



AGENDA

APOPKA CITY COUNCIL MEETING @ 8:00 PM City Hall Council Chamber 120 East Main Street – Apopka, Florida 32703 October 15, 2014

INVOCATION

Senior Pastor James Hicks - Center of Faith Church

PLEDGE OF ALLEGIANCE

If you wish to appear before the City Council, please submit a Notice of Intent to Speak card to the City Clerk.

PRESENTATIONS

1. Red Ribbon Week Proclamation - Presented to Rod Toledo, Nicholas Toledo, Jacob Toledo, Victor Vargas, Christian Vargas and Roberto Vargas of the Orlando Devil Dog Young Marines
2. Fire Prevention Month Proclamation - Presented to Jeff Tyre, City of Apopka Assistant Fire Chief - Prevention & Safety.

CONSENT AGENDA

1. Approve the minutes of the regular City Council meeting held on September 17, 2014, at 8:00 p.m.
2. Approve the minutes of Administrative Bid No. 2014-13, for Auditing Services, held on October 3, 2014, at 10:15 a.m.
3. Approve the bid from Rosenbauer America, LLC., in the amount of \$593,516.00, for construction of Heavy Rescue Apparatus.

- 4. Approve a request from Greenbrier of Central Florida, LLC., to hold the "Paws For a Cause" Festival on October 24 & 25, 2014, at 3703 W. Kelly Park Road.
- 5. Authorize the issuance of a Peddler's Permit to Tampa Bay Automotive LLC., to hold a vehicle sale at Apopka Land Regional Shopping Center.
- 6. Approve a request from St. Francis of Assisi Catholic Church to hold their Fall Festival on October 24, 25 & 26, 2014, at 834 S. Orange Blossom Trail.
- 7. Authorize an expenditure from the Law Enforcement Trust Fund, in the amount of \$2,500.00, to Apopka High School for the creation of the Academic Consortium of Scholars.
- 8. Authorize an expenditure from the Law Enforcement Trust Fund, in the amount of \$12,500.00, for undercover operations.
- 9. Authorize the Mayor or his designee to execute the Sewer and Water Capacity Agreement for VitAg Corporation, located 6751 West Jones Avenue.

SPECIAL REPORTS AND PUBLIC HEARINGS

ORDINANCES AND RESOLUTIONS

SITE APPROVALS

DEPARTMENT REPORTS AND BIDS

- 1. Administrative Report - Janice G. Goebel - Interim City Administrator

MAYOR'S REPORT

- 1. Appointment and ratification of Pamela D. Toler to the Planning Commission.
- 2. Approval of new City Auditor, Moore Stephens Lovelace, CPA's and Advisors

OLD BUSINESS

- 1. COUNCIL
- 2. PUBLIC

NEW BUSINESS

- 1. COUNCIL
- 2. PUBLIC

ADJOURNMENT

All interested parties may appear and be heard with respect to this agenda. Please be advised that, under state law, if you decide to appeal

any decision made by the City Council with respect to any matter considered at this meeting or hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which record includes a testimony and evidence upon which the appeal is to be based. The City of Apopka does not provide a verbatim record.

In accordance with the American with Disabilities Act (ADA), persons with disabilities needing a special accommodation to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka, FL 32703, telephone (407) 703-1704, no less than 48 hours prior to the proceeding.

Backup material for agenda item:

1. Approve the minutes of the regular City Council meeting held on September 17, 2014, at 8:00 p.m.

CITY OF APOPKA

Minutes of the regular City Council meeting held on September 17, 2014, at 8:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Bill Arrowsmith
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Sam Ruth
Assistant City Attorney Drew Smith

PRESS PRESENT: Roger Ballas - The Apopka Chief
Steve Hudak - The Orlando Sentinel
Various TV News Reporters and Cameramen

INVOCATION - Pastor Todd Lamphere - The Venue Church at Apopka - Commissioner Ruth introduced Pastor Todd Lamphere of The Venue Church at Apopka, who gave the Invocation.

PLEDGE OF ALLEGIANCE - Mayor Kilsheimer said today is Constitution Day and on this day in 1787, following months of debates at the Constitutional Convention in Philadelphia, The Constitution of the United States was signed by our Framers. As part of the compromise to ratify the new Constitution, additional amendments were debated upon and drafted. Two years later, on September 25, 1789, the first Congress of the United States adopted 12 amendments to the Constitution, 10 of which would later be ratified and known as the Bill of Rights. He asked all to reflect upon the wisdom, deliberation, careful consideration, and prudence of those who helped create our Constitution as he led in the Pledge of Allegiance.

PRESENTATIONS

1. Wekiva Parkway Update - Mary Brooks, Public Information Officer.

Mary Brooks provided an update on the landmark Wekiva Parkway project, 30 years in the making. She said the Wekiva Parkway will complete the missing link of Central Florida's beltway, as well as taking traffic off of roads such as State Road 441, State Road 46, and enhance safety in this area. The Wekiva Parkway includes tremendous environmental considerations, passing through the Wekiva River Basin. She advised the Parkway will feature all electronic tolling and will be a cashless system, requiring a transponder for tolls, which reduces noise and pollution. She reviewed a power point presentation of the project with time frames which is on file in the Clerk's office. She affirmed there will be a preconstruction community open house meeting, open to the public, on September 25, 2014, 5:30 to 7:30 p.m., at Apopka High School Cafeteria. She reported the entire Parkway will be open by 2021.

In response to Commissioner Dean's inquiry if there were minorities receiving any work given the magnitude of this project, Ms. Brooks responded in the affirmative.

CONSENT AGENDA

1. Approve the minutes from the regular City Council meeting held on September 3, 2014, at 1:30 p.m.
2. Approve the minutes of a special City Council meeting held on September 3, 2014, at 5:15 p.m.
3. Approve the minutes from a City Council workshop held on September 9, 2014, at 2:00 p.m.
4. Approve the minutes of Administrative Bid No. 2014-02, for Heavy Rescue Apparatus, held on September 8, 2014, at 10:15 a.m.
5. Approve the minutes of Administrative Bid Opening No. 2014-10, for Apopka Northwest Recreation Complex Excavating & Selling Generated Dirt, held on September 10, 2014, at 10:15 a.m.
6. Approve and Authorize the Mayor or his designee to prepare and execute the Open Space Mitigation Agreement between the City of Apopka and Shoot Straight Holding Co., LLC.
7. Extend the Orchid Estates Final Development Plan - PR11-05R (112 lot subdivision) and the Orchid Estates Mass Grading Final Development Plan - PR11-06 until January 8, 2017.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to approve the seven items of the Consent Agenda.

Commissioner Ruth requested to discuss Item 6 and inquired if the Council could be involved in some of this process.

Mayor Kilsheimer explained this specific agreement allows them to expand the existing warehouse.

Motion carried unanimously, with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

SPECIAL REPORTS AND PUBLIC HEARINGS - There were no special reports or public hearings.

ORDINANCES AND RESOLUTIONS

Mayor Kilsheimer requested the consensus of the Council to move to and hear Item 10, Resolution No. 2014-10 at this time. With no objection, Council proceeded to Item 10.

10 RESOLUTION NO. 2014-10 - ADOPTION - STREET NAME CHANGE - Changing the name of the southern segment of the City street known as "Piedmont-Wekiwa Road," between North Hiawassee Road and Apopka Boulevard, to "Armando Borjas Jr Way." The City Clerk read the title, as follows:

RESOLUTION NO. 2014-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, TO CHANGE THE SOUTHERN SEGMENT OF THE CITY STREET NAME KNOWN AS "PIEDMONT-WEKIWA ROAD," BETWEEN NORTH HIAWASSEE ROAD AND APOPKA BOULEVARD,

AS RECORDED IN PLAT BOOK 7, PAGE 139, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, TO “ARMANDO BORJAS JR WAY;” PROVIDING AN EFFECTIVE DATE.

Mayor Kilsheimer read the Resolution into the record.

MOTION was made by Commissioner Ruth, and seconded by Commissioner Velazquez, to adopt Resolution No. 2014-10. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

Mayor Kilsheimer presented a copy of Resolution 2014-10 to the family of Armando Borjas Jr. A street sign was also presented to the family by the Apopka Fire Department.

Mayor Kilsheimer requested to move to Item 9, Ordinance No. 2386. Hearing no objection, the Council proceeded to Item 9.

- 9 ORDINANCE NO. 2386 - FIRST READING – CHANGE OF ZONING - Florida Land Trust #111 - ZDA at Sandpiper, LLC -** From “County” PD to “City” Planned Unit Development (PUD/R-1A) for property located south of Sandpiper Street, west of North Thompson Road, east of Ustler Road. (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, 03-21-28-0000-00-073, and 03-21-28-0000-00-119). The City Clerk read the title, as follows:

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.

David Moon, Planning Manager, provided an overview of the project. He explained this property was annexed into the City in September, 2008, and prior to that, in 2007 the Board of County Commissioners approved a County PD zoning on the property with a maximum of 49 single family residential units. He reviewed the Master Site Plan proposed for this project and advised that except for two exceptions, the sidewalk and wall, it is consistent with the City Comprehensive Plan and Land Development Code. He declared a 30-foot wide conservation easement runs along all of the lots and this easement will be deeded to the homeowners association who will be charged with the responsibility of overseeing the preservation of that conservation easement. He confirmed the trees and natural vegetation are to remain and the development standards prohibit use of the conservation easement for pools, fences, or any other accessory structures. He affirmed staff recommends approval with exceptions. The Development Review Committee recommended a six foot wall from the project entrance to the easternmost lot, then from the entrance to the westernmost lot staff recommended a brick or masonry post

with a wrought iron style fence. He advised sidewalks are proposed within the community along each of the 49 lots as well as along Sandpiper Road. He further reported the Planning Commission, at the September meeting made a recommendation to not approve the PUD zoning with the proposed Master Site Plan as presented. He advised this recommendation did not come with a Finding of Facts to explain this decision. A copy of the staff report is incorporated as a part of the minutes.

Commissioner Arrowsmith inquired as to what became of the agreement from 2009 on how this property was to be developed. He stated the majority of the people here to speak are county residents and he affirmed at that time the City worked hard to give these people some trust in the City.

Mr. Moon said the applicant from 7 years ago and today is the same person/entity. They approached the City and addressed a larger number of residential units at a higher density. He advised the agreement Commissioner Arrowsmith referenced from 7 years ago was recognized and honored. The plan before the Council is for 49 single family homes, not on the same lot configuration as in 2007, but very similar and compatible, creating more open space along Ustler Road and the northwest corner of Sandpiper Road.

Commissioner Velazquez pointed out that the Planning Commission did not approve this by a 6/0 vote. She inquired if the Council could send it back before the Planning Commission.

Mr. Moon advised the Planning Commission made a recommendation based upon the evidence and information presented to them at the hearing. He suggested the Council could choose to ask the Planning Commission to prepare and present to the Council Findings of Fact as to why they recommended denial.

Attorney Smith affirmed the Council does have the right to request the Planning Commission explain why they made the decision they made, as they are an advisory board to the Council.

Mayor Kilsheimer said when the Council is in a quasi-judicial hearing, it is the job of the Council and the Planning Commission to make Findings of Fact. In this case, the Findings of Fact required to be made is whether or not the application is consistent with the Comprehensive Plan of the City of Apopka. He inquired if there were any further considerations allowed.

Attorney Smith responded in the affirmative and stated if it is consistent with the Comprehensive Plan, they may look at the surrounding areas for consistency of development, concurrency issues, whether the infrastructure is there to support the development, and that type of detail.

Mayor Kilsheimer opened the meeting for a public hearing.

The following people spoke in opposition to the project citing concerns regarding proper notice of the public hearing, stormwater drainage into Lake McCoy, impact on traffic, higher density in that many moved to the area for the rural setting, acreage for conservation, impact on the wildlife, removal of older trees and asking they be preserved, impact on property tax values, loss of privacy, safety of school children, as well as how the transfer of ownership was handled.

Ron Edenfield	Jill Cooper
Lou Haubner	Jack Cooper
Ellen O'Conno	Jennie McGee
Mary Schwarberg	Beau Schwarberg
Les Hess	Kenneth Sumner
Katherine Youmans	Mary Smothers
Lillian Myers	Alex Toledo

Allan Goldberg, property owner, said he has been a developer in Central Florida for over 20 years. He stated he respects all of the speakers here tonight, the majority of which are from Oakwater Estates which is south of this property. He provided the history on this property starting with 2007 when it was taken through Orange County for PD zoning and they were originally requesting 59 lots and they were maxed down to 49 lots. The County's future land use at the time was LDR which is 4 units to the acre and at that time they were still 1 unit to the acre which has not changed. He advised in 2008 they brought this to the City of Apopka where annexation was approved and the preliminary development plan was approved. In 2013 they annexed the remainder of the property. He pointed out that the City's land use was low density suburban on this property, which allows 2 units per acre. He is proposing half of that, 1 unit per net acre. He stated at the Planning Commission meeting there was a blanket decision of denial made with no Findings of Fact concerning staff approvals or reports, and no recommendations made. A total of 49 lots were approved by the City in 2008 and this is remaining the same. After meeting with the homeowners of the southern border of this property, he changed from a brick wall to natural buffer. He read a letter into the record from Mike Corbin where he was informed that the majority voted in favor of the 30 foot natural buffer with the existing trees, vegetation, and fence. He moved three lots within the subdivision so to maintain 15 acres undisturbed and as recreation area. He spoke regarding the petition that was turned in, stating this was done a year ago at the time he was asking for more lots and he came back to the original plan of 49 lots. He said that he feels he has addressed most of the concerns on this petition. He reviewed the surrounding developed areas, many of which do not have sewer and he will be bringing in sewer to this development. He declared the staff report recommended approval of this project as it meets all requirements of the future land use and zoning. Staff made two recommendations, one being sidewalks for safety. He would suggest using the internal sidewalks and he will construct a path through the recreation area so that it attaches to the corner of Ustler Road. This will keep the students off of Sandpiper Road and will be a safer alternative. The second issue was a boundary treatment and this has already been discussed.

Mr. Goldberg discussed trees and wildlife, stating he wanted to keep trees also as it creates much more value for the community, and 27 acres are being left as open space, 15 of which are an undisturbed park, and a 30 foot undisturbed buffer. He is committed to not clearing lots, only roadways and retention ponds. Each lot, when applying for a building permit, they must also apply for an arbor permit. A wildlife survey only listed gopher tortoises which will be required to be relocated. He declared this project will create many jobs and will generate additional property tax revenues. He stated this will be a great asset to the city, bringing in infrastructure. He has made a conservative effort to alleviate neighbors' concerns and has made changes to the original plan based upon these concerns. He thanked the Council for their time and said he looked forward to their approval in constructing a beautiful, viable community.

Commissioner Velazquez left the meeting at 10:09 p.m.

Steve Harmon said at one time he tried to annex in to the City of Apopka, but couldn't due to his location. He would like to keep his trees in his community and has lived in his house since 1978. He is a former Deputy Sheriff and has written many citations on Sandpiper, as well as responding to several accidents on this road. He declared speed and traffic were of paramount importance.

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

Commissioner Velazquez returned at 10:12 p.m.

Mayor Kilsheimer said there has been some discussion regarding the Planning Commission providing Findings of Fact regarding their decision. He inquired if that would be more proper, or should the Council consider this issue at this time.

Attorney Smith advised the Council could do either. If they decide to request the Planning Commission's input regarding their recommendation, it can be sent back to them, or Council can act upon the evidence and testimony heard at this meeting.

Commissioner Arrowsmith said he would like to have staff provide on a larger scale the differences to be able to have something on a more comparative nature. He stated he would like more time to review this prior to making a decision in order to be fair to all concerned.

It was the consensus of the Council to request the Findings of Fact from the Planning Commission.

Attorney Smith advised their decision is based upon competent substantial evidence. He affirmed they were not turning the project down by sending it back to the Planning Commission.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to send it back to the Planning Commission to reconsider and develop Findings of Fact to substantiate their decision. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

The Council recessed at 10:19 and reconvened at 10:23.

1. **ORDINANCE NO. 2378 – FIRST READING – VACATE – GK MAUDEHELEN, LLP**
- Vacating a portion of a platted right of way (cul de sac) located on the east side of Binion Road, south of Orange Blossom Trail, and west of Willet Avenue. The City Clerk read the title, as follows:

ORDINANCE NO. 2378

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE
A PORTION OF A PLATTED RIGHT-OF-WAY LOCATED EAST SIDE**

OF BINION ROAD, SOUTH OF ORANGE BLOSSOM TRAIL, WEST OF WILLET AVENUE; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to accept the First Reading of Ordinance No. 2378, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

- 2. ORDINANCE NO. 2379 – FIRST READING – ANNEXATION - Jason M. Lee,** property located at 2300 West Ponkan Road. (Parcel I.D. # 19-20-28-0000-00-007) (3.65 +/- acres). The City Clerk read the title, as follows:

ORDINANCE NO. 2379

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY JASON M. LEE, LOCATED AT 2300 WEST PONKAN ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Ruth, and seconded by Commissioner Dean, to accept the First Reading of Ordinance No. 2379, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

- 3. ORDINANCE NO. 2380 – FIRST READING – ANNEXATION - Metzler Family Trust,** property located at 2133 Vick Road. (Parcel I.D. # 28-20-28-0000-00-010) (5.00 +/- acres). The City Clerk read the title, as follows:

ORDINANCE NO. 2380

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY METZLER FAMILY TRUST, LOCATED AT 2133 VICK ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Dean, and seconded by Commissioner Arrowsmith, to accept the First Reading of Ordinance No. 2380, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

4. **ORDINANCE NO. 2381 - FIRST READING – ANNEXATION - Property Industrial Enterprises, LLC**, properties located at 320 and 328 West 2nd Street. (Parcel I.D. #s 09-21-28-0868-01-250 (0.42 +/- ac) and 09-21-28-0868-01-260 (0.42 +/- ac) (0.84 +/- acre). The City Clerk read the title, as follows:

ORDINANCE NO. 2381

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY PROPERTY INDUSTRIAL ENTERPRISES, LLC, LOCATED AT 320 AND 328 WEST 2ND STREET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Ruth, and seconded by Commissioner Dean, to accept the First Reading of Ordinance No. 2381, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

5. **ORDINANCE NO. 2382 - FIRST READING – ANNEXATION - Dewar Keene 40 LLC**, property located at 632 West Keene Road. (Parcel I.D. # 28-21-28-0000-00-024) (9.52 +/- acres). The City Clerk read the title, as follows:

ORDINANCE NO. 2382

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY DEWAR KEENE 40 LLC, LOCATED AT 632 WEST KEENE ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Velazquez, and seconded by Commissioner Arrowsmith, to accept the First Reading of Ordinance No. 2382, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

6. **ORDINANCE NO. 2383 - FIRST READING – ANNEXATION - Alexander E. & Mary E. Dewar**, properties located at 205 and 251 East Keene Road. (Parcel I.D. #s 22-21-28-0000-00-168) (12.74 +/- ac) and 22-21-28-0000-00-137 (4.94 +/- ac) (17.68 +/- acres). The City Clerk read the title, as follows:

ORDINANCE NO. 2383

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY ALEXANDER E. AND MARY E. DEWAR LOCATED AT 205 AND 251 EAST KEENE ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Ruth, and seconded by Commissioner Velazquez, to accept the First Reading of Ordinance No. 2383, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

7. **ORDINANCE NO. 2384 - FIRST READING – ANNEXATION - City of Apopka**, property located at 225 East Keene Road. (Parcel I.D. # 21-21-28-00000-00-033 (1.57 +/- acres). The City Clerk read the title, as follows:

ORDINANCE NO. 2384

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY CITY OF APOPKA, LOCATED AT 225 WEST KEENE ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to accept the First Reading of Ordinance No. 2384, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

8. **ORDINANCE NO. 2385 - FIRST READING – CHANGE OF ZONING - Allan Akbar Ali, a/k/a All Akbar Ali**, from R-1A (0-5 du/ac) (Residential) to AG-E (0-5 du/ac) (Residential/Barns/Stables/Livestock) for property located east of Lakeville Road, west of North Hiawassee Boulevard, north of Foxwood Court (2277 Lakeville Road). (Parcel ID No: 23-21-28-0000-00-044). The City Clerk read the title, as follows:

ORDINANCE NO. 2385

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM R-1A (0-5 DU/AC) to AG-E (0-5 DU/AC) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF LAKEVILLE ROAD, WEST OF NORTH HIAWASSEE BOULEVARD, AND NORTH OF FOXWOOD COURT (2277 LAKEVILLE ROAD), COMPRISING 9.86 ACRES MORE OR LESS, AND OWNED BY ALLAN AKBAR ALI A/K/A ALL AKBAR ALI; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Dean, and seconded by Commissioner Ruth, to accept the First Reading of Ordinance No. 2385, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

9. **ORDINANCE NO. 2386 - FIRST READING – CHANGE OF ZONING - Florida Land Trust #111 - ZDA at Sandpiper, LLC** - From “County” PD to “City” Planned Unit Development (PUD/R-1A) for property located south of Sandpiper Street, west of North Thompson Road, east of Ustler Road. (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, 03-21-28-0000-00-073, and 03-21-28-0000-00-119).

NOTE: This item was heard second under Ordinances and Resolutions.

10. **RESOLUTION NO. 2014-10 - ADOPTION - STREET NAME CHANGE** - Changing the name of the southern segment of the City street known as “Piedmont-Wekiwa Road,” between North Hiawassee Road and Apopka Boulevard, to “Armando Borjas Jr Way.”

NOTE: This item was heard first under Ordinances and Resolutions.

11. **RESOLUTION NO. 2014-11** - Imposing the uniform method of collections for non-ad valorem special assessments levied within the Mainline Village subdivision, an incorporated

area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector. The City Clerk read the title, as follows:

RESOLUTION NO. 2014-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ADOPTING A NON-AD VALOREN TAX ASSESSMENT ROLL FOR THE MAINLINE VILLAGE SUBDIVISION; PROVIDING DIRECTION TO THE FINANCE DIRECTOR FOR CERTIFICATION AND TRANSMISSION OF THE ASSESSMENT ROLL TO THE ORANGE COUNTY TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to approve Resolution No. 2014-11. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

12. **RESOLUTION NO. 2014-12** - Imposing the uniform method of collections for non-ad valorem special assessments levied within the Main Avenue Villas subdivision, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector. The City Clerk read the title, as follows:

RESOLUTION NO. 2014-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ADOPTING A NON-AD VALOREN TAX ASSESSMENT ROLL FOR THE MAINE AVENUE VILLAS SUBDIVISION; PROVIDING DIRECTION TO THE FINANCE DIRECTOR FOR CERTIFICATION AND TRANSMISSION OF THE ASSESSMENT ROLL TO THE ORANGE COUNTY TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to approve Resolution No. 2014-12.

Commissioner Kilsheimer opened the meeting for public comment.

Tenita Reid said she had read where the legislature had imposed a cap on assessments and inquired if this applied to special assessments for code violations. She further inquired if this was a set price or could it change.

Attorney Smith advised this was not a tax, but a special assessment. He advised that non-ad valorem does not follow the same caps or exemptions as Save our Homes.

Mr. Vavrek advised these assessments are pure costs solely for providing the service. This went through a bid process and the current bid was for a three year contract, but they do have an out should the costs rise.

Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

13. **RESOLUTION NO. 2014-13** - Imposing the uniform method of collections for non-ad valorem special assessments levied within the Cimarron Hills subdivision, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector. The City Clerk read the title, as follows:

RESOLUTION NO. 2014-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ADOPTING A NON-AD VALOREN TAX ASSESSMENT ROLL FOR THE CIMARRON HILLS SUBDIVISION; PROVIDING DIRECTION TO THE FINANCE DIRECTOR FOR CERTIFICATION AND TRANSMISSION OF THE ASSESSMENT ROLL TO THE ORANGE COUNTY TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to approve Resolution No. 2014-13. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

SITE APPROVALS - There were no site approvals.

DEPARTMENT REPORTS AND BIDS

1. Administrative Report - Richard D. Anderson, City Administrator said his report was on the city's website and the Council had a copy before them and he would answer any questions.

MAYOR'S REPORT - Mayor Kilsheimer reported Janice Goebel, City Clerk, has announced her intention to retire from the City as of October 31, 2014, filling her dream of moving to North Carolina. He said he appreciates all she has done and stated she has done yeoman's work and has been a stalwart assistant during this transition.

Mayor Kilsheimer reported he had been approached by Richard Anderson in that he was interested in retiring from the City and transitioning into a new role wherein he would serve as a lobbyist and consultant. He advised an agreement has been reached and asked Attorney Smith to review these terms.

Attorney Smith reviewed the agreement, the first being with regards to the retirement. The next paragraphs relate to the transition of his contract for lobbying services, and project management for the Downtown project, the Hospital project, and Kelly Park DRI. He reviewed the job duties and advised he will be reporting to the Mayor. He affirmed in this role, Mr. Anderson will be an independent contractor.

Mayor Kilsheimer said that Mr. Anderson's new role in advocating, lobbying, and working on behalf of the city will put us in a strong position to be successful for the future.

In response to questions by Commissioners Arrowsmith and Dean regarding what cost this would be to the city and what process would be used to replace the position; Tom Callan, representing Mr. Anderson, said there was no additional expense with regards to the lobbying, this is being transferred to Mr. Anderson. He reviewed the expense involved with the project management. Mr. Anderson added that this was a \$140,352 savings to the city. Additionally Mayor Kilsheimer advised there would be a National search to fill the position of City Administrator.

MOTION was made by Commissioner Dean and seconded by Commissioner Velazquez to ratify this agreement. Motion carried by a four/one roll call vote with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, and Velazquez voting aye and Commissioner Ruth voting nay.

OLD BUSINESS

1. COUNCIL - There was no old business from the City Council.

2. PUBLIC -

Ray Shackelford said he really appreciated the services of the City Administrator. He stated as they come to the final budget preparations, he again asked the Council to dig deep into the budget to try and find funds for a summer program for the youth, as well as an outreach program for the youth. He further inquired if the committee looking for a new City Administrator would be one of diversity.

Mayor Kilsheimer responded in the affirmative regarding the committee.

NEW BUSINESS

1. COUNCIL – Commissioner Dean inquired as to the progress of the project at 436/441.

Mr. Anderson advised it was progressing very well and they hope to have some resolve on this project to present in the very near future.

In response to an inquiry by Commissioner Ruth with regards to the cost involved with the remaining 9 contracts, Mayor Kilsheimer said these were employee contracts that were signed by Mayor Land and his conversations with the City Attorney are that they are valid contracts. Mr. Anderson added that the contracts would not cost anything unless the employee is fired without just cause. Commissioner Ruth also expressed concern regarding an environment that was created with some that are “double dipping” and how this will be addressed moving forward, to which Mayor Kilsheimer said these will be addressed on an individual basis as well as a policy level moving forward.

2. PUBLIC - There was no new business from the public.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 11:08 p.m.

Joseph E. Kilsheimer, Mayor

ATTEST:

Janice G. Goebel, City Clerk

Backup material for agenda item:

2. Approve the minutes of Administrative Bid No. 2014-13, for Auditing Services, held on October 3, 2014, at 10:15 a.m.

ADMINISTRATIVE BID NO. 2014-13

**Request for Proposal
Auditing Services**

**City of Apopka Council Chambers
October 3, 2014, 10:15 a.m.**

PRESENT: Linda Goff, City Clerk and Susan Bone, Deputy City Clerk

OTHERS PRESENT: Commissioner Diane Velazquez

OPENING: Linda Goff called the meeting to order and announced that the bid opening is for the “Auditing Services”.

Ms. Goff said the time for submitting additional bids has elapsed, and no more bids will be accepted.

She announced that the bids were duly advertised in The Apopka Chief, legal notices, on Friday, September 19, 2014, and in The Orlando Sentinel, legal notices, on Sunday, September 21, 2014. The Proof of Publication is on file at the City Clerk’s office.

Four (4) proposals were received prior to the published 10:00 a.m. deadline, as follows:

Purvis Gray & Company 2347 SE 17 th Street Ocala, FL 34471	McDermitt Davis CPAs & Advisors 934 N Magnolia Av, Suite 100 Orlando, FL 32803
Moore Stephens Lovelace CPAs & Advisors 1201 S Orlando Av, Suite 400 Winter Park, FL 32789	Clifton Larson Allen, LLP 1715 N Westshore Blvd, Suite 950 Tampa, FL 33607

Ms. Goff said the proposals will be evaluated by a review committee and their recommendations/ranking will be presented to the Mayor.

ADJOURNMENT: There being no further business, the meeting was adjourned at 10:24 a.m.

ATTEST:

Sharon Thornton, Human Resources Director

Linda F. Goff, City Clerk

Backup material for agenda item:

3. Approve the bid from Rosenbauer America, LLC., in the amount of \$593,516.00, for construction of Heavy Rescue Apparatus.



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: _____

MEETING OF: October 15, 2014
 FROM: Fire Department
 EXHIBITS: _____

SUBJECT: BID 2014-02 – HEAVY RESCUE APPARATUS CONSTRUCTION

Request: Approve the Bid from Rosenbauer America, LLC.

SUMMARY:

On August 1, 2014, in the Apopka Chief, the Fire Department issued an Invitation to Bid for construction of a new Heavy Rescue Truck. The invitation was also posted on Demand Star. Bid No. 2014-02 was opened at a public hearing on September 8, 2014, one bid was received.

Rosenbauer America, LLC	Ocala, FL (Construction in Minnesota)	\$593,516.00
-------------------------	---------------------------------------	--------------

FUNDING SOURCE:

General Fund – the purchase of the new Heavy Rescue Truck is included in the FY 2014/2015 budget.

RECOMMENDATION ACTION:

Approve a contract with Rosenbauer America to construct the Heavy Rescue Truck.

DISTRIBUTION

Mayor Kilsheimer	Finance Director	Public Services Director (2)
Commissioners (4)	HR Director	Recreation Director
CA	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

Backup material for agenda item:

4. Approve a request from Greenbrier of Central Florida, LLC., to hold the "Paws For a Cause" Festival on October 24 & 25, 2014, at 3703 W. Kelly Park Road.



**CITY OF APOPKA
CITY COUNCIL**

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL HEARING
- OTHER:

MEETING OF: October 15, 2014
 FROM: Administration
 EXHIBITS: Special Event Request

SUBJECT: GREENBRIAR OF CENTRAL FL, LLC – PAWS FOR A CAUSE FESTIVAL

Request: APPROVE A REQUEST FROM GREENBRIER OF CENTRAL FL, LLC TO HOLD THE “PAWS FOR A CAUSE” FESTIVAL ON OCTOBER 24 & 25, 2014, AT 3703 W. KELLY PARK ROAD.

SUMMARY

The applicant has petitioned the City Council for approval of the “Paws for a Cause” Festival to be held on October 24 & 25, 2014, at 3703 W. Kelly Park Road. The proceeds of the event are to be used to benefit the Apopka Police Department K-9 Unit Retirement Fund.

The Development Review Committee has reviewed the application and has found it to be consistent with the Land Development Code.

FUNDING SOURCE:

N/A

RECOMMENDED ACTION:

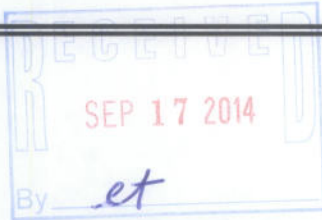
Approve the request from

DISTRIBUTION

Mayor Kilsheimer
 Commissioners (4)
 Interim CA Janice Goebel
 Community Dev. Dir.

Finance Dir.
 HR Director
 IT Director
 Police Chief

Public Ser. Dir.
 City Clerk
 Fire Chief



CITY OF APOPKA

APPLICATION FOR SPECIAL EVENT/OUTDOOR ASSEMBLY PERMIT

APPLICANT'S NAME: Greenbrier of Central FL, LLC
 MAILING ADDRESS: 3703 W Kelly Park Rd. Apopka FL
PO BOX OR STREET CITY STATE ZIP+4
 PHONE: CELL 407-468-8367 HOME _____ WORK 407-886-2600
 NAME OF GROUP/ORGANIZATION: Laws For A Cause
 MAILING ADDRESS: same as above
PO BOX OR STREET CITY STATE ZIP+4
 PHONE: _____ CONTACT PERSON: Rebecca Mulrine
 CHAIRPERSON OF PARADE: _____
 MAILING ADDRESS: _____
PO BOX OR STREET CITY STATE ZIP+4
 PHONE: CELL _____ HOME _____ WORK _____

DATE(S) OF EVENT: Oct 25 + 26, 2014 (Sat + Sun)
 HOURS OF EVENT (BEGIN): 10-6 + (END): 10-4
 EXACT LOCATION OF EVENT: 3703 W Kelly Park Rd
Apopka (ATTACH MAP)

PUBLIC FACILITIES OR EQUIPMENT TO BE USED: NONE
 ANTICIPATED # OF DAILY PARTICIPANTS: _____ ANTICIPATED # OF DAILY SPECTATORS: _____

DESCRIBE ALL ACTIVITIES WHICH WILL OCCUR DURING THE EVENT: live entertainment -
(bands) vendors - crafts + obj items; raffle; K-9
demonstration, BBQ competition

WILL ALCOHOLIC BEVERAGES BE SOLD? YES _____ NO _____ IF YES, EXPLAIN: _____

DESCRIPTION OF ANY EQUIPMENT AND/OR PRODUCTS, TO BE USED: (TENTS, AMPLIFIERS, BANNERS, SIGNS, ANIMALS, ETC.): tent, amps, signs, banners, animals

APPLICANT MUST PROVIDE ADEQUATE RESTROOM FACILITIES DURING EVENT, APPLICANT IS RESPONSIBLE TO PROVIDE POLICE AND FIRE PROTECTION IF DEEMED NECESSARY BY THE POLICE CHIEF AND/OR FIRE CHIEF. APPLICANT MUST PROVIDE WRITTEN AUTHORIZATION FOR APPLICANT TO APPLY FOR PERMIT ON BEHALF OF GROUP OR ORGANIZATION.

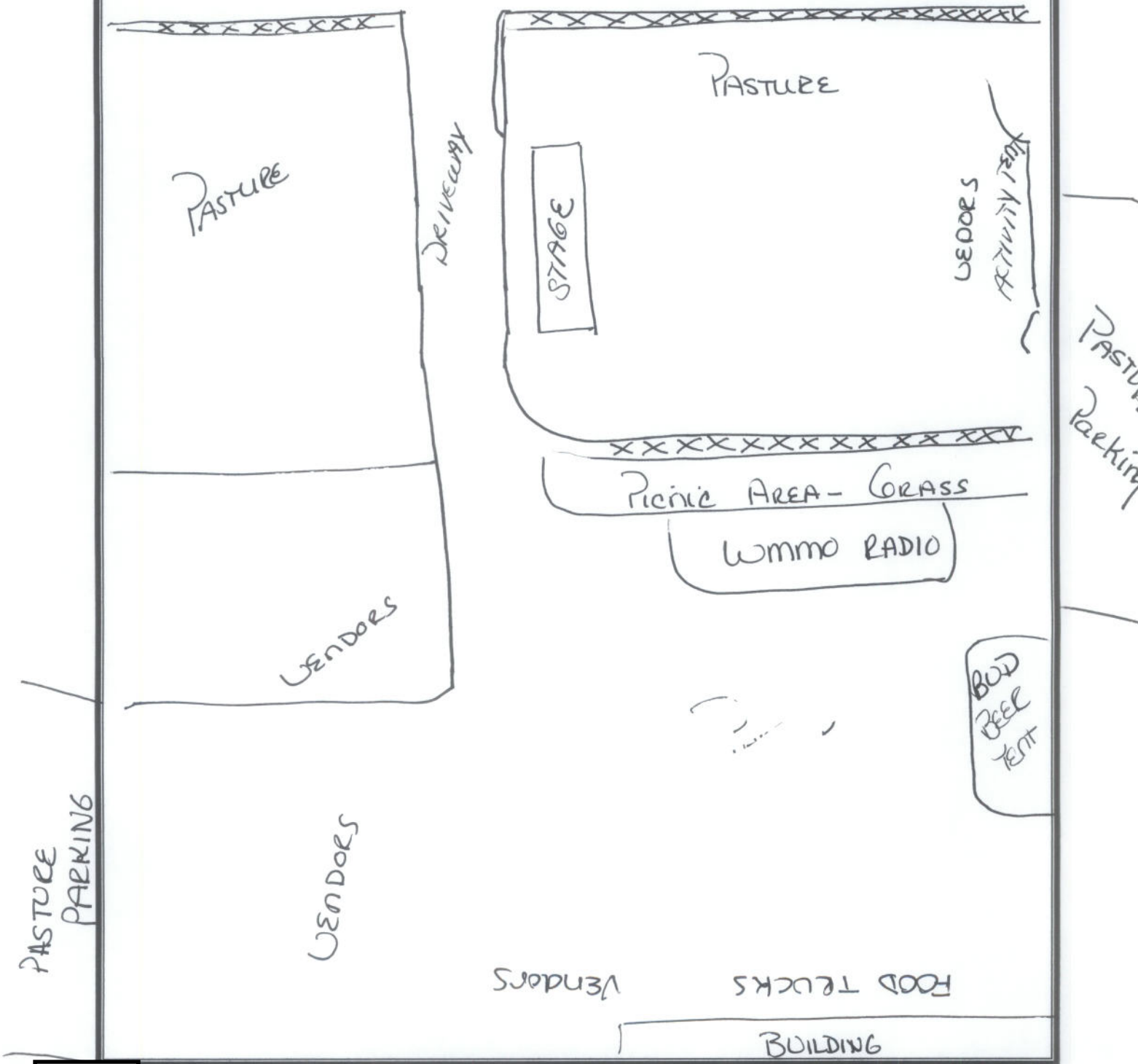
PLEASE CONTINUE ON REVERSE SIDE.

SECTION 5 - DESCRIPTION OF PREMISES TO BE LICENSED
AB&T AUTHORIZED SIGNATURE REQUIRED

Business Name (D/B/A) or Name of Event

GREENBRIER'S PAWS FOR A CAUSE FESTIVAL

Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show each floor plan.



COMMENTS BY APPLICANT: This is our 5th Annual PAWS for a Cause
FESTIVAL TO BENEFIT THE K9s of the
Apopka Police Dept. K9 Unit. All proceeds go
to their RETIREMENT FUND

[Signature], HEREBY REPRESENT, STIPULATE, CONTRACT AND AGREE THAT
[Signature] WILL JOINTLY AND SEVERALLY INDEMNIFY AND HOLD THE
CITY HARMLESS AGAINST LIABILITY, INCLUDING COURT COSTS AND ATTORNEY'S FEES, AND INCLUDING
ATTORNEY'S FEES FOR AN APPEAL, FOR ANY AND ALL CLAIMS FOR DAMAGE TO PROPERTY OR INJURY TO
OR DEATH OF PERSONS ARISING OUT OF OR RESULTING FROM THE ISSUANCE OF THE PERMIT OR THE
CONDUCT OF THE ASSEMBLY OR ANY OF ITS PARTICIPANTS.

[Signature]
SIGNATURE OF APPLICANT

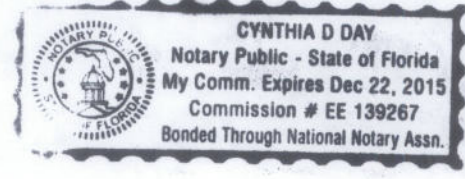
Debbie Mulrine
PRINTED NAME OF APPLICANT

9/17/14
DATE SUBMITTED TO COMMUNITY DEV. DEPT.

STATE OF FLORIDA
COUNTY OF ORANGE

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 17 DAY OF Sept
2014, BY Debbie Mulrine WHO IS PERSONALLY KNOWN OR PRODUCED
AS IDENTIFICATION.

Cynthia D Day
NOTARY PUBLIC SIGNATURE
Cynthia D DAY
NOTARY PUBLIC PRINTED NAME



FOR OFFICIAL USE ONLY

DRC APPROVAL: _____ **DATE:** _____
DRC COMMENTS: _____

FIRE APPROVAL: _____ **DATE:** _____
FIRE COMMENTS: _____

POLICE APPROVAL: _____ **DATE:** _____
POLICE COMMENTS: _____

CITY COUNCIL WILL CONSIDER THIS REQUEST SUBJECT TO APPLICANT MEETING ALL CITY REQUIREMENTS ON:

MEETING DATE: _____ **APPROVED:** _____ **DENIED:** _____

PERMIT FEE: \$50.00 **DATE PAID:** _____ **REC'D BY:** _____ **DATE EXEMPTED:** _____

Backup material for agenda item:

5. Authorize the issuance of a Peddler's Permit to Tampa Bay Automotive LLC., to hold a vehicle sale at Apopka Land Regional Shopping Center.



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: _____

MEETING OF: October 15, 2014
 FROM: Administrative Services
 EXHIBITS: _____

SUBJECT: PEDDLER PERMIT REQUEST

Request: APPROVE AND AUTHORIZE THE ISSUANCE OF A PEDDLER PERMIT TO TAMPA BAY AUTOMOTIVE LLC FOR A VEHICLE SALE AT APOPKA LAND REGIONAL SHOPPING CENTER

SUMMARY:

Tampa Bay Automotive LLC is requesting approval for a vehicle sale to be held at the Apopka Land Regional Shopping Center (701-825 South Orange Blossom Trail) from November 4, 2014, through November 8, 2014.

The application has been reviewed and approved by the Community Development, Fire and Police Departments (including background checks).

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Consider issuance of a Peddler Permit to Tampa Bay Automotive LLC.

DISTRIBUTION

Mayor	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief



Administrative Services
 120 East Main Street
 Apopka, Florida 32703
 Phone: 407-703-1703
 adminservices@apopka.net

PEDDLER PERMIT APPLICATION

FILING THIS APPLICATION AND REMITTING THE APPLICATION AND PEDDLER/SOLICITOR FEE(S) FOR A CITY PEDDLER/SOLICITOR PERMIT DOES NOT ALLOW THE APPLICANT TO OPERATE OR ENGAGE IN ANY TYPE OF BUSINESS, OCCUPATION OR PROFESSION UNTIL A PEDDLER PERMIT IS ISSUED TO THE APPLICANT. **NOTE:** THE \$10.00 NON-REFUNDABLE APPLICATION FEE IS IN ADDITION TO THE PEDDLER/SOLICITOR PERMIT FEE.

Business/Organization Information	Applicants Information
Name: <u>TAMPA BAY AUTOMOTIVE LLC</u>	Name:
Address: <u>1100 N. FLORIDA AVE.</u>	Address:
Shopping Center: <u>APOPKA LAND SHOPPING CENTER</u>	City/State/Zip:
City/State/Zip: <u>TAMPA FL. 32612</u>	Phone: _____ Fax: _____
Phone: <u>813-935-4585</u> Fax: <u>813-935-9400</u>	Email Address:
Mailing Address (If different than above)	Mailing Address (If different than above)
Street:	
City/State/Zip	

Describe the nature of your business or goods to be sold: (In Detail) USED VEHICLES WILL BE SOLD NOVEMBER 4TH - 8TH, 2014.

Location where goods will be sold: 701-825 S. ORANGE BLOSSOM TRAIL APOPKA FL. 32703

Date permit to be issued for: From: NOVEMBER 4TH, 2014 To: NOVEMBER 8TH 2014

Vehicle Description: (if applicable) Year: _____ Make: _____ Model: _____

Color: _____ State: _____ Owner: _____

Name and Address of Manufacture of goods to be sold: TAMPA HONDA

Name/Address/Phone Number of two(2) reliable character/business references (preferably in Orange County):
MANHEIM AUTO AUCTIONS OF ORLANDO 407-656-6200

JIM MORAN & ASSOCIATES 800-443-9841

Have you ever been convicted of any felony, misdemeanor, or violation of any municipal ordinance? Yes No

If yes, please explain: _____

Federal Tax ID Number (FEI#) 46-4297082 OR Social Security Number: _____

Fictitious Name Registration # _____ OR Exemption Status: _____ (Attach Copy)

Regulatory License/Certification #: VF10745971 Corporate Doc #: _____

INDEMNITY AND HOLD HARMLESS AGREEMENT

THIS AGREEMENT made and entered into this 18 day of SEPTEMBER, 2014, by and between, TAMPA BAY AUTOMOTIVE LLC hereinafter referred to as TAMPA HONDA and the CITY OF APOPKA, FLORIDA, hereinafter referred to as The City.

TAMPA HONDA hereby agrees to indemnify and hold harmless the City and all of the City's officers, representatives, employees, and/or agents arising out of, or resulting from any damages, injuries, or illness from any and all liability, including any injury to or death of any person, or damage to or destruction of property in or about the premises; defense costs, including attorney's fees and all other fees incidental to defense; loss or damage the City may suffer as a result of claims, demands, costs or judgments against it arising from participation in particular: held on the ___ day of Nov. 4th - 8th, 2014, through the 30 day of September, 20__.

Signature of Applicant: _____



STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 18 day of SEPTEMBER, 2014, by, MICHAEL SPEIGL and who is personally known to me or who has produced _____ as identification and who did (did not) take an oath,



Notary Public: Sarah E. Gibbs
Commission No: FF144471
Commission Expires: 8/27/18

Department	Approved	Denied	Comments:
CD - Zoning:	<u>yes</u>		<u>[Signature]</u>
Fire:	<u>yes</u>		<u>See attached</u>
Police:	<u>yes</u>		<u>See attached</u>
City Council:			

Application Fee: \$10.00 Date Paid: _____ Permit Fee: \$50.00 Date Paid: _____

Cash Credit/Debit: Check #: _____

Kristi Fixl - Re: Peddler Permit Application: Tampa Honda

From: Jeffrey Tyre
To: Fixl, Kristi
Date: 9/22/2014 1:45 PM
Subject: Re: Peddler Permit Application: Tampa Honda

Fire department gives approval to the event. They will need to obtain the tent permit and have it inspected by our department.

Assistant Fire Chief Jeff Tyre
Life Safety / Fire Prevention
Apopka Fire Department
175 E. 5th Street Apopka Florida
407-703-1754
407-703-1714 fax

>>> Kristi Fixl 9/22/2014 11:01 AM >>>
Hello,

Tampa Honda would like to set up in the Apopka Land Shopping Center from November 4 through November 8. They will need to obtain proper tent permitting from Community Development.

Please respond with your approval/disapproval.

Thank you,

Kristi

Kristi Fixl - Re: Contentverse Document 'Tampa Honda'

From: Jerome Miller
To: Fixl, Kristi
Date: 9/24/2014 2:52 PM
Subject: Re: Contentverse Document 'Tampa Honda'

The Apopka Police Department approves this event. However, the applicant must have the barricades/cones as shown in the event map that was submitted.

>>> Kristi Fixl 9/22/2014 1:57 PM >>>

Hello,

Tampa Honda would like to set up in the Apopka Land Shopping Center from November 4 through November 8. They will need to obtain proper tent permitting from Community Development.

Chief Tyre with the Fire Department has given his approval pending tent permitting and inspection.

Please respond with your approval/disapproval.

Thank you,

Kristi

**Apopka Land Shopping Center
701-825 S. Orange Blossom Trail
Apopka, FL 32703**

September 10, 2014

Re: Auto Tent Sale

To Whom It May Concern:

Please allow this letter to serve as authorization for Tampa Honda to conduct an auto tent sale for an agreed upon fee. This sale shall commence on November 4, 2014 and terminate on November 8, 2014, allowing two days prior for set up and two days after for take down.

Port-o-lets and trash removal will be provided. The property will be left in the same condition as it was found.

Sincerely,
Michele Soloway
Property Manager
Apopka Associates 2006, LLC

By Michele Soloway

STATE OF FLORIDA
COUNTY OF BROWARD

I hereby certify that the following individual(s) personally appeared before me this day and acknowledged to me that he/she voluntarily executed the foregoing document for the purpose stated therein and in the capacity indicated.

Date: 9/10 2014

Kari J. Morse
NOTARY PUBLIC

My commission expires: 7/27/15
(Official Seal)



SENTRY SELECT INSURANCE COMPANY
 STEVENS POINT, WISCONSIN
 (A PARTICIPATING STOCK COMPANY)
 A MEMBER OF THE SENTRY FAMILY OF INSURANCE COMPANIES

COMMERCIAL GARAGE POLICY

COMMERCIAL GARAGE DECLARATIONS

POLICY NUMBER 25-57512-01

Name and Address of
the Additional Insured

Name and Address
of the Named Insured

CITY OF APOPKA
ADMINISTRATIVE SERVICES
120 EAST MAIN ST
APOPKA, FL 32703

TAMPA BAY AUTOMOTIVE LLC DBA
TAMPA HONDA
11000 NORTH FLORIDA AVE
TAMPA, FL 33612

DESIGNATED INSURED SCHEDULE

The following information is required to complete the accompanying
Designated Insured Endorsement which forms a part of the Named Insured's
Commercial Garage Policy.

ENDORSEMENT

EFFECTIVE

CA 88 04 10 01

FROM March 03, 2014
TO March 03, 2015

FOR ENDORSEMENT TEXT,
SEE OVER.

CA DS 09 10 01 (MECH)

TAM 25-57512-01 50 141
09-19-2014
0 0005)



SENTRY SELECT INSURANCE COMPANY
 STEVENS POINT, WISCONSIN
 (A PARTICIPATING STOCK COMPANY)
 A MEMBER OF THE SENTRY FAMILY OF INSURANCE COMPANIES

CERTIFICATE OF INSURANCE

ACCOUNT NUMBER 25-57512

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies below.

Name and Address of Certificate Holder	Name and Address of the Insured
CITY OF APOPKA ADMINISTRATIVE SERVICES 120 EAST MAIN ST APOPKA, FL 32703	TAMPA BAY AUTOMOTIVE LLC DBA TAMPA HONDA 11000 NORTH FLORIDA AVE TAMPA, FL 33612

This certificate is issued on 03-03-2014 and is effective until 03-03-2015. It certifies that policies of insurance listed below have been issued to the insured named above. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies. Limits shown may have been reduced by paid claims.

Coverage Provided	Policy Number	Coverage Limits
Auto Garage Liability -Any Auto	25-57512-01	Each Accident - Garage Operations Other Than Auto \$ 500,000 Auto \$ 500,000 Aggregate - Garage Operations Other Than Auto \$ 1,500,000
Excess/Umbrella	25-57512-01	Each Occurrence \$ 10,000,000 General Aggregate \$ 30,000,000 Products Aggregate \$ 30,000,000
Workers' Compensation and Employer's	25-57512-02	Statutory Each Accident \$ 500,000 Each Disease/Employee \$ 500,000 Each Disease/Policy \$ 500,000

TENT SALE NOVEMBER 4-8, 2014

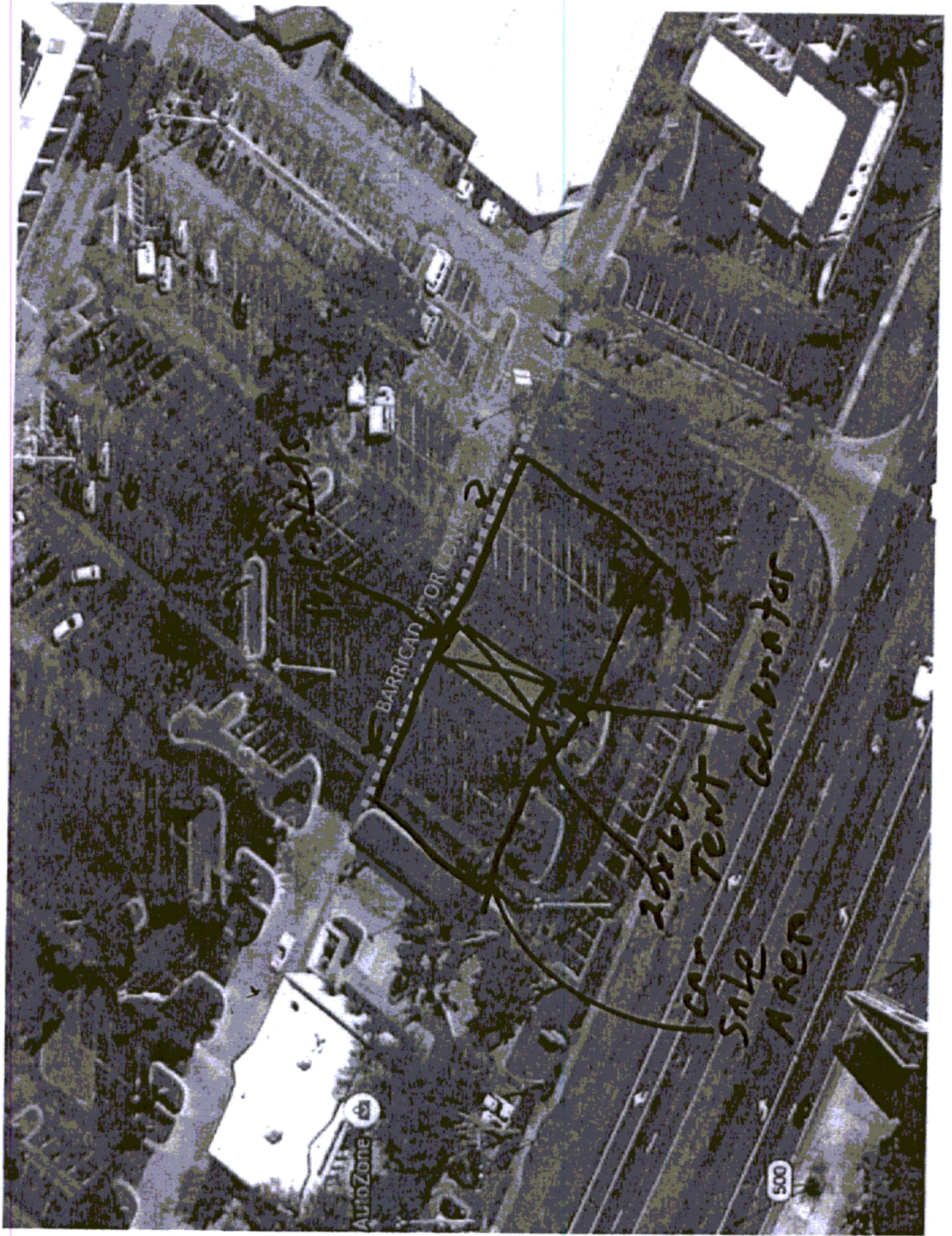
Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

80-C1035 (SFA)

TAM 25-57512 01-010910
 09-19-2014
 PAGE 1
 (0005)

LDI COI 269628-1 02 11

01T18CER



Backup material for agenda item:

6. Approve a request from St. Francis of Assisi Catholic Church to hold their Fall Festival on October 24, 25 & 26, 2014, at 834 S. Orange Blossom Trail.



CITY OF APOPKA CITY COUNCIL

<input checked="" type="checkbox"/> CONSENT AGENDA	MEETING OF: October 15, 2014
<input type="checkbox"/> PUBLIC HEARING	FROM: Administration
<input type="checkbox"/> SPECIAL HEARING	EXHIBITS: Special Event Request
<input type="checkbox"/> OTHER:	

SUBJECT: ST. FRANCIS OF ASSISI CATHOLIC CHURCH – FALL FESTIVAL

Request: APPROVE A REQUEST FROM ST. FRANCIS OF ASSISI CATHOLIC CHURCH TO HOLD THEIR FALL FESTIVAL ON OCTOBER 24, 25 & 26, 2014, AT 834 S. ORANGE BLOSSOM TRAIL.

SUMMARY

The applicant has petitioned the City Council for approval of the St. Francis of Assisi Catholic Church Fall Festival to be held October 24, 25, & 26, 2014, at 834 S. Orange Blossom Trail.

The Development Review Committee has reviewed the application and has found it to be consistent with the Land Development Code.

FUNDING SOURCE:

N/A

RECOMMENDED ACTION:

Approve the request from St. Francis of Assisi Catholic Church to hold their Fall Festival on October 24, 25 & 26, 2014, at 834 S. Orange Blossom Trail.

DISTRIBUTION

Mayor Kilsheimer

Commissioners (4)

Interim CA Janice Goebel

Community Dev. Dir.

Finance Dir.

HR Director

IT Director

Police Chief

Public Ser. Dir.

City Clerk

Fire Chief

RECEIVED
OCT 07 2014

CITY OF APOPKA

By et

APPLICATION FOR SPECIAL EVENT/OUTDOOR ASSEMBLY PERMIT

APPLICANT'S NAME: St. Francis of Assisi Catholic Church

MAILING ADDRESS: 834 S. Orange Blossom Tr. Apopka FL 32703-6560
PO BOX OR STREET CITY STATE ZIP+4

PHONE: CELL _____ HOME _____ WORK 407-886-4602

NAME OF GROUP/ORGANIZATION: St. Francis of Assisi Catholic Church

MAILING ADDRESS: 834 S. Orange Blossom Tr. Apopka, FL 32703-6560
PO BOX OR STREET CITY STATE ZIP+4

PHONE: 407-886-4602 CONTACT PERSON: Kathy Perez

CHAIRPERSON OF PARADE: Fall Festival: Dianetty
Co St. Francis of Assisi Catholic Church

MAILING ADDRESS: 834 S. Orange Blossom Tr. Apopka, FL 32703-6560
PO BOX OR STREET CITY STATE ZIP+4

PHONE: CELL 407-464-3170 HOME _____ WORK 407-886-4602

DATE(S) OF EVENT: October 24-26, 2014

HOURS OF EVENT (BEGIN): 10/24 6:00 pm (END): 10:00 pm
10/25 3:00 pm
10/26 11:00 am 6:00 pm

EXACT LOCATION OF EVENT: 834 S. Orange Blossom Tr. Apopka, FL 32703-6560 (ATTACH MAP)

PUBLIC FACILITIES OR EQUIPMENT TO BE USED: _____

ANTICIPATED # OF DAILY PARTICIPANTS: _____ ANTICIPATED # OF DAILY SPECTATORS: _____

DESCRIBE ALL ACTIVITIES WHICH WILL OCCUR DURING THE EVENT:
Food booths, carnival games, inflatables, kids train, silent auction, gift/plant sale, entertainment

WILL ALCOHOLIC BEVERAGES BE SOLD? YES NO _____ IF YES, EXPLAIN:
Beer & wine

DESCRIPTION OF ANY EQUIPMENT AND/OR PRODUCTS, TO BE USED: (TENTS, AMPLIFIERS, BANNERS, SIGNS, ANIMALS, ETC.): tents, sound system, signage, outdoor refrigeration/freezers, banners.

APPLICANT MUST PROVIDE ADEQUATE RESTROOM FACILITIES DURING EVENT, APPLICANT IS RESPONSIBLE TO PROVIDE POLICE AND FIRE PROTECTION IF DEEMED NECESSARY BY THE POLICE CHIEF AND/OR FIRE CHIEF. APPLICANT MUST PROVIDE WRITTEN AUTHORIZATION FOR APPLICANT TO APPLY FOR PERMIT ON BEHALF OF GROUP OR ORGANIZATION.

PLEASE CONTINUE ON REVERSE SIDE.

* Large signs approx. 5' x 10' in a "V" arrangement with visibility from S.OBT. Signs larger than 4' x 8' so we can fit bi-lingual wording on each of them.

COMMENTS BY APPLICANT: _____

I, Kathleen Anez St. Francis of Assisi Church HEREBY REPRESENT, STIPULATE, CONTRACT AND AGREE THAT St. Francis of Assisi Church WILL JOINTLY AND SEVERALLY INDEMNIFY AND HOLD THE CITY HARMLESS AGAINST LIABILITY, INCLUDING COURT COSTS AND ATTORNEY'S FEES, AND INCLUDING ATTORNEY'S FEES FOR AN APPEAL, FOR ANY AND ALL CLAIMS FOR DAMAGE TO PROPERTY OR INJURY TO OR DEATH OF PERSONS ARISING OUT OF OR RESULTING FROM THE ISSUANCE OF THE PERMIT OR THE CONDUCT OF THE ASSEMBLY OR ANY OF ITS PARTICIPANTS.

Kathleen Anez
SIGNATURE OF APPLICANT

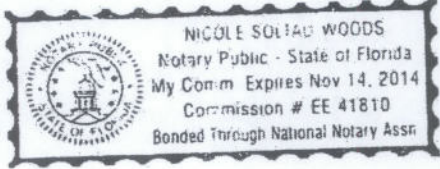
Kathleen E. Anez
PRINTED NAME OF APPLICANT

DATE SUBMITTED TO COMMUNITY DEV. DEPT. _____

STATE OF FLORIDA
COUNTY OF ORANGE

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 26 DAY OF September, 2014 BY Kathleen Anez, WHO IS PERSONALLY KNOWN OR PRODUCED BY Ed De AS IDENTIFICATION.

Nicole Soltau Woods
NOTARY PUBLIC SIGNATURE
Nicole Soltau-Woods
NOTARY PUBLIC PRINTED NAME



FOR OFFICIAL USE ONLY

DRC APPROVAL: Ryan Daniel DATE: 10-8-14
DRC COMMENTS: _____

FIRE APPROVAL: 12113 DATE: 10/9/14
FIRE COMMENTS: _____

POLICE APPROVAL: [Signature] DATE: 10-8-14
POLICE COMMENTS: LOW GNF NEEDED FOR TRAFFIC CONTROL
COORDINATE WITH CAPT. JEROME MILLER

CITY COUNCIL WILL CONSIDER THIS REQUEST SUBJECT TO APPLICANT MEETING ALL CITY REQUIREMENTS ON:

MEETING DATE: _____ APPROVED: _____ DENIED: _____
PERMIT FEE: \$50.00 DATE PAID: _____ REC'D BY: _____ DATE EXEMPTED: _____

HOLD HARMLESS AGREEMENT

I, Kathleen Anez, HEREBY REPRESENT, STIPULATE CONTRACT AND AGREE THAT St. Francis of Assisi Church WILL JOINTLY AND SEVERALLY INDEMNIFY AND HOLD THE CITY OF APOPKA HARMLESS AGAINST LIABILITY, INCLUDING COURT COSTS AND ATTORNEY'S FEES, AND INCLUDING ATTORNEY'S FEES FOR AN APPEAL, FOR ANY AND ALL CLAIMS FOR DAMAGE TO PROPERTY OR INJURY TO OR DEATH OF PERSONS ARISING OUT OF OR RESULTING FROM THE ISSUANCE OF THE PERMIT OR THE CONDUCT OF THE ASSEMBLY OR ANY OF ITS PARTICIPANTS.

Kathleen E. Anez
SIGNATURE OF APPLICANT

Kathleen E. Anez
PRINTED NAME OF APPLICANT

DATE SUBMITTED

STATE OF FLORIDA
COUNTY OF ORANGE

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 26 DAY OF September, 2014 BY Kathleen Anez, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED FL DL AS IDENTIFICATION.

Nicole Soltau Woods
NOTARY PUBLIC SIGNATURE

Nicole Soltau Woods
NOTARY PUBLIC PRINTED NAME





Department of the Treasury
Internal Revenue Service
Cincinnati, OH 45999

In reply refer to: 0241746884
Mar 12, 2013 LTR 147C
59-1459180

ST FRANCIS OF ASSISI CATHOLIC
834 S SOBT TRL
APOPKA FL 32703-6560 341

Taxpayer Identification Number: 59-1459180

Form(s):

Dear Taxpayer:

This letter is in response to your telephone inquiry of March 12th, 2013.

Your Employer Identification Number (EIN) is 59-1459180. Please keep this number in your permanent records. You should enter your name and your EIN, exactly as shown above, on all business federal tax forms that require its use, and on any related correspondence documents.

If you have any questions regarding this letter, please call our Customer Service Department at 1-800-829-0115 between the hours of 7:00 AM and 7:00 PM. If you prefer, you may write to us at the address shown at the top of the first page of this letter. When you write, please include a telephone number where you may be reached and the best time to call.

Sincerely,

Mary Turnbull
1000196660
Customer Service Representative



Consumer's Certificate of Exemption

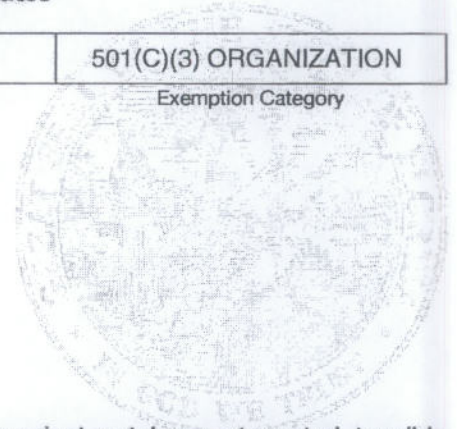
DR-14
R. 04/11

Issued Pursuant to Chapter 212, Florida Statutes

85-8012618712C-5	07/31/2012	07/31/2017	501(C)(3) ORGANIZATION
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

ST FRANCIS OF ASSISI CHURCH
834 S ORANGE BLOSSOM TRL
APOPKA FL 32703-6560



is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



Important Information for Exempt Organizations

DR-14
R. 04/11

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Account Management at 800-352-3671. From the available options, select "Registration of Taxes," then "Registration Information," and finally "Exemption Certificates and Nonprofit Entities." The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

**DBPR ABT-6003 – Division of Alcoholic Beverages and Tobacco
Application for One/Two/Three Day Permit or Special Sales License**

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**DBPR Form
ABT- 6003
Revised 08/2013**

If you have any questions or need assistance in completing this application, please contact the Division of Alcoholic Beverages & Tobacco's (AB&T) local district office. Please submit your completed application to your local district office at least (7) days prior to the first date of the event to insure the permit is issued by the event date. This application may be submitted by mail, or it can be dropped off. A District Office Address and Contact Information Sheet can be found on AB&T's page of the DBPR web site at the link provided below.

http://www.myfloridalicense.com/dbpr/abt/district_offices/licensing.html

SECTION 1 – CHECK TRANSACTION REQUESTED	
Transaction Type:	
<input checked="" type="checkbox"/> One/Two/Three Day Permit	<input type="checkbox"/> Special Sales License

SECTION 2 – PERMIT or LICENSE INFORMATION				
If the applicant is a corporation or other legal entity, enter the name and the document number as registered with the Florida Department of State Division of Corporations on the line below.				
FEIN Number <i>59-1459180</i>	Business Telephone Number <i>407-886-4602</i>	E-Mail Address (Optional)		
Full Name of Applicant(s): (This is the name the permit or license will be issued in) <i>St. Francis of Assisi Catholic Church</i>				Department of State Document #
Business Name (D/B/A) or Name of Event <i>Fall Festival</i>				
Location of Event (Street and Number) <i>834 S. Orange Blossom Trail</i>				
City <i>Npopka</i>	County <i>Orange</i>	State FL	Zip Code <i>32703</i>	
Mailing Address (Street or P.O. Box) <i>- same as above -</i>				
City		State	Zip Code	
Contact Person - This section is optional, see application instructions for details				
Contact Person <i>Kathy Anez</i>		Telephone Number <i>407-886-4602 ext. 303</i>		
Email Address (Optional)				
Mailing Address (Street or P.O. Box) <i>- same as above -</i>				
City		State	Zip Code	
Date(s) Permit Desired <i>October 24, 25, 26 (2014)</i>				

ABT District Office Received Date Stamp

**SECTION 3 – SALES TAX
TO BE COMPLETED BY THE DEPARTMENT OF REVENUE**

Full Name of Applicant Organization _____

The named applicant for a license/permit has complied with the Florida Statutes concerning registration for Sales and Use Tax and has agreed to pay any applicable taxes due.

Signed _____

Date _____

[Handwritten Signature]
[Handwritten Title]

9/26/14

Title _____

Department of Revenue Stamp:

**DEPARTMENT OF REVENUE
2301 MAITLAND CENTER PKWY
SUITE 160
MAITLAND, FL 32751**

214 SEP 26 P 12:07

**SECTION 4 - ZONING
TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING THE EVENT LOCATION**

Location of Event (Street and Number) _____

City _____

County _____

The location complies with zoning requirements for the temporary sale of alcoholic beverages pursuant to this application for a One/Two/Three Day Permit.

Signed _____

Date _____

Title _____

Note: College fraternities and sororities must meet certain additional conditions which can be found in the application instructions and requirements.

**SECTION 5 – DESCRIPTION OF PREMISES TO BE LICENSED
AB&T AUTHORIZED SIGNATURE REQUIRED**

Business Name (D/B/A) or Name of Event

Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises where the event will be held. A multi-story building where the entire building is to be licensed must show the details of each floor.

SECTION 6 - AFFIDAVIT OF APPLICANT
FOR NON-PROFIT CIVIC ORGANIZATION ALCOHOLIC BEVERAGE PERMIT

NOTARIZATION REQUIRED

Full Name of Applicant Organization

St. Francis of Assisi Catholic Church

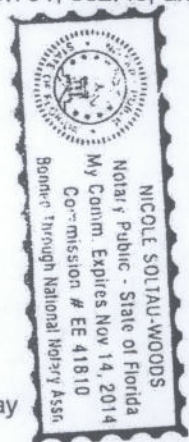
"This is to certify that the applicant requesting the permit in the above and foregoing application is a non-profit civic organization and that the permit, if used, will be used only by the organization making application, on the date(s) requested and at the location stated. By acceptance of this permit, we agree that the applicant organization, as the permit holder, is the ONLY entity that will receive any of the profits from the sale of alcoholic beverages on this permit. This is to further certify that the applicant organization has not received more than three (3) permits within the calendar year, unless otherwise authorized by law, and acknowledge that the location may be inspected and searched during the time that the permit is issued and business is being conducted without a search warrant by authorized agents or employees of the Division of Alcoholic Beverages and Tobacco, the Sheriff, his Deputies, and Police Officers for purposes of determining compliance with the alcoholic beverage laws.

I, the undersigned individual, hereby swear or affirm that I am an officer or authorized representative and am duly authorized to make the above and foregoing statements on behalf of the applicant organization. Furthermore, I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.791, 562.45, and 837.06, Florida Statutes, that the foregoing information is true to the best of my knowledge."

STATE OF Florida
COUNTY OF Orange

Kathleen E. Anez
APPLICANT/ AUTHORIZED REPRESENTATIVE NAME

Kathleen E. Anez
APPLICANT/ AUTHORIZED REPRESENTATIVE SIGNATURE



The foregoing was () Sworn to and Subscribed before me this 26 Day
of September, 2014, By Kathleen Anez who is () personally known to me
(print name(s) of person making statement)

OR () who produced FL DL A520505688710 as identification.

Nicole Sotilau-Woods Commission Expires: 11/14/14
Notary Public

SECTION 7 - AFFIDAVIT OF APPLICANT
FOR SPECIAL SALES LICENSE

NOTARIZATION REQUIRED

Full Name of Applicant Organization

"I, the undersigned individual, or if a corporation, its authorized representative, hereby swear or affirm that I am duly authorized to make the above and foregoing application for a special sales license which authorizes the sale of alcoholic beverages for period of up to three (3) days. I understand this license does not permit the sale of alcoholic beverages for consumption on the premises and only allows package sales in sealed containers and acknowledge that the location may be inspected and searched during the hours that the special sale is being conducted without a search warrant by authorized agents or employees of the Division of Alcoholic Beverages and Tobacco, the Sheriff, his Deputies, and Police Officers for purposes of determining compliance with the beverages laws.

I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.791, 562.45, and 837.06, that the foregoing information is true to the best of my knowledge and that no other person or entity except as indicated herein has an interest in the special sales license and that all of the above listed persons or entities meet the qualifications necessary to hold this special sales license."

STATE OF _____

COUNTY OF _____

APPLICANT/ AUTHORIZED REPRESENTATIVE NAME

APPLICANT/ AUTHORIZED REPRESENTATIVE SIGNATURE

The foregoing was () Sworn to and Subscribed before me this _____ Day

of _____, 20_____, By _____ who is () personally known to me
(print name(s) of person making statement)

OR () who produced _____ as identification.

Notary Public

Commission Expires: _____

ATTESTATION

This form is to be completed by the alcoholic beverage license holder **ONLY** when the event of the non profit organization is being held at a location that is licensed by the Division of Alcoholic Beverages & Tobacco for the sale of alcoholic beverages.

Note: This attestation must have the original signature of the alcoholic beverage license holder (only persons on file with the division may sign) and must be submitted by the non-profit group along with the application for the One/Two/Three Day Permit.

Licensee:		
Business Name (DBA):		
License #:	Series of Permanent License: Type:	
Contact Person	Telephone Number	ext.
E-Mail Address (Optional)		
Name of Non-Profit Group:		
Date(s) of Event		

IMPORTANT

A One/Two/Three Day permit is being requested for an event to be held on your licensed premises. During the event, no sales or service of alcoholic beverages may be made under your alcoholic beverage license in the area identified for use by the non-profit organization. Failure to comply will result in administrative charges being filed against your license.

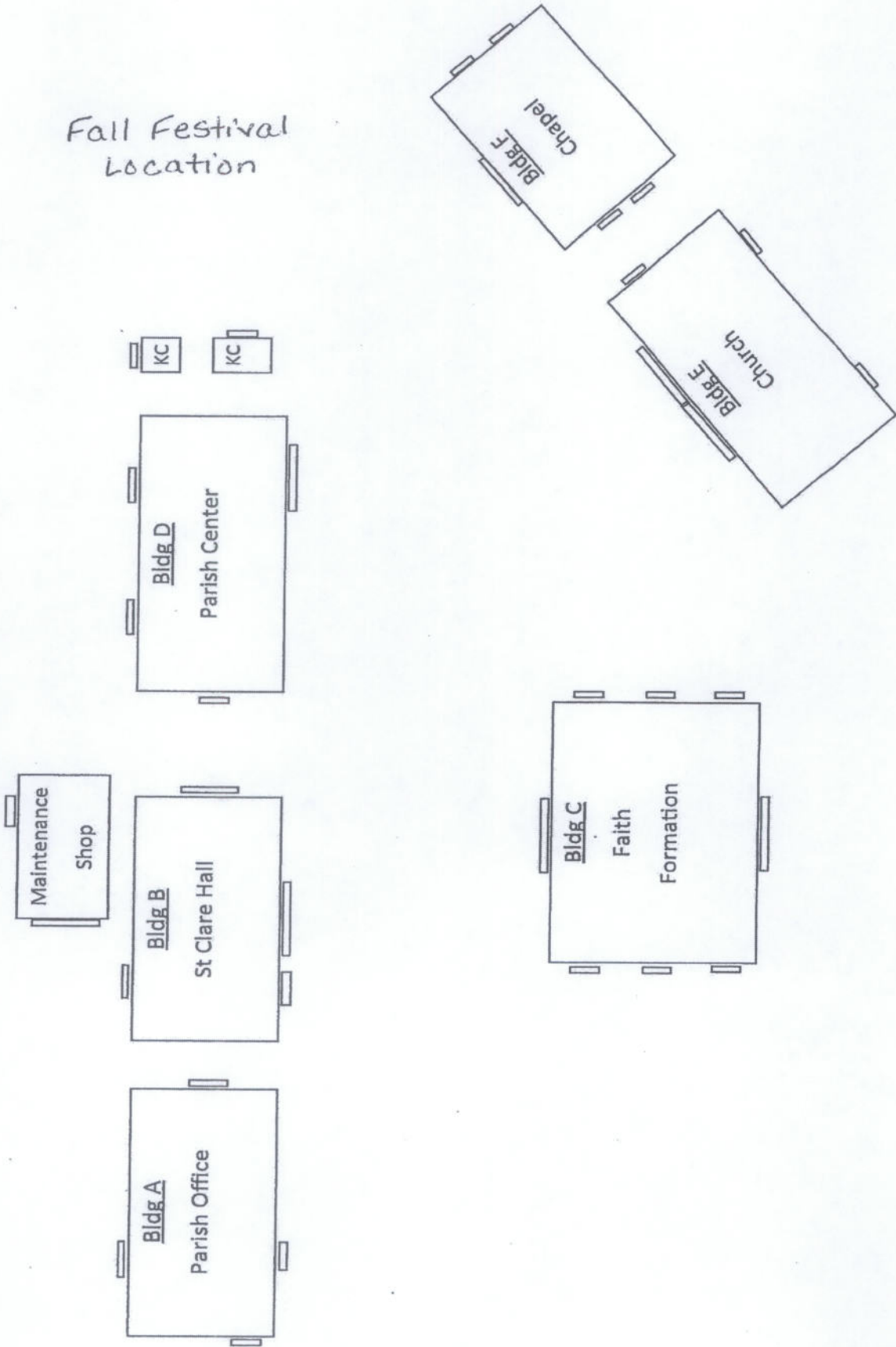
Signature of Licensee: _____

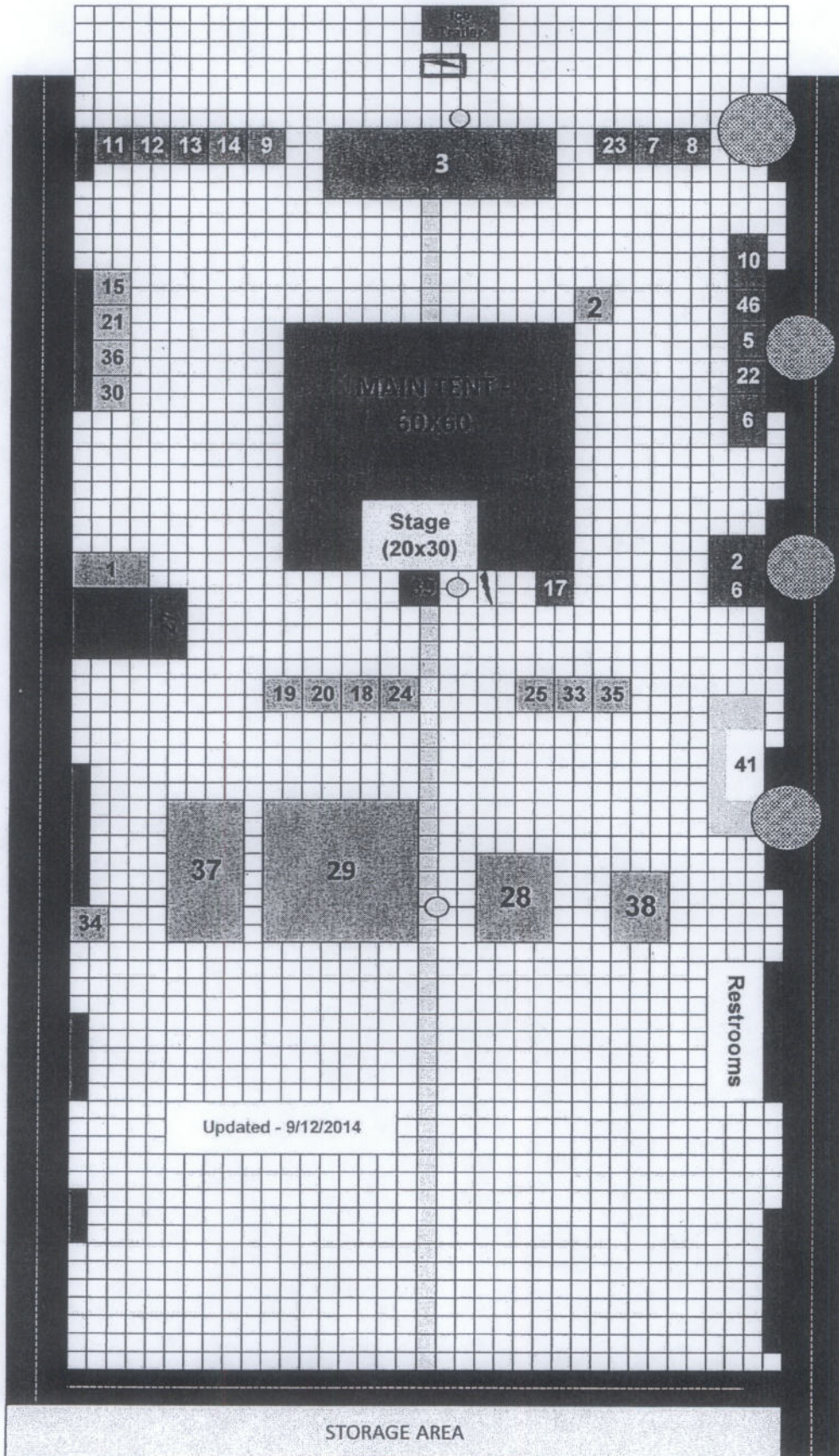
Date: _____

St Francis of Assisi Catholic Church

Building Identifier and Door Locations

Fall Festival
Location





**CITY OF APOPKA
WAIVER OF SPECIAL EVENT FEES FOR
NOT-FOR-PROFIT ORGANIZATIONS AND CHURCHES**

APPLICANT: St. Francis of Assisi Catholic Church
 MAILING ADDRESS: 834 S. Orange Blossom Tr. Apopka FL 32703
PO BOX OR STREET CITY STATE ZIP

HOME PHONE# N/A WORK # 407-886-4602
 NAME OF ORGANIZATION: St. Francis of Assisi Catholic Church
 MAILING ADDRESS: 834 S. Orange Blossom Tr. Apopka FL 32703
PO BOX OR STREET CITY STATE ZIP

CONTACT PERSON: Kathryn Anetz PHONE # 407-886-4602 ext. 303
 NAME OF EVENT: Fall Festival
 DATE(S) OF EVENT: Oct. 24-26, 2014 TIME(S) OF EVENT: 10/24 6:00 pm - 10:00
10/25 3:00 pm - 10:00 p
10/26 11:00 am - 6:00 p
 LOCATION OF EVENT: 834 S. Orange Blossom Tr. Apopka, FL 32703

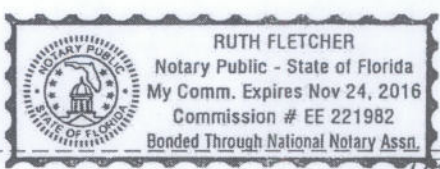
APPLICANT MUST SUBMIT PROOF OF NOT-FOR-PROFIT STATUS WITH THE IRS (501-C3)

Kathleen E. Anetz
 SIGNATURE OF APPLICANT
Kathleen E. Anetz
 PRINTED NAME OF APPLICANT

DATE SUBMITTED TO COMMUNITY DEVELOPMENT

STATE OF FLORIDA
 COUNTY OF ORANGE

SWORN TO AND SUBSCRIBED BEFORE ME THIS 2 DAY OF October, 2014,
 BY Kathleen Anetz WHO IS PERSONALLY KNOWN TO ME OR HAS
 PRODUCED FDL AS IDENTIFICATION.



Ruth Fletcher
 NOTARY PUBLIC SIGNATURE
Ruth Fletcher
 NOTARY PUBLIC PRINTED NAME

OFFICIAL USE ONLY

DATE APPROVED: 10-8-14
 DATE DENIED: _____

Richard D. Anderson
 Richard D. Anderson, CAO
 INTERIM CITY ADMINISTRATOR

Backup material for agenda item:

7. Authorize an expenditure from the Law Enforcement Trust Fund, in the amount of \$2,500.00, to Apopka High School for the creation of the Academic Consortium of Scholars.



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: _____

MEETING OF: October 15, 2014
 FROM: Police Department
 EXHIBITS: Request Memo

SUBJECT:

\$ 2,500.00 EXPENDITURE FROM LAW ENFORCEMENT TRUST FUNDS

Request:

AUTHORIZE A \$ 2,500.00 DONATION FROM LAW ENFORCEMENT TRUST FUNDS TO APOPKA HIGH SCHOOL FOR THE CREATION OF THE ACADEMIC CONSORTIUM OF SCHOLARS TO PROVIDE INCENTIVES FOR STUDENT ACADEMIC SUCCESS.

SUMMARY:

The Police Department requests City Council approval to expend funds from the Law Enforcement Trust Funds in the amount of \$ 2,500.00 to be donated to Apopka High School for the creation of the Academic Consortium of Scholars to provide incentives for student academic success. Law Enforcement Trust Funds may be used to support community-based programs. In accordance with trust fund rules, a local law enforcement agency may use a percentage of the total of shared monies received for the costs associated with drug abuse treatment, drug and crime prevention education, or other nonprofit community-based programs or activities that are formally approved by the chief law enforcement officer. The Apopka Police Department supports initiatives that promote youth activities which are consistent with a healthy, anti-drug lifestyle. These expenditures are supportive of and consistent with the department's support of local school activities.

FUNDING SOURCE:

Law Enforcement Trust Fund.

RECOMMENDATION ACTION:

Authorize the Finance Department to disburse \$ 2,500.00 from the Law Enforcement Trust Fund.

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 |



City of Apopka
Police Department
112 E. 6th Street Apopka, Florida 32703

Memorandum

Date: October 15, 2014

To: Honorable Joseph E. Kilsheimer and Commissioners

RE: LAW ENFORCEMENT TRUST FUNDS

The Police Department requests City Council approval to expend funds from the Law Enforcement Trust Funds in the amount of \$ 2,500.00 to be donated to Apopka High School for the creation of the Academic Consortium of Scholars to provide incentives for student academic success. Law Enforcement Trust Funds may be used to support community-based programs. In accordance with trust fund rules, a local law enforcement agency may use a percentage of the total of shared monies received for the costs associated with drug abuse treatment, drug and crime prevention education, or other nonprofit community-based programs or activities that are formally approved by the chief law enforcement officer. The Apopka Police Department supports initiatives that promote youth activities which are consistent with a healthy, anti-drug lifestyle. These expenditures are supportive of and consistent with the department's support of local school activities.

Respectfully,

Robert M. Manley
Chief of Police

Backup material for agenda item:

8. Authorize an expenditure from the Law Enforcement Trust Fund, in the amount of \$12,500.00, for undercover operations.



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: _____

MEETING OF: October 15, 2014
FROM: Police Department
EXHIBITS: Request Memo

SUBJECT:

\$12,500.00 EXPENDITURE FROM LAW ENFORCEMENT TRUST FUNDS

Request:

AUTHORIZE A \$12,500.00 EXPENDITURE FROM LAW ENFORCEMENT TRUST FUNDS FOR INVESTIGATIVE DRUG BUYS AND UNDERCOVER OPERATIONS.

SUMMARY:

The Police Department requests City Council approval for the expenditure of funds from the Law Enforcement Trust Fund in the amount of \$12,500 for investigative buys and undercover operations. These funds will be drawn down as needed in \$ 2,500 increments.

FUNDING SOURCE:

Law Enforcement Trust Fund.

RECOMMENDATION ACTION:

Authorize the Finance Department to disburse \$12,500.00 from the 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



City of Apopka
Police Department
112 E. 6th Street Apopka, Florida 32703

Memorandum

Date: October 15, 2014
To: Honorable Joseph E. Kilsheimer and Commissioners
RE: LAW ENFORCEMENT TRUST FUNDS

The Police Department requests City Council approval for the Finance Department to disburse \$12,500.00 of Law Enforcement Trust Funds drawn down in \$2,500 increments to the criminal investigations custodian. These funds will be used to conduct investigative drug buys and further other associated undercover operations.

Respectfully,

Robert M. Manley
Chief of Police

Backup material for agenda item:

9. Authorize the Mayor or his designee to execute the Sewer and Water Capacity Agreement for VitAg Corporation, located 6751 West Jones Avenue.



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER:

MEETING OF: October 15, 2014
FROM: Community Development
EXHIBITS: Phasing Plan
Agreement

SUBJECT: VITAG CORPORATION – WATER AND SEWER CAPACITY FACILITY AGREEMENT

Request: AUTHORIZE THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SEWER AND WATER CAPACITY AGREEMENT FOR VITAG CORPORATION

SUMMARY:

The City's standard Sewer and Water Capacity Agreement has been prepared for VitAg Corporation, located 6751 West Jones Avenue.

FUNDING SOURCE:

Not applicable

RECOMMENDATION ACTION:

Authorize the Mayor or his designee to execute the Sewer and Water Capacity Agreement VitAg Corporation, located 6751 West Jones Avenue.

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
Interim CA Janice Goebel
Community Dev. Dir.

Finance Dir.
HR Director
IT Director
Police Chief

Public Ser. Dir.
City Clerk (4)
Fire Chief

**SEWER & WATER CAPACITY & CAPITAL FACILITY FEES PAYMENT
AGREEMENT**

UNINCORPORATED ORANGE COUNTY

Project: VitAg Zellwood Manufacturing Plant

THIS AGREEMENT made as of this _____ day of September, 2014 by and between the City of Apopka, a municipal corporation (hereinafter sometimes referred to as the "City"); and VitAg Florida, LLC, a Florida limited liability company (hereinafter referred to as the "Owner").

WHEREAS, the City Council of the City of Apopka has enacted ordinances providing for Sewer and Water Capital Facility Fees; and

WHEREAS, the Owner owns or controls lands located at 6751 West Jones Avenue as described in Exhibit "A" attached hereto and made a part hereof as is fully set out in this paragraph and (hereinafter referred to as the "Property") and Owner or its successors or assigns intends to construct the VitAg Zellwood Manufacturing Plant on the Property per plans on file in the City of Apopka's Public Services Department as of this date (hereinafter referred to as the "Plant"); and

WHEREAS, Owner, pursuant to its Memorandum to the City dated March 20, 2014 (hereinafter referred to as the "Service Request"), has officially requested that the City provide sewer and water service to the Plant to be located on the Property; and

WHEREAS, the City is willing to provide, in accordance with the provisions of this Agreement, water and sewer service to the Plant and thereafter operate applicable facilities so that the Plant will receive adequate sewer service and water supply from the City to meet the Service Request; and

WHEREAS, Owner is obligated to pay certain Capital Facility Fees in conjunction with this commitment for capacity and desires to execute this Agreement with the City.

NOW, THEREFORE, the parties hereto agree as follows:

Section 1. Compliance.

The Owner agrees that both it and its successors and assigns will abide by the provisions of this Agreement and the relevant ordinances of the City and that it 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 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 ground for refusal by the City, or the appropriate authority thereof, to allow such development to obtain further inspections, 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.

B. "ERU (Sewer)" means Equivalent Residential Unit defined as having the average demand of 350 gallons per day.

C. "FDEP" shall mean the Department of Environmental Protection of the State Florida.

D. "FDEP Permit" shall mean the FDEP approval/permit to construct a domestic wastewater collection/transmission system.

E. "Full Production Date" shall mean the date upon which Owner provides the Commercial Operations Date Certificate, approved by the Owner's Independent Engineering firm contracted to review the construction of the Plant based upon the satisfaction of the conditions set forth in the Indenture of Trust dated as of July 1, 2014 between the Orange County Industrial Development Authority and Citibank, N.A., as Trustee.

F. "Point of Delivery" - The point where the pipes or meter of the City are connected with the pipes of the Owner. Unless otherwise indicated, Point of Delivery shall be at the Owner's lot line.

G. "Service" -The readiness and ability on the part of the City to furnish and maintain water and sewer service to the Point of Delivery pursuant to applicable ordinances, laws, rules, regulations, permits and City policies.

Section 3. Capital Facility Fee.

Owner hereby agrees to pay the City the following Capital Facility Fees:

- A. Sewer Capital Facility Fee: Based on estimated flows in the Service Request, Owner agrees to pay the City \$1,524,672.00 for 288.00 Sewer ERU's at \$5,294.00 per ERU.
- B. Water Capital Facility Fee: Based on estimated flows in the Service Request, Owner agrees to pay the City \$16,835.00 for 5.00 Water ERU's at \$3,367.00 per ERU.
- C. The actual amount of impact to the City's sewer and water system will be evaluated by the City of Apopka Engineering Division one year after the Full Production Date. Any variation to the estimated sewer flows or water usage will

be added or subtracted from the Sewer Capital Facility Fee and the Water Capital Facility Fee, as applicable, and payment true-up will occur at the end of the payment schedule in Section 4(A).

Section 4. Payment of Capital Facility Fees.

A. Sewer Capital Facility Fee: The total amount of the Sewer Capital Facility Fee due and payable by the Owner to the City is \$1,524,672.00 and will be paid as follows:

1. On applying for the FDEP Permit, the Owner will pay the City an amount of \$457,401.60, which represents 30% of the Sewer Capital Facility Fee due;
2. 20% of the Sewer Capital Facility Fees, or \$304,934.40, at the time of receiving the FDEP Permit;
3. 15% of the Sewer Capital Facility Fee, or \$228,700.80, when construction of the sewer connection commences; and
4. The remaining 35% of the Sewer Capital Facility Fee, or \$533,635.20, will be paid in 48 monthly payments of \$11,117.40 each, commencing on the first day of the month following the month of the Plant has commenced operation, and continuing on the first day of each month thereafter.

Note: Per the Note in Section 3, the monthly payment may be adjusted based upon the evaluation of the actual impact to the system after one year.

B. Water Capital Facility Fee: The total amount of the Water Capital Facility Fee due and payable by the Owner to the City is \$16,835.00 and will be paid as follows:

1. On applying for the FDEP Permit, the Owner will pay \$5,050.50, which represents 30% of the total Water Capital Facility Fees Due;
2. 35% of the Water Capital Facility Fees, or \$5,892.25, will be paid at the time of receiving the FDEP Permit;
3. The remaining thirty-five percent (35%), or \$5,892.25, on the first day of the month following the month in which the Plant has commenced operation.

Note: Per the Note in Section 3, the monthly payment may be adjusted based upon the evaluation of the actual impact to the system after one year.

Section 5. Repayment of Capital Facility Fees.

If no FDEP Permit is obtained or if a FDEP Permit expires and FDEP has released all permitted capacity back to the City and no construction has been commenced, then applicant shall be entitled to a refund of the capital facility fees paid as a condition for issuance, except that the City shall retain three percent (3%) of the refunded fees as a fee to offset the costs of collection and refund.

Section 6. Agreement to Serve.

Upon the completion of construction of the water and sewer facilities by Owner, their inspection, the payment of the fees at the times required under this Agreement, and the issuance of the final letter of acceptance by the City, the City covenants and agrees that it will allow the connection of the water and sewer facilities installed by Owner to the central facilities of the City 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 City agrees that once it provides water and sewer service to the Property and Owner has connected to its system, that thereafter the City 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.

Section 7. Binding Effect of Agreement.

This Agreement shall be binding upon and shall inure to the benefit of the Owner, the City and their respective assigns and successors by merger, consolidation, conveyance or otherwise, subject to the terms of this Agreement, as contained herein.

Section 8. Notices.

All notices or communications herein required or permitted to be given shall be in writing and mailed by first class mail, postage prepaid, or delivered as follows:

If to the City: The City of Apopka
Public Services Department
748 E. Cleveland Street
Apopka, Florida 32703
Attention: Director

If to the Owner: VitAG Florida LLC
117 Allwin Lane
Beech Island, SC 29842
Attention: President

With a copy to: VitAg Holdings, LLC
117 Allwin Lane
Beech Island, SC 29842
Attention: Secretary

In all cases, with a copy to the Trustee: Citibank, N.A.
388 Greenwich Street
14th Floor
New York, NY 10013
Attention: Agency & Trust – VitAg Florida LLC

A duplicate copy of each notice or communication given hereunder by either the City or the Owner to the other shall also be given to the Trustee. The City and the Owner may, by notice given hereunder, designate any further or different addresses to which subsequent notices, certificates and other communications shall be sent.

Promptly after the date of this Agreement, the City shall execute and deliver to the Trustee an acknowledgement in the form set forth in Exhibit B, attached hereto.

Section 9. Costs of Enforcement.

In the event the City or the Owner 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 10. Applicable Law; Entire Agreement.

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. This Agreement supersedes all previous agreements or representations, either verbal or written, heretofore in effect between City and Owner, made with respect to the matters herein contained, and when duly executed, fully constitutes the Agreement between City and the Owner. 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 11. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one instrument.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this SEWER AND WATER CAPACITY AND CAPITAL FACILITY FEES PAYMENT AGREEMENT as of the date set forth in the first paragraph hereof.

	THE CITY OF APOPKA, a municipal corporation:
	By: _____ Janice G. Goebel Interim City Administrator
	Attest: _____ Linda Goff, City Clerk

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this _____ day of _____, 20 by JANICE G. GOEBEL and LINDA GOFF, Interim City Administrator and City Clerk respectively, of CITY OF APOPKA, a Florida municipal corporation, on behalf of the corporation. They are personally known to me and did not take an oath.

S E A L

NOTARY PUBLIC

WITNESSES AS TO OWNER

OWNER: VITAG FLORIDA, LLC, a
Florida limited liability company

By: Its Manager: VitAg Corporation

By: _____
Name: _____
Title: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of
_____, 20____ by _____
(Name of officer or agent) of VitAg Corporation, the Manager of VitAG Florida, LLC, a
Delaware limited liability company, on behalf of the limited liability company. He is
personally known to me or has produced _____
(type of identification) as identification and did (did not) take an oath.

S E A L

NOTARY PUBLIC

EXHIBIT A

Description of the Property

Parcel 1

The Northwest 1/4 of the Southwest 1/4 and the Northeast 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 all lying in Section 21, Township 20 South, Range 27 East in Orange County, Florida. All lying South of the railroad and West of railroad siding. Less the following described parcel: Begin at the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section. Thence run East 197.34 feet, thence North 1304.18 feet to the North line of the Southwest 1/4 of said section, thence West along the North line of the Southeast 1/4, 209.31 feet to the Northwest corner of the Southwest 1/4 of said section, thence South to the point of beginning. Also less the road right of way and the West 30 feet of the above described parcel, Orange County, Florida.

Also less: Commence at the West 1/4 corner of Section 21, Township 20 South, Range 27 East; thence run N. 89°30'39" E. along the North line of the Southwest 1/4 of Section 21, Township 20 South, Range 27 East, a distance of 1974.42 feet for a point of beginning; thence N. 00°21'18" W. a distance of 205.76 feet to a point on the Southerly railroad right-of-way and to a point of non-tangency on a curve concave Southwesterly, having a radius of 899.78 feet, a chord bearing of S. 25°39'43" E., a chord distance of 886.70 feet, run thence Southeasterly along the arc of said curve, through a central angle of 59°02'25", a distance of 927.18 feet; thence S. 00°20'26" E. a distance of 685.65 feet; thence S. 89°43'24" W. along the North right-of-way line of Jones Avenue a distance of 375.00 feet; thence N. 00°31'40" W. a distance of 1280.99 feet to the point of beginning. All of the above is subject to all easements, rights-of-way and restrictions of record, if any.

Together with: Easement rights contained in the Warranty Deed recorded in Official Records Book 3459, Page 839 over the following described property:

A 30' strip of land lying East of and contiguous with the following described line: From the Northwest corner of South West 1/4 of Section 21, Township 20 South, Range 27 East, Orange County, Florida, run thence South 89° 54' 30" East along the North line of said Southwest 1/4 of Section 21 a distance of 209.31 feet for a point of beginning, thence South 01° 14' 44" West a distance of 1304.18 feet to a point in the centerline of pavement of Jones Avenue for a point of terminus.

Parcel 2

A portion of land in the Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4, lying north of Railroad right of way, LESS road right of way on the North, Section 21, Township 20 South, Range 27 East, Orange County, Florida.

EXHIBIT B

FORM OF ACKNOWLEDGMENT

[to be placed on City's Letterhead]

September ____, 2014

Citibank, N.A.
388 Greenwich Street
14th Floor
New York, NY 10013
Attention: Agency & Trust – VitAg Florida LLC

Re: That certain Sewer and Water Capacity and Capital Facility Fees Payment Agreement, dated September ____, 2014 (the "Contract") between The City of Apopka ("City") acknowledges and agrees that VitAg Florida, LLC (the "Borrower")

To Whom It May Concern:

City acknowledges and agrees that the Borrower has collaterally assigned all of its right, title and interest in and to the above-described Contract to Citibank, N.A., or its successors or assigns (the "Trustee"), pursuant to a certain Security Agreement, dated as of July 1, 2014, as amended, between the Borrower and the Trustee. City shall, upon giving Borrower notice of any Borrower default under the Contract, at the same time give a copy of such notice to the Trustee, and no notice to Borrower of any Borrower default hereunder shall be deemed to be duly given unless and until a copy thereof shall have been so given to the Trustee. The Trustee, or its designee, may (but shall not be obligated to) cure any such Borrower default within thirty (30) days after the date of such notice; or, if such Borrower default cannot reasonably be cured by the Trustee within such 30-day period, within such longer period of time not to exceed ninety (90) days as is reasonably necessary to effect such cure ("Cure Period"), provided that Trustee (a) notifies City of its intent to cure such Borrower default and commences action to cure such Borrower default within such initial 30-day period and (b) thereafter proceeds to cure such Borrower default with reasonable diligence. No curing of any default on behalf of the Borrower shall be construed an assumption by the Trustee or its designee of any obligations, liabilities, or agreements of the Borrower. In that event, City shall accept such performance as if the same were done by the Borrower. The Contract shall not be terminated by City during any period in which the Trustee is entitled to attempt, and is attempting, to cure a default, in each case, during the Cure Period. Should the Trustee or its designee succeed to Borrower's rights hereunder, City will thereafter tender performance of the Contract to the Trustee or its designee, in which event, the Trustee or such designee shall assume all of the obligations of the Borrower under the Contract arising from and after the date the Trustee or its designee succeeds to the Borrower's rights hereunder.

Other than as expressly provided in the foregoing sentence, in no event shall the Trustee have any duty, obligation or liability under the Contract. In the event the Trustee (or any of its designees) is substituted for the Borrower as described above, City agrees to accept performance of the Borrower's obligations under the Contract by the Trustee (or any of its designees) in lieu of the Borrower's performance of such obligations; provided that neither the Trustee nor its designee shall have personal liability to City for the performance of such obligations and the sole recourse of the City in seeking to enforce the Trustee's (or any of its designees') obligations under the Contract shall be limited to the Trustee's interest in the Project; and provided further that in the event the Trustee (or any of its designees) is substituted for the Borrower under the Contract and the Trustee or designee subsequently assigns the Contract to a transferee, the Trustee and any such designee shall be released of all liability under the Contract accruing from and after the date of such transfer. It is acknowledged and agreed that, in connection with the Trustee's exercise of its rights under the Security Agreement, the Trustee shall be entitled to all of its rights, benefits, protections and immunities set forth in the Indenture."

Sincerely,

[Signature of Authorized City Employee]

Backup material for agenda item:

1. Administrative Report - Janice G. Goebel - Interim City Administrator

Administrative Report



Presented To: Mayor and City Council

Presented By: Janice G. Goebel, Interim City Administrator

October 15, 2014

A.S.K.
Apopka Service Kiosk
November 2013 – September
2014



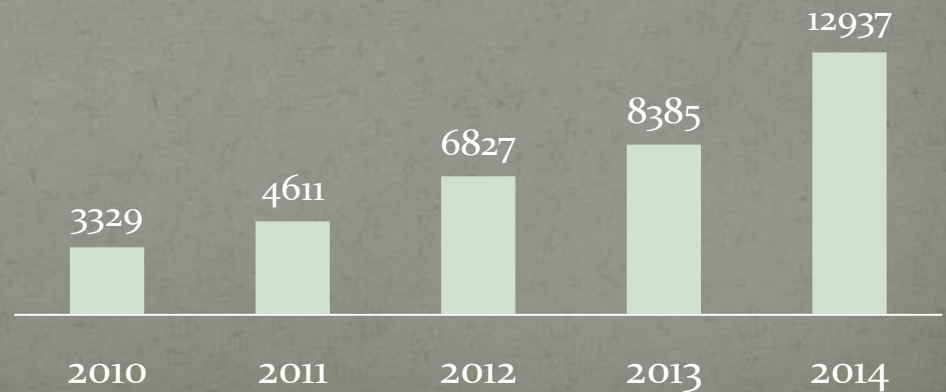
Information Technology

January - September

Homepage Visits



Building Webpage Visits



Finance

January - September

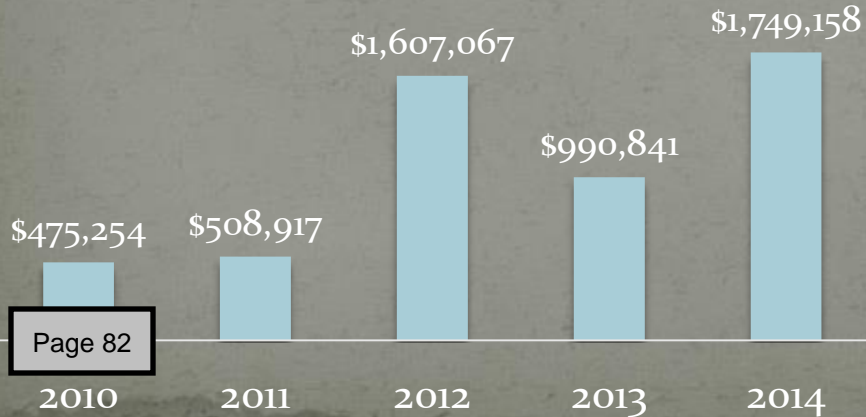
Sewer Impact



Water Impact



Transportation Impact



School Impact



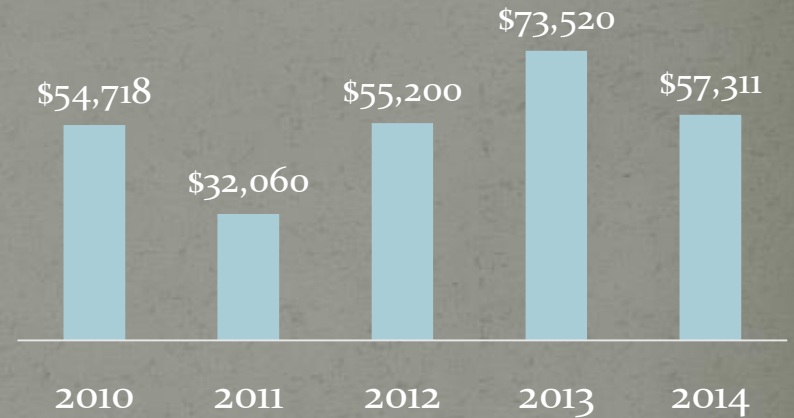
Finance

January - September

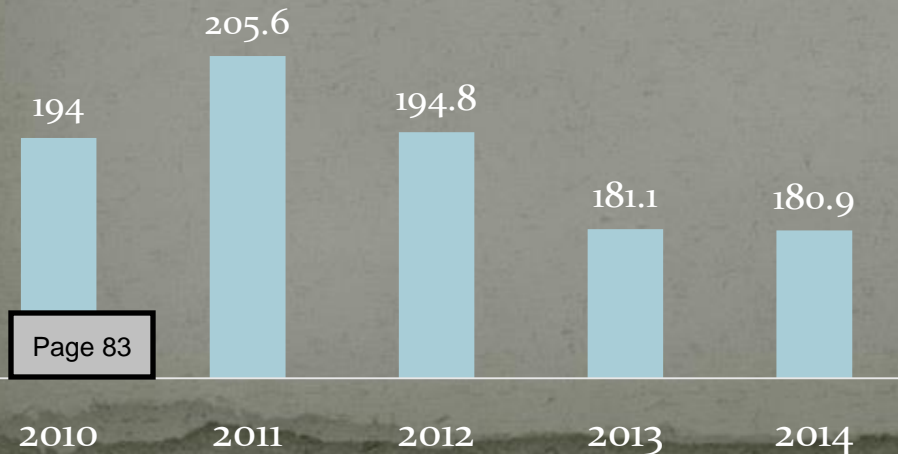
Reuse Impact



Recreation Impact



Average Potable Water Billed



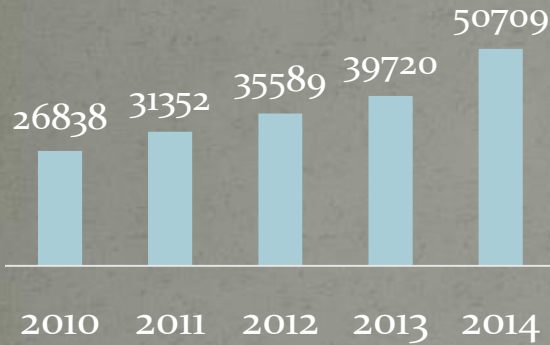
New Potable Meters Set



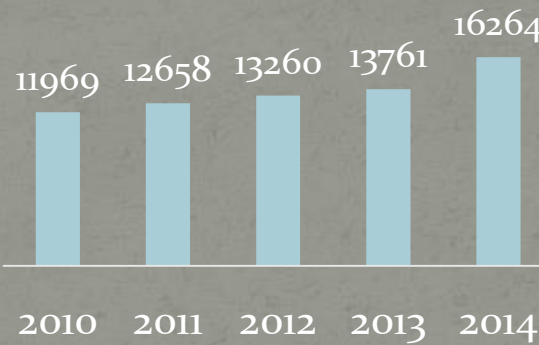
Finance - Utility Billing

January - September

Web



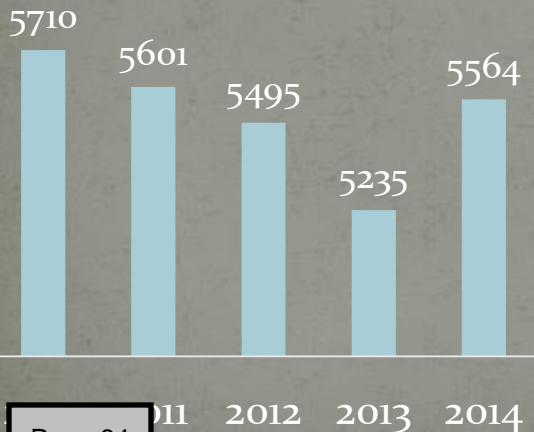
Office Window



Mailed



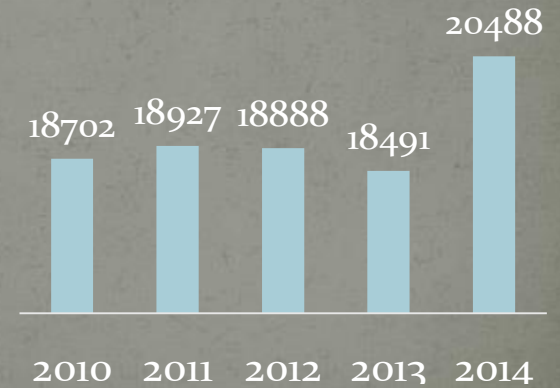
Drop Box



ACH



Drive-Up Window



Community Development

January - September

Arbor Permits



Arbor Revenues



Tree Bank Revenues



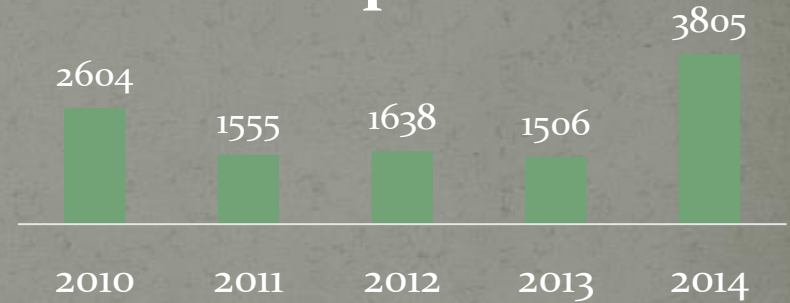
Community Development - Building

January - September

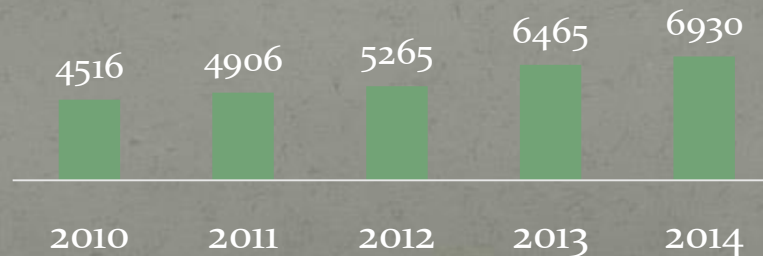
Automated Phone System Requests



Internet Inspection Requests



Office Inspection Requests



Community Development - Building

January - September

Permits Issued



Value of Construction



Certificates of Occupancy Issued



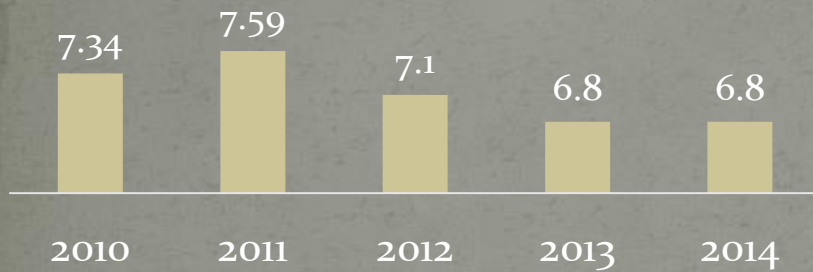
Inspections Performed



Public Services – Water Plants

January - September

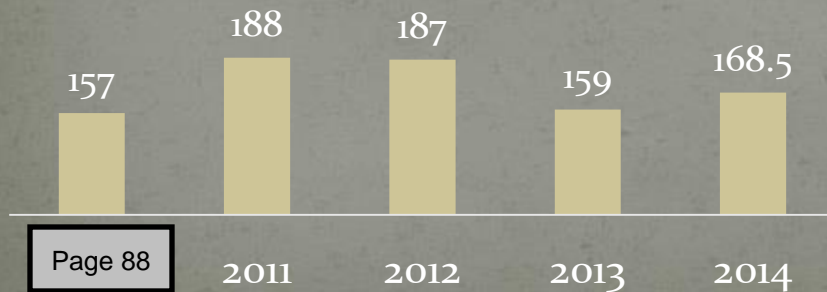
Water Plant – Average Daily Flow



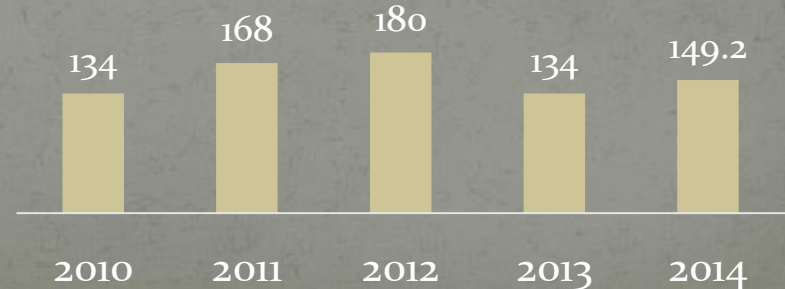
Wastewater Plant Average Daily Flow



Reclaimed Gallons Produced



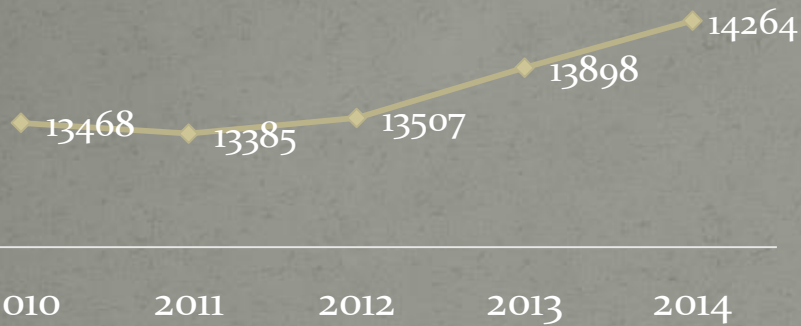
Reclaimed Gallons Used



Public Services - Sanitation

January - September

Residential Customers



Commercial Customers



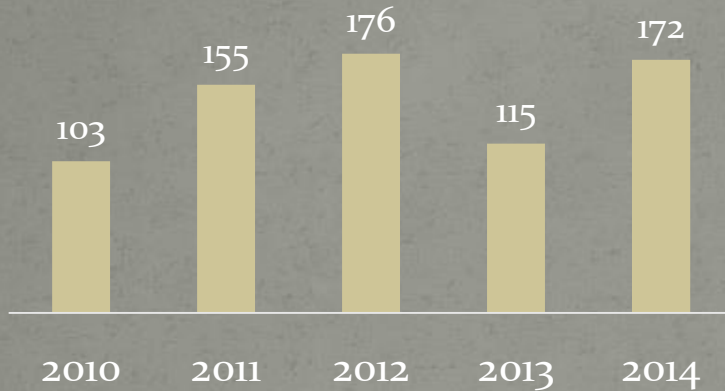
Recycling Customers



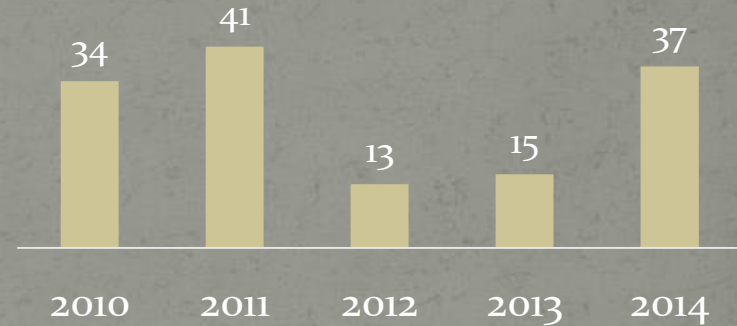
Public Services - Water Conservation

January - September

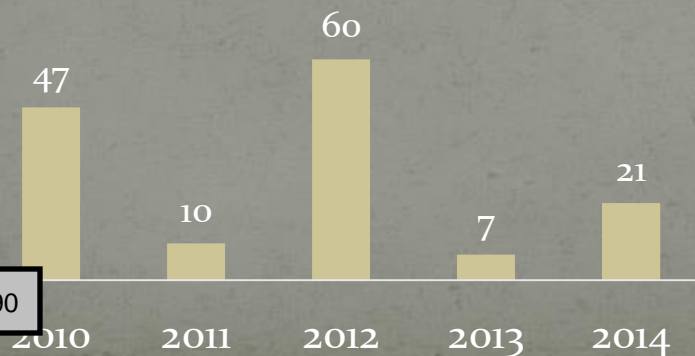
System Evaluations



Rain Sensors Issued



Program Rebates



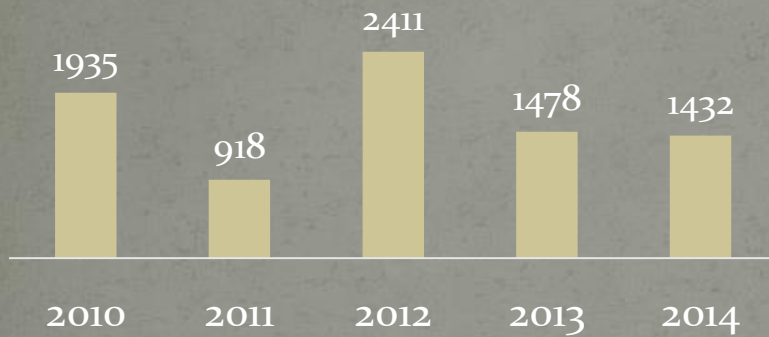
Rebate Value



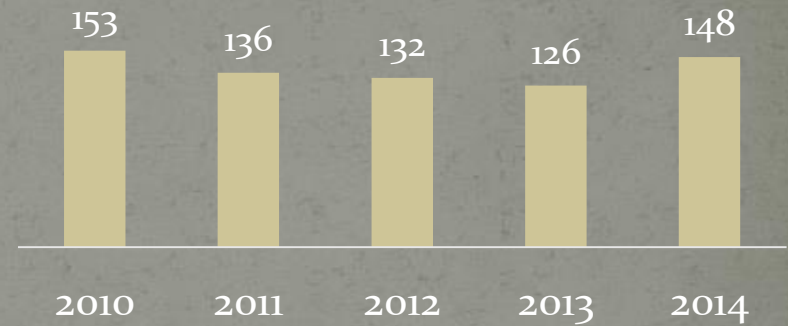
Public Services - Recreation

January - September

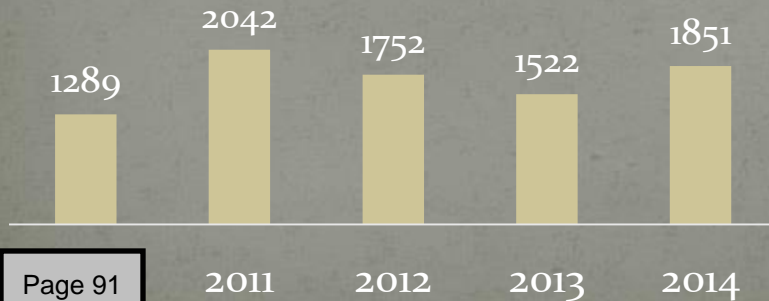
League Events



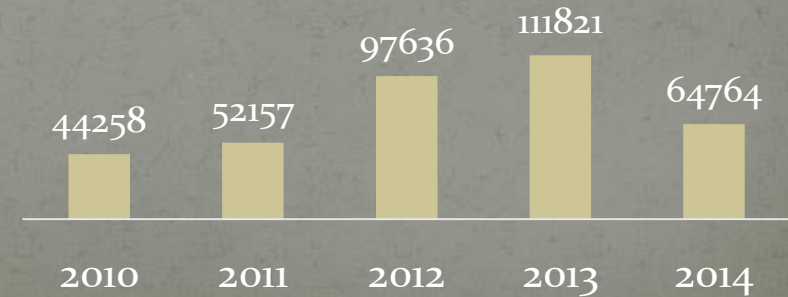
Senior Events



Facility Events



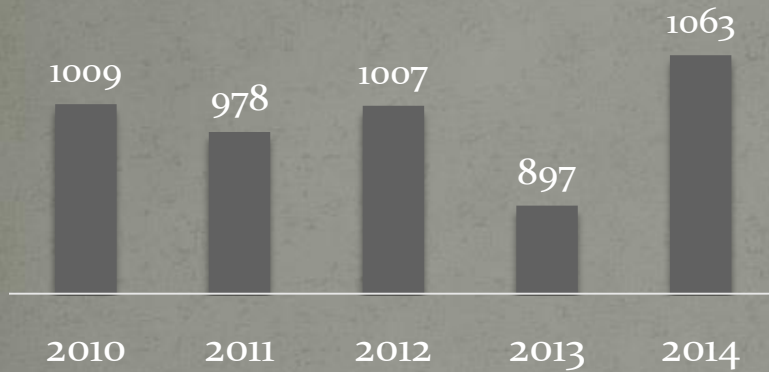
Special Events Attendees



Fire

January - September

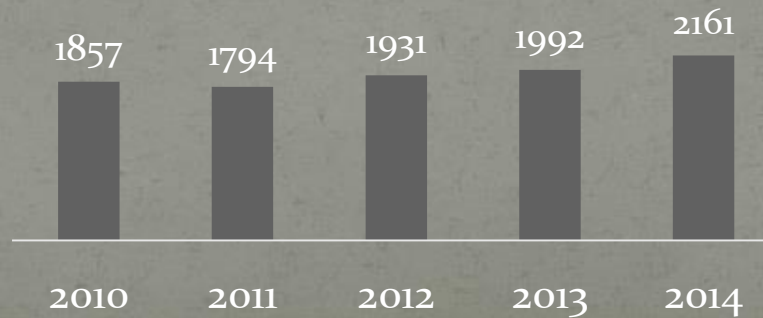
NFIRS Calls For Service



EMS Calls For Service



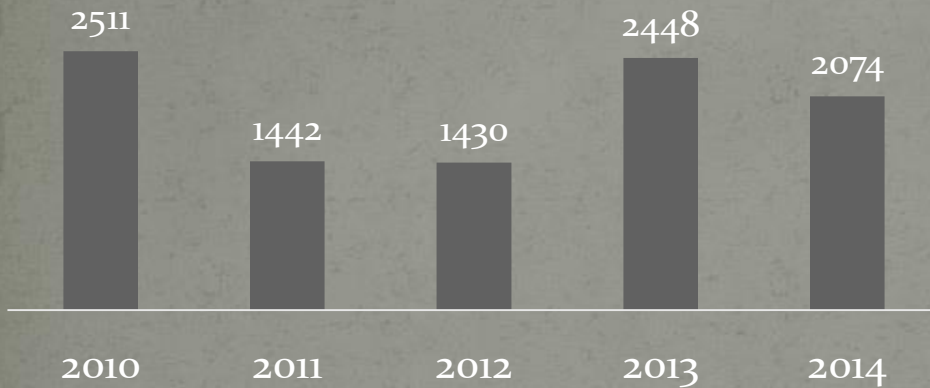
Annual Inspections



Police

January - September

Uniform Traffic Citations



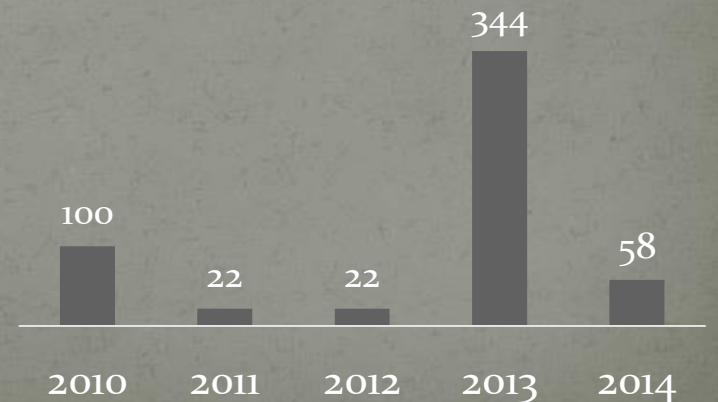
DUI Arrests



Warning Citations



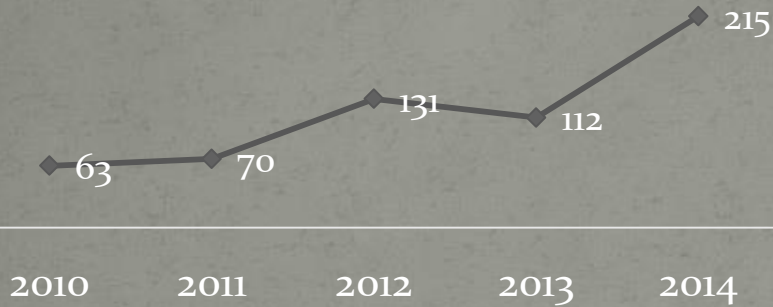
Parking Citations



Police - Code Enforcement

January - September

Unkempt Cases



Disabled Vehicle Cases



Total Code Enforcement Cases



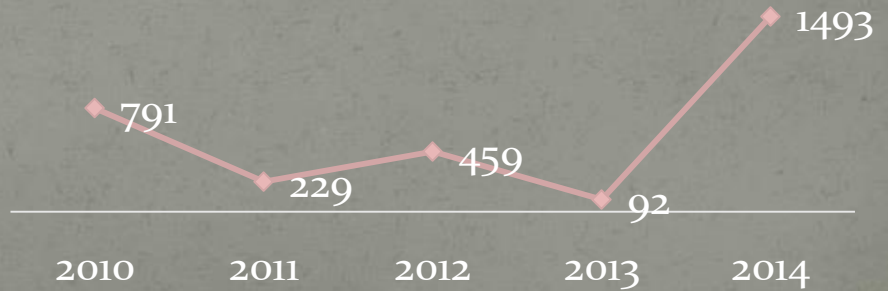
Administrative Services

January - September

New Business Tax



Business Tax Renewals





Backup material for agenda item:

1. Appointment and ratification of Pamela D. Toler to the Planning Commission.



CITY OF APOPKA
BOARD APPOINTMENT INFORMATION FORM

Please type if possible, or print clearly

Date: Sept. 30, 2014

Board(s) Desired

1 Planning Board

2 _____

3 _____

Name Pamela D. Toler

Address (Home) 2084 Tournament Dr., Apopka, FL 32712

(Bus.) _____

Phone (Home) 407-405-4791

(Bus.) _____

Employer Retired

Position _____

Education

Years Comp.

Degree

High School _____

Western Michigan University

4

Bachelors

College _____

Troy University

2

Masters

- 1 Are you a City of Apopka resident? Yes No _____
2 Are you a registered voter? Yes No _____
3 Do you own property in Apopka? Yes No _____
4 Are you currently serving on a City Board? Yes _____ No
5 Have you ever served on a City Board? Yes _____ No
If yes, when and which Board?

6 How long have you lived in Central Florida? Years 26

7 References

Name

Address

Phone

Sue Shetrom

1810 Cranberry Isles Way

407-353-0481

Cyndi Lee

1017 Lake Francis Dr.

704-491-8760

Page 98

Blanger

2084 Tournament Dr

40-718-3807

(Continued on other side)

Work Experience: 25+ years in government (state and municipal) and commercial technology development, business development, project management, legislative consulting, business continuity management and consulting.

Community Involvement: Volunteer to various political campaigns and charitable donor.

Interests/Activities: Home renovations, golf, home audio/audiophile, family.

Why do you want to serve on this/these Board(s)? Contribute to the current and future development of the City.

A resume or separate sheet with additional information may be included.

I understand the responsibilities associated with being a Board member, and I have adequate time to serve on the above Board(s).


Signature

If you have questions, please call the Community Development Department at (407) 703-1712.

Return this form to Mayor's Office
120 E. Main St.
P.O. Drawer 1229
Apopka, Florida 32704

*****NOMINATING BOARD USE ONLY*****

AIF Received 9/30/2014 *mm*

Info to Staff _____

AIF Acknowledged 9/30/2014 *mm*

Mayor's Letter _____

Forwarded to Mayor 9/30/2014 *mm*

Other _____

Council Action _____

Resume:

Pamela D. Toler

2084 Tournament Dr.
Apopka, FL 32712
407-405-4791
pdtoler@gmail.com

Government Business Development Management

- **Expertise**
Business Development Management, Administration, Operations, Sales and Marketing.
- **Strengths**
Extensive background in:
 - forecasting, financial management and budgeting,
 - organizational planning,
 - project management,
 - organizational and behavioral management, team building and development,
 - training and training materials creation.
 - technical presentations and proposals,
 - tradeshow, direct mail,
 - personnel contracting,
 - solution and strategic sales, and
 - alternate channel development.

Highly proficient in the use of computer applications as business productivity tools. A proponent of increasing efficiencies through technology.

Effective management style that encourages independent contribution and collaborative working relationships across organizational boundaries.

Professional Experience Highlights

FedVest, Inc., Maitland, Florida

Public Sector Consultant Business Development/Project Manager

Public Sector (federal, state, local) consulting, training and complete back-office contract management services to businesses.

Expertise includes GSA acquisition consulting, marketing, reporting requirements, socio-economic program assistance, marketing plan development, marketing content development, sales strategy development and review, solicitation response training. Review P & L.

Project manager throughout various processes, interfacing with multiple delivery teams.

Broadberry Data Systems - Orlando, FL

Public Sector (federal, state, local) National Business Development Manager

Manufacturer and distributor of mid-range servers and storage servers, services, software and peripheral products.

Developed Public Sector sales programs to include opportunity development, strategic relationships, applicable registrations, and solicitation responses.

Initiated and developed business development marketing programs. to include the establishment of a national reseller program, email and social site marketing, CRM and data base development, leasing programs, branding activities, customer satisfaction policies and measurement, forecasting, reporting and measurement models.

P & L Innovative Enterprises, Inc. - Apopka, FL

Director Operations, Marketing and Business Development

Technical products distributor to retail, wholesale companies and government channels.

Responsible for financial operations, marketing and sales.

Designed and maintained financial and reporting systems, business development, marketing plan, and website.

Developed all marketing materials to include packaging design, branding, signage, trade shows, website, marketing, presentations and news releases.

Recruited, managed and trained retail contracts sales force,

MCSI - Orlando, FL

Southeast Business Development Manager

\$50 Million software, hardware and service storage integrator.

Managed government (state and municipal), and commercial business development in the Southeast

Developed commercial and public sector programs to include, strategic relationships, opportunity development, applicable registrations, and solicitation responses.

PREVIOUS

**Florida Information Resource Consultants, Inc.
Tallahassee, FL**

Florida Legislative Consultant for Hitachi Data Systems, Amdahl Corporation (Fujitsu) and educational and enterprise technology companies (EMC, Data General, TechKnowledge).

EDUCATION

Master of Science (Business Management)

Various Continuing Education Certificates from the AMA (American Management Association):

- Project Management,
- Time Management.
- Solutions and Conceptual Sales Training.
- Relationship Management, and Team Management