

APOPKA CITY COUNCIL AGENDA

July 06, 2016 1:30 PM

APOPKA CITY HALL COUNCIL CHAMBERS

**Agendas are subject to amendment through
5:00pm on the day prior to City Council Meetings**

CALL TO ORDER

INVOCATION - Pastor Kevin Goza from Trinity Baptist Church

PLEDGE

Please submit a "Notice of Intent to Speak card" to the City Clerk. Action may not be taken by the Council at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

Pursuant to F.S. 286.0114, members of the public shall be given a reasonable opportunity to be heard on propositions before the City Council. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Council addresses such items during this meeting. Public comments are generally limited to four minutes.

APPROVAL OF MINUTES:

1. City Council meeting June 1, 2016.
2. City Council workshop meeting June 15, 2016.
3. City Council meeting June 15, 2016.

PUBLIC/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Proclamations:

1. Water for People Week Proclamation presented to Tim Brodeur
2. Recreation and Parks Month Proclamation presented to David Burgoon

Mayor Kilsheimer
Mayor Kilsheimer

Employee Recognition:

- ❖ Five Year Service Award - Justin Rawls - Fire/Suppression
- ❖ Ten Year Service Award - Rogers Beckett - Community Development
- ❖ Ten Year Service Award - Juan Moreno Jr. - Public Services/Grounds Maintenance
- ❖ Ten Year Service Award - Billy Preston Jr. - Public Services/Sanitation
- ❖ Fifteen Year Service Award - Andrew King - Police/Support Services
- ❖ Fifteen Year Service Award - Marciana Williams - Public Services/Fleet Management
- ❖ Twenty Year Service Award - William Alvord - Public Services/Fleet Management
- ❖ Thirty-Five Year Service Award - Robert Elmquist - Public Services/Design Engineering

Presentations:

1. Announcement of newly sworn in Police Officers
2. Comprehensive Annual Financial Report from Moore Stephens Lovelace CPA's and Advisors

Mayor Kilsheimer
William Blend

CONSENT (Action Item)

1. Approval for the sale of alcohol for the Travis Tritt concert.
2. Approval for the sale of alcohol for the Debbie Turner Block Party.
3. Authorize the Sewer and Water Capacity Agreement for Silver Oaks Subdivision.
4. Accept notification of application for Edward Byrne Memorial Justice Assistance Grant Program
5. Authorize expenditure from Federal Law Enforcement Trust Fund to purchase in-car camera equipment
6. Approval of Recreation Youth Sports League fees.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

- | | | |
|-----------|--|------------------|
| <u>1.</u> | Ordinance No. 2499 – First Reading/Transmittal – Large Scale Future Land Use Amendment – Legislative | Kyle Wilkes |
| <u>2.</u> | Ordinance No. 2500 – First Reading – Small Scale Future Land Use Amendment - Legislative | Kyle Wilkes |
| <u>3.</u> | Ordinance No. 2501 – First Reading – Change of Zoning - Quasi-Judicial | Kyle Wilkes |
| <u>4.</u> | Ordinance No. 2502 – First Reading – Land Development Code – Development Design Guidelines - Legislative | David Moon |
| <u>5.</u> | Ordinance No. 2505 – First Reading – Vacate – Utility Easement – Quasi-Judicial | Rogers Beckett |
| <u>6.</u> | Ordinance No. 2506 – First Reading – Change of Zoning - Quasi-Judicial | David Moon |
| <u>7.</u> | Resolution No. 2016-16: Public Participation Policy | Mayor Kilsheimer |

BUSINESS (Action Item)

- | | | |
|-----------|--|----------------|
| <u>1.</u> | Final Development Plan – 640 East 13th Street – Quasi-Judicial | Rogers Beckett |
| <u>2.</u> | Final Development Plan – Copart – Quasi-Judicial | David Moon |
| 3. | Council | |
| <u>a.</u> | Development Review Process | Mark Reggentin |
| 5. | Public | |

MAYOR'S REPORT**ADJOURNMENT****MEETINGS AND UPCOMING EVENTS**

DATE	TIME	EVENT
July 7, 2016	5:30pm – 9:00pm	Food Truck Round Up
July 12, 2016	5:30pm – 6:00pm	Planning Commission Meeting
July 20, 2016	7:00pm –	Council Meeting
August 3, 2016	1:30pm –	Council Meeting
August 4, 2016	5:30pm – 9:00pm	Food Truck Round Up
August 9, 2016	5:30pm – 6:00pm	Planning Commission Meeting
August 17, 2016	7:00pm –	Council Meeting

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he 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.

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

Backup material for agenda item:

1. City Council meeting June 1, 2016.

CITY OF APOPKA

Minutes of the regular City Council meeting held on June 1, 2016, at 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Doug Bankson
Commissioner Kyle Becker
City Attorney Cliff Shepard
City Administrator Glenn Irby

PRESS PRESENT: Teresa Sargent - The Apopka Chief
Kathi Belich – WFTV Channel 9
Reggie Connell – The Apopka Voice

INVOCATION: Mayor Kilsheimer introduced Reverend John Pallard of the Church of the Holy Spirit who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said before dawn on June 6, 1944, allied forces, under the direction of General Dwight Eisenhower, set Operation Overlord into motion. This operation was the largest military action in history and would become known as D-Day. More than 20,000 airborne troops, the largest airborne force ever assembled, were dropped behind Nazi posts in Normandy and hours later, more than 160,000 allied troops, supported by more than 5,000 ships & 13,000 aircraft, landed on 5 beaches along a heavily fortified 50 mile stretch of French coastland. More than 9,000 allied soldiers were killed or wounded in the action but allied forces went on to march across Europe to defeat Hitler. So today, as we recite the pledge, let us reflect on the bravery and sacrifice of those who fought and gave their lives for our freedom.

APPROVAL OF MINUTES:

1. City Council meeting May 4, 2016.

MOTION by Commissioner Becker, and seconded by Commissioner Velazquez, to approve the Minutes of the City Council meeting of May 4, 2016. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

PUBLIC/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Employee Recognition:

- ❖ Twenty Year Service Award – Kevin Burgess – Public Services. Kevin Burgess, Assistant Public Services Director began working at the City of Apopka on May 13, 1996 as a Wastewater Plant Operator B. Kevin was promoted March 31, 1997 to Water Plant Supervisor. On November 16, 2005, he was promoted to Plant Manager. On January 30, 2006, his title changed to Water Resources Operations Manager & on January 5, 2016, Kevin was promoted to Assistant Public Services Director, which is his current position.

Presentations:

1. Presentation of check to Debbie Turner Cancer Center.
Debbie Turner accepted for the Debbie Turner Cancer Center.
2. Presentation of check to New Journey Youth Center.
Danielle Hunter Yarborough accepted for the New Journey Youth Center.
3. Fire Department Career Academy Graduation Update.
Will Sanchez provided an update and a brief presentation.
4. MMI Development Update regarding Marden Rd. Improvements.
Mike Wright provided an update regarding the improvements to the Marden Road Interchange project and in an effort to bring Commissioner's Becker and Bankson up to speed on the project he provided a summary and review of his original presentation from February 2016. He stated that the project is on track and should have final construction plans available by mid-June of this year.

CONSENT (Action Item)

1. Approve the Disbursement Report for the month of April, 2016.
2. Authorize the disposal of surplus equipment/property.
3. Authorize the Peddlers Permit Application for Big Bang Fireworks, Inc. – Justin Driggers
4. Authorize the Peddlers Permit Application for First American Fireworks, Inc. – David Hostetler
5. Authorize the Peddlers Permit Application for First American Fireworks, Inc. – David Hostetler
6. Approve the Fifth Trustees appointment to the General Employees'; Police Officers'; and Firefighters' Pension Boards.
7. Approve the purchase of a new scoreboard at Northwest Recreation Complex.
8. Approve the use of Directional boring services for the installation of a reclaimed water main and a sewer force main.
9. Authorize the purchase and install of a perimeter security fencing for the Golden Gem Reclaimed Water Reservoir property.
10. Award the Architectural and Engineering Contract for design services of a new fire station & retain the top three firms as continuing service contract providers.

MOTION by Commissioner Becker, and seconded by Commissioner Velazquez, to approve the ten items on the Consent Agenda. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance 2485 – Second Reading – Large Scale - Future Land Use Amendment – The title was read by the Deputy City Clerk as follows:

ORDINANCE NO. 2485

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE USE DESIGNATION FROM “COUNTY” LOW DENSITY RESIDENTIAL TO “CITY” REDISENTIAL LOW SUBURBAN (0-3.5 U/AC) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF ROGERS ROAD, NORTH OF LESTER ROAD, COMPRISING 30.5 ACRES, MORE OR LESS, AND OWNED BY JTD LAND AT ROGERS ROAD, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Velazquez and seconded by Commissioner Becker to adopt Ordinance No. 2485 at the Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

2. Ordinance 2498 – Second Reading – Change of Zoning – The title was read by the Deputy City Clerk as follows:

ORDINANCE NO. 2498

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 (ZIP) TO “CITY” R-1 (RESIDENTIAL) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF LESTER ROAD, EAST OF ROGERS ROAD, COMPRISING 30.5 ACRES MORE OR LESS, AND OWNED BY JTD LAND AT ROGERS ROAD, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer advised this was a quasi-judicial hearing. Witnesses were sworn in by the clerk.

David Moon provided a brief lead in advising this was a change of zoning of approximately 30.5 acres at the north end of Rogers Road, north of Lester Road from County A-1 to City R-1 zoning. He advised the Planning Commission and DRC recommend approval of the zoning change. He advised this case currently has an active future land-use map amendment in process which will be brought before City Council on June 15, 2016. A copy of the staff report is on file in the clerk’s office.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Velazquez and seconded by Commissioner Becker to adopt Ordinance No. 2498 at the Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

3. Ordinance 2496 – First Reading – Small Scale – Future Land Use Amendment – The title was read by the Deputy City Clerk as follows:

ORDINANCE NO. 2496

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM COMMERCIAL (MAX. 0.15 FAR) TO RESIDENTIAL LOW (0.5 DU/AC), FOR CERTAIN REAL PROPERTY LOCATED AT 1078 SOUTH BINION ROAD, COMPRISING 3.0 ACRES MORE OR LESS, AND OWNED BY GAIL W. BROWN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Kyle Wilkes provided a brief lead in and advised that this is a Small Scale Amendment to the Future Land use Element of the Apopka Comprehensive Plan. He advised that Staff recommends approval of the Amendment and provided the active future land-use map.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Dean and seconded by Commissioner Bankson, to approve Ordinance No. 2496 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

4. Ordinance 2497 – First Reading – Change of Zoning – The title was read by the Deputy City Clerk as follows:

ORDINANCE NO. 2497

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 (ZIP) TO “CITY” R-1a (RESIDENTIAL) FOR CERTAIN REAL PROPERTY LOCATED AT 1078 SOUTH BINION ROAD, COMPRISING 3.0 ACRES MORE OR LESS, AND OWNED BY GAIL W. BROWN; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer advised this was a quasi-judicial hearing. Witnesses were sworn in by the clerk.

Kyle Wilkes provided a brief summary of the Zoning change and advised that Staff recommends approval.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Bankson and seconded by Commissioner Dean to approve Ordinance No. 2497 at the First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

BUSINESS

1. Council

a. Topic for Council Discussion: Public Comment Period.

Mayor Kilsheimer opened Council discussion regarding staff developing a policy for public comment. Mayor Kilsheimer explained that many surrounding municipalities take public comment at the beginning of their meetings. The consensus of Council was to have staff return to Council with a written public participation policy moving public comment to the beginning of the meeting.

b. Approval of all Recreation Program & Rental fees.

MOTION by Commissioner Bankson and seconded by Commissioner Velazquez to approve the Recreation Program & Rental fees. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

c. City Center Update.

Mark Reggentin, Community Development Director, provided an update as to the City Center. He stated that negotiations are going well and that Taurus requested extension of the purchase agreement. Discussion ensued as to whether we should provide two (2) thirty (30) day periods or one (1) 60 day period.

MOTION by Commissioner Becker and seconded by Commissioner Velazquez to approve the extension of one (1) sixty (60) day period. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

d. Topic for Council Discussion: Lobbying/Special Projects Contract.

City Attorney Cliff Shepard provided a summary of the status of the Lobbying/Special Projects Contract between the City of Apopka and Richard D. Anderson. Attorney Shepard provided a copy of records he received from Florida Highway Patrol which included the arrest warrant and affidavit of Richard D. Anderson. He further summarized the details of the accident, which occurred on April 5, 2016, as well as pertinent portions of the probable cause affidavit from the witnesses. Attorney Shepard stated that the City was not notified of this accident by Mr. Anderson but was made aware of this through the media. Mayor acting under the authority granted by the Charter of the City of Apopka, contacted Attorney Shepard to immediately suspend Mr. Anderson, as he was in breach of the City's lobbying contract. Attorney Shepard contacted Mr. Anderson to discuss and was told he would have his Attorney contact him. Attorney, Larry Brown contacted Attorney Shepard and discussed the allegations and whether Mr. Anderson could provide an affidavit stating he was not the driver of the car. Attorney Brown stated they would not provide an affidavit as it would violate Mr. Anderson's Fifth Amendment rights. It was the opinion of Attorney Shepard that Mr. Anderson's behavior is damaging to the reputation of the City as well as unbecoming of a lobbyist. Discussion ensued as to immediate termination of Mr. Anderson's contract as well as possible lawsuit to recover damages due to the City in the amount of double the remainder of the contract.

MOTION by Commissioner Velazquez and seconded by Commissioner Becker to terminate the contract & further seek damages. Motion carried unanimously in roll call format with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

2. Public

Gene Knight spoke about the sidewalks and stop signs around Christiana. Public Services Director, Jay Davoll provided an update as to the sidewalk issues and the progress being made.

MAYORS REPORT

Mayor asked Commissioner Velazquez to step in as an alternate for the Metroplan board meeting.

NOT REQUIRING ACTION

1. Thank you letter to the City of Apopka from the Bahia Shriners in Orlando.
2. Thank you letter to the City of Apopka from the Apopka Christian Ministerial Alliance.

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk

Backup material for agenda item:

2. City Council workshop meeting June 15, 2016.

CITY OF APOPKA

Minutes of the City Council workshop held on June 15, 2016, at 4:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Vice Mayor Billie Dean
Commissioner Diane Velazquez
Commissioner Doug Bankson
Commissioner Kyle Becker
City Administrator Glenn Irby

ABSENT: Mayor Joseph E. Kilsheimer

PRESS PRESENT: John Peery - The Apopka Chief
Reggie Connell, The Apopka Voice

INVOCATION: The invocation was given by Pastor Yates, Pastor of Northside Baptist Church.

PLEDGE OF ALLEGIANCE – Vice Mayor Dean led in the Pledge of Allegiance.

DISCUSSION

1. Recreation Presentation on Rental Fees.

David Burgoon, Recreation Director, gave a Power Point presentation on proposed recreation fees. He reviewed percentages of cost recovery of actual costs and advised he would like to recover 30% of the actual costs. In this presentation it was broken down for Pop Warner Football and Little League Baseball. A copy of the presentation will be filed with the minutes. He reviewed what the cost would be at the current hourly rates for Pop Warner, Little League, Apopka High School, and Lacrosse. He reiterated that this is not what is being proposed, but provided as a comparison. Mr. Burgoon advised the proposed fees are being broken down in three year increments to allow time to build up to the proposed annual fee. He recommended a five year contract.

Mr. Burgoon advised staff is working on having a second field for Lacrosse, as well as Lacrosse teams being able to host games at Northwest.

Mr. Irby said today's purpose is to establish costs for contracts with specific leagues which reduces overall the hourly rate they would otherwise have to pay.

Discussion ensued regarding Apopka High School and whether the Orange County School Board would be paying fees or the high school. It was suggested the High School not be included until it is determined where the funds are coming from.

Discussion was held regarding students that stay in school because of being involved in these sports and the impact the sports make on the students and the importance of having a good, solid sports program.

It was the consensus of Council to move forward with the rates as proposed for these leagues.

ADJOURNMENT – There being no further business the meeting adjourned at 5:20 p.m.

Billie Dean, Vice Mayor

ATTEST:

Linda F. Goff, City Clerk

Backup material for agenda item:

3. City Council meeting June 15, 2016.

CITY OF APOPKA

Minutes of the regular City Council meeting held on June 15, 2016, at 7:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Doug Bankson
Commissioner Kyle Becker
City Attorney Cliff Shepard
City Administrator Glenn Irby

PRESS PRESENT: John Peery - The Apopka Chief
Bethany Rodgers, Orlando Sentinel
Reggie Connell – The Apopka Voice

INVOCATION: Mayor Kilsheimer introduced Pastor Lisa Morgan of Word of Life Church, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on June 14, 1777, that the Continental Congress adopted a resolution stating that the flag of the United States be thirteen alternate stripes, red and white, and that the union be 13 stars, white in a blue field, representing a new constellation. Legend has it that General George Washington requested the stars be arranged in a circle, and the flag was nicknamed the Stars and Stripes. On June 14, 1877, the first Flag Day was held on the 100 anniversary of the adoption of the flag, and American flags were flown from all government buildings. Congress officially designated June 14 as Flag Day in 1949, a national day of observance. He asked everyone to reflect on the American ideals of freedom, hope, and opportunity that the Stars and Stripes represent as he led in the Pledge of Allegiance.

APPROVAL OF MINUTES

- 1. City Council Workshop meeting May 18, 2016**
- 2. City Council meeting May 18, 2016**

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve the May 18, 2016 workshop and regular meeting minutes. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

PUBLIC/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Presentations:

1. 9/11 Monument Presentation

Christian Lamphere revealed he was still raising money for this project due to the piece from the World Trade Center (WTC) being larger than expected and any unforeseen problems that may occur while it is being constructed. Donations can be made to his gofundme account.

Raymond Marsh, Building Official, said we were expecting a much smaller piece from the WTC and Commissioner Velazquez was able to obtain a much larger piece that they designed

around. He reviewed a composite photograph of the intended memorial that will be placed on the front lawn of City Hall. He explained the memorial piece will be placed on a block in the shape of a pentagon, and flower beds will reflect the field in Pennsylvania where one of the planes went down. There will be five different plaques: Fire, Police, Apopka's Mayors military, and the main plaque that will be placed at the northernmost point.

It was the consensus of the Council to move forward with this design.

2. Copart check presentation to Christian Lamphere for his 9/11 Memorial Eagle Scout Project.

Mike Carson, National Property Manager for Copart, said they were present at the meeting where the piece from the World Trade Center was presented. He stated they were very moved by this, stating their company has a history of community development and involvement. Copart made a contribution to Christian Lamphere for his project in the amount of \$2,400, as well as \$1,000 to the Boy Scout Troop to be utilized at their discretion.

3. UCF Colleges of Medicine Free Clinic Announcement.

Dr. Heather Peralta said nurses are members of the community and they are not just seen at the bedside. Her job is to teach nurses resources available in the community. She advised they have been working with the Farm Workers Association and they will be opening a free clinic in July for the farm workers, stating they are underserved, underrepresented, and they do not have ability to obtain healthcare. They will be providing this service in the evenings so that they can still do their jobs and receive care. They will be at the Farm Worker's Association Building on July 26 & 28, 2016 from 4:00 p.m. to 9:00 p.m. to provide healthcare to the uninsured farm workers of Apopka.

CONSENT (Action Item)

1. Approve the Disbursement Report for the month of May, 2016.
2. Authorize the Vehicle for Hire Permit Application for Charles ANR, LLC – Claude Charles.
3. Authorize presentation of service weapons to retiring members of Police Department.
4. Approval for the sale of alcohol for the Fireworks at the Amphitheater on Monday July 4, 2016.
5. Authorize the Sewer and Water Capacity Agreement for Maudehelen, Phase 4.
6. Authorize the purchase of a Vacuum Excavator Trailer for the Public Services Department.
7. Award the contract for Website Design Services to CivicPlus.

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve the seven items on the Consent Agenda. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2466 – Second Reading – Large Scale Future Land Use Amendment. The City Clerk read the title as follows:

ORDINANCE NO. 2466

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” RURAL (0-1 DU/10 AC) TO “CITY” MIXED USE FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF PLYMOUTH SORRENTO ROAD, NORTH OF W KELLY PARK ROAD, COMPRISING 44.26 ACRES, MORE OR LESS AND OWNED BY DIANE REID-GOOLSBY, DEBRA REID-WILBARGER & DANIEL JOSHUA REID C/O DIANE REID-GOOLSBY; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Becker, and seconded by Commissioner Dean, to adopt Ordinance No. 2466. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

2. Ordinance 2496 – Second Reading – Small Scale – Future Land Use Amendment – The City Clerk read the title as follows:

ORDINANCE NO. 2496

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM COMMERCIAL (MAX. 0.15 FAR) TO RESIDENTIAL LOW (0.5 DU/AC), FOR CERTAIN REAL PROPERTY LOCATED AT 1078 SOUTH BINION ROAD, COMPRISING 3.0 ACRES MORE OR LESS, AND OWNED BY GAIL W. BROWN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to adopt Ordinance No. 2496. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

3. Ordinance 2497 – Second Reading – Change of Zoning – The City Clerk read the title as follows:

ORDINANCE NO. 2497

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 (ZIP) TO “CITY” R-1a (RESIDENTIAL) FOR CERTAIN REAL PROPERTY LOCATED AT 1078 SOUTH BINION ROAD, COMPRISING 3.0 ACRES MORE OR LESS, AND OWNED BY GAIL W. BROWN; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer advised this was a quasi-judicial hearing and witnesses were sworn in by the clerk.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Dean, and seconded by Commissioner Becker, to adopt Ordinance No. 2497 Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

4. Resolution 2016-16 - Adopting Public Participation Policy & Procedures for Addressing the City Council. The City Clerk read the title as follows:

RESOLUTION NO. 2016-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, PROVIDING FOR A PUBLIC PARTICIPATION POLICY AND PROCEDURES FOR ADDRESSING THE CITY COUNCIL; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Mayor Kilsheimer said this was discussed a couple of weeks ago and stated in attending other county and municipal meetings he found that the public input at the beginning of the meeting was conducive to the efficient conduct of the meeting, bringing a sense of decorum and order to the meeting and he felt the City would benefit from this. He advised they reviewed policies from area municipalities and counties and the policy being proposed is in line with local agencies. He declared we were not trying to limit public comment, rather trying to have it at the beginning of the meeting. The Mayor can expand public comment, as well as a vote from three members of the Council.

Commissioner Becker said the City Charter, Section 2.08(c) states “The City Council shall determine its own rules in order of business.” He stated we did not currently have spelled out rules and they were trying to build some framework and written process around that. He suggested the word “applause” be stricken from Section 6 (d) of the Resolution. He clarified that the portion of the current agenda, Business, Public, was being moved to the front of the meeting. He suggested eliminating the thirty minute time limit and keep four minutes for input.

Mayor Kilsheimer advised there would still be the opportunity to speak under public hearings for that specific item.

Commissioner Bankson said being effective and efficient was the goal and he would like to know if the general public felt they were being limited by having three versus four minutes. He added that three minutes was fairly standard in most other venues.

Discussion ensued regarding the speaker time limit of three or four minutes, as well as having a designated spokesperson on a specific item.

Mayor Kilsheimer opened the meeting to a public hearing.

Aida Gonzalez Campbell said she was speaking from her heart and stated three minutes from professional people was a good point, but for those who may have some type of handicap, three minutes was too short for them to speak. She stated she supported four minutes.

Ed Poirier said he has been here and has spoken a few times and he used all of his allotted time. He stated the real issue was for those that go over their time. He said commissioners were elected to listen to the people and it needs to remain four minutes.

Misha Corbett said her concern was solely with the thirty minute limit. She stated all should have the right to speak.

David Hoffman stated he and his family were opposed to the new proposal to reduce citizen time from four minutes to three minutes. He said on the surface it does look like an attempt to limit public input.

No one else wishing to speak, Mayor Kilsheimer closed the public hearing.

It was the consensus of the Council to bring Resolution 2016-16 back at the next meeting amended as follows: not limiting public input to thirty minutes, keep the speaker's time to four minutes, and strike the word "applause" under Section 6 (d) Disruptions and Decorum.

5. Resolution 2016-17 - Establish new bank depository and authorized signers. The City Clerk read the title as follows:

RESOLUTION NO. 2016-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, DESIGNATING FLORIDA COMMUNITY BANK (FCB) AS THE CITY DEPOSITORY; DESIGNATING THE ACCOUNTS TO BE MAINTAINED BY THE CITY; DESIGNATING OFFICIALS WHO ARE AUTHORIZED TO SIGN CHECKS, NOTES, DRAFTS, BILLS OF EXCHANGE, MONIES, ACCEPTANCE, ORDERS AND OTHER ITEMS OF ANY KIND; DESIGNATING OFFICIALS WHO ARE AUTHORIZED TO MAKE ENDORSEMENTS; DESIGNATING OFFICIALS AUTHORIZED TO BORROW MONEY; SETTING METHOD OF NOTICE OF CHANGE IN OFFICIALS; ESTABLISHING AN EFFECTIVE DATE

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to approve Resolution No. 2016.17. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson, and Becker voting aye.

BUSINESS

1. Council

a. Not-for-Profit Business Tax Receipts

Mark Reggentin, Community Development Director, advised during recent Development Review Committee meetings, an issue has been discussed regarding business tax receipts and their relationship to non-profit organizations. Currently only for-profit businesses are required to obtain a business tax receipt and at that time certain items are reviewed and inspections performed to make sure businesses meet the current code. He explained they recently had a church submit to open a business for auto repair and tire shop to the back of the building. This type of business would typically be reviewed by Community Development and the Fire Department to make sure changes were compliant. He reported the presence of these types of incompatible uses without adequate protection presents certain problems with regards to safety of individuals in that use. They are currently working with this owner to resolve the issue. In going back and reviewing the code, no business tax is required from non-profits, however, they are required to complete the process without paying the fees so inspections can be conducted. He informed Council that they are completing a list of non-profits within the City that do not have business tax receipts and they will be sent a notice that they are required to go through this process in order to have everyone in compliance.

2. Public

Gregg Phillips advised the Apopka Little League and the City of Apopka will be hosting the Little League Intermediate Southeast Regional Tournament in July. The winner of this tournament heads to California for the Intermediate World Series. He stated the last three years they have hosted this tournament Little League International has commended this City and the Apopka Little League for running a great event and they have been asked to host this every year they can. He said they do need funds to put on this event and said each year the City and business owners have come through to help. He advised that due to funding they may be required to house the teams in Altamonte Springs this year rather than Apopka. He asked anyone able to please help them financially to host this tournament.

Rod Love addressed the issue of equity and fairness, asking if the City planned on providing services to non-profits and profits as it relates to use of facilities for free, as well as staff participating in the process. He stated a few weeks ago Apopka residents volunteered to come together as a result of the Apopka Task Force on Violence, meeting at the Fran Carlton Center. He stated they paid to use this facility and said this needs to apply across the board.

Ed Poirier said his wife was one of a number of people to die on Park Glen Circle and stated

he has been looking for help from the Department of Health and The Department of Environmental Protection. He has also reached out to the Mayor and Commissioners. He also has reached out to a researcher from UCF that seems to think there could possibly be cross contamination of feeder pipes. He wanted to place a map on the screen showing houses in his neighborhood where people have passed away or were currently sick.

Commissioner Velazquez inquired if Mr. Poirier had his neighbors' permission to display this information in public. She said she did not have a problem with his representing himself, but without their permission, it was not fair to do so.

Mr. Poirier said he respected that and he would explain without providing addresses or other information. He went on to explain there were issues near the retention pond and there were other people in his neighborhood that were very ill. He said he was looking for answers and would hope the City will continue to do the right thing.

Commissioner Bankson inquired if there was some means they could compare information, to which Mayor Kilsheimer advised Commissioner provide City Administrator Irby with the information and if a workshop is necessary, he can schedule one.

In response to Commissioner Becker asking what the City's responsibility is of water versus soil, Mr. Irby advised the water is the responsibility of the City and they recently published the required testing. He advised the soil was not in the City's responsibility to test.

Kevin Burgess, Assistant Director of Public Services, advised it was hydraulically impossible for anything to enter our water supply through the water distribution system and explained we discharge off our water plant at 68 psi and the minimum pressure required by DEP is 20 psi.

David Hoffman expressed concerns regarding the lobbyist work and accountability by Richard Anderson.

MAYOR'S REPORT

Mayor Kilsheimer reported the City is in the process of re-establishing the Community Redevelopment Agency (CRA) Board of Directors and asked Mr. Irby to review this matter.

Mr. Irby said we have a plan that governs how we spend the money with the CRA and the last time it was updated was 1993. He advised laws have changed since that time and our perspective and targets have also changed. The Board needs to be re-established which is comprised of the Mayor and City Commissioners, one at-will individual, and one individual appointed by the Board of County Commissioners. He stated the City Council is being asked to take into consideration reforming of the CRA Board, and to ratify an individual appointed by the Mayor. He reported the entire parcel of land for the City Center sits within the CRA boundary and the CRA Board, by law, has to review regarding the sale of the property.

Mayor Kilsheimer put forward the name of Pat McGuffin to be appointed to the CRA Board of Directors.

MOTION by Commissioner Bankson, and seconded by Commissioner Dean to ratify the appointment of Pat McGuffin to the CRA Board of Directors.

Mayor Kilsheimer opened the meeting to public input.

Suzanne Kidd said what she was about to say was not meant in any way to cause embarrassment to anybody and had this information been in the agenda packet, she would have spoken privately about this matter. She affirmed that as chairperson of the Steering Committee, there were a number of members originally appointed that did not fulfill all of their duties of that committee and missed a great deal of those meetings.

Rod Love inquired if there was a provision that allowed commissioners to designate appointees on the CRA Board, to which Mayor Kilsheimer advised there was not.

Isadora Dean said she knew Mr. McGuffin very well and she had no objection to him. She asked why the boards were not listed on the website and citizens were not allowed to complete an application in order to be on a board.

No one else wishing to speak, Mayor Kilsheimer closed the public comment.

Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

Mayor Kilsheimer said he would like to bring forth a recommendation for Fire Chief. This position was advertised on May 25, 2016, for internal candidates. He reported there were three exceptionally qualified internal candidates that are dedicated to the City of Apopka. After conferring with the City Administrator, he appointed Charles Carnesale as the next Fire Chief for the City of Apopka. He read letters of recommendation from Orange County EMS Medical Director, Director of Health Services Department/Associate Medical Director of Orange County EMS, and the Fire Chief of Winter Garden. He asked Council to ratify this appointment.

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker to ratify the appointment of Charles Carnesale as the City of Apopka Fire Chief. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

NOT REQUIRING ACTION

1. Thank you letter to the City of Apopka from the North Orange Library.

ADJOURNMENT – There being no further business the meeting adjourned at 9:16 p.m.

ATTEST:

Joseph E. Kilsheimer, Mayor

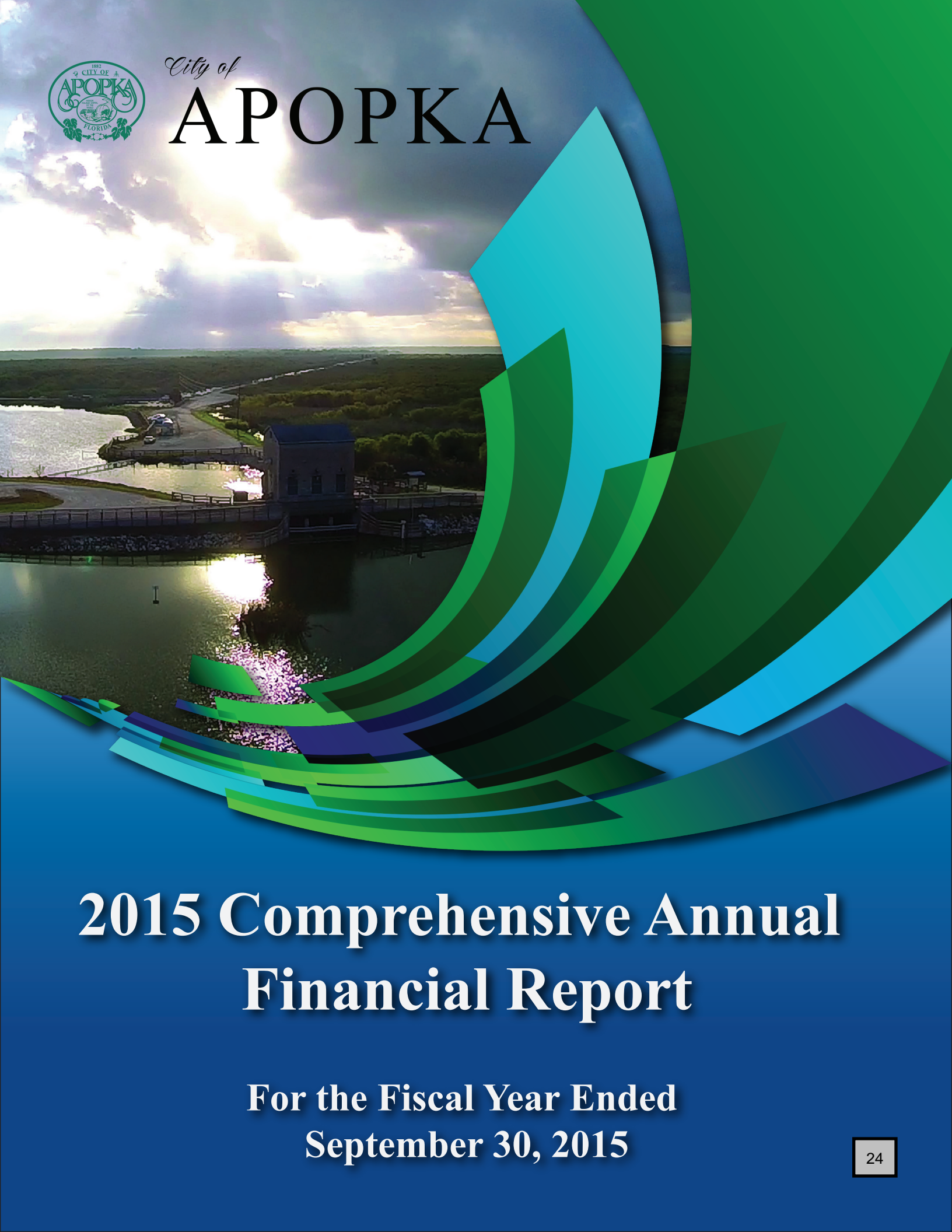
Linda F. Goff, City Clerk

Backup material for agenda item:

2. Comprehensive Annual Financial Report from Moore Stephens Lovelace CPA's and Advisors William Blend



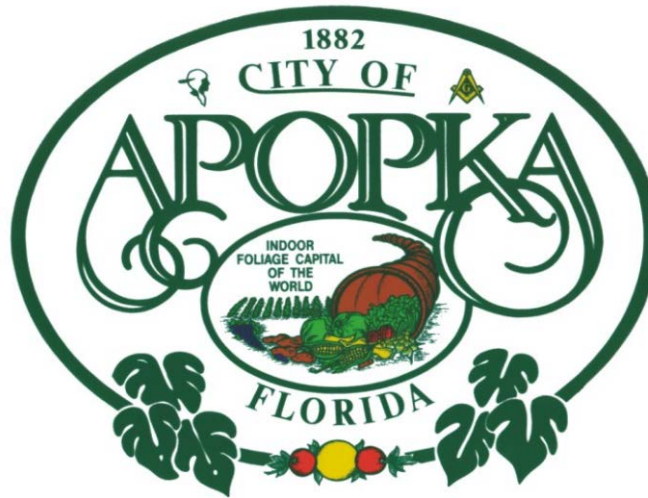
City of
APOPKA



2015 Comprehensive Annual Financial Report

**For the Fiscal Year Ended
September 30, 2015**

COMPREHENSIVE ANNUAL FINANCIAL REPORT



**FOR THE FISCAL YEAR
ENDED SEPTEMBER 30, 2015**

**Prepared by:
Department of Finance**

Featured on the cover is a photo of the Lake Apopka North Shore taken by Robert Sargent, Public Information Officer.

CITY OF APOPKA, FLORIDA
COMPREHENSIVE ANNUAL FINANCIAL REPORT
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COMPREHENSIVE ANNUAL FINANCIAL REPORT
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INTRODUCTORY SECTION

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P.O. BOX 1229 · APOPKA, FLORIDA 32704-1229
PHONE (407) 703-1700

June 21, 2016

To the Honorable Mayor, Members of the City Council,
and Citizens of the City of Apopka, Florida:

The Finance Department is pleased to submit the Comprehensive Annual Financial Report (“CAFR”) for the City of Apopka, Florida for the fiscal year ended September 30, 2015, in accordance with the requirements of the City Charter, Florida Statutes, and *Rules of the Florida Auditor General*. The CAFR is published to provide the City Council, City staff, citizens, bondholders and other interested parties with detailed information concerning the financial condition and activities of the City.

This report reflects management’s representations concerning the finances of the City. Ultimately, management is responsible for the completeness and reliability of the information presented in this report. To provide a reasonable basis for these representations, City management has established a comprehensive internal control framework designed to protect the City’s assets from loss, theft, or misuse and to compile sufficient, reliable information for the preparation of the City’s financial statements in conformity with generally accepted accounting principles (“GAAP”). Because the cost of internal controls should not outweigh their benefits, the City’s comprehensive framework of internal controls has been designed to provide reasonable rather than absolute assurance that the financial statements will be free from material misstatement. As management, we assert that, to the best of our knowledge and belief, this financial report is complete and reliable in all material respects. Responsibility for the accuracy of the presented data and the completeness and fairness of the presentation, including all disclosures, rests with the City.

The City’s financial statements have been audited by Moore Stephens Lovelace, P.A., a firm of licensed certified public accountants. The goal of the independent audit was to provide reasonable assurance that the financial statements of the City for the fiscal year ended September 30, 2015, are free of material misstatement. The independent audit involved examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; assessing the accounting principles used and significant estimates made by management; and evaluating the overall financial statement presentation. The independent auditors concluded that there was a reasonable basis for rendering an unmodified opinion that the City’s financial statements for the fiscal year ended September 30, 2015, are fairly presented in conformity with GAAP. The independent auditor’s report is presented as the first component of the financial section of this report.

The financial section also includes a narrative introduction, overview and analysis of the September 30, 2015 financial statements to accompany the basic financial statements in the form of Management's Discussion and Analysis ("MD&A"). This letter of transmittal is designed to complement the MD&A and should be read in conjunction with it. The City's MD&A can be found immediately following the report of the independent auditor.

Profile of the City

The City of Apopka, incorporated in 1882, is located in northwest Orange County within the Orlando Metropolitan Area. The City is the second largest municipality in Orange County and continues to be one of the County's fastest growing municipalities. The City currently occupies a land area of 33.46 square miles and has a population of 46,354. The City is empowered to levy a property tax on both real and personal properties located within its boundaries. It is also empowered by state statute to extend its corporate limits by annexation, which occurs periodically when deemed appropriate by the City Council.

The City operates under the council-mayor form of government. Policy-making and legislative authority are vested in a city council consisting of the mayor and four other members. The city council is responsible for establishing policy, passing ordinances and resolutions, adopting the budget, appointing committees, plus other duties. The Mayor is responsible for carrying out the policies and ordinances of the City Council, for overseeing the day-to-day operations of the government, and for appointing the chief administrative officer. The City Council is elected on a non-partisan basis. City Council members serve four-year staggered terms, with two Council members elected every two years. The Mayor is elected to serve a four-year term. The Mayor and City Council members are elected at large.

The City provides a full range of services, including police and fire protection; the construction and maintenance of streets, sidewalks and other infrastructure; engineering; planning and community development; code enforcement; recreational activities and cultural events; and administration and support services. In addition, the City operates enterprise funds for water, wastewater, reclaimed water and sanitation services as well as a municipal airport.

The annual budget serves as the foundation for the City's financial planning and control. All departments of the City are required to submit requests for appropriation to the City's chief administrative officer, who then uses these requests as the basis for developing a proposed budget. The Mayor presents the proposed millage rate and budget to the City Council on the third Wednesday in July. The City Council is required to hold two public hearings on the millage rate and budget in September and to adopt a millage rate and final budget by no later than September 30th, the close of the City's fiscal year.

The appropriated budget is prepared by fund, department or division and function, thus establishing budgetary control at the individual fund level. Department heads may make transfers of appropriations within a department or division. However, transfers between funds or departments, require the approval of the chief administrative officer. Budget revisions that alter the total revenues, expenses or reserves of any fund must be approved by the City Council. Budget-to-actual comparisons are provided in this report for each individual governmental fund for which an annual budget has been adopted. For the General Fund, this comparison is presented on page 22, as part of the basic financial statements. For other governmental funds, this comparison is presented in the combining and individual fund statements and schedules section on pages 74-80.

Factors Affecting Financial Condition

The information presented in the financial statements is perhaps best understood when it is considered from the broader perspective of the specific environment within which the City operates.

Local economy. The City has begun to experience an economic upturn consistent with other areas of the county. The local economy strongly benefits from its proximity to Orlando and related employment opportunities. The 2015 unemployment rate for the Apopka area was 4.2% compared to 5.3% for the State of Florida and 5.1% Nationwide.

Apopka's standards for services are considered excellent and its tax rates compare favorably to other areas. A stable growth rate for many recurring revenue sources, combined with an abundance of developable land and a stable local building industry should provide continued expansion of the City's revenue base.

Currently, the City has approximately 757 platted lots available for construction. There are numerous builders and developers who are either in the process of developing those lots or will be developing them in the near future.

It is expected that future residential and commercial construction will continue to have a major impact on the City. Increases in revenue from the associated utility taxes, franchise fees and intergovernmental revenues can be directly related to increases in population. Revenue from licenses and permits is also expected to remain stable.

Long-term financial planning and major initiatives. The City maintains a five-year Capital Improvement Program ("CIP") which serves as its planning document to ensure that its facilities, equipment, and infrastructure are well maintained and operating in peak condition. In addition to the CIP, the City has master plans identifying the present and future capital expansion needs of various facilities and systems with funding levels necessary to meet those capital needs. Currently, the City maintains master plans for water, wastewater, reclaimed water, drainage, recreation and traffic circulation. These plans are periodically reviewed and updated.

Thanks to a collaborative effort between the Florida Department of Transportation ("FDOT") and the Central Florida Expressway Authority, construction began on the \$1.7 billion Wekiva Parkway (SR 429) in June 2015. The Wekiva Parkway is a 25-mile toll road that will complete Central Florida's beltway around northwest metropolitan Orlando. Construction is scheduled to be completed in the fourth quarter of 2021. The parkway will provide an alternative to Interstate 4, and relieve US 441, SR 46 and other area roads of traffic congestion resulting from growth and travel between Orange, Lake, and Osceola counties. The completion of the Wekiva Parkway will have a significant impact on the future growth of northwest Orange County.

The City has worked extensively to become a major player in Orange County by focusing on economic development. In 2015-16, the City conducted a visioning initiative designed to solicit the input from residents, businesses and other stakeholders to help shape the City's future. The plan, accepted in April 2016, is titled "Grow Apopka 2025 Vision." The 198-page document lays out the vision expressed by participants for Apopka's four quadrants and establishes a framework for future planning and economic development initiatives. The study further contains a series of goals and timelines for consideration of future implementation.

In an effort to support eco-tourism in and around Lake Apopka, the City is leading an initiative to establish a nature-based tourism facility on City-owned property in the vicinity of the Lake Apopka North Shore Area. This initiative follows up on a 2012-13 initiative by the City, which led the preparation of a strategic plan through a collaborative effort involving other interested local governments and environmental groups. The strategic plan outlined recommended actions that bring Lake Apopka closer to being a desired destination for tourists and local residents seeking outdoor recreation opportunities.

The City continues its vision for a 33-acre Town Center Project situated on land the City owns at the intersection of State Road 436 and US Highway 441. In 2015, the City issued a Request for Proposals to develop the property and selected a qualified development partner. As of late May 2016, the City was engaged in negotiating a development agreement with the selected partner. This project would have a positive impact on the economic future of the City with an anticipated capital investment in excess of \$100 million.

Construction of the new Florida Hospital Apopka began in 2015 and is scheduled to be completed in 2017. The \$200+ million, 200-bed facility is located at the intersection of Harmon Road and Ocoee-Apopka Road. The City believes planning initiatives that addressed the urbanization of the area surrounding the hospital will provide for new commercial, office and residential development that will follow the completion of the facility.

Relevant financial policies. The City has established a comprehensive set of financial policies which it uses to achieve and maintain a long-term stable and positive financial condition. More specifically it provides guidelines for planning and directing the financial affairs of the City. A part of this policy requires the City to annually review its utility rates to ensure that sufficient revenues are generated to cover operating expenses, meet the legal restrictions of all applicable bond covenants, and provide for an adequate level of working capital.

Awards

The Government Finance Officers Association of the United States and Canada (“GFOA”) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of Apopka for its CAFR for the fiscal year ended September 30, 2014. This was the fifteenth consecutive year that the City has achieved this prestigious award. In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized CAFR that satisfies both GAAP and applicable program requirements.

A Certificate of Achievement is valid for a period of one year only. However, we believe that our current CAFR continues to meet the Certificate of Achievement Program’s requirements, and we are submitting it to the GFOA to determine its eligibility for another certificate.

The City also received the GFOA’s Distinguished Budget Presentation Award for its annual budget document for the fiscal year beginning October 1, 2014. To qualify for the Distinguished Budget Presentation Award, the government’s budget document had to be judged proficient as a policy document, a financial plan, an operations guide, and a communications device.

Acknowledgements

The preparation of this report could not have been accomplished without the efficient and dedicated services of the Finance Department. We would like to express our appreciation to all members of the department who assisted and contributed to its preparation. Also, appreciation is expressed to all employees throughout the City, particularly those employees who were instrumental in the successful completion of this report.

We would like to especially thank the Mayor and the City Council for their interest and support in planning and conducting the financial operations of the City in a responsible and progressive manner.

Respectfully submitted,



Glenn A. Irby, MPA
Chief Administrative Officer



Pamela N. Barclay, CPA
Finance Director

CITY OF AOPKA
PRINCIPAL CITY OFFICIALS
FISCAL YEAR ENDED 2015

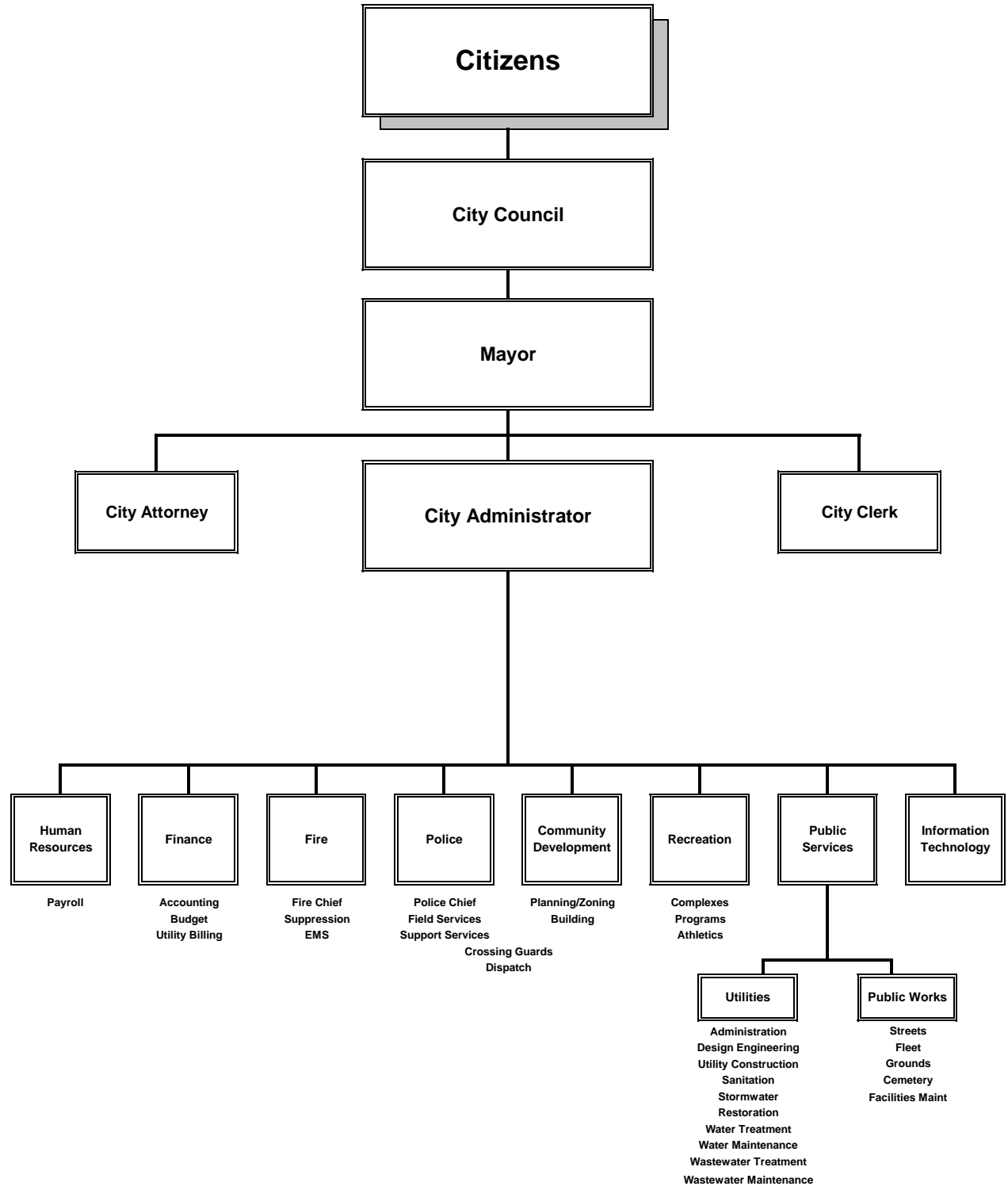
ELECTED OFFICIALS

Mayor	Joseph E. Kilsheimer
Vice-Mayor	J. William Arrowsmith
Commissioner	Billie L. Dean
Commissioner	Diane Velazquez
Commissioner	Sam Ruth

ADMINISTRATIVE OFFICIALS

Chief Administrative Officer	Glenn A. Irby
City Attorney	Clifford B. Sheppard
City Clerk	Linda F. Goff
Finance Director	Pamela N. Barclay
Police Chief	Michael McKinley
Fire Chief	George Lee Bronson
Community Development Director	Vacant
Human Resources Director	Sharon P. Thornton
Information Technology Director	Robert E. Hippler, Interim
Public Services Director	R. Jay Davoll
Recreation Director	David Burgoon

CITY OF AOPKA
ORGANIZATIONAL CHART





Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**City of Apopka
Florida**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

September 30, 2014

Executive Director/CEO

FINANCIAL SECTION

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INDEPENDENT AUDITOR'S REPORT

The Honorable Mayor and
Members of the City Commission
City of Apopka, Florida

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Apopka, Florida (the "City") as of and for the fiscal year ended September 30, 2015, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the City's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City as of September 30, 2015, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

The Honorable Mayor and
Members of the City Commission
City of Apopka, Florida

INDEPENDENT AUDITOR'S REPORT (Continued)

Emphasis-of-Matter

Change in Accounting Principle

As discussed in Note 12 to the financial statements, in the fiscal year ended September 30, 2015, the City adopted the provisions of Government Accounting Standards Board Statement ("GASBS") Number 68, *Accounting and Financial Reporting for Pensions* and GASBS 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date*. As a result of the implementation of GASBS 68 and 71, the City reported a restatement for the change in accounting principle as of October 1, 2014. Our opinions are not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and the other required supplementary information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The introductory section, the other supplementary information section, and the statistical section, as listed in the table of contents, are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The other supplementary information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the other supplementary information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory section and statistical section have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

The Honorable Mayor and
Members of the City Commission
City of Apopka, Florida

INDEPENDENT AUDITOR'S REPORT
(Concluded)

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated June 21, 2016, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

A handwritten signature in blue ink that reads "Moore Stephens Lovelace, P.A.".

MOORE STEPHENS LOVELACE, P.A.
Certified Public Accountants

Orlando, Florida
June 21, 2016

Management's Discussion and Analysis

As management of the City of Apopka, Florida (the "City"), we offer the readers of these basic financial statements this narrative overview and analysis of the City's financial activities for the fiscal year that ended on September 30, 2015. This discussion and analysis is designed to (a) assist the reader in focusing on significant financial issues, (b) provide an overview of the City's financial activity, (c) identify changes in the City's financial position, (d) identify any material deviations from the financial plan (the approved budget), and (e) to identify individual fund issues and/or concerns.

As with other sections of this financial report, the information contained within the Management's Discussion and Analysis ("MD&A") should be considered only a part of a greater whole. The reader of this statement should take time to read and evaluate all sections of this report, including our letter of transmittal, which can be found on pages i through v, the City's basic financial statements which begin on page 18, and the Required Supplementary Information ("RSI"), which can be found on pages 68 to 71.

HIGHLIGHTS

Financial Highlights

- The City's net position increased (decreased) during the year as follows:

Fiscal Year 2015			Fiscal Year 2014	Increase (Decrease)	% Change
Governmental Activities	Business-Type Activities	Total			
\$90,266,531	\$118,459,929	\$208,726,460	\$215,046,795	(\$6,320,335)	-2.9%

- The City's revenues, excluding transfers, increased (decreased) during the year as follows:

Fiscal Year 2015			Fiscal Year 2014	Increase (Decrease)	% Change
Governmental Activities	Business-Type Activities	Total			
\$42,317,118	\$26,757,295	\$69,074,413	\$62,460,220	\$6,614,193	10.6%

- The City's expenses, excluding transfers, increased (decreased) during the year as follows:

Fiscal Year 2015			Fiscal Year 2014	Increase (Decrease)	% Change
Governmental Activities	Business-Type Activities	Total			
\$44,757,350	\$20,217,484	\$64,974,834	\$63,507,789	\$1,467,045	2.3%

*Also see Note 12 for additional impact from restatement of beginning fund balance for implementation of GASB 68.

City Highlights

A description of accomplishments for the current year and projects planned for the coming fiscal year can be found in the letter of transmittal. (See pages i through v).

USING THIS ANNUAL REPORT

The primary focus of local government's financial statements historically has been to summarize fund type information. The new focus as a result of GASB Statement No. 34 is on both the City as a whole (government-wide) and the major individual funds. Both perspectives (government-wide and major fund) allow the user to have a greater understanding, allow a broader comparison of relevant data, enhance the readability of the financial statements and enhance the accountability of the City's management.

Understanding and Overview of the Basic Financial Statements

The City's basic financial statements are comprised of three parts: 1) the government-wide financial statements, 2) the fund financial statements and 3) the notes to the financial statements. The remainder of the financial statements is comprised of the following parts: 1) the required supplementary information, consisting of Pension Trust Fund Schedules, Combining and Individual Fund Statements and Schedules, 3) the Statistical Section, consisting of selected financial and demographic information, generally presented on a multi-year basis and 4) the Single Audit and Other Reports Section consisting of supplemental reports pertaining to federal and state single audit requirements.

The MD&A is intended to serve as an introduction to the basic financial statements and required supplementary information. The MD&A represents management's examination and analysis of the City's financial condition and financial performance as a whole. Summary financial statement data, key financial and operational indicators used in the strategic plan, budget and other management tools were used for this analysis.

The basic financial statements now include two types of statements. The first type of statement consists of government-wide financial statements. The government-wide financial statements provide both short and long-term financial information about the City's overall financial status. The government-wide financial statements are presented by its governmental activities and its business-type activities. The government-wide financial statements report information about the City using full accrual accounting methods and economic resources focus as utilized by similar business activities in the private sector. Information concerning all of the City's assets and liabilities, both financial and capital, and debt are presented whereas the reader can signify the short and long-term portions. Likewise, all revenues and expenses received during the year, regardless of when cash is received or paid are reported. The remaining statements are fund financial statements that focus on individual parts of the City government, reporting the City's operations in more detail than the government-wide financial statements. The governmental fund statements tell how the general government accounts for all current financial resources in servicing the community, what was financed in the short term, as well as what remains for future spending. Proprietary fund statements offer short and long-term financial information about the activities the government operates like a business, such as the Utility System, which includes Water, Wastewater and Reuse, the Sanitation operations and the Airport Fuel. Fiduciary fund statements are used to account for assets held by the government in a trustee capacity. Currently, there are three pension trust funds, which consist of the General Employees', Police Officers', and Firefighters' Retirement Trust Funds and an Other Post-Employment Benefit Trust ("OPEB").

Government-Wide Financial Statements

The government-wide financial statements are designed to be corporate-like in that all governmental and business-type activities are consolidated into columns which add to a total for the Primary Government. The government-wide financial statements consist of a Statement of Net Position and a Statement of Activities. Both statements represent an overview of the City as a whole, separating its operations between Governmental and Business-Type Activities. All information is presented utilizing the economic resources measurement focus and accrual basis of accounting. This method better matches revenues and expenses to the period in which the revenue is earned and the expense attributed. Fiduciary funds, such as pension trust funds, are excluded from these Government-wide Financial Statements because they represent money and funds legally set aside for use by the employee groups they benefit. Their assets and income do not flow through these statements, nor are the liabilities for which taxpayers may ultimately be responsible included. The Statement of Net Position presents information on all of the City's assets and liabilities at the end of its fiscal year, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the City's financial position is improving or deteriorating. Net position increases when revenues exceed expenses. Increases to assets without a corresponding increase to liabilities results in increased net position, which indicates an improved financial condition. The focus of the Statement of Net Position (the "Unrestricted Net Position") is designed to be similar to a bottom line for the City in its Governmental and Business-Type Activities. This statement, for the first time, combines and consolidates governmental funds' current financial resources (short-term spendable resources) with capital assets and long-term obligations.

The Government-wide Statement of Net Position can be found on page 18 of this report.

The Statement of Activities presents the results of the City's operations over the course of the fiscal year and information as to how the City's net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of the related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (ex., delinquent taxes). The Statement of Activities is focused on both the gross and net cost of various activities (governmental and business-type) which are provided by the government's general tax and other revenues. This is intended to summarize and simplify the user's analysis of the cost of various governmental services and the local taxing effort necessary to sustain each of those activities.

The Government-wide Statement of Activities can be found on page 19 of this report.

Management's Discussion and Analysis – (Continued)

The Governmental Activities reflects the City's basic services, including general government, public safety, transportation, environmental, and recreation. Property Taxes, Franchise Fees, Utility Taxes, Licenses and Permits, Intergovernmental Revenues and Fines & Forfeitures finance the majority of these services.

The Business-Type Activities reflect private sector type operations (Water, Wastewater, Reclaimed Water and Sanitation operations), where the fee for service typically covers all or most of the cost of operations, including depreciation.

Fund Financial Statements

Traditional users of governmental financial statements will find the Fund Financial Statements presentation more familiar. The focus is now on Major Funds, rather than fund types. Funds are established for various purposes and the Fund Financial Statements allow the demonstration of sources and uses of funds and/or budgeting compliance associated therewith.

The Governmental Funds are presented on a current financial resources basis. This is the manner in which the financial plan (the budget) is typically developed. The City adopts an annual appropriations budget for each of its governmental funds in accordance with State Statutes and City Charter.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for Governmental Funds with similar information presented for Governmental Activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions.

The City maintains nine individual governmental funds. The General Fund is considered a major fund and is presented separately in the Governmental Fund balance sheet and in the governmental fund statement of revenues, expenditures and changes in fund balances. Data from the other eight governmental funds are combined into a single aggregated presentation. Individual fund data for each of the non-major governmental funds is provided elsewhere in this report.

The Governmental Fund Financial Statements can be found on pages 20 to 23 of this report.

Infrastructure Assets

Historically, a government's largest group of assets (infrastructure - roads, sidewalks and bridges, etc.) have not been reported nor depreciated in government financial statements. Governmental capital assets, particularly infrastructure assets, have only been accounted for using the current financial resources method and have not been expensed annually through depreciation or accounted for otherwise. The governmental-wide Statement of Net Position requires that these assets be valued and reported within the Governmental column. Additionally, the government must elect to either (a) depreciate these assets over their estimated useful lives or (b) develop a system of asset management designed to maintain the service delivery potential to near perpetuity. If the government develops the asset management system (the modified approach) which periodically (at least every third year), by category, measures and demonstrates its maintenance of locally established levels of service standards, the government may record its cost of maintenance in lieu of depreciation. The City of Apopka has elected to depreciate these assets over their estimated useful lives.

Proprietary Funds

The City maintains three proprietary funds, all of which are enterprise funds. Enterprise funds are used to account for operations that are financed and operated in a manner similar to private business enterprises – where the intent is that the costs of providing goods or services to the general public on a continuing basis should be financed or recovered through user charges. Currently, the City's enterprise funds account for its water, wastewater, reclaimed water, sanitation operations and airport fuel. The water, wastewater and reclaimed water enterprise fund is collectively referred to as the Utility Systems Fund, while the Sanitation Fund and the Airport Fund are the other enterprise funds.

The City adopts an annual appropriations budget for each of its Enterprise Funds in accordance with State Statutes and City Charter.

The Enterprise Fund Financial Statements can be found on pages 26 to 30 of this report.

Fiduciary Funds

Fiduciary funds are used to account for resources held for the benefit of parties outside the government and are separately reported in the statements of fiduciary net position and changes in fiduciary net position. Fiduciary funds are not reflected in the government-wide financial statements because the resources of those funds are not available to support the City's own programs. Rather, the City is responsible for ensuring that the assets reported in these funds are used for their intended purposes.

The Fiduciary Fund Financial Statements can be found on pages 31 to 32 of this report.

Notes to the Financial Statements

The Notes to the Financial Statements provide additional information that is essential to a full understanding of the data provided in the Government-wide and Fund financial statements. The notes present information about the City's significant accounting policies, account balances and activities, material risks, obligations, commitments, contingencies and subsequent events, if any.

The Notes to the Financial Statements can be found on pages 33 to 67 of this report.

Other Information

In addition to the basic financial statements and accompanying notes, this report also presents certain Required Supplementary Information concerning the City's budgetary compliance and the City's progress in funding its obligation to provide pension benefits to its employees.

Required Supplementary Information can be found on pages 68 to 71 of this report.

The combining statements referred to earlier in connection with non-major governmental funds are presented immediately following the Required Supplementary Information.

Combining and Individual Fund Statements can be found on pages 72 to 80 of this report.

Government-Wide Financial Analysis of the City as a Whole

Net Position - As noted previously, net position may serve over time as a useful indicator of a government's financial position. This year, the City's assets exceeded liabilities by \$208,726,460 at September 30, 2015.

Approximately 90.7% of the City's net assets reflect its investment in capital assets (land, equipment, buildings, improvements other than buildings, machinery and equipment and infrastructure), less any related debt still outstanding used to acquire those assets. The City uses these capital assets to provide services to its citizens; so, consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be liquidated to pay for these liabilities.

Net position of the City's governmental activities decreased by \$10,081,809 (\$2,440,232 decrease, in addition to the restatement for GASB 68) and totaled \$90,266,531 at the end of the fiscal year. Of this amount, approximately 100.2% is either restricted as to the purposes for which they can be used or is invested in capital assets (land, buildings and equipment). Consequently, unrestricted net position, the part of net position that can be used to finance day-to-day operations without constraint established by debt covenants, enabling legislation, or other legal requirements, totaled (\$214,724) at the end of 2015 as a result of the newly implemented GASB 68. See Note 12 of the Financial Statements for further details.

Net position of the City's business-type activities increased by \$3,761,474 (\$6,539,811 increase, net of restatement for GASB 68) and totaled \$118,459,929 at the end of the fiscal year. Of this amount, approximately 85.6% is either restricted as to the purposes for which they can be used or is invested in capital assets (land, buildings and equipment). Consequently, unrestricted net assets, the part of net assets that can be used to finance day-to-day operations without constraint established by debt covenants, enabling legislation, or other legal requirements, totaled \$17,057,907 at the end of 2015.

Management's Discussion and Analysis – (Continued)

The following table reflects a summary of Net Position compared to the prior year:

STATEMENT OF NET POSITION As of September 30

	Governmental activities		Business-type activities		Total	
	2015	2014	2015	2014	2015	2014
Current and other assets	\$27,580,504	\$26,457,984	\$27,073,767	\$34,187,422	\$54,654,271	\$60,645,406
Capital assets	99,128,378	100,567,790	119,501,201	103,784,583	218,629,579	204,352,373
Noncurrent assets	-	2,453,970	-	565,230	-	3,019,200
Total assets	126,708,882	129,479,744	146,574,968	138,537,235	273,283,850	268,016,979
Total Deferred Outflows of Resources	12,682,456	-	2,591,542	-	15,273,998	-
Current and other liabilities	6,434,911	6,617,617	4,467,256	2,598,178	10,902,167	9,215,795
Long-term Liabilities Outstanding	42,062,225	22,513,787	25,820,877	21,240,602	67,883,102	43,754,389
Total liabilities	48,497,136	29,131,404	30,288,133	23,838,780	78,785,269	52,970,184
Total Deferred Inflows of Resources	627,671	-	418,448	-	1,046,119	-
Net position:						
Invested in Capital Assets, net of related debt	88,573,433	89,327,168	100,656,361	84,626,587	189,229,794	173,953,755
Restricted	1,907,822	2,156,922	745,661	10,762,602	2,653,483	12,919,524
Unrestricted	(214,724)	8,864,250	17,057,907	19,309,266	16,843,183	28,173,516
Total net position	\$90,266,531	\$100,348,340	\$118,459,929	\$114,698,455	\$208,726,460	\$215,046,795

For more detailed information, see the Statement of Net Position on page 18.

Changes in Net Position - While the Statement of Net Position shows a snapshot of the City's financial position at the end of the fiscal year, the Statement of Changes in Net Position provides answers as to the nature and source of those changes. At September 30, 2015, the City's combined net assets totaled \$208,726,460, which is a decrease of \$6,320,335 (\$4,099,579 increase, net of restatement for GASB 68) over last year's reported \$215,046,795. During this same period, the City's total revenues increased by \$6,614,193 to a total of \$69,074,413.

Management's Discussion and Analysis – (Continued)

The following schedule compares the revenues and expenses for the current and previous fiscal year:

CHANGES IN NET POSITION As of September 30

	Governmental activities		Business-type activities		Total	
	2015	2014	2015	2014	2015	2014
Revenues:						
Program revenues:						
Charges for services	\$8,389,757	\$10,810,877	\$18,930,728	\$17,720,899	\$27,320,485	\$28,531,776
Operating grants & contributions	993,788	1,283,718	4,693,320	105,512	5,687,108	1,389,230
Capital grants & contributions	2,345,941	1,855,694	5,831,362	4,021,117	8,177,303	5,876,811
General revenues:					-	-
Property taxes	6,994,987	6,789,004	-	-	6,994,987	6,789,004
Fuel taxes	1,497,364	1,433,900	-	-	1,497,364	1,433,900
Communication services taxes	1,652,964	1,698,804	-	-	1,652,964	1,698,804
½ Cent sales tax	6,663,887	6,180,303	-	-	6,663,887	6,180,303
State shared revenues	2,033,469	1,781,391	-	-	2,033,469	1,781,391
Franchise fees and utility taxes	7,295,442	7,052,673	37,729	36,636	7,333,171	7,089,309
Sale of capital assets	5,845	11,444	-	12,287	5,845	23,731
Unrestricted investment earnings	102,482	98,712	99,269	104,448	201,751	203,160
Miscellaneous revenues	208,132	235,911	1,297,947	1,226,892	1,506,079	1,462,803
Total revenues	38,184,058	39,232,431	30,890,355	23,227,791	69,074,413	62,460,222
Expenses:						
General government	6,511,974	6,377,892	-	-	6,511,974	6,377,892
Public safety	27,864,802	25,985,190	-	-	27,864,802	25,985,190
Physical Environment	305,767	-	-	-	305,767	-
Transportation	5,595,625	8,093,858	-	-	5,595,625	8,093,858
Economic Environment	228,422	251,577	-	-	228,422	251,577
Culture and recreation	3,971,409	3,985,137	-	-	3,971,409	3,985,137
Interest on long-term debt	279,351	341,785	-	-	279,351	341,785
Utility system	-	-	16,036,573	15,019,098	16,036,573	15,019,098
Sanitation	-	-	3,642,605	3,453,253	3,642,605	3,453,253
Airport Fuel	-	-	538,306	-	538,306	-
Total expenses	44,757,350	45,035,439	20,217,484	18,472,351	64,974,834	63,507,790
Increase (decrease) in net position before transfers	(6,573,292)	(5,803,008)	10,672,871	4,755,439	4,099,579	(1,047,569)
Transfers	4,133,060	3,899,130	(4,133,060)	(3,899,130)	-	-
Increase (decrease) in net position	(2,440,232)	(1,903,878)	6,539,811	856,309	4,099,579	(1,047,569)
Net position— beginning as restated	92,706,763	102,252,218	111,920,118	113,842,146	204,626,881	216,094,364
Net position – September 30	\$90,266,531	\$100,348,340	\$118,459,929	\$114,698,455	\$208,726,460	\$215,046,795

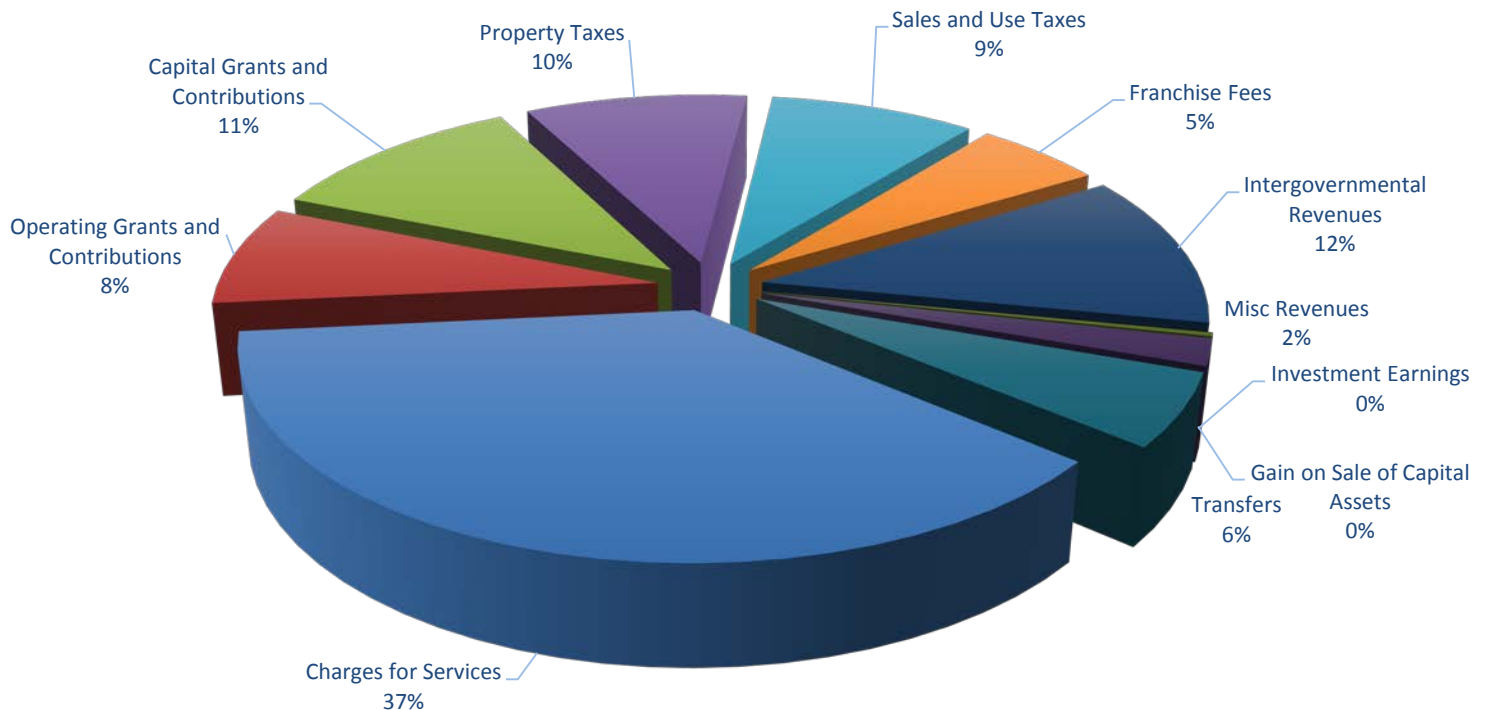
Management's Discussion and Analysis – (Continued)

The following is a summary of source of revenue for the City:

Citywide Source of Revenue

	FY 15	% of	FY 14	% of
	Revenues	Total	Revenues	Total
Charges for Services	\$ 27,320,485	37.3%	\$ 28,531,774	43.0%
Operating Grants & Contributions	5,687,108	7.8%	1,389,230	2.1%
Capital Grants & Contributions	8,177,303	11.2%	5,876,811	8.9%
Property Taxes	6,994,987	9.6%	6,789,004	10.2%
Sales and Use Taxes	6,474,442	8.8%	6,359,256	9.6%
Franchise Fees	4,009,057	5.5%	3,862,757	5.8%
Intergovernmental Revenues	8,697,356	11.9%	7,961,693	12.0%
Gain on Sale of Capital Assets	5,845	0.0%	23,731	0.0%
Investment Earnings	201,751	0.3%	203,160	0.3%
Miscellaneous Revenues	1,506,079	2.0%	1,462,803	2.2%
Transfers	4,133,060	5.6%	3,899,130	5.9%
Total Revenues	\$ 73,207,473	100.0%	\$ 66,359,349	100.0%

Citywide Source of Revenue



Governmental Activities - Governmental activities decreased the City's net assets by \$2,440,232.

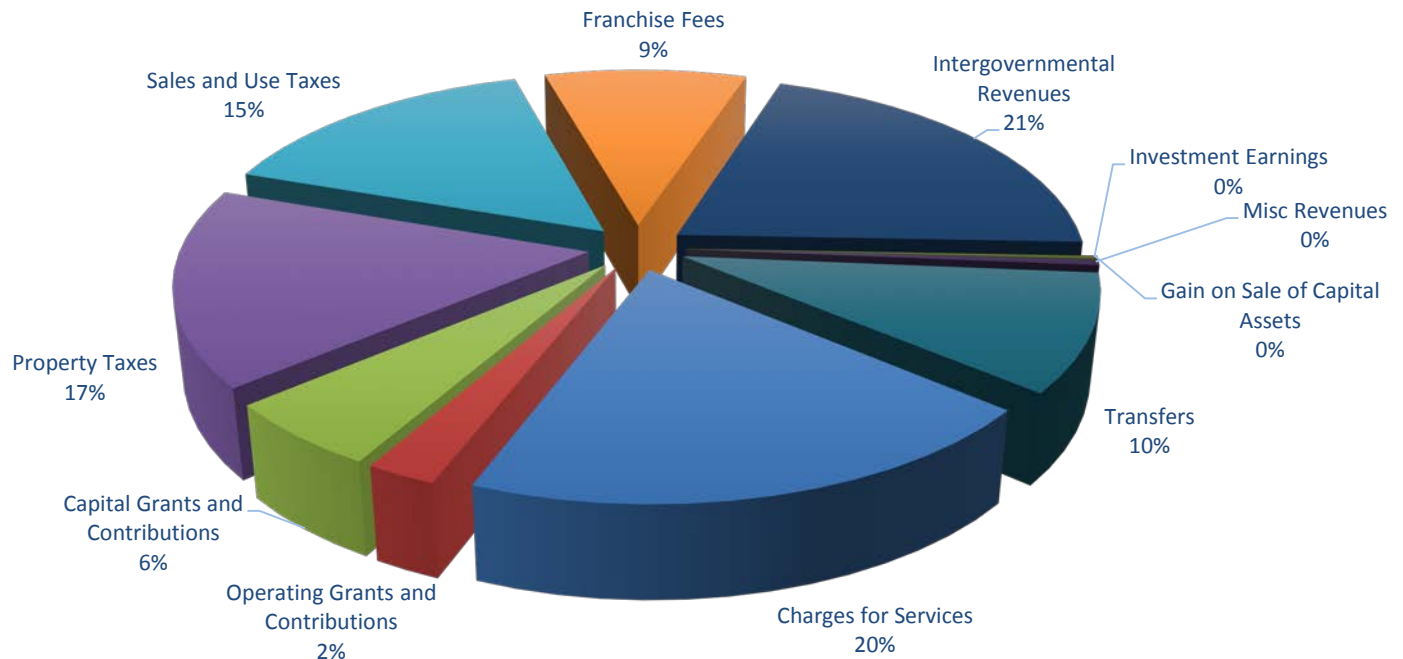
Management's Discussion and Analysis – (Continued)

The following is a summary of the City's Revenues by Source – Governmental Activities:

Revenues by Source – Governmental Activities

	FY 15	% of	FY 14	% of
	Revenues	Total	Revenues	Total
Charges for Services	\$ 8,389,757	19.8%	\$ 10,810,876	25.1%
Operating Grants & Contributions	993,788	2.4%	1,283,718	3.0%
Capital Grants & Contributions	2,345,941	5.5%	1,855,694	4.3%
Property Taxes	6,994,987	16.5%	6,789,004	15.7%
Sales and Use Taxes	6,474,442	15.3%	6,359,256	14.7%
Franchise Fees	3,971,328	9.4%	3,826,121	8.9%
Intergovernmental Revenues	8,697,356	20.6%	7,961,693	18.5%
Gain on Sale of Capital Assets	5,845	0.0%	11,444	0.0%
Investment Earnings	102,482	0.2%	98,712	0.2%
Miscellaneous Revenues	208,132	0.5%	235,911	0.6%
Transfers	4,133,060	9.8%	3,899,130	9.0%
Total Revenues	\$ 42,317,118	100.0%	\$ 43,131,559	100.0%

Governmental Activities Source of Revenue



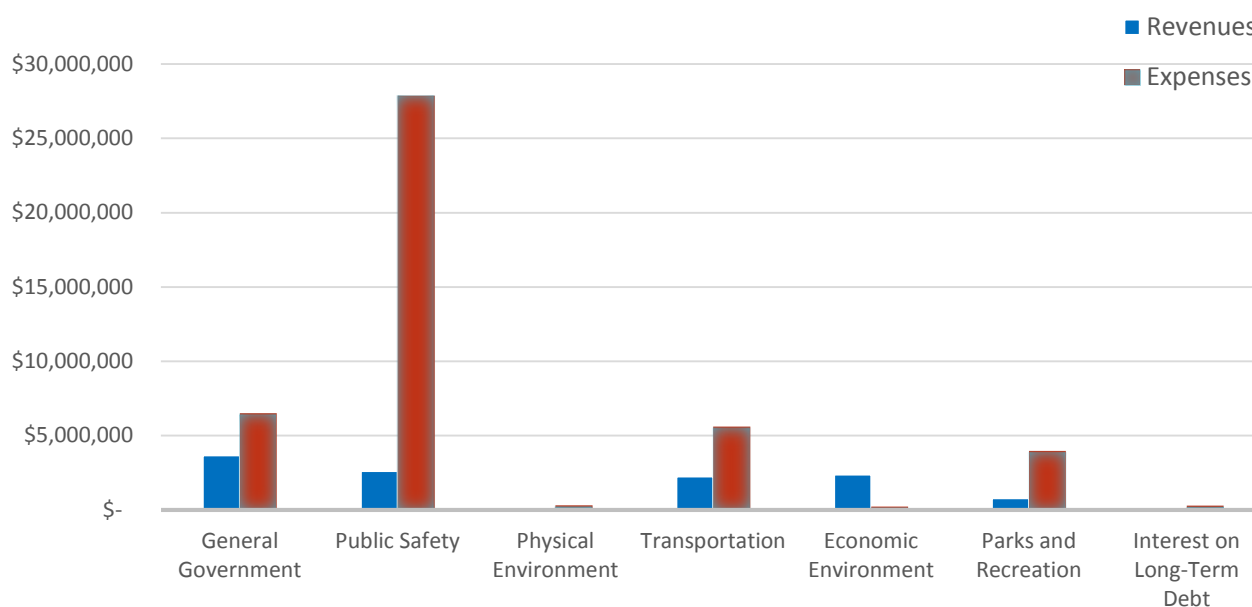
Management's Discussion and Analysis – (Continued)

The following is a summary of the City's Program Expenses and Revenues – Governmental Activities:

Program Expenses and Program Revenues - Governmental Activities

	FY 15 Revenues	% of Total	FY 15 Expenses	% of Total
General Government	\$ 3,656,488	31.2%	\$ 6,511,974	14.5%
Public Safety	2,613,802	22.2%	27,864,802	62.3%
Physical Environment	65,148	0.6%	305,767	0.7%
Transportation	2,247,321	19.2%	5,595,625	12.5%
Economic Environment	2,377,976	20.3%	228,422	0.5%
Parks and Recreation	768,751	6.5%	3,971,409	8.9%
Interest on Long-Term Debt	-	0.0%	279,351	0.6%
Totals	<u>\$ 11,729,486</u>	<u>100.0%</u>	<u>\$ 44,757,350</u>	<u>100.0%</u>

Program Revenues and Expenses - Governmental Activities



A comparison of the City's functional program revenues and costs of providing governmental-type services to its citizens is useful in identifying the capabilities of producing revenues sufficient to operate their programs.

Operating expenses of the governmental-type activities decreased in 2015 to \$44,757,350 as compared to \$45,035,438 in 2014. The City has remained constant in its efforts to maintain and control costs.

An individual comparison of the City's functional program revenues and costs of providing program services to its citizens is useful in identifying the programs, and the extent to which each are dependent on taxes and other non-exchange revenues to subsidize their program operations.

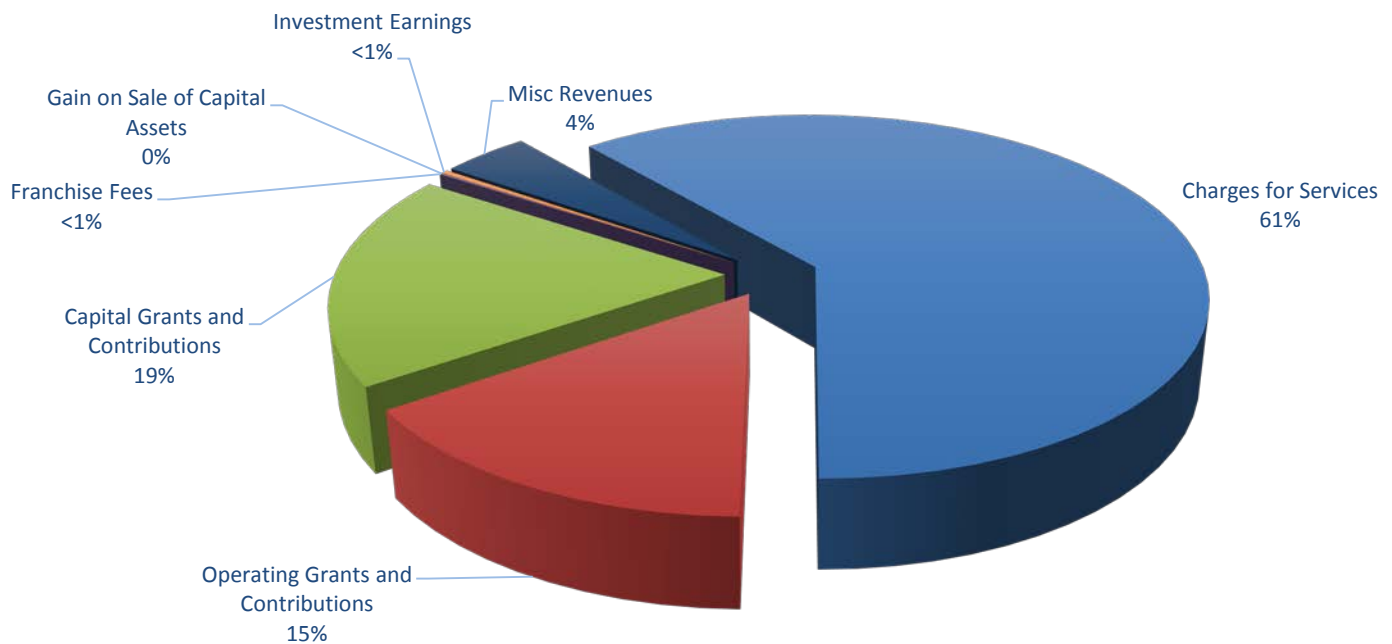
Management's Discussion and Analysis – (Continued)

The following is a summary of the City's Revenues by Source – Business-Type Activities:

Revenues by Source - Business-Type Activities

	FY 15 Revenues	% of Total	FY 14 Revenues	% of Total
Charges for Services	\$ 18,930,728	61.3%	\$ 17,720,898	76.3%
Operating Grants & Contributions	4,693,320	15.2%	105,512	0.4%
Capital Grants & Contributions	5,831,362	18.9%	4,021,117	17.3%
Franchise Fees	37,729	0.1%	36,636	0.2%
Gain on Sale of Capital Assets	-	0.0%	12,287	0.1%
Investment Earnings	99,269	0.3%	104,448	0.4%
Miscellaneous Revenues	1,297,947	4.2%	1,226,892	5.3%
Total Revenues	<u>\$ 30,890,355</u>	<u>100.0%</u>	<u>\$ 23,227,790</u>	<u>100.0%</u>

Business-Type Activities Source of Revenue



The primary sources of revenues for business-type activities are through charges for services and capital grants and contributions and are useful in identifying how revenues are generated to operate their programs.

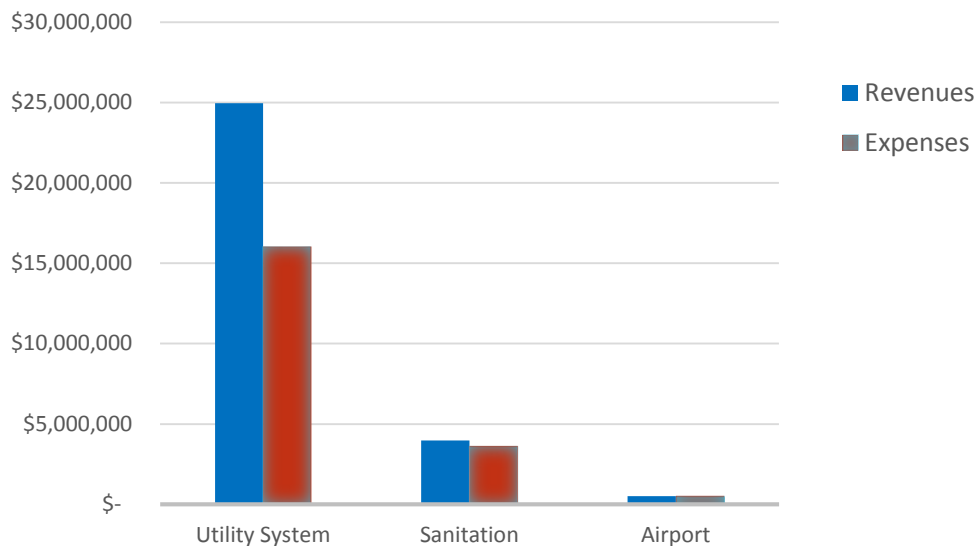
Management's Discussion and Analysis – (Continued)

The following is a summary of the City's Expenses and Program Revenues – Business-Type Activities:

Program Expenses and Program Revenues - Business-Type Activities

	FY 15 Revenues	% of Total	FY 15 Expenses	% of Total
Utility System	\$ 24,964,121	84.8%	\$ 16,036,573	79.3%
Sanitation	3,983,825	13.5%	3,642,605	18.0%
Airport	507,464	1.7%	538,306	2.7%
Totals	<u>\$ 29,455,410</u>	<u>100.0%</u>	<u>\$ 20,217,484</u>	<u>100.0%</u>

Program Revenues and Program Expenses – Business-Type Activities



A comparison of the City's functional program revenues and costs of providing business-type services to its customers is useful in identifying the capabilities of producing revenues sufficient to operate its programs.

Expenses of the business-type activities, including transfers, increased in 2015 to \$24,826,254 as compared to \$22,371,481 in 2014.

Financial Analysis of the City's Funds

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

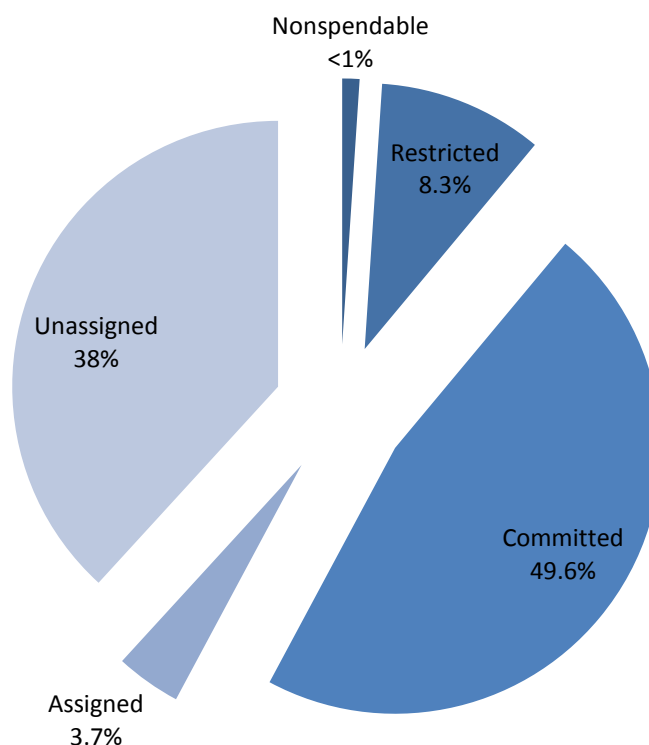
Governmental Funds - The focus of the City's governmental funds is to provide information on near-term inflows, outflows and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unreserved fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

Management's Discussion and Analysis – (Continued)

As the City completed the current fiscal year, its governmental funds reported a combined fund balance of \$23,098,779, which was \$1,560,353 more than the \$21,538,426, reported last year. Of the total fund balance, \$1,907,822 or 8.3% is restricted for specific purposes by bond ordinance, action of law, accounting standard requirements or other factors outside management of the City of Apopka. In addition, the City Council has at various times committed certain funds for specific purposes. Committed monies differ from restricted monies in that management can easily change the use for the funds whereas for restricted monies, an outside influence requires the restriction and those amounts cannot be easily changed without violating a bond provision, aspect of law or accounting standard. At the end of Fiscal Year 2015, 49.6% (\$11,452,064) of the fund balance was committed.

Approximately 38.0% or \$8,793,663 of the combined fund balance constitutes unassigned fund balance, which is available for spending at the government's discretion. Another 3.7% or \$855,809 of this amount is assigned to indicate that it is not available for new spending unless a policy change is made by the City Commission.

Fund Balance - Governmental Funds



The General Fund is the chief operating fund of the City. As of September 30, 2015, the unassigned fund balance in the General Fund totaled \$8,993,373, while total fund balance reached \$11,874,001. As a measure of the General Fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total fund expenditures. Unassigned fund balance represents approximately 24.3% of total General Fund expenditures of \$36,976,307, while total fund balance represents 32.1% of that same amount.

Total fund balance in the General Fund increased by \$1,035,427 during the current fiscal year, while non-spendable fund balance decreased by \$136,105, restricted fund balance decreased by \$61,497, committed fund balance increased by \$466,555, assigned fund balance increased by \$1,268, and unassigned fund balance increased by \$765,206.

An operating reserve equal to two months' operating expenses in the General Fund should be maintained. At September 30, 2015, the operating reserve calculates to \$6,162,718 and the unassigned fund balance exceeds this reserve amount by \$2,830,655.

Proprietary Funds - The City's proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail.

Unrestricted net assets in all Proprietary Funds at the end of the current fiscal year as shown on the Proprietary Fund statements amounted to \$17,057,907 compared to \$19,309,266 in the prior year, which is a decrease of \$2,251,359 over the prior year.

Management's Discussion and Analysis – (Continued)

An operating reserve equal to three months' operating expenses in the Proprietary Funds should be maintained. At September 30, 2015, the operating reserve calculates to \$4,888,109 and the unrestricted net assets available equals \$17,057,907 resulting in a surplus of \$12,169,798 above the reserve requirements.

Budgetary Highlights

The budget is revised throughout the year to recognize projects carried over from the previous year, grant awards received during the year and to adjust budgets to reflect actual circumstances. Normally budget adjustments are typically minor in nature. Overall budgetary control is achieved through continuous review by the Finance Director.

The Mayor of Apopka is authorized to transfer budgeted amounts between departments within any fund; however, any revisions that alter the total revenues, reserves, or expenditures of any fund must be approved by a majority vote on the City Council. During the fiscal year, various budget adjustments were performed and the budgeted amounts shown on the financial statements are as originally adopted and further adjusted.

Variances in General Fund Revenues compared to Final Budget

General Fund revenues in the current year were \$699,302 more than budgeted, with Taxes and Licenses, Fees and Permits showing significant positive variances while Intergovernmental Revenues and Miscellaneous Revenues resulted with negative variances.

Variances in General Fund Expenditures compared to Final Budget

General Fund expenditures in the current year were \$2,008,772 less than budgeted. This is primarily due to the combined efforts of the City departments to control expenditures in light of minimal increases in property taxes and state supported revenues. A portion of this excess will be used to cover carryover purchase orders and capital expenditures.

Capital Assets and Debt Administration

Capital Assets - At September 30, 2015, the City's investment in capital assets for its governmental and business type activities, net of related debt, totaled \$189,583,819. This investment in capital assets, net of depreciation, for all activities is reflected at September 30, 2015 as follows:

Capital Assets

	Governmental Activities	Business-type Activities	Total
Land	\$ 27,751,106	\$ 7,924,275	\$ 35,675,381
Buildings	13,230,893	21,480,830	34,711,723
Improvements	101,174,695	112,338,584	213,513,279
Machinery and Equipment	18,059,824	9,294,415	27,354,239
Automotive Equipment	10,929,254	6,239,485	17,168,739
Construction in Progress	<u>443,529</u>	<u>20,392,498</u>	<u>20,836,027</u>
Total Capital Assets	171,589,301	177,670,087	349,259,388
Less: Accumulated Depreciation	<u>(72,460,923)</u>	<u>(58,168,886)</u>	<u>(130,629,809)</u>
Total Capital Assets - Net	<u>\$ 99,128,378</u>	<u>\$ 119,501,201</u>	<u>\$ 218,629,579</u>

Additional information on the City's capital assets can be found in Note 5 to the financial statements.

Long-Term Debt - At year-end, the City had \$27,520,760 in notes and bonds outstanding, the majority of which is secured by utility revenues (\$16.9 million). The City has one note secured by Recreation Impact Fees and no notes secured by ad-valorem taxes. All of the remaining notes are secured by non-ad-valorem tax revenues. More detailed information about the City's long-term debt is presented in Note 6 to the financial statements.

Management's Discussion and Analysis – (Continued)

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

Many factors are considered each year by the City Council in its efforts to establish an operating budget, to evaluate its personnel needs, and to develop uniform user fees that are fair, reasonable, and adequately recover costs. Some of the major factors considered in this process are the local economy, labor force, unemployment rates, and inflation rates.

- The more recent estimates available for unemployment data in Apopka, Orange County, and the State of Florida are compiled by the Volusia County Economic Development Department. Their estimated unemployment rates are as follows:

	Apopka	Orange County	State of Florida
September 2015	4.2%	4.7%	5.3%
September 2014	5.1%	5.6%	6.1%
Percentage Change	-0.9%	- .9%	- 0.8%

- For 2015, the U.S. Census Bureau estimated the City's population at 48,382.
- Inflationary trends for Orange County compare favorably with those trends experienced at the state and national levels.
- The economy is showing continued signs of improvement, as revenues appear to be stabilizing and increasing in some areas, and are expected to improve over the long run.
- During its 2007 legislative session, the Florida Legislature approved a tax reform package that required all cities and counties to cut property taxes. A cap on future property tax revenues was imposed based on the rate of personal income growth and new construction. Local governments may override the cap. The method for the override will vary based on the magnitude of the local government's action (escalating from a supermajority vote of the local governing body, to a unanimous vote of the local governing body.)
- On January 29, 2008, the Florida electorate approved an amendment to the Florida Constitution relative to property taxation. This amendment (referred to as Amendment 1) was placed on the ballot by the Florida Legislature at a special session held in October 2007. With respect to homestead property, Amendment 1 increases the current \$25,000 homestead exemption by another \$25,000 (for property values between \$50,000 and \$75,000), except for school district taxes. Amendment 1 also allows property owners to transfer (make portable) up to \$500,000 of their Save Our Homes benefits to their next homestead when they move. Save Our Homes became effective in 1995 and limits (caps) the annual increase in assessed value for homestead property to three percent (3%) or the percentage change in the Consumer Price Index, whichever is less.

With respect to non-homestead property, Amendment 1 limits (caps) the annual increase in assessed value for non-homestead property (businesses, industrial property, rental property, second homes, etc.) to ten percent (10%), except for school district taxes. The Amendment also provides a \$25,000 exemption for tangible personal property.

Amendment 1 became effective with the budget year beginning on October 1, 2008, with the exception of the ten percent (10%) assessment cap on non-homestead property which became effective on January 1, 2010 (budget year beginning on October 1, 2010.)

REQUEST FOR INFORMATION

This financial report is designed to provide our citizens, taxpayers, customers and creditors with a general overview of the City's finances and to demonstrate the City's accountability for the money it receives. Questions concerning any of the information provided in this report, or requests for additional information, should be addressed to the Finance Director, City of Apopka, Florida, P.O. Box 1229, Apopka, FL 32703.

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BASIC FINANCIAL STATEMENTS

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CITY OF AOPKA, FLORIDA
GOVERNMENT-WIDE STATEMENT OF NET POSITION
September 30, 2015

	Governmental Activities	Business-type Activities	Total
ASSETS			
Cash and Cash Equivalents	\$ 20,933,426	\$ 21,145,431	\$ 42,078,857
Restricted Cash and Cash Equivalents	1,907,822	1,548,916	3,456,738
Investments	79,247	-	79,247
Accounts Receivable (Net)	3,324,551	2,898,815	6,223,366
Due from Other Governments	916,893	1,069,509	1,986,402
Internal Balances	36,656	(36,656)	-
Inventories	89,421	447,752	537,173
Deposits	250,000	-	250,000
Capital Assets not Being Depreciated	28,194,635	28,316,773	56,511,408
Capital Assets Being Depreciated, Net of Depreciation	70,933,743	91,184,428	162,118,171
Total Assets	<u>126,666,394</u>	<u>146,574,968</u>	<u>273,241,362</u>
DEFERRED OUTFLOWS OF RESOURCES			
Deferred Outflows for Refunding	-	216,264	216,264
Deferred Outflows for Pensions	12,682,456	2,375,278	15,057,734
Total Deferred Outflows of Resources	<u>12,682,456</u>	<u>2,591,542</u>	<u>15,273,998</u>
LIABILITIES			
Accounts Payable	1,119,369	1,706,901	2,826,270
Due to Other Governments	201,106	8,708	209,814
Accrued Liabilities	818,397	63,929	882,326
Retainage Payable	-	554,104	554,104
Accrued Interest Payable	115,108	-	115,108
Due to Pension Beneficiaries	922,589	103,871	1,026,460
Customer Utility Deposits	-	689,185	689,185
Unearned Revenue	330,049	114,070	444,119
Deposits	77,106	-	77,106
Long-term Liabilities:			
Due Within One Year			
Bonds Payable	150,000	992,000	1,142,000
Notes Payable	1,797,388	-	1,797,388
Compensated Absences	903,799	234,488	1,138,287
Due in More Than One Year			
Notes Payable	8,101,372	-	8,101,372
Bonds Payable	506,185	17,515,000	18,021,185
Compensated Absences	834,276	216,450	1,050,726
Net Pension Liability	19,666,333	4,154,230	23,820,563
Other Postemployment Benefits	12,954,059	3,935,197	16,889,256
Total Liabilities	<u>48,497,136</u>	<u>30,288,133</u>	<u>78,785,269</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred Inflows for Pensions	627,671	418,448	1,046,119
Total Deferred Inflows of Resources	<u>627,671</u>	<u>418,448</u>	<u>1,046,119</u>
NET POSITION			
Net Investment in Capital Assets	88,573,433	100,656,361	189,229,794
Restricted For:			
Capital Improvements	-	545,661	545,661
Renewal, Replacements, & Improvements	-	200,000	200,000
Street Improvement	836,957	-	836,957
Law Enforcement	244,337	-	244,337
Public Safety	62,606	-	62,606
Culture & Recreation	104,322	-	104,322
Pension Beneficiaries	43,551	-	43,551
Capital Projects	616,049	-	616,049
Unrestricted (Deficit)	(214,724)	17,057,907	16,843,183
Total Net Position	<u>\$ 90,266,531</u>	<u>\$ 118,459,929</u>	<u>\$ 208,726,460</u>

The notes to the financial statements are an integral part of the financial statements.

CITY OF APOPKA, FLORIDA
STATEMENT OF ACTIVITIES
For the Year Ended September 30, 2015

FUNCTIONS/PROGRAMS	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Position		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
Primary Government:							
Governmental Activities:							
General Government	\$ 6,511,974	\$ 3,539,928	\$ 116,560	\$ -	\$ (2,855,486)	\$ -	\$ (2,855,486)
Public Safety	27,864,802	1,775,398	838,404	-	(25,251,000)	-	(25,251,000)
Physical Environment	305,767	-	-	65,148	(240,619)	-	(240,619)
Transportation	5,595,625	-	38,120	2,209,201	(3,348,304)	-	(3,348,304)
Economic Environment	228,422	2,377,976	-	-	2,149,554	-	2,149,554
Culture and Recreation	3,971,409	696,455	704	71,592	(3,202,658)	-	(3,202,658)
Interest on Long-Term Debt	279,351	-	-	-	(279,351)	-	(279,351)
Total Governmental Activities	44,757,350	8,389,757	993,788	2,345,941	(33,027,864)	-	(33,027,864)
Business-type Activities:							
Utility System	16,036,573	14,439,439	4,693,320	5,831,362	-	8,927,548	8,927,548
Sanitation	3,642,605	3,983,825	-	-	-	341,220	341,220
Airport Fuel	538,306	507,464	-	-	-	(30,842)	(30,842)
Total Business-type Activities	20,217,484	18,930,728	4,693,320	5,831,362	-	9,237,926	9,237,926
Total Primary Government	\$ 64,974,834	\$ 27,320,485	\$ 5,687,108	\$ 8,177,303	(33,027,864)	9,237,926	(23,789,938)
General Revenues:							
Property Tax					6,994,987	-	6,994,987
Gas Tax					1,497,364	-	1,497,364
Utility Tax					3,324,114	-	3,324,114
Communication Services Tax					1,652,964	-	1,652,964
1/2 Cent Sales Tax					6,663,887	-	6,663,887
State Shared Revenues					2,033,469	-	2,033,469
Franchise Fees					3,971,328	37,729	4,009,057
Gain on Sale of Capital Assets					5,845	-	5,845
Investment Earnings					102,482	99,269	201,751
Miscellaneous					208,132	1,297,947	1,506,079
Transfers					4,133,060	(4,133,060)	-
Total General Revenues/Transfers					30,587,632	(2,698,115)	27,889,517
Change in Net Position					(2,440,232)	6,539,811	4,099,579
Net Position - Beginning, as restated					92,706,763	111,920,118	204,626,881
Net Position - Ending					\$ 90,266,531	\$ 118,459,929	\$ 208,726,460

The notes to the financial statements are an integral part of the financial statements.

CITY OF AOPKA, FLORIDA
BALANCE SHEET - GOVERNMENTAL FUNDS

September 30, 2015

	General	Community Redevelopment (CRA)	Nonmajor Governmental Funds	Total Governmental Funds
ASSETS				
Cash and Cash Equivalents	\$ 11,404,858	\$ 2,047,543	\$ 7,481,025	\$ 20,933,426
Restricted Assets:				
Cash and Cash Equivalents	956,252	-	951,570	1,907,822
Investments	79,247	-	-	79,247
Accounts Receivable	2,484,079	-	840,472	3,324,551
Due from Other Governments	782,217	-	134,676	916,893
Inventories	89,421	-	-	89,421
Due from Other Funds	236,366	-	-	236,366
Other Assets - Deposit	250,000	-	-	250,000
Total Assets	<u>\$ 16,282,440</u>	<u>\$ 2,047,543</u>	<u>\$ 9,407,743</u>	<u>\$ 27,737,726</u>
LIABILITIES, DEFERRED INFLOWS AND FUND BALANCES				
Liabilities:				
Accounts Payable	\$ 1,068,976	\$ -	\$ 50,393	\$ 1,119,369
Due to Other Governments	201,106	-	-	201,106
Accrued Liabilities	813,702	-	4,695	818,397
Retainage Payable	-	-	-	-
Due to Pension Beneficiaries	914,794	-	7,795	922,589
Due to Other Funds	-	-	199,710	199,710
Deposits	73,812	-	3,294	77,106
Unearned Revenues	330,049	-	-	330,049
Total Liabilities	<u>3,402,439</u>	<u>-</u>	<u>265,887</u>	<u>3,668,326</u>
Deferred Inflows of Resources				
Unavailable Revenues	1,006,000	-	7,109	1,013,109
Total Deferred Inflows of Resources	<u>1,006,000</u>	<u>-</u>	<u>7,109</u>	<u>1,013,109</u>
FUND BALANCES				
Nonspendable:				
Inventory	89,421	-	-	89,421
Restricted:				
Street Improvements	-	-	836,957	836,957
Law Enforcement	129,724	-	114,613	244,337
Pension Beneficiaries	43,551	-	-	43,551
Fire	62,606	-	-	62,606
Culture and Recreation	104,322	-	-	104,322
Capital Projects	616,049	-	-	616,049
Committed:				
Transportation Improvements	-	-	6,236,767	6,236,767
Recreation Improvements	14,780	-	325,959	340,739
Stormwater Improvements	-	-	1,862,649	1,862,649
Community Redevelopment	-	2,047,543	-	2,047,543
Law Enforcement	194,707	-	-	194,707
Storage Retention	229,963	-	-	229,963
Tree Bank	539,696	-	-	539,696
Assigned:				
Culture and Recreation	555,809	-	-	555,809
Insurance	300,000	-	-	300,000
Unassigned	8,993,373	-	(199,710)	8,793,663
Total Fund Balances	<u>11,874,001</u>	<u>2,047,543</u>	<u>9,177,235</u>	<u>23,098,779</u>
Total Liabilities, Deferred Inflows and Fund Balances	<u>\$ 16,282,440</u>	<u>\$ 2,047,543</u>	<u>\$ 9,450,231</u>	<u>\$ 27,780,214</u>

The notes to the financial statements are an integral part of the financial statements.

CITY OF AOPKA, FLORIDA
RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION
September 30, 2015

Total fund balances of governmental funds \$ 23,098,779

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds. 99,128,378

Deferred outflows and inflows of resources related to pensions are applicable to future periods and, therefore, are not reported in governmental funds.

Deferred outflows of resources for pensions	\$ 12,682,456	
Deferred inflows of resources for pensions	<u>(627,671)</u>	12,054,785

Long-term liabilities are not due and payable in the current period and, accordingly, are not reported as fund liabilities. Interest on long-term debt is not accrued in governmental funds, but rather is recognized as an expenditure when due. All liabilities--both current and long-term--are reported in the Statement of Net Position. Long-term liabilities at year-end consist of:

Bonds payable	640,000	
Notes payable	9,898,760	
Accrued interest payable	115,108	
Other postemployment benefits	12,954,059	
Net pension liability	19,666,333	
Compensated absences	<u>1,738,075</u>	(45,012,335)

Note premiums are reported in the governmental funds when first issued, whereas these amounts are deferred and amortized in the government-wide statements. (16,185)

Deferred inflows from federal and state grants recognized as revenue of the current period. 1,013,109

Total net position of governmental activities \$ 90,266,531

The notes to the financial statements are an integral part of the financial statements.

CITY OF AOPKA, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
For the Year Ended September 30, 2015

	General	Community Redevelopment (CRA)	Nonmajor Governmental Funds	Total Governmental Funds
REVENUES				
Taxes	\$ 12,573,936	\$ 194,677	\$ 1,497,364	\$ 14,265,977
Licenses, Fees and Permits	5,925,542	-	-	5,925,542
Special Assessments	-	-	65,148	65,148
Impact Fees	45,600	-	1,155,711	1,201,311
Intergovernmental Revenues	9,017,563	-	33,285	9,050,848
Charges for Services	2,936,946	-	903,799	3,840,745
Fines and Forfeitures	1,916,667	-	40,591	1,957,258
Investment Earnings	59,455	8,798	34,229	102,482
Miscellaneous Revenues	690,270	-	441	690,711
Total Revenues	<u>33,165,979</u>	<u>203,475</u>	<u>3,730,568</u>	<u>37,100,022</u>
EXPENDITURES				
Current:				
General Government	5,828,865	-	444	5,829,309
Public Safety	24,688,116	-	103,767	24,791,883
Physical Environment	114,294	-	395,320	509,614
Transportation	1,112,284	-	2,985,087	4,097,371
Economic Environment	-	228,422	-	228,422
Culture and Recreation	3,271,512	-	1,447	3,272,959
Debt Service:				
Principal Payments	1,661,862	-	-	1,661,862
Interest and Fiscal Charges	299,374	-	-	299,374
Total Expenditures	<u>36,976,307</u>	<u>228,422</u>	<u>3,486,065</u>	<u>40,690,794</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(3,810,328)</u>	<u>(24,947)</u>	<u>244,503</u>	<u>(3,590,772)</u>
OTHER FINANCING SOURCES AND (USES)				
Transfers In	4,438,756	-	627,126	5,065,882
Transfers (Out)	(611,066)	-	(321,756)	(932,822)
Proceeds from Sale of Capital Assets	58,065	-	-	58,065
Debt Issuance	960,000	-	-	960,000
Total Other Financing Sources and (Uses)	<u>4,845,755</u>	<u>-</u>	<u>305,370</u>	<u>5,151,125</u>
Net Change in Fund Balances	1,035,427	(24,947)	549,873	1,560,353
Fund Balances - Beginning	<u>10,838,574</u>	<u>2,072,490</u>	<u>8,627,362</u>	<u>21,538,426</u>
Fund Balances - Ending	<u>\$ 11,874,001</u>	<u>\$ 2,047,543</u>	<u>\$ 9,177,235</u>	<u>\$ 23,098,779</u>

The notes to the financial statements are an integral part of the financial statements.

CITY OF APOPKA, FLORIDA
RECONCILIATION OF THE STATEMENT OF REVENUES,
EXPENDITURES, AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF ACTIVITIES
For the Year Ended September 30, 2015

Amounts reported for governmental activities in the statement of activities are different because:

Net change in fund balances - total governmental funds	\$	1,560,353	
Governmental funds report capital purchases as expenditures. However, in the statement of activities, the cost of those assets is depreciated over their estimated useful lives and reported as depreciation expense.			
Expenditures for capital assets	\$	2,306,565	
Contributions of capital assets		1,125,082	
Less current year depreciation		<u>(4,818,839)</u>	
			(1,387,192)
The issuance of notes and similar long-term debt provides current financial resources to governmental funds and thus contribute to the change in fund balance. In the statement of net position, however, issuing debt increases long-term liabilities and does not affect the statement of activities. Similarly, repayment of principal is an expenditure in the governmental funds, but reduces the liability in the statement of net position. The amounts of the items that make up these differences in the treatment of long-term debt and related items are:			
Issuance of debt:			
Issuance of notes payable		(960,000)	
Principal repayments:			
Notes payable		<u>1,661,862</u>	701,862
Under the modified accrual basis of accounting used in governmental funds, expenditures are not recognized for transactions that are not normally paid with expendable available financial resources. In the statement of activities, however, which is presented on the accrual basis, expenses and liabilities are reported regardless of when financial resources are available. In addition, interest on long-term debt is not recognized under the modified accrual basis of accounting until due, rather than as it accrues. These adjustments are as follows:			
Compensated absences		114,475	
Other postemployment benefits		(926,701)	
Accrued interest on long-term debt		<u>16,811</u>	(795,415)
In the statement of activities, only the loss on the sale/disposal of capital assets is reported. The change in net position differs from the change in fund balance by the cost of the capital assets sold/disposed or adjusted in value.			
			(52,220)
Governmental funds report City pension contributions as expenditures. In the Statement of Activities, the cost of pension benefits earned net of contributions is reported as pension expense.			
Difference between pension contributions and net pension expense			(2,423,941)
Governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the Statement of Activities. This amount is the net effect of these differences in the treatment of long-term debt and related items.			
			3,212
Under the modified accrual basis of accounting, revenues are recognized when both the measurable and available criteria have been met. Under full accrual accounting, the revenues would be recognized when earned.			
			<u>(46,891)</u>
Change in net position of governmental activities	\$		<u>(2,440,232)</u>

The notes to the financial statements are an integral part of the financial statements.

CITY OF APOPKA, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
GENERAL FUND
For the Year Ended September 30, 2015

	Original Budget	Final Budget	Actual	Variance with Final Budget Positive (Negative)
REVENUES				
Taxes	\$ 11,879,650	\$ 11,879,650	\$ 12,573,936	\$ 694,286
Licenses, Fees and Permits	5,393,700	5,393,700	5,925,542	531,842
Impact Fees	30,000	30,000	45,600	15,600
Intergovernmental Revenues	8,728,100	8,728,100	9,017,563	289,463
Charges for Services	2,964,150	2,975,722	2,936,946	(38,776)
Fines and Forfeitures	2,319,100	2,329,118	1,916,667	(412,451)
Investment Earnings	95,000	95,000	59,455	(35,545)
Miscellaneous Revenues	954,300	1,035,387	690,270	(345,117)
Total Revenues	<u>32,364,000</u>	<u>32,466,677</u>	<u>33,165,979</u>	<u>699,302</u>
EXPENDITURES				
Current:				
General Government	5,873,500	6,397,515	5,828,865	568,650
Public Safety	25,432,810	25,771,197	24,688,116	1,083,081
Physical Environment	130,745	142,745	114,294	28,451
Transportation	1,002,315	1,146,642	1,112,284	34,358
Culture and Recreation	3,341,285	3,563,885	3,271,512	292,373
Debt Service:				
Principal Payments	1,661,862	1,661,862	1,661,862	-
Interest and Fiscal Charges	301,173	301,173	299,374	1,799
Total Expenditures	<u>37,743,690</u>	<u>38,985,019</u>	<u>36,976,307</u>	<u>2,008,712</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(5,379,690)</u>	<u>(6,518,342)</u>	<u>(3,810,328)</u>	<u>2,708,014</u>
OTHER FINANCING SOURCES AND (USES)				
Transfers In	4,439,550	5,644,202	4,438,756	(1,205,446)
Transfers (Out)	(528,860)	(528,860)	(611,066)	(82,206)
Proceeds from Sale of Capital Assets	3,000	3,000	58,065	55,065
Debt Issuance	1,066,000	1,000,000	960,000	(40,000)
Total Other Financing Sources and (Uses)	<u>4,979,690</u>	<u>6,118,342</u>	<u>4,845,755</u>	<u>(1,272,587)</u>
Net Change in Fund Balances	<u>(400,000)</u>	<u>(400,000)</u>	<u>1,035,427</u>	<u>1,435,427</u>
Fund Balances - Beginning	<u>400,000</u>	<u>400,000</u>	<u>10,838,574</u>	<u>10,438,574</u>
Fund Balance - Ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 11,874,001</u>	<u>\$ 11,874,001</u>

The notes to the financial statements are an integral part of the financial statements.

CITY OF APOPKA, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
COMMUNITY REDEVELOPMENT (CRA)
For the Year Ended September 30, 2015

	Original Budget	Final Budget	Actual	Variance with Final Budget Positive (Negative)
REVENUES				
Taxes	\$ 87,500	\$ 197,500	\$ 194,677	\$ (2,823)
Intergovernmental Revenues	110,000	-	-	-
Investment Earnings	7,500	7,500	8,798	1,298
Total Revenues	<u>205,000</u>	<u>205,000</u>	<u>203,475</u>	<u>(1,525)</u>
EXPENDITURES				
Current:				
Economic Environment	228,040	228,040	228,422	(382)
Total Expenditures	<u>228,040</u>	<u>228,040</u>	<u>228,422</u>	<u>(382)</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(23,040)</u>	<u>(23,040)</u>	<u>(24,947)</u>	<u>(1,907)</u>
Net Change in Fund Balances	(23,040)	(23,040)	(24,947)	(1,907)
Fund Balances - Beginning	<u>23,040</u>	<u>23,040</u>	<u>2,072,490</u>	<u>2,049,450</u>
Fund Balance - Ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,047,543</u>	<u>\$ 2,047,543</u>

The notes to the financial statements are an integral part of the financial statements.

CITY OF AOPKA, FLORIDA
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
September 30, 2015

	Business-type Activities - Enterprise Funds			
	Major		Nonmajor	
	Utility System	Sanitation	Airport Fuel	Totals
ASSETS				
Current Assets:				
Cash and Cash Equivalents	\$ 19,785,402	\$ 1,360,029	\$ -	\$ 21,145,431
Restricted Cash and Cash Equivalents:				
Customer Utility Deposits	689,185	-	-	689,185
Repair and Maintenance Escrows	114,070	-	-	114,070
Renewal, Replacement, and Improvement	200,000	-	-	200,000
Capital Improvements	545,661	-	-	545,661
Accounts Receivable, Net	2,354,679	544,136	-	2,898,815
Inventories	417,800	-	29,952	447,752
Due From Other Governments	1,069,509	-	-	1,069,509
Total Current Assets	25,176,306	1,904,165	29,952	27,110,423
Noncurrent Assets:				
Capital Assets:				
Land	7,924,275	-	-	7,924,275
Buildings	21,480,830	-	-	21,480,830
Infrastructure	112,338,584	-	-	112,338,584
Equipment and Machinery	8,089,845	1,204,570	-	9,294,415
Vehicles	2,555,858	3,683,627	-	6,239,485
Construction in Progress	20,392,498	-	-	20,392,498
Less: Accumulated Depreciation	(54,847,424)	(3,321,462)	-	(58,168,886)
Total Capital Assets (Net)	117,934,466	1,566,735	-	119,501,201
Total Noncurrent Assets	117,934,466	1,566,735	-	119,501,201
Total Assets	143,110,772	3,470,900	29,952	146,611,624
DEFERRED OUTFLOWS OF RESOURCES				
Deferred Amount on Refunding	216,264	-	-	216,264
Deferred Outflows Pension Contributions	533,086	133,272	-	666,358
Deferred Outflows for Pensions	1,367,136	341,784	-	1,708,920
Total Deferred Outflows of Resources	2,116,486	475,056	-	2,591,542

Continued

CITY OF APOPKA, FLORIDA
STATEMENT OF NET POSITION (Continued)
PROPRIETARY FUNDS
September 30, 2015

	Business-type Activities - Enterprise Funds			
	Major		Nonmajor	
	Utility System	Sanitation	Airport Fuel	Totals
LIABILITIES				
Current Liabilities:				
Accounts Payable	\$ 1,579,916	\$ 125,932	\$ 1,053	\$ 1,706,901
Accrued Liabilities	52,254	11,675	-	63,929
Retainage Payable	554,104	-	-	554,104
Due to Pension Beneficiaries	83,742	20,129	-	103,871
Due to Other Funds	-	-	36,656	36,656
Compensated Absences	192,456	42,032	-	234,488
Customer Utility Deposits	689,185	-	-	689,185
Current Portion of Bonds Payable	750,000	242,000	-	992,000
Due to Other Governments	8,708	-	-	8,708
Unearned Revenue	114,070	-	-	114,070
Total Current Liabilities	4,024,435	441,768	37,709	4,503,912
Noncurrent Liabilities:				
Compensated Absences	177,652	38,798	-	216,450
Bonds Payable	16,775,000	740,000	-	17,515,000
Other Postemployment Benefits Liability	3,175,180	760,017	-	3,935,197
Net Pension Liability	3,323,384	830,846	-	4,154,230
Total Noncurrent Liabilities	23,451,216	2,369,661	-	25,820,877
Total Liabilities	27,475,651	2,811,429	37,709	30,324,789
DEFERRED INFLOWS OF RESOURCES				
Deferred Inflows for Pensions	334,758	83,690	-	418,448
Total Deferred Inflows of Resources	334,758	83,690	-	418,448
NET POSITION				
Net Investment in Capital Assets	100,071,626	584,735	-	100,656,361
Restricted:				
Capital Improvements	545,661	-	-	545,661
Renewal, Replacement and Improvement	200,000	-	-	200,000
Unrestricted (Deficit)	16,599,562	466,102	(7,757)	17,057,907
Total Net Position	\$ 117,416,849	\$ 1,050,837	\$ (7,757)	\$ 118,459,929

The notes to the financial statements are an integral part of the financial statements.

CITY OF AOPKA, FLORIDA
STATEMENT OF REVENUES, EXPENSES
AND CHANGES IN NET POSITION
PROPRIETARY FUNDS
September 30, 2015

	Business-type Activities - Enterprise Funds			
	Major		Nonmajor	Totals
	Utility System	Sanitation	Airport Fuel	
Operating Revenues:				
Water Sales	\$ 5,749,002	\$ -	\$ -	\$ 5,749,002
Sewer Charges	5,984,903	-	-	5,984,903
Reclaimed Water Sales	2,705,534	-	-	2,705,534
Sanitation Fees	-	3,983,825	-	3,983,825
Fuel Sales	-	-	507,464	507,464
Miscellaneous Revenues	1,096,054	178,818	23,075	1,297,947
Total Operating Revenues	15,535,493	4,162,643	530,539	20,228,675
Operating Expenses:				
Utility Administration	1,345,381	-	-	1,345,381
Water Plant Operations	1,856,756	-	-	1,856,756
Wastewater Treatment Plant Operations	2,940,662	-	-	2,940,662
Utility Construction Operations	723,962	-	-	723,962
Water Maintenance	1,597,497	-	-	1,597,497
Utility Billing	857,592	-	-	857,592
Wastewater Maintenance	1,311,657	-	-	1,311,657
Operating Charges	-	3,217,972	-	3,217,972
Fueling Operations	-	-	538,306	538,306
Utility Restoration	282,179	-	-	282,179
Design Engineering	757,562	-	-	757,562
Depreciation	3,709,287	413,625	-	4,122,912
Total Operating Expenses	15,382,535	3,631,597	538,306	19,552,438
Operating Income (Loss)	152,958	531,046	(7,767)	676,237
Nonoperating Revenues (Expenses):				
Interest Income	94,844	4,415	10	99,269
Interest Expense	(609,201)	(11,008)	-	(620,209)
Franchise Fees	-	37,729	-	37,729
Bond Issuance Costs	(44,837)	-	-	(44,837)
Total Nonoperating Revenues (Expense)	(559,194)	31,136	10	(528,048)
Income (Loss) Before Contributions and Transfers	(406,236)	562,182	(7,757)	148,189
Transfers In	475,710	-	-	475,710
Transfers Out	(3,759,110)	(849,660)	-	(4,608,770)
Developers Contributions	1,181,097	-	-	1,181,097
Capital Contributions - Impact Fees	4,650,265	-	-	4,650,265
Capital Contributions - Grant	4,693,320	-	-	4,693,320
Change in Net Position	6,835,046	(287,478)	(7,757)	6,539,811
Total Net Position - Beginning, as Restated	110,581,803	1,338,315	-	111,920,118
Total Net Position (Deficit) - Ending	\$ 117,416,849	\$ 1,050,837	\$ (7,757)	\$ 118,459,929

The notes to the financial statements are an integral part of the financial statements.

CITY OF AOPKA, FLORIDA
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
For the Year Ended September 30, 2015

	Business-type Activities - Enterprise Funds			
	Major		Nonmajor	Totals
	Utility System	Sanitation	Airport Fuel	
Cash Flows from Operating Activities				
Receipts from Customers and Users	\$ 15,325,963	\$ 4,102,423	\$ 530,539	\$ 19,958,925
Payments to Suppliers	(4,143,201)	(1,832,629)	(530,549)	(6,506,379)
Payments to Employees	(5,258,166)	(1,166,914)	-	(6,425,080)
Net Cash Provided (Used) by Operating Activities	<u>5,924,596</u>	<u>1,102,880</u>	<u>(10)</u>	<u>7,027,466</u>
Cash Flows from Noncapital Financing Activities				
Transfers to Other Funds	(3,759,110)	(849,660)	-	(4,608,770)
Transfers from Other Funds	475,710	-	-	475,710
Franchise Fees	-	37,729	-	37,729
Net Cash (Used) by Noncapital Financing Activities	<u>(3,283,400)</u>	<u>(811,931)</u>	<u>-</u>	<u>(4,095,331)</u>
Cash Flows from Capital and Related Financing Activities				
Acquisition/Construction of Capital Assets	(19,234,702)	(28,580)	-	(19,263,282)
Proceeds from Sale of Capital Assets	-	-	-	-
Principal Paid on Capital Debt	(725,000)	(118,000)	-	(843,000)
Interest Paid on Capital Debt	(564,365)	(11,008)	-	(575,373)
Capital Contributions - Impact Fees	4,650,265	-	-	4,650,265
Capital Contributions - Grant	4,693,320	-	-	4,693,320
Bond Issue Costs	(44,837)	-	-	(44,837)
Proceeds from Notes Payable	-	-	-	-
Net Cash (Used) by Capital and Related Financing Activities	<u>(11,225,319)</u>	<u>(157,588)</u>	<u>-</u>	<u>(11,382,907)</u>
Cash Flows from Investing Activities				
Interest Income Received	94,844	4,415	10	99,269
Net Cash Provided by Investing Activities	<u>94,844</u>	<u>4,415</u>	<u>10</u>	<u>99,269</u>
Net Increase (Decrease) in Cash and Cash Equivalents	<u>(8,489,279)</u>	<u>137,776</u>	<u>-</u>	<u>(8,351,503)</u>
Cash and Cash Equivalents at Beginning of Year	<u>29,823,597</u>	<u>1,222,253</u>	<u>-</u>	<u>31,045,850</u>
Cash and Cash Equivalents at End of Year	<u>\$ 21,334,318</u>	<u>\$ 1,360,029</u>	<u>\$ -</u>	<u>\$ 22,694,347</u>
Cash and Cash Equivalents Classified As:				
Unrestricted Assets	\$ 19,785,402	\$ 1,360,029	\$ -	\$ 21,145,431
Restricted Assets	1,548,916	-	-	1,548,916
Total Cash and Cash Equivalents	<u>\$ 21,334,318</u>	<u>\$ 1,360,029</u>	<u>\$ -</u>	<u>\$ 22,694,347</u>

Continued

CITY OF AOPKA, FLORIDA
STATEMENT OF CASH FLOWS (Continued)
PROPRIETARY FUNDS
For The Year Ended September 30, 2015

	Business-type Activities - Enterprise Funds			
	Major		Nonmajor	Totals
	Utility System	Sanitation	Airport Fuel	
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities				
Operating Income (Loss)	\$ 152,958	\$ 531,046	\$ (7,767)	\$ 676,237
Adjustments to Reconcile Operating Income to Net Cash Provided (Used) by Operating Activities:				
Depreciation	3,709,287	413,625	-	4,122,912
(Increase) Decrease In -				
Accounts receivable	(141,574)	(62,333)	-	(203,907)
Prepays	-	-	-	-
Due from other governments	-	2,113	-	2,113
Deferred outflows of resources for pensions	(1,367,136)	(341,784)	-	(1,708,920)
Inventories	20,732	-	(29,952)	(9,220)
Increase (Decrease) In -				
Accounts payable	1,171,631	45,665	1,053	1,218,349
Due to other funds	-	-	36,656	36,656
Accrued liabilities	(8,548)	392	-	(8,156)
Unearned revenue	(74,307)	-	-	(74,307)
Compensated absences	1,497	(6,348)	-	(4,851)
OPEB	1,049,711	171,634	-	1,221,345
Net pension liability	1,019,812	254,953	-	1,274,765
Deferred inflows of resources for pensions	334,758	83,690	-	418,448
Due to pension beneficiaries	40,716	10,227	-	50,943
Due to other governments	8,708	-	-	8,708
Customer utility deposits	6,351	-	-	6,351
Total Adjustments	5,771,638	571,834	7,757	6,351,229
Net Cash Provided (Used) by Operating Activities	<u>\$ 5,924,596</u>	<u>\$ 1,102,880</u>	<u>\$ (10)</u>	<u>\$ 7,027,466</u>
Noncash Investing, Capital and Financing Activities				
Contribution of water, sewer, and water reuse lines by developers	\$ 1,181,097	\$ -	\$ -	\$ 1,181,097

The notes to the financial statements are an integral part of the financial statements.

CITY OF APOPKA, FLORIDA
STATEMENT OF FIDUCIARY NET POSITION
PENSION TRUST FUND
September 30, 2015

ASSETS

Cash and Cash Equivalents	\$ 9,367,165
Investments:	
U.S. Corporate Stocks	51,491,962
International Corporate Stocks	12,862,164
U.S. Government Bonds & Treasury Bills	<u>36,302,699</u>
Total Investments	<u>100,656,825</u>
Contribution Receivable	1,627,228
Total Assets	<u><u>111,651,218</u></u>

Net Position Restricted for Pensions	<u><u>\$ 111,651,218</u></u>
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The notes to the financial statements are an integral part of the financial statements.

CITY OF APOPKA, FLORIDA
STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
PENSION TRUST FUND
For the Year Ended September 30, 2015

ADDITIONS

Contributions:

Employees	\$ 1,398,438
State	600,767
City	4,193,571
Total Contributions	<u>6,192,776</u>

Investment Income:

Interest, Dividends and Other Income	1,575,666
Net (Decrease) in Fair Value of Investments	(4,054,869)
Gain (Loss) on Sales of Investments	3,247,244
Net Investment Income	<u>768,041</u>
Total Additions	<u>6,960,817</u>

DEDUCTIONS

Benefits Paid to Participants	4,331,531
Lump-sum DROP Payments	734,973
Termination Payments	143,466
Administrative Expense	164,566
Total Deductions	<u>5,374,536</u>

Net Increase in Net Position	1,586,281
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Net Position Restricted for Pensions

Beginning of Year	<u>110,064,937</u>
End of Year	<u>\$ 111,651,218</u>

The notes to the financial statements are an integral part of the financial statements.

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NOTES TO THE FINANCIAL STATEMENTS

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Apopka (the “City”) is a political subdivision of the State of Florida located in Orange County. The legislative branch of the City is a four (4) member, Citywide elected Council and a Citywide elected Mayor. The Mayor and the City Council are governed by the City Charter and by state and local laws and regulations. The Mayor and City Council are responsible for the establishment and adoption of policy. The execution of such policy is the responsibility of the Mayor.

The financial statements of the City have been prepared in conformity with generally accepted accounting principles (“GAAP”) as applied to governmental units. The Governmental Accounting Standards Board (“GASB”) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the City’s accounting policies follows.

A. The Reporting Entity

The City is a municipal corporation with a five-member council, including the Mayor, who acts as the presiding officer of the Council. The City provides a full range of municipal services, including: police and fire protection, public works activities, parks and recreation, planning and development, and general administrative services. In addition, the City operates a water, sewer and reuse utility, and also a sanitation enterprise.

The accompanying financial statements present the City’s primary government. The reporting entity for the City includes all functions of government for which the Mayor and City Council are considered to be financially accountable. Based upon the application of the criteria as set forth in GASB Statement Number 61, *The Financial Reporting Entity: Omnibus—an Amendment of GASB Statements No. 14 and No. 34*, there are no potential component units or related organizations of the City.

B. Government-wide and Fund Financial Statements

The basic financial statements consist of the government-wide financial statements and fund financial statements. Both sets of statements distinguish between the governmental and business-type activities of the City.

Government-wide financial statements include a Statement of Net Position and a Statement of Activities. These statements report on the government as a whole, both the primary government and its component units, and provide a consolidated financial picture of the government. As part of the consolidation process, inter-fund activities are eliminated to avoid distorted financial results. Fiduciary funds of the government are also eliminated from this presentation since these resources are not available for general government funding purposes. The Statement of Net Position reports all financial and capital resources of the City’s governmental and business-type activities. It is presented in a net position format (assets plus deferred outflows of resources less liabilities and deferred inflows of resources equal net position) and shown with three components: net investment in capital assets, restricted net position and unrestricted net position. The Statement of Activities reports functional categories of programs provided by the City and demonstrate how and to what degree those programs are supported by specific revenue.

Program revenues are classified into three categories: charges for services, operating grants and contributions, and capital grants and contributions. Charges for services refer to direct recovery from customers for services rendered. Grants and contributions refer to revenues restricted for specific programs whose use may be restricted further to operational or capital items. The general revenues section displays revenue collected that helps support all functions of our government and contribute to the change in net assets for the fiscal year.

The fund financial statements follow additional and detailed information about the City’s operations for the major funds individually and nonmajor funds in the aggregate for government, proprietary and fiduciary funds. A reconciliation is provided that converts the results of government fund accounting to the government-wide presentations. The preparation of financial statements in conformity with GAAP, as applicable to governmental units, requires management to make use of estimates that affect the reported amounts in the financial statements. Actual results could differ from these estimates.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - continued

C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements, as well as the fund financial statements for the proprietary funds and the fiduciary funds, are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recognized in the period in which they are earned and expenses are recognized in the period incurred. Operating revenues shown for proprietary operations generally result from producing or providing goods and services, such as water, sewer, reuse, and sanitation services. Operating expenses for these operations include all costs related to providing the service or product. These costs include salaries, supplies, travel, contract services, depreciation, administrative expenses or other expenses directly related to costs of services. All other revenue and expenses not meeting these definitions are reported as nonoperating revenues and expenses.

All governmental fund financial statements are reported using a current financial resources measurement focus on a modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized in the accounting period in which they become both measurable and available to finance expenditures of the current period. Available means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period, considered to be 60 days.

Expenditures are recorded when the related fund liability is incurred. Exceptions to this general rule include: (1) accumulated sick pay and accumulated vacation pay, which are not recorded as expenditures; (2) prepaid insurance and similar items, which are reported only on the balance sheet and do not affect expenditures; and (3) principal and interest on long-term debt, which are recognized when due. Budgets for governmental funds are also prepared on the modified accrual basis.

Licenses and permits, charges for services, and miscellaneous revenues (except investment earnings) are recorded as revenues when received in cash, because they are generally not measurable until actually received. Investment earnings are recorded as earned since they are measurable and available.

The following are reported as major governmental funds:

General Fund – The General Fund is the general operating fund of the City. All general tax revenues and other receipts that are not required either legally or by GAAP to be accounted for in other funds are accounted for in the General Fund.

Community Redevelopment (CRA) Fund – The CRA Fund is used to account for the restricted incremental ad-valorem tax revenues and expenditures for designated redevelopment areas within the City.

The following are reported as major enterprise funds:

Utility System – The Utility System Fund accounts for the operation of the City's potable water, reuse, and wastewater services to residents and businesses.

Sanitation Fund – The Sanitation Fund accounts for the operations of the City's waste and refuse management services to residents and businesses.

The City also reported the following fund types:

Special Revenue Funds (Nonmajor) – Special Revenue Funds account for specific revenue sources that are restricted or committed by law or administrative action to expenditures for specific purposes.

Proprietary Fund – The Airport Fuel Fund accounts for the operations of the City's airport fuel services to residents and businesses.

Pension Trust Funds – The Pension Trust Funds account for the activities of the general employees', police officers' and firefighters' pension plans.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation – continued

As a general rule, the effect of inter-fund activities have been eliminated from the government-wide financial statements. Exceptions to this general rule are payments-in-lieu-of-taxes and other charges between the government's business-type functions and various other functions of the government. Elimination of these charges would distort the direct costs and program revenue reported for the various functions concerned.

D. Cash, Cash Equivalents, and Investments

1. Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, demand deposits and highly liquid investments (including restricted assets) with a maturity of three months or less when purchased.

2. Deposits

The City's deposits consist of demand accounts (interest and non-interest bearing). The deposits of the Pension Trust Funds are held separately from those of other City funds.

At year-end, the carrying amount of the City's governmental and business-type activities cash deposits was \$46,376,067 and the depository balances were \$46,988,262 of that balance, \$46,988,262 was covered by federal depository insurance or by collateral pursuant to the Public Depository Security Act of the State of Florida with the ability to assess member institutions to provide protection. Accordingly, all of the City's cash deposits are considered to be fully insured.

The Pension Trust Funds held \$9,367,165 in uninsured and uncollateralized cash deposits at September 30, 2015.

3. Investments

	Fair Value	Weighted Average Maturity (Years)
Pension Trust Fund Investments:		
U.S. Government Bonds and Bills	\$36,302,699	3.24
U.S. Corporate Stocks	51,491,962	N/A
International Corporate Stocks	12,862,164	N/A
Total Investments	<u>\$100,656,825</u>	

Interest Rate Risk – Interest rate risk exists when there is a possibility that changes in interest rates could adversely affect an investment's fair value. The City's mutual bond funds, at the Florida Municipal Investment Trust have weighted average maturities of one-and-one-half years (1-3 year bond fund) and less than one-and-one-half years. The City's investment/portfolio policy applies to all funds of the City except for its Pension Trust Funds. Interest rate risk is managed by limited maturity terms to one year or less on bank certificates of deposit and to five years or less on U.S. Treasury Bills, Notes, and Bonds. Further, management limits concentrations of types of investments not to exceed from 15% to 25% at any one time.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

D. Cash, Cash Equivalents, and Investments – continued

Credit Ratings for Florida Municipal Investment Trust Investments –

Credit Risk for FMIvT Funds

<u>Fixed Income Funds:</u>	<u>Fitch Rating</u>
0-2 Year High Quality Bond Fund	AAA/V1
1-3 Year High Quality Bond Fund	AAA/V2

Credit Ratings for Pension Trust Fund Investments –

All of the investments of the Pension Trust Funds are held by the Prudential Retirement Insurance and Annuity Company (“PRIAC”) in a diversified asset portfolio.

PRIAC has received the following independent credit ratings from the major rating agencies:

Moody’s Ratings:	A1
Standard & Poor’s	AA-
A.M. Best	A+
Fitch	A+

Credit Risk – Credit risk exists when there is a possibility the issuer or other counterparty to an investment may be unable to meet its obligations. The City’s investment policy limits the maximum percentage that may be invested in any one entity or instrument at any one time. In addition, the City limits its investments to those authorized by Florida Statutes, and City Ordinances and Resolutions. The following is a current list of authorized securities for investment. Revisions to the authorized list of securities may change from time to time by City Council action. The City is permitted to invest in pools that in turn invest in items the City may not purchase directly.

The City is authorized under Florida Statutes to invest in the following:

- a. State Board of Administration Local Government Surplus Funds Investment Pool, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act, as provided in Chapter 163.01 F.S.
- b. Money Market Funds registered with the Securities Exchange Commission and having the highest credit quality rating from a nationally recognized rating agency placed only with financial institutions qualifying as a public depository, as provided for in Chapter 280 of the Florida Statutes.
- c. Savings accounts in state-certified, qualified public depositories, as defined in Chapter 280.02, F.S.
- d. Insured or fully collateralized Certificates of Deposit of banks
 - The bank must be a registered public funds depository in the State of Florida
 - Maturities must be one year or less
- e. U.S. Treasury Bills, Notes and Bonds
 - Maturity dates must be within five years or less
- f. Full faith or general faith and credit obligations of United States Government Agencies
 - Maximum maturity shall be five years or less
 - Maximum portfolio mix shall not exceed 25% for these instruments, inclusive of all types

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

D. Cash, Cash Equivalents, and Investments – continued

The City is further authorized under Ordinance and/or Resolution to invest in the following:

- g. Repurchase agreements collateralized by U.S. Treasury Securities and Market-to-Market
 - Purchased only from authorized dealers, as provided for in this policy
 - Any authorized institution with which the City transacts repurchase agreements must have on file a fully executed copy of the City's Master Repurchase Agreements
 - Maximum portfolio mix shall not exceed 25% at any one time
- h. Securities of, or other interests in, any open-end or closed-end, management-type investment company or investment trust registered under the Investment Company Act of 1940, U.S.C ss. 80a-14 et seq., as amended from time to time, provided the portfolio of such investment company or investment trust is limited to United States Government obligations and to repurchase agreements fully collateralized by such United States Government obligations and provided such investment company or investment trust takes delivery of such collateral either directly or through an authorized custodian (i.e., Mutual Funds).
 - Portfolio mix shall not exceed 15% at any one time
- i. The City will invest all checking account balances in accordance with the bank contract then in effect.
- j. The City will not hold or purchase any form of derivatives. A "derivative" is defined as financial instrument, the value of which depends on, or is derived from the value of one or more underlying assets or index or asset values. The use of reverse repurchase agreements or other forms of leverage is likewise prohibited.

Custodial Credit Risk – For an investment, custodial credit risk is the risk that in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in possession of any outside party. Financial institutions, broker/dealers, intermediaries, and advisors with which the City will do business are prequalified in accordance with the City's investment policy.

Assets of the General Employees' Pension Trust Fund, Police Officers' Pension Trust Fund and Firefighters' Pension Trust Fund, may be invested in accordance with Florida Statutes, as previously described, or held in bonds, stocks, commingled funds administered by National or State Banks, or other evidence of indebtedness issued or guaranteed by a corporation under the laws of the United States, provided the corporation is traded on a nationally recognized exchange and meets certain rating criteria. Investments may also include annuity and life insurance contracts of life insurance companies.

4. Deferred Compensation Plan

The City maintains an Employee Deferred Compensation Plan as a benefit to employees. Investments in the Deferred Compensation Plan are held separately from those of other City funds. As prescribed by the plan documents, the plan administrator is authorized to invest plan assets in obligations of the U.S. government and various mutual and money market funds, which are held by the plan administrator and not in the City's name. At September 30, 2015 and during the year, Deferred Compensation Plan assets were invested in various mutual funds under a custodial account. The City has no fiduciary responsibility for these accounts.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

E. Budgets and Budgetary Accounting

The following procedures are used to establish the budgetary data reflected in the financial statements:

1. The Mayor submits a proposed operating budget to the City Council for the fiscal year beginning October 1.
2. Public hearings are held to obtain taxpayers' comments.
3. Prior to October 1, the budget is legally enacted through passage of a resolution.
4. Budgets are legally adopted and formal budgetary integration is employed as a management control device during the year for the General Fund and the Special Revenue Funds. The budgets adopted for the Enterprise Funds are to comply with bond covenants. The Pension Trust Fund is not budgeted.
5. Budgets for the governmental fund types are adopted on a basis consistent with GAAP. Budgets for proprietary fund types are adopted on a non-GAAP basis to reflect budget versus actual information related to "operations and maintenance," as defined in bond covenants.
6. The Mayor is authorized to transfer budgeted amounts between departments within any fund; however, any revisions that alter the total revenues, reserves, or expenditures of any fund must be approved by a majority vote of the City Council. Budgeted amounts shown in the financial statements are as originally adopted and as further amended.
7. Appropriations are authorized by resolutions generally at the fund level. These are the legal levels of budgetary control. Administrative control is maintained through the establishment of more detailed line-item budgets.
8. Appropriations lapse at the close of the fiscal year.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

F. Receivables

Property Taxes

Under Florida law, the assessment of all properties and the collection of all county, municipal and school board property taxes are consolidated in the offices of the County Property Appraiser and County Tax Collector. The laws of the State of Florida regulating tax assessments are also designed to assure a consistent property valuation method statewide. State Statutes permit municipalities to levy property taxes at a rate of up to 10 mills. The City's current millage rate is 3.2876 mills.

All real and tangible personal property taxes are due and payable on the levy date of November 1 (levy date) of each year or as soon thereafter as the assessment roll is certified by the Orange County Property Appraiser. Orange County mails to each property owner on the assessment roll a notice of the taxes due, and the County also collects the taxes for the City. Taxes may be paid upon receipt of such notice from the County, with discounts at the rate of four percent (4%) if paid in the month of November, three percent (3%) if paid in the month of December, two percent (2%) if paid in the month of January, and one percent (1%) if paid in the month of February. Taxes paid during the month of March are without discount, and all unpaid taxes on real and tangible property become delinquent on April 1 (the lien date) of the year following the year in which taxes were assessed. Procedures for collecting delinquent taxes, including applicable tax certificate sales, are provided for by the Laws of Florida.

Accounts Receivable

Utility System Enterprise Fund operating revenues are generally recognized on the basis of cycle billings rendered monthly. Revenues for services delivered during the last month of the fiscal year that have not been read by September 30 are accrued based on meter readings for the applicable consumption taken at the beginning of October and billed in October.

G. Inventories

Inventories of the General Fund are stated at cost (determined on the "weighted average" method), and the Utility System Enterprise Fund inventories are stated at the lower of cost or market (determined on the "weighted average" method). Inventories are accounted for by the consumption method, wherein inventories are charged as expenditures/expenses when used. Inventories of the General Fund consist of fuel and motor vehicle parts and supplies. Inventories of the Utility System Fund consist primarily of meters, meter boxes, pipes and maintenance supplies held for use in maintaining and expanding the system. Obsolete and unusable items have been reduced to estimated salvage values.

H. Prepaid Items

Prepays represent payments made to vendors for services that will benefit beyond September 30, 2015. These payments are recorded as expenditures or expenses when consumed, rather than when purchased.

I. Restricted Assets

The uses of certain assets in both Governmental and Business-Type Activities are restricted by specific provisions of bond resolutions and/or other agreements. Assets so designated are identified as restricted assets on the balance sheet.

J. Capital Assets

Capital assets, which include property, plant, equipment, intangible assets and infrastructure assets (e.g., road, bridges, curbs and gutters, streets and sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Additions to capital assets are recorded at cost at the time of purchase. Gifts or contributions are recorded at fair market value at the time received. The City's thresholds for capitalization for individual capital assets is \$1,000, and for capital projects is \$10,000.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

J. Capital Assets – continued

Depreciation has been provided using the straight-line method. The estimated useful lives of the various classes of depreciable capital assets are as follows:

<u>Assets</u>	<u>Years</u>
Water and Sewer Systems	20-50
Buildings and Improvements	5-50
Machinery and Equipment	3-25
Automotive Equipment	2-20
Public Domain Infrastructure	5-50
Intangibles	5-7

K. Impact Fees – Proprietary Funds (Business-Type Activities)

The City’s water, sewer, and reuse capital facility fee ordinance requires restriction of all monies collected as impact fees. These fees represent a capacity charge for the proportionate share of the cost of expanding, oversizing, separating or constructing new additions to the Water, Wastewater and Reuse Systems. The City is obligated to expend these funds only to provide expanded capacity to the system and is permitted to pay applicable debt service on one or more series of bonds for the purposes, as described in Note 6. Impact Fees are recorded as capital contributions upon receipt.

L. Amortization of Premiums and Discounts

Governmental funds report the effect of premiums, discounts and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. Amortization of premiums is computed by the outstanding principal method over the life of the debt and is recorded as either a reduction of the debt or as income, respectively. Amortization of discounts on debt is determined by the outstanding principal method and is recorded as interest expense each year over the life of the debt.

M. Compensated Absences

The City grants hours of paid time off to all of its full-time employees, which they are eligible to use after six months of continuous employment. The City has set annual maximum hours of accrual per year and maximum hours payable based on the employee’s length of service with the City. The annual maximum accruals and payables have set increases at each five-year anniversary of the employee’s qualifying hire date. The annual maximum accruals and payables are increased for those employees who work on the basis of a 24-hour shift.

As of January 1, 2011, the City “froze” all employee sick leave balances that were based on the City’s prior sick leave ordinance. Those frozen balances are payable to the employee only upon their termination of employment with the City with the maximum amount set at \$6,000. The City’s current sick leave ordinance requires that an employee must have 10 or more years of service to receive any payout of their accumulated sick leave upon termination of employment. The maximum payout under the current ordinance is \$6,000. Employees who work on the basis of a 24-hour shift may accumulate their hours of sick pay at an increased rate.

A more detailed narrative of the City’s policy on Paid Time Off (“PTO”) can be found in the City’s Personnel Rules and Regulations.

The City records compensated absences in its Governmental Fund Types as an expenditure when the amount is for reimbursable unused paid time off (vacation or sick leave) payable to employees who has terminated their employment as of the end of the fiscal year. Compensated absences are accrued when incurred in the government-wide and proprietary funds financial statements.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

N. Net Pension Liability

In the government-wide and proprietary statements, net pension liability represents the present value of projected benefit payments to be provided through the single-employer, defined-benefit pension plans to current active and inactive employees that is attributed to those employees' past periods of service (total pension liability), less the amount of the pension plan's fiduciary net position. For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pension plans, pension expense, information about the fiduciary net position, and additions to/deductions from fiduciary net position have been determined on the same basis as they are reported by the plans. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. The City allocated the net pension liability, deferred outflows for pensions, deferred inflows for pensions, and pension expense to funds and functions/activities based on their respective contributions made to the pension plans during the measurement year.

O. Deferred Outflows of Resources / Deferred Inflows of Resources

In addition to assets and liabilities, the City reports the financial statement elements of deferred outflows of resources and deferred inflows of resources. Deferred outflows of resources represent a consumption of net position that applies to future periods and will not be recognized as an outflow of resources (expenditure or expense) until that applicable time. Deferred inflows of resources represent an acquisition of net position that applies to future periods and will not be recognized as an inflow of resources (revenue) until that applicable time.

The City reports two items that qualify as deferred outflows of resources on its government-wide and proprietary statements of net position, deferred outflows for refunding and deferred outflows for pensions. The deferred amount on refunding resulted from a debt refinancing whereby the reacquisition price of the refunding debt instruments exceeded their net carrying amount. This deferred amount on refunding will be systematically charged to interest expense over the life of the refunding debt. The deferred outflows for pensions are an aggregate of items related to pensions as calculated in accordance with GASB Statement No. 68, *Accounting and Financial Reporting for Pensions*. The deferred outflows for pensions will be recognized as pension expense or a reduction of the net pension liability in future reporting years.

The City reports one item that qualifies as deferred inflows of resources on its government-wide and proprietary statements of net position, deferred inflows for pensions. The deferred inflows for pension are an aggregate of items related to pensions as calculated under the same principles as deferred outflows for pensions, and will be recognized as a reduction to pension expense in future reporting years.

The City also reports deferred inflows of resources on applicable governmental fund statements that represent revenues which are measurable but not available in accordance with the modified accrual basis of accounting. These deferred inflows will be recognized as revenue in the fiscal year they are earned and become available. The majority of these deferred inflows of resources represent intergovernmental receipts and reimbursements, and a deferred inflow for a settlement arrangement with Duke Energy earned but not received during the modified accrual availability period.

P. Fund Equity

Fund balance is reported in the following five components:

Nonspendable – includes fund balance amounts that cannot be spent either because they are not in spendable form or because of legal or contractual requirements. This would include inventories, deposits, prepaid items, and long-term notes receivable.

Spendable Fund Balance

Restricted – includes fund balance amounts that are constrained for specific purposes which are externally imposed by third parties (creditors, grantors, contributors) or amounts constrained due to constitutional provisions or enabling legislation.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

P. Fund Equity - continued

Committed – includes fund balance amounts that can be used only for specific purposes that are internally imposed by ordinance action by the Mayor and City Council in a formal meeting. Commitments may only be changed by establishing, modifying, or rescinding an ordinance. Contractual obligations are included to the extent that existing resources in the fund have been specifically committed for use in satisfying those contractual obligations.

Assigned – includes fund balance amounts that are intended and have been assigned, to be used for specific purposes that are neither considered restricted nor committed. These constraints are imposed internally. These constraints are established by the Mayor and City Council. The Mayor and City Council delegated the authority to assign fund balances to the City’s Chief Administrative Officer. In the General Fund, assigned amounts represent intended uses established by the Mayor and City Council, or the City’s Chief Administrative Officer.

Unassigned – includes residual positive fund balance within the General Fund which has not been classified within the other above-mentioned categories. Unassigned fund balance may also include negative balances for other governmental funds besides the General Fund if expenditures exceed amounts restricted, committed, or assigned for those specific purposes.

When both restricted and unrestricted (committed, assigned, and unassigned) fund resources are available for use, it is the City’s policy to generally use restricted resources first, and then unrestricted resources. When unrestricted resources are available for use, it is the City’s policy to use committed resources first, then assigned, and then unassigned as they are needed.

Q. Grants

Grants received or used for purposes normally financed through governmental fund types are accounted for within the City’s existing governmental funds. Revenues received or used from grants for governmental fund types are recognized as intergovernmental revenues when they become susceptible to accrual, that is both measureable and available (modified accrual basis). Unrestricted grants, entitlements or shared revenues received in proprietary funds are reported as non-operating revenues.

NOTE 2 – RECEIVABLES

The following is a detail listing of accounts receivable by type and fund at September 30, 2015:

Description	General	Special Revenue	Enterprise
Receivables:			
Utility Accounts Billed	\$ 94,284	\$ 38,978	\$ 1,994,650
Utility Unbilled Receivables	-	-	1,066,488
Other:			
Settlement - Duke Energy	1,006,000	-	-
Taxes - Franchise and Utility	1,387,172	-	-
Miscellaneous	-	-	26,879
Total Other	2,393,172	-	26,879
Gross Receivables	2,487,456	38,978	3,088,017
Less: Allowance for Uncollectibles	(3,377)	-	(189,202)
Net Total Receivables	\$ 2,484,079	\$ 38,978	\$ 2,898,815

NOTE 3 – INTERFUND RECEIVABLES, PAYABLES AND TRANSFERS

The composition of interfund balances as of September 30, 2015 is as follows:

Receivable Fund	Payable Fund	Amount
General Fund	Nonmajor Special Revenue Funds	\$199,710
General Fund	Nonmajor Airport Fuel Fund	<u>36,656</u>
		<u>\$236,366</u>

Interfund payables to the General Fund are to cover cash timing of vendor payments.

Individual interfund transfers for the fiscal year ended at September 30, 2015 were:

	Transfers In	Transfers Out
General Fund	\$ 4,438,756	\$ 611,066
Enterprise Funds:		
Utility System Fund	475,710	3,759,110
Sanitation Fund	-	849,660
Special Revenue:		
Streets Improvement Fund*	627,126	120,430
Transportation Impact Fees*	-	54,206
Stormwater*	-	147,120
Total Interfund Transfers	<u>\$ 5,441,592</u>	<u>\$ 5,441,592</u>

*Nonmajor governmental funds.

Transfers are used to (1) move revenues from the Enterprise Funds and the Special Revenue Funds to the General Fund to assist in financing the costs of the general government of the City in accordance with budgetary authorizations, and (2) to move amounts to finance shared projects whose expenditures are budgeted and recorded in another fund.

NOTE 4 – RESTRICTED ASSETS – ENTERPRISE FUND (UTILITY SYSTEM)

The use of certain Utility System Fund assets is restricted by specific provisions of the bond resolution authorizing the issuance of the \$18,065,000 Utility Refunding Revenue Bonds, Series 2012. In addition, the City restricts funds available for repayment of deposits, as well as funds required by ordinance to be placed in special construction accounts (repair and maintenance escrow accounts). Restricted assets at September 30, 2015 are as follows:

Repair and maintenance escrows	\$ 114,070
Renewal, replacement and improvement	200,000
Customer utility deposits	689,185
Capital improvements	<u>545,661</u>
Total Restricted Assets	<u>\$ 1,548,916</u>

NOTE 5 – CAPITAL ASSETS

Governmental Activities:	Beginning Balance	Reclassifications and Increases	Reclassifications and Decreases	Ending Balance
Capital Assets, Not Being Depreciated:				
Land	\$ 27,509,080	\$ 242,026	\$ -	\$ 27,751,106
Construction in Progress	5,733,456	926,487	(6,216,414)	443,529
Total Capital Assets, Not Being Depreciated	33,242,536	1,168,513	(6,216,414)	28,194,635
Capital Assets, Being Depreciated:				
Buildings	13,209,737	21,156	-	13,230,893
Improvements Other Than Buildings	93,647,412	7,539,235	(11,952)	101,174,695
Machinery and Equipment	18,370,625	570,300	(881,101)	18,059,824
Automotive Equipment	10,783,512	348,857	(203,115)	10,929,254
Total Capital Assets, Being Depreciated	136,011,286	8,479,548	(1,096,168)	143,394,666
Less Accumulated Depreciation For:				
Buildings	(4,931,970)	(292,046)	-	(5,224,016)
Improvements Other Than Buildings	(40,724,661)	(2,740,955)	11,952	(43,453,664)
Machinery and Equipment	(15,008,964)	(1,157,325)	828,881	(15,337,408)
Automotive Equipment	(8,020,437)	(628,513)	203,115	(8,445,835)
Total Accumulated Depreciation	(68,686,032)	(4,818,839)	1,043,948	(72,460,923)
Total Capital Assets, Being Depreciated, Net	67,325,254	3,660,709	(52,220)	70,933,743
Governmental Activities Capital Assets, Net	\$ 100,567,790	\$ 4,829,222	\$(6,268,634)	\$ 99,128,378

Depreciation was charged to the functions of governmental activities as follows:

General Government	\$ 916,340
Public Safety	974,431
Transportation	2,180,910
Physical Environment	70,579
Culture/Recreation	676,579
Total Governmental Activities	\$ 4,818,839

NOTE 5 – CAPITAL ASSETS – continued

Business-Type Activities:	Beginning Balance	Reclassification and Increases	Reclassification and Decreases	Ending Balance
Capital Assets, Not Being Depreciated:				
Land	\$ 7,924,275	\$ -	\$ -	\$ 7,924,275
Construction in Progress	8,196,791	18,372,172	(6,176,465)	20,392,498
Total Capital Assets, Not Being Depreciated	16,121,066	18,372,172	(6,176,465)	28,316,773
Capital Assets, Being Depreciated:				
Buildings	21,480,830	-	-	21,480,830
Improvements Other Than Buildings	104,841,957	7,496,627	-	112,338,584
Machinery and Equipment	9,199,586	116,847	(22,018)	9,294,415
Automotive Equipment	6,209,136	30,349	-	6,239,485
Total Capital Assets, Being Depreciated	141,731,509	7,643,823	(22,018)	149,353,314
Less Accumulated Depreciation For:				
Buildings	(12,523,252)	(710,211)	-	(13,233,463)
Improvements Other Than Buildings	(31,145,772)	(2,237,504)	-	(33,383,276)
Machinery and Equipment	(6,048,589)	(787,191)	22,018	(6,813,762)
Automotive Equipment	(4,350,379)	(388,006)	-	(4,738,385)
Total Accumulated Depreciation	(54,067,992)	(4,122,912)	22,018	(58,168,886)
Total Capital Assets, Being Depreciated, Net	87,663,517	3,520,911	-	91,184,428
Business-Type Activities Capital Assets, Net	\$ 103,784,583	\$ 21,893,083	\$ (6,176,465)	\$ 119,501,201

Depreciation was charged to business-type activities as follows:

Utility System Fund	\$ 3,709,287
Sanitation System Fund	413,625
	<u>\$ 4,122,912</u>

NOTE 6 – LONG-TERM LIABILITIES

The following is a summary of long-term liabilities transactions of the City for the year ended September 30, 2015:

	Balance			Balance	Balance Due
	Sep. 30, 2014*	Additions	Deductions	Sep. 30, 2015	Due Within One Year
Governmental Activities:					
Revenue Notes	\$ 10,460,622	\$ 960,000	\$ (1,521,862)	\$ 9,898,760	\$ 1,797,388
Bond Payable	780,000	-	(140,000)	640,000	150,000
Other Postemployment Benefits	12,027,358	926,701	-	12,954,059	-
Net Pension Liability	9,132,671	10,533,662	-	19,666,333	-
Compensated Absences	1,852,550	1,748,432	(1,862,907)	1,738,075	903,799
Total	34,253,201	14,168,795	(3,524,769)	44,897,227	2,851,187
Business-Type Activities:					
Utility Revenue Bonds	16,725,000	-	(725,000)	16,000,000	750,000
Sanitation Revenue Note	1,100,000	-	(118,000)	982,000	242,000
Other Postemployment Benefits	2,713,852	1,221,345	-	3,935,197	-
Net Pension Liability	2,879,465	1,274,765	-	4,154,230	-
Compensated Absences	455,789	545,979	(550,830)	450,938	234,488
Total	23,874,106	3,042,089	(1,393,830)	25,522,365	1,226,488
Total Long-Term Liabilities	\$ 58,127,307	\$ 17,210,884	\$ (4,918,599)	\$ 70,419,592	\$ 4,077,675

* The beginning balance has been restated by the inclusion of the net pension liability, as more fully described in Note 12.

For the governmental activities, claims and judgments, other postemployment benefits, and compensated absences are generally liquidated by the General Fund. The net pension liability will be liquidated through employer contributions by the funds where the current employees charge payroll costs.

Debt Discounts and Premiums

Governmental Activities:

The unamortized premium on the 2003B Revenue Bonds amounted to \$19,397 at September 30, 2014 and \$16,185 at September 30, 2015.

Business-Type Activities:

The unamortized discount amounted to \$135,334 at September 30, 2015 and the unamortized premium on the 2012 Utility System Refunding Revenue Bonds amounted to \$1,660,334 at September 30, 2015.

NOTE 6 – LONG-TERM LIABILITIES – continued

New Debt Issuance

The City issued the \$960,000 Series 2015 Special Obligation Refunding Revenue Note to Hancock Bank with an interest rate of 1.67%. The proceeds were used to purchase police and fire rescue vehicles.

The City's Long-Term Debt is segregated between the amounts to be repaid from governmental activities and amounts to be repaid from business-type activities.

Governmental Activities:

Florida Municipal Loan Council Note, due in annual principal installments ranging from \$135,000 to \$170,000, plus semiannual interest ranging from 2.000% to 5.250% through December 1, 2018. The note is secured by Non-Ad-Valorem Revenues. This debt is serviced by the General Fund. \$ 640,000

Capital Improvement Revenue Note, Series 1999A. Non-Ad-Valorem Revenues are pledged monies budgeted and appropriated pursuant to the loan agreement. Principal and interest are due in annual installments of \$30,750 principal, plus interest at 4.870% through January 29, 2019. 123,000

Note payable to Bank of America, N.A., collateralized by pledge of recreational impact fees, due in annual principal installments ranging from \$465,000 to \$610,000, plus interest at 3.90% through March 1, 2022. This debt is serviced by the Recreational Impact Fees Fund (Special Revenue Fund). 3,810,000

Note payable to Branch Banking and Trust Company (Special Obligation Improvement Revenue Note, Series 2013A), payable from the Non-Ad-Valorem Revenues of the City. Interest is due semiannually at 1.8%, and principal installments are due annually ranging from \$104,204 to \$120,189 through March 1, 2023. The proceeds of this note were used to purchase two new fire trucks. This note is serviced by the General Fund. 904,068

Note payable to Hancock Bank (Special Obligation Refunding Revenue Note, Series 2015), payable from the Non-Ad-Valorem Revenues of the City. Interest is due semiannually at 1.67% and principal installments are due annually ranging from \$89,000 to \$208,000 through March 1, 2022. This note is serviced by the General Fund. 960,000

NOTE 6 – LONG-TERM LIABILITIES – continued

Governmental Activities: – continued

Note payable to Old Florida National Bank (Special Obligation Refunding Revenue Note, Series 2013B), payable from the Non-Ad-Valorem Revenues of the City. Interest is due semiannually at 1.15% and principal installments are due annually ranging from \$289,460 to \$294,202 through March 1, 2017. This note is serviced by the General Fund.	\$ 586,211
Note payable to Old Florida National Bank (Special Obligation Refunding Revenue Note, Series 2013C), payable from the Non-Ad-Valorem Revenues of the City. Interest is due semiannually at 1.2% and principal installments are due annually ranging from \$582,550 to \$603,775 through December 1, 2018. This note is serviced by the General Fund.	2,372,481
Note payable to Hancock Bank (Special Obligation Refunding Revenue Note, Series 2014), payable from the Non-Ad-Valorem Revenues of the City. Interest is due semiannually at 1.92% and principal installments are due annually ranging from \$57,000 to \$137,000 through March 1, 2024. This note is serviced by the General Fund.	<u>1,143,000</u>
Total Governmental Activities Debt	<u>\$ 10,538,760</u>

Business-Type Activities:

Utility System Refunding Revenue Bonds, Series 2012, due in annual installments ranging from \$710,000 to \$1,135,000, plus interest ranging from 2.00% to 5.00%, on various maturities. The Series 2012 Bonds are secured by a pledge and are payable solely from the Pledged Revenues consisting of (i) the Net Revenues of the System, (ii) the Sewer System Development Charges, (iii) the Water System Development Charges, (iv) the Reuse System Development Charges, and (v) the monies on deposit in various funds and accounts created pursuant to the Series 2012 Bond Resolution, with the exception of the Rebate Fund. The total principal and interest remaining to be repaid on the bonds is \$21,386,700, and total debt service for 2015 was \$1,334,200. Pledged revenues of the water, reuse, and wastewater system for 2015 amounted to \$8,641,790. This debt is serviced by the Utility System Fund.	\$ 16,000,000
Note payable to Hancock Bank (Sanitation System Improvement Revenue Note, Series 2014), payable from the Gross Revenues of the Sanitation Fund of the City. Interest is due semiannually at 1.07% and principal installments are due annually ranging from \$118,000 to \$249,000 through March 1, 2019. This note is serviced by the Sanitation Fund.	982,000
	16,982,000
Less: Deferred discount	(135,334)
Unamortized premium	<u>1,660,334</u>
Total Business-Type Activities Debt	<u>\$ 18,507,000</u>

NOTE 6 – LONG-TERM LIABILITIES – continued

The debt service required payments to maturity on the City's outstanding revenue bonds and notes at September 30, 2015 is as follows:

Fiscal Year	Governmental Activities			Business-Type Activities		
	Principal	Interest	Total	Principal	Interest	Total
2016	\$1,947,388	\$ 250,411	\$2,197,799	\$ 992,000	\$ 596,663	\$ 1,588,663
2017	2,007,482	207,378	2,214,860	1,014,000	571,563	1,585,563
2018	1,752,298	164,692	1,916,990	1,047,000	538,136	1,585,136
2019	1,669,436	122,561	1,791,997	1,084,000	503,482	1,587,482
2020	894,926	87,041	981,967	860,000	477,100	1,337,100
2021-2025	2,267,230	104,244	2,371,474	4,795,000	1,887,350	6,682,350
2026-2030	-	-	-	5,890,000	794,550	6,684,550
2031-2035	-	-	-	1,300,000	39,000	1,339,000
	<u>\$10,538,760</u>	<u>\$ 936,327</u>	<u>\$11,475,087</u>	<u>\$16,982,000</u>	<u>\$ 5,407,844</u>	<u>\$22,389,844</u>

NOTE 7 – EMPLOYEE RETIREMENT SYSTEMS

The City maintains a single-employer, defined-benefit pension plan which covers substantially all of the City's full-time employees (General Employees' Retirement Plan), a single-employer, defined-benefit plan which covers all of its full-time certified police officers (Municipal Police Officers' Retirement Plan) and a single-employer, defined-benefit plan which covers all of its full-time certified firefighters (Municipal Firefighters' Retirement Plan). Each of the retirement plans is administered by its Board of Trustees, subject, however, and, in any event, to the authority and power of the Apopka City Council. Each plan's assets may be used only for the payment of plan administrative costs and benefits to the members of that plan, in accordance with the terms of the plan. Benefits and refunds of contributions to the members of the applicable plan are recognized at the date they become due and payable specific to the terms of the plan. None of the aforementioned retirement plans issues a stand-alone financial report, nor are they included in the report of a Public Employee Retirement System, or any other entity.

A. Plan Description and Membership

1. General Employees' Retirement Plan

The General Employees' Retirement Plan ("Plan") was established on October 16, 1976 for all regular, full-time employees not covered by the Municipal Police Officers' Retirement Plan or the Municipal Firefighters' Retirement Plan.

All full-time employees who have attained the age of 57 and 5 years of credited service are entitled to annual benefits of 2.75% of the average of the 5 final years of salary, times years of credited service, subject to a maximum of 100% of average final compensation in the form of a life annuity, ceasing upon death. Early retirement is available for employees attaining the age of 47 with 10 years of service. The early retirement benefit is in the form of a life annuity (options available). A delayed retirement may be elected where the employee remains actively employed and benefits continue to accrue after the normal retirement date. In the event of pre-retirement death and the employee is eligible for normal or early retirement, a beneficiary is eligible to receive a benefit as if the member retired on the date of death. If the employee is not eligible for the normal or early retirement at the time of pre-retirement death, the Plan provides for a refund of any employee contributions. Participation in the Deferred Retirement Option Plan ("DROP") may not exceed 96 months. Each participant in the DROP has an account credited with benefits not received and investment earnings. The DROP balance as of September 30, 2015 is \$842,476.

NOTE 7 – EMPLOYEE RETIREMENT SYSTEMS – continued

A. Plan Description and Membership – continued

Vesting in the Plan is as follows:

- with less than 10 years of service, a refund of accumulated contributions.
- with 10 years or more of continuous service, an accrued pension payable at either early or normal retirement age, or a refund of employee contributions.

2. Municipal Police Officers' Retirement Plan

The Municipal Police Officers' Retirement Plan ("Plan") was established to conform to provisions of the State Statutes of the State of Florida for all full-time sworn police officers.

Employees attaining the age of 45 who have completed 10 or more years of credited service, or 20 years of credited service regardless of age are entitled to monthly benefits of 3.6% of their average final compensation times years of credited service for the first 10 years of credited service and 4% for each year in excess of 10 years. Average final compensation is the average salary for the best 3 of the 5 last years immediately preceding retirement or termination. The Plan permits early retirement at the completion of 10 years of contributed service and attaining the age of 40 years. Participation in DROP may not exceed 96 months. Each participant in the DROP has an account credited with benefits not received and investment earnings. There was no accumulated DROP balance as of September 30, 2015.

Active employees who retire disabled with a disability that occurred in the line of duty shall receive the greater of 42% of average final compensation or 3.6% per month of average final compensation multiplied by years of credited service. For a non-service incurred disability, a member with 10 years of credited service shall be eligible.

Disability benefits are paid for 10 years certain or life or until recovery from disability. If an active police officer dies before retirement eligibility, their beneficiary receives a refund of the police officer's contributions to the Plan. If the officer dies prior to retirement but has at least 10 years of credited service, their beneficiary is entitled to either early or normal retirement benefits. Minimum disability benefits resulting from an intentional act of violence assumes 20 years of credited service.

Retirees on or after March 1, 1998 receive a lump-sum payment of \$500 following 5 years of benefit payments and an additional \$500 payment on each 5-year anniversary.

If an employee terminates their employment with the police department and is not eligible for the other benefits under the Plan, the employee is entitled to the following:

- with less than 10 years of continuous service, a refund of accumulated contributions.
- with 10 or more years of continuous service, the pension accrued to the date of termination, payable commencing at their 45th birth date.

3. The Municipal Firefighters' Retirement Plan

The Municipal Firefighters' Retirement Plan ("Plan") was established to conform to provisions of the State of Florida for all sworn full-time firefighters. All of the City's full-time firefighters participate in the Plan.

Employees attaining the age of 55 who have completed 10 or more credited years of service or with 22 years of credited service are entitled to annual benefits of 3.0% of their average final compensation for the best 5 of the last 10 years times years of credited service. The Plan permits early retirement at the completion of 10 years of credited service and attaining the age of 50 years. Participation in DROP may not exceed 96 months. Each participant in the DROP has an account credited with benefits not received and investment earnings. The DROP balance as of September 30, 2015 is \$289,470.

NOTE 7 – EMPLOYEE RETIREMENT SYSTEMS – continued

A. Plan Description and Membership – continued

Active employees who retired disabled with disability that occurred in the line of duty shall receive the greater of monthly benefits of 2.5% of their average final compensation times years of credited service but not less than 42% of average final compensation. For non-service incurred disability, a member with 10 years of credited service shall receive the greater of 2.5% of average final compensation or the accrued benefit actuarially reduced but not less than 25% of average final compensation. Disability benefits are paid for 10 years certain or life or until recovery from disability that can be provided by the single-sum value of the deferred monthly retirement income beginning a normal retirement date, which has accrued to their date of disability.

If an active firefighter dies before retirement eligibility, their beneficiary receives a refund of the firefighter's contributions to the Plan. If a firefighter dies prior to retirement but has at least 10 years of credited service, their beneficiary is entitled to early or normal retirement benefits for 10 years.

If an employee terminates their employment with the fire department and is not eligible for any other benefits under the Plan, the employee is entitled to the following:

- with less than 10 years of continuous service, a refund of accumulated member contributions.
- with 10 or more years of continuous service, the pension accrued to the date of termination, payable commencing at their 55th birth date.

Plan membership for all three City retirement plans as of October 1, 2015 was as follows:

	<u>General Employees</u>	<u>Police Officers</u>	<u>Firefighters</u>
Inactive Plan Members or Beneficiaries Currently Receiving Benefits	108	40	33
Inactive Plan Members Entitled to But Not Yet Receiving Benefits	55	3	14
Active Plan Members	<u>193</u>	<u>89</u>	<u>74</u>
	<u>356</u>	<u>132</u>	<u>121</u>

B. Pension Plan Investments

The Plans' investment policy is described in Note 1. The following table presents the adopted asset allocation policy as of September 30, 2015 for all plans:

<u>Asset Class</u>	<u>Target Allocation</u>
Large Cap Equity	32%
Small Cap Equity	9%
Mid Cap Equity	7%
International Equity	12%
Fixed Income	32%
Real Estate	0%
Stable Value	8%
Total	<u>100%</u>

For the year ended September 30, 2015, the annual money-weighted rate of return on the Plans' investments, net of pension investment expense, was 0.7% for all three plans. The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested.

NOTE 7 – EMPLOYEE RETIREMENT SYSTEMS – continued

B. Pension Plan Investments – continued

The total pension liability was determined by an actuarial valuation as of October 1, 2014 using the following actuarial assumptions applied to all measurement periods:

	General Employees	Police Officers	Firefighters
Inflation	3.00%	3.00%	3.00%
Salary Increases	5.50%	5.50%	5.50%
Investment Rate of Return	7.50%	7.50%	7.50%

Mortality rates were based on the RP2000 Generational projected with Scale BB. Disabled lives are set back four years for males and forward two years for females.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expenses and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expended future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in all of the plans' target asset allocation as of September 30, 2015 are summarized as follows:

Asset Class	Long-Term Expected Real Rate of Return
Large Cap Equity	8.25%
Small Cap Equity	9.00%
Mid Cap Equity	8.75%
International Equity	8.00%
Fixed Income	4.75%
Real Estate	7.00%
Stable Value	4.50%

The discount rate used to measure the total pension liability was 7.50%. This single rate of return has been determined by projecting all future benefit payments of the covered group on a closed-group basis and discounting them at the long-term expected rate of return on plan assets if the pension plans' fiduciary net position is projected to be greater than or equal to the benefit payments that are projected to be made in that period. For any future period where the pension plans' fiduciary net position is projected to be less than the benefit payments that are projected to be made in that period, those future benefit payments are discounted at an index rate for 20-year, tax-exempt general obligation municipal bonds with an average rating of AA or higher.

NOTE 7 – EMPLOYEE RETIREMENT SYSTEMS – continued

B. Pension Plan Investments – continued

The following tables present the sensitivity of the net pension liability to changes in the discount rate:

General Employees		
1% Decrease to 6.50%	Current Discount Rate of 7.50%	1% Increase to 8.50%
\$16,743,630	\$10,385,576	\$5,120,546
Police Officers		
1% Decrease to 6.50%	Current Discount Rate of 7.50%	1% Increase to 8.50%
\$13,242,678	\$7,335,327	\$2,467,971
Firefighters		
1% Decrease to 6.50%	Current Discount Rate of 7.50%	1% Increase to 8.50%
\$10,971,106	\$6,099,660	\$2,085,386

C. Contribution Requirements

The Board of Trustees of each plan establishes and may amend the contribution requirements of plan members and the City.

1. General Employees' Retirement Plan

Contributions are established by local ordinance. Employees are required to contribute 4.9% of their annual salary to the plan. The City is required to contribute the amount necessary to meet normal (current year's) costs and to fund the actuarial accrued (past service) liability, if any, over 30 years, adjusted for interest according to the timing of the contributions. The City contributed \$1,665,895 for the year ended September 30, 2015.

2. Municipal Police Officers' Retirement Plan

Contributions are established by local ordinance and include a 2% premium tax on all casualty insurance policies issued in the City limits. Employees are required to contribute 7% of their annual salary to the plan. The City is required to contribute an actuarially determined rate that includes the state contribution; the current rate is 26.93% of annual covered payroll, subject to a minimum of 4%. Any unfunded accrued liability is amortized over no more than 30 years. The City contributed \$1,649,285 for the year ended September 30, 2015.

3. Municipal Firefighters' Retirement Plan

Contributions are established by local ordinance and include a 1.85% excise tax from policyholders on all premiums collected on property fire insurance covering property within the City limits. Employees are required to contribute 8.3% of their salary to the plan. The City is required to contribute an actuarially determined rate that includes the state contribution; the current rate is 19.30% of annual covered payroll, subject to a minimum of 4%. The City contributed \$878,391 for the year ended September 30, 2015.

NOTE 7 – EMPLOYEE RETIREMENT SYSTEMS – continued

C. Contribution Requirements – continued

Municipalities that have established pension plans complying with the provisions of Chapters 175 and 185, Florida Statutes, and that have enacted appropriate taxing legislation are eligible to receive revenues generated from excise taxes on gross receipts of certain insurance premiums from policyholders covering property within the City limits. These are the Firefighters' Pension Fund Excise Tax imposed on the gross receipts of property insurance policy premiums and the Police Officers' Pension Fund Excise Tax imposed on the gross receipts of casualty insurance policy premiums. These revenues, receipted in the City's General Fund and expended as Public Safety activity, are \$267,261 and \$333,506, respectively, for the year ended September 30, 2015.

Insurance premium excise tax revenues collected in the 1997 calendar year represent an initial "frozen" state contribution. Until plan benefits are improved for the police officers' and firefighters' retirement plans, the City's (the sponsor) contributions are determined based upon the lesser of: (1) the actual state contributions received in the plan year, or (2) the "frozen" state contribution amounts. State contributions received in any plan year in excess of the applicable "frozen" state contribution amounts are segregated from plan assets to be used exclusively to fund benefit improvements. These excess state contributions are accumulated in reserve balances titled "Excess State Monies Reserve." For the plan year ended September 30, 2014, the City received actual contributions in the amount of \$267,261 for the Firefighters' Retirement Plan and \$333,506 for the Police Officers' Retirement Plan. The applicable "frozen" amounts for the Firefighters' Retirement Plan were \$165,010 and for the Police Officers' Retirement Plan were \$252,841. The additions to the Excess State Monies Reserve were \$102,251 for the Firefighters' Retirement Plan and \$80,666 for the Police Officers' Retirement Plan.

D. Actuarial Methods and Significant Assumptions

	General Employees	Police Officers	Firefighters
Contribution rates:			
Employer	18.00%	26.93%	19.30%
Employee	4.90%	7.00%	8.30%
Actuarial valuation date	10/1/2013	10/1/2013	10/1/2013
Actuarial cost method	Entry Age Normal	Entry Age Normal	Entry Age Normal
Amortization method	Level Percentage of Pay, Closed	Level Percentage of Pay, Closed	Level Percentage of Pay, Closed
Remaining amortization period	30	30	30
Asset valuation method	4 Year Smoothed Market Value	4 Year Smoothed Market Value	4 Year Smoothed Market Value
Actuarial assumptions:			
Investment rate of return	8%	8%	8%
Projected salary increase	7%	7%	7%
(includes inflation at)	3%	3%	3%

NOTE 7 – EMPLOYEE RETIREMENT SYSTEMS – continued

E. Net Pension Liability and Pension Expense

The following table presents the change in the Net Pension Liability of the City's three pension plans as of the measurement date September 30, 2015:

	<u>General Employees</u>	<u>Police Officers'</u>	<u>Firefighters'</u>
Total Pension Liability			
Service Cost	\$ 1,629,195	\$ 1,934,067	\$ 993,460
Interest	3,517,510	3,044,711	2,396,529
Change in Excess State Money	-	80,666	102,251
Changes of Benefit Terms	-	1,166,703	1,449,756
Differences Between Expected and Actual			
Experience and Changes in Assumptions	458,032	1,160,806	670,993
Benefit Payments, Including Refunds of Contrib.	<u>(2,094,964)</u>	<u>(1,386,946)</u>	<u>(1,728,061)</u>
Net Change in Total Pension Liability	3,509,773	6,000,007	3,884,928
Total Pension Liability - Beginning	<u>47,927,749</u>	<u>41,316,716</u>	<u>32,832,608</u>
Total Pension Liability - Ending (a)	<u><u>\$ 51,437,522</u></u>	<u><u>\$ 47,316,723</u></u>	<u><u>\$ 36,717,536</u></u>
 Plan Fiduciary Net Position			
Contributions - City	\$ 1,665,895	\$ 1,902,126	\$ 1,043,401
Contributions - State	-	80,666	102,251
Contributions - Employees	512,745	431,461	454,232
Net Investment Income	287,819	267,550	212,672
Benefit Payments, Including Refunds of Contrib.	(2,094,964)	(1,386,946)	(1,728,061)
Administrative Expense	<u>(48,635)</u>	<u>(55,891)</u>	<u>(60,040)</u>
Net Change in Plan Fiduciary Net Position	322,860	1,238,966	24,455
Plan Fiduciary Net Position - Beginning	<u>40,729,086</u>	<u>38,742,430</u>	<u>30,593,421</u>
Plan Fiduciary Net Position - Ending (b)	<u><u>\$ 41,051,946</u></u>	<u><u>\$ 39,981,396</u></u>	<u><u>\$ 30,617,876</u></u>
 City's Net Pension Liability - ending (a) - (b)	\$ 10,385,576	\$ 7,335,327	\$ 6,099,660
 Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	79.8%	84.5%	83.4%

As of September 30, 2015, the City's total net pension liability amounted to \$23,820,563 for all three defined-benefit pension plans. For the year ended September 30, 2015, the City recognized pension expense of \$1,691,531 related to the General Employees' Retirement Plan, \$1,714,708 related to the Police Officers' Retirement Plan, and \$974,234 related to the Firefighters' Retirement Plan.

NOTE 7 – EMPLOYEE RETIREMENT SYSTEMS – continued

F. Deferred Outflows and Deferred Inflows of Resources

At September 30, 2015, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>General Employees</u>	
	<u>Deferred Outflows</u>	<u>Deferred Inflows</u>
Difference between expected and actual experience	\$ -	\$ (1,046,119)
Difference for changes in assumptions	1,504,151	-
Net difference between projected and actual earnings on plan investments	2,768,153	-
Contributions after measurement date	1,665,895	-
	<u>Police Officers</u>	
	<u>Deferred Outflows</u>	<u>Deferred Inflows</u>
Difference between expected and actual experience	\$ 352,992	\$ -
Difference for changes in assumptions	807,814	-
Net difference between projected and actual earnings on plan investments	2,673,902	-
Contributions after measurement date	1,649,285	-
	<u>Firefighters</u>	
	<u>Deferred Outflows</u>	<u>Deferred Inflows</u>
Difference between expected and actual experience	\$ 89,077	\$ -
Difference for changes in assumptions	581,916	-
Net difference between projected and actual earnings on plan investments	2,074,905	-
Contributions after measurement date	889,644	-
Total All City Plans	<u>\$ 15,057,734</u>	<u>\$ (1,046,119)</u>

The amounts of \$1,665,895, \$1,649,285, and \$889,644 reported as deferred outflows of resources for contributions after the measurement date will be recognized as a reduction of the net pension liability in the year ending September 30, 2016.

NOTE 7 – EMPLOYEE RETIREMENT SYSTEMS – continued

F. Deferred Outflows and Deferred Inflows of Resources - continued

The remaining amounts reported as deferred outflows and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year Ending</u>	<u>General Employees</u>	<u>Police Officers</u>	<u>Firefighters</u>	<u>Net Amount</u>
2016	\$686,394	\$839,454	\$539,933	\$2,065,781
2017	686,394	839,454	539,933	2,065,781
2018	686,394	839,454	539,933	2,065,781
2019	613,374	781,564	539,933	1,934,871
2020	553,629	534,782	539,933	1,628,344
Thereafter	-	-	46,233	46,233
	<u>\$3,226,185</u>	<u>\$3,834,708</u>	<u>\$2,745,898</u>	<u>\$9,806,791</u>

G. Combining Fiduciary Statements

The Combining Statement of Fiduciary Net Position at September 30, 2015 is stated as follows:

<u>Assets</u>	<u>General Employees</u>	<u>Police Officers</u>	<u>Firefighters</u>	<u>Total</u>
Cash and cash equivalents	\$ 3,387,844	\$ 3,710,743	\$ 2,268,578	\$ 9,367,165
Investments at fair value	37,287,840	35,528,725	27,840,260	100,656,825
Contributions receivable	376,262	741,928	509,038	1,627,228
Total Assets	<u>\$ 41,051,946</u>	<u>\$ 39,981,396</u>	<u>\$ 30,617,876</u>	<u>\$ 111,651,218</u>
Total Net Position Restricted for Pensions	<u>\$ 41,051,946</u>	<u>\$ 39,981,396</u>	<u>\$ 30,617,876</u>	<u>\$ 111,651,218</u>

NOTE 7 – EMPLOYEE RETIREMENT SYSTEMS – continued

G. Combining Fiduciary Statements - continued

The Combining Statement of Changes in Fiduciary Net Position at September 30, 2015 is stated as follows:

	General Employees	Police Officers	Firefighters	Total
ADDITIONS				
Contributions:				
Employee contributions	\$ 512,745	\$ 431,461	\$ 454,232	\$ 1,398,438
State contributions	-	333,506	267,261	600,767
City contributions	1,665,895	1,649,285	878,391	4,193,571
Total Contributions	2,178,640	2,414,252	1,599,884	6,192,776
Investment Income (Loss):				
Interest, dividend and other income	580,112	563,490	432,064	1,575,666
Net appreciation (depreciation) in fair value of investments	(1,548,602)	(1,404,859)	(1,101,408)	(4,054,869)
Gains on sales of investments	1,256,309	1,108,919	882,016	3,247,244
Net Investment Income (Loss)	287,819	267,550	212,672	768,041
Total Additions	2,466,459	2,681,802	1,812,556	6,960,817
DEDUCTIONS				
Benefit payments	1,854,219	1,372,367	1,104,945	4,331,531
Lump-sum DROP payments	169,975	-	564,998	734,973
Termination payments	70,770	14,578	58,118	143,466
Administrative expense	48,635	55,891	60,040	164,566
Total Deductions	2,143,599	1,442,836	1,788,101	5,374,536
CHANGE IN NET POSITION	322,860	1,238,966	24,455	1,586,281
NET POSITION RESTRICTED FOR PENSIONS				
Beginning of year	40,729,086	38,742,430	30,593,421	110,064,937
End of year	\$ 41,051,946	\$ 39,981,396	\$ 30,617,876	\$ 111,651,218

NOTE 8 – OTHER POSTEMPLOYMENT BENEFITS (“OPEB”)

Eligibility

A participant is eligible to receive certain other postemployment benefits upon retirement under one of the three City-sponsored pensions plans. To be eligible for retiree benefits, the participant does not need to be covered under the City’s medical plan immediately prior to retirement. Participants under the following City-sponsored pension plans are eligible to retire under the following criteria:

City of Apopka Municipal Fire Fighters’ Retirement:

Normal Retirement: Age 55 with 10 years of service or 22 years of service at any age

Early Retirement: Age 50 and the completion of 10 years of service

City of Apopka Municipal General Employees’ Retirement:

Normal Retirement: Age 57 with 5 years of service

Early Retirement: Age 47 and the completion of 10 years of service

City of Apopka Municipal Police Officers’ Retirement:

Normal Retirement: Age 45 with 10 years of service or 20 years of service at any age

Early Retirement: Age 40 and the completion of 10 years of service

Participants in all three pension plans have the option of entering the DROP program for up to 8 years, after meeting Normal Retirement Criteria.

Employee Contributions

Retirees are offered the opportunity to continue enrollment in the group health, dental, vision, and life insurance plans offered through the City. Premiums for the plans are as follows:

<u>2015 Monthly Premium for Coverage</u>	<u>Medical</u>	<u>Dental High</u>	<u>Dental Low</u>
Retiree	\$475	\$31	\$21
Retiree and Spouse	948	67	46

Life insurance is available to retirees in the amount of \$30,000. Coverage amounts are reduced to \$19,500 at age 65, \$15,000 at age 70, and \$7,500 at age 75. Retiree’s pay the full premium for coverage at the rate of \$7.80 per month, reduced to \$5.07 at age 65, \$3.90 at age 70, and \$1.95 at age 75.

OPEB Coverage

OPEB Coverage is available for the lifetime of the retiree (except for the Health Insurance Premium Subsidy, as outlined below), so long as the required premiums are paid. OPEB Coverage is also available to spouses of retirees who are currently receiving benefits, but at a higher rate. OPEB Coverage is not available to surviving spouses of deceased retirees.

Health Insurance Subsidy/Reduced Retiree Contribution

Employees of the City retiring with more than 25 years of service are eligible to have the premiums for Medical coverage paid for by the City until Medicare eligibility. Time spent in the DROP option of the retirement plan is counted towards the 25-year goal. Premiums for dependent coverage are not eligible to be paid for by the City.

Effective January 1, 2011, newly hired employees are not eligible for the health insurance program subsidy.

NOTE 8 – OTHER POST EMPLOYMENT BENEFITS (“OPEB”) – continued

Currently, the City’s OPEB benefits are unfunded. That is, there is no separate trust fund or equivalent arrangement into which the City would make contributions to advance-fund the obligation. Therefore, the ultimate subsidies which are provided over time are financed directly by general assets of the City. The City had an actuarial valuation for the OPEB to measure the current year’s subsidies, project these subsidies for decades into the future, and make an allocation of that cost to different years.

Membership of each plan consisted of the following:

Date of Actuarial Valuation:	10/01/2014
Retirees and Beneficiaries Receiving Benefits	48
Active Plan Members	<u>370</u>
Total	<u>418</u>

Annual OPEB Costs and Net OPEB Obligation

The Annual OPEB Cost is the amount that was expensed for the fiscal year. Since the City’s OPEB plan is currently unfunded, the offset to that expense comes from subsidies paid on behalf of the current retirees and their dependents for the current year. This offset is called the Employer Contribution, and equals the total age-adjusted premiums paid by the City for coverage for the retirees and their dependents for the year (net of the retiree’s own payments for the year). The cumulative difference between the Annual OPEB Cost for the year and the Employer Contribution for the year is called the Net OPEB Obligation. The Net OPEB Obligation is reflected as a liability in the Statement of Net Position.

The following table shows the components of the City’s Annual OPEB Cost for the year and the Net OPEB Obligation:

	Valuation as of October 1, 2014
Normal Cost (Service cost for one year)	\$ 1,552,951
Amortization of Unfunded Actuarial Accrued Liability	1,440,895
Interest on Normal Cost and Amortization	<u>62,118</u>
Annual Required Contribution (ARC)	3,055,964
Interest on ARC	589,648
Adjustment to ARC	<u>(852,486)</u>
Annual OPEB Cost (Expense)	2,793,126
Employer Contributions Made	<u>(645,080)</u>
Increase in Net OPEB Obligation	2,148,046
 Net OPEB Obligation at Beginning of Year	 <u>14,741,210</u>
Net OPEB Obligation at End of Year	<u><u>\$ 16,889,256</u></u>

Schedule of Employer Contributions

Fiscal Year Ended	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Increase in Net OPEB Obligation	Net OPEB Obligation
9/30/2015	\$ 2,793,126	23.10%	\$2,148,046	\$ 16,889,256
9/30/2014	2,996,457	27.70%	2,166,020	14,741,210
9/30/2013	2,857,680	23.20%	2,194,987	12,575,190

NOTE 8 – OTHER POST EMPLOYMENT BENEFITS (“OPEB”) – continued

Funded Status and Funding Progress

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the health care cost trend. Amounts determined regarding the funding status of a plan and the annual required contributions of the employer are subject to continual revision, as actual results are compared with past expectations and new estimates are made about the future.

The following is a schedule of funded status and funding progress:

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability (1)	Unfunded Accrued Liability (UAAL) (2)	Funded Ratio	Annual Covered Payroll	UAAL as a Percentage of Payroll
9/30/2015	\$ -	\$24,915,998	\$24,915,998	0%	\$21,965,004	113%
9/30/2014	-	26,060,861	26,060,861	0%	19,291,933	135%
9/30/2013	-	24,124,054	24,124,054	0%	18,549,936	130%

(1) Actuarial liability determined under the projected unit credit cost method.

(2) Actuarial liability less actuarial value of assets, if any.

Actuarial Cost Method

The actuarial cost method determines, in a systematic way, the incidence of plan sponsor contributions required to provide plan benefits. It also determines how actuarial gains and losses are recognized in OPEB costs. The gains and losses result from the difference between the actual experience under the plan and the experience anticipated by the actuarial assumptions.

Liabilities and cost under GASB 45 are derived by making certain specific assumptions as to rates of interest, mortality, turnover, etc., which are assumed to hold for many years into the future. Since actual experience will differ from the long-term assumptions, the costs determined by the valuation must be regarded as estimates of the true costs of the current OPEB arrangements.

Actuarial liabilities and comparative costs shown in the actuary report were computed using the **Unit Credit Actuarial Cost Method**, which consists of the following cost components:

1. **The Normal Cost** is the actuarial Present Value of benefits allocated to the valuation year.
2. **The Actuarial Accrued Liability** is the Actuarial Present Value of benefits accrued as of the valuation date.
3. **Valuation Assets** are equal to the market value of assets as of the valuation date, if any.
4. **Unfunded Actuarial Accrued Liability** is the difference between the Actuarial Accrued Liability and the Valuation Assets. It is amortized over the maximum permissible period under GASB 45 of 30 years.

It should be noted that GASB 45 allows a variety of cost methods to be used. We elected this method because it is generally easy to understand and is widely used for the valuation of postemployment benefits other than pensions. Other methods used do not change the ultimate liability, but do allocate, if different, between what has been earned in the past and what will be earned in the future. Please note that the net effect of the change may result in an increase or decrease in the annual required contribution (“ARC”).

NOTE 8 – OTHER POST EMPLOYMENT BENEFITS (“OPEB”) – continued

In addition to the actuarial method used, actuarial cost estimates depend to an important degree on the assumptions made relative to various occurrences, such as rate of expected investment earnings by the fund, rates of mortality among active and retired employees, rates of termination from employment, and retirement rates.

Demographic assumptions for various defined-benefit pension plans under which employees of the City are covered are listed below:

In the descriptions below:

“Fire” refers to City of Apopka Municipal Firefighters’ Retirement Plan

“General” refers to City of Apopka Municipal General Employees’ Retirement Plan

“Police” refers to the City of Apopka Municipal Police Officers’ Retirement Plan

In the most current valuation (dated 10/1/2014), the actuarial assumptions used for the calculation of cost and liabilities are as follows:

1. Discount Rate: 4.0% per annum, compounded annually
2. Mortality Rates: RP-2000 system table with floating Scale AA
3. Withdrawal Rates: Sample rates of withdrawal for employees:

<u>Age</u>	<u>Fire</u>	<u>Public</u>	<u>General</u>
20	0.0600	0.0600	0.3860
30	0.0500	0.0500	0.1940
40	0.0260	0.0260	0.0730
50	0.0080	0.0080	0.0270
55	0.0030	0.0030	0.0180

4. Disability Rates: Sample rates of disability for employees:

<u>Age</u>	<u>Fire</u>	<u>Public</u>	<u>General</u>
20	0.0009	0.0009	0.0007
30	0.0012	0.0012	0.0011
40	0.0021	0.0021	0.0019
50	0.0054	0.0054	0.0051
55	0.0108	0.0108	0.0096

NOTE 8 – OTHER POST EMPLOYMENT BENEFITS (“OPEB”) – continued

5. Early Retirement: Fire and Police: Beginning at Early Retirement eligibility, members are assumed to retire at the rate of 5% per year, unless deferring retirement would allow a participant to qualify for the Health Insurance Premium Subsidy. In this case, it is assumed an employee will defer retirement until they are eligible for the subsidy.

General: Beginning at Early Retirement eligibility, members are assumed to retire at the rate of 2% per year, unless deferring retirement would allow a participant to qualify for the Health Insurance Premium Subsidy. In this case, it is assumed an employee will defer retirement until they are eligible for the subsidy.

6. DROP and Normal Retirement: Upon attaining Normal Retirement Status, participants are assumed to retire at the end of an additional year of service. 100% of participants retiring with less than 25 years of service are assumed to enter the DROP program until accruing 25 years of service or 8 years, whichever comes first. Retirees with more than 25 years of service are assumed to not enter the DROP program.

7. Election Assumptions:

	Employees Retiring Prior to Age 65 and Electing OPEB Coverage	Participants Continuing or Electing OPEB Coverage After Age 65	Retirees Electing to Cover Dependent Spouses
Firefighter Retirees	60%	6.0%	40.0%
General Retirees	60%	6.0%	40.0%
Police Retirees	60%	6.0%	40.0%

Former employees of the City who leave service with a vested pension benefit, but who lapse health coverage with the City before commencing the pension are assumed not to re-enroll in the City’s OPEB benefits. 100% of retirees younger than age 65 eligible for health insurance premium reimbursement are assumed to elect OPEB coverage.

8. Medical Cost Trend Rate:

Claims costs in future years are estimated by adjusting the starting claims costs by an assumed ongoing cost trend. Such trends are based on the health care cost trend rate adjusted for the impact of plan design and cost-containment features.

<u>Year</u>	<u>Prior to Age 65</u>	<u>Age 65+</u>
2014	6.20%	8.30%
2015	5.80%	7.40%
2016	5.60%	6.40%
2017	5.30%	5.40%
2018	5.20%	5.20%
2019	5.20%	5.20%
2020	5.20%	5.20%
2021	5.20%	5.20%
2022	5.20%	5.20%
2023	5.20%	5.20%
2024	5.20%	5.20%
2025	5.20%	5.20%
2026	5.20%	5.20%

NOTE 8 – OTHER POST EMPLOYMENT BENEFITS (“OPEB”) - continued

An ultimate rate of 4.50% for the medical trend prior to age 65 is reached for the first time in the year 2082. An ultimate rate of 4.40% for the medical trend after age 65 is reached for the first time in 2093.

9. Retiree Claims Costs: Assumed Annual Gross Health Claims Costs.

<u>Age</u>	<u>Retirees</u>		<u>Spouses</u>	
	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
50	\$9,931	\$11,273	\$10,596	\$11,885
55	10,582	11,113	11,952	12,858
60	12,973	12,640	13,896	14,331
64	16,264	14,650	16,508	16,002
65	5,211	5,349	5,211	5,349
70	5,843	5,796	5,843	5,796

Dental and Vision claims, net of retiree contributions, are reflected as de minimis in the valuation.

10. Administrative Cost: Included in the claims.

Actuarial Methods and Assumptions

The following table summarizes the actuarial methods and assumptions as of the latest actuarial valuation date:

Valuation Date	October 1, 2014
Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Dollar Factor
Remaining Amortization Period	30 years closed
Asset Valuation Method	Market Value
Actuarial Assumptions:	
Investment Return	4.00%
Projected Salary Increases	7.50%
COLA (Post-Retirement)	None
Inflation at	2.50%
cost-of-living adjustments	None

NOTE 9 – RISK MANAGEMENT

The City is exposed to risk of loss related: to torts, theft of, damage to or destruction of assets; errors and omissions, injuries to employees, and natural disasters. The City purchases commercial insurance for all types of claims with nominal deductible amounts. The following is a summary of the City's significant insurance coverage and limitations:

<u>Type of Coverage</u>	<u>Coverage</u>	<u>Limitations</u>
Property	\$65,281,618	Buildings and Personal Property
	Not Included	Electronic data processing
	\$5,000,000	Flood, per occurrence
	\$6,596,152	Radio equipment
	Not Included	Valuable papers
	\$250,000	A/R, per location to a maximum of \$250,000
	\$50,000,000	Boiler & machinery
	\$700,000	Business income with extra expense
Automobile	\$5,000,000	Liability combined single limit, per occurrence
	Basic	Personal injury protection
	\$50,000	Uninsured motorists bodily injury liability
	Included	Physical damage
Crime	\$250,000	Employee theft/forgery bond, per loss
	\$250,000	Money & securities inside
	\$250,000	Money & securities outside
General Liability (includes healthcare and social services)	\$5,000,000	Combined single limits, per occurrence Includes premises and products & completed construction
Sexual Abuse per Person Limit	\$1,000,000	Total policy limit
Public Entity Employment Practices Liability	\$5,000,000	Each wrongful act and total policy limit
Public Employee Position Bond (Finance Director)	\$100,000	Per person
Public Officials Errors & Omissions Liability	\$5,000,000	Each loss and total policy limit
Law Enforcement Officers Liability	\$5,000,000	Each person, wrongful act and total policy limit
Statutory Death Benefit (Police, Fire & General)	\$60,000	Per covered person
Fiduciary Responsibility	\$1,000,000	Each occurrence and aggregate
Pollution Liability	\$1,000,000	Each occurrence and aggregate
Underground Storage Tank Pollution Liability	\$1,000,000	Each incident and policy aggregate
Workers' Compensation	Statutory	
Workers' Compensation/Employers' Liability	\$1,000,000	Each accident, disease, aggregate by disease

There have been no significant reductions in insurance coverage during fiscal year 2014-2015. Settled claims have not exceeded the commercial excess coverage in any of the past three years.

NOTE 10 – OTHER DISCLOSURES

A. Excess of Operating Expenses over Final Budgeted Operating Expenses in Individual Funds

Excess of operating expenses over appropriations in individual funds are as follows at September 30, 2015:

The CRA Fund actual expenditures exceeded the budgeted expenditures in the amount of \$382 primarily due to unbudgeted project overruns. The Grants Special Revenue Fund actual expenditures exceeded the budgeted expenditures in the amount of \$3,511 primarily due to additional grant project expenditures. The Improvements Special Revenue Fund actual expenditures exceeded the budgeted expenditures in the amount of \$198,088 primarily due to additional capital outlay costs for improvements.

B. Deficit Ending Fund Balance / Net Position

The Improvements Fund had a deficit ending fund balance at September 30, 2015. This deficit will be remedied in future periods from special assessment receipts and additional transfers from the General Fund for project overruns.

The Airport Fuel Fund had a deficit ending net position at September 30, 2015. This deficit will be remedied by future fuel sales revenues.

NOTE 11 – COMMITMENTS AND CONTINGENCIES

Intergovernmental Grants

Amounts received or receivable from grantors are subject to audit and adjustment by grantor agencies, principally federal and state government. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable funds. The amount, if any, of expenditures which may be disallowed by the grantor cannot be determined at this time, although the City expects such amounts to be immaterial.

Construction Commitments

As of September 30, 2015, there were uncompleted construction contracts as follows:

<u>Vendor</u>	<u>Commitment Remaining</u>
Vogel Brothers Building Co.	\$894,152
Collage Design and Construction	1,058,286
Total	<u><u>\$1,952,438</u></u>

CITY OF APOPKA, FLORIDA**NOTES TO THE FINANCIAL STATEMENTS – Continued**

September 30, 2015

NOTE 12 – RESTATEMENT OF BEGINNING NET POSITION

The City implemented GASB Statement No. 68, *Accounting and Financial Reporting for Pensions* - an Amendment of GASB Statement No. 27, resulting in a restatement of net position for governmental and proprietary funds. The elements of this restatement are as follows:

	<u>Governmental</u>	<u>Business-Type Activities</u>		
	<u>Activities</u>	<u>Utility</u>	<u>Sanitation</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	
Beginning Net Position, Originally Reported	\$100,348,340	\$112,815,023	\$1,883,432	\$215,046,795
Removal of GASB 27 Accounting	(2,453,970)	(462,734)	(102,496)	(3,019,200)
GASB 68 Change in Accounting				
Addition - Deferred Outflows	3,945,064	533,086	133,272	4,611,422
Addition - Net Pension Liability	<u>(9,132,671)</u>	<u>(2,303,572)</u>	<u>(575,893)</u>	<u>(12,012,136)</u>
Ending Net Position, as Restated	<u>\$92,706,763</u>	<u>\$110,581,803</u>	<u>\$1,338,315</u>	<u>\$204,626,881</u>

REQUIRED SUPPLEMENTARY INFORMATION

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CITY OF APOPKA, FLORIDA
SCHEDULE OF CONTRIBUTIONS
GENERAL EMPLOYEES', POLICE OFFICERS' AND FIREFIGHTERS' PENSION PLANS
LAST 10 FISCAL YEARS

	GENERAL EMPLOYEES		POLICE OFFICERS		FIREFIGHTERS	
	2015	2014	2015	2014	2015	2014
Actuarially Determined Contribution	\$ 1,691,531	\$ 1,767,282	\$ 1,714,708	\$ 1,724,146	\$ 974,234	\$ 1,072,495
Contributions in Relation to the Actuarially Determined Contribution	(1,665,895)	(1,837,620)	(1,902,126)	(1,856,270)	(1,043,401)	(1,097,949)
Contribution Deficiency (Excess)	\$ 25,636	\$ (70,338)	\$ (187,418)	\$ (132,124)	\$ (69,167)	\$ (25,454)
Covered Employee Payroll	\$ 9,772,660	\$ 9,817,061	\$ 5,592,025	\$ 5,463,618	\$ 4,960,180	\$ 4,701,480
Contributions as a Percentage of Covered Employee Payroll	17.05%	18.72%	34.01%	33.98%	21.04%	23.35%
Valuation Date	10/1/2014	10/1/2012	10/1/2014	10/1/2012	10/1/2014	10/1/2012
Funding Method	Entry Age Normal	Entry Age Normal	Entry Age Normal	Entry Age Normal	Entry Age Normal	Entry Age Normal
Amortization Method	Level % of Pay Closed	Level % of Pay Closed	Level % of Pay Closed	Level % of Pay Closed	Level % of Pay Closed	Level % of Pay Closed
Remaining Amortization period	30 Years	30 Years	30 Years	30 Years	30 Years	30 Years
Asset Valuation Method	4-Year Smoothed Market Value	4-Year Smoothed Market Value	4-Year Smoothed Market Value	4-Year Smoothed Market Value	4-Year Smoothed Market Value	4-Year Smoothed Market Value
Inflation	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Salary Increases	Salary is assumed to increase at the rate of 5.50%	Salary is assumed to increase at the rate of 5.50%. Projected salary at retirement is increased 20% to account for non-regular compensation	Salary is assumed to increase at the rate of 5.50%. Projected salary at retirement is increased 20% to account for non-regular compensation	Salary is assumed to increase at the rate of 5.50%. Projected salary at retirement is increased 20% to account for non-regular compensation	Salary is assumed to increase at the rate of 5.50%. Projected salary at retirement is increased 20% to account for non-regular compensation	Salary is assumed to increase at the rate of 5.50%. Projected salary at retirement is increased 20% to account for non-regular compensation
Interest Rate	7.50% per year	7.50% per year	7.50% per year	7.50% per year	7.50% per year	7.50% per year
Retirement Age	Age 57	Age 57	Age 57	Age 57	Age 57	Age 57
Early Retirement	Commencing with attainment of Early Retirement Status (age 47 with 10 years of service), members are assumed to retire with an immediate subsidized benefit at the rate of 2% per year.	Commencing with attainment of Early Retirement Status (age 47 with 10 years of service), members are assumed to retire with an immediate subsidized benefit at the rate of 2% per year.	Commencing with attainment of Early Retirement Status (age 40 with 10 years of service), members are assumed to retire with an immediate subsidized benefit at the rate of 5% per year.	Commencing with attainment of Early Retirement Status (age 40 with 10 years of service), members are assumed to retire with an immediate subsidized benefit at the rate of 5% per year.	Commencing with attainment of Early Retirement Status (age 50 with 10 years of service), members are assumed to retire with an immediate subsidized benefit at the rate of 5% per year.	Commencing with attainment of Early Retirement Status (age 50 with 10 years of service), members are assumed to retire with an immediate subsidized benefit at the rate of 5% per year.
Termination Rates	See table below.	See table below.	See table below.	See table below.	See table below.	See table below.
Disability Rates	See table below.	See table below.	See table below.	See table below.	See table below.	See table below.
Mortality	RP-2000 projected to 2012 by Projection Scale AA. Disabled lives set forward 5 yrs	RP-2000 projected to 2012 by Projection Scale AA. Disabled lives set forward 5 yrs	RP-2000 projected to 2012 by Projection Scale AA. Disabled lives set forward 5 years.	RP-2000 projected to 2012 by Projection Scale AA. Disabled lives set forward 5 years.	RP-2000 projected to 2012 by Projection Scale AA. Disabled lives set forward 5 years.	RP-2000 projected to 2012 by Projection Scale AA. Disabled lives set forward 5 years.
Other Information	Termination and Disability Rate Table	Termination and Disability Rate Table	Termination and Disability Rate Table	Termination and Disability Rate Table	Termination and Disability Rate Table	Termination and Disability Rate Table
Age	% Terminating During the Year	% Becoming Disabled During the Year	% Terminating During the Year	% Becoming Disabled During the Year	% Terminating During the Year	% Becoming Disabled During the Year
20	38.6%	0.07%	6.0%	0.09%	6.0%	0.09%
30	19.4%	0.11%	5.0%	0.12%	5.0%	0.12%
40	7.3%	0.19%	2.6%	0.21%	2.6%	0.21%
50	2.7%	0.51%	0.8%	0.54%	0.8%	0.54%
60	1.2%	1.70%	0.2%	2.70%	0.2%	2.70%

Note to the Schedule:
Plan information is only available for 2015 and 2014. Subsequent years will be added for a full ten-year trend to be presented.

CITY OF AOPKA, FLORIDA
SCHEDULE OF CHANGES IN THE NET PENSION LIABILITY AND RELATED RATIOS
GENERAL EMPLOYEES', POLICE OFFICERS' AND FIREFIGHTERS' PENSION PLANS
LAST 10 FISCAL YEARS

	2015			2014		
	<u>GENERAL EMPLOYEES</u>	<u>POLICE OFFICERS</u>	<u>FIRE FIIGHTERS</u>	<u>GENERAL EMPLOYEES</u>	<u>POLICE OFFICERS</u>	<u>FIRE FIIGHTERS</u>
Total Pension Liability						
Service Cost	\$ 1,629,195	\$ 1,934,067	\$ 993,460	\$ 1,564,998	\$ 1,885,080	\$ 1,107,888
Interest	3,517,510	3,044,711	2,396,529	3,294,972	2,787,119	2,284,005
Change in Excess State Money	-	80,666	102,251	-	61,888	115,677
Changes of Benefit Terms	-	1,166,703	1,449,756	-	-	-
Differences Between Expected and Actual Experience and Changes in Assumptions	458,032	1,160,806	670,993	(54,827)	146,571	(461,117)
Benefit Payments, Including Refunds of Member Contributions	(2,094,964)	(1,386,946)	(1,728,061)	(1,663,848)	(1,403,290)	(1,294,371)
Net Change in Total Pension Liability	3,509,773	6,000,007	3,884,928	3,141,295	3,477,368	1,752,082
Total Pension Liability - Beginning	47,927,749	41,316,716	32,832,608	44,786,454	37,839,348	31,080,526
Total Pension Liability - Ending (a)	<u>\$ 51,437,522</u>	<u>\$ 47,316,723</u>	<u>\$ 36,717,536</u>	<u>\$ 47,927,749</u>	<u>\$ 41,316,716</u>	<u>\$ 32,832,608</u>
Plan Fiduciary Net Position						
Contributions - City	\$ 1,665,895	\$ 1,902,126	\$ 1,043,401	\$ 1,837,620	\$ 1,856,270	\$ 1,097,949
Contributions - State	-	80,666	102,251	-	61,888	115,677
Contributions - Employees	512,745	431,461	454,232	535,334	399,320	527,346
Net Investment Income	287,819	267,550	212,672	3,364,185	3,179,742	2,517,705
Benefit Payments, Including Refunds of Member Contributions	(2,094,964)	(1,386,946)	(1,728,061)	(1,663,848)	(1,403,290)	(1,294,371)
Administrative Expense	(48,635)	(55,891)	(60,040)	(31,939)	(31,542)	(28,402)
Net Change in Plan Fiduciary Net Position	322,860	1,238,966	24,455	4,041,352	4,062,388	2,935,904
Plan Fiduciary Net Position - Beginning, as restated	40,729,086	38,742,430	30,593,421	36,687,734	34,680,042	27,657,517
Plan Fiduciary Net Position - Ending (b)	<u>\$ 41,051,946</u>	<u>\$ 39,981,396</u>	<u>\$ 30,617,876</u>	<u>\$ 40,729,086</u>	<u>\$ 38,742,430</u>	<u>\$ 30,593,421</u>
City's Net Pension Liability/(Asset) - ending (a) - (b)	\$ 10,385,576	\$ 7,335,327	\$ 6,099,660	\$ 7,198,663	\$ 2,574,286	\$ 2,239,187
Plan Fiduciary Net Position as a Percentage of the						
Total Pension Liability	79.81%	84.50%	83.39%	84.98%	93.77%	93.18%
Covered Employee Payroll	9,772,660	5,592,025	4,960,180	9,817,067	5,463,618	4,701,480
Net Pension Liability as a Percentage of Covered						
Employee Payroll	106.27%	131.17%	122.97%	73.33%	47.12%	47.63%

Note to the Schedule:

Plan information is only available for 2015 and 2014. Subsequent years will be added for a full ten-year trend to be presented.

CITY OF AOPKA, FLORIDA
SCHEDULE OF INVESTMENT RETURNS
GENERAL EMPLOYEES', POLICE OFFICERS' AND FIREFIGHTERS' PENSION PLANS
LAST 10 FISCAL YEARS

	2015	2014
General Employees		
Annual Money-Weighted Rate of Return, Net of Investment Expense	0.70%	9.10%
Police Officers		
Annual Money-Weighted Rate of Return, Net of Investment Expense	0.70%	9.10%
Firefighters		
Annual Money-Weighted Rate of Return, Net of Investment Expense	0.70%	9.00%

Note to the Schedule:

Plan information is only available for 2015 and 2014. Subsequent years will be added for a full ten-year trend to be presented.

CITY OF APOPKA, FLORIDA
SCHEDULE OF FUNDING PROGRESS
OTHER POSTEMPLOYMENT BENEFITS PLAN

Actuarial Valuation Date	Actuarial Value		Actuarial Accrued		Funded Ratio	Covered Payroll	UAAL as % of Covered Payroll
	of Assets	Liability (AAL)	Entry Age	Unfunded AAL			
	(a)	(b)	(b)	(a-b)	(a/b)	(c)	((b-a)/c)
10/1/2014	\$ -	\$ 24,915,998	\$ 24,915,998	\$ 24,915,998	0.00%	\$ 21,965,004	113.4%
10/1/2013	-	26,060,861	26,060,861	26,060,861	0.00%	19,291,933	135.1%
10/1/2012	-	24,124,054	24,124,054	24,124,054	0.00%	18,549,936	130.0%
10/1/2011	-	27,060,537	27,060,537	27,060,537	0.00%	18,874,190	143.4%
10/1/2010	-	24,289,582	24,289,582	24,289,582	0.00%	16,941,501	143.4%

CITY OF APOPKA, FLORIDA
SCHEDULE OF EMPLOYER CONTRIBUTIONS
OTHER POSTEMPLOYMENT BENEFITS PLAN

Year Ended September 30	Annual Required Contribution	Annual OPEB Cost	City Contribution	Percentage Contributed	Net OPEB Obligation
2015	\$ 3,055,964	\$ 2,793,126	\$ 645,080	23.1%	\$ 16,889,256
2014	3,220,673	2,996,457	830,437	27.7%	14,741,210
2013	3,042,760	2,857,680	662,693	23.2%	12,575,190
2012	3,609,416	3,471,325	836,000	24.1%	10,380,203
2011	3,239,818	3,144,565	742,000	23.6%	7,744,878

COMBINING AND INDIVIDUAL FUND STATEMENTS AND SCHEDULES

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CITY OF AOPKA, FLORIDA
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
September 30, 2015

SPECIAL REVENUE FUNDS									
	Streets	Law	Transportation	Recreation			Special	Total Nonmajor	
	Improvement Fund	Enforcement	Impact Fees	Impact Fees	Stormwater	Grants Fund	Assessment Fund	Special Revenue	
		Trust						Funds	
ASSETS									
Cash and Cash Equivalents	\$ -	\$ -	\$ 6,239,177	\$ 325,959	\$ 1,862,882	\$ 4,577	\$ -	\$ 8,432,595	
Restricted Cash and Cash Equivalents	725,859	114,613	-	-	-	-	-	840,472	
Accounts Receivable, Restricted	38,978	-	-	-	-	-	-	38,978	
Due from Other Governments	-	-	-	-	-	3,510	-	3,510	
Due from Other Governments, Restricted	134,676	-	-	-	-	-	-	134,676	
Total Assets	\$ 899,513	\$ 114,613	\$ 6,239,177	\$ 325,959	\$ 1,862,882	\$ 8,087	\$ -	\$ 9,450,231	
LIABILITIES									
Accounts Payable	\$ 46,772	\$ -	\$ 2,410	\$ -	\$ 233	\$ 978	\$ -	\$ 50,393	
Accrued Liabilities	4,695	-	-	-	-	-	-	4,695	
Due to Pension Beneficiaries	7,795	-	-	-	-	-	-	7,795	
Due to Other Funds	-	-	-	-	-	-	199,710	199,710	
Deposits	3,294	-	-	-	-	-	-	3,294	
Total Liabilities	62,556	-	2,410	-	233	978	199,710	265,887	
DEFERRED INFLOWS OF RESOURCES									
Unavailable Revenues	-	-	-	-	-	7,109	-	7,109	
Total Deferred Inflows of Resources	-	-	-	-	-	7,109	-	7,109	
FUND BALANCES									
Restricted	836,957	114,613	-	-	-	-	-	951,570	
Committed	-	-	6,236,767	325,959	1,862,649	-	-	8,425,375	
Unassigned (Deficit)	-	-	-	-	-	-	(199,710)	(199,710)	
Total Fund Balances	836,957	114,613	6,236,767	325,959	1,862,649	-	(199,710)	9,177,235	
Total Liabilities, Deferred Inflows of Resources and Fund Balances	\$ 899,513	\$ 114,613	\$ 6,239,177	\$ 325,959	\$ 1,862,882	\$ 8,087	\$ -	\$ 9,450,231	

CITY OF AOPKA, FLORIDA
COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
For the Year Ended September 30, 2015

	SPECIAL REVENUE FUNDS							
	Streets Improvement Fund	Law Enforcement Trust	Transportation Impact Fees	Recreation Impact Fees	Stormwater	Grants Fund	Special Assessment Fund	Total Nonmajor Special Revenue Funds
REVENUES								
Taxes	\$ 1,497,364	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,497,364
Special Assessments	-	-	-	-	-	-	65,148	65,148
Impact Fees	-	-	1,084,119	71,592	-	-	-	1,155,711
Intergovernmental Revenues	-	-	-	-	-	33,285	-	33,285
Charges for Services	495,521	-	100	-	408,178	-	-	903,799
Fines and Forfeitures	-	40,591	-	-	-	-	-	40,591
Investment Earnings	2,767	446	21,737	967	8,139	3	170	34,229
Miscellaneous Revenues	-	-	-	-	-	441	-	441
Total Revenues	1,995,652	41,037	1,105,956	72,559	416,317	33,729	65,318	3,730,568
EXPENDITURES								
Current:								
General Government	-	-	-	-	-	444	-	444
Public Safety	-	70,482	-	-	-	33,285	-	103,767
Physical Environment	-	-	-	-	130,292	-	265,028	395,320
Transportation	2,660,506	-	324,581	-	-	-	-	2,985,087
Culture and Recreation	-	-	-	1,447	-	-	-	1,447
Total Expenditures	2,660,506	70,482	324,581	1,447	130,292	33,729	265,028	3,486,065
Excess (Deficiency) of Revenues								
Over (Under) Expenditures	(664,854)	(29,445)	781,375	71,112	286,025	-	(199,710)	244,503
OTHER FINANCING SOURCES								
AND (USES)								
Transfers In	627,126	-	-	-	-	-	-	627,126
Transfers (Out)	(120,430)	-	(54,206)	-	(147,120)	-	-	(321,756)
Total Other Financing Sources								
and (Uses)	506,696	-	(54,206)	-	(147,120)	-	-	305,370
Net Change in Fund Balances	(158,158)	(29,445)	727,169	71,112	138,905	-	(199,710)	549,873
Fund Balances at Beginning of Year	995,115	144,058	5,509,598	254,847	1,723,744	-	-	8,627,362
Fund Balances - Beginning								
Fund Balances (Deficit) - Ending	\$ 836,957	\$ 114,613	\$ 6,236,767	\$ 325,959	\$ 1,862,649	\$ -	\$ (199,710)	\$ 9,177,235

CITY OF APOPKA, FLORIDA
BUDGETARY COMPARISON SCHEDULE
STREETS IMPROVEMENT SPECIAL REVENUE FUND
For the Year Ended September 30, 2015

	Final Budget	Actual	Variance with Final Budget Positive (Negative)
REVENUES			
Taxes	\$ 1,504,500	\$ 1,497,364	\$ (7,136)
Charges for Services	538,500	495,521	(42,979)
Investment Earnings	4,000	2,767	(1,233)
Miscellaneous	12,000	-	(12,000)
Total Revenues	<u>2,059,000</u>	<u>1,995,652</u>	<u>(63,348)</u>
EXPENDITURES			
Current:			
Transportation	2,983,190	2,413,219	569,971
Capital Outlay	498,570	247,287	251,283
Total Expenditures	<u>3,481,760</u>	<u>2,660,506</u>	<u>821,254</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(1,422,760)</u>	<u>(664,854)</u>	<u>757,906</u>
OTHER FINANCING SOURCES (USES)			
Transfers In	630,000	627,126	(2,874)
Transfers (Out)	(120,430)	(120,430)	-
Total Other Financing Sources and (Uses)	<u>509,570</u>	<u>506,696</u>	<u>(2,874)</u>
Net Change in Fund Balance	(913,190)	(158,158)	755,032
Fund Balance - Beginning	<u>913,190</u>	<u>995,115</u>	<u>81,925</u>
Fund Balance - Ending	<u>\$ -</u>	<u>\$ 836,957</u>	<u>\$ 836,957</u>

CITY OF APOPKA, FLORIDA
BUDGETARY COMPARISON SCHEDULE
LAW ENFORCEMENT TRUST SPECIAL REVENUE FUND
For the Year Ended September 30, 2015

	Final Budget	Actual	Variance with Final Budget Positive (Negative)
REVENUES			
Fines and Forfeitures	\$ 12,500	\$ 40,591	\$ 28,091
Interest	-	446	446
Total Revenues	<u>12,500</u>	<u>41,037</u>	<u>28,537</u>
EXPENDITURES			
Current:			
Public Safety	77,187	55,187	22,000
Capital Outlay	151,045	15,295	135,750
Total Expenditures	<u>228,232</u>	<u>70,482</u>	<u>157,750</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(215,732)</u>	<u>(29,445)</u>	<u>186,287</u>
Net Change in Fund Balance	(215,732)	(29,445)	186,287
Fund Balance - Beginning	<u>215,732</u>	<u>144,058</u>	<u>(71,674)</u>
Fund Balance - Ending	<u><u>\$ -</u></u>	<u><u>\$ 114,613</u></u>	<u><u>\$ 114,613</u></u>

CITY OF APOPKA, FLORIDA
BUDGETARY COMPARISON SCHEDULE
TRANSPORTATION IMPACT FEES FUND
For the Year Ended September 30, 2015

	Final Budget	Actual	Variance with Final Budget Positive (Negative)
REVENUES			
Impact Fees	\$ 1,050,000	\$ 1,084,119	\$ 34,119
Charges for Services	-	100	100
Investment Earnings	20,000	21,737	1,737
Total Revenues	<u>1,070,000</u>	<u>1,105,956</u>	<u>35,956</u>
EXPENDITURES			
Current:			
Transportation	131,375	22,752	108,623
Capital Outlay	2,772,900	301,829	2,471,071
Total Expenditures	<u>2,904,275</u>	<u>324,581</u>	<u>2,579,694</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(1,834,275)</u>	<u>781,375</u>	<u>2,615,650</u>
OTHER FINANCING SOURCES (USES)			
Transfers (Out)	(55,000)	(54,206)	794
Total Other Financing Sources and (Uses)	<u>(55,000)</u>	<u>(54,206)</u>	<u>794</u>
Net Change in Fund Balance	(1,889,275)	727,169	2,616,444
Fund Balance - Beginning	<u>1,889,275</u>	<u>5,509,598</u>	<u>3,620,323</u>
Fund Balance - Ending	<u>\$ -</u>	<u>\$ 6,236,767</u>	<u>\$ 6,236,767</u>

CITY OF APOPKA, FLORIDA
BUDGETARY COMPARISON SCHEDULE
RECREATION IMPACT FEES SPECIAL REVENUE FUND
For the Year Ended September 30, 2015

	Final Budget	Actual	Variance with Final Budget Positive (Negative)
REVENUES			
Impact Fees	\$ 72,250	\$ 71,592	\$ (658)
Investment Earnings	3,000	967	(2,033)
Total Revenues	<u>75,250</u>	<u>72,559</u>	<u>(2,691)</u>
EXPENDITURES			
Current:			
Culture/Recreation	1,065	1,447	(382)
Debt Service	265,150	-	265,150
Total Expenditures	<u>266,215</u>	<u>1,447</u>	<u>264,768</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(190,965)</u>	<u>71,112</u>	<u>262,077</u>
Net Change in Fund Balance	(190,965)	71,112	262,077
Fund Balance - Beginning	<u>190,965</u>	<u>254,847</u>	<u>63,882</u>
Fund Balance - Ending	<u><u>\$ -</u></u>	<u><u>\$ 325,959</u></u>	<u><u>\$ 325,959</u></u>

CITY OF AOPKA, FLORIDA
BUDGETARY COMPARISON SCHEDULE
STORMWATER SPECIAL REVENUE FUND
For the Year Ended September 30, 2015

	Final Budget	Actual	Variance with Final Budget Positive (Negative)
REVENUES			
Charges for Services	\$ 421,500	\$ 408,178	\$ (13,322)
Investment Earnings	8,000	8,139	139
Total Revenues	<u>429,500</u>	<u>416,317</u>	<u>(13,183)</u>
EXPENDITURES			
Current:			
Physical Environment	113,385	112,123	1,262
Capital Outlay	372,600	18,169	354,431
Total Expenditures	<u>485,985</u>	<u>130,292</u>	<u>355,693</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(56,485)</u>	<u>286,025</u>	<u>342,510</u>
OTHER FINANCING SOURCES (USES)			
Transfers (Out)	(147,120)	(147,120)	-
Total Other Financing Sources and (Uses)	<u>(147,120)</u>	<u>(147,120)</u>	<u>-</u>
Net Change in Fund Balance	(203,605)	138,905	342,510
Fund Balance - Beginning	<u>203,605</u>	<u>1,723,744</u>	<u>1,520,139</u>
Fund Balance - Ending	<u><u>\$ -</u></u>	<u><u>\$ 1,862,649</u></u>	<u><u>\$ 1,862,649</u></u>

CITY OF APOPKA, FLORIDA
BUDGETARY COMPARISON SCHEDULE
GRANTS SPECIAL REVENUE FUND
For the Year Ended September 30, 2015

	Final Budget	Actual	Variance with Final Budget Positive (Negative)
REVENUES			
Intergovernmental Revenues	\$ 30,218	\$ 33,285	\$ 3,067
Investment Earnings	-	3	3
Miscellaneous Revenues	-	441	441
Total Revenues	<u>30,218</u>	<u>33,729</u>	<u>3,511</u>
EXPENDITURES			
Current:			
General Government	-	444	(444)
Public Safety	30,218	14,815	15,403
Capital Outlay	-	18,470	(18,470)
Total Expenditures	<u>30,218</u>	<u>33,729</u>	<u>(3,511)</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>-</u>	<u>-</u>	<u>-</u>
OTHER FINANCING SOURCES (USES)			
Transfers (Out)	-	-	-
Total Other Financing Sources and (Uses)	<u>-</u>	<u>-</u>	<u>-</u>
Net Change in Fund Balance	-	-	-
Fund Balance - Beginning	<u>-</u>	<u>-</u>	<u>-</u>
Fund Balance - Ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

CITY OF APOPKA, FLORIDA
BUDGETARY COMPARISON SCHEDULE
SPECIAL ASSESSMENT REVENUE FUND
For the Year Ended September 30, 2015

	Final Budget	Actual	Variance with Final Budget Positive (Negative)
REVENUES			
Special Assessments	\$ 66,940	\$ 65,148	\$ (1,792)
Intergovernmental Revenues	-	-	-
Investment Earnings	-	170	170
Total Revenues	<u>66,940</u>	<u>65,318</u>	<u>(1,622)</u>
EXPENDITURES			
Current:			
Physical Environment	66,940	3,462	63,478
Capital Outlay	-	261,566	(261,566)
Total Expenditures	<u>66,940</u>	<u>265,028</u>	<u>(198,088)</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>-</u>	<u>(199,710)</u>	<u>(199,710)</u>
Net Change in Fund Balance	-	(199,710)	(199,710)
Fund Balance - Beginning	<u>-</u>	<u>-</u>	<u>-</u>
Fund Balance (Deficit) - Ending	<u>\$ -</u>	<u>\$ (199,710)</u>	<u>\$ (199,710)</u>

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STATISTICAL SECTION

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Statistical Section

This section of the City of Apopka's comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the city's overall financial health.

Contents

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Financial Trends

These schedules contain trend information to help the reader understand how the City's financial performance and well-being have changed over time.

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Revenue Capacity

These schedules contain information to help the reader assess the City's most significant local revenue source, the property tax.

86-89

Debt Capacity

These schedules present information to help the reader assess the affordability of the City's current levels of outstanding debt and the city's ability to issue additional debt in the future.

90-91

Demographic and Economic Information

These schedules offer demographic and economic indicators to help the reader understand the environment within which the City's financial activities take place.

92-93

Operating Information

These schedules contain service and infrastructure data to help the reader understand how the information in the City's financial report relates to the services the city provides and the activities it performs.

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Sources: Unless otherwise noted, the information in these schedules is derived from the comprehensive annual financial reports for the relevant year. The City implemented GASB Statement 34 in fiscal year 2003; schedules presenting government-wide information include information beginning in that year.

Schedule 1
City of Apopka
Net Position by Component,
Last Ten Fiscal Years
(accrual basis of accounting)

Net Position	Fiscal Year									
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Governmental activities										
Net Invested in capital assets, net of related debt	\$ 68,474,549	\$ 75,019,777	\$ 81,867,799	\$ 84,640,436	\$ 89,506,866	\$ 89,626,466	\$ 87,869,626	\$ 86,764,954	\$ 89,327,168	\$ 88,573,433
Restricted	-	-	-	-	-	2,173,455	2,032,131	2,174,523	2,156,922	1,907,822
Unrestricted	14,170,095	21,352,609	19,096,607	17,563,034	15,338,837	11,595,902	12,831,110	11,647,104	8,864,250	(214,724)
Total governmental activities net position	\$ 82,644,644	\$ 96,372,386	\$ 100,964,406	\$ 102,203,470	\$ 104,845,703	\$ 103,395,823	\$ 102,732,867	\$ 100,586,581	\$ 100,348,340	\$ 90,266,531
Business-type activities										
Net Invested in capital assets, net of related debt	\$ 63,315,809	\$ 83,421,942	\$ 84,651,808	\$ 85,287,785	\$ 85,405,361	\$ 87,624,978	\$ 86,015,227	\$ 85,141,627	\$ 84,626,587	\$ 100,656,361
Restricted	16,351,539	15,441,099	13,703,960	12,571,761	12,347,388	9,301,564	9,842,130	10,337,621	10,762,602	745,661
Unrestricted	15,837,829	13,101,802	12,822,079	12,589,992	13,569,652	15,640,402	17,283,878	18,362,898	19,309,266	17,057,907
Total business-type activities net position	\$ 95,505,177	\$ 111,964,843	\$ 111,177,847	\$ 110,449,538	\$ 111,322,401	\$ 112,566,944	\$ 113,141,235	\$ 113,842,146	\$ 114,698,455	\$ 118,459,929
Total Net Position										
Primary government	\$ 131,790,358	\$ 158,441,719	\$ 166,519,607	\$ 169,928,221	\$ 174,912,227	\$ 177,251,444	\$ 173,884,853	\$ 171,906,581	\$ 173,953,755	\$ 189,229,794
Net Invested in capital assets, net of related debt	16,351,539	15,441,099	13,703,960	12,571,761	12,347,388	11,475,019	11,874,261	12,512,144	12,919,524	2,653,483
Restricted	30,007,924	34,454,411	31,918,686	30,153,026	28,908,489	27,236,304	30,114,988	30,010,002	28,173,516	16,843,183
Unrestricted	\$ 178,149,821	\$ 208,337,229	\$ 212,142,253	\$ 212,653,008	\$ 216,168,104	\$ 215,962,767	\$ 215,874,102	\$ 214,428,727	\$ 215,046,795	\$ 208,726,460
Total primary government net position										

Schedule 2

**City of Apopka
Changes in Net Position
Last Ten Fiscal Years**

(accrual basis of accounting)

	Fiscal Year									
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Expenses										
Governmental activities:										
General government	\$ 3,551,953	\$ 4,935,306	\$ 5,305,919	\$ 5,489,298	\$ 7,066,267	\$ 6,042,003	\$ 6,995,371	\$ 6,148,920	\$ 6,377,891	\$ 6,511,974
Public safety	17,580,932	16,689,550	18,164,762	20,734,113	20,687,224	22,686,115	23,502,477	26,038,039	25,985,190	27,864,802
Physical Environment	-	-	-	-	-	-	-	-	-	305,767
Transportation	3,867,445	5,249,964	5,201,553	4,963,392	5,309,419	5,016,376	5,440,391	5,781,288	8,093,858	5,595,625
Environmental	53,249	210,749	247,288	181,210	189,307	479,130	203,250	236,843	251,577	228,422
Culture and recreation	2,514,450	2,795,810	2,983,580	2,987,478	2,744,468	3,197,661	2,699,130	3,802,962	3,985,137	3,971,409
Interest on long-term debt	193,573	391,093	443,330	611,994	609,818	557,059	501,906	440,843	341,785	279,351
Total governmental activities expenses	27,761,602	30,272,472	32,346,432	34,967,485	36,606,503	37,978,344	39,342,525	42,448,895	45,035,438	44,757,350
Business-type activities:										
Utility system	10,872,355	12,386,827	13,305,265	13,471,277	13,483,200	13,633,236	13,793,770	15,066,790	15,019,098	16,036,573
Sanitation	2,581,418	2,753,466	3,072,999	3,043,158	3,087,328	3,260,503	3,397,041	3,397,745	3,453,253	3,642,605
Airport Fuel	-	-	-	-	-	-	-	-	-	538,306
Total business-type activities expenses	13,453,773	15,140,293	16,378,264	16,514,435	16,570,528	16,893,739	17,190,811	18,464,535	18,472,351	20,217,484
Total primary government expenses	\$ 41,215,375	\$ 45,412,765	\$ 48,724,696	\$ 51,481,920	\$ 53,177,031	\$ 54,872,083	\$ 56,533,336	\$ 60,913,430	\$ 63,507,789	\$ 64,974,834
Program Revenues										
Governmental activities:										
Charges for services:										
General Government	\$ 2,201,272	\$ 1,926,447	\$ 1,507,285	\$ 1,098,254	\$ 1,257,853	\$ 1,308,182	\$ 1,835,687	\$ 1,935,229	\$ 3,922,155	\$ 3,539,928
Public Safety	1,956,359	1,962,364	1,725,278	2,398,293	3,330,192	3,647,620	4,664,249	4,989,182	1,937,810	1,775,398
Transportation	310,633	355,561	415,322	457,683	579,970	475,389	576,498	959,100	2,117,946	-
Environmental	332,965	366,632	387,902	393,675	398,607	400,948	409,741	401,239	2,019,389	2,377,976
Culture / Recreation	524,306	621,851	568,682	491,736	501,540	516,993	731,740	891,315	813,576	696,455
Intergovernmental revenues	-	-	-	-	-	-	-	-	-	-
Miscellaneous revenues	544,450	765,159	-	-	-	-	-	-	-	-
Operating grants and contributions	7,082,427	7,740,575	7,243,988	6,767,072	6,777,070	7,616,070	7,658,910	8,468,829	1,283,718	993,788
Capital grants and contributions	14,083,048	8,875,440	2,671,242	2,258,090	4,364,266	1,570,734	2,474,554	1,904,213	1,855,694	2,345,941
Total governmental activities program revenues	27,035,460	22,614,029	14,519,699	13,864,803	17,209,498	15,535,936	18,351,379	19,549,107	13,950,288	11,729,486
Business-type activities:										
Charges for services:										
Utility System:										
Water sales	4,828,172	4,749,889	4,410,791	4,478,286	4,766,796	5,371,826	5,765,969	5,548,701	5,541,172	5,749,002
Sewer sales	4,534,005	4,602,238	4,611,793	4,773,408	4,926,149	5,167,002	5,479,371	5,537,939	5,691,201	5,984,903
Reclaimed water sales	1,494,097	1,858,668	1,660,928	2,295,690	2,329,372	2,836,583	2,821,403	2,491,136	2,661,176	2,705,534
Miscellaneous revenues	1,031,958	1,023,591	863,154	884,454	1,052,384	834,899	886,674	1,201,537	1,085,243	1,096,054
Sanitation:										
Sanitation Fees	3,034,873	3,587,192	3,645,799	3,555,180	3,571,548	3,603,016	3,624,241	3,707,525	3,827,349	3,983,825
Fines	-	-	-	-	-	151	-	-	-	-
Miscellaneous revenues	159,102	196,972	160,625	205,438	156,106	169,273	174,701	154,416	179,494	178,818
Capital contributions	-	-	-	-	-	-	-	-	-	-

Schedule 2

City of Apopka

Changes in Net Position

Last Ten Fiscal Years

(accrual basis of accounting)

	Fiscal Year									
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Airport Fuel:										
Fuel sales	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 507,464
Miscellaneous revenues	-	-	-	-	-	-	-	-	-	23,075
Operating grants and contributions	695,798	143,800	-	-	-	-	-	-	-	4,693,320
Capital grants and contributions	18,348,214	12,276,114	2,296,960	2,329,512	3,549,287	3,282,439	2,313,259	4,059,847	4,088,784	5,831,362
Total business-type activities program revenues	34,126,219	28,438,464	17,650,050	18,521,968	20,351,642	21,265,189	21,065,618	22,701,101	23,074,419	30,753,357
Total primary government program revenues	\$ 61,161,679	\$ 51,052,493	\$ 32,169,749	\$ 32,386,771	\$ 37,561,140	\$ 36,801,125	\$ 39,416,997	\$ 42,250,208	\$ 37,024,707	\$ 42,482,843
Net (Expense)/Revenue										
Governmental activities	\$ (726,142)	\$ (7,658,443)	\$ (17,826,733)	\$ (21,102,682)	\$ (19,397,005)	\$ (22,442,408)	\$ (20,991,146)	\$ (22,899,788)	\$ (31,085,150)	\$ (33,027,864)
Business-type activities	20,672,446	13,298,171	1,271,786	2,007,533	3,781,114	4,371,450	3,874,807	4,236,566	4,602,068	10,535,873
Total primary government net expense	\$ 19,946,304	\$ 5,639,728	\$ (16,554,947)	\$ (19,095,149)	\$ (15,615,891)	\$ (18,070,958)	\$ (17,116,339)	\$ (18,663,222)	\$ (26,483,082)	\$ (22,491,991)
General Revenues and Other Changes in Net Assets										
Governmental activities:										
Taxes										
Property taxes	\$ 6,471,344	\$ 8,231,638	\$ 8,481,780	\$ 9,045,565	\$ 8,032,965	\$ 6,967,591	\$ 6,708,582	\$ 6,473,486	\$ 6,789,004	\$ 6,994,987
Franchise taxes, utility taxes and communication service tax										
Gasoline taxes	8,054,282	7,845,792	7,964,942	8,266,402	8,910,570	8,731,059	8,328,612	8,450,604	16,713,171	17,645,762
Sale of capital assets	1,263,340	1,285,046	1,317,758	1,308,117	1,325,623	1,319,668	1,308,220	1,412,722	1,433,900	1,497,364
Miscellaneous revenues	(174,682)	108,193	59,491	24,024	33,154	70,046	(100,645)	81,374	11,444	5,845
Investment earnings	1,076,933	1,125,816	920,771	604,493	509,462	503,969	490,664	561,578	235,911	208,132
Transfers	2,714,781	2,789,700	752,842	189,145	129,714	120,395	122,567	95,308	98,712	102,482
Total governmental activities	19,405,998	21,386,185	22,418,753	22,341,746	22,039,238	20,992,528	20,328,190	20,753,502	29,181,272	30,587,632
Business-type activities:										
Sale of capital assets		4,442,648	28,921	3,800	27,453	12,099	41,647	16,238	12,287	-
Investment earnings	1,293,314	1,508,547	833,466	164,358	111,290	108,952	93,332	84,191	104,448	99,269
Franchise taxes	-	-	-	-	36,999	31,839	34,695	42,346	36,636	37,729
Miscellaneous Revenue	-	-	-	-	13,757	-	-	-	-	-
Transfers	(2,714,781)	(2,789,700)	(2,921,169)	(2,904,000)	(3,097,750)	(3,279,800)	(3,470,190)	(3,678,430)	(3,899,130)	(4,133,060)
Total business-type activities	(1,421,467)	3,161,495	(2,058,782)	(2,735,842)	(2,908,251)	(3,126,910)	(3,300,516)	(3,555,655)	(3,745,759)	(3,996,062)
Total primary government	\$ 17,984,531	\$ 24,547,680	\$ 20,359,971	\$ 19,605,904	\$ 19,130,987	\$ 17,865,618	\$ 17,027,674	\$ 17,217,847	\$ 25,435,513	\$ 26,591,570
Change in Net Position										
Governmental activities	\$ 18,679,856	\$ 13,727,742	\$ 4,592,020	\$ 1,239,064	\$ 2,642,233	\$ (1,449,880)	\$ (662,956)	\$ (2,146,286)	\$ (1,903,878)	\$ (2,440,232)
Business-type activities	19,250,979	16,459,666	(786,996)	(728,309)	872,863	1,244,543	574,291	700,911	856,309	6,539,811
Total primary government	\$ 37,930,835	\$ 30,187,408	\$ 3,805,024	\$ 510,755	\$ 3,515,096	\$ (205,337)	\$ (88,665)	\$ (1,445,375)	\$ (1,047,569)	\$ 4,099,579

Schedule 3
City of Apopka
Fund Balances, Governmental Funds,
Last Ten Fiscal Years
(modified accrual basis of accounting)

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011 (a)</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
General fund										
Reserved	\$ 631,354	\$ 412,662	\$ 237,122	\$ 244,048	\$ 426,277	\$ -	\$ -	\$ -	\$ -	\$ -
Unreserved	6,119,251	7,969,146	6,509,322	7,244,322	8,496,573	-	-	-	-	-
Nonspendable	-	-	-	-	-	1,303,054	204,074	215,035	225,526	89,421
Restricted	-	-	-	-	-	913,180	974,665	964,801	1,017,749	956,252
Committed	-	-	-	-	-	861,940	940,180	703,445	512,591	979,146
Assigned	-	-	-	-	-	844,546	852,908	854,823	854,541	855,809
Unassigned	-	-	-	-	-	5,505,322	8,812,311	8,788,248	8,228,167	8,993,373
Total general fund	\$ 6,750,605	\$ 8,381,808	\$ 6,746,444	\$ 7,488,370	\$ 8,922,850	\$ 9,428,042	\$ 11,784,138	\$ 11,526,352	\$ 10,838,574	\$ 11,874,001
All Other Governmental Funds										
Reserved	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Unreserved, reported in:										
Special revenue funds	7,891,973	12,850,794	12,387,121	12,144,203	10,521,223	-	-	-	-	-
Capital projects funds	350,120	369,588	381,532	384,063	-	-	-	-	-	-
Restricted	-	-	-	-	-	1,260,275	1,057,476	1,209,722	1,139,173	951,570
Committed	-	-	-	-	-	9,864,959	10,808,015	11,174,083	9,560,679	10,472,918
Unassigned	-	-	-	-	-	-	-	-	-	(199,710)
Total all other governmental funds	\$ 8,242,093	\$ 13,220,382	\$ 12,768,653	\$ 12,528,266	\$ 10,521,223	\$ 11,125,234	\$ 11,865,491	\$ 12,383,805	\$ 10,699,852	\$ 11,224,778

(a) The City implemented GASB 54 beginning with fiscal year 2011 and has elected to display this change prospectively. Additional information can be found in the Notes to the Financial Statements.

Schedule 4
City of Apopka
Changes in Fund Balances, Governmental Funds,
Last Ten Fiscal Years
(modified accrual basis of accounting)

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015 (a)
Revenues										
Taxes	\$ 16,624,047	\$ 18,350,790	\$ 15,633,703	\$ 16,237,692	\$ 15,199,281	\$ 14,322,374	\$ 13,548,609	\$ 13,656,428	\$ 13,821,953	\$ 14,265,977
Licenses, fees and permits	2,110,855	1,865,371	4,551,440	4,390,989	4,885,499	4,917,670	5,622,483	5,346,169	5,689,506	5,925,542
Special Assessments	-	-	-	-	-	-	-	-	-	65,148
Intergovernmental Revenues	6,436,594	7,741,708	6,639,760	6,159,652	6,753,008	7,025,456	7,125,242	7,908,753	8,432,322	9,050,848
Charges for services	2,510,617	2,464,173	2,298,587	2,350,133	3,075,549	3,133,490	3,592,856	4,295,677	4,645,228	3,840,745
Fines and forfeitures	338,352	471,299	449,315	1,086,028	1,492,899	1,670,414	2,288,933	2,588,781	1,597,545	1,597,258
Impact Fees	-	3,959,782	1,358,314	686,402	620,555	830,036	2,083,405	1,425,055	2,252,481	1,201,311
Investment earnings	1,076,932	1,125,816	752,841	189,144	128,497	120,394	122,566	95,309	98,712	102,482
Miscellaneous revenues	3,421,797	1,514,021	1,584,136	1,148,004	1,120,841	870,854	841,424	1,070,763	892,989	690,711
Total revenues	32,519,194	37,492,960	33,268,096	32,248,044	33,276,129	32,890,688	35,225,518	36,386,935	37,430,736	37,100,022
Expenditures										
General government	3,271,693	5,011,669	5,028,209	4,797,013	5,337,598	5,345,545	6,003,034	5,008,060	7,702,765	5,829,309
Public safety	16,738,459	16,175,993	17,346,392	18,330,239	18,344,956	19,187,180	20,184,386	23,071,274	24,219,905	24,791,883
Physical Environment	-	-	-	-	-	-	-	-	-	509,614
Transportation	2,033,508	3,285,954	3,306,893	2,919,198	3,037,602	3,015,783	3,293,003	3,669,943	3,969,041	4,097,371
Economic Environment	31,528	188,977	207,368	142,369	141,063	153,360	159,094	199,791	208,436	228,422
Culture / recreation	2,308,470	2,578,367	2,785,184	2,590,285	2,342,587	2,469,829	2,161,492	3,057,061	3,314,348	3,272,959
Nondepartmental	-	-	-	-	-	-	-	-	-	-
Capital outlay	15,650,711	15,166,435	8,017,009	9,542,830	5,654,441	2,941,263	1,850,400	4,011,144	4,166,380	-
Debt service:										
Interest	193,573	169,984	463,423	460,974	637,342	590,511	536,680	499,535	431,184	299,374
Insurance Costs	-	-	-	-	-	-	-	42,500	-	-
Principal	698,619	662,789	1,121,880	1,208,584	1,450,853	1,357,814	1,411,275	2,506,019	4,431,604	1,661,862
Grants and aids	47,894	3,000	-	-	-	-	-	-	-	-
Total expenditures	40,974,455	43,243,168	38,276,358	39,991,492	36,946,442	35,061,285	35,599,364	42,065,327	48,443,663	40,690,794
Excess of revenues over (under) expenditures	(8,455,261)	(5,750,208)	(5,008,262)	(7,743,448)	(3,670,313)	(2,170,597)	(373,846)	(5,678,392)	(11,012,927)	(3,590,772)
Other Financing Sources (Uses)										
Sale of Capital Assets	-	-	-	24,024	-	-	-	-	-	58,065
Capital leases proceeds	-	-	-	5,316,963	-	-	-	-	-	-
Note proceeds	-	9,570,000	-	-	-	-	-	2,260,500	4,147,929	960,000
Transfers in	4,115,231	4,075,440	3,948,047	4,074,407	4,990,969	4,328,103	5,630,730	5,013,804	4,863,012	5,065,882
Transfers out	(1,400,450)	(1,285,740)	(1,026,878)	(1,170,407)	(1,893,219)	(1,048,303)	(2,160,541)	(1,335,374)	(963,882)	(932,822)
Total other financing sources (uses)	2,714,781	12,359,700	2,921,169	8,244,987	3,097,750	3,279,800	3,470,189	5,938,930	8,047,059	5,151,125
Net change in fund balances	\$ (5,740,480)	\$ 6,609,492	\$ (2,087,093)	\$ 501,539	\$ (572,563)	\$ 1,109,203	\$ 3,096,343	\$ 260,538	\$ (2,965,868)	\$ 1,560,353
Debt service as a percentage of non-capital expenditures	3.5%	3.0%	5.2%	5.5%	6.7%	6.1%	5.8%	7.9%	11.5%	5.1%

(a) The City's capital outlay expenditures are included by function in fiscal year 2015. Capital outlay expenditures of \$2,306,565 can be found in the Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds to the Statement of Activities.

Schedule 5
City of Apopka
Assessed Value and Actual Value of Taxable Property
Last Ten Fiscal Years
(in thousands of dollars)

Fiscal Year Ended Sept. 30	Residential Property	Commercial Property	Industrial Property	Total Assessed Property	Less: Tax-Exempt Property	Total Taxable Assessed Value	Total Direct Tax Rate
2006	1,185,063	471,310	78,705	1,735,078	350,244	1,384,834	3.7619
2007	1,429,082	532,100	85,898	2,047,080	367,553	1,679,527	3.7619
2008	1,865,789	575,106	102,077	2,542,972	385,550	2,157,422	3.7619
2009	2,307,557	673,468	118,556	3,099,581	425,626	2,673,955	3.1738
2010	2,406,309	794,122	124,550	3,324,981	737,387	2,587,594	3.5168
2011	2,125,229	768,370	132,755	3,026,354	757,036	2,269,318	3.5166
2012	1,872,903	708,303	116,618	2,697,824	757,328	1,940,496	3.5164
2013	1,803,977	762,590	166,731	2,733,298	801,139	1,932,159	3.5161
2014	2,005,159	776,287	215,802	2,997,248	825,329	2,171,919	3.4727
2015	2,113,495	893,438	248,369	3,255,302	821,435	2,433,867	3.2876

Note: Property in the city is reassessed each year. Totals shown are per \$1,000.

Schedule 6
City of Apopka
Direct and Overlapping Property Tax Rates,
Last Ten Fiscal Years
(rate per \$1,000 of assessed value)

Fiscal Year	City Direct Rates		Overlapping Rates			
	Basic Rate	Total Direct	Orange County		St. John's Water Management District	
			Orange County	School Board	Management District	Library
2006	3.7619	3.7619	5.1639	7.7610	0.4620	0.4325
2007	3.7619	3.7619	5.1639	7.1690	0.4620	0.4325
2008	3.7619	3.7619	5.1639	7.1690	0.4620	0.4325
2009	3.1738	3.1738	4.4347	7.1210	0.4158	0.3748
2010	3.5168	3.5168	4.4347	7.6730	0.4158	0.3748
2011	3.5166	3.5166	4.4347	7.8940	0.4158	0.3748
2012	3.5164	3.5164	4.4347	7.8940	0.4158	0.3748
2013	3.5161	3.5161	4.4347	8.4780	0.3313	0.3748
2014	3.4727	3.4727	4.4347	8.3620	0.3283	0.3748
2015	3.2876	3.2876	4.4347	8.2180	0.3023	0.3748

Source: Orange County Property Appraiser's Office – Roger Ross 407-836-5074

Schedule 7
City of Apopka
Principal Property Taxpayers,
Current Year and Nine Years Ago

	2015			2006		
	Taxable Assessed Value	Rank	Percentage of Total City Taxable Assessed Value	Taxable Assessed Value	Rank	Percentage of Total City Taxable Assessed Value
Coca Cola	\$ 81,807,486	1	3.36%	\$ -	-	-
TriQuint, Inc.	57,982,921	2	2.38%	-	-	-
Duke Energy	34,261,254	3	1.41%	-	-	-
Embarq (Sprint United Mgmt Co.)	31,707,861	4	1.30%	18,832,727	1	1.36%
Woolbright Wekiva LLC	15,191,071	5	0.62%	-	-	0.00%
TWC Ninety-One LTD	14,423,125	6	0.59%	14,675,529	3	1.06%
Oakmont Apopka Road LLC	11,792,932	7	0.48%	-	-	0.00%
Apopka Associates 2006 LLC	11,231,313	8	0.46%	-	-	0.00%
Wal-Mart Stores East LP	10,847,199	9	0.45%	10,540,455	7	0.76%
Palm Key II	10,506,220	10	0.43%	-	-	0.00%
Colonial Realty LP	-	-	0.00%	17,960,350	2	1.30%
Stratgic Capital Resources Inc.	-	-	0.00%	14,297,175	4	1.03%
Apopka Regional Shopping Center	-	-	0.00%	11,184,293	5	0.81%
QRS 10-18 FL Inc	-	-	0.00%	10,863,551	6	0.78%
Lakewood at Piedmont LP	-	-	0.00%	9,918,000	8	0.72%
KB Home of Orlando	-	-	0.00%	9,414,040	9	0.68%
MaudeHelen LLC	-	-	0.00%	8,983,553	10	0.65%
Total	\$ 279,751,382		11.48%	\$ 126,669,673		9.15%

Source: Orange County Property Appraiser's Office Annual Report.
Contact: Roger Ross 407-836-5074

**Schedule 8
City of Apopka
Property Tax Levies and Collections,
Last Ten Fiscal Years**

Fiscal Year Ended Sept. 30,	Taxes Levied for the Fiscal Year	Collected within the		Collections in Subsequent Years	Total Collections to Date	
		Fiscal Year of the Levy	Percentage of Levy		Amount	Percentage of Levy
2006	\$ 7,092,926	\$ 6,787,713	95.70%	\$ 4,892	\$ 6,792,605	95.77%
2007	9,001,580	8,633,048	95.91%	30,426	8,663,474	96.24%
2008	9,311,996	8,903,340	95.61%	16,290	8,919,629	95.79%
2009	9,944,988	9,527,653	95.80%	5,119	9,532,772	95.86%
2010	8,785,190	8,429,895	95.96%	15,192	8,445,087	96.13%
2011	7,557,782	7,254,684	95.99%	23,115	7,277,799	96.30%
2012	7,175,940	6,881,747	95.90%	73,339	6,955,086	96.92%
2013	6,800,777	6,648,428	97.76%	29,207	6,677,635	98.19%
2014	6,949,031	6,754,188	97.20%	34,816	6,789,003	97.70%
2015	7,129,637	6,967,239	97.72%	27,748	6,994,987	98.11%

Source: Orange County Tax Collector's Office

* Years 2003 through 2011 Collections restated for presentation purposes

* Includes CRA Ad Valorem Taxes

Schedule 9
City of Apopka
Ratios of Outstanding Debt by Type,
Last Ten Fiscal Years

Fiscal Year	Governmental Activities				Business-Type Activities							
	Revenue Note	Notes Payable	Capital Leases	Compensated Absences	Utility		Notes Payable	Capital Leases	Compensated Absences	Total Primary Government	Percentage of Personal Income ^a	Per Capita ^a
					Revenue Bonds	Revenue Bonds						
2006	\$ 399,750	\$ 2,963,000	\$ 733,297	\$ 1,115,854	\$ 23,110,000	\$ 352,000	\$ 63,455	\$ 264,829	\$ 29,002,185	3.39%	779	
2007	369,000	12,062,000	572,258	1,281,097	22,585,000	233,000	1,978,982	301,181	39,382,518	4.22%	997	
2008	338,250	11,091,000	452,128	1,267,315	22,040,000	114,000	1,342,550	348,657	36,993,900	3.77%	918	
2009	307,500	10,015,000	5,667,257	1,197,969	22,040,000	-	662,994	331,440	40,222,159	3.97%	995	
2010	276,750	9,150,000	5,112,154	1,301,943	21,475,000	-	405,569	355,178	38,076,594	3.55%	917	
2011	246,000	8,390,000	4,545,090	1,708,959	20,260,000	-	137,849	471,072	35,758,970	3.19%	850	
2012	215,250	7,600,000	3,954,566	1,808,057	19,615,000	-	19,547	442,872	33,655,293	2.87%	786	
2013	184,500	7,900,500	3,439,297	1,868,314	17,435,000	-	-	473,947	31,301,557	2.51%	709	
2014	153,750	11,086,872	-	1,852,550	16,710,000	1,100,000	-	455,789	31,358,962	2.26%	687	
2015	123,000	10,415,760	-	1,738,075	15,985,000	982,000	-	450,938	29,694,773	2.08%	638	

Note: Details regarding the City's outstanding debt can be found in the notes to the financial statements.

^a See Schedule 14 for personal income and population data.

Schedule 10
City of Apopka
Pledged-Revenue Coverage,
Last Ten Fiscal Years

Fiscal Year	Utility Revenue Bonds					
	Utility Service Charges	Less: Operating Expenses	Net Available Revenue	Debt Service		Coverage
				Principal	Interest	
2006	\$ 23,075,998	\$ 7,368,424	\$ 15,707,574	\$ 505,000	\$ 1,079,268	9.91
2007	18,337,328	8,599,615	9,737,713	525,000	1,059,068	6.15
2008	14,003,169	9,264,344	4,738,825	545,000	1,040,693	2.99
2009	14,183,525	9,416,675	4,766,850	565,000	1,018,893	3.01
2010	14,059,783	9,022,371	5,037,412	595,000	980,080	3.20
2011	15,107,926	9,121,388	5,986,538	620,000	952,743	3.81
2012	16,492,461	9,273,523	7,218,938	645,000	938,793	4.56
2013	17,195,808	10,285,915	6,909,893	630,000	761,099	4.97
2014	17,130,614	10,421,678	6,708,936	710,000	623,400	5.03
2015	19,542,432	10,900,642	8,641,790	725,000	609,200	6.48

Note:

(1) For 2002-2013, Gross Pledged Revenues include operating revenues, connection fees (Fund 401), impact fees (Fund 403), and investment income (Funds 401 and 403). Contributions from developers and disposal of fixed assets are not included.

(3) Direct operating expenses includes all personnel expenses and operating expenses (less depreciation) as per the Detailed Budget Report (Fund 401).

Source:

City of Apopka Finance Department

Schedule 11
City of Apopka
Demographic and Economic Statistics,
Last Ten Calendar Years

Year	Population	Personal Income (thousands of dollars)	Per Capita Personal Income	Median Age	Education Level in Years of Schooling	School Enrollment	Unemployment Rate
2006	37,253	\$ 854,630	\$ 22,941	34.8	13.4	14,052	3.3%
2007	39,508	933,554	23,629	34.7	13.4	15,627	4.6%
2008	40,280	980,349	24,338	34.7	13.4	15,389	6.4%
2009	40,406	1,012,919	25,069	38.7	13.4	16,189	10.6%
2010	41,542	1,072,638	25,821	38.7	13.4	16,371	11.6%
2011	42,089	1,119,365	26,595	38.7	13.4	16,151	10.4%
2012	42,805	1,172,559	27,393	35.4	13.4	16,351	8.0%
2013	44,129	1,245,100	28,215	35.4	13.4	16,351	5.6%
2014	45,669	1,385,049	30,328	34.1	13.4	16,840	5.1%
2015	46,561	1,426,601	31,238	34.1	13.4	16,922	4.2%

Sources: US Census Bureau – 2010 Census
Orlando Economic Development Commission
Community Development Dept. for annually updated population figure from the University of Florida.
School Enrollment information www.ocps.net Enrollment Summaries

Schedule 12
City of Apopka
Principal Employers,
Current Year and Nine Years Ago

	2015			2006		
	Employees	Rank	Percentage of Total City Employment	Employees	Rank	Percentage of Total City Employment
Century Link (formerly Embarq & Sprint)	2,000	1	4.30%	666	2	1.85%
Orange County Schools	1,311	2	2.82%			
Wal-Mart Supercenter	598	3	1.28%	545	3	1.51%
TriQuint (formerly Sawtek)	431	4	0.93%	340	6	0.94%
City of Apopka	367	5	0.79%	382	4	1.06%
Florida Hospital - Apopka	278	6	0.60%	200	10	0.56%
Florida Living Nursing Center	269	7	0.58%	258	9	0.72%
Publix	203	8	0.44%			
Sunbelt Living Center	151	9	0.32%			0.00%
Home Depot	126	10	0.27%			
Northrop Grumman				850	1	2.36%
Finrock Construction Inc.				371	5	1.03%
Apopka High School				316	7	0.88%
Energy Air Inc (relocated)				300	8	0.83%
Total	5,734		12.32%	4,228		20.94%
			46,561			36,024

Source: City of Apopka Finance Department survey of local businesses
Northrop is new on the list beginning 2006. Energy Air relocated out of City 2008

Schedule 13
City of Apopka
Full-time Equivalent City Government Employees by Function/Program,
Last Ten Fiscal Years

<u>Function/Program</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
General government										
Administration	14	15	15	14	13	14	13	11	10	11
Finance	15	13	10	9	9	9	8	9	8	9
Human resources	3	3	3	3	3	3	3	3	3	3
Planning	11	11	10	8	8	7	7	8	8	7
Building	8	7	7	7	7	7	6	6	6	6
IT	5	4	5	5	6	6	7	7	7	5
Police										
Officers	82	77	85	85	91	91	88	90	90	90
Civilians	10	10	9	8	32	32	35	35	31	32
Fire										
Firefighters and officers	77	80	81	81	80	80	80	75	78	77
Civilians	22	23	20	18	2	2	3	6	2	3
Sanitation	17	16	17	17	17	17	16	16	18	17
Other public works										
Administration	8	8	8	7	7	7	7	9	9	8
Engineering	5	5	5	4	4	4	3	6	7	7
Purchasing	-	-	-	-	-	-	-	-	-	-
Construction	13	14	10	8	7	6	6	7	7	7
Fleet	9	10	10	8	10	10	11	11	11	9
Streets	8	8	9	8	8	9	8	9	7	8
Cemetery	2	2	2	2	2	2	1	2	2	2
Parks and recreation	33	34	33	28	28	28	27	28	25	28
Water	19	18	22	22	21	21	22	22	21	19
Wastewater	21	22	26	22	23	22	21	20	21	19
Total	382	380	387	364	376	377	372	380	371	367

Source: City Human Resources Department

Schedule 14
City of Apopka
Operating Indicators by Function/Program
Last Ten Fiscal Years

<u>Function/Program</u>	Fiscal Year									
	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Police										
Physical arrests	1,530	1,556	1,897	2,374	2,147	1,523	1,414	1,011	1,505	1,426
Parking violations	124	104	39	11	117	32	157	424	152	177
Traffic violations	6,219	5,747	6,813	4,481	3,521	2,283	1,764	3,636	3,459	3,522
Red Light Violations	-	681	269	9,735	13,870	16,754	22,422	27,630	22,283	23,204
Fire										
Emergency responses	6,654	6,960	6,242	5,859	5,433	5,093	5,418	4,973	5,298	5,563
Fires extinguished	236	218	174	135	163	158	143	103	110	107
Inspections	4,365	5,782	5,669	5,451	2,324	2,614	2,444	2,120	2,740	2,738
Refuse collection										
Refuse collected (tons per day)	69.5	67.1	64.3	74.5	73.5	74.7	73.9	60.3	86.6	91.2
Recyclables collected (tons per day)	4.0	5.5	6.3	5.9	5.7	5.6	5.7	5.8	5.8	5.2
Other public works										
Street resurfacing (miles)	6.8	6.8	6.8	2.4	4.0	-	-	-	2.4	-
Parks and recreation										
Athletic leagues					8	9	10	10	7	7
Athletic leagues participants	253,565	344,064	529,140	436,622	4,062	3,201	2,175	2,375	2,415	2,395
Senior and Adult programs	378	397	373	281	9	14	10	10	13	11
Children's programs					4	4	5	5	6	6
Facility rental permits	347	321	1,002	2,048	2,861	666	3,269	3,327	3,423	3,368
Water										
New connections	2365*	638	278	246	270	239	333	405	427	356
Average daily consumption (millions of gallons)	7.85	8.53	8.27	7.57	7.54	7.35	7.01	6.79	6.82	7.16
Peak daily consumption (millions of gallons)	12.75	12.69	14.91	14.68	12.44	12.35	9.90	11.02	9.69	10.88
Wastewater										
Average daily sewage treatment (millions of gallons)	2.69	2.89	2.96	2.64	2.66	2.59	2.62	2.76	2.89	3.07
Reclaimed Water										
New connections				202	219	183	207	261	409	300
Average daily consumption (millions of gallons)				5.63	5.51	6.03	6.06	5.49	5.64	6.10
Peak daily consumption (millions of gallons)				9.31	9.61	10.61	9.85	9.39	9.62	11.00

Sources: Various City departments.

Note: Indicators are not available for the general government function.

This is the City's second year of implementation under GASB Statement 44.

*Includes connections from JPA

Schedule 15
City of Apopka
Capital Asset Statistics by Function/Program,
Last Ten Fiscal Years

<u>Function/Program</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Police										
Stations	1	1	1	1	1	1	1	1	1	1
Patrol units	50	78	76	80	44	54	78	105	105	105
Fire stations	4	4	4	4	4	4	4	4	4	4
Refuse collection										
Collection trucks	16	12	12	16	16	16	17	15	19	19
Other public works										
Streets (miles)	184.85	186.7	193	195	203	203	203	203	266	300
Streetslights	134	134	134	134	134	134	134	134	134	134
Traffic signals	29	29	30	27	28	32	32	32	33	34
Parks and recreation										
Acreage	119.5	182.7	221.2	265.18	265.18	265.18	265.18	265.18	265.18	265.18
Playgrounds	7	7	7	7	7	7	7	7	7	7
Baseball/softball diamonds	14	14	14	14	14	14	14	14	14	14
Soccer/football fields	11	14	15	15	15	15	15	16	16	16
Community centers	4	4	4	4	4	4	4	4	4	4
Water										
Water mains (miles)	228.3	242.24	251	259	266	268	268	270	313	337
Fire hydrants	1220	1298	1348	1381	1403	1414	1429	1435	1691	1781
Total system capacity (millions of gallons)	47.02	47.02	47.02	46.84	46.84	46.84	46.84	46.84	46.84	46.84
Wastewater										
Sanitary sewers (miles)	185.18	202.59	206	210	217	218	218	219	245	250
Storm sewers (miles)	16.53	21.23	24	26	96	96	96	96	125	109
Treatment capacity (millions of gallons)	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Lift Stations		104	111	108	111	112	112	113	115	116
Reclaimed Water										
Reclaimed Water mains (miles)				104	113	117	118	126	130	133
Total system capacity (millions of gallons)				15.55	15.55	15.55	15.55	26.35	26.35	26.35

Sources: Various city departments.

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COMPLIANCE SECTION

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**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED
IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

The Honorable Mayor and
Members of the City Commission
City of Apopka, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Apopka, Florida (the "City") as of and for the year ended September 30, 2015, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated June 21, 2016.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the deficiencies described in the accompanying Schedule of Findings and Recommendations to be material weaknesses.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiencies described in the accompanying Schedule of Findings and Recommendations to be significant deficiencies.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The Honorable Mayor and
Members of the City Commission
City of Apopka, Florida

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's basic financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, grant agreements and contracts, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We noted certain matters that we reported to management of the City in a separate letter dated June 21, 2016.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in blue ink that reads "Moore Stephens Lovelace, P.A.".

MOORE STEPHENS LOVELACE, P.A.

Certified Public Accountants

Orlando, Florida
June 21, 2016

CITY OF APOPKA, FLORIDA
SCHEDULE OF FINDINGS AND RECOMMENDATIONS
Fiscal Year Ended September 30, 2015

Prior Year Findings

Type: Material Weakness

2014-001 UNEARNED GRANT REVENUE

Finding:

During our audit, we noted an unearned revenue balance that should have been recognized, as the project related to the grant had been fully completed by the City in prior periods. This amount was material to the City's General Fund.

Criteria:

To ensure that accurate and complete information is being captured, the City should review all account balances at year end.

Cause:

Due to several changes in management positions during the year, year-end procedures were not prepared or reviewed timely.

Effect:

A material misstatement occurred in the City's General Fund.

Recommendation:

We recommend that the City review all year-end account balances to ensure timely and accurate closing of the City's trial balance.

Current Year Status:

We consider this finding to be resolved.

Type: Material Weakness

2014-002 APPROVE AND REVIEW JOURNAL ENTRIES

Finding:

During our audit, it was noted that journal entries were not being reviewed and approved prior to posting.

Criteria:

All entries should be initialed by a preparer and the individual approving them in order to attribute responsibility to the appropriate individuals.

Cause:

Due to management turnover in the current year, journal entries were not being reviewed.

Effect:

Absence of an adequate review process could lead to improper posting, or misleading information reported in the City's financial statements.

Recommendation:

We recommend that the City implement procedures to ensure that all journal entries are reviewed and proper approval has been documented.

CITY OF APOPKA, FLORIDA
SCHEDULE OF FINDINGS AND RECOMMENDATIONS
Fiscal Year Ended September 30, 2015

Prior Year Findings (*Continued*)

Current Year Status:

The City has implemented procedures to address this finding. Since the procedures were not in place for the full fiscal year, this finding is not considered to be resolved in the current year. However, we expect this finding to be resolved in a future period.

Type: Material Weakness

2014-003 BUDGET AMENDMENTS

Finding:

During our audit, it was noted that a budget amendment was not properly brought forth and approved by the City Council.

Criteria:

Per the City's budget amendment policy, amendments to the original budget that alter the total revenues, expenses, or reserves of any fund must be approved by the City Council.

Cause:

Budget amendments were not properly reviewed to determine the overall effect on the original budget.

Effect:

The City amended its budget without appropriate approval set forth by its budget amendment policy.

Recommendation:

We recommend that the City review all amendments that alter the original budget amounts to determine the appropriate approval process for its budget amendments.

Current Year Status:

We consider this finding to be resolved.

Type: Significant Deficiency

2014-004 BANK RECONCILIATIONS

Finding:

During our current-year audit of the City's financial statements, it was noted that bank reconciliations were not reviewed and approved after completion. Furthermore, some items on the reconciliation were from prior accounting periods.

Criteria:

Monitoring of accurate bank reconciliations is a key to maintaining adequate control over both cash receipts and disbursements.

Cause:

Due to several changes in management positions during the year, cash reconciliations were not reviewed and approved.

Effect:

Without monitoring of the City's bank reconciliations, accurate information may not be appropriately captured and reflected in the City's trial balance.

CITY OF APOPKA, FLORIDA
SCHEDULE OF FINDINGS AND RECOMMENDATIONS
Fiscal Year Ended September 30, 2015

Prior Year Findings (*Continued*)

Recommendation:

We recommend that the bank reconciliations be reviewed and approved for accuracy and completeness on a timely basis. This process should include tests of mathematical accuracy and tracing of items on the reconciliation to the relevant source documents. The composition of unreconciled and reconciled differences should be determined and followed up on, and any journal entries deemed necessary should be recorded. It should be noted that the City has already begun to implement procedures to address this finding.

Current Year Status:

The City has implemented procedures to address this finding. Since the procedures were not in place for the full fiscal year, this finding is not considered to be resolved in the current year. However, we expect this finding to be resolved in a future period.

Type: Significant Deficiency

2014-005 ACCOUNTS PAYABLE – VENDORS

Finding:

The Accounts Payable Clerk has access to enter vendors into the accounting system, and does so as part of their job duties.

Criteria:

Internal control over purchases, accounts payable, and cash disbursements is most effective when there is a clear separation of duties between the Purchasing Department and the Accounts Payable Department.

Cause:

Management has not evaluated its current policies and procedures and identified areas of improvement.

Effect:

Since the Accounts Payable Clerk has access to enter vendors into the system, the risk exists for the Accounts Payable Clerk to potentially enter a fictitious vendor and issue a payment to the fictitious vendor.

Recommendation:

We recommend that the Accounts Payable Clerk not have access to enter vendors into the accounting system or add compensating controls to mitigate the risk noted above. We also recommend that management review the current assignment of accounting functions.

Current Year Status:

The City has implemented procedures to address this finding. Since the procedures were not in place for the full fiscal year, this finding is not considered to be resolved in the current year. However, we expect this finding to be resolved in a future period.

CITY OF APOPKA, FLORIDA
SCHEDULE OF FINDINGS AND RECOMMENDATIONS
Fiscal Year Ended September 30, 2015

Prior Year Findings (*Continued*)

Type: Significant Deficiency

2014-006 CASH RECEIPTS – SEGREGATION OF DUTIES

Finding:

The City's Accounting Manager receives payments, prepares the bank deposit, makes the bank deposit and has access to post journal entries to both accounts receivable and cash accounts in the City's trial balance.

Criteria:

A good system of internal control provides for a proper segregation of the accounting functions. Proper internal controls require that no one person handle all elements of a single transaction.

Cause:

Management has not evaluated its current policies and procedures and identified areas of improvement.

Effect:

Without proper segregation of duties, the City's internal control may be susceptible to the risk of errors and fraud.

Recommendation:

We recommend that City management review the current assignment of accounting functions. Where possible, duties should be segregated to reduce the risk of errors or fraud.

Current Year Status:

The City has implemented procedures to address this finding. Since the procedures were not in place for the full fiscal year, this finding is not considered to be resolved in the current year. However, we expect this finding to be resolved in a future period.

Type: Significant Deficiency

2014-007 UTILITY DEPOSITS

Finding:

During our testing of the City's cash receipts process, we noted that the Utility Department does not verify its bank deposit for accuracy and completeness after its daily deposits are made.

Criteria:

Internal control over cash receipts is most effective when there are controls in place to help ensure accuracy and completeness. Implementing monitoring procedures over cash receipts improves internal controls.

Cause:

Management has not evaluated its current procedures and identified areas of improvement.

Effect:

Lack of monitoring over cash receipts may lead to inaccurate deposits in the City's bank accounts.

CITY OF APOPKA, FLORIDA
SCHEDULE OF FINDINGS AND RECOMMENDATIONS
Fiscal Year Ended September 30, 2015

Prior Year Findings (*Continued*)

Recommendation:

We recommend that the City's Utility Department verify its deposit after the deposit has been made and posted to the City's account.

Current Year Status:

The City has implemented procedures to address this finding. Since the procedures were not in place for the full fiscal year, this finding is not considered to be resolved in the current year. However, we expect this finding to be resolved in a future period.

CITY OF APOPKA, FLORIDA
SCHEDULE OF FINDINGS AND RECOMMENDATIONS
Fiscal Year Ended September 30, 2015

Current Year Findings

Type: Significant Deficiency

2015-001 BANK RECONCILIATIONS – JOURNAL ENTRIES

Finding:

During our current-year audit of the City's financial statements, it was noted that bank reconciliations contained errors related to payroll accruals.

Criteria:

Review of accurate bank reconciliations is a key to maintaining adequate control over both cash receipts and disbursements.

Cause:

Cash reconciliations were not properly prepared and compared to final GL accounts.

Effect:

Without review of the City's bank reconciliations, accurate information may not be appropriately captured and reflected in the City's trial balance.

Recommendation:

We recommend that the bank reconciliations be reviewed for accuracy and completeness on a timely basis. This process should include tests of mathematical accuracy and tracing of items on the reconciliation to the relevant source documents. The composition of unreconciled and reconciled differences should be determined and followed up on, and any journal entries deemed necessary should be recorded. It should be noted that the City has already begun to implement procedures to address this finding.



**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR
EACH MAJOR STATE PROJECT AND ON INTERNAL
CONTROL OVER COMPLIANCE IN ACCORDANCE WITH
CHAPTER 10.550, RULES OF THE AUDITOR GENERAL**

The Honorable Mayor and
Members of the City Commission
City of Apopka, Florida

Report on Compliance for Each Major State Project

We have audited the compliance of the City of Apopka, Florida (the "City") with the types of compliance requirements described in the Department of Financial Services State Projects Compliance Supplement that could have a direct and material effect on each of its major state projects for the year ended September 30, 2015.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants referred to above.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for the City's major state project based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States and Chapter 10.550, *Rules of the Auditor General*. Those standards and Chapter 10.550, *Rules of the Auditor General*, require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on the major state project identified in the accompanying Schedule of Findings and Questioned Costs occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major state project. However, our audit does not provide a legal determination of the City's compliance with those requirements.

Opinion on Each Major State Project

In our opinion, the City complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on its major state project identified in the accompanying Schedule of Findings and Questioned Costs for the year ended September 30, 2015.

Report on Internal Control over Compliance

Management of the City is responsible for establishing and maintaining effective internal control over compliance with the compliance requirements referred to above. In planning and performing our audit, we considered the City's internal control over compliance with requirements that could have a direct and material effect on the major state project to determine auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with Chapter 10.550, *Rules of the Auditor General*, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

The Honorable Mayor and
Members of the City Commission
City of Apopka, Florida

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct noncompliance with a type of compliance requirement of a state project on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a state project will not be prevented, or detected and corrected on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a state project that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be deficiencies, significant deficiencies, or material weaknesses in internal control over compliance. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Schedule of Expenditures of State Financial Assistance

We have audited the financial statements of the business-type activities of the City as of and for the year ended September 30, 2015, and have issued our report thereon dated June 21, 2016. Our audit was performed for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements as a whole. The accompanying Schedule of Expenditures of State Financial Assistance is presented for the purposes of additional analysis, as required by Chapter 10.550, *Rules of the Auditor General*, and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the financial statements taken as a whole.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements referred to above. Accordingly, this report is not suitable for any other purpose.



MOORE STEPHENS LOVELACE, P.A.
Certified Public Accountants

Orlando, Florida
June 21, 2016

CITY OF APOPKA, FL

SCHEDULE OF EXPENDITURES OF STATE FINANCIAL ASSISTANCE

Fiscal Year Ended September 30, 2015

State Agency/Pass-Through Grantor/ Program Title or Cluster Title	State CSFA/ Number	Grant / Identifying Number	Amount Approved	State Expenditures
<i>Florida Department of Environmental Protection</i>				
<i>Pass-through Agency</i>				
<i>St. John's Water Management District</i>				
Florida Springs Grant Program	37.052	27658	\$ 1,401,408	\$ 1,401,408
Water Protection and Sustainability Program	37.066	25373	2,450,000	<u>1,645,956</u>
TOTAL EXPENDITURES OF STATE FINANCIAL ASSISTANCE				<u>\$ 3,047,364</u>

Note 1 - Basis of Presentation

The schedule of expenditures of state financial assistance (the "schedule") is a summary of the activity of the City's state financial assistance presented on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America. The information in the schedule is presented in accordance with the requirements of Chapter 10.550, *Rules of the Auditor General*. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of, the basic financial statements.

CITY OF APOPKA, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
Year Ended September 30, 2015

SECTION I - SUMMARY OF INDEPENDENT AUDITOR'S RESULTS

Financial Statements

Type of Auditor's Report Issued:

Unmodified Opinion

Internal control over financial reporting:

- Material weakness(es) identified? ☐ Yes ☒ No
- Significant deficiency(ies) identified? ☒ Yes ☐ None reported

Noncompliance material to financial statements noted?

☐ Yes ☒ No

State Projects

Internal control over major projects:

- Material weakness(es) identified? ☐ Yes ☒ No
- Significant deficiency(ies) identified? ☐ Yes ☒ None reported

Type of report issued on compliance for major state projects:

Unmodified Opinion

Any audit findings disclosed that are required to be reported in accordance with Chapter 10.557, *Rules of the Auditor General*?

☒ Yes ☐ No

Identification of Major State Projects:

CSFA Numbers

Name of State Projects

37.052

Florida Springs Grant Program

37.066

Water Protection and Sustainability Program

Dollar threshold used to distinguish between

Type A and Type B projects:

\$300,000

SECTION II - FINANCIAL STATEMENT FINDINGS

Yes. See Schedule of Findings and Recommendations.

SECTION III – STATE FINANCIAL ASSISTANCE FINDINGS AND QUESTIONED COSTS SECTION

None Reported.

SECTION IV - PRIOR-YEAR AUDIT FINDINGS

Yes. See Schedule of Findings and Recommendations.



MOORE STEPHENS
LOVELACE, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

INDEPENDENT ACCOUNTANT'S REPORT

The Honorable Mayor and
Members of the City Commission
City of Apopka, Florida

We have examined the City of Apopka, Florida's (the "City") compliance with the requirements of Section 218.415, Florida Statutes, during the fiscal year ended September 30, 2015. Management is responsible for the City's compliance with those requirements. Our responsibility is to express an opinion on the City's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the City's compliance with specified requirements.

In our opinion, the City complied, in all material respects, with the aforementioned requirements for the fiscal year ended September 30, 2015.

MOORE STEPHENS LOVELACE, P.A.
Certified Public Accountants

Orlando, Florida
June 21, 2016

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INDEPENDENT AUDITOR'S MANAGEMENT LETTER

The Honorable Mayor and
Members of the City Commission
City of Apopka, Florida

Report on the Financial Statements

We have audited the basic financial statements of the City of Apopka, Florida (the "City") as of and for the fiscal year ended September 30, 2015, and have issued our report thereon dated June 21, 2016.

Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*; and Chapter 10.550, *Rules of the Auditor General*.

Other Reporting Requirements

We have also issued our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*, Independent Auditor's Report on Compliance for Each Major State Project and on Internal Control over Compliance and Report on Schedule of State Financial Assistance Required by Chapter 10.550, *Rules of the Auditor General*, and Schedule of Findings and Questioned Costs, and our Independent Accountant's Report on an examination conducted in accordance with *AICPA Professional Standards*, Section 601, regarding compliance requirements in accordance with Chapter 10.550, *Rules of the Auditor General*. Disclosures in those reports and schedule, which are dated June 21, 2016, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., *Rules of the Auditor General*, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. These recommendations are listed in the attached Schedule of Observations and Recommendations.

Official Title and Legal Authority

Section 10.554(1)(i)4., *Rules of the Auditor General*, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The legal authority is disclosed in the notes to the financial statements.

The Honorable Mayor and
Members of the City Commission
City of Apopka, Florida

Financial Condition

Section 10.554(1)(i)4.a., *Rules of the Auditor General*, requires that we report the results of our determination as to whether or not the City has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific condition(s) met. In connection with our audit, we determined that the City did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

Pursuant to Sections 10.554(1)(i)5.a. and 10.556(7), *Rules of the Auditor General*, we applied financial condition assessment procedures. It is management's responsibility to monitor the City's financial condition, and our financial condition assessment was based, in part, on representations made by management and the review of financial information provided by same.

Annual Financial Report

Sections 10.554(1)(i)5.b. and 10.556(7) *Rules of the Auditor General*, requires that we report the results of our determination as to whether the annual financial report for the City for the fiscal year ended September 30, 2015, filed with the Florida Department of Financial Services, pursuant to Section 218.32(1)(a), Florida Statutes, is in agreement with the annual financial audit report for the fiscal year ended September 30, 2015. In connection with our audit, we determined that these two reports were in agreement.

Special District Component Units

Section 10.554(1)(i)5.d., *Rules of the Auditor General*, requires that we determine whether or not a special district that is a component unit of a county, municipality, or special district, provided the financial information necessary for proper reporting of the component unit, within the audited financial statements of the county, municipality, or special district in accordance with Section 218.39(3)(b), Florida Statutes. In connection with our audit, we determined that all special district component units provided the necessary information for proper reporting in accordance with Section 218.39(3)(b), Florida Statutes.

Other Matters

Section 10.554(1)(i)2., *Rules of the Auditor General*, requires that we address in the management letter any recommendations to improve financial management. These recommendations are listed in the attached Schedule of Observations and Recommendations.

Section 10.554(1)(i)3., *Rules of the Auditor General*, requires that we address noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

Purpose of this Letter

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, federal and other granting agencies, the Mayor, City Commission, and applicable management, and is not intended to be, and should not be, used by anyone other than these specified parties.



MOORE STEPHENS LOVELACE, P.A.
Certified Public Accountants

Orlando, Florida
June 21, 2016

CITY OF APOPKA, FLORIDA
SCHEDULE OF OBSERVATIONS AND RECOMMENDATIONS
Fiscal Year Ended September 30, 2015

Prior Year Observations

MLO-2014-001 CHECK LOGS – ACCOUNTS PAYABLE

Observation:

The City does not maintain a check log when check stock is taken from the safe during its cash disbursement check print runs.

Criteria:

Internal control over cash disbursements is most effective when there are controls in place to maintain an inventory or tracking log over all check stock.

Cause:

Management has not evaluated its current policies and procedures and identified areas of improvement.

Effect:

Lack of a check log for all check stock could potentially lead to a misappropriation of checks used by the City if not properly monitored.

Recommendation:

We recommend that the City maintain a check log that tracks the first and last check numbers taken from its safe. The log should be initialed by the individual responsible for maintaining the check stock, as well as the individual removing the stock from the safe.

Current Year Status:

The City has implemented procedures to address this finding. Since the procedures were not in place for the full fiscal year, this finding is not considered to be resolved in the current year. However, we expect this finding to be resolved in a future period.

MLO-2014-002 PAYROLL - SEGREGATION OF DUTIES

Observation:

Our review of the City's payroll system disclosed that the person responsible for preparing the payroll also performs human resources functions, such as entering new employees and changing pay rates.

Criteria:

A good system of internal control provides for a proper segregation of the accounting functions. Proper internal controls require that no one person handle all elements of a single transaction.

Cause:

Management has not evaluated its current policies and procedures and identified areas of improvement.

Effect:

Without proper segregation of duties, the City's internal control may be susceptible to the risk of errors and fraud.

Recommendation:

According to best practices in internal control, we recommend that the City's management review the current assignment of accounting functions and evaluate whether individuals should have access to both payroll and human resources systems. Management should also identify any mitigating controls to address the risk noted above.

Current Year Status:

This finding has not been resolved in the current year.

CITY OF APOPKA, FLORIDA
SCHEDULE OF OBSERVATIONS AND RECOMMENDATIONS
Fiscal Year Ended September 30, 2015

Prior Year Observations (*Continued*)

MLO-2014-003 PAYROLL APPROVAL

Observation:

Our review of the City's payroll system disclosed that the City does not have documented policies and procedures over departmental payroll review and approval.

Criteria:

The City should have written policies and procedures over its departmental payroll review and approval.

Cause:

Management has not evaluated its current policies and procedures and identified areas of improvement.

Effect:

Without written policies and procedures, internal control over information and communication may be affected.

Recommendation:

We recommend that the City create written policies and procedures over its departmental payroll review and approval process.

Current Year Status:

The City has implemented procedures to address this finding. Since the procedures were not in place for the full fiscal year, this finding is not considered to be resolved in the current year. However, we expect this finding to be resolved in a future period.

MLO-2014-04 INFORMATION TECHNOLOGY (IT)

Observation:

During our evaluation of the City's IT processes, procedures were performed for the purpose of issuing our opinion on the City's financial statements. During our evaluation, we noted several areas which we believe could improve the City's data integrity, system security and business continuity. These issues were brought to the attention of the responsible personnel and management. Those findings were related to the following IT issues: IT policies, network security, physical security and controls, firewall and perimeter controls, vulnerability management controls, data backup and recovery, and user security awareness. Specifics of our findings were discussed in detail with the responsible personnel.

Criteria:

In order to keep the City's IT environment safe and secure, security must remain a key concern and function of a properly operating IT Department. As with any control, management must make the ultimate cost-benefit analysis to determine what risks to security the organization is willing to accept.

Cause:

Management has not evaluated its current policies and procedures and identified areas of improvement.

Recommendation:

We recommend that the IT Department and management evaluate each of the issues noted under our findings and consider the most efficient and effective way to address them.

Current Year Status:

We consider this finding to be resolved.

CITY OF APOPKA, FLORIDA
SCHEDULE OF OBSERVATIONS AND RECOMMENDATIONS
Fiscal Year Ended September 30, 2015

Current Year Observations

MLO-2015-001 OTHER POSTEMPLOYMENT BENEFITS (OPEB) VALUATION

Finding:

During our current-year audit of the City's financial statements, it was noted that the City had not obtained a current valuation of its OPEB benefits. The City was using an out-of-date valuation for its OPEB liability valuation. While the City did eventually receive a current valuation, it was only after the auditor notified the City of its requirements to receive a new valuation.

Criteria:

Per GASB Codification P50.108, OPEB plans with a total membership of 200 or more, should obtain actuarial valuations at least biennially.

Cause:

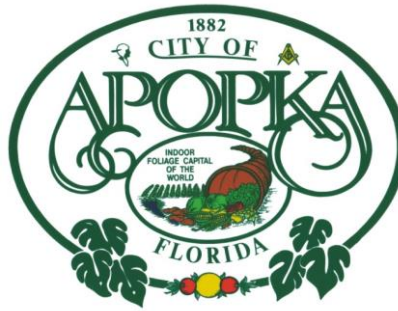
The City was not monitoring the requirements regarding the frequency of receiving its OPEB valuation.

Effect:

Without monitoring of the frequency of the City's OPEB valuation, accurate information may not be appropriately captured and reflected in the City's financial statements.

Recommendation:

We recommend that the City implement monitoring procedures regarding the frequency of obtaining its OPEB valuation.



P.O. BOX 1229 • APOPKA, FLORIDA 32704-1229
PHONE (407) 703-1700

June 17, 2016

Honorable Mayor, City Commissioners
City of Apopka
Apopka, Florida 32703

The City of Apopka strives to improve its financial performance. Two audit findings resulted from the FY2015 annual audit. One significant deficiency was noticed and one management letter observation was reported. Staff continues to review areas of improvement and document policies and procedures to ensure proper controls are in place to reduce the inherent risks. Changes in procedures should prevent the likelihood of future findings.

The following auditor findings and management responses are provided:

2015-001 Bank Reconciliations – Journal Entries (Significant Deficiency)

RECOMMENDATION: During the audit, it was noted that bank reconciliations contained errors related to payroll accruals. We recommend that the bank reconciliations be reviewed for accuracy and completeness on a timely basis. This process should include tests of mathematical accuracy and tracing of items on the reconciliation to the relevant source documents. The composition of unreconciled and reconciled differences should be determined and followed up on. And any journal entries deemed necessary should be recorded.

MANAGEMENT’S RESPONSE: Concur. Management has implemented a policy whereby bank reconciliations as well as journal entries are reviewed for accuracy.

MLO 2015-001 Other Postemployment Benefits (OPEB) Valuation

RECOMMENDATION: During the audit, it was noted that the City had not obtained a current valuation of its OPEB benefits. The City was using an out of date valuation for its OPEB liability valuation.

MANAGEMENT’S RESPONSE: Concur. Management provided the OPEB valuation to auditors during their interim field work and then again during their yearend field work. The auditor’s discovery of the incorrect valuation date did not occur until CAFR preparation began, which was very late in the audit process. Had the auditors noticed the incorrect valuation date upon receiving the OPEB documentation, management would have recognized their misunderstanding of the requirement and taken corrective action, thus avoiding the delays for completion of the audit and CAFR. Management will ensure the proper OPEB valuations will be obtained in the future.

We continue to strive to provide the highest level of financial services and reporting to the City of Apopka.

Respectfully submitted,



Glenn A. Irby, MPA
Chief Administrative Officer



Pamela N. Barclay, CPA
Finance Director

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Backup material for agenda item:

1. Approval for the sale of alcohol for the Travis Tritt concert.



CITY OF APOPKA CITY COUNCIL

☒ CONSENT AGENDA
☐ PUBLIC HEARING
☐ SPECIAL REPORTS
☐ OTHER:

MEETING OF: July 6, 2016
FROM: Recreation
EXHIBITS: None

SUBJECT: ALCOHOL SALES AT THE TRAVIS TRITT CONCERT

**REQUEST: APPROVAL OF THE SALE OF ALCOHOL AT THE TRAVIS TRITT CONCERT
ON AUGUST 13, 2016.**

SUMMARY:

The event is a concert put on by Hal Joe Coaches USA taking place at the Apopka Amphitheater. Travis Tritt is the headlining artist. The concert will include food vendors, retail vendors, and live music. The event will take place from 6pm-11pm.

On September 3, 2014, City Council adopted Ordinance No. 2376 which requires City Council approval for the sale, consumption and carrying of alcoholic beverages on City-owned property during events or programs.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Approve the sale of alcohol at the Travis Tritt Concert on August 13, 2016. .

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

Backup material for agenda item:

2. Approval for the sale of alcohol for the Debbie Turner Block Party.



CITY OF APOPKA CITY COUNCIL

☒ CONSENT AGENDA
☐ PUBLIC HEARING
☐ SPECIAL REPORTS
☐ OTHER:

MEETING OF: July 6, 2016
FROM: Recreation
EXHIBITS: None

SUBJECT: ALCOHOL SALES AT THE DEBBIE TURNER BLOCK PARTY

REQUEST: APPROVAL OF THE SALE OF ALCOHOL AT THE DEBBIE TURNER BLOCK PARTY ON OCTOBER 1, 2016.

SUMMARY:

The block party is a fundraiser put on by the Debbie Turner Cancer Care & Resource Center at Kit Land Nelson Park. The event will feature auctions, food/retail vendors, and live music. The event will take place from 2pm-8pm.

On September 3, 2014, City Council adopted Ordinance No. 2376 which requires City Council approval for the sale, consumption and carrying of alcoholic beverages on City-owned property during events or programs.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Approve the sale of alcohol at the Debbie Turner Block Party on October 1, 2016.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

Backup material for agenda item:

3. Authorize the Sewer and Water Capacity Agreement for Silver Oaks Subdivision.



CITY OF APOPKA CITY COUNCIL

☒ CONSENT AGENDA
☐ PUBLIC HEARING
☐ SPECIAL REPORTS
☐ OTHER:

MEETING OF: July 6, 2016
FROM: Community Development
EXHIBITS: Vicinity Map
Agreement

SUBJECT: SILVER OAK SUBDIVISION (182 LOTS)

REQUEST: AUTHORIZE THE MAYOR OR HIS DESIGNEE TO EXECUTE THE
SEWER AND WATER CAPACITY AGREEMENT.

SUMMARY:

The City's standard Sewer and Water Capacity Agreement has been prepared for Silver Oak Subdivision, located north of East Keene Road and west of Sheeler Avenue.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Authorize the Mayor or his designee to execute the Sewer and Water Capacity Agreement for Silver Oak Subdivision.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

SILVER OAK SUBDIVISION
Owner: Development Solutions SH, LLC
Engineer: Poulos & Bennet, LLC
c/o Mark Stehli, P.E.
50.83 +/- Acres



VICINITY MAP



SEWER AND WATER CAPACITY AGREEMENT
SILVER OAK SUBDIVISION (182 LOTS)

THIS AGREEMENT, made as of this ____ day of _____, 20__, by and between the City of Apopka, Florida, a municipal corporation, hereinafter sometimes referred to as "City" or "Utility" or both; and DEVELOPMENT SOLUTIONS SH LLC sometimes hereinafter referred to as "Owner" or "Developer" or both.

WHEREAS, in the City of Apopka Comprehensive Plan it has been established that land development shall not be permitted unless adequate capital facilities exist or are assured; and

WHEREAS, in the City of Apopka Comprehensive Plan the policy has been established that land development shall bear a proportionate cost of the provision of the new or expanded capital facilities required by such development; and

WHEREAS, the City of Apopka Comprehensive Plan established that the imposition of impact fees and dedication requirements are the preferred methods of regulating land development in order to ensure that it bears a proportionate share of the cost of capital facilities necessary to accommodate the development and to promote and protect the public health, safety and welfare; and

WHEREAS, the City Council of the City of Apopka has determined that the City of Apopka must expand its water and sewer systems in order to maintain current water and sewer standards if new development is to be accommodated without decreasing current standards; and

WHEREAS, the City Council of the City of Apopka enacted an Ordinance providing for Water and Sewer Capital Facilities Fees and Tap Fees; and

WHEREAS, Developer owns or controls lands located in City of Apopka or Orange

County, Florida, and described in **Exhibit "A"** attached hereto and made a part hereof as if fully set out in this paragraph and hereinafter referred to as the "Property," and Developer intends to develop the Property by erecting thereon, individually metered units, general service units, or combination of these; and

WHEREAS, Developer has officially requested that the Utility provide central water distribution and sewage collection service for Developer's property herein described in **Exhibit "A"**; and

WHEREAS, the Utility is willing to provide, in accordance with the provisions of this Agreement, Utility's main extension policy and the City's Code of Ordinances, central water and sewer services to the Property and thereafter operate applicable facilities so that the occupants of the improvements on the Property will receive an adequate water supply and sewage collection and disposal service from Utility; and

WHEREAS, Developer's project and the receipt of water and sewer service is contingent upon the construction and utilization of existing and contemplated water and sewer service facilities and the availability of capacity of those facilities; and

WHEREAS, the Developer is obligated to pay certain Capital Facilities Fees in conjunction with this commitment for capacity and does desire to execute a Service Agreement with the City.

NOW, THEREFORE, the parties hereto agree as follows:

Section 1. Compliance.

The Owner agrees that both he and his successors and assigns will abide by the provisions of this Agreement and the relevant Ordinances of the City and that he will install or have installed the improvements required by the City in accordance with the

provisions of this Agreement and of said Ordinances. The Owner further understands and agrees that, in the development of the subject property, failure to abide by the terms of this Agreement, the provisions of the City's Ordinances, or any other applicable regulations, ordinances, or laws from time to time existing, shall constitute grounds for refusal by the City, or the appropriate authority thereof, to allow such development, to obtain building permits, to institute utility services, or to permit occupancy of completed improvements.

Section 2. Definitions.

A. "ERU (Water)" means Equivalent Residential Unit defined as having the average demand of 400 gallons per day, without reclaimed water available, and having the average demand of 300 gallons per day, with reclaimed water available.

B. "ERU (Sewer)" means Equivalent Residential Unit defined as having the average demand of 300 gallons per day.

C. "DEP" shall mean the Department of Environmental Protection of the State of Florida.

D. "Notice To Proceed" - A document executed by the Developer requesting specific water.

E. "Point of Delivery" - The point where the pipes or meter of the Utility are connected with the pipes of the consumer or Owner. Unless otherwise indicated, Point of Delivery shall be at the Owner's lot line.

F. "Property" - The area or parcel of land described in **Exhibit "A"** attached hereto.

G. "Service" - The readiness and ability on the part of the Utility to furnish and maintain water and sewer service to the point of delivery for each lot or tract pursuant to

applicable ordinances, laws, rules, regulations, permits and Utility policies.

Section 3. On-Site Installation.

To induce the Utility to provide the water treatment and sewage collection and disposal facilities, and to continuously provide Owner's Property with water and sewer services, unless otherwise provided for herein, Owner hereby covenants and agrees to construct and to transfer ownership and control to the Utility, as a contribution-in-aid-of-construction, the on-site water distribution and sewage collection systems located on Owner's Property. The term "on-site water distribution and sewer collection systems" means and includes all water distribution and supply mains, lines and pipes, and related facilities and sewage collection lines facilities and equipment, including pumping stations, constructed within the boundaries of Owner's Property adequate in size to serve each lot or unit within the property or as otherwise required by Utility. Owner shall install at its sole expense all of the aforesaid facilities within the Property in accordance with the plans, specifications and all other pertinent documents approved by the Utility. Developer will furnish Utility with three (3) copies of the plans and specifications for the water distribution system, sewage collection main lift stations and other facilities necessary to serve the property described in **Exhibit "A"**.

Developer shall obtain approval of plans and specifications from all necessary agencies. No construction shall commence until utility and appropriate regulatory agencies have approved such plans and specifications in writing. If construction commences prior to all such approvals and any other approvals required hereunder, Utility shall have no responsibility to accept such lines and facilities and Utility may elect to terminate this Agreement and/or not provide service to Developer until such time as

Developer obtains all such required approvals. When permits and approved plans are returned by appropriate regulatory agencies to Developer, Developer shall submit to Utility one copy of the water and/or sewer construction permit and approved plans. Developer shall also supply to the Utility a copy of the final estimate or payment covering all contract items and Release of Lien from Contractor(s).

After the approval of plans and specifications by Utility and appropriate regulatory agencies, Developer, or the engineer of record, shall set up a preconstruction conference with engineer of record, utility contractor, appropriate building official(s), all other utility companies involved in the development of the Property, and Utility, as may be appropriate.

Developer shall provide to Utility's representative forty-eight (48) hours written notice prior to commencement of construction and forty-eight (48) hours written notice prior to any inspections or tests being performed as described herein. "Notice" shall be complete when Utility actually receives same.

During the construction of the water distribution and sewage collection systems by Developer, Utility shall have the right to inspect such installations to determine compliance with the approved plans and specifications. The engineer of record shall also inspect construction to insure compliance with the approved plans and specifications. The engineer of record and utility contractor shall be present for all standard tests and inspections for pressure, exfiltration, line and grade, and all other normal engineering tests and inspections to determine that the systems have been installed in accordance with the approved plan and specifications, and good engineering practices.

Upon completion of construction, Developer's engineer of record shall submit to Utility a copy of the signed certification of completion submitted to the appropriate regulatory agencies. If certification is for the water distribution system, a copy of the bacteriological results and a sketch showing locations of all sample points shall be included. The engineer of record shall also submit to Utility paper copies of the as-built plans prepared signed and sealed by the engineer of record. Developer will provide Utility with two (2) copies of the approved paving and drainage plans. Developer will provide Utility with three (3) copies of the approved subdivision plat.

Section 4. Off-Site Installation.

The Developer will construct and install water mains, gravity sewer lines, lift station(s) and force main(s) from Developer's property to the Utility existing facilities in accordance with overall master plans of the utility system and in accordance with approved engineering plans and specifications. At all times prior to, during and upon completion of the construction of the extensions of water and sewer lines, Utility shall have the right to inspect and approve all construction plans and specifications, piping, connections, equipment, materials and construction work being provided or performed, or previously provided or performed, by or on behalf of the Developer. Such approval shall not be unreasonably withheld or delayed by Utility, and any costs of such inspections shall be borne by Utility. It shall be the Developer's responsibility to insure that all construction fully meets the plans and specifications approved by the Utility. The cost of inspections resulting from required corrective action shall be borne by the Developer. As conditions precedent to receiving water and sewer service, Developer shall:

- A. Provide Utility with three (3) copies of the approved subdivision plat.

B. Provide Utility with three (3) copies of the approved paving and drainage plans of the development.

C. Furnish Utility with three (3) copies of the plans, specifications and engineering cost estimate for the water distribution system, sewage collection system, lift station(s) and other facilities necessary to serve the property described in Exhibit "A". Developer must receive approval from Utility of said plans, specifications and engineering cost estimate prior to proceeding with any construction of the facilities.

D. Obtain approval of the plans and specifications from all necessary governmental agencies, including, but not limited to, the Florida Department of Environmental Protection and the City of Apopka. No construction shall commence until Utility and appropriate regulatory agencies have approved such plans and specifications in writing. When permits and approved plans are returned by appropriate regulatory agencies to Developer, Developer shall submit to Utility one (1) copy of water and/or sewer construction permit and approved plans.

E. After the approval of plans and specifications by Utility and appropriate regulatory agencies, Developer, or the engineer of record shall set up a preconstruction conference with engineer of record, utility contractor, appropriate building official(s), all other utility companies involved in the development of the Property, and Utility, as may be appropriate.

Developer shall provide to Utility's representative forty-eight (48) hours written notice prior to commencement of construction and forty-eight (48) hours written notice prior to any inspections or tests being performed as described herein. "Notice" shall be complete when Utility actually received same.

During the construction of the water distribution and sewage collection systems by Developer, the Utility shall have the right to inspect such installations to determine compliance with the approved plans and specifications. The engineer of record shall also inspect construction to assure compliance with the approved plans and specifications. The engineer of record and utility contractor shall be present at all standard tests and inspections for pressure, exfiltration, line and grade, and all other normal engineering tests and inspections to determine that the systems have been installed in accordance with the approved plans and specifications, and good engineering practices.

F. Upon completion of construction, Developer's engineer of record shall submit to Utility a copy of the signed certifications of completion submitted to the appropriate regulatory agencies. If certification is for the water distribution system, a copy of the bacteriological results and a sketch showing locations of all sample points shall be included.

Developer's engineer shall deliver one (1) set of paper copies of "As-built" engineering plans, prepared signed and sealed by the professional engineer of record, showing the location of all water and sewer systems and services installed, and certification by the professional engineer of record to the Utility that such systems and services, as built, comply with the plans and specifications approved by the Utility.

Furnish proof satisfactory to the Utility that the installation of the facilities and all contractors, subcontractors, materialmen and laborers have been paid in full, and provide an engineer's certificate of total cost of improvements, i.e., by Release of Lien or other appropriate means.

G. As per this Agreement, Developer shall install, at its sole expense, all of the aforesaid facilities off-site, in accordance with the plans and specifications approved by the Utility. The Utility agrees it will complete its review of the plans and specifications within thirty (30) days of receipt from the Developer.

H. Developer hereby agrees to transfer to Utility title to all water distributions and sewage collection systems installed by Developer or Developer's contractor, pursuant to the provisions of this Agreement. Such conveyance shall take effect at the time Utility issues its final letter of acceptance. As further evidence of said transfer to title, upon completion of the installation, but prior to the issuance of the final letter of acceptance and the rendering of service by Utility, Developer shall:

I. Provide Utility with copies of Release of Lien for said Property.

J. Developer shall assign any and all warranties and/or maintenance bonds and the rights to enforce same to the Utility which Developer obtains from any contractor constructing the utility systems. Developer shall remain secondarily liable on such warranties. If Developer does not obtain such written warranty and/or maintenance bond from its contractor and deliver same to Utility, which warranty and/or maintenance bond shall be for a minimum period of two years, then in such event, Developer by the terms of this instrument, agrees to indemnify and save harmless the Utility for an loss, damages, costs, claims, suits, debts, or demands by reason of latent defects in the systems which could not have been reasonably discovered upon normal engineering inspection, for a period of two years from the date of acceptance by the Utility of said utility systems.

K. The Developer shall provide Utility with all appropriate

operations/maintenance and parts manuals.

L. The Developer shall further cause to be conveyed to Utility all easements and/or rights-of-way covering areas in which water and sewer systems are installed, by recordable document in form satisfactory to the Utility and shall convey title to the Utility, by recordable document in form satisfactory to Utility, and lift stations constructed on Developer's Property along with recordable ingress/egress easement documents.

M. Utility agrees that the issuance of the final letter of acceptance for the water distribution and sewage collection systems installed by Developer shall constitute the assumption of responsibility by Utility for the continuous operation and maintenance of such systems from that date forward.

Section 5. Easement.

Developer hereby grants and gives to Utility, its successors and assigns, but subject to the terms of this Agreement, the exclusive right or privilege to construct, own, maintain or operate the water and sewer facilities to serve the Property; and the exclusive right or privilege to construct, own, maintain or operate the said facilities in, under, upon, over and across the present and future streets, roads, alleys and easements, reserved utility strips and utility sites, and any public place as provided and dedicated to public use in the record plats, or as provided for in agreements, dedications or grants made otherwise and is independent of said record plats. Mortgagees, if any, holding prior liens on the Property shall be required to either release such lien, subordinate their positions or join in the grant or dedication of the easements or rights-of-way, or give to Utility assurance by way of a "non-disturbance agreement," that in the event of foreclosure, mortgagee would continue to recognize the easement rights of Utility, as long as Utility

complies with the terms of this Agreement. All water distribution and sewage collection facilities, save and except consumer installations, shall be covered by easements or rights-of-way if not located within platted or dedicated road or rights-of-ways for utility purposes.

Developer hereby further agrees that the foregoing grants include the necessary right of ingress and egress to any part of the Developer's property upon which Utility is constructing or operating utility facilities. The foregoing grants shall be for such period of time as Utility or its successors or assigns require such rights, privileges or easements in the construction, ownership, maintenance, operation or expansion of the water and sewer facilities. The parties agree that in the event Developer and Utility agree to install any of the water or sewer facilities in lands within the Property lying outside the streets and easement areas described above, then Developer or the owner shall grant to Utility, the necessary easement or easements for such "private property" installation; provided, all such "private property" installations by Utility shall be made in such a manner as not to interfere with the then primary use of such "private property". The use of easements granted by Developer to Utility shall not preclude the use by other utilities of these easements, such as for cable television, telephone, electric, or gas utilities, or as otherwise agreed to by Utility, provided each does not interfere with Utility's use thereof.

The Utility hereby agrees that all easement grants will be utilized in accordance with the established and generally accepted practices of the water and sewer industry with respect to the installation of all its facilities in any of the easement areas.

Section 6. Utility's Exclusive Right to Utility Facilities.

Developer agrees with Utility that all water and sewer facilities accepted by Utility in

connection with providing water and sewer services to the Property shall at all times remain in the sole, complete and exclusive ownership of Utility, its successors and assigns, and any person or entity owning any part of the Property or any residence, building, or unit constructed or located thereon, shall not have any right, title, claim or interest in and to such facilities or any part of them, for any purpose, including the furnishing of water and sewer services to other persons or entities located within or beyond the limits of the Property.

Section 7. Exclusive Right to Provide Service.

As a further and essential consideration of this Agreement, Developer, or the successors and assigns of Developer, shall not (the words "shall not" being used in a mandatory definition) engage in business or businesses of providing potable water or sewer services to the Property during the period of time Utility, its successors and assigns, provide water or sewer services to the Property, it being the intention of the parties hereto that under the foregoing provision and also other provisions of this Agreement, Utility shall have the sole and exclusive right and privilege to provide water and sewer services to the Property and to the occupants of each residence, building or unit constructed thereon, except for providing by Developer, from its own sources and lines for irrigation uses.

Section 8. Rates.

The Utility agrees that the rates to be charged to Developer and individual consumers of water and sewer services shall be those set forth by the City Council. However, notwithstanding any provision in this Agreement, the Utility, its successors and assigns, may establish, amend or revise, from time to time in the future, and enforce rates

or rate schedules so established and enforced and shall at all times be reasonable and subject to approval by the City Council.

Notwithstanding any provision in this Agreement, the Utility may establish, amend or revise, from time to time, in the future, and enforce rules and regulations covering water and sewer services to the Property, including the costs thereof.

Any such initial or future lower or increased rate schedules, and rules and regulations established, amended or revised and enforced by Utility from time to time in the future shall be binding upon Developer; upon any person or other entity holding by, through or under developer; and upon any user or consumer of the water and sewer provided to the Property by Utility.

Section 9. Capital Facility Fees.

In addition to the contribution of any water distribution and sewage collection systems, where applicable, and further to induce the Utility to provide water and sewage service, Developer hereby agrees to pay to Utility the following Capital Facility Fees:

A. Water Capital Facility Fee. A capital facility fee which represents the capital cost of the Primary System capacity expansion will be charged and paid in the manner described herein. The City reserves the right to also require additional contributions or in kind contributions, including but not limited to constructed donated facilities, as may be necessary to extend services or to further expand the Primary System to facilitate the providing of services to the Owner's property and, if any oversizing is required the Owner shall be reimbursed in accordance with Section 26-80 of the Apopka Municipal Code. The City reserves the right to prospectively adjust unpaid fees and charges assessed herein. The Owner will be required to build or to provide the cost of construction of the

Secondary or Local Distribution System and all water facilities on site regardless of size necessary to provide service to the land development activity.

The water Capital Facility Fee charged shall be calculated as follows:

Total Water

Capacity Committed <u>in Gallons</u>	No. Of ERU's <u>Committed</u>	Water Capital Facility Fee <u>Per ERU</u>	Facility Fee Due from <u>Owner</u>
54,600	182	\$957.00	\$174,174.00

B. Sewer Capital Facility Fee. A capital facility fee shall be assessed by the City which represents the capital cost of the Primary System Capacity expansion. The City reserves the right to also require additional contributions or in kind contributions, including but not limited to constructed donated facilities, as may be necessary to extend services or to further expand the Primary System to facilitate the providing of services to the Owner's property and, if any oversizing is required, the Owner shall be reimbursed in accordance with Section 26-80 of the Apopka Municipal Code. The City additionally reserves the right to prospectively adjust unpaid fees and charges assessed herein. Owner will be required to build or to provide the cost of construction of the Secondary or Local Distribution System and all water facilities on site regardless of size necessary to provide service to the land development activity.

The Sewer Capital Facility Fee charged shall be calculated as follows:

Total Sewer

Capacity Committed <u>in Gallons</u>	No. Of ERU's <u>Committed</u>	Sewer Capital Facility Fee <u>Per ERU</u>	Facility Fee Due from <u>Owner</u>
54,600	182	\$4,775.00	\$869,050.00

Section 10. Payment of Capital Fees.

The capital facility fees described herein shall be due and payable as follows:

A. 10% of all capital facilities fees for all units at the time of applying to DEP for a permit.

B. 20% of all capital facilities fees at the time of receiving DEP approval/permit or 120 days from the date of application whichever occurs first.

C. 10% of all capital facilities fees at the time of issuance of Certificate of Acceptance by City or 120 days from the date of issuance of DEP permit whichever occurs first.

D. 20% of all capital facilities fees 12 months after the date of issuance of the DEP permit as set forth in (b).

E. 20% of all capital facilities fees not later than 24 months after the date of issuance of the DEP permit as set forth in (b).

F. All capital facilities fees are due not later than 36 months after the date of the issuance of the DEP permit as set forth in (b).

The capital facilities fees shall be based on the fee schedule in effect at the time payment is actually made to the City. The fees set forth therein are the minimum due and payable. Capital Facilities Fees shall be due and payable by the Owner on or before application for building permits for each individual lot or land development activity. During the time period following the issuance of the DEP permit until all capital facilities fees are paid, the amount due and payable shall always be the greater of the scheduled fees or the fees due upon applying for building permits during this period. If the Capital Facilities fees are paid in conjunction with the application for building permits are less

than the fees currently due pursuant to subparagraphs (d), (e), and (f) of this Section, the Owner must remit the difference as same comes due pursuant to the schedule. If the amount due in conjunction with the application for building permits exceeds the amount due pursuant to schedule, the amount due in conjunction with the application for building permits shall be the amount due and payable regardless of the amount of the scheduled payment.

The 40% first paid in accordance with subparagraphs (a), (b), and (c) of this Section will apply to the last 40% of the building permits applied for by the Developer. A failure of the Developer to pay all sums due in accordance with this Section shall be considered a default and all of the Capital Facilities Fees shall become immediately due and payable and all other rights and remedies associated with a default shall be available to the City.

It is also agreed by the parties that:

(a) No lots, units or interests in the property, development or units may be sold until 100% of all the capital facilities fees on those lots or units to be sold have been paid.

(b) No capacity may be transferred, sold or bartered to any other land development activity.

(c) If the Developer should default on any of the aforescribed, the City shall have the right to record a lien on all remaining lots owned by the Developer for unpaid fees and shall have the right to demand the return of unused capacity. This right is in addition to all other rights available to the City under Florida law.

Section 11. Refund of Fee Paid.

The parties agree that if a DEP permit expires and DEP has released all permitted capacity back to the City and no construction has been commenced, then the Developer shall be entitled to a refund of the capital facility fees paid as a condition for its issuance except that the City shall retain three percent (3%) of the refunded funds as a fee to offset the costs of collection and refund.

Section 12. Recapture of Capacity.

The parties agree that if the development has not been substantially completed by the end of the calendar quarter immediately following two (2) years from the date on which the water and sewer capital facility fee was paid in full, or if the developer is in default under this agreement or if the DEP permit issued to the developer has expired or the Developer has not proceeded to develop the property described in Exhibit "A" within two years from the date of execution of this Agreement, the City may petition, if necessary, the DEP to recapture the capacity committed pursuant to this Agreement. If said capacity is all released back to the City, the City may refund the capital facility fees as set forth in paragraph 11 above.

Section 13. Maintenance Fees.

The parties agree that the City may subject encumbered or committed water and sewer capacity to a maintenance fee to be assessed by the City. The amount of such fee will be determined by the City Council and shall be based upon the costs of maintaining the committed capacity for the Developer. Such fees shall not be a Capital Facility Fee as described herein and shall be due and payable as directed by the City.

Section 14. Water System Tap Fee.

The parties agree that a Water Tap Fee shall be charged at the time of approval by the City of a service connection. Such fee will include the labor cost and the cost of connection piping from the main to the meter not to exceed fifty (50) feet in length and shall be charged as follows:

Single Service Meter

3/4"	\$350.00
1"	\$412.00
1½"	\$631.00
2"	\$757.00

Dual Service Meter

3/4"	\$274.00
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Short Service Tap

3/4" & 1"	\$275.00
1½" & 2"	\$357.00

Long Service Tap

3/4" & 1"	\$836.00
1½" & 2"	\$918.00

For a meter or tap over two (2) inches in size, the work will be performed by the contractor, however, in circumstances where the city elects to perform the work, the fee charged shall be actual cost plus ten percent (10%).

Short service is defined as service located on the same side of a road or driveway of an existing water line where the connection is to be made. Long service is defined as service located on the opposite side of a road or driveway of an existing water line where the connection is to be made. There will be an additional charge of \$10.00 for every linear foot for service over 50 linear feet. An additional charge will be added equal to the county right-of-way permit fee when it is required. All Tap Fees are due and payable at the time that a service connection is approved by the Utility.

Section 15. Sewer Tap Fee and Other Charges.

The parties agree that a sewer tap fee shall be charged at the time of approval by the City of a service connection. The cost of extending or installing 6" sewer lateral shall be \$745.00 up to 25 feet and including cleanout, and shall be payable by the Developer upon billing. For additional footage beyond 25 feet, the charge shall be \$12.00 per linear foot. The costs of any applicable county or state permits will be also an additional charge payable by the Developer. Any sewer lateral within the public right-of-way easement will remain the property of the City. All Tap Fees are due and payable at the time that a service connection is approved by the Utility. The other charges described herein are due and payable within 10 days of the date of the billing.

Section 16. Miscellaneous Provisions Regarding Payments.

The parties agree to the following with reference to fees described herein:

A. No building permit for any developmental activity requiring the payment of a capital facility fee shall be issued unless and until the water and sewer capital facility fees have been paid.

B. The City may require that all payments be made with certified funds or cashier's check if payments have been late or if the Developer has previously provided bad funds or if the Developer has an impaired credit reputation.

C. In the event that the City should have to take any actions other than initial presentment of a check to a local bank in order to collect the payments due and payable pursuant to this Agreement, the Owner shall be responsible for any costs, including reasonable attorney's fee, incurred in taking such actions.

D. Acceptance of payment of any of the Fees described herein in part or in full shall

not constitute a waiver of the Utility's rates or regulations.

E. Neither Developer nor any person or other entity holding any of the Property by, through or under Developer, or otherwise, shall have any present or future right, title, claim or interest in and to the Capital Facility Fee charges paid or to any of the water or sewer facilities and properties of Utility, and all prohibitions applicable to Developer with respect to refund of such fees, are applicable to all persons or entities owning such property or an interest in such property.

Section 17. Agreement to Serve.

Upon the completion of construction of the water and sewer facilities by Developer, its inspection, the issuance of the final letter of acceptance by the Utility, the Utility covenants and agrees that it will allow the connection of the water distribution and sewage collection facilities installed by Developer to the central facilities of the Utility and shall provide utility service in accordance with the terms and intent of this Agreement. Such connections shall at all times be in accordance with rules, regulations and orders of the applicable governmental authorities including the City. The Utility agrees that once it provides water and sewer service to the Property and Developer or others have connected consumer installations to its system, that thereafter the Utility will continuously provide, in accordance with the other provisions of this Agreement, including rules and regulations and rate schedules, water and sewer service to the Property in a manner to conform with all requirements of the applicable governmental authority.

The parties agree that the capacity needed to provide service to the Property is 54,600 gallons per day for potable water supply and 54,600 gallons per day for wastewater removal. Developer agrees that the number of units of development for

which capacity is reserved hereby shall not exceed the number of units of development for which capacity is reserved hereby pursuant to final development plans on file in the Community Development Department. Developer agrees that sewage to be treated by the Utility from Developer's property will consist of domestic wastewater and further agrees that it will not allow any abnormal strength sewage to flow from developers' property to the Utility Sewage treatment facility that will cause harm to the treatment process. In addition, Developer further agrees that no wastewater, fluids or other substances and materials shall be discharged to the Utility's sanitary sewer collection/transmission system, which contain any hazardous, inflammable, toxic and/or industrial constituents, in whole or in part, regardless of the concentrations (i.e., strengths) of said constituents. Developer grants to Utility the right to sample the Developer's sewage, as referred to hereinabove, to verify Developer's compliance with this paragraph.

Section 18. Application for Service: Consumer Installations.

Developer, or any owner of any parcel of the Property, or any occupant of any residence, building or unit located thereon shall not have the right to and shall not connect any consumer installation to the facilities of Utility until formal written application has been made to Utility by the prospective user of service, or either of them, in accordance with the then effective rules and regulations of the Utility and approval for such connection has been granted.

Although the responsibility for connecting the consumer installation to the meter and/or lines of the Utility at the point of delivery is that of the Developer or entity other than the Utility, with reference to such connections, the parties agree as follows:

A. Application for the installation of water meters and backflow preventers shall be made twenty-four (24) hours in advance, not including Saturdays, Sundays and holidays.

B. All consumer installation connections may at its sole option be inspected by the Utility before backfilling and covering of any pipes.

C. Written notice to the Utility requesting an inspection of a consumer installation connection may be given by the Developer or his contractor, and the inspection will be made within twenty-four (24) hours, not including Saturdays, Sundays and holidays, provided the meter and backflow preventer, if applicable, have been previously installed.

D. The cost of constructing, operating, repairing or maintaining consumer installations shall be that of Developer or a party other than the Utility.

E. If a kitchen, cafeteria, restaurant or other food preparation or dining facility is constructed within the Property, the Utility shall have the right to require that a grease trap and/or pretreatment unit be constructed, installed and connected so that all waste waters from any grease producing equipment within such facility, including floor drains in food preparation areas, shall first enter the grease trap for pretreatment before the wastewater is delivered to the lines of the Utility. The size, materials and construction of said grease traps are to be approved by the Utility. Developer hereby grants to the Utility the right to periodically inspect the pretreatment facilities herein described. The provisions of this paragraph shall not apply to individual residential kitchens.

No substance other than domestic wastewater will be placed into the sewage system and delivered to the lines of the Utility. Should any non-domestic wastes, grease or oils, including, but not limited to, floor wax or paint, be delivered to the lines, the Owner will be responsible for payment of the cost and expense required in correcting or repairing

any resulting damage or impairment of the treatment process and/or facilities.

Section 19. Assurance of Title.

Within fifteen (15) days of DEP approval or prior to Developer issuing the Notice to Proceed to the Utility, at the expense of Developer, Developer agrees to deliver to the Utility a Certificate of Title, a Title Insurance Policy or an opinion of title from a qualified attorney-at-law, with respect to the Property. The provisions of this paragraph are for the purpose of evidencing Developer's legal right to grant the exclusive rights of service contained in the Agreement.

Section 20. Binding Effect of Agreement.

The Agreement shall be binding upon and shall inure to the benefit of Developer, the Utility and their respective assigns and successors by merger, consolidation, conveyance or otherwise, subject to the terms of this Agreement, as contained herein. This Agreement is freely assignable by either party.

Section 21. Notice.

Until further written notice by either party to the other, all notices provided for herein shall be in writing and transmitted by messenger, by mail or by telegram, and if to Developer, shall be mailed or delivered to Developer at:

DEVELOPMENT SOLUTIONS SN LLC
4600 WELLS FARGO CENTER
90 SOUTH SEVENTH STREET
MINNEAPOLIS, MN 55402

With a copy to:

SURRY HOMES, LLC
1133 LOUISIANA AVE
SUITE 106
WINTER PARK, FL 32789

and if the Utility, at:

City of Apopka
Utilities Department, Attn: Eusie Watson
120 East Main Street, Apopka, FL 32704

Section 22. Laws of Florida.

This Agreement shall be governed by the laws of the State of Florida and it shall be and become effective immediately upon execution by both parties hereto.

Section 23. Cost and Attorney's Fees.

In the event the Utility or Developer is required to enforce this Agreement by Court proceedings or otherwise, by instituting suit or otherwise, then the prevailing party shall be entitled to recover from the other party all costs incurred, including reasonable attorney's fees.

Section 24. Force Majeure.

In the event that the performance of this Agreement by either party to this Agreement is prevented or interrupted in consequence of any cause beyond the control of either party, including but not limited to Act of God or of the public enemy, war, national emergency, allocation or of other governmental restrictions upon the use of availability of labor or materials, rationing, civil insurrection, riot, racial or civil rights disorder or demonstration, strike, embargo, flood, tidal wave, fire, explosion, bomb detonation, nuclear fallout, windstorm, hurricane, earthquake, or other casualty or disaster or catastrophe, unforeseeable failure or breakdown of pumping transmission or other facilities, and all governmental rules or acts or action of any government or public or governmental authority or commission of board or agency or agent or official or officer, the enactment of any statute or ordinance or resolution or regulation or rule or ruling or order, order of decree or judgment or restraining order or injunction of any court, said party shall not be liable for such non-performance.

Section 25.

The rights, privileges, obligations and covenants of Developer and the Utility shall survive the completion of the work of Developer with respect to completing the facilities and services to any development phase and to the Property as a whole.

Section 26.

This Agreement supersedes all previous agreements or representations, either verbal or written, heretofore in effect between Developer and Utility, made with respect to the matters herein contained, and when duly executed, fully constitutes the Agreement between Developer and the Utility. No additions, alterations or variations of the terms of this Agreement shall be valid, nor can provisions of this Agreement be waived by either party, unless such additions, alterations, variations or waivers are expressed in writing and duly signed.

Section 27. Construction.

Whenever the singular number is used in this Agreement and when required by the context, the same shall include the plural, and the masculine, feminine and neuter genders shall each include the others.

In case of any differences of meaning or implication between the text of this Agreement and any caption, illustration, summary table, or illustrative table, the text shall control.

The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".

The work "includes" shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.

Section 28.

Both parties warrant that they have the legal authority to execute this Agreement.

Section 29.

Notwithstanding the gallonage calculations that could be made hereunder relative to ERU's, by and execution hereof, Developer agrees that the intention of this contract is to reserve a given number of units of capacity for the property described in Exhibit "A" and not for purposes of any other calculations.

Section 30.

It is agreed by and between the parties hereto that all words, terms and conditions contained herein are to be read in concert, each with the other, and that provision contained under one heading may be considered to be equally applicable under another in the interpretation of this contract.

Section 31.

By the execution hereof, Developer agrees that the Utility Company has certain obligations as a municipal utility to protect the health, safety and welfare of the public and not to burden Utility's customers with extraordinary expenses attributed or attributable to Developer, his successors or assigns, and that the Utility may, at its sole option, require pretreatment or special features such as grease traps. It is the intention of the parties that all sewage shall conform to the requirements of the Utility prior to introduction into Utility's collection system. Developer shall be responsible for all costs associated herewith.

Section 32.

The Utility shall, at all reasonable times and hours, have the right of inspection of

Developer's internal lines and facilities. This provision shall be binding on the successors and assigns of the Developer.

Section 33. Water Conservation Measures.

Water conservation measures shall be employed by the Developer. Said measures shall include but not be limited to:

- A. Low flush toilets which utilize 3.5 gallons or less of water per flushing cycle.
- B. Shower heads which have flow restrictors, pulsating features, flow control devices or other features which result in water conservation; and do not allow a flow exceeding 3.0 gallons per minute at 60 psi.
- C. No swimming pool filter backwash water or any other swimming pool wastewater shall be discharged to the sanitary sewer system.
- D. Spring-loaded/automatic shut-off water fixtures shall be utilized in all public restrooms. This shall include lavatory fixtures.
- E. Consideration and use (where possible) of dishwashers and washing machines which have water conservation features and/or utilize less water per cycle.

The Utility, at its discretion, shall review and approve all water conservation measures proposed by Developer.

Section 34.

Failure to insist upon strict compliance of any of the term, covenants, or conditions hereof shall not be deemed a waiver of such terms, covenants, or conditions, or shall any waiver or relinquishment of any right or power hereunder at any one time, or times, be deemed a waiver or relinquishment of such right or power at any other time or times.

Section 35.

In the event that relocation of existing water and sewer utilities are necessary for the Developer, Developer will reimburse utility in full for such relocations.

[Remainder of page intentionally left blank. [Signatures on the following pages.]

WITNESSES:

THE CITY OF APOPKA,
A Florida municipal corporation

Glenn Irby
City Administrator

Print Name

Print Name

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Glenn Irby, City Administrator of the City of Apopka, a Florida municipal corporation, he is personally known to me or has produced _____ as identification and did (did not) take an oath.

(NOTARY'S SEAL)

Notary Public

Print Name

Commission No. _____

WITNESSES:

Thomas J. Gray

Thomas J. Gray
Print Name

Amanda L. Carns

Amanda L. Carns
Print Name

OWNER:

By:

CHRISTIAN M. SWANN

AS ATTORNEY-IN-FACT

Title

STATE OF

COUNTY OF

Florida

Orange

The foregoing instrument was acknowledged before me this 20 day of JUNE, 2016 by CHRISTIAN SWANN
(Name of officer or agent) of DEVELOPMENT SOLUTIONS SA LLC
(Name of corporation acknowledging), a DOMESTIC
(state or place of corporation) Corporation, on behalf of the corporation. He/She/They
is/are personally known to me or has produced _____
(type of identification) as identification and did (did not) take an oath.

SEAL



[Signature]
NOTARY PUBLIC

Revised 6-1-16

EXHIBIT "A"

LEGAL DESCRIPTION (OVERALL PARCEL)

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE RUN N00°25'09"E ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 22, A DISTANCE OF 30.00 FEET; THENCE DEPARTING SAID EAST LINE RUN N89°49'53"W, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; SAID POINT ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF KEENE ROAD PER DEED BOOK 347, PAGE 367, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N89°49'53"W ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 490.00 FEET TO THE WEST LINE OF THE EAST 520.00 FEET OF SAID SOUTHEAST 1/4; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE RUN N00°25'09"E ALONG SAID WEST LINE AS DESCRIBED IN OFFICIAL RECORDS BOOK 8251, PAGE 738, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, A DISTANCE OF 628.66 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE RUN N89°50'37"W ALONG SAID NORTH LINE, A DISTANCE OF 400.00 FEET; THENCE DEPARTING SAID NORTH LINE RUN S00°25'09"W ALONG THE WEST LINE OF THE EAST 920.00 FEET OF SAID SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 AS DESCRIBED IN OFFICIAL RECORDS BOOK 10861, PAGE 5992, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, A DISTANCE OF 628.57 FEET TO A POINT ON THE AFORESAID NORTH RIGHT OF WAY LINE OF KEENE ROAD; THENCE RUN N89°49'53"W ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 401.50 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE RUN N00°36'13"E ALONG SAID EAST LINE, A DISTANCE OF 163.08 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 414 VARIABLE RIGHT OF WIDTH PER OOCEA RIGHT OF WAY MAP PROJECT NO. 414-210; SAID POINT ALSO BEING ON A NON TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 3055.39 FEET, A CENTRAL ANGLE OF 14°37'24", A CHORD BEARING OF N57°26'04"W AND A CHORD DISTANCE OF 777.70 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 779.81 FEET TO THE END OF SAID CURVE AND A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE RUN N00°41'46"E ALONG SAID WEST LINE, A DISTANCE OF 706.94 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE RUN S89°51'21"E ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 22, A DISTANCE OF 1349.04 FEET TO A POINT ON THE WEST LINE OF THE EAST 627.00 FEET OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE RUN N00°25'09"E ALONG SAID WEST LINE, A DISTANCE OF 495.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 495.00 FEET OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AS DESCRIBED IN OFFICIAL RECORDS BOOK 8251, PAGE 738, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S89°51'21"E ALONG SAID NORTH LINE, A DISTANCE OF 594.01 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SHEELER ROAD PER OFFICIAL RECORDS BOOK 5464, PAGE 880, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE THE FOLLOWING EIGHT (8) COURSES: S00°25'09"W, A DISTANCE OF 495.01 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE S89°51'21"E ALONG SAID NORTH LINE, A DISTANCE OF 14.00 FEET; THENCE S00°51'46"E, A DISTANCE OF 178.78 FEET; THENCE S01°03'47"W, A DISTANCE OF 267.03 FEET; THENCE S89°51'56"E, A DISTANCE OF 2.00 FEET; THENCE S00°25'09"W, A DISTANCE OF 213.00 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE N89°50'35"W ALONG SAID NORTH LINE, A DISTANCE OF 10.00 FEET; THENCE S00°25'09"W, A DISTANCE OF 198.75 FEET TO THE NORTH LINE OF THE SOUTH 460.00 FEET OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE RUN N89°49'53"W, ALONG SAID NORTH LINE, A DISTANCE OF 290.00 FEET TO A POINT ON THE WEST LINE OF THE EAST 320.00 FEET OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE RUN S00°25'09"W, ALONG SAID WEST LINE, A DISTANCE OF 300.00 FEET TO THE NORTH LINE OF THE SOUTH 160.00 FEET OF SAID SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE DEPARTING SAID WEST LINE RUN S89°49'53"E, ALONG SAID NORTH LINE, A DISTANCE OF 290.00 FEET TO A POINT ON THE AFORESAID WEST RIGHT OF WAY LINE OF SHEELER ROAD; THENCE RUN S00°25'09"W ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 130.00 FEET TO THE POINT OF BEGINNING.

Backup material for agenda item:

4. Accept notification of application for Edward Byrne Memorial Justice Assistance Grant Program



CITY OF APOPKA CITY COUNCIL

X CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
___ OTHER:

MEETING OF: July 6, 2016
FROM: Police Department
EXHIBITS:

SUBJECT: NOTIFICATION OF APPLICATION FOR FISCAL YEAR 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM.

REQUEST: DIRECTION TO MAKE AN APPLICATION TO RECEIVE \$12,708 IN GRANT FUNDING TOWARD THE PURCHASE OF 70 DIGITAL CAMERAS FOR APOPKA POLICE OFFICERS.

SUMMARY:

The City of Apopka (City), Apopka Police Department (Department), through this grant, will be enhancing its capabilities in the prosecution of domestic violence crimes. The Department has a strong relationship with Harbor House of Central Florida, a non-profit organization that focuses on helping victims of domestic violence.

This partnership helps by providing immediate services to victims by implementing and advancing best investigative practices, and by educating and engaging the community in a united front. The partnership between Harbor House and the Department was strengthened in the middle of 2014 when a full-time victim advocate was assigned to the Department from Harbor House to work with domestic violence issues within the City. This relationship has evolved to become a model for other agencies within Central Florida.

Due to this relationship, the Department has changed the way in which domestic violence crimes were investigated, and much of these recommended changes have come from Orange-Osceola County State Attorney and Harbor House professionals. One such recommended improvement will be possible with this grant by providing high quality digital cameras to each officer within the Department to record injuries, damage, and other pertinent evidence related to the case at hand. It is well known and documented that victims are often reluctant to testify against their batterers in many cases. They have been isolated, dependent on their abuser, and may be hesitant to testify because often the abusers have told the abused that no one will believe them.

Photography is a crucial tool in the collection and documentation of evidence, and can be used to successfully prosecute those who commit violence against their family members and domestic partners. Documentation of the crime scene and injuries by photography is an important and powerful tool in the investigation of domestic violence crimes. When injuries resulting from domestic violence are promptly and adequately documented, the evidence may be used to prosecute the batterer without the victim's testimony.

The Department and the Apopka community will directly benefit from this grant. This grant will allow the Department to purchase the recommended cameras, and the digital images will be attached directly to the report ensuring continuity of the evidence though the prosecution of the offender. In keeping with the requirements of the grant, public notice is required with an opportunity for public comment. Should the Department receive funds, there is no requirement for the City to provide matching funds.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Authorize the Police Chief to move forward with the proposed grant.

DISTRIBUTION

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

Backup material for agenda item:

5. Authorize expenditure from Federal Law Enforcement Trust Fund to purchase in-car camera equipment



CITY OF APOPKA CITY COUNCIL

X CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
___ OTHER:

MEETING OF: July 6, 2016
FROM: Police Department
EXHIBITS:

SUBJECT: LAW ENFORCEMENT TRUST FUNDS.

REQUEST: AUTHORIZE A \$24,995.00 EXPENDITURE FROM FEDERAL LAW ENFORCEMENT TRUST FUNDS TO EQUIP NEW PATROL VEHICLES WITH IN-CAR CAMERA EQUIPMENT.

SUMMARY:

This fiscal year, the Apopka Police Department (Department) purchased five (5) sedans for patrol use. They have been delivered and are in the process of being up-fitted with emergency equipment. The Department requests City Council approval for the expenditure of funds from the Federal Law Enforcement Trust Fund in the amount of \$24,995.00 to equip these new vehicles with in-car cameras. This technology will expand the number of patrol vehicles from 11 to 15 with in-car camera recording technology. This is in keeping with the Department's initiative to increase public trust through the use of cameras to better document traffic offenses, as well as record interactions with the public and support the existing body worn camera program.

Crimson Technology is the authorized vendor for Kustom Signals equipment. The Department has an existing server and in-car camera program using Kustom Signals equipment and is an evaluated source for this purchase.

Vendor:	Crimson Technology Products	Kustom Signals G3 Vision Package	
	1631 Rock Springs Road, Suite 353	5 @ \$4,675.00	\$23,375.00
	Apopka, Florida 32703	Kustom Signals Wireless Package	
		5 @ \$ 250.00	\$ 1,250.00
		Shipping	\$ 370.00
		Total Expenditure	\$24,995.00

FUNDING SOURCE:

Law Enforcement Trust Fund

RECOMMENDATION ACTION:

Authorize the Finance Department to disburse \$ 24,995.00 from the Federal Law Enforcement Trust Fund.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

Backup material for agenda item:

6. Approval of Recreation Youth Sports League fees.



CITY OF APOPKA CITY COUNCIL

☒ CONSENT AGENDA
☐ PUBLIC HEARING
☐ SPECIAL REPORTS
☐ OTHER: Presentation

MEETING OF: July 6, 2016
FROM: Recreation
EXHIBITS: Proposal

SUBJECT: RECREATION YOUTH SPORTS LEAGUE FEES

REQUEST: APPROVAL OF ALL RECREATION YOUTH SPORTS LEAGUE FEES

SUMMARY:

The City of Apopka Code of Ordinances (Chapter 58: Parks & Recreation, Section 58-2, Rates and Charges) states in part the rates and charges for the use of recreation facilities and recreation programs shall be developed by city staff and said rates and charges shall be reviewed annually. To ensure rates and charges are reasonably related to the city's actual costs and are consistent with prevailing market rates.

Staff has made recommended changes from the City Council workshop on June 15, 2016. Attached proposal presents new fees for youth sports leagues such as Pop Warner Football & Apopka Little League.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Approve the proposed recreation youth sports league fees

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

Recreation Department Youth League Fees

League	Fee	Per Season
Apopka Pop Warner Football		
Building Rental per year	\$1,000.00	1st Year -\$500
Practice Field Rental per season	\$1,000.00	2nd year - \$2,500
Games - per game day	\$500.00	3rd year - \$4,500
Apopka Little League Baseball		1st Season - \$50 per team + \$250 office
Office rental per year	\$500.00	2nd Season - \$75 per team
Per Team / per season	\$100.00	3rd Season - \$100 per team + \$500 office
Apopka Lacrosse Club		
Practice Field per field / season	\$500.00	
Games - per game day	\$250.00	

Backup material for agenda item:

1. Ordinance No. 2499 – First Reading/Transmittal – Large Scale Future Land Use Amendment – Legislative Wilkes

Kyle



CITY OF APOPKA CITY COUNCIL

 CONSENT AGENDA
 X PUBLIC HEARING
 SPECIAL REPORTS
 X OTHER: Ordinance

MEETING OF: July 6, 2016
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Future Land Use Map
Adjacent Zoning Map
Adjacent Uses Map
Existing Uses Map
Ordinance No. 2499

SUBJECT: **ORDINANCE NO. 2499 - COMPREHENSIVE PLAN AMENDMENT - LARGE SCALE – FUTURE LAND USE AMENDMENT – JACK & JOYCE CRAVEY**

REQUEST: **ACCEPT THE FIRST READING OF ORDINANCE NO. 2499 - COMPREHENSIVE PLAN AMENDMENT - LARGE SCALE – FUTURE LAND USE AMENDMENT – JACK & JOYCE CRAVEY, FROM “COUNTY” RURAL (0-1 DU/10 AC) TO “CITY” RURAL SETTLEMENT (0-1 DU/5 AC); (PARCEL ID NUMBERS 24-20-27-0000-00-056 & 24-20-27-0000-00-112); AND AUTHORIZE TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.**

SUMMARY:

OWNER/APPLICANT: Jack & Joyce Cravey

LOCATION: West of Phils Lane, east of Golden Gem Road (3815 Phils Ln. and 3827 Hideaway Road)

EXISTING USE: Manufactured home

CURRENT ZONING: “City” A-1 (ZIP)

PROPOSED DEVELOPMENT: Single-family residence

PROPOSED ZONING: “City” AG (Agriculture) (Note: this Future Land Use amendment request is being processed along with a request to change the zoning classification from “County” A-1 (ZIP) to “City” AG (Agriculture).

TRACT SIZE: 15.04 +/- acres

MAXIMUM ALLOWABLE
DEVELOPMENT: EXISTING: 1 Unit / PROPOSED: 3 Units

FUNDING SOURCE:

N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

ADDITIONAL COMMENTS: The subject parcels were annexed into the City of Apopka on May 4, 2016 through Ordinance 2495. The applicant requests a future land use designation of Rural Settlement (0-1du/5 ac). The request is compatible with surrounding future land use designations and adjacent uses. As a “Large-Scale” Future Land use Amendment (i.e., ten or more acres), this application will be transferred to State agencies for consistency review with State policies.

COMPREHENSIVE PLAN COMPLIANCE: The proposed use of the property is compatible with the character of the surrounding area, which is predominantly rural in nature and has both agricultural and single-family residential uses. The Wekiva Parkway, which is currently under construction, abuts the east boundary of the subject site. Site development cannot exceed the intensity allowed by the Future Land Use policies. Planning & Zoning staff determines that the policies below support a Rural Settlement FLUM designation at the subject site:

Future Land Use Element

1. **Policy 3.1.s** This land use designation to apply within that area defined as the “Northern Area” in the Joint Planning Area Agreement between the City of Apopka and Orange County adopted on October 26, 2004...The district is designed to facilitate single-family dwelling units and associated infrastructure which maximize the preservation of open space and promote the clustering of developments to both preserve and enhance the natural environment. This land use designation shall also include an agricultural component.”

The applicant’s intent to use the property for a single-family home is consistent with the intent of this Future Land Use Element policy. The proposed use and future land use designation is compatible with the surrounding land uses and, therefore, the proposed future land use amendment is consistent with Policy 3.1.s.

2. **Policy 3.2** Development and redevelopment shall be integrated with the adjacent land uses through: (1) the creation of like uses; or (2) creation of complementary uses; or (3) mitigation of adverse impacts.

The proposed use for the subject property for single-family residential within the Rural Settlement future land use designation is compatible with the land uses and general character of the surrounding area. The future land use designation of surrounding properties predominantly is “City” Rural Settlement or “County” Rural, making the requested future land use change is consistent with Policy 3.2.

SCHOOL CAPACITY REPORT: The request for a future land use designation of Rural Settlement will result in a number of potential units that will be considered de minimus; therefore, school capacity determination is not required.

ORANGE COUNTY NOTIFICATION:

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on May 13, 2016.

PUBLIC HEARING SCHEDULE:

June 14, 2016 – Planning Commission (5:30 pm)

July 6, 2016 – City Council (7:00 pm) - 1st Reading & Transmittal

DULY ADVERTISED:

May 27, 2016 – Public Notice and Notification

TBD – Ordinance Heading & Public Notice ¼ Page Ad w/Map

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval to transmit a change in Future Land Use from “County” Rural (0-1du/10 ac) to “City” Rural Settlement (0-1 du/5 AC) for the property owned by Jack & Joyce Cravey, subject to the information and findings in the staff report.

The **Planning Commission**, at its meeting on June 14, 2016, recommended approval (5-0) of the change in Future Land Use from “County” Rural (0-1 du/10 ac) to “City” Rural Settlement (0-1 du/5 ac) for the property owned by Jack & Joyce Cravey, subject to the information and findings in the staff report; and transmittal to the Florida Department of Economic Opportunity.

Accept the First Reading of Ordinance No. 2499; and authorize transmittal to the Florida Department of Economic Opportunity.

Note: This item is considered legislative. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Rural (0-1 du/10)	A-1	Limited Access R-O-W (SR 429)
East (County)	Rural (0-1 du/10 ac)	A-2	Limited Access R-O-W (SR 429)
South (County)	Rural (0-1 du/10 ac)	A-2	Vacant
West (City)	Rural Settlement (0-1 du/5 ac)	AG	Vacant

The properties have access to local roadways (Phils Lane and Hideaway Road).

II. LAND USE ANALYSIS

The subject properties are located within an area with land uses that permit both residential and agricultural uses, which makes the request for a Rural Settlement future land use designation consistent with the Comprehensive Plan policies listed above, as well as the general future land use character of the surrounding area.

Property to the west has a future land use designation of Rural Settlement and the other surrounding “county” future land use designations are Rural (0-1 du/10 ac) with single-family and agricultural uses.

The proposed “City” Rural Settlement future land use designation is consistent with the general future land use character of the surrounding area.

Wekiva River Protection Area: No
Area of Critical State Concern: No
DRI / FQD: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the “Northern Area” of the JPA. Orange County government has been notified of the proposed FLUM amendment and has not objected.

Transportation: Road access to the site is from Phils and Hideaway Lanes, which connect to Ponkan Road to the south.

Wekiva Parkway and Protection Act: The proposed amendment has been evaluated against the adopted Wekiva Study Area Comprehensive Plan policies. The proposed amendment is consistent with the adopted mandates and requirements. The proposed Future Land Use Map (FLUM) amendment has been reviewed against the best available data, with regard to aquifer and groundwater resources. The City of Apopka's adopted Comprehensive Plan addresses aquifer recharge and stormwater run-off through the following policies:

- Future Land Use Element, Policies 4.16, 14.4, 15.1, 16.2 and 18.2
- Infrastructure Element, Policies 1.5.5, 4.2.7, 4.4, 4.4.1, 4.4.2 and 4.4.3
- Conservation Element, Policy 3.18

CITY COUNCIL – JULY 6, 2016
JACK & JOYCE CRAVEY – LARGE SCALE FUTURE LAND USE AMENDMENT
PAGE 5

Karst Features: The Karst Topography Features Map from the Florida Department of Environmental Protection shows that there are karst features on this property.

Analysis of the character of the Property: The current use of the Property is for a manufactured home. The dominant soil, Candler Fine Sand, has a 5-12 percent slope.

Analysis of the relationship of the amendment to the population projections: These properties were annexed into the City on May 4, 2016 via Ordinance 2495. Based on the adoption of the JPA, the size of the property, and the proposed land use change, the amendment will increase the population if developed.

CALCULATIONS:

ADOPTED: 1 Unit(s) x 2.659 p/h = 2 persons

PROPOSED: 3 x 2.659 p/h = 8 persons

Housing Needs: This proposed Future Land Use Designation of “Rural” will at most have a net increase of two residential units, placing a small or deminimus impact on the City’s population.

Habitat for species listed as endangered, threatened or of special concern: A habitat study is required for developments greater than ten (10) acres in size. At the time the Master Site Plan or Preliminary Development Plan is submitted to the City, the development applicant must conduct a species survey and submit a habitat management plan if any threatened or endangered species are identified within the project site.

Transportation: The City of Apopka is a Transportation Concurrency Exception Area. Refer to Chapter 3 of the City of Apopka 2010 Comprehensive Plan.

Sanitary Sewer Analysis

1. Facilities serving the site; current LOS; and LOS standard: None; 81 GPCD; 81 GPD

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 196 GPD

3. Projected total demand under proposed designation: 588 GPD

4. Capacity available: Yes

5. Projected LOS under existing designation: 81 GPD/Capita

6. Projected LOS under proposed designation: 81 GPD/Capita

7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

1. Facilities serving the site; current LOS; and LOS standard: None; 177 GPCD;
177 GPD

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 210 GPD

3. Projected total demand under proposed designation: 630 GPD

4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPCD
6. Projected LOS under proposed designation: 177 GPCD
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: Yes

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider:
City of Apopka
3. Projected LOS under existing designation: 8 lbs./person/day
4. Projected LOS under proposed designation: 32 lbs./person/day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

Permitting agency: St. John's River Water Management District

Permitted capacity of the water treatment plant(s): 21,981 mil. GPD

Total design capacity of the water treatment plant(s): 33,696 mil. GPD

Availability of distribution lines to serve the property: Yes

Availability of reuse distribution lines available to serve the property: Yes

Drainage Analysis

1. Facilities serving the site: None
2. Projected LOS under existing designation: 100 year - 24 hour design storm event.
3. Projected LOS under proposed designation: 100 year - 24 hour design storm event.
4. Improvement/expansion: On-site retention/detention pond

Recreation

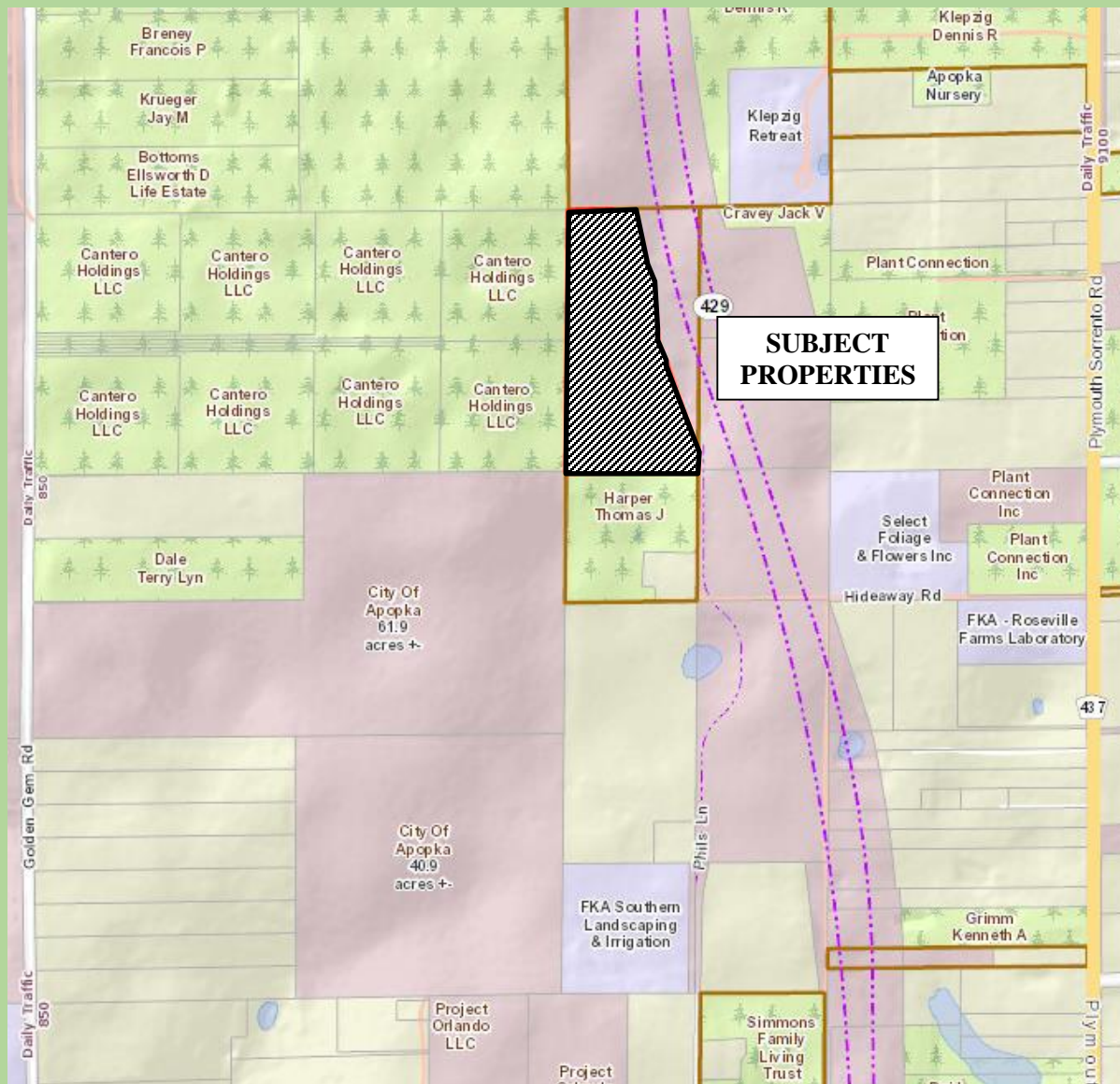
1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita
2. Projected facility under existing designation: 0.006 AC
3. Projected facility under proposed designation: 0.024 AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment: None.

This initial review does not preclude conformance with concurrency requirements at the time of development approval.



Jack & Joyce Cravey
15.04 +/- Acres
Proposed Large Scale Future Land Use Amendment:
From: “County” Rural (0 – 1 du/10 ac)
To: “City” Rural Settlement (0 – 1 du/5 ac)
Proposed Change of Zoning:
From: “County” A-1 (ZIP)
To: “City” AG
Parcel ID #s: 24-20-27-0000-00-056 & 24-20-27-0000-00-112

VICINITY MAP



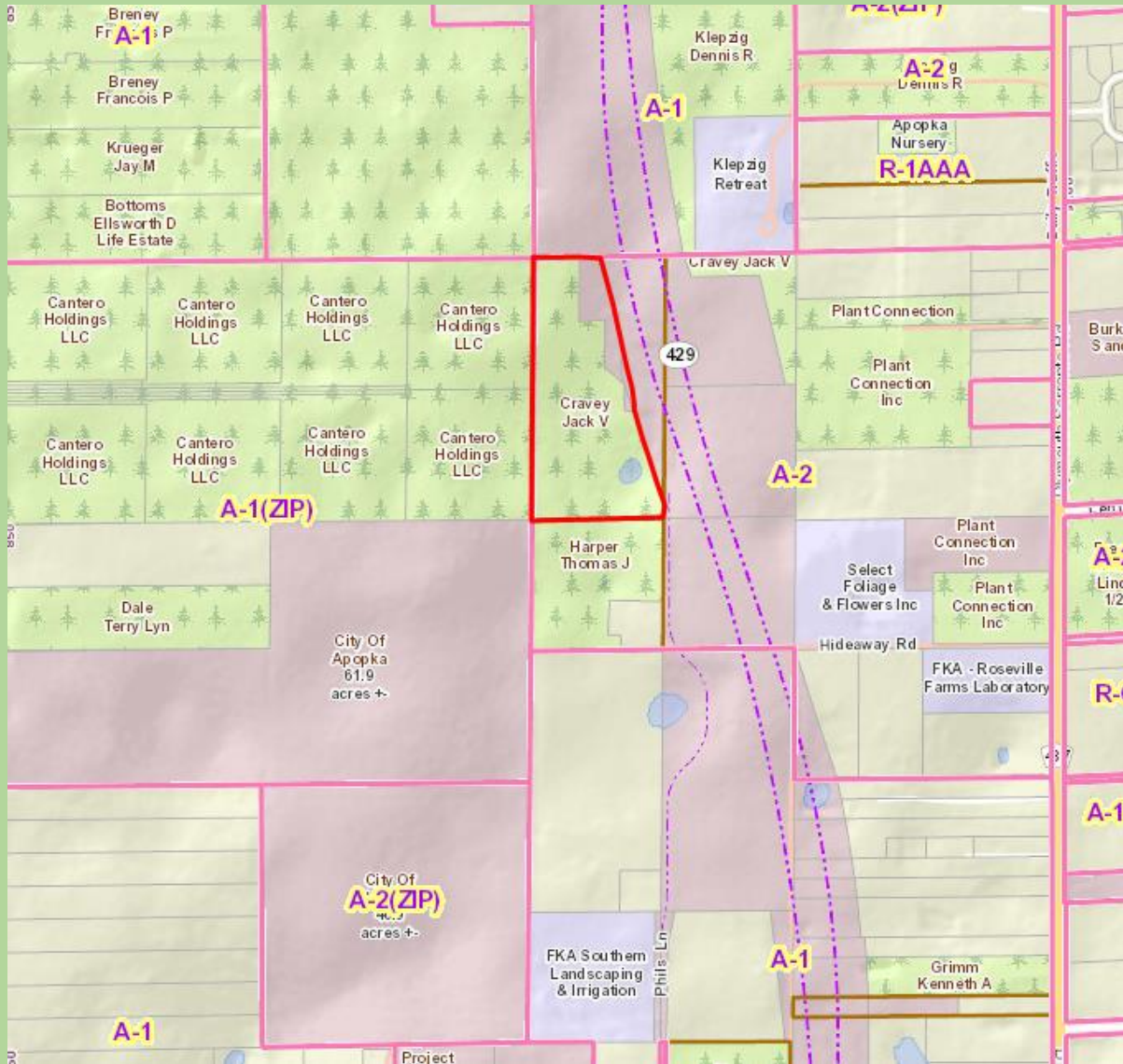


FUTURE LAND USE MAP





ADJACENT ZONING





ADJACENT USES





EXISTING USES



ORDINANCE NO. 2499

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” RURAL (0-1 DU/10 AC) TO “CITY” RURAL SETTLEMENT (0-1 DU/5 AC) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF PHILS LANE AND EAST OF GOLDEN GEM ROAD, COMPRISING 15.04 ACRES, MORE OR LESS AND OWNED JACK & JOYCE CRAVEY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka, Florida, on October 2, 1991 adopted Ordinance No. 653 which adopted the Comprehensive Plan for the City of Apopka; and

WHEREAS, the City of Apopka has subsequently amended the Comprehensive Plan for the City of Apopka, most recently through Ordinance No. 2496; and

WHEREAS, the City of Apopka’s Local Planning Agency and the City Council have conducted the prerequisite advertised public hearings, as per Chapter 163, Florida Statutes, relative to the transmittal and adoption of this ordinance and the requirements for amendment to the Comprehensive Plan.

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

SECTION I: The City of Apopka hereby amends the Future Land Use Element of the adopted Comprehensive Plan as follows:

The Future Land Use Map is hereby amended and replaced in its entirety by Exhibit “A” of this Ordinance, and incorporated herein by reference.

SECTION II: This Ordinance shall become effective following adoption and upon issuance by the Department of Community Affairs or the Administration Commission, as may be applicable, a final order finding the amendment to be in compliance in accordance with Chapter 163.3184.

SECTION III: If any section or portion of a section or subsection 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 portion of a section or subsection or part of this ordinance.

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

SECTION V: This Ordinance shall become effective upon issuance of a final order by the Florida Department of Economic Opportunity finding the plan amendment in compliance in accordance with s.163.3184 (2)(a), Florida Statute.

ORDINANCE NO. 2499
PAGE 2

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this
____ day of _____, 2016.

READ FIRST TIME: July 6, 2016

READ SECOND TIME
AND ADOPTED: _____

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

APPROVED AS TO FORM:

Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: May 27, 2016

EXHIBIT "A"



Jack & Joyce Cravey
Property Owner
15.04 +/- Acres
Proposed Large Scale Future Land Use Amendment:
From: "County" Rural (0 – 1 du/10 ac)
To: "City" Rural Settlement (0 – 1 du/5 ac)
Proposed Change of Zoning:
From: "County" A-1 (ZIP)
To: "City" AG
Parcel ID #s: 24-20-27-0000-00-056 & 24-20-27-0000-00-112



City of Apopka
Future Land Use Map



0 0.0350.07 0.14 0.21 0.28 Miles

Source: City of Apopka and Orange County Property Appraiser
Note: This map was compiled from the Geographic Information Service and does not reflect an actual survey.
The City of Apopka does not assume responsibilities for errors or omissions contained herein.

Legend

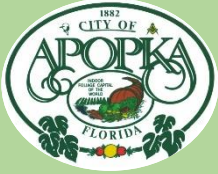
- Subject Site
- City Boundary
- Apopka_Parcel_022315 selection
- Apopka_Parcel_022315
- Res. Low
- JPA Boundary
- Future Land Use
 - Agriculture
 - Agriculture Estates
 - Agriculture Homestead
 - Rural Settlement
 - Res. Estates
 - Res. Very Low Suburban
 - Res. Low Suburban
 - Res. Low
- Res. Medium Low
- Res. Medium
- Res. High
- Mixed Use
- Mixed Use*
- Office
- Commercial
- Commercial*
- Industrial
- Industrial*
- Institutional/Public Use
- Conservation
- Parks/Recreation
- ANNEX



Backup material for agenda item:

2. Ordinance No. 2500 – First Reading – Small Scale Future Land Use Amendment - Legislative Wilkes

Kyle



CITY OF APOPKA CITY COUNCIL

 CONSENT AGENDA
 X PUBLIC HEARING
 SPECIAL REPORTS
 X OTHER: Ordinance

MEETING OF: July 6, 2016
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Adjacent Zoning Map
Adjacent Use Map
Existing Uses Map
Ordinance No. 2500

SUBJECT: ORDINANCE NO. 2500 – SMALL SCALE - FUTURE LAND USE AMENDMENT – SBKP LLC

REQUEST: FIRST READING OF ORDINANCE NO. 2500 – SMALL SCALE – FUTURE LAND USE AMENDMENT – SBKP, FROM “COUNTY” COMMERCIAL (MAX. 3.0 FAR) TO “CITY” COMMERCIAL (MAX 0.25 FAR); (PARCEL I.D. NO. 09-21-28-7552-01-070); AND HOLD OVER FOR SECOND READING AND ADOPTION.

SUMMARY

OWNER/APPLICANT: SBKP LLC

LOCATION: 312 Old Dixie Hwy.

EXISTING USE: Single-family residence

CURRENT ZONING: “County” R-1 (ZIP)

PROPOSED DEVELOPMENT: Professional office

PROPOSED ZONING: “City” C-1 (Retail Commercial)(Note: this Future Land Use Map amendment request is being processed along with a request to change the Zoning Map designation from “County” R-1 (ZIP) to “City” C-1 (Retail Commercial).)

TRACT SIZE: 0.26 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 1 dwelling unit
PROPOSED: 2,831 Sq. Ft.

FUNDING SOURCE:
N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

ADDITIONAL COMMENTS: The applicant is requesting the City to assign a future land use designation of Commercial (max 0.25 FAR) to the property.

The subject property was annexed into the City of Apopka on May 4, 2016, through the adoption of Ordinance No. 2494. The proposed Small-Scale Future Land Use Amendment is being requested by the owner/applicant. Pursuant to Florida law, properties containing less than ten acres are eligible to be processed as a small-scale amendment. Such process does not require review by State planning agencies.

A request to assign a Future Land Use Designation of Commercial is compatible with the designations assigned to abutting properties. The FLUM application covers approximately 0.26 acres. The property owner intends to develop the property for a professional office.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change (see attached Land Use Report).

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Commercial (max 0.25 FAR) Future Land Use designation and the City's proposed C-1 (Retail Commercial) Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed future land use is non-residential and, therefore a school capacity determination with OCPS is not required.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on May 13, 2016.

PUBLIC HEARING SCHEDULE:

June 14, 2016 - Planning Commission (5:30 pm)
July 6, 2016 - City Council (1:30 pm) - 1st Reading
July 20, 2016 – City Council (7:00 pm) - 2nd Reading

DULY ADVERTISED:

May 27, 2016 – Public Notice and Notification
July 8, 2016 – Ordinance Heading Ad w/Map/¼ Page w/Map Ad

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends approval of the change in Future Land Use from “County” Commercial (max. 3.0 FAR) to “City” Commercial (max 0.25 FAR) for the 0.26 +/- property owned by SBKP LLC located at 312 Old Dixie Hwy.

The **Planning Commission**, at its meeting on June 14, 2016, found that the proposed Small Scale Future Land Use Amendment consistent with the Comprehensive Plan and Land Development Code; and recommended adoption (7-0) of the Small Scale Future Land Use Amendment from “County” Commercial (Max. 3.0 FAR) to “City” Commercial (Max. 0.25 FAR) for the property owned by SBKP LLC located at 312 Old Dixie Hwy.

Accept the First Reading of Ordinance No. 2500 and Hold it Over for Second Reading and Adoption on July 20, 2016.

Note: This item is considered Quasi-Judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Commercial (max 0.25 FAR)	C-1	Church
East (City)	Commercial (max 0.25 FAR)	C-1	Professional Office
South (City)	Commercial (max 0.25 FAR)	C-1	Professional Office
West (County)	Low Density Residential (0-4 du/ac)	R-1	Single-family residence

II. LAND USE ANALYSIS

The general character of the area surrounding the subject property is compatible with the development of commercial uses. The property lies south of Old Dixie Highway and west of North Hawthorne Avenue.

Wekiva River Protection Area: No
Area of Critical State Concern: No
DRI / FQD: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within “Core Area” of the JPA.

Wekiva Parkway and Protection Act: The proposed amendment has been evaluated against the adopted Wekiva Study Area Comprehensive Plan policies. While located within the Wekiva River Basin Study Area, the subject property is not located within the Protection Area. The proposed amendment is consistent with the adopted mandates and requirements. The proposed Future Land Use Map (FLUM) amendment has been reviewed against the best available data, with regard to aquifer and groundwater resources. The City of Apopka's adopted Comprehensive Plan addresses aquifer recharge and stormwater run-off through the following policies:

- Future Land Use Element, Policies 4.16, 14.4, 15.1, 16.2 and 18.2
- Infrastructure Element, Policies 1.5.5, 4.2.7, 4.4, 4.4.1, 4.4.2 and 4.4.3
- Conservation Element, Policy 3.18

Karst Features: The Karst Topography Features Map from the Florida Department of Environmental Protection shows that there are no karst features on this property.

Analysis of the character of the Property: The Property fronts Old Dixie Hwy. The vegetative communities present are urban; the soils present are Smyrna; and no wetlands occur on the site, and the terrain has a 0-5 percent slope.

The proposed amendment is consistent with the Comprehensive Plan, including Policy 3.1.i Commercial Future Land Use designation.

Analysis of the relationship of the amendment to the population projections: The proposed future land use designation for the Property is “City” Commercial (max 0.25 FAR). Based on the housing element of the City's Comprehensive Plan, this amendment will not increase the City’s future population.

CALCULATIONS:

ADOPTED (City designation): 1 Unit(s) x 2.659 p/h = 2 persons
PROPOSED (City designation): 0 Unit(s) x 2.659 p/h = 0 persons

Housing Needs: This amendment will not negatively impact the housing needs as projected in the Comprehensive Plan.

Habitat for species listed as endangered, threatened or of special concern: Per policy 4.1 of the Conservation Element, a habitat study is required for developments greater than ten (10) acres in size. This site is less than ten acres. A habitat study will not be required at the time of a development plan application.

Transportation: The City of Apopka is a Transportation Concurrency Exception Area. Refer to Chapter 3 of the City of Apopka 2010 Comprehensive Plan.

Potable Water, Reclaimed Water & Sanitary Sewer Analysis: The subject property is located within the Orange County Utilities service area for potable water, reclaimed water and sanitary service. The property owner will need to provide a letter from Orange County Utilities demonstrating available capacity prior to submittal of any development plan.

Sanitary Sewer Analysis

Facilities serving the site; current LOS; and LOS standard: City of Apopka; 81 GPD/Capita; 81 GPD/Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

Projected total demand under existing designation: 196 GPD

Projected total demand under proposed designation: 425 GPD

Capacity available: Yes

Projected LOS under existing designation: 81 GPD/Capita

Projected LOS under proposed designation: 81 GPD/Capita

Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

Facilities serving the site; current LOS; and LOS standard: City of Apopka; 177 GPD/Capita; 177 GPD/Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

Projected total demand under existing designation: 454 GPD

Projected total demand under proposed designation: 566 GPD

Capacity available: Yes

Projected LOS under existing designation: 177 GPD/Capita

Projected LOS under proposed designation: 177 GPD/Capita

Improved/expansions already programmed or needed as a result of the proposed amendment: Non

Parcel located within the reclaimed water service area: Yes

Solid Waste

Facilities serving the site: City of Apopka

If the site is not currently served, please indicate the designated service provider: City of Apopka

Projected LOS under existing designation: 8 lbs./person/day

Projected LOS under proposed designation: 6 lbs./person/day

Improved/expansions already programmed or needed as a result of the proposed amendment: None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

Permitting agency: St. John's River Water Management District

Permitted capacity of the water treatment plant(s): 21,981 mil. GPD

Total design capacity of the water treatment plant(s): 33,696 mil. GPD

Availability of distribution lines to serve the property: Yes

Availability of reuse distribution lines available to serve the property: Yes

Drainage Analysis

Facilities serving the site: None

Projected LOS under existing designation: 100 year - 24 hour design storm

Projected LOS under proposed designation: 100 year - 24 hour design storm

Improvement/expansion: On-site retention/detention pond

Recreation

Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita

Projected facility under existing designation: 0.006 AC

Projected facility under proposed designation: 0.024AC

Improvement/expansions already programmed or needed as a result of the proposed amendment:
None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.



SBKP LLC
312 Old Dixie Hwy.
0.26 +/- Acres

Existing Maximum Allowable Development: 1 dwelling unit

Proposed Maximum Allowable Development: 2,831 sq. ft.

Proposed Small Scale Future Land Use Change

From: "County" Commercial (Max. 3.0 FAR)

To: "City" Commercial (Max. 0.25 FAR)

Proposed Zoning Change

From: "County" R-1 (ZIP)

To: "City" C-1 (Retail Commercial) (10,000 sq. ft. min. lot size)

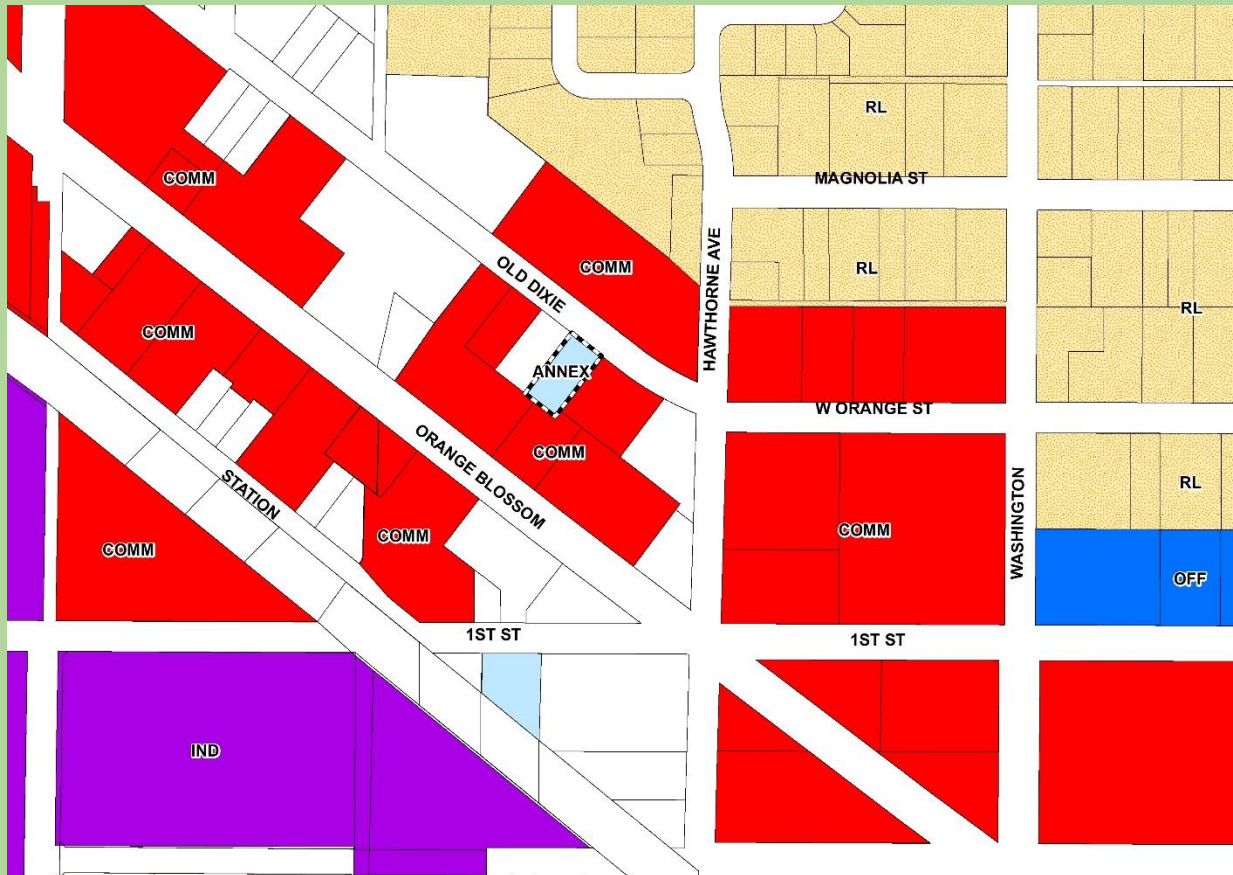
Parcel ID #: 09-21-28-7552-01-070

VICINITY MAP



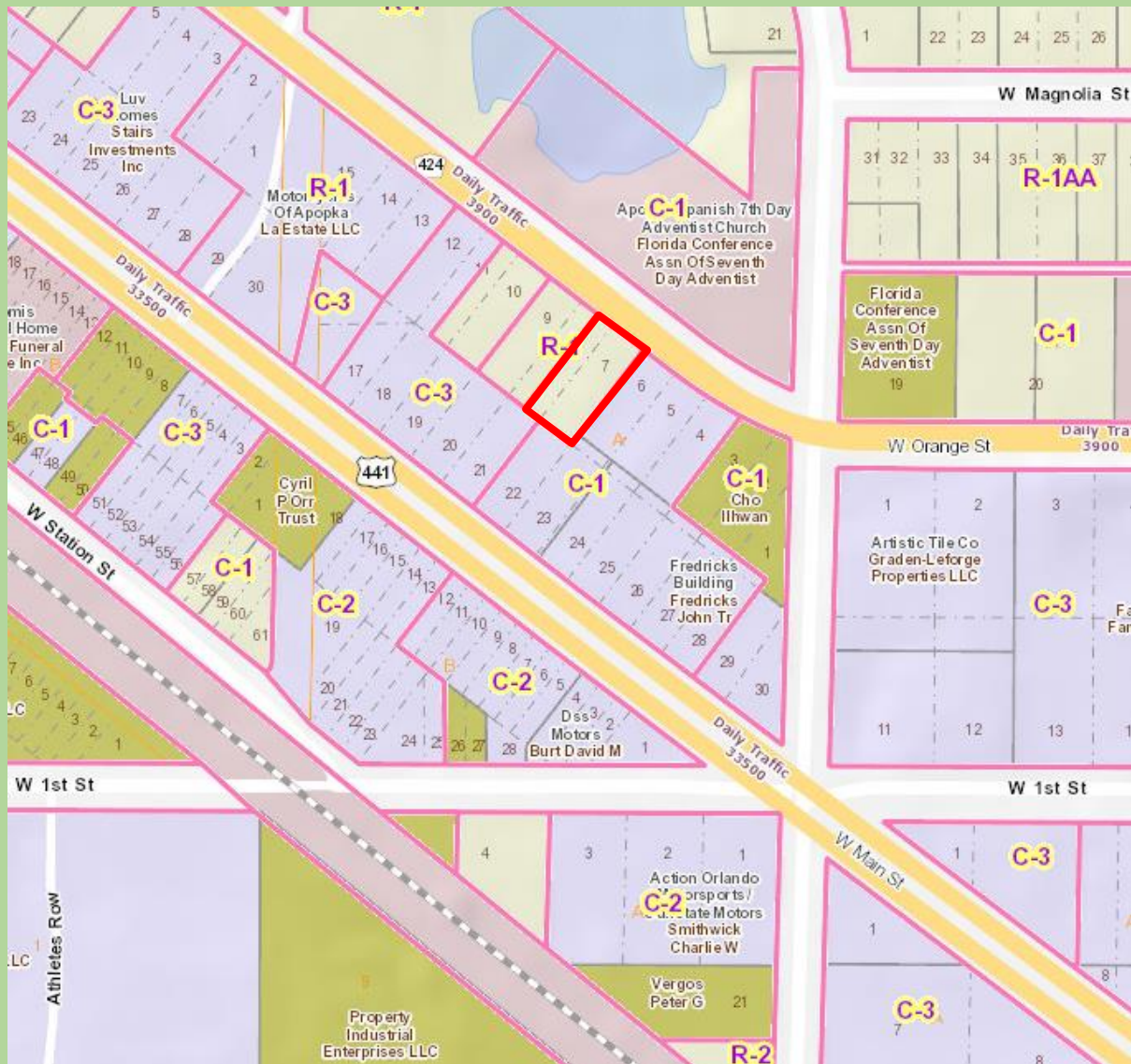


FUTURE LAND USE MAP



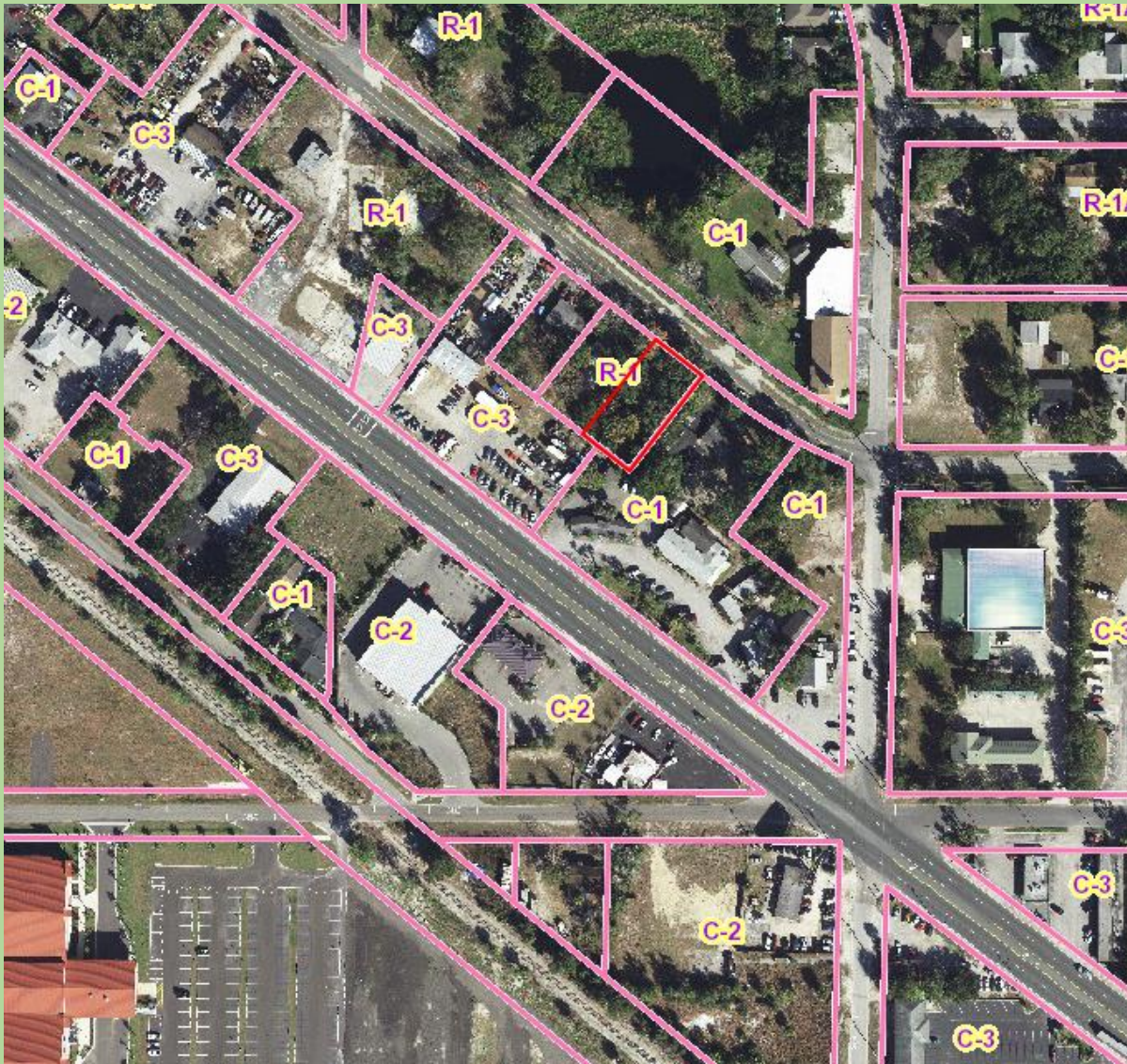


ADJACENT ZONING





ADJACENT USES





EXISTING USES



ORDINANCE NO. 2500

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” COMMERCIAL (MAX. 3.0 FAR) TO “CITY” COMMERCIAL (MAX 0.25), FOR CERTAIN REAL PROPERTY LOCATED AT 312 OLD DIXIE HIGHWAY, COMPRISING 0.26 ACRES MORE OR LESS, AND OWNED BY SBKP LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the Apopka Comprehensive Plan by Ordinance No. 653 on October 2, 1991, pursuant to Section 163.3184, Florida Statutes and most recently amended it by Ordinance No. 2496 on June 15, 2016; and

WHEREAS, the City of Apopka’s local planning agency (Planning Commission) has, in preparation of the amended version of the Apopka Comprehensive Plan, analyzed the proposed amendment pursuant to Chapter 163, Part II, F.S., found it to be consistent with the intent of the Apopka Comprehensive Plan, and held public hearings providing for full public participation.

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

Section I. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section II. Future Land Use Element.

Page 1-15 (Map 1-3) of the Future Land Use Element of the City of Apopka Comprehensive Plan, as most recently amended by Ordinance No. 2469, is amended in its entirety to change the land use from “County” Commercial (Max. 3.0 FAR) to “City” Commercial (Max. 0.25 FAR), for certain real property located at 312 Old Dixie Highway, comprising 0.26 acres more or less, (Parcel No. 09-21-28-7552-01-070); as further described in Exhibit “A” attached hereto.

Section III. Applicability and Effect.

The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes.

Section IV. Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

ORDINANCE NO. 2500
PAGE 2

Section V. The Community Development Director is hereby authorized to amend the Future Land Use to comply with this ordinance.

Section VI. Effective Date.

This Ordinance shall become effective upon adoption.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this _____ day of _____, 2016.

READ FIRST TIME: July 6, 2016

READ SECOND TIME
AND ADOPTED: July 20, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR HEARING: May 27, 2016
July 8, 2016



EXHIBIT "A"

ORDINANCE NO. 2500

SBKP LLC
312 Old Dixie Hwy.
0.26 +/- Acres

Existing Maximum Allowable Development: 1 dwelling unit

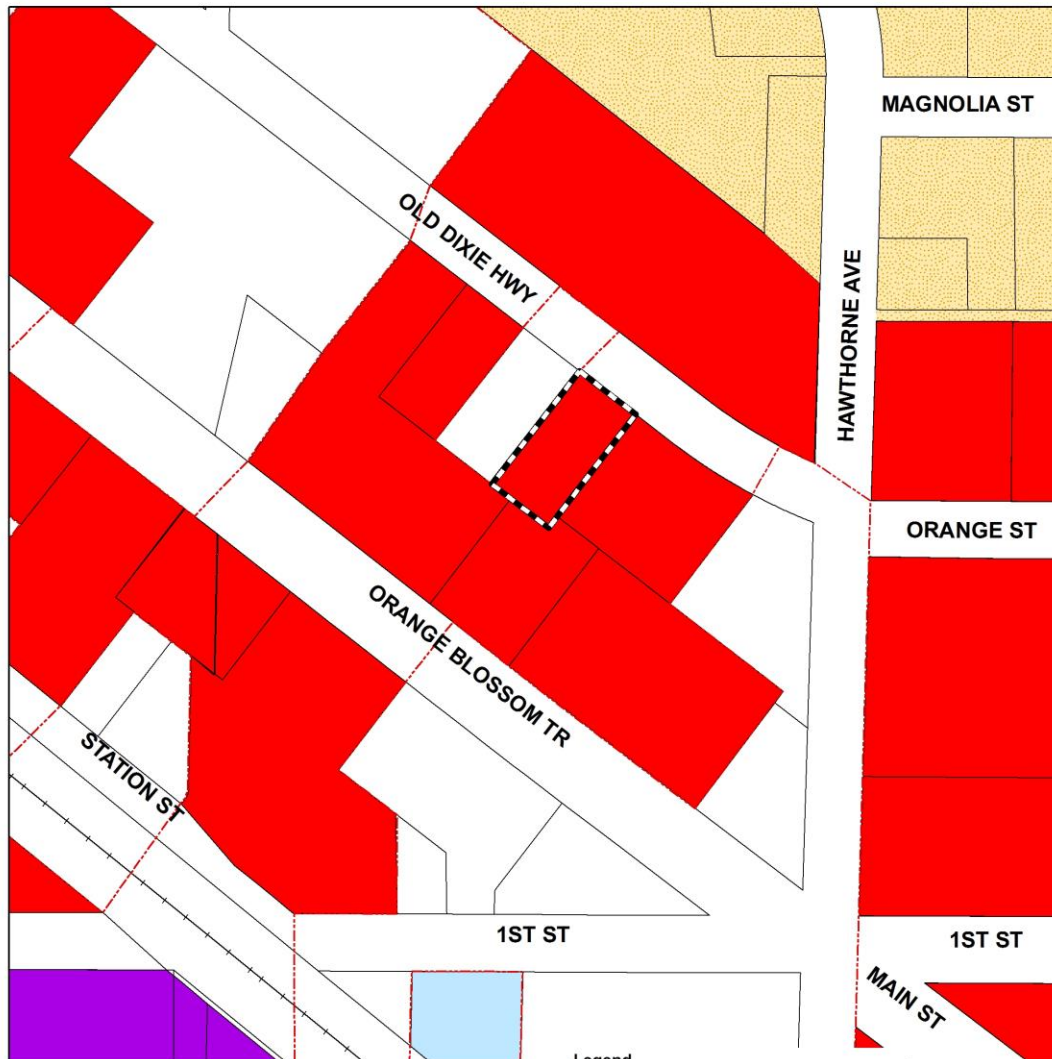
Proposed Maximum Allowable Development: 2,831 sq. ft.

Proposed Small Scale Future Land Use Change

From: "County" Commercial (Max. 3.0 FAR)

To: "City" Commercial (Max. 0.25 FAR)

Parcel ID #: 09-21-28-7552-01-070



City of Apopka Future Land Use Map



0.00 0.01 0.02 0.03 0.04 Miles

Source: City of Apopka and Orange County Property Appraiser
Note: This map was compiled from the Geographic Information Service and does not reflect an actual survey.
The City of Apopka does not assume responsibilities for errors or omissions contained herein.



Backup material for agenda item:

3. Ordinance No. 2501 – First Reading – Change of Zoning - Quasi-Judicial
Kyle Wilkes



CITY OF APOPKA CITY COUNCIL

____ CONSENT AGENDA
X PUBLIC HEARING
____ SPECIAL REPORTS
X OTHER: Ordinance

MEETING OF: June 6, 2016
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Adjacent Zoning Map
Adjacent Use Map
Existing Uses Map
Ordinance No. 2501

SUBJECT: ORDINANCE NO. 2501 – CHANGE OF ZONING – SBKP LLC

REQUEST: FIRST READING OF ORDINANCE NO. 2501 – CHANGE OF ZONING – SBKP LLC, FROM “COUNTY” R-1 (ZIP) TO “CITY” C-1 (RETAIL COMMERCIAL); (PARCEL I.D. NO. 09-21-28-7552-01-070); AND HOLD OVER FOR SECOND READING AND ADOPTION.

SUMMARY:

OWNER/APPLICANT: SBKP LLC

LOCATION: 312 Old Dixie Hwy.

EXISTING USE: Single-family residence

CURRENT LAND USE: “County” Commercial (Max. 3.0 FAR)

PROPOSED LAND USE: “City” Commercial (Max. 0.25 FAR) (NOTE: This change of zoning application is being processed along with a future land use amendment from “County” Commercial (Max. 3.0 FAR) to “City” Commercial (Max. 0.25 FAR).

CURRENT ZONING: “County” R-1 (ZIP)

PROPOSED ZONING: “City” C-1 (Retail Commercial)

PROPOSED DEVELOPMENT: Professional office

TRACT SIZE: 0.26 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 1 Dwelling Unit
PROPOSED: 2,831 Sq. Ft.

FUNDING SOURCE:

N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

ADDITIONAL COMMENTS: Presently, the subject property has not yet been assigned a “City” zoning category. The applicant is requesting the City to assign a zoning classification of C-1 (Retail Commercial) to the property.

The subject property was annexed into the City of Apopka on May 4, 2016, through the adoption of Ordinance No. 2494.

A request to assign a change of zoning to C-1 (Retail Commercial) is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The property owner is requesting the C-1 zoning classification to accommodate the use of the property for a professional office development. (The change of zoning request is being processed in conjunction with a future land use amendment for a Commercial future land use map designation (max 0.25 FAR). The proposed use is consistent with the proposed Commercial FLUM designation and compatible with the general character of surrounding zoning and uses. Abutting the east property line is a half-acre parcel also owned by the applicant.

The change of zoning application covers approximately 0.26 +/- acres.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change (see attached Zoning Report).

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the proposed Commercial (max 0.25 FAR) Future Land Use designation and the City’s proposed C-1 (Retail Commercial) Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed change of zoning is to a non-residential zoning district and, therefore, a school capacity enhancement agreement with OCPS is not required.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on May 13, 2016.

PUBLIC HEARING SCHEDULE:

June 14, 2016 - Planning Commission (5:30 pm)
July 6, 2016 - City Council (1:30 pm) - 1st Reading
July 20, 2016 – City Council (7:00 pm) - 2nd Reading

DULY ADVERTISED:

May 27, 2016 – Public Notice and Notification
July 8, 2016 – Ordinance Heading Ad w/Map/¼ Page w/Map Ad

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends approval of the change in zoning from “County” R-1 (ZIP) to “City” C-1 (Retail Commercial) for the property owned by SBKP LLC at 312 Old Dixie Hwy.

The **Planning Commission**, at its meeting on June 14, 2016, found that the proposed rezoning is consistent with the Comprehensive Plan and Land Development Code; and recommended adoption (7-0) of the change of zoning from “County” R-1 (ZIP) to “City” C-1 (Retail Commercial) for the property owned by SBKP LLC located at 312 Old Dixie Hwy.

Accept the First Reading of Ordinance No. 2501 and Hold it Over for Second Reading and Adoption on July 20, 2016.

Note: This item is considered Quasi-Judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.
Project Manager: Kyle Wilkes

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Commercial (max 0.25 FAR)	C-1	Church
East (City)	Commercial (max 0.25 FAR)	C-1	Professional Office
South (City)	Commercial (max 0.25 FAR)	C-1	Professional Office
West (County)	Low Density Residential (0-4 du/ac)	R-1	Single-family residence

LAND USE &

TRAFFIC COMPATIBILITY: The subject property fronts and is accessed by a county collector (Old Dixie Hwy.).

COMPREHENSIVE PLAN COMPLIANCE:

The proposed C-1 (Retail Commercial) zoning is consistent with the proposed “City” Commercial (max 0.25 FAR) Future Land Use designation and with the character of the surrounding area and future proposed development. The proposed C-1 (Retail Commercial) zoning classification is one of the acceptable zoning categories allowed within the Commercial Future Land Use category. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

C-1 DISTRICT REQUIREMENTS:

Minimum Living Area:	NA
Minimum Site Area:	10,000 sq. ft.
Minimum Lot Width	100 ft.
Setbacks:	
Front:	10 ft.
Rear:	10 ft. (30 ft. from residential)
Side:	10 ft.
Corner	15 ft.

Based on the above zoning standards, the subject parcel complies with code requirements for the C-1 district with exception to the lot width, which is 75 feet. When coupled and combined with the parcel to the east under the same ownership, the site meets the minimum lot width.

BUFFERYARD REQUIREMENTS:

1. Areas adjacent to all road rights-of-way shall provide a minimum six-foot-high masonry wall within a ten-foot landscaped bufferyard. Areas adjacent to nonresidential uses or districts shall provide a five-foot landscaped bufferyard.
2. Areas adjacent to agricultural and residential uses or districts shall provide a minimum six-foot-high masonry wall within a ten-foot landscaped bufferyard.

3. Areas adjacent to nonresidential uses or districts shall provide a minimum five-foot landscaped bufferyard.

ALLOWABLE USES:

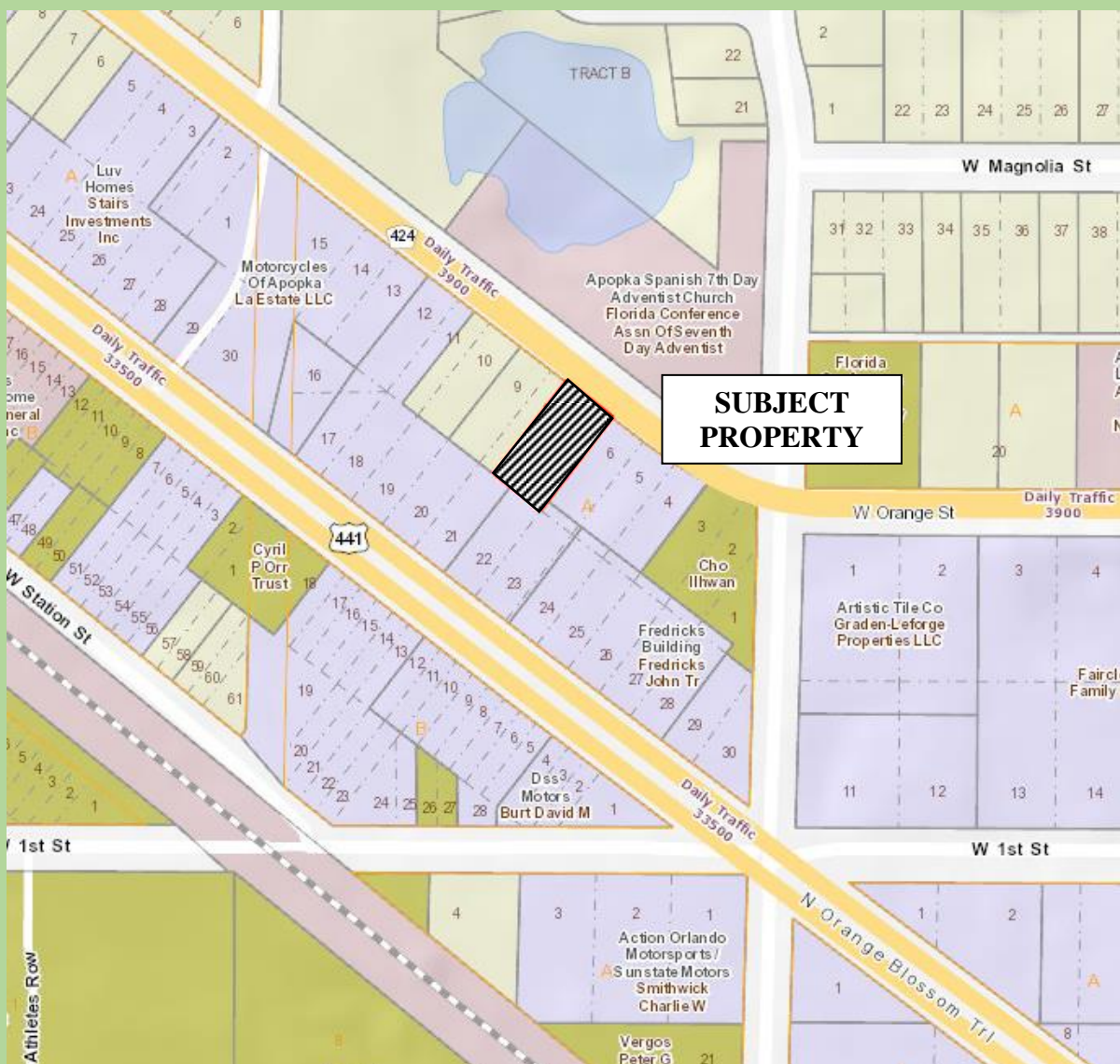
Any nonresidential permitted use in the PO/I or CN districts. Retail establishments, banks, savings and loan and other financial institutions. Bowling alleys, skating rinks, billiard parlors and similar amusement centers, provides such activities and facilities are enclosed within a sound-proof building. Churches and schools, day nurseries, kindergartens and other child care centers and other similar uses.



SBKP LLC
312 Old Dixie Hwy.
0.26 +/- Acres

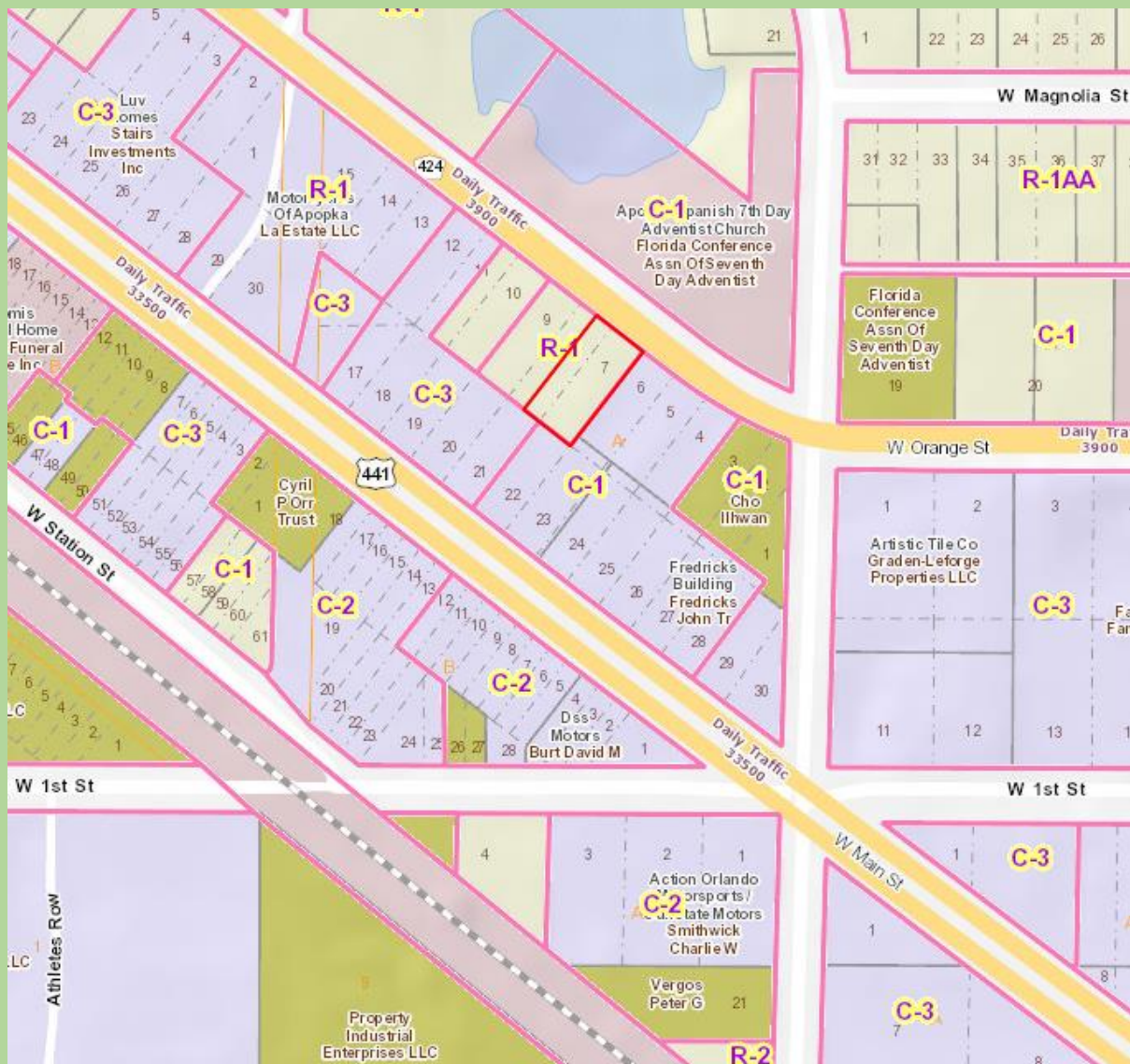
Existing Maximum Allowable Development: 1 dwelling unit
Proposed Maximum Allowable Development: 2,831 sq. ft.
Proposed Small Scale Future Land Use Change
From: "County" Commercial (Max. 3.0 FAR)
To: "City" Commercial (Max. 0.25 FAR)
Proposed Zoning Change
From: "County" R-1 (ZIP)
To: "City" C-1 (Retail Commercial) (10,000 sq. ft. min. lot size)
Parcel ID #: 09-21-28-7552-01-070

VICINITY MAP



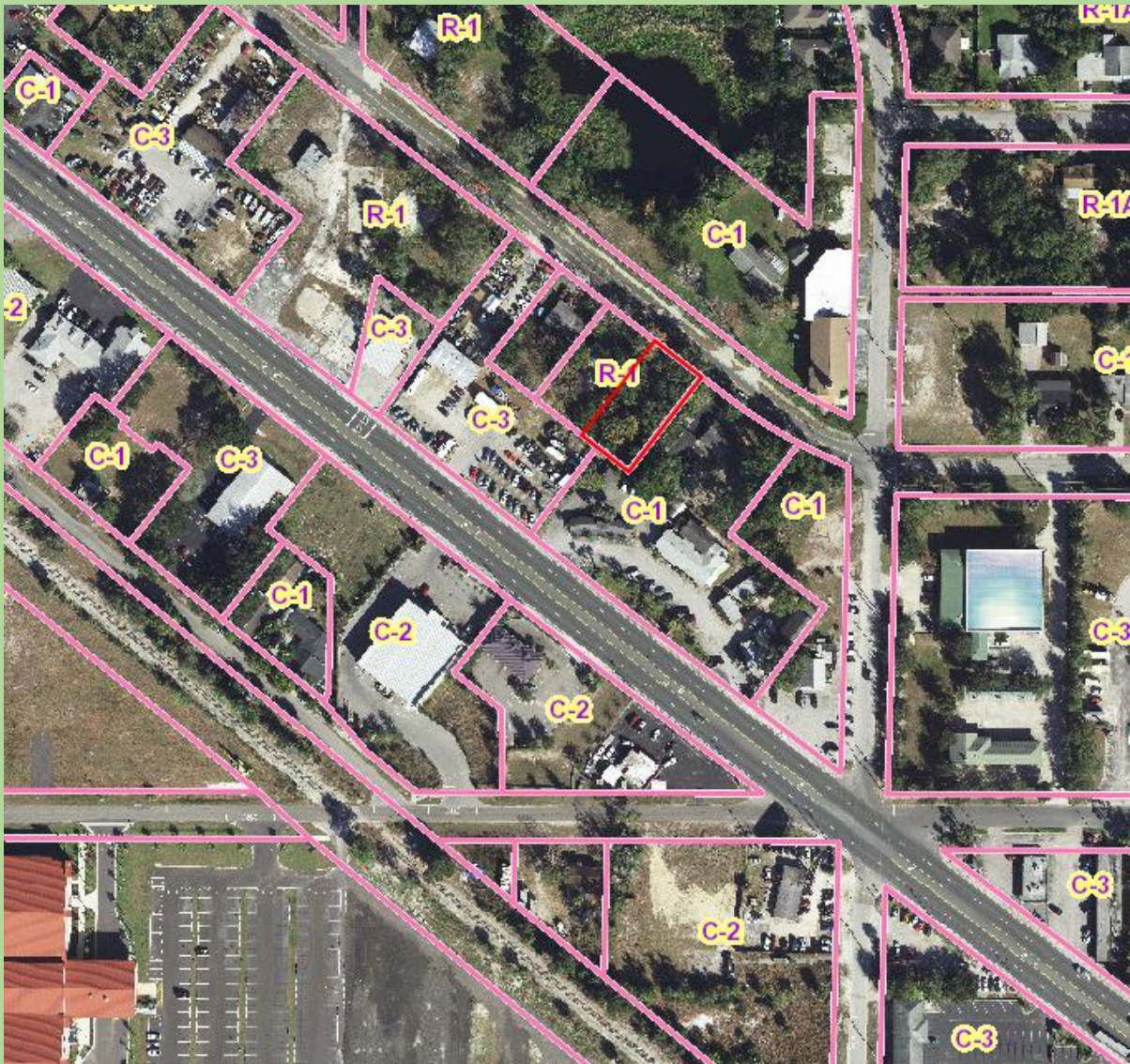


ADJACENT ZONING





ADJACENT USES





EXISTING USES



ORDINANCE NO. 2501

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” R-1 (ZIP) TO “CITY” C-1 (RETAIL COMMERCIAL) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED AT 312 OLD DIXIE HIGHWAY, COMPRISING 0.26 ACRES MORE OR LESS, AND OWNED BY SBKP LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed C-1 (Retail Commercial) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. That the zoning classification of the following described property, being situated in the City of Apopka, Florida, is hereby C-1 (Retail Commercial), as defined in the Apopka Land Development Code.

Legal Description:

ROBINSON & SAMUELS ADDITION TO APOPKA SECOND SECTION
K/106 LOT 7 & E1/2 LOT 8 BLK A
Parcel I.D. Nos.: 09-21-28-7552-01-070
0.26 +/- Acres

Section II. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section III. That the Community Development Director, or the Director’s designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

Section IV. That if any section or portion of a section or subsection 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 portion of section or subsection or part of this ordinance.

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

ORDINANCE NO. 2501

PAGE 2

Section VI. That this Ordinance shall take effect upon the effective date the Large Scale Future Land Use Ordinance No. 2500.

READ FIRST TIME: July 6, 2016

READ SECOND TIME
AND ADOPTED: July 20, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: May 27, 2016
 July 8, 2016

Backup material for agenda item:

4. Ordinance No. 2502 – First Reading – Land Development Code – Development Design Guidelines - Legislative Moon

David



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA	MEETING OF:	July 6, 2016
<u>X</u> PUBLIC HEARING	FROM:	Community Development
SPECIAL REPORTS	EXHIBIT(S):	Ordinance No.2502
<u>X</u> OTHER: Ordinance		Development Design Guidelines

SUBJECT: **ORDINANCE NO. 2502 - AMENDING THE CITY OF APOPKA, CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, ARTICLE VI – DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS - TO CREATE A NEW SECTION 6.09.00 ENTITLED “DEVELOPMENT DESIGN GUIDELINES.”**

REQUEST: **FIRST READING OF ORDINANCE NO. 2502 TO AMEND THE CITY OF APOPKA, CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, ARTICLE VI – DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS - TO CREATE A NEW SECTION 6.09.00 ENTITLED “DEVELOPMENT DESIGN GUIDELINES.”**

SUMMARY:

In May of year 2000 the City of Apopka began applying architectural design standards and site design preferences, or guidelines, to new development and redevelopment. These standards and guidelines are found in the document title “City of Apopka Development Design Guidelines.” Although the City has been enforcing the Development Design Guidelines since May 2000, the City did not follow hearing and notification procedures to inform property owners, business owners, residents, and other affected parties of development standards that may affect the use of their property or to address general policy direction that guides overall development within the City. Until the City holds the required public hearings set forth is State law and within the City’s Land Development Code, there are concerns regarding the enforceability of the architectural standards and design guidelines within the Development Design Guideline document.

As Apopka has gained status as the fastest growing City in Orange County, local concern has grown over the design and aesthetics of new development. Many municipalities have taken a citywide approach to achieving an attractive urban form. Our local officials have chosen to set standards that will improve the image and appearance of Apopka’s community. The basic premise is that a quality appearance will beget a quality lifestyle. Design guidelines will also mutually protect everyone’s investment. When the image of a community is maintained or improved, a sense of pride develops for the residents, property owners, and merchants. The appearance of the community also must to be maintained for Apopka to stay competitive in the market. In the absence of standards to ensure attractive development, other areas in the region may position themselves with a more competitive advantage to attract residents and merchants away from Apopka.

The design criteria contained in these guidelines are intended to apply to all residential, commercial, office, institutional and industrial development, including both public and private facilities. The criteria set out local objectives for site planning (such as, setbacks, site coverage, and building heights), architectural design, signage and graphics. In addition, examples are provided to evaluate the scale, mass, bulk and proportion of new development and redevelopment. The guidelines are intended to be flexible and encourage design diversity and variations.

FUNDING SOURCE:

N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

CITY COUNCIL – JULY 6, 2016
DEVELOPMENT DESIGN GUIDELINES
PAGE 2

PUBLIC HEARING SCHEDULE:

June 28, 2016 - Planning Commission (5:30 pm)
July 6, 2016 - City Council 1st Reading (1:30 pm)
July 20, 2016 – City Council 2nd Reading (7:00 pm)

DULY ADVERTISED:

October 17, 2014 – Public Hearing Notice
November 7, 2014 – Ordinance Heading

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the amendment to the City of Apopka, Code of Ordinances, Part III, Land Development Code, Article VI – Development Design and Improvement Standards - to create a new section 6.09.00 entitled “Development Design Guidelines.”

The **Planning Commission**, at their special meeting on June 28, 2016, recommended approval (5-0) of the amendment to the City of Apopka, Code of Ordinances, Part III, Land Development Code, Article VI – Development Design and Improvement Standards - to create a new section 6.09.00 entitled “Development Design Guidelines.”

Accept the First Reading of Ordinance No. 2502 and Hold it Over for Second Reading and Adoption on July 20, 2016.

Note: This item is considered legislative and establishes general policy. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

ORDINANCE NO 2502

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE APOPKA CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, ARTICLE VI – “DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS” TO CREATE A NEW SECTION 6.09.00 ENTITLED “DEVELOPMENT DESIGN GUIDELINES;” PROVIDING FOR DIRECTIONS TO THE CITY CLERK; SEVERABILITY; CONFLICTS; AND AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Apopka, Florida, hereby finds and determines that uncontrolled development of real property in the City of Apopka can threaten the economic vitality and quality of life in this City; and

WHEREAS, the City Council further determines that the regulation of design and location of air conditioning units and garages on properties is vital to the aesthetic quality and economic values of such properties; and

WHEREAS, the City Council of the City of Apopka, Florida, hereby finds and determines that adoption of the regulations set forth in the attached Exhibit “A” will preserve economic vitality and quality of life by restricting the uncontrolled use of real property in the City; and

WHEREAS, the City Council of the City of Apopka, Florida, hereby finds and determines that the regulations set forth below will adequately protect private property rights; and

WHEREAS, the City Council of the City of Apopka, Florida, hereby finds and determines that the regulations set forth below are consistent with all applicable policies of the City’s adopted Growth Management Plan and City Codes; and

WHEREAS, the City Council of the City of Apopka, Florida, hereby finds and determines that adoption of the regulations set forth below will further the public health, safety, and welfare of the citizens of the City of Apopka, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA:

SECTION 1. That the Code of Ordinances, Part III, Land Development Code, Article VI, of the City of Apopka, Florida, is hereby amended to add Section 6.09.00 entitled “Development Design Guidelines.”

SECTION 2. It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Apopka; and the City Clerk is directed to take the necessary steps to effect codification into the Code, and Sections of this ordinance may be numbered or renumbered or lettered or re-lettered and the word “ordinance” may be changed to “chapter”, “section”, “article”, or such other appropriate word or phrase in order to accomplish such codification. Typographical errors which do not affect the intent may be authorized by the Mayor, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 3. That nothing in this ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 4. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 6. EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its passage and adoption.

READ FIRST TIME: July 6, 2016

READ SECOND TIME
AND DOPTED: July 20, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda G. Goff, City Clerk

APPROVED as to form and legality for
use and reliance by the City of Apopka,
Florida.

Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING:



City of Apopka Development Design Guidelines

July 2016

Prepared by:

City of Apopka
Community Development Department
120 E. Main Street
Apopka, Florida 32704-1229

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1. PURPOSE AND INTENT

As Apopka has gained status as the fastest growing City in Orange County, local concern has grown over the design and aesthetics of new development. Many municipalities have taken a citywide approach to achieving an attractive urban form. Our local officials have chosen to set standards that will improve the image and appearance of Apopka's community. The basic premise is that a quality appearance will beget a quality lifestyle. Design guidelines will also mutually protect everyone's investment. When the image of a community is maintained or improved, a sense of pride develops for the residents, property owners, and merchants. The appearance of the community also must to be maintained for Apopka to stay competitive in the market. In the absence of standards to ensure attractive development, other areas in the region may position themselves with a more competitive advantage to attract residents and merchants away from Apopka.

The design criteria contained in these guidelines are intended to apply to all residential, commercial, office, institutional and industrial development, including both public and private facilities. The criteria set out local objectives for site planning (such as, setbacks, site coverage, and building heights), architectural design, signage and graphics. In addition, examples are provided to evaluate the scale, mass, bulk and proportion of new development and redevelopment. The guidelines are intended to be flexible and encourage design diversity and variations.

2. APPLICABILITY

Provisions of this division are applicable to all residential, office, commercial, industrial, and institutional zoning districts. They apply to both new development and redevelopment.

The City does not design for any development applicants. It reviews proposed projects to ensure that the design intent contained in these guidelines is achieved.



RESIDENTIAL DESIGN STANDARDS

3. RESIDENTIAL DESIGN STANDARDS

The purpose for residential design standards is to assure that Apopka's neighborhoods are safe, healthy and attractive places to live. Many of Apopka's existing residential neighborhoods were designed in the traditional grid pattern, which has proved desirable by many communities in other cities. The intent will be to encourage future development to continue the positive characteristics of existing neighborhoods and foster community pride.

For the purpose of these guidelines, single-family standards apply also to duplex and, if applicable, mobile home parks.

3.1. Site Plan Design

The built environment should be integrated with the natural environment and character of adjoining properties. Neighborhood interaction, pedestrian safety and environmental quality must be considered during the design of the site.

3.1.1. Neighborhood Identity

Special design elements located at the periphery and entrances of residential developments strengthen Apopka's image and also create a distinctive image for the neighborhood. These entrances shall be designed as thresholds to change from public thoroughfares to quiet neighborhood streets with slower design speeds.

- All single family, duplex, multi-family and mobile home park subdivisions are required to construct a development entrance with appropriately scaled signage and residential characteristics, please refer to Figure 1. Entrance features are required at both primary and secondary entrances. Rural residential neighborhoods shall also construct development entrances at the primary street entrance to differentiate from surrounding uses. Gates at entrances are discouraged because of the resulting traffic congestion and the sense of isolation created by them.
- The entrances shall utilize landscaping, streetscape patterns/furniture and integrated signage to communicate the development's planned image. An appropriately designed irrigation system with adequate water flow and coverage to maintain the landscape features is required.
- Consistent design of primary and secondary site entrances is required for each project to enhance the visual identity of the development.

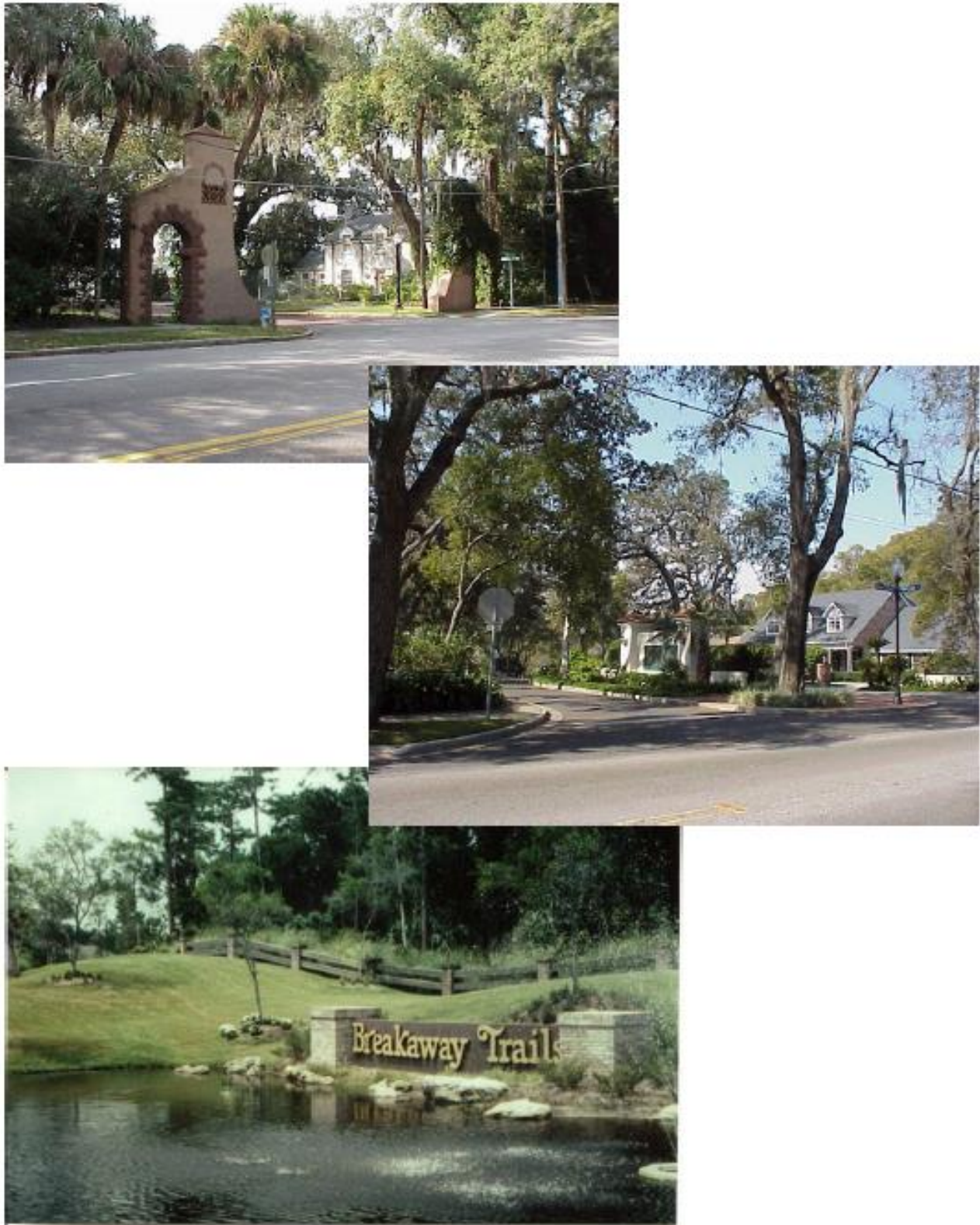


Figure 1. Examples of Development Entrance Features

3.1.2. Residential Building Orientation

Careful consideration must be given to how the residences are placed on the land and the relationship of the residences to each other and the street. The siting of structures strongly influences the desired character of a development.

Buildings, trees and other architectural features can be utilized to form the "outdoor spaces" of the development. Street trees that are uniformly spaced along major roadways; streetscape architectural elements and furniture; and, building placement and style are elements in a development that can create an overall theme and provide continuity throughout a development. These elements can be placed to create lively parks and plazas. As well, buildings that are constructed closer to the street begin to form the "walls of the streetscape" and encourage outdoor pedestrian activity and community spirit. In addition, buildings placed closer to the street encourage reduced traffic speeds and pedestrian safety.

3.1.2.1. Single Family Orientation

The placement of residential buildings on a site and the orientation of primary residential entrances affect the community's quality of life and create a strong visual impact in a development.

- Single Family residences, duplexes and mobile homes should be placed as close to the street and pedestrian sidewalk as possible to encourage interaction and visual street enclosure.
- Single-family developments should avoid locating garage doors which project from the front facade of the residences. Garages are encouraged to be located to the side or rear of a residential lot. Shared driveways are encouraged between residences to increase the amount of open space per lot.
- Subdivisions should be designed so that the homes located at the edge of the neighborhood do not have the rear yard facing the road. A preferred alternative would be side yards or, if located along major thoroughfares, the construction of a service road parallel to the main road, please refer to figures 2 and 3 for examples.

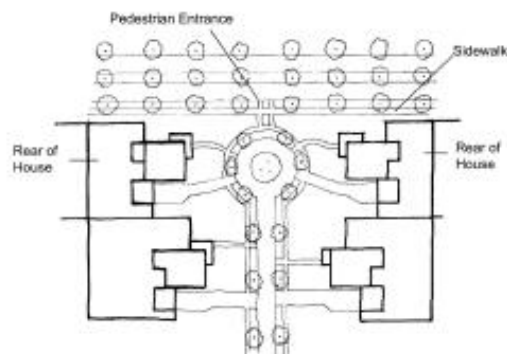


Figure 2. Example of House Orientation - Open End Cul-de-sac

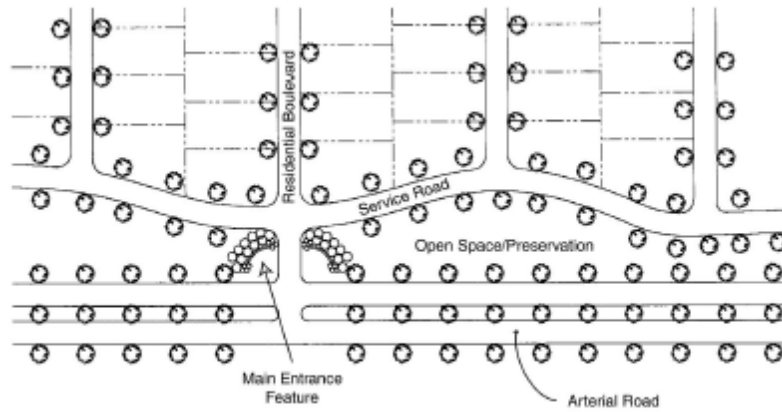
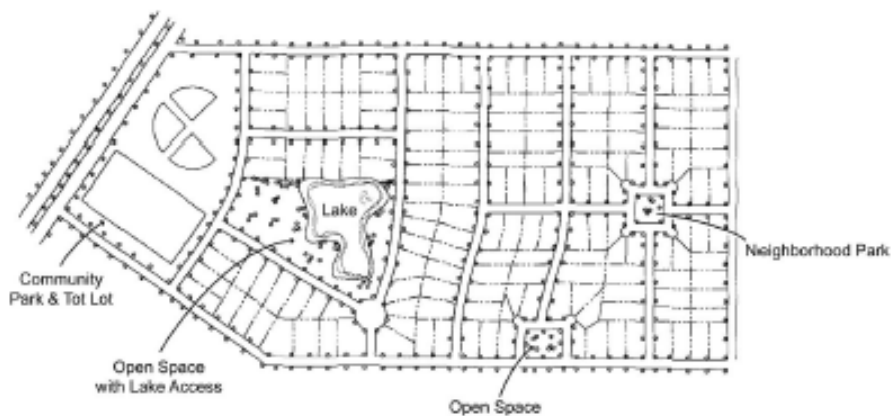


Figure 3. Example of Residential Service Road

- Cluster housing is encouraged to provide relief from standard rows of single-family dwellings and preserve natural site features, please refer to Figure 4.



Example of Conventional Lot Layout Showing 163 Lots



Example of Cluster Design Showing 170 Lots

Figure 4. Comparison of Cluster Layout vs. Conventional for Same Size Development

3.1.2.2. Multi-family Building Orientation

Multi-family buildings have many support and accessory structures that require additional design features. Special consideration for resident interaction and safety becomes even more necessary when designing multi-family residences. Multi-family developments shall be oriented in a way that is accessible to the pedestrian and also contributes to the creation of attractive neighborhoods.

- Multi-family buildings should be oriented to face the street and form open space areas or common plazas for interaction. The main entrance should face the street. In larger developments, the entrance to apartment clusters shall be oriented toward a landscaped courtyard or plaza, please refer to Figure 5.

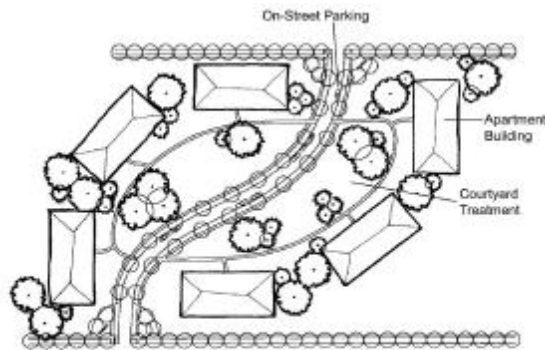


Figure 5. Apartment Complex Layout Example

- Cluster development is encouraged to allow higher densities in suitable area and preserve natural site features.

3.1.3. Lakes/Waterways

The City of Apopka intends to maintain and enhance its environmental and aquatic assets.

- Structures must be set back a minimum of fifty (50) feet from the edge of any shoreline or wetland.
- Residential neighborhoods must preserve and enhance lakes and other waterways to maintain a natural state wherever possible.
- Lakes and other waterways must maintain public view and access and should be utilized for scenic, recreational and educational purposes.
- Lake amenities should be located adjacent to a street and/or a park, not the rear yard of residential lots. When the amenity is visible and accessible by the entire community, the value is distributed among all properties.



Example of Poor Design with
Rear Yards Facing Lake



Example of Good Design with
Public Lake Access

Figure 6. Public Lake Access

3.2. Residential Architecture

There is no overall residential architectural design theme required for the City of Apopka. Architectural variety is encouraged to ensure maintenance of the quality of life and essential character of distinct neighborhoods. A sense of overall architectural continuity throughout the residential subdivision shall be achieved. Continuity can be achieved through coordinated landscaping and streetscape design. The characteristics of the new residences in the landscape will determine the quality of the space.

3.2.1. Single Family Architecture

- The design of individual dwellings shall provide sufficient architectural diversity to avoid monotony and provide visual interest. Earthtone colors are encouraged.
- The addition of porches, porticos, and balconies to all types of housing are encouraged, as they contribute to healthy streets and safe neighborhoods, while serving as a buffer between the house interior and street activity.



Figure 7. Example of Good Residential Design with a Front Porch

- A habitable porch may extend six (6) feet into the front yard setback if it is at least six (6) feet deep and comprises a minimum of thirty (30) percent of the facade. A portico may extend three (3) feet into the front yard setback if it is at least four (4) feet deep.
- Primary residential entries shall face the street and shall not be recessed more than six (6) feet from the face of the primary façade. Refer to Figure 8.

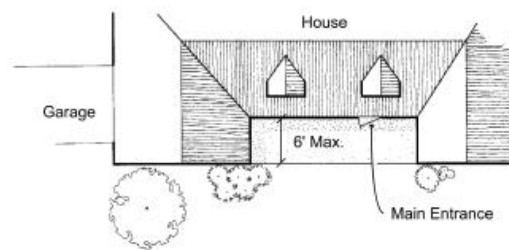


Figure 8. Front Entrance Recession

- A front-entry garage must be set back a minimum of thirty (30) feet from the front property line.
- The front façade length of a front-entry garage shall not comprise more than fifty percent of the length of the residential structure's building frontage, which includes the front primary façade and garage wall facing or oriented to a street. A front-entry garage shall be flush with or behind the primary residential façade or porch. A three car front-entry garage can comprise more than fifty percent of the front façade length if (1)

habitable floor is located over the majority of the garage or (2) an architectural features such as dormers give an appearance of an occupied floor above the garage. However, the garage front must not exceed thirty (30) percent of the length of the residential structures frontage. If a habitable porch is provided at the front of the residential structure, a front-entry garage must be flush or behind the porch front but comply with the minimum front yard setback of thirty (30) feet. The Community Development Director or a designee may increase the front façade length of a front-entry garage by five (5) percent if the residential structure has a habitable second floor with windows visible from the street or provides architectural features such as dormers, fenestration, wall articulation that enhances the structures appearance.

- Communities with lots having over seventy five (75) linear feet of street frontage are required to have at least fifty-percent of the residences with side-entry or courtyard-entry garages. The wall of any side-entry or courtyard entry garage facing a street or building frontage shall have windows with a design, shape, and fenestration consistent with windows on the primary residential façade.



Figure 9. Garage Location Examples

- Granny flats, guest cottages and other accessory structures, such as garages, sheds, etc., shall not exceed the height of the main structure. These structures and other support structures shall be of similar style, color, design and materials as used for the principal residence.

3.2.2. Multi-family Architecture

Multi-family developments can be designed to be compatible with lower density residential uses as well as more intense uses, and in most cases serve as a good transition between these uses.

- Multi-family developments adjacent to lower density residential neighborhoods should be designed to architecturally resemble single-family residential styles.
- Porches and balconies are encouraged, especially if facing a public street, as they contribute to healthy streets and safe neighborhoods. Refer to Figure 10.

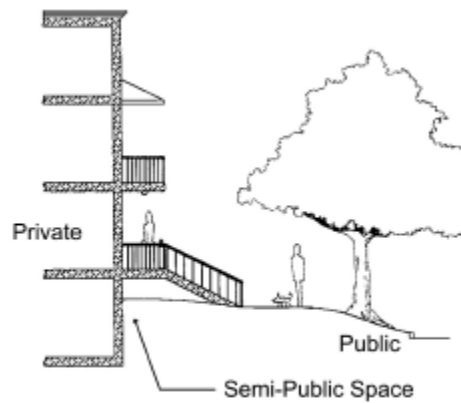


Figure 10. Example of Multi-family Private to Public Space Transition

- Front porches ~~should be~~ are encouraged to be raised at least eighteen (18) inches above the sidewalk. However, porches which are set back more than fifteen (15) feet from the street should be higher.
- Buildings shall have a recognizable top consisting of (but not limited to) cornice treatments, roof overhangs with brackets, steeped parapets, richly textured materials and/or differently colored materials. Colored stripes are not acceptable as the only detail roof treatment and bold colors are not allowed. Further, earthtone colors are encouraged. Figure 11 displays examples of roofline variations.



Figure 11. Example of Variations in Building Roofline
(Flat Rooflines are not Allowed)

- Support structures shall be of similar style, color, design and materials as used for the principal structure.
- Mechanical equipment shall be integrated into the overall mass of a building by screening it behind parapets or by recessing equipment into hips, gables, parapets or similar features. Plain boxes are not acceptable.

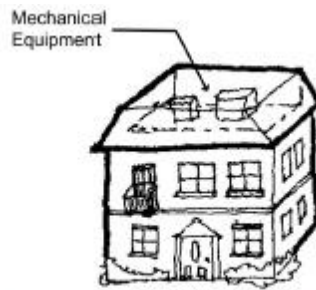


Figure 12. Example of Screening Rooftop Equipment

3.3. Vehicular Circulation and Parking

Streets within residential neighborhoods shall be designed for people, as well as vehicles. Sidewalks should be shaded and located to pass homes not parking lots and garages. Residential streets should be designed to encourage safe speeds and limit through-traffic. Residential developments are encouraged to provide vehicular connectivity among neighborhoods; therefore, gated communities are discouraged. New developments should not become barriers to hide behind, but rather should connect with and contribute to their surroundings.

3.3.1. Single Family

- A minimum of two points of exit should be provided for all neighborhoods to increase alternative traffic pattern options and for emergency access. Gated communities are permitted, however, a minimum of two gated access points are required to reduce traffic congestion patterns of development.
- Cul-de-sac streets are discouraged. No cul-de-sac shall exceed eight hundred (800) linear feet.
- Pedestrian/bicycle connections shall be provided to promote access to surrounding areas, including schools, public buildings, parks, and nearby commercial areas.

3.3.2. Multi-family

- Parking areas should be located behind the front building facade to prevent parking from dominating the image of the site. Where this not feasible, landscaping is required to screen the parking area. Garages or carports in multifamily developments may be grouped but shall also be located behind the residential buildings away from public view.

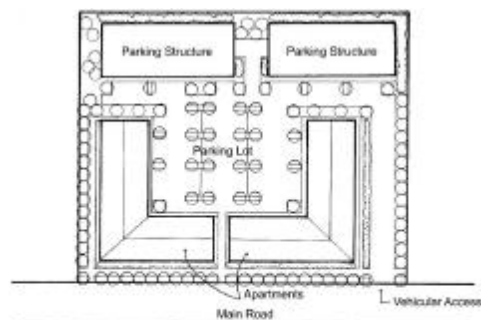


Figure 13. Example Multi-family Building Orientation and Parking Lot Layout

- All parking lots shall be visually and functionally segmented by landscaping islands to reduce the amount of asphalt. A maximum of ten (10) continuous parking spaces may be allowed without a landscape break. The landscape break shall be a minimum of eight (8) feet wide and include at least one shade tree.

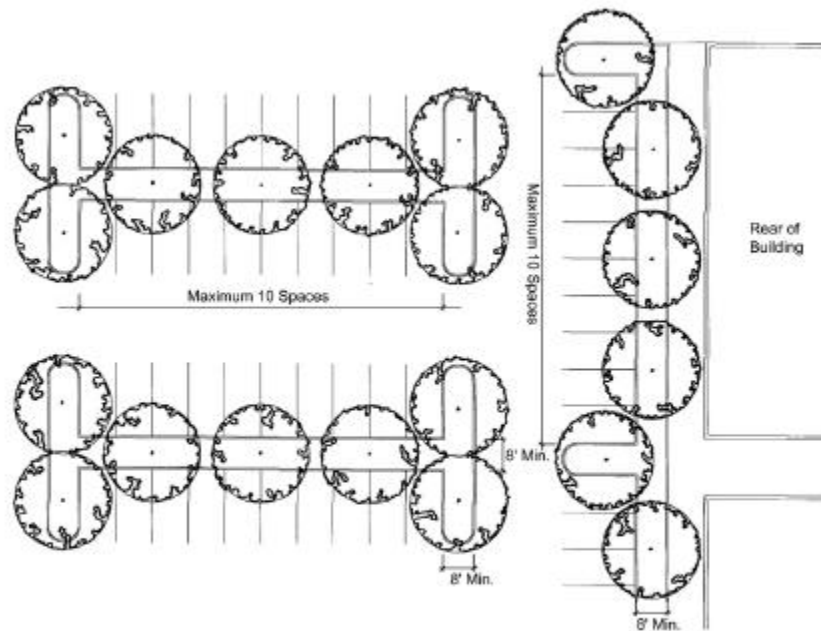


Figure 14. Parking Lot Landscape Island Example

- As an incentive to reduce asphalt and encourage landscaping, parking space depth in multi-family developments may be reduced by two (2) feet if abutting a landscape area and the vehicle will not interfere with required plantings or encroach on sidewalks.

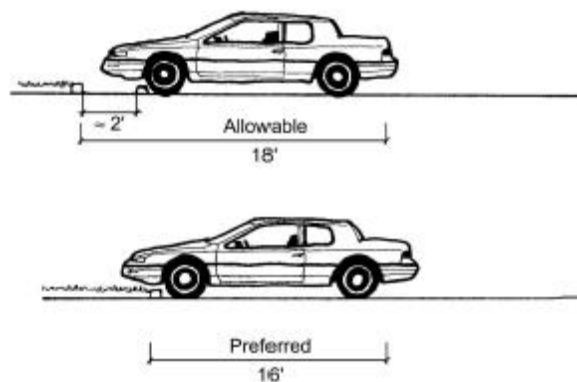


Figure 15. Example Parking Space Overhang

3.4. Pedestrian Circulation

Sidewalks are required along both sides of residential streets. Sidewalks shall provide access and connections from the interior neighborhood streets to the sidewalks along collector and arterial roadways at the entrance of the residential development. Multifamily developments shall provide designated sidewalks and crosswalks from the development entrance to the front entrance

of the principal structures. Sidewalks shall be a minimum of five (5) feet wide in residential areas.

3.5. Parks and Open Spaces

The relationship of public and private areas is important for the interaction of residents. Open space must be set aside to enhance the community.

- Small open space areas scattered throughout a new development will have a limited visual impact and ineffectual value. The size of the open space must be sufficient to adequately serve its intended functional purpose.
- Vegetation should be used to define open spaces and at the same time provide sight and sound buffers between activities in the open space and residences.
- All new residential developments must work with City staff to provide functional linkages between major City open spaces and parks.
- All residential neighborhoods with over fifteen (15) units should have direct pedestrian access to a neighborhood park, community park or open space.
- All residential developments with more than twenty (20) dwelling units are required to provide a neighborhood park supplying both passive and active recreational uses.
- Parks should be adequately lit on automatic timers without projecting a glare on adjacent residential properties.
- Parks shall be designed for safety and located so they are visible from streets and surrounding homes. Rear yards must not surround park lands. Parks must be located centrally to maximize access to the majority of the community being served.

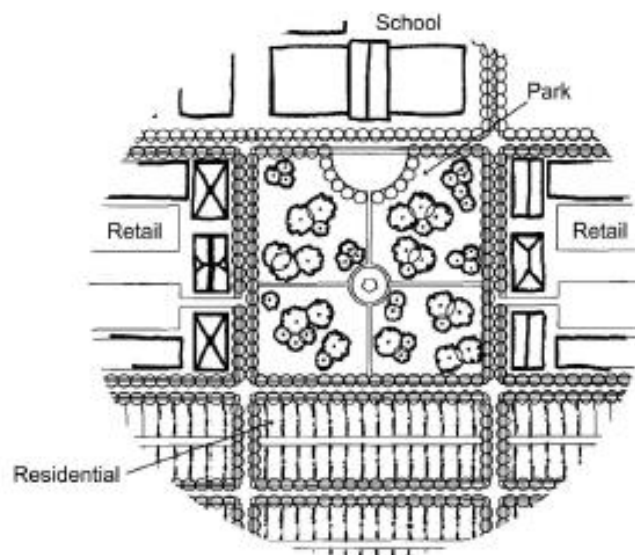


Figure 16. Example of Community Park Location



Figure 17. Example of Neighborhood Park



Figure 18. Example of Tot Lot

- Maintenance Agreements are required for all common areas and open space within residential developments. Park furniture shall be constructed with durable materials and require low maintenance.

3.6. Residential Landscaping

Landscaping provides a suitable setting for the development architecture and serves to create a unified look, define outdoor spaces, buffer from sound and weather, screen from view, and accentuates building elements and vistas. Street trees that are uniformly spaced along major roadways in a development can create an overall theme for a project, such as tropical, southern classic or Mediterranean. This theme can provide continuity throughout a development. All landscaping and irrigation shall occur consistent with the City's Land Development Code.

- Street trees should be planted along every residential street avoiding conflicts with overhead and underground infrastructure.
- Residential street trees must be spaced thirty (30) feet on center and at least twenty-five (25) feet from the intersection of two roads. Setbacks must be adequate to allow for healthy growth of the specimen.
- Residential street trees shall be planted at locations consistent with the City's Land Development Code.
- Consistency of street tree plantings to create a community theme is required.
- Residential street trees must be a long-lived species and should be low maintenance. Native species should be planted and nuisance plants are not allowed.
- Each single-family lot is required to plant a minimum of three (3) trees on the lot. The size of the trees must be consistent with the City's Land Development Code requirements.
- Maintenance agreements are required for all common areas and open space within residential developments.

3.7. Irrigation

All common residential landscaped areas shall be irrigated by an underground, automatic irrigation system. It shall be a quality system requiring low maintenance. Sprinkler heads shall be located to apply effective even coverage and minimum spray onto walkways.

3.8. Buffers

To protect the health, safety and wellbeing of our citizens and neighborhoods, bufferyards are required between residential dwelling lots and adjacent uses which may be disruptive. Bufferyards vary depending upon the use of the adjacent property and must be provided in accordance with the requirements in the City's Land Development Code. In some situations the bufferyard may be reduced, per the Land Development Code, if a decorative wall with appropriate architectural features and materials is approved by the Development Review Committee. Walls are discouraged between compatible uses.

3.9. Berms, Walls, Fences and Screening

The overall design of berms, walls, fences and screening shall present a quality image. In order to maintain overall visual continuity, it is important that the treatment of these screening devices be consistent with the overall streetscape and landscape plan.

- Dense mature landscaping and berms are encouraged for screening residential developments from major roadways.
- Walled communities are discouraged, unless they are adjacent to a major thoroughfare or other incompatible land use. In such case, the wall design must provide architectural diversity to avoid monotony and provide visual interest for passerby traffic and pedestrians. Walls shall be constructed of

solid brick, stone, or other material that is durable and nearly maintenance free. A maintenance agreement for all periphery walls must be submitted to the City prior to construction.

- Vertical elements, such as posts and/or metal railings, must be incorporated into the design of walls and fences. Spacing between those elements shall not exceed 12 ft. The maximum allowable height for walls and fences is six (6) feet. Posts or columns may include a cap piece extending up to twelve (12) inches above the allowable height of the wall or fence.

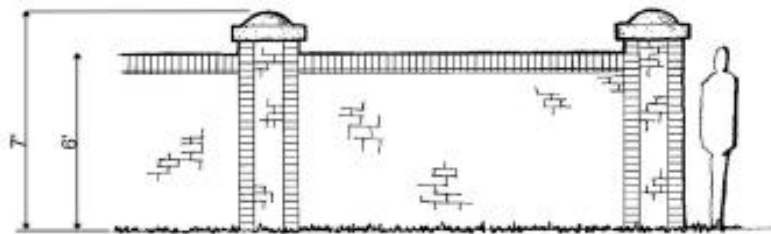


Figure 19. Brick Wall Design Example



Single Family Example



Multi Family Example

Figure 20. Examples of Residential Wall Designs

- All walls and fences shall have their finished side facing outward.
- Walls and fences must be set back from parallel sidewalks and paths to allow for landscaping and planting in-between.
- Chain link fences and barbed wire shall not be visible to the public nor visible from the street. Decorative wrought iron may be allowed for safety, if approved by the Development Review Committee.
- Fences around retention ponds are discouraged unless mandatory by Public Works for safety issues. Such mandatory fences, are required to be constructed of decorative materials that are durable and nearly maintenance free.
- All garbage dumpsters shall be screened from public streets and adjacent properties. Solid walls or fences and a gate constructed of a solid material are required for screening. A maintenance agreement for the garbage enclosure must be provided to the City prior to receiving a certificate of occupancy.
- Air conditioning, mechanical equipment and other support equipment must be screened from view.

3.10. Lighting

After dusk, lighting is important to ensure safety for both pedestrians and vehicles. Lighting is also important as it relates to signage to identify neighborhoods at night. These fixtures must be installed by the site developer. Lighting must be compatible throughout the development. High intensity of lighting is not allowed and should be no greater than necessary for pedestrian and vehicle safety. Lighting designs are to be produced in accordance with the Illuminating Engineering Society (IES) Standards.

Lighting schemes must be submitted for approval to the Development Review Committee, including fixture types and finishes. If lighting schemes are approved by the City for a neighborhood or redevelopment area, each new development or redevelopment project within the applicable boundaries must provide lighting in compliance with the overall scheme.

Decorative lighting adds to the theme of the development and is a cost effective device that instills a sense of community pride. Therefore, decorative fixtures are required to be provided consistently throughout all developments and must be approved by the Development Review Committee.



Figure 21. Examples of Decorative Light Fixtures

3.10.1. Pedestrian Lighting

Pedestrian scale accent lighting is required. Light fixtures for pedestrians may be overhead, bollards or built into the walkways. Overhead lights should not exceed fourteen (14) feet in residential areas. The required minimum illumination for walkways and other pedestrian areas is 0.25 foot candles or as determined by IES Standards. The required minimum illumination for walkways and other pedestrian areas shall be designed in accordance with IES Standards.

3.10.2. Vehicle Lighting

Lighting along roadways in developments should provide a smooth, even pattern that eliminates glare or light flow intrusion onto adjacent properties. Fixtures should be installed according to optimum spacing as recommended by the manufacturer. Light poles should not exceed thirty (30) feet in height. Illumination for vehicles in residential neighborhoods should be approximately 0.50 foot candles.

3.10.3. Accent Lighting

Accent lighting of signage, landscaping and trees, water amenities and other special features is encouraged. Concealed source fixtures are preferred. The placement of fixtures, fixture types, and methods of mounting or wiring must be approved by the Development Review Committee as part of the lighting scheme.

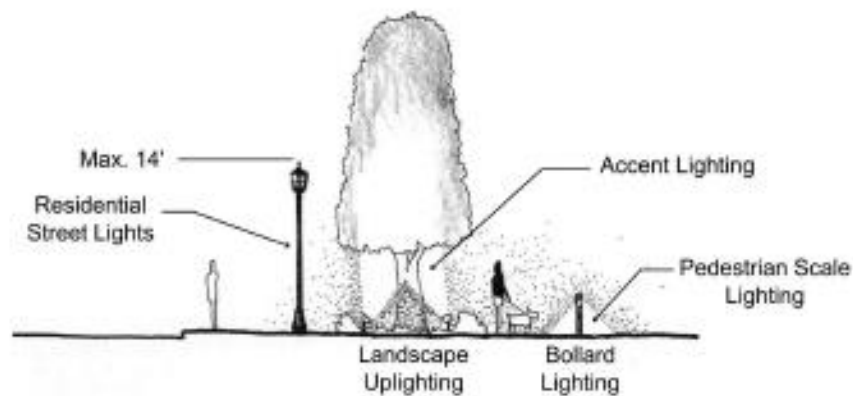


Figure 22. Example of Residential Lighting

3.11. Utilities

Utility lines for all new residential developments are required to be located underground. Utility boxes must be totally screened from view of principal streets, residential driveways, multi-family buildings and parking areas.



NON- RESIDENTIAL DESIGN STANDARDS



4. COMMERCIAL DESIGN STANDARDS

These commercial design standards are applicable to all new development and redevelopment of retail, office, institutional, public and similar facilities as determined by the Development Review Committee.

While the City encourages economic growth and commercial development in areas with access to arterial and collector roadways, it also encourages protection of residential and agricultural interests from the impacts of commercial strip development. The integration of flowing traffic circulation and pedestrian accessibility is one primary concern for new development and redevelopment. In addition, the City encourages the design of new development to be visually sensitive to surrounding development and the environment.

Some of the design differences between small-scale developments, such as family owned restaurants, and large-scale developments, such as shopping centers, have been acknowledged and addressed in the criteria. Structures that will be over 10,000 square feet are considered large-scale developments.

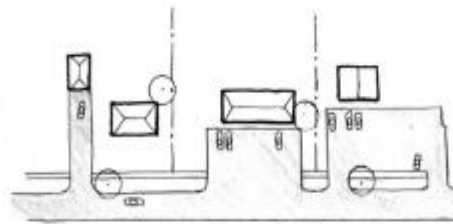
4.1. Site Plan Design

Site layouts shall be compatible with the immediate environment with special attention paid to the creation of an attractive, safe and functional urban environment.

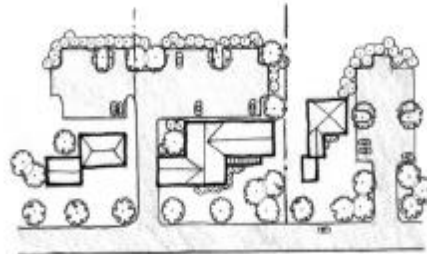
4.1.1. Building Orientation

The location of buildings on sites currently varies depending on the area of the City. In the older downtown areas buildings have located closer to the street, while the newer developments typically locate the buildings toward the back of the site and the parking areas in the front. The older downtown pattern is preferred and should be encouraged as it contributes to the creation of a healthier pedestrian environment and a more cohesive urban context.

- Buildings shall be oriented to maximize pedestrian access and view of adjacent water bodies and other amenities.
- Building placing and massing should relate to nearby buildings and to the urban context with parking areas located to the side and rear of the site.



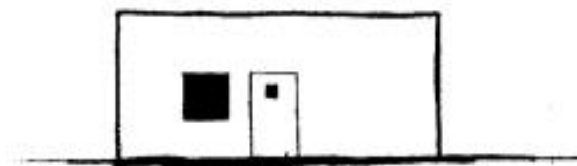
Poor Quality Design - Not Allowed



Example of Good Design

Figure 23. Examples of Rear and Side Parking Lots

- Where parking areas are located behind the businesses, a secondary entrance must be provided in the back of the business. A rear entrance can provide direct customer access to the store from parking areas as well as improve circulation between the parking lots and the street. Architectural embellishments, awnings, landscaping and signs should be used to mark the secondary entrance and the design of the rear of the building shall be consistent with the front facade.



Poor Quality Design - Not Allowed



Example of Good Design

Figure 24. Rear Entrance Design Example

4.1.2. Drive Through Window Orientation

- Drive through facilities, if not carefully designed, can create a negative visual impact for pass-by traffic and safety hazard for pedestrians. Drive-through windows shall not be located between the principal structure and the right-of-way of a principal or arterial roadway, unless high quality architectural standards are incorporated into a canopy type structure that screens the service window(s) and

heavy landscaping is provided to screen the drive through area. Interlocking pavers and similar landscape elements are encouraged to distinguish the drive through area. Crosswalks are required if pedestrians can cross the drive through lane.

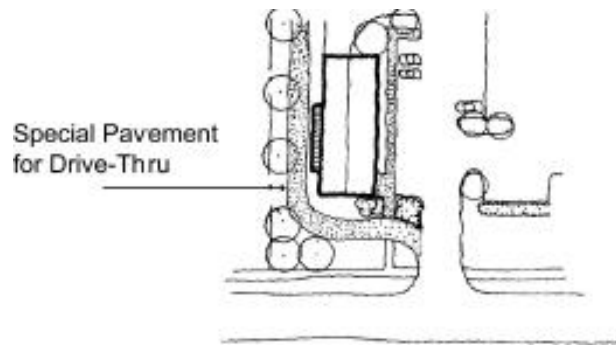


Figure 25. Drive Through Design Example

4.1.3. Outparcels

Large scale developments that will have a primary building and/or anchor stores and secondary outparcel developments on the same site must conform to the following guidelines.

To provide a unified design with the main structure and enhance the visual impact of outparcels, all exterior facades of outparcels shall be considered primary facades and employ architectural and landscape design treatments. These design elements will be integrated and common to design treatments on the main structure.

- Interconnection of pedestrian walkways with the main structure and adjacent outparcels is required, wherever feasible.
- Consolidated parking with the main structure and adjacent outparcels is encouraged.
- Vehicular connection between the outparcel, the main structure and adjacent outparcels is required to provide for safe and convenient vehicular movement within the site.

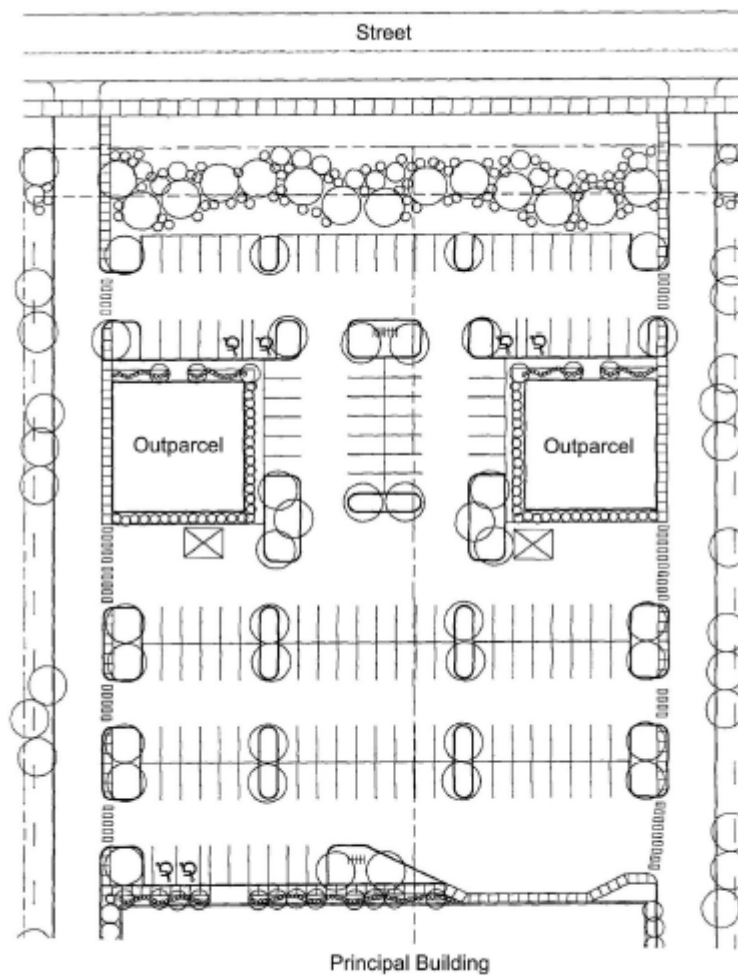


Figure 26. Example of Vehicular Cross Access and Pedestrian Connections

4.2. Commercial Architecture

4.2.1. Building Design

The purpose of the building design guidelines is to promote architectural treatments that enhance the visual appearance of development, ensure compatibility of buildings, and create a strong community image and identity.

- Buildings shall have architectural features and patterns that provide visual interest from the perspective of the pedestrian, as well as vehicular traffic.
- All additions, alterations and accessory buildings shall be compatible to the principal structure in design and materials.
- Primary entrances to anchor stores shall be highlighted with tower elements, higher volumes, tall voids, special building materials and/or architectural details.

Entrances to smaller stores may be recessed or framed by a sheltering element such as an awning, arcade, porch or portico.



Figure 27. Example Building Entrance Enhancement

- Windows and display cases are encouraged along pedestrian corridors.
- The first floors of all buildings, including structured parking, should be designed to encourage pedestrian scale activity.
- Buildings shall have a recognizable top consisting of (but not limited to): cornice treatments, roof overhangs with brackets, steeped parapets richly textured materials and/or differently colored materials. Colored stripes are not acceptable as only treatment.



Figure 28. Typical Commercial Design Detail

- Mechanical equipment should be integrated into the overall mass of a building by screening it behind parapets or by recessing equipment into hips, gables, parapets or similar features. Plain boxes are not acceptable.



Figure 29. Examples of Screening Mechanical Equipment

- Overhangs/awnings shall be no less than three (3) feet deep to function to protect pedestrians from inclement weather.
- Backlit awnings used as a mansard or canopy roofs are prohibited.
- The highest point of a first floor awning shall not be higher than the midpoint between the top of the first story window and the second story window sill, please refer to Figure 30 for an example.

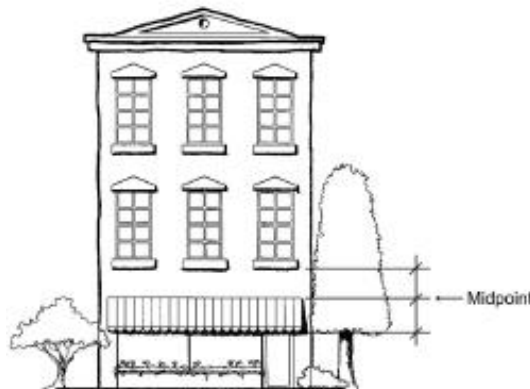


Figure 30. Awning Location Detail

- Buildings shall include substantial variation in massing such as changes in height and horizontal plane. Horizontal masses shall not exceed a height: width ratio of 1:3 without a substantial architectural element that either projects up or away from the building, such as a tower bay, lattice, or other architectural feature.
- Building walls shall be enhanced by the use of vertical elements, articulation and landscaping to break the monotony.

4.2.2. Entrances

Buildings along arterial and collector streets should have their primary customer entrance facing the street. Where two major streets intersect, customer entrances shall be provided for both streets; a corner entrance will be a permitted exception to this requirement. Additional entrances are encouraged facing local streets, parking lots, plazas, lakefronts and adjacent buildings.

- Primary customer entrances shall be clearly defined and highly visible through the use of architectural detail for all structures.
- Protection from the sun and adverse weather conditions for patrons should be considered for the entranceways. However, awnings, canopies and arcades cannot project more than three (3) feet into the required building setback.
- Covered visitor drop-off areas shall be provided at entries to institutional buildings.

4.2.3. Building Facades/Fenestration

- Continuous, solid walls are prohibited on facades adjacent to arterial or collector streets. At least thirty (30) percent of primary facade(s) shall be comprised of windows and doors. However, nearly continuous expanses of glass for walls shall be avoided. Patterns are encouraged by alternating solid elements and windows.
- The architecture of the building must incorporate articulation to avoid monotonous blank walls.
- Views into the interior of retail storefronts and restaurants are encouraged for pedestrian activity, safety and to create a community window shopping environment. The use of darkly tinted or reflective glass on these structures is prohibited. Reflective glass will be defined as having a visible light reflectance rating of 15% or greater and darkly tinted glass windows include glass with a visible light transmittance rating of 35% or less. All plans submitted to the City for commercial, office and institutional uses shall include the glass manufacturer's visible light reflectance and visible light transmittance ratings for evaluation.
- Windows shall be recessed, a minimum of one-half inch, and shall include visually prominent sills, shutters, stucco reliefs, or other such forms of framing.

4.2.4. Corner Lots

At the intersections of major roads, those classified as arterial or collector, the corner lots shall be designed with architectural embellishments to emphasize their location whether they function as gateways or major community transition points.

- Buildings in corner lots are considered to have double front facades for architectural review purposes.
- Buildings in corner lots shall include at least one of the following embellishments: cornice detail, arches, peaked roof forms, corner towers, clocks, bells and other design features.

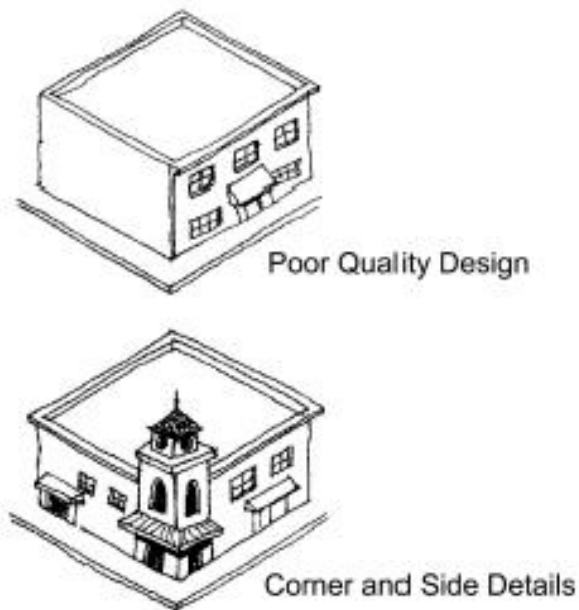


Figure 31. Example of Good and Poor Corner Lot Design Detail



Figure 32. Examples of Corner Lot

Hardscape design, such as pedestrian plazas with artwork or fountains, may substitute for building embellishments on corner lots.

4.2.5. Exterior Materials and Colors

Materials selected for buildings should have quality and stability in terms of durability, finish and appearance. Color has one of the strongest visual effects of all elements of building design. Therefore, they shall be selected for harmony of the building with adjacent structures.

- Exterior building materials that are encouraged include wood siding, stucco, brick, stone and concrete masonry units. Masonry unit exteriors should be textured and tinted; they should not be ribbed or create a smooth monotonous wall.
- Predominant materials that are not permitted include corrugated or reflective metal panels, smooth or rib faced concrete block, cedar shakes, textured plywood, and plastic siding.
- A wide selection of exterior colors may be considered to promote variety and diversity. The general approved paint colors for commercial, office and institutional uses include light pastel and earth tone colors. Color schemes must be submitted to the Development Review Committee for approval.
- The following colors are prohibited: use of intense, florescent or day glow colors, black as the predominant exterior building color; monochromatic color schemes (all one-paint color).
- Building, trim and detail colors must be complimentary. As an example, yellow and red are not complimentary colors and are typically chosen by merchants that want to increase marketing advertising and stand out drastically from other merchants. Merchants often select red and yellow to draw attention to their property regardless of the impact on the character of the environment. Clashing trim colors will not be permitted.
- A solid line band of color shall not be used for architectural detail, per the discretion of the Development Review Committee.

4.2.6. Corporate Design

Since it is not in the best interest of the citizens of Apopka to allow corporate franchises to create visual clutter and allow the architecture and colors of their buildings to act as signage, exceptions to these guidelines shall not be made for corporate franchises. National corporate chains that typically design their buildings to read as signage have been known to modify their designs to blend with the character of the neighborhood. Examples of well-designed corporate structures are shown below. These examples shall be used as models for future corporate design within the City.



Figure 33. Examples of Good Corporate Design

4.2.7. Gas Station\Canopy Design

Gas stations typically lack urban design values that should be present at major intersections. Gas stations should be permitted at major intersections only if the demand can be demonstrated and must provide architectural details that enhance the character of the community. Gas island canopies and car wash facilities must also demonstrate architectural style that will enhance the community character. Flat canopy rooflines are not allowed. Bands of bright or bold color are not allowed along the edge of canopies. These facilities must adhere to the additional design standards in the City's Land Development Code.

4.3. Circulation and Access

The City of Apopka supports the use of alternative modes of transportation to provide access for all residents, including the elderly, youths and the physically impaired. Safe, comfortable and consistent pedestrian connections are required.

- The use of joint access easements between sites to reduce the number of access points and driveway area and increase the amount of landscaping shall be required.

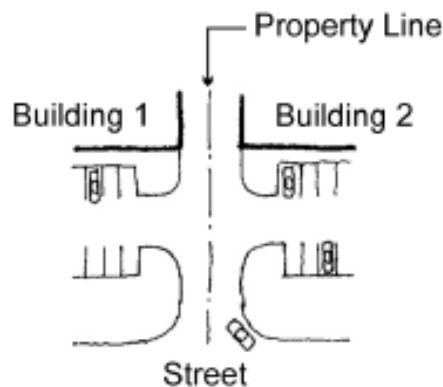


Figure 34. Example of Joint Access Driveway

- Pedestrian ways, linkages and paths shall be provided from the building entry to surrounding streets, external sidewalks, and outparcels.



Figure 35. Example of Pedestrian Path in Parking Lots

- Sidewalks are required on both sides of all streets. All commercial, institutional and office sidewalks shall be a minimum of five (5) feet in width, unobstructed allowing two people to walk side-by-side.
- Sidewalks or walkways where heavy pedestrian use is likely or where opening doors may obstruct a circulation path shall be a minimum of seven (7) feet in width.
- To increase pedestrian safety, sidewalks and walkways shall be one step up at a different grade than the vehicular parking lot, and shall be landscaped and have pedestrian scale lighting. Crosswalks must be provided in all locations where the sidewalk is crossing at grade with vehicular traffic.

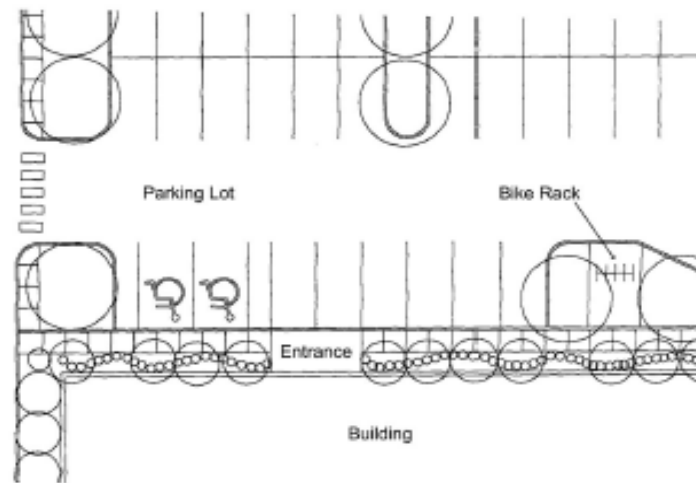


Figure 36. Example of Bicycle Parking and Pedestrian Crosswalks

- Mixed use and large-scale developments shall incorporate bus stops and bicycle parking storage in their design.



Figure 37. Example of Bus Stop Design

- Crosswalks are required wherever a pedestrian walkway intersects a vehicular area. All crosswalks shall be a minimum of five (5) feet wide and shall be paved with concrete modular paving or integrally colored poured concrete.

4.4. Off-street Parking

While off-street parking is necessary to accommodate automobile demands, it displaces a large percentage of the City's open space and separates structures from the main pedestrian concourses. The purpose of the following guidelines is to avoid seas of asphalt and conflicts between vehicles and pedestrians.

- Where a mix of uses creates staggered peak periods of parking demand, shared parking may be utilized to reduce the total amount of required parking.
- Adjacent on-street parking may be counted towards the parking requirement.
- Large parking lots shall be visually and functionally segmented into smaller lots with landscaped islands and canopy trees.
- Where a commercial use abuts a residential zoning district, the parking area shall not be located within the building setback abutting the residential area.
- Parking areas should be located behind the building face to prevent parking from dominating the image of the site. Where not feasible, use landscaping to screen the parking area.

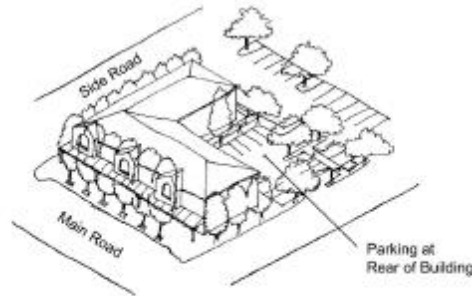


Figure 38. Commercial Parking Layout Example

As an incentive to reduce asphalt and encourage landscaping, parking space depth in commercial developments may be reduced by two (2) feet if abutting a landscape area and the vehicle will not interfere with required plantings or encroach on sidewalks, please refer to Figure 15 in the Residential standards section.

- Parked cars shall be sufficiently screened from public rights-of-way. There are many options available to the designer including landscape berms; themed streetscape trees with landscape materials; trellis designs and low urban walls that incorporate architectural detail. Perimeter design shall be determined with the assistance of City staff to promote the community image for the area in which the development is located. Examples of recommended parking lot screening designs are shown below.

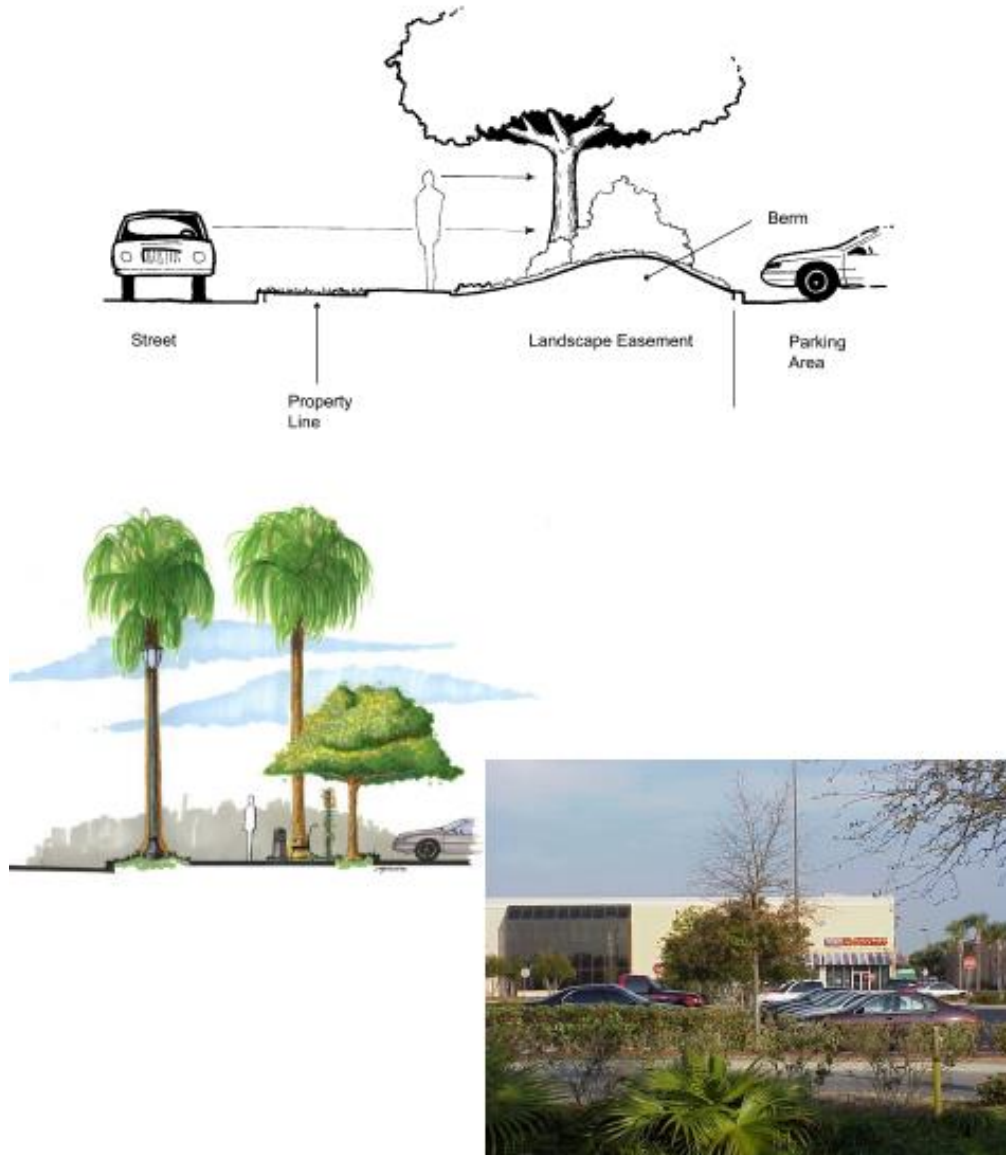


Figure 39. Parking Area Screening Examples

- The design of parking areas should avoid the appearance of large masses of parked cars. No more than ten (10) parking spaces may be located side by side without a landscaped parking island.
- Shade trees shall be provided for parked cars, so that an average ratio of one (1) tree per six (6) automobiles is achieved. Deciduous trees should be selected which will provide canopy over the parked cars. Examples of recommended landscape is land designs are shown in Figure 14 in the Residential Design standards section.
- No more than fifty (50) percent of the required off-street parking can be located in front of the building line.

4.5. Landscaping and Buffers

Landscaping provides a suitable setting for the development architecture and also serves to create a unified urban look, to define outdoor spaces, to buffer from sound and weather, to screen from view, and to accentuate building elements and vistas. All landscaping and irrigation shall meet the intent of the City's Land Development Code.

- Existing trees shall be maintained to the extent possible and protected during construction. Landscape maintenance agreements are required for developments.
- Landscaping and grading shall be designed to enhance the presence of each building.

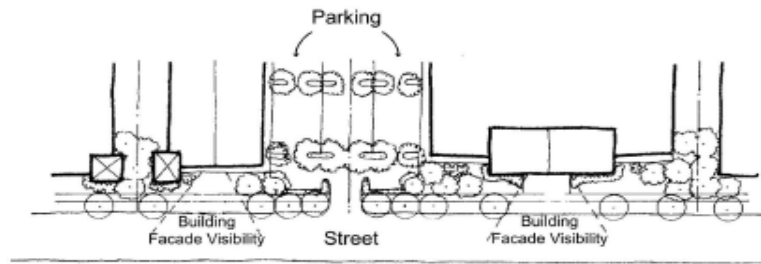


Figure 40. Utilize Landscaping to Screen Parking Areas and Enhance Building Front

- Street trees shall be planted on every street avoiding conflicts with overhead and underground infrastructure. They shall be planted close to the curb, should be low maintenance, and should not be spaced more than fifty (50) feet apart. Street trees must be planted a minimum of thirty-five (35) feet from intersections for visibility. Trees must be set back from the curb to allow for healthy growth of the specimen.
- Shaded areas must be provided for sidewalks at a minimum of 100 square feet of shaded area per 100 lineal feet of walkway.
- When possible, service and utility easements shall be located away from mature trees that should be saved.
- Buffers between land uses must be provided consistent with the Land Development Code.
- Wet retention areas shall be designed as amenities and shall appear natural by having off-sets in the edge alignment to avoid perfect geometric figures. Landscaping is required to soften the visual appearance of the ponds edges. Features such as fountains are encouraged to accent the ponds and provide adequate aeration to prevent stagnation.

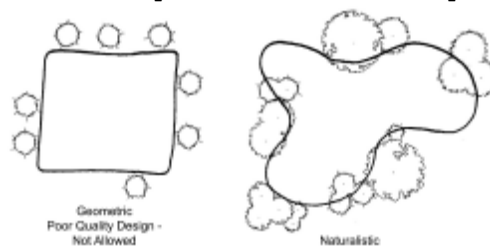


Figure 41. Stormwater Design

4.6. Fences and Walls

The purpose of fences and walls is mainly to screen elements from public view. They shall be designed in a way to visually tie various project elements together.

- Where fences are intended to screen areas from public view, they shall be constructed of brick, masonry, wrought iron, stone or other decorative materials. Vertical elements (posts) should be incorporated into the design of the fence and shall be spaced at six (6) to twelve (12) foot intervals depending on the material and overall length of the wall or fence. All fences shall have their finished side facing outward. Posts or columns must include a cap piece extending up to 12 inches above the allowable fence height.

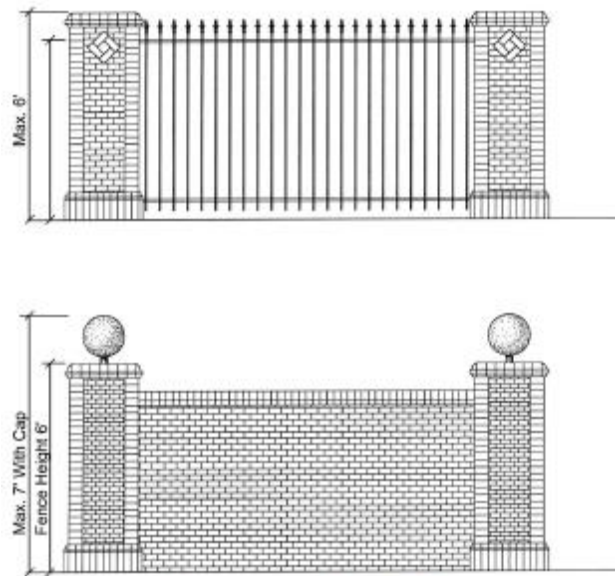


Figure 42. Examples of Fence and Wall Designs

Chain link, wooden fences and barbed wire in areas visible from roadways shall not be allowable materials.

4.7. Service, Utility, Display and Storage Areas

- Utilities for all new commercial developments shall be located underground. Utility boxes must be totally screened from view of principal streets, as well as pedestrian walkways and areas.
- Loading areas or docks, outdoor storage, waste disposal, mechanical equipment, satellite dishes, truck parking, and other service support equipment shall be located behind the building line and shall be fully screened from the view of adjacent properties both at ground and roof top levels.

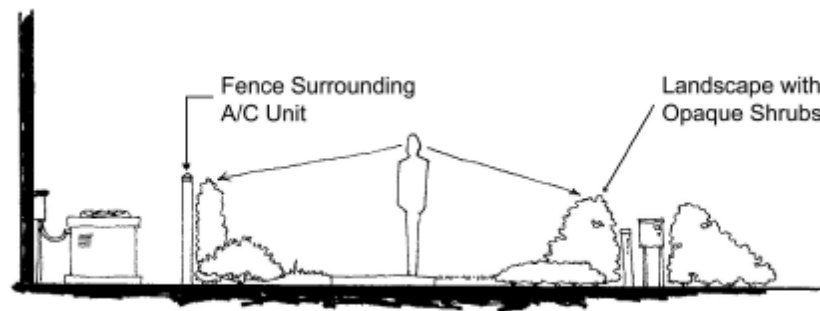


Figure 43. Utilities Screened from View

- Shopping cart storage shall be located inside the building or shall be screened by a four (4) foot wall consistent with the building architecture and materials or a solid landscaping hedge.
- The display area of an automobile sales outlet shall not dominate the site frontage. Cars shall not be raised above the landscaping along the front yard.
- The storage of new car inventory shall be located behind the building line and shall be screened by a wall or fence.
- Refuse containers, air conditioners and similar elements shall be screened from view.

4.7.1. Automobile Sales Outlets

The display needs of dealerships are recognized by allowing a percentage of the front yard to be used for this purpose. However, the following standards must be strictly adhered to.

- The display area of an automobile sales outlet is limited to a maximum of one vehicle per thirty (30) feet of site frontage.
- The storage of new car inventory and vehicles being serviced must be screened from the street by a solid, decorative screen wall. The wall must be integrated with the design of the principal building and be constructed of similar materials. Where a wall is required it should be located behind a landscape strip to break up the span of the wall and provide a buffer. A berm with landscaping may also be acceptable for screening, if approved by the Community Development Department.
- A minimum of fifty percent of the building and lot must be screened by landscaping.

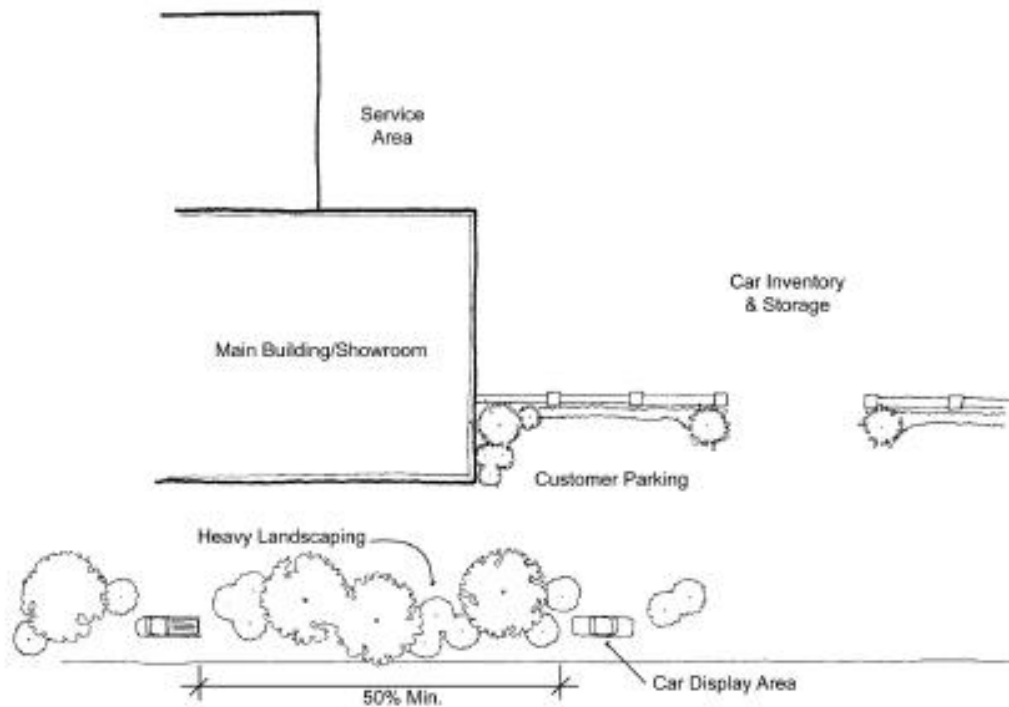


Figure 44. Automobile Sales Outlets

4.8. Site Furniture

Site furniture performs a critical function in the appearance of the streetscape. Benches, trash receptacles, telephone booths, bike racks, bus shelters, newspaper stands often create clutter and deteriorate the aesthetics of the environment unless the items have a coherent and unified theme. These items shall be constructed from durable materials that have a long lasting quality without requiring excess maintenance. Site furniture shall be located to function properly.

- Site furniture shall be of solid, heavy-duty construction conveying an impression of quality and durability.
- No site furnishing shall be placed in a location where it will reduce the minimum walkway width required.
- All site furniture shall be firmly bolted to the ground.

4.9. Lighting

Exterior lighting shall be designed in accordance with the Illuminating Engineering Society (IES) Standards and installed in a sensitive manner which lights without been seen, illuminates without glare and colors without distorting. Decorative lights shall be installed along the roadway frontage of all non-residential structures. Examples of decorative fixtures are shown below.

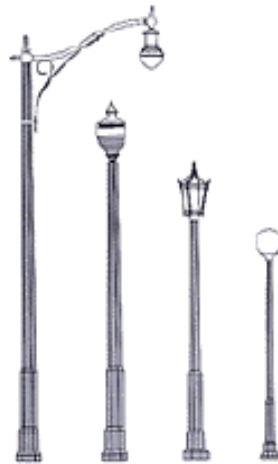


Figure 45. Examples of Decorative Light Fixtures

- Lighting plans shall provide well-lighted sidewalks and encourage pedestrian traffic. A minimum .25 candle rating or IES standards shall be used, as determined by the city engineer.
- Light fixtures shall be a maximum of thirty-five (35) feet high in vehicular areas and fifteen (15) feet in pedestrian areas.

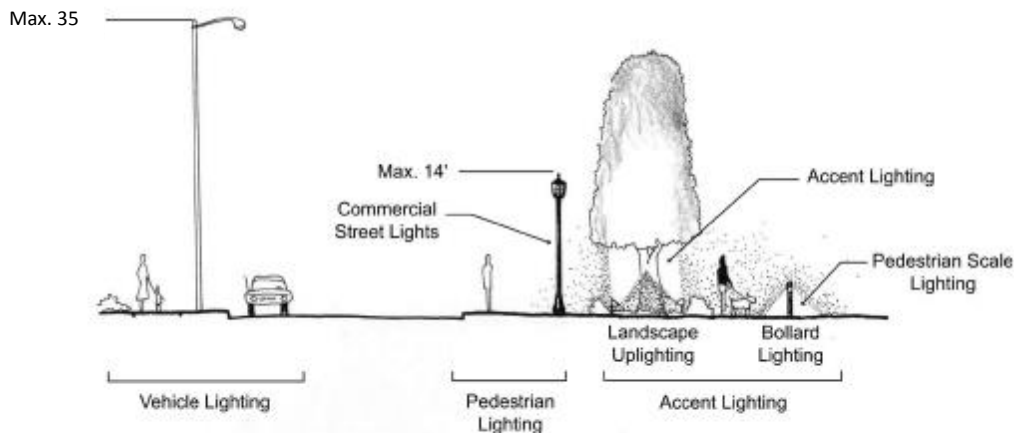


Figure 46. Community Lighting Example

- Lighting shall be used to accent key architectural elements and/or landscape features.
- Light fixtures shall be designed as an integral element of the project using similar style, materials or colors.
- Neon or neon type tubing on the building shall be allowed under limited circumstances provided that a lighting plan is submitted. The neon light colors shall be consistent and compliment the building colors and style. Neon is not permitted in windows.
- Lighting shall be designed so as to prevent direct glare, light spillage and hazardous interference with automotive and pedestrian traffic on adjacent streets and properties.

- No light fixtures shall be placed in a position where existing or future tree canopy will reduce the illumination levels.
- Electrical wiring to all site lighting shall be provided underground.

5. INDUSTRIAL DESIGN STANDARDS

Industrial uses are often the most intense land uses located within a City. The standards for industrial design identified below are in addition to all applicable commercial design standards.

The location and design of industrial uses is critical to ensure compatibility with adjacent uses. In addition, larger industrial uses typically require special access to a regional transportation system for import and export services.

Most industrial uses in Apopka are currently located along US 441 and close to the railroad.

However, there are also a few scattered industrial sites, as well as industrial areas adjacent to the downtown.

Given that US 441 is a main transportation corridor in the City, any uses located along this road should be designed to contribute to creation of an attractive image. New industrial uses closer to the downtown and redevelopment must be designed to be compatible with already established traditional urban patterns, and pedestrian character.

5.1. Site Plan Design

The siting of structures within a development strongly influences the character of the community. Land use should relate to the nature of the street and the access conditions.

5.1.1. Heavy Industrial Uses

Heavy industrial uses are those industries which employ the processing of bulk materials and which may require space for open storage of materials.

- Heavy industrial structures should be located in industrial parks and clustered to maintain an area of greenspace surrounding the high intensity development.
- Buildings and structures in industrial parks should be oriented to form plazas and common areas for employee interaction.
- Heavy industrial uses should be located nearby major thoroughfares and, if possible, provide landscaped service roads to access the major roadways.
- Heavy and light industrial uses are encouraged to locate directly adjacent to railroad right-of-way.
- In high profile locations, such as along major roadways, rear elevations facing the highway should be avoided by establishing service roads which allow front elevations to face the highway.

5.1.2. Light Industrial Uses

Light industrial uses are those industries which employ wholesale distribution, storage, and light manufacturing. Light industrial uses do not employ processing of bulk materials nor is outdoor storage of materials allowed.

- Light industrial uses in urban areas should be located to relate to the street and pedestrian traffic. Buildings should be oriented to face the major street.
- Buildings on corner lots should relate to both streets, and will be considered as having two front facades. Corner sites at major intersections should be reserved for more prestigious land uses.

5.2. Industrial Building Design

Building design must display a quality appearance and details that create harmony with the desired image of the community.

- Building massing in urban areas must relate to nearby structures and to the urban context both in height and proportion.
- Building detail should relate to the scale of pedestrians.
- Blank walls shall be enhanced by the use of vertical elements and windows to break the monotony. At least fifty (50%) percent of the main facade facing a major thoroughfare must incorporate architectural detail.
- Galvanized, corrugated sheet metal shall not be permitted as exterior materials on principal structures. Any use of these materials on support structures must be screened from view of roadways and adjacent properties.

5.3. Vehicular and Pedestrian Circulation

Adequate circulation must be provided for employees, visitors, service and delivery, fire protection and security.

- Conflicts between employee parking and delivery vehicle circulation must be avoided through design to ensure safety.
- Trucks and semi-trailers shall not be parked or stored within public view overnight unless it is temporary parking not to exceed forty-eight (48) hours for delivery purposes.
- Provide pedestrian and bicycle connections from principal structures to adjacent uses.
- If parking is provided in front of the building, walkways shall be provided to connect the public sidewalk and the building. The walkway shall be at a different grade than the parking area, and shall be adequately lit and landscaped.
- Multi-tenant or large-scale developments must incorporate bus stops and bicycle storage areas in their design.

5.4. Buffers

Buffers are required to ensure compatibility between adjacent uses.

- When a heavy industrial site is adjacent to a residential zoning district, even if separated by a street, a six (6) foot solid wall shall be installed and permanently maintained. Industrial uses must comply with the buffer separation requirements contained in the City of Apopka Land Development Code.

5.5. Landscaping

Landscaping should be provided to highlight building entries, soften building masses, provide scale to site development, and define parcel edges.

- Provide a continuous landscape area between the street and the building, uninterrupted by the presence of parking areas or driveways, for at least fifty (50%) percent of the site frontage, please refer to Figure 40.
- Landscaping and grading should be designed to enhance the presence of each building.
- Street trees should be planted on every street avoiding conflicts with overhead and underground infrastructure. They should be planted close to the curb, should be low maintenance, and should not be spaced more than thirty (30) feet apart.
- Easements should be located away from mature trees that should be saved.
- All surface parking must be screened from adjacent parcels with landscaping.
- Canopy trees must be distributed throughout the parking area to provide adequate shade.
- Irrigation is required for all planting areas.

5.6. Fences and Walls

Fences and walls in industrial areas are subject to the same design guidelines as commercial areas (refer to 4.9.).

5.7. Service and Storage Areas

Any type of service or storage areas shall be screened from public view.

- All rooftop equipment must be screened from all directions in a manner integral with the design of the building in terms of color, materials and architectural elements.
- Landscaping alone is not sufficient to screen service areas. Loading, service and garbage areas must be located where they are not visible from roadways. Otherwise, make the screening an integral part of the building by extending a wing wall and using materials consistent with the building facade.

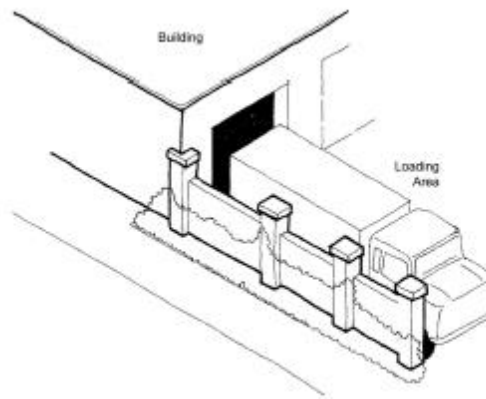


Figure 47. Example Loading Area Screening

- Where there are outdoor processing, service or storage areas, they shall be located behind the front building line and shall be screened with a fence or a wall placed behind landscaping.
- No outside display of products, including vending machines, video games, newspaper boxes shall be permitted unless substantially screened from adjacent parking lots and roadways.
- Materials shall not be stacked or stored to exceed the height of the screening wall or fence.
- Overnight parking of commercial vehicles, tractor trailers, boats, recreational vehicles, campers or motor homes shall be prohibited within parking lots not specifically designed for that purpose.

5.8. Stormwater Management

Stormwater management areas should be designed as site amenities. Natural edges along the perimeter are required. Wet bottom retention ponds in industrial areas are subject to the same design guidelines as commercial areas (refer to 4.5.)

Fenced stormwater management facilities will only be approved in extreme cases at the sole discretion of the City. Such fenced ponds shall be located at the side or rear of buildings to be as unobtrusive as possible. Such fenced ponds will not count as required open space within a project.

5.9. Utilities

All new developments are required to provide utilities underground and screen utility boxes from view. In addition, easements for underground services or overland flow routes should be located away from mature trees to protect them.

5.10. Lighting

Lighting is required for safety and security in industrial areas. However, high intensity lighting is discouraged.

- Entrances and major driveways should be illuminated for project identity and vehicular safety, respectively.
- Lighting along sidewalks is required for pedestrian safety. Pedestrian lighting should be a minimum of 0.25 foot candles.
- Lighting should be provided for security and night deliveries. Wattage and spacing of lighting in delivery areas should not exceed 1.0 foot candles and must be designed to prevent spillover illumination on adjacent properties.

Backup material for agenda item:

5. Ordinance No. 2505 – First Reading – Vacate – Utility Easement – Quasi-Judicial
Beckett

Rogers



CITY OF APOPKA CITY COUNCIL

☐ CONSENT AGENDA
☒ PUBLIC HEARING
☐ SPECIAL REPORTS
☒ OTHER: Vacate

MEETING OF: July 6, 2016
FROM: Community Development
EXHIBITS: Vicinity Map
Utility Letters
Ordinance No. 2505
Survey/Legal Description

SUBJECT: **ORDINANCE NO. 2505 – FESTIVAL PROPERTIES, INC. - VACATING A PORTION OF A UTILITY EASEMENT AT 815 EAST SEMORAN BOULEVARD**

REQUEST: **ACCEPT THE FIRST READING OF ORDINANCE NO. 2505 – FESTIVAL PROPERTIES, INC. - VACATING A PORTION OF A UTILITY EASEMENT; AND HOLD IT OVER FOR SECOND READING AND ADOPTION.**

SUMMARY:

OWNER/APPLICANT: Festival Properties, Inc.

LOCATION: 815 East Semoran Boulevard (Apopka Square Shopping Center)

LAND USE: Commercial

ZONING: C-1

EXISTING USE: Retail Shopping Center

AREA TO BE VACATED: 114 +/- Sq. Ft.

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Land Use	Zoning	Present Use
North - County	Low-Medium Density (Max. 10 du/ac)	R-2	Single Family Residence
East - County	Low- Medium Density (Max. 10 du/ac)	R-2	Single Family Residence
South - City	Commercial	C-3	Automotive Repair/Sales
West - City	Commercial	C-1	Vacant Land

FUNDING SOURCE:

N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

CITY COUNCIL – JULY 6, 2016
FESTIVAL PROPERTIES, INC. - VACATE
PAGE 2

ADDITIONAL COMMENTS: The applicant is seeking to vacate a 1.89 feet wide portion of an existing 10-feet wide utility easement extending approximately 62 feet along the eastern property line. The portion of the easement that will be vacated is described in the legal description. The vacation of this portion of the easement is being requested to accommodate the portion of the existing building located within the easement. Vacating this portion of the utility easement will not affect any abutting property owners.

Our Public Services department has evaluated the site and has agreed to the vacate request. Additionally, all local utility providers have been contacted by the applicant and have provided the letters received from each utility provider indicating no objection to this vacate request.

PUBLIC HEARING SCHEDULE:

July 6, 2016 - City Council - 1st Reading (1:30 p.m.)

July 20, 2016 - City Council - 2nd Reading (7:00 p.m.)

DULY ADVERTISED:

June 17, 2016 - Public Hearing Notice

July 8, 2016 - Ordinance Heading Ad

RECOMMENDATION ACTION:

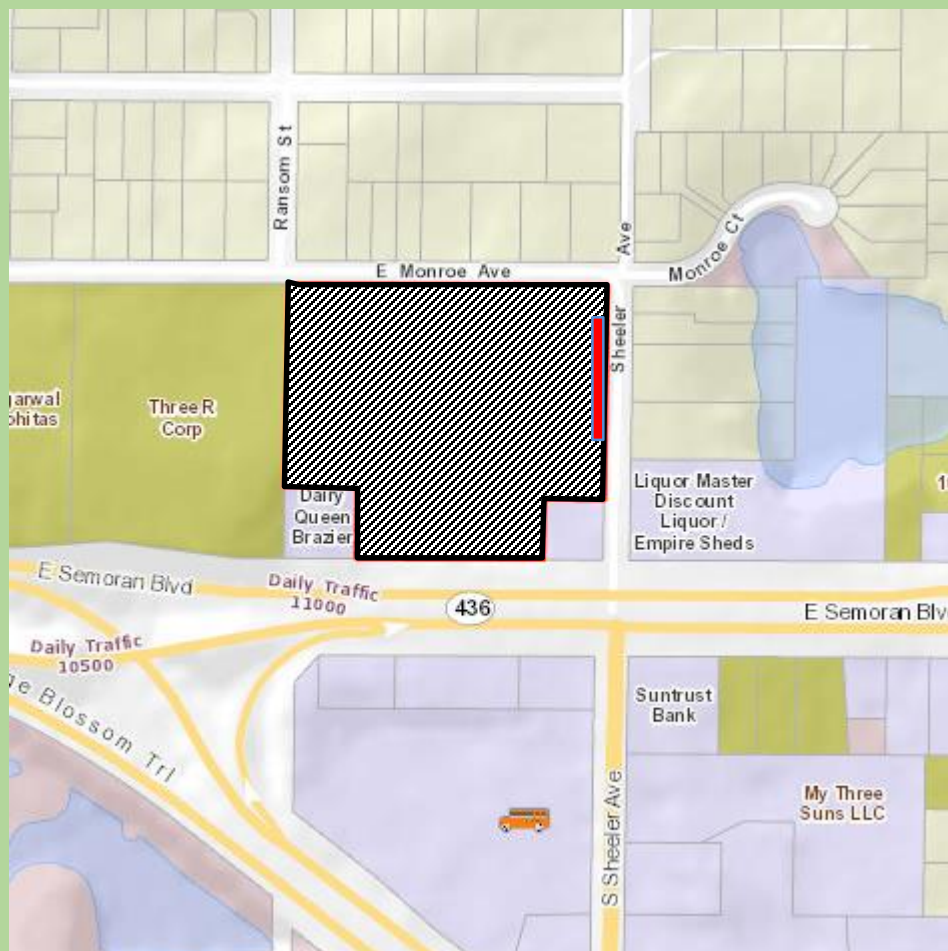
The **Development Review Committee** recommends approval of the request to vacate a portion of the existing utility easement as described in the legal description.

Accept the First Reading of Ordinance No. 2505 and Hold it Over for Second Reading and Adoption on July 20, 2016.

Note: This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

Festival Properties, Inc.
Proposed Vacate of an Existing Utility Easement
815 East Semoran Boulevard
Parcel ID: 10-21-28-0223-00-010

VICINITY MAP





LETTER OF NO OBJECTION

May 20, 2016

Mr. Brian Hill
Festival Properties, Inc.
1215 Gessner Drive
Houston, Texas 77055

SUBJECT: LETTER OF NO OBJECTION TO VACATE 114 SQUARE FEET OF A 10' WIDE UTILITY EASEMENT AT APOPKA SQUARE, 815 E. SEMORAN BLVD, APOPKA, FLORIDA; PRN 777272

Dear Mr. Hill:

Please be advised that Embarq Florida, Inc. D/B/A CenturyLink ("CenturyLink") has no objection to the proposed vacation and abandonment of that certain 114 square foot portion of a 10' wide platted utility easement located on the following described parcel and more particularly shown on the attached sketch:

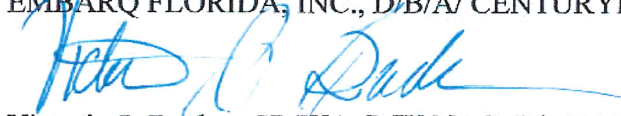
TRACT 1, APOPKA SQUARE SHOPPING CENTER, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGE 138, PUBLIC RECORDS ORANGE COUNTY, FLORIDA; AND HAVING AN ORANGE COUNTY FLORIDA PARCEL IDENTIFICATION NUMBER OF 10-21-28-0223-00-010.

The purpose of the vacation is to allow a building to encroach into the utility easement.

Should there be any questions or concerns, please contact me at 407-814-5318 or by email at Victoria.bucher@centurylink.com.

Sincerely,

EMBARQ FLORIDA, INC., D/B/A/ CENTURYLINK


Victoria S. Bucher, SR/WA, R/W-NAC, R/W-NAC
Network Real Estate

C: D. Brynes, CenturyLink

33 North Main Street
Winter Garden, FL 34787
Tel: 407-814-5318
Victoria.bucher@centurylink.com
www.centurylink.com

bright house
NETWORKS





February 5, 2016

Mr. Rogers Beckett
Special Projects Coordinator
City of Apopka
120 East Main Street
Apopka, FL 32704

RE: Vacation of easement
Apopka Square Shopping Center
815 E Semoran Blvd

Dear Mr. Becket:

As requested by Mr. Brian Hill for the property owner, we have reviewed the request for encroachment and/or vacation of the utility easement on the above-referenced property. The Gas District has a buried pipeline along the east side of Sheeler Road at this location but no facilities on the highlighted easement as shown on the attached drawing. Therefore, we have no objection to the proposed vacation of the easement.

Please feel free to contact us if we can be of further assistance.

Sincerely,

LAKE APOPKA NATURAL GAS DISTRICT

A handwritten signature in black ink, appearing to read "R. W. Gullett", with a stylized flourish at the end.

Richard W. Gullett
Senior Gas Systems Engineer

ORDINANCE NO. 2505

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF A UTILITY EASEMENT LOCATED AT 815 EAST SEMORAN BOULEVARD; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to provisions of Florida Statutes, Section 336.10, a Petition has been filed by Festival Properties, LLC to vacate, abandon, discontinue, renounce and disclaim a portion of an existing utility easement located at 815 East Semoran Boulevard, as shown in Exhibit "A"; and

WHEREAS, Century Link (f/k/a Embarq), Bright House Network (f/k/a Time Warner Cable), Duke Energy (f/k/a Progress Energy), and Lake Apopka Natural Gas District have no objection to the abandonment of a portion of the existing utility easement; and

WHEREAS, the City Council has determined that under the proposed circumstances there exists no public need for this existing easement; and

WHEREAS, after public notice in accordance with Florida Statute 336.10, the City Council has determined that it is not contrary to public interest to vacate and abandon said existing easement.

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

Section 1. That the following lands, and graphically depicted by the attached Exhibit "A," shall be officially closed, discontinued, and vacated:

Legal Description:

A Portion Of Tract 1, Apopka Square Shopping Center, Recorded In Plat 25, Page 138, Public Records Of Orange County, Florida, Being More Particularly Described As Follows:

Commence At The Northeast Of Tract 1, Apopka Square Shopping Center, Recorded In Plat Book 25, Page 138, Public Records Of Orange County, Florida; Thence Run S00°39'14"W, Along The East Line Of Said Tract 1, A Distance Of 160.06 Feet; Thence Departing Said Line Run N89°20'46"W, 8.79 Feet For The Point If Beginning; Thence Run N89°43'33", 1.21 Feet; Thence Run S00°39'14"W, 73.28 Feet; Thence Run S89°52'55"E, 1.89 Feet; Thence Run N00°07'05"E, 73.27 Feet To The Point Of Beginning. Parcel I.D. No: 10-21-28-0223-00-010

Containing: 114 Square Feet, More Or Less

Section II. NOTICE. That notice of the adoption of this Ordinance be published and the Ordinance be filed with the Clerk of the Circuit Court of Orange County, Florida, and duly recorded among the Public Records of Orange County, Florida.

ORDINANCE NO. 2505

PAGE 2

Section III. SEVERABILITY. That if any section or portion of a section or subsection 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 portion of section or subsection or part of this Ordinance.

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

Section V. EFFECTIVE DATE. That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: July 6, 2016

READ SECOND TIME
AND ADOPTED: July 20, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk

APPROVED AS TO FORM:

Cliff Sheppard, Esq., City Attorney

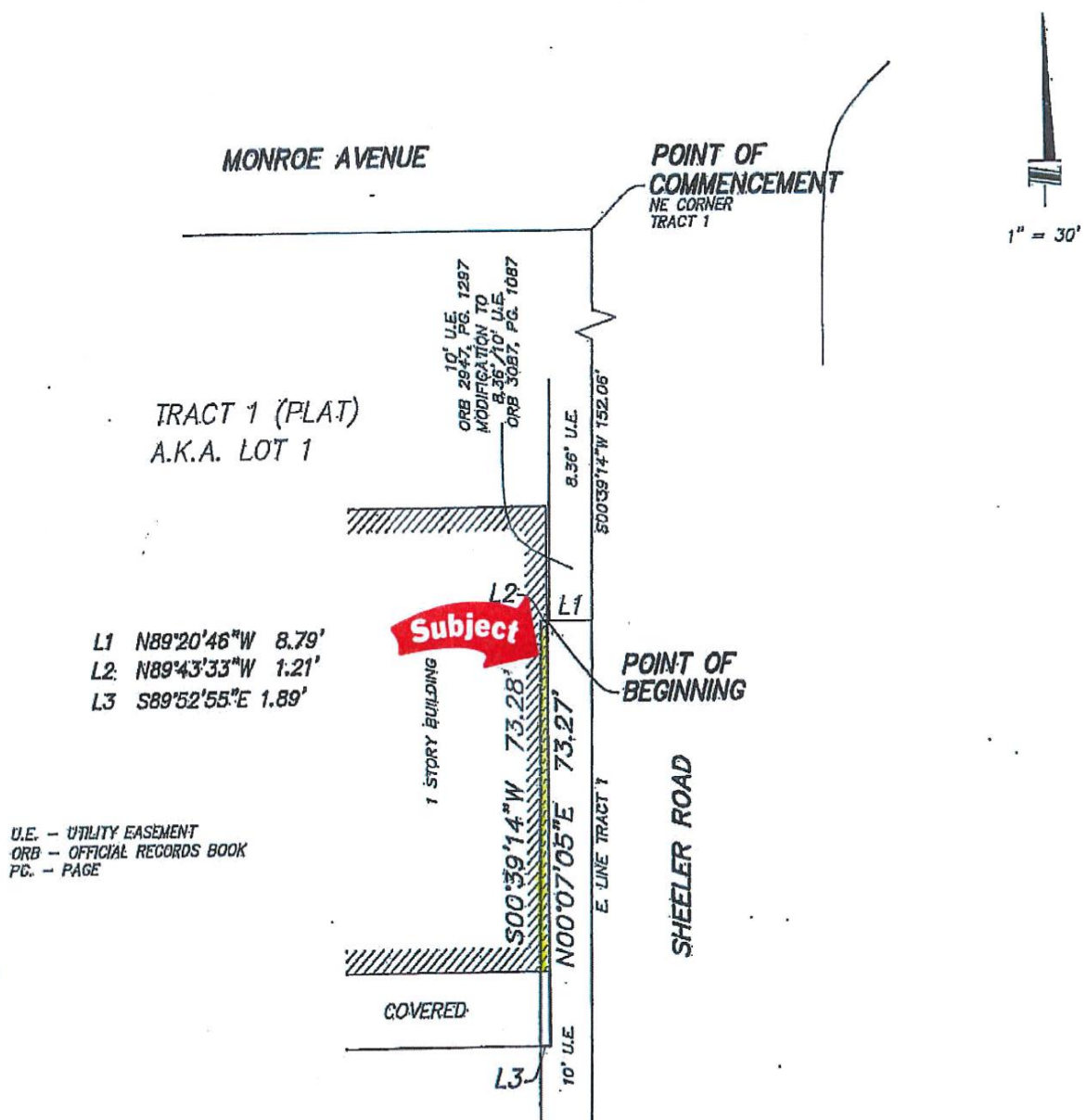
DULY ADVERTISED FOR PUBLIC HEARING: June 17, 2016
July 8, 2016

ORDINANCE NO. 2505
EXHIBIT "A"

SKETCH AND DESCRIPTION
(THIS IS NOT A SURVEY)
PORTION OF BUILDING IN UTILITY EASEMENT

EXHIBIT "A"

PORTION OF BUILDING IN UTILITY EASEMENT



SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

PORTION OF BUILDING IN UTILITY EASEMENT

LEGAL DESCRIPTION:

A PORTION OF TRACT 1, APOPKA SQUARE SHOPPING CENTER, RECORDED IN PLAT 25, PAGE 138, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST OF TRACT 1, APOPKA SQUARE SHOPPING CENTER, RECORDED IN PLAT BOOK 25, PAGE 138, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S00°39'14"W, ALONG THE EAST LINE OF SAID TRACT 1, A DISTANCE OF 152.06 FEET; THENCE DEPARTING SAID LINE RUN N89°20'46"W, 8.79 FEET FOR THE POINT OF BEGINNING; THENCE RUN N89°43'33"W, 1.21 FEET; THENCE RUN S00°39'14"W, 73.28 FEET; THENCE RUN S89°52'55"E, 1.89 FEET; THENCE RUN N00°07'05"E, 73.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 114 SQUARE FEET, MORE OR LESS.

SURVEYORS NOTES:

- 1) SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 2) THE BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF TRACT 1 BEING S 00°39'14" W PER RECORD PLAT.
- 3) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, OWNERSHIP OR OTHER MATTERS OF RECORD.

SEE SHEET 2 FOR SKETCH

PROJECT: 15065

10/07/2015
SHEET 1 OF 2

PREPARED BY:

I CERTIFY THAT THIS MEETS OR EXCEEDS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472, FLORIDA STATUTES.

DAVID M. McDERMOTT

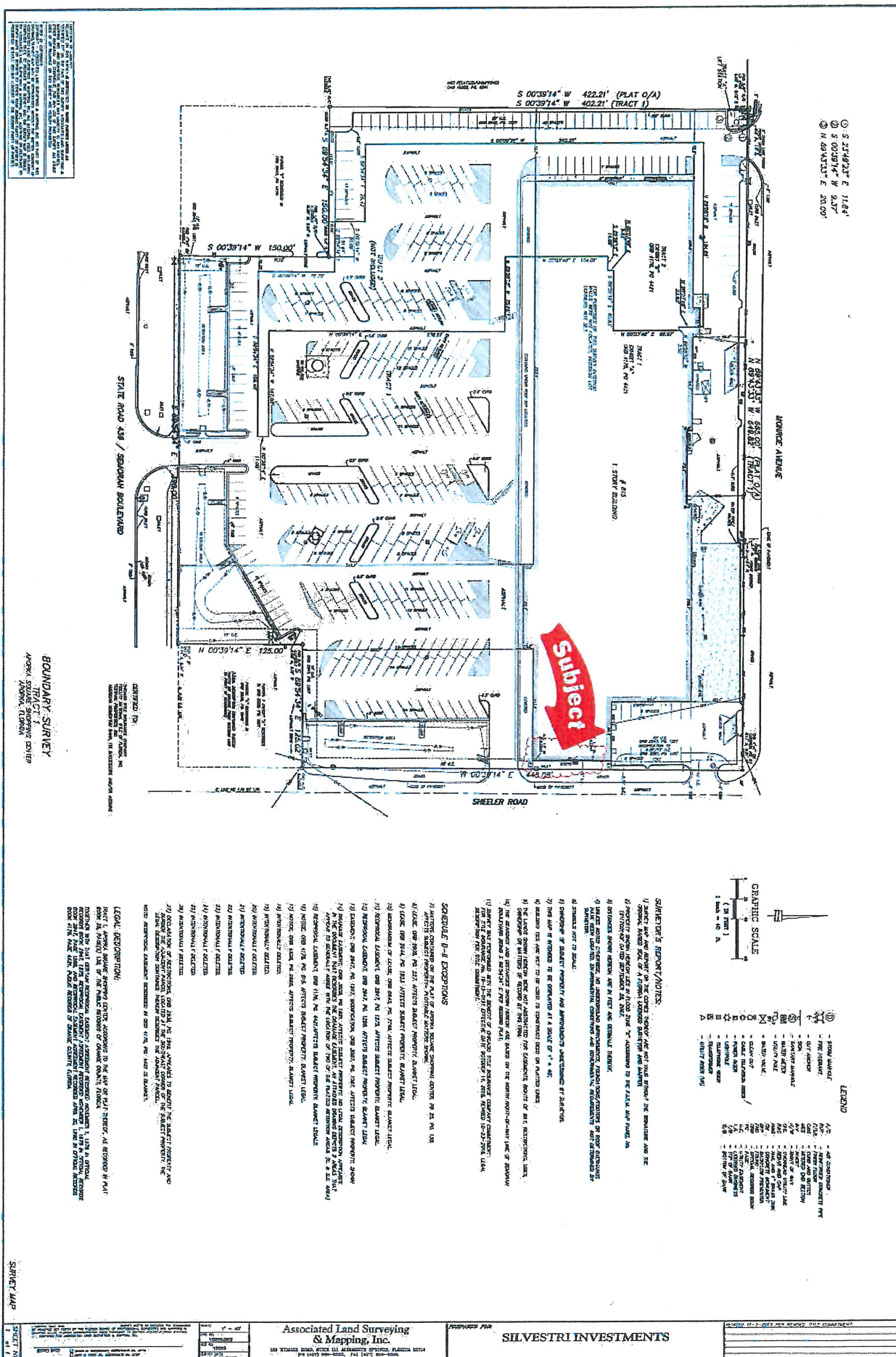
FLORIDA REGISTERED SURVEYOR AND MAPPER CERTIFICATE No. 4779

**Associated Land Surveying
& Mapping, Inc.**

101 WYMORE ROAD, SUITE 111, ALTAMONTE SPRINGS, FLORIDA 327
PH (407) 869-5002, FAX (407) 869-8393

CERTIFICATE OF AUTHORIZATION # LB 6767

324

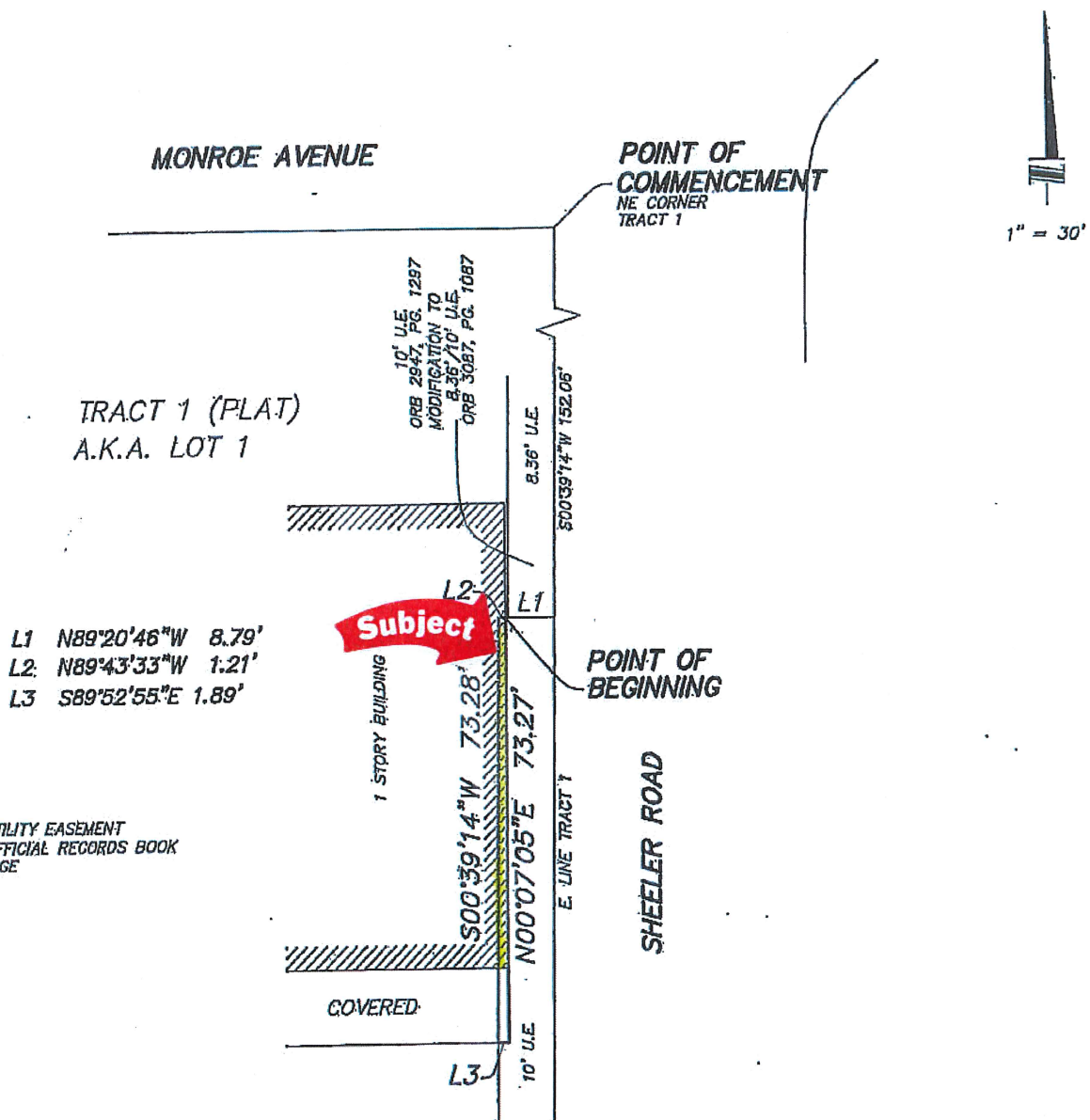


SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

PORTION OF BUILDING IN UTILITY EASEMENT

EXHIBIT "A"



U.E. - UTILITY EASEMENT
ORB - OFFICIAL RECORDS BOOK
PG. - PAGE

Backup material for agenda item:

6. Ordinance No. 2506 – First Reading – Change of Zoning - Quasi-Judicial
David Moon



MEETING OF: July 6, 2016
FROM: Community Development
EXHIBITS: A: Zoning Report
B: Vicinity Map
C: Adjacent Zoning Map
D: Adjacent Use Map
E: Opposition Letter
F: Ordinance No. 2506
G: Amended Master Site Plan/PDP
H: Development Standards
I: Adopted PUD Zoning Ordinance

REQUEST: FIRST READING – ORDINANCE NO. 2506 – AMENDMENT TO THE SANDPIPER PLANNED UNIT DEVELOPMNET ZONING AND MASTER PLAN\PRELIMINARY DEVELOPMENT PLAN AND MASTER PLAN\PRELIMINARY DEVELOPMENT PLAN; AND HOLD OVER FOR SECOND READING & ADOPTION ON JULY 20, 2016. (PARCEL ID NUMBERS: 02-21-28-0000-00-106, 02-21-28-0000-00-131, 03-21-28-0000-00-015, 03-21-28-0000-00-022, 03-21-28-0000-00-023, 03-21-28-0000-00-046, 03-21-28-0000-00-047, 03-21-28-0000-00-072, 03-21-28-0000-00-073, AND 03-21-28-0000-00-119)

OWNER/APPLICANT:	Florida Land Trust #111, c/o ZDA at Sandpiper, LLC, Trustee		
LOCATION:	South of Sandpiper Street, west of North Thompson Road, east of Ustler Road		
EXISTING USE:	Vacant		
CURRENT ZONING:	Planned Unit Development		
PROPOSED DEVELOPMENT:	Amendment to the PUD and Master Plan\ Preliminary Development Plan for a 49 single family residential community. No change to the number of single family lots.		
FUTURE LAND USE DESIGNATION:	“City” Residential Very Low Suburban (0- 2.0 du/ac)		
TRACT SIZE:	Combined total Acreage: 58.23 +/- Total Acres (48.4 developable acres)		
MAXIMUM ALLOWABLE DEVELOPMENT:	EXISTING:	49 Dwelling Units (as approved with existing PUD zoning ordinance; plans expired)	
	PROPOSED:	49 Dwelling Units	

N/A

Public Services Director
Recreation Director
City Clerk
Fire Chief

PROJECT DESCRIPTION: The subject property is located on the south side of Sandpiper Street, west of North Thompson Road, and east of Ustler Road. Development Standards for the Master Site Plan\ Preliminary Development Plan are provided in Exhibit “F”. A general description of the proposed residential community is provided below:

- Lots:** 49 single family lots.
- Min. Lot Area:** PUD sets the lots size ranging from 12,800 to 26,000 sq. ft. Min. lot size of 12,800 sq. ft.
- Min. Lot Width:** 75 ft.
- Min. Living Area:** 2,200 sq. ft.
- Density:** 1.01 dwelling units (du) per acre (49 du\48.4 developable acres)
- Access:** All lots access an internal road. A single entrance road connects to Sandpiper Road. No lots or new roads will connect to Ustler Road.
- Park:** A minimum area of 15,000 sq. ft. will be provided for active recreation. The park site plan will be submitted with the final development plan. Park to be located in Tract “A”.
- Buffers:**
1. Sandpiper Road. A ten foot wide landscape tract, owned by the HOA, follows the south side of Sandpiper Road from the northeast corner of the project site to the project entrance. In lieu of a wall, a six foot high hedge and canopy trees will be required. The hedge must reach a height of six-feet within two years of planting and must create a near-opaque screen. No buffer wall is proposed as is typically required for residential subdivisions abutting a public road.
 2. Eastern project line. A 30-foot wide buffer at the rear yards (eastern lot line) of Lots 13 and 14 and a minimum 20-foot wide side yard setback for Lot 12.
 3. Southern project line. A thirty foot wide conservation easement follows the rear of Lots 18 through 28 and 13, side and rear yard of Lot 14. This conservation easement is to be left in its natural vegetation and is assigned to the HOA. No pools, fences, or other accessory structures can be placed within the 30-foot wide conservation easement.
 4. Western project line. Approximately 15 acres are preserved as open space\recreation along Ustler Road.
- Lake Access:** Only owners of Lots 29 through 37 – nine lots -- are allowed access to Lake McCoy. Boat docks are allowed only for these eight lots. A maximum 15 foot wide path can be cleared across wetlands to reach the lake, subject to Water Management District approval.
- Sidewalks:** Sidewalks are provided on both sides of internal streets. Sidewalks are proposed along Sandpiper Street.

SUMMARY OF PROPOSED PUD AND MASTER PLAN\PDP AMENDMENTS:

- A. Internal roads. Western cul-de-sac moved eastward and is east of the creek.
- B. Lot layout. Lots are relocated from the end of the eastern and western cul-de-sacs to the entrance road south of Sandpiper Street. Lots along the southern project line have been sifted eastward. A few lots within the Oakwater community have a stormwater pond behind their homes in the current approved master plan but have a residential lots behind them in the amended Master Plan.
- C. Stormwater System. The pond at the southeastern side of the development has been expended to accommodate updated stormwater drainage capacity needs. No stormwater ponds are located adjacent to Ustler Road.
- D. Other. Project area along Ustler Road will not be disturbed by proposed residential development. PUD zoning ordinance and its exhibits were also modified to make reference to Lot numbers consistent with the new Master Plan.

COMPREHENSIVE PLAN COMPLIANCE: The proposed amendment to the Sandpiper PUD zoning and Master Plan\Preliminary Development Plan are consistent with the City's proposed Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: Staff has notified Orange County Public Schools (OCPS) of the proposed Zoning Map Amendment. Prior to City approval of a final development plan application, the applicant must obtain a school capacity enhancement or mitigation agreement from OCPS. Affected Schools: Dream Lake ES, Apopka MS, Apopka HS.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County before any public hearing or advisory board. The City properly notified Orange County on August 15, 2014.

PUBLIC HEARING SCHEDULE:

June 14, 2016 – Planning Commission (5:30 pm)

July 6, 2016 – City Council (7:00 pm) - 1st Reading

July 20, 2016 – City Council (1:30 pm) - 2nd Reading

DULY ADVERTISED:

May 31, 2016 – Public Notice and Notification

July 8, 2016 – Ordinance Heading Ad

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of Amendment to the Sandpiper Road Planned Unit Development and the Master Plan\Preliminary Development Plan

The **Planning Commission**, at its meeting on June 14, 2016, found the Amendment to the Sandpiper Road Planned Unit Development Zoning and the Master Plan\Preliminary Development Plan to be consistent with the Comprehensive Plan and Land Development Code, and recommended approval (6-0).

Accept the First Reading of Ordinance No. 2506 and Hold it Over for Second Reading and Adoption on July 20, 2016.

Note: This item is considered Quasi-Judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

EXHIBIT “A”

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Res. Low Density (4 du/ac)	A-1, A-2	SF Homes
East (County)	Res. Low Density (4 du/ac)	A-1, RCE	SF Homes
South (County)	Res. Low Density (4 du/ac)	A-2, RCE, R-1AAAA	SF Homes
South (City)	Res. Very Low Suburban (0-2 du/ac)	R-1AAA	SF Homes
West (City)	Res. Very Low Suburban (0-2 du/ac)	RCE-1, R-1AAAA	SF Homes
West (County)	Res. Low Density (4 du/ac)	A-2	SF Homes

**LAND USE &
TRAFFIC COMPATIBILITY:**

The properties are located south of Sandpiper Road and west of Ustler Road. A transportation study was prepared with the adopted Sandpiper Road PUD, and the number of residential units has not increased. No additional transportation study is needed. The amendment to the PUD zoning and Master Plan/PDP changes the subdivision design and stormwater management plan, but no increase in residential units or density is proposed. The proposed development remains at a total of 49 single family homes.

**BUFFERYARD
REQUIREMENTS:**

Sandpiper Proposed PUD requirements:

- a. 30-foot wide buffer easement along the south property line as well along the east property line behind Lots 13 and 14, as set forth in the Master Plan. Easement dedicated to the HOA.
- b. 10-foot wide buffer tract with six-foot high hedge (within 2 years from planting) that creates a near-opaque screen, canopy trees, and a tri-rail fence with masonry or brick posts.

ALLOWABLE USES:

Single-family dwellings and their customary accessory structures and uses in accordance with article VII of this code. Supporting infrastructure and public facilities of less than five acres as defined in this code and in accordance with Section 2.02.01 of the LDC.

EXHIBIT “B”

Florida Land Trust #111, c/o ZDA at Sandpiper, LLC, Trustee

58.23 +/- Total Acres; 48.4 Developable Acres

Existing Zoning Maximum Allowable Development: 49 Dwelling Units

Proposed Zoning Maximum Allowable Development: up to 49 Dwelling Units

Proposed Zoning Change: Amendment to PUD zoning and Master Plan\PDP

To: “City” Planned Unit Development (PUD/R-1A)

Parcel ID #s:	02-21-28-0000-00-106	02-21-28-0000-00-131
	03-21-28-0000-00-015	03-21-28-0000-00-022
	03-21-28-0000-00-023	03-21-28-0000-00-046
	03-21-28-0000-00-047	03-21-28-0000-00-072
	03-21-28-0000-00-073	03-21-28-0000-00-119



VICINITY MAP

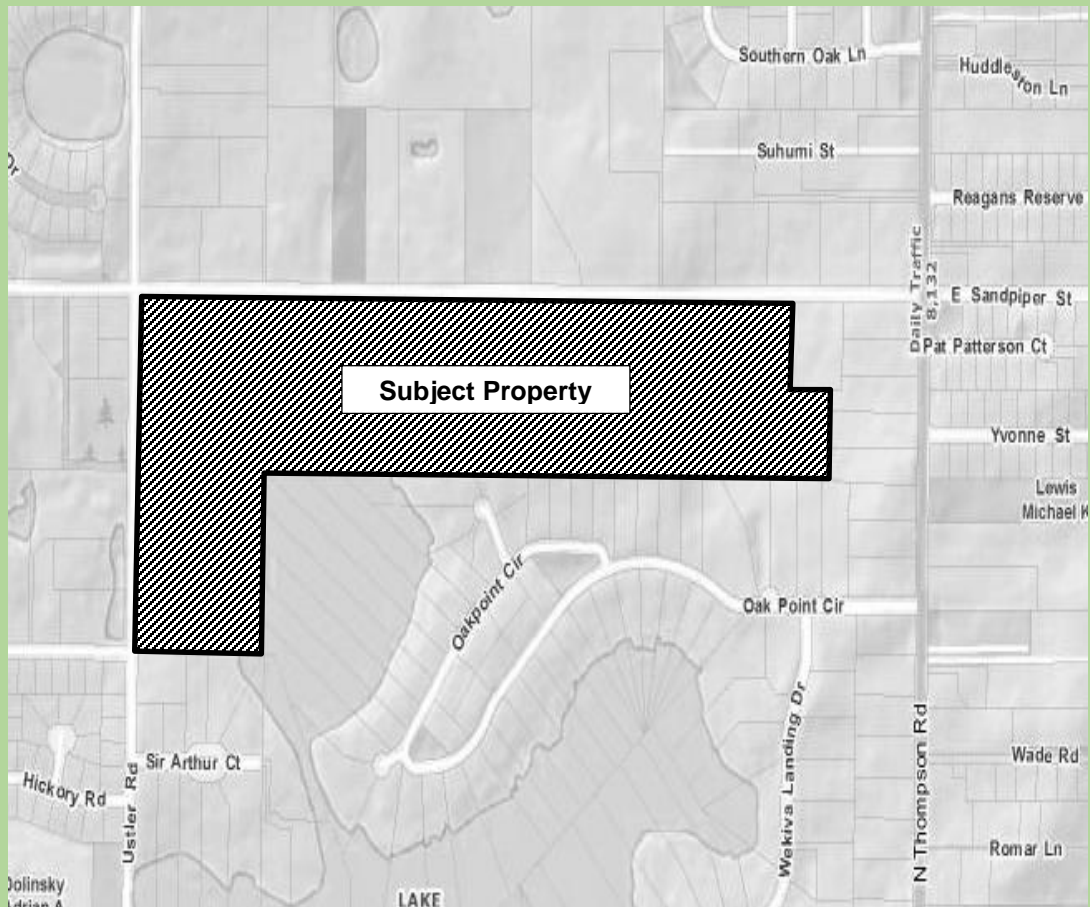
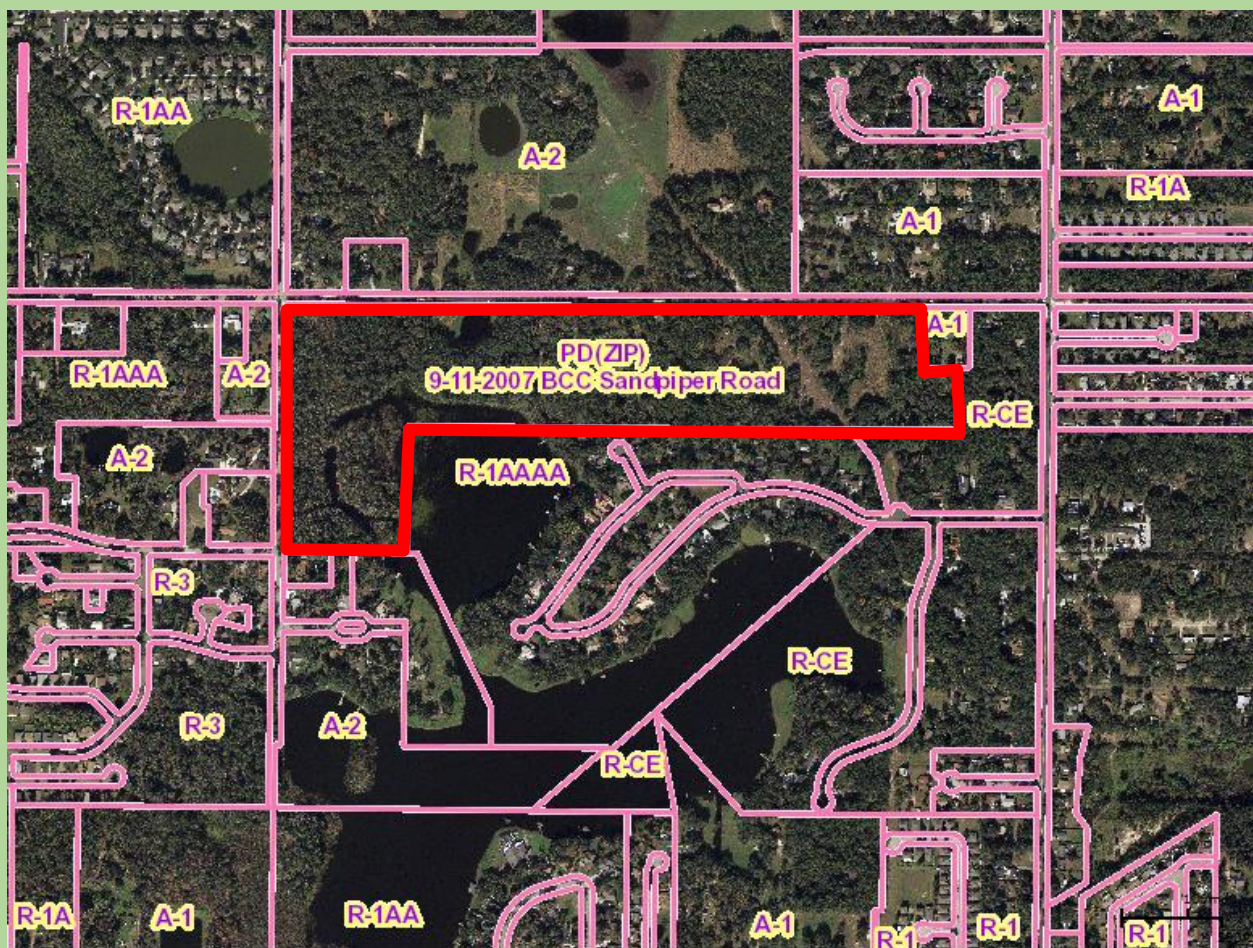


EXHIBIT “D”
ADJACENT USES



June 14, 2016

To the Apopka City Council
Apopka Planning Commission

Subject: FLORIDA LAND TRUST c/o ZDA AT SANDPIP, LLC
PLANNED UNIT DEVELOPMENT (PUD)
AMENDMENT (RESIDENTIAL)

We understand the reason for a requested amendment to last year's approved plans for the Sandpiper Street project due to natural water run-off and drainage patterns.

However, in the process of redrawing the lots, we find the reduction of the size of lots too numerous and frankly, quite **unacceptable**. We find the smaller lots far too small to make the "**average half acre**" lot size palatable. Even half acre lots do not conform to the adjacent and abutting rural residential (estates) properties. As is on record, we much prefer "minimum half acre lots."

There is also concern about the four lots facing the entrance to the project coming off Sandpiper Street. Driveways this close to traffic entering and exiting Sandpiper Street poses real danger. Unfortunately, Sandpiper Street has become a popular cut through road and drivers do not obey speed limits or the no passing double lines. These driveways may slow down the drivers entering or exiting putting them at risk and those four homeowners at the entrance at peril when using their own driveways.

Mary and Jerry Smothers
1005 E. Sandpiper St.
Apopka, FL 32712

OCPA Web Map

- Florida Turnpike
- Interstate 4
- Toll Road
- Main Roads
- Public Rights
- Guided Roads
- Road Under Construction
- Proposed Road
- Brick Road
- Rail Road
- Proposed Sunfall
- Block Line
- Lot Line
- Residential
- Agriculture
- Commercial/Institutional
- Governmental
- Misc
- Commercial/Industrial
- Vacant Land
- Agricultural
- County Boundary
- Perks
- Hospital
- Golf Course
- Lakes and Rivers
- Building



Courtesy: Rick Singh, CFA, Orange County Property Appraiser

C: 407 341 4176
mrmccall@aol.com



1.49 1.92 3.85 2.39 2.59 4.8 1.33 15.51 OUT NA

1.49 1.92 3.85 2.39 2.59 4.8 1.33 15.51 OUT NA

1.51 1.98 2.8

2.46 1.47

1.47 Av. Ac. Adjoining
2466 Sq. Ft. Av. Living

1.0 .9 1.8

- Commercial/Institutional
- Governmental
- Misc
- Commercial/Industrial
- Vacant Land
- Agricultural
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- Perks
- Hospital
- Golf Course
- Lakes and Rivers
- Building

- Proposed Road
- Brick Road
- Rail Road
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Rick Singh, CFA, Orange County Property Appraiser



1.82 1.82 1.7 1.7

1.13 1.13 1.79 1.27 1.3 1.3

.72 .69 .80 1.9 1.29 1.2 1.27

Orange County B.C.

Orange County B.C.

Orange County B.C.

ORDINANCE NO. 2506

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE SANDPIPER ROAD PLANNED UNIT DEVELOPMENT ZONING AND MASTER PLAN FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF SANDPIPER STREET, WEST OF NORTH THOMPSON ROAD, EAST OF USTLER ROAD, COMPRISING 58.23 ACRES, MORE OR LESS AND OWNED BY FLORIDA LAND TRUST #111 - ZDA AT SANDPIPER, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed Planned Unit Development (PUD/R-1A) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. That the zoning classification of the following described property be designated as Planned Unit Development (PUD/R-1A), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

- A. The uses permitted within the PUD district shall be: single family homes and associated accessory uses or structures consistent with land use and development standards established for the R-1A zoning category except where otherwise addressed in this ordinance.
- B. Development of the property shall occur consistent with the Master Site Plan set forth in Exhibit "A". Development standards applicable to the Sandpiper Master Site Plan are set forth within Exhibit "B". If a development standard or zoning regulation is not addressed within Exhibit "B", development shall comply with the R-1A zoning standards set forth in the Land Development Code. Where any development standard conflicts between the Sandpiper Master Site Plan and the Land Development Code, the Master Site Plan shall preside. Any proposed revision to the Master Site Plan shall be evaluated and processed pursuant to Section 2.02.18.N. (Master plan revision), LDC.
- C. If a Final Development Plan associated with the PUD district has not been approved by the City within two years after approval of these Master Plan provisions, the approval of the Master Site Plan\PD provisions will expire. At such time, the City Council may:
 - 1. Permit a single six-month extension for submittal of the required Final Development Plan;
 - 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Site Plan provisions and any conditions of approval; or
 - 3. Rezone the property to a more appropriate zoning classification.

Section II. That the zoning classification of the following described property, being situated in the City of Apopka, Florida, is hereby Planned Unit Development (PUD/R-1A) as defined in the Apopka Land Development Code.

Legal Description:

The Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida.

The West 275.0 feet of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof.

The West $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida, LESS, the North 330 feet of the East 200 feet of the West 220 feet thereof, AND LESS the North 30 feet thereof.

That part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida, beginning at a point South 00 degrees 02 minutes 00 seconds West, 30.0 feet and North 89 degrees 35 minutes 59 seconds East, 550.0 feet from the Northwest corner of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, run North 89 degrees 35 minutes 59 seconds East, 108.90 feet along the South line of Sandpiper Road; thence run South 00 degrees 01 minutes 08 seconds West, 312.00 feet; thence run North 89 degrees 35 minutes 59 seconds East, 193.00 feet; thence run South 00 degrees 03 minutes 49 seconds West, 320.19 feet; thence run South 89 degrees 35 minutes 00 seconds West, 301.81 feet; thence run North 00 degrees 02 minutes 00 seconds East, 632.27 feet to the POINT OF BEGINNING.

ALSO: The East 275.0 feet of the West 550.00 feet of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof for Sandpiper Road.

The Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida; less the North 30 feet thereof.

The North 330.00 feet of the West 220.00 feet of the West $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida, LESS the North 30.00 feet thereof, AND LESS the West 20.00 feet thereof.

The West 145 feet of North 643 Feet of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3-21-28 (Less R/W on North & West)

Parcel ID Nos.: 02-21-28-0000-00-106; 02-21-28-0000-00-131; 03-21-28-0000-00-015; 03-21-28-0000-00-022; 03-21-28-0000-00-023; 03-21-28-0000-00-046; 03-21-28-0000-00-047; 03-21-28-0000-00-072; 03-21-28-0000-00-073; and 03-21-28-0000-00-119

Combined Acreage 57.7 +/- Acres

Section III. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section IV. That the Community Development Director, or the Director's designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

Section V. That if any section or portion of a section or subsection 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 portion of section or subsection or part of this ordinance.

Section VI. That all ordinances or parts of ordinances in conflict herewith are hereby repealed. This ordinance rescinds replaces Ordinance Number 2386.

Section VII. That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: July 6, 2016

READ SECOND TIME
AND ADOPTED: July 20, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: May 31, 2016
 July 8, 2016

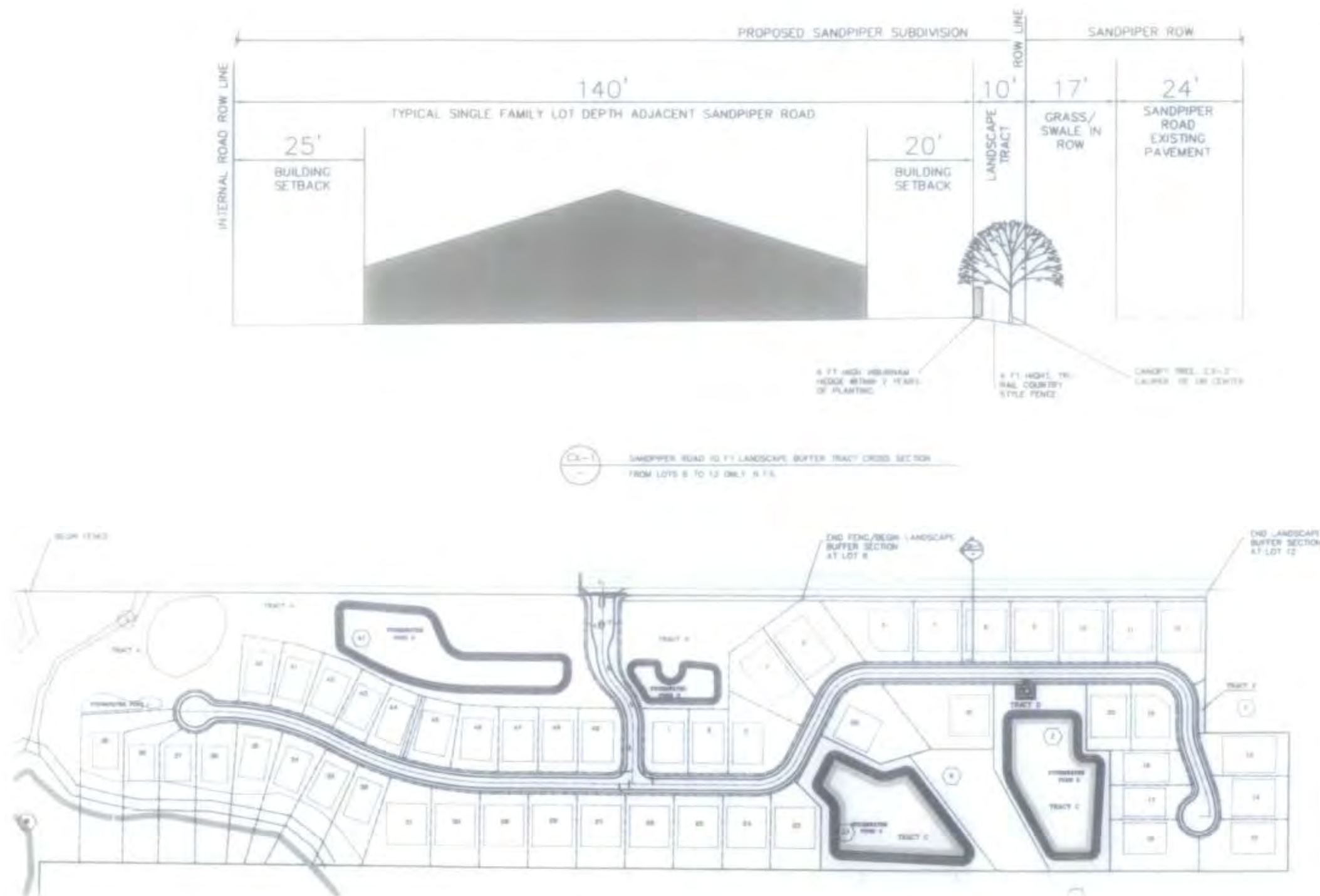


EXHIBIT "F"
Sandpiper Road Master Plan\ Preliminary Development Plan Conditions

Page 1 of 5

A. Design Standards

1. Lot Setbacks:

Front --	25'
Side --	10'
Lot 12 -	20' adjacent to east lot line
Lot 14 -	40' adjacent to south lot line
Lots 7, 8, 17 -	0' adjacent to gas line easement
Corner Lot --	25'
Rear --	
Lots 18-28, 13-14, 38-39 -	20'
Lake McCoy NHWE --	50'
Accessory Structure Rear Setback --	
Lots 18-28, 13-14, 38-39 -	35'
All other Lots --	10'
Garage Setback --	
Front Entry -	30'
Side Entry -	25'

2. The minimum lot width for lots 8 through 12 and 18 through 28 will be 110 feet at the building setback line ("BSL"). The minimum lot width for all other lots will be 85 feet at the BSL. The minimum lot depth will be 140 feet.
3. Maximum Building Height: 35'
4. Maximum number of Stories: Two; Lots 24-26 one-story only
5. Minimum Developable Lot Area: 11,500 sq. ft; 10,000 sq. ft. for lots 30 to 37 (area outside SJRWMD wetland line and its designated upland buffer.)
6. Minimum Living Area; 2,200 sq. ft. under heat and air.
7. Each house to have a two car garage (minimum).
8. Internal streets shall be privately owned by the Homeowners Association and an electronic gate system provided at the community entrance.
9. After the adoption hearing, the Master Plan shall be revised to be consistent with the adopted development standards herein, and all lots and tracts re-numbered accordingly, subject to Development Review Committee acceptance.
10. Any modification to the PUD Master Plan shall be reviewed according to Section 2.02.18.N, Land Development Code.
11. A passive park shall be dedicated to the HOA between lots 10 and 11. Lot 12 will be a minimum of 120 feet wide with a 20-foot wide eastern side yard setback.
12. On Lot 14, if courtyard/side loaded entries are constructed, the garage doors must face north.

B. Buildings and Accessory Structures

1. Home design shall meet the intent of the City's Development Design Guidelines.
2. Pools, sheds, buildings, gazebos, fences and other accessory structures are prohibited in the side yard setbacks and within the 30 foot conservation easement at the rear of lots 13-14 and 18-28.
3. Existing structures will be removed prior to platting.

EXHIBIT "F"

Sandpiper Road Master Plan\ Preliminary Development Plan Conditions

Page 2 of 5

4. At least 500 sq. ft. of driveway pavers will be installed per house or a side-loaded / courtyard entry will be provided for each house, to be decided on a house-by-house basis by the builder.

C. Utilities and Infrastructure

1. Water service shall be provided by the City of Apopka. The water system shall be designed to city standards.
2. An oversizing agreement with the City may be necessary to install the correct FM pipe size along Sandpiper Road.
3. Storm water management system shall be designed to comply with the requirements of the City of Apopka and St. Johns River Water Management District.
4. A final drainage report and soils report will be submitted with final development plans
5. Sanitary service shall be provided by the City of Apopka. The sanitary system shall be designed to city standards.
5. Utility easements to be dedicated to the City of Apopka.
6. Drainage easements to be dedicated to the home owners association unless otherwise accepted by the City of Apopka.
7. All storm water and utility pipes may be moved to save existing trees in the right-of-way. Any change in the location of these pipes will be shown on the final engineering plans.
8. On-site streets are to be constructed per City of Apopka standards.
9. A signage plan will be provided with the final development plan submittal.
10. Entrance gate shall conform to city codes. Entrance gate to be equipped with emergency access system through an opti-com type visual gate activation and yelp siren. There must also be a keypad with an emergency access code.
11. A blanket ingress/egress easement will be granted for access to the city over Road A and B.
12. All roadways, water line infrastructure and fire hydrants shall be in place before building construction may begin.
13. Street names will be provided with the final development plans
14. Solid waste collection and public safety (police and fire) provided by the City of Apopka.
15. All/any overhead utility lines must be placed underground, coordination with City's Public Service Dept.
16. The internal street right-of-way is to be private with an entrance gate;
17. A five (5) foot wide sidewalks to be constructed adjacent to internal roads throughout the entire project in compliance with the City of Apopka Land Development Code. Sidewalk alignment may be adjusted at final development plan to preserve existing trees.
18. In lieu of installation of sidewalk along Ustler Road, the owner may pay into the city sidewalk fund at the rate of \$3.50/sf for 4" thick sidewalk and \$4.25 for 6" thick sidewalk.
19. A five-foot wide sidewalk shall be constructed along Sandpiper Road from Ustler Road to the northeast corner of the project boundary.

D. Recreation, Open Space, Lake Access

1. The active park area shall be a minimum of 15,000 sq.ft. within Tract "C". A park site plan and recreation equipment shall be provided with the Final Development Plan. Design of the park shall comply with the Land Development Code.
2. Only the nine lot owners (Lots 29-37) who will have lots backing up to Lake McCoy will have access to the lake and be able to build private docks to access said lake. All eight lot

EXHIBIT "F"

Sandpiper Road Master Plan\Preliminary Development Plan Conditions

Page 3 of 5

owners will be required to join the Lake McCoy taxing district. No other docks or recreation will be allowed to have access to Lake McCoy from this development. Dock details will be evaluated with the final development plan and is to include language allowing a 15-foot wide access to the lake for each lot.

3. A Park site plan for Tract J will be provided with final development plans. Tract J shall be designated as a passive park and placed in a Tract owned and maintained by the Homeowners Association.
4. Project open space:
 - Required = 20% min. per LDC
 - Provided = 36.56% (21.29 acres.).
5. The active park site at the end of the eastern cul-de-sac and the passive park between Lots 10 and 11 shall total not less than 15,000 sq. ft. combined.

E. Buffers and Landscaping

1. A 30 foot wide conservation easement will be provided on the back of Lots 13-14 and 18-28 and the south side of Lot 14. Easement shall be dedicated to the HOA. (The 30-foot conservation easement is not a required SJRWMD easement.) No building, fence, gazebo, swimming pool, or accessory structure shall be placed within the thirty-foot conservation easement. The buffer shall remain as natural vegetated buffer. Trees that are removed shall be replaced. Any removal of trees or vegetation within the bufferyard must be approved by the HOA and the City of Apopka. Easement boundary markers will be placed at the interior of the easement line along the side lot line for all lots.
2. A ten (10) foot wide buffer tract for landscaping will be provided on the northern property line, except against lake, wetland, retention, or gas easement. This tract shall be dedicated to and maintained by the HOA. The design of this buffer shall generally follow the landscape design appearing in Exhibit "B.1". A tri-rail fence that is supported by a brick or stone post shall extend from the northeast project boundary westward to the western end of lot 38.
3. Entrance feature and community sign will be provided with final development plans.
4. Final landscape plans for the buffer area along Sandpiper Street will be provided with the final development plans.
5. Tree Planting Conditions. Minimum of two new trees shall be planted per lot, except that Lots 8 to 12 and 15 and 16 shall have a minimum of three new trees planted per lot, regardless of the number of trees saved on any lot. The new trees shall be a minimum of 2.5 inches DBH at the time of planting and shall count toward the overall number of required tree replacement inches, if any.
 - a. On Lots 8 to 13, at least two of the three new trees shall be planted in the rear yard.
 - b. On Lot 14, at least two of the three new trees shall be planted on the south side yard or within the northern ten feet of the conservation easement. Note that this tree planting area will be removed from the 30-foot wide conservation area so that these trees can be maintained, i.e., watering, fertilization, etc.
 - c. On Lots 18 through 28, at least one of the two new trees shall be planted in the rear yard or within the northern ten feet of the conservation easement. Note that if the trees are planted within the conservation area, this tree planting area will be removed from the 30-foot wide conservation area so that these trees can be maintained, i.e., watering, fertilization, etc.

EXHIBIT "F"

Sandpiper Road Master Plan\ Preliminary Development Plan Conditions

Page 4 of 5

6. A viburnum hedge will be planted south of the cul-de-sac adjacent to Lot 14 at the edge of the conservation area. The hedge shall be planted in a 100-foot wide by 5-foot deep landscape easement to be maintained by the HOA. The length of the hedge shall equal the width of the cul-de-sac, and the height of the hedge shall be at least six feet within two years of planting.
7. Tree Protection Plan.
 - a. Any individual residential lot shall not be cleared until a building permit is approved. Existing trees (6" or greater DBH) shall appear on the plot plan (i.e. foundation survey). The plot plan shall identify the location of the driveway. Location of a house and its driveway shall be oriented with a reasonable consideration for the protection of existing trees, particularly trees with a DBH of 24 inches or greater. The Community Development Director shall determine if a reasonable consideration has been made and shall take final action on the plot plan, and may deny or accept the plot plan; provided, however, the Community Development Director's determination shall only consider the location of the house and other impervious surfaces on the lot and shall not consider the type or style of the proposed house. Applicant can appeal the Community Development Director's decision to the Planning Commission.
 - b. The Final Development Plan shall include tree protection techniques to prevent harm to any trees or encroachment into protected natural areas, including but not limited to tree barricades, silt fencing or other similar techniques accepted by the city engineer.
 - c. Clearing shall be allowed for road ROW, retention ponds, community recreation area at the end of the western cul-de-sac, utility and stormwater infrastructure, off-site improvements, and areas needed to make necessary grading transitions for a safe work environment.
8. Any conservation easement or area of Tract "A" within twenty feet of Ustler Road or Sandpiper Street may be encroached upon or removed by the City, in part or whole, at its discretion to make improvements to roads, utility mains or lines, and/or stormwater systems, including expansion of the Ustler Road or Sandpiper Street right-of-way. Such open space or conservation easements shall not prevent the City or a utility provider from implementing necessary public services.

F. Maintenance and Plat

1. Homeowners association will maintain all common areas, roads, and fences/walls.
2. The final development plan shall include the plat document, and the plat shall be in final form.
3. Lots 7, 8, and 17 have access to the gas easement surface area as allowed by the recorded easement. Easement details will be provided with the final development plan.
4. The HOA shall enforce the protection of the southern conservation buffer as an undisturbed natural buffer area. If the HOA fails to enforce the buffer area, the City may require either the property owner or the HOA to take action to remedy any encroachment into the buffer area.

G. Wetlands and Environmental

1. All acreage regarding developable and conservation areas (wetlands and buffers) are considered approximate until finalized during a review by the St. Johns River Water Management District and the City of Apopka. The SJRWMD concurrency will be provided at final plan review.

EXHIBIT “F”

Sandpiper Road Master Plan\Preliminary Development Plan Conditions

Page 5 of 5

2. The jurisdictional wetland areas are to be placed in a conservation easement.
3. Any development in a special flood hazard area will require the finish floor elevation to be 20-inches above the 100 yr. Flood elevation, minimum.
4. An erosion protection plan will be submitted with final development plans.
5. The habitat inventory and management report shall be provided to the city at the final development plan stage.
6. Tree removal, tree replacement, and landscaping shall be in conformance with Article V of the City of Apopka Land Development Code.
7. Individual lot arbor/clearing permit is required prior to clearing or grading of any lot or issuance of building permit. Placement of the house shall preserve existing trees to the greatest extent practical. Plot plan for each lot shall illustrate tree locations as presented within the PUD Master Plan\Preliminary Development Plan.
8. In order to save existing trees stem walls/retaining walls may be utilized on individual lots.
9. The 25 foot wide (average)/15 foot wide minimum wetland buffer/conservation easement within Lots 29 to 37 and Tract A is to be dedicated to the SJRWMD. Lot owners may not clear any vegetation within the conservation easement on their lot except to accommodate a maximum 15 foot wide path to reach the water's edge.

H. Development Condition Continuity. The PUD Development Standards shall be printed within the PUD Master Plan and the Final Development Plan.

LEGAL DESCRIPTION

The Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 3,
Township 21 South, Range 28 East, Orange County, Florida.

The West 275.0 feet of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 2, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof.

The West 1/2 of the North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, LESS the North 330 feet of the East 200 feet of the West 220 feet thereof. And less the North 30 feet thereof.

half part of the Southwest 1/4 of the Northwest 1/4 of Section 2, Township 21 South, Range 28 East, Orange County, Florida, beginning at a point South 00°02'00" West, 30.0 feet and then North 89°35'59" East, 550.0 feet from the Northwest corner of said Southwest 1/4 of the Northwest 1/4, run North 89°35'59" East, 106.9 feet along the South line of Sandpiper Lake; thence run South 00°01'00" West, 312.0 feet; thence run North 89°35'59" East, 193.0 feet; thence run South 00°01'00" West, 320.1 feet; thence run South 89°35'59" West, 301.81 feet; thence run North 00°02'00" East, 632.27 feet to the Point of Beginning.

ALSO: The East 275.0 feet of the West 550.0 feet of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 2, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof for Sandpiper Road.

The Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida; less the North 30 feet thereof.

The North 330.00 feet of the West 220.00 feet of the West 1/2 of the North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 21 South Range 28 East, Orange County, Florida, LESS the North 30.00 feet thereof, AND, LESS the West 20.00 feet thereof.

The West 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, Less the North 30 feet thereof and LESS the West 30 feet thereof.

PARCEL ID NO.: 03-21-28-0000-00-023
 ▲ 03-21-28-0000-00-119
 03-21-28-0000-00-015
 03-21-28-0000-00-046
 03-21-28-0000-00-073
 03-21-28-0000-00-072
 03-21-28-0000-00-022
 03-21-28-0000-00-047
 02-21-28-0000-00-131
 02-21-28-0000-00-106

FLORIDA LAND TRUST #111
100 S. VIRGINIA AVE., UNIT 201
WINTER PARK, FL 32789
PH (407) 947-4225



MADDEN
MOORHEAD & STOKES, INC.
CIVIL ENGINEERS

431 E. HORATIO AVENUE, SUITE 260
MAITLAND, FLORIDA 32751
PHONE (407) 629-8330
FAX (407) 629-8336

347

FLORIDA LAND TRUST #111
100 S. VIRGINIA AVE., UNIT 201
WINTER PARK, FL 32789
PHONE: (407) XXX-XXXX

MADDEN, MOORHEAD, & STOKES, INC.
431 E HORATIO AVE., SUITE 280
MAITLAND, FLORIDA 32751
PHONE: (407) 629-8330

BIO-TECH CONSULTING
2002 E. ROBINSON STREET
ORLANDO, FL 32803
PHONE: (407) 894-5969

BENCHMARK SURVEYING &
MAPPING CONSULTANTS, INC.
555 WEST PLANT STREET
WINTER GARDEN, FLORIDA 34787
PHONE: (407) 854-6184

UNIVERSAL ENGINEERING SCIENCES
3532 MAGGIE BLVD.
ORLANDO, FLORIDA 32811
PHONE: (407) 433-0504

EMBARQ
P.O. BOX 770339
WINTER GARDEN, FL 34777-0339
PHONE: (407) 814-5386
ATTN: MIKE JERNIGAN

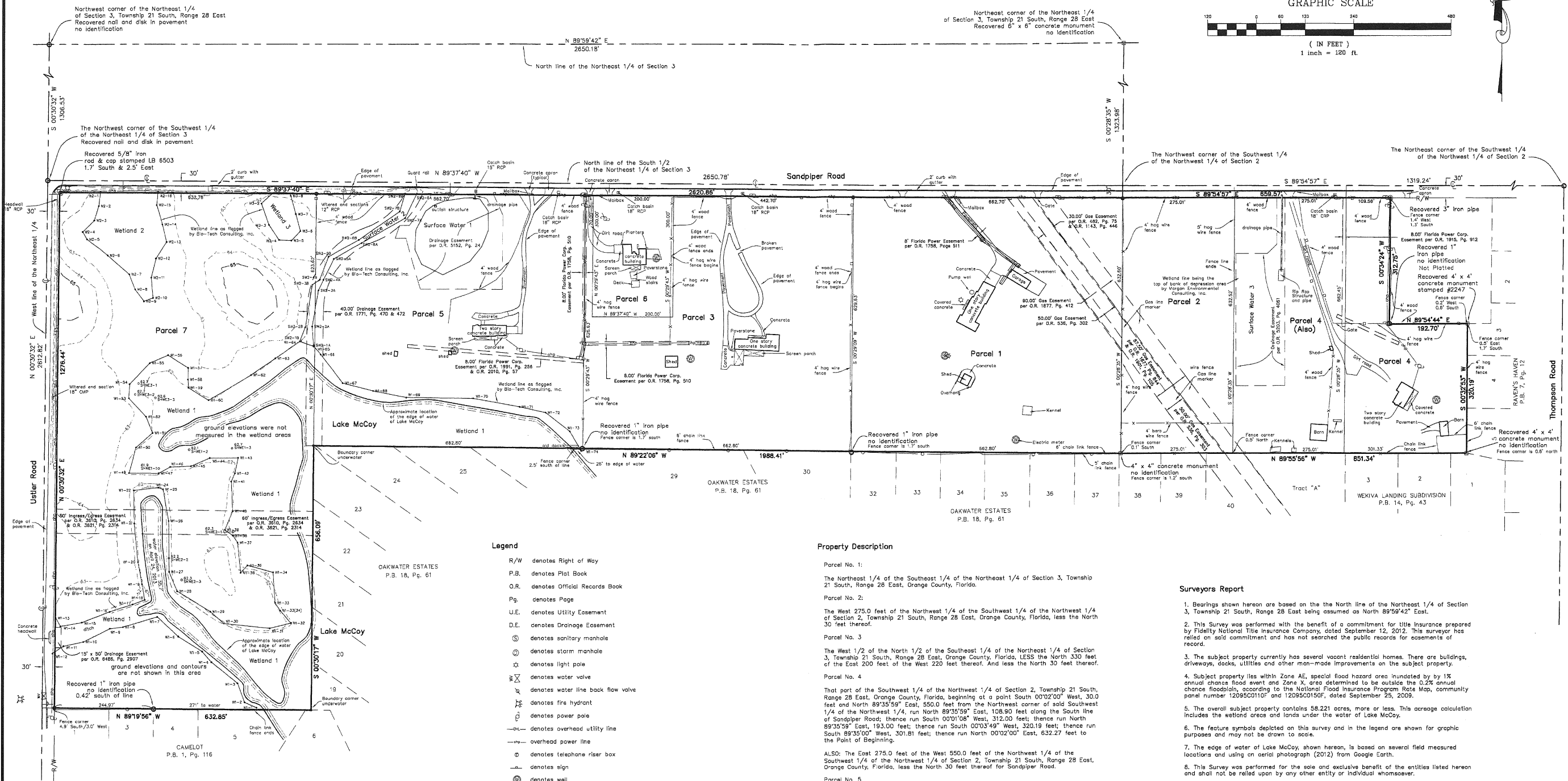
LAKE APOPKA NATURAL GAS
P.O. BOX 771275
WINTER GARDEN, FL 34777
PHONE: (407) 856-2734
ATTN: JOHN FEAZELL EXT 112

DUKE ENERGY
8407 BOGGY CREEK ROAD
ORLANDO, FL 32824
PHONE: (407) 850-2785

CITY OF APOPKA
748 E. CLEVELAND STREET
APOPKA, FL 32704
PHONE: (407) 703-1731

BRIGHT HOUSE NETWORKS
844 MAGUIRE ROAD
OCFEE, FL 34761
PHONE: (407) 532-8511
ATTN: TRACEY DOMOSTOY

Boundary Survey of a portion of
Sections 2 and 3, Township 21 South,
Range 28 East, Orange County, Florida



Wetland Area Acreage
Wetland 1 contains 7.714 acres
Wetland 2 contains 0.739 acres
Wetland 3 contains 0.174 acres
Surface Water 1 contains 0.591 acres
Surface Water 2 contains 0.179 acres
Surface Water 3 contains 0.443 acres

- Legend**
- R/W denotes Right of Way
 - P.B. denotes Plat Book
 - O.R. denotes Official Records Book
 - Pg. denotes Page
 - U.E. denotes Utility Easement
 - D.E. denotes Drainage Easement
 - Ⓢ denotes sanitary manhole
 - Ⓢ denotes storm manhole
 - ☆ denotes light pole
 - ⊗ denotes water valve
 - ⊗ denotes water line back flow valve
 - ⊗ denotes fire hydrant
 - ⊗ denotes power pole
 - denotes overhead utility line
 - denotes overhead power line
 - ⊗ denotes telephone riser box
 - ⊗ denotes sign
 - ⊗ denotes well
 - ⊗ denotes guy wire anchor
 - denotes steel 5/8" iron rod & cap stamped "PSM 5205", unless otherwise noted
 - denotes recovered 1/2" iron rod with no identification
 - denotes wetland flag and number, as marked by others
 - CMP denotes corrugated metal drainage pipe
 - RCP denotes reinforced concrete drainage pipe
 - SHWE denotes seasonal high water elevation
 - denotes contour line and elevation

Property Description

Parcel No. 1:
The Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida.

Parcel No. 2:
The West 275.0 feet of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 2, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof.

Parcel No. 3:
The West 1/2 of the North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, LESS the North 330 feet of the East 200 feet of the West 220 feet thereof. And less the North 30 feet thereof.

Parcel No. 4:
That part of the Southwest 1/4 of the Northeast 1/4 of Section 2, Township 21 South, Range 28 East, Orange County, Florida, beginning at a point South 00°02'00" West, 30.0 feet and North 89°35'59" East, 550.0 feet from the Northwest corner of said Southwest 1/4 of the Northeast 1/4, run North 89°35'59" East, 108.90 feet along the South line of Sandpiper Road; thence run South 00°01'08" West, 312.00 feet; thence run North 89°35'59" East, 193.00 feet; thence run South 00°03'49" West, 320.19 feet; thence run South 89°35'00" West, 301.81 feet; thence run North 00°02'00" East, 632.27 feet to the Point of Beginning.

ALSO: The East 275.0 feet of the West 550.0 feet of the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 2, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof for Sandpiper Road.

Parcel No. 5:
The Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida; less the North 30 feet thereof.

Parcel No. 6:
The North 330.00 feet of the West 220.00 feet of the West 1/2 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, LESS the North 30.00 feet thereof, AND LESS the West 20.00 feet thereof.

Parcel 7:
The West 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, Less the North 30 feet thereof, and LESS the West 30 feet thereof.

Surveyors Report

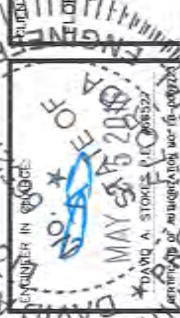
1. Bearings shown hereon are based on the North line of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East being assumed as North 89°59'42" East.
2. This Survey was performed with the benefit of a commitment for title insurance prepared by Fidelity National Title Insurance Company, dated September 12, 2012. This surveyor has relied on said commitment and has not searched the public records for easements of record.
3. The subject property currently has several vacant residential homes. There are buildings, driveways, docks, utilities and other man-made improvements on the subject property.
4. Subject property lies within Zone AE, special flood hazard area inundated by by 1% annual chance flood event and Zone X, area determined to be outside the 0.2% annual chance floodplain, according to the National Flood Insurance Program Rate Map, community panel number 12095C0110F and 12095C0150F, dated September 25, 2009.
5. The overall subject property contains 58.221 acres, more or less. This acreage calculation includes the wetland areas and lands under the water of Lake McCoy.
6. The feature symbols depicted on this survey and in the legend are shown for graphic purposes and may not be drawn to scale.
7. The edge of water of Lake McCoy, shown hereon, is based on several field measured locations and using an aerial photograph (2012) from Google Earth.
8. This Survey was performed for the sole and exclusive benefit of the entities listed hereon and shall not be relied upon by any other entity or individual whomsoever.
9. This Survey was performed for the sole and exclusive benefit of the entities listed hereon and shall not be relied upon by any other entity or individual whomsoever.
10. This survey meets the Minimum Technical Standards set forth in Florida Administrative Code Rule 5J-17, pursuant to Florida Statute Chapter 472.
11. This Survey is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper.
12. Elevations, shown hereon, are based on Orange County Vertical Datum relative to the National Geodetic Vertical Datum of 1929. The vertical control points used for this survey are county designation numbers R-296-002 and S-909-006. See topographic survey prepared by this firm for additional topographic information.
13. The seasonal high water elevations (SHWE), shown hereon, are elevation of nails set in trees by a representative of Blo-Tech Consulting, Inc.

Project Number	Scale
4/24/13 add elevation contours and SHWE on Parcel 7	1" = 120'
1/15/13 Update Survey	
12/27/05 wetland area calculations and dimensions	
10/10/05 additional wetland line along southwest side	
Revision	Date
3/15/03 update	
August 2, 2005	
Original Field Date	Field Book/Pages
49/35	



PRELIMINARY DEVELOPMENT PLAN
FOR
SANDPIPER ROAD
APOPKA, FLORIDA

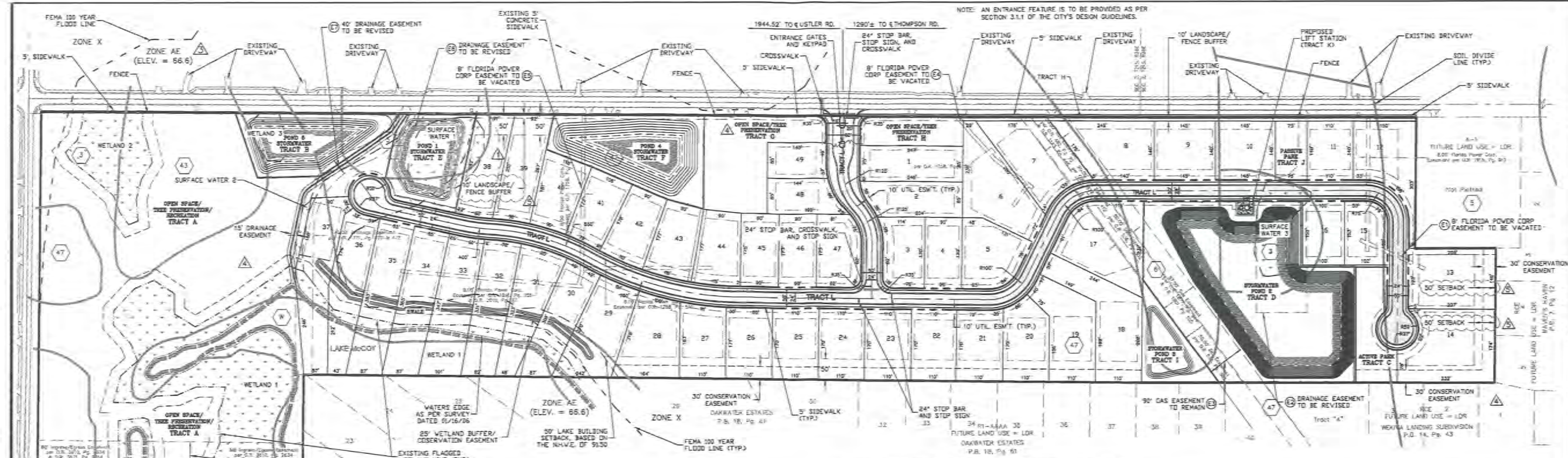
FLORIDA LAND TRUST #111
110 S. VIRGINIA AVE., UNIT 300
WINTER PARK, FL 32789
407-947-4225



DATE	REVISIONS
2/20/15	1. REVISED PER CITY COMMENTS
2/20/15	2. REVISED PER CITY COMMENTS
2/20/15	3. REVISED PER CITY COMMENTS
2/20/15	4. REVISED PER CITY COMMENTS
2/20/15	5. REVISED PER CITY COMMENTS

JOB # 12059
DATE 2/20/15
SCALE: 1" = 120'
DESIGNED BY: DAS
DRAWN BY: TRF
APPROVED BY: DAS

PDP



SANDPIPER MASTER SITE PLAN DEVELOPMENT STANDARDS

- A. Design Standards**
1. Lot Subdivisions:
 - a. Front - 25'
 - b. Side - 10'
 - c. Lot 12 - 20' adjacent to east lot line
 - d. Lot 14 - 40' adjacent to south lot line
 - e. Lots 7, 8, 17 - 0' adjacent to gas line easement
 - f. Corner Lot - 25'
 - g. Rear - 50'
 - h. Lots 18-28, 13-14, 38-39 - 20'
 - i. Lots 1-12, 15-17, 29-37, 40-49 - 30'
 - j. Lake McCoy NINE - 35'
 - k. Accessory Structure Rear Setback - 10'
 - l. All other Lots - 30'
 - m. Front Entry - 25'
 - n. Side Entry - 25'
 2. The minimum lot width for lots 8 through 12 and 18 through 28 will be 110 feet at the building setback line (BSL). The minimum lot width for all other lots will be 85 feet at the BSL. The minimum lot depth will be 140 feet.
 3. Maximum Building Height: 35'
 4. Maximum number of stories: Two; Lots 24-28 one-story only
 5. Minimum Developable Lot Area: 11,500 sq. ft. 10,000 sq. ft. for lots 30 to 37 (area outside SRWMD wetland line and its designated upland buffer)
 6. Minimum Living Area: 2,200 sq. ft. under heat and air
 7. Each house to have a two-car garage (minimum)
 8. Internal streets shall be privately owned by the Homeowners Association and an electronic gate system provided at the community entrance
 9. After the adoption hearing, the Master Plan shall be revised to be consistent with the adopted development standards herein, and all lots and tracts re-numbered accordingly, subject to Development Review Committee acceptance
 10. Any modification to the PUD Master Plan shall be reviewed according to Section 2.02.18.N, Land Development Code
 11. A positive park shall be dedicated to the HOA between lots 10 and 11. Lot 12 will be a minimum of 120 feet wide with a 20-foot wide eastern side yard setback
 12. On Lot 14, if courtyard/side loaded entries are constructed, the garage doors must face north
- B. Buildings and Accessory Structures**
1. Home design shall meet the intent of the City's Development Design Guidelines
 2. Pools, sheds, buildings, fences and other accessory structures are prohibited in the side yard setbacks and within the 30 foot conservation easement at the rear of lots 13-14 and 18-28
 3. Existing structures will be removed prior to plotting
 4. At least 500 sq. ft. of driveway/paved area shall be provided for a house or a side-loaded / courtyard entry will be provided for each house, to be decided on a house-by-house basis by the builder
- C. Utilities and Infrastructure**
1. Water service shall be provided by the City of Apopka. The water system shall be designed to city standards
 2. An overlying agreement with the City may be necessary to install the correct FM pipe size along Sandpiper Road
 3. Storm water management system shall be designed to comply with the requirements of the City of Apopka and St. Johns River Water Management District
 4. A final drainage report and soils report will be submitted with final development plans
 5. Sanitary service shall be provided by the City of Apopka. The sanitary system shall be designed to city standards
 6. Utility easements to be dedicated to the City of Apopka
 7. Drainage easements to be dedicated to the Homeowners Association unless otherwise accepted by the City of Apopka
 8. On-site streets are to be constructed per City of Apopka standards
 9. A signage plan will be provided with the final development plan submitted
 10. Entrance gates shall conform to city codes. Entrance gates to be equipped with emergency access system through an opti-con type visual gate activation and yelp sign. There must also be a keypad with an emergency access code
 11. A blanket ingress/egress easement will be granted for access to the city over Roads A and B
 12. All roadways, water line infrastructure and fire hydrants shall be in place before building construction may begin
 13. Street names will be provided with the final development plans
 14. Solid waste collection and public safety (police and fire) provided by the City of Apopka
 15. All/any overhead utility lines must be placed underground, coordination with City's Public Service
 16. The internal street right-of-way is to be private with an entrance gate
 17. A five (5) foot wide sidewalks to be constructed adjacent to internal roads throughout the entire project in compliance with the City of Apopka Land Development Code. Sidewalk alignment may be adjusted at final development plan to preserve existing trees
 18. In lieu of installation of sidewalk along Utter Road, the owner may pay into the city sidewalk fund at the rate of \$3.50/lin. ft. for 4" thick sidewalk and \$4.25 for 6" thick sidewalk
 19. A five-foot wide sidewalk shall be constructed along Sandpiper Road from Utter Road to the northeast corner of the project boundary
- D. Recreation, Open Space, Lake Access**
1. The active park area shall be a minimum of 15,000 sq. ft. within Tract "C". A park site plan and recreation equipment shall be provided with the Final Development Plan. Design of the park shall comply with the Land Development Code
 2. Only the eight lot owners (Lots 30-37) who will have lots backing up to Lake McCoy will have access to the lake and be able to build docks or recreation will be allowed to have access to Lake McCoy from this development plan and is to include language
- E. Buffers and Landscaping**
1. A 30 foot wide preservation easement will be provided on the back of Lots 13-14 and 18-28 and the south side of Lot 14. Easement shall be dedicated to the HOA. (The 30-foot conservation easement is not a required SRWMD easement.) No building, fence, gazebo, swimming pool, or accessory structure shall be placed within the thirty-foot preservation easement. The buffer shall remain as natural vegetation. Trees that exist are to be maintained. Any removal of trees or vegetation within the buffer must be approved by the HOA and the City of Apopka. Easement boundary markers will be placed at the interior of the easement line along the side lot line for all lots
 2. A ten (10) foot wide buffer tract for landscaping will be provided on the northern property line, except against lake, wetland, retention, or gas easement. This tract shall be dedicated to and maintained by the HOA. The design of this buffer shall generally follow the landscape design appearing in Exhibit "B.1". A 30-foot wide buffer tract that is supported by a brick or stone post shall extend from the northeast project boundary westward to the western end of lot 35
 3. Entrance feature and community sign will be provided with final development plans
 4. Final landscape plans for the buffer area along Sandpiper Street will be provided with the final development plans
 5. Tree Planting Conditions: Minimum of two new trees shall be planted per lot, except that Lots 8 to 12 and 15 and 16 shall have a minimum of three new trees planted per lot, regardless of the number of trees saved on any lot. The new trees shall be a minimum of 2.5 inches DBH at the time of planting and shall count toward the overall number of required tree replacement inches, if any
 6. On Lot 8 to 13, at least two of the three new trees shall be planted in the rear yard
 7. On Lot 14, at least two of the three new trees shall be planted on the south side yard or within the northern ten feet of the conservation easement. Note that this tree planting area will be removed from the 30-foot wide preservation area so that these trees can be maintained. i.e., watering, fertilization, etc.
 8. On Lots 18 through 28, at least one of the two new trees shall be planted in the rear yard with the northern ten feet of the conservation easement. Note that if the trees are planted within the conservation area, this tree planting area will be removed from the 30-foot wide preservation area so that these trees can be maintained. i.e., watering, fertilization, etc.
 9. A vineyard hedge will be planted south of the cul-de-sac adjacent to Lot 14 at the edge of the conservation area. The hedge shall be planted with a 100-foot wide by 14 inches or greater to be maintained by the HOA. The length of the hedge shall equal the width of the cul-de-sac, and the height of the hedge shall be at least six feet within two years of planting
- F. Tree Protection**
1. Any individual residential lot shall not be cleared until a building permit is approved. Existing trees or greater DBH shall appear on the plot plan (i.e. foundation survey). The plot plan shall identify the location of the driveway. Location of a house and its driveway shall be oriented with a reasonable consideration for the protection of existing trees with a DBH of 14 inches or greater
 2. The Community Development Director shall determine if a reasonable consideration has been made and shall take final action on the plot plan, and may deny or accept the plot plan; provided, however, the Community Development Director's determination shall only consider the location of the house and other impervious surfaces on the lot and shall not consider the type or style of the proposed house
 3. Applicant can appeal the Community Development Director's decision to the Planning Commission
 4. The Final Development Plan shall include tree protection techniques to prevent harm to any trees or encroachment into protected natural areas, including but not limited to tree barriercs, air teasing or other similar techniques accepted by the city engineer
 5. Clearing shall be allowed for road ROW, retention ponds, community recreation area at the end of the western cul-de-sac, utility and stormwater infrastructure, off-site improvements, and areas needed to make necessary grading transitions for a safe work environment
 6. Any conservation easement or area of Tract "A" within twenty feet of Utter Road or Sandpiper Street may be encroached upon or removed by the City. In part or whole, at its discretion to make improvements to roads, utility mains or lines, and/or stormwater systems, including expansion of the Utter Road or Sandpiper Street right-of-way. Such open space or conservation easements shall not prevent the City or a utility provider from implementing necessary public services
- G. Wetlands and Environmental**
1. All acreage regarding developable and conservation areas (wetlands and buffers) are considered approximate until finalized during a review by the St. Johns River Water Management District and the City of Apopka. The SRWMD permit will be provided at final plan review
 2. The jurisdictional wetland areas are to be placed in a conservation easement
 3. Any development in a special flood hazard area will require the final floor elevation to be 25-inches above the 100 yr. Flood elevation, minimum
 4. An erosion protection plan will be submitted with final development plans
 5. The robot inventory and management report shall be provided to the city at the final development plan stage
 6. Tree removal, tree replacement, and landscaping shall be in conformance with Article V of the City of Apopka Land Development Code
 7. Individual lot arbor/clearing permit is required prior to clearing or grading of any lot or issuance of building permit. Placement of the house shall preserve existing trees to the greatest extent practical. Plot plan for each lot shall illustrate tree locations as presented within the PUD Master Plan/Preliminary Development Plan
 8. In order to save existing trees stumps/retaining walls may be utilized on individual lots
 9. The 25 foot wide (average)/15 foot wide minimum wetlands buffer/conservation easement within Lots 29 to 37 and Tract A is to be dedicated to the SRWMD. Lot owners may not clear any vegetation within the conservation easement on their lot except to accommodate a maximum 15 foot wide path to reach the water's edge
- H. Development Condition Continuity**
1. The PUD Development Standards shall be printed within the PUD Master Plan and the Final Development Plan

SITE DATA

1. SECTIONS 2 & 3, TOWNSHIP 21 SOUTH, RANGE 28 EAST
2. TOTAL GROSS SITE AREA = 58.23 ACRES (2,535,503 S.F.)
3. NET DEVELOPABLE AREA = 48.40 ACRES (2,100,000 S.F.)
4. EXISTING ZONING: PUD/R-1A
5. FUTURE LAND USE: VERY LOW DENSITY RESIDENTIAL (2 DU/AC)
6. PROPOSED ZONING: PUD
7. MAX ALLOWED DENSITY = 2 DU/ACRE
8. PROPOSED RESIDENTIAL DENSITY:
 - a. GROSS DENSITY = 49 DU/58.23 AC. = 0.84 DU/AC
 - b. NET DENSITY = 49 DU/48.40 AC. = 1.01 DU/AC
9. PROJECTED 2030 POPULATION: 49 LOTS x 0.424 = 20 STUDENTS
10. FEMA FLOOD ZONE AE ELEVATION WAS DETERMINED FROM THE FEMA FIRM PANEL AND CONVERTED TO NAVD83 TO MATCH PLAIN GRADES (NAVD83 + 1.0' = NAVD85)
11. THE PROPOSED DATE AND KEYWAY LOCATION MAY CHANGE DURING THE FINAL DEVELOPMENT PROCESS TO PROVIDE A MINIMUM OF 50' FROM THE EDGE OF THE ROAD TO THE KEY PAD

LOT AREA TABLE

LOT NO.	GROSS AREA(SF)	DEVELOPABLE AREA(SF)	LOT NO.	GROSS AREA(SF)	DEVELOPABLE AREA(SF)	LOT NO.	GROSS AREA(SF)	DEVELOPABLE AREA(SF)
1	22,890	20,950	28	22,794	21,764	35	12,790	12,227
2	28,471	26,471	29	22,079	21,079	36	28,736	28,828
3	17,240	15,320	30	20,571	19,571	37	10,766	10,628
4	15,280	14,320	31	14,705	14,705	38	12,960	12,960
5	21,581	20,581	32	14,700	14,700	39	20,386	20,386
6	8,817	8,817	33	14,700	14,700	40	18,336	18,336
7	25,000	23,000	34	14,700	14,700	41	14,912	14,912
8	27,586	25,586	35	20,700	20,700	42	27,586	27,586
9	22,202	20,202	36	28,736	28,736	43	28,699	28,699
10	23,920	21,920	37	14,700	14,700	44	24,420	24,420
11	13,400	12,400	38	25,736	25,736	45	24,750	24,750
12	15,545	14,545	39	28,736	28,736	46	28,736	28,736
13	32,058	30,058	40	24,558	24,558	47	14,079	14,079
14	16,822	16,822	41	23,286	23,286	48	24,086	24,086
15	12,420	12,420	42	22,079	22,079	49	21,324	21,324
16	15,740	15,740	43	31,180	31,180			
17	34,923	32,923	44	35,426	35,426			
				TOTAL		1,106,962		1,024,888
				PER LOT (AVG)		23,799		22,959

EASEMENT DATA

1. 8' FLORIDA POWER CORP EASEMENT TO BE VACATED S.R. 1815, PG 57
2. DRAINAGE EASEMENT TO BE REVISED S.R. 1815, PG 24
3. DRAINAGE EASEMENT TO BE REVISED S.R. 1815, PG 4081
4. 4" DRAINAGE EASEMENT TO REMAIN S.R. 1817, PG 412 & 877
5. 8" GAS EASEMENT TO REMAIN S.R. 1817, PG 412 & 877
6. 8" FLORIDA POWER CORP EASEMENT TO BE VACATED S.R. 1817, PG 412 & 877
7. 8" FLORIDA POWER CORP EASEMENT TO BE VACATED S.R. 1758, PG 511
8. 8" FLORIDA POWER CORP EASEMENT TO BE VACATED S.R. 1758, PG 512, S.R. 1811, PG 285 & S.R. 2010, PG 57
9. DRAINAGE EASEMENT TO BE REVISED S.R. 1815, PG 24
10. 4" DRAINAGE EASEMENT TO REMAIN S.R. 1771, PG 470 & 472
11. 6" INGRESS/EGRESS EASEMENT TO BE VACATED S.R. 1814, PG 2834 & S.R. 2821, PG 2214
12. 15' X 50' DRAINAGE EASEMENT TO BE REVISED S.R. 1818, PG 2907

WETLAND/SURFACE WATER TABLE

WETLAND NUMBER	AREA	SURFACE WATER AREA	AREA	TOTAL IMPACT
W-10/LAKE MCCOY	7.71 AC.	SW-1	0.29 AC.	0.29 AC.
W-2	0.73 AC.	SW-2	0.18 AC.	0.18 AC.
W-3	0.18 AC.	SW-3	0.44 AC.	0.44 AC.
SW-4	0.29 AC.	SW-4	0.29 AC.	0.29 AC.
SW-5	0.18 AC.	TOTAL	1.21 AC.	1.21 AC.
SW-6	0.44 AC.			
SW-7	0.44 AC.			
TOTAL: 8.83 AC.				

NOTE: THERE ARE TO BE UPLAND BUFFERS AVERAGING 25 FT. IN WIDTH WITH A MINIMUM WIDTH OF 15 FT. REQUIRED FOR ALL SURFACE WATERS, WETLANDS, OR CONSERVATION AREAS.

TOTAL WETLAND/SURFACE WATER AREA = 8.83 AC.
TOTAL SURFACE WATER AREA IMPACTED = 1.21 AC.
REMAINING WETLAND = 7.62 AC.

IMPERVIOUS AREA TABLE

IMPERVIOUS FEATURE	AREA
STREET	2.10 ACRES
SIDEWALK	0.40 ACRES
DRIVEWAYS/PAVING	0.40 ACRES
FLOOR AREAS (40' x 60')	2.42 ACRES
TOTAL IMPERVIOUS	10.62 ACRES (22,385 NET LAND AREA)
TOTAL IMPERVIOUS	30.62 ACRES (16,908 GROSS LAND AREA)

SOILS LEGEND

3	BASINGER FINE SAND	43	SEFFNER FINE SAND
5	CANDLER FINE SAND	45	SAVARES FINE SAND
6	CANDLER-APOPKA FINE SAND	47	THOMAS-MULLHOFFER FINE SANDS
37	ST. JOHNS FINE SAND	W	WATER

OPEN SPACE TABLE

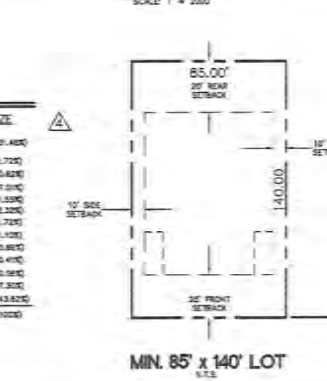
WETLANDS = 8.82 AC. (TOTAL WETLAND AREA IS 8.84 BUT ONLY 50% OF REQUIRED OPEN SPACE ALLOWED)

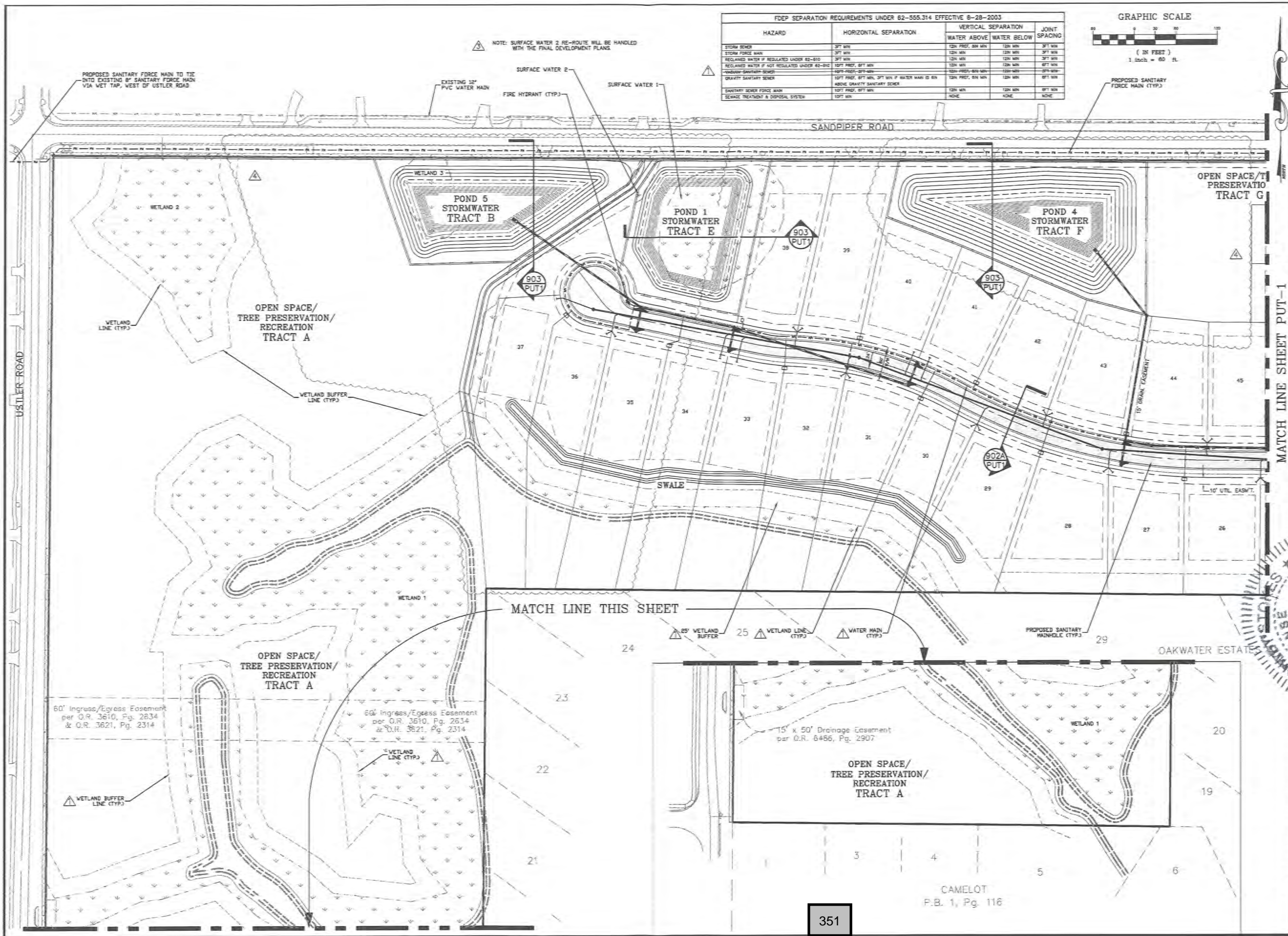
UPLAND/BUFFER AREA	AREA	AREA
UPLAND/BUFFER AREA	11.36 AC. TRACT A (UPLAND AREA ONLY)	
UPLAND/BUFFER AREA	0.48 AC. TRACT C	
UPLAND/BUFFER AREA	1.28 AC. TRACT D	
UPLAND/BUFFER AREA	0.34 AC. TRACT E	
UPLAND/BUFFER AREA	0.34 AC. TRACT F	
UPLAND/BUFFER AREA	14.47 AC. TRACT G	

TOTAL OPEN SPACE = 21.29 AC. (36.55%)

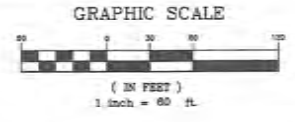
TRACT TABLE

TRACT	LAND USE	OWNERSHIP/MAINTENANCE	LOT SIZE
A	OPEN SPACE/TREE PRESERVATION/RECREATION	HOA	16.32 AC. (2,458)
B	STORMWATER POND	HOA	1.60 AC. (1,705)
C	ACTIVE PARK	HOA	0.48 AC. (0,426)
D	STORMWATER POND	HOA	4.08 AC. (7,310)
E	STORMWATER POND	HOA	0.90 AC. (1,339)
F	STORMWATER POND	HOA	1.28 AC. (2,320)
G	OPEN SPACE/TREE PRESERVATION	HOA	1.60 AC. (1,705)
H	OPEN SPACE/TREE PRESERVATION	HOA	0.90 AC. (1,339)
I	STORMWATER POND	HOA	0.32 AC. (0,810)
J	PASSIVE PARK	HOA	0.94 AC. (0,495)
K	UTILITY STATION	CITY OF APOPKA	4.20 AC. (7,300)
L	ROAD	HOA	22.42 AC. (43,820)
M	LOT		38.21 AC. (10,000)





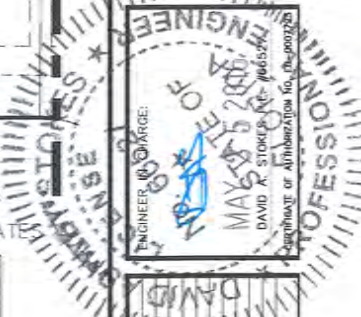
FDEP SEPARATION REQUIREMENTS UNDER 62-555.314 EFFECTIVE 8-28-2003				
HAZARD	HORIZONTAL SEPARATION	VERTICAL SEPARATION		JOINT SPACING
		WATER ABOVE	WATER BELOW	
STORM SEWER	3 FT MIN	12 IN. PREST. 30 IN. MIN	12 IN. MIN	3 FT MIN
STORM FORCE MAIN	3 FT MIN	12 IN. MIN	12 IN. MIN	3 FT MIN
REGULATED WATER IF REGULATED UNDER 62-555	3 FT MIN	12 IN. MIN	12 IN. MIN	3 FT MIN
REGULATED WATER IF NOT REGULATED UNDER 62-555	10 FT PREST. 8 FT MIN	12 IN. MIN	12 IN. MIN	8 FT MIN
UNDESIGNED SANITARY SEWER	10 FT PREST. 8 FT MIN	12 IN. PREST. 30 IN. MIN	12 IN. MIN	8 FT MIN
DESIGNED SANITARY SEWER	10 FT PREST. 8 FT MIN, 3 FT MIN IF WATER MAIN IS 6 IN	12 IN. PREST. 30 IN. MIN	12 IN. MIN	8 FT MIN
NONDE GRADUITY SANITARY SEWER	10 FT PREST. 8 FT MIN	12 IN. MIN	12 IN. MIN	8 FT MIN
SANITARY SEWER FORCE MAIN	10 FT MIN	12 IN. MIN	12 IN. MIN	8 FT MIN
SEWAGE TREATMENT & DISPOSAL SYSTEM	10 FT MIN	NONE	NONE	NONE



MADDEN
CIVIL ENGINEERS
431 E. Hioratlo Avenue
Suite 260
Maitland, Florida 32751
(407) 629-8330

**PRELIMINARY DRAINAGE AND UTILITY PLAN
FOR
SANDPIPER ROAD**
APOLKA, FLORIDA

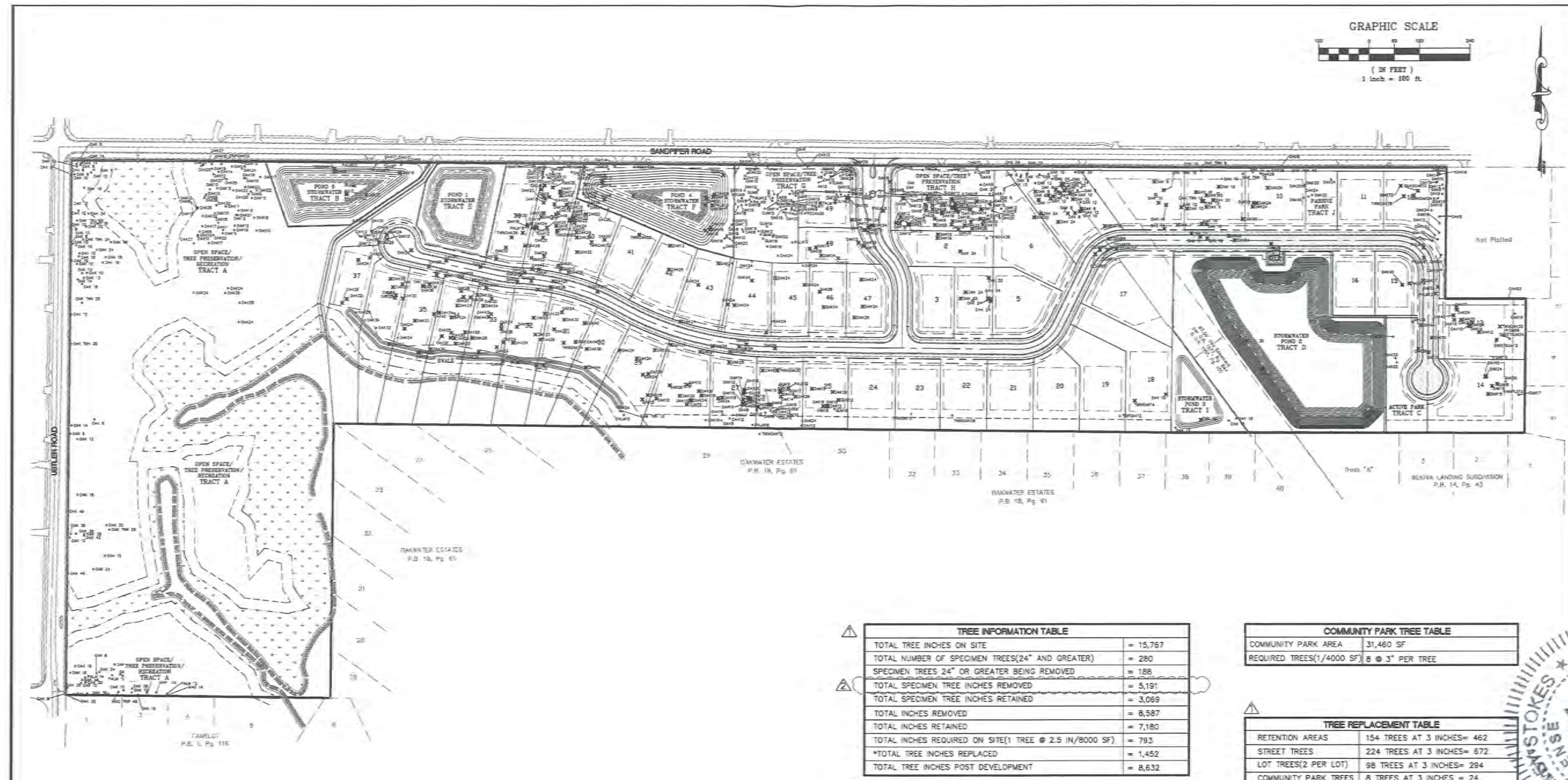
CLIENT
FLORIDA LAND TRUST #111
110 S. VIRGINIA AVE., UNIT 201
WHITE PARK, FL 32786
407-947-4220



DATE	REVISIONS
12/14/14	REVISED PER CITY OF APOKA COMMENTS
5/27/15	REVISED PER CITY OF APOKA COMMENTS
5/27/15	REVISED PER CITY OF APOKA COMMENTS
1/27/16	REVISED LAYOUT

JOB # 12059
DATE: 07/30/14
SCALE: 1" = 60'
DESIGNED BY: CHM
DRAWN BY: RHM
APPROVED BY: CHM

PUT-2



TREE INFORMATION TABLE	
TOTAL TREE INCHES ON SITE	= 15,757
TOTAL NUMBER OF SPECIMEN TREES(24" AND GREATER)	= 280
SPECIMEN TREES 24" OR GREATER BEING REMOVED	= 186
TOTAL SPECIMEN TREE INCHES REMOVED	= 5,191
TOTAL SPECIMEN TREE INCHES RETAINED	= 3,069
TOTAL INCHES REMOVED	= 8,587
TOTAL INCHES RETAINED	= 7,180
TOTAL INCHES REQUIRED ON SITE(1 TREE @ 2.5 IN/8000 SF)	= 793
*TOTAL TREE INCHES REPLACED	= 1,452
TOTAL TREE INCHES POST DEVELOPMENT	= 8,632

* FROM TREE REPLACEMENT TABLE.

COMMUNITY PARK TREE TABLE	
COMMUNITY PARK AREA	31,460 SF
REQUIRED TREES(1/4000 SF)	8 @ 3" PER TREE

TREE REPLACEMENT TABLE	
RETENTION AREAS	154 TREES AT 3 INCHES= 462
STREET TREES	224 TREES AT 3 INCHES= 672
LOT TREES(2 PER LOT)	98 TREES AT 3 INCHES= 294
COMMUNITY PARK TREES	8 TREES AT 3 INCHES = 24
TOTAL: 1,452 TREES	

TREE LEGEND

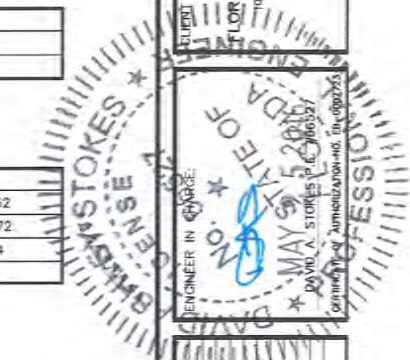
- OAK12 DENOTES OAK TREE AND SIZE (12" OAK TREE)
- TWINOAK10 DENOTES TWIN OAK TREE AND SIZE (10" TWIN OAK TREE)
- TRIPLOAK8 DENOTES TRIPLE OAK TREE AND SIZE (8" TRIPLE OAK TREE)
- MAPLE18 DENOTES MAPLE TREE AND SIZE (18" MAPLE TREE)
- CEDAR14 DENOTES CEDAR TREE AND SIZE (14" CEDAR TREE)
- GUM18 DENOTES GUM TREE AND SIZE (18" GUM TREE)
- SWEETGUM18 DENOTES SWEET GUM TREE AND SIZE (18" SWEET GUM TREE)
- PECAN18 DENOTES PECAN TREE AND SIZE (18" PECAN TREE)
- PALM10 DENOTES PALM TREE AND SIZE (10" PALM TREE)
- X DENOTES TREE TO BE REMOVED

NOTE:
TREE LOCATION PLAN IS BASED ON A TREE SURVEY
PREPARED BY BENCHMARK SURVEYING & MAPPING
CONSULTANTS, INC. DATED OCTOBER 5, 2005.
Post Office Box 771065, Winter Garden, Florida 34777-1065
557 West Plant Street, Winter Garden, Florida 34787
(407) 554-8183 Fax (407) 554-8184

MADDEN
CIVIL ENGINEERS
431 E. Horatio Avenue
Suite 260
Maitland, Florida 32751
(407) 629-8330

**TREE LOCATION PLAN
FOR
SANDPIPER ROAD**
APOPKA, FLORIDA

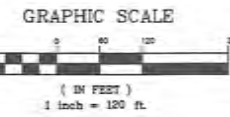
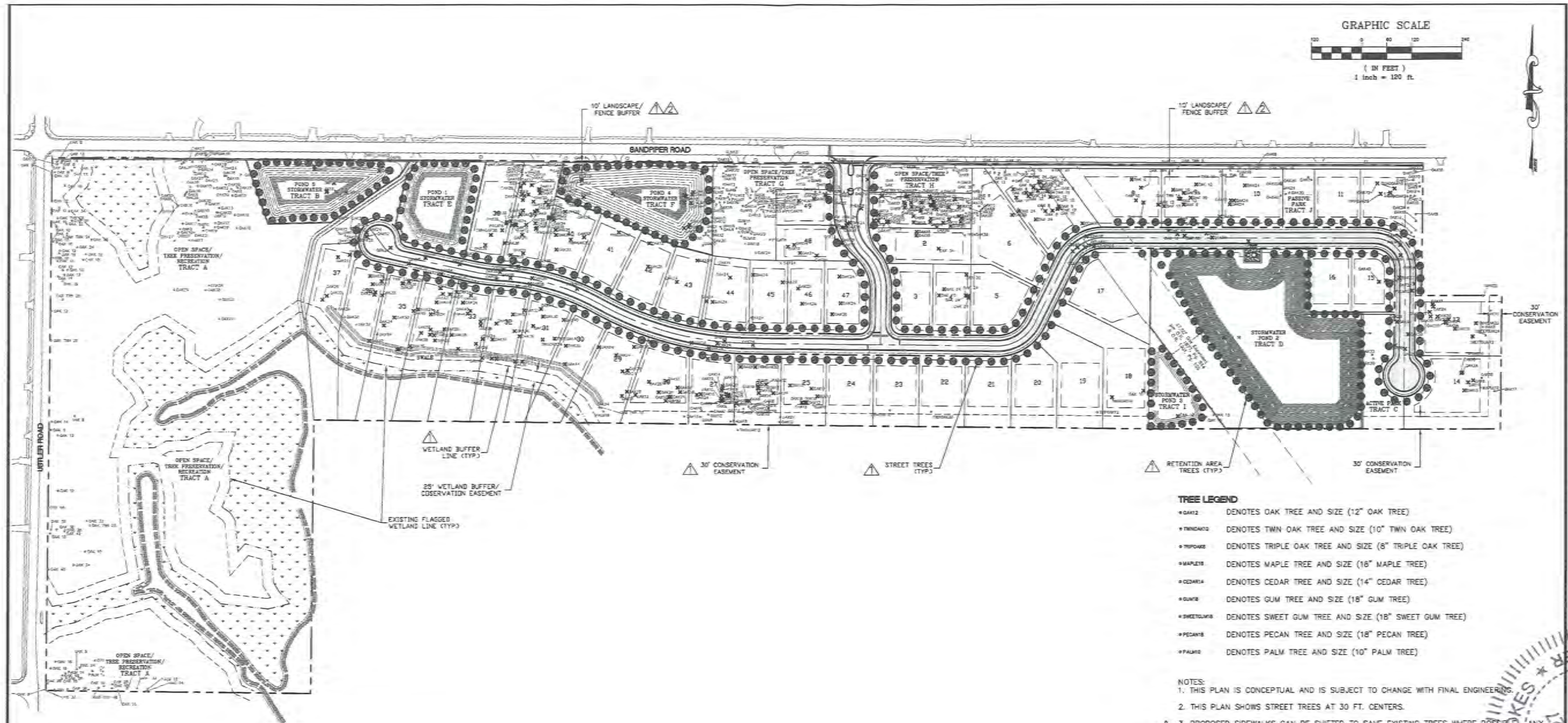
FLORIDA LAND TRUST #111
1100 S. VIRGINIA AVE., UNIT 201
WINTER PARK, FL 32789
407-947-4225



DATE	REVISIONS

JOB #	12059
DATE	2/20/15
SCALE	1"=120'
DESIGNED BY	DAS
DRAWN BY	TRF
APPROVED BY	DAS

TR-1



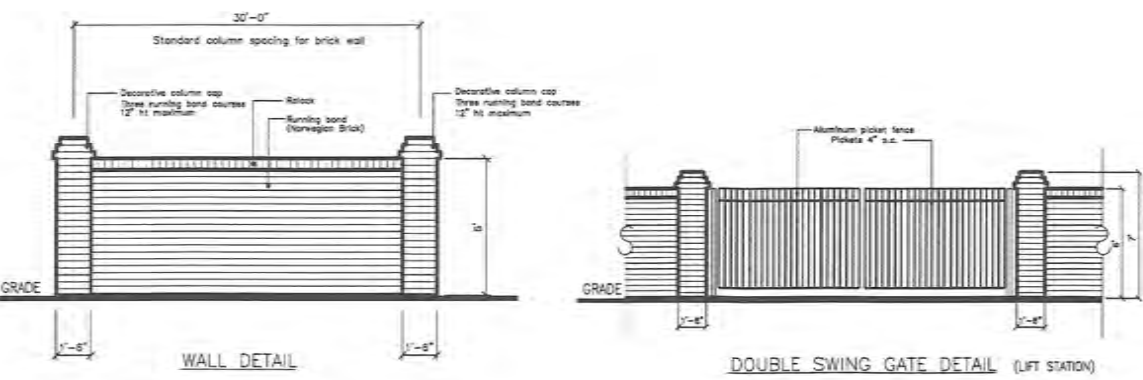
CONCEPTUAL LANDSCAPE PLAN FOR SANDPIPER ROAD

FLORIDA LAND TRUST #11
100 S. VIRGINIA AVE., UNIT 201
WINTER PARK, FL 32789
407-947-4225

- TREE LEGEND**
- 12" OAK TREE
 - 10" TWIN OAK TREE
 - 8" TRIPLE OAK TREE
 - 16" MAPLE TREE
 - 14" CEDAR TREE
 - 18" GUM TREE
 - 18" SWEET GUM TREE
 - 18" PECAN TREE
 - 10" PALM TREE

- NOTES:**
- THIS PLAN IS CONCEPTUAL AND IS SUBJECT TO CHANGE WITH FINAL ENGINEERING.
 - THIS PLAN SHOWS STREET TREES AT 30 FT. CENTERS.
 - PROPOSED SIDEWALKS CAN BE SHIFTED TO SAVE EXISTING TREES WHERE POSSIBLE. ANY CHANGES IN LOCATION WILL BE SHOWN ON FINAL DEVELOPMENT PLANS.
 - PROPOSED STREET TREES TO BE LOCATED IN 5' LANDSCAPE EASEMENT BEHIND THE UTILITY EASEMENT.
 - RETENTION POND TREES ARE SHOWN AT 25 FT. CENTERS.
 - EXISTING TREE LOCATIONS FROM SURVEY BY BENCHMARK SURVEYING & MAPPING CONSULTANTS, INC.
 - PROPOSED REPLACEMENT TREE DIAMETER SHALL BE 3" MINIMUM.
 - IRRIGATION AND LANDSCAPING WITHIN THE COMMON AREAS AND INDIVIDUAL LOTS, SHALL BE IN ACCORDANCE WITH THE CITY'S WATER-WISE ORDINANCE.
 - DETAILED LANDSCAPE AND IRRIGATION PLANS WILL BE PROVIDED WITH FINAL DEVELOPMENT PLANS.
 - AN ADDITIONAL 2 TREES PER LOT WILL BE PLANTED ALONG WITH STREET TREES AND RETENTION AREA TREES. FOR LOTS WHERE NO EXISTING TREES CAN BE PRESERVED, THREE ADDITIONAL TREES WILL BE PLANTED AT TIME OF LOT DEVELOPMENT, WHERE THEY CAN BE PRACTICALLY ACCOMMODATED.
 - MAXIMUM TREE STOCK REQUIREMENTS:
 - THE MAXIMUM TREE STOCK THE CITY MAY REQUIRE ON A PARTICULAR PROPERTY SHALL BE 30 INCHES DBH PLUS 5 INCHES DBH PER 1,000 SF, FOR REPLACEMENT OF SPECIMEN OR HISTORIC TREES.
 - THE MAXIMUM TREE STOCK THE CITY MAY REQUIRE ON A PARTICULAR PROPERTY SHALL BE 21 INCHES DBH PLUS 3.5 INCHES DBH PER 1,000 SQUARE FEET, FOR LAND CLEARING AND REPLACEMENT OF PROTECTED TREES OTHER THAN SPECIMEN OR HISTORIC TREES.
 - TREE REPLACEMENT SHALL MEET ALL REQUIREMENTS OF THE CITY OF APOKA LDC.

☼ = PROPOSED STREET TREE (LIVE OAK) IN ACCORDANCE WITH CITY CODE.
X = TREES TO BE REMOVED.



LIFT STATION WALL DETAIL

NOTE:
TREE LOCATION PLAN IS BASED ON A TREE SURVEY PREPARED BY BENCHMARK SURVEYING & MAPPING CONSULTANTS, INC., DATED OCTOBER 5, 2005.
Post Office Box 771065, Winter Garden, Florida 34777-1065
557 West Plant Street, Winter Garden, Florida 34787
(407) 854-8183 Fax (407) 854-8184

ENGINEER IN CHARGE:
DAVID A. STOKES, P.E., J.E.C.S.
APPROVED FOR SUBMITTAL TO THE CITY OF APOKA

DATE	REVISIONS
12/14/14	REVIEWED FOR CITY OF APOKA COMMENTS
12/14/14	REVIEWED FOR CITY OF APOKA COMMENTS
12/14/14	REVIEWED FOR CITY OF APOKA COMMENTS
12/14/14	REVIEWED FOR CITY OF APOKA COMMENTS

JOB # 12059
DATE 07/30/14
SCALE 1"=120'
DESIGNED BY: DAS
DRAWN BY: TRF
APPROVED BY: DAS

CLP-1

ORDINANCE NO. 2386

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" PD TO "CITY" PLANNED UNIT DEVELOPMENT (PUD/R-1A) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF SANDPIPER STREET, WEST OF NORTH THOMPSON ROAD, EAST OF USTLER ROAD, COMPRISING 58.23 ACRES, MORE OR LESS AND OWNED BY FLORIDA LAND TRUST #111 - ZDA AT SANDPIPER, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed Planned Unit Development (PUD/R-1A) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. That the zoning classification of the following described property be designated as Planned Unit Development (PUD/R-1A), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

- A. The uses permitted within the PUD district shall be: single family homes and associated accessory uses or structures consistent with land use and development standards established for the R-1A zoning category except where otherwise addressed in this ordinance.
- B. Development of the property shall occur consistent with the Master Site Plan set forth in Exhibit "A" Development standards applicable to the Exhibit "A" Sandpiper Master Site Plan are set forth within Exhibit "B". If a development standard or zoning regulation is not addressed within Exhibit "B", development shall comply with the R-1A zoning standards set forth in the Land Development Code. Where any development standard conflicts between the Sandpiper Master Site Plan and the Land Development Code, the Master Site Plan shall preside. Any proposed revision to the Master Site Plan shall be evaluated and processed pursuant to Section 2.02.18.N. (Master plan revision), LDC.
- C. If a Final Development Plan associated with the PUD district has not been approved by the City within two years after approval of these Master Plan provisions, the approval of the Master Site Plan/PDP provisions will expire. At such time, the City Council may:
 1. Permit a single six-month extension for submittal of the required Final Development Plan;
 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Site Plan provisions and any conditions of approval; or
 3. Rezone the property to a more appropriate zoning classification.
- D. The following PUD development standards shall apply to the development of the subject property:
 1. Development standards are established within the PUD/PDP Master Site Plan.
 2. Unless otherwise addressed within the PUD development standards, the R-1A zoning standards will apply to the subject property.

Section II. That the zoning classification of the following described property, being situated in the City

ORDINANCE NO. 2386

PAGE 2

of Apopka, Florida, is hereby Planned Unit Development (PUD/R-1A) as defined in the Apopka Land Development Code.

Legal Description:

The Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida.

The West 275.0 feet of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof.

The West $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida, LESS, the North 330 feet of the East 200 feet of the West 220 feet thereof, AND LESS the North 30 feet thereof.

That part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida, beginning at a point South 00 degrees 02 minutes 00 seconds West, 30.0 feet and North 89 degrees 35 minutes 59 seconds East, 550.0 feet from the Northwest corner of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, run North 89 degrees 35 minutes 59 seconds East, 108.90 feet along the South line of Sandpiper Road; thence run South 00 degrees 01 minutes 08 seconds West, 312.00 feet; thence run North 89 degrees 35 minutes 59 seconds East, 193.00 feet; thence run South 00 degrees 03 minutes 49 seconds West, 320.19 feet; thence run South 89 degrees 35 minutes 00 seconds West, 301.81 feet; thence run North 00 degrees 02 minutes 00 seconds East, 632.27 feet to the POINT OF BEGINNING.

ALSO: The East 275.0 feet of the West 550.00 feet of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof for Sandpiper Road.

The Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida; less the North 30 feet thereof.

The North 330.00 feet of the West 220.00 feet of the West $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida, LESS the North 30.00 feet thereof, AND LESS the West 20.00 feet thereof.

The West 145 feet of North 643 Feet of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3-21-28 (Less R/W on North & West)

Parcel ID Nos.: 02-21-28-0000-00-106; 02-21-28-0000-00-131; 03-21-28-0000-00-015; 03-21-28-0000-00-022; 03-21-28-0000-00-023; 03-21-28-0000-00-046; 03-21-28-0000-00-047; 03-21-28-0000-00-072; 03-21-28-0000-00-073; and 03-21-28-0000-00-119
Combined Acreage 57.7 +/- Acres

Section III. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section IV. That the Community Development Director, or the Director's designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

Section V. That if any section or portion of a section or subsection of this Ordinance proves to be

ORDINANCE NO. 2386

PAGE 3

invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or portion of section or subsection or part of this ordinance.

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

Section VII. That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: April 1, 2015

READ SECOND TIME
AND ADOPTED: April 15, 2015


Joseph E. Kilsheimer, Mayor

ATTEST:


Linda Goff, City Clerk

DULY ADVERTISED: March 20, 2015

EXHIBIT "A"



PRELIMINARY DEVELOPMENT PLAN FOR SANDPIPER ROAD

OWNER: LAND DEVELOPMENT, INC.
PROJECT: SANDPIPER ROAD
DATE: 10/1/77

DESIGNED BY: HADDEN ENGINEERING, INC.
CHECKED BY: J. J. HADDEN, P.E.
DATE: 10/1/77

APPROVED BY: [Signature]
DATE: 10/1/77

NOTED BY: [Signature]
DATE: 10/1/77

SCALE: 1" = 100' (PLAN)
1" = 20' (SECTION)

NOTES:
1. SEE EXHIBIT "B" FOR SITE PLAN.
2. SEE EXHIBIT "C" FOR SECTION.
3. SEE EXHIBIT "D" FOR DETAILS.

REVISIONS:
1. 10/1/77: PRELIMINARY DESIGN.
2. 10/1/77: REVISIONS TO EXHIBIT "B".

DATE: 10/1/77
BY: J. J. HADDEN, P.E.
CHECKED BY: [Signature]

PDP

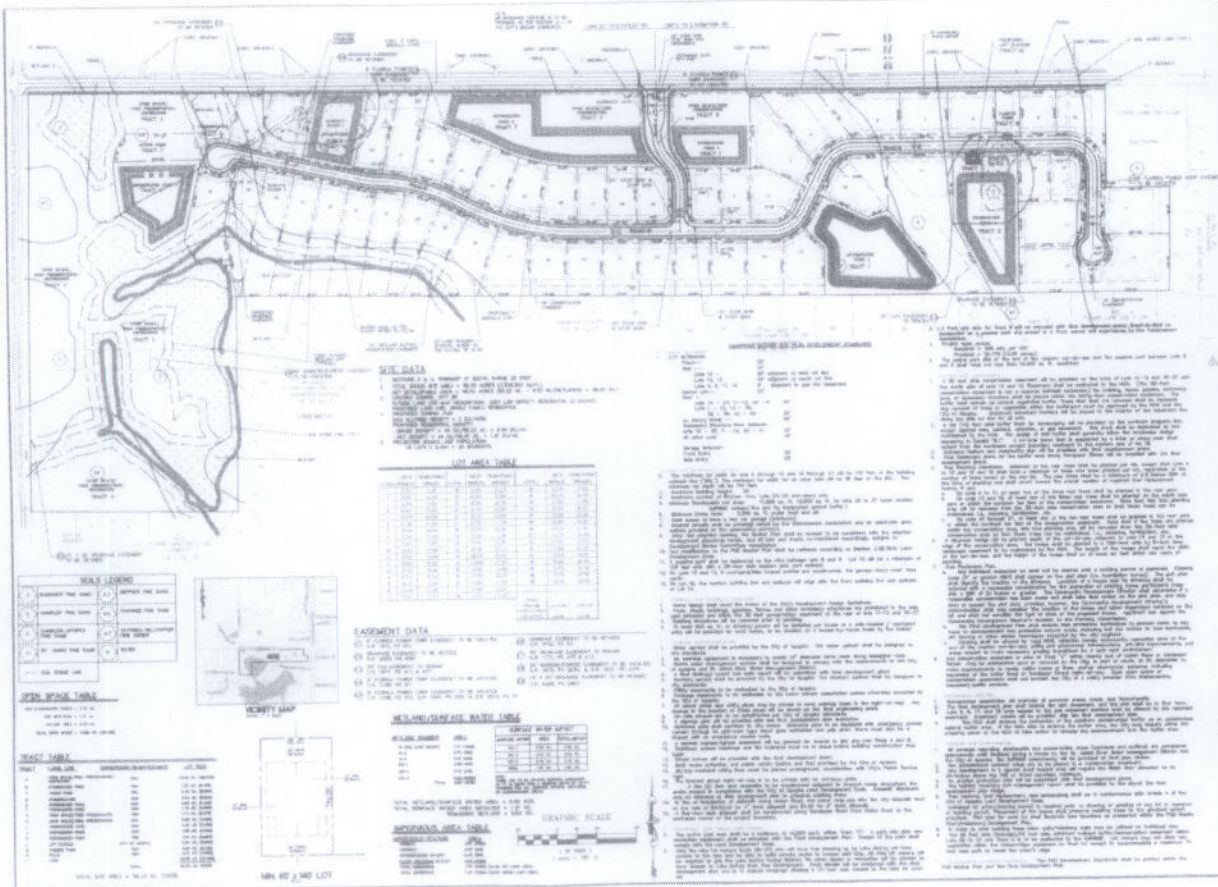


EXHIBIT "B"

SANDPIPER MASTER SITE PLAN DEVELOPMENT STANDARDS

A. Design Standards

1. LOT SETBACKS:

Front--	25'
Side --	10'
Lots 10 --	20' adjacent to east lot line
Lots 12, 13	40' adjacent to south lot line
Lots 5, 6, 17, 18	0' adjacent to gas line easement
Corner Lot--	25'
Rear --	
Lots 19 -- 27; 11-12; 40 -41	50'
Lots 1 -- 10; 13 -- 18;	
28 -- 39; 42 -- 49	20'
Lk. McCoy NHWE --	50'
Accessory Structure Rear Setback—	
Lots 19 -- 27; 11 -12; 40 - 41	35'
All other Lots	10'
Garage Setback—	
Front Entry	30'
Side Entry	25'

2. The minimum lot width for lots 6 through 10 and 19 through 27 will be 110 feet at the building setback line ("BSL"). The minimum lot width for all other lots will be 85 feet at the BSL. The minimum lot depth will be 140 feet.
3. Maximum Building Height: 35'
4. Maximum number of Stories: Two; Lots 23 – 25 one-story only
5. Minimum Developable Lot Area: 11,500 sq. ft; 10,000 sq. ft. for lots 29 to 37 (area outside SJRWMD wetland line and its designated upland buffer.)
6. Minimum Living Area: 2,200 sq. ft. under heat and air.
7. Each house to have a two car garage (minimum).
8. Internal streets shall be privately owned by the Homeowners Association and an electronic gate system provided at the community entrance.
9. After the adoption hearing, the Master Plan shall be revised to be consistent with the adopted development standards herein, and all lots and tracts re-numbered accordingly, subject to Development Review Committee acceptance.
10. Any modification to the PUD Master Plan shall be reviewed according to Section 2.02.18.N, Land Development Code.
11. A passive park shall be dedicated to the HOA between lots 8 and 9 (Tract "M"). Lot 10 will be a minimum of 120 feet wide with a 20-foot wide eastern side yard setback.
12. On Lots 12 and 13, if courtyard/side loaded entries are constructed, the garage doors must face north.
13. On Lot 15, the eastern building line and setback will align with the front building line and setback of Lot 14.

B. Buildings and Accessory Structures

1. Home design shall meet the intent of the City's Development Design Guidelines.
2. Pools, sheds, buildings, gazebos, fences and other accessory structures are prohibited in the side yard setbacks and within the 30 foot conservation easement at the rear of lots 11-12 and 19-27.
3. Existing structures will be removed prior to platting.
4. At least 500 sq. ft. of driveway pavers will be installed per house or a side-loaded / courtyard entry will be provided for each house, to be decided on a house-by-house basis by the builder.

C. Utilities and Infrastructure

1. Water service shall be provided by the City of Apopka. The water system shall be designed to city standards.
2. An oversize agreement is necessary to install 12" diameter force main along sandpiper road.
3. Storm water management system shall be designed to comply with the requirements of the City of Apopka and St. Johns River Water Management District.
4. A final drainage report and soils report will be submitted with final development plans
5. Sanitary service shall be provided by the City of Apopka. The sanitary system shall be designed to city standards.
5. Utility easements to be dedicated to the City of Apopka.
6. Drainage easements to be dedicated to the home owners association unless otherwise accepted by the City of Apopka.
7. All storm water and utility pipes may be moved to save existing trees in the right-of-way. Any change in the location of these pipes will be shown on the final engineering plans.
8. On-site streets are to be constructed per City of Apopka standards.
9. A signage plan will be provided with the final development plan submittal.

10. Entrance gate shall conform to city codes. Entrance gate to be equipped with emergency access system through an opti-com type visual gate activation and yelp siren. There must also be a keypad with an emergency access code.
11. A blanket ingress/egress easement will be granted for access to the city over Road A and B.
12. Stabilized access roadways and fire hydrants must be in place before building construction may begin
13. Street names will be provided with the final development plans
14. Solid waste collection and public safety (police and fire) provided by the City of Apopka.
15. All/any overhead utility lines must be placed underground, coordination with City's Public Service Dept.
16. The internal street right-of-way is to be private with an entrance gate;
17. A five (5) foot wide sidewalks to be constructed adjacent to internal roads throughout the entire project in compliance with the City of Apopka Land Development Code. Sidewalk alignment may be adjusted at final development plan to preserve existing trees.
18. In lieu of installation of sidewalk along Ustler Road, the owner may pay into the city sidewalk fund at the rate of \$3.50/sf for 4" thick sidewalk and \$4.25 for 6" thick sidewalk.
19. A five-foot wide sidewalk shall be constructed along Sandpiper Road from Ustler Road to the northeast corner of the project boundary.

D. Recreation, Open Space, Lake Access

1. The active park area shall be a minimum of 15,000 sq.ft. within Tract "C". A park site plan and recreation equipment shall be provided with the Final Development Plan. Design of the park shall comply with the Land Development Code.
2. Only the nine lot owners (Lots 29-37) who will have lots backing up to Lake McCoy will have access to the lake and be able to build private docks to access said lake. All nine lot owners will be required to join the Lake McCoy taxing district. No other docks or recreation will be allowed to have access to Lake McCoy from this development. Dock details will be evaluated with the final development plan and is to include language allowing a 15-foot wide access to the lake for each lot.
3. A park site plan for Tract "M" will be provided with final development plans. Tract "M" shall be designated as a passive park and placed in a Tract owned and maintained by the Homeowners Association.
4. Project open space:
 Required = 20% min. per LDC
 Provided = 40.89% (23.81 acres.).
5. The active park (Tract "C") at the end of the western cul-de-sac and the passive park (Tract "M") between Lots 8 and 9 shall total not less than 15,000 sq. ft. combined.

E. Buffers and Landscaping

1. A 30 foot wide conservation easement will be provided on the back of Lots 11- 12 and 19-27 and the south side of Lots 12 and 13. Easement shall be dedicated to the HOA. (The 30-foot conservation easement is not a required SJRWMD easement.) No building, fence, gazebo, swimming pool, or accessory structure shall be placed within the thirty-foot conservation easement. The buffer shall remain as natural vegetated buffer. Trees that that are removed shall be replaced. Any removal of trees or vegetation within the bufferyard must be approved by the HOA and the City of Apopka. Easement boundary markers will be placed at the interior of the easement line along the side lot line for all lots.

2. A ten (10) foot wide buffer tract for landscaping will be provided on the northern property line, except against lake, wetland, retention, or gas easement. This tract shall be dedicated to and maintained by the HOA. The design of this buffer shall generally follow the landscape design appearing in Exhibit "B.1". A tri-rail fence that is supported by a brick or stone post shall extend from the northeast project boundary westward to the western end of lot 38.
3. Entrance feature and community sign will be provided with final development plans.
4. Final landscape plans for the buffer area along Sandpiper Street will be provided with the final development plans.
5. Tree Planting Conditions. Minimum of two new trees shall be planted per lot, except that Lots 6 to 10 and 15 and 16 shall have a minimum of three new trees planted per lot, regardless of the number of trees saved on the any lot. The new trees shall be a minimum of 2.5 inches DBH at the time of planting and shall count toward the overall number of required tree replacement inches, if any.
 - a. On Lots 6 to 11, at least two of the three new trees shall be planted in the rear yard.
 - b. On Lots 12 and 13, at least two of the three new trees shall be planted on the south side yard or within the northern ten feet of the conservation easement. Note that this tree planting area will be removed from the 30-foot wide conservation area so that these trees can be maintained, i.e., watering, fertilization, etc.
 - c. On Lots 19 through 27, at least one of the two new trees shall be planted in the rear yard or within the northern ten feet of the conservation easement. Note that if the trees are planted within the conservation area, this tree planting area will be removed from the 30-foot wide conservation area so that these trees can be maintained, i.e., watering, fertilization, etc.
6. A viburnum hedge will be planted south of the cul-de-sac adjacent to Lots 12 and 13 at the edge of the conservation area. The hedge shall be planted in a 100-foot wide by 5-foot deep landscape easement to be maintained by the HOA. The length of the hedge shall equal the width of the cul-de-sac, and the height of the hedge shall be at least six feet within two years of planting.
7. Tree Protection Plan.
 - a. Any individual residential lot shall not be cleared until a building permit is approved. Existing trees (6" or greater DBH) shall appear on the plot plan (i.e. foundation survey). The plot plan shall identify the location of the driveway. Location of a house and its driveway shall be oriented with a reasonable consideration for the protection of existing trees, particularly trees with a DBH of 24 inches or greater. The Community Development Director shall determine if a reasonable consideration has been made and shall take final action on the plot plan, and may deny or accept the plot plan; provided, however, the Community Development Director's determination shall only consider the location of the house and other impervious surfaces on the lot and shall not consider the type or style of the proposed house. Applicant can appeal the Community Development Director's decision to the Planning Commission.
 - b. The Final Development Plan shall include tree protection techniques to prevent harm to any trees or encroachment into protected natural areas, including but not limited to tree barricades, silt fencing or other similar techniques accepted by the city engineer.
 - c. Clearing shall be allowed for road ROW, retention ponds, community recreation area at the end of the western cul-de-sac, utility and stormwater infrastructure, off-site improvements, and areas needed to make necessary grading transitions for a safe work environment.
8. Any conservation easement or area of Tract "A" within twenty feet of Ustler Road or Sandpiper Street may be encroached upon or removed by the City, in part or whole, at its discretion to make improvements to roads, utility mains or lines, and/or stormwater systems, including expansion of the Ustler Road or Sandpiper Street right-of-way. Such open space or conservation easements shall not prevent the City or a utility provider from implementing necessary public services.

F. Maintenance and Plat

1. Homeowners association will maintain all common areas, roads, and fences/walls.
2. The final development plan shall include the plat document, and the plat shall be in final form.
3. Lots 5, 6, 17, and 18 have access to the gas easement surface area as allowed by the recorded easement. Easement details will be provided with the final development plan.
4. The HOA shall enforce the protection of the southern conservation buffer as an undisturbed natural buffer area. If the HOA fails to enforce the buffer area, the City may require either the property owner or the HOA to take action to remedy any encroachment into the buffer area.

G. Wetlands and Environmental

1. All acreage regarding developable and conservation areas (wetlands and buffers) are considered approximate until finalized during a review by the St. Johns River Water Management District and the City of Apopka. The SJRWMD concurrency will be provided at final plan review.
2. The jurisdictional wetland areas are to be placed in a conservation easement.
3. Any development in a special flood hazard area will require the finish floor elevation to be 20-inches above the 100 yr. Flood elevation, minimum.
4. An erosion protection plan will be submitted with final development plans.
5. The habitat inventory and management report shall be provided to the city no later than the final development plan stage.
6. Tree removal, tree replacement, and landscaping shall be in conformance with Article V of the City of Apopka Land Development Code.
7. Individual lot arbor/clearing permit is required prior to clearing or grading of any lot or issuance of building permit. Placement of the house shall preserve existing trees to the greatest extent practical. Plot plan for each lot shall illustrate tree locations as presented within the PUD Master Plan/Preliminary Development Plan.
8. In order to save existing trees stem walls/retaining walls may be utilized on individual lots.
9. The 25 foot wide (average)/15 foot wide minimum wetland buffer/conservation easement within Lots 28 to 37 and Tract A is to be dedicated to the SJRWMD. Lot owners may not clear any vegetation within the conservation easement on their lot except to accommodate a maximum 15 foot wide path to reach the water's edge.

H. Development Condition Continuity. The PUD Development Standards shall be printed within the PUD Master Plan and the Final Development Plan.

Backup material for agenda item:

7. Resolution No. 2016-16: Public Participation Policy

Mayor Kilsheimer



CITY OF APOPKA CITY COUNCIL

___ CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
X OTHER: Resolution 2016-16

MEETING OF: July 6, 2016
FROM: Mayor Kilsheimer
EXHIBITS: Resolution 2016-16

SUBJECT: RESOLUTION NO. 2016-16 PROVIDING FOR A PUBLIC PARTICIPATION POLICY AND PROCEDURES FOR ADDRESSING THE CITY COUNCIL.

REQUEST: ADOPT RESOLUTION NO. 2016-16.

SUMMARY:

Following discussion at the June 1, 2016 City Council meeting, staff developed Resolution No. 2016-16, providing for a public participation policy and procedures for addressing the City Council and presented it to City Council at its June 15, 2016 meeting. After review and public comment at the June 15, 2016 meeting, City Council requested changes to Resolution 2016-16 to include removal of the thirty (30) minute time limit for Public Comment, change of time limitation from three (3) minutes to four (4) minutes, and removal of reference to applause. Pursuant to Council's direction, staff made the requested changes and Resolution No. 2016-16 is presented to Council for review and adoption.

FUNDING SOURCE:

N/A

RECOMMENDED ACTION:

Adopt Resolution No. 2016-16.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RESOLUTION NO. 2016-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, PROVIDING FOR A PUBLIC PARTICIPATION POLICY AND PROCEDURES FOR ADDRESSING THE CITY COUNCIL; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Section 2.08(c), Charter of the City of Apopka provides that the City Council shall adopt its own rules and order of business for council proceedings; and

WHEREAS, the City Council recognizes its citizens and taxpayers must be given a fair and reasonable opportunity to express their opinions on the operation of City government and encourages their participation in the local government process; and

WHEREAS, the City Council also recognizes that there is a significant governmental interest in conducting orderly, efficient meetings of public bodies; and

WHEREAS, written rules of procedures providing for public participation best assure an atmosphere conducive to said efficiency;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, as follows:

SECTION 1. ANNOUNCEMENTS AT COMMENCEMENT OF MEETING. At the start of each meeting, the Mayor may, in the Mayor's discretion, make any of the following announcements when the Mayor calls the meeting to order:

- (a) Please turn off all cell phones;
- (b) If you wish to address City Council this afternoon/evening, please make sure you have filled out a card with your contact information and have presented it to the Clerk;
- (c) If you have requested to speak, when your name is called, please proceed to the podium, and speak clearly into the microphone, stating your name, address of record, organization, if any, and whether or not you are a City resident, and direct your comments to the City Council (not individual Commissioners or other members of the public); and/or
- (d) Please observe general rules of decorum and civility. Speak one at a time, avoid personal attacks, avoid shouting, speak only to the issue at hand.

SECTION 2. PUBLIC REQUEST TO ADDRESS COUNCIL. It is the policy of the City Council to permit and encourage input and comments by members of the public on all matters

which may come before the City Council for action other than those items strictly of ministerial nature, such as approval of minutes and issuance of ceremonial proclamations. Members of the public interested in addressing the Council must complete and provide an Intent to Speak form to the City Clerk prior to the time of the start of the meeting. Speaker forms may be completed up to 48 hours in advance of the Council meeting.

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SECTION 4. PUBLIC COMMENT PERIOD.

- (a) Public Participation / Comment on City Issues Not on the Agenda or Issues for which no Public Hearing is Required: Individuals who wish to address the City Council regarding issues not on the City Council agenda or issues for which no public hearing is required may do so during the Public Comment period, held following the Presentations portion of the meeting, or at such time as designated by City Council. Public comment with regard to items not on the agenda shall be limited to City of Apopka issues and matters of concern to its citizens. During the Public Comment period, speakers will not be permitted to address any item on the agenda for which a public hearing is required. ~~The Public Comment period shall be limited to no more than thirty (30) minutes, unless such time is enlarged or contracted by the Mayor or by majority vote of the Council.~~ At the start of Public Comment period, the Mayor may, at the Mayor's discretion, make the following announcement:
- a. The next item on the agenda is that of Public Comment. This is an opportunity for anyone to come forward and address the City Council on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous workshop; 2) any item not specifically listed on a previous agenda but discussed at a previous Council meeting; 3) any item on the Consent Agenda; or 4) any item on tonight's agenda not labeled as a public hearing. Speakers during the Public Comment period will have ~~three (3)~~four (4) minutes each to give remarks, regardless of the number of items addressed. ~~To facilitate an efficient meeting, Public Comment period is limited to thirty (30) minutes.~~ The Public Comment period is now open.
- (b) Public Participation / Comment on City Council Agenda Items: Individuals who wish to address the City Council on agenda items which provide for public hearings shall address the City Council after City staff and applicant input, if any, and prior to the City Council deliberation of the City Council Agenda item. Individuals shall not address the City Council after commencement of City Council deliberation on an agenda item after public input has concluded; however, the Mayor and members of the City Council have the discretion to recall individuals to provide additional information

to or answer questions. At the start of a public hearing, the Mayor may, at the Mayor's discretion, make the following announcement:

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- (c) Questions Directed to Council. The purpose of the public comment portion of the meeting is to receive citizen input pertaining to matters over which the City Council has jurisdiction or control. This period of time is for comments and not for questions directed to the City Council or staff for immediate answer. Questions directed to the City Council may be referred to staff to be answered within a reasonable period of time following the date of the meeting.
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has the right to find a violation of this subsection in the event a person's conduct or speech is, by way of example and not limitation, duplicative, irrelevant, redundant, constitutes a display of abusive behavior, or is otherwise causing substantial disruption.

- (e) Warnings and Removal. In the discretion of the Mayor, any violation of the provisions of this Resolution may result in the issuance of verbal warnings relating to any disruptions, curtailing of the speaker's comments or presentation, or removal from the public meeting. The Mayor shall issue a verbal warning to any person determined to be in violation of the provisions of this Resolution. Following the issuance of an initial verbal warning, the Mayor may, in the Mayor's discretion, curtail or otherwise conclude a speaker's comments or presentation, or remove such person or persons in the event additional violations of the provisions of this Resolution occur. In the event a presentation, testimony, or comment period is curtailed in accordance with this subsection, the Mayor may accept and encourages submission of written statements or other documentation to afford ample alternative channels for the speaker to have an opportunity to convey his or her message, testimony or viewpoint to the City Council. The Mayor's decision is final.

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SECTION 11. CONFLICTS. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 12. SEVERABILITY. If any section, sentence, phrase, word or portion of this Resolution is held to be invalid, unlawful, or unconstitutional by any court of competent jurisdiction, said determination shall not be held to invalidate or impair the validity, force, or other effect of any other section, sentence, phrase, word, or portion of this Resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 13. EFFECTIVE DATE. This Resolution shall become effective immediately upon passage and adoption.

PASSED and ADOPTED this _____ day of _____, 2016.

CITY OF APOPKA

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk

APPROVED as to form and legality for
use and reliance by the City of Apopka,
Florida.

Clifford B. Shepard, City Attorney

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ATTEST:

Linda F. Goff, City Clerk

APPROVED as to form and legality for
use and reliance by the City of Apopka,
Florida.

Clifford B. Shepard, City Attorney

Backup material for agenda item:

1. Final Development Plan – 640 East 13th Street – Quasi-Judicial
Rogers Beckett



CITY OF APOPKA CITY COUNCIL

 CONSENT AGENDA
 X PUBLIC HEARING
 SPECIAL REPORTS
 X OTHER: Final Development Plan

MEETING OF: July 6, 2016
FROM: Community Development
EXHIBITS: Vicinity Map
 Aerial Map
 Site/Landscape Plans
 Building Elevations

SUBJECT: FINAL DEVELOPMENT PLAN - 640 EAST 13TH STREET

REQUEST: APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR 640 EAST 13TH STREET AND ISSUANCE OF THE FINAL DEVELOPMENT ORDER.

SUMMARY:

OWNER: Roberto Rivera

ENGINEER: Lam Civil Engineering c/o Quang T. Lam, P.E.

LOCATION: 640 East 13th Street
(South of 13th Street and west of Sheeler Road)

PARCEL ID #: 15-21-28-0000-00-230

LAND USE: Industrial

ZONING: I-1

EXISTING USE: Vacant Land

PROPOSED USE: Industrial Warehouse for Construction Company

TRACT SIZE: 0.59 +/- Acre (25,720 S.F.)

BUILDING SIZE: 4,800 S.F.

BUILDING HEIGHT: 24 Feet

FUNDING SOURCE:

N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (County)	Industrial	R-T-2	Mobile Home Park
East (County)	Industrial	C-3	Vacant Property
South (City)	Industrial	I-1	Warehouse Facility\Railroad track
West (City)	Industrial	I-1	Warehouse

ADDITIONAL COMMENTS: The 640 East 13th Street - Final Development Plan proposes a 4,800 square foot industrial warehouse. The proposed building will be used to store construction materials and equipment. The proposed use of the property is consistent with permissible uses for the I-1 zoning district. As the building's floor area is less than 10,000 sq. ft., a preliminary development plan approval is not required, allowing the project to move directly to a Final Development Plan.

PARKING AND ACCESS: A total of 11 parking spaces are provided, one (1) of which is reserved as a handicapped parking space. Access to the site is provided by a driveway cut onto 13th Street.

EXTERIOR ELEVATIONS: Design of the building exterior meets the intent of the City's Development Design Guidelines.

STORMWATER: Stormwater run-off and drainage will be accommodated by an on-site retention pond. The on-site stormwater management system is designed according to standards set forth in the Land Development Code.

BUFFER/TREE PROGRAM: A twenty-five foot landscape buffer is provided along 13th Street. The applicant has provided a detailed landscape and irrigation plan for the property. The planting materials and irrigation system design are consistent with the water-efficient landscape standards set forth in Ordinance No. 2069.

Total inches on-site:	0
Total number of specimen trees:	0
Total inches removed	0
Total inches retained:	0
Total inches required:	56
Total inches replaced:	66
Total inches post development:	66

PUBLIC HEARING SCHEDULE:

June 14, 2016 - Planning Commission (5:30 pm)
July 6, 2016 - City Council (1:30 pm)

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the 640 East 13th Street – Final Development Plan, subject to the findings of this staff report.

The **Planning Commission**, at its June 14, 2016, recommended approval (7-0) of the 640 East 13th Street - Final Development Plan, subject to the findings of this staff report and that no paint be stored at the site.

Approve the 640 East 13th Street - Final Development Plan, subject to the findings of this staff report.

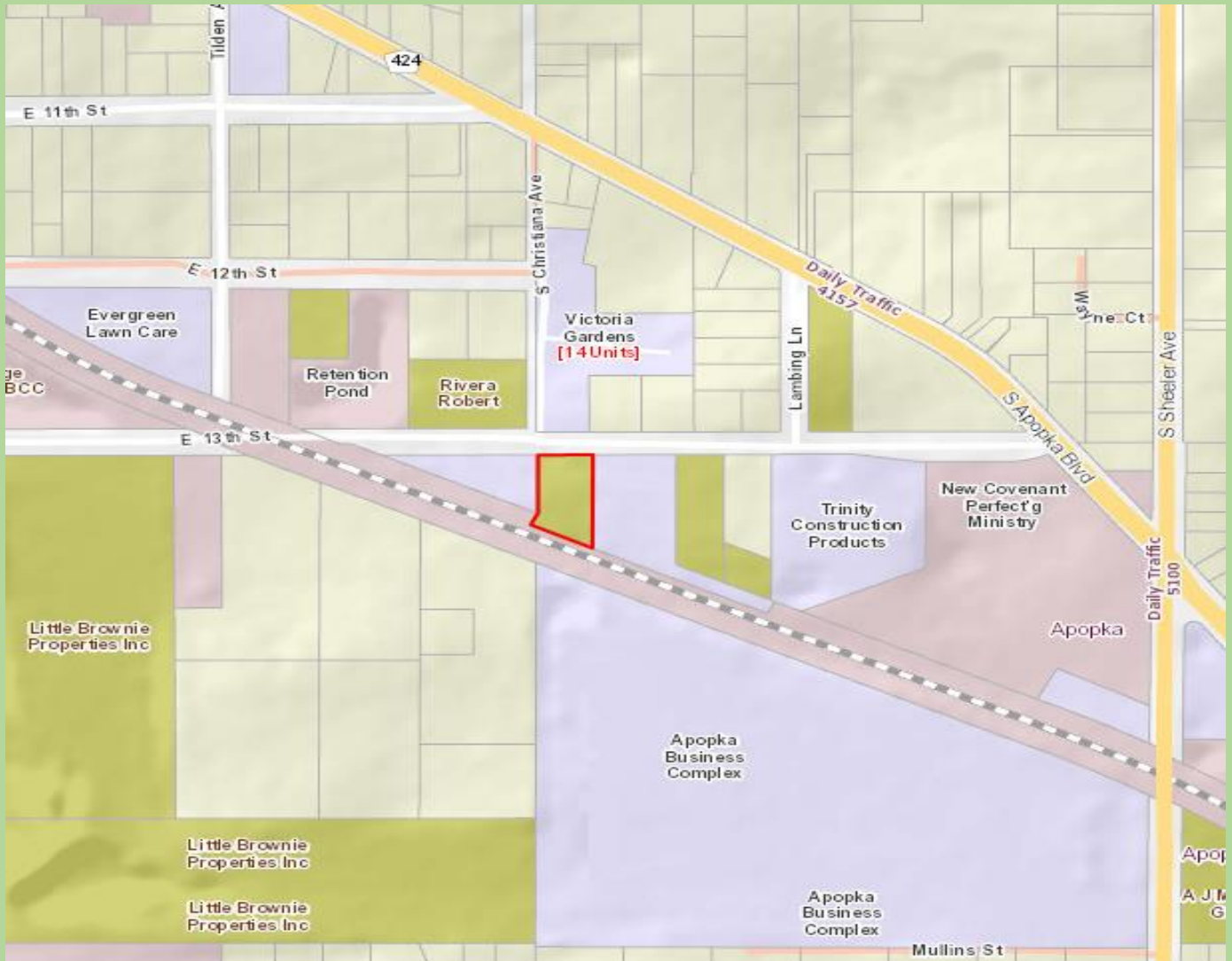
Note: This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

CITY COUNCIL – JULY 6, 2016
640 EAST 13TH STREET - FINAL DEVELOPMENT PLAN
PAGE 4

Application: Final Development Plan
Owner: Roberto Rivera
Engineer: Lam Civil Engineering, LLC c/o Quang T. Lam, P.E.
Parcel I.D. No: 15-21-28-0000-00-230
Location: 640 East 13th Street
Total Acres: 0.59 +/- Acre

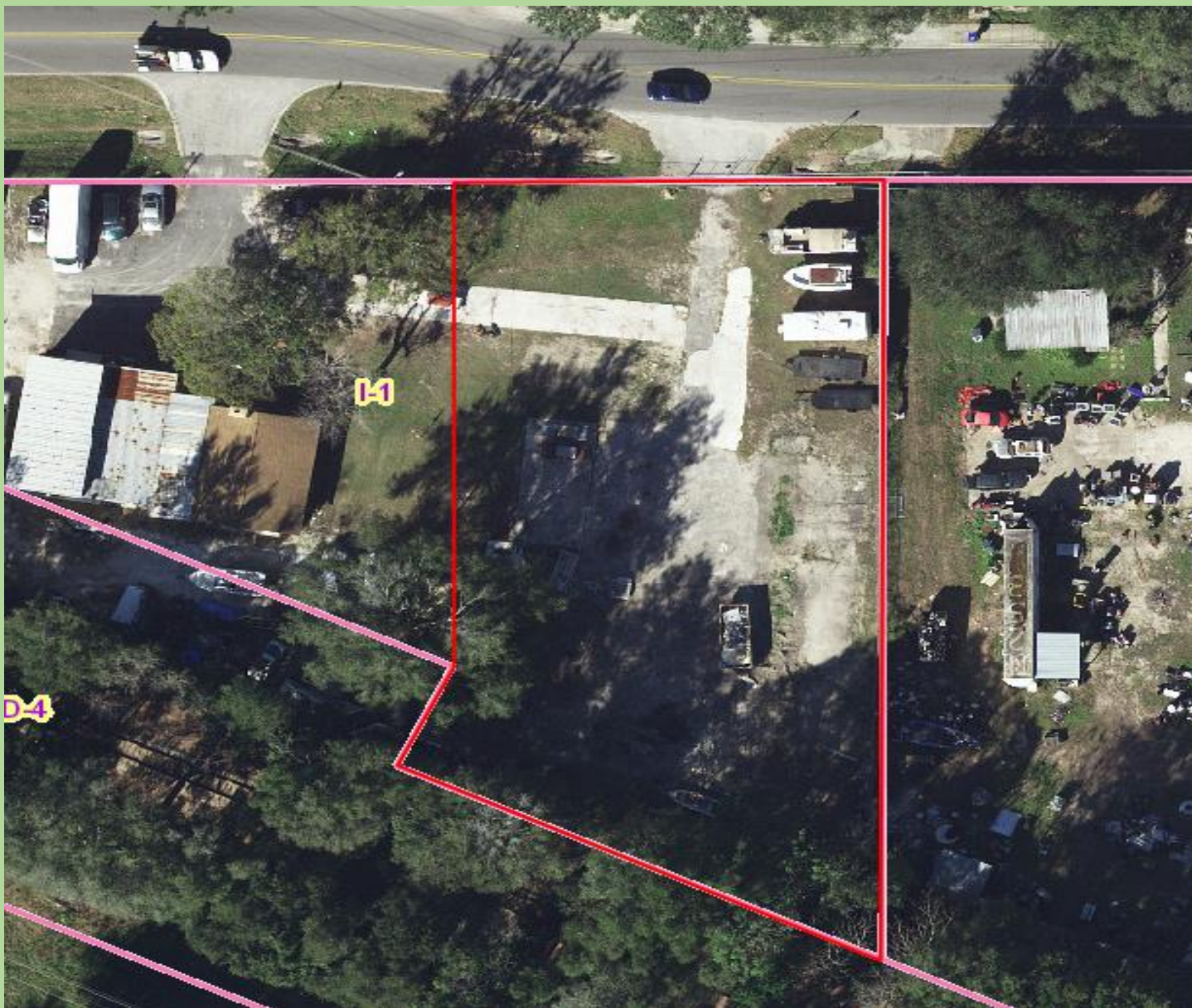


VICINITY MAP





AERIAL MAP



FINAL DEVELOPMENT PLAN
FOR
640 EAST 13TH STREET SITE IMPROVEMENTS
APOPKA, FLORIDA
PARCEL ID - 15-21-28-0000-00-230

PROJECT TEAM

OWNER

RIVERA ROBERTO
412 MORNING CREEK CIRCLE
APOPKA, FL 32712

CIVIL ENGINEER

LAM CIVIL ENGINEERING, INC.
1320 W PINE STREET
ORLANDO, FLORIDA 32805
(407) 254-0040

SURVEYOR

V & S SURVEYING, INC.
2412 ORSOTA CIRCLE
OCOCHEE, FLORIDA 34761
(407) 342-1510

GEOTECHNICAL ENGINEER

NATIVE GEOSCIENCE
2014 EDGEWATER DRIVE, STE 246
ORLANDO, FLORIDA 32804
(407) 342-1443

LANDSCAPE ARCHITECT

THOMAS C. PETERSON, ASLA
3361 PELHAM ROAD
ORLANDO, FLORIDA 32803
(407) 897-4492

STRUCTURAL ENGINEERING

RICHARDSON ENGINEERING
131 ZELMA STREET
ORLANDO, FLORIDA 32803
(407) 425-4002

MEP

GREENLOGIC, LLC
2555 TEMPLE TRAIL, SUITE 102
WINTER PARK, FLORIDA 32789
(407) 808-1816

LEGAL DESCRIPTION: (PROVIDED BY CLIENT)

The West 80 feet of the following described property: Begin at the Northwest corner of the Northeast 1/4 of the Southeast 1/4 of Section 15, Township 21 South, Range 28 East; run thence East 392.50 feet; thence South 371.25 feet to S.A.L. Railroad right-of-way; thence northwesterly along said Railroad right-of-way 454.3 feet to a point 185.5 feet South of Beginning; thence North 185.5 feet to POINT OF BEGINNING. (Subject to encumbrance over the North 30 feet thereof for road purposes), Orange County, Florida.

And the following described property:

Begin at a point 115.00 feet East of the Northwest corner of the NE 1/4 of the SE 1/4 of Section 15, Township 21 South, Range 28 East, Orange County, Florida; thence run S 00°14'51" W 278.31 feet to the C.S.X. Railroad right-of-way; thence along said right-of-way N 64°29'49" W 143.43 feet; thence N 25°22'13" E, 35.0 feet; thence S 64°37'47" E, 88.38 feet; thence N 00°14'51" E, 225.10 feet; thence East 35.00 feet to the Point of Beginning; LESS the North 30 feet for road right-of-way.

SERVICES

WATER

CITY OF APOPKA
P.O. BOX 1229
APOPKA, FL 32704

WASTEWATER

CITY OF APOPKA
P.O. BOX 1229
APOPKA, FL 32704

SOLID WASTE

CITY OF APOPKA
P.O. BOX 1229
APOPKA, FL 32704
(407) 703-1731

TELEPHONE

EMBBARQ
33 N. MAIN STREET
WINTER GARDEN, FLORIDA 34787
(407) 814-5344

POWER

DUKE ENERGY
3300 EXCHANGE PL
LAKE MARY, FLORIDA 32746
(800) 700-8744

GAS

LAKE APOPKA NATURAL GAS DISTRICT
1320 WINTER GARDEN-VINELAND ROAD
WINTER GARDEN, FLORIDA 34787
(407) 656-2734

SHEET INDEX

—	COVER SHEET
V1	BOUNDARY, TOPOGRAPHIC, AND TREE SURVEY
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C1	SITE PLAN, MARKING AND STRIPING PLAN
C2	DEMOLITION PLAN
C3	GRADING AND DRAINAGE PLAN
C4	UTILITY PLAN
C5	SITE DETAILS
C6	LIFTSTATION DETAILS
C7	UTILITY DETAILS
L1	SITE LANDSCAPE PLAN
L11	SITE IRRIGATION PLAN
S1	FOUNDATION PLAN
S2	STRUCTURAL DETAILS
S3	STRUCTURAL GENERAL NOTES
M1	MEP PLAN
M2	MEP DETAILS
2	SITE PHOTOMETRIC



LOCATION MAP
N.T.S.

DATE	AGENCY	SHEETS	COMMENT
03/03/15	CITY OF APOPKA	COVER, V1, C1, C2, C3, AND C4	SITE PERMIT APP.
05/21/15	ORANGE COUNTY	COVER, V1, C1, C2, C3, AND C4	"E" PERMIT - OC PUBLIC WORKS
03/14/16	CITY OF APOPKA	COVER, V1, C0, C1, C2, C3, C4, C5, C6, C7, L1, L11, S1, S2, S3, M1, AND M2	RE-SUBMITTAL
05/18/16	CITY OF APOPKA	COVER, V1, C0, C1, C2, C3, C4, C5, C6, C7, L1, L11, S1, S2, S3, M1, M2, AND 2	RE-SUBMITTAL
05/03/16	CITY OF APOPKA	C1, C3, L1, L11	RE-SUBMITTAL



PREPARED FOR:

RIVERA ROBERTO
412 MORNING CREEK CIRCLE
APOPKA, FLORIDA 32712

381

LAM
Civil Engineering, Inc.

1320 W PINE STREET
ORLANDO, FL 32805

OFFICE: (407) 254-0040
CELL: (407) 234-8944

CERTIFICATE OF
AUTHORIZATION No. 27340

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

QUANG T. LAM, P.E.
FL REGISTRATION No. 62550

DATE

PN: 2014.999.14

DRAWN BY: LCE

APPROVED BY: QL

DATE: 06-01-16

SHEET ----

SITE IDENTIFICATION

PARCEL IDENTIFICATION No. 15-21-28-0000-00-074
SECTION 15, TOWNSHIP 21S, RANGE 28E
ADDRESS 636 E 13TH STREET
APOPKA, FL 32703

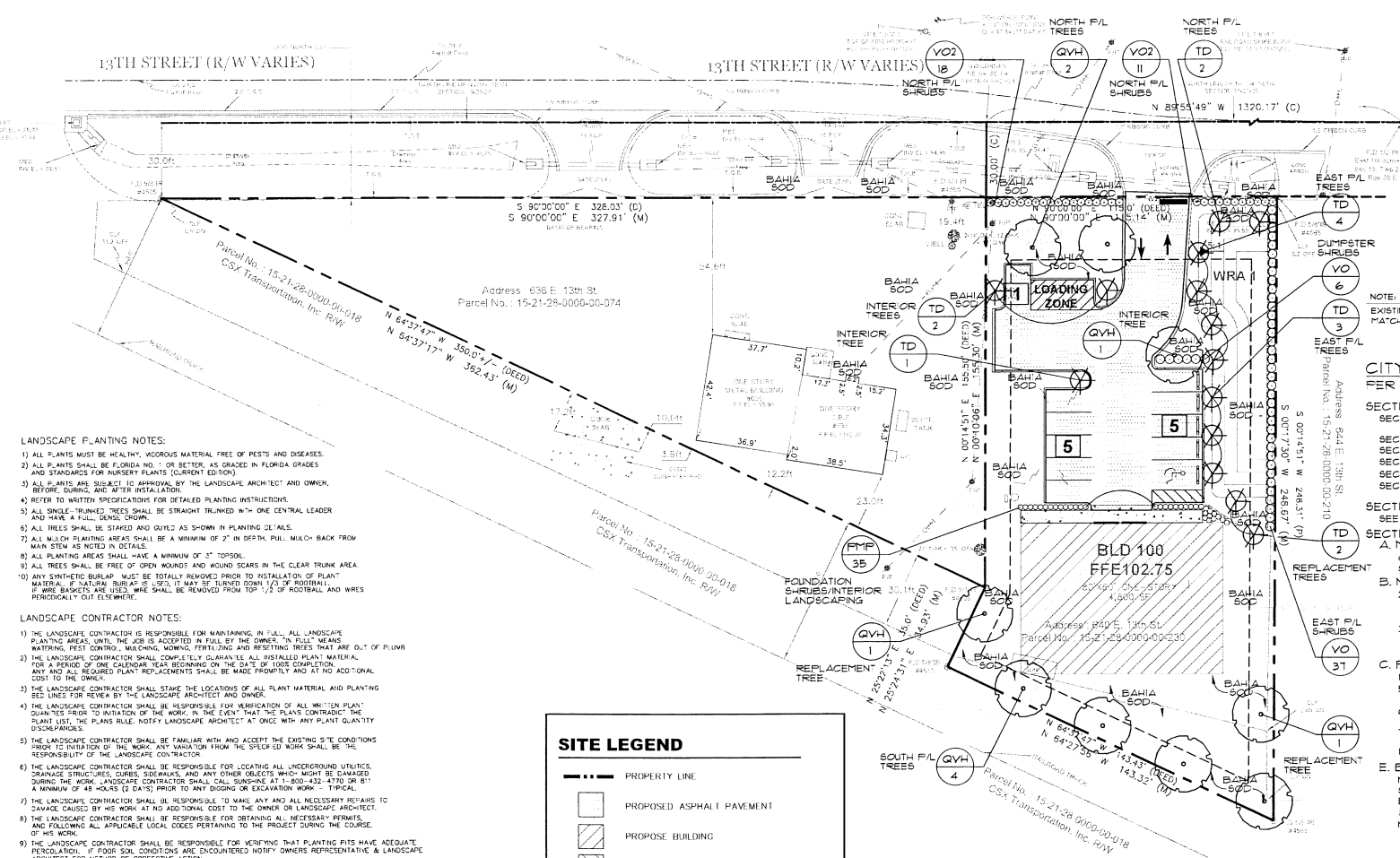
Thomas C. Peterson, ASLA

Landscape Architecture
3361 Pelham Road
Orlando, Florida 32803-1033
Phone: (407) 897-4492
Fax: (407) 897-2153
E-mail: tompet@asla.com
FL License Number: LA0001166

CITY OF APOPKA LANDSCAPE CODE CALCULATIONS:

TOTAL INCHES ON-SITE: 0" ON THIS SITE, ADJACENT SITE HAS 174" TOTAL INCHES.
TOTAL NUMBER OF SPECIMEN TREES: ZERO - NO SPECIMEN TREES ON-SITE, ADJACENT SITE HAS TWO (2) SPECIMEN TREES (21" & 35") OAKS.
TOTAL SPECIMEN INCHES REMOVED: ZERO - NO SPECIMEN INCHES REMOVED ON THIS SITE OR ON ADJACENT SITE.
TOTAL INCHES REMOVED: 0" REMOVED ON THIS SITE, ADJACENT SITE HAS 56" REMOVED (2-18" OAK & 20" OAK) DUE TO DRIVEWAY/PAVING CONFLICT.
TOTAL INCHES RETAINED: 0" RETAINED ON THIS SITE, ADJACENT SITE HAS 116" INCHES RETAINED.
TOTAL INCHES REPLACED: 69" REPLACED ON THIS SITE, ADJACENT SITE HAS 0" INCHES REPLACED SINCE IT IS NOT BEING DEVELOPED.
TOTAL INCHES REQUIRED: 56" ON THIS SITE, ADJACENT SITE REQUIREMENT HAS NOT BEEN CALCULATED SINCE IT IS NOT BEING DEVELOPED AT THIS TIME.
TOTAL INCHES POST DEVELOPMENT: 69" POST DEVELOPMENT ON THIS SITE, ADJACENT SITE HAS 174" EXISTING INCHES BUT IS NOT BEING DEVELOPED NOW.
MAXIMUM TREE STOCK FORMULA AND CALCULATIONS: 29,720 SQ. FT. - 6000 SQ. FT. + 19,720 SQ. FT. (20' 80 21" DBH + (35" DBH x (20)) + 91" DBH MAXIMUM.
SITE CLEARING AREA IN SQUARE FEET AND ACRES: 0 SQ. FT. / 0 ACRES = ON SITE AND OFF SITE CLEARED AREA.

LANDSCAPE AND IRRIGATION DESIGN
CITY OF APOPKA LANDSCAPE CODE STATEMENT/REQUIREMENT - CONTINUED:
I CERTIFY THAT THE LANDSCAPE AND IRRIGATION DESIGN FOR THIS PROJECT IS IN ACCORDANCE WITH THE CITY OF APOPKA'S ORDINANCE 2069 ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.



LANDSCAPE PLANTING NOTES:

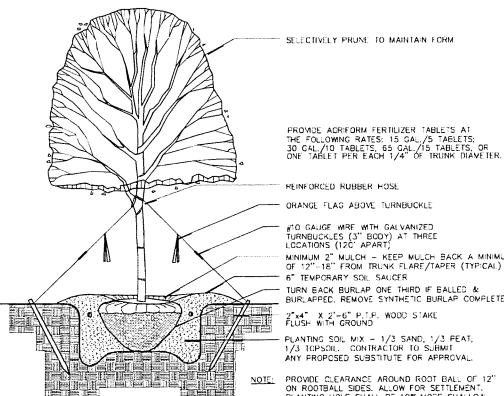
- 1) ALL PLANTS MUST BE HEALTHY, MATURE MATERIAL FREE OF PESTS AND DISEASES.
- 2) ALL PLANTS SHALL BE FLORIDA NO. 1 OR BETTER, AS GRADED IN FLORIDA GRADES AND STANDARDS FOR NURSERY PLANTS (CURRENT EDITION).
- 3) ALL PLANTS ARE SUBJECT TO APPROVAL BY THE LANDSCAPE ARCHITECT AND OWNER.
- 4) REFER TO WRITTEN SPECIFICATIONS FOR DETAILED PLANTING INSTRUCTIONS.
- 5) ALL SINGLE-TRUNKED TREES SHALL BE STRAIGHT TRUNKED WITH ONE CENTRAL LEADER AND HAVE A FULL, BUSHY CROWN.
- 6) ALL TREES SHALL BE STAKED AND CURED AS SHOWN IN PLANTING DETAILS.
- 7) ALL MULCH PLANTING AREAS SHALL BE A MINIMUM OF 2" IN DEPTH, PULLED BACK FROM MAIN STEM AS NOTED IN DETAILS.
- 8) ALL PLANTING AREAS SHALL HAVE A MINIMUM OF 3" TOPSOIL.
- 9) ALL TREES SHALL BE FREE OF OPEN WOUNDS AND WOUND SCARS IN THE CLEAR TRUNK AREA.
- 10) ANY SYNTHETIC BURLAP MUST BE TOTALLY REMOVED PRIOR TO INSTALLATION OF PLANT MATERIAL. IF NATURAL BURLAP IS USED, IT MAY BE TURNED DOWN 1/2 OF ROOTBALL IF WIRE BUNDLES ARE USED, WIRE SHALL BE REMOVED FROM TOP 1/2 OF ROOTBALL AND WRES PERIODICALLY OUT ELEMENT.

LANDSCAPE CONTRACTOR NOTES:

- 1) THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING, IN FULL, ALL LANDSCAPE PLANTING AREA, UNTIL THE JOB IS ACCEPTED IN FULL BY THE OWNER. IN FULL MEANS WATERING, PEST CONTROL, MULCHING, MOWING, FERTILIZING AND TRIMMING TREES THAT ARE OUT OF PLUMB.
- 2) THE LANDSCAPE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL INSTALLED PLANT MATERIAL FOR A PERIOD OF ONE CALENDAR YEAR BEGINNING ON THE DATE OF FINAL COMPLETION. ANY AND ALL REQUIRED PLANT REPLACEMENTS SHALL BE MADE PROMPTLY AND AT NO ADDITIONAL COST TO THE OWNER.
- 3) THE LANDSCAPE CONTRACTOR SHALL STAKE THE LOCATIONS OF ALL PLANT MATERIAL AND PLANTING SEE LINES FOR REVIEW BY THE LANDSCAPE ARCHITECT AND OWNER.
- 4) THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL WRITTEN PLANT QUANTITIES PRIOR TO INITIATION OF THE WORK. IN THE EVENT THAT THE PLANTS CONTRADICT THE PLANT LIST, THE PLANS RULE. NOTIFY LANDSCAPE ARCHITECT AT ONCE WITH ANY PLANT QUANTITY DISCREPANCIES.
- 5) THE LANDSCAPE CONTRACTOR SHALL BE FAMILIAR WITH AND ACCEPT THE EXISTING SITE CONDITIONS PRIOR TO THE START OF THE WORK.
- 6) THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES, CHANGING STRUCTURES, CUES, SIDEWALKS, AND ANY OTHER OBSTACLES WHICH MUST BE CIRCUMNAVIGATED DURING THE WORK. LANDSCAPE CONTRACTOR SHALL CALL SUNSHINE AT 1-800-432-4770 OR 811 A MINIMUM OF 48 HOURS (2 DAYS) PRIOR TO ANY DIGGING OR EXCAVATION WORK - TYPICAL.
- 7) THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE ANY AND ALL NECESSARY REPAIRS TO DAMAGE CAUSED BY HIS WORK AT NO ADDITIONAL COST TO THE OWNER OR LANDSCAPE ARCHITECT.
- 8) THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOLLOWING ALL APPLICABLE LOCAL CODES PERTAINING TO THE PROJECT DURING THE COURSE OF HIS WORK.
- 9) THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT PLANTING PITS HAVE ADEQUATE PERCOLATION. IF SOIL SOIL CONDITIONS ARE ENCOUNTERED NOTIFY OWNERS REPRESENTATIVE & LANDSCAPE ARCHITECT FOR METHOD OF CORRECTIVE ACTION.

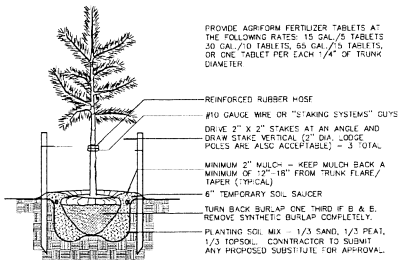
SITE LEGEND

- PROPERTY LINE
- PROPOSED ASPHALT PAVEMENT
- PROPOSED BUILDING
- CROSS ACCESS EASEMENT
- PARKING COUNT (TOTAL 4)



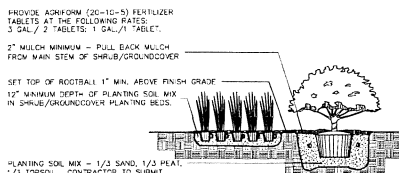
TREE PLANTING DETAIL

NOT TO SCALE



CYPRESS PLANTING DETAIL

NOT TO SCALE



SHRUB AND GROUND COVER PLANTING DETAIL

NOT TO SCALE

SIGNATURE

REG. NO.

DATE

CITY OF APOPKA LANDSCAPE CODE REQUIREMENTS
PER ORDINANCE 2069 AMENDING SECTIONS 5.01.06 - 5.01.09

SECTION 5.01.06 - (ARBOR) APPLICATIONS AND PROCEDURES

SECTION 5.01.06 A.3.a(1)(a) - NO TREES ON THIS SITE ON ADJOINING TRIANGULAR SITE, THERE ARE 9 TOTAL TREES ON CURRENT, NON-ALTERED SITE.

SECTION 5.01.06 A.3.a(1)(c) - NO TREES REMOVED ON THIS SITE BUT 56" TOTAL TREE INCHES TO BE REMOVED (2-18" OAK & 20" OAK) ON ADJOINING SITE.

SECTION 5.01.06 A.3.a(1)(d) - 56" TOTAL TREE INCHES TO BE REPLACED DUE TO TREE REMOVAL (ON ADJOINING SITE) THIS EQUALS NINETEEN (19) - 3" DBH TREES.

SECTION 5.01.06 A.3.a(1)(e) - MAX. TREE STOCK CALC. = 29,720 SQ. FT. - 6000 SQ. FT. + 19,720 SQ. FT. (20' 80 21" DBH + (35" DBH x (20)) + 91" DBH MAXIMUM.

SECTION 5.01.06 A.3.a(1)(f) - ZERO (0) SPECIMEN OR HISTORIC TREES (24" AND ABOVE) TO BE REMOVED ON THIS SITE OR ON ADJOINING TRIANGULAR SITE.

SECTION 5.01.06 A.3.a(1)(g) - SITE CLEARING AREA = 0 SQUARE FEET / 0 ACRES.

SECTION 5.01.07 - TREE REPLACEMENT

SEE MAXIMUM TREE STOCK CALCULATIONS ABOVE. MINIMUM TREE SIZE FOR REPLACEMENT TREES IS 3" DBH, 8' HT. MINIMUM FLORIDA NUMBER 1 QUALITY MIN.

SECTION 5.01.08 - REQUIRED LANDSCAPING

A. MINIMUM TREE REQUIREMENT:

ONE TREE PER 8000 SF. SITE AREA REQUIRED - 25" CALIPER/8' HT. MINIMUM SITE AREA = 29,720 SF. 8000 = 3 TREES REQUIRED MINIMUM. 13 TREES PROVIDED (19 PROPOSED TREES, 6 EXISTING OAKS ON ADJOINING SITE).

B. NON-VEHICULAR OPEN SPACE:

2. ONE CANOPY SHADE TREE PER 35 LF. PROPERTY PERIMETER REQUIRED. EAST P/L 246.61 LF/35 = 7 CANOPY SHADE TREES REQUIRED & PROVIDED.

SOUTHWEST P/L 143.43 LF/35 = 4 CANOPY SHADE TREES REQUIRED.

3. ONE CANOPY SHADE TREE & TEN SHRUBS PER 35 LF. PROPERTY PERIMETER ADJUTING A STREET REQUIRED.

NORTH P/L 151.14 LF/35 = 4 CANOPY SHADE TREES & 33 SHRUBS REQUIRED & 129 SHRUBS PROVIDED. 6 ADD'L SHRUBS PROVIDED IN PARKING ISLAND (36 TOTAL).

ADDITIONAL SHRUBS PROVIDED ALONG EASTERN P/L. SHRUBS 36" HT. X 3'-6" O.C. TYPICAL (24" HT. X 3' O.C. ADJACENT TO ROW PER ORD. 2069).

C. PARKING OR OTHER VEHICLE USE AREA:

1. ONE CANOPY SHADE TREE PLUS ONE CANOPY SHADE TREE PER 20 PARKING SPACES. 4 SPACES = 0 (20) TREES REQUIRED, 4 TREES PROVIDED (4 ISLANDS).

5. INTERIOR LANDSCAPING TO BE MINIMUM OF 10% OF PARKING & TRAFFIC CIRCULATION AREAS. THIS REQUIREMENT HAS BEEN MET. PARKING & TRAFFIC CIRCULATION AREAS = 5645 SF. X 10 (10%) = 565 SF REQUIRED. PROPOSED INTERIOR LANDSCAPE AREAS = 1028 SF PROVIDED IN ISLANDS.

6. A 24" HT. HEDGEROW REQUIRED & PROVIDED AT 3'-0" O.C. ALONG NORTH P/L WHERE PARKING AREA IS ADJACENT TO A STREET PER CITY ORD. 2069.

NORTH P/L CONTINUOUS HEDGEROW PROVIDED SATISFIES SCREEN REQUIREMENT.

7. A 36" HT. HEDGEROW REQUIRED ALONG 3'-0" O.C. WHERE PARKING AREA IS ADJACENT TO SURROUNDING PROPERTIES.

EAST P/L CONTINUOUS HEDGEROW REQUIRED & PROVIDED AT PARKING AREA.

10. SHADE TREE CANOPY EXCEEDS MINIMUM OF 30% OF GROSS PARKING LOT AREA AT GROWTH MATURITY OF TREES.

E. BUFFER/ARD LANDSCAPING REQUIREMENTS:

NORTH - 151.14 LF. X 25" WIDE BUFFER/ARD = 2616.5 SF. / 1000 SF. = 2.6 X 35 DBH. / 1000' OR 2" DBH. REQUIRED. 12" DBH. PROVIDED.

SOUTH - 143.43 LF. X 25" WIDE BUFFER/ARD = 2466.5 SF. / 1000 SF. = 2.4 X 35 DBH. / 1000' OR 2" DBH. REQUIRED. 12" DBH. PROVIDED.

EAST - 246.61 OR 258 LF. X 10' WIDE BUFFER/ARD = 2467 SF. / 1000 SF. = 2.4 X 35 DBH. / 1000' OR 2" DBH. REQUIRED. 30" DBH. PROVIDED.

WEST - INTERNAL TO THE OVERALL SITE. PROPERTY LINE TO THE WEST IS ADJOINING LAND OWNED BY SAME OWNER AS THIS PARCEL.

NOTE: CALIPER OVERAGES IN ANY OF THE BUFFER/ARDS HAVE BEEN PROVIDED IN ORDER TO MEET TREE REPLACEMENT REQUIREMENTS (56" MINIMUM) - TYPICAL.

PLANT LIST - 640 13TH STREET					
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	DESCRIPTION	REMARKS
TREES					
QVH	9	QUERCUS VIRGINIANA QV14 PPL1216 HIGHRISE	HIGHRISE LIVE OAK	8'-12" HT. MIN. x 5'-6" SPRED. / 3" DBH. CAL. MIN. / R.F.D. BAB (LEAVE TAGS ON) / FULL CROWNS / STRAIGHT CENTRAL LEADER	SPACE AS SHOWN OUT
TD	14	TAXODIUM DISTICHUM	BALD CYPRESS	8'-12" HT. MIN. x 4'-8" SPRED. MIN / 3" DBH. CAL. MIN. / 45-65 G MIN/M ² / FULL CROWNS / CENTRAL LEADER / MATCHED	SPACE AS SHOWN OUT
SHRUBS					
PPF	35	PODOCARPUS MACROPHYLLUS PRINGLES	PRINGLES DWARF PODOCARPUS	24" MIN. HT. x 18"-24" SPRED. / FULL / 3'-1" G MIN.	2'-0" O.C.
VO	43	VIBURNUM ODORATISSIMUM	SHEET VIBURNUM	36" MIN. HT. x 18"-24" SPRED. / FULL / 5'-1" G MIN.	3'-0" O.C.
VO	25	VIBURNUM ODORATISSIMUM	SHEET VIBURNUM	24" MIN. HT. x 18"-18" SPRED. / FULL / 3'-5" G MIN.	3'-0" O.C.
GROUND COVER					
SOIL/SEED					
BAHIA SCD	5 FT/BD.	PASPALUM NOTATUM "ARGENTINE"	ARGENTINE BAHIA SCD (FOND AND DISTURBED AREAS ONLY)	NO BARE SPOTS, NO WEEDS, PESTS OR DISEASES TIGHTLY JOINED / STAGGER JOINTS / ROLLED	QTY. AS REQ'D. FIELD VERIFY QTY.
MULCH					
MULCH	CY/BD.	MINI PINE BARK NUGGETS		2"-3" SETTLED DEPTH MINIMUM PER CITY REQUIREMENTS	QTY. AS REQ'D. FIELD VERIFY QTY.

CALIPER INCHES REQUIRED: 315" DBH (DIAMETER AT BREAST HEIGHT)-BUFFER-24" / SITE REQUIREMENT + 15" CALIPER INCHES REQUIRED: 56" DBH. - TREE REPLACEMENT REQUIREMENTS CALIPER INCHES PROVIDED: 69" DBH. - TO SATISFY TREE REPLACEMENT REQUIREMENTS

REVISIONS

NO.	DATE	DESCRIPTION	APPROVED BY
1	4-14-16	PER CITY COMMENTS	T.C.P.
2	5-17-16	PER CITY COMMENTS	T.C.P.
3	6-01-16	PER CITY COMMENTS	T.C.P.

640 13TH ST - SITE IMPROVEMENTS

13TH STREET
APOPKA, FL 32712

SITE LANDSCAPE PLAN

CLIENT:

RIVERA ROBERTO
412 MORNING CREEK CIRCLE
APOPKA, FL 32712

LAM

Civil Engineering, Inc.

1320 W PINE STREET
ORLANDO, FL 32805

PHONE: 407-254-0040
FAX: 407-254-0041

CERTIFICATE OF
AUTHORIZATION No. 27340

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NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

QUANG T. LAM, P.E.
FL REGISTRATION NO. 62550

DATE

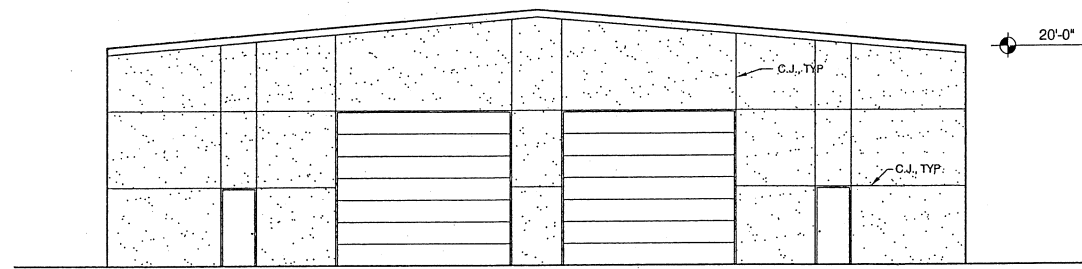
PROJECT No. 2014.999.14

DATE: 06-15-15

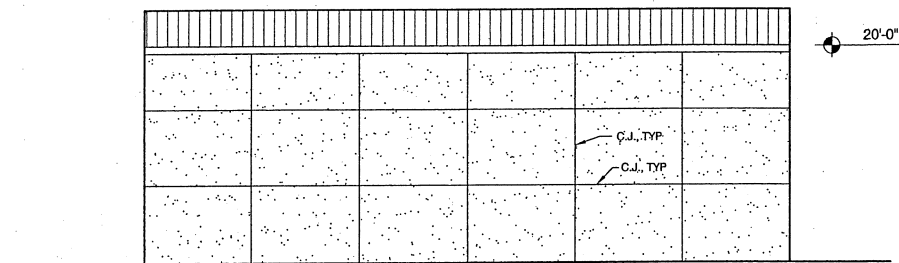
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APPROVED BY: QTL

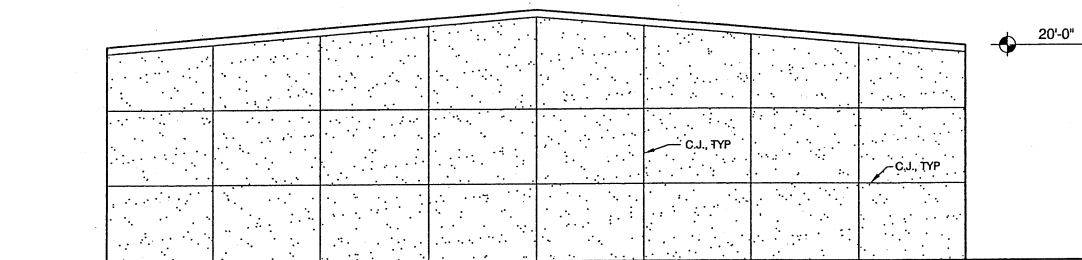
SHEET L1



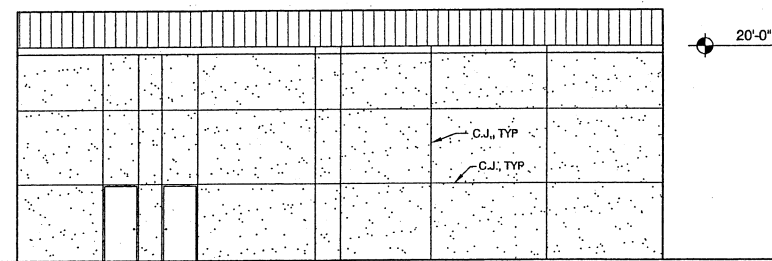
1 BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



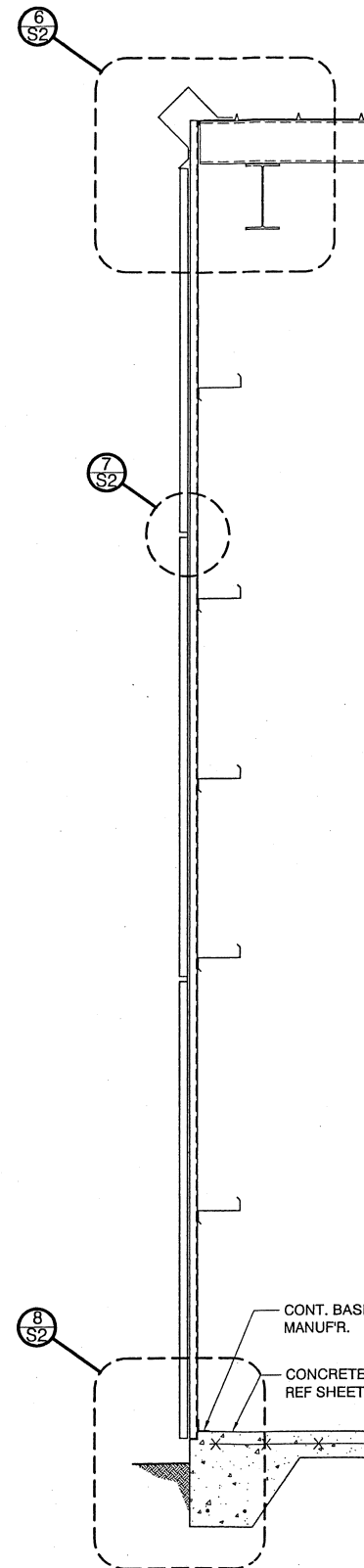
2 BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



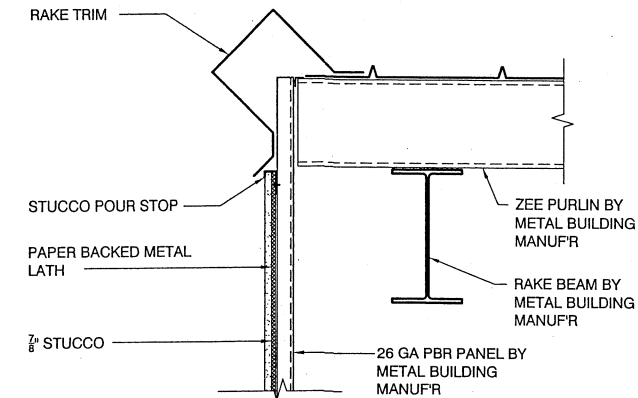
3 BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



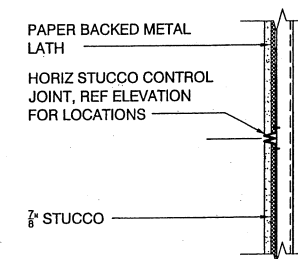
4 BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



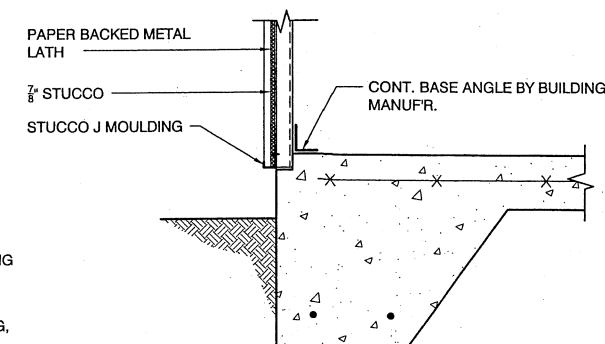
5 WALL SECTION
SCALE: 3/4" = 1'-0"



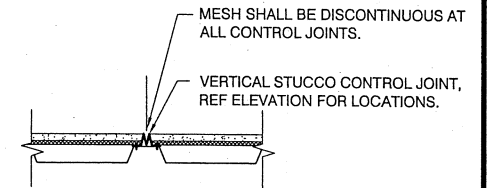
6 DETAIL
SCALE: 1 1/2" = 1'-0"



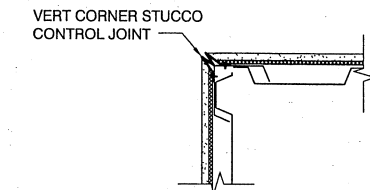
7 DETAIL @ HORIZ CONTROL JOINT
SCALE: 1 1/2" = 1'-0"



8 DETAIL
SCALE: 1 1/2" = 1'-0"



9 DETAIL @ VERTICAL CONTROL JOINT
SCALE: 1 1/2" = 1'-0"



10 DETAIL @ CORNER CONTROL JOINT
SCALE: 1 1/2" = 1'-0"

PROJECT IDENTIFICATION

THIS PLAN IS FOR CONSTRUCTION ON PROPERTY AT:
**640 E. 13th STREET
APOPKA, FL.**

NO RESPONSIBILITY IS ACCEPTED BY RICHARDSON ENGINEERING FOR ANY OTHER LOCATION. LOCATION OF PROJECT IS REQUIRED PER DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION RULE 61G1-16.004 REQUIRING PROJECT IDENTIFICATION

DO NOT MASTER FILE THIS DRAWING

RE RICHARDSON ENGINEERING

SEALED BY RICHARD B. RICHARDSON, P.E.
131 ZELMA STREET
ORLANDO FLORIDA 32803
(407) 425 - 4002
LIC# 00012380 ID# EB 26251

PROJECT: CAPITAL PAINTING METAL BUILDING

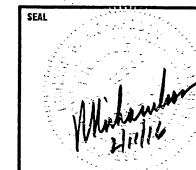
CLIENT: PETRATECH

JOB#: 160068

DATE: 02-10-2016

SHEET **S2** OF 1

DRAWN BY: BER



Backup material for agenda item:

2. Final Development Plan – Copart – Quasi-Judicial
Moon

David



CITY OF APOPKA CITY COUNCIL

☐ CONSENT AGENDA
☒ PUBLIC HEARING
☐ SPECIAL REPORTS
☒ OTHER:

MEETING OF: July 6, 2016
FROM: Community Development
EXHIBITS: Vicinity/Aerial Maps
Site/Landscape Plans
Building Elevations
Development Agreement

SUBJECT: COPART - FINAL DEVELOPMENT PLAN

**REQUEST: APPROVAL OF THE COPART FINAL DEVELOPMENT PLAN AND
ISSUANCE OF THE FINAL DEVELOPMENT ORDER.**

SUMMARY:

OWNER/APPLICANT: Copart of Connecticut, Inc.
ENGINEER: Burkett Engineering c/o Rene J. Schneider, P.E.
ARCHITECT: Fugleberg Koch, PLLC c/o Norman W. Nesmith, AIA
LOCATION: 3351 West Orange Blossom Trail
PARCEL ID #: 01-21-27-0000-00-032
LAND USE: Industrial
ZONING: I-1
EXISTING USE: Underutilized Industrial Facility
PROPOSED USE: Office, warehouse and outdoor damaged vehicle storage site
TRACT SIZE: 57.89 +/- acres
BUILDING SIZE: 24,000 sq. ft. - Industrial Warehouse (16,500 S.F.) w/ Office Space (7,500 S.F.)

FUNDING SOURCE:

N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Mixed Use	ZIP	Used Car Sales / Tire Sales
North (County)	Rural	A-1	Single Family Residential
East (City)	Industrial	I-1	Industrial Warehouse
South (City)	Institutional	PO/I	Cemetery
South (City)	Industrial	I-1	Vacant Property
West (City)	Industrial	I-1	Foliage Nursery
West (County)	Rural	R-3	Single Family Residential

ADDITIONAL COMMENTS: The Copart - Final Development Plan is consistent with the approved Preliminary Development Plan and Development Agreement, proposing to renovate and remodel an existing 24,000 square foot metal building for warehouse and office use. Copart, Inc. provides vehicle suppliers (primarily insurance companies) with a full range of services to process and sell intact damaged vehicles, principally to licensed dismantlers, rebuilders and used vehicle dealers. The Development Agreement has been signed by all parties and has been recorded. The Development Agreement requires a cross access easement to an abutting parcel to the east. A certificate of completion or a certificate of occupancy will not be issued by City staff until the cross access agreement has been recorded.

PARKING: A total of 68 parking spaces are provided (63 required by code) of which 3 are reserved as a handicapped parking space.

ACCESS: Access to the site is provided by an existing driveway cut along West Orange Blossom Trail. (Prior to the certificate of occupancy being issued for the site improvements. A copy of the recorded cross-access easement agreement with the site owned by QRS-10-18 FL Inc. parcel number 06-21-28-7172-18-141, shall be file with the City of Apopka Community Development Department). Access easement to the eastern abutting parcel must be in a form acceptable to the City Attorney and recorded prior to issuance of a certificate of completion or certificate.

EXTERIOR ELEVATIONS: Staff has found the proposed building elevations to be in accordance with the intent of the City's Development Design Guidelines.

STORMWATER: Stormwater run-off and drainage will be accommodated by an on-site stormwater drainage system. The stormwater management system is designed according to standards set forth in the Land Development Code.

BUFFER/ TREE PROGRAM:

The applicant has provided a detailed landscape and irrigation plan for the property. The planting materials and irrigation system design are consistent with the water-efficient landscape standards set forth in Ordinance No. 2069. The developer is required to pay tree mitigation fee of \$25,485 into the tree bank fund.

CITY COUNCIL – JULY 6, 2016
COPART – FINAL DEVELOPMENT PLAN
PAGE 3

The following is a summary of the tree replacement program for this project:

Total inches on-site:	3634
Total number of specimen trees:	38
Total inches removed:	3315
Total inches retained:	322
Total specimen inches retained:	54
Total inches required:	3261
Total inches replaced:	712

ENVIRONMENTAL: The developer must obtain approval from the Florida Fish and Wildlife Conservation Commission (FFWCC) regarding wildlife management plan prior to commencing any site construction activity.

PUBLIC HEARING SCHEDULE:
July 6, 2016 – City Council (1:30 pm)

RECOMMENDATION ACTION:

The **Development Review Committee** recommends the approval of the Copart - Final Development Plan.

Approve the Copart - Final Development Plan, subject to the findings of this staff report.

Note: This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

CITY COUNCIL – JULY 6, 2016
COPART – FINAL DEVELOPMENT PLAN
PAGE 4

Application: Final Development Plan
Owner/Applicant: Copart of Connecticut, Inc.
Engineer: Burkett Engineering c/o Rene J. Schneider, P.E.
Architect: Fugleberg Koch, PLLC., c/o Norman W. Nesmith, AIA
Parcel I.D. No: 01-21-27-0000-00-032
Location: 3351 West Orange Blossom Trail
Acres: 57.89 +/-



VICINITY MAP



**CITY COUNCIL – JULY 6, 2016
COPART – FINAL DEVELOPMENT PLAN
PAGE 5**

Application: Preliminary Development Plan
Owner/Applicant: Copart of Connecticut, Inc.
Engineer: Burkett Engineering c/o Rene J. Schneider, P.E.
Architect: Fugleberg Koch, PLLC., c/o Norman W. Nesmith, AIA
Parcel I.D. No: 01-21-27-0000-00-032
Location: 3351 West Orange Blossom Trail
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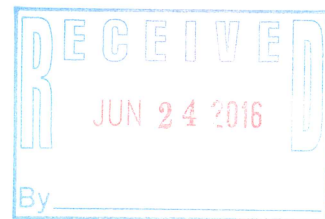


AERIAL MAP



SHEET INDEX

1. COVER SHEET
2. SYMBOLS AND ABBREVIATIONS
3. NOTES SHEET
4. OVERALL SITE PLAN
5. EXISTING TRIBUTARY DRAINAGE AREA PLAN
6. PROPOSED TRIBUTARY DRAINAGE AREA PLAN
7. OVERALL DRAINAGE PLAN
8. GEOMETRY, STRIPING & SIGNAGE PLAN
9. GEOMETRY, STRIPING & SIGNAGE PLAN
10. GEOMETRY, STRIPING & SIGNAGE PLAN
11. GRADING, DRAINAGE & UTILITY PLAN
12. GRADING, DRAINAGE & UTILITY PLAN
13. GRADING, DRAINAGE & UTILITY PLAN
14. GRADING, DRAINAGE & UTILITY PLAN
15. STORMWATER POLLUTION PREVENTION PLAN
16. CITY OF APOPKA UTILITY DETAILS
17. CITY OF APOPKA UTILITY DETAILS
18. CITY OF APOPKA UTILITY DETAILS
19. CITY OF APOPKA LIFT STATION DETAILS
20. CITY OF APOPKA LIFT STATION DETAILS
21. PAVING AND DRAINAGE DETAILS
- A2.01 ARCHITECTURAL FLOOR PLAN
- A4.01 ARCHITECTURAL EXTERIOR ELEVATIONS
- E1.01 ELECTRICAL SITE PLAN
- E1.02 PHOTOMETRIC SITE PLAN
- E1.03 SITE PLAN FIXTURE SPECIFICATIONS
- L1-L2 LANDSCAPE PLAN
- IR1-IR3 IRRIGATION PLAN
- BOUNDARY AND TOPOGRAPHIC SURVEY



COPART

FINAL DEVELOPMENT PLANS

FOR

COPART, INC.

14185 DALLAS PARKWAY

SUITE 300

DALLAS, TX 75254

TAX PARCEL ID NUMBER:
01-21-27-0000-00-032

Burkett | CIVIL ENGINEERING
engineering CONSULTANTS

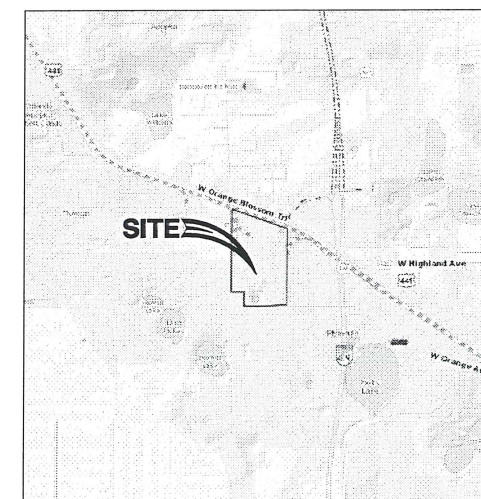
105 E. Robinson Street, Suite 501 Orlando, Florida 32801
(407) 246-1260 Fax (407) 246-0423
www.burkettengineering.com

City of Apopka, Florida
May 2016

NOTE:
A LETTER MUST BE OBTAINED FROM THE FLORIDA FISH AND
WILDLIFE CONSERVATION COMMISSION (FWCC) REGARDING WILDLIFE
MANAGEMENT PLAN FOR GOPHER TORTOISES, OSPREY NESTS AND
EASTERN INDOGO SNAKES PRIOR TO ANY CONSTRUCTION ACTIVITIES
OCCURRING ON SITE.

LOCATION MAP

3351 W. ORANGE BLOSSOM TRAIL
APOPKA, FL 32712-5851



SCALE: 1" = 2,000'

SECTION 01
TOWNSHIP 21
RANGE 27
LAT 28°41'47" N
LONG 81°33'45" W

ENGINEER IN CHARGE:
RENE J. SCHNEIDER P.E.

REG. # 61483
BURKETT ENGINEERING, INC.
CERT. OF AUTH. NO. 7105

PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	PO/I
LAND USE:	VACANT INSTITUTIONAL
BUSINESS NAME:	ST. JAMES AME CHURCH

PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	I-1
LAND USE:	VACANT INSTITUTIONAL
BUSINESS NAME:	MID FLORIDA FREEZER WAREHOUSES LTD

PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	I-1
LAND USE:	CONTAINER NURSERY
BUSINESS NAME:	WHITE SANDS NURSERIES

PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	I-1
LAND USE:	FERNERY
BUSINESS NAME:	BAYWOOD NURSERIES CO. INC.

PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	I-1
LAND USE:	ORNAMENTAL/NON-AG AVERAGE
BUSINESS NAME:	STONE, MICHAEL & DEORAH

PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	R-3
LAND USE:	SINGLE FAMILY
PROPERTY OWNER:	DARREN HINES & ERIC HINES

PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	R-3
LAND USE:	VACANT RESIDENTIAL
PROPERTY OWNER:	MICHAEL & DEBRA STONE

PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	R-3
LAND USE:	SINGLE FAMILY
PROPERTY OWNER:	ANDREW & SAUNDRA LEWIS

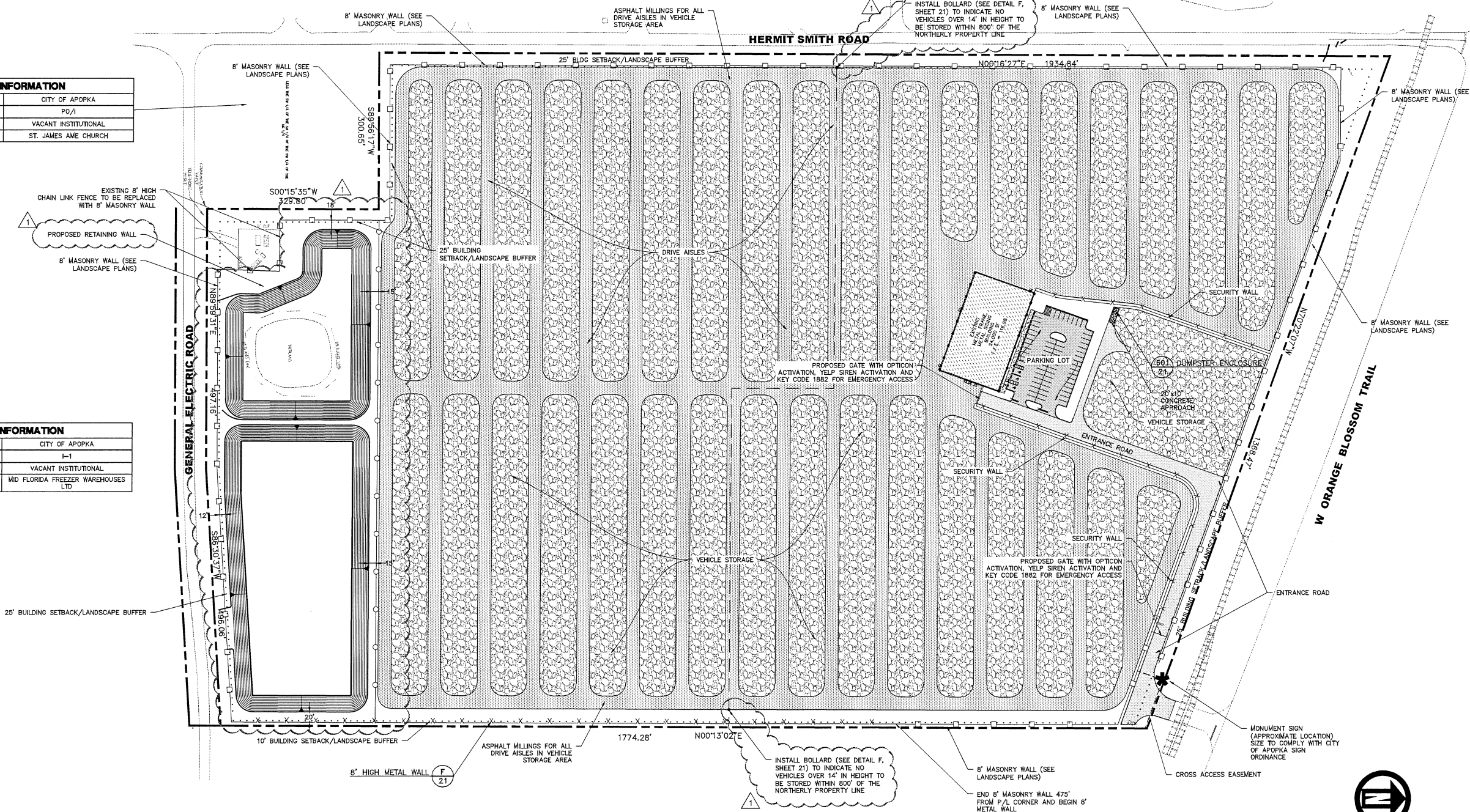
PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	R-3
LAND USE:	SINGLE FAMILY
PROPERTY OWNER:	ARTHUR & RUBY MONROE

PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	R-3
LAND USE:	SINGLE FAMILY
PROPERTY OWNER:	MONROE FAMILY

PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	C-3/R-3
LAND USE:	WAREHOUSING/SINGLE FAMILY
PROPERTY OWNER:	JUAN VERGEN

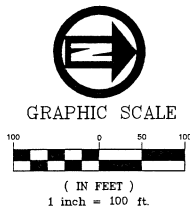
PAVEMENT LEGEND	
	VEHICLE STORAGE AREA (ROCK/GRAVEL)
	ASPHALT PAVEMENT (ENTRANCE ROAD & DUMPSTER ACCESS)
	ASPHALT MILLINGS (DRIVE AISLE)
	PARKING LOT

NOTE: SEE TYPICAL SECTION ON SHEET 21



PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	I-1
LAND USE:	LIGHT MANUFACTURING
BUSINESS NAME:	QRS 10-18 FL. INC.

393



Burkett
engineering
CONSULTANTS
105 E. Robinson Street, Suite 501 Orlando, Florida 32801
(407) 246-9660 Fax (407) 246-0425
www.burkettengineering.com

DATE	DESCRIPTION
5/18/16	REVISION PER CITY OF APOPKA
6/14/16	DATE

COPART
FINAL DEVELOPMENT PLANS
FOR COPART, INC.
OVERALL SITE PLAN

DATE:	5/18/16
PROJECT NO.:	1513.11
DRAWN BY:	JCM/VOP
DESIGNED BY:	RJS
CHECKED BY:	RJS/WEB
ENGINEER IN CHARGE:	RENE J. SCHNEIDER, P.E.

REG. # 61483
BURKETT ENGINEERING, INC.
CERT. OF AUTH. NO. 7105
SHEET NO.
4
OF:29

I CERTIFY THAT THE LANDSCAPE AND IRRIGATION DESIGN FOR THIS PROJECT IS IN ACCORDANCE WITH THE CITY OF APOPKA'S ORDINANCE 2069 ADOPTED MAY 21, 2006 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.

Signature
J. Scott Liberty

LA0001476
REG. NO.

JUNE 20, 2016
DATE

CITY OF APOPKA LANDSCAPE ORDINANCE 2069 REQUIREMENTS

MINIMUM TREE REQUIREMENT OF 1 TREE PER 8,000 SQUARE FEET OF SITE AREA : (57.89 AC) 2,521,888 SF/8,000 = 316 316 TREES MIN. REQUIRED, 316 PROVIDED BY 285 PROPOSED TREES AND 31 EXISTING TREES TO REMAIN.

SR 441 25' WIDE R-O-W BUFFER 1,369 LF.: 120.0" DBH REQUIRED. 3.5" PER 1,000 SF (34,200 SF TOTAL) 260.0" DBH PROVIDED

HERMIT SMITH RD. 25' WIDE R-O-W BUFFER 1,935 LF.: 170" DBH REQ'D. 3.5" PER 1,000 SF (48,375 SF), 170" PROVIDED (42" EXISTING)

GENERAL ELECTRIC RD. 25' WIDE R-O-W BUFFER 993 LF.: 87.5" DBH REQ'D. 3.5" PER 1,000 SF (24,825 SF) 87.5" DBH PROVIDED

EAST BUFFER 10' WIDE ALONG I-1 ZONING 1,805 LF.: 64.0" DBH REQUIRED 3.5" PER 1,000 SF (18,050 SF), 135.0" DBH PROVIDED

NORTH CEMETARY 25' WIDE BUFFER 301 LF.: 27.0" DBH REQUIRED 3.5" PER 1,000 SF (7,525 SF) 27.5" DBH PROVIDED

EAST CEMETARY 25' WIDE BUFFER 330 LF.: 28.0" DBH REQUIRED 3.5" PER 1,000 SF (8,250 SF), 30.0" DBH PROVIDED

SHADE TREE REQUIREMENT OF 30% COVERAGE FOR THE GROSS PARKING LOT AREA PROVIDED BY PROPOSED SHADE TREES AT MATURE GROWTH (7 LIVE OAK & 5 MAGNOLIA) AS PER LDC SECTION 5.01.08 (C)(10) GROSS PARKING AREA = 20,000 SF X 30% = 6,000 SF SHADE AREA REQUIRED AND PROVIDED (SEE MATURE CANOPY SIZES)

12 SHADE TREES PROVIDED FOR 68 PARKING SPACES 3.5" PER 6 SPACES.

NOTE: PROPOSED DECORATIVE WALLS SHALL BE APPROVED BY THE CITY OF APOPKA COMMUNITY DEVELOPMENT DEPARTMENT PRIOR TO CONSTRUCTION.

UNDERSTORY TREE PROVIDED IN ADDITION TO MINIMUM CODE
(ALONG SR441 AND EAST SIDE OF PROPERTY)

CANOPY TREE MAX. 30' O.C.
(EXCEPT ALONG EAST SIDE)

8' HEIGHT MASONRY WALL

24" HIGH CONTINUOUS HEDGEROW
(36" OC to become 100% opaque
and maintained at a 3' ht.)

25' R-O-W BUFFER AND
WALL PLANTING ELEVATION
SCALE: 1/4" = 1'-0"

UNDERSTORY TREE PROVIDED
IN ADDITION TO MINIMUM CODE
(ALONG SR441 AND EAST SIDE OF PROPERTY)

8' HT. MASONRY WALL

24" HIGH CONTINUOUS HEDGEROW
(EXCEPT ALONG EAST SIDE)
(36" OC to become 100% opaque
and maintained at a 3' ht.)

CANOPY TREE MAX. 30' O.C.
(EXCEPT ALONG EAST SIDE)

25' R-O-W BUFFER AND
WALL PLANTING SECTION
SCALE: 1/4" = 1'-0"

TREE REPLACEMENT DATA:

TOTAL SITE CLEARING AREA
= 2,521,888 SF. (57.89 AC)

SPECIMEN TREE CHART (24" OR GREATER DBH)					
TOTAL NO.	TOTAL CALIPER	NO.	CALIPER	NO.	CALIPER
38	1,351"	38	1,297"	2	54"

NON-SPECIMEN TREE CHART (8" TO 23" DBH)
(EXCLUDES EXOTIC TREE SPECIES)

NON-SPECIMEN TREE CHART (8" TO 23" DBH) (EXCLUDES EXOTIC TREE SPECIES)					
TOTAL NO.	TOTAL CALIPER	NO.	CALIPER	NO.	CALIPER
187	2,288"	158	2,018"	29	268"

TOTAL TREE STOCK REQUIREMENT:

SPECIMEN TREE STOCK FORMULA CAP: 12,808 INCHES DBH

(AT 1" REPLACEMENT FOR 1" REMOVED)

NON-SPECIMEN TREE STOCK FORMULA CAP: 8,828 INCHES DBH

(AT 1" REPLACEMENT FOR 1" REMOVED)

TOTAL MAXIMUM TREE REPLACEMENT: 3,261.0 INCHES DBH

PROPOSED REPLACEMENT INCHES: 712.5 INCHES DBH

REPLACEMENT DEFICIT INCHES: 2,548.5 INCHES DBH

NOTE: TREE REPLACEMENT DEFICIT = 2,548.5 INCHES. OWNER HEREBY COMMITS TO PAYMENT INTO THE CITY'S TREE BANK FUND FOR AMOUNT TOTALING \$ 25,485.00 @ \$10.00 PER INCH DEFICIT.

NOTE: THE LIMITS OF TREE CLEARING SHALL INCLUDE ONLY THOSE AREAS REQUIRED TO CONSTRUCT THE PROPOSED VEHICLE STORAGE AREAS, PAVED AREAS, BUILDING, UTILITIES AND RETENTION POND AS SHOWN. ALL OTHER AREAS SHALL BE UNDISTURBED.

NOTE: TREE TRIMMING WORK SHALL REQUIRE REVIEW AND APPROVAL BY THE CITY THROUGH AN ARBOR PERMIT.

TREE SYMBOLS LEGEND

40 - LIVE OAK TREES @ 2-1/2" DBH = 100.0"

25 - MAGNOLIA TREES @ 2-1/2" DBH = 62.5"

102 - RED CEDAR TREES @ 2-1/2" DBH = 255.0"

30" OC

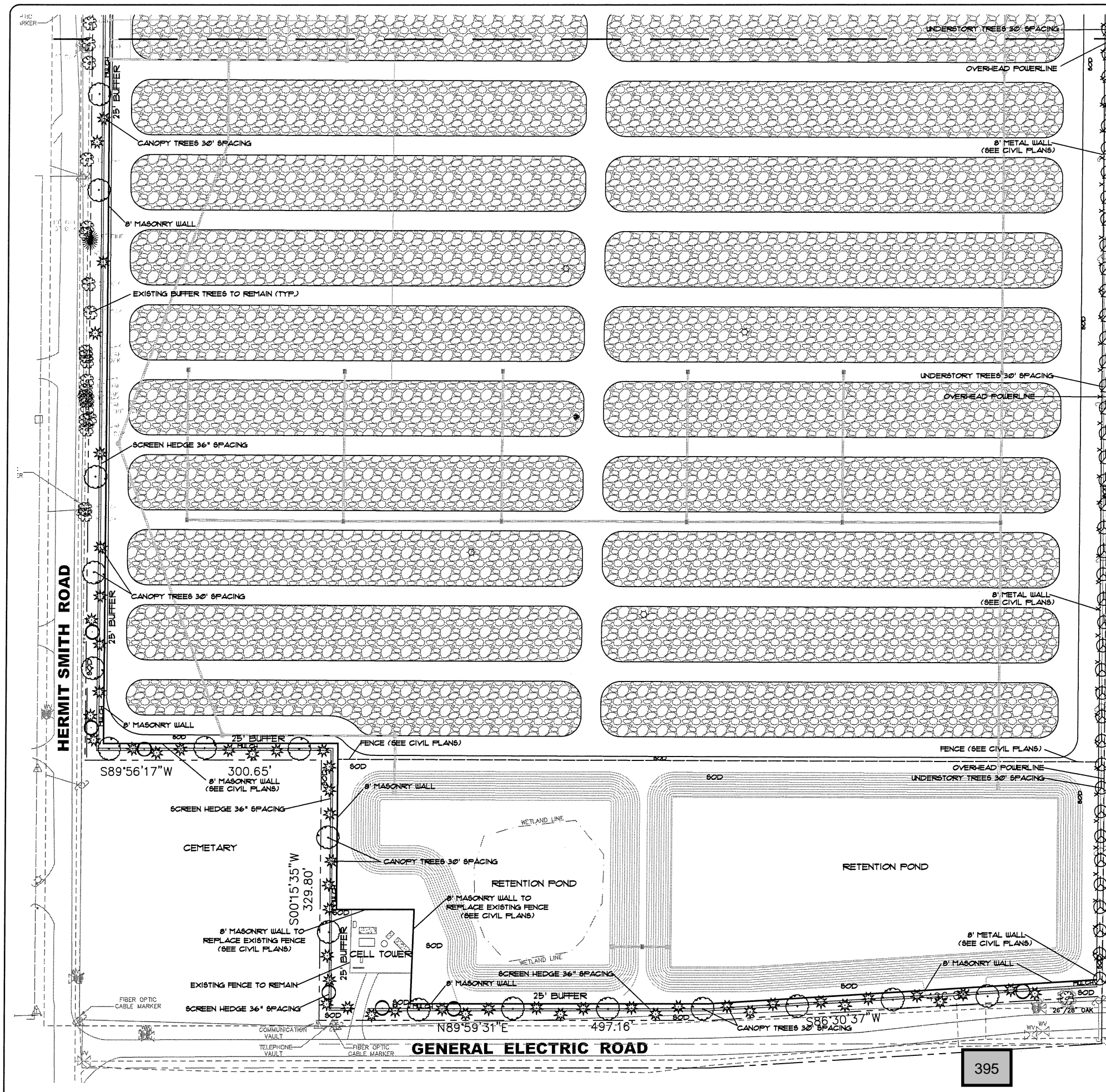
118 - WAX MYRTLE TREES @ 2-1/2" DBH = 295.0"

TREE TOTAL = 285 712.5" DBH = TOTAL REPLACEMENT INCHES

1,660 - SUSPENSUM VIBURNUM BUFFER & FOUNDATION SHRUBS: 24" MINIMUM HEIGHT SPACED 36" OC

SOD: ARGENTINE BAHIA SOLID SOD (MEETS LDC ART. V WATER-WISE ORDINANCE 2069 STANDARDS)

J. SCOTT LIBERTY, LANDSCAPE ARCHITECT
FLORIDA REGISTRATION NO. LA00001416
5621 REVELLWOOD LOOP, WINTER PARK, FL 32782
PHONE: 407-718-1244 FAX: 407-671-6164



MATCHLINE (SEE L1)

I-1 ZONING
N00°13'02"E
1774.28'

TREE REPLACEMENT DATA:

TOTAL SITE CLEARING AREA
= 2,521,888 SF, (57.89 AC)

SPECIMEN TREE CHART (24" OR GREATER DBH)

TOTAL NO.	TOTAL CALIPER	REMOVE		REMAIN	
		NO.	CALIPER	NO.	CALIPER
36	1,351"	36	1,297"	2	54"

NON-SPECIMEN TREE CHART (8" TO 23" DBH)
(EXCLUDES EXOTIC TREE SPECIES)

TOTAL NO.	TOTAL CALIPER	REMOVE		REMAIN	
		NO.	CALIPER	NO.	CALIPER
187	2,286"	156	2,016"	29	286"

TOTAL TREE STOCK REQUIREMENT:

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CITY OF APOKA LANDSCAPE ORDINANCE 2069 REQUIREMENTS

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HERMIT SMITH RD. 25' WIDE R-O-W BUFFER 1,935 LF.: 170" DBH REQ'D @ 3.5" PER 1,000 SF (48,375 SF), 170" PROVIDED (42" EXISTING)

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EAST BUFFER 10' WIDE ALONG I-1 ZONING 1,805 LF.: 84.0" DBH REQUIRED @ 3.5" PER 1,000 SF (18,050 SF), 135.0" DBH PROVIDED

NORTH CEMETARY 25' WIDE BUFFER 301 LF.: 27.0" DBH REQUIRED @ 3.5" PER 1,000 SF (7,525 SF) 27.5" DBH PROVIDED

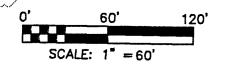
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12 SHADE TREES PROVIDED FOR 68 PARKING SPACES @ 1 PER 6 SPACES.

NOTE: PROPOSED DECORATIVE WALLS SHALL BE APPROVED BY THE CITY OF APOKA COMMUNITY DEVELOPMENT DEPARTMENT PRIOR TO CONSTRUCTION.



- TREE SYMBOLS LEGEND**
- 40 - LIVE OAK TREES @ 2-1/2" DBH = 100.0"
 - 25 - MAGNOLIA TREES @ 2-1/2" DBH = 62.5"
 - 102 - RED CEDAR TREES @ 2-1/2" DBH = 255.0"
 - 118 - WAX MYRTLE TREES @ 2-1/2" DBH = 295.0"
- TREE TOTAL = 285 712.5" DBH = TOTAL REPLACEMENT INCHES
- 1,660 - SUSPENSUM VIBURNUM BUFFER & FOUNDATION SHRUBS: 24" MINIMUM HEIGHT SPACED 36" OC
- SOD: ARGENTINE BAHIA SOLID SOD (MEETS LDC ART. V WATER-WISE ORDINANCE 2069 STANDARDS)

J. SCOTT LIBERTY, LANDSCAPE ARCHITECT
FLORIDA REGISTRATION NO. LA0000476
8401 REVELWOOD LOOP, WINTER PARK, FL 32789
PHONE: 407-718-2124 FAX: 407-671-6264

LANDSCAPE AND IRRIGATION DESIGN

I CERTIFY THAT THE LANDSCAPE AND IRRIGATION DESIGN FOR THIS PROJECT IS IN ACCORDANCE WITH THE CITY OF APOKA'S ORDINANCE 2069 ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.

SIGNATURE: *J. Scott Liberty* LA0001476 JUNE 20, 2016
REG. NO. DATE

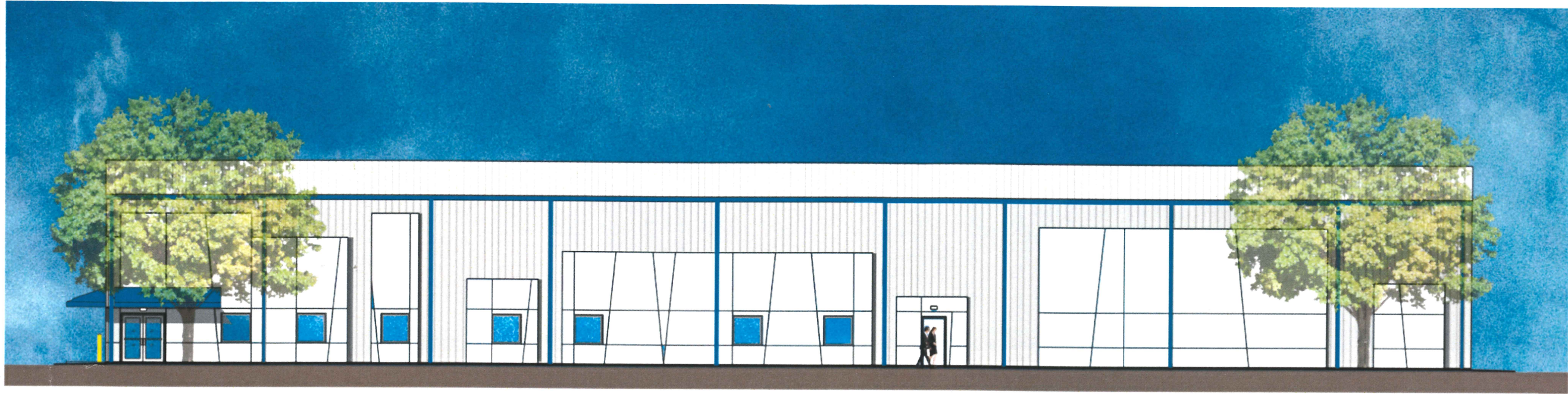
Burkett
engineering
CIVIL ENGINEERING
CONSULTANTS
105 E. Robinson Street, Suite 501 Orlando, Florida 32801
(407) 246-9260 Fax (407) 246-0423
www.burkettengineering.com

NO.	DATE	DESCRIPTION
1	6/17/15	PER REVISION DRAINAGE PLAN
2	6/17/15	PER REVISION DRAINAGE PLAN
3	6/17/15	PER REVISION DRAINAGE PLAN
4	6/17/15	PER REVISION DRAINAGE PLAN
5	6/17/15	PER REVISION DRAINAGE PLAN
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200	6/17/15	PER REVISION DRAINAGE PLAN

COPART APOKA
DEVELOPMENT PLAN
FOR COPART, INC.
LANDSCAPE PLAN

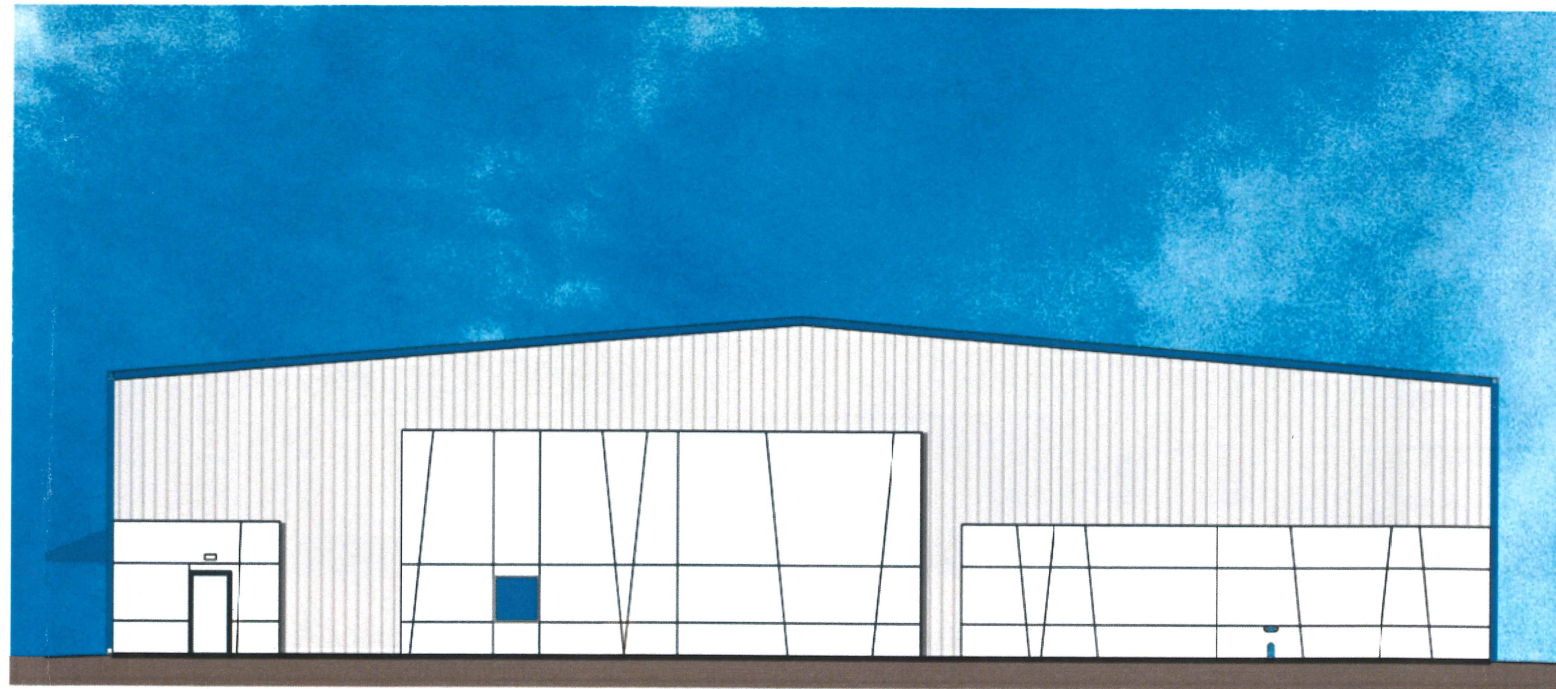
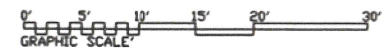
DATE: 10/2/15
PROJECT NO.: 1513.11
DRAWN BY: JSL
DESIGNED BY: JSL
CHECKED BY: JSL
ENGINEER IN CHARGE:

REG. # ENGINEERING, INC.
CERT. OF AUTH. NO. 7105
SHEET NO. L2
OF:



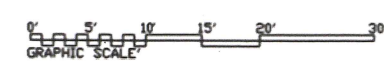
Exterior Elevation - North

1/8"=1'-0"



Exterior Elevation - West

1/8"=1'-0"



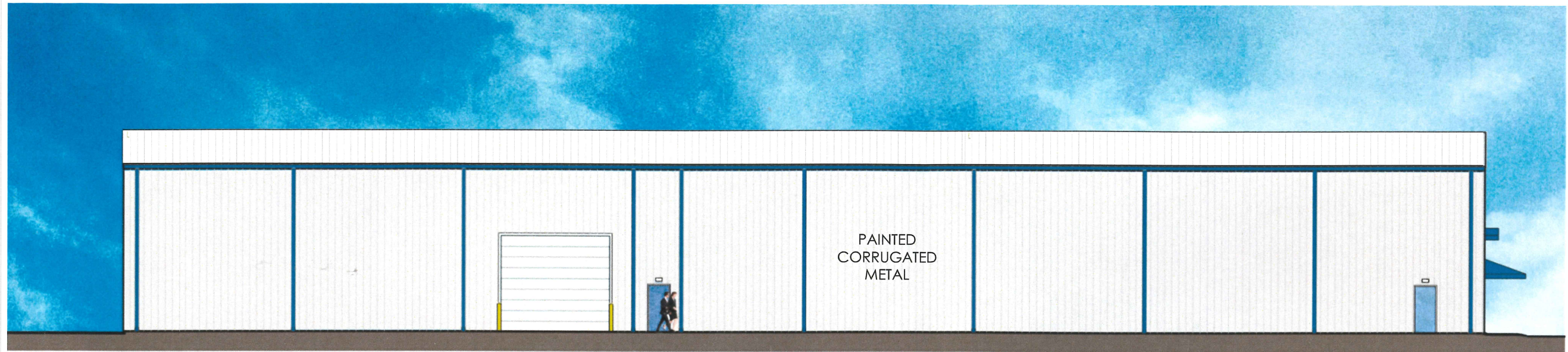
FUGLEBERG KOCH
PLLC

ELEVATION | COPART

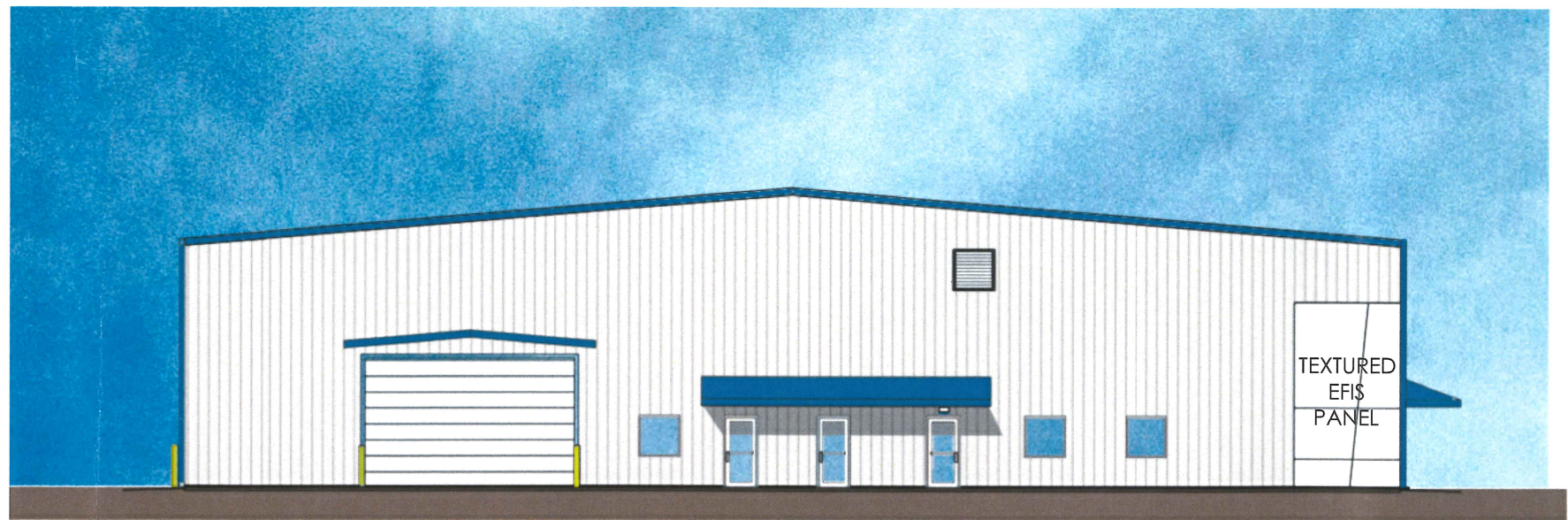
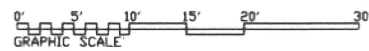
396

CT No: 5263

APOKA FLORIDA

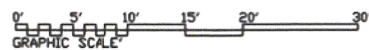


Exterior Elevation - South



Exterior Elevation - East

1/8"=1'-0"



FUGLEBERG KOCH
PLLC

ELEVATION | COPART

397

ECT No: 5263

APOPKA FLORIDA

**DEVELOPER'S AGREEMENT
FOR DEVELOPMENT OF COPART, INC. APOPKA PROPERTY**

THIS AGREEMENT, made effective as of the date specified in paragraph 3 below, by and among the CITY OF APOPKA, a municipal corporation existing and organized under the laws of the State of Florida, hereinafter sometimes referred to as "CITY," and COPART OF CONNECTICUT, INC., a Connecticut corporation, hereinafter sometimes referred to as "COPART." WITNESSETH THAT:

WHEREAS, COPART warrants that it holds legal title to certain land situated in the City of Apopka, Orange County, Florida, as described in Exhibit "A" hereto (the "Property"); and

WHEREAS, the subject Property is substantially undeveloped at the present time and will require site plan approval and the installation of certain capital improvements as it is developed, which improvements, hereinafter the "Improvements," are more specifically described herein; and

WHEREAS, it is the purpose of this Agreement to set forth clearly the understanding and agreement of the parties with respect to the contemplated Improvements.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

1. COPART agrees that it and its successors and assigns will abide by the provisions of this Agreement and will install the following Improvements:

- a. COPART will, at its sole expense, install and maintain an eight foot (8') high masonry wall along the north, south and west sides of the Property, as well as the northerly +/- 475 LF of the east side of the Property (adjoining to the masonry wall at the northeast corner of the Property), except as set forth

below. COPART will, at its sole expense install an eight foot (8') metal wall along the east side of the Property where the masonry wall stops to the Property's southerly property boundary. Architectural renderings showing the design and placement of the masonry and metal walls on the Property are attached hereto as Exhibit "B" and Exhibit "C-1 & C-2," respectively."

- b. COPART will, at its sole expense, install and maintain a landscape buffer on all four sides of the property, as set forth and attached hereto as Exhibits C-1 & C-2. Said buffer is to be maintained by COPART and will be subject to code enforcement action and plant replacement at COPART's expense should COPART breach this maintenance obligation.
- c. Use of the Property is limited to COPART's current proposed use, as well as any other use that is or may be permitted under the Property's current and/or future zoning designation. Any expansion of COPART's operations not currently approved under this Agreement or currently permissible under the current or future zoning designation will require the approval of the CITY Council.
- d. The Property will be subject to code enforcement inspections by the City as set forth in Chapter 54, Article II, of the City Code, to insure the Property is only used as approved.
- e. No more than twenty percent (20%) of the overall Property may be used to store vehicles that exceed a height of fourteen feet (14') and those exceeding fourteen feet (14') in height must be stored more than eight hundred feet (800') from the front property line along West Orange Blossom Trail as shown on Exhibit "E".
- f. COPART'S ordinary and regular operations, as detailed on Exhibit "D" attached hereto, shall not be deemed "on-site sales" and/or "live auctions", and shall

be deemed compliant with this Agreement and the Property zoning designation.

- g. All 'for-sale' vehicles, product, or equipment must be stored within the designated vehicle storage areas indicated on Exhibit "E" attached hereto and shall not be stored at any time within paved business parking areas, within landscape buffers or parked within travel aisles of the designated storage areas as indicated on Exhibit "E". Vehicle storage space and driving aisles shall be constructed of asphalt tailings and gravel as shown on Exhibit "E".
- h. All tow trucks or company trucks parked overnight at the Property shall be parked within the designated vehicle storage areas indicated on Exhibit "E".
- i. No vehicle, equipment or product dismantling, crushing or sale of parts shall occur on or within the Property.
- j. Construction or utility vehicles, product, or equipment with aerial buckets or cranes shall be stored with the crane arm or boom in the down position to the greatest extent possible to a height of less than fourteen feet (14').
- k. No sign appearing on any vehicle or equipment placed in the designated vehicle storage areas indicated on Exhibit "E" shall be visible outside the Property boundaries
- l. Vehicles, product, and equipment stored within the designated storage areas indicated on the Preliminary Development Plan shall never be stacked upon one another.
- m. No more than twenty percent (20%) of the vehicles, products or equipment shall be stored on the Property for more than one hundred eighty (180) consecutive days.
- n. COPART will possess and keep current any and all licenses required to operate its business on the Property which may include:
 - 1. Florida VA – Motor Vehicle Auction;

2. Florida VI – Motor Vehicle Dealer;
 3. Florida RV – Used Recreational Vehicle Dealer;
 4. Florida VW – Wholesale Dealer.
- o. The CITY acknowledges that the Property is approved for the business operations as permitted under each of the licenses listed in Paragraph 1.n above with the limitation that the operation falls within the confines of the outlined in the Copart Operations as described in Exhibit “D” .
 - p. Any violation of this Agreement by COPART may result in code enforcement and all remedies and penalties available through that process, as well as all remedies available to the CITY through Article 12.07.00 of the CITY Code and all other legal means.

2. This Agreement shall be binding upon and shall inure to the benefit of the subject Property and be binding upon any person, firm, or corporation who may become the successor in interest, directly or indirectly, to the subject Property. COPART shall pay all costs of recording this Agreement. No site improvements shall occur until this Agreement is recorded. This Agreement is intended to be and become effective as of the date it is executed by the last to sign of the CITY or COPART.

[Signature Pages Follow]

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the day
and year first above written.

SEAL

CITY OF APOPKA

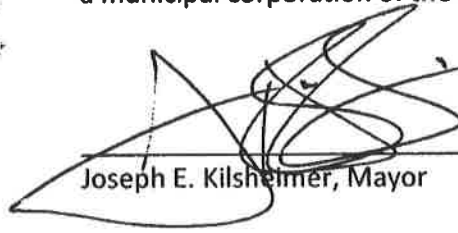
The CITY OF APOPKA, FLORIDA
a municipal corporation of the State of Florida

ATTEST:



Linda F. Goff, CMC

City Clerk



Joseph E. Kilsheimer, Mayor

May 18, 2016

COPART

WITNESS:

COPART OF CONNECTICUT, INC.,
a Connecticut Corporation

[Signature]
Name: Paul A. Styer

By: [Signature]
Name: Paul A. Styer
Title: Secretary

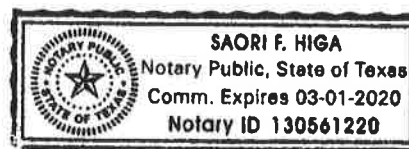
[Signature]
Name: Saori Higa

Date: May 25, 2016

STATE OF TexasCOUNTY OF Dallas

The foregoing instrument was acknowledged before me this 25th day of May, 2016, by Paul A. Styer, as Secretary of COPART OF CONNECTICUT, INC., a Connecticut corporation, on behalf of said corporation. Said person did not take an oath and is ☒ personally known to me, ☐ produced a driver's license (issued by a state of the United States within the last five (5) years) as identification, or ☐ produced other identification, _____ to _____ wit: _____

[Signature]
Print Name: Saori F. Higa
Notary Public – State of Texas
Commission No.: 130561220
My Commission Expires: 3/1/2020



LEGAL DESCRIPTION

THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$, LESS THE SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$,
AND THAT PART OF THE NW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$, LYING SOUTH OF RAILROAD RIGHT
OF WAY ALL IN SECTION 1, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE
COUNTY, FLORIDA.

Burkett
engineering

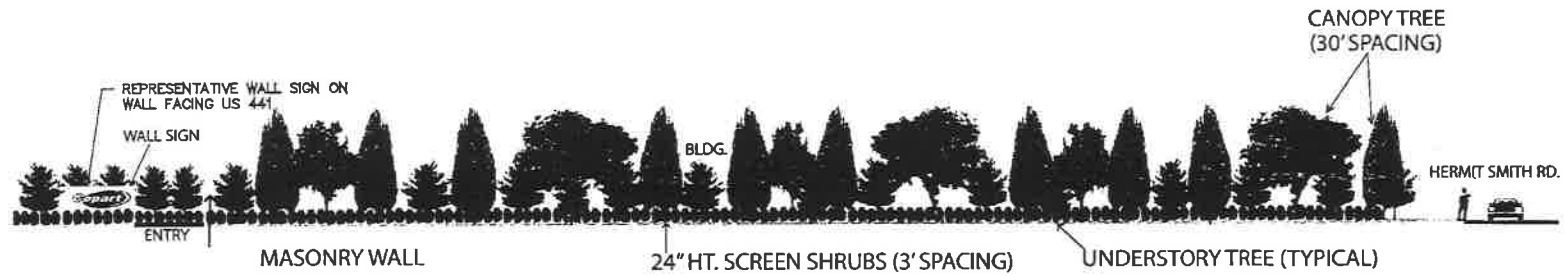
105 E. Robinson Street, Suite 501 Orlando, Florida 32801
(407) 246-1260 Fax (407) 246-0423
www.burkettengineering.com

CIVIL ENGINEERING
CONSULTANTS

COPART
LEGAL DESCRIPTION

EXHIBIT A

DATE 05/04/2016
JOB No. 1813.101
SCALE: N.T.S.

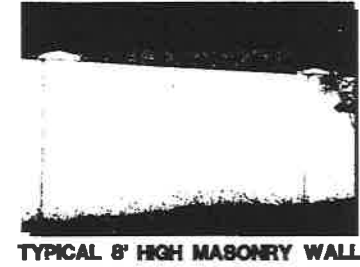


25' BUFFER ELEVATION ALONG US 441

NOTE: 25' BUFFER LANDSCAPING ALONG US 441 CONTAINS ADDITIONAL UNDERSTORY TREES ABOVE MINIMUM CODE. ALL OTHER LANDSCAPING BUFFERS SHALL MEET MINIMUM CODE REQUIREMENTS.

NOTES:

- WALL FACING W. ORANGE BLOSSOM TRAIL -- 8' HIGH MASONRY
- WALL FACING HERMIT SMITH ROAD -- 8' HIGH MASONRY
- WALL FACING GENERAL ELECTRIC ROAD -- 8' HIGH MASONRY
- WALL FACING EAST -- NORTHERLY 475 LF -- 8' HIGH MASONRY; FROM MASONRY WALL TO THE SOUTH PROPERTY LINE -- 8' HIGH METAL
- WALL ADJACENT TO CELL TOWER AND CEMETERY -- 8' HIGH MASONRY



TYPICAL 8' HIGH MASONRY WALL

COPART
MASONRY WALL RENDERING

Burkett CIVIL ENGINEERING
engineering CONSULTANTS
105 E. Robinson Street, Suite 501 Orlinda, Florida 32801
(407) 240-1260 Fax (407) 240-0423
www.burkettengineering.com

EXHIBIT B

DATE: 05/04/2018
BEI JOB No: 1513.1.01
SCALE: N.T.S.

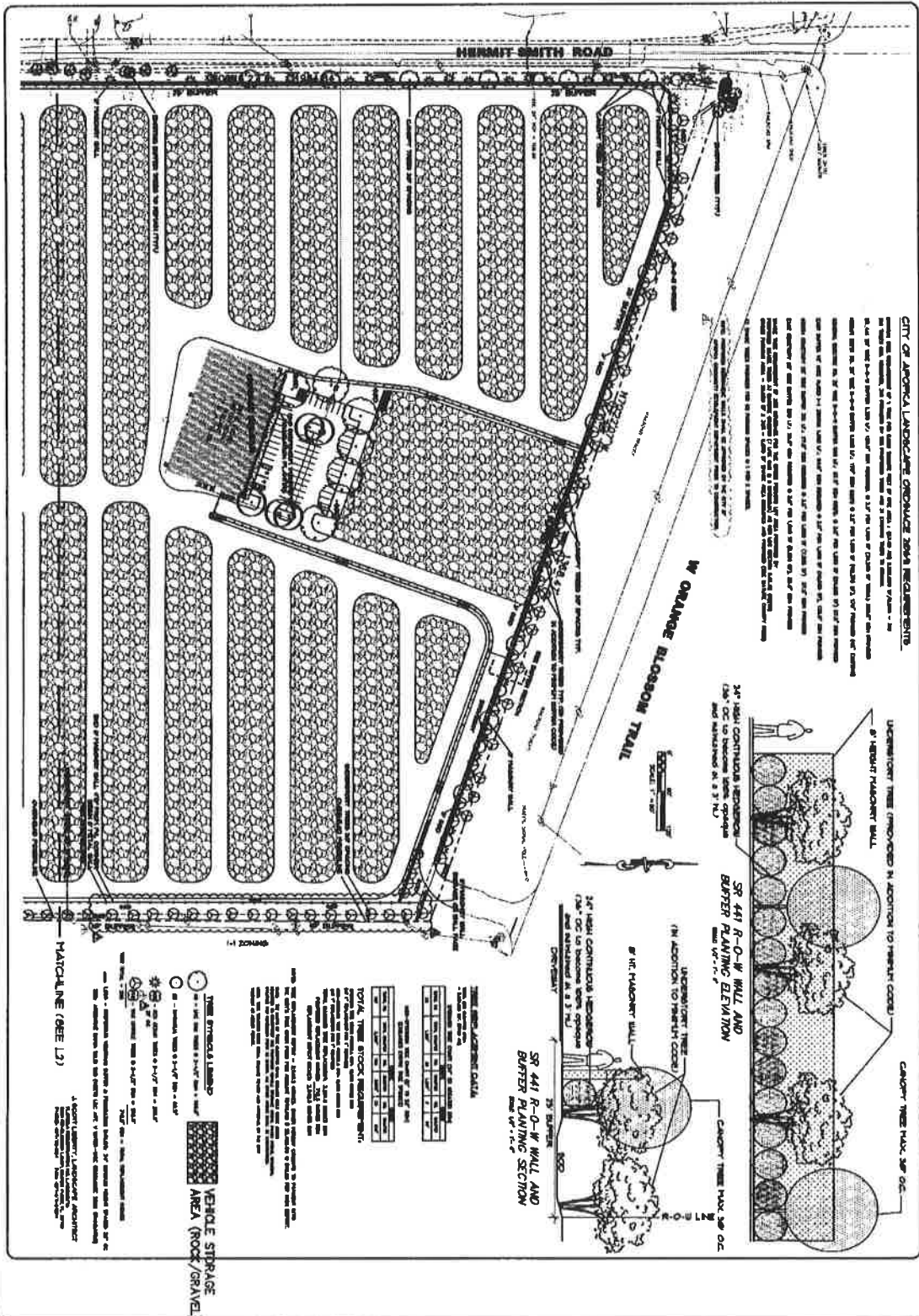


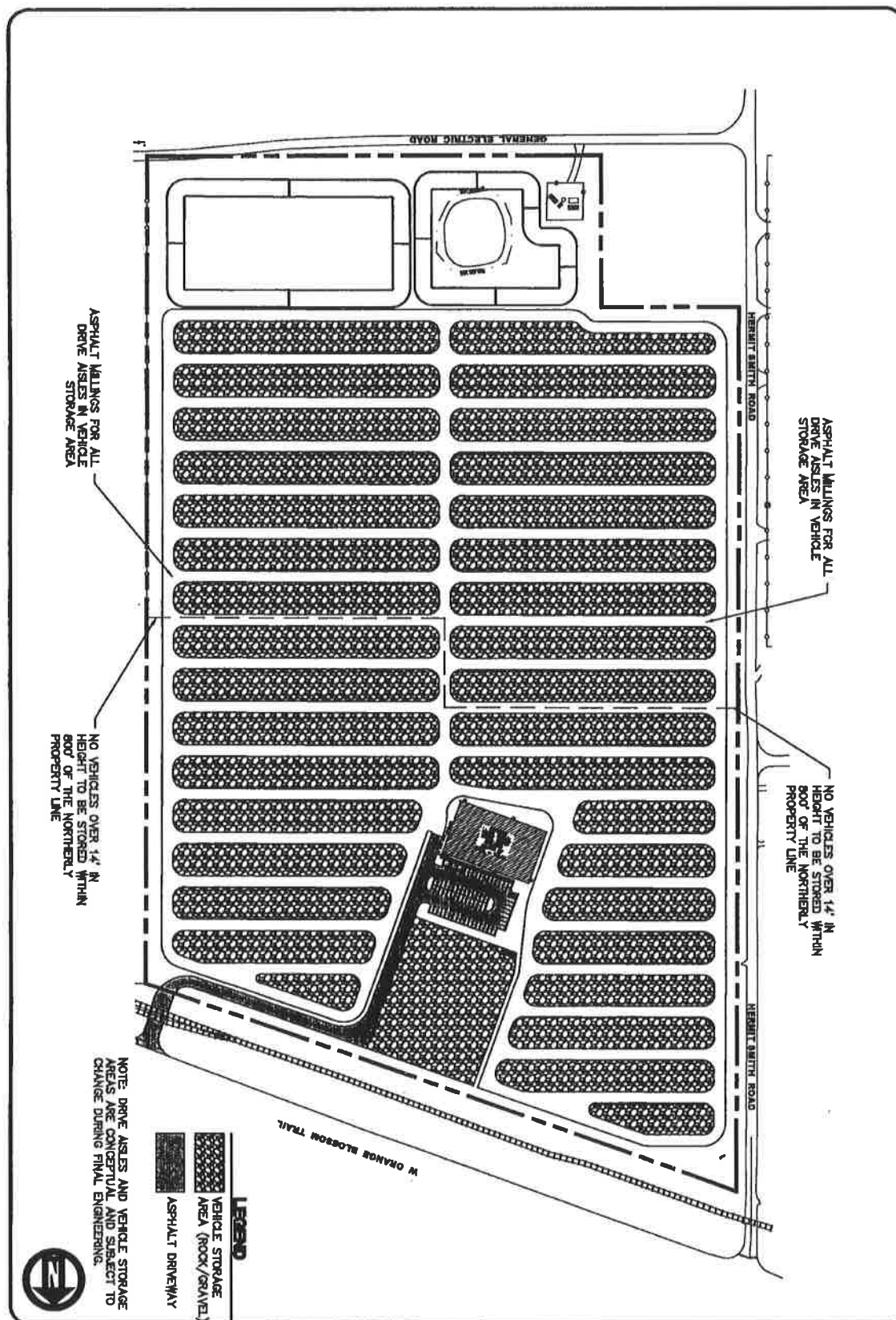
EXHIBIT "D"

COPART OPERATIONS

Storage and online auction and sale of used and damaged (a) vehicles, (b) trailers, (c) watercraft, and (d) powersports, industrial and construction equipment (collectively, **"Inventory"**), and ancillary receiving, shipping, lien auction and administrative activities related thereto.

After being received at the Copart facility (**"Facility"**), Inventory is listed for sale on Copart's proprietary online auction-style website and mobile apps for purchase only by Copart registered members (**"Members"**). All bids are submitted and accepted electronically, without the use of a live auctioneer. Members are provided the opportunity to inspect Inventory at the Facility, although most inspections are limited to viewing Inventory images and information made available online. Members may electronically submit preliminary bids from (i) anywhere in the world via a personal computer or mobile device with internet access (each, a **"Remote Online Device"**), or (ii) a limited number of computer kiosks located at the Facility. The high preliminary bid is carried over to the online virtual sale, during which Members may submit bids electronically only from a Remote Online Device.

All Inventory is sold to the Member with the highest bid (**"New Owner"**), who then arranges for pickup and transportation of their Inventory from the Facility. Payment for sold Inventory may be made electronically, via wire-transfer, or in person at the Facility or any other Copart facility located in the United States. Titles to sold Inventory are either picked up by the New Owner along with the sold Inventory, or mailed by Copart to the New Owner.



Burkett
engineering

CIVIL ENGINEERING
CONSULTANTS

105 E. Robinson Street, Suite 501 Orlando, Florida 32801
(407) 246-1360 Fax (407) 246-0433
www.burkettengineering.com

COPART
VEHICLE STORAGE AREA

EXHIBIT E

DATE: 05/04/2018
BEI JOB No.: 1513.101
SCALE: 1"=200'

Backup material for agenda item:

4. Development Review Process
Reggentin

Mark



CITY OF APOPKA CITY COUNCIL

___ CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
☒ OTHER: Council Business

MEETING OF: July 6, 2016
FROM: Community Development
EXHIBITS: Development Review
Flow Chart

SUBJECT: DEVELOPMENT REVIEW PROCESS

REQUEST: STAFF REQUESTS DIRECTION FROM CITY COUNCIL REGARDING CHANGES TO THE DEVELOPMENT REVIEW PROCESS.

SUMMARY:

A critical role of the Community Development Department is coordination of the development review process. As we build toward a comprehensive economic development strategy, it is critical that we have administrative procedures in place that facilitates a process that is open, expeditious, consistent and predictable to provide confidence to the development community. Openness is important to ensure that the applicant clearly understands expectations and these are communicated clearly and the public has the ability to participate in the process. In the development community, time is money. Because of this, the city should thoroughly, but expeditiously review, provide comments and move projects through the process so the business owner, property owner and city can benefit. Once processes are in place, the city should follow them consistently to provide certainty to the development community and public that projects are moving through the process and the expectations of the developer and citizens are met. It is also important the process is predictable so that an applicant will know that if they meet the expectations of the community as outlined in the code requirements, they will receive comments in a timely manner and have an expectation of approval for plans which are consistent with code requirements. Finally, and perhaps most importantly, by implementing these principles, there is an integrated system of accountability in the process. Development review staff will be held accountable for ensuring that a manageable process is adhered to and applicable codes are followed and enforced equitably to provide the service expected by the applicants. The applicants are also held accountable to provide code compliant plans.

This process and the staff involved are the primary interface between the development interests in the city, elected and appointed officials and the public. Because of this, the process, procedures and personnel are critical to the image and perception of the city. Based upon discussions with development review staff, there are improvements which can be made. Currently, the Development Review Committee (DRC) meets weekly with applications forwarded to them each Friday. DRC staff is expected to have applications reviewed by the following Wednesday for the weekly meeting and comments prepared by the following Friday. This gives less than one week to conduct a comprehensive review of all development related applications. This process occurs regardless of the volume of applications, level of detail involved in the submittals or complexity of review. This is an unsustainable process.

Outside of the current administrative process, the public hearing approval process is far more involved than necessary. Almost all development applications are reviewed by both the Planning Commission and approved by the City Council. If the process runs smoothly it can take 5-6 months from preapplication meetings to Final Development Plan approval. The flow chart of the current development review process is attached.

There is no legal reason that all development applications be approved by the City Council. In fact many applications can be approved administratively or by the Planning Commission. Legally, ordinance

subdivision of property, rezonings and comprehensive plan amendments are the only applications requiring City Council approval. By adjusting the schedule and level of review, staff can be allotted a realistic amount of time to conduct a thorough review of the application; more comprehensive reviews can be provided to the applicant; the review time frame from submittal to final approval can be substantially reduced; and the public can still participate in the process.

Several changes are recommended. First, the weekly DRC meeting should be scaled back to allow the necessary time to review the applications. It is not unreasonable to require a submittal by the first of the month and have a DRC meeting at the end of the month to provide a comprehensive set of comments to the applicant. The applicants should be invited and encouraged to attend this meeting. Minutes should be taken and the meeting recorded. If this schedule is tied to a mandatory preapplication meeting, it has proven to be very efficient in processing applications through the Committee. Following review by the Committee, minor applications can be approved administratively. Technically and legally if site plans for nonresidential development meet code requirements, there is no requirement for a public hearing. Based upon case law, if a site plan meets code requirements, the Planning Commission or City Council cannot legally deny it. If there is a desire for a hearing, they can be forwarded to the Planning Commission for review, but it is unnecessary for the City Council to review these applications.

This is also true of variances and special exceptions. Currently, these are approved by the Planning Commission with only appeals going to the City Council. Again, if the DRC makes a finding that a variance or special exception meets code requirements, the city is required to approve the application unless substantive and competent evidence is provided to the contrary. In the case of variances, nonresidential development requiring a variance is presented to the Commission which approves the variance, but the development plan must be approved by the City Council after the variance is approved. Logically, it makes more sense to have these decisions in the hands of one board.

In the case of subdivisions, a process can be developed that allows review of the preliminary plat by the City Council for consistency with the code. However, the final plat and construction plan review can be a staff review only. If the final plat and construction plans are found consistent with the approved preliminary plat, the final plat can be forwarded to the Mayor for execution. If it is not consistent with the preliminary plat, the Mayor can require another hearing for final review and approval by the City Council. Adoption of procedures and policies of this nature would have a significant positive impact on the process.

The changes described above are development friendly, allow staff adequate review time, and relieve the burden of non-required hearings. If properly implemented, the approval timeframe can be reduced for many applications from several months to a few weeks.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

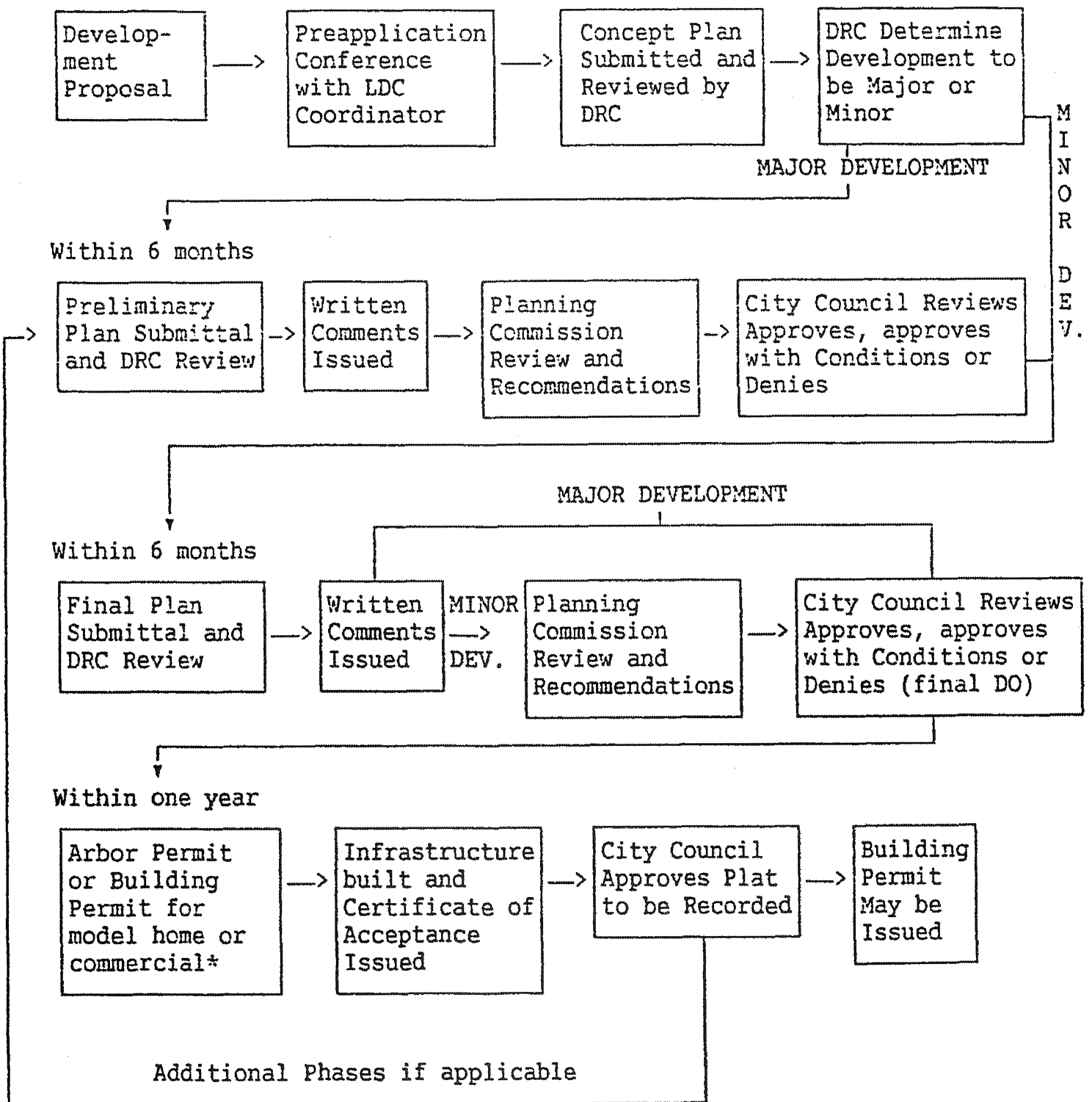
Staff requests direction regarding changes to the development review process.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief



*Restrictions may apply