service provided by the individuals who serve as Code Enforcement Officers.

Duly proclaimed this 2nd day of June, A.D., 2016.

CITY OF LAKE MARY, FLORIDA

By: _____
DAVID J. MEALOR, MAYOR



MEMORANDUM

DATE: June 2, 2016

TO: Mayor and City Commission

FROM: Colin Morgan, Deputy Police Chief

THRU: Steve Bracknell, Police Chief

VIA: Jackie Sova, City Manager

SUBJECT: Ordinance No. 1542 - Amending Chapter 130 of the Code of Ordinances entitled "General Provisions" to repeal Sections 130.01 - 130.05 and amend Section 130.06 and adding a new section governing curfews-Second Reading (Public Hearing) (Jackie Sova, City Manager)

Currently, we are in the process of updating our Code of Ordinances as many areas are redundant, antiquated or legally infirm. We asked our City Attorney to review Title XIII "General Offenses" which includes Chapter 130 "General Provisions", Chapter 131 "Morals and Gambling", Chapter 132 "Offenses Against Persons and Property", and Chapter 133 "Offenses Against Public Peace and Safety".

Most of the sections within these chapters are currently governed by State Statutes and therefore, our attorney has recommended repealing. An exception is enforcement of curfews for minors; we would either maintain our current section or adopt the state statute by reference which is what we have chosen to do.

The ordinances for your consideration at this time include:

Ordinance No. 1542 repeals Sections 130.01 – 130.05 of the Code of Ordinances and amends 130.06 by renumbering it and deleting unnecessary language. It is further amended by adding a new Section 130.02 to adopt regulations on Juvenile Curfew.

Ordinance No. 1543 repeals Chapter 131 in its entirety.

Ordinance No. 1544 repeals Chapter 133 in its entirety.

The attorney also reviewed Chapter 132 and has recommended that it also be repealed. However, it addresses “Injuring Shade Trees” and “Sign Restrictions” which should have been included in their respective sections in the Land Development Code. While the proposed ordinance repeals Chapter 132, it amends Chapters 152 and 157 to add the language. Due to the fact that it amends the Land Development Code, it first needs to be heard by the Planning and Zoning Board. Hopefully, it will be on your June 2nd agenda for your consideration.

RECOMMENDATION:

Request Commission adopt Ordinances 1542, 1543, and 1544.

ORDINANCE NO. 1542

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA, AMENDING CHAPTER 130 "GENERAL PROVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF LAKE MARY TO REPEAL SECTIONS 130.01 "OBSTRUCTING LEGAL PROCESS", 130.02 "DUTY TO ASSIST POLICE OFFICER", 130.03 "FAILURE TO OBEY SUMMONS", 130.04 "ESCAPING PRISONERS", 130.05 "AIDING PRISONERS TO ESCAPE", AMEND SECTION 130.06 "COMMISSION OF STATE MISDEMEANORS" AND ESTABLISH A NEW SECTION ADDRESSING JUVENILE CURFEW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City requested a review of Chapter 130, "General Provisions" of the City Code for the purpose of amending or repealing sections that have become redundant, antiquated or legally infirm; and

WHEREAS, Sections 130.01 through 130.05 address the obstruction of the legal process, duty to assist police officers, failure to obey summons, escaping prisoners, and aiding prisoners to escape; and

WHEREAS, the obstruction of legal process is generally regulated pursuant to Sections 843.01 and 843.02, Florida Statutes; and

WHEREAS, the duty to assist law enforcement officers is regulated pursuant to Sections 843.04 and 843.06, Florida Statutes; and

WHEREAS, the failure to obey summons is generally regulated pursuant to Section 901.11, Florida Statutes; and

WHEREAS, the escape of prisoners and the aiding of prisoners to escape is regulated pursuant to Sections 843.12, 944.40, and 951.23, Florida Statutes, respectively; and

WHEREAS, due to all of these statutory provisions, Sections 130.01 through 130.05 of Chapter 130 are antiquated and sometimes redundant; and

WHEREAS, juvenile curfew is regulated pursuant to Sections 877.20 through 877.25, Florida Statutes, and as part of the review and update of the City Code, it is appropriate to incorporate by reference the state juvenile curfew within Chapter 130 and to renumber the remaining sections accordingly; and

WHEREAS, the City Commission of the City of Lake Mary finds that the amendment of Chapter 130, "General Provisions", is in the best interests of the public health, safety, and welfare of the citizens of Lake Mary.

IT IS HEREBY ENACTED BY THE CITY OF LAKE MARY AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are hereby fully incorporated herein by this reference as legislative findings and the intent and purpose of the City Commission of the City of Lake Mary.

Section 2. Amendment of Chapter 130 "General Provisions".
That Chapter 130 "General Provisions" of the Code of Ordinances of the City of Lake Mary is hereby amended to read as follows (underlined type indicates additions and ~~strikeout~~ type indicates deletions):

CHAPTER 130 – GENERAL PROVISIONS

~~§ 130.01 – Obstructing Legal Process.~~

~~It shall be unlawful for any person to obstruct, interfere, or oppose any officer of this city or other legally authorized person, in the execution of legal process or in the lawful execution of any legal duty.~~

~~§ 130.02 – Duty to Assist Police Officer.~~

~~The Chief of Police or any police officer of the city shall have the power in making the arrest of any person for violating any of the city ordinances, where the person refuses to submit to arrest, to summon to his aid in making the arrest a posse of the citizens of the city, consisting of a sufficient number to enforce the law. It shall be unlawful for any citizen, except a person physically incapacitated, to fail or refuse to promptly respond to this summons of the Chief of Police or other police officer.~~

~~§ 130.03 – Failure to Obey Summons.~~

~~It shall be unlawful for any person to willfully disregard or fail to obey any notice or summons lawfully served upon him by any police officer of the city.~~

~~§ 130.04—Escaping Prisoners.~~

~~It shall be unlawful for any prisoner in the custody of a policeman or guard, to escape therefrom.~~

~~§ 130.05—Aiding Prisoners to Escape.~~

~~It shall be unlawful for any person to aid or assist a prisoner in escaping or attempting to escape from an officer of the city or from any person who has lawful custody of the prisoner.~~

§ 130.016 – Commission of State Misdemeanors.

Subject to the provisions of F.S. Ch. 775 which defines misdemeanors, the commission of certain acts are hereby adopted as offenses against the city as fully as if these statutes were set forth herein at length and any person convicted of a violation thereof shall be subject to the same penalty as provided by state law, but not in excess of the limit established under §10.99.

§ 130.02 – Juvenile Curfew.

- (a) The provisions of Sections 877.20—877.25, Florida Statutes, as passed by the state legislature in 1994, and as may from time to time be amended by the state legislature, are hereby adopted and incorporated by reference.
- (b) The City's local juvenile curfew enacted pursuant to subsection (a) of this section, shall be effective within the corporate limits of the City.

Section 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

Section 4. Codification. It is the intention of the City Commission of the City of Lake Mary, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lake Mary, Florida; that the

Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to "Section," "Article," or other appropriate word.

Section 5. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED this 2nd day of June 2016.

FIRST READING: May 19, 2016

SECOND READING: June 2, 2016

CITY OF LAKE MARY FLORIDA

DAVID J. MEALOR, MAYOR

ATTEST:

CITY CLERK, CAROL A. FOSTER

FOR THE USE AND RELIANCE OF THE CITY OF LAKE MARY ONLY
APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY, CATHERINE D. REISCHMANN



MEMORANDUM

DATE: June 2, 2016

TO: Mayor and City Commission

FROM: Colin Morgan, Deputy Police Chief

THRU: Steve Bracknell, Police Chief

VIA: Jackie Sova, City Manager

SUBJECT: Ordinance No. 1543 - Repealing Chapter 131 of the Code of Ordinances entitled "Morals and Gambling" - Second Reading (Public Hearing) (Jackie Sova, City Manager)

Currently, we are in the process of updating our Code of Ordinances as many areas are redundant, antiquated or legally infirm. We asked our City Attorney to review Title XIII "General Offenses" which includes Chapter 130 "General Provisions", Chapter 131 "Morals and Gambling", Chapter 132 "Offenses Against Persons and Property", and Chapter 133 "Offenses Against Public Peace and Safety".

Most of the sections within these chapters are currently governed by State Statutes and therefore, our attorney has recommended repealing. An exception is enforcement of curfews for minors; we would either maintain our current section or adopt the state statute by reference which is what we have chosen to do.

The ordinances for your consideration at this time include:

Ordinance No. 1542 repeals Sections 130.01 – 130.05 of the Code of Ordinances and amends 130.06 by renumbering it and deleting unnecessary language. It is further amended by adding a new Section 130.02 to adopt regulations on Juvenile Curfew.

Ordinance No. 1543 repeals Chapter 131 in its entirety.

Ordinance No. 1544 repeals Chapter 133 in its entirety.

The attorney also reviewed Chapter 132 and has recommended that it also be repealed. However, it addresses “Injuring Shade Trees” and “Sign Restrictions” which should have been included in their respective sections in the Land Development Code. While the proposed ordinance repeals Chapter 132, it amends Chapters 152 and 157 to add the language. Due to the fact that it amends the Land Development Code, it first needs to be heard by the Planning and Zoning Board. Hopefully, it will be on your June 2nd agenda for your consideration.

RECOMMENDATION:

Request Commission adopt Ordinances 1542, 1543, and 1544.

ORDINANCE NO. 1543

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA, REPEALING IN ITS ENTIRETY CHAPTER 131 “MORALS AND GAMBLING” OF THE CODE OF ORDINANCES OF THE CITY OF LAKE MARY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City requested a review of Chapter 131, “Morals and Gambling” of the City Code for the purpose of amending or repealing sections that have become antiquated or legally infirm; and

WHEREAS, Sections 131.01 through 131.07 address obscenity, indecency, indecent exposure, prostitution, abetting prostitution by taxi drivers, drunkenness, use of narcotics, and gambling; and

WHEREAS, obscenity is generally regulated in Chapter 847, Florida Statutes, and pursuant to Section 847.09, Florida Statutes, the Florida Legislature has preempted the field of legislation regarding the wholesale promotion, including sales, of obscene material insofar as it concerns exposing persons over 17 years of age to harmful motion pictures, exhibitions, shows, representations, and presentations, and specifically declared all municipal and county ordinances relating to the subject adopted on or after July 1, 1973, to be illegal, unconstitutional, or otherwise unenforceable; and

WHEREAS, lewdness and indecent exposure are regulated pursuant to Chapter 800, Florida Statutes, and prostitution and aiding and abetting prostitution are regulated under Chapter 796, Florida Statutes; and

WHEREAS, public drunkenness and disorderly conduct is prohibited pursuant to Section 856.011, Florida Statutes, and the use of controlled substances is generally regulated in Chapter 893, Florida Statutes; and

WHEREAS, the state lottery, gambling, and slot machines are generally regulated pursuant to Chapters 24, 849, and 551, Florida Statutes, respectively; and

WHEREAS, under Section 24.122, Florida Statutes, all matters relating to the operation of the state lottery are preempted to the state, and no municipality may enact any ordinance relating to the operation of the state lottery; any local law providing any penalty, disability, restriction, or prohibition for the possession, manufacture, transportation, distribution, advertising, or sale of any lottery ticket, including Chapter 849, Florida Statutes, does not apply to the state lottery; and

WHEREAS, pursuant to the Charter of Seminole County, Florida, if and when casino gambling becomes lawful under the Constitution and laws of the State of Florida, no municipality may take action to authorize, approve, or in any manner allow casino gambling to occur anywhere within Seminole County unless and until casino gambling in the County is first authorized by an approved vote of a majority of the qualified electors residing in the County; and

WHEREAS, due to all of these statutory and Charter provisions, Chapter 131 is preempted in large part to the State and the County, duplicates and is sometimes in conflict with state law, is susceptible to constitutional challenge if enforced, and is antiquated and redundant; and

WHEREAS, the City Commission of the City of Lake Mary finds that the repeal of Chapter 131 is in the best interests of the public health, safety, and welfare of the citizens of Lake Mary.

IT IS HEREBY ENACTED BY THE CITY OF LAKE MARY AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are hereby fully incorporated herein by this reference as legislative findings and the intent and purpose of the City Commission of the City of Lake Mary.

Section 2. Repeal of Chapter 131 “Morals and Gambling”.

That Chapter 131 “Morals and Gambling” of the Code of Ordinances of the City of Lake Mary is hereby repealed in its entirety.

Section 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

Section 4. Codification. It is the intention of the City Commission of the City of Lake Mary, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lake Mary, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, “Ordinance” may be changed to “Section,” “Article,” or other appropriate word.

Section 5. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED this 2nd day of June 2016

FIRST READING: May 19, 2016

SECOND READING: June 2, 2016

CITY OF LAKE MARY FLORIDA

DAVID J. MEALOR, MAYOR

ATTEST:

CITY CLERK, CAROL A. FOSTER

FOR THE USE AND RELIANCE OF THE CITY OF
LAKE MARY ONLY APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY, CATHERINE D. REISCHMANN



MEMORANDUM

DATE: June 2, 2016

TO: Mayor and City Commission

FROM: Colin Morgan, Deputy Police Chief

THRU: Steve Bracknell, Police Chief

VIA: Jackie Sova, City Manager

SUBJECT: Ordinance No. 1544 - Repealing Chapter 133 of the Code of Ordinances entitled "Safety" - Second Reading (Public Hearing) (Jackie Sova, City Manager)

Currently, we are in the process of updating our Code of Ordinances as many areas are redundant, antiquated or legally infirm. We asked our City Attorney to review Title XIII "General Offenses" which includes Chapter 130 "General Provisions", Chapter 131 "Morals and Gambling", Chapter 132 "Offenses Against Persons and Property", and Chapter 133 "Offenses Against Public Peace and Safety".

Most of the sections within these chapters are currently governed by State Statutes and therefore, our attorney has recommended repealing. An exception is enforcement of curfews for minors; we would either maintain our current section or adopt the state statute by reference which is what we have chosen to do.

The ordinances for your consideration at this time include:

Ordinance No. 1542 repeals Sections 130.01 – 130.05 of the Code of Ordinances and amends 130.06 by renumbering it and deleting unnecessary language. It is further amended by adding a new Section 130.02 to adopt regulations on Juvenile Curfew.

Ordinance No. 1543 repeals Chapter 131 in its entirety.

Ordinance No. 1544 repeals Chapter 133 in its entirety.

The attorney also reviewed Chapter 132 and has recommended that it also be repealed. However, it addresses "Injuring Shade Trees" and "Sign Restrictions" which should have been included in their respective sections in the Land Development Code. While the proposed ordinance repeals Chapter 132, it amends Chapters 152 and 157 to add the language. Due to the fact that it amends the Land Development Code, it first needs to be heard by the Planning and Zoning Board. Hopefully, it will be on your June 2nd agenda for your consideration.

RECOMMENDATION:

Request Commission adopt Ordinances 1542, 1543, and 1544.

ORDINANCE NO. 1544

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA, REPEALING IN ITS ENTIRETY CHAPTER 133 “OFFENSES AGAINST PUBLIC PEACE AND SAFETY” OF THE CODE OF ORDINANCES OF THE CITY OF LAKE MARY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City requested a review of Chapter 133, “Offenses Against Public Peace and Safety” of the City Code for the purpose of amending or repealing sections that have become redundant, antiquated or legally infirm; and

WHEREAS, Sections 133.01 through 133.11 address false alarm of fire, riots, unlawful assembly, disturbing lawful assembly, disorderly places, disorderly conduct, disorderly conduct in dance halls, inmates of disorderly houses, vagrants, begging and curfew; and

WHEREAS, the false alarm of fire is regulated pursuant to Section 806.101, Florida Statutes; and

WHEREAS, riots and unlawful assemblies are generally regulated pursuant to Chapter 870, Florida Statutes; and

WHEREAS, the disturbing of lawful assemblies is generally regulated pursuant to Chapter 871, Florida Statutes; and

WHEREAS, the allowing or permitting of disorderly places and the frequenting of disorderly houses is generally regulated pursuant to Chapter 796, Florida Statutes; and

WHEREAS, disorderly conduct is regulated pursuant to Section 877.03, Florida Statutes; and

WHEREAS, vagrancy, loitering and prowling is regulated pursuant to Section 856.021, Florida Statutes; and

WHEREAS, juvenile curfew is regulated pursuant to Sections 877.20 through 877.25, Florida Statutes, and as part of the review of the City Code, it is more

appropriate to incorporate by reference the state juvenile curfew within Chapter 130;
and

WHEREAS, due to all of these statutory provisions, Chapter 133 is antiquated,
duplicative and sometimes in conflict with state law; and

WHEREAS, the City Commission of the City of Lake Mary finds that the repeal of
Chapter 133 is in the best interests of the public health, safety, and welfare of the citizens
of Lake Mary.

IT IS HEREBY ENACTED BY THE CITY OF LAKE MARY AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are hereby fully
incorporated herein by this reference as legislative findings and the intent
and purpose of the City Commission of the City of Lake Mary.

**Section 2. Repeal of Chapter 133 “Offenses Against Public
Peace and Safety”.** That Chapter 133 “Offenses Against Public Peace
and Safety” of the Code of Ordinances of the City of Lake Mary is hereby
repealed in its entirety.

Section 3. Severability. If any Section or portion of a Section of
this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall
not be held to invalidate or impair the validity, force, or effect of any other
Section or part of this Ordinance.

Section 4. Codification. It is the intention of the City
Commission of the City of Lake Mary, Florida, and it is hereby ordained
that the provisions of this Ordinance shall become and be made a part of
the Code of Ordinances of the City of Lake Mary, Florida; that the
Sections of this Ordinance may be renumbered or re-lettered to

accomplish such intention; that the word, "Ordinance" may be changed to "Section," "Article," or other appropriate word.

Section 5. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED this 2nd day of June 2016

FIRST READING: May 19, 2016

SECOND READING: June 2, 2016

CITY OF LAKE MARY FLORIDA

DAVID J. MEALOR, MAYOR

ATTEST:

CITY CLERK, CAROL A. FOSTER

FOR THE USE AND RELIANCE OF THE CITY OF
LAKE MARY ONLY APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY, CATHERINE D. REISCHMANN



MEMORANDUM

DATE: June 2, 2016

TO: Mayor and City Commission

FROM: John Omana, Community Development Director

VIA: Jackie Sova, City Manager

SUBJECT: Resolution No. 983 - Accepting Improvements for Crystal Reserve subdivision (John Omana, Community Development Director)

DISCUSSION: Crystal Reserve subdivision, owned by Pulte Home Corporation, is requesting acceptance of public improvements at the site and issuance of a Certificate of Completion. The subdivision's public improvements consist of potable water lines; sanitary sewer within the Crystal Drive right-of-way, and all improvements made to Crystal Drive including sidewalk, curb, pavement, drainage structure and pipes, as recorded in Plat Book 80, Pages 18 & 19, in the public records of Seminole County, Florida.

The Developer or future HOA will continue to own and maintain the site's stormwater system including the pond outfall structure, the pond's retaining wall, and Crystal Reserve Court since it is private.

Staff has received from Pulte Home Corporation a Bill of Sale, Engineer's sealed Cost Estimate for the property being transferred, and the required maintenance guarantee. The maintenance guarantee is in the form of a Surety Bond for the amount of \$32,242.37, based on 10% of the \$322,423.69 value of improvements. The Bond will expire two years after issuance of the Certificate of Completion.

That being said, a concurrent action of returning the \$322,423.69 Performance Bond, which guaranteed construction of the subdivision's public improvements, is being processed since the public improvements have been completed.

RECOMMENDATION: Staff recommends the Commission take the following action:

- 1) Accept Crystal Reserve subdivision's public improvements located within the public right-of-way along Crystal Drive, for maintenance, per Resolution 983;
- 2) Approve the maintenance guarantee in the form of a Surety Bond, and direct staff to issue a Certificate of Completion for said subdivision per Resolution 983; and
- 3) Direct staff to return the Performance Bond in the amount of \$322,423.69 to the applicant.

ATTACHMENTS:

- Resolution No. 983
- Certificate of Completion
- Site Layout
- Bill of Sale
- Engineer's Cost Estimate
- Two-Year Maintenance Bond
- Performance Bond

RESOLUTION NO. 983

A RESOLUTION OF THE CITY OF LAKE MARY, FLORIDA, ACCEPTING CRYSTAL RESERVE SUBDIVISION PUBLIC IMPROVEMENTS AND FUTURE MAINTENANCE, APPROVING MAINTENANCE GUARANTEE IN THE FORM OF A SURETY BOND, APPROVING A CERTIFICATE OF COMPLETION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 155.22(D) (3), Code of Ordinances of the City of Lake Mary, Florida, requires a Developer to post a maintenance guarantee which is in the form of a bond from Developers Surety and Indemnity Company and Indemnity Company of California, companies duly authorized to do business in the State of Florida, satisfactory to the City Commission and in the amount of ten percent (10%) of the Engineer's sealed estimated construction cost of \$322,423.69 for items to be owned and maintained by the City; and

WHEREAS, Pulte Home Corporation, owner of Crystal Reserve subdivision ("Principal") is requesting acceptance of the public improvements for the Crystal Reserve subdivision and issuance of a Certificate of Completion.

NOW, THEREFORE, be it resolved by the City of Lake Mary, Florida, as follows:

Section 1. That the improvements requested to be accepted by the City of Lake Mary from the Owner of Crystal Reserve subdivision, recorded in Plat Book 80, Pages 18 & 19, in the public records of Seminole County, Florida, have been inspected and found to be constructed in compliance with the applicable ordinances and regulations

of the City of Lake Mary, Florida, and the Owner's plans and specifications are approved by City staff.

Section 2. That the estimated construction cost has been certified by Owner's Engineer of Record to be Three Hundred Twenty Two Thousand Four Hundred Twenty Three Dollars and Sixty Nine Cents (\$322,423.69) and that the sum has been reviewed and accepted by City staff.

Section 3. That the proposed maintenance guarantee is a bond for \$32,242.37 written by Developers Surety and Indemnity Company, and Indemnity Company of California, companies duly authorized to do business in the State of Florida as Surety which complies with the requirements of Section 155.22(D)(3), Code of Ordinances of the City of Lake Mary, Florida.

Section 4. That Owner submitted a Bill of Sale conveying,

1. The paved roadway including the sidewalk, curb, stormwater inlets, and stormwater sewer pipes within the Crystal Drive R-O-W, and
2. The potable water distribution system and sanitary sewer located within the public R-O-W along Crystal Drive,

Within the City of Lake Mary, Florida, in compliance with Chapter 155, Code of Ordinances of the City of Lake Mary, Florida.

Section 5. That the City of Lake Mary, Florida, hereby accepts for maintenance the public improvements constructed as part of Crystal Reserve subdivision.

Section 6. The City Commission approves the issuance of a Certificate of Completion for Crystal Reserve subdivision's public improvements.

Section 7. EFFECTIVE DATE: This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2016.

CITY OF LAKE MARY, FLORIDA

MAYOR, DAVID J. MEALOR

ATTEST:

CAROL A. FOSTER
CITY CLERK

Approved as to form and legality for use
And reliance upon by the City of Lake
Mary, Florida.

CITY ATTORNEY, CATHERINE REISCHMANN

CITY OF LAKE MARY
P.O. BOX 958445
LAKE MARY, FLORIDA 32795-8445

CERTIFICATE OF COMPLETION

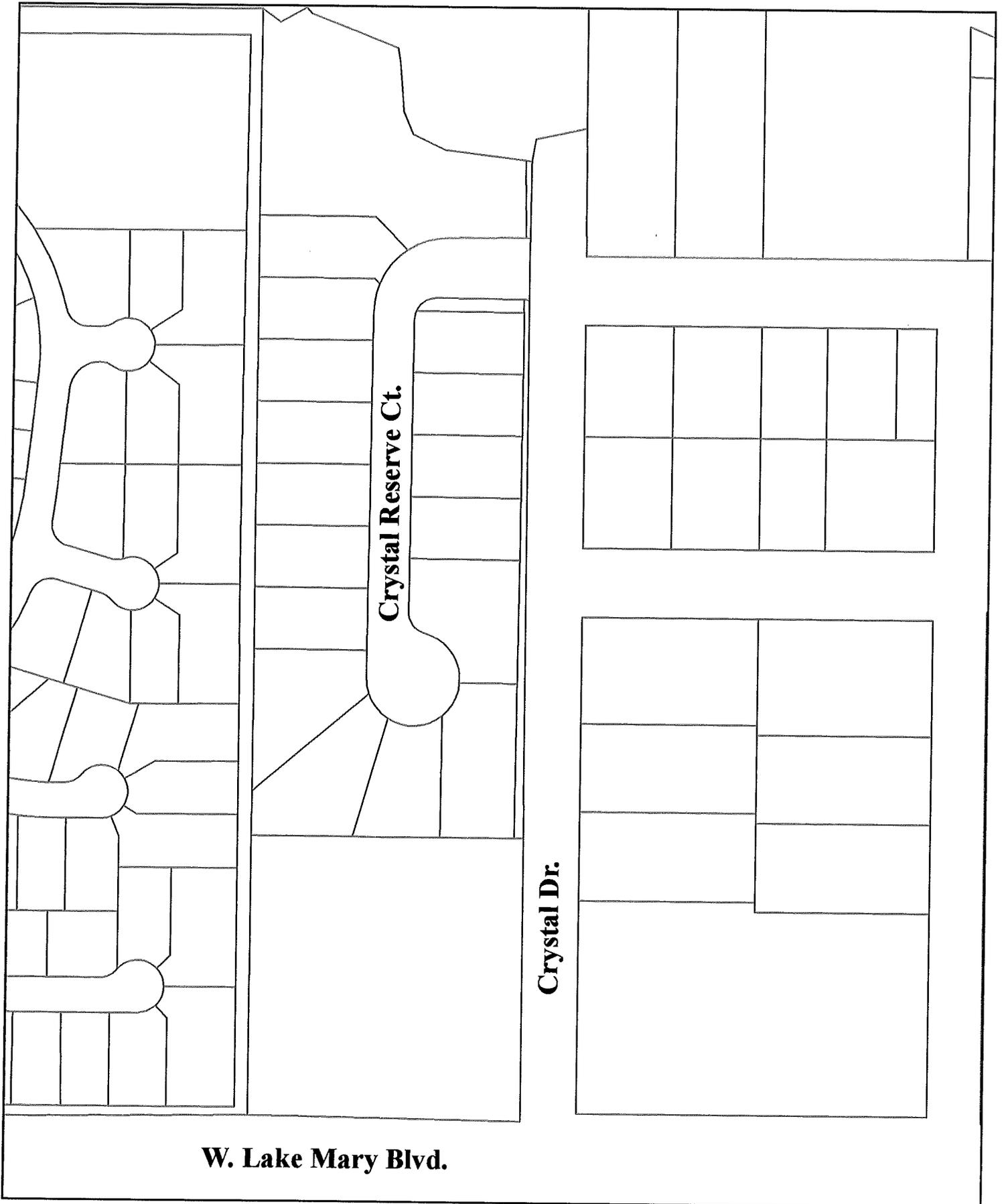
CRYSTAL RESERVE SUBDIVISION

On June 2, 2016, the City Commission at its regularly scheduled meeting approved RESOLUTION 983, a resolution of the CITY OF LAKE MARY, FLORIDA, accepting Crystal Reserve subdivision's public improvements and future maintenance, approving maintenance guarantee, and providing an effective date.

The Subdivision Improvements Maintenance Guarantee, a Surety Bond, will expire on June 2, 2018.

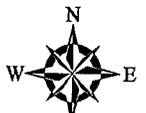
CITY OF LAKE MARY, FLORIDA

Bruce Paster, P.E.
Public Works Director



W. Lake Mary Blvd.

Crystal Reserve



STATE OF FLORIDA

COUNTY OF Orange

I HEREBY CERTIFY that, on this 5 day of May, 2016, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Clint Ball as VP of Land of PULTE HOME CORPORATION, a Michigan corporation, who is personally known to me or produced _____ as identification. He acknowledged before me ~~that they~~ executed the foregoing instrument as such officer in the name and on behalf of the company.

Nancy Medina
NOTARY SEAL



NANCY MEDINA
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF006904
Expires 6/30/2017

NOTARY PUBLIC SIGNATURE



IBI Group (Florida) Inc.
 2300 Maitland Center Parkway—Suite 101
 Maitland FL 32751 USA
 tel 407 660 2120
 fax 407 875 8308

November 11, 2015

City of Lake Mary Government
 Community Development Department
 Attn: Mr. Stephen Noto
 911 Wallace Court
 Lake Mary, FL 32746
 PH: 407-585-1440

Re: Estimate of Cost to Complete Site Construction
 Crystal Reserve Subdivision
 City of Lake Mary, Florida

Crystal Reserve Subdivision
 IBI File No. 37934
 City of Lake Mary Project #2015-FSP-05

To Mr. Noto,

IBI Group (Florida) Inc. is pleased to provide the following Engineer's Estimate of Cost to Complete Construction for the Site Civil Construction work related to the Crystal Drive roadway improvements and associated stormwater pond on the above referenced project.

The following cost itemization represents our estimate of the cost to complete at this time. It is provided to serve as a basis for determining the total cost needed for the required Performance Bond. This itemization is based on the construction bid/contract for the project provided by Brockman Site Development on November 11, 2015.

Earthwork

Pond/Road Area Only

Clearing and Grubbing Site (ROW, Pond Tract and 10' Wall Perimeter)	2.35	AC	\$8,675.00	\$20,386.25
Demo Asphalt and Fence	1	LS	\$8,836.00	\$8,836.00
Construction Entrance	1	EA	\$2,768.80	\$2,768.80
Silt Fence	1480	LF	\$1.50	\$2,212.60
Tree Protection	775	LF	\$4.89	\$3,787.81
Pond Retaining Wall (288 LF)(Base Price)	963	SF	\$23.80	\$22,921.56
Excavation	7914	CY	\$2.00	\$15,828.00
Embankment	62.5	CY	\$2.00	\$1,250.00
Dewater for Pond Excavation and Wall Construction	1	LS	\$15,558.00	\$15,558.00
ROW Tract Grading	16337	SY	\$0.50	\$8,168.50

Earthwork Sub-Total: \$ 101,717.52

Sanitary Sewer

8" PVC (6'-8')	358	LF	\$16.03	\$5,738.74
8" PVC (8'-10')	347	LF	\$17.50	\$6,072.50
Sanitary Manhole (0'-6')	1	EA	\$3,289.09	\$3,289.09
Sanitary Manhole (6'-8')	1	EA	\$4,176.48	\$4,176.48
Sanitary Manhole (8'-10')	1	EA	\$5,392.91	\$5,392.91
Double Services	2	EA	\$548.48	\$1,096.97
Single Services	2	EA	\$528.80	\$1,057.59
Fittings Air and TV Testing	1	LS	\$1,333.33	\$1,333.33

Sanitary Sewer Sub-Total: \$ 28,157.61

November 11, 2015

Potable Water System

6" Wet Tap	1	EA	\$3,028.15	\$3,028.15
Temporary Jumper	1	EA	\$1,672.41	\$1,672.41
8" PVC WM	65	LF	\$18.94	\$1,231.04

Potable Water System Sub-Total: \$ 5,931.59

Storm Drainage

15" RCP	94	LF	\$24.76	\$2,327.66
18" RCP	436	LF	\$30.46	\$13,280.61
24" RCP	353	LF	\$40.98	\$14,466.25
Type 3 Inlet	2	EA	\$3,857.22	\$7,714.44
Type 4 Inlet	2	EA	\$4,389.55	\$8,779.09
Control Structure	1	EA	\$3,509.02	\$3,509.02
Type C Inlet	1	EA	\$2,312.27	\$2,312.27
Concrete Flume	1	EA	\$517.50	\$517.50
15" MES	2	EA	\$897.63	\$897.63
24" MES	1	EA	\$1,020.68	\$1,020.68

Storm Drainage Sub-Total: \$ 55,722.77

Paving

12" Stab Subgrade LBR 40	3067	SY	\$4.49	\$13,769.19
8" Limerock Base	2561	SY	\$12.17	\$31,157.72
1.5" S-III Asphalt	2561	SY	\$8.05	\$20,616.05
Type F Curb	1516	LF	\$13.11	\$19,874.76
5' Sidewalk (Common Area Only)	1511	LF	\$16.81	\$28,093.69
ADA Ramps	11	EA	\$690.00	\$7,590.00
Striping and Signs	1	LS	\$1,725.00	\$1,725.00
Sod Pond Slopes	4170	SY	\$2.07	\$8,631.90
Sod 2' Back of Curb and Sidewalk	1027	SY	\$2.07	\$2,125.89

Paving Sub-Total: \$ 130,894.20

Grand Total Estimate of Cost to Complete Construction: \$ 322,423.69

Should you have any questions regarding the contents of our estimate or if we can be of further assistance, please do not hesitate to contact us.

Since you have received this estimate, please do not hesitate to contact us.

MARTIN CLASSON
PROFESSIONAL ENGINEER
 License No. 77006
 Luke M. Classon, P.E.
 Project Manager
 IBI Group (Florida) Inc.
 Date: 11/13/2015

Cc: Mark Peterson, Pulte Homes
 JR Green, Brockman Site Development

SUBDIVISION IMPROVEMENTS MAINTENANCE BOND

BOND NO. 764827S-1

Agreement made on between Pulte Home Corporation of 4901 Vineland Road, Suite 500, City of Orlando, State of Florida, referred to as principal, and of Developers Surety & Indemnity Company, of 80 E. Rio Salado, Parkway, Suite 706, Tempe, AZ 85281, referred to as surety and the City of Lake Mary, Florida, referred to as obligee.

RECITALS

The parties recite and declare:

- A. That, as surety, is authorized to do business in the state of Florida as a surety bonding company.
- B. That, as principal, and as surety, are firmly bound to the City of Lake Mary, Florida, in the penal sum of thirty two thousand two hundred forty two and 37/100 (\$32,242.37), and undertake to the City of Lake Mary, State of Florida, to guarantee for the period of two (2) years, from and after the date of issuance of the Certificate of Completion of subdivision improvements pursuant to plans and specifications approved for subdivision by the City of Lake Mary on August 25, 2015, said improvements required pursuant to § 155.01 et seq, Code of ordinances, City of Lake Mary, Florida, and all appendixes thereto and other ordinances of the City of Lake Mary.
- C. The obligations of this guarantee bond shall be deemed to be fulfilled at the end of two (2) years from the date of issuance of the Certificate of Completion for the improvements by the City provided that, at the time, all parts of every improvement shall be in good condition and constructed and maintained as required by the specifications of the applicable codes and regulations of the City of Lake Mary, Florida, and subdivision plans as approved on for.

TERMS

1. The , as principal, and , as surety, specifically warrant and guarantee to the City of Lake Mary, Florida, that in the event any improvement as so required shall not be in good repair and/or all damage to or defects in said improvements corrected and/or repaired or constructed or reconstructed, if found not to have been constructed and installed as required to the satisfaction of the City Commission of the City of Lake Mary, Florida, before or at the time of expiration of two (2) years from the date of issuance of Certificate of Completion; then and in that event the improvement or improvements shall be placed in a condition of good repair and/or replaced or reconstructed to the standard of the original specifications at the principal's expense, all to the satisfaction of the City Commission. Further the terms and conditions of this bond and the obligations hereof shall extend until such time as all necessary repairs and/or reconstruction shall have been made, approved and accepted by the City Commission.
2. If the principal shall fully comply with the terms and conditions of this Subdivision Improvements Maintenance Bond and further, if the principal shall fully indemnify the City of Lake Mary, Florida, for all loss that the City of Lake Mary, Florida, may sustain by reason of any defect in materials, construction or failure on the part of principal to fully maintain said subdivision improvements, for the period of two (2) years from and after the issuance of

Certificate of Compliance, or thereafter until this bond shall be fully discharged, then this obligation shall be void; otherwise, it shall remain in full force and affect.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, the 1st day of February, 2016.

Signed, sealed and delivered in presence of:

As to Principal By

Pulte Home Corporation

As Principal



BY: Bryce Langen, Assistant Treasurer

Developers Surety & Indemnity Company

As to Surety



BY: Jessica Hollaender, Attorney-in-Fact

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300**

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Jeremy Polk, Jessica Hollaender, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this January 29, 2015.

By: *Daniel Young*
Daniel Young, Senior Vice-President

By: *Mark Lansdon*
Mark Lansdon, Vice-President



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On January 29, 2015 before me, Lucille Raymond, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Daniel Young and Mark Lansdon
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Signature *Lucille Raymond*
Lucille Raymond, Notary Public



Place Notary Seal Above

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 1st day of February . 2016

By: *Cassie J. Berrisford*
Cassie J. Berrisford, Assistant Secretary

RECEIVED

DEC 03 2015

CITY OF LAKE MARY
COMMUNITY DEVELOPMENT DEPT.

155.65 SUBDIVISION IMPROVEMENTS PERFORMANCE SURETY BOND.

The form and conditions of a subdivision improvements performance surety bond shall be as follows:

CITY OF LAKE MARY
SUBDIVISION IMPROVEMENTS
PERFORMANCE BOND
Bond NO. 764827S

KNOW ALL MEN BY THESE PRESENTS: that Pulte Home Corporation of 4901 Vineland Road Suite 500, Orlando FL 32811, as Principal, hereinafter called "Developer", and Developers Surety and Indemnity Company, as Surety, hereinafter called "Surety", are held and firmly bound unto the City of Lake Mary, Florida, 100 W. Lake Mary Blvd., Lake Mary, Florida 32746, as Obligee, hereinafter called "City" in the amount of three hundred twenty two thousand four hundred twenty three and 69/100 (\$322,423.69) for the payment whereof Developer and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Developer is obligated pursuant to the ordinances of the City of Lake Mary, Florida, and a Developer's Agreement dated November 11, 2015 to City for the installation and construction of various and sundry subdivision improvements as required for the Crystal Reserve at Lake Mary as to be approved by the City Commission on December 17, 2015 ; which ordinances, Development Agreement and subdivision approval are by reference made a part hereof and are hereinafter collectively referred to as the "Contract".

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that, if Developer shall promptly and faithfully perform said Contract, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety hereby waives notice of any alteration or extension of time or amendment of the Developer's Agreement or subdivision approval made by the City.

Whenever Developer shall be, and declared by City to be, in default under the contract, the Surety shall promptly remedy the default by:

Obtaining a bid or bids for completing the Contract in accordance with its terms and conditions, and upon determination by the City and the Surety jointly of the lowest responsible bidder, arranging for a contract between such bidder and City, and making available as Work progresses (even though there should be a default or a succession of defaults under the Contract or contracts of completion arranged under this paragraph) sufficient funds to pay the cost of completion but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof.

Any suit under this bond must be instituted before the expiration of three (3) years from the date on which subdivision approval was first given by the City Commission of the City of Lake Mary, Florida. No right of action shall accrue on this bond to or for the use of any person or corporation other than the City named herein or the successors of the City.

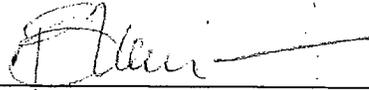
RECEIVED

DEC 03 2015

CITY OF LAKE MARY
COMMUNITY DEVELOPMENT DEPT.

Signed and sealed this 1st day of December, 2015 .

Pulte Home Corporation
Developer

BY: 
Bryce Langen, Assistant Treasurer

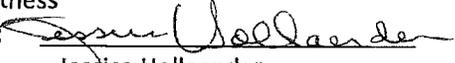
Witness

By: 
Bernard J. Saunders

Developers Surety and Indemnity Company
Surety

BY: 
Jeremy Polk, Attorney-in-Fact

Witness

By: 
Jessica Hollaender

RECEIVED

DEC 03 2015

POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300

CITY OF LAKE MARY
COMMUNITY DEVELOPMENT DEPT.

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Jeremy Polk, Jessica Hollaender, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this January 29, 2015.

By: *Daniel Young*
Daniel Young, Senior Vice-President
By: *Mark Lansdon*
Mark Lansdon, Vice-President



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On January 29, 2015 before me, Lucille Raymond, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Daniel Young and Mark Lansdon
Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Lucille Raymond*
Lucille Raymond, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 1st day of December, 2015.

By: *Cassie J. Berrisford*
Cassie J. Berrisford, Assistant Secretary



MEMORANDUM

DATE: June 2, 2016

TO: Mayor and City Commission

FROM: Stephen J. Noto, AICP
City Planner

THRU: John Omana, Community Development Director

VIA: Jackie Sova, City Manager

SUBJECT: Ordinance No. 1545 - Repealing Chapter 132 of the Code of Ordinances entitled "Offenses Against Persons and Property", creating a new Section 157.24 "Injuring Shade Trees" and amending Section 4 "Sign Permits and Construction and Maintenance Standards" of Appendix I "Sign Code" to incorporate sign restrictions being repealed - First Reading (Public Hearing) (Steve Noto, City Planner)

BACKGROUND: It was recently discovered that a number of regulations in Chapter 132 of the City's Code of Ordinances were either in direct conflict with State Statutes or were antiquated. As a result, through coordination with the City Clerk, City Attorney, and City Manager, staff has prepared a number of changes to Chapters 155, Appendix I (Sign Code) and Chapter 157 (Landscape Code). In addition, staff is requesting to repeal all of Chapter 132.

The changes to Chapter 155, Appendix I are as follows:

- Moving existing sections 132.12 (Sign Restrictions) and 132.13 (Violation of Sign Restrictions) to existing Chapter 155, Appendix I, Section 4 (Sign permits and construction and maintenance standards). The regulations are relevant, and are being moved to a more appropriate section of the Code of Ordinances.

The changes to Chapter 157 are as follows:

- Moving existing section 132.09 (Injuring Shade Trees) to a new section of Chapter 157 (157.24). The regulation is relevant, and is being moved to a more appropriate section of the Code of Ordinances.

The text of the regulations are outlined in the attached draft Ordinance.

PLANNING AND ZONING BOARD: At their regular May 24, 2016 meeting, the Planning and Zoning Board unanimously recommended approval, 5-0, of the requested changes to the Code of Ordinances as outlined above, with the following conditions:

1. In Section 154.27, add language “along the lines of unlawful for any person to intentionally, or recklessly, or maliciously remove, injure, or attempt to”. Something along a mens rea and an attempt qualification should be included.
2. Section 4, (5) ii, it says approved by “him”, which should either be the Building Official or by him/her for purposes of the statute.
3. Page 4, vii, recommended to add “as determined by the Building Official” or other appropriate person. Also to look at adding a metric or quantifier.

FINDING OF FACT: Staff recommends approval of the requested changes to the Code of Ordinances, which includes:

- Repealing Chapter 132 “Offenses Against Persons and Property”
- Creation of Section 157.24 of Chapter 157 “Landscaping and Arbor Regulations”
- Amending of Appendix I “Sign Code” of Chapter 155 “Subdivision Regulations”

ATTACHMENTS:

- Ordinance No. 1545
- May 24, 2016 Planning & Zoning Board Minutes

ORDINANCE NO. 1545

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA, REPEALING IN ITS ENTIRETY CHAPTER 132 "OFFENSES AGAINST PERSONS AND PROPERTY" OF THE CODE OF ORDINANCES OF THE CITY OF LAKE MARY; CREATING A NEW SECTION 157.24 "INJURING SHADE TREES" IN CHAPTER 157 "LANDSCAPING AND ARBOR REGULATIONS" TO INCORPORATE EXISTING LANDSCAPE RESTRICTIONS CONTAINED WITHIN CHAPTER 132; AMENDING SECTION 4 "SIGN PERMITS AND CONSTRUCTION AND MAINTENANCE STANDARDS" OF APPENDIX I "SIGN CODE" OF CHAPTER 155 "SUBDIVISION REGULATIONS" TO INCORPORATE EXISTING SIGN RESTRICTIONS REPEALED IN CHAPTER 132; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City requested a review of Chapter 132, "Offenses Against Persons and Property" of the City Code for the purpose of amending or repealing sections that have become antiquated or legally infirm; and

WHEREAS, Sections 132.01 through 132.13 address assault, throwing stones, missiles, trespass, stealing of bicycles, petit larceny, concealing stolen property, injuring property, taking or using property of another, injuring of shade trees, spitting or littering on public places, tampering with scales, sign restrictions and penalties; and

WHEREAS, assault is generally regulated pursuant to Section 784.011, Florida Statutes, and trespass is generally regulated pursuant to Chapter 810, Florida Statutes; and

WHEREAS, theft and petit theft is generally regulated pursuant to Chapter 812, Florida Statutes; and

WHEREAS, injuring property or criminal mischief is generally regulated pursuant to Section 806.13, Florida Statutes; and

WHEREAS, littering is regulated pursuant to the Florida Litter Law, Section 403.413, Florida Statutes, and tampering with scales is regulated pursuant to Chapter 531, Florida Statutes; and

WHEREAS, due to all of these statutory provisions, Chapter 132 is in large part antiquated and duplicative of state law; and

WHEREAS, the City Commission of the City of Lake Mary finds that the repeal of Chapter 132 and the relocation of existing landscaping and sign restrictions is in the best interests of the public health, safety, and welfare of the citizens of Lake Mary.

IT IS HEREBY ENACTED BY THE CITY OF LAKE MARY AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are hereby fully incorporated herein by this reference as legislative findings and the intent and purpose of the City Commission of the City of Lake Mary.

Section 2. Repeal of Chapter 132 “Offenses Against Persons and Property”. That Chapter 132 “Offenses Against Persons and Property” of the Code of Ordinances of the City of Lake Mary is hereby repealed in its entirety.

Section 3. Creation of Section 157.24 of Chapter 157 “Landscaping and Arbor Regulations”. That Section 157.24 “Injuring Shade Trees” of Chapter 157 “Landscaping and Arbor Regulations” is hereby established as follows (underlined type indicates additions to the original text):

Section 157.24 Injuring Shade Trees

It shall be unlawful for any person to cut down, cut, bruise, or otherwise injure any municipally-owned shade tree within the corporate limits of the city.

Section 4. Amendment of Appendix I “Sign Code” of Chapter 155 “Subdivision Regulations”. That Section 4 “Sign Permits and Construction and Maintenance Standards” of Appendix I “Sign Code” of Chapter 155 “Subdivision

Regulations” is hereby amended to read as follows (underlined type indicates additions to the original text and strike through shall constitute deletions to the original text, and asterisks (* * *) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance):

SECTION 4 – SIGN PERMITS AND CONSTRUCTION AND MAINTENANCE STANDARDS

(B) Construction and maintenance standards. All signs shall be constructed and maintained in accordance with the following standards:

(1) Code compliance. All signs shall be constructed and maintained in accordance with the provisions and requirements of the city's building codes, electrical codes and all other applicable codes.

(2) Copy. All copy shall be maintained so as to be legible and complete.

(3) Structure. All signs shall be maintained in a vertical position unless originally permitted otherwise, and in good and safe condition at all times.

(4) Damage. Damaged faces or structural members shall be repaired.

(5) Safety. The construction and maintenance of all signs using electric power in any manner shall be subject to the following requirements:

i. Electrical systems and fasteners shall be maintained at all times in a safe condition.

ii. Plans and locations shall be approved by the Building Official, and such signs shall be inspected and approved by him before operation. All such signs must be installed by a qualified and licensed electrician in accordance with provision of the National Electrical Code.

iii. Proximity to electrical conductor: No signs shall be erected closer than ten feet to any overhead electrical conductor, where the difference in potential between any two conductors or between one conductor and ground exceeds 750 volts.

iv. All exterior electrical outlets for signs shall terminate in a galvanized box with a blank cover, which shall be flush with and not protrude beyond the finished surface of the exterior wall.

v. Transformer boxes, outlets, conduits, and other accessory equipment for any sign shall be placed so that they are not visible from the exterior.

vi. Wooden signs shall not have electrical lights or fixtures attached to them in any manner.

vii. No electrical sign shall be so lighted or maintained as to throw a glare or blinding light into any street, highway, or other

public thoroughfare, which would be likely to blind or impair the vision of any motorists upon the street, highway, or thoroughfare.

Section 5. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

Section 6. Codification. It is the intention of the City Commission of the City of Lake Mary, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lake Mary, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to "Section," "Article," or other appropriate word.

Section 7. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 8. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED this ____ day of _____, 2016

FIRST READING: _____, 2016

SECOND READING: _____, 2016

CITY OF LAKE MARY FLORIDA

DAVID J. MEALOR, MAYOR

ATTEST:

CITY CLERK, CAROL A. FOSTER

FOR THE USE AND RELIANCE OF THE CITY OF LAKE MARY ONLY
APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY, CATHERINE D. REISCHMANN

MINUTES OF THE LAKE MARY PLANNING & ZONING BOARD MEETING held May 24, 2016, 6:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake Mary, Florida.

I. Call to Order

The meeting was called to order by Chairman Robert Hawkins at 6:00 P.M.

II. Moment of Silence

III. Pledge of Allegiance

IV. Roll Call – Determination of a Quorum

Chairman Robert Hawkins
Vice Chairman Colleen Taylor

Member Sam Aycoth

Member Steven Gillis

Member Justin York

Alternate Member Scott Threlkeld

John Omana, Community Development Dir.

Steve Noto, City Planner

Mary Campbell, Deputy City Clerk

V. Approval of Planning & Zoning Board Minutes – April 26, 2016

Colleen Taylor moved to approve the Planning & Zoning Board minutes of April 26, 2016, seconded by Justin York and motion carried unanimously 5 - 0.

VI. Citizen Participation: This is an opportunity for anyone to come forward and address this Board on any matter relating to this Board or its actions. This also includes: 1) any item not specifically listed on a previous agenda but discussed at a previous board meeting or 2) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda and public input will be taken when the item is considered.

No one came forward at this time and citizen participation was closed.

VII. City staff and the applicant, or the agent for the applicant, will make their presentations first, followed by questions from the Planning and Zoning Board members. After the presentations from staff and the applicant, the chairman will open the public hearing portion of the meeting to allow interested parties to speak for or against the item being considered. The public is instructed to keep their presentation factual, not be redundant, and to direct all comments to the Board, not to the applicant or staff. From time to time, it may become necessary for the Chairman to limit the time that speakers may have. If a time limit is to be imposed, it will be announced at the time that the public hearing is opened. If a speaker wishes to be heard for the record but does not have any new information regarding the item being considered, the speaker shall give his/her name and address for the record and state that they agree with the presentation made by a previous speaker, giving the specific name of the person. When the Chairman

believes that no additional information is forthcoming, the Chairman shall close the public hearing portion of the meeting.

VIII. Old Business

There was no old business to discuss at this time.

IX. New Business

- A. 2016-ZTA-01: A recommendation to the Mayor and City Commission regarding City initiated modifications to City Code Chapters 132, 155 Appendix I, and 157. Applicant: City of Lake Mary

Mr. Noto said this item is basically some code cleanup. As outlined in the staff report, the City has taken a look at Chapter 132 and all of its subsections and found it is part of the code that needs to be cleaned up, tossed out, moved around, etc. Planning staff has been put in charge of shifting some items from Chapter 132 that have to do with the sign restrictions and the injuring of shade trees. We moved the sign changes to Chapter 155, Appendix I and Chapter 157 will be for the landscape changes.

Mr. Noto said the items from Chapter 132 having to do with signage have more to do with building code issues and not so much our typical regulations. It has to do more with electrical information.

Mr. Noto said the shade tree regulations have to do with injuring City-owned trees. Chapter 157 already has rules and regulations as it relates to privately-owned trees so this will move the City-owned tree information into Chapter 157 into a new subsection.

Mr. Noto said these items will be moving on to the City Commission meeting of June 2nd. Staff is recommending approval of the changes. We have a draft ordinance as part of the report put together by the City Attorney so you can see more detail about the rules and regulations.

Vice Chairman Taylor said in 157.24 she had a question about the structure of it. It is kind of a legal question. There is no requirement of any kind of guilty mind so technically the way it is written if somebody hits me and my car crashes into a City tree and knocks it over, I have committed an unlawful act. There is nothing that says it needs to be intentional, reckless, malicious, or anything. The federal government is trying to move away from that because it traps well-meaning people in bad spots. I think the City should also move away from that and then it becomes a policy decision of what you want that to be. Clearly you don't want it to be accidental. She recommended something along the lines of unlawful for any person to intentionally, or recklessly, or maliciously remove, injure, or attempt to. She thought a mens rea and an attempt qualification need to be in there. Generally in the statute it informs the person of the consequence and shall be punished by whatever means you want. Is it going to be codified as a secondary misdemeanor or if it's going to be punishable by City fine or ordinance. She said she didn't know the answers to those but thought those were things important to have in it.

Mr. Noto said we will pass those comments to the City Attorney.

Vice Chairman Taylor said in Section 4, (5) ii., it says approved by “him” which didn’t bother her but does get some people riled up. It should either be the Building Official or by him/her for purposes of the statute.

Vice Chairman Taylor said on Page 4, vii, you want to enforce these and help people. She asked if there was a quantifier that decides when something is too glaring or blinding. If there is not a number or a meter that they use, she recommended to add “as determined by the Building Official” or whatever person. Someone has to be the one who says it. She was sure they wouldn’t want the Council to have to take a vote on whether it is or not.

Chairman Hawkins said he didn’t receive his packet until the mail today and didn’t have a lot of time to research his two requests. Whether it is appropriate to put these requests into this modification of the sign code or subsequently research this and make a formal change, he would like to see two things added to the sign code. One is for panhandlers within the City. On September 16, 2014, the Sentinel had a good article on panhandlers. Sanford has an ordinance, Orange, Osceola, Hillsborough, Pasco Counties all have ordinances. The Cities of Orlando, Altamonte Springs, Casselberry, and Tampa all have ordinances. This is a public safety issue. There has been a newspaper guy killed when he stepped off a curb in front of a car. He thought that should have an exemption for non-profit people. Every year at Labor Day the firefighters collect money, and the Shriners collect money. All those people who aren’t public officials like firefighters ought to have a permit to do this. He would like staff to research the panhandling ordinances and see if they can come up with some appropriate legal language. This has been passed everywhere around here and in Florida.

Chairman Hawkins said the second thing is to come up with some language about human billboards—the roadside solicitors. That one he didn’t get a chance to do much research on. He thought Seminole County was headed that way but didn’t know what they came up with. He would like to see some research into an ordinance to prohibit, license, or permit these guys twirling signs, doing dances, standing on ladders. It’s a public safety issue because it’s like having a flashing billboard. People pay attention to these and they are not paying attention to their driving.

Mr. Omana said he thought Casselberry had something along those lines. He recommended letting staff take those two items forward to administration and let this ordinance go on its own since it is a cleanup thing. We will bring that to the City Manager’s attention and move forward.

Chairman Hawkins said he knew staff had all the phone numbers and e-mail addresses for all the cities and municipalities around here so they could send an e-mail asking them to send their ordinance.

Chairman Hawkins asked if anyone wanted to speak in reference to this item. No one came forward and the public hearing was closed.

Member York said he appreciated all the comments and suggestions that were made and thought they were good.

Justin York moved to approve 2016-ZTA-01, recommendation to the Mayor and City Commission regarding City initiated modifications to City Code Chapters 132, 155 Appendix I, and 157 with the comments previously stated. Seconded by Sam Aycoth and motion carried unanimously 5 – 0.



CITY MANAGER'S REPORT

DATE: June 2, 2016
TO: Mayor and City Commission
FROM: Jackie Sova, City Manager
SUBJECT: City Manager's Report

ITEMS FOR COMMISSION ACTION:

1. Employee Health Insurance.
2. Professional Debris Removal Services Contract Extensions.
3. Surplus scanner.



CITY MANAGER'S REPORT

DATE: June 2, 2016
TO: Mayor and City Commission
VIA: Jackie Sova, City Manager
SUBJECT: Employee Health Insurance

Constant changes to health insurance regulations combined with ever increasing medical costs and market trends require that we frequently review and address the best options to provide health insurance benefits to our employees. In the past four years, that has included the decision to move to a self-insured health plan along with opening our Employee Wellness Center.

The Employee Wellness Center has provided a significant reduction in pharmaceutical costs and the anticipated reduction in costs to the health plan. Last year, after two years of very high claims, the best option available for a health plan was a single HMO option utilizing Florida Blue as the third-party administrator and Highmark as the stop loss insurer for those claims over \$75,000.

At renewal time we were shocked to receive a negotiated quote of an increase of 39.4% to renew our current plan from Florida Blue. With only one claim barely reaching the stop loss point we had thought the renewal would have been much lower. At that point, we felt it best to select a new benefits broker. Our new broker, Gallagher Benefit Services, was very responsive and received additional quotes from Florida Blue as well as United Health Care, Humana, Cigna and the Public Risk Management of Florida Health Trust.

The PRM Health Trust proposal provided the best coverage options and lowest total plan cost. The PRM Health Trust is affiliated with our property and casualty insurance pool. The Trust consists of 47 public entities and over 6,100 covered employees. This selection would enable us to become part of a group with much greater negotiating power than we have at this point. From a practical standpoint, the Trust would also

become much more like a traditional insurance company reducing the City's fiduciary responsibilities. The City would have a voting representative on the board of the pool.

The first year of the PRM Health Plan provides for a 15-month rate guarantee moving our annual renewal date to October 1st, the same as all members in the Health Trust.

Although the third party administrator will still be Florida Blue, we will offer a PPO plan and will again offer two (2) plan selections, a basic plan and a buy-up plan. By changing to a PPO platform, out of network coverages will become available and we do not expect the issues we have encountered under the current HMO plan. PRM has greater options for problem resolution and will become our liaison with Florida Blue for any problems that do arise.

The City still has some obligations to conclude under the current self-insurance plan and will absorb the 1.8% cost of making this change to the Public Risk Management Health Trust.

New payroll deductions for the medical plan will be:

Bi-Weekly Active Employees:	BASIC PLAN	
	Employee + Family (Hired before 2/1/1990)	\$ 233.70
	Employee (Hired after 2/1/1990)	\$ 12.00
	Employee + Family (Hired after 2/1/1990)	\$ 293.07
Monthly – City Commission		
	Employee	\$ 26.00
	Employee + Family	\$ 634.98
Monthly – Retiree, Cobra:		
	Employee	\$ 655.66
	Employee + Family	\$1,264.64
	(Cobra = monthly rates + 2%)	

Bi-Weekly Active Employees:	BUY-UP PLAN	
	Employee + Family (Hired before 2/1/1990)	\$ 298.50
	Employee (Hired after 2/1/1990)	\$ 36.00
	Employee + Family (Hired after 2/1/1990)	\$ 357.87
Monthly – City Commission		
	Employee	\$ 78.00
	Employee + Family	\$775.39
Monthly – Retiree, Cobra:		
	Employee	\$ 707.67
	Employee + Family	\$1,405.04
	(Cobra = monthly rates + 2%)	

All other insurance benefit plans have multi-year rate guarantees and were not subject to renewal at this time.

RECOMMENDATION: The Commission authorize the City Manager to execute the contract and by-laws with Public Risk Management of Florida Health Trust and the Voya Disclosure Agreement for healthcare benefits.

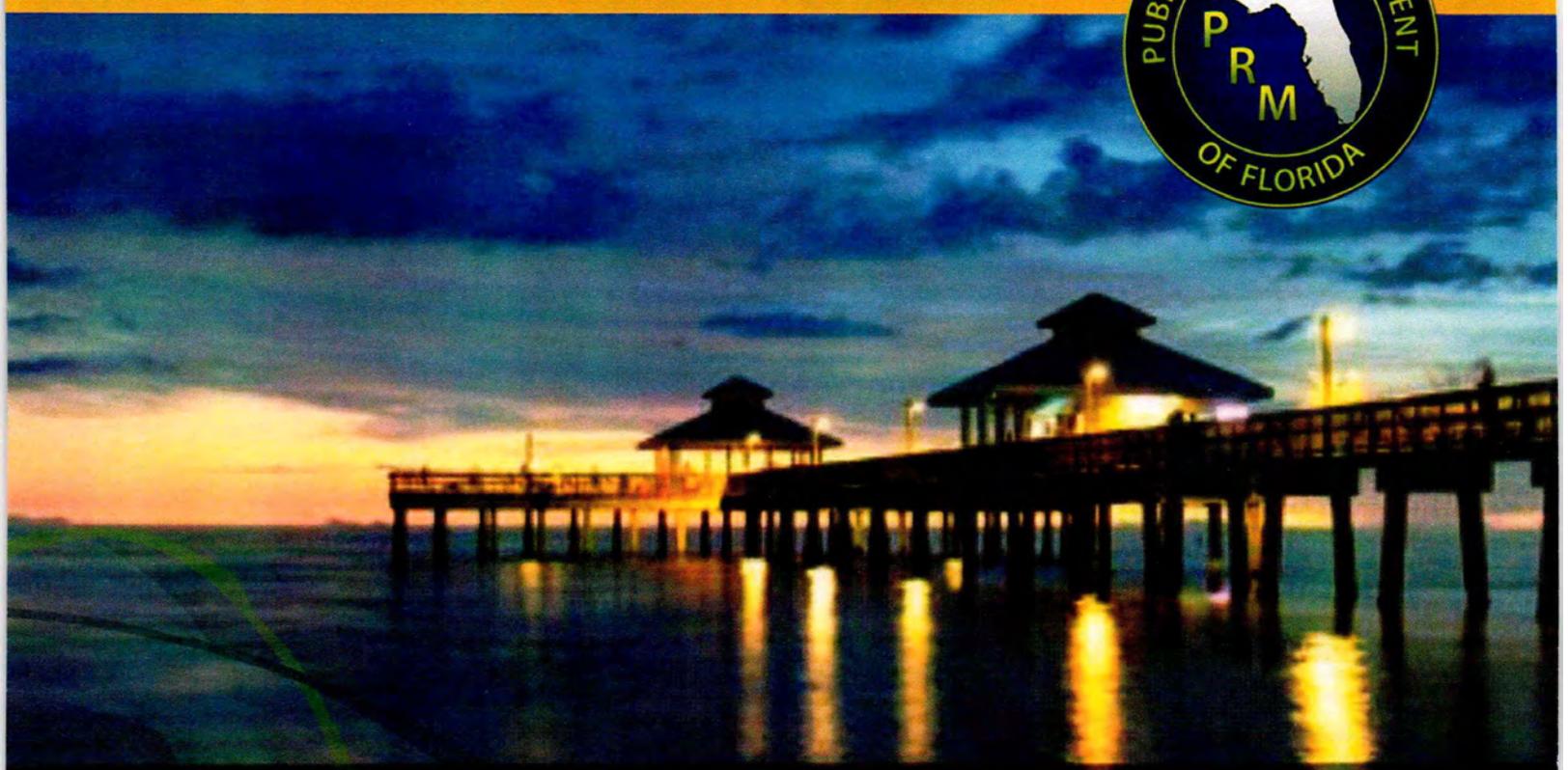
Cost Sharing	BlueChoice	BlueOptions	Current Plan
Per Benefit Period (BPM)	(Buy-up)	(Basic)	Blue Care HMO
Deductible (DED) (Per Person/Family Agg)			
In-Network	\$500 / \$1,500	\$750 / \$2,250	\$750 / \$1,500
Out-of-Network	Combined with In-Network	Combined with In-Network	NA
Coinsurance (Member Responsibility)			
In-Network	20%	20%	10%
Out-of-Network	40%	40%	NA
Out of Pocket Maximum	Includes DED, Coinsurance, Copays, Excludes RX	Includes DED, Coinsurance, Copays, Excludes Rx	Includes DED, Coinsurance, Copays, Includes Rx
In-Network	\$1,500 / \$4,500	\$3,000 / \$9,000	\$1,500 / \$3,000
Out-of-Network	Combined with In-Network	Combined with In-Network	NA
Lifetime Maximum	No Maximum	No Maximum	No Maximum
Professional Provider Services			
Allergy Injections			
In-Network Family Physician	\$10	\$10	\$20
In-Network Specialist	\$10	\$10	\$20
Out-of-Network	DED + 40%	DED + 40%	NA
E-Office Visit Services			
In-Network Family Physician	\$15	\$10	\$15
In-Network Specialist	\$15	\$10	\$15
Out-of-Network	DED + 40%	DED + 40%	NA
Office Services			
In-Network Family Physician	\$15	\$20	\$20
In-Network Specialist	\$15	\$35	\$45
Out-of-Network	DED + 40%	DED + 40%	NA
Provider Services at Hospital and ER			
In-Network Family Physician	DED + 20%	DED + 20%	DED + 10%
In-Network Specialist	DED + 20%	DED + 20%	DED + 10%
Out-of-Network	DED + 20%	In-Ntwk DED + 20%	NA
Provider Services at Other Locations			
In-Network Family Physician	DED + 20%	DED + 20%	\$20
In-Network Specialist	DED + 20%	DED + 20%	\$45
Out-of-Network	DED + 40%	DED + 40%	NA
Radiology, Pathology and Anesthesiology Provider Services at Hospital or Ambulatory Surgical Center			
In-Network Specialist	DED + 20%	DED + 20%	DED + 10%
Out-of-Network	DED + 40%	DED + 40%	NA

Preventive Care			
Adult Wellness Office Services	No Maximum	No Maximum	No Maximum
In-Network Family Physician	\$0	\$0	\$0
In-Network Specialist	\$0	\$0	\$0
Out-of-Network	40% (No DED)	40% (No DED)	NA
Colonoscopies (Routine)			
In-Network	\$0	\$0	\$0
Out-of-Network	40% (No DED)	\$0	NA
Mammograms (Routine and Dx)			
In-Network	\$0	\$0	\$0
Out-of-Network	\$0	\$0	NA
Well Child Office Visits (No BPM)	No Maximum		
In-Network Family Physician	\$0	\$0	\$0
In-Network Specialist	\$0	\$0	\$0
Out-of-Network	40% (No DED)	40% (No DED)	NA
Emergency / Urgent / Convenient Care			
Ambulance Maximum (per day)	No Maximum	\$5,500	
In-Network	DED + 20%	DED + 20%	10% no ded
Out-of-Network	In-Ntwk DED + 20%	In-Ntwk DED + 20%	10% no ded
Convenient Care Centers (CCC)			
In-Network	\$15	\$20	\$20
Out-of-Network	DED + 40%	DED + 40%	NA
Emergency Room Facility Services (also see Professional Provider Services)			
In-Network	DED + 20%	\$100 + 20%	\$200 copay
Out-of-Network	DED + 20%	\$100 + 20%	\$200 copay
Urgent Care Centers (UCC)			
In-Network	\$15	\$35	\$75
Out-of-Network	DED + 40%	DED + 40%	NA
Facility Services - Hosp/Surg/ICL/IDTF			
Unless otherwise noted, physician services are in addition to facility services.			
Ambulatory Surgical Center			
In-Network	DED + 20%	\$100	\$200 copay
Out-of-Network	DED + 40%	DED + 40%	NA
Independent Clinical Lab			
In-Network	20% (No DED)	\$0	\$0
Out-of-Network	40% (No DED)	DED + 40%	NA
Independent Diagnostic Testing Facility - X-rays and AIS (Includes Physician Services)			CT, PET, MRI
In-Network - Advanced Imaging Services (AIS)	\$15	\$100	\$125/\$150
In-Network - Other Diagnostic Services	\$15	\$100	
Out-of-Network	DED + 40%	DED + 40%	NA
Facility Services - Hosp/Surg/ICL/IDTF			
Unless otherwise noted, physician services are in addition to facility services.			
Inpatient Hospital (per admit)			
In-Network	DED + 20%	Option 1 - \$750 / Option 2 \$1,250	DED + 10%
Out-of-Network	\$300 PAD + DED + 40%	\$2,000	NA
Inpatient Rehab Maximum	No Maximum	21 Days	30 days
Outpatient Hospital (per visit)			
In-Network	DED + 20%	Option 1 - \$150 / Option 2 \$250	DED + 10%
Out-of-Network	DED + 40%	\$350	NA

Therapy at Outpatient Hospital			
In-Network	DED + 20%	Option 1 - \$150 / Option 2 \$250	\$65 copay
Out-of-Network	DED + 40%	\$350	NA
MENTAL HEALTH AND SUBSTANCE ABUSE			
Inpatient Hospitalization			
In-Network	DED +20%	Option 1 \$750 / Option 2 \$1,250	DED + 10%
Out-of-Network	\$300 PAD + DED + 40%	\$2,000	NA
Outpatient Hospitalization (per visit)			
In-Network	DED + 20%	Option 1 - \$150 / Option 2 \$250	\$45 copay
Out-of-Network	DED + 40%	\$350	NA
Provider Services at Hospital and ER			
In-Network Family Physician or Specialist	DED + 20%	DED + 20%	DED + 10%
Out-of-Network Provider	DED + 40%	DED + 40%	NA
Physician Office Visit			
In-Network Family Physician	\$15	\$20	\$20
In-Network Specialist	\$15	\$35	\$45
Out-of-Network Provider	DED + 40%	DED + 40%	NA
Emergency Room Facility Services (per visit)			
In-Network	DED + 20%	\$100 + 20%	\$200
Out-of-Network	DED + 20%	\$100 + 20%	NA
Provider Services at Locations other than Hospital and ER			
In-Network Family Physician	DED + 20%	DED + 20%	\$20
In-Network Specialist	DED + 20%	DED + 20%	\$45
Out-of-Network Provider	DED + 40%	DED + 40%	NA
Other Special Services and Locations			
Advanced Imaging Services in Physician's Office			
In-Network Family Physician	\$15	\$20	\$125
In-Network Specialist	\$15	\$35	\$125
Out-of-Network	DED + 40%	DED + 40%	NA
Birthing Center			
In-Network	DED + 20%	DED + 20%	DED + 10%
Out-of-Network	DED + 40%	DED + 40%	NA
Diabetic Equipment and Supplies*			
In-Network	DED + 20%	DED + 20%	test strips/lancet PHAR DED + 10%
Out-of-Network	DED + 40%	DED + 40%	NA
Durable Medical Equipment, Prosthetics, Orthotics BPM			
	No Maximum	No Maximum	
	All Other: No Maximum	All Other: No Maximum	
In-Network	DED + 20%	DED + 20%	DED + 10%
Out-of-Network	DED + 40%	DED + 40%	NA
Home Health Care BPM			
	20 Visits	20 Visits	60 Visits
In-Network	DED + 20%	DED + 20%	DED + 10%
Out-of-Network	DED + 40%	DED + 40%	NA
Hospice LTM			
	No Maximum	No Maximum	No Maximum
In-Network	DED + 20%	DED + 20%	DED + 10%
Out-of-Network	DED + 40%	DED + 40%	NA
Outpatient Therapy and Spinal Manipulations BPM			
	54 Visits (Includes up to 26 Spinal Manipulations)	35 Visits (Includes up to 26 Spinal Manipulations)	40 Visits (Includes up to 20 Spinal Manipulations)
Skilled Nursing Facility BPM			
	60 Days	60 Days	60 Days
In-Network	DED + 20%	DED + 20%	DED + 10%
Out-of-Network	DED + 40%	DED + 40%	NA

Prescription Drugs

Deductible			
In-Network - Retail (30 Days)			
Retail (30 Days)			
Generic/Preferred Brand/Non-Preferred	\$5 / \$35 / \$35	\$10 / \$25 / \$60	\$15 / \$40 / \$75
Mail Order (90 Days)			
Generic/Preferred Brand/Non-Preferred	\$10 / \$70 / \$70	\$20 / \$50 / \$120	\$37.50 / \$100 / \$187.50
Out-of-Network - Retail (30 Days)			
Retail (30 Days)			
Generic/Preferred Brand/Non-Preferred	50% of allowance	50% of allowance	NA
Mail Order (90 Days)			
Generic/Preferred Brand/Non-Preferred	50% of allowance	50% of allowance	
Medical Pharmacy (Provider-Administered Rx)**			
In-Network	See Location of Service	See Location of Service	
Out-of-Network	See Location of Service	See Location of Service	



An Introduction to the
Public Risk Management of Florida Health Trust



3434 Hancock Bridge Parkway
Suite 203
Fort Myers, FL 33903
(800) 367-1705



About PRM

I. Introduction

Public Risk Management of Florida ("PRM") is a purchasing cooperative of governmental agencies founded in 1987 for the purpose of banding together to obtain the most competitive contracts for the provision of Property & Casualty and Employee Benefit insurances. The PRM Health Trust is the vehicle through which the Employee Benefit insurances are offered and is pleased to provide the enclosed information concerning the benefit programs available.

You Have Input.

The PRM Health Trust is collectively governed by a Board of Directors which meets quarterly to review plan operation, financials, legislative issues and any other pertinent information. Each participating entity delegates its own Board Member, and each entity receives one vote. Each member has input regarding the plan, future enhancements, funding levels, etc. That means plan design and rates are set by you; not the insurance carrier.

You Get Information Early.

The plan year begins on October 1 of each year. Renewal discussions begin in April and are finalized in June each year. All contracts and funding levels are based on an October 1 through September 30 plan year, although multi-year rate guarantees are obtained from the carriers whenever possible. This gives you plenty of time to set your budget with real numbers for the upcoming fiscal year and to make adjustments to your benefits as necessary to accommodate your budgetary needs and restraints.

You Receive Professional Consulting Services.

Gallagher Benefit Services, Inc., a division of Arthur J. Gallagher & Co., ("Gallagher") acts as insurance consultant and broker for the PRM Health Trust and provides the PRM membership with expertise and guidance through the quickly changing and heavily mandated employee benefits areas. Gallagher is also available for and happy to work with individual entities and their advisors in the development of other additional employee benefits.

Our Commitment to our Partners

For over 25 years, PRM staff, consultants and all other contracted service providers have been – and will continue to be – committed to providing our membership with an outstanding health benefits program and excellent and timely customer service.



II. About PRM

Group Health Trust – History and Background

Our Purpose: To form a cooperative self-insurance association to provide health coverage to its Members and their employees:

- Established in December 1989
- 47 Members
- Approximately 6,100 Covered Employees
- Meets Quarterly
- Legal Structure: Florida Statutes §112.08 Group Insurance for Public Officers and Employees



Intergovernmental Cooperative Agreement

What is the Intergovernmental Cooperative Agreement?

- The Contract & By-laws of the Association
- Official Document that governs the relationship of all Health Trust Members
- Formally Adopted by Governing Body of Each Member
- Constitutes the Final Authority on all matters

Group Health Trust Membership – Obligations

- To budget and promptly make payments to PRM
- Select in writing a Board Member and Alternate to serve on the Health Trust Board of Directors
- Allow the Pool access to all records including employee demographic information and financial records which relate to the purpose or powers of the Pool
- Allow attorneys employed by the Pool to represent the Member in investigation/settlement discussions and all levels of litigation arising from any dispute or claim for medical services
- Furnish full cooperation with the Pool attorneys, third party administrators, the Executive Director and any agent, employee, officer or independent contractor of the Pool relating to the purpose or powers of the Pool
- To be solely responsible for payment of all premiums or contributions for group health benefits
- Notify its employees of group benefits and programs being provided by PRM

Group Health Trust – Growth and Success

From 7 Members in 1989, the Health Trust has grown to 47 Members offering:

- Competitive Pricing
- 10 Health Plans offered through Florida Blue that are unique to PRM members
- Employee Assistance Program
- Also available to members of the Health Trust:
 - ⇒ 2 Dental Plans
 - ⇒ 2 Vision Plans
 - ⇒ Life Insurance
 - ⇒ Long and Short Term Disability



Pool Structure:

- Meets 4 times per calendar year
- One Vote per Member
- Quorum required (simple majority)

Board of Directors:

- Each Member appoints a Board Member and an Alternate Board Member
- Appointed by Member's governing body
- Designation made in writing, addressed to the Executive Director

Operational Year:

- Fiscal year for coverage and benefits
- Calendar year for claims

Group Health Trust Board – Responsibilities

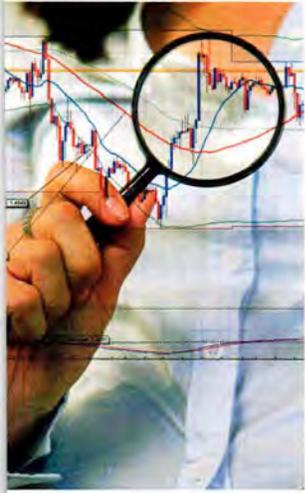
- Select Pool Officers and Contracted Service Providers
- Approve Bylaws Amendments
- Approve Acceptance and Expulsion of Members
- Approval of Annual Budget
- Approve Operational Procedures Developed by Executive Director
- Approve Termination of the Pool

Why Should **You** Consider the **PRM Health Trust?**

		Stand Alone Program
Predictable/Stable Renewals	<input checked="" type="checkbox"/>	<input type="checkbox"/>
National Account Status	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Offer Employees 1-10 Plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dedicated Customer Service	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Two Tiered Prescription Drug Program*	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Customized Benefits	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Determine Plan Benefits	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Annual Educational Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Electronic Enrollment & Bill Reconciliation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Actuarial Support	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal/Compliance Support	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Available with the PPO Plan 0702, 0727 and HMO 55





Group Health Trust Rate Determination

New Members (First Year in PRM)

Rates are based on:

- Claims History
- Group Demographics
- Current Plan Design

Second Year

Rates are based on the pool's average.

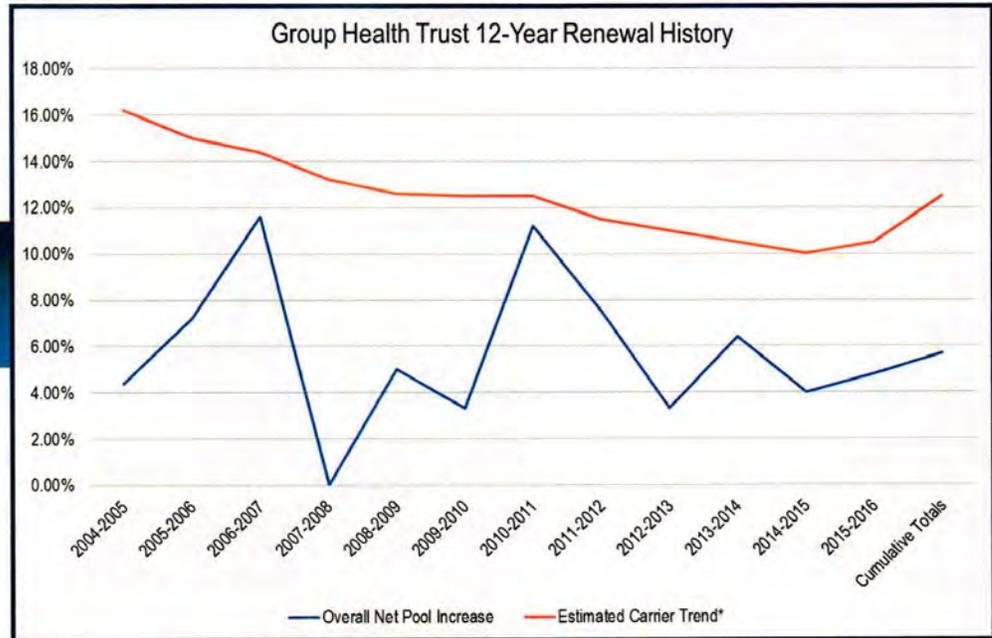
Third Year and Beyond

Rates are based on each entity's loss ratio and a deviation schedule tied to the overall group increase.

PRM's Consultant does the following:

- Revises Rating & Premium Development
- Financial Oversight
- Vendor Management

12 Years of Trend Bending Rate History



Plan Year	Overall Net Pool Increase	Estimated Carrier Trend*
2004-2005	4.40%	16.20%
2005-2006	7.20%	15.00%
2006-2007	11.60%	14.40%
2007-2008	0.00%	13.20%
2008-2009	5.00%	12.60%
2009-2010	3.30%	12.50%
2010-2011	11.20%	12.50%
2011-2012	7.50%	11.50%
2012-2013	3.30%	11.00%
2013-2014	6.40%	10.50%
2014-2015	4.00%	10.00%
2015-2016	4.80%	10.50%
Cumulative Totals	5.68%	12.50%

* Includes both **Medical & Prescription Drugs**

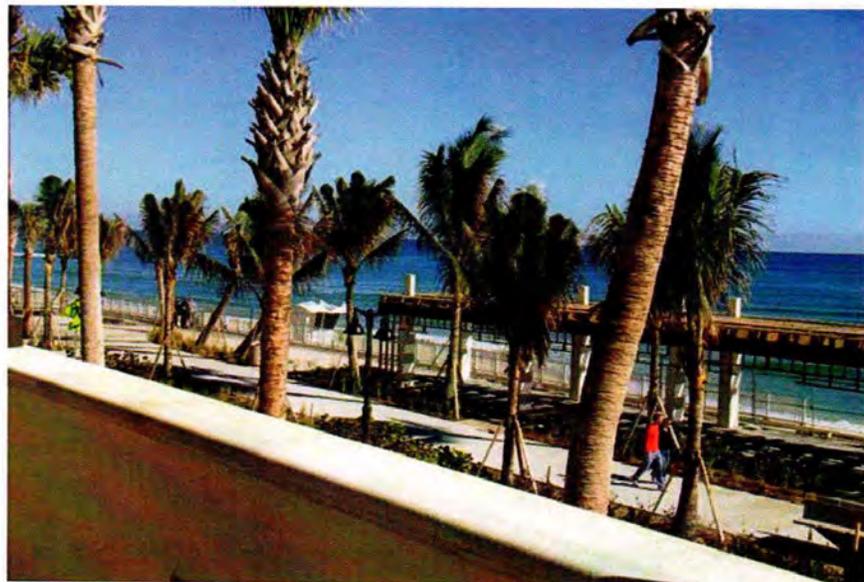


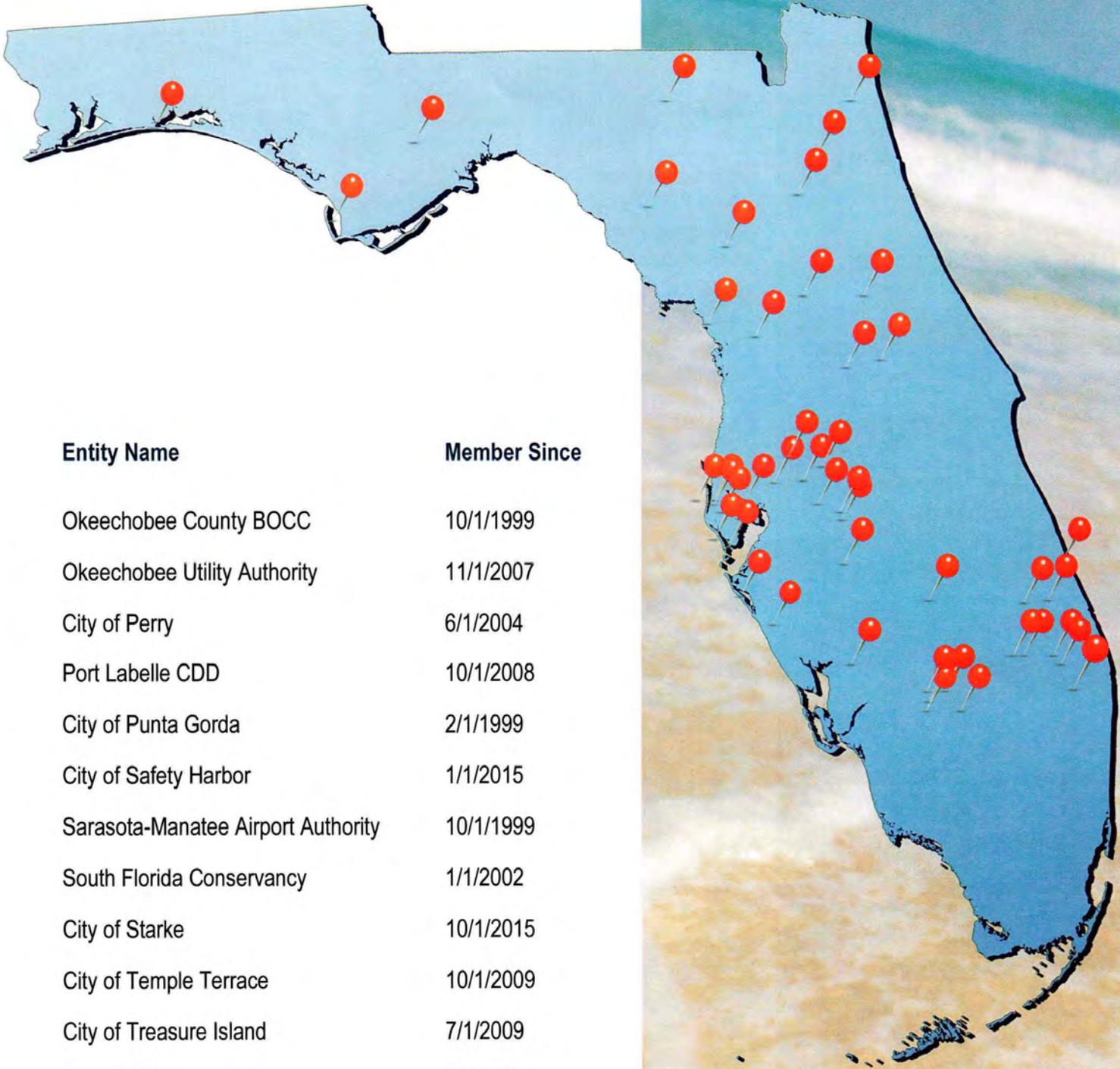


Current Member Locations

Entity Name	Member Since
City of Apopka	2/1/2016
City of Bartow	10/1/2008
Town of Belleair	10/1/2006
City of Belle Glade	2/1/2009
City of Crystal River	10/1/2001
City of Eustis	10/1/2003
City of Fort Meade	7/1/2010
City of Fort Pierce	6/1/2011
City of Fort Walton Beach	10/1/2010
Gilchrist County BOCC	10/1/2015
Glades County BOCC	10/1/1989
Gulf County BOCC	10/1/2013
City of Gulfport	10/1/2010
Hamilton County BOCC	10/1/2001
Hendry County BOCC	10/1/1989
Hendry County Sheriff's Department	10/1/1989

Entity Name	Member Since
City of Indian Rocks Beach	10/1/2009
City of Inverness	10/1/2007
Jacksonville Port Authority	1/1/2016
Town of Kenneth City	11/1/2009
City of Labelle	10/1/2005
Town of Lady Lake	10/1/2009
Lakeland Housing Authority	6/1/2012
Town of Lake Placid	9/1/2012
City of Largo	10/1/2013
Levy County BOCC	8/1/2001
Town of Longboat Key	1/1/2000
City of Longwood	10/1/2013
City of Madeira Beach	10/1/2009
City of Marianna	10/1/2010
City of Moore Haven	10/1/2008
City of Mulberry	10/1/2011
City of Okeechobee	8/1/2010





Entity Name	Member Since
Okeechobee County BOCC	10/1/1999
Okeechobee Utility Authority	11/1/2007
City of Perry	6/1/2004
Port Labelle CDD	10/1/2008
City of Punta Gorda	2/1/1999
City of Safety Harbor	1/1/2015
Sarasota-Manatee Airport Authority	10/1/1999
South Florida Conservancy	1/1/2002
City of Starke	10/1/2015
City of Temple Terrace	10/1/2009
City of Treasure Island	7/1/2009
City of Umatilla	10/1/2010
City of Zephyrhills	10/1/2004
Public Risk Management	12/1/1998





Our Partners

Benefit Consulting & Services



Arthur J. Gallagher & Co.
BUSINESS WITHOUT BARRIERS™

Gallagher Benefit Services, Inc.

As a PRM Health Trust member, you will have access to PRM's consultant, Gallagher Benefit Services, Inc. ("Gallagher"). Gallagher has extensive experience consulting public sector clients on all of their employee benefit program needs. In fact, it has a Public Sector Niche Practice and the team available to you will include a lead consultant, dedicated Account Managers, a benefits attorney and actuary. Gallagher offers PRM relevant consulting experience that is second to none in the public sector space.

Medical Plan Administrator

Florida Blue 



Florida Blue

Florida Blue is the leader in the Florida marketplace providing health solutions to more than 70% of Florida's governmental and educational employees. Florida Blue has dedicated teams solely focused on the public sector. Local presence is a significant advantage in today's tumultuous environment of health care delivery which is why Florida Blue's value proposition is to deliver a "best in class" solution. PRM is serviced by two dedicated account managers and a strategic account executive.

Benefits Administration System

 **businessolver™**

Businessolver

As part of the PRM program, you are provided with a full suite of enrollment and eligibility benefits administrative platform provided by Businessolver. Services include:

- Web Based Enrollment
- Carrier Eligibility Update Processing
- Year Round Payroll Deduction Assistance
- COBRA Administration
- Premium Billing Services





Ongoing Education

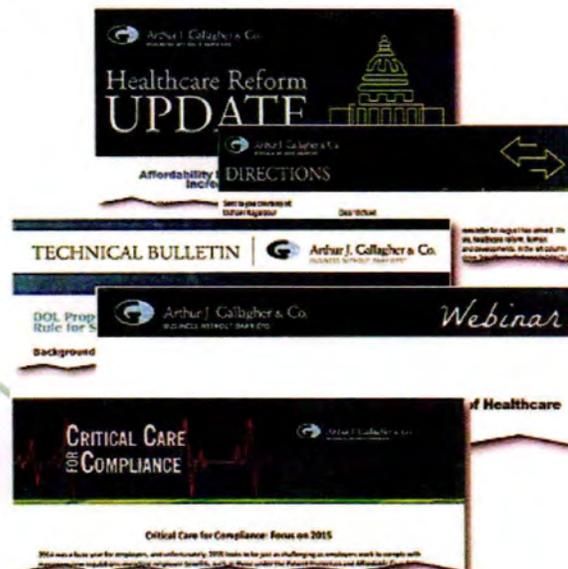
As a PRM member, you will have access to ongoing educational information through our consultant, Gallagher Benefit Services. This information is in the form of pre-recorded seminars, technical bulletins, and newsletters. In 2015, for example, our members enjoyed access to the following:

2015 Publications		
9 Toolkits	4 Guides	
8 Employer FAQs	20 Healthcare Reform Update Articles	
15 Webinars	12 Directions Articles	8 Technical Bulletins

Affordable Care Act (ACA)

The ongoing education opportunities made available to PRM's members include detailed information about the Affordable Care Act and its impact on employers.

This has been particularly useful over the past several as it relates to understanding potential penalties, tracking and measuring employees, and upcoming IRS reporting requirements.



The benefits of utilizing the PRM program include:

Reporting Capabilities:

Among many others, the system will produce the following pre-defined, standard reports:

- Beneficiary Report
- Change Report
- Election Report
- Evidence of Insurability report
- General Census report
- New Hire Report
- Open Enrollment Status Report
- Payroll Deduction Report
- Premium List Bill Report
- Termination Report

Users are able to create other reports on the enrollment system using the ad-hoc reporting tools.

Web Based, Customized Employer Benefits Portal:

- All PRM benefits managed in one place providing a single point of entry for employee, dependent and election information
- Implementation and renewal support
- Full system configuration

Optional services offered for additional fees:

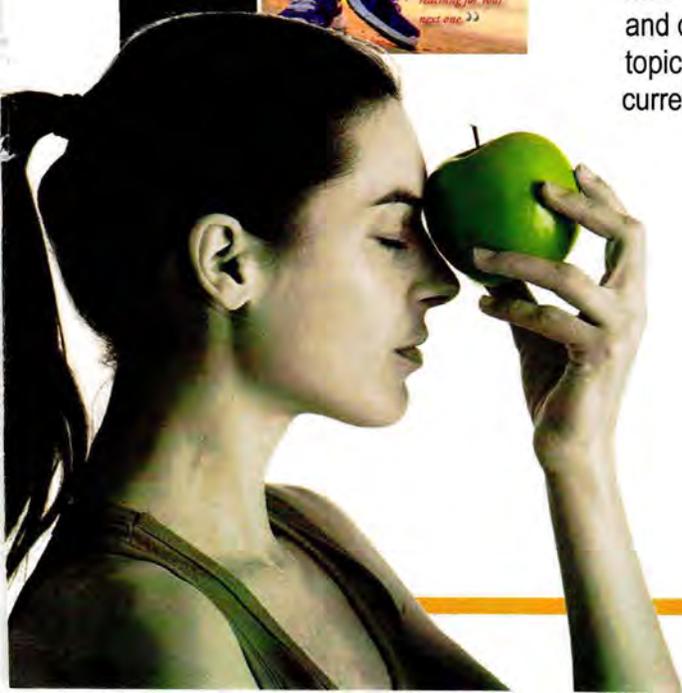
- Custom payroll deduction files
- Employee call center services
- Evidence of insurability – paper verification services



Wellness

PRM offers many different Wellness opportunities to our members to help your members stay healthy, engaged and productive. Features of the PRM Wellness programs include:

- Wellness Dollars to fund wellness initiatives.
- Wellness Consulting through our consultant, Gallagher Benefit Services.
- Exciting and diverse Health Events such as health fairs available through Healthier U.
- Monthly Newsletter "Live. Life. Well." provided by Gallagher through their partnership with the Cleveland Clinic for our clients to distribute to their employees. This newsletter promotes and communicate wellness and disease management programs and benefit incentives, covering topics relevant to the current month.



Annual Educational Workshop

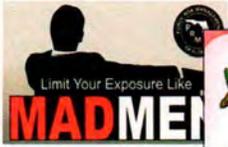
Each year, PRM sponsors an educational workshop for each of its members. These workshops serve many purposes. They provide information about the plans we have available, but also provide information about topical issues.

Annual Educational Conference

PRM hosts an annual Educational Conference for all of its members. This is a combined conference with both the Health Trust and Property and Casualty Pool members. The conference includes speakers and presentations on topical issues.



2015 EDUCATIONAL CONFERENCE AGENDA



Limit Your Exposure Like **MAD MEN**

Thank you for participating in the 2015 Public Risk Management of Florida Educational Conference at the Hilton Grand Vacations. The Public Risk Management of Florida conference will provide attendees an opportunity to learn from the State of Florida's risk management professionals and department heads from across the State of Florida to understand the current risk management landscape. It is a wonderful opportunity for attendees to gain insight into risk management, legislative changes among their peers. Welcome to the 2015 Public Risk Management of Florida Conference.

Workshop
Public Risk Management of Florida
A BALLANTINE COMPANY

PRM GROUP HEALTH TRUST
BENEFITS WORKSHOP, May 16, 2015
"Spring Into Health Benefits"

MORNING AGENDA

8:00 A.M. - 9:00 A.M.	Continental Breakfast
9:00 A.M. - 9:30 A.M.	Public Risk Management of Florida Welcome/Introduction Speaker: Katrina Boudreau, Asst. Executive Director, PRM
9:30 A.M. - 10:00 A.M.	Callighar Benefit Services Healthcare Reform Update Speaker: Paul Herbert, Area Vice President
10:00 A.M. - 10:30 A.M.	Break
10:30 A.M. - 10:45 A.M.	Workshop
10:45 A.M. - 11:00 A.M.	Employer Mandate under Simpson Speaker: John McFarland, Human Resources
11:00 A.M. - 12:00 P.M.	Lincoln Financial Group STD and LTD Benefit Basics Speaker: Jeff Piccolo, National Underwriter
12:00 P.M. - 1:00 P.M.	Lunch

Public Risk Management of Florida
2014 Educational Conference

"Pride and Performance"

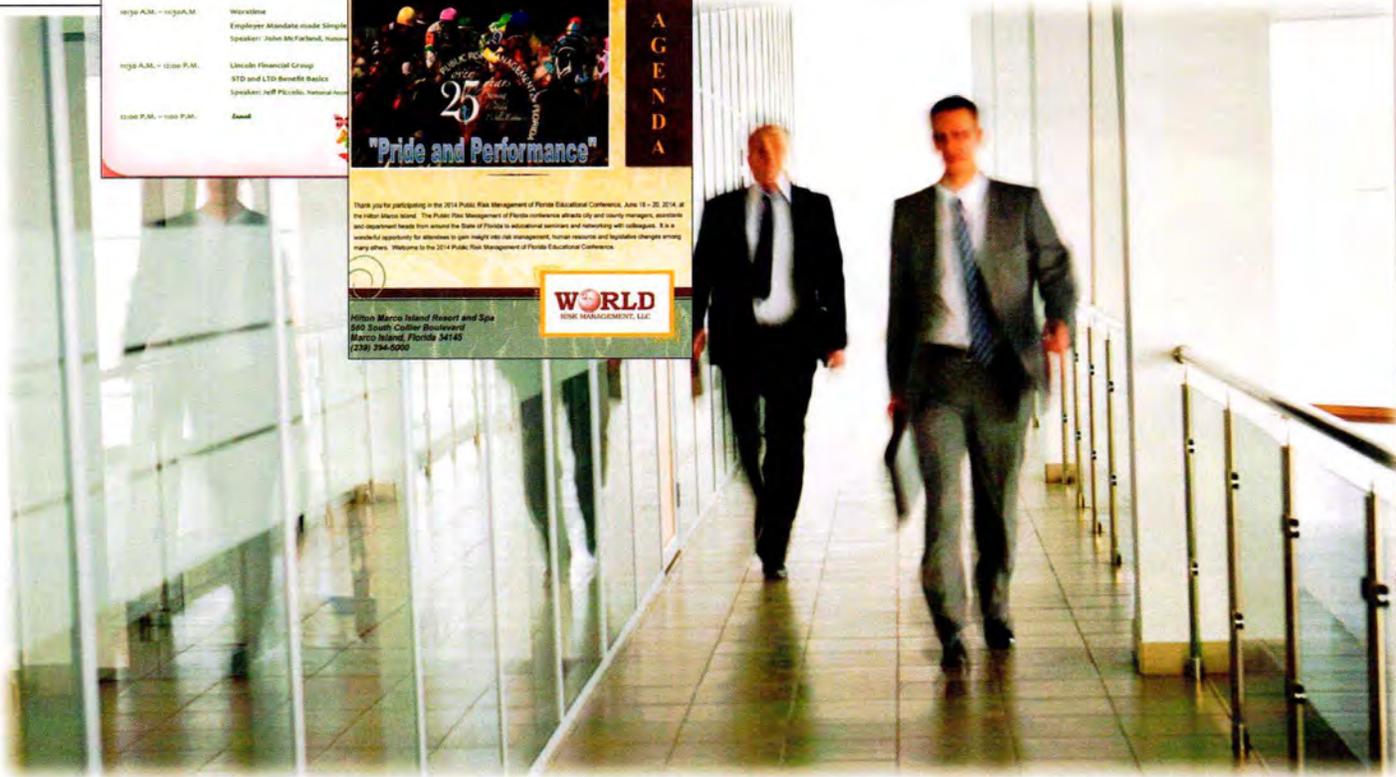
25th Anniversary

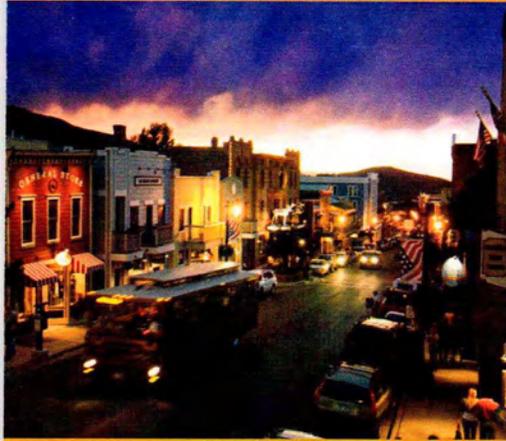
AGENDA

Thank you for participating in the 2014 Public Risk Management of Florida Educational Conference, June 19 - 20, 2014, at the Four Seasons Hotel. The Public Risk Management of Florida conference attracts city and county managers, executive and department heads from around the State of Florida to educational seminars and networking with colleagues. It is a wonderful opportunity for attendees to gain insight into risk management, financial resources and legislative changes among many others. Welcome to the 2014 Public Risk Management of Florida Educational Conference.

WORLD
RISK MANAGEMENT, LLC

Hilton Marco Island Resort and Spa
540 South Collier Boulevard
Marco Island, Florida 34145
(239) 394-5000





Public Risk Management of Florida

3434 Hancock Bridge Parkway, Suite 203

Fort Myers, FL 33903

Toll Free 800-367-1705

Main 239-656-4666

Fax 239-656-1066

www.PRM-FL.com

Prepared by

Paul Hebert

Gallagher Benefit Services, Inc.

A Division of Arthur J. Gallagher & Co.

2255 Glades Road, Suite 200E

Boca Raton, FL 33431



Arthur J. Gallagher & Co.

BUSINESS WITHOUT BARRIERS™





CITY MANAGER'S REPORT

DATE: June 2, 2016

TO: Mayor and City Commission

FROM: Bruce Paster, P.E., Director of Public Works

VIA: Jackie Sova, City Manager

SUBJECT: Professional Debris Removal Services Contract Extensions

DISCUSSION:

The City of Lake Mary entered into a three-year contract with TAG Grinding Services Inc. on June 26, 2013, to provide disaster response and recovery services. The terms of the contract allow for an extension upon mutual agreement. TAG Grinding Services has agreed to a two-year extension (see attached letter).

The City also entered into a three-year contract with CrowderGulf as a secondary disaster response and recovery service provider on August 13, 2013. The terms of their contract also allow for an extension upon mutual agreement. CrowderGulf has agreed to a two-year extension (see attached letter).

Staff would like to extend both disaster response and recovery contracts for an additional two-year period.

RECOMMENDATION:

Request Commission authorize City Manager to extend contracts with TAG Grinding Services, Inc. and CrowderGulf, respectively, for Professional Debris Removal Services for a two-year period.



May 17, 2016

City of Lake Mary
Public Works Department
911 Wallace Court
Lake Mary, Florida 32746
Attn: Mr. Bruce Paster, P.E.

RE: Disaster Response and Recovery Services for the City of Lake Mary

Dear Bruce:

As you will recall, TAG Grinding Services, Inc. entered into a contract with the City to provide disaster response and recovery services on the 26th day of June 2013. The original term was for three (3) years indicating that the contract is set to expire on June 26, 2016. The original terms of the contract allowed for the extension of the contract upon mutual agreement. Based on your recent correspondence, the City desires to extend the current contract for an additional two (2) years or until June 26, 2018. Based on the above and foregoing, TAG is both honored and privileged to continue to serve as your disaster response and recovery contractor should an event occur. As such, please allow this letter to serve as our acknowledgement of the request and consent to the two (2) year extension. Please forward the contract extension to the address listed below for immediate execution.

Please do not hesitate to contact the office or staff should we be of any further assistance. With warmest regards, I remain

Sincerely,

Jerry W. Brooks

Chief Financial Officer

TAG Grinding Services, Inc.

1750 Powder Springs Rd., Suite 190

Marietta, Georgia 30064

(678) 540-5001 (Office)

(770) 672-6775 (Fax)

(256) 786-9673 (24 Hour Cell)



CrowderGulf

Disaster Recovery and Debris Management

5435 Business Parkway
Theodore, Alabama 36582

Office: (800) 992-6207
Fax: (251) 459-7433

May 24, 2016

Mr. Bruce Paster
Director of Public Works
City of Lake Mary
911 Wallace Court
Lake Mary, FL 32746

via email: bpaster@lakemaryfl.com

Re: Contract Renewal for Disaster Debris Removal & Disposal Services

Dear Mr. Paster:

CrowderGulf has been providing the City of Lake Mary Disaster Debris Removal & Disposal Services per the contract executed on August 13, 2013. The initial term of this Agreement shall be for a three (3) year period & may be renewed for two (2), one (1) year terms under the same terms & conditions, except for price, which shall be subject to mutual agreement of the parties. At the City's request CrowderGulf agrees to renew this Contract for one (1), two (2) year term at the existing pricing schedule.

If the City of Lake Mary is in agreement to renew the existing contract, please sign the renewal acceptance below and return to CrowderGulf. Upon execution of this acknowledgement, the contract will continue under the same terms and conditions until its new expiration date of August 13, 2018.

We appreciate the opportunity to renew this contract and stand ready to respond immediately in the event the community of the City of Lake Mary requests our services. If you have any questions or if we can be of any further assistance please do not hesitate to contact me or Ashley Ramsay at 800-992-6207 or by e-mail jramsay@crowdergulf.com.

Best regards,



John Ramsay
President

RENEWAL ACCEPTANCE – City of Lake Mary, FL

Signature

Name/Title

Date



CITY MANAGER'S REPORT

DATE: June 2, 2016
TO: Mayor and City Commission
FROM: Jackie Sova, City Manager
SUBJECT: Surplus scanner

The City Manager's office has the following item to be considered for surplus:

Cannon Scanner – Serial #DG340190. The scanner is not working and has reached the end of its useful life.

RECOMMENDATION:

Request Commission declare above-referenced scanner surplus and authorize City Manager to dispose of same.



MEMORANDUM

DATE: June 2, 2016
TO: Mayor and City Commission
FROM: Carol Foster, City Clerk
VIA: Jackie Sova, City Manager
SUBJECT: Appointment/Reappointment to Advisory Boards

The terms of Police Officer John Kelly and Dick Fess on the Police Pension Board expire June 28, 2016. As you will recall, the Police Pension Board consists of 2 police officers elected by the officers, 2 residents appointed by you, and a 5th member who is appointed by the previously mentioned 4 members.

Mr. Fess, your appointee, has been contacted and would like to continue serving if you so desire. The Police Department is scheduling an election to select their representative but that does not require any action by you.

Additionally, Bryan Nipe, Parks and Recreation Director, is recommending that you appoint Amy Pennock to fill a vacancy on the Parks and Recreation Advisory Board. A copy of her Board Appointment Form is attached for your review.

RECOMMENDATION:

The Commission reappoint Mr. Fess to the Police Pension Board for a two-year term and appoint Ms. Pennock to the Parks and Recreation Advisory Board to complete an unexpired term which expires December 31, 2016.



City of Lake Mary

"City of Lakes"

Published on *Lake Mary, FL* (<http://www.lakemaryfl.com>)

[Home](#) > [Board Appointment Application Online Form](#) > [Submissions](#) > Submission #19726

Submission #19726

Submission information

Form: [Board Appointment Application Online Form](#)
Submitted by Anonymous
Thursday, May 12, 2016 - 10:50am
108.189.29.91

Name:

Amy Pennock

Home Phone:

321-363-1414

Home Address:

127 Linda Lane, Lake Mary, FL 32746

Business:

Pennock Consulting Group, Inc.

Business Phone:

407-406-4160

Business Address:

127 Linda Lane, Lake Mary, FL 32746

Email Address:

amy@pennockcg.com

Brief Resume of Education & Experience:

MBA, Masters in Forensic Accounting, Business owner, Community and Philanthropic engagement.

Are you a registered voter?:

Yes

Are you a resident of Lake Mary?:

Yes

Do you own property in Lake Mary?:

Yes

Do you hold a public office?:

No

Have you ever served on a City Board in Lake Mary?:

No

Are you employed by the City of Lake Mary?:

No

Have you ever been convicted of a misdemeanor or felony, excluding civil traffic violations?:

No

If Yes, please provide information.:

Check Boards you are interested in:

- PARKS & RECREATION ADVISORY BOARD
- PLANNING & ZONING BOARD **

What qualifications do you bring to the Board(s) if appointed?:

My professional experience and community involvement, along with my desire to improve and grow the community I live in for my family, neighbors and for future residents of Lake Mary.

Signature:

Amy Pennock

Source URL: <http://www.lakemaryfl.com/node/2474/submission/19726>